



Village of Bayside
9075 N Regent Road
Board of Trustees Meeting
September 12, 2024
Village Board Room, 6:00pm

**BOARD OF TRUSTEES
Meeting Minutes**

I. CALL TO ORDER AND ROLL CALL

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

ROLL CALL

President: Eido Walny
Trustees: Mike Barth
Elizabeth Levins - Excused
Kelly Marrazza – Excused
Ben Minkin
Bob Rudman
Margaret Zitzer - Excused

Also Present: Village Manager Andy Pederson
Administrative Services Director Rachel Safstrom
Village Attorney Chris Jaekels
Operations Superintendent Shane Albers
Lieutenant Robert Wenger
Deputy Clerk/Treasurer Nicole Maurer
11 members of the public

II. PLEDGE OF ALLEGIANCE

III. CITIZENS AND DELEGATIONS

Open to any citizen who wishes to speak. 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.

- A. Public Safety Committee
 - 1. Ceremonial Oath of Office and Swearing In of Police Lieutenant Robert Wenger

It was a consensus of the Board to delay Items B-D of Citizens and Delegations until later in the meeting.

Gerry Feldman – 133 E. Glencoe Place

Duey Stroebel – 2428 Covered Bridge Road, Saukville, WI

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 July 18, 2024.
- B. August 2024 Financial Statement.
- C. Summary of Disbursements for July 3, 2024, through August 28, 2024, in the amount of \$966,664.10.
- D. July and August 2024 Community Impact Report, Police Department Reports, Bayside Communications Center Reports, Public Works Reports, and Administrative Services Report.
- E. Police Department Standard Operating Procedures Chapters 5-7
- F. 2024 Bird City Wisconsin Sustainable Flight Status Award
- G. Resolution 24-16, A Resolution for the Redemption of \$55,000 of the Special Assessment B Bonds, Series 2015A, dated May 7, 2015
- H. Sanitary Sewer Closed Circuit Television Inspection Contract.
- I. Lake Drive Right-of-Way Stormwater Engineering Proposal.
- J. Appointment of Jeffrey Harrington to the Board of Zoning Appeals.

Motion by Trustee Barth, seconded by Trustee Rudman, to approve Board of Trustees meeting minutes for July 18, 2024; August 2024 Financial Statement; Summary of Disbursements for July 3, 2024, through August 28, 2024, in the amount of \$966,664.10; July and August 2024 Community Impact Report, Police Department Reports, Bayside Communications Center Reports, Public Works Reports, and Administrative Services Report; Police Department Standard Operating Procedures Chapters 5-7; 2024 Bird City Wisconsin Sustainable Flight Status Award; Resolution 24-16, A Resolution for the Redemption of \$55,000 of the Special Assessment B Bonds, Series 2015A, dated May 7, 2015; Sanitary Sewer Closed Circuit Television Inspection Contract; Lake Drive Right-of-Way Stormwater Engineering Proposal; and Appointment of Jeffrey Harrington to the Board of Zoning Appeals. Motion carried unanimously.

V. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. Public Works Committee

- a. Discussion/action on Memorandum of Understanding 1st Amendment to Funding Agreement M10005BA01 Private Property Infiltration and Inflow Reduction Program.

Operations Superintendent Albers provided a brief overview of the proposed amendment to the Memorandum of Understanding. The proposed amendment is related to an increase in construction costs.

Motion by Trustee Barth, seconded by Trustee Minkin, to approve the of Memorandum of Understanding 1st Amendment to Funding Agreement M10005BA01 Private Property Infiltration and Inflow Reduction Program. Motion carried unanimously.

- b. Discussion/action on Memorandum of Understanding 1st Amendment to Funding Agreement M10005BA02 Private Property Infiltration and Inflow Reduction Program.

Operations Superintendent Albers gave a brief overview of the proposed amendment to the MOU. The proposed amendment applies to 13 properties. There is no additional cost to the Village.

Motion by Trustee Minkin, seconded by Trustee Barth, to approve the Memorandum of Understanding 1st Amendment to Funding Agreement M10005BA02 Private Property Infiltration and Inflow Reduction Program. Motion carried unanimously.

- c. Discussion/action on Memorandum of Understanding M10005BA03 Private

Property Infiltration and Inflow Reduction Program.

Operations Superintendent Albers gave a brief overview of the proposed MOU. The proposed MOU gives MMSD the authority to be the contractor on the construction management to the PPII programs.

Motion by Trustee Barth, seconded by Trustee Minkin, to approve Memorandum of Understanding M10005BA03 Private Property Infiltration and Inflow Reduction Program. Motion carried unanimously.

d. Update on 2024 Capital Projects.

Operations Superintendent Albers gave a brief overview of the 2024 Capital Projects.

2024 Road Project

The 2024 Road Project is 95% complete. Final clean up is needed for ditching and shouldering.

East Side Sanitary Sewer Relief Project

The East Side Sanitary Sewer Relief Project is complete.

MMSD Private Property Infiltration & Inflow Reduction Program

MMSD held their preconstruction meeting for the MMSD Private Property Infiltration & Inflow Reduction Program. Construction is scheduled to begin in October.

Advanced Warning Crosswalk System Replacement

Installation of the Advanced Warning Crosswalk System Replacement is estimated to begin in early October.

No action was taken.

2. Finance & Administration Committee

- a. Discussion/action on Solar Array Addition proposal at 621 W. Brown Deer Road, Ellsworth Park, and Village Hall.

Trustee Barth provided a brief overview of the Solar Array Addition proposal at 621 W. Brown Deer Road, Ellsworth Park, and Village Hall.

Manager Pederson stated the project will be included in the 2025 budget, but a grant will fund \$140,000 of the project. Advance approval is being requested to secure the grant and order material and supplies.

Motion by Trustee Minkin, seconded by Trustee Rudman to approve the Solar Array Addition at 621 W. Brown Deer Road, Ellsworth Park, and Village Hall. Motion carried unanimously.

3. Board of Zoning Appeals

- a. Discussion/action on the request for special exception by Kenneth S. Collins for stairs on the side of the home at the property located at 202 W. Brown Deer Road, contrary to Section 125-3(f)(1) with regard to front setback of structures with the requirement of the property owner entering into a right-of-privilege agreement with the Village of Bayside.

Village Manager Pederson provided a brief overview of the request for a special exception. The current house is a legal non-conforming property. The proposal includes a rounded driveway and moving the porch.

Motion by Trustee Barth, seconded by Trustee Minkin, to approve the request for special exception by Kenneth S. Collins for stairs on the side of the home at the property located at 202 W. Brown Deer Road, contrary to Section 125-3(f)(1) with regard to front setback of structures with the requirement of the property owner entering into a

right-of-privilege agreement with the Village of Bayside. Motion carried unanimously.

- b. Discussion/action of right-of privilege agreement with 202 West Brown Deer Road.

Motion by Trustee Minkin, seconded by Trustee Rudman, to approve the right-of-privilege agreement with 202 W. Brown Deer Road. Motion carried unanimously.

- c. Discussion/ action on the request for special exception by Bayside & S-L Company, LLP to install a cabinet-style temporary monument sign at the property 8909 N. Port Washington Road for no more than 18 months, contrary to Section 116-8(a) of the Bayside Municipal Code with regard to the 15-day duration of temporary sign permits.

Manager Pederson gave a brief overview of the request for a special exception. The sign is a hybrid between a temporary and permanent sign and would include One North branding before the permanent sign is installed. Approval was recommended by the Board of Zoning Appeals.

Motion by Trustee Barth, seconded by Trustee Minkin, to approve the request for special exception by Bayside & S-L Company, LLP to install a cabinet-style temporary monument sign at the property 8909 N. Port Washington Road for no more than 18 months, contrary to Section 116-8(a) of the Bayside Municipal Code with regard to the 15-day duration of temporary sign permits. Motion carried unanimously.

- d. Discussion/ action on the request for a special exception by Katz Properties, Inc., Daniel J. Katz to construct monument sign at the property 9001 N. Port Washington Road with a size greater than 8 feet in height and 8 feet in width contrary to Section 116-6(7) of the Bayside Municipal Code with regard to signs in the business districts.

Manager Pederson provided a brief overview of the request for a special exception. The applicant requested additional signage on Port Washington Road, which will be reviewed by the Architectural Review Committee.

Administrative Services Director Safstrom stated the applicant originally requested an interchangeable sign on the lower portion of the sign structure with four options, but that was changed to two interchangeable options.

Motion by Trustee Barth, seconded by Trustee Minkin, to approve the request for a special exception by Katz Properties, Inc., Daniel J. Katz to construct monument sign at the property 9001 N. Port Washington Road with a size greater than 8 feet in height and 8 feet in width contrary to Section 116-6(7) of the Bayside Municipal Code with regard to signs in the business districts subject to changing language subject to two interchangeable lower – luxury apartments now leasing and 1, 2, and 3 bedrooms for rent be approved. Motion carried unanimously.

- e. Discussion/ action on the request for special exception by Michael and Lynda Barth, 9270 N. Waverly Drive to construct an addition to their home in which the set-back proposed is contrary to Section 125-3(f)(1) of the Bayside Municipal Code with regard to setbacks, elevations and height of structure for residences in “A”, “B”, and “C” districts.

Trustee Barth gave a brief overview of the request for special exception. The project was approved by area neighbors and the Board of Zoning Appeals.

Motion by Trustee Minkin, seconded by Trustee Rudman, to approve the special exception by Michael and Lynda Barth, 9270 N. Waverly Drive to construct an addition to their home in which the set-back proposed is contrary to Section 125-3(f)(1) of the Bayside Municipal Code with regard to setbacks, elevations and height of structure for

residences in “A”, “B”, and “C” districts. Motion carried 3-1 (Trustee Barth abstain).

II. CITIZENS AND DELEGATIONS CONTINUED

B. Recognition of Bayside Youth Citizens Academy Graduates

1. Jim Luzano-Belfeld
2. Jackson Bruggeman
3. Ethan Schmucker
4. Liz Schmucker
5. Brock Stuck
6. Jack Stuck
7. Koko Walny

C. Presentation of 2024 Youth Academy Survey Results.

D. Resolution No: 24-15 A Resolution Request from the Youth Citizens Academy to Rename the Village Hall Mascot.

Administrative Services Director Safstrom gave a brief overview of Resolution No: 24-15 A Resolution Request from the Youth Citizens Academy to Rename the Village Hall Mascot. The participants of the Youth Citizens Academy developed the resolution as part of the general government presentation.

Motion by Trustee Barth, seconded by President Walny, to name the unofficial M&M mascot in Village Hall Treasurer Tina. Motion carried unanimously.

VII. VILLAGE PRESIDENT'S REPORT

President Walny provided a summary of the inaugural myWheels by myBlue Car Show held on September 7, 2024.

VIII. VILLAGE MANAGER'S REPORT

No report.

IX. VILLAGE ATTORNEY'S REPORT

No report.

X. 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. (Notice of Claim: Parcel No. 020-9980-0007)

Village Manager Pederson stated there was no update regarding the Notice of Claim: Parcel No: 020-9980-0007. There was no closed session held.

XI. ADJOURNMENT

Motion by Trustee Minkin, seconded by Trustee Barth, to adjourn the meeting at 6:28 PM. Motion carried unanimously.

Hello neighbors,

I'm Gerry Feldman from 133 East Glencoe Place, and I'm here tonight to discuss integrity. Integrity starts with 'I'—it is an individual commitment to do the right thing. Each trustee has taken an oath to act in the best interests of their constituents and has pledged allegiance to the flag of a country whose founders understood the crucial role a well-informed public plays in ensuring liberty and justice for all. While federal and state governments are held accountable by media organizations, we in Bayside rely on our elected representatives to act with integrity and hold themselves accountable.

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.

We are fortunate in Bayside to have the President of the North Shore Library Board as one of our trustees. She is fully aware of the details of the proposed move from Glendale to Bayside, yet the only responses I've received from her are "I don't have to talk to you" and a suggestion to ask someone else.

Clearly, things are not going as planned, yet our elected representatives refuse to inform us of the current status. Construction for the library was supposed to begin in January, yet all we see is an apartment building with an empty first floor. The last update on library financing was in April 2023, at which time there was a funding shortfall of approximately \$6.3 million. How much of that gap has been closed? What has the library committed to spend, and who is responsible for it?

These are questions that deserve answers. It is crucial for our community to have transparency and accountability from our leaders. They must act with the integrity we expect and inform us of what is happening.