



Village of Bayside
9075 N Regent Road
Board of Trustees Meeting
June 27, 2024
Village Board Room, 6:00 PM

**BOARD OF TRUSTEES
Meeting Minutes**

I. CALL TO ORDER AND ROLL CALL

Chairperson Barth called the meeting to order at 6:00 PM

ROLL CALL

President: Eido Walny – Excused

Trustees: Mike Barth
Elizabeth Levins
Kelly Marrazza
Ben Minkin
Bob Rudman
Margaret Zitzer

Also Present: Village Manager Andy Pederson
Administrative Services Director Rachel Safstrom
Village Attorney Chris Jaekels
Police Chief Tom Liebenthal
Police Lieutenant Robert Salazar
Police Officer Jeremy Franke
Communications Center Director Liane Scharnott
Operations Superintendent Shane Albers
Deputy Clerk/Treasurer Nicole Maurer
19 members of public

II. PLEDGE OF ALLEGIANCE

III. CITIZENS AND DELEGATIONS

Gerry Feldman, 133 E Glencoe Place (see attached)

Lori Kindred, 9019 N Santa Monica Boulevard

Marie Rossetto, 111 W Krause Place

IV. CONSENT AGENDA

Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration.

Approval of:

- A. Board of Trustees meeting minutes for May 16, 2024.
- B. May 2024 Financial Statement.
- C. Summary of Disbursements for May 10, 2024, through June 5, 2024, in the amount of \$606,694.92
- D. May 2024 Community Impact Report.
- E. 2024 Community Development Block Grant Award in the amount of \$5,998.
- F. Application for Class “A” Fermented Malt Beverage and “Class A” Intoxicating Liquor requests from Sendiks Bayside, LLC., 340 W Brown Deer Road and Otto’s Bayside Wine and Spirits, 8850 N Port Washington Road.
- G. Application for Class “B” Fermented Malt Beverage and “Class B” Intoxicating Liquor requests from Natural Events Inc., 1111 E Brown Deer Road and Ginza II Fox Point, Inc., 333 W Brown Deer Road, Suite O.
- H. 2024 Wisconsin Department of Natural Resources Recycling Grant in the amount of \$25,754.32.
- I. Engagement Letter with Baker Tilly US, LLP.
- J. Resolution 24-11, A Resolution to amend the 2024 Annual Program Budget.
- K. Appointment of Amy McWilliam to the Board of Zoning Appeals (2nd Alternate) and Public Safety Committee (1st Alternate).
- L. 2022 Government Finance Officers Association Award for Outstanding Achievement in Popular Annual Financial Reporting.
- M. 2022 Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting.
- N. 2024 Government Finance Officers Association Distinguished Budget Presentation Award.
- O. Resolution 24-12, A Resolution regarding the Wisconsin Department of Natural Resources NR 208, 2024 Compliance Maintenance Annual Report.
- P. Ordinance 24-756, An Ordinance to Create Section 47-41 in Regard to One-Way Streets.
- Q. Resolution 24-13, A Resolution Amending Resolution 24-07 revising the fee schedule as referenced by the Village of Bayside Municipal Code.
- R. Police Department Standard Operating Procedures Chapters 1-3.
- S. Discussion/action on May 2024 Communications Center Report.
- T. Discussion/action on May 2024 Police Department Report.
- U. Discussion/action on May 2024 Department of Public Works Report.
- V. Discussion/action on May 2024 Administrative Services Report.

Motion by Trustee Zitzer, seconded by Trustee Minkin, to approve: Board of Trustees meeting minutes for May 16, 2024; May 2024 Financial Statement; Summary of Disbursements for May 10, 2024, through June 5, 2024, in the amount of \$606,694.92; May 2024 Community Impact Report; 2024 Community Development Block Grant Award in the amount of \$5,998; Application for Class “A” Fermented Malt Beverage and “Class A” Intoxicating Liquor requests from Sendiks Bayside, LLC., 340 W Brown Deer Road and Otto’s Bayside Wine and Spirits, 8850 N Port Washington Road; Application for Class “B” Fermented Malt Beverage and “Class B” Intoxicating Liquor requests from Natural Events Inc., 1111 E Brown Deer Road and Ginza II Fox Point, Inc., 333 W Brown Deer Road, Suite O; 2024 Wisconsin Department of Natural Resources Recycling Grant in the amount of \$25,754.32; Engagement Letter with Baker Tilly US, LLP; Resolution 24-11, A Resolution to amend the 2024 Annual Program Budget; Appointment of Amy McWilliam to the Board of Zoning Appeals (2nd Alternate) and Public Safety Committee (1st Alternate);

2022 Government Finance Officers Association Award for Outstanding Achievement in Popular Annual Financial Reporting; 2022 Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting; 2024 Government Finance Officers Association Distinguished Budget Presentation Award; Resolution 24-12, A Resolution regarding the Wisconsin Department of Natural Resources NR 208, 2024 Compliance Maintenance Annual Report; Ordinance 24-756, An Ordinance to Create Section 47-41 in Regard to One-Way Streets; Resolution 24-13, A Resolution Amending Resolution 24-07 revising the fee schedule as referenced by the Village of Bayside Municipal Code; Police Department Standard Operating Procedures Chapters 1-3; Discussion/action on May 2024 Communications Center Report; Discussion/action on May 2024 Police Department Report; Discussion/action on May 2024 Department of Public Works Report; and Discussion/action on May 2024 Administrative Services Report. Motion carried unanimously.

v. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. Public Safety Committee

- a. Ceremonial Oath of Office and Swearing In of Police Lieutenant Robert Salazar and Police Officer Jeremy Franke.

Chief Liebenthal introduced Police Lieutenant Robert Salazar and Police Officer Jeremy Franke . Lieutenant Robert Salazar has prior experience with the Algonquin Police Department. Officer Franke has prior experience with the Milwaukee County Sheriff’s Office. Both Lieutenant Salazar and Officer Franke started with the Bayside Police Department on June 10, 2024.

Deputy Clerk/Treasurer Maurer administered the ceremonial oaths of office.

2. Public Works Committee

- a. Update on 2024 Capital Projects.

Operations Superintendent Albers provided a brief update on the 2024 Capital Projects. The North Port Washington Road landscaping project was completed in June.

Milling for the 2024 Road Project is scheduled to begin at the end of July. Paving is expected to begin in early August. The annual stormwater and culvert project, paired with the 2024 Road Project, is expected to be completed on time and under budget.

Temporary street resurfacing for the East Side Sanitary Sewer Relief Project was completed in 2023 to allow for settling. Final repaving will be completed in conjunction with the 2024 Road Project.

Project bids for the MMSD Private Property Infiltration & Inflow Reduction Program will be presented before the MMSD Commission in July. Work is anticipated to begin in fall.

The replacement of the Advanced Warning Crosswalk Systems at the intersection of Brown Deer Road and Regent Road as well as Brown Deer Road and Pelham Parkway is scheduled to begin in August.

3. Finance & Administration Committee

- a. Discussion/action on Ordinance 24-757, An Ordinance to Reserve

ARTICLE V Sections 26-109 through 26-119, to Establish ARTICLE VI Sections 26-120 and 121, and to amend Section 125-101 of the Municipal Code with Regard to Tourist Rooming Houses.

Village Manager Pederson provided a brief overview of Ordinance 24-757, An Ordinance to Reserve ARTICLE V Sections 26-109 through 26-119, to Establish ARTICLE VI Sections 26-120 and 121, and to amend Section 125-101 of the Municipal Code with Regard to Tourist Rooming Houses. Tourist rooming houses are currently prohibited home occupations. However, municipalities cannot prohibit short-term rentals pursuant to state statute. The proposed ordinance puts the Village in compliance with state statute.

Motion by Trustee Zitzer, seconded by Trustee Rudman, to approve Ordinance 24-757, An Ordinance to Reserve ARTICLE V Sections 26-109 through 26-119, to Establish ARTICLE VI Sections 26-120 and 121, and to amend Section 125-101 of the Municipal Code with Regard to Tourist Rooming Houses. Motion carried unanimously.

II. VILLAGE PRESIDENT'S REPORT

No report.

III. VILLAGE MANAGER'S REPORT

No report.

IV. VILLAGE ATTORNEY'S REPORT

No report.

V. MOTION TO ADJOURN TO CLOSED SESSION

Motion by Trustee Levins, seconded by Trustee Zitzer, to convene to closed session 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. (Notice of Claim: Parcel No. 020-9980-0007.) Motion carried unanimously.

A closed session of approximately 31 minutes was held in which the Village Board discussed the Notice of Claim regarding Parcel No. 020-9980-0007.

VI. MOTION TO RECONVENE IN OPEN SESSION Pursuant to Section 19.85 (2)

Motion by Trustee Minkin, seconded by Trustee Zitzer, to reconvene to open session and regular order of business. Motion carried unanimously.

A. Action on items in closed session.

Motion by Trustee Minkin, seconded by Trustee Levins, to authorize the Village Manager to retain special counsel regarding the Notice of Claim for Parcel No. 020-9980-0007. Motion carried unanimously.

VII. ADJOURNMENT

Motion by Trustee Zitzer, seconded by Trustee Levins, to adjourn the meeting at 7:06 PM.

My Fellow Citizens of Bayside,

I'm Gerry Feldman of 133 E Glencoe Place, and I'm here out of concern for our community and our many neighbors who feel unheard by our community's leaders.

88 years ago tonight, President Roosevelt stood before the nation, accepting the Democratic nomination for president. He spoke of a crossroads, a society grappling with the tyranny of economic autocracy, where a select few aimed to rule without the people's consent. Sound familiar? Today, we face a similar battle, not against distant tycoons, but against opaque dealings that threaten the North Shore Library and the financial well-being of the communities it serves, including our own.

As of the latest publicly available information, a \$288,000 annual lease looms over us, set to begin in only two months, with a staggering \$2 million funding gap yet to be bridged. The Board of Trustees' silence on this matter is inexcusable. We deserve transparency and action.

Questions abound, unanswered by those elected to serve us. What has become of the lease signed last year? When does the \$26,000 monthly rent commence, and have Bayside, Glendale, Fox Point, and River Hills approved this financial burden? The public records suggest \$2 million remains to be raised, but how much has truly been pledged, and how much resides in the bank? Does this include the \$820,000 held by the Library Foundation? And crucially, how much more is needed to break ground on construction? We see the apartment building being built, but the first floor retail space that our leaders claim will become a library has yet to begin construction, which was supposed to begin more than six months ago.

The OneNorth project stands as a testament to the misuse of TIF laws and the shadowy agreements favoring developers over taxpayers. A \$4.143 million assessment reduction, locked in for 22 years, has shifted the tax burden onto us, stripping away over \$194,000 that could have supported our public institutions.

These figures represent real losses, not just hypothetical scenarios. No matter what the developers build, their assessments stay frozen for 22 years, while we shoulder some \$2.2 million in lost revenue -- a dire consequence that could have been avoided if our village president had listened to our concerns instead of refusing to zoom the public hearings at the time, and threatening dissenters like myself with arrest.

Instead, we are in such a bad position that our elected leaders haven't said a word about fundraising in over fourteen months. If there were something good to report, they would have shared it by now. Instead, they sit here in silent shame, hoping no one notices.

Let us not forget that Roosevelt's 'rendezvous with destiny' was not just a call to overcome the challenges of his time, but a timeless summons to every generation to safeguard the liberties and opportunities that define us as a people. It is a call that resonates with as much urgency today as it did 88 years ago.

Thank you for your attention, and may we move forward together with the courage and conviction that our situation demands.