

**Village of Shorewood Hills
Board of Trustees Meeting
Approved Minutes
Monday, July 18, 2016 7:00 p.m.**

1. **Call to Order** Village President Mark Sundquist called the meeting to order at 7:00 p.m.
2. **Roll Call** Members of the Board present were Mr. Sundquist and Trustees David Benforado, Fred Wade, Anne Readel, John Imes, Mark Lederer and Felice Borisy-Rudin. Also in attendance were Village Administrator Karl Frantz, Department of Public Works Chief John Mitmoen, Police Chief Dennis Pine and Emergency Services Coordinator David Sykes. Village Clerk Cokie Albrecht listened to a recording of the meeting later. Twelve visitors were in the audience.
3. **Statement of Public Notice** Mr. Frantz confirmed the meeting had been properly posted and noticed.
4. **Procedures Orientation** There was none this evening.
5. **Appearances and Communications**
 - i) **Will Clifton: Dementia Friendly Community Project and September 21, 2016 community input session** Will Clifton, 1218 University Bay Drive, would like to see Shorewood Hills become proactive in assisting residents with dementia. He and Mr. Benforado have organized an input session to discuss ways the Village community—including the government, residents and businesses—can make the area more accommodating to neighbors with dementia. All are welcome to attend the meeting on September 21, 2016 from 7:00 p.m. to 8:30 p.m. at Village Hall.
 - ii) **Marilyn Townsend** Municipal Judge Marilyn Townsend, who is running for Dane County Circuit Court Judge, said she felt it appropriate to inform the Trustees of the open records request she received regarding the Shorewood Hills Municipal Court. She distributed her response to the request.
6. **Board Matters**
 - D. New Business Resolutions and Motions** (agenda items taken out of order)
 - i) **Consider approval of special exception permit for building height at 3630 Lake Mendota Drive**
 - ii) **Consider approval of conditional use permit for addition at 3630 Lake Mendota Drive**

Mr. Sundquist said the Plan Commission recommended approval of both permits for the project proposed by owners Cary and Aviva Shlimovitz for their property at 3630 Lake Mendota Drive. Mr. Benforado moved and Ms. Readel seconded a motion to approve both the special exception permit for height and conditional use permit for the addition at 3630 Lake Mendota Drive. Motion passed unanimously.

A. Payment of Bills Mr. Frantz said that Village Treasurer Sean Cote had reviewed the bills and recommended their payment. Mr. Benforado moved and Mr. Wade seconded a motion to approve the payment of the end of June bills in the amount of \$69,735.21 and \$112,901.02 for July expenses, for a total of \$182,636.23. Motion passed unanimously.

B. Consent Agenda

 - i) **June 27, 2016 regular and closed session Board minutes**
 - ii) **Street Use Permit – Run for Refugees on September 18, 2016**
 - iii) **Block Party Permit – Wellesley Road on September 5, 2016**
 - iv) **Class B Beer and Class C Wine License – First Unitarian Society**

Mr. Benforado moved and seconded Mr. Imes seconded a motion to approve the items on the Consent Agenda. Motion passed 6-0-1 with Mr. Lederer abstaining since he was absent from the June 27, 2016 Board meeting.

D. New Business Resolutions and Motions

iii) Consider authorization to bring storage building plans to bid ready status (agenda item taken out of order) Village Engineer Brian Berquist described the plans for the DPW cold storage building proposed for construction on Old Middleton Road. The cost estimate for the project varied from a low of approximately \$540,000 to a high of \$600,000. After discussion the Trustees rejected various options that may have decreased the anticipated cost: the clerestory windows were left in the plans since they will provide light year-round and warmth in winter months; there was no support for removing the large oak tree to allow relocation of the building on the site; a steel frame, rather than a less expensive timber frame, building will have a longer life and provide more usable vertical space; and the building's footprint was not reduced—there was agreement the proposed size will meet the Village's storage needs. The cost to amortize the debt payment for the new building over 20 years will be approximately \$9,000/year more than the Village's current rent for storage space. The bid document will include a flexible timeline in expectation that that will be attractive to contractors and result in lower bids. The Trustees asked the Finance Committee to consider the best method to finance the project if it is approved. Ms. Borisy-Rudin moved and Mr. Benforado seconded a motion to instruct staff to prepare the bid document based on the design as presented. Motion passed unanimously.

C. Ordinances

i) Consider tabled third reading of an Ordinance L-2015-11 amending section 7.08(5) Parking, Stopping and Standing Regulated (weekend two-hour parking restrictions on Marshall Court)

ii) Consider tabled second and possible third reading of an Ordinance L-2016-2 amending section 17.07(10)(b) of the Municipal Code regarding vicious dogs

The Trustees agreed to leave discussion of both Ordinance L-2015-11 and L-2016-2 on the table.

iii) Consider third reading of an Ordinance L-2016-5 changing the zoning classification of property located at 2725-2801 Marshall Court from C-3 Medical Office Commercial District to a Planned Unit Development district Architect Randy Bruce of Knothe Bruce reviewed the plans for the mixed use building proposed by Stone House Development for the properties at 2725, 2727 and 2801 Marshall Court. He detailed the changes made by the developer to address concerns expressed by the Plan Commission and Board of Trustees: the design was revised to minimize the shadows on the Shackleton Square condos; a front courtyard was included on the north side of one building; and the fourth floor was stepped back to open the Marshall Court streetscape. Stone House has also worked with its commercial tenants to increase the off-street parking available to apartment residents and their guests. Village consultants Jeff Held of Strand Associates, Inc. and planners Scott Harrington and Mike Slavney of Vandewalle and Associates, Inc. responded to Trustee questions about the anticipated traffic, parking, financial and zoning impacts of the project. Mr. Benforado distributed a memo outlining his thoughts on the project and reviewed them with the Board. He asked that the memo be appended to the meeting minutes. Mr. Benforado moved and Mr. Imes seconded a motion to waive the third reading and approve Ordinance L-2016-5 changing the zoning classification of property located at 2725-2801 Marshall Court from C-3 Medical Office Commercial District to a Planned Unit Development district. The roll call vote was: Mr. Sundquist – yes; Ms. Borisy-Rudin – yes; Mr. Imes – yes; Mr. Wade – yes; Mr. Lederer – yes; Mr. Benforado – yes and Ms. Readel – yes.

8. Reports of Officials and Committees (agenda item taken out of order)

B. Village Administrator Mr. Frantz said he had been approached by Paul Lenhart, the owner of 700 and 800 University Bay Drive, regarding the possibility of building a parking structure on Marshall Court.

6. New Business Resolutions and Motions

iv) Consider sanitary sewer rate adjustment and Purchase Treatment Adjustment Clause (PTAC)

The Finance Committee recommended that the Trustees increase Village sewer rates by 19%. Village auditor Vicki Hellenbrand of Baker Tilly advised that the rate changes are necessary in response to recent 3 to 6% annual increases in Madison Metropolitan Sewage District (MMSD) charges and to service the debt incurred with the replacement of sewer mains in the Village. The Committee further recommended that the Trustees adopt a PTAC which would allow the Village to pass through future MMSD rate increases to sewer utility customers. The Committee felt the Trustees should hold a public hearing to discuss the proposed rate changes. Unlike water rates, sewer rates are not controlled by the Public Service Commission (PSC)—the rates are set at the discretion of the sewer utility. The Trustees agreed to schedule the public hearing for the next Board meeting on August 15, 2016.

v) Consider submittal of new water rate case concerning increase in Public Fire Protection costs

The Finance Committee recommended the Trustees authorize the filing of a second water rate case with the PSC, asking for a revision of the Public Fire Protection fees included in the recently approved water rates. Mr. Wade moved and Ms. Readel seconded a motion to authorize the hiring of Baker Tilly to file a rate case to address the Public Fire Protection issue. By consensus, the motion was revised to include, “at a cost not to exceed \$1,000”. Motion passed unanimously.

vi) Resolution R-2016-8 indicating support for US 30 Bike Route Mr. Benforado moved and Mr. Wade seconded a motion to approve Resolution R-2016-8. Motion passed unanimously.

vii) Set date for brief special meeting to approve Oxford Road resurfacing bid The Trustees agreed to meet on Tuesday, July 26, 2016 at 7:00 p.m. to take action on the bid.

viii) Set date for Village facilities work session Staff will send a doodle poll to the Trustees to identify the best date to meet during the last two weeks in September.

ix) Authorize purchase of police file server Ms. Borisy-Rudin moved and Mr. Benforado seconded a motion to approve the purchase of new file server for the Police Department. Motion passed unanimously.

E. Appointments

i) Win Sager to Golf Committee

ii) Erik West to Waterfront Committee

Mr. Sundquist moved and Ms. Readel seconded a motion to approve the appointment of the two committee members. Motion passed unanimously.

7. Reports of Officials and Committees

A. Village President The Trustees agreed to discuss the inclusion of four affordable units in The Boulevard apartment building at the next Board meeting.

B. Village Administrator Mr. Frantz thanked resident Craig Weinhold who donated a hollow tree for the nature-based playground at Post Farm Park.

C. Personnel Committee The Committee continues to consider employee compensation information with the goal of formulating recommendations for 2017 wages.

E. Plan Commission Mr. Benforado expressed appreciation for the zoning laws passed several years ago controlling development on Lake Mendota Drive—they have made the Plan Commission’s consideration of conditional use permits there clearer. The Commission is considering the regulation of the storage of recreation vehicles, boats, etc., in front/side yards.

G. Services Committee The Committee discussed the feasibility of renovating the DPW Building and the Community Center.

H. Public Health and Safety Committee The Committee discussed the results of the Police Community Listening Session.

M. Pool Committee The Committee would like to move ahead with repairs to the building or a new facility; it has no interest in utilizing the Community Center space.
The remaining Committee chairpersons had nothing further to report.

Closed Session The Trustees did feel it necessary to go into closed session.

8. Adjourn Meeting adjourned at 10:07 p.m.

Respectfully submitted,

Colleen Boyle Albrecht
Village Clerk

Dave's 7/18/16 thoughts on Arbor II Proposal

- 1) **If this is built, this will in all probability be the last major redevelopment proposal the Village reacts to for many years.** The Board, Plan Commission, Village residents and Village staff/consultants have been studying, analyzing, planning for and discussing adding apartments for many years. The Board and Plan Commission held a special joint meeting in this room on April 28, 2015, to discuss this very matter; very well attended by residents; the outcome was to stay the course.
- 2) **Plan Commission recommendation:** long process of consideration, many PC meetings, and the plans changed over the course of those meetings. Plan Commission recommended it on 4/12/16 (6-1 vote).
 - a) **Two of the major issues were hgt and mass**, both were scaled back, 4th fl tucked back a bit (6-8 ft). I would have preferred that the final proposed hgt complied with the Doctors Park Neighborhood Plan limits (46 ft.). However, I agree with the PC's finding based on Scott Harrington/ Vandewalle's 2/29/16 letter that an exception (i.e., allowing the additional 2 ft. in hgt over the 46 ft limit) is merited because the developer submitted substantial proof that the economics for the bldgs only work at four stories. Also, the impact of the additional 2 ft is small, as demonstrated by the shadow studies.
- 3) **Responsive to both Village Comprehensive Plan and Doctors Park Neighborhood Plan** (see Mike Slavney/Vandewalle letter dated 3/6/16 for detailed analysis):
 - a) **Good urban infill project.** Increases density. An excellent location for apartments: close to major employers (UW, UW Hospitals); near major thoroughfare, mass transit and bike path; close to grocery store, banks, retail commercial up and down Univ Ave.
 - b) **Structured underground parking** (replacing asphalt parking lots). Will improve the stormwater quality (i.e. with existing surface parking lots, the stormwater collected all of surface contaminants that build up, e.g., dripping oil from vehicles, and conveys all of that to Lake Mendota vs. structured parking drains to sewer system where it is treated).
 - c) **Mixed use**, retaining a long time Village business (Psychiatric Services), who is making a substantial long-term commitment to staying in Village through a business condo arrangement with Stone House.
 - d) **Increases the diversity of the Village's housing stock and options**, adding apartments, townhomes; resulting in the Village population essentially returning to where it was in 1960.
 - e) **Based on our last two meetings, this project will include seven 3 BR affordable units for 30 years** (i.e., attracting families to the Village), concluding our best efforts to honor the VOSH/HUD reconciliation agreement.
 - f) **Village infrastructure improvements:**
 - i) Allows the Village to **complete the missing portion of east/west bike path.** Allows for readjustment of the lot line between Arbor II parcel and Univ Station parcel to improve/increase the parking on the east end of the Univ Station parking area.
 - ii) Allows the Village to **complete Catafalque Dr.** west and then north to connect with Marshall Ct.
 - iii) Allows the Village to **continue the Marshall Ct. streetscape** westward (consistent parking, sidewalks). Remember how dangerous Marshall Ct was for pedestrians before sidewalks!
 - iv) Allows the Village an additional financing method for a portion of its contribution share for upcoming planned **Univ Ave reconstruction.**

- g) **Increases the Village tax base six fold** from \$2.1M to \$12.6M. (See Scott Harrington/Vandewalle's 7/15/16 memo to Board @ Table 1.)
 - h) **Traffic and parking impacts studied** (see Jeff Held/Strand's 3/1/16 letter which says that traffic impacts from all of the construction on Marshall Ct has fallen within the initial projections): proposal parks itself; residential infill has less traffic impacts than retail or professional office space. And Stone House has fine-tuned its proposal to address parking problems recently brought to our attention by residents (i.e., adding guest parking in Arbor I and II).
 - i) **Impact on Village services:** past Village collected and observed data from other apartment buildings in Village shows the impact will be nominal (see data collection 1/1/14-12/31/14 and 1/1/15-6/25/15).
- 4) **Developer financed TIF (DFTIF):** Yet to be negotiated developer financed TIF. Or, in the alternative, DFTIF for Bldg #1 and Stone House expressed interest in applying for WHEDA Sec. 42 financing for Bldg #2 in 2017.
- 5) **Stone House Development:** a reputable developer who the Village has worked with previously and who has a positive track record in the Madison area. Stone House representatives have patiently worked with the Village and have addressed problems or concerns where they could (e.g., they told us at our June Board meeting that in response to concerns expressed by the Board that Arbor I lacked children area, that the common area in each building could be used for children activities).