



I. CALL TO ORDER AND ROLL CALL

President Dickman called the meeting to order at 6:01 pm.

ROLL CALL

President: Sam Dickman
Trustees: Michael Barth Daniel Muchin
Robb DeGraff Dan Rosenfeld
Eido Walny Margaret Zitzer

Also Present: Village Manager Andy Pederson
Police Chief Doug Larsson
Director of Communications Liane Scharnott
Village Attorney Chris Jaekels
There were 3 people in the audience

II. PLEDGE OF ALLEGIANCE

III. CONSENT AGENDA

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

A. Approval of:

1. Committee of the Whole meeting minutes, June 14, 2018.
2. Board of Trustee meeting minutes, June 14, 2018.
3. Board of Trustee meeting minutes, June 27, 2018.
4. Summary of Claims for June 2, through June 30, 2018 in the amount of \$493,199.31.
5. 2019 budget guidelines.
6. Proclamation recognizing August 26, 2018, as Friendship Day.
7. 2017 Capacity, Management, Operation, and Maintenance (CMOM) Plan update.
8. Resolution 18-___, a Resolution of support for a traffic control study at the intersection of Port Washington Road and County Line Road as part of Interstate 43 reconstruction.
9. Ordinance 18-___, an Ordinance to amend Section 104-06 of the Municipal Code to exempt municipal and school projects.
10. Long-term financial plan.

B. Action on:

1. Application for issuance of operator's license request for Rebecca Douglas (Sendiks Fresh2Go), Michael Colt (Sendiks Fresh2Go), Henry Bachmann (Sendiks Fresh2Go), Tyra Grant (Sendiks Fresh2Go), Matthew Oelerich (Sendiks Fresh2Go), Cody King (Sendiks Fresh2Go), Corinne Palmer, (Natural Events), John Korinek (Los Paisa), and Maria Castillo (Los Paisa), which have been approved by the Police Department.

Motion by Trustee DeGraff, seconded by Trustee Walny, to approve the Committee of the Whole meeting minutes, June 14, 2018; Board of Trustee meeting minutes, June 14, 2018; Board of

Trustee meeting minutes, June 27, 2018; Summary of Claims for June 2, through June 30, 2018 in the amount of \$493,199.31; 2019 budget guidelines; Proclamation recognizing August 26, 2018, as Friendship Day; 2017 Capacity, Management, Operation, and Maintenance (CMOM) Plan update; Resolution 18-21, a Resolution of support for a traffic control study at the intersection of Port Washington Road and County Line Road as part of Interstate 43 reconstruction; Ordinance 18-689, an Ordinance to amend Section 104-06 of the Municipal Code to exempt municipal and school projects; Long-term financial plan; Acceptance on an Application for issuance of operator's license request for Rebecca Douglas (Sendiks Fresh2Go), Michael Colt (Sendiks Fresh2Go), Henry Bachmann (Sendiks Fresh2Go), Tyra Grant (Sendiks Fresh2Go), Matthew Oelerich (Sendiks Fresh2Go), Cody King (Sendiks Fresh2Go), Corinne Palmer (Natural Events), John Korinek (Los Paisa), and Maria Castillo (Los Paisa), which have been approved by the Police Department. Motion carried unanimously by roll call vote.

IV. 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.

Myril Manhoff, 1469 E Bay Point, congratulated Manager Pederson and the Department of Public Works for their handling of the Bay Point Lift Station failure and sanitary sewer overflow on June 19, 2018.

V. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. Public Works Committee

a. Discussion/action on the June 2018 Department of Public Works Report

Manager Pederson provided an overview of the June 2018 Department of Public Works report stating 22 driveway culverts were removed on N Tennyson Drive and E Standish Place, driveway culvert replacement and ditch regrading began on N Sleepy Hollow Road, 37 trees were planted as part of the Adopt-A-Tree Program, and that there is an influx in the impacts of the Emerald Ash Borer.

Motion by Trustee DeGraff, seconded by Trustee Barth, on acceptance of the June 2018 Department of Public Works Report. Motion carried unanimously.

b. Discussion/action to award Fund for Lake Michigan Grant stormwater ditch improvements on King Road.

Manager Pederson stated the next step of the Fund for Lake Michigan Grant Phase I is to construct the three (3) stormwater ditch improvements on North King Road. The three (3) prototype ditch designs for construction are a bioswale, bio-retention feature, and rain garden. The low bid has been provided by Villani Landshapers in the amount of \$29,688.33. There is \$15,000 for construction from the Fund for Lake Michigan Phase I Grant. The remaining portion would be funded through MMSD Green Infrastructure Funding. The Village currently has approximately \$53,000 in green infrastructure funds available through MMSD.

Motion by Trustee Muchin, seconded by Trustee DeGraff, to approve the Villani Landshaper's bid of \$29,688.33 for Fund for Lake Michigan Grant stormwater ditch improvement on King Road. Motion carried unanimously.

c. Discussion/action on purchase of garbage/recycling chassis and packer.

Manager Pederson stated the Village's automated garbage truck is nearing ten years old and has come to the end of its useful life. Since its introduction, the truck has been operated for nearly 16,000 hours, driven over 100,000 miles and has emptied nearly 1.2 million garbage and recycling cans. Over the course of the past six (6) months, the Public Works staff, led by mechanic Shane Albers, has researched, demoed and evaluated various chassis and packers for this replacement. In total, the staff examined four (4) chassis and four (4) separate packers. This process included evaluating numerous factors, including vehicle construction, composition of materials, durability, ability and cost to maintain, usability, functionality, history and reputation, field demonstrations, costs, interviews with other Public Works departments, and much more. After this exhaustive evaluation, staff recommended the purchase of an AutoCar ACX64 Class 8 chassis and a 33-cubic yard Labrie chassis.

List price for the proposed chassis and packer is \$345,671. The price through a purchasing consortium, the National Joint Purchasing Alliance, was \$298,055.20. Through the direct negotiations, a sales price of \$285,344.32 was reached, which is \$60,326.68 below list and \$12,710.88 less than the purchasing consortium. The Village anticipates taking possession of the vehicle and becoming operational in early 2019. The current garbage truck will either be traded in or sold on an auction site with a designated reserve amount for fair market value.

Motion by Trustee Rosenfeld, seconded by Trustee DeGraff, to approve the purchase of garbage/recycling chassis and packer for the amount of \$285,344.32. Motion carried unanimously.

d. Discussion/action on purchase of sanitary sewer/stormwater utility pump.

Manager Pederson stated the six (6) inch portable pump will be utilized at Ellsworth Park for the Indian Creek Stormwater Diversion Project. The pump can be enhanced to an eight (8) inch pump in the case of an extreme weather event. The purpose of the pump is three-fold. First, it will be utilized to pump water from Ellsworth Park to Village Hall. Second, the pump can also be used within the Sanitary Sewer lift station for preventing sanitary sewer backups. Finally, the pump can be used in any sort of large storm event or in the event of a mechanical failure within our utilities. The equipment can pump between 1,050 to 1,600 gallons per minute.

The purchase price of \$43,053.65 is municipal pricing through Lincoln Supply Contractors. This item was budgeted in the overall project and included as an expenditure in the 2018 utility borrowing. The specifications and operation of the proposed pump have been reviewed and rerecommended by the Village Engineer.

Motion by Trustee Barth, seconded by Trustee Rosenfeld, to approve the purchase of sanitary sewer/stormwater utility pump for the amount of \$43,053.65. Motion carried with 6 aye votes and President Dickman abstained.

e. Discussion on Section 104-9 of Municipal Code on stormwater discharge and drainage ditch management.

Manager Pederson stated Municipal Code currently prohibits water discharge within ten (10) feet of an adjoining property, thoroughfares, and public rights-of-way. Village staff has on-going challenges with swimming pool, downspout, and sump pump discharge into stormwater ditches in the right-of-way. This leads to water accumulating on adjoining, downstream properties. Additionally, discharge within the annual culvert replacement project area provides added difficulty in landscape

restoration. Staff addresses numerous ditch discharge issues on a weekly basis. As it stands presently, nearly 60% of properties are estimated to be in violation of the current ordinance.

To rectify this issue, different stormwater ditch designs may be able to be implemented at the expense of the homeowner depending on the circumstance. If an outlet point is nearby, a bioswale may be a feasible solution. If an outlet point is not present, the ditch could be over-excavated with soil amendments to encourage infiltration. The alternative is to let ditches remain wet. One possible suggestion is to maintain discharge points ten (10) feet from adjoining property lines and if it comes into the right-of-way, the resident would be required to mitigate impacts on adjoining properties through over-excavation and soil amendments at the resident's expense.

The Board of Trustees discussed allowing discharge into the stormwater ditch system in the public right-of-way, creating a cost structure for soil amendments, and educating public on stormwater system. The Board recommended that an ordinance revision, cost estimate, and approximate number of stormwater ditches that would be amended be brought to the August 16, 2018, Board of Trustee meeting.

f. Discussion/action on Bay Point Road and Hermitage Road lift stations inspection, condition evaluation, and recommendation for upgrades.

Manager Pederson stated the Bay Point and Hermitage lift stations were constructed in 1992. Due to the age of the facilities and failure at Bay Point lift station in the May storm event, proposed is an overall evaluation of the two lift stations for possible inclusion in the 2019 capital budget. The outcome of the study will be identification of any deficiencies at the lift stations and a recommendation for upgrades. The cost of the proposal for the Village Engineer to perform the inspection, create a condition analysis, and provide recommendations for upgrades is \$8,000.

Motion by Trustee Muchin, seconded by Trustee DeGraff, to approve the contract of \$8,000 for Bay Point Road and Hermitage Road lift stations inspection, condition evaluation, and recommendation for upgrades. Motion carried unanimously.

2. Finance and Administration Committee

a. Discussion/action on the June 2018 Finance and Administrative Services Report.

Manager Pederson provided an overview of the June 2018 Finance and Administrative Services Report stating no one attended Board of Review as all cases were settled, the average home assessment for those who experienced a change was 3.47%, and 80 property owners attended Open Book. The final average assessment increase after all adjustments was 2.72%.

Motion by Trustee Barth, seconded by Trustee Zitzer, on acceptance of the June 2018 Finance and Administrative Services Report. Motion carried unanimously.

b. Discussion/action on the June 2018 Financial Statement and Investment Report.

Trustee Barth stated that the Village is financially on track for this time of the year and pointed out the new CD rates through Cornerstone Community Bank.

Motion by Trustee Barth, seconded by Trustee Walny, on acceptance of the June 2018 Financial Statement and Investment Report. Motion carried unanimously.

c. Discussion/action on Ordinance 18-____, an Ordinance to amend Section 35-176 of the Municipal Code with regard to time limitations on the creation of certain noise.

Trustee Barth stated that Municipal Code currently provides for noise restrictions between 9:00pm and 7:00am. A recent change in state law prohibits a local government from restricting work on Saturdays and work hours on Saturday must be the same as weekday hours. The proposed change to Municipal Code would allow for the creation of certain noise between 7:00am and 7:00pm Monday through Friday and from 8:00am to 5:00pm on Sundays. Manager Pederson stated that Village operations would be exempt.

Motion by Trustee Barth, seconded by Trustee DeGraff, to approve Ordinance 18-690, an Ordinance to amend Section 35-176 of the Municipal Code with regard to time limitations on the creation of certain noise. Motion carried unanimously.

d. Discussion/action on Resolution 18-____, a Resolution to amend the 2018 Budget to reflect changes in revenues and expenditures.

Trustee Barth stated this is a housekeeping item to allocate funding for 2018 capital expenditures to address operational issues and adjust line items to reflect current spending.

Motion by Trustee Walny, seconded by Trustee Zitzer, to approve Resolution 18-22, a Resolution to amend the 2018 Budget to reflect changes in revenues and expenditures. Motion carried unanimously.

e. Discussion/action on Resolution 18-____, a Resolution authorizing a debt agreement between the Sanitary Sewer fund and Police Capital fund.

Trustee Barth stated the Village Board approved the purchase and outfitting of two Police squads in the 2018 budget. With the transition in staff, completion of a technology needs assessment, and building space allocation project, additional needs were identified. The Police Department proposed to replace two (2) Chevrolet Tahoes with two (2) Ford Interceptors and the unmarked Ford Crown Victoria with an unmarked Ford Taurus. The two (2) Ford Interceptors will be fully-outfitted Police squads. The Ford Taurus will be unmarked, outfitted on a more limited basis, and function as a supervisor vehicle. The Police Department further proposed to replace the aging body camera system, in-squad camera system, in-squad computer system, and twelve (12) desktop computers. The body and in-squad cameras and video will be replaced with GETAC Camera and Recording Systems.

The total amount of the proposal was \$166,191.26. Of the \$166,191.26, \$34,732.93 will be paid in 2018 and the remaining \$131,458.33 will be leased from the Sanitary Sewer. The additional monies in the capital fund will be used to address other Police needs. This plan is part of the larger Police Department strategic capital plan. The Village solicited competitive interest rates from traditional lending sources and rates were provided around 5%. In lieu of borrowing at a 5% interest rate, Sanitary Sewer fund balance will be used at a 2% interest rate. Leasing the funds from the Sanitary Sewer fund balance is figured into the operational budget, capital budget, and aligns with the long-term financial plan. The Police Department worked collectively and collaboratively to formulate the funding proposal.

Motion by Trustee Walny, seconded by Trustee DeGraff, to approve Resolution 18-23, a Resolution authorizing a debt agreement between the Sanitary Sewer fund and Police Capital fund. Motion carried unanimously.

f. Discussion/action on agreement for actuarial OPEB valuation of postretirement health benefits.

Trustee Barth stated that this item is a proposal for actuarial OPEB valuation of postretirement benefits. Actuarial & Health Care Solutions would calculate the liability for OPEB and meet the requirement of Government Accounting Standards Board (GASB) No. 75. The fees for performing the actuarial valuation of postretirement health benefits would be \$3,000.

Motion by Trustee DeGraff, seconded by President Dickman, to approve an agreement for actuarial OPEB valuation of postretirement health benefits for the amount of \$3,000. Motion carried unanimously.

3. Public Safety Committee

a. Discussion/action on the June 2018 Police Department Report.

Chief Larsson provided an overview of the June 2018 Police Department Report stating there were 592 calls for service, 223 traffic stops, and two (2) candidates for open police officer positions have advanced to the background investigation with intent of offering conditional offers of employment.

Motion by President Dickman, seconded by Trustee Zitzer, on acceptance of the June 2018 Police Department Report. Motion carried unanimously.

b. Discussion/action on the June 2018 Communication Center Report.

Communications Director Scharnott provided an overview of the June 2018 Communication Center Report stating the Center is working to film a short recruitment video for future vacancies with the assistance of a public relations firm and year-to-date 9-1-1 calls are up 1.7%. Telecommunicator Rebecca Anderson was promoted to Communication Training Officer/Lead Dispatcher position.

Manager Pederson stated that Director Scharnott was nominated and won the Public Safety Answering Point Director of the Year Award.

Motion by President Dickman, seconded by Trustee DeGraff, on acceptance of the June 2018 Communication Center Report. Motion carried unanimously.

c. Discussion/action on Public Safety Communications (Dispatch/RMS) Intergovernmental Agreement.

Manager Pederson stated the Public Safety Communications Intergovernmental Agreement required a few changes in legal terminology, but remains materially the same as the version passed at the May 17 Committee of the Whole and Village Board of Trustee meetings. All communities, with the exception of Whitefish Bay, have passed the agreement. Whitefish Bay will consider the agreement in early August.

Motion by President Dickman, seconded by Trustee Barth, to approve the Public Safety Communications (Dispatch/RMS) Intergovernmental Agreement. Motion carried unanimously.

d. Discussion/action on North Shore Health Department Intergovernmental Agreement.

Manager Pederson stated the North Shore Health Department Intergovernmental Agreement required a few changes in legal terminology, but remains materially the same as the version

passed at the May 17 Committee of the Whole and Village Board of Trustee meetings. All communities, with the exception of Whitefish Bay, have passed the agreement. Whitefish Bay will consider the agreement in early August.

Motion by Trustee DeGraff, seconded by Trustee Barth, to approve the North Shore Health Department Intergovernmental Agreement. Motion carried unanimously.

- 4. Intergovernmental Cooperation Council**-No report.
- 5. Board of Zoning Appeals**-No report.
- 6. Plan Commission**-No report.
- 7. Architectural Review Committee**-No report.
- 8. Library Board**

Trustee Rosenfeld stated the Library Board had met and presented a capital budget plan from 2019-2023. The plan includes a library remodeling project of 16,000 square feet for approximately \$4 million. The funding request from the Village is going to be \$51,000 in 2019, \$663,000 in 2020, and significant decreases in years 2021 through 2023. Manager Pederson stated the transitional costs of the library for a six (6) to seven (7) month period have not yet been vetted by the Library Board.

President Dickman questioned if there would be a joint borrowing through a bond. Trustee Rosenfeld stated that the other communities have not brought up bonding. A presentation will be provided to the Board of Trustees in the coming months on a remodeling rendition and funding request.

9. Community Event Committee

a. Discussion/update on 2018 Village Picnic.

Trustee Rosenfeld stated the Village Picnic will be held on Saturday, September 8, from 2:00 – 7:00pm. Food will be served from 2:00 – 6:00pm to allow time for clean-up. The plastic beer pilsners, similar to last year, will be sold at \$5 each with one (1) free fill. Refills for the pilsner will be \$2. Beer purchases without the pilsner will be \$3. The following items have been reserved:

- Inflatable rock climbing wall
- Inflatable obstacle course
- Two (2) inflatable bounce houses
- Ten (10) inflatable soccer knockers
- Inflatable pool table
- Inflatable hockey rink
- DJ Mike Sherwood through ACA Entertainment
- Usingers will do the grilling
- Tents, tables, and chairs through Canopies
- Portable sink

North Shore Fire/Rescue and the LX Club will be attending the event. The Schlitz Audubon Nature Center and North Shore Health Department have been contacted about attending. Beer Capitol has been contacted about reserving the beer trailer and elected officials have been notified of the date and time.

b. Discussion/update on 2018 Bayside 5k Run/Walk.

Trustee Rosenfeld stated the Bayside 5k Run/2 Mile Walk will be held on Friday, September 7, at 6:30pm. There are currently 20 registrants for the event. At the same time last year, there were 15 registrants. Staff will be promoting the run/walk at a Mark Travel event on July 30. Last year, Mark Travel had over 100 participants at the event. Three (3) food trucks are confirmed in Hardwood Café, The Fatty Patty, and The Cupcake-A-Rhee. The movie in the park equipment has been reserved with The Party Company and chip-timing services will be provided by Race Day Events. Both vendors are the same as last year. The Cardinal Stritch Softball Team has verbally agreed to serve as course volunteers.

Next steps include conducting a survey for selecting the movie, confirming volunteers, designing and ordering the race t-shirt, securing items for the race packet, and continuing to promote the event through the Bayside Buzz, social media, flyers, and Village website.

c. Discussion/action on 2018 Trick or Treat hours.

Manager Pederson stated the proposed hours for Trick or Treat are 1:00pm to 4:00pm on Sunday, October 28. This date and timeframe aligns with agreement amongst the Intergovernmental Cooperation Council.

Motion by Trustee Barth, seconded by Trustee Zitzer, to approve the 2018 Trick or Treat hours of 1:00pm to 4:00pm on Sunday, October 28. Motion carried unanimously.

d. Discussion/action on cancellation of 2018 Fright Night event.

Trustee Rosenfeld stated the Ad Hoc Community Events Committee is recommending the cancellation of the 2018 Fright Night event on October 28. There is a Packer game at 3:15pm, which would be in direct conflict with the event hours of 2:00pm – 5:00pm. The Committee also noted that moving the event to a date that does not align with Trick or Treat would require parents to put kids in costumes multiples times, which would negatively impact participation.

Fright Night traditionally is the least-attended community event, which was reflected in the 2017 Community Survey. Further, there are less sponsorship dollars this year in comparison to last year and those funds could be better used for other events. The 2017 Fright Night cost \$2,710 to host, which was 15% of the Village's community event budget.

Motion by Trustee Barth, seconded by President Dickman, to approve the cancellation of 2018 Fright Night event. Motion carried six (6) to one (1), with Trustee DeGraff opposed.

10. North Shore Fire Department-No report.

11. Community Development Authority-No report.

VI. VILLAGE PRESIDENT'S REPORT-No report.

VII. VILLAGE MANAGER'S REPORT-No report.

VIII. VILLAGE ATTORNEY'S REPORT-No report.

IX. MISCELLANEOUS BUSINESS BY THE TRUSTEES AS MAY PROPERLY BE BROUGHT BEFORE THE BOARD

X. CORRESPONDENCE

XI. MOTION TO ADJOURN TO CLOSED SESSION

- A. 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 a Closed Session; (Mid Moraine Court).**

Motion by President Dickman, seconded by Trustee DeGraff, to adjourn to closed session at 6:52 pm 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 a Closed Session; (Mid Moraine Court).

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

Motion by President Dickman, seconded by Trustee Barth, to reconvene in open session at 7:06 pm pursuant to Section 19.85 (2). Motion carried unanimously.

- A. Action on items in closed session**

XIII. ADJOURNMENT

Motion by Trustee Barth, seconded by Trustee Walny, to adjourn the meeting at 7:32 pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt, Director of Finance and Administration | | August 17, 2018