



**Village of Bayside
9075 North Regent Road
Board of Trustees Meeting Minutes
April 19, 2007**

I. CALL TO ORDER

President Dickman called the meeting to order at 6:55 pm.

II. ROLL CALL

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

Also present: Village Manager Andy Pederson
Village Attorney Christopher Jaekels
Director of Public Works Joel Hawkins
Police Chief Bruce Resnick
Village Clerk/Treasurer Lynn Galyardt
Approximately three 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. Board of Trustee, March 1, 2007.
2. Committee of the Whole, March 15, 2007.
3. Board of Trustee, March 15, 2007.

B. PAYMENT OF SUMMARY OF CLAIMS

1. 2/22/07 - 3/30/07 in the amount of \$456,187.75.

Motion by Trustee DeGraff, seconded by Trustee Petersen, to approve the consent agenda as written. Motion carried unanimously.

V. CITIZENS AND DELEGATIONS

A. Recognition of service for Lieutenant John Flegiel (29 years) and for Police Officer Charles Paige (25 years) and Sergeant Fernando Gonzalez (25 years).

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.

Paul Karalewitz, 910 West Fairy Chasm Road, asked if the Board would consider doing a monthly budget. Trustee DeGraff stated that as head of the Finance and Administration Committee he would meet with the Village Manager to discuss this issue.

Lois Karalewitz, 910 West Fairy Chasm Road, asked when the last dog debris ticket was issued by the Police Department. Police Chief Resnick stated that he did not know the answer to that question. Ms. Karalewitz asked if the Police Department could enforce the ordinance to have dog owners clean up after their dogs. Chief

Resnick stated that it was almost impossible to enforce as they would have to catch the dog in the act. Trustee DeGraff stated he has seen dogs off of leashes on Village Hall grounds. Chief Resnick stated that the dog has to be under the control of the dog owner not actually on a leash. Chief Resnick questioned the Board as to whether they really wanted the Police Department to stop dog walkers to check if they had properly disposed of the dog debris.

VI. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. Public Safety Committee

- a. Recommendation on Request from the North Shore Health Department Board of Directors to Adopt Revised Sanitarian Agent of the State Fee Schedule.**

Motion by Trustee DeGraff, seconded by President Dickman, to approve the request from the North Shore Health Department Board of Directors to Adopt Revised Sanitarian Agent of the State Fee Schedule. Motion carried unanimously.

- b. Recommendation on Ordinance 07-____, An Ordinance to Create Sec. 62-139 to Provide Regulations Relating to Residency and Child Safety Zone Regulations for Sex Offenders.**

The Board tabled this item.

2. Public Works Committee

- a. Recommendation on Resolution No. 07-____, A Resolution Authorizing the Village of Bayside to File the DNR Recycling Grant and DNR Recycling Efficiency Incentive Grant Applications.**

Motion by Trustee Petersen, seconded by Trustee Barth, to approve Resolution No. 07-02, A Resolution Authorizing the Village of Bayside to File the DNR Recycling Grant and DNR Recycling Efficiency Incentive Grant Applications. Motion carried unanimously.

- b. Recommendation on Wisconsin DOT Brown Deer Road / Lake Drive Project as it relates to the Materials used for the Terrace Area between the Paved Shoulder and Pedestrian Pathway.**

Manager Pederson stated that the Committee of the Whole recommended that the DOT put sod in the area and authorized the purchase and installation of \$10,000 worth of trees in that area to better delineate the road from the walkway.

Philip Santacroce, 8921 North Rexleigh Drive, stated he feels that shoulder gravel should be placed in that area.

Manager Pederson noted the Committee of the Whole had looked at stamped concrete at a cost of \$243,000 and the traffic binder/decorative stone at a cost of \$14,800 to \$46,400 for the amount of material needed. Trustee Hersch asked how much the shoulder gravel would cost. Manager Pederson stated that estimate would be \$15,000 to \$20,000 cost to the Village. He also noted that the stones would provide a drivable surface for vehicles.

Department of Public Works Director Joel Hawkins stated that the stones would be a continual maintenance issue to the Village as the stones would end up on resident's property and on the sidewalk. He noted that in the winter months the stones would be pushed onto the side walk by the plows and the snow blower would throw the stones onto the homeowner's property. His recommendation would be to put sod in as the homeowner would take care of the maintenance of the sod and the grass fits better into the residential look of the neighborhood.

Motion by Trustee Petersen, seconded by Trustee DeGraff, to approve the Wisconsin DOT Brown Deer Road / Lake Drive Project as it relates to the Materials used for the Terrace Area between the paved shoulder and pedestrian pathway. Motion carried unanimously.

- c. **Recommendation on Wisconsin Department of Transportation Proposal to Remedy Flooding Issues at the southwest corner of the intersection of Brown Deer Road and Lake Drive as a Result of Construction Related Changes to the Drainage Patterns.**

Motion by Trustee Petersen, seconded by Trustee Barth, to authorize the Village Manager to solicit a proposal for a comprehensive plan from Ruckert-Mielke to Remedy Flooding Issues at the Southwest Corner of the Intersection of Brown Deer Road and Lake Drive as a Result of Construction Related Changes to the Drainage Patterns and to authorize the Village President to approve the cost of the bid. Motion carried unanimously.

3. Finance and Administration Committee

- a. **Recommendation on Resolution #07-____ a Resolution Repealing Resolution #06-03, and Establishing a Revised Fee Schedule as Referenced by the Village of Bayside Municipal Code.**

Motion by President Dickman, seconded by Trustee Barth, to approve Resolution No. 07-03, A Resolution Repealing Resolution #06-03, and Establishing a Revised Fee Schedule as Referenced by the Village of Bayside Municipal Code. Motion carried unanimously.

- b. **Recommendation on Resolution #07-____ a Resolution Directing Posting in Lieu of Newspaper Publication Pursuant to Sec. 985.05 Wis. Stats.**

Motion by Trustee Petersen, seconded by President Dickman, to approve Resolution #07-04 a Resolution Directing Posting in Lieu of Newspaper Publication Pursuant to Sec. 985.05 Wis. Stats. Motion carried unanimously.

- c. **Recommendation on Resolution #07-____ a Resolution Amending the 2006 Budget to Reflect Expenditures for the Borrowing Expenses associated with the 2005 Advance Refunding of the Village's Long-Term Debt.**

Motion by Trustee Petersen, seconded by President Dickman, to approve Resolution #07-05 a Resolution Amending the 2006 Budget to Reflect Expenditures for the Borrowing Expenses associated with the 2005 Advanced Refunding of the Village's Long-Term Debt. Motion carried unanimously.

- d. **Recommendation on Resolution #07-____ a Resolution Approving Amendment No. 5 to the Amended and Restated North Shore Fire Department Agreement to Freeze Each Participating Municipality's Financial Contribution For the Budget Years of 2007 Through and Including 2012.**

Motion by President Dickman, seconded by Trustee Barth, to approve Resolution #07-06 a Resolution Approving Amendment No. 5 to the Amended and Restated North Shore Fire Department Agreement to Freeze Each Participating Municipality's Financial Contribution For the Budget Years of 2007 Through and Including 2012. Motion carried unanimously.

- e. **Recommendation on Ordinance 07-____, An Ordinance to Amend Sec. 14 of the Municipal Code with Regard to Fences.**

The Village Board tabled this item.

4. Plan Commission

- a. **Recommendation of the request from Morris Shechtman of Shechtman Enterprises, LLC and Statewide Insurance Agency for a conditional use permit to operate: A Real Estate and Insurance Office to be located at 707 West Glencoe Place.**

Motion by Trustee DeGraff, seconded by Trustee Barth, to approve the request from Morris Shechtman of Shechtman Enterprises, LLC and Statewide Insurance Agency for a conditional use permit to operate: A Real Estate and Insurance Office to be located at 707 West Glencoe Place. Motion carried unanimously.

- b. **Recommendation of the request from Beverly Brown of Telephia, Inc. for a conditional use permit to operate: A computer services business for the purposes of wireless telecommunication research located at 707 West Glencoe Place.**

Motion by Trustee Hersch, seconded by Trustee Barth, to approve the request from Beverly Brown of Telephia, Inc. for a conditional use permit to operate: A computer services business for the purposes of wireless telecommunication research located at 707 West Glencoe Place. Motion carried unanimously.

5. Regional Telecommunications Committee

Manager Pederson stated that the Committee had not met but would be discussing the pending litigation in closed session.

6. Intergovernmental Cooperation Council – No Report.

Manager Pederson noted that the Mayor of Franklin was selected as the new Chairperson.

7. Library Board – No Report.

VII. VILLAGE PRESIDENT'S REPORT

A. Discussion/Recommendation on appointing Geri Olson and Michelle Walny to the Beautification Committee.

Motion by Trustee DeGraff, seconded by Trustee Petersen, to appoint Geri Olson and Michelle Walny to the Beautification Committee. Motion carried unanimously.

B. Discussion/Recommendation on appointing Eido Walny to the Plan Commission.

Motion by Trustee DeGraff, seconded by Trustee Petersen, to appoint Eido Walny to the Plan Commission. Motion carried unanimously.

C. Discussion/Recommendation on appointing Philip Santacroce to the North Shore Fire Commission.

Motion by Trustee Barth, seconded by Trustee Hersch, to appoint Philip Santacroce to the North Shore Fire Commission. Motion carried unanimously.

D. Discussion/Recommendation on reappointing members to the Village's Committee's and Commission's for June, 2007 through April, 2008, as attached.

Trustee DeGraff noted that the Trustees that are not on the Committees should be listed as alternates on the various committees.

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve reappointing members to the Village's Committee's and Commission's for June, 2007 through April, 2008 and appointing Trustees as alternates to the Committees. Motion carried unanimously.

VIII. VILLAGE MANAGER'S REPORT

A. Discussion/Recommendation on Temporary Sign Variance for Bayside Commons, LLC, 905 West Fairy Chasm Road.

Motion by Trustee DeGraff, seconded by President Dickman, to approve the Temporary Sign Variance for Bayside Commons, LLC, 905 West Fairy Chasm Road. Motion carried unanimously.

B. Discussion/Recommendation on the 2007 Village of Bayside Organizational and Administrative Plan.

Motion by President Dickman, seconded by Trustee Barth, to approve the 2007 Village of Bayside Organizational and Administrative Plan. Motion carried unanimously.

IX. VILLAGE ATTORNEY'S REPORT – No Report

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

A. Recommendation for a Variance to Allow a For Lease Sign for the Ogden & Company building at 8850 N. Port Washington Road.

Manager Pederson stated that the Architectural Review Board recommended that Ogden replace the original sign with a new sign and that the new sign be granted a variance.

Motion by President Dickman, seconded by Trustee Barth, to approve a Variance to Allow a For Lease Sign for the Ogden & Company building at 8850 N. Port Washington Road. Motion carried unanimously.

XI. CORRESPONDENCE

A Thank you from Mr. and Mrs. Ralph Gould expressing appreciation to Officer Jennifer Mioduszeewski.

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: (Police, Dispatch, DPW Labor Negotiations and Benefits);**
- B. Pursuant to Section 19.85 (1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: (RTC Participating Agreement) (DOT Notice of Claim).**
- C. Pursuant to Section 19.85 (1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (Shupeck Litigation)**

Motion by President Dickman, seconded by Trustee Barth, to adjourn to closed session at 7:30 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: (Police, Dispatch, DPW Labor Negotiations and Benefits); Pursuant to Section 19.85 (1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: (RTC Participating Agreement) (DOT Notice of Claim) and Pursuant to Section 19.85 (1) (g) Conferring with legal counsel for the governmental

body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (Shupeck Litigation). Motion carried unanimously.

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

Motion by Trustee Hersch, seconded by Trustee Barth to reconvene in open session at 8:15 pm pursuant to section 19.85 (2). Motion carried unanimously.

A. Action on items in closed session.

No action was taken or motions made.

XIV. ADJOURNMENT

Motion by President Dickman, seconded by Trustee Hersch, to adjourn the meeting at 8:16 pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt
Village Clerk/Treasurer