



Village of Bayside
9075 N Regent Road
Board of Trustees Meeting
August 11, 2022
Village Board Room, 6:00pm

**BOARD OF TRUSTEES
Minutes**

I. CALL TO ORDER AND ROLL CALL

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

ROLL CALL

President: Eido Walny
Trustees: Mike Barth
Darren Fisher
Elizabeth Levins
Dan Rosenfeld
Bob Rudman
Margaret Zitzer

Also Present: Village Manager Andy Pederson
Administrative Services Director Rachel A. Safstrom
Assistant to the Village Manager Leah Hofer
Deputy Clerk/Treasurer Madeline Moltzan
Village Attorney Chris Jaekels
Operations Superintendent Shane Albers
Police Chief Doug Larsson
Police Captain Thomas Liebenthal
Communications Center Director Liane Scharnott
Communications Center Deputy Director Mandy Majors
North Shore Fire Chief Robert Whitaker
North Shore Health Department Director Becky Rowland
Department of Public Works Municipal Technician Bryan Herbst

II. PLEDGE OF ALLEGIANCE

III. 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.

IV. CONSENT AGENDA

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

A. Approval of:

1. Summary of Claims for July 21, 2022, through August 4, 2022, in the amount of \$195,277.60.
2. July 2022 Financial Statement.
3. Board of Trustees meeting minutes, July 21, 2022.
4. July 2022 Community Impact Report.
5. Resolution 22-16, A Resolution amending Resolution 22-09 revising the fee schedule as referenced by the Village of Bayside Municipal Code.
6. Acceptance of Transportation Alternatives Program (TAP) Grant in the amount of \$64,000.
7. Right-of-way License Agreement with 636 E Bay Point Road.

Motion by Trustee Barth, seconded by Trustee Zitzer, to approve: Summary of Claims for July 21, 2022, through August 4, 2022, in the amount of \$195,277.60; July 2022 Financial Statement; Board of Trustees meeting minutes, July 21, 2022; July 2022 Community Impact Report; Resolution 22-16, A Resolution amending Resolution 22-09 revising the fee schedule as referenced by the Village of Bayside Municipal Code; Acceptance of Transportation Alternatives Program (TAP) Grant in the amount of \$64,000; and Right-of-way License Agreement with 636 E Bay Point Road. Motion carried unanimously by roll call vote.

V. BUSINESS AGENDA

- A.** Discussion/action on Proclamation Honoring Chief Douglas Larsson for 48 Years of Law Enforcement Service.

President Walny presented the proclamation to Chief of Police Douglass Larsson highlighting his career in the Village of Bayside. The Village Board thanked Chief Larsson for his service.

- B.** Presentation of Wisconsin State Legislative Citation to Chief Douglas Larsson from Representative Deb Andraca.

Presentation by Deb Andraca, starting by thanking Chief Larsson for his service. She highlighted their close relationship and his value to the community.

- C.** Discussion/action on Proclamation Honoring Bryan Herbst for 34 Years of Service.

President Walny presented the proclamation to Bryan Herbst as the longest serving employee of the Village, highlighting his loyal career. In addition to snow plowing, and street maintenance, Mr. Herbst collected at least 50 million pounds of waste.

- D.** Presentation of Wisconsin State Legislative Citation to Bryan Herbst from Representative Deb Andraca.

Deb Andraca presented a citation to Bryan Herbst, thanking him for his years of service and highlighted how he has made the Village better place.

E. COMMITTEE AND COMMISSION REPORTS

1. Public Safety Committee

- a.** Presentation/discussion on Emergency Medical Dispatching (EMD).

Bayside Communications Center Director, Liane Scharnott, stated the Bayside Communications Center has been working in conjunction with the North Shore Fire Department to implement Emergency Medical Dispatching training. The Medical Priority Dispatch System (MPDS) is a

medically approved, unified system to dispatch appropriate aid to medical emergencies. Bayside Communication Center staff will provide a presentation with details and changes to the dispatching process as a result of implementing EMD. It is anticipated that the EMD program will go live on September 1, 2022.

- b. Discussion/action on July 2022 Communications Center Report.

Director Liane Scharnott stated the BCC Supervisors attended Quality Control training for Emergency Medical Dispatching to prepare for the call audits and statistics the Center will utilize to measure success with Emergency Medical Dispatching.

Motion by Trustee Barth, seconded by Trustee Rosenfeld to approve the July 2022 Communications Center Report. Motion carried unanimously.

- c. Discussion/action on July 2022 Police Department Report.

Police Chief Doug Larsson gave the Police Department Report. Officer Klawitter was promoted to the rank of Lieutenant. Officer Dills organized a pick-up basketball game for grade school kids; over a dozen students participated.

Motion by Trustee Barth, seconded by Trustee Rudman to approve the July 2022 Police Department Report. Motion carried unanimously.

2. Public Works Committee

- a. Discussion/action on July 2022 Department of Public Works Report.

Superintendent Shane Albers spoke on an extensive culvert repair that was made on Fairway Drive due to aging infrastructure which created a large sink hole. Mr. Albers also introduced the new DPW Municipal Technician Michael Wied.

Motion by Trustee Barth, seconded by Zitzer, to approve the July 2022 Department of Public Works Report. Motion carried unanimously.

- b. Discussion/action on contract with All-Ways Contractors for the 2022 Tennyson Drive Storm Sewer project.

Manager Pederson stated that two bids were received from contractors to complete the Tennyson Drive Storm Sewer project. The low bidder was All-Ways Contractors, Inc. from Elm Grove, WI with a base bid of \$573,884. The engineering estimate was \$807,315. The low bid is 29% below the engineering estimate. The bids came in below the engineer estimate and the two bids were within 10% with no major discrepancies, indicating a competitive bid. Clark Dietz has had previous experience with All-Ways Contractors, Inc. and they have demonstrated adequate experience with comparably sized work. The proposed project would be funded through an American Rescue Plan Act grant in amount of \$453,633.52. The remaining funding would come from the 2021 storm water utility borrowing in the amount of \$120,250.48.

Motion by Trustee Barth, seconded by Trustee Zitzer, to approve the contract with All-Ways Contractors for the 2022 Tennyson Drive Storm Sewer project. Motion carried unanimously.

- c. Discussion/update on 2022 Capital Projects.

Manager Pederson provided a status overview of the 2022 Capital Projects.

2022 Stormwater and Road Project: The crew began marking and cutting driveway and cross culverts the week of July 11. Ditching and driveway culvert work began the week of July 18. The crew removed driveway approaches and built ramps for residents the week of July 25. The Ellsworth Lane area work was completed the week of August 1, where the crew will then move onto Pelham Parkway. Repaving is tentatively scheduled for the first week in October. As always, work is weather dependent.

Sanitary Sewer Lining: Lining work is anticipated to begin in later summer or early fall and manhole rehabilitation is anticipated to begin later fall or early winter. There are approximately 10,000 feet of main line and approximately 60 manholes.

Village Hall Board Room Technology Upgrades: The technology has been installed and virtual public meetings have begun with the soft launch of the process being the July 11 Architectural Review Committee meeting. Due to supply chain issues, the Village is still awaiting four microphones and the stand for the audience microphone.

Tennyson Stormwater Management Infrastructure Project: Final engineering plans are being developed. Based on engineering surveying, it appears a lift station will no longer be needed, and the drainage can occur via gravity. The bid opening was held, and a recommendation has been provided to the Board of Trustees.

East Bayside Sanitary Sewer Relief System: The Board of Trustees approved the design and construction services proposal at the June 23 Board of Trustees meeting. The scope of work includes extending the relief sewer to the intersection of Fairy Chasm Road and Tennyson drive to address persistent sewer capacity issues in the area.

Brown Deer Road Sanitary Sewer Infrastructure Study: The Board of Trustees approved the workplan at the June 23 Board of Trustees meeting. The workplan includes identifying sewer capacity restrictions and developing engineered solutions to address the restrictions in the 8-block area bound by Brown Deer Road, Krause Place, Iroquois Road, and Navajo Road. The scope of work includes creating a computer model of the sewers in the area.

Public Right-of-way Tree Removal: The Village has contracted Wallace Tree and Landscape, Inc. to remove an additional 108 trees within public right-of-way that have a yellow ribbon around them. The work is expected to begin in August.

3. North Shore Health Department

- a. Introduction of North Shore Health Department Director Becky Rowland.

Manager Pederson formally introduced North Shore Health Department Director Becky Rowland. Director Rowland then gave a brief description of her background.

4. North Shore Fire Department

- a. Presentation/update on the North Shore Fire Department-Glendale Station/Health Department project.

Chief Whitaker stated the North Shore Fire Department Glendale station has been scheduled to undergo significant renovation or rebuild. The Department has been engaged in a multi-year process to address facility needs.

At the same time, the North Shore Health Department has been seeking to consolidate its offices in Brown Deer and Shorewood into one location. Both agencies are currently working with architects for a potential movement of the health department/consolidation of office with the North Shore Fire Department.

- a. Discussion/action on July 2022 Administrative Services Report.

Rachel Safstrom briefly reviewed the Administrative Services Report. July was spent prepping for the August 9 Partisan Primary, where we had 46% turnout. Board of Review met on July 19 and changed one assessment.

Motion by Trustee Zitzer, seconded by Trustee Rudman to approve the July 2022 Administrative Services Report. Motion carried unanimously.

- b. Discussion/update from Village Assessor Lori Sacco.

Village Assessor Lori Sacco gave the update on reassessment process. Though the process still included the mandatory two hours of viewing of the roll, the Open Book process continued with phone appointments to allow residents greater flexibility in speaking to an assessor.

Trustee Barth stated that over the phone appointments went well and residents had the same conversation they are used to and stressed the need to communicate to residents the tax increase is from the recent referendums and not the assessment change.

Trustee Levins commended the assessor on a fine job with the appointments but wanted to be able to see previous years information online. She stated that the search function is excellent.

5. Board of Zoning Appeals

- a. Discussion/action on the request for a special exception by Kathleen and Thomas Roozen for a fence at the property located at 9126 N Meadowlark Ln, contrary to Section 104-125(k).

Village Manager Andy Pederson stated that no action is necessary, the Board of Zoning Appeals tabled this issue for 45 days. There has been a meeting at the house, and the village is working aggressively on the situation. The homeowner has been very cooperative with both Captain Liebenthal and Director Becky Rowland.

6. Architectural Review Committee

- a. Discussion/update on update to Fence Code.

Village Manager Pederson and Trustee Barth opened discussion on the updating the fence code. The goals of the updates include limiting confusion, simplifying administration, and limiting the number of times BZA would hear cases. The code has been updated a few times in the last two decades, and that has led to an overly complicated fence code.

A survey of the neighboring and like communities was conducted by staff. Proposed changes would possibly include allowing for full enclosure of the back yard, without regard to percent of permitter, and standardize the percent of open fence. Discussion occurred on the distance to the property line a fence can be, height of the fence, and percent open. The Architectural Review Committee will develop a recommendation and forward it back to the Village Board for consideration.

7. Plan Commission

No report.

8. Library Board

- a. Discussion/action on July 2022 North Shore Library Report.

No report.

VI. VILLAGE PRESIDENT'S REPORT

Village President Walny reported that myBlue Night Out was a success, and that Steve Anderson has resigned as Village President of River Hills.

VII. VILLAGE MANAGER'S REPORT

- A. Confirm appointment of Thomas Liebenthal as Police Chief.

Village Manager Andy Pederson started by thanking the retiring Police Chief Doug Larsson and the retiring Department of Public Works Equipment Operator and Service Technician Bryan Herbst for their years of service. Manager Pederson stated that Captain Liebenthal and Chief Larsson have worked together over the past two months as part of the Village's succession plan. If confirmed, the Oath of Office would be held Monday.

Motion by Trustee Barth, seconded by Trustee Fisher. Motion carried unanimously.

VIII. VILLAGE ATTORNEY'S REPORT

No report

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

Trustee Barth commented on the Shorewood and Brown Deer IT contracts.

Trustee Levins read prepared remarks, see attached. President Walny requested the record to reflect that Trustee Levins voted in favor of the committee assignments 4 months ago.

X. ADJOURNMENT

Motion by Trustee Fisher, seconded by Trustee Barth, to adjourn the meeting at 7:26 p.m. Motion carried unanimously.

Trustee Levins' Statement:

"Four months ago I was elected to this Board with the highest number of votes by far in a field of four. Since then I have been treated by many of you with disdain, especially Village President Eido Walny who has not spoken a word to me. Upon my election he removed me, without consultation, from the Architectural Review Commission, to which I was appointed by Sam Dickman in 2016 and reappointed annually since. I am more qualified by education and experience for the ARC than any of the current members, including the longtime chair, a substitute teacher, who during my tenure exhibited difficulty reading architectural drawings.

Trustee Barth who came in a distant second in the last election is on five committees, Trustee Zitzer, three committees, plus Library and Joint Review, which are not shown on our website. Most Trustees are on two or more committees. I was appointed to one committee, Department of Public Works, which meets infrequently. The friends and family of our Village President and Trustees, people who were never elected or vetted by anyone, dominate Village of Bayside decision and policy making committees. Some of these people are on two or more committees.

This is insulting to the residents of Bayside, the voters who elected us. It smacks of cronyism, and is undemocratic. We should have competent people, with actual skills and credentials on our committees. We need an architect on Architectural Review. We need a CPA on Finance. This Board is running the Village like a private country club. It is shameful."