



Village of Bayside
9075 North Regent Road
Board of Trustees Meeting Minutes
July 9, 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-excused

Robb DeGraff

William Hersch-excused

Daniel Muchin

James Petersen

Eido Walny

Also present: Village Manager Andy Pederson
Director of Finance and Administration/Clerk/Treasurer Lynn Galyardt
Director of Community and Utility Services Alex Henderson
Police Captain Scott McConnell
Village Attorney Chris Jaekels
There were four people in the audience.

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC HEARING

A. The purpose of this Public Hearing is to solicit comment on the application for and allocation of the 2010 Village of Bayside Community Block Grant projects.

1. Public Discussion

President Dickman read the above notice and called for public discussion at 6:02 pm. Manager Pederson stated there were two Community Block Grant projects proposed for 2010, the LX Club Senior Center coordinator salary, and funds to assist with the demolition and renovation of the Ellsworth Park Pavilion.

2. Board Discussion

President Dickman asked what the total amount of funding was available for the pavilion project. Manager Pederson stated there was approximately \$23,000 available.

President Dickman closed the public hearing at 6:04 pm.

V. 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, June 4, 2009.

2. Committee of the Whole minutes, June 18, 2009.

3. **Payment of summary of claims for May 23, 2009 through June 26, 2009 in the amount of \$375,542.59.**

Motion by Trustee Muchin, seconded by Trustee Walny, to approve the Board of Trustees minutes from June 4, 2009, the Committee of the Whole minutes from June 18, 2009 and the payment of summary of claims for May 23, 2009 through June 26, 2009 in the amount of \$375,542.59. Motion carried unanimously.

B. Action on

1. **Recommendation on the May 2009 Financial Statement and Investment Report.**
2. **Recommendation on Village acceptance of credit cards as a form of payment for services.**
3. **Recommendation on 2010 Village Budget schedule.**
4. **Recommendation on Chapters 1, 2 and 3 of the Village's Comprehensive Plan.**
5. **Recommendation on Village Capacity, Management, Operation and Maintenance (CMOM) Plan.**
6. **Recommendation on temporary sign variance extension for Bayside Woods O.P. II Management, 8989 N. Port Washington Road.**
7. **Recommendation on temporary sign variance extension for Ogden, & Company, Inc. 8850 N. Port Washington Road.**
8. **Recommendation on temporary sign variance extension for Bayside Commons Condominiums, 905 W. Fairy Chasm Road.**
9. **Application for issuance of operator's license request for Corinna Klaske, (Sendik's), Mark E. Baker, (SpeakEasy) and Mary K. Potter, (SpeakEasy) as approved by the Police Department.**

Motion by Trustee Muchin, seconded by Trustee Petersen, to approve the May 2009 Financial Statement and Investment Report, the change to the Village acceptance of credit cards as a form of payment for services, the 2010 Village Budget schedule, Chapters 1, 2 and 3 of the Village's Comprehensive Plan, the Village Capacity, Management, Operation and Maintenance (CMOM) Plan, the temporary sign variance extension for Bayside Woods O.P. II Management, 8989 N. Port Washington Road, the temporary sign variance extension for Ogden, & Company, Inc. 8850 N. Port Washington Road, the temporary sign variance extension for Bayside Commons Condominiums, 905 W. Fairy Chasm Road, the application for issuance of operator's license request for Corinna Klaske, (Sendik's), Mark E. Baker, (SpeakEasy) and Mary K. Potter, (SpeakEasy) as approved by the Police Department. Motion carried unanimously.

C. Acceptance of

1. **2008 Village Audit.**

Motion by Trustee DeGraff, seconded by Trustee Walny, to accept the 2008 Village Audit. Motion carried unanimously.

VI. 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.

Tom Noble, 728 East Fairy Chasm Road, requested the Board look into the possibility of building a swimming pool for Village of Bayside residents. Trustee DeGraff stated the Board looked at the feasibility ten years ago and it was determined that there was not enough room for a pool and parking on the Village Hall grounds and there was not a significant amount of non-residents who would use the pool to help offset costs. President

Dickman stated the Village Manager should review the previous study and look at the current cost of operating a swimming pool.

VII. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. Finance and Administration Committee

- a. Action on Resolution 09-___, a Resolution regarding the claim of Deborah Collins, 8974 N. Mohawk Road, Dated June 1, 2009.**

Manager Pederson stated this sewer back up claim was denied by the Village’s insurance company and noted the homeowner was not aware that the claim had been submitted by her insurance company.

Motion by Trustee Walny, seconded by Trustee Petersen, to approve Resolution 09-11, a Resolution denying the claim of Deborah Collins, 8974 N. Mohawk Road, dated June 1, 2009. Motion carried unanimously by roll call vote.

2. Public Safety Committee –No report.

3. Public Works Committee

- a. Recommendation on Resolution 09-____, a resolution regarding the Wisconsin Department of Natural Resources NR 208, 2008 Compliance Maintenance Annual Report.**

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve Resolution 09-12, a resolution regarding the Wisconsin Department of Natural Resources NR 208, 2008 Compliance Maintenance Annual Report. Motion carried unanimously by roll call vote.

- b. Recommendation on Resolution 09-____, a resolution opposing increases in the landfill tipping fee surcharges and opposing elimination of Recycling/Solid Waste State Grant Program.**

Motion by Trustee DeGraff, seconded by Trustee Walny, to approve Resolution 09-13, a resolution opposing increases in the landfill tipping fee surcharges and opposing elimination of the Recycling/Solid Waste State Grant Program. Motion carried unanimously by roll call vote.

4. GreenScape Bayside Committee

- a. Update on 2009 through 2010 priorities and work plan.**

Manager Pederson stated the Committee met for its annual planning meeting and noted the Committee decided to focus on the development of a prairie on the property north of Village Hall, Spring Clean Up Days and Community awareness and education.

5. Regional Telecommunications Committee

- a. Recommendation on Franchise Fee Release and Settlement Agreement with Time Warner Entertainment Company, L.B.A, dba Time Warner Cable.**

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve the Franchise Fee Release and Settlement Agreement with Time Warner Entertainment Company, L.B.A, dba Time Warner Cable. Motion carried unanimously.

6. Intergovernmental Cooperation Council

- a. **Recommendation on Intergovernmental Cooperation Council resolution regarding the effects of the Wisconsin State Budget on Municipalities.**
- b. **Recommendation on Intergovernmental Cooperation Council resolution to encourage changes to the Wisconsin Expenditure Restraint Program.**

Manager Pederson stated since the State Budget had already been passed the above resolutions were not currently relevant.

c. Information on City of Cudahy Prescription Medication Collection program.

Manager Pederson noted the City of Cudahy was successful in addressing the problem of what to do with prescription medicine and stated the ICC would like municipalities to join in a countywide initiative to address this issue.

d. Update on Wisconsin Department of Transportation revised policy on State right-of-way maintenance.

Manager Pederson stated the State of Wisconsin changed their policy on cutting the right-of-way maintenance however, because the area was an entry way to the Village, the Department of Community and Utility Services mowed the grass.

7. Plan Commission - No Report.

8. Architectural Review Committee – No report.

9. Library Board – No report.

10. Board of Zoning Appeals – No report.

11. North Shore Fire Department

- a. **Recommendation on North Shore Fire Department Resolution 09-03, A Resolution to unanimously recommend amendment number 6 to the amended and restated North Shore Fire Department Agreement in order to authorize “Single or Multi-year Capital” budgets without the limitations on increases of the annual budget, requiring unanimous approval and agreement of each community to pay its share of a “Single or Multi-year Capital” budget.**

Motion by Trustee DeGraff, seconded by Trustee Muchin, to approve the North Shore Fire Department Resolution 09-03, A Resolution to unanimously recommend amendment number 6 to the amended and restated North Shore Fire Department Agreement in order to authorize “Single or Multi-year Capital” budgets without the limitations on increases of the annual budget, requiring unanimous approval and agreement of each community to pay its share of a “Single or Multi-year Capital” budget. Motion carried unanimously by roll call vote.

VIII. VILLAGE PRESIDENT'S REPORT

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

Motion by Trustee Muchin, seconded by Trustee DeGraff, to approve the reappointing members to the Village's Committee's and Commission's for May 2009 through April 2010, as attached. Motion carried unanimously.

- B. Appointment of Barbara Netzow to the GreenScape Bayside Committee as an alternate member.**

Motion by Trustee DeGraff, seconded by Trustee Muchin, to approve appointing Barbara Netzow to the GreenScape Bayside Committee as an alternate member. Motion carried unanimously.

IX. VILLAGE MANAGER'S REPORT

- A. Discussion/recommendation on Interstate-43/Brown Deer Road multi-use path (State Project I.D. 1228-17-70) servicing Brown Deer Road from Interstate 43 to Brown Deer Road Park and Ride Lot in the Village of River Hills.**

Manager Pederson stated the Department of Transportation requested the Village assume maintenance and upkeep responsibilities of a pathway from 1-43 west to the Park and Ride lot and noted he recommended not assuming the responsibility because there would be no benefit to the Village.

Motion by Trustee Muchin, seconded by Trustee Petersen, to deny the request by the Department of Transportation on the Interstate-43/Brown Deer Road multi-use path (State Project I.D. 1228-17-70) servicing Brown Deer Road from Interstate 43 to Brown Deer Road Park and Ride Lot in the Village of River Hills. Motion carried unanimously.

- B. Update on financial impact to the Village by the 2009 through 2011 State of Wisconsin Adopted Budget.**

Manager Pederson stated it was anticipated, based on the State adopted budget, the Village would receive 15% less State Shared Revenue funds next year, connecting Highway aids will be reduced effective July 1, 2009 and estimated losses are \$1,500 for 2009, and approximately \$2,000 to \$3,000 in 2010. He noted General Transportation Aids are scheduled to increase by 1.97%, however a formula determines each municipalities amount and it is unknown whether Bayside will see an increase or decrease in the funding, the tipping fee per ton for solid waste will increase from the current \$5.90 per ton to \$13.00 per ton which is the equivalent of imposing a second shared revenue cut of approximately \$11,000. About half of this \$7.10 increase is effective July 1, 2009 and the rest takes effect October 1, 2009. Manager Pederson stated Police expenditures could not be reduced. He noted the increase to the Wisconsin Retirement System contributions would be a .08% increase in the Wisconsin Retirement System, which would result in an increase of approximately \$21,000 and stated the Wisconsin Taxpayer's Alliance predicts these types of increases will continue through 2014, approximately 42% above today's rates. He stated winter road salt through the State bid will increase by 42% and the projected decline in property values to approximately \$647 million from last year to this year would result in an increase in the mill rate by 7 cents per \$1,000.

- C. Discussion/recommendation on the Submittal of the 2010 Community Development Block Grant project applications.**

Motion by Trustee DeGraff, seconded by Trustee Muchin, to approve the submittal of the 2010 Community Development Block Grant project applications. Motion carried unanimously.

X. VILLAGE ATTORNEY'S REPORT- No report.

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

Trustee DeGraff complimented staff on the success of the Fourth of July parade.

XII. CORRESPONDENCE

- A. Thank you to Officer Mioduszewski and Captain McConnell from Roger DeLong.**
- B. Thank you to Officer Groh from Philip D. Koepke.**
- C. Letter from Keep Greater Milwaukee Beautiful thanking the Village of Bayside for participating in the 2009 Great American Cleanup program.**

President Dickman acknowledged the above correspondence.

XIII. 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)and (Labor Negotiations).**

Motion by Trustee DeGraff, seconded by Trustee Walny, to adjourn to closed session at 6:35 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; (Intergovernmental Agreement)and (Labor Negotiations). Motion carried unanimously by roll call vote.

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

Motion by Trustee DeGraff, seconded by Trustee Walny, to reconvene in open session at 6:45 pm pursuant to Section 19.85 (2). Motion carried unanimously.

There was no action taken or motion made in closed session.

XV. ADJOURNMENT

Motion by Trustee Muchin, seconded by Trustee DeGraff, to adjourn the meeting at 6:47 pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt, Director of Finance and Administration/Clerk/Treasurer | | August 8, 2009