

**Village of Shorewood Hills
Board of Trustees Minutes
Monday, September 16, 2019**

1. Called to Order Village President David Benforado called the meeting to order at 7:00 pm.

2. Roll Call Members of the Board present were Mr. Benforado and Trustees Mark Lederer, Cokie Albrecht, Tracy Bailey, John Imes and Shabnam Lotfi. Village Treasurer Sean Cote was also present. Village Trustee Scott Friedman was excused. Also in attendance were, Police Chief Aaron Chapin, Administrative Services Manager/ Deputy Clerk David Sykes, Village Administrator Karl Frantz and Village Clerk Karla Endres.

3. Statement of Public Notice Karl Frantz stated the meeting has been properly noticed.

4. Procedures Orientation none.

5. Appearances and Communications

i) Madison Metropolitan Sewerage District and Strand Consultants will present a proposed project to add a second relief sanitary sewer interceptor pipe and alternatives analysis

Eric Hjellen, Madison Metropolitan Sewerage District (MMSD) Engineer, gave a brief presentation of the proposed west interceptor expansion project. He explained there are certain portions of the sanitary sewer interceptor that are at capacity and others that will be at capacity in the next 5-10 years.

Matt Flesch, Lead Designer with Strand Associates, explained the design of the project with respect to the location of the existing pipes and adding in an additional pipe. He explained they are looking for alternative design and location options for the infrastructure and the various impacts. The size of the proposed pipes is 36 inches and it will be 10 to 20 feet deep. He explained the existing pipe is on the north side of the railroad tracks and along the Shorewood Hills pool.

Thomas Stetzer, engineer with Strand Associates, stated there is an October 21st meeting that will be held for public input. He also stated they are meeting with the City of Madison to coordinate this project with the University Avenue reconstruction.

Mr. Imes stated the Village has spent a lot of money on improvements to the areas of the bike path and pool area and believes that on University Avenue would be the ideal location.

6. Board Matters

A. Payment of Bills

Mr. Cote reviewed the monthly bills and recommended ratifying the August prepaids bills in the amount of \$38,080.04 and approving the September bills in the amount of \$555,232.58, for a total of \$593,312.62.

Mr. Lederer moved and Ms. Albrecht seconded a motion to approve the monthly bills in the amount of \$593,312.62.

Motion passed 6-0.

B. Consent Agenda

i) Regular Meeting Minutes of August 19, 2019

ii) Street Use Permit- Red Tutu Trot October 6, 2019

iii) Class B beer and Class C Wine license- First Unitarian Society

Mr. Imes moved and Ms. Lotfi seconded a motion to approve the consent agenda.
Motion passed 6-0.

C. Ordinances

i) Ordinance L-2019-2 Third reading of an ordinance creating section 7.08(10) of the Village code related to parking and towing of vehicles

Tabled to the October Board Meeting.

ii) Ordinance L-2019-4 First and possible second reading of an ordinance amending sections 15.01, 15.03, 15.04, 15.05 of the Village code of ordinances regarding adoption of Wisconsin administrative codes by reference

Ms. Albrecht moved and Mr. Lederer seconded approval of waiving the third reading and approving ordinance L-2019-4.

Motion passed 6-0.

iii) Consider Plan Commission recommendation on Ordinance L-2019-5 First, second and possible third reading of an ordinance amending section 10-1-100 of the zoning code concerning supplementary regulations accessory uses and structures

Ms. Lotfi stated she is opposed to this ordinance because she feels the property belongs to the owner and it is not up to the Village to decide what a resident should do with the property they own. Mr. Frantz stated the reason to have land use regulations such as setbacks are for various reasons, such as emergency services access.

Mr. Imes asked what the recourse is for a resident if they want to go above and beyond the zoning code.

Mr. Frantz stated they could apply for a variance.

Ms. Albrecht moved and Mr. Imes seconded a motion to waive the first, second and third reading of an ordinance amending section 10-1-100 of the zoning code concerning supplementary regulations accessory uses and structures.

Motion passed 5-1. Ms. Lotfi opposed. The ordinance was approved.

D. New Business Resolutions and Motions Consider Plan Commission recommendation and findings on conditional use

i) Consider Finance Commission recommendation Resolution R-2019-13

Mr. Benforado briefly summarized the recommendation to borrow money to refund the taxable, general obligation Build America Bonds (BABs) and raise financing for future Village projects. John Mehan, Robert W. Baird & Co., explained the BABs and why it is to the Village's advantage to call this taxable debt and refund it with newly issued tax-exempt, general obligations bonds. The newly issue debt would be repaid in unequal, semi-annual installments from 2020-2029. Interest and principal payments would be made in May and November, same as the called BABs. This might save the Village \$117,000, which is 6.4% savings overall. The Village would go through the rating process again. Even after taking into account the annual subsidy the Village receives from the federal government, the contractual taxable interest rates on the BABs are much higher than the current, tax-exempt rates which is why it is advantageous for the Village to call and refund this debt. The proposed new bonds will also have callable options.

Mr. Frantz briefly described the projects not yet approved by the Board for which additional funding was requested beyond the refunding of the BABs. He grouped these projects into two categories, projects within the TID and projects outside the TID (Levy projects), but noted all the

newly issued debt would be general obligation bonds. He then briefly expressed that the Village has to be aware of the amount they borrow to ensure that the State will allow additional borrowing in the future and not restrict the Village's ability to borrow.

Mr. Mehan went on to say that the Village Board was not being asked to approve the precise terms of the newly issued bonds (which are not currently set), but rather delegate authority to the Village President and Treasurer to approve the issuance at a future date subject to parameters set forth in the proposed resolution before the Board. This procedure was proposed to avoid the delay that an additional Board meeting would entail. Mr. Lederer noted that Baird is both the Village's financial adviser as well as the proposed purchaser of the newly issued bonds, a potential conflict of interest. He inquired of Mr. Benfarado and Mr. Cote whether they felt they would have adequate information at the time of the pricing of the issue to reasonably determine that issuing the bonds upon those terms was in the best interest of the Village. Both Mr. Benfarado and Mr. Cote responded that they believed they would. Mr. Lederer noted that even if the final terms fell within the parameters approved by the Board, the Village President and Treasurer could reject these terms out of hand and return to the Board for further guidance.

Mr. Benforado stated the Village has used this procedure in recent debt issues and it has worked well.

Mr. Lederer noted that the Finance Committee had recently voted to recommend with new issuance subject to the proposed parameters.

Mr. Imes asked if it is approved tonight, what would be the soonest the borrowing would happen. John Mehan stated it would be 30 days. There is no way to expedite the review process, but since the Village went through this less than a year ago, the reviewers will be familiar with the Village's financial picture.

Mr. Lederer moved and Mr. Imes seconded a motion to approve R-2019-13 authorizing the issuance and establishing parameters for the sale of not to exceed \$2,625,000 General Obligation Promissory Notes.

Motion passed 6-0.

ii) Consider Plan Commission recommendation and findings on conditional use permit for landscaping, retaining wall improvements on property located at 3444 Lake Mendota Drive

Mr. Benforado gave a brief background of the Plan Commission's findings. He explained the property owners are leveling out their backyard for a usable space.

Mr. Frantz stated the contractor is voluntarily moving the current stairs that are located on the lot line, back off the lot line by a foot.

Mr. Imes asked the Board if this could create potential issues in the future where residents on the lake build up slopes to a flat surface to create a usable space that would be pushing them toward the lake set back line.

Mr. Imes moved and Ms. Bailey seconded a motion to approve the conditional use permit with findings for 3444 Lake Mendota Drive.

Motion passed 6-0.

iii) Consider Plan Commission recommendation and findings on conditional use permit for landscaping, retaining wall improvements on property located at 3650 Lake Mendota Drive

Natalie Doty, Project Engineer with Edge Consulting, briefly explained the area destroyed by the flooding in 2018 and the retaining wall that will create a vegetative landscape area. She stated a full drainage study was completed and an erosion control plan is also submitted.

John Gishnock III, Formecology LLC, explained that the property owners are interested in creating more of a natural area that will create habitat as well as clean the water going to the lake and therefore have chosen to use the bag system for a retaining wall.

Erik, Envirolok, briefly explained the purpose of the patented soil retaining wall bags.

Mr. Imes moved and Ms. Albrecht seconded approval of the conditional use permit with findings at 3650 Lake Mendota Drive.

Motion passed 6-0.

iv) Consider Public Works Committee recommendation to install speed humps on Edgehill Drive

Ms. Bailey gave a summary of the recommendation from the Public Works Committee to install speed humps on Edgehill Drive. She stated that many residents have expressed concerns about the speed levels on Edgehill Drive and concern for safety.

Cara Faris, 1124 Edgehill Drive, stated that the hill on the west side of the road as well as the designated bike/walk lane are not adequate barriers for the vehicle traffic with the pedestrians and bikers on the road. It is a designated bike route and is a major road for through traffic on Google Maps. The regular speeds of 30 mph are over the 20 mph speed limit and are dangerous.

Ms. Bailey also stated the reality of distracted drivers as a factor in the safety on Edgehill Drive.

Kathy Acher, 1015 Oak Way, stated there is no place to swerve on that road if needed due to the nature of the geography.

Tracy Koziol, 3414 Lake Mendota Drive, stated she is in support of what Cara Faris mentioned. Her kids are not allowed to bike on Edgehill Drive and need to find alternate routes to and from their house.

Mr. Benforado asked what the rubric would be for the Public Works Committee for speed humps.

Ms. Bailey stated the committee feels they need to look at the entire Village for walkability and safety for each street.

Mr. Benforado stated he would like to see the Public Works Committee bring that rubric to the Board of Trustees so they have a better sense of what needs to be considered in the future. He asked Chief Chapin to put the speed board out on Edgehill Drive.

Mr. Imes stated he is in support of the recommendation from the Public Works Committee and stated it is a narrow corridor.

Ms. Albrecht stated she is not supportive of speed humps but rather would like to see sidewalks installed on Edgehill Drive. She is reluctant to see the traffic sent to other streets once the speed humps are installed.

Ms. Bailey stated that the City of Madison has half speed humps installed on Yuma and Olin Drive, which a driver would feel at 25 mph. Anything over 25 mph the car will really feel.

Mr. Lederer stated he is not convinced speed humps are needed due to a lack of objective criteria. He feels it is a slippery slope. He would like to set priorities for safety in the Village as to which streets safety concerns are more of a priority. He would also like to see what effectiveness measures have been researched. He would also like to have a thorough accounting of what the adverse impacts would be for emergency vehicles and snowplows, etc.

Ms. Lotfi stated that she is in support of the speed humps due to there being no other alternative presented and that this has been researched for five years and government is supposed to work for their residents and the residents are asking for it. She asked that the Board members give feedback as to what criteria they would need to see to move this project forward.

Mr. Imes would like to have a meeting with Brian Berquist on alternative measures to speed humps and maybe incorporate green infrastructure.

Mr. Benforado suggested this agenda item be tabled and that Ms. Lotfi and Ms. Bailey put together a resolution for the Board and have a motion ready for the October Board meeting.

v) Consider Services Committee recommendation to bid Four Corners restroom and pavilion construction project

Ms. Lotfi summarized the proposed Four Corners restroom project and that the cost came in over estimate.

Tracy Koziol, 3414 Lake Mendota Drive, is in support of the proposed project and would like to make sure that all Village projects are well thought out and not fighting against each other for fundraising efforts. She also stated it would be beneficial for the Services Committee to be considered so that both the Four Corners and the Heiden Haus have the same faucets, toilets, etc. for the ease of repairs and services from the Village Crew.

Ms. Bailey is in support of the renovation but also brought up that the Village Recreation Committee has not seen this proposal at this point.

Mr. Lederer asked if that would be the same for the Heiden Haus to be approved by the Recreation Committee.

Ms. Lotfi moved and Mr. Imes seconded a motion authorizing the Village Engineer to create bid documents for the Four Corners restroom, pavilion project, and take the project to bid to an estimated cost of \$150,000, for construction completion by June of 2020 with an alternate to wait until after next summer's programming.

Motion Passed 6-0.

E. Appointments

i) Colleen Albrecht, Pool Committee

ii) Greg Lampe, Personnel Committee

Mr. Imes moved and Mr. Lederer seconded a motion to approve Colleen Albrecht to the Pool Committee and Greg Lampe to the Personnel Committee.

Motion passed 6-0.

7. Reports of Officials and Committees

A. Village President-

i) Potential Ad Hoc Village Recognition Committee

Mr. Benforado gave a brief background on the creation of an ad hoc committee. The ad hoc committee would be a seven-person committee.

Ms. Lotfi moved and Ms. Bailey seconded the creation of an Ad Hoc Village Recognition Committee.

Motion passed 6-0.

ii) Dane County Executive Joe Parisi's visit to Shorewood Hills

Mr. Benforado gave a brief update on his tour of the Village with Joe Parisi.

iii) Communication to State Representative Stubbs office regarding concern with Dark Store/Walgreen's property tax loophole

Mr. Benforado gave a brief update on his conversation with Savion Castro, Representative Stubbs assistant, regarding the Village's concern with the Dark Store loophole and Mr. Castro asked the Village to provide some data to support the concern.

iv) Upcoming meeting with Madison Mayor Satya Rhodes-Conway

Mr. Benforado is looking forward to building a relationship with the new mayor with an upcoming meeting in the Village.

B. Village Administrator-

i) Status of University Avenue reconstruction project Previously updated.

C. Personnel Committee – Reported that Nadeem Afghan presented on sustainability in the Village. Chief Chapin updated the committee on Police Staffing and that the committee will meet with all staff to discuss their needs.

D. Finance Committee –

i) 2020 Budget update - met and discussed the upcoming 2020 budget. Discussed Chief Chapin's memo regarding vehicle replacement and will be added to the October Board Meeting.

E. Plan Commission – met and had four public hearing requests for conditional use permits.

Tonight three were heard and Ronald McDonald House's conditional use permit is yet to come due to a conversation that needs to be discussed about a PILOT.

F. Public Works Committee – Previously updated.

G. Services Committee – Discussed the Four corners restrooms.

H. Public Health & Safety Committee – Did not meet.

I. Recreation Committee – Did not meet.

J. Ad hoc Sustainability Committee – Has spoken with a few committees about their sustainability plan and is attempting to meet with all village committees.

K. Ad hoc Disaster Preparedness Committee – Did not meet.

L. Ad hoc Stormwater Committee – Did not meet.

i) September 17 Presentation of Tunnel Feasibility study- Meeting with Amber Leffers from AE2S at the Village Hall on the feasibility of the study scheduled for tomorrow.

M. Ad hoc Heiden Haus Committee – Previously updated.

N. Parks Committee – Did not meet.

O. Blackhawk Liaison Committee –

i) Golf Scramble Summary- Nothing to report.

P. Pool Committee – Met and discussed the hire of a new pool manager with Erik Johnson's resignation. All City Swim and Dive was discussed in the pre-planning phase. The event is about 3-4 years out from being hosted in Shorewood Hills. The Village will be asked to join a consortium of five pools that will be hosting All City in the next five years to enter into a multiyear contract for timing services.

Q. Waterfront Committee – Did not meet.

R. Joint Campus Committee – Met but nothing to report.

8. Next Meeting date: October 21, 2019

9. Adjourn

Meeting was adjourned at 10:43 pm.

Respectfully submitted,

Karla Endres
Village Clerk