



Village of Bayside
9075 N Regent Road
Board of Trustees Meeting Minutes
May 1, 2008

I. CALL TO ORDER

President Dickman called the meeting to order at 6:30 pm.

II. ROLL CALL

President: Sam Dickman

Trustees: Michael Barth
Robb DeGraff
William Hersch

Daniel Muchin
James Petersen
Thomas Sopkovich

Also present: Village Manager Andy Pederson
Village Clerk/Treasurer Lynn Galyardt
Attorney Jeremy McKenzie
Police Chief Bruce Resnick
Director of Public Works Joel Hawkins
Management Intern Alex Henderson
One person in the audience

III. PLEDGE OF ALLEGIANCE

IV. CONSENT AGENDA

A. APPROVAL OF MINUTES

1. **Board of Trustees, April 3, 2008.**
2. **Committee of the Whole, April 17, 2008.**

B. PAYMENT OF SUMMARY OF CLAIMS

1. **March 22, 2008 to April 18, 2008 for \$448,663.79.**

Motion by Trustee DeGraff, seconded by Trustee Barth, to approve the meeting minutes of the Board of Trustees, April 3, 2008 and the Committee of the Whole, April 17, 2008 and the payment of summary of claims from March 22, 2008 to April 18, 2008 for \$448,663.79. Motion carried unanimously.

C. FINANCIAL STATEMENTS

1. **Recommendation on March 2008 Financial Statement.**

Motion by Trustee Hersch, seconded by Trustee Muchin, to approve the March 2008 Financial Statement. Motion carried unanimously.

D. ROUTINE BUSINESS ITEMS

1. **Discussion/action on the application for issuance of an Operator's license requested by Manuel Ramirez Torres, (El Paisa), Daeni Belling, (Speakeasy), Alexandra Hanyard, (Heinemann's), Rosalinda Wirth, (Heinemann's), Myron Horn, (Otto's Bayside), Michael Korpela, (Otto's Bayside), John Tiefel, (Otto's Bayside), Scott E Waddington,**

(Otto's Bayside), Jodie Bensman, (Pandl's Bayside), Jasper Mineo, (Pandl's Bayside), John D Gill, (Sendik's Bayside), Barbara Kamionka, (Sendik's Bayside) and Kenneth Zemlicka, (Sendik's Bayside) and reviewed by the Police Department.

Motion by Trustee Sopkovich, seconded by Trustee Barth to approve the applications for issuance of an Operator's license requested by Manuel Ramirez Torres, (El Paisa), Daeni Belling, (Speakeasy), Alexandra Hanyard, (Heinemann's), Rosalinda Wirth, (Heinemann's), Myron Horn, (Otto's Bayside), Michael Korpela, (Otto's Bayside), John Tiefel, (Otto's Bayside), Scott E Waddington, (Otto's Bayside), Jodie Bensman, (Pandl's Bayside), Jasper Mineo, (Pandl's Bayside), John D Gill, (Sendik's Bayside), Barbara Kamionka, (Sendik's Bayside) and Kenneth Zemlicka, (Sendik's Bayside) and reviewed by the Police Department. Motion carried unanimously.

2. Discussion/recommendation on appointing Amy Schmelzer to the GreenScape Bayside Committee.

Motion by Trustee DeGraff, seconded by Trustee Muchin, to recommend appointing Amy Schmelzer to the GreenScape Bayside Committee. Motion carried unanimously.

3. Recommendation on approval of a six month extension for a Temporary Sign Variance for Bayside Commons Condominiums, 905 West Fairy Chasm Road.

Motion by Trustee Hersch, seconded by Trustee Petersen, to approve a six month extension for a Temporary Sign Variance for Bayside Commons Condominiums, 905 West Fairy Chasm Road. Motion by unanimously.

V. CITIZENS AND DELEGATIONS

VI. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. Public Safety Committee

- a. Recommendation on accepting a donation from Cedar Creek Motorsports to provide the Police Department with an all terrain vehicle for enforcement duties throughout the course of the summer, free of charge.**

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve accepting a donation from Cedar Creek Motorsports to provide the Police Department with an all terrain vehicle for enforcement duties throughout the course of the summer, free of charge. Motion carried unanimously.

2. Public Works Committee

- a. Recommendation on Ordinance 08-____, an Ordinance to create section 102-36 with regard to prohibited discharges of fats, oils and grease to the Village sanitary sewer system.**

Motion by Trustee Petersen, seconded by Trustee Barth, to approve Ordinance 08-581, an Ordinance to create section 102-36 with regard to prohibited discharges of fats, oils and grease to the Village sanitary sewer system. Motion carried unanimously by roll call vote.

- b. Recommendation on the awarding of a contract for the resurfacing of West Fairy Chasm Road from Ironwood Lane east to the railroad tracks in an amount not to exceed \$103,000.20.**

Manager Pederson stated he recommended delaying action on this item until the Director of Public Works Joel Hawkins received final quotes on the culverts.

Trustee Muchin tabled this item.

- c. Recommendation on amendment to Bayside Commons Condo's, formerly Adjacent To, LLC, Development Agreement regarding trash collection.**

Manager Pederson stated he recommended that the Village assume payment of the remainder of the contract between Waste Management and Bayside Common's Condo's because the Village cannot be competitive with Waste Management's pricing structure, as the Village is not equipped to collect the materials.

Motion by President Dickman, seconded by Trustee Hersch, to approve amending the Bayside Commons Condo's, formerly Adjacent To, LLC, Development Agreement regarding trash collection. Motion carried unanimously.

3. Finance and Administration Committee

- a. Recommendation on Resolution 08-____, a Resolution supporting legislation extending the implementation date of the comprehensive planning statute.**

Manager Pederson noted this resolution is supporting extending the deadline for the implementation date to the year 2013.

Motion by President Dickman, seconded by Trustee Petersen, to approve Resolution 08-03, a Resolution supporting legislation extending the implementation date of the comprehensive planning statute. Motion carried unanimously by roll call vote.

- b. Recommendation on Ordinance 08-____, an Ordinance to amend sections 74-33, 74-35 and 78-4 of the municipal code in regard to number of rummage sale or estate sale permits per household and signage.**

Motion by President Dickman, seconded by Trustee Petersen, to approve Ordinance 08-582, an Ordinance to amend sections 74-33, 74-35 and 78-4 of the municipal code in regard to number of rummage sale or estate sale permits per household and signage. Motion carried unanimously by roll call vote.

- c. Recommendation on Resolution 08-____, a Resolution amending resolution 07-17 and revising the fee schedule as referenced by the Village of Bayside municipal code.**

Motion by Trustee Petersen, seconded by Trustee Barth, to approve Resolution 08-04, a Resolution amending resolution 07-17 and revising the fee schedule as referenced by the Village of Bayside municipal code. Motion carried unanimously by roll call vote.

- d. Recommendation on 2008 Community Survey.**

This item was tabled.

4. Plan Commission-No report

5. Board of Zoning Appeals

Manager Pederson noted the Board had met prior to the Board of Trustees meeting and authorized approval of the project on the agenda.

6. GreenScape Bayside Committee

Manager Pederson stated the GreenScape Bayside Committee met and discussed the Cleanup Days and scheduled a workshop at the Schlitz Audubon Nature Center on June 25.

7. Regional Telecommunications Committee-No report

8. Intergovernmental Cooperation Council

- a. **Update on memorial to the late Hales Corners Village President, Jim Ryan scheduled for Saturday, May 31 at 10 am.**
- b. **Update on CDBG – 3 year contracts for Municipalities.**
- c. **Update on Milwaukee Area Domestic Animal Control Commission’s proposal to create a standard pet licensing fee.**

Manager Pederson noted the Council met and asked that he notify the Board of the memorial scheduled for the late Hales Corners Village President, Jim Ryan, on Saturday, May 31 at 10 am. He stated the contracts for Municipalities that determine the amount of CDBG funding to be received were also discussed, along with the proposal to create a standard pet licensing fee.

9. Community Development Authority-No report

10. Architectural Review Committee- No report

11. Library Board

Trustee Sopkovich stated the North Shore Library held a book sale which brought in \$3,000 worth of revenue.

VII. VILLAGE PRESIDENT'S REPORT-No report

VIII. VILLAGE MANAGER'S REPORT

Manager Pederson noted the tennis courts at Ellsworth Park were scheduled to be resurfaced starting Monday and it was anticipated to take up to two weeks to complete the project. He stated the pre-construction meeting for the Lion’s Gates Project will be held in the next few weeks.

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 asked when the ordinance for unenclosed storage and commercial vehicles will be brought forward. Manager Pederson stated that the draft had been sent back to the attorneys for revision. Attorney

Jeremy McKenzie stated he would look into it.

XI. CORRESPONDENCE

- A. Note from Becky Noble regarding supporting sidewalks around the Bayside Middle School.**
- B. Note from Alan Schulman regarding trash, recycling and special pickups.**

President Dickman acknowledge 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 Employment Agreement);**
- 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 President Dickman, seconded by Trustee Barth, to adjourn to closed session at 7:01 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 Employment Agreement) 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. MOTION TO RECONVENE IN OPEN SESSION PURSUANT TO SECTION 19.85 (2)

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

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

Trustee Muchin stated revisions to the Village Manager Employment Agreement would be made in accordance to the budget guidelines.

Motion by Trustee Muchin, seconded by Trustee Hersch, to approve the revisions to the Village Manager Employment Agreement. Motion carried unanimously.

XIV. ADJOURNMENT

Motion by Trustee Petersen, seconded by Trustee DeGraff, to adjourn the meeting at 7:24 pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt, Village Clerk/Treasurer || June 7, 2008