



**REGULAR VILLAGE BOARD MEETING**

**MEETING NOTICE AND  
AGENDA**

**VILLAGE OF WHITEFISH BAY  
5300 North Marlborough Drive**

**Monday, April 4, 2016, 7:00 PM**

- I. Call to Order and Roll Call
- II. Consent Agenda – Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration under General Business.
  1. Minutes of regular meeting held on March 21, 2016.
  2. Claims for March 2016.
  3. Appointment of Robert Lesinski to the Whitefish Bay Civic Foundation Board.
- III. Report of Village Officers
  1. Village Attorney
  2. Village Manager
  3. Village President
  4. Miscellaneous Trustee
- IV. Petitions and Communications – This is an opportunity for anyone to address the Village Board on any issue NOT on the current agenda. While the Board encourages input from residents of the Village, it may not discuss or act on any issue that is not duly noticed on the agenda.

V. General Business

1. Discussion/action on request for an exception to allow construction of a retaining wall within the Village right-of-way at 5418 N. Lake Drive.
2. Discussion/action on Silver Spring Drive Master Plan Update.
3. Discussion/action regarding implementation of the Silver Spring Drive Master Plan Update.
4. Discussion/action regarding authorization of additional funding for the Retail Incentive Grant program.
5. Discussion/action regarding waiver of the Business Improvement District's 2016 contribution to the Retail Incentive Grant program.
6. Discussion/action regarding authorization of additional activities/funds from TID #1.
7. Discussion/action on Ordinance No. 1820 regarding establishment of District 4B of the Zoning Code (Park District).
8. Discussion/action on Ordinance No. 1821 to Rezone those portions of Milwaukee County parkland located in the Village of Whitefish Bay (Big Bay Park and Estabrook Park) from District 4 – Churches, Public Buildings & Grounds to District 4B – Park District.
9. Discussion/action on Ordinance No. 1822 to Certify the District 2 Zoning Designation of the following properties located on E. Courtland Place: 1100, 1106, 1112, 1118, 1124, 1200, 1206, 1212, 1218, 1224, 1230, 1236 and 1242 and to correct the Official Zoning Map of the Village of Whitefish Bay to reflect said designation.
10. Discussion/action on Resolution No. 2965 to update the Claims Processing Policy.
11. Discussion/action on Ordinance No. 1824 to amend the Traffic Code (regarding traffic control recommendations from the Director of Public Works).

VI. Adjourn

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals.

## REGULAR VILLAGE BOARD MEETING

A regular meeting of the Board of Trustees of Whitefish Bay was held in the Village Board Room of Village Hall, 5300 North Marlborough Drive, March 21, 2016

Pursuant to law, written notice of this meeting was given to the press and posted on the public bulletin boards.

### **I. Call to Order and Roll Call**

President Siegel called the meeting to order at 7:00 pm.

Present: Trustees Saunders, Miller, Serebin, Demet, Fuda, Davis and President Siegel.

Also Present: Village Manager Steve Sheiffer  
Village Attorney Chris Jaekels  
Assistant Manager Paul Boening  
Police Chief Michael Young  
Library Director Nyama Marsh  
Director of Building Services Joel Oestreich  
Finance Director Jen Amerell  
Public Works Superintendent Kevin Kaegi  
Communications Specialist Jenny Heyden  
Staff Engineer Spencer Charczuk  
Assistant Clerk Caren Brustmann

### **II. Consent Agenda**

It was moved by Trustee Serebin, seconded by Trustee Saunders, and unanimously carried by the Village Board to approve items 1, 2, 4, 5, & 6 of the consent agenda. Item 3 was removed from the consent agenda and placed under general business.

1. Minutes of regular meeting held on March 7, 2016.
2. Investment Report for February 2016.
4. Approval of Easement Agreement with the Milwaukee Jewish Federation Inc.
5. Approval of Termination and Equipment Transfer Agreement with Cricket Communications.
6. Referral of Ordinance to Plan Commission (Ord. No. 1823 Pertaining to Posting of Legal Notices).

### **III. Report of Village Officers**

1. Village Attorney – no report
2. Village Manager – no report
3. Village President

Village President Julie Siegel recommended that residents sign up to receive the new, very informative Whitefish Bay weekly newsletter.

4. Miscellaneous Trustee – no reports

### **IV. Petitions and Communications**

Tom Sherman, 4856 N. Santa Monica Blvd; Shared that he parks his bicycle at the CVS in the Village and it would be very convenient if bicycle parking spaces could be constructed inside so bicycle thefts can be eliminated.

**V. General Business**

**1. Discussion/action to award a contract for the 2016 Emerald Ash treatment project to First Choice Tree Care.**

It was moved by Trustee Saunders, seconded by Trustee Davis, and unanimously carried by the Village Board to award the 2016 EAB Treatment Project to First Choice Tree Care in the amount of \$106,440.56.

**2. Discussion/action to award a contract for the 2016 Emerald Ash tree removal project to T&T Tree Services, LLC.**

It was moved by Trustee Davis, seconded by Trustee Saunders, and unanimously carried by the Village Board to award the 2016 EAB Tree Removal to T&T Tree Services, LLC in the amount of \$50,968.00.

**3. Discussion/action to award a contract for the 2016 Emerald Ash tree planting project to Flagstone Landscape Inc.**

It was moved by Trustee Serebin, seconded by Trustee Davis, and unanimously carried by the Village Board to award the 2016 EAB Tree Planting Project to Flagstone Landscape Inc. in the amount of \$36,496.00.

**4. Discussion/action on Ordinance No. 1819 to establish load limits and exceptions on all Village alleys.**

**PUBLIC COMMENT:**

Mike Kelly, 401 E. Beaumont Ave #316; Noted that he thought the alley was going to be named a street not an alley. Stated the issue is the delivery trucks staging on N. Consaul Pl. and constantly backing up and beeping loudly. Believes the Village should have more contact with the owner of Breadsmith, and provide an explanation as to why their delivery drivers cannot unload on E. Silver Spring Dr.

Richard Weiss, 401 E. Beaumont Ave #318; Noted his unit faces both east and south (lives on a corner). Stated there are about 5 delivery trucks with diesel engines very early in the morning sitting on N. Consaul Pl. Also noted that although Sendik's has attempted to reduce the issue of noise, they have trucks unloading as early as 3:30am.

Mike Schuman, 401 E. Beaumont Ave #416; Stated being deprived of good sleep is problematic and a mutual strategy needs to be reached between all affected parties. Indicated that there is no signage allowing delivery trucks to unload between 3:00am-4:00am from Breadsmith.

Barbara Weiss, 401 E. Beaumont Ave #318; Inquired about the current noise ordinances in the Village.

Mike Kelly, 401 E. Beaumont Ave #316; Believes the Village should sit down with the owners of Breadsmith to discuss the issue of noise. Also added the fumes from the idling trucks and the deliveries being made at 3:45am are terrible.

Mike Schuman, 401 E. Beaumont Ave #416; Stated the ongoing efforts to reduce the issue of constant noise early in the morning is appreciated. Prefers to keep all communications through the Village Manager.

Robert Crawford, 5017 N. Palisades Rd; Suggested that the Village adopt a "no standing" ordinance to prohibit trucks from staging on E. Beaumont Ave. or N. Consaul Pl. Also added that Sendik's can arrange the time of deliveries with the dock master so the next truck in line delivers in a timely manner.

Richard Weiss, 401 E. Beaumont Ave #318; Noted the issue with Sendik's is the backing up of trucks causing the beeping noise, whereas the issue with Breadsmith is the unloading of the trucks and the loud noise from the pans and doors slamming. Is in support of Mr. Crawford's suggestion of adopting a "no standing" ordinance.

It was moved by Trustee Miller, seconded by Trustee Serebin, and unanimously carried by the Village Board to approve the amended Ordinance No.1819 to establish load limits and exceptions on all Village alleys to include the words "or proceeding directly to or from a pick up or delivery in the alley" directly after "permitted by the Village".

**5. Discussion/action on Resolution No. 2965 to update the Claims Processing Policy.**

Resolution No. 2965 to update the Claims Processing Policy was tabled until the April 4<sup>th</sup> Village Board meeting.

**6. Discussion/action on water tower lease amendment with AT&T.**

It was moved by Trustee Demet, seconded by Trustee Fuda, and unanimously carried by the Village Board to approve the water tower lease amendment with AT&T.

**7. Disallowing the Claim by Chad Wilsing.**

Trustee Saunders requested the item be removed from the consent agenda, to discuss the details of the mentioned claim. Village Attorney Chris Jaekels discussed the claim in detail and proposed the claim be denied rather than disallowed.

It was moved by Trustee Fuda, seconded by Trustee Davis, and unanimously carried by the Village Board to deny the claim by Chad Wilsing.

**8. The Board may convene into Closed Session pursuant to Wisconsin State Statute 19.85(1)(e) deliberating or negotiating the purchase of public property, investing of public funds, conducting other specified business whenever competitive and/or bargaining reasons require a closed session – specifically regarding potential development opportunities.**

It was moved by Trustee Fuda, seconded by Trustee Miller, and unanimously carried by the Village Board to convene into Closed Session pursuant to Wisconsin State Statute

§19.85(1)(e) deliberating or negotiating the purchase of public property, investing of public funds, conducting other specified business whenever competitive and/or bargaining reasons require a closed session – specifically regarding potential development opportunities.

**9. The Board may reconvene to open session. The Board reserves the right to take action on any topic discussed in closed session.**

It was moved by Trustee Fuda, seconded by Trustee Miller, and unanimously carried by the Village Board to reconvene into open session. The Village Board took no action.

**VI. Adjourn**

There being no further business, it was moved by Trustee Fuda, seconded by Trustee Miller, and unanimously carried by the Village Board to adjourn the meeting at 8:45 pm.

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Caren Brustmann  
Assistant Clerk

Check Date	Check	Vendor Name	Amount
Bank POOL BMO HARRIS BANK			
03/04/2016	28637	3M LIBRARY	11,630.00
03/04/2016	28638	AT&T	130.80
03/04/2016	28639	BADGER UNDERGROUND INC	3,541.00
03/04/2016	28640	BAKER & TAYLOR BOOKS	2,862.12
03/04/2016	28641	BAKER & TAYLOR BOOKS	926.51
03/04/2016	28642	BLACKSTONE AUDIO, INC	282.00
03/04/2016	28643	BMO HARRIS BANK, N.A.	456.30
03/04/2016	28644	BMO HARRIS BANK, N.A.	1,504.67
03/04/2016	28645	BRODART CO.	504.36
03/04/2016	28646	CITY WATER LLC	4,021.60
03/04/2016	28647	CLARK DIETZ, INC	41,552.99
03/04/2016	28648	CLASSIC GARDEN ORNAMENTS	1,425.00
03/04/2016	28649	CUDAHY ROOFING & SUPPLY, INC	560.00
03/04/2016	28650	DAILY REPORTER PUBLISHING CO.	523.48
03/04/2016	28651	DILLETT MECHANICAL SERVICE	246.82
03/04/2016	28652	GENE WATSON	130.50
03/04/2016	28653	GORDON FLESCH COMPANY INC.	11.57
03/04/2016	28654	GRAINGER	434.99
03/04/2016	28655	HD SUPPLY WATERWORKS, LTD.	23,858.26
03/04/2016	28656	HOME DEPOT CREDIT SERVICES	466.65
03/04/2016	28657	HY-TEST SAFETY SHOE SERVICE	130.00
03/04/2016	28658	JAN-PRO OF MILWAUKEE	1,958.00
03/04/2016	28659	JSH COMMUNICATIONS	1,100.00
03/04/2016	28660	LUZ M. MARTINEZ-DURAN	41.00
03/04/2016	28661	MAILCOM CONSULTING	161.91
03/04/2016	28662	MILLER & ASSOC.- SAUK PRAIRIE, INC.	379.00
03/04/2016	28663	MILWAUKEE METRO SEWERAGE DISTRICT	78,209.36
03/04/2016	28664	MINNESOTA LIFE INSURANCE CO.	1,586.66
03/04/2016	28665	NORTHWESTERN UNIVERSITY CENTER	900.00
03/04/2016	28666	OFFICE COPYING EQUIPMENT	20.00
03/04/2016	28667	PETER BRONEK	1,650.00
03/04/2016	28668	SCHOLASTIC LIBRARY	109.20
03/04/2016	28669	SHERWIN-WILLIAMS CO	46.33
03/04/2016	28670	SNAP-ON TOOLS	354.98
03/04/2016	28671	STEPHANIE AWE	125.00
03/04/2016	28672	TAPCO	1,034.05
03/04/2016	28673	UTILITY NETWORK, LLC	1,740.00
03/04/2016	28674	WACHTEL TREE SCIENCE	5,135.00
03/04/2016	28675	WESTHOFEN WORKS, INC.	950.00
03/11/2016	28678	AIRGAS USA, LLC	215.40
03/11/2016	28679	ASSOCIATED TRUST COMPANY	1,189.00
03/11/2016	28680	AT&T	102.29
03/11/2016	28681	AUTO BRAKE CLUTCH & GEAR	1,320.65
03/11/2016	28682	BAKER & TAYLOR BOOKS	1,277.56
03/11/2016	28683	BEAR GRAPHICS	1,373.36
03/11/2016	28684	BLACKSTONE AUDIO, INC	141.00
03/11/2016	28685	CIVIC PLUS	13,169.55
03/11/2016	28686	CLASS C SOLUTIONS GROUP	309.34
03/11/2016	28687	CLIFTONLARSONALLEN LLP	8,500.00
03/11/2016	28688	COMPASS MINERALS AMERICA INC	15,149.29
03/11/2016	28689	COMPUTE, LLC	93.75
03/11/2016	28690	CONFLUENCE GRAPHICS	45.00
03/11/2016	28691	CUMBERLAND SERVICENTER, INC.	301.68
03/11/2016	28692	CUMMINS NPOWER, LLC	431.27
03/11/2016	28693	DEREK BONKOSKI	129.99
03/11/2016	28694	DIEDRICH ELECTRIC	123.75
03/11/2016	28695	EHLERS INVESTMENT PARTNERS, LLC	532.06
03/11/2016	28696	ENVIROTECH EQUIPMENT	1,677.13
03/11/2016	28697	EQUIPMENT GARAGE	391.27
03/11/2016	28698	GE CAPITAL	139.44
03/11/2016	28699	GRAFIX SHOPPE	66.50
03/11/2016	28700	GREENDALE POLICE DEPARTMENT	136.60
03/11/2016	28701	HERSLOF OPTICAL CO., INC.	374.00
03/11/2016	28702	IACP	150.00
03/11/2016	28703	JAN-PRO OF MILWAUKEE	1,958.00
03/11/2016	28704	JILL DITTRICH	14.00
03/11/2016	28705	JOURNAL SENTINEL	109.95
03/11/2016	28706	KRISTA HUTLEY	148.83
03/11/2016	28707	MAILCOM CONSULTING	1,052.57
03/11/2016	28708	MICHAEL BEST & FRIEDRICH LLP	1,332.45
03/11/2016	28709	MILWAUKEE COUNTY TREASURER	2,837.13
03/11/2016	28710	MILWAUKEE METRO SEWERAGE DISTRICT	90,569.35
03/11/2016	28711	NEHER ELECTRIC SUPPLY, INC.	477.40
03/11/2016	28712	NORTH SHORE WATER COMMISSION	378.78
03/11/2016	28713	OFFICE TECHNOLOGY GROUP	91.94
03/11/2016	28714	PIPER & SCHMIDT	36.00
03/11/2016	28715	PIRANHA PAPER SHREDDING	35.00
03/11/2016	28716	PITNEY BOWES GLOBAL FIN. SERVICES	183.57

Check Date	Check	Vendor Name	Amount
03/11/2016	28717	QUILL CORPORATION	116.68
03/11/2016	28718	RECOGNITION SPECIALISTS, INC.	15.92
03/11/2016	28719	RED THE UNIFORM TAILOR	324.89
03/11/2016	28720	RYAN HUNDT	100.00
03/11/2016	28721	STATE OF WI-COURT FINES/SURCHARGES	6,319.48
03/11/2016	28722	TASC	127.16
03/11/2016	28723	TULIP CORPORATION	1,470.00
03/11/2016	28724	TYLER TECHNOLOGIES, INC.	8,220.00
03/11/2016	28725	VERIZON WIRELESS	866.24
03/11/2016	28726	VILLAGE OF BAYSIDE	258,865.43
03/11/2016	28727	WEST ALLIS POLICE DEPT.	454.00
03/11/2016	28728	WEX BANK	1,680.04
03/11/2016	28729	WI LIBRARY ASSOCIATION	20.00
03/18/2016	28737	ABC SEWER	75.00
03/18/2016	28738	ADVANCED DISPOSAL SERVICES	576.15
03/18/2016	28739	ANDREW MROZ	13.25
03/18/2016	28740	AT&T	133.31
03/18/2016	28741	BRUCE MUNICIPAL EQUIPMENT	201.86
03/18/2016	28742	CARQUEST AUTO PARTS	1,166.58
03/18/2016	28743	CLASS C SOLUTIONS GROUP	114.41
03/18/2016	28744	CONFLUENCE GRAPHICS	408.18
03/18/2016	28745	DELTA DENTAL OF WISCONSIN	4,504.98
03/18/2016	28746	DILLETT MECHANICAL SERVICE	561.17
03/18/2016	28747	DIVERSIFIED BENEFIT SERVICES, INC	366.95
03/18/2016	28748	ETICORP	2,700.00
03/18/2016	28749	GENERAL FIRE EQUIPMENT	150.00
03/18/2016	28750	GREENFIELD POLICE DEPT	136.60
03/18/2016	28751	GRUBE'S TOWING	127.78
03/18/2016	28752	HUMBER, MUNDIE & MCCLARY, LLP	550.00
03/18/2016	28753	INTEGRATED COMMUNICATIONS-MAS	370.24
03/18/2016	28754	JIM ORTMANN	749.74
03/18/2016	28755	JSH COMMUNICATIONS	1,000.00
03/18/2016	28756	LARK UNIFORM, INC.	58.98
03/18/2016	28757	LEADER TOWING	325.00
03/18/2016	28758	LEXISNEXIS RISK SOLUTIONS	50.00
03/18/2016	28759	MARISA ESTRADA	41.00
03/18/2016	28760	MIDLAND HEALTH TESTING, INC.	244.00
03/18/2016	28761	NORTH SHORE FIRE DEPARTMENT	620,746.00
03/18/2016	28762	PATRICK MURPHY	28.45
03/18/2016	28763	PITNEY BOWES GLOBAL FIN. SERVICES	30.98
03/18/2016	28764	RAMZEY HUNEIDI	149.20
03/18/2016	28765	SAFETY-KLEEN SYSTEMS, INC.	343.23
03/18/2016	28766	SCHWAAB, INC.	78.83
03/18/2016	28767	SUE ATHERTON	82.50
03/18/2016	28768	U.S. CELLULAR	317.14
03/18/2016	28769	W.C.T.C.	319.14
03/18/2016	28770	WE ENERGIES	3,262.32
03/18/2016	28771	WEA INSURANCE TRUST	81,599.56
03/18/2016	28772	WESTHOFEN WORKS, INC.	726.50
03/18/2016	28773	WHEATON FRANCISCAN MEDICAL GROUP	50.00
03/18/2016	28774	WI DEPT OF JUSTICE	7.00
03/18/2016	28775	WI MUNICIPAL JUDGES ASSOC	100.00
03/25/2016	28776	AFLAC	647.31
03/25/2016	28777	BAKER & TAYLOR BOOKS	1,805.39
03/25/2016	28778	BAKER & TAYLOR BOOKS	1,048.22
03/25/2016	28779	BLACKSTONE AUDIO, INC	47.00
03/25/2016	28780	BMO HARRIS BANK, N.A.	1,113.47
03/25/2016	28781	BMO HARRIS BANK, N.A.	690.66
03/25/2016	28782	BMO HARRIS BANK, N.A.	656.00
03/25/2016	28783	BRUCE MUNICIPAL EQUIPMENT	2,580.73
03/25/2016	28784	CERTIFIED PRODUCTS, INC.	831.00
03/25/2016	28785	COMPASS MINERALS AMERICA INC	14,985.34
03/25/2016	28786	COUNTY MATERIALS CORPORATION	504.60
03/25/2016	28787	DAVIS & KUELTHAU, S.C.	19,271.96
03/25/2016	28788	DSPS	80.00
03/25/2016	28789	GALE/CENGAGE LEARNING	93.91
03/25/2016	28790	GORDON FLESCH COMPANY INC.	217.00
03/25/2016	28791	GRAEF	3,500.00
03/25/2016	28792	GRAINGER	20.34
03/25/2016	28793	HD SUPPLY WATERWORKS, LTD.	4,838.00
03/25/2016	28794	JOHN EDLEBECK	38.68
03/25/2016	28795	JSH COMMUNICATIONS	1,337.50
03/25/2016	28796	MIDWEST TAPE	79.98
03/25/2016	28797	P.F. PETTIBONE & CO	92.95
03/25/2016	28798	PITNEY BOWES GLOBAL FIN. SERVICES	256.83
03/25/2016	28799	PURCHASE POWER	1,048.99
03/25/2016	28800	SHERWIN-WILLIAMS CO	82.76
03/25/2016	28801	TAPCO	268.50
03/25/2016	28802	THE SIGMA GROUP, INC	1,166.04
03/25/2016	28803	TIME WARNER CABLE	2,277.72
03/25/2016	28804	UTILITY NETWORK, LLC	870.00

03/30/2016 03:56 PM  
User: J.Amerell  
DB: Whitefish Bay

CHECK REGISTER FOR VILLAGE OF WHITEFISH BAY  
CHECK DATE FROM 03/01/2016 - 03/31/2016

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Check Date	Check	Vendor Name	Amount
03/25/2016	28805	VILLAGE OF SHOREWOOD	11,990.49
03/25/2016	28806	WASTE MANAGEMENT OF WI-MN	403.62
03/25/2016	28807	WE ENERGIES	17,413.44
03/25/2016	28808	WESTHOFEN WORKS, INC.	477.25
03/25/2016	28809	WEX BANK	6,021.18
03/25/2016	28810	WIL-KIL PEST CONTROL	185.75

POOL TOTALS:

Total of 165 Checks:	1,435,253.44
Less 1 Void Checks:	136.60
Total of 164 Disbursements:	1,435,116.84



**APPLICATION  
BOARDS & COMMISSIONS  
VILLAGE OF WHITEFISH BAY**

5300 N. Marlborough Ave.  
Whitefish Bay, WI 53217  
Telephone: 962-6690 Fax: 962-5651

Board or Commission Applying For: Whitefish Bay Civic Foundation

Name: Robert Lesinski Address: 5510 N Berkeley Blvd. Zip: 53217

Telephone: Work: 414-617-8533 Home: 414-332-3972

Email: robert.lesinski@ge.com Fax: none

Are you a registered voter of Whitefish Bay? yes How long? 12 years

Have you attended a meeting of this Board/Commission? No

Present Employer: GE Healthcare

Job Title: Global Service Finance Manager – Imaging Modalities

Previous Governmental Bodies Elective Offices Applicant has served	Position/Office Held	Dates	
None			
Civic or Charitable Organizations Organization to which Applicant has belonged	Position Held	Dates	
None			
Special Interests / Hobbies / Talents : Skiing, cycling, soccer			
College, Professional, Vocational Schools attended	Major Subject	Dates	Degree / Date
UW - Parkside	Finance	1990-1994	BS Business Admin - 1994
Marquette University	Business	2001-2003	MBA - 2003

APPLICATION  
BOARDS & COMMISSIONS  
VILLAGE OF WHITEFISH BAY

5300 N. Marlborough Ave. Whitefish Bay, WI 53217  
Telephone: 962-6690 Fax: 962-5651

Please state reasons why you want to become a member of this Board or Commission, including what specific objectives you would be working toward as a member of this advisory board: (Attach second page if necessary)

I have lived in Whitefish Bay for the past fifteen years and feel very fortunate to have the opportunity of raising two daughters in our community. Over the years our family has attended numerous Ice Cream Socials, Pumpkin Festivals, and 4<sup>th</sup> of July parades that make Whitefish Bay a truly unique place to live. As our daughters have grown little bit older, now 9 and 11, we find ourselves with a little more time. I am thrilled at the possibility of joining the Civic Foundation and look forward to carrying on the tradition of enhancing the community spirit of our village.

Any other information which you feel would be useful to the Board of Trustees in reviewing your application: (Attach second page if necessary)

Are you or a member of your family associated with any Organization/Employment that might be deemed a conflict of interest in performing your duties if appointed to this position?

No

If yes, please state name of Organization/Employment:

Do you have any relatives working or serving for the Village of Whitefish Bay?

If yes, please indicate the name and relationship of the person: No

Would you be willing to abstain from voting on matters where a potential conflict of interest exists?

Have you been convicted of a felony or misdemeanor? No

If yes, explain convictions (Do not list any misdemeanor settled in juvenile court)

How did you hear about the opening on this Commission? Facebook

Signature of Applicant:

 Date: 3/11/16



Village of Whitefish Bay  
5300 N. Marlborough Drive  
Whitefish Bay, Wisconsin 53217  
Phone: 414-962-6690  
Fax: 414-962-5651

## Memorandum

To: Village Board  
From: Paul Boening – Assistant Village Manager  
Date: April 1, 2016  
Re: Request for an exception to allow construction of a retaining wall within the right-of-way at 5418 N. Lake Drive

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### BACKGROUND

Upon review of a Building Permit Application for patio, fence and retaining wall installation, Building Inspection staff determined that the proposed wall would be located within Village right-of-way. Section 8.02(10)(A) of the Whitefish Bay Municipal Code prohibits such an obstruction within right-of-way. Section 8.02(10)(B)(2) of the Code provides the Village Board with authority to grant an exception to the prohibition. The property owner has decided to request such an exception from the Board.

### PROJECT DESCRIPTION

Construction of two sections of masonry walls/piers to be built parallel to Lake Drive. Total height of wall = 42 feet to be constructed approximately five feet north of the sidewalk (see attached survey). There is approximately 17 feet of Village right-of-way between the edge of the sidewalk and the property line. Therefore, as proposed, the retaining wall would result in a 12 foot encroachment.

### CONSIDERATIONS

#### **Would the wall affect access to municipal utilities?**

There are no underground water or sewer utilities at the location.

#### **Would the wall affect access to any private utilities?**

There are no private utility easements indicated on the survey.

## VILLAGE BOARD OPTIONS

1. Grant an exception to allow the structure within Village right-of-way subject to property owner execution of an Indemnification and Hold Harmless Agreement in a form subject to the Village Attorney's approval. Such an agreement would contain language assigning maintenance responsibility to the property owner and would also make the property owner fully responsible for removing the wall at their cost if any future public improvements are required or needed in the area. In addition, the property owner would be required to provide proof of liability insurance in an amount and form subject to the Village Attorney's approval.
2. Deny the request, which would require the applicant to construct the structure outside of the right-of-way.



March 27, 2016

TO: Village Board

Subject: Adoption of Silver Spring Master Plan Update

From: Steven Sheiffer – Village Manager

A handwritten signature in cursive script that reads "Steve".

The Village Board has received the final draft separately. The Community Development Authority has voted to recommend the Board adopt it. Ray Kreuger, CDA Chair and representatives of GRAEF will be present to answer questions.

Following discussion and any additional revisions, a motion to adopt the plan would be appropriate.

Thank you for your consideration.

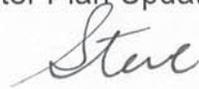
Cc: Chris Jaekels Esq. – Village Attorney

March 27, 2016

TO: Village Board

Subject: Implementation of Silver Spring Master Plan Update

From: Steven Sheiffer – Village Manager



Once the Village Board adopts the Master Plan Update we should move into an implementation mode. I have given considerable thought to how this can be accomplished; time lines; and budget. At the meeting I would like to share these preliminary thoughts with you. They were shared with the CDA at their March 21, 2016 meeting

### **Responsibility for Implementation**

I would propose that the Village Board, CDA and Village Manager be responsible for overall implementation. The CDA would be responsible for the key role. The CDA would recommend a budget and implementation plan to the Village Board. Upon approval the CDA would be responsible for overall implementation. The Village Board would be kept in the communication loop; be consulted as appropriate; and would need to approve any construction contract awards and development agreements.

The Village Manager would work closely with the CDA and Village Board and be responsible for the staff and consultants implementation of projects; the coordination of the negotiation and review of any development agreements; and communication that is transparent and facilitates decision making and community Involvement.

Existing staff and consultants, as needed, would implement the Plan. Additional staff would not be hired.

The CDA Chair and Village Manager would work together on property owner contacts and any specific business investment or development opportunity.

In general responsibilities would be divided up within the organization as follows. Consultants would be used to assist the efforts.

Coordination of construction projects such as the safety improvements on Silver Spring would be the responsibility of John Edlebeck-Public Works Director.

Consulting engineers would be engaged for the design and construction supervision of the projects

Coordination of the review of the Village Codes would be the responsibility of Paul Boening – Assistant Village Manager. Consultants would be used to assist the efforts.

Coordination of the review of the Incentive/ Grant Programs would be the responsibility of the Village Manager and Paul Boening – Assistant Village Manager. Consultants would be used to assist the efforts.

Coordination of development projects and property owner contacts would be the responsibility of the Village Manager.

Communications would be the responsibility of Jenny Heyden –Communication Coordinator.

Also the BID would be responsible for recommendations on Incentive/ Grant Programs; working with the existing businesses on retention; promoting the district thru marketing and branding; advising the CDA, Village Board and staff; and communications with businesses.

## **Implementation Plan**

The immediate next step would be the development of an implementation plan that outlines specific activities; timelines; responsibility for implementation and costs. This would be a matrix table. GRAEF and I would work on this and submit it to the CDA within sixty days. We would also include a conceptual five year budget.

This is the process under which the CDA sets priorities and scope. Upon CDA approval the implementation plan and budget would be submitted to the Village Board for approval.

Attached is my third draft of a five year budget to give you an idea of the range and type of costs. This will be significantly revised once the implementation plan is developed. Both CDA and Village Board approval of the implementation plan and five year budget would be necessary.

Mike Harrigan and I have been working on looking at two fiscal scenarios for TID #1. Attached is a summary memorandum from Mike. I haven't attached the detailed tables, but they are available upon request. We developed two scenarios in addition to the base case. One case includes an appreciation of ½% per year and the other of 1 ½% per year. The first assumes no new construction and the

second moderate growth. From 2005 thru 2015 the value appreciation averaged 6.784% per year, but included major new construction such as Johnson Bank. We anticipate any major new project would be included in a new TIF district. With these two alternative growth assumptions in addition to the \$1,500,000 included in the budget, from \$3,056,140 to \$3,961,445 could be invested in new projects in current dollars. This consists of funds on hand and a borrowing.

As part of the Implementation Plan I would project four significant activities during the last six months of 2016.

a. Selection of a consultant and start of the design phase on safety and related physical improvements on Silver Spring Drive. The CDA and BID would be actively engaged in this activity. John Edlebeck would be the staff coordinator. CDA and Village Board approval of any projects would be necessary.

b. Start of the review of the Village Codes and design criteria. The CDA and BID would be actively engaged in this activity. Paul Boening would be the staff coordinator. GRAEF would be the consultant at an estimated cost of \$18,548. Attached is a summary of their proposal that I requested. CDA and Village Board approval of any code changes would be necessary.

c. Start of the review of the Incentive/Grant Program. The CDA and BID would be actively engaged in this activity. Paul Boening and I would be the staff coordinators. GRAEF would be the consultant and I have requested a proposal. I requested. CDA and Village Board approval of the new programs would be necessary.

d. Contacts with property owners and follow up on any potential development projects. The CDA Chair and Village Manager would be responsible for these contacts with the assistance of GRAEF as necessary. The CDA and Village Board would be consulted with on any projects and would need to approve any agreements.

Thank you for your consideration.

Cc: Chris Jaekels Esq. – Village Attorney

TID#1 FIVE YEAR BUDGET  
2017 – 2021

<u>ACTIVITY</u>	<u>FIVE YEAR TOTAL</u>
<u>Redevelopment Activities</u>	
a. Management coordination/legal/financial and planning	\$ 75,000
b. Project Planning Consultant – depending on project scope and complexity will range from \$5,000 to \$50,000	125,000
c. Preparation and distribution of redevelopment marketing materials	<u>5,000</u>
Sub Total	205,000
<u>Physical maintenance/upgrading</u>	
a. Lighting; signage; sound capacity; planters etc.	50,000
b. Consaul Commons- 50% of total cost	125,000
c. Silver Spring Safety Improvements	<u>500,000</u>
Sub Total	675,000

**Incentive/grant programs**

a. Façade Grants	50,000
b. Retail incentive grants – 100% TID	250,000
c. BID Marketing support	100,000
d. New second floor grant program	<u>250,000</u>
Sub Total	650,000

**Total** **\$1,530,000**

**Use: \$1,500,000 with an average of \$300,000 for planning/projection purposes.**

**Also assume:**

**In 2016, \$50,000 would be expended for the Silver Spring Drive Master Plan and follow up planning activities, and \$25,000 would be expended for project specific planning..**



March 15, 2016

Mr. Steve Sheiffer, Village Manager  
Village of Whitefish Bay, Wisconsin

RE: TID # 1 Pro-Forma Update

Dear Steve,

At your request, we are pleased to provide the updated cash flow projection and analysis for the Village's Tax Increment District # 1. This updates our report of 8/3/15.

TID # 1 was created as a Rehabilitation district on October 20, 2003. As such it has a 27 year life but only 26 revenue collection years. The final year of revenue collection would be 2031 if it were to use its maximum statutory life. The latest allowed date for the final expenditure to be made is 10/20/2026.

The State Department of Revenue's in August of 2015 released the most recent values for all TIDs in the State. Whitefish Bay's TID # 1 is now projected to have an incremental value of \$24,349,600. This is the total increase in taxable value since the district was created and reflects a healthy \$4,205,100 increase over the prior year after several years of mostly reductions in value due primarily to the recession.

Following is an updated summary snapshot of some of the key metrics for this district:

<b>TID # 1 Key Metrics</b>	<b>2016 Data</b>
✓ <b>Date of Creation</b>	10/20/2003
✓ <b>Base Value</b>	\$38,403,700
✓ <b>Incremental Value</b>	\$24,349,600
✓ <b>Taxes Collected on Increment in 2015</b>	\$486,947
✓ <b>Taxes Collected on Increment in 2016</b>	\$586,180
✓ <b>TID Fund Balance at 12/31/14 (to be updated when 2015 audit is released)</b>	\$1,465,555
✓ <b>Debt Outstanding Projected 12/31/16</b>	\$2,827,018
✓ <b>Soonest Possible TID Closure without additional Expenditures</b>	2019
✓ <b>Last Date for Expenditures</b>	10/20/2026
✓ <b>Last Revenue Collection Year</b>	2031



The attached spreadsheets include 3 separate projections.

Base Case: No additional new construction.  
0.5% assumed appreciation of existing values / year.  
2% decline in the interim equalized tax rate / year.  
No additional expenditures beyond a \$30,000 / year administrative expense.

Scenario 1: Expenditures of \$75,000 in 2016, \$300,000 for years 2017 through 2021. This  
Includes administrative expenses.  
All other assumptions same as Base Case.

Scenario 2: All the same assumptions as Scenario 1 but increase annual appreciation from 0.5%  
to 1.5% / year.

	<u>Base Case</u>	<u>Scenario 1</u>	<u>Scenario 2</u>
Year of TID Close	2019	2022	2022
Net Present Value of Residual Cash Flow	2,945,408	1,868,585	2,773,890
Cash (to be updated w 2015 audit)	<u>1,187,555</u>	<u>1,187,555</u>	<u>1,187,555</u>
Total Additional Project Capacity	4,132,963	3,056,140	3,961,445

As previously reported, we consider TID # 1 to be a very healthy and successful District.

This district affords the Village a significant amount of flexibility in that the total amount of expenditures contemplated in the original project plan amounted to over \$15 Million. To date less than \$4 Million in principal has been incurred. Our projections reflect the ability to cover the outstanding obligations and still cover an additional \$3 - 4 M of future principal expenditures without additional development, should the Village wish to do so.

I look forward to reviewing the projections with the Village as requested.

Very Truly Yours



Michael C. Harrigan, CIPMA  
Chairman / Sr. Financial Advisor

CC: Jen Amerell, Finance Director  
Dawn Gunderson, Ehlers

Silver Spring Drive Business District Zoning Code Review and Recommendations

		Anticipated Schedule		
		Apr	May	Jun
1	Project Orientation	\$ 1,662		
a	Meet with Village staff to confirm strategy and obtain existing issues and concerns	\$ 1,134		
b	Compile current maps and zoning ordinance text	\$ 528		
2	Existing Zoning Ordinance Review	\$ 7,872		
a	Review of District 11 (Silver Spring Drive Business District) regulations	\$ 1,362		
b	Provide annotated code indicating Building Design Standards that may require edits to align with Master Plan Update	\$ 2,170		
c	Provide annotated code indicating Signage Guidelines that may require edits to align with Master Plan Update	\$ 2,170		
d	Provide annotated code indicating the Review Processes that may require edits to align with Master Plan Update	\$ 2,170		
3	Recommended Revisions and Additions to Zoning Ordinance	\$ 4,308		
a	Prepare a memorandum listing recommended revisions and additions to the Zoning Ordinance - staff to review	\$ 2,972		
b	Meet with CDA to review draft recommendations	\$ 1,336		
4	Revised Recommendations and Approval Process	\$ 4,706		
a	Prepare final draft of Zoning Ordinance revisions and additions	\$ 1,766		
b	Present final draft to CDA	\$ 1,082		
c	Facilitate presentation to Plan Commission	\$ 929		
d	Present at Village Board meeting	\$ 929		
<b>Estimate for Plan Update</b>		<b>\$ 18,548</b>		

March 27, 2016

TO: Village Board

Subject: Authorization of Additional Funding for the Retail Incentive Grant Program

From: Steven Sheiffer – Village Manager 

The CDA reviewed the status of the Retail Incentive Grant Program at their March 21, 2016 meeting and voted to recommend an additional \$50,000 from TID #1 be authorized while the new incentive/grant programs are being developed. The projected timeline is December 31, 2016.

Attached are the program criteria and a table that shows grants to date. I am also attaching a table on the Façade Program as general information.

The program is projected to have a \$4,000 balance after existing grant requests are acted on. Overall \$396,000 will have been expended on 11 projects. As part of the implementation of the Master Plan Update the CDA, BID, and Village Board will be reviewing the criteria for and the continuation of this grant program. However we may have grant requests in the interim.

Thus, the CDA is recommending a budget of \$50,000 from TID #1 funds for the interim. The original program has been set up based on joint BID and TID#1 funding. The CDA is recommending 100% TID funding for the additional funds since the BID does not have available funds. This is further discussed in the next agenda item.

The CDA and Village Manager recommend: the Village Board vote “to authorize the use of an additional \$50,000 from TID #1 for the Retail Incentive Grant Program”.

Thank you for your consideration.

Cc: Chris Jaekels Esq. – Village Attorney

# Whitefish Bay Business Improvement District

## Retail Incentive Program Criteria

Updated May 6, 2013

### ***Purpose Statement***

The purpose of the Retail Incentive Program is to provide assistance on a case by case basis to new retail businesses to locate within the Business Improvement District that enhance the vibrancy of the overall retail mix of the district. The following criteria set forth below have been established for the Whitefish Bay Business Improvement District (BID) Retail Incentive Program developed by the Village of Whitefish Bay and BID. The program is jointly funded through matching grants from the Village and BID. The Village provided the total grant funds to draw from as needed, and the BID is required to pay back all funds expended for their portion of the grant from the BID special assessment process. All applicants to the program have to meet the following criteria to be considered for the review process.

**1. New Business Locating within BID Boundaries** – New retail business (i.e. – non service) applicant must be from outside the district boundaries locating to a space that is within the district boundaries. This applies to both owner occupant and tenant businesses.

**2. New Businesses Eligible** – Only businesses that are consistent with the goals of the BID and the Village Master Plan, and add to the diversity of the street are eligible. Eligible businesses are further limited to the following specific uses:

- a. Art Supply Store
- b. Book Store
- c. Clothing Store
- d. Home Furnishing Store
- e. Paint, Wallpaper, and Hardware Store
- f. Restaurant/Bar (at least 50% food or retail sales)
- g. Shoe Store
- h. Specialty Retail Uses
- i. Sporting Goods and Hobby Store

### **3. Required Information and Review**

a. The applicant will submit details about the business, its hours, and its complete range of products to demonstrate how it will add to the retail attraction of Silver Spring Drive.

b. At the discretion of the Economic Restructuring Committee, the applicant will submit resumes, references, business plans, financial statements (personal and/or entity), organizational documents, space

plans, specifications, or such other information as needed to demonstrate viability of the enterprise.

c. The applicant is eligible for an incentive not to exceed \$20 per square foot up to a maximum of \$50,000 per incentive or until funds no longer remain.

d. The property owner and applicant will provide the lease to show proposed terms including rents. A minimum three-year lease term is required.

e. Documentation is required of the property owner's financial participation in helping locate the business in their available space.

**4. Review and Approval Process:** Approval of an incentive is not guaranteed even if all criteria above are met. The BID Economic Restructuring Committee and Village Community Development Authority (CDA), in their sole discretion, will make the final decision pursuant to the following review process:

a. Applicant will submit an application to a member of the Economic Restructuring Committee. Confidentiality of information submitted, including without limitation the identity of the applicant, cannot be guaranteed.

b. The Economic Restructuring Committee, on behalf of the BID, will review the application against the established criteria for the program, and make a recommendation to the CDA regarding the request.

c. The CDA, on behalf of the Village, will review the application and approve/deny/modify the request as recommended from Economic Restructuring Committee.

d. Upon approval of an incentive, the amount will be released to the applicant upon the satisfaction of the following conditions: occupancy permit granted, business is open, and any other contingencies required by the BID or CDA.

List of Retail Incentive Grants  
3/4/2016

	Initial	Subsequent	Total
BID	\$ 100,000	\$ 100,000	\$ 200,000
Village	\$ 100,000	\$ 100,000	\$ 200,000
<b>Total</b>	<b>\$ 200,000</b>	<b>\$ 200,000</b>	<b>\$ 400,000</b>

Business	Grant Awarded	Payment Date	Initial \$200,000										Subsequent \$200,000										Total		
			2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019			
Simon Oliver	\$ 20,000	11/23/09	\$ 20,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 20,000	
City Market*	\$ 50,000	5/18/12	-	-	50,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 50,000
Minoan Apparel	\$ 20,000	11/5/10	-	20,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 20,000
Three Wishes	\$ 25,000	10/8/10	25,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 25,000
The Bay	\$ 42,500	5/10/13	-	-	-	42,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 42,500
Roman Candle	\$ 40,000	12/19/13	-	-	-	40,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 40,000
Erik's Bike Shop	\$ 42,500	2/7/14	-	-	-	-	42,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 42,500
Fringe Interior	\$ 50,000	2/27/15	-	-	-	-	-	50,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 50,000
The Navy Knot	\$ 28,000	Pending	-	-	-	-	-	-	-	-	28,000	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 28,000
			\$ 45,000	\$ 20,000	\$ 50,000	\$ 82,500	\$ 42,500	\$ 50,000	\$ 28,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 318,000
<b>Total Grants Awarded &amp; Paid</b>																							\$ 318,000		
<b>Balance Remaining</b>																							\$ 82,000		

On 4/16/10, WFB paid Chicago Title \$100,000 (\$85,000 grant, \$15,000 loan) for City Market, separate from Retail Incentive

\* City Market Retail Incentive Grant:  
Retail Incentive Grant Awarded 50,000.00  
Less Loan Due to WFB 15,000.00  
Less Interest on Loan at 12/31/11 1,514.30  
Amount paid on 5/12/12 33,485.70

Pending Approval

Gebhards \$ 50,000  
Sonflower Bistrot \$ 28,000  
\$ 78,000

Approval of Both Requests would result in a funding balance of \$4,000

Façade/Sign Grant Program  
 \$150,000 - Program Funding (\$100,000 per TIF Agreement & \$50,000 per CDA minutes of 10/1/15)  
 As of 3/4/16

Yr Paid	Location	Payee	Amount	Description
2005	Diversey Manor	Ogden & Co.	26,500.00	Sign Grant
2005	Realty Executives		454.00	Sign Grant
2007	409 E. Silver Spring (Berkeley Bldg)	Wellston Properties	12,417.00	Sign & Façade Grant
2006	417 E. Silver Spring	Schwanke Kasten	9,070.00	Sign & Façade Grant
2006	412-425 E. Silver Spring	East Bay Building Co.	4,565.00	Sign & Façade Grant
2008	Bay Bakery	AMP Holdings LLC	7,500.00	Façade Grant
2008	Berkeley Café		9,219.00	
2014	615 E. Silver Spring (Winkie's)	K&S Investments	9,982.25	Façade Grant
2014	523-525 E. Silver Spring (Susan Powers)	SJMEC LLC	7,500.00	Façade Grant
2015	Winkies	K&S Investments	7,434.25	Façade Grant
Total Funds Used			<u>\$ 94,641.50</u>	
Funds Available			<u>\$ 55,358.50</u>	

March 27, 2016

TO: Village Board

Subject: Authorization to waive the 2016 BID contribution for the Retail Incentive Grant Program

From: Steven Sheffer – Village Manager



The program has been set up based on joint BID and TID#1 funding. TID #1 pays the expenses and then the BID reimburses \$20,000 per year to the TID #1. The BID contributed \$100,000 for 2010 thru 2014. The BID is scheduled to contribute an additional \$100,000 from 2015 thru 2019. The \$20,000 payment for 2015 has been made.

The BID is a key implementer of the Master Plan Update and needs sufficient resources to be successful.

The 2016 BID budget is attached. The annual BID assessment for 2016 is projected at \$58,838. The \$20,000 for the Retail Incentive Grant program represents 34% of the assessment revenue for the District. This item plus their contract for professional services of \$ 25,000 accounts for 76.5% of the total assessment. This leaves \$ 13,838 available to implement their mission. The BID also operates special events which are expected to be self-supporting.

Attached are the BID's Business Plan Goals for 2016. At the CDA meeting I proposed that the BID's payments for 2016 thru 2019 be replaced with TID#1 funds. This would significantly increase the amount of funds available to the BID for the implementation of their responsibilities. The BID Chair presented the Plan on how the BID would use the additional \$20,000 each year and how it furthers the implementation of the Master Plan Update (attached).

For comparison purposes the Shorewood BID District in 2016 would have revenue of \$126,663 of which \$109,163 is assessment revenue and \$10,000 is a grant from the CDA. Attached is their BID budget. Please note the emphasis on marketing.

State law does not contain a maximum limit on BID assessments. In 2012, a UW-Extension study determined that the average BID assessment in Wisconsin was \$2.64/\$1,000. Whitefish Bay uses a rate of \$1.60/\$1,000 with an assessment maximum of \$3,500 per property owner (i.e. capped either by value that exceeds \$2,187,500 or if a single owner has multiple parcels in the BID that exceeds that value).

For comparison purposes Shorewood's BID assessment rate is \$1.10/\$1,000. Their highest assessment is \$5,000.

After significant discussion the CDA voted to recommend the Village Board waive the BID \$20,000 payment for 2016. The BID would use the funds for marketing and present a report on how the funds are actually used. The future contributions for 2017 thru 2019 will be addressed as part of the implementation plan.

Thus, the CDA and Village Manager recommend the Village Board vote: "to waive the BID \$20,000 payment for the Retail Incentive Grant Program for 2016.

Thank you for your consideration.

Cc: Chris Jaekels Esq. – Village Attorney

Whitefish Bay  
 BID  
 2016

	2014 actual	2015 budget	2015 1/1-9/29	2015 projected	2016 budget
<b>Income</b>					
Advertising-fee Income	\$ 1,500	\$ 2,200		\$ -	\$ 2,200
BID assessment	\$ 57,089	\$ 58,838	\$ 58,838	\$ 58,838	\$ 58,838
Event Fee Income/sponsor	\$ 7,655	\$ 7,000	\$ 1,525	\$ 9,525	\$ 8,000
Event Sales	\$ 2,946	\$ 3,000	\$ 3,526	\$ 3,526	\$ 3,000
Fundraising	\$ 200			\$ -	
Rental Income				\$ -	
Interest Income		\$ 65		\$ -	
<b>Total Income</b>	<b>\$ 69,390</b>	<b>\$ 71,103</b>	<b>\$ 63,889</b>	<b>\$ 71,889</b>	<b>\$ 72,038</b>
<b>Expenses</b>					
Advertising	\$ 8,858	\$ 8,000	\$ 3,024	\$ 8,024	\$ 8,000
Audit				\$ -	
Bank Service Fee	\$ 2			\$ -	
Charitable Contribution	\$ 300			\$ -	
Events	\$ 6,385	\$ 8,000	\$ 10,724	\$ 15,724	\$ 8,000
Insurance	\$ 1,142	\$ 1,200	\$ 1,496	\$ 1,496	\$ 1,500
Internet	\$ 826	\$ 800	\$ 1,740	\$ 1,740	\$ 800
License and Permits	\$ 67	\$ 100		\$ -	\$ -
Marketing	\$ 105	\$ 100	\$ 1,383	\$ 1,383	\$ 100
Meetings	\$ 177	\$ 200		\$ -	\$ 200
Miscellaneous	\$ 971	\$ 53	\$ 50	\$ 50	\$ 788
Office Supplies	\$ 144	\$ 150		\$ -	\$ 150
Printing and Reproduction	\$ 333	\$ 1,000	\$ 28	\$ 4,028	\$ 1,000
Professional Services	\$ 24,996	\$ 25,000	\$ 18,747	\$ 25,000	\$ 25,000
Rent	\$ 1,300	\$ 1,500	\$ 1,125	\$ 1,500	\$ 1,500
Retail Incentive Program	\$ 20,000	\$ 20,000		\$ 20,000	\$ 20,000
Street Beautification	\$ 3,231	\$ 5,000	\$ 4,615	\$ 9,615	\$ 5,000
<b>Total Expenses</b>	<b>\$ 68,837</b>	<b>\$ 71,103</b>	<b>\$ 42,932</b>	<b>\$ 88,560</b>	<b>\$ 72,038</b>

1/8/2016

**BID Board Mission Statement:**

“To champion the downtown Whitefish Bay business district as an exceptional place to shop, live and conduct business.”

**Whitefish Bay Business Improvement District 2016 Business Plan**

**I. Advocacy**

- a. We play a meaningful role in the development of the district Master Plan and are an active participant in its execution.
  - i. Advance the BID’s mission by participating in the WFB Village’s decision making processes
    - 1. i.e. Parking study, grant projects, marketing, physical infrastructure, public art, street landscape, design
  - ii. Economic development is a core Village competency
    - 1. The Village financially supports economic development
    - 2. A dedicated staff member advances economic development

**II. Marketing**

- a. We execute at least three impactful marketing events promoting the district
  - i. Side Walk Sale
  - ii. Holiday Stroll and activities throughout December
  - iii. Farmer’s Market
- b. Create a brand image and promote the district
- c. Recruit specific needed businesses to the district

**III. Fiscal Responsibility**

- a. We are more effective stewards of our resources
  - i. Our advocacy results in village support for economic development
  - ii. Our events are fully self-funded (sponsorship, concessions, etc.)
  - iii. The Village fully funds the retail incentive grant program
  - iv. The Village fully funds the BIDs program director (TBD)

**IV. Education**

- a. Educate and engage merchant businesses on Silver Spring
  - i. i.e. security issues, social media
- b. Create a Brand identity for the BID

## BID Plan

There are a number of initiatives that the BID would like to implement with the potential additional funding. We will focus on events, marketing, branding and advertising. We aim to raise the profile of the village, develop the brand image and showcase the district as a vibrant location for retail, and business. The focus will be on promoting our members to consumers as well as to attract new businesses to open on the street.

**Events:** Estimated cost per event \$10-15k, before sponsorship, 3-4 events/year  
Currently the events include the Sidewalk Sale-A-Bration, Holiday Stroll and on a smaller scale the Farmers Market. With increased funding those events can be broadened and made bigger and better. The Holiday Stroll can be expanded into a month long event with weekly promotions.

**Branding and Marketing:** Estimated cost \$10k, plus ongoing maintenance  
Branding of the BID and the BID members needs to be accomplished. The BID needs a branding and website total re-do. The website needs to focus on the BID members as well as a website that can be updated internally with a highlight of our members, newsletters and must be mobile friendly. Social media has to play a major roll as well. We would hire an outside firm to accomplish this.

### Advertising/Promotions: Cost TBD

Work with a media buyer/advertising agency to establish a media partnership to produce cost effective campaigns, focusing on promoting businesses within the district. We would arrange digital advertising on local and regional websites, radio, TV, billboards can play a part in the mix. We actively use social media including Twitter and Facebook to promote current BID programs, activities and events in the district.

### Loyalty Program: Cost TBD

Launch a Pocket guide/map app. for smart phones: Cost TBD

A pocket guide of the district, which is available to consumers that not only have a map for shopping, but also a loyalty component that can reward consumers for shopping in the district. Those points can be converted into dollars to be spent at businesses in the district. We will work with local media to develop a plan with a focus on the program awareness during prime shopping and events time frame.

### Executive Director: Cost \$30k/year plus marketing/intern personnel

Hire an experienced Executive Director on a part-time basis that will have the ability to coordinate the above plan, accomplish our goals and raise the level of the BID to reach its full potential. The Executive Director would coordinate accomplishing the goals with support of a marketing person and interns.

Shorewood  
 BID  
 2016

Income	2015	1/1 - 1/19/16	Remain	Estimated
Assessment	\$ 108,950	\$ 109,163	\$ -	\$ 109,163
CDA	\$ 10,000		\$ 10,000	\$ 10,000
Affiliate Membership	\$ 500	\$ 150	\$ 150	\$ 300
Other Event Revenue	\$ 3,000	\$ 5,400	\$ 1,800	\$ 7,200
<b>Total Income</b>	<b>\$ 122,450</b>	<b>\$ 114,713</b>	<b>\$ 11,950</b>	<b>\$ 126,663</b>
<b>Expense</b>				
<b>Administrative</b>				
Administrative/Event Assistance	\$ 1,000		\$ -	\$ -
Audit	\$ 900	\$ 965	\$ -	\$ 965
Bank Service Charges	\$ -	\$ 30	\$ -	\$ 30
BID Management Fee	\$ 49,193	\$ 49,188	\$ -	\$ 49,188
Dues and Subscriptions	\$ 500	\$ 514	\$ -	\$ 514
Liability Insurance	\$ 850	\$ 573	\$ -	\$ 573
Meals	\$ 500	\$ 944	\$ -	\$ 944
Office Supplies/Printing	\$ 250	\$ 336	\$ -	\$ 336
Constituent Relations	\$ 500	\$ 569	\$ -	\$ 569
Seminars	\$ 500	\$ 300	\$ -	\$ 300
Postage and Delivery	\$ 750	\$ 322	\$ -	\$ 322
<b>Total Administrative</b>	<b>\$ 54,943</b>	<b>\$ 53,741</b>	<b>\$ -</b>	<b>\$ 53,741</b>
<b>Marketing Programs</b>				
Marketing Shorewood	\$ 16,500	\$ 16,500	\$ -	\$ 16,500
Director Fees	\$ 28,500	\$ 29,041	\$ -	\$ 29,041
Print Advertising	\$ 3,000	\$ 1,665	\$ -	\$ 1,665
Business Recruit Materials	\$ 500	\$ 1,839	\$ -	\$ 1,839
Shorewood Today Magazine	\$ 5,100	\$ 5,100	\$ -	\$ 5,100
Writing for Shorewood Magazine	\$ 4,500	\$ 4,500	\$ -	\$ 4,500
Civic Participation	\$ 1,500	\$ 1,625	\$ -	\$ 1,625
Other Shopping Events	\$ 4,300	\$ 3,901	\$ -	\$ 3,901
Networking Socials/Annual Meeting	\$ 1,500	\$ -	\$ -	\$ -
Web Hosting & Updating	\$ 1,000	\$ 1,020	\$ -	\$ 1,020
<b>Total Marketing Programs</b>	<b>\$ 69,400</b>	<b>\$ 65,191</b>	<b>\$ -</b>	<b>\$ 65,191</b>
<b>Total Expense</b>	<b>\$ 124,343</b>	<b>\$ 118,932</b>	<b>\$ -</b>	<b>\$ 118,932</b>
<b>Net Ordinary Income</b>	<b>\$ (1,893)</b>			<b>\$ 7,731</b>
<b>Other Income</b>				
Interest	\$ 100	\$ 8		100
<b>Net Other Income</b>	<b>\$ 100</b>	<b>\$ 8</b>		<b>100</b>
	<b>\$ (1,793)</b>	<b>\$ 8</b>	<b>\$ -</b>	<b>\$ 7,831</b>

March 27, 2016

TO: Village Board

Subject: Authorization of additional activities/funds from TID #1.

From: Steven Sheiffer – Village Manager



At their March 21, 2016 meeting the CDA voted to recommend approval of the Village Board of the following request by the Village Manager to expend TID #1 funds for two activities.

First, \$5,000 to be utilized for GRAEF's assistance to the Village Manager and CDA in the development of the specific implementation plan. This would provide for approximately forty (40) hours and would be hourly costs not to exceed \$5,000.

Second, \$7,500 to be utilized for GRAEF's assistance in meetings with property owners. This will provide approximately 45 hours. The CDA/ Village Board have previously authorized \$25,000, but these funds are targeted for the block that the Masons and Sendik's are located on. There will be a number of meetings that the CDA Chair and I will be involved in with interested property owners. For each of these I would like to have the consultant available to attend the meeting and give us his reaction. I am figuring an investment of approximately four hours per contact; and up to ten (10) property owner meetings. This would be initial contacts only and not project development.

Thus, the CDA and Village Manager recommend the Village Board vote: "to authorize from TID#1 the sum of \$5,000 for the development of an implementation plan and \$7,500 for consultant assistance with property owner meetings".

Thank you for your consideration.

Cc: Chris Jaekels Esq. – Village Attorney



Village of Whitefish Bay  
5300 N. Marlborough Drive  
Whitefish Bay, Wisconsin 53217

Phone: 414-962-6690  
Fax: 414-962-5651

## Memorandum

To: Village Board  
From: Paul Boening, Assistant Village Manager  
Date: April 1, 2016  
Re: Review and Action on Proposed Ordinance No. 1820 regarding establishment of District 4B of the Zoning Code (Park District).

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The Village of Whitefish Bay received a rezoning request from Milwaukee County Executive Chris Abele on 1/26/16. The County Executive formally requested that the Village amend its municipal code to create a park zoning district and to rezone the portion of Estabrook Park located in Whitefish Bay along with Big Bay Park (also County owned) to the new designation. Attorney Jaekels drafted the attached ordinance, which would create the requested district.

At its meeting on March 15<sup>th</sup>, the Plan Commission recommended that the Village Board adopt Ordinance No. 1820.

STATE OF WISCONSIN MILWAUKEE COUNTY VILLAGE OF WHITEFISH BAY

ORDINANCE NO: 1820

**An Ordinance to Amend Section 16.03 and to Create Section 16.0676 of the Zoning Code With Regard to Establishing District 4B Park District**

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The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does ordain as follows:

Section One: Section 16.03(1) of the Zoning Code is hereby amended to insert the words "District 4B Park District" after "District 4A Clubs and Lodges District" and to insert the words "District 10 Floodplain District and District 11 Silver Spring Drive Business District" after the words "District 9 Planned Development."

Section Two: Section 16.076 is hereby created to read as follows:

(1) District 4B Park District is intended to provide areas where the open space and recreational needs, both public and private, of Village residents and the general public can be met without undue disturbance of Village natural resources and adjacent uses

(2) PERMITTED USES.

- (a) Botanical gardens and arboretums.
- (b) Exhibition halls.
- (c) Fairgrounds.
- (d) Golf courses without country club facilities.
- (e) Hiking, biking, and nature trails.
- (f) Historic monuments or sites.
- (g) Neighborhood tot lots.
- (8) Outdoor skating rinks.
- (h) Parks and playgrounds.
- (i) Picnicking areas.
- (j) Play fields or athletic fields.
- (k) Public art galleries and exhibits.
- (l) Sledding, skiing or tobogganing.
- (m) Swimming beaches.
- (n) Swimming pools.
- (o) Tennis courts.
- (p) Athletic Fields.

(3) ACCESSORY USES.

- (a) Buildings accessory to the permitted use.
- (b) Roof-mounted solar collectors.
- (c) Terrestrial, telecommunications and satellite antennas.

(4) **CONDITIONAL USES.**

- (a) Archery ranges, boat mooring and rental, campgrounds, conservatories, driving ranges, firearm ranges, gymnasia, marinas, music halls, polo fields, riding academies, stadia, and zoological gardens.
- (b) Churches, synagogues, and other places of worship.
- (c) Golf courses with country club facilities.
- (d) Public, private, and parochial schools.
- (e) Utility substations, pumping stations, and towers provided that the use is not less than 50 feet from any lot line.
- (f) Increases in the height of accessory buildings, when, in the opinion of the Plan Commission, it is appropriate for the use and will not be detrimental to adjacent properties or the general character of the neighborhood.
- (g) Solar energy collectors erected as an accessory structure.

(5) **BUILDING HEIGHT.** No principal building or parts of a principal building shall exceed 35 feet in height. No garage shall exceed 15 feet in height, and no shed or other accessory building shall exceed 10 feet in height; unless a conditional use permit for an increase in height is granted by the Plan Commission in accordance with this Section.

(6) **SETBACK AND YARDS.** No building or structure shall be erected, altered, or moved closer than 40 feet to a lot line.

(7) **PLANS AND SPECIFICATIONS TO BE SUBMITTED FOR REVIEW AND APPROVAL.** To encourage a recreational use environment that is compatible with the aesthetic character of the Village, building permits for permitted uses in the 4B District shall not be issued without review and approval of the Architectural Review Commission and the Plan Commission. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading and unloading, landscaping and open space utilization.

Section Three: All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby and to such extent repealed.

Section Four: This ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay this \_\_\_ day of \_\_\_\_\_, 2016.

VILLAGE OF WHITEFISH BAY

\_\_\_\_\_  
Julie Siegel, Village President

\_\_\_\_\_  
Jennifer Amerell, Village Clerk



Village of Whitefish Bay  
5300 N. Marlborough Drive  
Whitefish Bay, Wisconsin 53217

Phone: 414-962-6690  
Fax: 414-962-5651

## Memorandum

To: Village Board  
From: Paul Boening – Assistant Village Manager  
Date: April 1, 2016  
Re: Review and Action on Proposed Ordinance No. 1821 to Rezone those portions of Milwaukee County parkland located in the Village of Whitefish Bay (Big Bay Park and Estabrook Park) from District 4 – Churches, Public Buildings & Grounds to District 4B – Park District.

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Adoption of the attached ordinance would rezone those portions of Milwaukee County parkland located in the Village of Whitefish Bay (Big Bay Park and Estabrook Park) from District 4 – Churches, Public Buildings & Grounds to the newly created District 4B – Park District. The Village Board will be unable to adopt Ordinance No. 1821 without first approving Ordinance No. 1820.

At its meeting on March 15<sup>th</sup>, the Plan Commission recommended that the Village Board adopt Ordinance No. 1821.

STATE OF WISCONSIN  
MILWAUKEE COUNTY  
VILLAGE OF WHITEFISH BAY

ORDINANCE NO: 1821

An Ordinance to Zone Big Bay and Estabrook Parks  
as "4B" Park District

---

The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does ordain as follows:

Section One: Those portions of Milwaukee County Park land located within the Village and designated by the Milwaukee County Park System as "Big Bay Park and Estabrook Park" are hereby zoned "4B" Park District pursuant to Section 16.076 of the Zoning Code.

Section Two. Severability: In the event that any provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portions of this Ordinance shall be deemed separate, distinct and independent provisions of the Ordinance and all remaining portions of this Ordinance shall remain in full force and effect.

Section Three. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

Section Four. This ordinance shall take effect and be in force after its passage and posting pursuant to law.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

VILLAGE OF WHITEFISH BAY

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Julie Siegel, Village President

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Jennife Amerell, Village Clerk



Village of Whitefish Bay  
5300 N. Marlborough Drive  
Whitefish Bay, Wisconsin 53217

Phone: 414-962-6690  
Fax: 414-962-5651

## Memorandum

To: Village Board  
From: Paul Boening – Assistant Village Manager  
Date: April 1, 2016  
Re: Review and Action on Proposed Ordinance No. 1822 to Certify the District 2 Zoning Designation of the following properties located on E. Courtland Place: 1100, 1106, 1112, 1118, 1124, 1200, 1206, 1212, 1218, 1224, 1230, 1236 and 1242 and to correct the Official Zoning Map of the Village of Whitefish Bay to reflect said designation.

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As a result of a recent request for a zoning confirmation, Director of Building Services Joel Oestreich discovered that the current Village Zoning Map contains a mapping error. Specifically, the 13 single-family properties listed above are inadvertently depicted as being located in District 4 (Churches, Public Buildings & Grounds). The Cumberland School site borders the aforementioned parcels, and the District 4 designation of that site appears to have been mistakenly extended. The 2009 Comprehensive Plan does not show the “Institutional” boundary extending beyond the school site. Therefore, we are confident that the map was drawn in error (see attached maps).

Adoption of the Ordinance would result in a map correction (to accurately reflect the existing designation of the properties).

At its meeting on March 15<sup>th</sup>, the Plan Commission recommended that the Village Board adopt Ordinance No. 1822.

# ZONING MAP

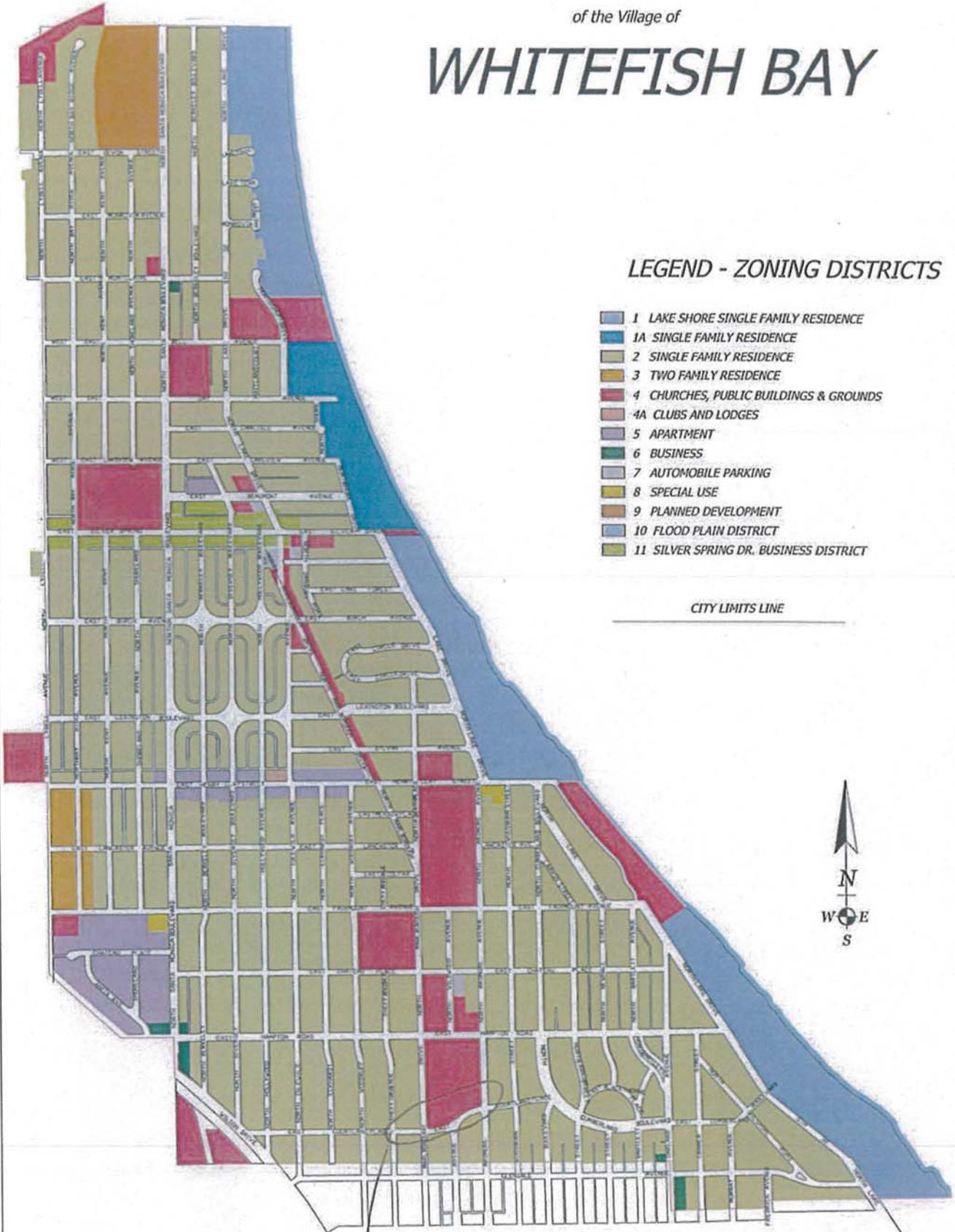
of the Village of

# WHITEFISH BAY

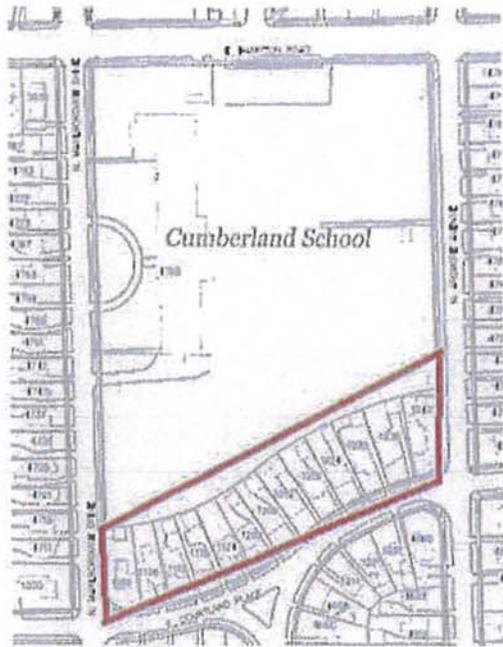
## LEGEND - ZONING DISTRICTS

- 1 LAKE SHORE SINGLE FAMILY RESIDENCE
- 1A SINGLE FAMILY RESIDENCE
- 2 SINGLE FAMILY RESIDENCE
- 3 TWO FAMILY RESIDENCE
- 4 CHURCHES, PUBLIC BUILDINGS & GROUNDS
- 4A CLUBS AND LODGES
- 5 APARTMENT
- 6 BUSINESS
- 7 AUTOMOBILE PARKING
- 8 SPECIAL USE
- 9 PLANNED DEVELOPMENT
- 10 FLOOD PLAIN DISTRICT
- 11 SILVER SPRING DR. BUSINESS DISTRICT

CITY LIMITS LINE



→ Incorrectly depicted  
as District 4



Subject Parcels

STATE OF WISCONSIN  
MILWAUKEE COUNTY  
VILLAGE OF WHITEFISH BAY

ORDINANCE NO: 1822

**An Ordinance to Certify the District 2 Zoning Designation of Various Properties Located  
on E. Courtland Place**

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The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does ordain as follows:

Section One: The zoning designation of the following properties located on E. Courtland Place is hereby certified as District "2" Single Family Residence pursuant to Section 16.05 of the Zoning Code: 1100, 1106, 1112, 1118, 1124, 1200, 1206, 1212, 1218, 1224, 1230, 1236 and 1242.

Section Two. The Village Clerk shall amend the Official Zoning Map to correctly reflect the District "2" Zoning Designation of said properties.

Section Three. Severability: In the event that any provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portions of this Ordinance shall be deemed separate, distinct and independent provisions of the Ordinance and all remaining portions of this Ordinance shall remain in full force and effect.

Section Four. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

Section Five. This ordinance shall take effect and be in force after its passage and posting pursuant to law.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

VILLAGE OF WHITEFISH BAY

\_\_\_\_\_  
Julie Siegel, Village President

\_\_\_\_\_  
Jennifer Amerell, Village Clerk

March 27, 2016

To: Village Board

Subject: Review and action on Claims Processing Policy Update – Resolution #2965

From: Steven Sheiffer - Village Manager 

The Village receives a variety of claims against the Village each year. Each of these claims is processed with the appropriate insurance company. As appropriate the Village Attorney is involved. At some point a decision must be made to approve or reject a claim. The Village's current policy on claims processing (attached) was effective February 7, 1994 and the amount of claim the Village Manager could settle was raised to \$2,500 on January 1, 2006.

The attached updated claims processing policy is intended to address the inflation in the size of claims; the \$50,000 deductible on the liability policy; and an appropriate decision making policy. The attached policy includes all the changes the Village Attorney recommended in the red line version distributed at the last meeting. The changes made the policy more precise and formal.

Thus the Village Attorney and Village Manager are proposing a tiered approach in the attached policy. The Finance Director would be authorized to settle claims up to \$2,500; the Village Manager up to \$5,000; and the Village Manager and Village Attorney by joint agreement up to \$25,000. Village Board approval would be required to settle any claim over \$25,000. These amounts are consistent with the philosophy of the purchasing policy.

Under the policy an annual report would be provided to the Village Board of all claims paid.

If you would like to discuss any items in the Policy prior to the meeting, please contact me.

Thank you for your consideration.

cc: Chris Jaekels Esq - Village Attorney

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

RESOLUTION NO.2965

UPDATING THE CLAIMS PROCESSING POLICY FOR THE VILLAGE OF WHITEFISH BAY

The Board of Trustees of the Village of Whitefish Bay adopts the following Resolution:

WHEREAS, the Village's Claims Processing Policy was last updated on January 9, 2006; and

WHEREAS, the Village Board is committed to an effective and efficient Fiscal Management system; and

WHEREAS, the Village Board has concluded that an updated Claims Processing Policy is essential to an effective and efficient Fiscal Management system; and

WHEREAS, the Village Board has concluded that a uniform, formal, and public Fiscal Management system is in the best interests of the Village;

WHEREAS, the Village Manger and Village Attorney have recommended the attached " Village of Whitefish Bay Claims Processing Policy effective April 4, 2016; and

NOW, THEREFORE, the Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin, HEREBY RESOLVES to adopt the attached " Village of Whitefish Bay Claims Processing Policy " dated April 4, 2016.

PASSED AND APPROVED this the 4th day of April 2016, by the Village Board of the Village of Whitefish Bay, Wisconsin.

\_\_\_\_\_  
Julie Siegel, Village President

(Attest)

\_\_\_\_\_  
Jennifer Amerell, Village Clerk

**Village of Whitefish Bay Claims Processing Policy**

**General**

This policy was adopted on April 4, 2016 by the Village Board as Resolution # 2965. The intent of this policy is to provide guidelines for administering and resolving claims made against the Village of Whitefish Bay that will insure that any expenditure of public funds is consistent with Wisconsin Statutes; the Village's insurance policies; and policies approved by the Village Board.

**Background**

The Village provides diverse services such as (without limitation) waste collection; building inspections; assessing; traffic control; library; police etc.; operates utilities such as sewer and water; and is responsible for the maintenance and operation of a large infrastructure such as streets and buildings.

In the course of these operations and services claims are made against the Village ranging from vehicle accidents; to damage from fallen trees; to sewer backups; to sidewalk trips.

To address the situation the Village currently maintains the following insurance coverages with the following deductibles or self-insured retention:

<u>Coverage</u>	<u>Provider</u>	<u>Deductible/SIR</u>
Auto	CVMIC	\$1,000 per occurrence
Crime	CVMIC	\$1,000 per occurrence
Cyber Liability	CVMIC	NA
Employment Practices Liability	CVMIC	NA
Excess Liability	CVMIC	NA
Liability	CVMIC	\$50,000 annually
Workers Compensation	CVMIC	NA
Property	MPIC	\$2,500 per occurrence

## **Guidelines**

### **Delegation of Authority**

The Village Manager shall be responsible for the implementation of this policy. The Finance Director shall be the Village's representative to CIVMIC and responsible for the administration of the insurance program. The Finance Director shall prepare an annual report for the Village Board that lists all claim payments by name, amount, and type.

### **Ethics Laws**

Public Officials and all employees of the Village are to comply with all federal, state and Village ethics laws regarding conflict of interest in all claims decisions. The Village Manger shall review all claims made by an employee or their relatives. If the Village Manager has a conflict of interest, the claim shall be referred to the Village Attorney. All claims by elected officials of the village or their relatives shall be referred to the Village Attorney.

### **Claims Processing Procedures.**

All claims must be made in writing and preferably on the attached "Notice of Claim". If Village staff is aware of a claim that has not been submitted in writing, the claimant shall be encouraged to complete a "Notice of Claim" form. Upon the receipt of any claim, an investigation of the claim shall be made by the appropriate Department Head, and a written report filed with the Finance Director. As appropriate the Finance Director shall notify the appropriate Insurance carrier. If a decision is made to reject the claim, the individual(s) making the claim may be notified of its rejection in writing. In the alternative, by recommendation of the Village Attorney, the claim may be denied by no action with no notification to claimant. Prior to payment of any claim, an appropriate "Release of All Claims" for property damage or bodily injury, or a "Parents' Release and Indemnity Agreement" on a form provided by CVMIC or MPIC, or such other form as may be provided to the Village by a successor insurance carrier must be executed..

The payment of any claim to a Village Employee or an elected official of the Village must be approved by the Village Board in a public meeting.

### **Claims Under \$2,500**

The Finance Director is authorized to deny or settle any claim under \$2,500.

### **Claims Under \$5,000**

The Village Manager is authorized to deny or settle any claim under \$5,000.

### **Claims between \$5,000 and \$25,000**

The Village Attorney and Village Manager, upon joint agreement, are authorized to deny or settle any claims between \$10,000 and \$25,000.

*Claims greater than \$25,000*

All claims greater than \$25,000 shall be placed on a Village Board agenda for Board review and decision.

**Periodic Review**

This policy should be reviewed by the Village Board every three (3) years following its adoption, within 30 days of any change in insurance coverage, or any time at the discretion of the Village Board.

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RELEASE OF ALL CLAIMS

FOR AND IN CONSIDERATION of the payment to me/us at this time of the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), the receipt of which is hereby acknowledged, I/we being \_\_\_\_\_ of lawful age do hereby release, acquit, and forever discharge \_\_\_\_\_ his, her, its or their successors and assigns and all other persons, firms or corporations who are or might be liable from any and all claims, demands, damages, costs, actions and causes of action of whatever kind or nature which I/we may now have or may hereafter have, on account of, or in any way growing out of, any and all known and unknown bodily injuries, personal injuries and property damage, whether developed or undeveloped, resulting or to result from an accident that occurred on or about \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_.

I/we hereby declare and represent that the injuries sustained are permanent and progressive and that recovery therefrom is uncertain and indefinite and in making this Release and Agreement it is understood and agreed that I/we rely wholly upon my/our own judgment, belief, and knowledge of the nature, extent and duration of said injuries, and that I/we have not been influenced to any extent whatever in making this Release by any representations or statements regarding said injuries, or regarding any other matters, made by the persons, firms or corporations who are hereby released, or by any person or persons representing him or them, or by any physician or surgeon by him or them employed.

It is further understood and agreed that this settlement is the compromise of doubtful and disputed claims and that the payment of said amount is not to be construed as an admission of liability upon the part of said persons, firms, or corporations released; liability being by it, him or them expressly denied.

It is further understood and agreed that this Release and payment pursuant thereto is not to be construed as a waiver by or estoppel of any party released to prosecute a claim or action for any damages sustained.

This Release contains the ENTIRE AGREEMENT between the parties hereto, and the terms of this Release are contractual and not a mere recital.

I/WE HAVE READ THE FOREGOING RELEASE AND FULLY UNDERSTAND IT.

Signed and Sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

In the Presence of  
(Witnesses sign below)

(Claimants sign below)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State of Wisconsin

County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared

\_\_\_\_\_ to me known to be the person described herein, and who read and executed the foregoing instrument, and acknowledged that \_\_\_\_\_ executed the same as \_\_\_\_\_ free act and deed.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
County

My commission expires \_\_\_\_\_

RELEASE OF ALL CLAIMS

FOR AND IN CONSIDERATION of the payment to me/us at this time of the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), the receipt of which is hereby acknowledged, I/we being of lawful age do hereby release, acquit, and forever discharge \_\_\_\_\_ his, her, its or their successors and assigns and all other persons, firms or corporations who are or might be liable from any and all claims, demands, damages, costs, actions and causes of action of whatever kind or nature which I/we may now have or may hereafter have, on account of, or in any way growing out of, any and all known and unknown bodily injuries, personal injuries and property damage, whether developed or undeveloped, resulting or to result from an accident that occurred on or about \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_.

I/we hereby declare and represent that the injuries sustained are permanent and progressive and that recovery therefrom is uncertain and indefinite and in making this Release and Agreement it is understood and agreed that I/we rely wholly upon my/our own judgment, belief, and knowledge of the nature, extent and duration of said injuries, and that I/we have not been influenced to any extent whatever in making this Release by any representations or statements regarding said injuries, or regarding any other matters, made by the persons, firms or corporations who are hereby released, or by any person or persons representing him or them, or by any physician or surgeon by him or them employed.

As further consideration for the payment of [CVMIC Member], \_\_\_\_\_ and their attorneys agree to protect, defend and indemnify [CVMIC Member] for and from any contribution claims, claims by any hospitals, clinics or health care providers, claims made by any medical insurance carrier, health insurance carrier or third party administrator of any such carrier, any claims asserted by a worker's compensation carrier, any subrogated claims for benefits or payments already paid and/or to be paid by any such insurance carrier or governmental entities or recovery contractors, including Medicare, CMS and the Medicare Secondary Payer Recovery Contractor (MSPRC), made on behalf of or on account of \_\_\_\_\_ and for any pre-settlement Medicare conditional payment reimbursements demanded or required by the MSPRC, CMS, or any other governmental entity, currently known, discovered or demanded in the future.

\_\_\_\_\_ warrants and represents that \_\_\_\_\_ has/have not received and has/have not made a claim for Medicare, Medicaid, or Social Security Disability benefits for the injuries arising out of the Incident, and does not intend to seek or accept any such benefits within the next **three (3)** years. [CVMIC Member] and \_\_\_\_\_ agree that this representation concerning \_\_\_\_\_'s Medicare status is a condition precedent to the payment made by [CVMIC Member] to \_\_\_\_\_.

It is further understood and agreed that this settlement is the compromise of doubtful and disputed claims and that the payment of said amount is not to be construed as an admission of liability upon the part of said persons, firms, or corporations released; liability being by it, him or them expressly denied.

It is further understood and agreed that this Release and payment pursuant thereto is not to be construed as a waiver by or estoppel of any party released to prosecute a claim or action for any damages sustained.

This Release contains the ENTIRE AGREEMENT between the parties hereto, and the terms of this Release are contractual and not a mere recital.

I/WE HAVE READ THE FOREGOING RELEASE AND FULLY UNDERSTAND IT.

Signed and Sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

In the Presence of (Witnesses sign below) \_\_\_\_\_ (Claimants sign below) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State of Wisconsin  
County of \_\_\_\_\_  
On \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_ to me known to be the person described herein, and who read and executed the foregoing instrument, and acknowledged that \_\_\_\_\_ executed the same as \_\_\_\_\_ free act and deed.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

**PROCEDURES REGARDING THE PROCESSING OF CLAIMS  
FILED AGAINST THE VILLAGE OF WHITEFISH BAY**

Many of the claims that come before the Finance and Claims Committee is sewer related. We have approximately 200,000 lineal feet of sanitary sewer in the Village. In the past, the goal was to clean all of these sewers every four years. This was done with a bucket machine, a rodding machine and private contractors. Our success in achieving this goal was inconsistent. In the spring of 1993, a jetting machine was purchased. Sanitary sewer service is considered an essential service, and achieving the goal of the three-year cleaning cycle will be given a high priority by our DPW.

While sanitary sewer service is an essential service, we do not guarantee a continuous and perfect service. We have no control over what residents may discharge into the system that may cause a blockage.

A second source of claims tends to be from sidewalk related accidents (trips and falls resulting in personal injuries). It is our goal to replace sidewalks that are severely heaved or cracked when they are brought to the Village's attention. Along with an update of the street survey in 1994, the Village Engineer will also review sidewalk problems. Sidewalks that do not meet the Village standard will then be scheduled for replacement.

A third concern was raised relative to wrong items being picked up by garbage crews. We have had meetings with our collection crews on this matter. We have also discontinued the practice of going into private garages to pick up garbage, except for those residents who have medical problems. This seems to have reduced this problem significantly.

In spite of our best intentions and efforts, we will continue to have claims filed against the Village. To handle these claims in the best manner possible the following procedure will be followed:

1. When a complaint is brought to our attention a Village employee will investigate the situation immediately and fill out an incident report which will be submitted to the Village Manager.
2. A copy of the Village's standard claim form will be sent to any party indicating an interest in filing a claim with the Village.
3. If a claim is filed, the Village staff will investigate the specifics of any claim and make a determination of the facts of the incident.
4. The claim, along with staff reports, will be forwarded to the Village's insurance carrier for their review.
5. Upon receiving a response from the insurance carrier, the claimant will be contacted and advised of the status of the claim and the tentative recommendation to be made to the Finance and Claims Committee and the Village Board. The claimant will be given an opportunity to meet with staff if they so desire. If any new information is provided by the claimant, staff will investigate the claim further and make a final

recommendation to the Finance and Claims Committee and Village Board. The claimant will be advised of the nature of the final recommendation and will be advised of the time and date of the Finance and Claims Committee and Board of Trustees meetings when the matter will be heard.

6. The matter will be placed on the agenda of the next Finance and Claims Committee meeting for action consistent with the recommendations of the staff and the insurance carrier. A denial by the Board will then start the 120-day clock for the claimant to file legal action against the Village pursuant to Section 893.80 of Wisconsin Statutes.
7. The Village Manager shall be authorized to negotiate and settle any claim in an amount not to exceed \$~~1,000~~. The Village Manager shall then report any negotiated settlements to the Village Board. Any settlement greater than \$~~1,000~~ shall require the approval of the Finance and Claims Committee and the Board of Trustees.

to  
# 2500  
1-9-06

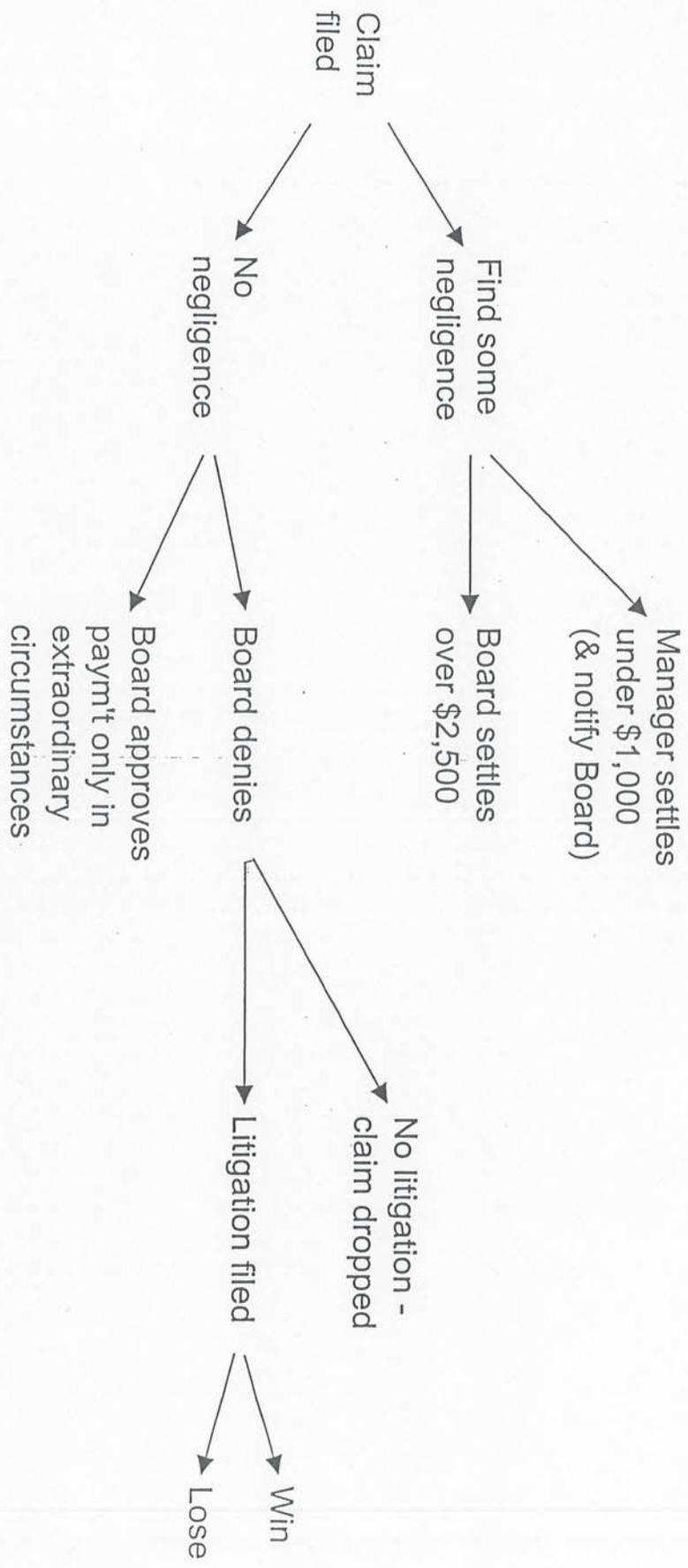
While these procedures will not eliminate claim hearings before the Village Board, it should reduce their number. It will also afford staff the opportunity to explain to the claimant the reasons why a claim is being denied and give the claimant an opportunity to present their case to staff. If any claimant feels aggrieved by the staff's decision, they may submit a written request for an appeal to the Village Board.

It should be understood that the standard for making a decision on all claims would be a determination as to whether or not there was negligence on the part of the Village. Failure to meet stated goals may not, in and of itself, necessarily result in negligence.

(This latest version of a claims policy was effective 2/7/1994)

# DIAGRAM OF CLAIMS DECISION HANDLING

- Issues:
- 1. Was there negligence?
  - 2. Payment if no negligence?
  - 3. Settle in litigation if practical?





January 18, 2016

Memo to: Steve Sheiffer, Village Manager

From: John Edlebeck, Director of Public Works

Re: Intersection Traffic Control

**Belle Avenue and Berkeley Boulevard**  
**School Road and Berkeley Boulevard**

I have completed a traffic control analysis for the intersection of **Belle Avenue and Berkeley Boulevard** and have prepared the following findings:

- The intersection is a tee configuration with no traffic control on any of the three legs.
- It is adjacent to Richards Elementary School with vehicles parked on both sides of all three legs of the intersection. This parking does affect sight distance at the intersection.
- Pavement widths on these roadways are in the range of 34 feet in width. This is narrow but acceptable for parking on both sides of the roadway.
- Traffic volumes are high during school drop off and pickup up periods. Off school hour traffic volumes are low.
- Approach speeds seem well below statutory 25 mph.
- Vehicles must substantially reduce their speed when entering the intersection from the north due to the required turning movement.
- School children and parents also use this intersection as pedestrians as a means to access the school.
- There was only one recorded vehicular or pedestrian accident in the past 5 years in the vicinity of this intersection. It was related to an out of control car striking a legally and illegally parked vehicle.

It is my recommendation to *install a stop sign on the north leg of this intersection* to provide for a safer intersection. I recommend the east and west legs of Belle Avenue remain uncontrolled.

Public Works staff will continue to monitor the existing parking uses and regulations at and near this intersection to consider any future recommendations. This installation would not occur until this spring once the ground is not frozen and suitable for installation.

I have completed a traffic control analysis for the intersection of School Road and Berkeley Boulevard and have prepared the following findings:

- The intersection is a 4 legged configuration with no traffic control on any of the four legs.
- Parking is allowed on all four legs, however, parking utilization is low.
- Pavement widths on these roadways are in the range of 30-34 feet in width.
- Traffic volumes are high on School Road (1700 vehicles per day in 2010) but low on the cross street Berkeley Boulevard.
- Approach speeds on School Road seem at or above the statutory 25 mph while below 25mph on Berkeley.
- Vehicles must substantially reduce their speed when entering the intersection from the north or south due to almost all vehicles performing a turning movement.
- There is some pedestrian use of this intersection, specifically east - west movements on the south side of the intersection due to the existing sidewalk.
- Accident reports were not collected for this intersection.
- 

Due to the intersection of a low volume roadway (Berkeley Boulevard) with a high volume roadway (School Road), is my recommendation to *install stop signs on the north and south legs of this intersection* to provide for a safer intersection. I recommend the east and west legs of School Road remain uncontrolled. I have discussed this analysis with staff from the Village of Fox Point since the north leg of the intersection is under their jurisdiction and would request their concurrence on the stop sign installation. This installation would not occur until this spring once the ground is not frozen and suitable for installation.

These stop sign installations will require Village of Whitefish Bay Village Board action as it will require an amendment to the Village Municipal Code. I will ask that this be placed on a future Village Board agenda.

Feel free to contact me if you should have any additional comments.

Cc: Police Chief Young  
Assistant Village Manager Boening  
Public Works Superintendent Kaegi  
Fox Point DPW Brandmeier

ORDINANCE NO: 1824

An Ordinance Relating to the Traffic Code

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The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does ordain as follows:

Section One: Section 6.035(k) of the Traffic Code of the Village of Whitefish Bay is hereby created to read as follows:

(k) Every operator of a vehicle driving in a southerly direction on North Berkeley Boulevard and approaching the intersection with East Belle Avenue shall cause such vehicle to stop before entering said intersection.

Section Two: Section 6.035(l) of the Traffic Code of the Village of Whitefish Bay is hereby created to read as follows:

(l) Every operator of a vehicle driving in a northerly direction on North Berkeley Boulevard and approaching the intersection with School Road shall cause such vehicle to stop before entering said intersection.

Section Three: All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby and to such extent repealed.

Section Four: This ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay this 4<sup>th</sup> day of April, 2016.

VILLAGE OF WHITEFISH BAY

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Julie Siegel, Village President

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Jennifer Amerell, Village Clerk