



REGULAR VILLAGE BOARD MEETING

MEETING NOTICE AND AGENDA

Monday, July 13, 2020, 6:00 PM

Meeting will be held at: <https://www.gotomeet.me/wfbvillage/village-board>

Access Code: 348-527-221

Phone Number Log In: +1 (872) 240-3212

- 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 the regular meeting held on June 1, 2020.
 2. Claims for May, 2020.
 3. Claims for June, 2020.
 4. Investment Report for May, 2020.
 5. Investment Report for June, 2020.
 6. Temporary Beer/Wine License for the Whitefish Bay BID's Sidewalk Sale on July 17th and 18th.
 7. Resolution No. 3074 – Approving the Cooperation Agreement for Participation in the Urban County CDBG Program with Milwaukee County.
 8. Resolution No. 3075 – Acknowledging the 2019 Compliance Maintenance Annual Report.
 9. Ordinance No. 1864 – Pertaining to Conditional Uses in the Business District.
 10. Ordinance No. 1865 – Pertaining to Conditional Use Procedure.
 11. Ordinance No. 1868 – Repealing and Recreating Section 16-31 of the Municipal Code with regard to maintaining or eliminating nonconforming or substandard lots.
 12. Acceptance of Memorial Bench Donation from Frank Daily for placement at Buckley Park.
 13. Referral of PDD Petition (proposed seven home residential subdivision – 721 E. Silver Spring Dr.) from WiRED Properties to the Architectural Review Commission and Plan Commission.

- III. Report of Village Officers
 1. Village Attorney

2. Village Manager
 3. Village President
 4. Miscellaneous Trustee.
- IV. Petitions and Communications – Members of the public wishing to communicate to the Village Board should email manager@wfbvillage.org at least 24 hours prior to the meeting with “Message to Village Board” in the subject line. Those messages will be provided to the Board Members.
- V. General Business
1. Discussion/action on Village of Whitefish Bay Racial Equity Statement.
 2. Discussion/action on Village Hall/Library Parking Lot Biofilter Installation Project.
 3. Discussion/action on request from LaLonde Construction to work during the overnight hours to install high friction surface treatment on the pavement as part of the Lake Drive HSIP Safety Project.
 4. Discussion/action regarding potential extension of the Declared Public Health Emergency.
 5. Discussion/direction to staff regarding a potential face covering ordinance (Tr. Saunders).
- VI Adjourn

Due to the COVID-19 pandemic, this meeting is being held via remote conference only. Members of the media and public may attend by logging onto <https://www.gotomeet.me/wfbvillage/village-board>. The access code is 348-527-221. The phone number to log in is +1 (872) 240-3212. All public participants will be muted during the meeting. Members of the public wishing to communicate to the Village Board should email manager@wfbvillage.org at least 24 hours prior to the meeting with “Message to Village Board” in the subject line. Those messages will be provided to the Board Members. Agendas and minutes are available on the Village website (www.wfbvillage.org)

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at (414) 962-6690. It is possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village including in particular the Plan Commission may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission, or Committee noticed above. Agendas and minutes are available on the Village website (www.wfbvillage.org)

REGULAR VILLAGE BOARD MEETING

A regular meeting of the Board of Trustees of Whitefish Bay was held via GoToMeeting on June 1, 2020

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 6:00 pm.

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

Also Present: Village Manager Paul Boening
Village Attorney Chris Jaekels
Police Chief Michael Young
Library Director Nyama Reed
Assistant Village Manager Tim Blakeslee
Director of Public Works John Edlebeck
Director of Building Services Joel Oestreich
Deputy Clerk Caren Brustmann

II. Consent Agenda

It was moved by Trustee Saunders, seconded by Trustee Buckley and unanimously carried by the Village Board to approve the consent agenda as presented.

1. Minutes of the regular meeting held on May 4, 2020.
2. Minutes of the regular meeting held on May 18, 2020.
3. Investment Report for April, 2020.
4. Approval of 2020-2021 Alcohol Licenses.
5. Approval of 2020-2021 Operator Licenses.
6. Approval of 2020-2021 Tobacco Licenses.

III. Report of Village Officers

1. **Village Attorney** – No report
2. **Village Manager**

Village Manager Paul Boening directed the Police Chief Michael Young to provide an update to the Village Board on recent protest activity in Shorewood in which Whitefish Bay Patrol Officers assisted. The Village of Shorewood experienced large group activity all of which was peaceful in the recent nights. Chief Michael Young noted staffing of Patrol Officers has increased in all North Shore communities, however a curfew is not in place at this time in the Village.

3. **Village President** – No report

3. Miscellaneous Trustees

Trustee Saunders inquired if mutual aid was needed to assist with patrolling the Village during protests. Trustee Serebin questioned the time of night that the protesting concluded. Trustee Saunders thanked Village Manager Paul Boening and Director of Building Services Joel Oestreich for their quick response to a public health risk at a home near E. Fairmount Ave/N. Woodruff Ave.

IV. Petitions and Communications - None

V. General Business

1. I-43 Widening Project Presentation by Project Manager Steve Hoff.

Project Manager Steve Hoff introduced the project which includes the expansion of 14 miles of I-43 to six lanes, improving safety and traffic operations, rebuilding five service interchanges with the addition of a new Highland Rd Interchange, will begin as early as 2021 with expected completion in 2025. Reconstruction limits are Bender Rd in Milwaukee County to WIS 60 in Ozaukee County.

2. Presentation of 2019 Financial Audit.

Jake Lenell, CPA from CliftonLarsonAllen, presented the results of the 2019 audit and financial statements. The Village continues to be in good financial standing, with an increase in the fund balance of \$337,264.00 and increases in license and permit revenue. Mr. Lenell noted the Village plans to continue presenting a CAFR (Certificate of Achievement for Excellence in Financial Reporting) for the GFOA (Government Finance Officers Association) for 2019.

It was moved by Trustee Fuda, seconded by Trustee Davis and unanimously carried by the Village Board to accept the 2019 audit reports and related financial statements.

3. The Board may convene into Closed Session pursuant to Wisconsin State Statute §19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – specifically regarding appointment of a Finance Director/Clerk.

It was moved by President Siegel, seconded by Trustee Fuda, and unanimously carried by the Village Board to convene into Closed Session pursuant to Wisconsin State Statute §19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – specifically regarding the appointment of a Finance Director/Clerk.

4. The Village Board may reconvene into open session. The Village Board reserves the right to take action on any topic discussed in Closed Session.

It was moved by Trustee Fuda, seconded by Trustee Serebin, and unanimously carried by the Village Board to return to open session at 7:33pm. Motion carried 7-0.

- a. It was moved by Trustee Buckley, seconded by Trustee Serebin, and unanimously carried by the Village Board to appoint Jaimie Krueger as Finance Director/Clerk subject to the terms outlined in the Village Manager's Offer of Employment dated May 27, 2020.

VI. Adjourn

There being no further business, it was moved by Trustee Fuda, seconded by Trustee Serebin, and unanimously carried by the Village Board to adjourn the meeting at 7:35 pm.

Caren Brustmann
Deputy Clerk

Check Date	Check	Vendor Name	Amount
Bank Cking ASSOCIATED			
05/01/2020	57427	AARONIN STEEL SALES, INC.	1,365.00
05/01/2020	57428	ABC SEWER	60.00
05/01/2020	57429	ASSOCIATED TRUST COMPANY	475.00
05/01/2020	57430	AT&T	174.88
05/01/2020	57431	BILL GORDON	75.00
05/01/2020	57432	BLACKSTONE PUBLISHING	40.00
05/01/2020	57433	BRAKE & EQUIPMENT CO.	446.88
05/01/2020	57434	BS&A SOFTWARE	926.00
05/01/2020	57435	CHRIS PAAPE	30.00
05/01/2020	57436	CLARK DIETZ, INC	11,857.50
05/01/2020	57437	CLIFTONLARSONALLEN LLP	31,000.00
05/01/2020	57438	CONFLUENCE GRAPHICS	45.00
05/01/2020	57439	DAVIS & KUELTHAU, S.C.	20,838.45
05/01/2020	57440	GALE	20.15
05/01/2020	57441	GOODYEAR TIRE & RUBBER CO	59.22
05/01/2020	57442	GREATAMERICA FINANCIAL SVCS	186.00
05/01/2020	57443	GRUNAU COMPANY, INC	21,130.00
05/01/2020	57444	JACOBUS ENERGY	537.80
05/01/2020	57445	MILLIMAN, INC.	4,800.00
05/01/2020	57446	MILWAUKEE COUNTY FED. LIBRARY SYST.	2,080.91
05/01/2020	57447	MILWAUKEE DOOR SALES & SERVICE, LLC	191.25
05/01/2020	57448	PAUL LOCKWOOD	150.00
05/01/2020	57449	PURCHASE POWER	8,832.89
05/01/2020	57450	ROBB GREGG	375.00
05/01/2020	57451	SAFETY-KLEEN SYSTEMS, INC.	343.23
05/01/2020	57452	SCHMITZ READY MIX, INC.	584.25
05/01/2020	57453	STREICHER'S	1,138.71
05/01/2020	57454	TIME WARNER CABLE	2,033.18
05/01/2020	57455	TIME WARNER CABLE	633.00
05/01/2020	57456	VERIZON WIRELESS	232.11
05/01/2020	57457	VILLAGE OF BROWN DEER	20,039.50
05/01/2020	57458	WE ENERGIES	10.59
05/01/2020	57459	WI MUNICIPAL CLERKS ASSOCIATION	10.00
05/01/2020	57460	ZARNOTH BRUSH WORKS, INC	1,190.00
Total For 05/01/2020:			131,911.50
05/06/2020	57461	ABT MAILCOM	3,524.44
05/06/2020	57462	ALSCO	444.70
05/06/2020	57463	BAKER & TAYLOR BOOKS	721.04
05/06/2020	57464	GIBB BUILDING MAINTENANCE	1,763.19
05/06/2020	57465	GRAEF	1,438.00
05/06/2020	57466	IAN KUBESH MORLEY	98.80
05/06/2020	57467	OSCAR GREGG	75.00
05/06/2020	57468	PETER BRONEK	960.00
05/06/2020	57469	SCHOOL DISTRICT OF WFB	147.06
05/06/2020	57470	TAMMY DAMATO-BUSSHARDT	160.00
Total For 05/06/2020:			9,332.23
05/15/2020	57473	AFLAC	460.72
05/15/2020	57474	ALSCO	514.08
05/15/2020	57475	AMAZON CAPITAL SERVICES	9.99
05/15/2020	57476	ANTX, INC	360.00
05/15/2020	57477	ASCEND TALENT STRATEGIES, INC.	495.00
05/15/2020	57478	ASCENSION MEDICAL GROUP	563.00
05/15/2020	57479	AT&T	243.62
05/15/2020	57480	AUTOMATIC BUILDING CONTROLS	1,347.50
05/15/2020	57481	BAKER & TAYLOR BOOKS	718.24
05/15/2020	57482	BATTERIES PLUS LLC	374.85
05/15/2020	57483	BLUETARP FINANCIAL, INC.	1,560.42
05/15/2020	57484	CARDMEMBER SERVICE	5,180.96
05/15/2020	57485	CLIFFORD VON MEECE	150.00
05/15/2020	57486	COMPLETE MOBILE DRUG TESTING	347.56
05/15/2020	57487	CONCENTRA HEALTH SERVICES	180.00
05/15/2020	57488	CORPORATE CONTRACTORS INC.	3,600.00
05/15/2020	57489	DIEDRICH ELECTRIC	82.50
05/15/2020	57490	DILLETT MECHANICAL SERVICE	3,765.46
05/15/2020	57491	ELECTION SYSTEMS & SOFTWARE	2,365.00
05/15/2020	57492	ENVIROTECH EQUIPMENT	49,442.00
05/15/2020	57493	FREE STYLE GRAPHICS	421.25
05/15/2020	57494	HOME DEPOT CREDIT SERVICES	26.50
05/15/2020	57495	INSULATION TECHNOLOGIES, INC.	15,187.50
05/15/2020	57496	JACOBUS ENERGY	1,330.02
05/15/2020	57497	JOE DEBELAK	1,000.00
05/15/2020	57498	LEE RECREATION	425.00
05/15/2020	57499	LEXISNEXIS RISK SOLUTIONS	150.00
05/15/2020	57500	LINCOLN CONTRACTORS SUPPLY	106.33
05/15/2020	57501	LLOYD REAMS	50.00

Check Date	Check	Vendor Name	Amount
05/15/2020	57502	MACQUEEN EQUIPMENT	40,410.60
05/15/2020	57503	MCLEEA	135.00
05/15/2020	57504	MILWAUKEE COUNTY FED. LIBRARY SYST.	2,676.59
05/15/2020	57505	MILWAUKEE COUNTY TREASURER	2,849.53
05/15/2020	57506	MSC INDUSTRIAL SUPPLY CO	114.56
05/15/2020	57507	NORBERT SIKINGER	30.00
05/15/2020	57508	NORTH SHORE WATER COMMISSION	464.81
05/15/2020	57509	OFFICE COPYING EQUIPMENT	20.00
05/15/2020	57510	OFFICE TECHNOLOGY GROUP	149.08
05/15/2020	57511	POM INCORPORATED	447.40
05/15/2020	57512	POPP DENTAL SUPPLY, LLC	479.60
05/15/2020	57513	RUEKERT & MIELKE, INC.	167.00
05/15/2020	57514	SMART INTERACTIVE MEDIA, LLC	250.00
05/15/2020	57515	STATE OF WI-COURT FINES/SURCHARGES	6,018.16
05/15/2020	57516	STEVEN PRESNAL	1,105.00
05/15/2020	57517	UNEMPLOYMENT INSURANCE	1,562.52
05/15/2020	57518	VERIZON WIRELESS	240.71
05/15/2020	57519	VILLAGE ACE HARDWARE	64.81
05/15/2020	57520	VILLAGE OF SHOREWOOD	16,846.26
05/15/2020	57521	WACHTEL TREE SCIENCE	2,772.40
05/15/2020	57522	WELLS FARGO	226.61
05/15/2020	57523	WESTHOFEN WORKS, INC.	4,158.28
05/15/2020	57524	WEX BANK	1,421.73
05/15/2020	57525	WEX BANK	1,579.21
Total For 05/15/2020:			174,647.36
05/22/2020	57528	AMAZON CAPITAL SERVICES	140.12
05/22/2020	57529	BIRCHWOOD	5,015.00
05/22/2020	57530	CARQUEST AUTO PARTS	146.03
05/22/2020	57531	CLARK DIETZ, INC	4,782.68
05/22/2020	57532	DANIEL ROSSMANN	80.00
05/22/2020	57533	DAVIS & KUELTHAU, S.C.	18,186.00
05/22/2020	57534	DELTA DENTAL OF WISCONSIN	3,504.74
05/22/2020	57535	EGELHOFF LAWN MOWER SERVICE	590.70
05/22/2020	57536	ETNA SUPPLY	516.00
05/22/2020	57537	GRAINGER	20.73
05/22/2020	57538	HEISER AUTOMOTIVE GROUP	352.89
05/22/2020	57539	MICHAEL BEST & FRIEDRICH LLP	1,394.55
05/22/2020	57540	MINNESOTA LIFE INSURANCE CO.	1,463.06
05/22/2020	57541	MSC INDUSTRIAL SUPPLY CO	751.38
05/22/2020	57542	NEHER ELECTRIC SUPPLY, INC.	1,072.15
05/22/2020	57543	PUBLIC SERVICE COMMISSION OF WI	108.79
05/22/2020	57544	SNAP-ON TOOLS	167.99
05/22/2020	57545	STOPSTICK, LTD	473.00
05/22/2020	57546	TASC	210.56
05/22/2020	57547	TRUAX PATIENT SERVICES	375.00
05/22/2020	57548	U.S. CELLULAR	201.89
05/22/2020	57549	VILLAGE ACE HARDWARE	81.75
05/22/2020	57550	VILLAGE OUTDOOR LIVING	73.98
05/22/2020	57551	WEA INSURANCE TRUST	109,631.02
05/22/2020	57552	WHITEFISH BAY BID	63,590.00
05/22/2020	57553	WILEAG	650.00
05/22/2020	57554	Z BUILDERS SUPPLY CO	201.60
Total For 05/22/2020:			213,781.61
05/29/2020	57555	AMAZON CAPITAL SERVICES	99.94
05/29/2020	57556	ARBOR GREEN, INC	3,077.62
05/29/2020	57557	ASSOCIATED TRUST COMPANY	950.00
05/29/2020	57558	BILL TUMA	50.00
05/29/2020	57559	BLACKSTONE PUBLISHING	918.99
05/29/2020	57560	CHRIS PAAPE	300.00
05/29/2020	57561	CJ ZANGER	150.00
05/29/2020	57562	CLINTON & CLAIRE HIGGINS	146.30
05/29/2020	57563	DANIEL COURTIER	60.00
05/29/2020	57564	DAVID HRYNIEWICKI	180.00
05/29/2020	57565	DEREK & JACQUELINE STACKHOUSE	158.25
05/29/2020	57566	ENVIROTECH EQUIPMENT	135.72
05/29/2020	57567	G&S LAWN & LANDSCAPE	840.00
05/29/2020	57568	GORDON FLESCH COMPANY INC.	523.16
05/29/2020	57569	GREATAMERICA FINANCIAL SVCS	26.00
05/29/2020	57570	HOH WATER TECHNOLOGY	1,400.00
05/29/2020	57571	JACOBUS ENERGY	1,470.80
05/29/2020	57572	JAMES TURK	390.00
05/29/2020	57573	JESSE BARKOW	30.00
05/29/2020	57574	JOHN BURKEMPER	1,000.00
05/29/2020	57575	JOHN EDLEBECK	300.00
05/29/2020	57576	JOHNSON CONTROLS	8,871.30
05/29/2020	57577	JOHNSON CONTROLS FIRE PROTECTION	703.28
05/29/2020	57578	LINDA MCGUIRE	50.00
05/29/2020	57579	MILLY RIVERA	10.96

07/06/2020 09:37 AM
 User: C.Brustmann
 DB: Whitefish Bay

CHECK REGISTER FOR VILLAGE OF WHITEFISH BAY
 CHECK DATE FROM 05/01/2020 - 05/31/2020

Check Date	Check	Vendor Name	Amount
05/29/2020	57580	MITCHELL & SONIA OST	26.30
05/29/2020	57581	OUTDOOR LIGHTING CONST. CO., INC.	56.25
05/29/2020	57582	PATRICK MURPHY	60.00
05/29/2020	57583	QUILL CORPORATION	183.48
05/29/2020	57584	RALPH ZEIT	60.00
05/29/2020	57585	ROBB BRINKMANN CONSTRUCTION INC.	100.00
05/29/2020	57586	RONALD STEFANSKI	30.00
05/29/2020	57587	RUEKERT & MIELKE, INC.	125.25
05/29/2020	57588	RYAN BUSH	60.00
05/29/2020	57589	SCHMITZ READY MIX, INC.	383.49
05/29/2020	57590	SHANA PIASKOSKI	60.00
05/29/2020	57591	SHORELINE CONTRACTING SERVICES, INC	100.00
05/29/2020	57592	SHRED-IT USA	46.27
05/29/2020	57593	TAPCO	165.00
05/29/2020	57594	TIME WARNER CABLE	179.96
05/29/2020	57595	TONY JOHNSON	30.00
05/29/2020	57596	US ALLIANCE FIRE PROTECTION, INC	575.00
05/29/2020	57597	VILLAGE ACE HARDWARE	28.63
05/29/2020	57598	VILLAGE OF SHOREWOOD	20,715.35
05/29/2020	57599	WE ENERGIES	13,508.65
05/29/2020	57600	WESTHOFEN WORKS, INC.	520.00
05/29/2020	57601	WHITEFISH BAY POLICE ASSOCIATION	12.00
05/29/2020	57602	WIL-KIL PEST CONTROL	301.50
05/29/2020	57603	WM RECYCLE AMERICA	8,144.81
05/29/2020	57604	WOLF CONSTRUCTION CO INC	2,102.17
Total For 05/29/2020:			69,416.43

CKING TOTALS:

Total of 174 Checks:	599,089.13
Less 0 Void Checks:	0.00
Total of 174 Disbursements:	599,089.13

Check Date	Check	Vendor Name	Amount
Bank Cking ASSOCIATED			
06/05/2020	57607	AIRGAS USA, LLC	202.14
06/05/2020	57608	ALSCO	727.35
06/05/2020	57609	AMAZON CAPITAL SERVICES	1,130.68
06/05/2020	57610	AT&T	175.13
06/05/2020	57611	BAKER & TAYLOR BOOKS	4,957.88
06/05/2020	57612	BATTERIES PLUS LLC	134.95
06/05/2020	57613	BRICKNER PLUMBING	6,850.00
06/05/2020	57614	CORE & MAIN LP	220.00
06/05/2020	57615	DIEDRICH ELECTRIC	296.25
06/05/2020	57616	EGELHOFF LAWN MOWER SERVICE	225.70
06/05/2020	57617	ENGINEERED SECURITY	5,800.00
06/05/2020	57618	EWALD CHEVROLET BUICK, LLC	40,804.50
06/05/2020	57619	FLAG CENTER	2,150.00
06/05/2020	57620	GRAEF	2,384.75
06/05/2020	57621	HOME DEPOT CREDIT SERVICES	115.00
06/05/2020	57622	INSULATION TECHNOLOGIES, INC.	15,187.50
06/05/2020	57623	JACOBUS ENERGY	671.15
06/05/2020	57624	KANOPY, INC.	869.00
06/05/2020	57625	KEITH MARTENS	374.07
06/05/2020	57626	LANGER ROOFING & SHEET METAL	9,240.00
06/05/2020	57627	MADACC	6.55
06/05/2020	57628	MILWAUKEE COUNTY TREASURER	1,256.81
06/05/2020	57629	MOTION & CONTROL ENTERPRISES LLC	472.45
06/05/2020	57630	NAPA	21.55
06/05/2020	57631	PATRICK SPETH	150.00
06/05/2020	57632	PETER BRONEK	915.00
06/05/2020	57633	QUILL CORPORATION	132.73
06/05/2020	57634	RECOGNITION SPECIALISTS, INC.	67.92
06/05/2020	57635	ROBB GREGG	375.00
06/05/2020	57636	SHOREWOOD PRESS	659.00
06/05/2020	57637	STAPLES ADVANTAGE	567.60
06/05/2020	57638	STATE OF WI-COURT FINES/SURCHARGES	4,129.23
06/05/2020	57639	SWEET WATER	1,575.00
06/05/2020	57640	TAPCO	55.00
06/05/2020	57641	TIME WARNER CABLE	633.00
06/05/2020	57642	TIME WARNER CABLE	2,033.18
06/05/2020	57643	TYLER TECHNOLOGIES, INC.	920.00
06/05/2020	57644	UPI, LLC	1,998.58
06/05/2020	57645	VERETTE CONSTRUCTION	12,920.00
06/05/2020	57646	VERIZON WIRELESS	279.19
06/05/2020	57647	VILLAGE ACE HARDWARE	32.48
06/05/2020	57648	VILLAGE OF SHOREWOOD	175.56
06/05/2020	57649	VILLAGE OUTDOOR LIVING	44.10
06/05/2020	57650	WELLS FARGO	139.44
06/05/2020	57651	WI DEPT. OF NATURAL RESOURCES	2,000.00
Total For 06/05/2020:			124,075.42
06/12/2020	57652	ABSOLUTE MASONRY LLC	1,000.00
06/12/2020	57653	ALL TRAFFIC SOLUTIONS	312.50
06/12/2020	57654	AMAZON CAPITAL SERVICES	44.94
06/12/2020	57655	ANDREW CHEVROLET	2,391.98
06/12/2020	57656	AT&T	243.39
06/12/2020	57657	AT&T MOBILITY	92.68
06/12/2020	57658	BEAR GRAPHICS	1,226.32
06/12/2020	57659	BLACKSTONE PUBLISHING	40.00
06/12/2020	57660	BLUETARP FINANCIAL, INC.	916.91
06/12/2020	57661	BRICKNER PLUMBING	1,850.00
06/12/2020	57662	CARDMEMBER SERVICE	4,227.27
06/12/2020	57663	CARLIN SALES CORPORATION	676.41
06/12/2020	57664	CARQUEST AUTO PARTS	774.33
06/12/2020	57665	COMET WELDING INC	520.00
06/12/2020	57666	CUSTOM GROWN GREENHOUSES	3,761.10
06/12/2020	57667	CVS HEALTH	50.00
06/12/2020	57668	ELLEN BROSTROM	45.00
06/12/2020	57669	ENVIROTECH EQUIPMENT	468.00
06/12/2020	57670	G&S LAWN & LANDSCAPE	420.00
06/12/2020	57671	GIBB BUILDING MAINTENANCE	1,763.19
06/12/2020	57672	GRAINGER	153.00
06/12/2020	57673	JACOBUS ENERGY	811.99
06/12/2020	57674	JOHNSON CONTROLS	985.70
06/12/2020	57675	KRIETE TRUCK CENTER MILWAUKEE	179.82
06/12/2020	57676	LEXISNEXIS RISK SOLUTIONS	150.00
06/12/2020	57677	NEENAH FOUNDRY COMPANY	2,446.93
06/12/2020	57678	NORTH SHORE FIRE DEPARTMENT	588,180.00
06/12/2020	57679	O'BRIEN INSULATION	9,500.00
06/12/2020	57680	OFFICE COPYING EQUIPMENT	20.00
06/12/2020	57681	OFFICE TECHNOLOGY GROUP	155.31
06/12/2020	57682	QUILL CORPORATION	51.66

Check Date	Check	Vendor Name	Amount
06/12/2020	57683	SNAP-ON TOOLS	233.35
06/12/2020	57684	STAPLES ADVANTAGE	168.84
06/12/2020	57685	STATE OF WISCONSIN	1,600.00
06/12/2020	57686	TASC	210.56
06/12/2020	57687	THE GUTTER CO, INC.	445.00
06/12/2020	57688	THE SIGMA GROUP, INC	13,881.46
06/12/2020	57689	U.S. CELLULAR	245.69
06/12/2020	57690	UNEMPLOYMENT INSURANCE	1,577.05
06/12/2020	57691	VERMEER WISCONSIN, INC.	54.68
06/12/2020	57692	VILLAGE ACE HARDWARE	234.40
06/12/2020	57693	WACHTEL TREE SCIENCE	260.00
06/12/2020	57694	WESTHOFEN WORKS, INC.	1,326.80
06/12/2020	57695	WEX BANK	1,573.53
06/12/2020	57696	WEX BANK	3,243.26
06/12/2020	57697	WI DEPARTMENT OF TRANSPORTATION	1,156.31
06/12/2020	57698	WI DEPT. OF JUSTICE	119.00

Total For 06/12/2020: 649,788.36

06/19/2020	57701	AARONIN STEEL SALES, INC.	57.00
06/19/2020	57702	AFLAC	460.72
06/19/2020	57703	AMAZON CAPITAL SERVICES	907.19
06/19/2020	57704	AUTOMATIC BUILDING CONTROLS	192.50
06/19/2020	57705	BATTERIES PLUS LLC	18.12
06/19/2020	57706	CASPER'S TRUCK EQUIPMENT	2,962.65
06/19/2020	57707	COAST TO COAST SOLUTIONS	136.34
06/19/2020	57708	CONFLUENCE GRAPHICS	349.52
06/19/2020	57709	CUSTOM GROWN GREENHOUSES	3,380.00
06/19/2020	57710	DAVIS & KUELTHAU, S.C.	14,663.00
06/19/2020	57711	GORDON FLESCH COMPANY INC.	889.26
06/19/2020	57712	GRAINGER	707.00
06/19/2020	57713	ICMA MEMBERSHIP RENEWALS	562.13
06/19/2020	57714	JACOBUS ENERGY	629.38
06/19/2020	57715	LEADER TOWING	135.00
06/19/2020	57716	LINCOLN CONTRACTORS SUPPLY	359.74
06/19/2020	57717	MAREK LANDSCAPING, LLC	3,113.41
06/19/2020	57718	MIDWEST CUSTOM CLEANING	1,074.00
06/19/2020	57719	MILWAUKEE JOURNAL SENTINEL	19.70
06/19/2020	57720	MOTION & CONTROL ENTERPRISES LLC	323.52
06/19/2020	57721	NEHER ELECTRIC SUPPLY, INC.	506.92
06/19/2020	57722	PITNEY BOWES INC	250.14
06/19/2020	57723	POM INCORPORATED	455.00
06/19/2020	57724	QUILL CORPORATION	15.99
06/19/2020	57725	SCHMITZ READY MIX, INC.	954.00
06/19/2020	57726	SMART INTERACTIVE MEDIA, LLC	250.00
06/19/2020	57727	STAPLES ADVANTAGE	44.60
06/19/2020	57728	STREICHER'S	237.38
06/19/2020	57729	TIME WARNER CABLE	179.96
06/19/2020	57730	TYLER TECHNOLOGIES, INC.	402.86
06/19/2020	57731	VERMEER WISCONSIN, INC.	54.68
06/19/2020	57732	VILLAGE ACE HARDWARE	36.73
06/19/2020	57733	WIL-KIL PEST CONTROL	148.25

Total For 06/19/2020: 34,476.69

06/26/2020	57734	ABC SEWER	105.00
06/26/2020	57735	ADAM WARSH	430.00
06/26/2020	57736	AMAZON CAPITAL SERVICES	809.38
06/26/2020	57737	AMERICAN FLUID POWER	117.80
06/26/2020	57738	CAREN BRUSTMANN	60.00
06/26/2020	57739	CLARK DIETZ, INC	9,866.95
06/26/2020	57740	CONFLUENCE GRAPHICS	322.12
06/26/2020	57741	CORE & MAIN LP	293.40
06/26/2020	57742	DAVID HRYNIEWICKI	120.00
06/26/2020	57743	DELTA DENTAL OF WISCONSIN	6,308.33
06/26/2020	57744	DON NARDI	60.00
06/26/2020	57745	ETNA SUPPLY	520.00
06/26/2020	57746	FORWARD CONTRACTORS	63,355.80
06/26/2020	57747	GRAINGER	143.60
06/26/2020	57748	GREATAMERICA FINANCIAL SVCS	93.00
06/26/2020	57749	JACOBUS ENERGY	876.03
06/26/2020	57750	JAIMIE KRUEGER	300.00
06/26/2020	57751	JESSE BARKOW	150.00
06/26/2020	57752	JOHNSON CONTROLS	240.40
06/26/2020	57753	JORDAN MURPHY	60.00
06/26/2020	57754	KEVIN KAEGI	120.00
06/26/2020	57755	LIMB WALKERS	66,369.00
06/26/2020	57756	MICHAEL KOWALSKI	180.00
06/26/2020	57757	MILWAUKEE METRO SEWERAGE DISTRICT	208,277.84
06/26/2020	57758	MINNESOTA LIFE INSURANCE CO.	1,629.32
06/26/2020	57759	MR B'S BLADES	180.00
06/26/2020	57760	MSC INDUSTRIAL SUPPLY CO	314.49

Check Date	Check	Vendor Name	Amount
06/26/2020	57761	NORBERT SIKINGER	90.00
06/26/2020	57762	OTIS ELEVATOR COMPANY	625.86
06/26/2020	57763	PATRICK MURPHY	30.00
06/26/2020	57764	PAUL LOCKWOOD	60.00
06/26/2020	57765	PURCHASE POWER	802.99
06/26/2020	57766	QUILL CORPORATION	78.05
06/26/2020	57767	RALPH ZEIT	60.00
06/26/2020	57768	SAFETY MART	26.84
06/26/2020	57769	SHRED-IT USA	44.51
06/26/2020	57770	SNAP-ON TOOLS	250.00
06/26/2020	57771	THERESA HOGE	150.00
06/26/2020	57772	ULINE	1,895.89
06/26/2020	57773	VILLAGE OF BAYSIDE	99,924.01
06/26/2020	57774	VILLAGE OF SHOREWOOD	23,571.37
06/26/2020	57775	WE ENERGIES	11,170.11
06/26/2020	57776	WEA INSURANCE TRUST	104,820.73
06/26/2020	57777	WIL-KIL PEST CONTROL	468.25
06/26/2020	57778	WM RECYCLE AMERICA	6,496.40
Total For 06/26/2020:			611,867.47

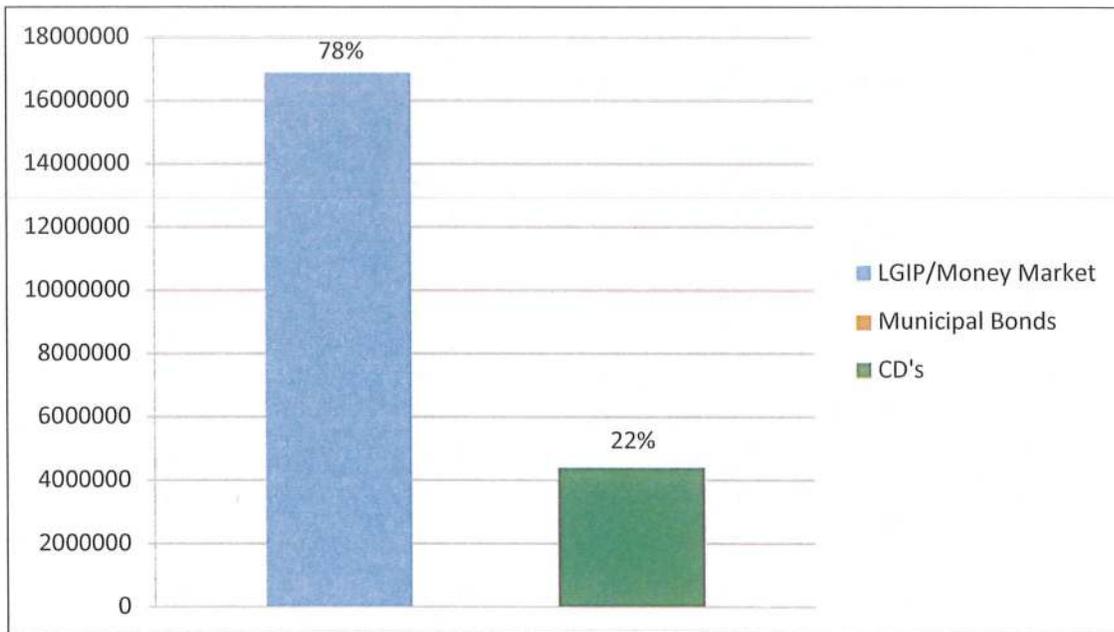
CKING TOTALS:

Total of 170 Checks:	1,420,207.94
Less 0 Void Checks:	0.00
Total of 170 Disbursements:	1,420,207.94

Monthly Investment Summary

May 2020

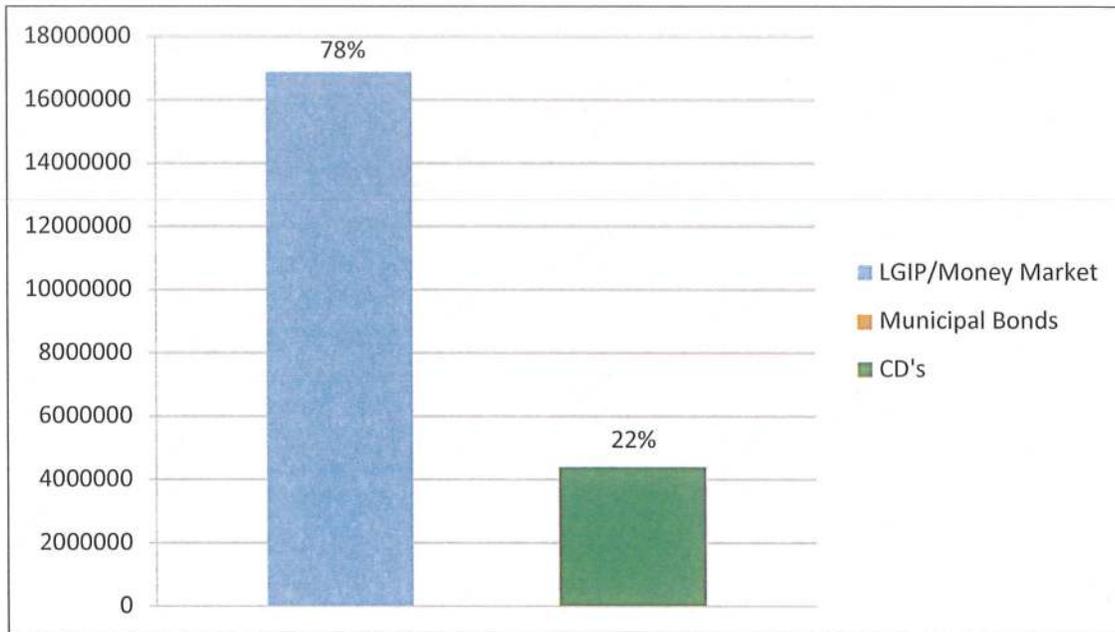
	General Investments	Post Retirement Investments	Total
LGIP/Money Market	\$ 14,780,968	\$ -	\$ 14,780,968
Municipal Bonds	-	-	-
CD's:			
Less than 1 Year	996,680	530,708	1,527,388
1 to 3 Years	2,355,227	545,943	2,901,170
3 to 5 Years	-	-	-
Total CD's	3,351,907	1,076,651	4,428,558
Total Investments	<u>\$ 18,132,875</u>	<u>\$ 1,076,651</u>	<u>\$ 19,209,526</u>
Accrued Interest	<u>\$ 24,583</u>	<u>\$ 7,246</u>	<u>\$ 31,829</u>



Monthly Investment Summary

June 2020

	General Investments	Post Retirement Investments	Total
LGIP/Money Market	\$ 9,962,408	\$ -	\$ 9,962,408
Municipal Bonds	-	-	-
CD's:			
Less than 1 Year	754,072	708,815	1,462,887
1 to 3 Years	2,604,642	372,002	2,976,644
3 to 5 Years	-	-	-
Total CD's	3,358,714	1,080,817	4,439,531
Total Investments	<u>\$ 13,321,122</u>	<u>\$ 1,080,817</u>	<u>\$ 14,401,939</u>
Accrued Interest	<u>\$ 31,109</u>	<u>\$ 12,740</u>	<u>\$ 43,849</u>



Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FILE IN _____

Application Date: 6-23-20
 County of: Milwaukee

Town Village City of Whitefish Bay

The named organization applies for (check appropriate boxes):

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(9), Wis. Stats.
- A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning _____ and ending _____ and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. Organization (check appropriate box) →
- Bona fide Club
 - Church
 - Lodge/Society
 - Chamber of Commerce or similar Civic or Trade Organization
 - Veterans Organization
 - Fair Association

(a) Name: Merchants of Whitefish Bay
 (b) Address: 316 E. Silver Spring Drive # 216
 Town Village City

(c) Date organized: _____
 (d) If corporation, give date of incorporation: _____
 (e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54(7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President: Jeff Wimmer
 Vice President: Phil Axillo
 Secretary: Kate Wimmer
 Treasurer: Kevin Schuck

(g) Name and address of manager or person in charge of affair: Kate Wimmer, 316 E. Silver Spring Dr. #216, WFB, WI 53217

2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

(a) Street number: E. Silver Spring Drive
 (b) Lot: _____ Block: _____
 (c) Do premises occupy all or part of building? All
 (d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: _____

3. Name of Event: Sidi - Walk - Sale
 (a) List name of the event: _____
 (b) Dates of event: July 17th + 18th, 2020

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Merchants of WFB
(Name of Organization)

Officer: _____ (Signature/Date)
 Officer: [Signature] (Signature/Date)
 Officer: Kate Wimmer (Signature/Date)

Date Filed with Clerk: _____ Date Reported to Council or Board: _____

Date Granted by Council: _____ License No: _____



VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees

REPORT FROM: Paul Boening – Village Manager

DATE: 7/9/20

AGENDA ITEM: Approve Resolution No. 3074 to Approve the 2021-2023 Cooperation Agreement for Participation in the Urban County CDBG Program with Milwaukee County

ACTION REQUESTED: Ordinance Resolution (Consent Agenda) Motion

BACKGROUND

The Village of Whitefish Bay has participated in the Community Development Block Grant (CDBG) program through a Cooperation Agreement with Milwaukee County since 1978. Milwaukee County serves as the direct CDBG agent with the Federal Department of Housing and Urban Development (HUD) and municipalities that participate through a Cooperation Agreement are sub-recipients of Milwaukee County. In combination, the participating municipalities form a population base that exceeds the 200,000 required for “Urban County” designation.

The County requires each participating community to execute the same cooperation agreement in order to participate. The County distributed the attached 2021-2023 Agreement in June. The agreement is largely in the same format as the previously executed 2018-2020 document.

Following Village Board approval, the Manager’s Office will work with Milwaukee County to gather additional information about the program and to begin examining potential projects that would qualify for CDBG funding.

RECOMMENDED ACTION BY VILLAGE BOARD

Staff recommends approval of Resolution No. 3074 to approve the 2021-2023 Cooperation Agreement and First Amendment for the continued participation between the Village of Whitefish Bay and Milwaukee County in the Urban County CDBG program.

C: Village Manager
Department Heads
Attorney Jaekels

RESOLUTION NO. 3074

A Resolution Approving the 2021-2023 Cooperation Agreement and First Amendment for Participation in the Urban County CDBG Program with Milwaukee County

WHEREAS, the Village of Whitefish Bay has participated in the Urban County Community Development Block Grant Program for Milwaukee County since 1978; and,

WHEREAS, the Community Development Block Grant Program has provided federal grant funding for service related and public works improvement projects serving senior citizens, physically challenged persons and low/moderate income households; and,

WHEREAS, the Village desires to continue its participation in the Community Development Block Grant Program for an additional three-year period extending through 2023; and,

WHEREAS, continued participation in the Community Development Block Grant Program requires approval of a Cooperation Agreement with Milwaukee County through the form of a resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Whitefish Bay that the attached "Cooperation Agreement" by and between the Village of Whitefish Bay and Milwaukee County be, and is hereby approved.

BE IT FURTHER RESOLVED that the Village of Whitefish Bay urges Milwaukee County to utilize any federal grant funds obtained under this agreement for programs located in or benefitting the population of the communities in the Cooperation Agreement.

BE IT FURTHER RESOLVED that the Village President and Village Clerk are hereby authorized to execute the Cooperation Agreement on behalf of the Village of Whitefish Bay.

PASSED AND ADOPTED by the Village Board of the Village of Whitefish Bay this 13th day of July, 2020.

VILLAGE OF WHITEFISH BAY

Julie Siegel, Village President

Countersigned:

Jaimie Krueger, Village Clerk

COOPERATION AGREEMENT

THIS AGREEMENT is entered into on this ____ day of _____, 2020, by and between Milwaukee County, Wisconsin, (hereinafter referred to as the "County") and the _____, (hereinafter referred to as the "Municipality").

WITNESSETH:

WHEREAS, the United States Congress enacted the Housing and Community Development Act of 1974 (P.L. 93-383) as amended, (hereinafter referred to as the "Act") providing Federal assistance for the support of community development activities which are directed toward the specific objectives identified in Section 101 of the Act; and

WHEREAS, the United States Congress also enacted the Cranston-Gonzalez National Affordable Housing Act (P.L. 100-625) as amended, (hereinafter referred to as "NAHA") providing Federal assistance for, among other things, the HOME Investment Partnership program (hereinafter referred to as "HOME") which is intended to increase the number of families served with decent, safe, sanitary, and affordable housing and to expand the long-term supply of affordable housing; and

WHEREAS, the Act makes possible the allocation of funds to Milwaukee County for the purpose of undertaking only community development program activities identified in Section 105 of the Act; and

WHEREAS, NAHA makes possible the allocation of funds to Milwaukee County for the purpose of undertaking housing programs identified in Section 211 of NAHA; and

WHEREAS, the County intends to apply to the U.S. Department of Housing and Urban Development (hereinafter referred to as "HUD") for funds authorized under the Act and NAHA; and

WHEREAS, the Act recognizes that the Municipality may enter into cooperation agreements with the County in order to undertake housing and community development activities as authorized in Section 105 of the Act; and

WHEREAS, the County and the Municipality have determined that joint action is an effective way to accomplish the purposes of said Act and NAHA; and

WHEREAS, counties in Wisconsin, pursuant to Wisconsin Statutes Sec. 59.01 and municipalities in Wisconsin, pursuant to Wisconsin Statutes Sec. 66.0301 have the necessary authority to enter into contracts of the type herein contemplated.

NOW, THEREFORE, upon the consideration of the mutual promises contained herein, it is agreed between the County and the Municipality as follows:

PROVISIONS:

1. Purpose. The purpose of this Agreement is to establish the mutual desire to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, by means of submitting to HUD a Consolidated Plan and Annual Action Plan for both HUD Community Development Block Grant Funds (“CDBG”) as an Urban County from Federal Fiscal Years 2021, 2022, and 2023 appropriation and from any program income generated from the expenditure of such funds, and HUD HOME funds from appropriations in the same three (3) federal fiscal years and from any program income generated from the expenditure of such funds.

2. Consideration: The Municipality, by the execution of this Agreement, agrees to have its yearly CDBG allocation calculated by a formula using Families in Poverty census data. Both the CDBG and HOME programs use this census factor, and others, to determine yearly allocations for cities, counties and states. The HOME program provides an online tool, the Consortium Builder (see <https://www.hudexchange.info/resource/2450/home-consortia-builder-a-tool-to-estimate-funding/> for more information), that provides guidance on how to combine demographics of member governments for allocation amounts. The County uses the Consortium Builder Tool to determine Urban County member’s allocations. Since the members of the CDBG Urban County are also members of the HOME Participating Jurisdiction, these factors are consistent across both programs.

A Municipality may expend each year’s allocation using one or both of the following options. The Municipality can 1) submit a proposed project(s) for funding consideration, and/or 2) have all or some of its allotment for that year applied to the Home Repair Program. These two options are described in more detail below.

Proposed Project(s): A Municipality must have a proposed project(s) that 1) meets a National Objective of the CDBG Program (Benefit to Low- and Moderate Income Persons, Prevention or Elimination of Slum and Blight, or meeting an Urgent Need); 2) is an eligible activity under the CDBG program; and 3) meets one or more of the Goals and Objectives of the current Consolidated Plan. A Municipality’s allocation may be impacted by past project performance and outcomes, past project compliance with applicable regulations, and compliance with this Cooperation Agreement. The County agrees to include the Municipality as part of its Annual Action Plan to be submitted to HUD under the terms and conditions of the Housing and Community Development Act.

Home Repair Program: Since 1976, the Home Repair program has been providing low- and no-interest loans for home repair, including the removal of architectural barriers for disabled low-income homeowners and tenants. Funding for the Home Repair Program is provided by CDBG and HOME funds. The overall intent of the program is to rehabilitate, maintain, and expand the supply of decent, safe and sanitary housing within suburban Milwaukee County. Administrative control is exercised by the Milwaukee County Housing Division with the Home Repair Review Board having final policy-making and loan approval/denial authority. A Municipality may choose to have all or some of its allocation included in that year’s

CDBG funding for the Home Repair Program. An effort would be made to provide assistance under this program to income qualified homeowners/tenants within the Municipality's jurisdiction.

3. Restrictions. Neither the County nor the Municipality shall have a veto or other restrictive power which would in any way limit the cooperation of the parties to this Agreement or obstruct the implementation of the approved Consolidated Plan during the period covered by this Agreement.

4. Term. The term of this Agreement shall be three (3) years commencing the day of execution and continuing through the three (3) entire Program Years 2021, 2022, and 2023 and for such additional time as may be required for the expenditure of program income received and of funds granted through the Act and NAHA to the County for such period, as defined by HUD regulations and included within HUD Notice CPD 05-01. A municipality executing an Agreement for participation shall not have the opportunity to terminate or withdraw from the Agreement during the period that this Agreement is in effect. This Agreement shall be in effect for three (3) successive years and remain in effect until the CDBG and HOME funds and program income received with respect to activities carried out during the three-year period are expended and the funded activities completed.

5. Obligations.

- a. Milwaukee County and the _____ agree to undertake all actions necessary to assure compliance with Milwaukee County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, provisions of the National Environmental Policy Act of 1969, and other applicable laws. In addition, the Municipality is subject to the same requirements applicable to subrecipients, pursuant to 24 CFR 570.501(b), including the requirement of a written agreement as set forth in 24 CFR 570.503.

The Municipality understands, acknowledges and agrees that non-compliance with any of the provisions above may constitute non-compliance by the County which may provide "cause" for funding sanctions or other remedial actions by HUD. Further, Urban County Community Development funding is prohibited for activities in or in support of any cooperating unit of government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with its fair housing certification.

- b. The Municipality shall select at least three (3) action items from the list below to affirmatively further fair housing for the duration of this Agreement. The Municipality shall keep records documenting actions taken to affirmatively

further fair housing and provide an annual report to the County of such actions within fifteen (15) days of the end of the calendar year.

- i. Provide Milwaukee County Housing Division and make available to developers an inventory of developable land that is suitable for affordable, high-density, multi-family housing.
 - ii. Provide a list to the Milwaukee County Housing Division annually of all Tax Incremental Financing (TIF) Districts that will terminate within the next five (5) years and plans to extend the TIF to create affordable multi-family housing.
 - iii. Work with Southeast Wisconsin Regional Plan Commission and/or Metropolitan Milwaukee Fair Housing Council to review and revise ordinances to remove barriers to affordable housing. Zoning ordinances, building ordinances, and fair housing ordinances are examples of the types of ordinances that may impact housing.
 - iv. Make changes to zoning districts to better connect transportation to areas zoned for multi-family housing.
 - v. Work with Milwaukee County Housing Choice Voucher program to identify and outreach to landlords in the Municipality to encourage participation in the Housing Choice Voucher program and provide landlords with fair housing information.
 - vi. Train elected officials serving on the governing board (common council/board of trustees) and volunteers serving on the plan commission, board of appeals, and other bodies impacting housing in fair housing laws and the requirement to affirmatively further fair housing.
 - vii. Train “first point of contact” staff to ensure that persons requesting assistance for possible fair housing violations obtain timely and accurate information from anyone who may answer a phone or field fair housing inquiries from the public.
 - viii. Any other activity listed in the recommendations section of Milwaukee County Analysis of Impediments to Fair Housing (June 2008 edition and any updated Analysis) with approval from the Milwaukee County Housing Division.
- c. Nothing contained in this Agreement shall deprive any Municipality of any power of zoning, development control or other lawful authority that it presently possesses.

- d. Pursuant to HUD regulations, the Municipality may not apply for grants under the Small Cities or State CDBG Programs from appropriations for fiscal years during the period in which it is participating in the Urban County's CDBG program.
- e. Pursuant to HUD regulations, the Municipality may not participate in a HOME consortium except through the County, regardless of whether the County receives a HOME formula allocation. However, this Agreement does not preclude The County or the Municipality from applying for State HOME funds.
- f. The Municipality attests that it has adopted and is enforcing:
 - i. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - ii. A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.
- g. The Municipality must inform the County of any income generated by the expenditure of CDBG funds received by the Municipality.
 - i. Any such program income must be paid to the County, or if the completion of an approved activity should require the use of program income, the Municipality may retain said income upon mutual agreement of the County and the Municipality.
 - ii. Any program income the Municipality is authorized to retain may only be used for eligible activities in accordance with all CDBG requirements as may then apply.
- h. The Municipality must establish and maintain appropriate record keeping and reporting of any retained program income and make such available to the County in order that the County can meet its monitoring and reporting responsibilities to HUD.
- i. If the Milwaukee County Urban County Community Development program is, at some future date, closed-out, or if the status of the Municipality's participation in the Milwaukee County Urban County Community Development program changes, any program income retained by the Municipality, or received subsequent to the close-out or change in status, shall be paid to the County.
- j. If the Municipality utilizes in whole or in part, funds covered by this Agreement to acquire and/or improve real property which will be within the control of the Municipality, then the following standards shall apply:

- i. The Municipality will notify the County in advance of any modification or change in the use of real property from that planned at the time of the acquisition or improvement, including disposition;
 - ii. The Municipality will, if acquired or improved property is sold or transferred for a use which is not an eligible CDBG activity, reimburse the County in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG funds); and
 - iii. Program income generated from the disposition or transfer of property acquired and/or improved in whole or in part with CDBG funds prior to or subsequent to the close-out, change of status, or termination of this Cooperation Agreement shall be treated under the provisions of this Agreement concerning program income.
- k. As required by the Transportation, Housing and Urban Development, and related Agencies Appropriations Act, 2014, Pub. L. 113-76, a local unit of general government may not sell, trade or otherwise transfer all or any portion of the CDBG funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended.

6. Authorization.

- a. The County has executed this Agreement pursuant to action taken by its Board of Supervisors on _____, 20___, Resolution File No. _____ (copy attached).
- b. The Municipality has executed this Agreement pursuant to action taken by its governing body on _____, 20___, by law (copy attached).

SIGNATURE PAGE FOLLOWS:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day, month and year first above written.

MUNICIPALITY

Name: _____
Title: _____

Name: _____
Title: _____

MILWAUKEE COUNTY

Director Department of Health and Human Services

Approved:

Approved:

By: _____ Date: _____
County Executive

By: _____ Date: _____
Office of the Comptroller

Approved as to Execution:

By: _____ Date: _____
Corporation Counsel



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

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

Memorandum

To: Paul Boening, Village Manager
From: Spencer Charczuk, E.I.T., Staff Engineer
CC: John Edlebeck, P.E., Public Works Director
Date: June 15, 2020
Re: Resolution to Adopt 2019 Reporting Year Sanitary Sewer System CMAR.

Annually all communities that have a WPDES discharge permit are required to file a Compliance Maintenance Annual Report (CMAR) to the DNR by June 30th regarding its sanitary collection system. Before the report can be submitted to the DNR the Village Board is to acknowledge the report by formal resolution. With the exception of the resolution, the report has been submitted electronically. Attached is a copy of the report and the draft resolution.

The financial, collection, and overall grades of "A" indicate Whitefish Bay is conducting appropriate maintenance, rehabilitation, and financial actions regarding the wastewater collection system. The report is submitted and a response is received annually from DNR.

RECOMMENDATION

The Village Board acknowledges the reporting year 2019 Compliance Maintenance Annual Report by resolution and the Village Engineer submit the complete report to the DNR.

Spencer Charczuk

RESOLUTION NO. 3075

**RESOLUTION REGARDING THE WISCONSIN
DEPARTMENT OF NATURAL RESOURCES, REPORTING YEAR
2019 COMPLIANCE MAINTENANCE ANNUAL REPORT**

WHEREAS, it is a requirement under a Wisconsin Pollutant Discharge Elimination system (WPDES) permit issued by the Wisconsin Department of Natural Resources to file a Compliance Maintenance Annual Report (CMAR) for its wastewater treatment/wastewater collection system under Wisconsin Administration Code NR 208; and

WHEREAS, it is necessary to acknowledge that the governing body has reviewed the compliance Maintenance Annual Report (CMAR); and

WHEREAS, it is necessary to provide recommendations or an action response plan for all individual CMAR section grades (of "C": or less) and/or an overall grade point average (<3.00);

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Whitefish Bay that the following actions will be taken to address or correct problems/deficiencies of the collection system as identified in the Compliance Maintenance Annual Report (CMAR):

Recommended Actions: None Required, Grade of "A".

PASSED and ADOPTED by the Village of Whitefish Bay Board, Milwaukee County, Wisconsin this 13th day of July, 2020.

Julie Siegel, Village President

(Attest)

Jaimie Krueger, Village Clerk

Compliance Maintenance Annual Report

Whitefish Bay Sewage Collection System

Last Updated: Reporting For:
6/24/2020 2019

Financial Management

<p>1. Provider of Financial Information</p> <p>Name: <input style="width: 80%;" type="text" value="Spencer Charczuk"/></p> <p>Telephone: <input style="width: 20%;" type="text" value="4749626690"/> (XXX) XXX-XXXX</p> <p>E-Mail Address (optional): <input style="width: 80%;" type="text" value="s.charczuk@wfbvillage.org"/></p>													
<p>2. Treatment Works Operating Revenues</p> <p>2.1 Are User Charges or other revenues sufficient to cover O&M expenses for your wastewater treatment plant AND/OR collection system ?</p> <p>● Yes (0 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ No (40 points)</p> <p>If No, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>2.2 When was the User Charge System or other revenue source(s) last reviewed and/or revised? Year: <input style="width: 15%;" type="text" value="2018"/></p> <p>● 0-2 years ago (0 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ 3 or more years ago (20 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ N/A (private facility)</p> <p>2.3 Did you have a special account (e.g., CWFPP required segregated Replacement Fund, etc.) or financial resources available for repairing or replacing equipment for your wastewater treatment plant and/or collection system?</p> <p>● Yes (0 points)</p> <p>○ No (40 points)</p>	0												
<p>REPLACEMENT FUNDS [PUBLIC MUNICIPAL FACILITIES SHALL COMPLETE QUESTION 3]</p>													
<p>3. Equipment Replacement Funds</p> <p>3.1 When was the Equipment Replacement Fund last reviewed and/or revised? Year: <input style="width: 15%;" type="text" value="2019"/></p> <p>● 1-2 years ago (0 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ 3 or more years ago (20 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ N/A</p> <p>If N/A, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>3.2 Equipment Replacement Fund Activity</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">3.2.1 Ending Balance Reported on Last Year's CMAR</td> <td style="width: 5%; text-align: right;">\$</td> <td style="width: 35%; text-align: right;"><input style="width: 90%;" type="text" value="32,706.00"/></td> </tr> <tr> <td>3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><input style="width: 90%;" type="text" value="0.00"/></td> </tr> <tr> <td>3.2.3 Adjusted January 1st Beginning Balance</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><input style="width: 90%;" type="text" value="32,706.00"/></td> </tr> <tr> <td>3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><input style="width: 90%;" type="text" value="0.00"/></td> </tr> </table>	3.2.1 Ending Balance Reported on Last Year's CMAR	\$	<input style="width: 90%;" type="text" value="32,706.00"/>	3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)	\$	<input style="width: 90%;" type="text" value="0.00"/>	3.2.3 Adjusted January 1st Beginning Balance	\$	<input style="width: 90%;" type="text" value="32,706.00"/>	3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)	\$	<input style="width: 90%;" type="text" value="0.00"/>	
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<p>3.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 3.2.6.1 below*) -</p> <p style="text-align: right;">\$ 0.00</p> <p>3.2.6 Ending Balance as of December 31st for CMAR Reporting Year</p> <p style="text-align: right;">\$ 32,706.00</p> <p>All Sources: This ending balance should include all Equipment Replacement Funds whether held in a bank account(s), certificate(s) of deposit, etc.</p> <p>3.2.6.1 Indicate adjustments, equipment purchases, and/or major repairs from 3.2.5 above.</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>3.3 What amount should be in your Replacement Fund? \$ 32,706.00</p> <p>Please note: If you had a CWF loan, this amount was originally based on the Financial Assistance Agreement (FAA) and should be regularly updated as needed. Further calculation instructions and an example can be found by clicking the SectionInstructions link under Info header in the left-side menu.</p> <p>3.3.1 Is the December 31 Ending Balance in your Replacement Fund above, (#3.2.6) equal to, or greater than the amount that should be in it (#3.3)?</p> <p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>If No, please explain.</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	0																
<p>4. Future Planning</p> <p>4.1 During the next ten years, will you be involved in formal planning for upgrading, rehabilitating, or new construction of your treatment facility or collection system?</p> <p><input checked="" type="radio"/> Yes - If Yes, please provide major project information, if not already listed below. <input type="checkbox"/> <input type="checkbox"/> <input type="radio"/> No</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">Project #</th> <th style="width: 65%;">Project Description</th> <th style="width: 15%;">Estimated Cost</th> <th style="width: 15%;">Approximate Construction Year</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>Foundation drain disconnect project to reduce clearwater inflows.</td> <td style="text-align: center;">100000</td> <td style="text-align: center;">2020</td> </tr> <tr> <td style="text-align: center;">2</td> <td>Various sanitary sewer relays.</td> <td style="text-align: center;">200000</td> <td style="text-align: center;">2020</td> </tr> <tr> <td style="text-align: center;">3</td> <td>Various sanitary sewer lining of mains and manhole repair</td> <td style="text-align: center;">400000</td> <td style="text-align: center;">2020</td> </tr> </tbody> </table>		Project #	Project Description	Estimated Cost	Approximate Construction Year	1	Foundation drain disconnect project to reduce clearwater inflows.	100000	2020	2	Various sanitary sewer relays.	200000	2020	3	Various sanitary sewer lining of mains and manhole repair	400000	2020
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<p>5. Financial Management General Comments</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>																	
<p>ENERGY EFFICIENCY AND USE</p>																	
<p>6. Collection System</p> <p>6.1 Energy Usage</p> <p>6.1.1 Enter the monthly energy usage from the different energy sources:</p> <p>COLLECTION SYSTEM PUMPAGE: Total Power Consumed</p> <p>Number of Municipally Owned Pump/Lift Stations: <input style="width: 50px;" type="text" value="1"/></p>																	

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	Electricity Consumed (kWh)	Natural Gas Consumed (therms)
January	715	0
February	748	26
March	613	3
April	656	4
May	590	4
June	434	4
July	395	21
August	429	6
September	519	4
October	560	3
November	699	6
December	711	4
Total	7,069	85
Average	589	8

6.1.2 Comments:

6.2 Energy Related Processes and Equipment

6.2.1 Indicate equipment and practices utilized at your pump/lift stations (Check all that apply):

- Comminution or Screening
- Extended Shaft Pumps
- Flow Metering and Recording
- Pneumatic Pumping
- SCADA System
- Self-Priming Pumps
- Submersible Pumps
- Variable Speed Drives
- Other:

6.2.2 Comments:

6.3 Has an Energy Study been performed for your pump/lift stations?

- No
- Yes

Year:

By Whom:

Describe and Comment:

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6.4 Future Energy Related Equipment

6.4.1 What energy efficient equipment or practices do you have planned for the future for your pump/lift stations?

This lift station is a very low volume station and most energy efficiency improvements are more suited for high volume stations such as adding variable speed drives.

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Sanitary Sewer Collection Systems

1. Capacity, Management, Operation, and Maintenance (CMOM) Program

1.1 Do you have a CMOM program that is being implemented?

Yes

No

If No, explain:

1.2 Do you have a CMOM program that contains all the applicable components and items according to Wisc. Adm Code NR 210.23 (4)?

Yes

No (30 points)

N/A

If No or N/A, explain:

1.3 Does your CMOM program contain the following components and items? (check the components and items that apply)

Goals [NR 210.23 (4)(a)]

Describe the major goals you had for your collection system last year:

Clean sanitary sewer 20%
Inspect sanitary sewer 10%
Inspect manholes 20%

Did you accomplish them?

Yes

No

If No, explain:

Organization [NR 210.23 (4) (b)]

Does this chapter of your CMOM include:

Organizational structure and positions (eg. organizational chart and position descriptions)

Internal and external lines of communication responsibilities

Person(s) responsible for reporting overflow events to the department and the public

Legal Authority [NR 210.23 (4) (c)]

What is the legally binding document that regulates the use of your sewer system?

Chapter 13 Village Sewer Use Ordinance

If you have a Sewer Use Ordinance or other similar document, when was it last reviewed and revised? (MM/DD/YYYY) 2018-05-30

Does your sewer use ordinance or other legally binding document address the following:

Private property inflow and infiltration

New sewer and building sewer design, construction, installation, testing and inspection

Rehabilitated sewer and lift station installation, testing and inspection

Sewage flows satellite system and large private users are monitored and controlled, as necessary

Fat, oil and grease control

Enforcement procedures for sewer use non-compliance

Operation and Maintenance [NR 210.23 (4) (d)]

Does your operation and maintenance program and equipment include the following:

Equipment and replacement part inventories

Up-to-date sewer system map

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A management system (computer database and/or file system) for collection system information for O&M activities, investigation and rehabilitation
 A description of routine operation and maintenance activities (see question 2 below)
 Capacity assessment program
 Basement back assessment and correction
 Regular O&M training
 Design and Performance Provisions [NR 210.23 (4) (e)]
 What standards and procedures are established for the design, construction, and inspection of the sewer collection system, including building sewers and interceptor sewers on private property?
 State Plumbing Code, DNR NR 110 Standards and/or local Municipal Code Requirements
 Construction, Inspection, and Testing
 Others:

Overflow Emergency Response Plan [NR 210.23 (4) (f)] 0
 Does your emergency response capability include:
 Responsible personnel communication procedures
 Response order, timing and clean-up
 Public notification protocols
 Training
 Emergency operation protocols and implementation procedures
 Annual Self-Auditing of your CMOM Program [NR 210.23 (5)]
 Special Studies Last Year (check only those that apply):
 Infiltration/Inflow (I/I) Analysis
 Sewer System Evaluation Survey (SSES)
 Sewer Evaluation and Capacity Management Plan (SECAP)
 Lift Station Evaluation Report
 Others:

2. Operation and Maintenance

2.1 Did your sanitary sewer collection system maintenance program include the following maintenance activities? Complete all that apply and indicate the amount maintained.

Cleaning	25	% of system/year
Root removal	2	% of system/year
Flow monitoring	0	% of system/year
Smoke testing	0	% of system/year
Sewer line televising	25	% of system/year
Manhole inspections	20	% of system/year
Lift station O&M	12	# per L.S./year
Manhole rehabilitation	0	% of manholes rehabbed
Mainline rehabilitation	0	% of sewer lines rehabbed
Private sewer inspections	0.1	% of system/year

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Private sewer I/I removal % of private services
 River or water crossings % of pipe crossings evaluated or maintained

Please include additional comments about your sanitary sewer collection system below:

3. Performance Indicators

3.1 Provide the following collection system and flow information for the past year.

Total actual amount of precipitation last year in inches
 Annual average precipitation (for your location)
 Miles of sanitary sewer
 Number of lift stations
 Number of lift station failures
 Number of sewer pipe failures
 Number of basement backup occurrences
 Number of complaints
 Average daily flow in MGD (if available)
 Peak monthly flow in MGD (if available)
 Peak hourly flow in MGD (if available)

3.2 Performance ratios for the past year:

Lift station failures (failures/year)
 Sewer pipe failures (pipe failures/sewer mile/yr)
 Sanitary sewer overflows (number/sewer mile/yr)
 Basement backups (number/sewer mile)
 Complaints (number/sewer mile)
 Peaking factor ratio (Peak Monthly:Annual Daily Avg)
 Peaking factor ratio (Peak Hourly:Annual Daily Avg)

4. Overflows

LIST OF SANITARY SEWER (SSO) AND TREATMENT FACILITY (TFO) OVERFLOWS REPORTED **

Date	Location	Cause	Estimated Volume (MG)
None reported			

** If there were any SSOs or TFOs that are not listed above, please contact the DNR and stop work on this section until corrected.

5. Infiltration / Inflow (I/I)

5.1 Was infiltration/inflow (I/I) significant in your community last year?

- Yes
- No

If Yes, please describe:

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I/I will continue to be significant due to the issues of having such an aged infrastructure. Many private laterals are clay and have root intrusion increasing I/I. The Village continues to try to address the issue of I/I with planned out Capital Projects and studying new technologies that can further reduce I/I. The Village is in the process of lining sanitary mains and manholes as well as introducing a Foundation Drain Disconnect Program.

5.2 Has infiltration/inflow and resultant high flows affected performance or created problems in your collection system, lift stations, or treatment plant at any time in the past year?

- Yes
- No

If Yes, please describe:

The Village still experiences peaking factors during heavy rain events. As a result of improvements the Village has made in previous years there were no SSO or basement backups related to surcharging manholes in 2019.

5.3 Explain any infiltration/inflow (I/I) changes this year from previous years:

In 2019 the Village was able to line approximately 40 private sanitary laterals in a studied priority area where I/I is most significant.

5.4 What is being done to address infiltration/inflow in your collection system?

The Village continues to study and develop capital projects to reduce I/I. The Village also continues to work with MMSD and investigate potential grants that provide aid in completion of these projects. In Village is in the process of lining sanitary mains and manholes within the High I/I area as well as introduce a Foundation Drain Disconnection Program.

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Grading Summary

WPDES No: 0047341

SECTIONS	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Financial	A	4	1	4
Collection	A	4	3	12
TOTALS			4	16
GRADE POINT AVERAGE (GPA) = 4.00				

Notes:

- A = Voluntary Range (Response Optional)
- B = Voluntary Range (Response Optional)
- C = Recommendation Range (Response Required)
- D = Action Range (Response Required)
- F = Action Range (Response Required)

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Resolution or Owner's Statement

Name of Governing
Body or Owner:

Village of Whitefish Bay

Date of Resolution or
Action Taken:

2020-07-13

Resolution Number:

Date of Submittal:

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO SPECIFIC CMAR SECTIONS (Optional for grade A or B. Required for grade C, D, or F):

Financial Management: Grade = A

Collection Systems: Grade = A

(Regardless of grade, response required for Collection Systems if SSOs were reported)

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO THE OVERALL GRADE POINT AVERAGE AND ANY GENERAL COMMENTS

(Optional for G.P.A. greater than or equal to 3.00, required for G.P.A. less than 3.00)

G.P.A. = 4.00



VILLAGE BOARD STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees
Paul Boening – Village Manager

REPORT FROM: Tim Blakeslee – Assistant Village Manager

DATE: July, 7 2020

AGENDA ITEM: Discussion/action on the following ordinances:
- Ord. 1864 - pertaining to Conditional Uses in the Business District.
- Ord. 1865 - pertaining to Conditional Use Procedure.

ACTION REQUESTED: ___ Ordinance ___ Resolution Motion

BACKGROUND

Attorney Jaekels drafted the attached Ordinances, which upon adoption will bring Whitefish Bay's Municipal Code into conformance with recent State Law changes pertaining to Conditional Uses. From a legal standpoint, this is a housekeeping matter.

Plan Commission review is required prior to Village Board action on Zoning Code amendments. The Village Board referred these ordinances to the Plan Commission on March 16, 2020, but as a result of the COVID-19 pandemic non-essential Plan Commission meeting/agenda items were postponed. The Plan Commission reviewed and recommended these ordinances be approved by the Village Board at their regular meeting on June 22, 2020.

The Ordinances are now brought back for final Village Board discussion and action after review by the Plan Commission.

RECOMMENDED ACTION BY VILLAGE BOARD

Move to approve Ord. 1864 and Ord. 1865 as presented.

C: Department Heads
Attorney Jaekels

ORDINANCE NO: 1864

**An Ordinance to Amend Section 16-21D of the
Municipal Code with Regard to Conditional Uses in the Business District**

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

Section One: Section 16-21D of the Municipal Code is hereby deleted and recreated to read as follows:

D. Conditional Use and Architecture and Aesthetics Approval Process.

(1) Conditional Use Permits shall be subject to the procedures set forth in Section 16-16.

(2) Architecture and aesthetic design shall be subject to approval of the Community Development Authority (CDA) or Architectural Review Commission (ARC) if so regulated under any other provision of the Municipal Code.

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

Section Three: 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 _____, 2020.

VILLAGE OF WHITEFISH BAY

Julie Siegel, Village President

Jaimie Krueger, Village Clerk

ORDINANCE NO: 1865

**An Ordinance to Repeal and Recreate Section 16-16 of the
Municipal Code with Regard to Conditional Uses**

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

Section One: Section 16-16 of the Municipal Code is hereby repealed and recreated to read as follows:

Conditional Use Permits

Section 16-16. Conditional Use Procedure.

- (1) Purpose and Applicability. The development and execution of this Chapter is based upon the division of the Village into zoning districts, within which districts the use of land and buildings, and bulk and location of buildings and structures in relation to the land, are mutually compatible and substantially uniform. However, there are certain uses which, because of their unique characteristics, cannot be properly classified as unrestricted permitted uses in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land or public facilities, and of the public need for the particular use at a particular location. Such uses, nevertheless, may be necessary or desirable to be allowed in any particular district or districts provided that due consideration is given to their location, development, and operation. Such uses are classified as conditional uses and require a conditional use permit except as specified under subsection (14).
- (2) Initiation of Conditional Use Permit. Any person, firm, corporation, or organization having a freehold interest or a possessory interest entitled to exclusive possession, or a contractual interest that may become a freehold interest or an exclusive possessory interest, and that is specifically enforceable on the land for which a conditional use is sought, may file an application to use such land for one or more of the conditional uses in the zoning district in which such land is located.
- (3) Application for Conditional Use Permit. No application for a conditional use permit shall be placed on any agenda as an item to be acted upon unless the Village Manager or Designee has certified acceptance of a complete application. Prior to publication of the required Notice of Public Hearing, the applicant shall provide the Village Clerk with the complete application certified by the Village Manager or Designee, including an easily reproducible electronic copy plus hard copies in a quantity directed by the Village Clerk. Said complete application shall be comprised of all of the following:
 - (a) A completed conditional use permit application on a form furnished by the Village Manager or Designee.
 - (b) A scale map of the subject property showing all lands for which the conditional use permit is proposed, and all other lands within 300 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands on said map

as the same appear on the current records of the Register of Deeds. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided.

- (c) A written description of the proposed conditional use describing the type, duration, and density of activities, buildings, and structures proposed for the subject property and their general locations, plus such additional information as may be required for the particular land use under the Zoning Code.
 - (d) A site plan of the subject property, with any alterations as may be proposed to accommodate the conditional use. Said site plan shall conform to any applicable requirements of the Zoning Code, and any additional requirements as may be specified for the particular land use under the Zoning Code. If the conditional use will make use of existing site improvements only, a site plan need only be of sufficient detail to confirm the portion of the site used by the conditional use.
 - (e) Written justification for the proposed conditional use consisting of the reasons why the applicant believes the proposed conditional use is appropriate, particularly as evidenced by compliance with the approval criteria set forth in this Section and all applicable requirements of this Chapter.
 - (f) Any other plans and information deemed necessary by the Village Manager or Designee or the Plan Commission to ensure that the requirements of this Chapter are or will be fulfilled.
 - (g) Any required fee per the fee schedule approved by the Village Board.
- (4) Village Manager or Designee Review and Recommendation.
- (a) The Village Manager or Designee shall determine whether the application is complete and fulfills the requirements of this Chapter. Only a complete application in the determination of the Village Manager or Designee shall be entitled to a public hearing. The Village Manager or Designee shall inform the applicant if the application is incomplete in his or her determination.
 - (b) Once the Village Manager or Designee determines that the application is complete, the Village Manager or Designee shall authorize the public hearing and prepare a written evaluation of the application based on the criteria for evaluating conditional use permits in subsection (8) below. The Village Manager or Designee shall forward a copy of the evaluation to the Plan Commission.
- (5) Public Hearing. The Village Clerk shall schedule a public hearing before the Plan Commission to be held within 45 days after acceptance of a complete application as determined by the Village Manager or Designee. Notice of the time, place, and purpose of such hearing shall be given by publication as a Class 2 Notice in conformance with the requirements of Wis. Stats. § 62.23(7)(d) and (de). The Village Clerk shall also send said notice to the applicant and owners of record of all lands within 100 feet of the boundaries of the subject property at least five days prior to the date of such public hearing. Failure to mail said notice or failure to meet the time requirements herein, provided it is unintentional, shall not invalidate proceedings under this Section.
- (6) Review and Action by the Plan Commission. Within 60 days after the public hearing, or an extension of said period requested in writing or electronic format by the applicant and granted by the Commission, the Plan Commission shall take final action on the conditional use permit request. Prior to acting on a conditional use permit application, the Plan Commission may

request further information or additional reports from the Village Manager or Designee, the applicant, outside experts or any other source. The Commission may approve the conditional use as originally proposed, may approve the proposed conditional use with conditions or modifications, or may deny approval of the proposed conditional use and include reasons for denial. Any action to approve or amend the proposed conditional use permit requires a majority vote of Commission members in attendance.

(7) Appeal to the Village Board. An appeal of a decision under subsection (6) may be taken to the Village Board by any person, firm or corporation; any officer, department, board, commission or agency of the Village, who is aggrieved by the decision. Such appeal shall be made in writing to the Village Manager or Designee within ten days after the date of the Commission's decision. In the case of an appeal:

(a) The Village Manager or Designee shall issue no permits to enable commencement or continuation of building and other activities authorized by the conditional use permit and shall issue a "stop work" order for any such activities already commenced.

(b) The Village Manager or Designee shall immediately notify the applicant and property owner of the appeal in writing and shall schedule the appeal for Village Board consideration.

(c) The Village Board shall, by resolution, make a final decision to grant, with or without conditions, or to deny each application for a conditional use permit after receiving and reviewing the Commission's findings and making its own findings as to whether or not the proposed use will satisfy the criteria for approval set forth in section (8), and shall have all of the powers of the Commission under this Section. The Village Board's determination shall be final and subject to appeal to Federal or state court under any procedure authorized by statute.

(8) Review Criteria for Conditional Use Permit.

(a) If the applicant meets, or agrees to meet, all of the applicable requirements specified in this Chapter and conditions imposed by the Plan Commission, the Commission shall under Wis. Stats. § 62.23(7)(de)2.a. grant the conditional use permit. The Village may require written agreement from the applicant in a form prescribed by the Village Attorney.

(b) Any decision to grant or deny the conditional use permit must be supported by substantial evidence, as that term is defined in Wis. Stats. § 62.23(7)(de)1.b. Any condition or modification must be related to the purpose of this Chapter, reasonable, measurable to the extent practicable, and based on substantial evidence.

(c) To the extent consistent with Subsections (a) and (b), no conditional use permit shall be granted unless the Plan Commission finds that the use authorized thereby meets the following criteria:

1. The proposed conditional use is consistent with the Comprehensive Plan, this Chapter, and all other plans, programs, and ordinances adopted by the Village.

2. The proposed conditional use, in its proposed location and as depicted on the required site plan, will not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the

provisions of this Chapter, the Comprehensive Plan, or all other plans, programs, and ordinances adopted by the Village.

3. The proposed conditional use will maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
 4. The proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by public agencies serving the subject property.
 5. The potential public benefits of the proposed conditional use outweigh potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.
- (9) Issuance, Notice, and Recording of Conditional Use Permit or Denial. Within 30 days following the granting of a conditional use permit, the Village Manager or Designee shall issue to the applicant the approved conditional use permit. Said permit shall enumerate the details of the conditional use permit, including an identifiable description of the use and subject property and any specific conditions or requirements of approval. The Village Manager or Designee may record the conditional use permit against the property, assigning all costs thereof to the applicant, and shall make record of the conditional use permit on the Official Zoning Map. In the case of a denial of a conditional use permit, the Village Manager or Designee shall provide written notification to the applicant that the conditional use permit was denied, including the reasons for denial.
- (10) Effect of Denial. No conditional use permit application that has been denied (either wholly or in part) shall be resubmitted for a period of 12 months from the date of said order of denial, except on grounds of new evidence or proof of change of factors relative to the review criteria in subsection (8) that are found valid by the Village Manager or Designee.
- (11) Penalties, Revocation, or Modification of an Approved Conditional Use Permit.
- (a) Any violation of an approved conditional use permit shall be subject to Section 17-18, as well as equitable relief in circuit court.
 - (b) A conditional use permit shall be automatically revoked if:
 1. All buildings and other improvements authorized by the conditional use permit have not been developed, and the conditional use has not commenced operation, within two years of final site plan approval, unless the Commission has extended this period by request of the applicant, based on reasons beyond the reasonable control of the applicant.
 2. Once initially made operational, the operation of the conditional use has been discontinued for a period exceeding one year. The burden of proof shall be with the conditional use permit holder or operator to conclusively demonstrate that the conditional use was operational during this period.
 - (c) A conditional use permit may be revoked or modified by the Plan Commission, where the Commission determines that the use, its operation, or associated improvements are not in compliance with (i) the terms of this Chapter including one or more criteria in subsection (8) or (ii) the approved conditional use permit including any associated plan or approval condition. The Commission may commence proceedings to consider

revocation or modification, with such proceedings following the process in subsections (5) and (6). An appeal of any such decision shall be allowed per subsection (7).

- (12) Duration and Transfer. The Commission may approve a conditional use permit with a limitation on the Permit's start date, duration, or transfer if such limitations(s) relate to the purpose of this Chapter and the conditional use permit review criteria in subsection (8). Unless the Commission approved a conditional use permit with a transfer limitation, or the Zoning Code prescribes a transfer limitation for the particular conditional use, all requirements of the approved conditional use permit shall be continued regardless of ownership or operation of the subject property or use and shall run with the land, except as otherwise limited by this Chapter or by a specific condition attached to the conditional use permit.
- (13) Amendments to Approved Conditional Use. Any expansion of or amendment to a previously approved conditional use permit or grandfathered conditional use, including any change in an associated plan or approval condition found to be material by the Village Manager or Designee, shall be processed in accordance with subsections (2) through (10), except where its initial approval allowed expansion or amendment by some other process.
- (14) Expansion or Modification of Conditional Use. Any substantial expansion or modification of any conditional use or any previously approved condition of such use, in the determination of the Village Manager or Designee, shall require application and Village consideration of a new or amended conditional use permit under this Section.

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

Section Three: 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 _____, 2020.

VILLAGE OF WHITEFISH BAY

Julie Siegel, Village President

Jaimie Krueger, Village Clerk



PLAN COMMISSION MEETING STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees
Paul Boening – Village Manager

REPORT FROM: Tim Blakeslee – Assistant Village Manager

DATE: 6/18/20

AGENDA ITEM: Discussion/action on the following ordinances:
- Ord No. 1868 - to repeal and recreate Section 16-31 of the Municipal Code with regard to maintaining or eliminating nonconforming or substandard lots.

ACTION REQUESTED: Ordinance Resolution Motion

BACKGROUND

Attorney Jaekels is recommending adoption of the attached Ordinance to align Whitefish Bay's Municipal Code with language included in 2017 Wisconsin Act 67 and more recently clarified by a Supreme Court decision. Specifically, the Ordinance will add a provision to 16-31 to allow lots that were legally created that do not currently meet the minimum lot width and area requirements to be considered a building site provided that all ordinance requirements can be met.

Plan Commission review is required prior to Village Board action on Zoning Code amendments. The Village Board referred this ordinance to the Plan Commission on May 4, 2020, but as a result of the COVID-19 pandemic non-essential Plan Commission meeting/agenda items were postponed. The Plan Commission reviewed and recommended this ordinance be approved by the Village Board at their regular meeting on June 22, 2020. The Ordinance is now brought back for final Village Board after review by the Plan Commission.

RECOMMENDED ACTION BY VILLAGE BOARD

Move to approve Ord. 1868 as presented.

C: Department Heads
Attorney Jaekels

ORDINANCE NO: 1868

**An Ordinance to Repeal and Recreate Section 16-31 of the
Municipal Code with Regard to
Maintaining or Eliminating Nonconforming or Substandard Lots**

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

Section One: Section 16-31 of the Municipal Code is hereby repealed and recreated to read as follows:

Section 16-31. Maintaining or Eliminating Nonconforming or Substandard Lots.

A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements, may be used as a building site if all of the following apply:

- (1) The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel;
- (2) The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel; and
- (3) The substandard lot or parcel is developed to comply with all other ordinance requirements.

Note: The intent of this provision is to allow lots that were legally created that currently do not meet the minimum lot width and area requirements to be considered a building site provided all ordinance requirements can be met. Substandard lots that have been reconfigured by a certified survey map or consolidated into one legal description with the Register of Deeds, which result in a larger (closer to conforming) lot should be allowed to be utilized as a building site. Additionally, lots that have a legal description for each substandard lot on record with the Register of Deeds but have one tax parcel number assigned by the real property lister or assessor for taxing/assessing purposes should be considered separate building sites and should not be considered consolidated. Lots that have had development over the lot lines should be combined with a legal description and recorded with a new deed prior to new development occurring.

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

Section Three: 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 _____, 2020.

VILLAGE OF WHITEFISH BAY

Julie Siegel, Village President

Jaimie Krueger, Village Clerk



VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees
Village Manager Paul Boening

REPORT FROM: Tim Blakeslee, Assistant Village Manager

DATE: July 8, 2020

AGENDA ITEM: Discussion/action on acceptance of a bench donation from Frank Daily for placement at Buckley Park

ACTION REQUESTED: ___ Ordinance ___ Resolution √ Motion (Consent)

BACKGROUND:

In June, Mr. Frank Daily contacted Village Staff regarding a bench donation for placement at Buckley Park in honor of a family member. Village Staff met virtually with Mr. Daily to select an open bench location on the bluff. The approximate location is included in Attachment 1. Pending approval by the Village Board, Village Staff will invoice Mr. Daily for the cost of installation (approximately \$750). Mr. Daily will be responsible for purchasing a memorial plaque (if desired), which Village staff will install.

RECOMMENDED ACTION BY VILLAGE BOARD:

Staff recommends the acceptance of a bench donation from Frank Daily for placement at Buckley Park.

ATTACHMENTS

1. Bench Location

C: Department Heads
Attorney Jaekels

Attachment 1:





VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees

REPORT FROM: Paul Boening – Village Manager

DATE: July 9, 2020

AGENDA ITEM: Referral of PDD Petition (proposed seven home residential subdivision – 721 E. Silver Spring Dr.) from WiRED Properties to the Architectural Review Commission and Plan Commission.

ACTION REQUESTED: Ordinance Resolution Motion (Consent Agenda)

BACKGROUND

At its meeting on November 6, 2019, the Whitefish Bay Plan Commission approved a Pre-Petition for redevelopment of the First Church of Christ Scientist property at 721 E. Silver Spring Dr. On June 25th, Blair Williams, President of WiRED Properties submitted a full Planned Development District (PDD) Petition for redevelopment of the aforementioned site. The proposal includes demolition of the existing church building and construction of seven single-family homes (please see attached narrative and site plan).

Per Village Code requirements, the Village Board is required to refer the PDD Petition to the Architectural Review Commission for the purpose of providing advice and recommendation to the Plan Commission. The Plan Commission will then review the Petition and will forward a recommendation to the Village Board. At that time the Village Board will hold a Public Hearing and will have the opportunity to fully review the proposal in accordance with Code requirements. The Village Board possesses final decision making authority in relation to PDD Petitions.

RECOMMENDED ACTION BY VILLAGE BOARD

Approval of Consent Agenda, which includes referral of the PDD Petition from WiRED Properties to the Architectural Review Commission and Plan Commission.

C: Department Heads
Attorney Jaekels

FIRST CHURCH OF CHRIST SCIENTIST SITE: PDD PETITION SUBMITTAL 06/25/2020



In 1950, a congregation of Christ Scientists commissioned the construction of a church located at 721 E. Silver Spring Drive in Whitefish Bay, with their first services held in December 1951. The church property, originally constructed for a congregation of 400, included a substantive parking lot occupying approximately 3/4 of the village block bounded by Silver Spring, Glen, Danbury, and Marlborough.

Over the course of the past 20+ years, the church's membership has declined substantively. Today, the property remains off the village tax rolls, the building is profoundly under-utilized and ill-equipped for adaptive re-use, and the parking lot is in deteriorating condition and used mainly by third parties. As a result of its declining membership, the church resolved to sell the property.

Our entity has purchased the property with the intention to re-develop it into a development that will:

- Contribute substantively to Whitefish Bay's unique sense of community
- Create a dynamic sense of place through innovative architectural design and site planning
- Establish an anchor for the east end of the Silver Spring commercial district and create the opportunity for place making on Marlborough
- Rely on best practices for urban residential design while remaining consistent with neighborhood scale and patterns of development
- Generate meaningful tax increment for the village by bringing this important parcel back onto the tax rolls

While the corner of Silver Spring and Marlborough remains commercial, we find it notable that with very limited exception there are neither multi-family nor commercial buildings located east of Marlborough throughout the village. And, with the exception of the Methodist Church to the east, the surrounding neighborhood is exclusively single family.

Historically, the development of a full block face with distinctly similar single-family homes was Somewhat typical. Indeed, newly-platted subdivisions established a canvas upon which planners and developers created new communities out of whole cloth. We find it throughout metro-Milwaukee with blocks of Milwaukee bungalows, Mikkelson Colonials, and other architectural forms.

It is our intent to respect that historical pattern of development with this new subdivision, but with a focus on urban planning that directly respects this site's proximity to the heart of Whitefish Bay's commercial district, and in compliance with the village's adopted comprehensive plan. Indeed, while walkability is a hallmark of the village, it is fundamental to the attractiveness of this site. We have designed a site plan that relies on an alley for vehicular access – ensuring that the pedestrian is honored on the Danbury block face. We are using materials of the highest quality and durability. And, we have designed homes that contemplate the way that residents live in their homes today.

By adding seven new single-family homes in a landlocked village, we are helping to expand the village's residential base. By developing homes with dynamic value, our plan offers the village tax revenue consistent with that of a far larger mixed-use development. Perhaps most importantly, we believe that this development plan is consistent with the character of both Whitefish Bay generally and of this neighborhood specifically.

The balance of this submittal includes all information required by the village. Please note that site statistics are provided on sheet AS.00. As presented there, our proposed development and the individual houses largely conform with the zoning for a Single Family Residence District. Specifically, our development departs from that zoning for Maximum Dwelling to Lot Ratio. For convenience, I have attached the Site Statistics below for reference.

EXISTING SITE STATISTICS:

SITE AREA = 38,979 SQ. FT.
 IMPERVIOUS AREA = 31,479 SQ. FT.
 IMPERVIOUS COVERAGE PERCENTAGE = 81%
 GREEN SPACE PERCENTAGE = 19%
 ZONING DISTRICTS: 4 CHURCHES & PUBLIC BUILDINGS, 7 AUTOMOBILE PARKING

PROPOSED SITE STATISTICS:

SITE AREA = 38,979 SQ. FT.
 IMPERVIOUS AREA = 25,123 SQ. FT.
 IMPERVIOUS COVERAGE PERCENTAGE = 65%
 GREEN SPACE PERCENTAGE = 35% (INCREASE OF 16% OVER EXISTING SITE)

ADJACENT ZONING DISTRICTS:

EAST: 2 SINGLE FAMILY RESIDENTIAL, 4 CHURCHES & PUBLIC BUILDINGS
 WEST: 6 BUSINESS, 7 AUTOMOBILE PARKING
 SOUTH: 2 SINGLE FAMILY RESIDENTIAL, 4 CHURCHES & PUBLIC BUILDINGS
 NORTH: 6 BUSINESS

PROPOSED 9 PUD ZONING:

MINIMUM LOT SIZE = 4,862 SQ.FT, NORTH LOT
 MINIMUM STREET FRONTAGE = 40.67 FT NORTH LOT
 MAXIMUM DWELLING TO LOT RATIO = 51.4%
 DWELLING VOLUME = 41,854 C.F.
 CORNER LOT DEPTH = 120 FT
 BUILDING HEIGHT = 31.33 FT

2 SINGLE FAMILY RESIDENCE DISTRICT:

MINIMUM LOT SIZE = 4,800 SQ.FT.
 MINIMUM STREET FRONTAGE = 40.00 FT
 MAXIMUM DWELLING TO LOT RATIO = 30%
 MIN DWELLING VOLUME = 17,500 C.F.
 MINIMUM CORNER LOT DEPTH = 120 FT
 MAX BUILDING HEIGHT = 35 FT PER 18,99,812)(a)(b)

PUD MINIMUM AREA > 25,000 SQ.FT, WHEN ADJACENT TO 4 CHURCHES & PUBLIC BUILDING & GROUNDS PER 16.19(B)(2)(c)

FRONT YARD SETBACK = 3'-0" TO MAIN FACADE
 PRIVATE ALLEY SETBACK = 3'-8" MINIMUM
 FENCING: ARCHITECTURAL DESIGNED OPAQUE 1/2" SPACED HORIZONTAL 1 x 6 IFF BOARDS AND PATINAED STRUCTURAL STEEL POSTS 42" TALL FRONT YARD, 72" TALL SIDE AND REAR YARD.

While firm pricing will not be available until plans are approved by the village and put out to bid by the general contractor, we anticipate that the value of these homes will exceed \$1,250,000 each, resulting in an aggregate development value in excess of \$8,750,000.

We will create a subdivision plat that will define seven individual lots and tax keys. Each parcel will include a portion of the private alley. We will establish a home owner's association that will oversee maintenance

of sidewalks, the alley, and front yard landscaping of all residences. This will include snow removal as well as all necessary physical repairs.

We intend to commence construction shortly following receipt of final approvals from the village. Currently, we anticipate construction start in October 2020. We will decommission and demolish the church, to be followed immediately by installation of site fencing. We expect to construct the houses in a single phase over the course of approximately one year. It is possible that we will stagger individual construction starts in order to manage access and the staging of equipment and materials.

Over the course of construction, we anticipate that we will require sidewalk and parking lane closures to accommodate construction activity. We also anticipate we may need periodic short-term drive lane closure on Danbury and Glen. We will communicate and cooperate with both the Village and the neighbors to ensure those closures result in the fewest possible conflicts and disruption.

We are deeply committed to this development. Both my partner, Mike Kelly, and I were raised in Whitefish Bay (WFB HS '74 and '88). This development offers us the opportunity to return to Whitefish Bay – not just as developers, but also as residents. I will live in one of these houses with my wife and two children, and Mike will live in another. Our attention to detail will be exacting, and our commitment unwavering.

Regards,



Blair W. Williams
President



Village of Whitefish Bay

5300 N. Marlborough Drive • Whitefish Bay, Wisconsin 53217 • (414) 962-6690 • Fax (414) 962-5651

RACIAL EQUITY STATEMENT

Recent events throughout our country, including here locally, have prompted important conversations about racial equity and what that looks like in our community. The Village of Whitefish Bay is moved to express our position and commitment to residents.

We believe that Whitefish Bay is an inclusive, accepting village, where we welcome all people, regardless of their race, ethnicity, gender, religion, sexual orientation, mental/physical ability or socio-economic status. Our schools educate all students to the highest standards and Village staff care deeply about serving residents. Our police department values diversity and is trained to treat all people with empathy and the utmost respect.

The Village of Whitefish Bay is committed to building positive community relationships and trust with residents and visitors alike. We do this through ongoing learning and long-term transformation rooted in integrity, community and transparency. This includes, but is not limited to:

- Reviewing current Village policies to identify and end potentially prejudicial or biased practices, ensuring inclusivity from our employees and representatives
- Encouraging participation and enhancing representation of all of our community members across Village programs, services and activities
- Seeking opportunities to engage community members with diverse perspectives, experiences and cultural backgrounds
- Becoming a model community for partnerships between all racial, ethnic and cultural groups

We are working with local organizations and thought leaders to help guide us and ask residents to join us as we take deliberate steps to enrich our community. We promise to remain transparent with our efforts and will share opportunities for resident participation, both formal and informal, throughout this journey.

The mission of the Whitefish Bay municipal government is to enhance the quality of life for Village residents and prioritizing racial equity is essential to that mission. Together, we will shape a stronger Whitefish Bay that all residents can be proud to call home.

Approved by the Whitefish Bay Village Board on the ___ day of _____, 2020.

June 25, 2020

Memo to: President Siegel and Members of the Village Board
From: John Edlebeck, P.E., Director of Public Works



Re: Village Hall / Library Parking Lot Biofilter Installation Project – MMSD Funding

In the 2020 Village Budget, \$8,000 was approved for landscaping renovation work in the turf area between the Village Hall / Library Parking Lot and the public street sidewalk to the west (see photograph). Many years ago this area was planted with bushes for aesthetic purposes. Over time many of those bushes have died with only a few remaining. We have received comments from area residents regarding the look of this area and therefore brought forth this item for 2020 Village Budget consideration and approval.

After some investigation, I was able to find a funding source to improve this area for both aesthetics purposes as well as stormwater quantity and quality purposes. The stormwater benefits are important as we are required per our DNR MS-4 Stormwater Permit to continually improve stormwater quality in the Village.

The funding source is coming from the MMSD Green Solutions (GS) Fund. This fund provides annual monetary allocations to all 28 municipalities in their service area to be used only for approved stormwater quality improvement projects. We have funded the following Village projects with MMSD GS Fund monies in the recent past:

- Police Department parking lot pervious pavement and biofilter
- Bartlett Drive infiltration swale

Below summarizes our current MMSD GS Fund account balance:

Rollover from 2019	\$289,587
Annual Allocation in 2020	\$365,892
<u>Expected 2021 Allocation</u>	<u>\$170,000</u>
Total as of 4/1/2021	\$825,479
<u>Allowed Rollover on 4/1/2021</u>	<u>\$300,000</u>
<i>Amount Needed to Prevent Loss</i>	<i>\$525,479</i>

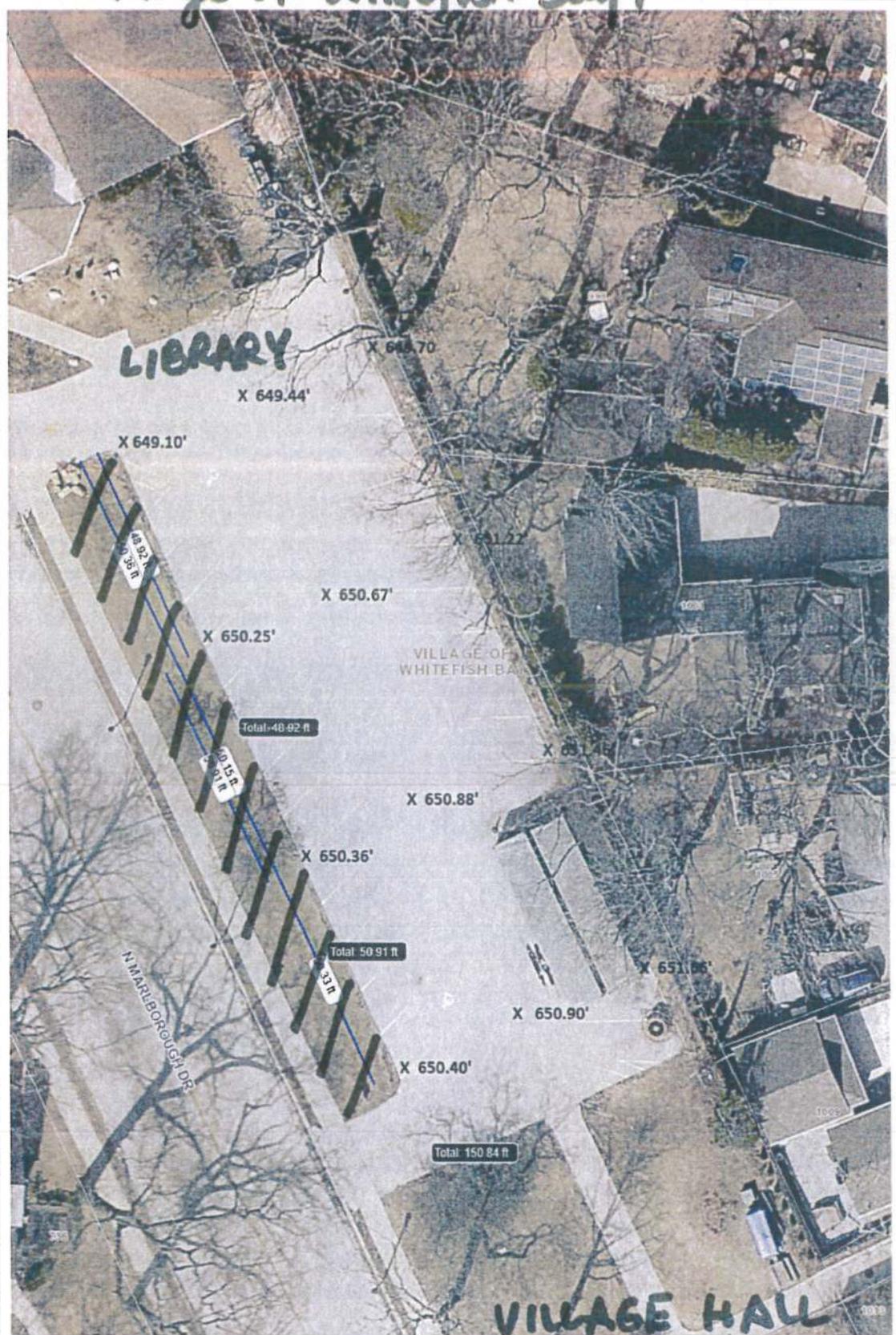
Any funds exceeding the rollover amount can be applied for and utilized by any Village property owner for private stormwater quality improvements. To expend this amount and not risk losing these Village of Whitefish Bay allocated MMSD GS funds, I am recommending the following expenditures:

<u>Project</u>	<u>Estimated</u>	<u>Cost</u>	<u>Year</u>
Silver Spring Park Biofilter (project approved by Village Board)	\$ 12,000		2020
Consaul Commons Redevelopment Pervious Pavement (project approved)	\$ 75,000		2021
<i>Village Hall / Library Parking Lot Biofilter Installation Project (proposed)</i>	<i>\$ 89,000</i>		<i>2021</i>
2021 Alley Reconstruction Project (proposed)	\$300,000		2021
2021 Klode Park / Klode Beach biofilter project (proposed)	\$ 75,000		2021

The Public Works Committee at their June 24, 2020 meeting recommended the Village Board approve the Village Hall / Library Parking Lot Biofilter Installation Project (estimated at \$89,000) pending MMSD GS funding approval.

Village of Whitefish Bay, WI

N
A



Library Parking Lot

Benchmark?



SCALE: 1" = 20'

Village of Whitefish Bay

155 W Fairmount Ave
Whitefish Bay, WI 53217-5399
414-962-6690

Print Date: 4/28/2020

Google Maps 5367 N Marlborough Dr



Image capture: Sep 2019 © 2020 Google

Whitefish Bay, Wisconsin



Street View



Village of Whitefish Bay Public Works Department

155 W. Fairmount Ave • Whitefish Bay, Wisconsin 53217 • (414) 962-6690 • Fax (414) 967-1391

John Edlebeck, P.E., Director of Public Works

Village of Whitefish Bay, Wisconsin MMSD Green Solution Fund Project Recommendations

WORK PLAN

Village of Whitefish Bay, Wisconsin Village Hall and Library Parking Lot Biofilter Installation Project

Description of Proposed Green Infrastructure Stormwater Quality Project

The Village of Whitefish Bay, Wisconsin is seeking funding from the Milwaukee Metropolitan Sewerage District (MMSD) Green Solutions Fund in order to construct a stormwater quality best management practice (BMP) improvement in the Village. The proposed work will consist of the construction of a biofilter with underground gravel storage located on Village property in an area that overland drains the existing Village parking lot between Village Hall, 5300 N Marlborough Dr, and the Whitefish Bay Public Library, 5420 N Marlborough Dr. This project will improve storm water quality entering the Village storm sewer collection and conveyance system by filtering Total Suspended Solids (TSS) and Total Phosphorus (TP) as well as reduce storm water quantity through the detention of stormwater during rain events. Currently there is no stormwater treatment or storage of this parking lot surface water drainage.

Implementation

The Village Hall and Library Parking Lot Biofilter Installation Project will begin with project design utilizing the consulting engineering firm The Sigma Group Inc. They will provide needed plans and technical specifications for the project. Sigma Group will meet with Village representatives on site to discuss scope and limits of work and then provide concept design for review by Village staff. Sigma Group will then provide final engineering drawings to include site survey and erosion plan, site grading, biofiltration design, site landscape plans, and full project technical specifications including bidding documents.

Final design will include a biofilter that will capture stormwater sheet flow from approximately 10,000 square feet of the parking lot. The biofilter will have underground gravel storage with a 6-inch diameter perforated underdrain pipe and cleanout. The area will be landscaped and include educational signage.

Public Information and Education

The Village shall provide updates of the installation project progress through the Village website, newsletter, and facebook page. Educational signage will be installed adjacent to the biofilter to educate the public on the operation and benefits of this project.

Budget for the Village Hall and Village Hall Parking Lot Biofilter Installation Project

Project Cost including signage	\$75,000.00
Engineering Design and Consultation	9,900.00
<u>Inspection</u>	<u>\$4,000.00</u>
MMSD Reimbursement	(\$88,900.00)

WFB Green Solutions Engineer's Estimate of Probable Cost

Short Description	Unit Of Measure	Item Quantity	Item Unit Cost	Total
Strip, stockpile and respread existing topsoil	S.Y.	170.00	\$8.00	\$1,400.00
Excavating for Bio	C.Y.	190.00	\$20.00	\$3,800.00
Bioswale Gravel Storage	Tons	62.50	\$42.00	\$2,700.00
Jute Netting for bioswales	S.Y.	120.00	\$8.00	\$1,000.00
6" perforated underdrain and fittings	L.F.	100.00	\$20.00	\$2,000.00
6" PVC clean out with cap	Each	2.00	\$200.00	\$400.00
Bioswale Plugs (2.5')	Each	960.00	\$8.00	\$7,700.00
36" storm sewer manhole with bedding and backfill	Each	1.00	\$3,000.00	\$3,000.00
12" Storm Sewer	L.F.	100.00	\$85.00	\$8,500.00
Beehive grate and frame	Each	1.00	\$600.00	\$600.00
PVC Liner for Stormwater Green Infrastructure	S.F.	1,800.00	\$3.00	\$5,400.00
Engineered Soil for Bioswale	Tons	225.00	\$42.00	\$9,500.00
Restoration	L.S.	1.00	\$4,000.00	\$4,000.00
Erosion Control	L.S.	1.00	\$1,000.00	\$1,000.00
			Subtotal:	\$51,000.00
			Contingency	\$10,200.00
			Design Engineering	\$9,900.00
			Construction Admin	\$4,000.00
			Total	\$75,100.00

Schedule

Schedule will be prepared by The Sigma Group, Inc. upon written authorization to proceed. Estimated project installation to take place either Fall 2020 or Spring 2021.

Procurement

The engineering consulting work will be undertaken by the The Sigma Group, Inc. This construction installation project will be awarded to the lowest responsible bidder through the public bidding process.

Data Attributes

Not applicable.

Goals and Outcomes

The goal of this project is to capture, detain, and filter surface water from a paved parking lot during rain events. The initial moments of a rain event are critical and this will help capture the first flush and prevent TSS and TP from entering the Village storm sewer system as well as provide relief to the storm sewer system by detaining and reducing the storm water quantity during and after the rain event. This project will also aid in the prevention of storm water entering the sanitary sewer system through Inflow and Infiltration (I/I).

Project Report

After completion the Village Hall and Library Parking Lot Biofilter Installation Project a report will be generated and submitted to MMSD. A final report shall include map of location, total additional capacity provided, storm year design, and a summary of lessons learned.

File/Document Management

Final daily inspection reports during construction shall be provided to the Village and stored with other project documents.

Prepared:

May 22, 2020

Spencer Charczuk, Staff Engineer

John Edlebeck, P.E. Director of Public Works

May 15, 2020

Project Reference #19369

Mr. John Edlebeck
Director of Public Works
Village of Whitefish Bay
5300 N Marlborough Drive
Whitefish Bay, WI 53217

**SUBJECT: Civil Engineering Proposal
Green Solution Projects, Whitefish Bay, Wisconsin
Library and City Hall Parking Lot Green Solutions**

Dear John,

Thank you for considering The Sigma Group, Inc. (Sigma) for civil engineering services associated with the proposed green solution project in the Village of Whitefish Bay (The Village). Sigma's understanding of the projects, proposed scope of work, fee estimate, and time frame are presented below for your review and consideration.

Sigma has significant experience designing and incorporating green infrastructure solutions into existing environments, including implementing green alleys in Shorewood and the development of a "green parking lot" for the City of Wauwatosa, among others. We will utilize this experience base to ensure that the design meets all stakeholders needs for the project.

PROJECT UNDERSTANDING

The Village is interested in utilizing "green solution funding" made available by MMSD to design and install green infrastructure; specifically a landscaped bioretention area adjacent to the Library and Village Hall parking lot. The bioretention area will provide stormwater quality and quantity improvement for the adjacent paved area along with upgraded landscaping.

The following are a list of key assumptions that were made for the proposal based on our understanding of the project:

- The Village will provide survey for the project. Sigma will supplement as needed.
- The project will not be adding ½ acre of impervious or involve more than 1 acre of disturbance so it will be exempt from stormwater management and WDNR WRAPP Permitting.
- Sigma will provide the plans and technical specifications. We assume that the Village will provide the front-end items required for the Project Manual

- Sigma has not included any construction administration at this time. We would be glad to provide a proposal for that work once the scope and schedule are available

SCOPE OF WORK

Biofiltration Installation at Parking Lot Between Village Hall and Library

- Meet with Village on site to discuss scope and limits of work
- Provide concept design for review by Village staff
- Provide 50% Engineering Drawings for review by Village to include
 - Site Survey and Erosion Control Plan
 - Site Grading and Biofiltration Design
 - Site Landscape Plan
 - Site Details
- Provide 100% Engineering Drawings for review by Village to include
 - Site Survey and Erosion Control Plan
 - Site Grading and Biofiltration Design
 - Site Landscape Plan
 - Site Details
- Provide Technical Specifications
- Support Village with Preparation of Project Manual
- Answer questions during Bidding
- Provide Recommendation of Award Letter

COST ESTIMATE

Our proposed lump sum fees for the survey and engineering services outlined above are presented below.

Biofiltration Installation at Parking Lot Between Village Hall and Library \$9,900

SCHEDULE

Sigma is prepared to begin working on this project upon receipt of written authorization to proceed and will complete the survey work within 4 weeks.

We Appreciate the opportunity to assist you. Please do not hesitate to contact us at (414) 643-4132 with any questions.

Sincerely,

THE SIGMA GROUP, INC.



Christopher Carr, PE
Civil Group Leader



Paul Imig, PE
Senior Engineer

Cc: Sean Miller, Sigma

**WFB Green Solutions
Engineer's Estimate of Probable Cost**

Short Description	Unit Of Measure	Item Quantity	Item Unit Cost	Total
Strip, stockpile and respread existing topsoil	S.Y.	170.00	\$8.00	\$1,400.00
Excavating for Bio	C.Y.	190.00	\$20.00	\$3,800.00
Bioswale Gravel Storage	Tons	62.50	\$42.00	\$2,700.00
Jute Netting for bioswales	S.Y.	120.00	\$8.00	\$1,000.00
6" perforated underdrain and fittings	L.F.	100.00	\$20.00	\$2,000.00
6" PVC clean out with cap	Each	2.00	\$200.00	\$400.00
Bioswale Plugs (2.5")	Each	960.00	\$8.00	\$7,700.00
36" storm sewer manhole with bedding and backfill	Each	1.00	\$3,000.00	\$3,000.00
12" Storm Sewer	L.F.	100.00	\$85.00	\$8,500.00
Beehive grate and frame	Each	1.00	\$600.00	\$600.00
PVC Liner for Stormwater Green Infrastructure	S.F.	1,800.00	\$3.00	\$5,400.00
Engineered Soil for Bioswale	Tons	225.00	\$42.00	\$9,500.00
Restoration	L.S.	1.00	\$4,000.00	\$4,000.00
Erosion Control	L.S.	1.00	\$1,000.00	\$1,000.00
Subtotal:				\$51,000.00
Contingency				\$10,200.00
Design Engineering				\$9,900.00
Construction Admin				\$4,000.00
Total				\$75,100.00

July 1, 2020

Memo to: President Siegel and Members of the Village Board

From: John Edlebeck, P.E., Director of Public Works

Re: **Variance from Village Noise Ordinance**

The 2020 Lake Drive Highway Safety Improvement Project (HSIP) is currently under construction. This pedestrian / vehicle safety project, which is funded 90% federal - 10% local, is nearing completion. One of the few remaining items include the application of a high friction surface treatment (HFST) on the pavement to increase tire friction at curves in the roadway providing shorter vehicular stopping distances. This improvement has proven to provide a high cost / benefit safety ratio.

The general contractor, LaLonde Contractors, has scheduled the installation of HFST at the following three (3) curve locations on Lake Drive:

- Palisades/ Fairmount / Bartlett / Newhall (adjacent to Buckley – Big Bay Park)
- Cumberland / Woodburn / Ardmore / Henry Clay (adjacent to Pandl's Restaurant)
- Lake Drive curve near Silver Spring Park

Road closures on Lake Drive at each location will be required to sweep and prepare the pavement, apply the HFST, allow proper cure time, place temporary pavement markings and then clean and sweep the pavement. It is assumed at this time that each of the three (3) HFST applications will take place on separate evenings.

LaLonde Contractors has requested the following:

1. Allow for the road closure of Lake Drive at the three (3) locations per an approved traffic control plan the week of July 27, 2020 (weather permitting) from 7:00pm to 6:00am the following day.
2. Allow a variance from the Village construction noise ordinance for the same time frame to allow for this work to proceed.



VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees

REPORT FROM: Paul Boening – Village Manager

DATE: July 9, 2020

AGENDA ITEM: Discussion/action regarding potential extension of the Declared Public Health Emergency.

ACTION REQUESTED: Ordinance Resolution Motion

BACKGROUND

On March 16th, the Village Board adopted Resolution No. 3071 to declare a Public Health Emergency in the Village of Whitefish Bay (in accordance with Wisconsin State Statute 323.11). At its meeting on May 4th, the Village Board extended the declaration through July 13th. Due to the availability of CARES Act grant funding for municipalities, it is recommended that declarations remain in place through at least October 1, 2020 to ensure that COVID-19 related spending occurs during a declared emergency period.

RECOMMENDED ACTION

To extend the Public Health Emergency in the Village of Whitefish Bay through October 1, 2020 unless revoked sooner by the Village Board.

C: Department Heads
Attorney Jaekels



VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees

REPORT FROM: Paul Boening – Village Manager

DATE: July 9, 2020

AGENDA ITEM: Discussion/direction to staff regarding a potential face covering ordinance (Tr. Saunders).

ACTION REQUESTED: Ordinance Resolution Motion Discussion/direction to staff

BACKGROUND

Trustee Saunders requested that the topic of a potential face covering (mask) ordinance be placed on the Village Board meeting agenda. As Board members may be aware, the Village of Shorewood adopted a mask ordinance on July 8, 2020. As of the afternoon on July 9th, a final version of that ordinance was not available because Shorewood's Attorney was working to incorporate amendments that the Village Board requested. The City of Milwaukee is also reviewing a potential ordinance at this time.

For the purpose of tonight's meeting, Trustee Saunders can share his ideas about a potential ordinance with the entire Board. The agenda is also worded to enable discussion on the topic. If there is majority support for moving forward with an Ordinance, the Board can provide direction to staff regarding next steps.

C: Department Heads
Attorney Jaekels