



I. CALL TO ORDER

President Dickman called the meeting to order at 6:56 pm.

II. ROLL CALL

President: Sam Dickman
Trustees: Michael Barth Daniel Muchin
Robb DeGraff James Petersen
William Hersch-excused 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
Village Attorney Chris Jaekels
Police Chief Bruce Resnick
There were two people in the audience.

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC HEARING

- A.** The purpose of this public hearing is to consider the Village of Bayside's Comprehensive Plan as required by the State of Wisconsin.

President Dickman read the above notice and called for public discussion at 6:58 pm.

1. Public Discussion

There was no discussion.

2. Board Discussion

There was no discussion.

President Dickman closed the Public Hearing at 6:59 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. Public Safety Committee minutes, August 6, 2009.**
 - 2. Committee of the Whole minutes, August 6, 2009.**
 - 3. Board of Trustees minutes, August 6, 2009.**
 - 4. Public Works Committee minutes, August 14, 2009.**

5. **Finance and Administration Committee minutes, August 18, 2009.**
6. **Public Works Committee minutes, August 19, 2009.**
7. **Payment of summary of claims for August 1, 2009 through August 28, 2009 in the amount of \$148,293.57.**

Motion by Trustee Petersen, seconded by Trustee DeGraff, to approve the Public Safety Committee minutes, August 6, 2009, Committee of the Whole minutes, August 6, 2009, Board of Trustees minutes, August 6, 2009, Public Works Committee minutes, August 14, 2009, Finance and Administration Committee minutes, August 18, 2009, Public Works Committee minutes, August 19, 2009, and the payment of summary of claims for August 1, 2009 through August 28, 2009 in the amount of \$148,293.57. Motion carried unanimously.

B. Action on

1. **Extension on sign variance for a for lease banner at Elizabeth Residence, 9279 N. Port Washington Road.**
2. **Application for issuance of an Operator’s license requested by John F. Tiefel (Otto’s-Bayside) as approved by the Police Department.**

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve the extension on sign variance for a for lease banner at Elizabeth Residence, 9279 N. Port Washington Road and the application for issuance of an Operator’s license requested by John F. Tiefel (Otto’s-Bayside) as approved by the Police Department. 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.

VII. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. **Finance and Administration Committee**
 - a. **Recommendation of 2010 annual Village budget guidelines.**

Motion by President Dickman, seconded by Trustee Walny, to approve the recommendation of the 2010 annual Village budget guidelines. Motion carried unanimously.

- b. **Recommendation on Resolution 09-_____, a Resolution amending the 2009 Budget to reflect changes in revenues and expenditures.**

Motion by Trustee Petersen, seconded by President Dickman, to approve Resolution 09-16, a Resolution amending the 2009 Budget to reflect changes in revenues and expenditures. Motion carried unanimously by roll call vote.

- c. **Presentation/update on Village investments by Scott Holan, Village’s Investment Manager. Recommendation on the July and August 2009 Monthly Financial and Investment Report.**

Scott Holan, the Village’s Investment Manager from M&I gave a presentation on the state of the Village’s investments and noted that there are very few options to safely invest in at this time that will provide a higher yield than the 1.8 percent return that the money market funds are currently producing.

Motion by President Dickman, seconded by Trustee Walny, to approve the July and August 2009 Monthly Financial and Investment Reports. Motion carried unanimously.

- d. Recommendation on Resolution 09-____, a Resolution regarding the Claim of Bonita Honigman, 8919 N. Regent Rd., dated July 27, 2009.**

Motion by President Dickman, seconded by Trustee Petersen, to approve Resolution 09-17, A Resolution regarding the Claim of Bonita Honigman, 8919 N. Regent Rd., dated July 27, 2009. Motion carried unanimously by roll call vote.

- e. Recommendation on Resolution 09-____, a Resolution amending Resolution 09-07 regarding the Administrative Fee Schedule pertaining to Chapter 14, Article VI, Section 14-218 (e), "Village cutting of lawns in excess of 5 inches".**

Motion by Trustee Petersen, seconded by President Dickman, to approve Resolution 09-18, a Resolution amending Resolution 09-07 regarding the Administrative Fee Schedule pertaining to Chapter 14, Article VI, Section 14-218 (e), "Village cutting of lawns in excess of 5 inches". Motion carried unanimously by roll call vote.

2. Public Safety Committee-No report.

3. Public Works Committee

- a. Recommendation on Ordinance 09-____, An Ordinance recreating section 38-152 of the Municipal Code regarding the formation of a Village Stormwater Utility.**

This item was tabled.

- b. Recommendation on Resolution 09-____, a Resolution authorizing the Village of Bayside to file the Urban Forestry Grant Application.**

Motion by Trustee DeGraff, seconded by Trustee Walny, to approve Resolution 09-19, a Resolution authorizing the Village of Bayside to file the Urban Forestry Grant Application. Motion carried unanimously by roll call vote.

- c. Recommendation on status of Village garbage, recycling and yard waste collections and capital equipment needs.**

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve option two of the garbage, recycling and yard waste collections service analysis. 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 of the request from Rick Staddon of Vitality Personal Training, LLC for a Conditional Use Permit to Operate: A personal training studio for one-on-one workouts by appointment located at 333 West Brown Deer Road, Suite 10.**

Motion by Trustee Petersen, seconded by Trustee DeGraff, to approve the request from Rick Staddon of Vitality Personal Training, LLC for a Conditional Use Permit to Operate: A personal training studio for one-on-one workouts

by appointment located at 333 West Brown Deer Road, Suite 10. Motion carried unanimously.

b. Recommendation on Resolution 09-____, a Resolution Adopting the Village of Bayside’s Comprehensive “Smart Growth” Plan.

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve Resolution 09-20, a Resolution Adopting the Village of Bayside’s Comprehensive “Smart Growth” Plan. Motion carried unanimously by roll call vote.

8. Architectural Review Committee-No report.

9. Library Board

a. Update on 2010 Budget.

Manager Pederson stated that the 2010 North Shore Library Budget was anticipated to increase by .45%

10. Board of Zoning Appeals-No report.

11. North Shore Fire Department

a. Recommendation on Resolution 09-____, a Resolution approving the “Single or Multi-Year Capital” Budget for 2010 and 2011 and Agreement to Pay Village’s Share of the “Single or Multi-Year Capital” Budget for 2010 and 2011.

Motion by Trustee Petersen, seconded by Trustee DeGraff, to approve Resolution 09-21, a Resolution approving the “Single or Multi-Year Capital” Budget for 2010 and 2011 and Agreement to Pay Village’s Share of the “Single or Multi-Year Capital” Budget for 2010 and 2011. Motion carried unanimously by roll call vote.

b. Update on 2010 Budget.

Manager Pederson stated the 2010 North Shore Fire Department budget was anticipated to increase by 1%.

VIII. VILLAGE PRESIDENT'S REPORT

A. Recommendation on appointment of Don Brier as an alternate to the Architectural Review Committee.

Motion by Trustee Muchin, seconded by Trustee Petersen, to approve the appointment of Don Brier as an alternate to the Architectural Review Committee. Motion carried unanimously.

IX. VILLAGE MANAGER'S REPORT

A. Village to receive 2009 League of Wisconsin Municipalities “Good Government” award for performance measurement and communications programs.

Manager Pederson stated the Village was to receive \$1,000 for the 2009 League of Wisconsin Municipalities “Good Government” award.

B. Discussion/update on damages to Village Hall complex and equipment related to 5/26/09 and 8/25/09 lightning strikes.

Manager Pederson stated that the first estimate for the 5/26/09 lightning strike was \$54,000 and staff was still

compiling the costs for the second strike.

Manager Pederson noted that the Village had also received notice that the Railroad was ordered to install gates at the railroad crossing by 2011 which would allow the ability to apply for quiet zone designation and thanked Senator Alberta Darling and staff for working towards making this possible.

Manager Pederson noted that Milwaukee County had been included in the list of Counties that had been quarantined due to the Emerald Ash Borer.

X. VILLAGE ATTORNEY'S REPORT- No report.

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

Trustee Barth questioned if there were any ordinances against outdoor parking of vehicles at homes that are vacant. Attorney Jaekels noted the ordinance states that unenclosed parking of vehicles was limited to the number of licensed drivers residing at the home.

XII. CORRESPONDENCE

XIII. 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 (Labor Negotiations, Dispatch Agreement).

Motion by President Dickman, seconded by Trustee DeGraff, to adjourn to closed session at 7:25 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 (Labor Negotiations, Dispatch Agreement). Motion carried unanimously.

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

Motion by Trustee Barth, seconded by Trustee DeGraff, to reconvene in open session at 7:48 pm pursuant to section 19.85 (2). Motion carried unanimously.

A. Action on items in closed session.

No motions were made or action taken in closed session.

XV. ADJOURNMENT

Motion by Trustee DeGraff, seconded by Trustee Barth, to adjourn the meeting at 7:39 pm. Motion carried unanimously by roll call vote.

Respectfully submitted,

Lynn Galyardt, Director of Finance and Administration/Clerk/Treasurer || October 2, 2009