



Village of Bayside
9075 N. Regent Road
Board of Trustees Meeting Minutes
April 2, 2009

I. CALL TO ORDER

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

II. ROLL CALL

President: Sam Dickman
Trustees: Michael Barth arrived at 6:08 pm Daniel Muchin-excused
Robb DeGraff James Petersen-excused
William Hersch Eido Walny

Also present: Village Manager Andy Pederson
Director of Finance and Administration/Clerk/Treasurer Lynn Galyardt
Village Attorney Chris Jaekels
Police Chief Bruce Resnick
There were two 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 minutes, March 5, 2009.**
 - 2. Committee of the Whole minutes, March 19, 2009.**
 - 3. Payment of summary of claims for February 21, 2009 through March 27, 2009 in the amount of \$443,874.00.**

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve the Board of Trustees minutes, March 5, 2009; the Committee of the Whole minutes, March 19, 2009; and the payment of summary of claims for February 21, 2009 through March 27, 2009 in the amount of \$443,874.00. Motion carried unanimously.

- B. Submittal of**
- 1. Grant application for the Pelham Parkway Safe Routes to School Road and Sidewalk Plan through the Transportation Enhancement Federal Stimulus Grant Program.**
 - 2. Grant application for the Community Orientated Policing Services Hiring Recovery Program under the Federal Stimulus Grant Program.**

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve the submittal of the grant application for the Pelham Parkway Safe Routes to School Road and Sidewalk Plan through the Transportation Enhancement Federal Stimulus Grant Program and the grant application for the Community Orientated Policing Services Hiring Recovery Program under the Federal Stimulus Grant Program. Motion carried unanimously.

C. Acceptance of
1. February 2009 Financial Statement and Investment Report.

Motion by Trustee DeGraff, seconded by Trustee Hersch, to accept the February 2009 Financial Statement and Investment Report. Motion carried unanimously.

D. Action on
1. Application for issuance of operator's license request for Jipsey Colome (Los Paisa), Paige Donaldson (Sendik's), Scott Waddinton (Otto's), Barbara Kamionka (Sendik's) and approved by the Police Department.

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve the application for issuance of operator's license request for Jipsey Colome (Los Paisa), Paige Donaldson (Sendik's), Scott Waddinton (Otto's), Barbara Kamionka (Sendik's) and approved by the Police Department. Motion carried unanimously.

2. Resolution 09-03, a Resolution creating a Complete Count Committee to promote the 2010 Census.

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve Resolution 09-03, a Resolution creating a Complete Count Committee to promote the 2010 Census. Motion carried unanimously by roll call vote.

3. Census 2010 Proclamation.

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve 2010 Census Proclamation. Motion carried unanimously.

4. Resolution 09-04, a Resolution authorizing the public support for the State of Wisconsin's 25x25 Program.

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve Resolution 09-04, a Resolution authorizing the public support for the State of Wisconsin's 25x25 Program. Motion carried unanimously by roll call vote.

5. Resolution 09-05, a Resolution adopting the Smart Growth Comprehensive Plan: Public Participation Plan.

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve Resolution 09-05, a Resolution adopting the Smart Growth Comprehensive Plan: Public Participation Plan. Motion carried unanimously by roll call vote.

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.

VI. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. Finance and Administration Committee

- a. **Discussion/action on Resolution 09-06 a Resolution regarding the claim of Mark A. Schnoll, 9137 N. Lake Drive, dated November 20, 2008.**

Manager Pederson state the Village received a revised letter from Mr. Schnoll reducing the amount of his claim. Attorney Jaekels noted the Village was not liable to pay the claim.

Motion by President Dickman, seconded by Trustee Barth, to approve Resolution 09-06, a Resolution regarding the claim of Mark A. Schnoll, 9137 N. Lake Drive, dated November 20, 2008. Motion carried 4-0, with Trustee Hersch abstaining.

- b. **Action on process to evaluate and make recommendation for Investment Management Services RFP.**

Manager Pederson stated staff had reviewed the nine proposals and had narrowed the proposals down to three. An ad-hoc Committee of three Village Board of Trustees members, two Finance and Administration Committee members and Village staff conduct interviews and provide a recommendation for Investment Management Services.

Motion by Trustee Hersch, seconded by President Dickman, to approve the process to evaluate and make recommendation for Investment Management Services RFP, and appoint President Dickman, Finance and Administration Chairman, Trustee DeGraff, and Trustee Barth to the Committee. Motion carried unanimously.

2. **Public Safety Committee**

- a. **Action on Mobile Data Communications Agreement.**

Motion by Trustee Hersch, seconded by Trustee Barth, to approve the Mobile Data Communications Agreement to be paid for through grant monies in the Police Department designated fund. Motion carried unanimously.

3. **Public Works Committee – No report.**

4. **GreenScape Bayside Committee**

- a. **Update on Village Clean Up Days April 23 – 26.**

Manager Pederson stated Village resident Mark Cyganiak was sponsoring the Clean Up Days and would be delivering yard waste bags and an informational flyer to residents on April 3.

5. **Regional Telecommunications Committee – No report.**

6. **Intergovernmental Cooperation Council – No report.**

7. **Plan Commission**

- a. **Action on request from Gus Zarmakoupis of Maxfields Pancake House for a Conditional Use Permit to operate: A restaurant serving breakfast and lunch entrées, located at 333 West Brown Deer Road Suite D.**

Motion by Trustee DeGraff, seconded by Trustee Walny, to approve the request from Gus Zarmakoupis of Maxfields Pancake House for a Conditional Use Permit to operate: A restaurant serving breakfast and lunch entrées, located at 333 West Brown Deer Road Suite D. Motion carried unanimously.

- b. Action on request from Alan Selig of 1480 East Standish Place for the proposed Certified Survey Map for the purpose of combining the lots located at 1470 East Standish Place 020-0113, and 1480 East Standish Place 020-0114-001.**

Trustee Walny stated that the application for the Plan Commission was not signed by Alan Selig and requested the application be resubmitted with the correct signature.

Motion by Trustee Hersch, seconded by Trustee DeGraff, to approve the request from Alan Selig of 1480 East Standish Place for the proposed Certified Survey Map for the purpose of combining the lots located at 1470 East Standish Place 020-0113, and 1480 East Standish Place 020-0114-001 provided the revised application is submitted. Motion carried unanimously.

- c. Action on request from Aaron Langer of AJ's Massage Therapy for a Conditional Use Permit to Operate: A massage therapy clinic, located at 8828 North Port Washington Road, Suite 8.**

Motion by Trustee Hersch, seconded by Trustee Barth, to approve the request from Aaron Langer of AJ's Massage Therapy for a Conditional Use Permit to Operate: A massage therapy clinic, located at 8828 North Port Washington Road, Suite 8. Motion carried unanimously.

- 8. Architectural Review Committee - No report.**
- 9. Library Board - No report.**
- 10. Board of Zoning Appeals - No report.**

VII. VILLAGE PRESIDENT'S REPORT – No report.

VIII. VILLAGE MANAGER'S REPORT

- A. Discussion/action on selling and delivery of mulch to residents.**

Motion by Trustee Hersch, seconded by Trustee Walny, to sell and deliver mulch to residents at a cost of \$75 per 5 yard delivery. Motion carried unanimously.

- B. Discussion/action on the Milwaukee Area Domestic Animal Control Services Agreement.**

Motion by Trustee DeGraff, seconded by President Dickman, to approve the Milwaukee Area Domestic Animal Control Services Agreement. Motion carried unanimously.

IX. VILLAGE ATTORNEY'S REPORT – No report.

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

XI. 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).**
- B. 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 Trustee Barth, seconded by Trustee DeGraff, to adjourn to closed session 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) and 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 carried unanimously.

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

Motion by Trustee Barth, seconded by Trustee DeGraff, to reconvene in open session pursuant to section 19.85 (2). Motion carried unanimously by roll call vote.

Motion by Trustee Walny, seconded by President Dickman, to finalize the Village Manager's performance evaluation and authorize 2009 salary and merit contained within the 2009 budget. Motion carried unanimously.

Motion by Trustee DeGraff, seconded by Trustee Walny, to authorize the Village President to sign the Intergovernmental Water Agreement as drafted. Motion carried unanimously.

XIV. ADJOURNMENT

Motion by Trustee DeGraff, seconded by Trustee Barth, to adjourn the meeting at 6:39 pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt, Director of Finance and Administration/Clerk/Treasurer || May 20, 2009