



I. CALL TO ORDER AND ROLL CALL

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

ROLL CALL

President: Eido Walny
Trustees: Mike Barth
Darren Fisher-arrived at 6:05pm
Daniel Muchin
Bob Rudman
Margaret Zitzer

Also Present: Village Manager Andy Pederson
Police Chief Doug Larsson
Village Attorney Chris Jaekels
Administrative Services Director Lynn Galyardt
Communications Center Director Liane Scharnott
Operations Superintendent Shane Albers
IT Director Rich Foscatto
There were two people in the audience.

II. PUBLIC HEARING

A. Public Hearing on Proposed 2021 Annual Budget and establishing the 2020 Tax Levy for Operating the Government and Administration of the Village of Bayside.

President Walny opened the public hearing at 6:01pm.

1. Public Discussion

There was no public discussion.

2. Board Discussion

Trustee Barth commended staff on the work done on the 2021 Budget Document.

President Walny closed the Public Hearing at 6:02pm.

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, November 10, 2020.
2. Board of Trustees meeting minutes, October 15, 2020.
3. Committee of the Whole meeting minutes, October 15, 2020.
4. Public Safety Committee meeting minutes, August 20, 2020.
5. Public Works Committee meeting minutes, July 16, 2020.

6. **October 2020 Financial Statement.**
7. **Summary of Claims for October 3, 2020 through November 9, 2020 in the amount of \$533,769.71.**
8. **October 2020 Community Impact Report.**
9. **2021 Village Financial Policies.**
10. **2021 Village goals, performance measure, and fiscal analysis.**
11. **2021-2027 Capital Improvement Program.**
12. **Delinquent Charges to be placed on 2020 tax bills.**

Motion by Trustee Barth, seconded by Trustee Zitzer, to approve the Committee of the Whole meeting minutes, November 10, 2020; Board of Trustees meeting minutes, October 15, 2020; Committee of the Whole meeting minutes, October 15, 2020; Public Safety Committee meeting minutes, August 20, 2020; Public Works Committee meeting minutes, July 16, 2020; October 2020 Financial Statement; Summary of Claims for October 3, 2020 through November 9, 2020 in the amount of \$533,769.71; October 2020 Community Impact Report; 2021 Village Financial Policies; 2021 Village goals, performance measure, and fiscal analysis; 2021-2027 Capital Improvement Program; and Delinquent Charges to be placed on 2020 tax bills. Motion carried unanimously.

IV. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

1. Public Safety Committee

a. Discussion/action on October 2020 Police Department Report.

Chief Larsson provided an overview of the October 2020 Police Department Report noting there had been a successful drug collection disposing of 13 boxes of prescription drugs weighing 322 pounds as part of the National Drug Take Back Day. Chief Larsson stated his report metric comparisons are month to month.

Motion by Trustee Fisher, seconded by Trustee Barth, to accept the October 2020 Police Department Report. Motion carried unanimously.

b. Discussion/action on October 2020 Communication Center Report.

Director Scharnott provided an overview of the October 2020 Communication Center Report noting the Center is refining the training program and creating a Mentorship Program for 2021 and stated the Intrado software implementation is scheduled to begin next week.

Motion by Trustee Rudman, seconded by Trustee Fisher, to accept the October 2020 Communication Center Report. Motion carried unanimously.

2. Public Works Committee

a. Discussion/action on Silver Spring Drive to WIS 60 proposed Noise Wall.

Manager Pederson stated the Wisconsin Department of Transportation (WisDOT) is improving I-43 from Silver Spring Drive to WIS 60. The project involves the reconstructing, modernizing and adding a third lane in each direction to I-43. As part of the project, the Department is proposing to construct several noise walls, including one in the Village of Bayside located on the east side of I-43 between Brown Deer Road and County Line Road. WisDOT will soon be asking adjacent benefited property owners to vote for or against the construction of the noise wall in their areas. Before asking residents to vote on these two walls, the Department would like to know if the

Village of Bayside would be interested in adding and paying for aesthetic treatments to these walls. Ss. 85.0205 (1m) restricts the Department's ability to fund community sensitive solutions (CSS) considered to be aesthetic treatments.

WisDOT policy for noise wall's calls for unstained grey with a standard texture pattern, as shown in the attached Unstained Wall Example. If the public and local unit of government desire a special texture or pattern not available to the noise barrier panel manufacturer, a State-Municipal Financial Agreement (SMFA) must include the additional cost associated with the special texturing treatment as a non-participating item.

Additionally, if the public and local unit of government request staining of the noise barrier panels, as shown in the attached Stained Wall Example, an SMFA is required and the staining must be included as a non-participating item at a cost of \$2.00/sq. ft. The approximate cost for staining is \$156,582.

The Village would also have to maintain the aesthetic treatments through a State-Municipal Maintenance Agreement (SMMA).

Motion by Trustee Muchin, seconded by Trustee Barth, to approve not staining the Silver Spring Drive to WIS 60 proposed Noise Wall. Motion carried unanimously.

b. Discussion/action on October 2020 Department of Public Works Report.

Operations Superintendent Shane Albers provided an overview of the October 2020 Department of Public Works report noting line stripping and placing of the glass beading in the stripping had been completed and the trees for the adopt a tree program had been planted.

Manager Pederson thanked Superintendent Albers for his departments ability to complete most of the collections although short staffed due to the pandemic noting yard waste collection would return to the regular schedule once staff had returned.

Motion by Trustee Barth, seconded by Trustee Zitzer, to accept the October 2020 Department of Public Works Report. Motion carried unanimously.

3. Finance and Administration Committee

a. Discussion/action on October 2020 Administrative Services Report.

Director Galyardt provided an overview of the October 2020 Administrative Services report noting the Village has received all of the Certificate of taxes from the taxing jurisdiction with the Fox Point-Bayside School District having the highest increase of Ozaukee County at 5.98% and Milwaukee County at 4.98%. The lowest increase was the County's with Ozaukee at a 5.64% decrease and Milwaukee County at a 5.19% decrease.

Motion by Trustee Zitzer, seconded by Trustee Muchin, to accept the October 2020 Administrative Services Report. Motion carried unanimously.

b. Discussion/action on Ordinance 20-____, an ordinance to Amend Sections 104-10, 125-9 and 125-57 of the Municipal Code with Regard to Special Exceptions.

Attorney Jaekels stated this ordinance was proposed to amend Sections of the municipal code to clarify when a special exception must go to the Village Board for approval, must have a public hearing, go to the Board of Zoning Appeals, and/or referral to the Plan Commission.

Motion by Trustee Zitzer, seconded by Trustee Rudman, to approve Ordinance 20-720, an ordinance to Amend Section 104-10, 125-9 and 125-57 of the Municipal Code with Regard to Special Exceptions. Motion carried unanimously.

c. Discussion/action on Ordinance 20-_____, an ordinance to Repeal Section 104-8 of the Municipal Code with Regard to Certificates of Compliance at Change of Ownership.

Trustee Barth stated this ordinance removes Section 104-8 from Municipal Code which requires a certificate of compliance during the time of change of ownership noting the State of Wisconsin outlawed these types of program roughly five years ago and this repeal would be in line with state law.

Motion by Trustee Rudman, seconded by Trustee Muchin, to approve Ordinance 20-721, an ordinance to Repeal Section 104-8 of the Municipal Code with Regard to Certificates of Compliance at Change of Ownership. Motion carried unanimously.

d. Discussion/action on Resolution 20-_____, a resolution amending Resolution 20-16 revising the fee schedule as referenced by the Village of Bayside Municipal Code.

Trustee Barth stated this resolution would adopt the proposed fee schedule for 2021 noting fees that would be increasing include special pick-ups by \$0.75, up-the-drive garbage and recycling service, and ditch excavation charges. Ditch excavation changes were made to encourage stormwater management throughout the Village.

Motion by Trustee Zitzer, seconded by Trustee Muchin, to approve Resolution 20-23, a resolution amending Resolution 20-16 revising the fee schedule as referenced by the Village of Bayside Municipal Code. Motion carried unanimously.

e. Discussion/action on Resolution 20-_____, a resolution adopting the 2021 annual budget and establishing the 2020 tax levy.

Trustee Barth stated the Committee of the Whole had discussed the 2021 Annual Budget document in great detail at the last Committee of the Whole budget workshop on November 10 and noted the proposed 2021 Budget set the tax levy to be \$4,614,188. The mill rate has decreased from \$6.96 to \$6.91, or .65%.

Motion by Trustee Muchin, seconded by Trustee Fisher, to approve Resolution 20-24, a resolution adopting the 2021 annual budget and establishing the 2020 tax levy. Motion carried unanimously by roll call vote.

f. Discussion/action on Resolution 20-_____, a resolution adopting the 2021 sanitary sewer enterprise budget and establishing the Residential and Commercial Sewer User Fee rates.

Trustee Barth noted the resolution would adopt the proposed 2021 Sanitary Sewer Enterprise Budget and set the 2021 Residential Sewer User Fee to be \$496, a \$.50 per month increase, and the 2021 Commercial Sewer Rate to be \$4.18 per 1,000 gallons used.

Motion by Trustee Rudman, seconded by Trustee Zitzer, to approve Resolution 20-25, a resolution adopting the 2021 sanitary sewer enterprise budget and establishing the Residential and Commercial Sewer User Fee rates. Motion carried unanimously by roll call vote.

- g. Discussion/action on Resolution 20-_____, a resolution adopting the 2021 stormwater revenue fund budget and establishing the Equivalent Runoff Unit rate.**

Trustee Barth stated this proposed resolution would set the 2021 Annual Stormwater Equivalent Runoff Unit fee at \$244, a \$.50 per month increase.

Motion by Trustee Muchin, seconded by Trustee Zitzer, to approve Resolution 20-26, a resolution adopting the 2021 stormwater revenue fund budget and establishing the Equivalent Runoff Unit Rate. Motion carried unanimously by roll call vote.

- h. Discussion/action on Wisconsin Statute 17.24 regarding vacancy in office.**

Trustee Barth stated this agenda item was to discuss the vacant Trustee position and outlined the options. The Board could appoint a successor until the term expires in April of 2022; appoint a successor until a special election which it can call for April of 2021; leave the office empty until a special election is held in April of 2021; or leave the office empty until the term expires in April of 2022.

No action was taken.

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

- a. Discussion/action on the request for a Conditional Use Permit for an ownership change for the Community Based Residential Facility at 8820 N Rexleigh Dr.**

President Walny questioned if the applicants had anything further they wished to say on behalf of the application. Robert Knoll and Sara Izgelov stated they appreciated the Boards time as they move forward with the process and their anticipated start date of December 1, 2020.

Manager Pederson noted this agenda item had been reviewed and approved by the Plan Commission.

Motion by Trustee Barth, seconded by Trustee Zitzer, to approve the Conditional Use Permit for an ownership change for the Community Based Residential Facility at 8820 N Rexleigh Dr. Motion carried unanimously.

8. Library Board

- a. Discussion/action on the October 2020 Library Report.**

Trustee Zitzer stated the Library will be closing as of November 23 due to the COVID-19 pandemic noting staff will continue to work. The North Shore Library received the Innovation award for the second year.

Motion by Trustee Barth, seconded by Trustee Rudman, to accept the October 2020 Library Report. Motion carried unanimously.

- b. Discussion/action on appointment of committee members to the**

North Shore Library Planning Committee.

Tessa Bartels, North Shore Library Board member, noted the planning committee had met however, several of the members were unable to attend.

Manager Pederson stated it was his understanding the direction from the North Shore Library Board was to have each community appoint members to the planning committee.

President Walny requested further clarification regarding what the Library Board is asking the Board of Trustees to do.

- 9. **North Shore Fire Department** – No report.
- 10. **Community Development Authority** – No report.

V. VILLAGE PRESIDENT'S REPORT

A. Appointment of Ari Friedman to the North Shore Fire Department Commission.

President Walny stated Ari Friedman runs the security team for the Jewish Community Center.

Motion by Trustee Muchin, seconded by Trustee Barth to approve the appointment of Ari Friedman to the North Shore Fire Department Commission. Motion carried unanimously.

VI. VILLAGE MANAGER'S REPORT

Manager Pederson thanked the Board for their patience with the service delays during the COVID-19 pandemic noting overall the Communication Center and the Police Department are doing very well.

VII. VILLAGE ATTORNEY'S REPORT-No Report.

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

None.

XIII. 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; (Teamsters Local 200 Collective Bargaining Agreement and North Shore Library Services Agreement).

Motion by Trustee Zitzer, seconded by Trustee Rudman, to adjourn to closed session at 6:40pm 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; (Teamsters Local 200 Collective Bargaining Agreement and North Shore Library Services Agreement). Motion carried unanimously.

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

Motion by Trustee Zitzer, seconded by Trustee Barth, to reconvene in open session at 7:18pm pursuant to section 19.85 (2). Motion carried unanimously.

A. Action on items from closed session.

Motion by Trustee Barth, seconded by Trustee Zitzer to approve ratifying the terms of the 2021-2023 Police Union contract contingent on the Police Department Union approval. Motion carried unanimously.

XV. ADJOURNMENT

Motion by Trustee Barth, seconded by Trustee Zitzer, to adjourn the meeting at 7:20pm. Motion carried unanimously.

Respectfully submitted,

Lynn Galyardt, Administrative Services Director