



**I. CALL TO ORDER**

President Dickman called the meeting to order at 6:00 pm.

**II. ROLL CALL**

**President:** Sam Dickman  
**Trustees:** Michael Barth Daniel Muchin  
Robb DeGraff - excused James Petersen  
William Hersch Eido Walny

**Also Present:** Village Manager Andy Pederson  
Director of Finance and Administration Lynn Galyardt  
Deputy Village Manager Alex Henderson  
Attorney Christopher Jaekels  
Police Chief Bruce Resnick  
There were 22 people in the audience

**III. PLEDGE OF ALLEGIANCE**

**IV. CONSENT AGENDA**

Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration.

**A. Approval of:**

1. **Public Safety meeting minutes, June 30, 2011.**
2. **DCUS Committee meeting minutes, June 30, 2011.**
3. **Finance and Administration meeting minutes, July 5, 2011.**
4. **Board of Trustees meeting minutes, July 7, 2011 and August 18, 2011.**
5. **Committee of the Whole meeting minutes August 18, 2011.**
6. **Summary of Claims for July 1, 2011 through August 19, 2011 in the amount of \$598,137.23.**
7. **May 2011, June 2011, and July 2011 Financial Statements and Investment Reports.**
8. **2012 CDBG Funding applications.**

Motion by Trustee Muchin, seconded by Trustee Petersen, to approve the Public Safety meeting minutes, June 30, 2011, DCUS Committee meeting minutes, June 30, 2011, Finance and Administration meeting minutes, July 5, 2011, Board of Trustees meeting minutes, July 7, 2011 and August 18, 2011, Committee of the Whole meeting minutes August 18, 2011, Summary of Claims for July 1, 2011 through August 19, 2011 in the amount of \$598,137.23, May 2011, June 2011, and July 2011 Financial Statements and Investment Reports, 2012 CDBG Funding applications. Motion carried unanimously.

**B. Action on:**

1. **Application for issuance of operator's license request from JipssyCulome (Los Paisa), Patrick Jansen (Otto's Bayside) and Monica H Jaeckels which has been approved by the Police Department.**

2. **Appointment of Election Inspectors s.7.30(1),(2),(4); Tabulators s.7.30(3); Special Voting Deputies s.7.30(4); Special Registration Deputies s.7.30(2); Chief Inspectors s7.30(6)(b).**
3. **Recommendation on temporary sign variance extension for Ogden & Company, Inc. 8850 N. Port Washington Road.**

Motion by Trustee Muchin, seconded by Trustee Walny, to approve the application for issuance of operator's license request from JipssyColome (Los Paisa), Patrick Jansen (Otto's Bayside) and Monica H Jaekels (Speakeasy) which has been approved by the Police Department, Appointment of Election Inspectors s.7.30(1),(2),(4); Tabulators s.7.30(3); Special Voting Deputies s.7.30(4); Special Registration Deputies s.7.30(2); Chief Inspectors s7.30(6)(b), and the recommendation on temporary sign variance extension for Ogden& Company, Inc. 8850 N. Port Washington Road. Motion carried unanimously.

**V. CITIZENS AND DELEGATIONS**

Open to any citizen who wishes to speak on items not on the agenda. Please note there may be limited discussion on the information received, however, no action will be taken. Please state your name and address for the record.

**A. Presentation/recognition of twelve Emotionally Intelligent sign design entry selections**

1. **Kelsie Alling, "Slowing Down = Saving Lives"**
2. **Ridley Aranda, "Go Slow" (Turtle)**
3. **Jaden Aranda, "Go Slow" (Stop Lights)**
4. **Benji Cohn, "Get Off Your Phone"**
5. **Zach Ellner, "Slow Down"**
6. **Claire Guffy, "Simon Says Slow Down"**
7. **Lilly Hopkins, "Don't Be in a Hurry or You'll Make My Mom Worry"**
8. **The Krier Family, "Hit The Breaks, Not Us!"**
9. **Lucia Lozano, "Slowpokes Welcome in Bayside, Thanks for Driving"**
10. **Anna McDougall, "This Is A School Road, Not A Speedway"**
11. **Chase Rifkin and Will Moesel, "Drive Like Your Kids Live Here"**
12. **Sullivan Woods, "My Family Loves Me Please Slow Down"**

President Dickman recognized the winners of the Emotionally Intelligent Signage competition. Manager Pederson noted that the signs will be installed throughout the Village the week of September 12.

**VI. BUSINESS AGENDA**

**A. COMMITTEE AND COMMISSION REPORTS**

1. **Finance and Administration Committee**
  - a. **Discussion/action to approve Ordinance 11-\_\_\_\_, an Ordinance to adopt a Ward Plan for the portion of the Village of Bayside located in Milwaukee County.**

- b. Discussion/action to approve Ordinance 11-\_\_\_\_, an Ordinance to adopt a Ward Plan for the portion of the Village of Bayside located in Ozaukee County.
- c. Discussion/action to approve Ordinance 11-\_\_\_\_, an ordinance to create Article VII of Chapter 14, of the Municipal Code Regarding Vacant Premises.
- d. Discussion/action to approve Ordinance 11-\_\_\_\_, and ordinance to repeal and recreate section 50-2 of the Municipal Code Regarding the North Shore Health Department and the Board of Health.
- e. Discussion/action to approve Resolution 11-\_\_\_\_, a resolution to establish notice requirements for the imposition of special charges under section 66.027 Wisconsin Statutes.
- f. Discussion/action to approve Resolution 11-\_\_\_\_, a resolution to amend the 2011 Budget to create Fund 26-Dispatch Operational Fund.
- g. Discussion/action to approve Resolution 11-\_\_\_\_, a resolution to amend the 2011 Budget to create Fund 46-Dispatch Capital Fund.
- h. Discussion/action to approve Resolution 11-\_\_\_\_, a resolution to amend the 2011 Budget to reflect changes in revenues and expenses.
- i. Discussion/action to approve Resolution 11-\_\_\_\_, a resolution to amend the 2011 DCUS Capital Budget to reflect changes in revenues and expenses.
- j. Discussion/action to approve Resolution 11-\_\_\_\_, a resolution to amend the 2011 Police Capital Budget to reflect changes in revenues and expenses.
- k. Discussion/recommendation to approve Resolution 11-\_\_\_\_, a resolution to authorize the Village of Bayside to enter into a purchasing contract agreement with National Joint Powers Alliance.
- l. Discussion/action to approve Resolution 11-\_\_\_\_, a resolution to authorize the Village Manager to sell or dispose of surplus Village property with a Value of less than \$5,000.00.
- m. Discussion/action to approve Resolution 11-\_\_\_\_, a resolution authorizing participation in the Urban County Community Development Block Grant Program from 2012 through 2014.

Motion by Trustee Petersen, seconded by Trustee Muchin, to approve Ordinance 11-615, an Ordinance to adopt a Ward Plan for the portion of the Village of Bayside located in Milwaukee

County, Ordinance 11-616, an Ordinance to adopt a Ward Plan for the portion of the Village of Bayside located in Ozaukee County, Ordinance 11-617, an ordinance to create Article VII of Chapter 14, of the Municipal Code Regarding Vacant Premises, Ordinance 11-618, and ordinance to repeal and recreate section 50-2 of the Municipal Code Regarding the North Shore Health Department and the Board of Health, Resolution 11-13, a resolution to establish notice requirements for the imposition of special charges under section 66.027 Wisconsin Statutes, Resolution 11-14, a resolution to amend the 2011 Budget to create Fund 26-Dispatch Operational Fund, Resolution 11-15, a resolution to amend the 2011 Budget to create Fund 46-Dispatch Capital Fund, Resolution 11-16, a resolution to amend the 2011 Budget to reflect changes in revenues and expenses, Resolution 11-17, a resolution to amend the 2011 Budget to reflect changes in revenues and expenses, Resolution 11-18, a resolution to amend the 2011 Police Capital Budget to reflect changes in revenues and expenses, Resolution 11-19, a resolution to authorize the Village of Bayside to enter into a purchasing contract agreement with National Joint Powers Alliance, Resolution 11-20, a resolution to authorize the Village Manager to sell or dispose of surplus Village property with a Value of less than \$5,000.00, and Resolution 11-21, a resolution authorizing participation in the Urban County Community Development Block Grant Program from 2012 through 2014. Motion carried unanimously by roll call vote.

**n. Discussion/action to approve the 2011 CDBG Cooperation Agreement.**

Motion by Trustee Muchin, seconded by Trustee Hersch, to approve the 2011 CDBG Cooperation Agreement. Motion carried unanimously.

**2. Public Safety Committee**

**a. Discussion/action to approve Ordinance 11-\_\_\_\_, an ordinance to amend Section 66-266 with regard to carrying concealed weapons.**

Motion by Trustee Muchin, seconded by Trustee Hersch, to approve Ordinance 11-619, an ordinance to amend Section 66-266 with regard to carrying concealed weapons. Motion carried unanimously by roll call vote.

**b. Discussion/action to approve Ordinance 11-\_\_\_\_, an ordinance to create Section 62-268 of the Municipal Code regarding firearms prohibited in Village buildings.**

Motion by Trustee Walny, seconded by Trustee Barth, to strike the words "including but not limited to" from the original Ordinance.

President Dickman questioned if this amendment would weaken the Ordinance.

Trustee Walny stated that the amendment would not weaken the Ordinance.

Motion by Trustee Walny, seconded by Trustee Petersen, to strike the words "including but not" from the original Ordinance. Motion carried 5-1, with President Dickman voting nay.

Motion by Trustee Muchin, seconded by Trustee Barth, to approve Ordinance 11-620, an ordinance to create Section 62-268 of the Municipal Code regarding firearms prohibited in Village buildings, as amended. Motion carried unanimously by roll call vote.

- c. **Discussion/action to approve Ordinance 11-\_\_\_\_, an ordinance to amend section 34-34 with regard to permits for emergency alarm systems.**

Motion by Trustee Petersen, seconded by Trustee Barth, to approve Ordinance 11-621, an ordinance to amend section 34-34 with regard to permits for emergency alarm systems. Motion carried unanimously by roll call vote.

**3. Community and Utility Services Committee**

- a. **Discussion/action to approve Resolution 11-\_\_\_\_, a resolution adopting the revised Milwaukee County Hazard Mitigation Plan.**

Motion by Trustee Muchin, seconded by Trustee Barth, to approve Resolution 11-22, a resolution adopting the revised Milwaukee County Hazard Mitigation Plan. Motion carried unanimously by roll call vote.

**4. GreenScape Bayside Committee**—No report

**5. Intergovernmental Cooperation Council**- No report

**6. Plan Commission**

- a. **Discussion/action on the request from Zack Parham, agent for Faulk and Foster, on behalf of U.S. Cellular, for a Conditional Use Permit to Operate: Three additional antennae and six lines of coax to the existing communications tower.**

Motion by Trustee Muchin, seconded by Trustee Hersch, to approve the request from Zack Parham, agent for Faulk and Foster, on behalf of U.S. Cellular, for a Conditional Use Permit to Operate: Three additional antennae and six lines of coax to the existing communications tower. Motion carried unanimously.

- b. **Discussion/action on the request from David Jonson on behalf of Pho Hai Tuyet II, for a Conditional Use Permit to Operate: A Vietnamese Restaurant, located at 333 W Brown Deer Road, Suite P.**

Motion by Trustee Muchin, seconded by Trustee Barth, to approve the request from David Jonson on behalf of Pho Hai Tuyet II, for a Conditional Use Permit to Operate: A Vietnamese Restaurant, located at 333 W Brown Deer Road, Suite P. Motion carried unanimously.

- c. **Discussion/recommendation to the Board of Trustees of the request from Daisy Walia and Syed Zadi on behalf of Sports Arts and Framing, for a Conditional Use Permit to Operate: A sports art and framing store, located at 333 W Brown Deer Road, Suite M.**

Motion by Trustee Muchin, seconded by Trustee Barth, to approve the request from Daisy Walia and Syed Zadi on behalf of Sports Arts and Framing, for a Conditional Use Permit to Operate: A sports art and framing store, located at 333 W Brown Deer Road, Suite M. Motion carried unanimously.

- d. **Discussion/recommendation to the Board of Trustees of the acquisition of the property located at 8470 N Fielding Road from Milwaukee County by Quit Claim Deed for no monetary consideration.**

Motion by Trustee Peterson, seconded by Trustee Muchin, to approve the acquisition of the property located at 8470 N Fielding Road from Milwaukee County by Quit Claim Deed for no monetary consideration. Motion carried unanimously.

**7. Architectural Review Committee**

- a. **Discussion/action on Congregation Ahavat Yisroel, 8825 N Lake Drive, 021-9969- Shul sign installation and rear property enhancement.**

Trustee Hersch questioned whether the culvert repair on the property would be completed, prior to permits being issued.

Attorney Jaekels stated that the culvert repair contingency could be a part of the motion.

Susan Tannenbaum, 1005 E. Glencoe Place, presented her concerns regarding the noise from the children, and possible property value decline should the rear property enhancement be allowed.

Trustee Barth questioned what had changed since the Architectural Review Committee Meeting where Ms. Tannenbaum had agreed to the Shul's project.

Ms. Tannenbaum stated that she wanted the hours of operation limited and written down.

Attorney Jaekels stated that this item was not on the agenda, and that a motion regarding hours could not be made. Attorney Jaekels also noted that Ms. Tannenbaum would have to appeal to the Board of Zoning Appeals.

Trustee Muchin questioned if the materials of construction for the sign would withstand the weather.

Trustee Barth stated yes. Trustee Walny noted that there is an overhang protecting the sign.

Motion by Trustee Peterson, seconded by Trustee Barth, to amend the original motion to include a condition that the Shul repair the culvert before permits can be issued. Motion carried unanimously.

Motion by President Dickman, seconded by Trustee Walny, to approve the Congregation Ahavat Yisroel, 8825 N Lake Drive, 021-9969- Shul sign installation and rear property enhancement. Motion carried unanimously.

- b. **Discussion/action to approve Ordinance 11-\_\_\_\_\_, an ordinance to repeal and recreate section 14-4 of the Municipal Code with regard to accessory structures.**

Motion by Trustee Hersch, seconded by Trustee Walny, to approve Ordinance 11-622, an ordinance to repeal and recreate section 14-4 of the Municipal Code with regard to accessory structures. Motion carried unanimously by roll call vote.

- c. Discussion/action to approve Ordinance 11-\_\_\_\_, an ordinance to repeal and recreate section 14-182 of the Municipal Code with regard to fences.**
- d. Discussion/action to approve Ordinance 11-\_\_\_\_, an ordinance to repeal and recreate section 78-6(a)(10) of the Municipal Code with regard to sign measurements.**
- e. Discussion/action to approve Ordinance 11-\_\_\_\_, an ordinance to repeal and recreate section 14-141 of the Municipal Code with regard to window replacements and razing/demolitions.**

Motion by Trustee Muchin, seconded by Trustee Hersch, to approve Ordinance 11-623, an ordinance to repeal and recreate section 14-182 of the Municipal Code with regard to fences, Ordinance 11-624, an ordinance to repeal and recreate section 78-6(a)(10) of the Municipal Code with regard to sign measurements, Ordinance 11-625, an ordinance to repeal and recreate section 14-141 of the Municipal Code with regard to window replacements and razing/demolitions. Motion carried unanimously.

**8. Library Board**

- a. Discussion/update on 2012 recommended budget.**

Manager Pederson noted that the Library Board is projecting a .3% decrease for the 2012 budget.

**9. Board of Zoning Appeals - No report**

**10. North Shore Fire Department**

- a. Discussion/update on 2012 recommended budget.**

Manager Pederson noted that the North Shore Fire Department is anticipating a 0% increase for the 2012 budget.

**VII. VILLAGE PRESIDENT'S REPORT**

- A. Recommendation on appointment of Amy Krier to the Finance and Administration Committee, Dan Zitzer to the Architectural Review Committee, Mike Brandino and Carol Chew to the GreenScape Committee.**

Motion by Trustee Muchin, seconded by Trustee Barth, to approve the appointment of Amy Krier to the Finance and Administration Committee, Dan Zitzer to the Architectural Review Committee, Mike Brandino and Carol Chew to the GreenScape Committee. Motion carried unanimously.

**VIII. VILLAGE MANAGER'S REPORT**

Manager Pederson stated that everything is set for the Village Picnic.

**IX. VILLAGE ATTORNEY'S REPORT**

Attorney Jaekels noted that passing the concealed carry legislation does not remove the Villages immunity as stated in news articles.

**X. MISCELLANEOUS BUSINESS BY THE TRUSTEES AS MAY PROPERLY BE BROUGHT BEFORE THE BOARD**

None

**XI. CORRESPONDENCE**

- A. John Jansen**
- B. Don Galster**

President Dickman acknowledged the above correspondences.

**XII. MOTION TO ADJOURN TO CLOSED SESSION**

- A. Pursuant to Section 19.85 (1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons allow a Closed Session; (Intergovernmental Agreement).**

Motion by President Dickman, seconded by Trustee Walny, to adjourn to closed session at 6:58 pmpursuant to Section 19.85 (1)(e) deliberating or negotiating the purchasing of public properties, theinvesting of public funds or conducting other specified public business, whenever competitive orbargaining reasons allow a Closed Session; (Intergovernmental Agreement). Motion carried unanimously by roll call vote.

**XIII. RECONVENE IN OPEN SESSION PURSUANT TO SECTION 19.85 (2)**

Motion by President Dickman, seconded by Trustee Petersen, to reconvene in open session at 7:05 pm pursuant to Section 19.85 (2). Motion carried unanimously.

**XIV. ACTION ON ITEMS FROM CLOSED SESSION.**

No action was taken.

**XV. ADJOURNMENT**

Motion by President Dickman, seconded by Trustee Barth, to adjourn the meeting at 7:06 pm. Motion carried unanimously.

Respectfully Submitted,

Lynn Galyardt  
Director of Finance and Administration  
October 7, 2011



