

**VILLAGE OF GREENDALE
REGULAR BOARD MEETING
December 2, 2008**

President Hermes called the Village Board meeting to order at 7:00 p.m. in the Board Room of Village Hall.

ROLL CALL

Present: Jim Birmingham, Sikorski, Turay, Chadwick, Barbian, Jeff Birmingham, Hermes
Absent: None

Also Present: Todd Michaels, Village Manager
Jim Burns, Village Attorney
Robert Dams, Police Chief
W. Scott Satula, Director of Inspection Services
Jon Cohn, Fire Chief
Carl Tisonik, DPW Director

MINUTES

Trustee Jim Birmingham moved, seconded by Trustee Barbian, that the reading of the minutes for the Regular Board meeting held on November 18, 2008 be suspended since all Board members received copies of same prior to tonight's meeting and that these minutes be approved as presented.

Ayes: Jim Birmingham, Sikorski, Turay, Chadwick, Barbian, Jeff Birmingham, Hermes
Nays: None
Motion to Approve: Carried

NEW COMMUNICATIONS

None scheduled

CITIZENS' COMMENT

There were none

STANDING COMMITTEE REPORTS

Finance Committee

Trustee Jim Birmingham reported on the November 26, 2008 Finance Committee meeting.

*Village of Greendale
Finance Committee
November 26, 2008*

Trustee James Birmingham called the meeting of the Finance Committee to order at 7:00 p.m. in the Board Room of the Village Hall.

Present: Sikorski, Turay, Jim Birmingham, Hermes
Also Present: Todd K. Michaels, Village Manager
W. Scott Satula, Director of Inspection Services

Carl Tisonik, Director of Public Works
Fire Chief Jon Cohn
Trustee Sally Chadwick

The Finance Committee Agenda Notice was in compliance with the Open Meetings Law.

Public Hearing and Action Items

A. FC 08-43 2009 Village Proposed Budget
- Resolution R2008-11 Approving the 2009 Budget
- Resolution R2008-12 Setting the 2008 Tax Levy
**- Resolution R2008-13 Approving 2009 Southridge Mall
Business Improvement Operating Plan and Approving
2008 Business Improvement District Tax Levy**

Trustee Jim Birmingham opened the Public Hearing. No one came forward to comment.

Manager Michaels reviewed the two major changes from the Recommended to the Proposed Budget. The first change is the revision in the General Fund to qualify for the Expenditure Restraint Program (ERP) from 4.3% to 4.6%. The 0.3% increase or \$30,551 was adjusted in the amount transferred to the Refuse and Recycling Fund for the portion of garbage disposal costs and did not impact the tax levy amount. The second change is based on the decision not to move forward with issuing general obligation debt at this time. The amount of \$1,060,000 originally proposed in the Debt Service Fund for 2009 debt payments was instead included in the Capital Improvement Fund to provide funding for 2009 projects to be funded with general obligation notes.

Trustee Jim Birmingham closed the Public Hearing.

Discussion: Manager Michaels brought up that Resolution R2008-11 included in Item #3 that the Village was foregoing the use of bonds at this time and will use available funds from the Equipment Fund for the purchase of the Fire Department Ladder Truck, which was previously approved with the proposed 2008 bond issue, by the Village Board. The 2009 Budget calls for an inflationary increase in the residential curbside recycling rates from \$22.56/year to \$23.58/year per the contract with the Village's outside service provider. The 2009 Storm Water Utility Charge will remain the same as 2008: \$6.50/Equivalent Residential Unit (ERU) per month (\$78.00/year). Trustee Turay asked about the Village's ability to do a bond issue in the future to be able to do projects. Manager Michaels informed the committee that funds are available for the Grange Avenue and Eastway Projects with a reduction in the repaving projects from the tax levy originally proposed for 2009 debt service. Manager Michaels stated that the Village would be able to bond for projects in the future, it chose not to in late 2008 due to the instability in the market. However, the Village would have to explain the use of fund balance for the capital projects proposed for 2009. The budget reflects the reduction in debt service payments and the cash funding of 2009 Capital Improvement Projects. Manager Michaels reviewed Resolution R2008-13 regarding the 2008 Southridge Mall Bid tax levy and the 2009 Budget use of \$90,000 for improvements to the Mall.

The Finance Committee recommended and Trustee Jim Birmingham so moved, seconded by Trustee Turay, to adopt Resolution R2008-11, Approving the 2009 Budget.

Ayes: Jim Birmingham, Sikorski, Turay, Chadwick, Barbian, Jeff Birmingham, Hermes

Nays: None
Motion to Adopt: Carried

The Finance Committee recommended and Trustee Jim Birmingham so moved, seconded by Trustee Turay, to adopt Resolution R2008-12, Setting the 2008 Tax Levy.

Ayes: Jim Birmingham, Sikorski, Turay, Chadwick, Barbian, Jeff Birmingham, Hermes
Nays: None
Motion to Adopt: Carried

The Finance Committee recommended and Trustee Jim Birmingham so moved, seconded by Trustee Turay, to adopt Resolution R2008-13, Approving the 2009 Southridge Mall Business Improvement Operating Plan and Approving 2008 Business Improvement District Tax Levy.

Ayes: Jim Birmingham, Sikorski, Turay, Chadwick, Barbian, Jeff Birmingham, Hermes
Nays: None
Motion to Adopt: Carried

Communications

None

Accounts Payable Checks to be Approved for Payment

The Finance Committee recommended and Trustee Jim Birmingham so moved, seconded by Trustee Turay, to approve Accounts Payable Check Nos. 87559 to 87702 in the amount of \$402,962.08

Ayes: Jim Birmingham, Sikorski, Turay, Chadwick, Barbian, Jeff Birmingham, Hermes
Nays: None
Motion to Approve: Carried

Status of Accounts

Manager Michaels reviewed the status of accounts. The Village has been investing in certificate of deposits (CD's) which have been at favorable rates. Manager Michaels reviewed the status of the snow and ice budget and provided information on FEMA funds received for the two incidents this year which the Village would receive reimbursement.

Old Business

None.

New Business

A. FC 08-42 Applications for Beverage Operator Licenses

Beverage Operator License applications for Angela Fechtmeyer, from Harmony Inn the Village; and Dennis Kempen from St. Alphonsus Congregation were presented. All applicants were approved by the Police Department and did provide training certificates.

The Finance Committee recommended and Trustee Jim Birmingham so moved, seconded by Trustee Turay, to approve the applications for Beverage Operators Licenses for the

above named applicants, subject to the completion of the beverage operator's class and proof of such training.

Ayes: Jim Birmingham, Sikorski, Turay, Chadwick, Barbian, Jeff Birmingham, Hermes
Nays: None
Motion to Approve: Carried

**B. FC 08-44 Payment Request No. 4 and Change Order No. 3
Globe Contractors, Inc. – Contractor Services
2008 Village Street Rehabilitation and Utility Projects**

Manager Michaels reviewed the payment request and change order with the committee. Change Order No. 3 was a start on the storm water analysis recommendations from the Village Engineer which were developed after the June 2008 flooding event in the amount of \$52,165.20. Manager Michaels reviewed the project status of the storm water analysis recommendation. The payment request includes \$18,334.70 in Water Utility patch work at locations in the Village.

The Finance Committee recommended and Trustee Jim Birmingham so moved, seconded by Trustee Jeff Birmingham, to approve the Payment Request No. 4 and Change Order No. 3 to Globe Contractors, Inc. for the 2008 Village Street Rehabilitation and Utility Projects in the total amount of \$70,499.90 with funds secured from the Village budget as presented.

Ayes: Jim Birmingham, Sikorski, Turay, Chadwick, Barbian, Jeff Birmingham, Hermes
Nays: None
Motion to Approve: Carried

**C. FC 08-40 Discussion and Necessary Action Pertaining to Personnel Rules
Covering Recruitment and Selection Procedures.**

Manager Michaels reviewed the policy which was presented to the committee in October. The policy will provide uniformity and an approval process involving the Village Manager or his/her designee.

The Finance Committee recommended and Trustee Jim Birmingham so moved, seconded by Trustee Sikorski, to approve the Personnel Rules Covering Recruitment and Selection Procedures Policy as presented.

Ayes: Jim Birmingham, Sikorski, Turay, Chadwick, Barbian, Jeff Birmingham, Hermes
Nays: None
Motion to Approve: Carried

Adjournment

Ayes: Trustee Turay, Trustee Sikorski, President Hermes and Trustee Birmingham
Noes: None
Motion carried
The Finance Committee Adjourned at 7:27 P.M.
Respectfully submitted, Kathryn Kasza, CTMW, Clerk-Treasurer

Plan Commission/CDA Joint Meeting

President Hermes reported on the November 17, 2008 meeting. He said the commissioners interviewed the prospective candidates and discussed their Southridge Mall Retail District Master Plan proposals. Decisions were deferred to the December 1, 2008 meeting. He also gave a brief overview of that meeting (December 1, 2008) stating that the commissioners agreed to set a moratorium on taking any action on the proposals for the next six months due to the current economic downturn conditions. He said the Simon Property Group (owners of the mall) and CBRE Richard Ellis (a local real estate group) encouraged the Village to set a moratorium noting that with the state of the economy, retailers do not know what their proposals will be in the next few years. Demographic and economic studies done at this time would not be useful to provide production information for future use. President Hermes said the Simon representatives suggested that the Village work with them on broader issues such as repositioning options for the property (i.e. residential, commercial, retail, etc.). He said they also offered their resources over the next six months to help the Village with this project. He stated that after this period, it will be determined if the Plan Commission and CDA should reconvene and what action should be taken. President Hermes added, however, that it was everyone's consensus not to wait until the country is coming out of this economic cycle before taking action, but now is not the time to do so. Trustee Chadwick said the media reported that Southridge Mall was the top shopping destination of all the malls in the area on the Friday after Thanksgiving.

Board of Health

Trustee Turay asked to defer his report on the November 18, 2008 meeting until the next Village Board meeting.

Public Health, Welfare & Safety Committee

Trustee Jeff Birmingham reported on the November 18, 2008 meeting.

*Village of Greendale
Public Health, Welfare & Safety Committee
November 18, 2008*

Chairman Jeff Birmingham called the meeting of the Public Health, Welfare & Safety Committee to order at 6.30 p.m. in the Board Room of Village Hall.

*Present: Trustee Barbian, Trustee Jeff Birmingham
Absent: Trustee Sikorski
Also Present: Village Manager Todd Michaels
Trustee Chadwick
Attorney Burns
Kathryn Kasza, Clerk-Treasurer
Referrals from the Village Board*

A. PHW&S 08-05 Discussion and Necessary Action Pertaining to the

Adoption of an Ordinance Establishing Sex Offender Residency Restrictions and Child Safety Zones in the Village of Greendale

Attorney Burns explained the Ordinance amendment to the committee. He stated that when the Village passed the original ordinance it was sent to Madison and was reviewed by the Department of Corrections. The Village received a letter from Gretchen Kubnick, the High Risk Juvenile Sex Offender Re-entry Program Supervisor, in which she pointed out that the Village had an exception to the residency requirement for convicted sex offenders as a minor and that under State Statutes a convicted sex offender means an individual who was waived and convicted in adult court. She stated that the majority of juvenile offenders are handled in juvenile court and she wanted to know what their status was under the Village's ordinance. The Village Attorney worked with the Chief to change/modify the ordinance to clarify the exception for those minors that are not convicted in adult court; however if they are convicted in adult court then they would come within in provision of the ordinance.

Discussion: Trustee Barbian questioned Attorney Burns about the criteria for cases in which juvenile committed offenses were moved into adult court. Trustee Barbian stated that he was concerned that "perhaps these were young people that were just dating a person underage, like an 18 year old going with a 16 year old". Attorney Burns assured the committee that these are serious offenses which are moved up to adult court.

The Public Health, Welfare & Safety Committee recommended and Trustee Jeff Birmingham so moved, second by Trustee Barbian, to adopt Ordinance No. 845, an amendment to Ordinance No. 843 "An Ordinance Creating Chapter 28 of the Village Code of Ordinances Regarding Sex Offender Residency Restrictions and Child Safety Zones in the Village of Greendale".

Ayes: Jim Birmingham, Sikorski, Turay, Chadwick, Barbian, Jeff Birmingham, Hermes

Nays: None

Motion to Adopt: Carried

OLD BUSINESS

None scheduled.

NEW BUSINESS

None scheduled.

ADJOURNMENT

Trustee Barbian moved, seconded by Trustee Jeff Birmingham, to adjourn.

Ayes: Trustee Barbian, Trustee Jeff Birmingham

Noes: None

Motion to Adjourn: Carried

The Public Health, Welfare & Safety Committee Adjourned at 6:45 p.m.

Respectfully submitted, Linda Beres, Recording Secretary

OLD BUSINESS

A. Board and Committee Appointments

There were none.

NEW BUSINESS

None scheduled

OFFICERS REPORTS

- A. Village Manager's Report: Manager Michaels said it is anticipated that the property tax bills will be mailed on Monday, December 8th. He highlighted that most bills will decrease by approximately \$50 this year. He said the November 28th Tree Lighting Ceremony was a success again this year and thanked everyone for their efforts. Saturday winter hours (9 a.m. to 1:00 p.m.) at the Public Works yard will begin December 6th. There was also a consensus from the Board to cancel the January 6, 2009 Village Board meeting. Manager Michaels noted the Village Hall business hours during the holidays and reminded everyone of the upcoming Dickens of a Christmas event being held on Friday, December 5th in the Village Center.
- B. Village President's Report: President Hermes said he did not have a report at this time.

CITIZEN'S COMMENTS

There were none

ADJOURNMENT

Trustee Jeff Birmingham moved, seconded by Trustee Jim Birmingham, to adjourn.

Ayes: Jim Birmingham, Sikorski, Turay, Chadwick, Barbian, Jeff Birmingham, Hermes

Nays: None

Motion to Adjourn: Carried

The Board adjourned at 7:16 p.m.

Respectfully submitted,

Darlene Mueller

Recording Secretary