



Village of Bayside
9075 North Regent Road
Board of Trustees Meeting Minutes
October 16, 2008

I. CALL TO ORDER

President Dickman called the meeting to order at 7:20 pm.

II. ROLL CALL

President: Sam Dickman
Trustees: Michael Barth Daniel Muchin-excused
Robb DeGraff James Petersen
William Hersch-excused

Also present: Village Manager Andy Pederson
Director of Finance and Administration/Clerk/Treasurer Lynn Galyardt
Village Attorney Chris Jaekels
Police Chief Bruce Resnick arrived at 7:36 pm
Management Assistant Alex Henderson
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 MINUTES

1. **Board of Trustees, September 4, 2008.**
2. **Committee of the Whole, September 18, 2008.**

B. PAYMENT OF SUMMARY OF CLAIMS

1. **August 23, 2008 to September 26, 2008 in the amount of \$555,232.63.**

Motion by Trustee Petersen, seconded by Trustee DeGraff, to approve the minutes of the Board of Trustees, September 4, 2008, the minutes of the Committee of the Whole, September 18, 2008 and the payment of summary of claims of August 23, 2008 to September 26, 2008 in the amount of \$555,232.63. Motion carried unanimously.

C. ROUTINE BUSINESS ITEMS

1. **Discussion/action on the application for issuance of an Operator's license requested by Margaret E Burns, (Heinemann's), Allison Timberg, (Heinemann's) and reviewed by the Police Department.**

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve the application for issuance of an Operator's license requested by Margaret E Burns, (Heinemann's) and Allison Timberg, (Heinemann's) and reviewed by the Police Department. Motion carried unanimously.

2. Recommendation on Ozaukee County Pre Disaster Mitigation Plan.

Motion by Trustee DeGraff, seconded by Trustee Barth, to approve acceptance of the Ozaukee County Pre Disaster Mitigation Plan. Motion carried unanimously.

3. Recommendation on obtaining permanent easements on County Line Road.

Motion by Trustee Petersen, seconded by Trustee DeGraff, to approve the obtaining of permanent easements on County Line Road. Motion carried unanimously.

4. Recommendation on Village snow and ice control plan.

5. Recommendation on special event permit fees and additional charges.

6. Recommendation on Ordinance 08-___, an Ordinance to amend section 62-3 of the Bayside Municipal Code to insert sections and subsections of the Wisconsin Statutes regarding Railroad and Water Carrier Regulation.

7. Recommendation on August 2008 Financial Statements.

Motion by Trustee DeGraff, seconded by Trustee Barth, to approve the Village snow and ice control plan, the special event permit fees and additional charges, the Ordinance 08-590, an Ordinance to amend section 62-3 of the Bayside Municipal Code to insert sections and subsections of the Wisconsin Statutes regarding Railroad and Water Carrier Regulation and the August 2008 Financial Statement. Motion carried unanimously by roll call vote.

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 - No report.

2. Public Safety Committee

a. Recommendation on donation of replaced Police Department automated external defibrillators (AED).

Motion by Trustee DeGraff, seconded by President Dickman, to approve the donation of replaced Police Department automated external defibrillators (AED). Motion carried unanimously.

- b. Recommendation on Ordinance 08-____ , an Ordinance to Repeal and Recreate Section 62-136 of the Municipal Code Regarding Transient Merchants and Solicitors.**

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve Ordinance 08-591, an Ordinance to Repeal and Recreate Section 62-136 of the Municipal Code Regarding Transient Merchants and Solicitors. Motion carried unanimously.

- c. Recommendation on an Ordinance 08, ____ an Ordinance to establish an annual fee for residential alarm systems.**

This agenda item was tabled.

- 3. Public Works Committee - No report.**
- 4. GreenScape Bayside Committee - No report.**
- 5. Regional Telecommunications Committee - No report.**
- 6. Intergovernmental Cooperation Council**

Manager Pederson stated the Intergovernmental Cooperation Council had met.

- 7. Architectural Review Committee- No report.**
- 8. Plan Commission**
 - a. Recommendation of the request from Bill Hersch of Sarano Promotional Services for a Conditional Use Permit to Operate: A sales office specializing in promotional products, located at 500 West Brown Deer Road.**

Motion by Trustee Barth, seconded by Trustee DeGraff, to approve the request from Bill Hersch of Sarano Promotional Services for a Conditional Use Permit to Operate: A sales office specializing in promotional products, located at 500 West Brown Deer Road. Motion carried unanimously.

- b. Recommendation on the request from Robin Preston of US Bank for a Conditional Use Permit to Operate: A drive through window, located at 400 West Brown Deer Road.**

Motion by Trustee Petersen, seconded by Trustee DeGraff, to approve the request from Robin Preston of US Bank for a Conditional Use Permit to Operate: A drive through window, located at 400 West Brown Deer Road. Motion carried unanimously.

- c. Recommendation on the Village of Bayside Comprehensive Plan timeline.**

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve the Village of Bayside Comprehensive Plan timeline. Motion carried unanimously.

- d. **Discussion on permitted businesses in the “D” and “D1” business districts.**

This agenda item was tabled.

- 9. **Library Board - No report.**

VII. VILLAGE PRESIDENT'S REPORT

- A. **Discussion/recommendation on process for appointing Trustee to fill vacancy on the Board of Trustees.**

Motion by Trustee DeGraff, seconded by Trustee Barth, to approve the appointing of a Trustee to fill vacancy on the Board of Trustees. Motion carried unanimously.

- B. **Discussion/recommendation on potential memorial alternatives to Trustee Thomas Sopkovich.**

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve the memorial alternative of a tree and park bench at the island on Regent Road for Trustee Thomas Sopkovich. 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

XI. CORRESPONDENCE

- A. **Thank you to Sergeant Ehlers and Officer Mioduszewski from Larry and Mary Batterman.**
- B. **Thank you to Officer Eric Miller and Officer Ryan Bowe from Karen and Tom Guszowski.**
- C. **Thank you from the Cedarburg Police Department for assistance with the McCain campaign.**

President Dickman acknowledged 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 (Labor, Retirement Plan, and Administration and Organization Plan).**

Motion by President Dickman, seconded by Trustee DeGraff to adjourn to closed session at 7:45 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, Retirement Plan, and Administration and Organization Plan). Motion carried unanimously.

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

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

A. Action on items in closed session.

Motion by Trustee DeGraff, seconded by Trustee Barth to approve Resolution 08-14, a Resolution to approve a one-time voluntary early retirement program and the retirement agreements for Sergeant Gonzalez and Lieutenant Flegiel. Motion carried unanimously by roll call vote.

Motion by Trustee DeGraff, seconded by Trustee Barth, to accept the 2008 revision of the Administration and Organization Plan. Motion carried unanimously by roll call vote.

XIV. ADJOURNMENT

Motion by President Dickman, seconded by Trustee DeGraff to adjourn the meeting at 7:56 pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt, Director of Finance and Administration/Clerk/Treasurer || December 19, 2008