

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

Draft Meeting Minutes
Monday, October 15, 2012

1. **Call to Order** Village President Mark Sundquist called the meeting to order at 7:02 pm.
2. **Roll Call** Members of the Board present were Mr. Sundquist and Trustees Felice Borisy-Rudin, John Imes, David Benforado, Barbara Center and Tim Rikkers. Bob Hurley arrived later. Also in attendance were Village Treasurer David Kuenzi, Village Administrator Karl Frantz, Forester Corey George, Emergency Services Coordinator David Sykes and Village Clerk Cokie Albrecht. Twenty visitors were in the audience.
3. **Statement of Public Notice** Karl Frantz confirmed the meeting had been properly posted and noticed.
4. **Procedures Orientation** There was none this evening.
5. **Appearances and Communications**
 - A. **Flad Development presentation on Walnut Grove apartment/retail development project** John Flad, President of Flad Development, described the firm's plans to demolish the existing Walnut Grove building and construct three buildings in its place: a retail space on University Avenue and two apartment buildings to the north of that commercial building. Mr. Flad said he has been working with Scott Frank, the proposed developer of the Pyare Square Building, to ensure access to the apartment buildings on the north side of the Walnut Grove property. Frank Maersch, project architect, reviewed the plans for the buildings: three to five commercial tenants in the 10,000 square foot one-story retail building and 100 total units in the two four-story apartment buildings. Steve Hoff, Vice President of Flad Development, described his meetings with the residents of Garden Homes on October 1 and 6, 2012. Their conversations centered on the impact of the buildings on the houses in that neighborhood, including the proposed landscaping. The apartments will lease for market-rate rents. Mr. Flad said the economics of the development would not allow him to include assisted housing units. He expects the majority of the tenants will be in the 25 to 40 age range; the remainder will be older. He did not anticipate the complex would appeal to families with children. The developers presented the plans to the Plan Commission at its September meeting and the Commission will consider a formal rezoning request at its meeting tomorrow.

Mr. Hurley arrived at 7:13 pm.

6. **Board Matters**
 - D. **New Business Motions and Resolutions** (agenda item taken out of order)
 - iii) **Consider requiring up to a one year waiting period on resident applications for Marina membership** John Voegeli, the Chairperson of the Waterfront Committee, said that the Marina rules presently state a resident can bump a non-resident out of his/her space in the Marina if no other space is available. The Committee has never had to do

that, but with the growing number of residents interested in Marina spots, that may happen soon. The Waterfront Committee was asking the Board to consider waiving the rule for a year so that the Committee can sort out how to equitably deal with the issue. After discussion, the Trustees asked the Marina Committee to rewrite the rules to say that residents would have priority over non-residents when an opening in the Marina became available. The Committee will bring the revised rules back to the Board for its consideration once they are prepared.

i) Consider prohibiting use of water deduct meters and grandfathering existing meters for a period of time Tad Pinkerton, 1212 Shorewood Blvd., spoke in favor of continuing to allow the use of deduct meters to measure the flow of water diverted for exterior use. Customers who have deduct meters pay water fees but not sewer usage charges since that water does not enter the Village sewage system. Mr. Pinkerton said that deduct meters bias behavior in favor of watering trees, a significant Village resource that should be protected. No action was taken by the Board.

E. Report on Village borrowing capacity and rating implications Village consultant Bradley Viegut of Baird reviewed his analysis dated October 15, 2012 of the Village's borrowing capacity and the possible impact on its bond rating if additional debt were assumed. The Village's debt is now at 50% of the statutory limit. Issuing an additional \$900,000 to \$3.3 million in debt will increase it to 65% to 75% of the limit. Mr. Viegut said those higher percentages may have negative rating implications. A bond rating downgrade increases interest rates approximately .1% to .15%, a cost of \$12,000 to \$18,000 for each \$1 million issued.

Mr. Ridders was excused from the meeting at 8:59 pm.

Closed Session At 9:00 pm, Mr. Sundquist announced that the Board would consider going into Closed Session as per §19.85(1)(e) of the Wisconsin State Statutes deliberating or negotiating 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 (TIF funding request from Oak Park Place of Shorewood Hills and Walnut Grove redevelopment from Flad Development Corp). The roll call vote was: Mr. Sundquist – yes; Ms. Center – yes; Mr. Benforado – yes; Mr. Imes – yes; Ms. Borisy-Rudin – yes; and Mr. Hurley – yes. Village Attorney Matt Dregne of Stafford Rosenbaum, financial and planning consultants Errin Welty and Ben Zellers of Vierbicher Inc., Finance Committee member Fred Wade, Mr. Viegut, Mr. Kuenzi, Mr. Frantz, and Ms. Albrecht were asked to stay. The remaining attendees left the meeting.

While in closed session the Trustees discussed the TIF requests received from Scott Frank and John Flad for the redevelopment of the Pyare Square and Walnut Grove properties, respectively.

Open Session Mr. Sundquist announced that the Board will return to Open Session as per Section 19.85(2) to address any business that may be the result of discussions conducted in Closed Session. At 11:16 pm, Mr. Benforado moved and Ms. Center seconded a motion to reconvene into Open Session. The roll call vote was: Mr.

Sundquist – yes; Ms. Center – yes; Mr. Benforado – yes; Mr. Imes – yes; Ms. Borisy-Rudin – yes; and Mr. Hurley – yes.

6. Board Matters

A. Payment of Bills Mr. Kuenzi reviewed the bills and recommended their approval. Mr. Benforado moved and Ms. Center seconded a motion to approve the payment of the end of September bills in the amount of \$62,712.05 and \$326,674.20 for October expenses, for a total of \$389,386.25. Motion passed unanimously.

B. Consent Agenda

i) Approve September 17, 2012 Board minutes

Mr. Benforado moved and Mr. Hurley seconded a motion to approve the item on the Consent Agenda. Motion passed unanimously.

C. Ordinances

i) First reading of an Ordinance L-2012-6 amending Section 1.03 of the Village Code of Ordinances relating to the appointment of Deputy Clerk and President Pro Tem

The consensus of the Board was to delay discussion of the proposed ordinance until the November Board meeting.

D. New Business Motions and Resolutions

ii) Consider adopting new section to Village financial policies and procedures manual adding a Post Issuance Compliance Policy for Tax Exempt Obligations

The third paragraph of the Post-Issuance Compliance Policy for Tax Exempt Obligations was revised to read: “In order to assure that the Village maintains such post-issuance compliance, the Village Administrator ~~and~~ *or* the Village Clerk, *as directed by the Village Administrator*, shall consult at least annually with the Village bond counsel...” (strikethroughs indicate words deleted, italics indicate words added). Mr. Benforado moved and Mr. Sundquist seconded a motion to approve the policy as revised. Motion passed unanimously.

iv) Authorize payment to Rawson Contractors upon receipt of lien waivers and approval of Village Engineer

Mr. Benforado moved and Mr. Hurley seconded a motion to approve the payment to Rawson when the required conditions are met. Motion passed unanimously.

F. Appointments Mr. Sundquist announced he would like to appoint Debra Remington to the Plan Commission. Her appointment was approved by unanimous consent.

7. Reports of Officials and Committees

A. Village President The Trustees discussed the program for the Recognition Dinner to be held on November 18, 2012.

B. Village Administrator Nothing further to add.

C. Personnel Committee The Committee met with the Village Fire/EMS Chief and Department of Public Works staff members last week. Next week they will visit with the Forester and the Police and Administrative staffs.

D. Services

i) Borrowing of \$90,000 for capital purchase of the plow truck Ms. Borisy-Rudin said the Committee recommended the inclusion of \$90,000 in the 2013 capital budget for the purchase of a new plow truck.

ii) Placeholder on the capital budget for 2015-2016 for the Community Center renovation and ADA addition Ms. Borisy-Rudin said that given the borrowing concerns discussed this evening, she will report to the Committee that only maintenance on the Community Center building can be considered now.

E. Finance Committee The Committee is reviewing the proposed 2013 budgets.

F. Plan Commission At its last meeting the Commission heard Flad Development's plans for the Walnut Grove property.

G. Public Works Committee At their last meeting the Committee members walked the streets proposed for reconstruction in 2013 and heard resident comments.

The remaining committees had nothing further to report.

8. Adjourn Meeting adjourned at 11:47 pm.

Respectfully submitted,

Colleen Boyle Albrecht
Village Clerk