



Village of Bayside  
9075 N Regent Road  
Board of Trustees Meeting Minutes  
December 18, 2008

**I. CALL TO ORDER**

President Dickman called the meeting to order at 6:18 pm.

**II. ROLL CALL**

**President:** Sam Dickman  
**Trustees:** Michael Barth Daniel Muchin-Excused  
Robb DeGraff James Petersen  
William Hersch Eido Walny

**Also present:** Village Manager Andy Pederson  
Director of Finance and Administration/Clerk/Treasurer Lynn Galyardt  
Village Attorney Chris Jaekels  
Police Chief Bruce Resnick  
Management Assistant Alex Henderson  
There were six 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. ROUTINE BUSINESS ITEMS**

- 1. Approval of the Finance and Administration Committee minutes, November 13, 2008**
- 2. Approval of the Committee of the Whole minutes, November 20, 2008.**
- 3. Approval of the Board of Trustee minutes, November 20, 2008.**

Motion by Trustee Hersch, seconded by Trustee Walny, to approve the Finance and Administration Committee minutes, November 13, 2008, the Committee of the Whole minutes, November 20, 2008 and the Board of Trustee minutes, November 20, 2008. Motion carried unanimously.

- 4. Approval of the Payment of summary of claims for November 8, 2008 to November 26, 2008 in the amount of \$79,139.42.**

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve the Payment of summary of claims for November 8, 2008 to November 26, 2008 in the amount of \$79,139.42. Motion carried unanimously.

- 5. Approval of the November 2008 Financial Statement.**

Motion by Trustee Petersen, seconded by Trustee DeGraff, to approve the November 2008 Financial Statement. Motion carried unanimously.

**6. Approval of the 2009 Public Meeting and Community Events Dates.**

Motion by Trustee DeGraff, seconded by Trustee Barth, to approve the 2009 Public Meeting and Community Events Dates. Motion carried unanimously.

**7. Approval of Ordinance 08-\_\_\_\_, an Ordinance creating section 38-2 regarding proper tree care and ROW maintenance.**

Motion by Trustee Petersen, seconded by Trustee Walny, to approve Ordinance 08-592, an Ordinance creating section 38-2 regarding proper tree care and ROW maintenance. Motion carried unanimously by roll call vote.

**8. Approval of revision #2 to the Village Employee Personnel Manual.**

Motion by Trustee Petersen, seconded by Trustee Barth, to approve revision number two to the Village Employee Personnel Manual. Motion carried unanimously.

**9. Approval of Ordinance 08-\_\_\_\_, An Ordinance to Amend Section 14-150(4) With Regard to Public Safety Radio Channels.**

Motion by Trustee DeGraff, seconded by Trustee Walny, to approve Ordinance 08-593, An Ordinance to Amend Section 14-150(4) With Regard to Public Safety Radio Channels. Motion carried unanimously by roll call vote.

**10. Discussion/action on the application for issuance of an Operator's license requested by Stephan Schmiel, (Otto's- Bayside) 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 Stephan Schmiel, (Otto's- Bayside) and reviewed by the Police Department. 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.

**VI. BUSINESS AGENDA**

**A. COMMITTEE AND COMMISSION REPORTS**

**1. Finance and Administration Committee**

**a. Discussion/action on investment policy and investment portfolio alternatives.**

This item was tabled.

**2. Public Safety Committee**

**a. Discussion/action on establishing a policy for Police Department retirement gifts.**

Motion by Trustee Hersch, seconded by Trustee DeGraff, to approve establishing a policy to gift the officer their

service weapon to a retiring police officer, provided the officer is retiring in good standing and there is a signed agreement that the weapon no longer belongs to the Village in addition to the current retirement policy gift. Motion carried unanimously.

3. **Public Works Committee-** No report.
4. **GreenScape Bayside Committee-** No report.
5. **Regional Telecommunications Committee-** No report.
6. **Intergovernmental Cooperation Council**
  - a. **Discussion/action on Resolution 08-\_\_\_\_, A Resolution to Approve the Updated “Domestic Animal Control Services Agreement” for the Milwaukee Area Domestic Animal Control Commission (MADACC).**

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve Resolution 08-17, A Resolution to Approve the Updated “Domestic Animal Control Services Agreement” for the Milwaukee Area Domestic Animal Control Commission (MADACC). Motion carried unanimously by roll call vote.

7. **Plan Commission**
  - a. **Discussion/action on recommendation regarding proposed Certified Survey Map and resulting conditional use permit availability for Congregation Ahavat Yisrael/The Shul located at 8810 North Rexleigh Drive, 614 East Brown Deer Road, 8801 North Pelham Parkway, and 8825 North Pelham Parkway.**

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve the proposed Certified Survey Map and resulting conditional use permit availability for Congregation Ahavat Yisrael/The Shul located at 8810 North Rexleigh Drive, 614 East Brown Deer Road, 8801 North Pelham Parkway, and 8825 North Pelham Parkway contingent on the acquisition of the home at 8825 North Pelham Parkway. Motion carried unanimously.

- b. **Discussion/action on amendments to the Development Agreement for Congregation Ahavat Yisrael/The Shul located at 8810 North Rexleigh Drive, 614 East Brown Deer Road, 8801 North Pelham Parkway, and 8825 North Pelham Parkway.**

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve the amendments to the Development Agreement for Congregation Ahavat Yisrael/The Shul located at 8810 North Rexleigh Drive, 614 East Brown Deer Road, 8801 North Pelham Parkway, and 8825 North Pelham Parkway contingent on the acquisition of the home at 8825 North Pelham Parkway. Motion carried unanimously.

8. **Architectural Review Committee**
  - a. **Discussion/action on recommendation regarding proposal to raze existing structures and construct a synagogue and ancillary facilities; Congregation Ahavat Yisrael/The Shul 8810 N. Rexleigh Drive, 021-0150-002, 8801 N. Pelham Parkway, 021-9971, 8825 N. Pelham Parkway, 021-9970, 614 E. Brown Deer Road, 021-0152.**

Attorney Jaekels stated the design had been approved by the Architectural Review Committee. Bruce Block,

attorney for Shul, explained what the Architects had proposed at the meeting, detailing the layout.

Trustee DeGraff questioned how many parking spots the new design layout contained. Attorney Block stated there were 62 proposed with some angled and some parallel parking spots and noted the Architectural Review Committee felt the new design had a more residential feel than the originally proposed design.

President Dickman asked if the drainage issue had been addressed. Attorney Block stated the Shul will have to comply with the Villages impervious surface ordinance, MMSD's requirements and provide a Stormwater Management Plan before starting the project.

Elliot Meisenheimer stated his concerns regarding the project. Claire Meisenheimer questioned how the payment in lieu of taxes would be made. Attorney Jaekels explained the process.

Brunhilde Maybauer expressed her disappointment that the purchase of the fourth home was going to be included in the project and was concerned about the air quality when the home is torn down. Attorney Jaekels stated that Building Inspector would be in charge of overseeing the project.

Jeff Wohlfahrt, 1120 East Bay Point Road, stated his concerns regarding the project.

Motion by Trustee Hersch, seconded by Trustee Barth, to approve the proposal to raze existing structures and construct a synagogue and ancillary facilities; Congregation Ahavat Yisrael/The Shul 8810 N. Rexleigh Drive, 021-0150-002, 8801 N. Pelham Parkway, 021-9971, 8825 N. Pelham Parkway, 021-9970, 614 E. Brown Deer Road, 021-0152 contingent on the acquisition of the home at 8825 North Pelham Parkway and provided the stormwater plan is provided. Motion carried unanimously.

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

**10. Board of Zoning Appeals**

**a. Discussion/action on the request by Bernhard Guessregen of 9072 North Lake Drive for a special exception to allow a fence to remain on his property, contrary to Sec 14-182 of the Village code.**

Motion by President Dickman, seconded Trustee Hersch, to approve the request by Bernhard Guessregen of 9072 North Lake Drive for a special exception to allow a fence to remain on his property, contrary to Sec 14-182 of the Village code. Motion carried unanimously.

## **VII. VILLAGE PRESIDENT'S REPORT**

**A. Discussion/action on appointments to the Finance and Administration Committee, the Public Works Committee, as the Village of Bayside representative on the North Shore Library Board and as an alternate on the Board of Review, the Public Safety Committee.**

Motion by Trustee Barth, seconded by Trustee DeGraff, to approve the appointment of Trustee Walny to the Finance and Administration Committee, the Public Works Committee, as the Village of Bayside representative on the North Shore Library Board and as an alternate on the Board of Review, the Public Safety Committee. Motion carried unanimously.

## **VIII. VILLAGE MANAGER'S REPORT**

- A. Discussion/action on authorization for the Village Manager to purchase additional winter road salt for Fiscal Year 2008 as necessitated, as outlined in Village Code Section 2-87 (9) b.**

Manager Pederson stated that Village Code states he has the authority to make purchases up to \$15,000 however should the need arise he is requesting approval to purchase additional road salt.

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve the authorization for the Village Manager to purchase additional winter road salt for Fiscal Year 2008 as necessitated, as outlined in Village Code Section 2-87 (9) b. Motion carried unanimously.

**IX. VILLAGE ATTORNEY'S REPORT**

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

**XI. CORRESPONDENCE**

- A. Thank you regarding the restoration of the Lions Gates from Ned G. Schley to the Village Board.**
- B. Thank you regarding the donation of the defibrillator to the Schlitz Audubon Nature Center from Elizabeth Cheek to Police Chief Bruce Resnick.**

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 (Management Personnel and Labor Negotiations).**
- 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 (June Stormwater Management).**

Motion by Trustee Hersch, seconded by Trustee Barth, to adjourn to closed session at 7:10 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 (Management Personnel and Labor Negotiations) 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 (June Stormwater Management). Motion carried unanimously.

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

Motion by President Dickman, seconded by Trustee Hersch, to reconvene in open session at 7:14 pm pursuant to section 19.85 (2). Motion carried unanimously.

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

No action taken or motions made.

**XIV. ADJOURNMENT**

Motion by Trustee Walny, seconded by Trustee Hersch, to adjourn the meeting at 7:15 pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt, Director of Finance and Administration/Clerk/Treasurer || January 24, 2009