



Village of Bayside
9075 North Regent Road
Board of Trustees Meeting Minutes
March 18, 2010

I. CALL TO ORDER

President Dickman called the meeting to order at 6:09 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
Attorney Rodney Carter
There were four 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. Board of Trustees meeting minutes, February 4, 2010.
2. Payment of summary of claims for January 23, 2010 through March 12, 2010 in the amount of \$144,709.58.
3. December 2009 Preliminary, January 2010, and the February 2010 Financial Statements and Investment Reports.
4. Employee recognition proclamation to Jason Blochowicz for twenty years of service as of January 8, 2010, Dale Schoessow for twenty years of service as of January 15, 2010, Michael Groh for twenty years of service as of February 1, 2010 and Jon Franken for twenty years of service as of February 2, 2010.

Motion by Trustee Petersen, seconded by Trustee Walny, to approve the Board of Trustees meeting minutes, February 4, 2010, the payment of summary of claims for January 23, 2010 through March 12, 2010 in the amount of \$144,709.58; the December 2009 Preliminary, January 2010, and the February 2010 Financial Statements and Investment Reports; and the employee recognition proclamation to Jason Blochowicz for twenty years of service as of January 8, 2010, Dale Schoessow for twenty years of service as of January 15, 2010, Michael Groh for twenty years of service as of February 1, 2010 and Jon Franken for twenty years of service as of February 2, 2010. Motion carried unanimously.

B. Action on:

1. Resolution 10-___, a resolution authorizing the writing off of the delinquent uncollected personal property taxes.

This item was tabled.

2. Storm drain stenciling initiative.

Motion by Trustee Petersen, seconded by Trustee Walny, to approve the storm drain stenciling initiative. 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.

Lois Karalewitz, 910 West Fairy Chasm, stated the Village streets appeared to be crumbling and in poor shape. Manager Pederson noted the Department of Community and Utility Services employees are scheduled to apply asphalt patches to the areas that are in poor condition in the next week.

VI. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

- 1. Finance and Administration Committee**-No report.
- 2. Public Safety Committee**-No report.
- 3. Public Works Committee**-No report.
- 4. GreenScape Bayside Committee**
 - a. Recommendation on designating April 24 and 25 as the 2010 Spring Clean Up Days.**
 - b. Recommendation on Household Hazardous Waste Agreement with Veolia.**

Manager Pederson stated the GreenScape Committee had recommended designating April 24 and 25 from 9 am to 5 pm as the 2010 Spring Clean Up Days. He noted the Clean Up Days will provide many of the services as in years past. In addition, a Household Hazardous Waste drop off, funded in part by a grant from the Department of Natural Resources, for Bayside residents would be located at Ellsworth Park on Saturday, April 25, starting at 9 am and last until the allocated funds are exhausted. Veolia Environmental Services will provide the containers, staff and transport the Household Hazardous Waste to the hazardous waste facility. President Dickman questioned what could not be brought. Director Henderson stated a list would be provided as to what could and could not be brought to the site.

Motion by Trustee DeGraff, seconded by Trustee Barth, to approve designating April 24 and 25 from 9 am to 5 pm as the 2010 Spring Clean Up Days and the Household Hazardous Waste Agreement with Veolia. Motion carried unanimously.

- 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 DeGraff questioned if the Conditional Use to sell automobiles was approved would it apply to future owners. Trustee DeGraff stated the agreement required the business to come back to the Board annually for renewal of the Conditional Use. Attorney Carter noted the Board would have to have some basis for denying the sales once the Conditional Use was approved. President Dickman stated that, should the Board decide to deny the sales of automobiles at the site once the Conditional Use was approved, a lawsuit could evolve.

Trustee Petersen noted the Conditional Use permit to operate a gas station and auto repair business had been approved at the last Board of Trustees meeting. Manager Pederson stated the Board had requested this item be added to the agenda at the last meeting and noted that all that was requested by the applicant to be approved at this meeting was the auto sales portion of the Conditional Use.

Motion by Trustee Hersch, seconded by Trustee Walny, to approve the request from Oscar Moncada of Oscar's Service, LLC and Oscars Motorcars, LLC for a Conditional Use Permit to sell automobiles at 310 East Brown Deer Road. Motion failed 3 to 4, with Trustee Barth, Trustee Muchin, Trustee Petersen and President Dickman voting nay.

b. Recommendation on the rezoning of 621 East Brown Deer Road (municipal stormwater pond property) from C Residence District to E Institutional District.

Manager Pederson stated this agenda item was a housekeeping issue.

Motion by Trustee Petersen, seconded by Trustee Barth, to approve the rezoning of 621 East Brown Deer Road (municipal stormwater pond property) from C Residence District to E Institutional District. Motion carried unanimously by roll call vote.

a. Recommendation on the amendments to the text of § 106-200, E Institutional District to include municipal stormwater facilities as a permitted use.

Manager Pederson stated this agenda item was a housekeeping issue.

Motion by Trustee Petersen, seconded by Trustee Muchin, to approve the amendments to the text of § 106-200, E Institutional District to include municipal stormwater facilities as a permitted use. Motion carried unanimously.

- 8. Architectural Review Committee-No report.**
- 9. Library Board**

Manager Pederson stated that members of the Library Board would be providing a presentation to the Board at the April 15 Board of Trustees meeting.

- 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-No report.**
- IX. VILLAGE ATTORNEY'S REPORT-No report.**
- X. MISCELLANEOUS BUSINESS BY THE TRUSTEES AS MAY PROPERLY BE BROUGHT BEFORE THE BOARD**

None.

- XI. CORRESPONDENCE**
 - A. Village of Fox Point Police Department**
 - B. Emanu-EL B'ne Jeshurun**

President Dickman acknowledged the above correspondence.

XII. MOTION TO ADJOURN TO CLOSED SESSION

- A. 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 Trustee Hersch, seconded by Trustee Walny, to adjourn to closed session at 6:50 pm 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)

- A. Action on items in closed session.**

Motion by Trustee Dickman, seconded by Trustee Muchin, to reconvene in open session at 7:03 pm pursuant to section 19.85 (2). Motion carried unanimously. Motion by Trustee DeGraff, seconded by President Dickman, to report the Village Manager's performance evaluation for 2009 as exceeding expectations. The Village Manager's salary will remain at the 2009 level and merit authorized by the Village Board within the 2010 budget. Motion carried unanimously.

XIV. ADJOURNMENT

Motion by Trustee Petersen, seconded by Trustee Barth, to adjourn the meeting at 7:05 pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt, Director of Finance and Administration || May 17, 2010