

**Village of Shorewood Hills**  
**Board of Trustees Meeting**  
Draft Meeting Minutes  
Tuesday, January 19, 2010

1. **Call to Order** Village President Mark Sundquist called the meeting to order at 7:19 pm, after the Caucus concluded.
2. **Roll Call** Members of the Board present were Mr. Sundquist and Trustees Marilyn Townsend, David Benforado, Joyce Bromley, Bob Hurley and Felice Borisy-Rudin. Tim Ridders was excused. Staff members present were Village Treasurer David Kuenzi, Administrator Karl Frantz, Police Chief Denny Pine, Fire Chief Keith Anderson, Pool Manager Chris Carbon, Emergency Services Coordinator David Sykes, Forester Corey George and Village Clerk Cokie Albrecht. Approximately 30 visitors were in the audience.
3. **Statement of Public Notice** Mr. Frantz confirmed the meeting had been properly posted and noticed.
4. **Procedure Orientation** There was none this evening.
5. **Appearances and Communications** There were none this evening.
6. **Board Matters**
  - C. **Public Hearings** (agenda item taken out of order)
    - i) **Proposed change to the text of the Zoning Code creating a new Section 10-1-93 regulating personal wireless communication antennas and antenna towers**
      - a) **Call Public Hearing to order** Mr. Sundquist called the Public Hearing to order at 7:20 pm. Mr. Frantz said he was recently contacted by a consultant for a cell phone provider and learned Shorewood Hills has been identified as a desirable location for a cell tower. Federal rules do not allow the prohibition of these facilities but they can be locally regulated. Presently the Village's zoning code has no provisions to address the installation of the towers. Mr. Sundquist said the proposed change to the Zoning Code would be a protective ordinance controlling the towers' location, appearance, auxiliary boxes, etc., with the intention of minimizing their impact.
      - b) **Public comment** Mr. Frantz read into the record a statement from Harriet Riley, 3518 Tally Ho Lane expressing her opposition to wireless communication antennas and antenna towers because of their negative impact on human health. Al Nemuth, 1507 Sumac Drive, said the cell tower operators are not the same as cell phone companies. Usually one tower can serve several cell companies and provide service to an entire community. Cheri Carbon, 2714 Harvard Drive, wondered if the Village could control the towers' height. Mr. Frantz said their height can be regulated to some degree through the Conditional Use permitting process.
      - c) **Close Public Hearing** Mr. Sundquist closed the Public Hearing at 7:29 pm.
    - E. **New Business Motions and Resolutions**
      - i) **Resolution R-2010-1 creating Tax Increment District (TID) #4** (agenda item taken out of order) Ben Zellers of Vierbicher Associates reviewed the status of TID #4. Mr. Sundquist provided an overview of the tax increment financing process in general. Ms. Borisy-Rudin moved and Ms. Bromley seconded a motion to strike the last sentence in the fifth paragraph on page 2 of the "Tax Increment District #4 Project Plan": "...The Village may also use funds to assist in the development of housing that will be more affordable than the typical housing in the rest of the Village." The motion failed on a 3 -3 vote with Ms. Borisy-Rudin, Ms. Bromley and Mr.

Benforado voting yes and Ms. Townsend, Mr. Sundquist and Mr. Hurley voting no. Mr. Benforado moved and Mr. Hurley seconded a motion to approve R-2010-1 creating TID #4 as written. Motion passed unanimously.

**ii) Resolution R-2010-2 approving an amendment to the project plan and boundaries of Tax Increment District #3** Mr. Zellers explained that TID #3's original boundaries ran from University Bay Drive to the pool. The proposed change would extend the boundaries further west to include the present ATT Plaza. The amendment would also revise the TID #3 budget. Ms. Bromley suggested that the colors of parcels # 13, 14, and 24 on Map 3 be changed from orange to red to reflect the fact they are commercial uses. Mr. Benforado moved and Ms. Borisy-Rudin seconded a motion to approve R-2010-2 with the revision of the colors of parcels #13, 14, and 24 or Map 3 to red. Motion passed unanimously.

**viii) Consider approval of agreement with Vierbicher Associates to perform service level impact study** (agenda item taken out of order) Mr. Frantz said the scope of the proposed work had been reduced from an original estimate of \$18,000 to \$12,300. Mr. Benforado moved and Mr. Hurley seconded a motion to approve the agreement with Vierbicher Associates to examine the financial impact of the proposed development at the Pyare Square site. Motion passed with a 5 to 1 vote with Ms. Townsend voting no. Ms. Townsend said that she believed studies to obtain the requested information have already been done by others.

**v) Consider approval of quote for pool liner project and contract** (agenda item taken out of order) Mr. Carbon explained why the Pool Committee concluded the pool liner was the best way to deal with the need to resurface the pool. Ms. Borisy-Rudin moved and Mr. Benforado seconded a motion to approve the quote of \$89,300 from Renosys to install a pool liner. The funds will be repaid to the Village with pool revenues. Motion passed unanimously.

**iv) Consider approval of Village pool rent policy** (agenda item taken out of order) Mr. Benforado moved and Ms. Borisy-Rudin seconded a motion to approve a policy for calculating the annual rent the pool will pay the Village: 6.5% of pool gross revenues from the prior year. Motion passed unanimously.

**x) Consider draft 2010-2017 capital plan** (agenda item taken out of order) After discussion, the Trustees agreed they would consider the proposed capital projects and prioritize them. Staff will examine the impact of stretching out the borrowing over additional years. The capital plan will be discussed further next month.

**A. Payment of bills** Mr. Kuenzi reviewed the bills and recommended their payment. Mr. Benforado moved and Mr. Hurley seconded a motion to approve the payment of the end of December bills in the amount of \$131,414.64 and \$3,274,054.46 for January bills for a total of \$3,405,469.10. Motion passed unanimously.

## **B. Consent Agenda**

**i) Approve October 19 and December 15, 2009 minutes**

**ii) Authorize hire of part-time police officer, David Kromm**

**iii) Street Use permit – February 13, 2010, UW Madison Running Club**

**iv) Set public hearing date of February 15, 2010 on general development plan rezoning application from C-1(P) to Planned Unit Development for property located at 3306-3314 University Avenue (ATT Plaza)**

Mr. Sundquist requested the removal of the minutes of the December 15, 2009 Board meeting from the Consent Agenda. Mr. Benforado moved and Ms. Townsend seconded a motion to approve the remaining items on the Consent Agenda. Motion passed unanimously.

**i) Approve December minutes** Mr. Sundquist asked that the DNR grant amount listed in item 5iii be changed from \$827,000 to the correct figure of \$27,000. Mr. Benforado moved and Mr. Sundquist seconded a motion to approve the December 15, 2009 minutes as amended. Motion passed unanimously.

#### **D. Ordinances**

**iii) Second reading of an Ordinance L-2009-9 repealing and recreating Chapter 19 of the Code of Ordinance, Trees, Shrubs and Community Forestry** Mr. George described the changes to the ordinance recommended by the Parks Committee. Mr. Benforado moved and Ms. Bromley seconded a motion to approve the second reading of the Tree Ordinance. Motion passed unanimously.

**i) First, second and possible third reading of an Ordinance L-2010-1 creating a new Section 10-1-93 of the Zoning Code regulating personal wireless communication antennas and antenna towers** Ms. Bromley moved and Ms. Townsend seconded a motion to approve the first reading of Ordinance L-2010-1. Motion passed unanimously.

**ii) Third reading of an Ordinance L-2009-8 amending Section 8.01 and repealing Section 8.02 of the Village code referencing adoption of state statutes pertaining to the possession of drug paraphernalia** Mr. Hurley moved and Ms. Borisy-Rudin seconded a motion to approve a third reading of Ordinance L-2009-8. Motion passed unanimously.

#### **E. New Business Motions and Resolutions**

**iii) Consider approval of Village Capitalization Policy** Baker Tilly, Village auditors, have suggested that the Village adopt a capitalization policy to comply with the GASB34 accounting requirements. Mr. Kuenzi described the information considered in the development of the policy. Ms. Bromley moved and Mr. Benforado seconded a motion to include the Capitalization Policy as part of the Village's financial policies. Motion passed unanimously. The Board thanked Mr. Kuenzi for his efforts in developing the policy.

**xi) Hire Kubala Washatko Architects, Inc. to conduct feasibility study/schematic design services for the Shorewood Hills Community Center, for a lump sum fee of \$18,000 and immediately pay \$2,000 retainer as down payment for services** (agenda item taken out of order) Ms. Borisy-Rudin moved and Ms. Townsend seconded a motion to hire Kubala Washatko Architects to conduct a feasibility study of the renovation of the Community Center. After discussion, with consent of the Board, the motion was tabled until the next Board meeting so the renovation of the Community Center could be considered with the other proposed items in the Capital Budget.

Ms. Borisy-Rudin was excused at 10:58 pm.

**vi) Consider approval of amendment of lease extending terms until February 29, 2018 on property located at 5133 University Avenue** (agenda item taken out of order) Mr. Benforado moved and Ms. Bromley seconded a motion to approve an extension of the lease on the storage shed at 5133 University Avenue until February 28, 2018 with the revision of the annual rent escalator from 5% to 3% on March 1, 2012. Motion passed unanimously.

**vii) Consider approval of intergovernmental agreement with the City of Madison for the provision of services to the UW Hospital and Clinics** Mr. Benforado moved and Mr. Hurley seconded a motion to approve an intergovernmental agreement with Madison for the latter to provide fire protection services to the UW Hospital and Clinics. Motion passed unanimously.

**ix) Consider possible sale of fire apparatus for \$58,000** Mr. Benforado moved and Ms. Townsend seconded a motion to accept the Delmar, Iowa, Fire Department's offer to purchase Engine 2 for \$58,000. Motion passed unanimously.

**xii) Consider ratification of budgeted increases for staff** Ms. Townsend moved and Ms. Bromley seconded a motion to ratify a 2010 wage increase of a grid step plus 1% for the employees on the pay grid; a 3% increase for the Village Administrator; and a wage of \$1.21 per hour for the Fire/EMS interns. Motion passed unanimously. The Committee continues to work on updating the Personnel Policy Manual.

**F. Appointments** There were none.

**7. Reports of Officials and Committees**

**A. Village President**

**i) Resignation of Jerry Weygandt from Finance Committee** Mr. Sundquist announced that the Finance Committee reluctantly accepted Mr. Weygandt's resignation from the Committee after his 30 years of service on it.

**ii) Interoperability radio project** Mr. Sundquist said the Dane County Cities and Counties Association plans to propose to the County that it cost-share with Dane County municipalities in the operation and maintenance of the new radio system. The hope is to encourage all county municipalities to participate in the new system.

**iii) Next month's policy and procedure discussion** Mr. Sundquist said he will discuss the use of referenda at a future Board meeting: what are they; why and why not they should be used; etc.

**B. Village Administrator**

**i) Status of arbitrator's decision** Mr. Frantz said he had not received the arbitrator's decision on the conflict of interest issue involving the Blackhawk Country Club deck addition.

**C. Finance Committee** Nothing more to report.

**D. Plan Commission** The Plan Commission recommended approval of the General Development Plan for the ATT Plaza. It will be on the Board agenda for next month.

**E. Personnel Committee** Nothing further to report.

**F. Traffic Committee** Nothing more to report.

**G. Parks Committee** Nothing more to report.

**H. Pool Committee** Nothing further to report.

**I. Services Committee** Nothing to more report.

**J. Public Works Committee** The Committee held a joint meeting with the Traffic Committee on January 13, 2010 but Public Works did not have a quorum. Ms. Bromley said that the Traffic Committee's position is that all road reconstruction projects include traffic calming and volume control measures.

**K. Public Health and Safety Committee** The Committee is looking at options for the future of the Village's Fire and Emergency Medical services.

**L. Community Center Architect Selection Committee** Nothing further to report.

**8. Adjourn** Meeting adjourned at 11:21 pm.

Respectfully submitted,

Colleen Boyle Albrecht,  
Village Clerk