



Village of Bayside
9075 North Regent Road
Board of Trustees Meeting Minutes
February 4, 2010

I. CALL TO ORDER

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

II. ROLL CALL

President: Sam Dickman

Trustees: Michael Barth
Robb DeGraff
William Hersch

Daniel Muchin
James Petersen
Eido Walny

Also present: Village Manager Andy Pederson
Director of Finance and Administration Lynn Galyardt
Director of Community and Utility Services Alex Henderson
Police Chief Bruce Resnick
Village Attorney Chris Jaekels
There were fourteen 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. Committee of the Whole meeting minutes, January 21, 2010.**
- 2. Board of Trustees meeting minutes, January 21, 2010.**
- 3. Payment of summary of claims for January 9, 2010 through January 22, 2010 in the amount of \$77,102.60.**

B. Action on:

- 1. Recommendation on collaboration with Neighborhood Communications, LLC. for the development and distribution of a monthly Village Newsletter supplement.**
- 2. Recommendation on referral to Plan Commission for rezoning of 621 East Brown Deer Road (municipal stormwater pond property) from C Residence District to E Institutional District.**
- 3. Recommendation on referral to Plan Commission of proposed amendments to the text of § 106-200, E Institutional District to include municipal stormwater facilities as a permitted use.**

Motion by Trustee Petersen, seconded by Trustee Muchin, to approve the Committee of the Whole meeting minutes, January 21, 2010; the Board of Trustees meeting minutes, January 21, 2010; the payment of summary of claims for January 9, 2010 through January 22, 2010 in the amount of \$77,102.60; the collaboration with Neighborhood Communications, LLC. for the development and distribution of a monthly Village Newsletter supplement; the referral to Plan Commission for rezoning of 621 East Brown Deer Road (municipal stormwater pond property) from C Residence District to E Institutional District; and the referral to the Plan Commission of proposed amendments to the text of § 106-200, E Institutional District to include municipal stormwater facilities as a permitted use. 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. Introduction of newly appointed Police Lieutenant, Tom Henkel.

Chief Resnick introduced Police Lieutenant, Tom Henkel.

VI. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. Finance and Administration Committee

- a. Recommendation on Resolution 10-___, a Resolution amending the 2009 Budget to reflect changes in revenues and expenditures.**

Motion by Trustee Petersen, seconded by Trustee Walny, to recommend approval on Resolution 10-01, a Resolution amending the 2009 Budget to reflect changes in revenues and expenditures. Motion carried unanimously by roll call vote.

2. Public Safety Committee-No report.

3. Public Works Committee

- a. Recommendation on Village Stormwater Management Plan Update.**

Motion by President Dickman, seconded by Trustee Hersch, to approve the Village Stormwater Management Plan Update with the condition that the word “sump” is clarified in the update. Motion carried unanimously.

4. GreenScape Bayside Committee-No report.

5. Regional Telecommunications Committee-No report.

6. Intergovernmental Cooperation Council-No report.

7. Plan Commission

- a. Recommendation on the request from Oscar Moncada of Oscar’s Service, LLC and Oscar Motorcars, LLC for a Conditional Use Permit to Operate: A gas station that will also include auto repair and sales, located at 310 East Brown Deer Road.**

Trustee Muchin stated he was opposed to used car sales being allowed at this location.

Trustee Muchin noted that he did call all of the Trustees of the Village of Bayside to discuss his opposition and stated his daughter, Sandra Muchin Kofman and son-in-law George Kofman own the building that Mr. Moncada currently has a business at. He stated that Mr. Moncada had seven vehicles at that location on January 29, 2010.

Mr. Moncada stated he agreed with and intended to comply with the additional conditions that were proposed by Attorney Jaekels.

Trustee Hersch questioned if there was a conflict of interest with Trustee Muchin. Attorney Jaekels stated there was not a conflict of interest.

Motion by Trustee Muchin, seconded by President Dickman to approve the request from Oscar Moncada of Oscar’s Service, LLC and Oscar Motorcars, LLC for a Conditional Use Permit to Operate: A gas station and auto

repair, located at 310 East Brown Deer Road. Motion carried four to two, with Trustee Hersch and Trustee DeGraff opposed and Trustee Walny abstaining.

Motion by Trustee Hersch, seconded by Trustee DeGraff, to approve the original request from Oscar Moncada of Oscar's Service, LLC and Oscar Motorcars, LLC for a Conditional Use Permit to Operate: A gas station that will also include auto repair and sales, located at 310 East Brown Deer Road. Motion failed three to four with Trustee Muchin, Trustee Petersen, Trustee Barth and President Dickman voting opposed.

- 8. Architectural Review Committee-No report.**
- 9. Library Board**
 - a. Update on North Shore Library Space Planning and Feasibility Study Question Responses.**

Manager Pederson stated the North Shore Library Board had prepared a follow up document which answered initial questions regarding the potential Library expansion. He noted the Library Board was scheduled to make a presentation to the Board of Trustees on April 1. Trustee DeGraff asked to have the North Shore Library Board resubmit their financials for the project.

- 10. Board of Zoning Appeals-No report.**
- 11. North Shore Fire Department-No report.**

VII. VILLAGE PRESIDENT'S REPORT-No report.

VIII. VILLAGE MANAGER'S REPORT

- A. Update on Stimulus Funded Fairy Chasm Road construction from Regent Road to just east of the railroad tracks.**

Manager Pederson stated the engineering of the Fairy Chasm Road construction project has been completed and will go out to bid in March or April. He noted the project is funded by Federal Stimulus funds.

- B. Recommendation on Engineering Proposal from Kapur and Associates, Inc. for Village Hall Water Main/Lateral Extension Design Services.**

Manager Pederson noted with the construction project on Fairy Chasm Road set to occur, timing appeared to be right to address the water main connection for Village Hall.

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve the Engineering Proposal from Kapur and Associates, Inc. for Village Hall Water Main/Lateral Extension Design Services. Motion carried unanimously.

IX. VILLAGE ATTORNEY'S REPORT-No report.

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

Trustee Hersch requested the issue of Oscar Moncada's request to sell used cars at 310 West Brown Deer Road be put on the next Board of Trustees agenda.

Motion by Trustee Hersch, seconded by Trustee Walny, to bring the request of Oscar Moncada to sell used cars at 310 West Brown Deer Road to the next Board of Trustees meeting. Motion carried three to two with President Dickman and Trustee Barth abstaining.

Trustee DeGraff requested the Village notify residents of the upcoming construction on the Brown Deer Road Bridge. Manager Pederson stated there had been seven notifications through the email system.

XI. CORRESPONDENCE

- A. Rabbi Isreal Shmotkin
- B. Sheriff David Clarke
- C. Eva Zaret
- D. Linda Hauke

President Dickman acknowledged the above correspondence.

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; (Dispatch Services Agreement)
- B. Pursuant to Section 19.85 (1) (c) Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (Village Manager Performance Evaluation).

Motion by President Dickman, seconded by Trustee Walny, to adjourn to closed session at 6:55 pm 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; (Dispatch Services Agreement) and pursuant to Section 19.85 (1) (c) Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (Village Manager Performance Evaluation). 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 Walny, to reconvene in open session at 7:04 pm pursuant to section 19.85 (2). Motion carried unanimously.

- A. Action on items in closed session.

Motion by President Dickman, seconded by Trustee Walny, to approve the Village of Bayside and Village of Fox Point Dispatch Services Agreement. Motion carried unanimously.

IX. ADJOURNMENT

Motion by President Dickman, seconded by Trustee Hersch, to adjourn the meeting at 7:10 pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt, Director of Finance and Administration || February 25, 2010