



Village of Bayside
9075 North Regent Road
Board of Trustees Meeting Minutes
June 5, 2008

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
Thomas Sopkovich

Also present: Village Manager Andy Pederson
Clerk/Treasurer Lynn Galyardt
Attorney Chris Jaekels
Police Chief Bruce Resnick
Director of Public Works Joel Hawkins
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 MINUTES

1. **Committee of the Whole, May 1, 2008**
2. **Board of Trustees, May 1, 2008**
3. **Committee of the Whole, May 15, 2008**
4. **Board of Trustees, May 15, 2008**

B. PAYMENT OF SUMMARY OF CLAIMS

1. **April 19, 2008 to May 23, 2008 in the amount of \$164,607.09.**

Motion by Trustee Sopkovich, seconded by Trustee Barth, to approve the minutes of the Committee of the Whole, May 1, 2008, Board of Trustees, May 1, 2008, Committee of the Whole, May 15, 2008, Board of Trustees, May 15, 2008, and the payment of summary of claims of April 19, 2008 to May 23, 2008 in the amount of \$164,607.09. Motion carried unanimously.

C. FINANCIAL STATEMENTS

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

Motion by Trustee Hersch, seconded by Trustee Barth, to approve the April 2008 Financial Statement. Motion carried unanimously.

D. ROUTINE BUSINESS ITEMS

1. Discussion/action on the applications for renewal of licenses to sell intoxicating or fermented malt beverages in the Village of Bayside for the license year of July 1, 2008 – June 30, 2009 as requested and reviewed by the Police Department:

CLASS "A": FERMENTED MALT BEVERAGE & "CLASS A" INTOXICATING LIQUOR

Sendiks Market 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 Street
Milwaukee, WI 53210

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve the applications for renewal of licenses to sell intoxicating or fermented malt beverages in the Village of Bayside for the license year of July 1, 2008 – June 30, 2009 as requested and reviewed by the Police Department: CLASS "A": FERMENTED MALT BEVERAGE & "CLASS A" INTOXICATING LIQUOR Sendiks Market 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 Street, Milwaukee, WI 53210. Motion carried unanimously.

CLASS "B" FERMENTED MALT BEVERAGE & "CLASS B" INTOXICATING LIQUOR

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 Road
Bayside, WI 53217

Heinemann's dba: 333 West Brown Deer Road
James F.Grafwaller
780 Georges Avenue
Brookfield, WI 53045

LOS PAISA LLC dba. 600 West Brown Deer Road
Manuel Ramirez Torres
829 N. Cass Street
Milwaukee, WI 53202

Restaurant Hama dba: 333 West Brown Deer Road
Lesley Ann Kagen
1898 Pioneer Road
Cedarburg, WI 53012

Motion by Trustee Hersch, seconded by Trustee Barth, to approve the applications for renewal of licenses to sell intoxicating or fermented malt beverages in the Village of Bayside for the license year of July 1, 2008 – June 30, 2009 as requested and reviewed by the Police Department: CLASS "B" FERMENTED MALT BEVERAGE

& "CLASS B" INTOXICATING LIQUOR, 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 Road, Bayside, WI 53217, Heinemann's dba: 333 West Brown Deer Road, James F. Grafwaller, 780 Georges Avenue, Brookfield, WI 53045, LOS PAISA LLC dba. 600 West Brown Deer Road, Manuel Ramirez Torres, 829 North Cass Street, Milwaukee, WI 53202 contingent on approval of the conditional use permit, Restaurant Hama dba: 333 West Brown Deer Road, Lesley Ann Kagen, 1898 Pioneer Road, Cedarburg, WI 53012. Motion carried unanimously.

2. Discussion/recommendation on six months extension on temporary sign variance for Ogden and Company, Inc.

Motion by Trustee Petersen, seconded by Trustee Muchin, to approve on a six month extension on temporary sign variance for Ogden and Company, Inc. Motion carried unanimously.

3. Discussion/recommendation on moving the July 3, 2008 Board of Trustees meeting to July 10, 2008.

Motion by Trustee Petersen, seconded by Trustee Muchin, to approve moving the July 3, 2008 Board of Trustees meeting to July 10, 2008. Motion carried unanimously.

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.

Phil Santacroce, 8921 North Rexleigh Drive, commended the Department of Public Work's crew on the hard work they had been doing around the Village.

VI. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. Public Safety Committee-No report

2. Public Works Committee-No report

a. Recommendation on Ordinance 08-____, an Ordinance to amend section 38-101 of the municipal code with regard to the unenclosed parking or storage of certain vehicles.

Attorney Jaekels stated the revisions to the ordinance requested at the Committee of the Whole meeting had been made.

Motion by Trustee Muchin, seconded by Trustee Barth, to approve Ordinance 08-853, an Ordinance to amend section 38-101 of the municipal code with regard to the unenclosed parking or storage of certain vehicles.

Motion carried unanimously by roll call vote.

b. Acceptance on Risk Management Assessment from the Village's Worker's Compensation carrier, United Heartland.

Motion by Trustee DeGraff, seconded by Trustee Sopkovich, to accept the Risk Management Assessment from the Village's Worker's Compensation carrier, United Heartland. Motion carried unanimously.

3. Finance and Administration- No report

4. Plan Commission

- a. **Recommendation on the request from Manuel Ramirez of Los Paisa for a Conditional Use Permit to Operate: A Mexican food restaurant located at 600 West Brown Deer Road.**

Motion by Trustee DeGraff, seconded by Trustee Sopkovich, to approve the request from Manuel Ramirez of Los Paisa for a Conditional Use Permit to Operate: A Mexican food restaurant located at 600 West Brown Deer Road. Motion carried unanimously.

VII. VILLAGE PRESIDENT'S REPORT – No report

VIII. VILLAGE MANAGER'S REPORT

- A. **Discussion/recommendation on Resolution 08-____, a Resolution petitioning for the repair of the at-grade crossings at North Regent Road and West Fairy Chasm Road.**

Manager Pederson stated this resolution was the second step in the attempt to have the railroad crossings repaired. He noted the Office of the Commissioner of Railroads (OCR) required this resolution to be approved before a hearing with the OCR could be scheduled.

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve Resolution 08-06, a Resolution petitioning for the repair of the at-grade crossings at North Regent Road and West Fairy Chasm Road. Motion carried unanimously by roll call vote.

- B. **Discussion/update of the Lion's Gates restoration project.**

Manager Pederson noted the Lion's Gates had been deconstructed in the past week and stated 75% of the rocks being removed would be salvageable. He stated that Masonry Restoration Inc. had reported there was no foundation and prior to the Lion's Gates reconstruction, footings would need to be built.

- C. **Discussion/update on the repairs performed on the tennis courts at Ellsworth Park.**

Manager Pederson stated the tennis court repairs at Ellsworth Park had been completed.

- D. **Discussion/update on the plantings on Lake Drive and Brown Deer Road, including additional plantings throughout the Village.**

Manager Pederson stated the Department of Transportation was back in the Village working on the punch list of items to complete the road work on Brown Deer Road. He stated that Nate's Landscaping is also working in the Village planting trees. President Dickman asked if the railroad tressel could be painted. Director of Public Works Joel Hawkins stated that putting a façade on the structure to cover it verses having to continually paint it might be a better idea than painting and stated he would look into it.

- E. **Discussion/update on 2008 road resurfacing project.**
 - **Recommendation on West Fairy Chasm Road from railroad tracks to Ironwood Lane.**

Manager Pederson stated the Public Works Committee had met and recommended to the Board of Trustees to resurface West Fairy Chasm Road from the railroad tracks to Ironwood Lane at a cost of \$103,000. He noted to repair the ditches in that area would cost \$90,000 and it was not recommended the repairing of the ditches be completed at this time.

Motion by Trustee Peterson, seconded by Trustee Muchin, to approve the resurfacing of West Fairy Chasm Road from the railroad tracks to Ironwood Lane and not redoing the ditches in that area. Motion carried unanimously.

- **Discussion/recommendation on resurfacing of County Line Road from Port Washington Road to Sequoia Drive**

Manager Pederson recommended that this agenda item and the following item be tabled until the next Committee of the Whole meeting to allow staff to obtain bids.

- **Discussion/recommendation on 2008 crack sealing contract.**

IX. VILLAGE ATTORNEY'S REPORT- No report

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

Trustee DeGraff noted the gravel on the shoulders of many roads throughout the Village had been scraped off by the snowplows and questioned when staff would be replacing it. Director of Public Works Joel Hawkins stated it was scheduled to be replenished in July. Trustee DeGraff requested it be completed sooner. He also noted the Northway Water Co-op #2 Water Trust was having difficulty making the necessary repairs to their system and suggested the Village assist the Co-op. Attorney Jaekels stated the Village does not have the ability to assist them financially. Trustee Muchin noted he had spoken with the person in charge of the trust and had directed him to contact We Energies.

Trustee Hersch noted there were many rental properties in the Village that were not being kept up and asked if there was some type of compliance the Village could impose prior to new rental tenants moving in. President Dickman requested that Attorney Jaekels create an ordinance to apply occupancy permits for single family homes.

XI. CORRESPONDENCE

- A. Letter from Municipal Treasurers Association of Wisconsin announcing Lynn Galyardt's designation of Certified Municipal Treasurer of Wisconsin.**
- B. Thank you from Flo Paulin expressing appreciation and commending Officer Ryan Bowe.**

President Dickman acknowledged the above correspondence.

XII. ADJOURNMENT

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

Respectfully submitted,

Lynn Galyardt, Village Clerk/Treasurer || August 1, 2008