



Village of Bayside
9075 North Regent Road
Board of Trustees Meeting Minutes
June 4, 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
Robb DeGraff
William Hersch

Daniel Muchin
James Petersen
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 was one person 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. **Investment Management Ad Hoc Committee minutes, April 20, 2009.**
2. **Committee of the Whole minutes, April 21, 2009.**
3. **Board of Trustees minutes, April 21, 2009.**
4. **Payment of summary of claims for April 11, 2009 through May 22, 2009 in the amount of \$368,108.33.**

Motion by Trustee Barth, seconded by Trustee Hersch, to approve the Investment Management Ad Hoc Committee minutes, April 20, 2009; the Committee of the Whole minutes, April 21, 2009; the Board of Trustees minutes, April 21, 2009; and the payment of summary of claims for April 11, 2009 through May 22, 2009 in the amount of \$368,108.33. Motion carried unanimously.

B. Action on

1. **Recommendation on the April 2009 Financial Statement and Investment Report.**
2. **Application for issuance of operator's license request for Daeni M. Belling (Speakeasy), Jodie A. Bensman (Pandls Bayside), Michael D. Korpela (Otto's Bayside) and Anthony W. Crowder (Otto's Bayside) and approved by the Police Department.**
3. **Application of the following:**
CLASS "A": FERMENTED MALT BEVERAGE & "CLASS A" INTOXICATING LIQUOR LICENSE
Sendiks Bayside Inc. dba: 340 West Brown Deer Road
John B Sendik

7845 N. Links Circle
Fox Point, WI 53217

Otto's Bayside Wine and Liquor dba: 8850 North Port Washington Road
Anthony Wayne Crowder
2782 N. Sholes
Milwaukee, WI 53210

CLASS "B" FERMENTED MALT BEVERAGE & "CLASS B" INTOXICATING LIQUOR LICENSE
Speakeasy/Easy LLC dba: 600 West Brown Deer Road
Dean U. Breul
600 W. Brown Deer Road
Milwaukee, WI 53217

Pandl's in Bayside Inc. dba: 8825 North Lake Drive
James G. Pandl, President
840 E. Donges Rd.
Bayside WI 53217

Los Paisa LLC dba: 600 West Brown Deer Road
Manuel Ramirez Torres
841 North 15 St. #39
Milwaukee, WI 53202

Motion by Trustee Petersen, seconded by Trustee Walny, to approve the April 2009 Financial Statement and Investment Report, the application for issuance of operator's license request for Daeni M. Belling (Speakeasy), Jodie A. Bensman (Pandl's Bayside), Michael D. Korpela (Otto's Bayside) and Anthony W. Crowder (Otto's Bayside) as approved by the Police Department, the application of the Class "A": Fermented Malt Beverage & Class "A" Intoxicating Liquor License for Sendiks Bayside Inc., dba: 340 West Brown Deer Road, John B Sendik, 7845 N. Links Circle, Fox Point, WI 53217, Otto's Bayside Wine and Liquor dba: 8850 North Port Washington Road, Anthony Wayne Crowder, 2782 N. Sholes, Milwaukee, WI 53210, the Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor License for Speakeasy/Easy LLC, dba: 600 West Brown Deer Road, Dean U. Breul, 600 W. Brown Deer Road, Milwaukee, WI 53217, Pandl's in Bayside Inc. dba:8825 North Lake Drive, James G. Pandl, President, 840 East Donges Rd., Bayside WI 53217, Los Paisa LLC, dba:600 West Brown Deer Road, Manuel Ramirez Torres, 841 North 15 St. #39, Milwaukee, WI 53202. Motion carried unanimously with Trustee DeGraff abstaining.

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. **Recommendation on landscaping, aesthetic enhancements, design plans for the brick donation program and feature areas at Ellsworth Park.**

Manager Pederson stated this design had been discussed at the Committee of the Whole and Phase One included the engraved brick area, berms and landscaping .

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve Phase One of the landscaping, aesthetic enhancements, design plans for the brick donation program and feature areas at Ellsworth Park. Motion carried unanimously.

2. Public Safety Committee

- a. **Recommendation on Resolution 09-_____, a Resolution to oppose rules that will deny or restrict Stewardship grant funding to local governments that have enacted ordinances to prohibit the discharge of firearms, hunting, or trapping to protect public safety.**

Motion by Trustee DeGraff, seconded by Trustee Barth, to approve Resolution 09-09, a Resolution to oppose rules that will deny or restrict Stewardship grant funding to local governments that have enacted ordinances to prohibit the discharge of firearms, hunting, or trapping to protect public safety. Motion carried unanimously by roll call vote.

3. Public Works Committee

- a. **Recommendation on Resolution 09- _____, a Resolution Recognizing May 17 through May 23, 2009 as Emerald Ash Borer Awareness Week.**

Motion by Trustee DeGraff, seconded by Trustee Barth, to approve Resolution 09-10, a Resolution recognizing May 17 through May 23, 2009 as Emerald Ash Borer Awareness Week. Motion carried unanimously by roll call vote.

- b. **Recommendation on North Shore Community Emerald Ash Borer Readiness Plan.**

Trustee Hersch questioned what residents should do if they think they have a tree that has the Emerald Ash Borer disease. Manager Pederson stated residents should call Village Hall and notify staff of the possibility. Staff would assess the situation and the Department of Natural Resources would be called to come out and examine the tree. Trustee DeGraff asked what would be done if it was determined the tree had the Emerald Ash Borer disease and who would be responsible for paying for the removal. Attorney Jaekels stated the resident can be forced to take the tree down. President Dickman requested staff to schedule someone from the Department of Natural Resources to speak at the next meeting to answer questions.

Motion by Trustee Petersen, seconded by Trustee Walny, to approve the North Shore Community Emerald Ash Borer Readiness Plan. 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 Brian Kurth of Kurth/Pelligrini Chiropractic for a Conditional Use Permit to Operate: A Chiropractic Office, located at 320 West Brown Deer Road, sharing the office location with Great Lakes Foot and Ankle.**

Motion by Trustee Hersch, seconded by Trustee DeGraff, to approve the recommendation on the request from Brian Kurth of Kurth/Pelligrini Chiropractic for a Conditional Use Permit to Operate: A Chiropractic Office, located at 320 West Brown Deer Road, sharing the office location with Great Lakes Foot and Ankle. 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

- A. Discussion/recommendation on reappointing members to the Village's Committee's and Commission's for May 2009 through April 2010, as attached.**

Trustee DeGraff recommended appointing Director Galyardt to the Board of Review. Trustee Hersch questioned the attendance on Committee members of the Public Safety and asked that this item be placed on the next Board Agenda. Manager Pederson stated he would provide the Trustees with the attendance records of the Committee members.

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve the Village's Committee's and Commission's for May 2009 through April 2010, with the addition of Director Galyardt to the Board of Review. Motion carried unanimously.

VIII. VILLAGE MANAGER'S REPORT-No report.

IX. VILLAGE ATTORNEY'S REPORT-No report.

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

Trustee Muchin questioned why the ice cream sales person was told he could not sell ice cream in the Village. Chief Resnick stated the person was told per Village Ordinance they needed to apply for a Transient Merchant permit to operate in the Village of Bayside.

XI. CORRESPONDENCE

- A. Thank you to Bayside Police Department from Village of Fox Point Police Chief Thomas Czaja.**
- B. Thank you to Bayside Police Department from Village of River Hills Police Chief Thomas R. Rischmann.**
- C. Thank you to Bayside Police Department from Paul A. Foy, President of Cornerstone Community Bank.**

D. Thank you to Officer Mioduszewski from Daniel P Zais.

President Dickman acknowledged the above correspondence.

XIV. ADJOURNMENT

Motion by Trustee Barth, seconded by Trustee DeGraff, to adjourn the meeting at 6:18 pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt, Director of Finance and Administration/Clerk/Treasurer || July 11, 2009