



Village of Bayside
9075 N Regent Road
Board of Trustees Meeting
May 18, 2023
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 6:01 pm.

ROLL CALL

President: Eido Walny
Trustees: Mike Barth
Dan Rosenfeld
Bob Rudman
Margaret Zitzer
Kelly Marrazza
Elizabeth Levins – Excused

Also Present: Village Manager Andy Pederson
Administrative Services Director Rachel A. Safstrom
Assistant to the Village Manager Leah Hofer
Village Attorney Chris Jaekels
Police Chief Thomas Liebenthal
Communications Center Director Liane Scharnott
Communications Center Deputy Director Mandy Majors
Deputy Clerk/Treasurer Madeline Moltzan
20 Audience members
2 Audience members via zoom

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.

A. Recognition of Bayside Citizens Academy Graduates.

Manager Pederson spoke on the citizens academy. Twelve residents completed 7 sessions and over 15 hours of presentation, tours, observation, and conversation about The Village. Each participant was presented a certificate for graduating. The results of the survey from the participants was then announced. Overall, the comments were extremely positive, and participants gained a much greater understanding of the Village, its operations, and the dedicated team of public servants that work on behalf of the Village each day. Manager Pederson Stated that the next Citizens Academy is anticipated be held in the winter of 2024.

Gerry Feldman, 133 E Glencoe Pl. made a statement (see attached).

IV. CONSENT AGENDA

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

- A. April 2023 Financial Statement.**
- B. Board of Trustees meeting minutes, April 20, 2023.**
- C. Summary of Disbursements for April 13, 2023 through May 10, 2023 in the amount of \$425,400.23.**
- D. April 2023 Community Impact Report.**

Motion by Trustee Barth, seconded by Trustee Zitzer, to approve: April 2023 Financial Statement; Board of Trustees meeting minutes, April 20, 2023; Summary of Disbursements for April 13, 2023 through May 10, 2023 in the amount of \$425,400.23; and April 2023 Community Impact Report. Motion carried unanimously.

V. BUSINESS AGENDA

A. COMMITTEE AND COMMISSION REPORTS

- 1. Milwaukee Area Domestic Animal Control Commission (MADACC)**
 - a. Presentation/update from MADACC Executive Director, Karen Sparapani.

Karen Sparapani, MADACC Executive Director, provided an update on operations and an overview of services provided by the MADDACC as well as the state of animal care.

- 2. North Shore Fire Department North Shore Fire Department**
 - a. Discussion/action on Resolution 23-06, A Resolution Confirming Obligation to Contribute to North Shore Fire Department's Budget to Pay Debt Service on Bonds Issued by the City of Glendale on Behalf of the North Shore Fire Department.

Manager Pederson gave a brief overview of Resolution 23-06. The proposed resolution is the final step in approving repayment of general obligation bonds for reconstruction of Fire Station 82 in Glendale. Each of the seven municipalities that make up the North Shore Fire Department must approve a final resolution authorizing repayment to the City of Glendale of the respective municipalities portion of the borrowing for the project. The North Shore Fire Department Board of Directors has approved the enclosed resolution and each member community has approved the initial parameters resolution related to this matter.

Motion by Trustee Barth, seconded by Trustee Rudman, to approve Resolution 23-06. Motion carried unanimously by show of hands vote.

- 3. Library Board**

- a. Discussion/action on North Shore Library Joint Library Agreement.

Trustee Zitzer introduced the Agreement. The proposed changes to the North Shore Library Services Agreement are based on the State of Wisconsin Department of Public Instruction (DPI) review of the agreement. DPI oversees municipal library operations. All of the proposed changes are housekeeping in nature, reinstating the school district representative on the Library

Board, clarifying Library Board versus Library Director authority, and complying with applicable state statute.

Motion by Trustee Barth, seconded by Trustee Marrazza, to approve North Shore Library Joint Library Agreement. Motion carried unanimously.

4. Public Works Committee

- a. Discussion/action on April 2023 Department of Public Works Report.

Manager Pederson introduced the April 2023 Department of Public Works Report. Included in the packet is the April 2023 Department of Public Works Report. Of significant note, Clean Up Day was hosted with 257 participants.

Motion by Trustee Barth, seconded by Trustee Rosenfeld, to approve the April 2023 Department of Public Works Report. Motion carried unanimously.

- b. Introduction of Public Works Municipal Technician, Josh Rupnow.

Manager Pederson introduced Josh Rupnow. He joined the Department of Public Works in January and has been a welcomed addition to the crew.

- c. Resolution 23-07, A Resolution regarding the Wisconsin Department of Natural Resources NR 208, 2023 Compliance Maintenance Annual Report.

Manager Pederson briefly summarized Resolution 23-07, A Resolution regarding the Wisconsin Department of Natural Resources NR 208, 2023 Compliance Maintenance Annual Report. Under a Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued by the Wisconsin Department of Natural Resources, the Village is required to file a Compliance Maintenance Annual Report for its wastewater treatment/wastewater collection system. The Village received the highest grade of A.

Motion by Trustee Barth, seconded by Trustee Marrazza, to Approve Resolution 23-07. Motion carried unanimously by show of hands vote.

- d. Discussion/update on Village Green and Gold Safety Initiative.

Manager Pederson gave a brief update on Village Green and Gold Safety Initiative. The Wisconsin State Legislature recently passed Wisconsin Act 255 that gives counties and municipalities the ability to add green lights to their current amber or white lights on their vehicles for safety purposes. The green lights add significant visibility to the fleet during operations. The Department of Public Works has begun the upgrade from solely amber lighting to a combination of amber and green flashing lights. This upgrade will occur for the entire DPW fleet by the end of the year. The updates are being funded through safety grants from the Village's insurance company, CVMIC. All vehicles will be outfitted by the end of the year, and five are currently done.

Trustee Barth commented that he had already seen the green lights on some village vehicles, and that it was significantly more visible.

- e. Discussion/action on Stormwater Management Plan.

Manager Pederson spoke briefly on the Stormwater Management Plan. The Village's stormwater

management efforts are governed by the Wisconsin Department of Natural Resources through the MS4 permit. The Village's stormwater management plan outlines strategies and initiatives for managing the flow of rainwater and snowmelt as well as models stormwater sediment removal. This plan updates the Village's 2009 stormwater management plan and will be submitted to the Wisconsin Department of Natural Resources upon approval by the Village Board.

Motion by Trustee Marrazza, seconded by Trustee Barth, to approve the Stormwater Management Plan. Motion carried unanimously.

f. Discussion/update on 2023 Capital Projects.

- *I-43 North-South*

Manager Pederson provided updates on the 2023 Capital Projects. The I-43 North-South project includes the expansion of I-43 from four to six lanes, the reconstruction of five existing interchanges along the corridor, a new interchange at Highland Road, and the replacement of the Union Pacific railroad bridge over I-43 in Glendale. The project also includes the expansion of a section of Port Washington Road in Glendale from two lanes to four lanes.

Within Bayside, the I-43/Brown Deer Road interchange will be reconfigured into a diverging diamond. The previous northbound ramps are permanently closed, and new ramps are currently under construction. The Noise Mitigation Wall (approved by vote of impacted properties) is currently under construction. The new stormwater management pond, located at the previous Port Washington Road off ramp and the new traffic signal at County Line Road and Port Washington Road are both under construction.

- *Brown Deer Road Sanitary Sewer Replacement*

The MMSD Brown Deer Road Sanitary Sewer Replacement is currently underway. The project is on track and is expected to be complete in July 2023. Work will soon commence on manhole 185, which will leave Bayside Garden Center with only the temporary driveway on the east end. This will probably take place on May 23 through 28. MMSD is coordinating with the Garden Center on traffic mitigation.

- *2023 Road Project*

The Village will be resurfacing streets and addressing stormwater management in 2023. The streets to be resurfaced include North Sequoia Drive, West Duchess Court, West Jonathan Lane, and North Apple Blossom Lane.

The road resurfacing project will consist of pulverizing the existing pavement, shaping the base of the road, overlaying with new asphalt pavement, and laying a stone shoulder.

As part of the 2023 project, the Village is conducting a stormwater analysis for the area and will continue the culvert replacement program to address stormwater concerns caused by non-functioning driveway culverts. Culverts will be analyzed by condition (rotting/rusting/clogged), elevation (align with water flow line), pitch (sloped in appropriate direction), and size (correctly sized to meet flow needs).

Staff will work with residents to ensure they can exit and enter their driveway as necessary. A tentative schedule will be weather dependent:

- *Tennyson Drive Stormwater Management Infrastructure Project*

The main infrastructure portion of this project has been completed. Restoration of the disturbed area will be completed in the coming weeks.

- *East Bayside Sanitary Sewer Relief System*

The project consists of developing a new sanitary sewer relief system, which will extend and connect to another sanitary sewer relief to the intersection of Lake Drive and Manor.

The construction bid was approved at the April 20, 2023, Village Board meeting and the construction schedule will be established in the near future.

- *Brown Deer Road Sanitary Sewer Infrastructure Study*

Similar to the East Bayside Sanitary Sewer Relief System project, the Village Engineer is preparing a work plan to identify sewer capacity and develop engineered solutions to enhance sanitary sewer capacity in the 8-block area bounded 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 and develop recommendations for consideration.

- *MMSD Fish Creek Study*

Manager Pederson reviewed the scope of the project.

The Consultant's evaluations and recommendations will be summarized in the Preliminary Engineering Design Report. MMSD will have a public information booth with more information at myCrew Night on May 23 from 5-7pm.

- *MMSD Private Property Infiltration and Inflow Reduction Program*

The Milwaukee Metropolitan Sewerage District Private Property Infiltration and Inflow Reduction project is a pilot project to allow MMSD to rehabilitate the area near the Bay Point lift station. Funded through a grant, MMSD will engineer, project manage, and rehabilitate the private laterals through the MMSD PPII program allocation for the Village. MMSD, in conjunction with the Village, submitted 3 competitive applications which were accepted for this program.

5. Public Safety Committee

a. Discussion/action on April 2023 Communications Center Report.

Communications Center Director Liane Scharnott provided an overview of the April 2023 Communications Center Report. Of significant note, staff trained on severe weather protocol in preparation for any weather-related events that could occur in the spring/summer. The reaccreditation via Wisconsin law enforcement accreditation group process is beginning.

Motion by Trustee Zitzer, seconded by Trustee Marrazza, to approve the April 2023 Communications Center Report. Motion carried unanimously.

b. Discussion/action on April 2023 Police Department Report.

Police Chief Liebenthal provided an overview of the April 2023 Police Department Report. Of significant note, the Department hosted a Drug Take Back Day for unused prescription medications in home. The Department collected 55 pounds of unused medication during the event.

Motion by Trustee Zitzer, seconded by Trustee Rudman, to approve the April 2023 Police Department Report. Motion carried unanimously.

c. Discussion/action on Resolution 23-08, A Resolution Establishing Procedures for Outstanding and Uncollectable Court Debt.

Manager Pederson gave a brief overview on Resolution 23-08. The proposed resolution expunges outstanding and uncollectable municipal court debts dating back since the inception of the Village as outlined in the Resolution. The Village's portion of uncollectable debt is approximately

\$178,000. All methods, including Tax Intercept Programs and State Debt Collection, have been exhausted. Much of the debt is for individuals that are deceased or cannot be located. Both the City of Glendale and Village of Brown Deer will be considering similar resolutions.

Motion by Trustee Barth, seconded by Trustee Marrazza, to approve Resolution 23-08, A Resolution Establishing Procedures for Outstanding and Uncollectable Court Debt. Motion carried unanimously by show of hands vote.

- d. Discussion/action on Ordinance 23-739, An Ordinance to Amend Section 26-1 of the Municipal Code with Regard to Tobacco Products, Smoking, and Electronic Smoking Devices.

Chief Liebenthal gave a brief overview of Ordinance 23-739. The amended ordinance changes the legal age to purchase tobacco products, smoking, and electronic smoking devices from age 18 to 21 to comply with State law.

Motion by Trustee Barth, seconded by Trustee Rudman, to approve Ordinance 23-739. Motion carried unanimously.

6. Finance and Administration Committee

- a. Discussion/action on April 2023 Administrative Services Report.

Administrative Services Director Safstrom provided an overview of the April 2023 Administrative Services Report. Of significant note, the Spring Election was held with a 68% voter turnout.

Motion by Trustee Zitzer, seconded by Trustee Marrazza, to approve the April 2023 Administrative Services Report. Motion carried unanimously.

- b. Discussion/action on 2024 Village Budget Schedule and Guidelines.

Trustee Barth gave a brief overview of the 2024 Village Budget Schedule and Guidelines. The budget schedule is very similar to previous years and the initial phases of budget development have already begun.

Motion by Trustee Zitzer, seconded by Trustee Rudman, to approve the 2024 Village Budget Schedule and Guidelines. Motion carried unanimously.

- c. Discussion/acceptance of GFOA Distinguished Budget Presentation Award.

Trustee Barth spoke on the GFOA Distinguished Budget Presentation Award. This marks the sixteenth year the Village has been awarded the Government Finance Officers Distinguished Budget Presentation Award, and Bayside is one of roughly 40 communities in Wisconsin to receive this award. Trustee Barth thanked the finance team for their hard work.

Motion by Trustee Rudman, seconded by Trustee Zitzer, to accept the GFOA Distinguished Budget Presentation Award. Motion carried unanimously.

- d. Discussion/acceptance of 2022 Village Audit.

Trustee Barth gave a brief overview of the 2022 Village Audit. The 2022 Village Audit resulted in clean, unmodified opinion, the highest assurance by an Auditor for the fiscal year ending December 31, 2022. The financial statements are fairly presented in accordance with generally accepted accounting principles. All accounting principles have been applied consistently with prior years. All appropriate disclosures have been properly reflected in the financial statements. Overall, the Village experienced strong financial results with no new material weaknesses.

Motion by Trustee Zitzer, seconded by Trustee Rudman, to accept the 2022 Village Audit. Motion carried unanimously.

- e. Discussion/action on Ordinance 23-740, An Ordinance to Repeal and Recreate Chapter 8 of the Municipal Code with Regard to Animals (Chickens and Bees).

Trustee Barth gave a brief overview of Ordinance 23-740. The proposed ordinance addresses one of the most frequently requested items by residents, allowing a limited number of beehives or chicken coops on residential properties.

Manager Pederson gave further information on the Ordinance. Currently, many communities in the immediate area as well as across the country allow residents to keep chickens and bees in their yards. The ordinance is in many respects a model ordinance from surrounding communities and is adapted to meet the needs and standards of the Village.

Trustee Rosenfeld asked about grandfathering in current chickens and coups. Manager Pederson answered that all current coups and chickens are illegal, and would not be grandfathered in under the proposed ordinance.

Motion by Trustee Zitzer, seconded by Trustee Marrazza, to Approve Ordinance 23-740. Motion carried unanimously.

- f. Discussion/action on Ordinance 23-741, An Ordinance to Amend Section 104-76(e) of the Municipal Code with Regard to Exterior Lights That Flash or Move.

Currently, Village ordinance prohibits certain styles of outdoor lighting, including the popular café style lights and even some types of the landscape lighting. The proposed ordinance would amend the Village Code to allow for café style lights and landscape lighting to be permitted. The Ordinance would still prohibit moving or flashing lights on residential properties.

Motion by Trustee Rudman, seconded by Trustee Zitzer, to approve Ordinance 23-741. Motion carried unanimously.

- g. Discussion/approval of Village participation in 2023 Grow Solar Program.

Communities within the Milwaukee metropolitan region recently met with Midwest Renewable Energy Association (MREA), who desire to host a "Grow Solar" solar group-buy program for residents of the North Shore communities. MREA essentially facilitates a collective educating and purchasing effort to reduce the cost for residential solar alternatives. By bringing smaller solar array projects together, everyone participating gets a better rate for an actual solar array for their own particular home.

Motion by Trustee Zitzer, seconded by Trustee Marrazza, to approve Village participation in 2023 Grow Solar Program. Motion carried unanimously.

- h. Discussion/action on Resolution 23-09, a Resolution Amending Resolution 22-23 revising the Village Fee Schedule.

Proposed amendments to the Fee Schedule include the addition of the mailbox replacement program (previously approved), initial and annual chicken permits, and initial and annual beekeeping permits.

Motion by Trustee Zitzer, seconded by Trustee Rudman, to Approve Resolution 23-09, a Resolution Amending Resolution 22-23, revising the Village Fee Schedule. Motion carried unanimously.

VI. VILLAGE PRESIDENT'S REPORT

President Walny attended the Library Groundbreaking and reported that there was a sizeable crowd. Momentum is growing on the project and the Ribbon cutting for the first tenant, Compass Reality, was a success.

VII. VILLAGE MANAGER'S REPORT

Village Manager Pederson stated myCrew night out is quickly approaching. The names for the snowplows will also be announced. Notices for assessment changes have been mailed. The Village does full value maintenance each year. The average change in assessments is 11.6%. Residents are encouraged to speak with the assessor with any problems or questions with their assessment.

VIII. VILLAGE ATTORNEY'S REPORT

No Report.

IX. MOTION TO ADJOURN TO CLOSED SESSION

Motion by Trustee Barth, seconded by Trustee Zitzer, to convene to closed session 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 Police Union Negotiations) (Dispatching Services Agreement); And pursuant to Section 19.85 (1) (c) Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (Village Manager). Motion carried unanimously.

A closed session of approximately 20 minutes was held.

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

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

Trustee Barth Provided a summary of the Village Manager's 2022 performance evaluation.

XI. ADJOURNMENT

Motion by Trustee Rosenfeld, seconded by Trustee Barth, to adjourn the meeting at 7:52 p.m.
Motion carried unanimously.

Hello, neighbors! I'm Gerry Feldman from 133 East Glencoe Place, and I'm here to discuss government transparency.

I want to thank Trustee Marrazza for joining me on The Bayside Advocate podcast. Open conversations with different perspectives help us make informed decisions.

To date, only \$2.7M has been raised out of the \$9M needed to build a library at OneNorth, and there's no written agreement to reserve the space for the library. This amount includes existing funds, a government grant, and a developer donation.

The dark shell that project leaders call a donation is actually part of a taxpayer subsidy called a rehabilitation Tax Increment District (TID). It locks in OneNorth's property assessment for 22 years, exempting them from the huge assessment increases the rest of us are facing, no matter what they build. They actually got a roughly 9% reduction due to demolitions and temporary vacancies, forcing the rest of us to pick up the tab. Adding insult to injury, new construction in the TID drives up the tax levy and mill rate, increasing everyone's taxes.

To justify these 22 years of higher taxes, project leaders claimed the entire area needed rehabilitation. However, most of the area was functioning well, following ordinances, and retaining value. Only 25% of the area qualifies for Tax Increment Financing, and a third of that has been vacant lots for years. Is that even eligible for a TID?

When the government ignores our concerns, the next step is going to court. Rather than listening to the people who raised concerns, the government chose to fight the resulting lawsuit, and blamed the people for the cost of that decision.

The incumbents promised big donations for the library if we voted for them, but that didn't happen. Now they blame the lawsuit they caused, which isn't true either. OneNorth is being built, and the library can move in if it secures funds. The lawsuit won't change that.

We need leaders who respond to our concerns and don't hide things from us. That's why I protested at the groundbreaking, that's why I host The Bayside Advocate podcast, and that's why I'm standing here before you today.

The people of Bayside have a right to know, and I'm committed to upholding that right. Thank you for your time, your consideration, and your unwavering commitment to our village.