

**Village of Shorewood Hills
Board of Trustees Meeting**

Draft Meeting Minutes
Monday, October 17, 2011

1. **Call to Order** Village President Mark Sundquist called the meeting to order at 7:00 pm.
2. **Roll Call** Members of the Board present were Mr. Sundquist and Trustees Bob Hurley, David Benforado, Felice Borisy-Rudin, Marilyn Townsend and Barbara Center. Tim Ridders was excused. Also in attendance were Village Treasurer David Kuenzi, Village Administrator Karl Frantz, Fire/EMS Chief Keith Anderson, Department of Public Works Chief Denny Lybeck, Emergency Services Coordinator David Sykes, Forester Corey George, Deputy Clerk Karla Endres and Village Clerk Cokie Albrecht. Approximately 15 visitors were in the audience.
3. **Statement of Public Notice** Mr. Frantz confirmed the meeting had been properly posted and noticed.
4. **Procedures Orientation**
 - A. **Ordinance Readings** Mr. Sundquist explained that the Trustees' present practice of voting on each of three readings of an ordinance was problematic. The readings provide the Trustees an opportunity to become more informed about a proposed ordinance and to further consider its merits. However, votes on the first and second readings are meaningless; the actual vote should be taken after the third reading only. Mr. Sundquist suggested that starting in January, 2012, the Board adopt a new practice of voting on a proposed ordinance only once, after the third reading. Mr. Sundquist clarified that typically the third reading and subsequent vote occur after deliberating the issue at two prior Board meetings. However, when appropriate, the Trustees could agree to waive some of the readings to expedite the timing of the vote.
5. **Board Matters**
 - C. **Public Hearing Changing the Zoning Classification from 2707-2719 Marshall Court from C-3 Medical Office Commercial District to a Planned Unit Development (PUD) District** (agenda item taken out of order)
 - i) **Call Hearing to Order** Mr. Sundquist opened the Public Hearing at 7:11 pm.
 - ii) **Presentation of Rezoning Request** Helen Bradbury and Rich Arnesen of Stone House Development, Inc., presented the plans for the Section 42 mixed use and affordable housing project proposed on Marshall Court. Mr. Arnesen said the plans are slightly different than those previously seen by the Board: at the Village's request, Stone House added three additional three-bedroom apartments by converting three one-bedroom units into efficiencies. The proposed unit composition will therefore be three efficiencies, 30 one-bedroom; 36 two-bedrooms, and 11 three-bedrooms for a total of 80 units. Of those, 68 will be affordable and 12 will be leased at market rate rents. The development would also include 10,000 square feet of commercial space.
 - iii) **Public Comment:** Paula Hogan, 3417 Crestwood Drive, wondered if the project were a "done deal." Mr. Sundquist said the Plan Commission had recommended that the

Board approve the zoning change but that no action by the Trustees had been taken. Ms. Hogan then listed her concerns about the project: the Village already benefits from the diversity provided by the families in University housing adjacent to Shorewood Hills; the quality of the building and its maintenance in 40 years is uncertain; the workload on Village personnel—Fire/EMS and police calls—will increase; there is affordable housing across University Avenue; she questioned whether it were financially prudent to build more commercial space since she believes there is a glut of it in the area. Mr. Sundquist responded that the Vierbicher study found that the impact on the number of police and Fire/EMS calls is expected to be minimal: the tenants will be younger and therefore less in need of EMS assistance; they will be well-screened by the Stone House management; there will be fewer “worry” calls. Fred Wade, 1121 Wellesley Road, wondered what the standards for affordability were and what type of commercial tenant is expected. Ms. Bradbury said the tenants in the subsidized units will have incomes no greater than 60% of the Dane County median income, adjusted for family size. Stone House expects the commercial tenant will be a dental office.

iv) Close Public Hearing Mr. Sundquist closed the Public Hearing at 7:41 pm.

D. Ordinances

ii) First and possible second reading of an Ordinance L-2011-8 changing the Zoning Classification from C-3 Medical Office Commercial District to a Planned Unit Development (PUD) District (agenda item taken out of order) Board comments:

Ms. Center: is concerned the plans for Marshall Court will reduce the parking on the street—would it be possible for Stone House to include public parking underground?; a safe route to school for the anticipated children will have to be developed; there is no provision for a playground for the children; the scale of the project is too big—would it be possible to delete the commercial space and make the building three stories rather than four?; she is uncertain why it will cost \$17.5 million to build but its assessed value is anticipated to be only ~ \$6 million. Ms. Townsend: presently most Village staff members cannot afford to live in the Village. This development would provide an opportunity for some of them to live, and volunteer, in Shorewood Hills. The project does seem large and presents some challenges but has much potential. Mr. Sundquist: the proposed project will be green—it will improve energy use and limit stormwater runoff; a smaller, three story building would not work financially; conversely, a market-rate development would have to be denser than this; it would not be possible to build this quality of building without the federal subsidy; the building will cost \$17.5 million to build but its assessed value will be based on the income method of assessment. Since 68 of the 80 units will rent for below market rate, the building’s assessed value will be limited. Ms. Borisy-Rudin: concurred that a safe route to school will be needed; suggested that a playground structure could be installed at either Centennial or Post Farm Park. Mr. Hurley: what did Plan Commission say? Mr. Sundquist: The Plan Commission concluded the proposed development was exactly in keeping with the Comprehensive Plan; because it will be mixed use, its traffic impact will be mitigated; the tax credits will mean the development can be very high quality. Mr. Benforado: the Plan Commission has been reviewing the project for months and is confident it will be successful; Village staff and consultants have worked to anticipate problems; the building will be energy efficient and the project complies with the Comprehensive Plan; a safe route to school will have to be developed, though it may be necessary to wait to complete

all of it as the rest of the properties on Marshall Court redevelop. Mr. Hurley moved and Mr. Benforado seconded a motion to approve the first reading of Ordinance L-2001-8. Motion passed unanimously.

E. New Business Motions and Resolution

i) Resolution R-2011-10 authorizing submittal of Bird City Application (agenda item taken out of order) Mr. Benforado moved and Ms. Center seconded a motion to approve Resolution R-2011-10. Motion passed unanimously.

A. Payment of Bills Mr. Kuenzi reviewed the bills and recommended the Board approve their payment. Mr. Benforado moved and Ms. Borisy-Rudin seconded a motion to approve the payment of the end of September bills in the amount of \$58,085.26 and \$463,011.31 for October bills for a total of \$521,096.57. Motion passed unanimously.

E. New Business Motions and Resolution

ii) Discussion on 2012 budget including levy, use of fund balance and wage/benefits (agenda item taken out of order) Mr. Benforado, the Chair of the Finance Committee, said that prior to completing their review of the proposed 2012 budgets, the Finance Committee members were seeking guidance from the Board about acceptable levels of 2012 raises, levy amounts, and fund balance use. After discussion, the Board consensus was that the Finance Committee should work with the expectation that a levy increase of 4 to 4.5% would be acceptable, the Trustees were comfortable with a grid step plus 1% raise, and \$17,000 to \$25,000 in fund balance could be utilized. Mr. Sundquist mentioned that under this scenario the Village would not be levying the maximum allowed. In the recent past, unused levy could be carried over to following years. With the new legislation, however, very little of unused levy will be available in following years.

Closed Session At 9:58 pm Mr. Sundquist announced that the Board would go into Closed Session as per §19.85(1)(e) deliberating the purchase of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session (Development Agreement and TIF funding request for Stone House Development's affordable housing project on Marshall Court). The roll call vote was: Mr. Sundquist – yes; Mr. Benforado – yes; Ms. Townsend – yes; Ms. Borisy-Rudin – yes; Mr. Hurley – yes; and Ms. Center – yes. Village attorney Matt Dregne of Stafford Rosenbaum, financial consultant Kevin Mullen of Hutchinson, Shockey, Erley & Co., Mr. Kuenzi, Mr. Frantz, and Ms. Albrecht were asked to stay. The remaining attendees left the meeting.

Return to Open Session At 10:40 pm Ms. Townsend moved and Ms. Borisy-Rudin seconded a motion to return to Open Session. The roll call vote was: Mr. Sundquist – yes; Mr. Benforado – yes; Mr. Hurley – yes; Ms. Borisy-Rudin – yes; Ms. Townsend – yes; and Ms. Center – yes. While in closed session Mr. Sundquist, Mr. Frantz, and consultants updated the Board on their analysis of the proposed Section 42 mixed-use housing project on Marshall Court.

D. Ordinances

i) First and possible second reading of an Ordinance L-2011-7 Amending Section 1.08 of the Code of Ordinances related to Ethics (agenda item taken out of order) The

Trustees agreed to hold consideration of Ordinance L-2011-7 until the next Board meeting.

B. Consent Agenda

i) Approve September 19, 2011 Board meeting minutes Mr. Benforado moved and Ms. Borisy-Rudin seconded a motion to approve the September 19, 2011 minutes. Motion passed unanimously.

E. New Business Motions and Resolutions

i) Approve revisions to Grievance Procedure in Personnel Policy Manual to comply with Wisconsin Act 10 Ms. Townsend moved and Mr. Benforado seconded a motion to adopt the procedure as presented. Motion passed unanimously.

F. Appointments There were none.

6. Reports of Officials and Committees

A. Village President Mr. Sundquist said the new conceal-carry law will go into effect soon. By consensus, the Trustees agreed that staff would post signs notifying the public that the carrying of guns in Shorewood Hills municipal buildings is prohibited.

B. Public Health and Safety Committee (agenda item taken out of order) The Committee will review the draft report by the Baker Tilly consultants on the status of the Village's Fire Department /EMS and the options available to ensure the required services are available in the future.

C. The rest of the Committee chairs had no additional reports.

7. Adjourn Meeting adjourned at 11:01 pm.

Respectfully submitted,

Colleen Boyle Albrecht,
Village Clerk