



**Village of Bayside
9075 North Regent Road
Board of Trustees Meeting Minutes
June 7, 2007**

I. CALL TO ORDER

President Dickman called the meeting to order at 6:00 pm.

II. ROLL CALL

President: Sam Dickman

Trustees: Michael Barth Daniel Muchin
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
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 Trustee, May 3, 2007.
2. Committee of the Whole, May 17, 2007.

B. PAYMENT OF SUMMARY OF CLAIMS

1. 4/21/07 – 5/25/07 in the amount of \$222,898.29.

C. APRIL 2007 FINANCIAL STATEMENT

Motion by Trustee Barth, seconded by Trustee Petersen, to approve the consent agenda as written. 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.

Donald McGillian, 905 East Manor Circle, complimented the Department of Public Works on the work done in the children's play area at Ellsworth Park.

VI. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. **Public Safety Committee**

a. Recommendation Denying Appeal of False Fire Alarm at Bayside Village Apartments on February 26, 2007.

Trustee DeGraff stated that since the parties were not present he felt the Board should uphold the denial of the False Fire Alarm appeal. He then questioned if the individual units were disconnected at Bayside Village Apartments.

Chief Resnick stated that the initial ordinance required every sensor in the building be monitored by a 24 hour monitoring company. The change, which White Oaks invoked and Bayside Village Apartments did not invoke was that they would be allowed to disconnect the individual apartments from the centralized monitoring. The common areas were still required to be monitored. Chief Resnick noted that if an alarm sounded in an individual apartment at White Oaks the police department is not called. The police department responds to the calls from the individual apartments at Bayside Village Apartments.

Motion by Trustee DeGraff, seconded by Trustee Muchin, to deny the Appeal of False Fire Alarm at Bayside Village Apartments on February 26, 2007. Trustee Petersen recused himself. Motion carried unanimously.

2. Public Works Committee

a. Acceptance of 2006 Annual Report for the Village's Permit to Discharge Under the Wisconsin Pollutant Discharge Elimination System (NR-216).

Motion by President Dickman, seconded by Trustee Barth, to approve accepting the 2006 Annual Report for the Village's Permit to Discharge Under the Wisconsin Pollutant Discharge Elimination System (NR-216). Motion carried unanimously.

3. Finance and Administration Committee

a. Recommendation Accepting 2006 Village Audit, as presented by Virchow Krause.

Motion by President Dickman, seconded by Trustee Petersen, to approve accepting the 2006 Village Audit, as presented by Virchow Krause. Motion carried unanimously.

b. Recommendation on 2006 Village Audit Management Recommendations, as outlined in the Internal Control Report.

Motion by President Dickman, seconded by Trustee Muchin, to accept the 2006 Village Audit Management recommendations as outlined in the Internal Control Report. Motion carried unanimously.

c. Recommendation on Ordinance 07-_____, An Ordinance to Amend Section 38-101 of the Municipal Code With Regard to Unenclosed Storage of Certain Vehicles.

Trustee DeGraff asked if the seven day time limit for dumpsters to be placed at a construction site should be extended as most construction projects last longer than seven days. Trustee Petersen suggested that the Board approve the ordinance before them today and amend the ordinance in the future.

Motion by President Dickman, seconded by Trustee Hersch to approve Ordinance 07-564, An Ordinance to Amend Section 38-101 of the Municipal Code With Regard to Unenclosed Storage of Certain Vehicles. Motion carried unanimously.

d. Recommendation on proposed 2008 Budget Process and Schedule.

Motion by President Dickman, seconded by Trustee Petersen, to approve the proposed 2008 Budget Process and Schedule. Motion carried unanimously.

4. **Plan Commission – No Report**
5. **Beautification Committee– No Report**
6. **Regional Telecommunications Committee– No Report**
7. **Intergovernmental Cooperation Council– No Report**
8. **Community Development Authority– No Report**
9. **Architectural Review Board– No Report**
10. **Library Board– No Report**

VII. VILLAGE PRESIDENT'S REPORT

- A. 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, 2007 – June 30, 2008 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
Milwaukee, WI 53210

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

EL PAISA LLC dba. 600 West Brown Deer Road
Martin V. Ramirez
20501 W Main Street
Lannon, WI 53046

Restaurant Hama dba: 333 West Brown Deer Road
Lesley Ann Kagen
11134 Wyngate
Mequon, WI 53092

Motion by Trustee DeGraff, seconded by Trustee Hersch, to approve the above applications for renewal of licenses to sell intoxicating or fermented malt beverages in the Village of Bayside for the license year of July 1, 2007 – June 30, 2008 as requested and reviewed by the Police Department. Motion carried unanimously.

- B. Discussion/Action on the application for issuance of an Operator's license requested by Alexandria Hanyard, (Heinemann's), Margaret Burns, (Heinemann's), Daeni Belling (Speakeasy), Mark Baker (Speakeasy), Anthony Crowder (Otto's), John Tiefel (Otto's) and Mary Ann Sendik (Sendik's) 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 Alexandria Hanyard, (Heinemann's), Margaret Burns, (Heinemann's), Daeni Belling (Speakeasy), Mark Baker (Speakeasy), Anthony Crowder (Otto's), John Tiefel (Otto's) and Mary Ann Sendik (Sendik's) reviewed by the Police Department. Motion carried unanimously.

- C. Discussion/Action on appointing Tom Drought as an alternate on the Architectural Review Committee.**

Motion by Trustee Muchin, seconded by Trustee Petersen, to approve the appointment of Tom Drought as an alternate on the Architectural Review Committee. Motion carried unanimously.

VIII. VILLAGE MANAGER'S REPORT

- A. Ellsworth Park Playground Dedication 7 pm / Music in the Park (6:30 – 8:00 pm), Thursday, June 21, following the Committee of the Whole Meeting.**

Motion by Trustee Muchin, seconded by Trustee DeGraff to change the start time of the Committee of the Whole meeting to 5:30 pm. Motion carried unanimously.

IX. VILLAGE ATTORNEY'S REPORT

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

Trustee Muchin questioned the landscape equipment that is parked at a home on Ravine Baye Road and asked that it be looked into and asked for the NIMS information in hard copy.

President Dickman complimented staff on the Summer Edition of the *Inside Bayside* newsletter.

XI. CORRESPONDENCE

- A. Thank you to the Department of Public Works from Paul Bailey commending the department on their superior performance.**

President Dickman acknowledged the above correspondence.

XII. MOTION TO ADJOURN TO CLOSED SESSION

- A. 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: (DOT/Audubon Notice of Claim; Shupeck Litigation)**
- B. 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: (Evaluation of Management Personnel)**

Motion by President Dickman, seconded by Trustee DeGraff, to adjourn to closed session at 6:22 pm 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: (DOT/Audubon Notice of Claim; Shupeck Litigation), 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: (Evaluation of Management Personnel). Motion carried unanimously.

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

A. Action on items in closed session.

No motions were made or action taken.

Motion by Trustee DeGraff, seconded by Trustee Muchin, to reconvene in open session at 7:54 pm pursuant to section 19.85 (2). Motion carried unanimously.

XIV. ADJOURNMENT

Motion by Trustee DeGraff, seconded by Trustee Muchin, to adjourn the meeting at 7:55 pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt
Village Clerk/Treasurer