REGULAR VILLAGE BOARD MEETING

MEETING NOTICE AND AGENDA

WHITEFISH BAY PUBLIC LIBRARY – PROGRAM ROOM
5420 North Marlborough Drive

Monday, November 20, 2017, 7:00 PM

I. Call to Order and Roll Call

II. PUBLIC HEARING ON 2018 VILLAGE BUDGET

1. Public Discussion
2. Board Discussion

III. Consent Agenda – Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration under General Business.

1. Minutes of regular meeting held on November 6, 2017.
2. Investment Report for October, 2017.
3. Approval of request from Whitefish Bay Civic Foundation to possess alcohol at the Cahill Warming House during a private holiday party on 12/16/17.
4. Resolution No. 3007 Authorizing a Levy Limit Exception for North Shore Fire Department charges.
5. 2018 Whitefish Bay Business Improvement District Operating Plan.

IV. Report of Village Officers

1. Village Attorney
2. Village Manager
3. Village President
4. Miscellaneous Trustee

V. Petitions and Communications – This is an opportunity for anyone to address the Village Board on any issue NOT on the current agenda. While the Board encourages input from residents of the Village, it may not discuss or act on any issue that is not duly noticed on the agenda.

VI. General Business

1. Discussion/action to adopt Resolution No. 3003 to extend the tax levy for the year 2017 and to adopt the 2018 Budget for the following funds:
    - General Fund
    - Library Fund
    - Debt Service Fund
    - Capital Fund
    - Special Assessment Fund
    - Borrowed Money Fund
    - TID No.1 Fund
    - TID No. 2 Fund

2. Discussion/action to adopt Resolution No. 3004 to adopt the 2018 Budget for the following utility funds:
    - Water Utility
    - Sewer Utility
    - Stormwater Utility
    - Parking Utility

3. Discussion/action to adopt Resolution No. 3005 authorizing the extension of assessments, special charges, and delinquencies on the 2017 tax roll for the following:
    - Streets, sidewalks, alleys and sewer improvement assessments
    - Business Improvement District assessments
    - Delinquent water/sewer/stormwater user charges
    - Miscellaneous delinquent charges

4. Discussion/action to adopt Resolution No. 3006 – A Resolution to Increase Local Sewer User Charges.

5. Discussion/action regarding residential structure teardowns/rebuilds.

6. Discussion/action regarding recycling/trash collection program cart size(s) and associated regulations.

II. Adjourn

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 Architectural Review 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 in the Program Room of Whitefish Bay Public Library, 5420 North Marlborough Drive, November 6, 2017

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 Saunders, Demet (arrived at 7:01pm), Miller, Fuda, Serebin (arrived at 6:01pm), Davis and President Siegel

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

II. Consent Agenda

It was moved by Trustee Fuda, seconded by Trustee Davis, and unanimously carried by the Village Board to approve the following items on the consent agenda;

1. Minutes of regular meeting held on October 16, 2017.
2. Minutes of the special meeting held on October 25, 2017.
3. Claims for October, 2017.
4. Investment Report for September, 2017.
5. Ordinance No. 1835 to amend the Traffic Code (regarding parking on Newhall Street).
6. Appointment of David Pacifico to the Historic Preservation Commission for a term to expire in 2019.
7. Appointment of Thomas Gleason to the Whitefish Bay Civic Foundation Board.

III. Report of Village Officers

1. Village Attorney

Village Attorney Chris Jaekels congratulated the Whitefish Bay Boys Soccer Team on their phenomenal season.

2. Village Manager

Village Manager Paul Boening noted the groundbreaking ceremony for the Village Hall Building Project will be held on November 16th at 9:00am. Village Manager Boening also

noted trash and recycling issues will be reviewed at the upcoming Public Works Committee meeting on November 13th at 6:00pm. Lastly, a public hearing will be held on the 2018 budget at the next Board meeting held on November 20th at 7:00pm.

3. Village President – No report
4. Miscellaneous Trustees – No reports

IV. Petitions and Communications - None

V. General Business

1. Discussion/action on the 2018 Village Budget.

Village Manager Paul Boening and Finance Director Jen Amerell led the Board in the review and discussion of the 2018 Village Budget. Discussion included all major governmental funds, non-major governmental funds, and proprietary funds. Staff also provided detail on the proposed 2018 capital projects.

VI. Adjourn

There being no further business, it was moved by Trustee Fuda, seconded by Trustee Saunders, and unanimously carried by the Village Board to adjourn the meeting at 7:01pm.

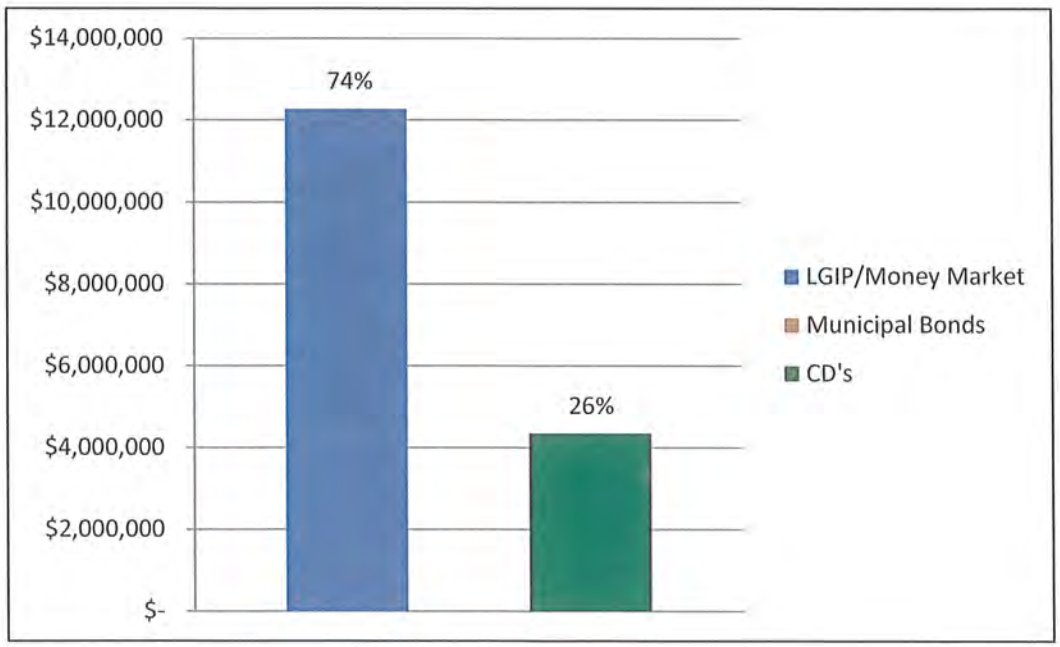
Caren Brustmann
Deputy Clerk

DRAFT

Monthly Investment Summary

September

	General Investments	Post Retirement Investments	Total
LGIP/Money Market	$ 12,275,449	$ -	$ 12,275,449
Muncipal Bonds	-	-	-
CD's:			
Less than 1 Year	1,366,000	331,554	1,697,554
1 to 3 Years	1,239,000	333,083	1,572,083
3 to 5 Years	749,000	333,592	1,082,592
Total CD's	3,354,000	998,229	4,352,229
Total Investments	$ 15,629,449	$ 998,229	$ 16,627,678
Accrued Interest	$ 23,391	$ 42	$ 23,433



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

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

Memorandum

To: Village Board

From: Paul Boening, Village Manager

Date: November 16, 2017

Re: Approval of request from Whitefish Bay Civic Foundation to possess alcohol at the Cahill Warming House during a private holiday party on 12/16/17

The WFB Civic Foundation would like to hold its holiday party at the Cahill Warming House on December 16th. The party would be a private event for the Civic Foundation members and their families. Civic Foundation President Cindy Seamn submitted a request to possess alcohol at the Warming House for the party (attached). An alcohol license is not required for a private gathering where alcohol is given away (unless there is an implied fee such as a "cover charge"). However, Section 8.08(d) of the Village Code prohibits the possession of alcohol at Village parks without Village Board approval. The Whitefish Bay Recreation Department has confirmed that they are not opposed to the Civic Foundation's request.

Village staff recommends approval of the request since the party is a private gathering for a local organization.

November 9, 2017

To Whom It May Concern,
The Whitefish Bay Civic Foundation is seeking permission to hold our 2017 Holiday Party at the Cahill Warming Hut from 7:00-Midnight on Saturday, December 16.

The party guests will be made up of current and past Civic Foundation board members, board liaisons, village employees and key volunteers.

As part of this event we are requesting permission to serve beer and wine to guests. Water and non-alcoholic beverages will be provided as well.

If you have and questions or would like additional information about the plans for the party, please feel free to contact me at 414-721-6351.

Thank you for your consideration.

Happy Holidays!

Cindy Seaman
President, Whitefish Bay Civic Foundation

NORTH SHORE FIRE/RESCUE

Office of the Fire Chief

Robert Whitaker

To:	NSFD Member City Council/Village Boards
Date:	November 14, 2017
Subject:	Resolution 17-02

Section 66.0602(3)(h) provides that levy limits otherwise applicable to municipalities under Chapter 66 of Wisconsin Statutes do not apply to the amount that a city or village may levy in that year to pay for charges assessed by a joint fire department to the extent that the amount levied to pay for such charges would cause the city or village to exceed the limits imposed under Section 66.0602, Wis. Stats.

The exemption applies if the total charges assessed by the Department for the budget year do not exceed the previous years charges by a percentage that is less than or equal to the percentage change in the US Consumer Price Index for all urban consumers, US City Average, as determined by the US Department of Labor for the 12 months ending on September 30th of the year of the levy plus 2%. Additionally, the Statute requires that for the exemption to be applicable, the governing bodies of all the cities and villages served by the Department must adopt a resolution in favor of exceeding such levy limit.

The applicable CPI change is 2.1%, so under State Statue, the allowable increase is 4.1%. The Department's actual increase in charges is 2%.

It is my understanding that several member municipalities are interested in using the levy limit exemption for 2018. Enclosed is a resolution for consideration by each member municipality. It is important each community consider this resolution prior to December 1, 2017.

STATE OF WISCONSIN VILLAGE OF WHITEFISH BAY MILWAUKEE COUNTY

In the Matter of Authorizing an Exception to the Levy Limits for Charges for the North Shore Fire Department Pursuant to 2005 Wisconsin Act 484

RESOLUTION NO. 3007

WHEREAS, the Village of Whitefish Bay is a participating member of the North Shore Fire Department under the North Shore Fire Services Agreement, and

WHEREAS, the Wisconsin Legislature has enacted 2005 Wisconsin Act 484 on May 30, 2006, published on June 13, 2006; and

WHEREAS, Act 484 creates Section 66.0602(3)(h), Wis. Stats., which statute provides that levy limits otherwise applicable do not apply to the amount that a city or village may levy in that year to pay for charges assessed by a joint fire department to the extent that the amount levied to pay for such charges would cause the city or village to exceed the limits imposed under Section 66.0602, Wis. Stats.; and

WHEREAS, the exception to the levy limit applies only if the total charges assessed by the joint fire department for the current year increase, relative to the total charges assessed for the previous year, by a percentage that is less than or equal to the percentage change in the US Consumer Price Index for all urban customers, US city average, as determined by the US Department of Labor for the 12 months ending on September 30th of the year of the levy, plus 2%; and

WHEREAS, the exception to levy limits under Act 484 further only applies if the governing body of each city and village served by the North Shore Fire Department adopts a resolution in favor of exceeding such levy limit as may be applicable;

NOW THEREFORE, BE IT RESOLVED that the Village of Whitefish Bay hereby authorizes a levy for charges assessed by the joint fire department which exceeds the limit as described and imposed by Section 66.0602, Wis. Stats., but only to the extent as authorized by Section 66.0602(3)(h)2a, Wis. Stats., and

BE IT FURTHER RESOLVED that this resolution shall not be construed as authorizing the North Shore Fire Department to adopt any particular budget, but rather that the Act 484 budget formula shall be deemed a maximum limit on any budget increase which is duly adopted under all applicable procedures and requirements of the North Shore Fire Services Agreement.

PASSED AND ADOPTED by the Village Board of the Village of Whitefish Bay, this 20th day of November, 2017.

Julie Siegel, Village President

Countersigned:

Jen Amerell, Village Clerk

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees

REPORT FROM: Tim Blakeslee, Assistant Manager

DATE: November 16, 2017

AGENDA ITEM: Approval of the Whitefish Bay Improvement District's 2018 Operating Plan

ACTION REQUESTED: ___Ordinance ____Resolution _√__Motion (Consent Agenda)

BACKGROUND

The Whitefish Bay Business Improvement District's 2018 Operating Plan is attached for Village Board action. The BID Board reviewed the plan at its meeting on November 3, 2017. Per Section C. of the Whitefish Bay Business Improvement District Operating Plan, the Village Board must review and adopt the BID's Operating Plan in November for the upcoming year. In accordance with State Law, Attorney Jaekels reviewed the plan and issued a legal opinion indicating its compliance with statutory requirements (also attached).

RECOMMENDED ACTION BY VILLAGE BOARD

Staff recommends Village Board move to adopt the BID's 2018 Operating Plan.

C: Village Manager
Department Heads
Attorney Jaekels

Whitefish Bay Business Improvement District
Operating Plan
2018

A. Background

In 1984, the State of Wisconsin created Section 66.1109 of the Statutes ("BID Law") enabling municipalities to establish Business Improvement Districts upon the petition of the owner of at least one property used for commercial purposes within the proposed district. The purpose of the law is "... to allow businesses within those districts to develop, to manage, and to promote the districts and to establish an assessment method to fund these activities." (1983 Wis. Act 184, Section 1, legislative declaration.)

In 2008, the Village of Whitefish Bay received petitions from several owners of property (Appendix A) used for commercial purposes in the Village and within the proposed district, requesting creation of a Whitefish Bay Business Improvement District (the "BID") for the entire Village commercial area (see map, Appendix B). The Village Board for the Village of Whitefish Bay approved this request on September 2, 2008 with adoption of the 2009 Operating Plan and the BID became effective on January 1, 2009. Pursuant to BID Law, this proposed operating plan ("BID Plan") for the proposed BID has been developed by a group of business and property owners. The following broad objectives were identified:

- Commitment to the community and commercial interests;
- Develop marketing and public relations campaigns;
- Create a champion for the street;
- Be a liaison to the Village, commercial interests, media;
- Partnership with the Village to engage in business attraction and recruitment; and
- Organize and implement special events in the district.

The formation of the BID was suggested as the best means to provide the leadership, organization, and funding to achieve these objectives.

B. Goals of the Business Improvement District

A business improvement district creates a mechanism for nonresidential property owners to levy and collect assessments to finance the achievement of common goal(s). The BID will be dedicated to increasing activity and improving the image of the BID. Staff with a professional or volunteer manager, the BID will create a link between service, retail, civic, and social activities. It is anticipated that these efforts will help increase BID sales volume, attract additional business investment, and enhance property values in the BID commercial areas.

An operating Board composed of property owners, tenant business owners, and residents interested in the BID, appointed by the Village President, will oversee its operation, as further defined in Section F, below. The Village of Whitefish Bay will collect assessments from the property owners located within the BID that will cover budget costs of carrying out the BID Plan, as further defined in Section G, below.

C. Adoption Process

The BID Law establishes a specific process for reviewing and approving proposed districts, which will be followed in relation to the BID and Village meeting schedule, including the following steps:

October – BID Board to discuss the Operating Plan for the upcoming year.

November – BID Board to adopt the Operating Plan for the upcoming year and recommend its approval to the Whitefish Bay Village Board.

November – Village Board to review and adopt the BID's Operating Plan for the upcoming year.

January 1 – The adopted Operating Plan becomes effective.

D. Boundaries

The BID consists generally of an area bounded by Lake View Avenue on the north, Lake Drive/Danbury Road on the east, Silver Spring Drive on the south, and Lydell Avenue on the west. The exact boundaries of the BID are shown in Appendix B, which is attached hereto and incorporated herein by this reference. Nearly all commercial property within the Village of Whitefish Bay will be included in this BID.

E. Objectives and Budget of the Business Improvement District

Mission Statement: "To champion the downtown Whitefish Bay business district as an exceptional place to shop, live and conduct business - for individuals, families and visitors."

This BID Plan and the following budget are hereby adopted for the calendar year 2018:

2018 WFB BID Budget					
		2016	2017	2017	2018
INCOME		Actual	Estimate	Budget	Budget
	BID assessment	$ 59,465.00	$ 59,465.00	$ 60,000.00	$ 60,000.00
	CDA Contribution - marketing	$ -	$ 20,000.00	$ 20,000.00	$ 20,000.00
	CDA Contribution - street beautification	$ -	$ 8,500.00	$ 8,500.00	$ 8,500.00
	Farmers Market	$ 4,430.00	$ 5,500.00	$ 4,000.00	$ 5,500.00
	Sidewalk Sale	$ 9,975.00	$ 5,520.00	$ 10,000.00	$ 10,000.00
	Sounds of Summer	$ 8,455.00	$ 8,035.00	$ 9,000.00	$ 9,000.00
	Holiday Stroll	$ 5,850.00	$ 12,000.00	$ 6,000.00	$ 13,000.00
TOTAL INCOME		**$ 88,175.00**	**$ 119,020.00**	**$ 117,500.00**	**$ 126,000.00**
EXPENSES					
	Holiday Stroll	$ 17,870.00	$ 17,000.00	$ 17,500.00	$ 24,500.00
	Farmers Market	$ 50.00	$ 2,500.00	$ 500.00	$ 2,500.00
	Sidewalk Sale	$ 9,730.00	$ 8,090.00	$ 10,000.00	$ 14,000.00
	Sounds of Summer	$ 7,200.00	$ 7,900.00	$ 7,500.00	$ 8,000.00
	Insurance	$ 1,220.00	$ 1,000.00	$ 1,500.00	$ 1,500.00
	Internet	$ 265.00	$ 100.00	$ 500.00	$ 500.00
	Office Supplies	$ 430.00	$ 430.00	$ 500.00	$ 1,000.00
	Professional Services	$ 25,000.00	$ 33,800.00	$ 55,000.00	$ 40,000.00
	Marketing	$ 2,160.00	$ 12,700.00	$ 500.00	$ 14,000.00
	Meetings	$ -	$ 100.00	$ 1,000.00	$ 1,000.00
	Survey	$ -	$ -	$ 500.00	$ 500.00
	Rent	$ 1,500.00	$ 1,800.00	$ 1,500.00	$ 1,800.00
	Retail Incentive Program	$ -	$ -	-	$ -
	Street Beautification	$ 12,650.00	$ 12,650.00	$ 18,500.00	$ 10,000.00
TOTAL EXPENSES		**$ 78,075.00**	**$ 98,070.00**	**$ 96,500.00**	**$ 119,300.00**
NET INCOME		**$ 10,100.00**	**$ 20,950.00**	**$ 21,000.00**	**$ 6,700.00**

F. Operating Board

The Village President appointed the following BID Board members confirmed by the Village Board as of the adoption of this plan:

Name	Position	Type	Term
Marty Stilling	Member	Resident	2020
Ted Balistreri	Member	Bus/Prop Owner	2020
Jessica Forston	Member	Bus/Prop Owner	2019
Jeff Commer	Chairperson	Bus/Prop Owner	2018
Bryan Schauland	Treasurer	Bus/Prop Owner	2018
Kevin Schuk	Member	Bus/Prop Owner	2019
Vacant	Member	Bus/Prop Owner	2019
Phil Aiello	Member	Resident	2018
Sherry Yusuf	Member	Bus/Prop Owner	2020

The Board's primary responsibility is to implement the BID Plan, and the Board shall have all powers necessary or convenient to implement the BID Plan. In 2009, the BID Board established committees to assist in the implementation of the Operating Plan and updated committee names during recent strategic planning efforts.

- Design Committee – Review and follow up on any design or aesthetic issues that require correction within the district including maintenance needs either public or private. Economic Restructuring Committee – Provides financial insight to the tools necessary for revitalization of the district including incentive programs, BID budget, donations, and other fundraising. Administer the Retail Incentive Program.
- Business Outreach Committee – Works with the members of the BID to develop programs and other initiatives to assist business and property owners with their growth within the district.
- Promotions Committee – Develop and implement marketing, advertising, special events, and other promotional programs to increase the exposure of the district and businesses.

The BID Board shall have the power to contract subject to Village Board approval for any contract exceeding 75 percent of current year undesignated fund balance. This includes the power of the Board to negotiate with providers of goods and services to carry out the BID Plan; to enter into various contracts or hire for staffing; to monitor development activity; to annually revise the BID Plan; and to ensure compliance with the provision of applicable statutes and regulations.

State Law mandates that the Board be composed of at least 5 members and that a majority of the Board be owners or occupants of property within the District (or representatives of entity owners or occupants of property within the district).
The BID Board shall be structured and operate as follows:

1. Board Size: 9 members plus one ex-officio (non-voting) member of the Village of Whitefish Bay either the Village Manager or his designee.

2. Composition: At least 7 members must be owners or occupants of property within the BID. Any non-owner or non-occupant appointed to the Board shall be a resident of the Village of Whitefish Bay or represent an entity identified with Whitefish Bay. The Village President shall designate the first Chairman of this Board.
3. Terms: Appointment to the Board shall be for a period of three years except that initially 3 members shall be appointed for a period of 3 years, 3 members shall be appointed for a period of 2 years, and 3 members shall be appointed for a period of 1 year.
4. Compensation: None.
5. Meetings: All meetings of the Board shall be open to the public and governed by the Wisconsin Open Meetings Law.
6. Record Keeping: Files, records, and other materials of the Board's affairs shall be kept pursuant to public records requirements.
7. Staffing: The BID Board may contract or hire for staffing and other services as needed to carry out the Plan subject to Village Board approval for any contract exceeding 75 percent of current year undesignated fund balance.
8. Meetings: The Board shall meet regularly, at least annually. The by-laws, attached hereto as Appendix C, are incorporated herein by reference. If necessary, the Board shall adopt rules of order to govern the conduct of its meetings not inconsistent with this Plan.
9. The initial BID Board members and members who have resigned or whose terms have expired will be appointed periodically by the Village President.

On or before April 1 of each year, the Board shall submit its recommendations for appointment to the Village President for the seats of Board Members whose terms have expired or who have resigned.

G. Payment of Expenses; Method of Assessment

All expenses to be incurred by the BID pursuant to the budget set forth in Section E, above, shall be paid as incurred out of income received by the BID. The BID's income for the upcoming calendar year shall include (a) assessment revenue from property owners within the BID, (b) grant money awarded, (c) fundraising and event income, and (d) any donations made.

The principle behind the BID assessment is that the owner of each assessable property within the BID boundaries shall pay for a proportionate share of BID expenses, based on the assessed value of the property for real estate tax purposes. The assessment method is as follows: An annual assessment will be levied against each property located within the BID boundaries, and not otherwise exempted hereunder, in the amount computed by applying a $1.60 charge per $1,000 of assessed value for that property for general real estate tax purposes as of the date of adoption of the BID Plan for such year, subject to a maximum payment of $3,500 per property owner. The method of assessment is expected to remain unchanged during the first 3 years of the BID's existence, unless the governing board of the BID or the Village alters the assessment pursuant to the BID Law.

Any property that is used exclusively for residential purposes will not be assessed by the BID. However, any property that is used only in part for residential purposes shall be assessed by the

BID in the proportion that the area of the property used for nonresidential purposes bears to the total area of the property.

Property exempt from general real estate taxes has been excluded from the BID. Owners of tax exempt property adjoining the BID and expected to benefit from the BID activities will be asked to make a financial contribution to the BID on a voluntary basis. Funds collected in this manner in any given year shall be used to reduce the assessment against taxable property in the District for the following year. In addition, those exempt properties adjoining the BID which are later determined no longer to be exempt from general property taxes shall automatically become included with the BID and subject to assessment under any current operating plan without necessity to undertake any other act.

The BID assessment for each property will be calculated by the Board and will be submitted to the Village of Whitefish Bay together with an annual operating plan, prior to the time each year that tax bills are printed. The Village shall include the approved BID assessments as a separate line item on the next real estate tax bill issued for each property within the BID boundaries. The Village shall collect the assessment with the taxes as a special charge and shall turn over all monies so collected to the BID Board for distribution in accordance with the BID Plan and the BID Law. All BID assessments shall be treated as special charges and shall be shown on the tax bill as due and owing with the first installment of taxes, and if not paid when such first installment is due, shall accrue interest and penalties applicable to delinquent taxes. Any money collected by the Village of Whitefish Bay for BID assessments shall be held by the Village in a segregated account until it is released to the BID Board as provided herein.

A list of projected assessments for each property within the proposed BID boundaries and the projected total amount to be raised through assessments in 2018 is attached hereto as Appendix D. A list of projected assessments for each property within the proposed BID boundaries will be established for each subsequent year by applying this formula, and shall be available at the Village of Whitefish Bay.

The BID Board shall prepare and make available to the public and the Village an annual report generally describing the current status of the BID, including an accounting of the prior year's expenditures and revenues, prior to or at the time it submits its annual operating plan to the Village for the following year. This submission shall include an independent certified audit which shall be obtained by the Village of Whitefish Bay, and which shall be paid from the BID Budget at a cost of no greater than that shown in the BID Budget for general operations.

H. Village of Whitefish Bay's Role

The Village of Whitefish Bay is committed to helping private property owners in the BID. The Village will play a significant role in the creation of the BID and in the implementation of the BID Plan. The Village will:

1. Collect assessments and deposit them in a segregated account; disburse these monies to the BID Board along with identification of those BID assessments included in the disbursement.

2. Procure and review annual audits as required per section 66.1109.
3. Monitor and, when appropriate, apply for outside funds that could be used in support of the BID.
4. Encourage County, State, and Federal Governments to support the activities of the BID.

I. Promotion of Orderly Development of the Village

Under Wisconsin Statutes section 66.1109(1)(f)(4), this BID Plan is required to specify how the creation of the BID promotes the orderly development of the Village including the Village Comprehensive Plan and Master Plan as manifest in the Village Code, and more particularly District 11 of the Zoning Code. The BID will enhance the commercial awareness and atmosphere in the Village and, consequently, increase business activity. Increased business activity will increase sales tax revenues and property tax base in the Village.

J. Required Statements

The Business Improvement District law requires this BID Plan to include several specific statements:

1. Wisconsin Statutes section 66.1109(1)(f)(lm): The BID may contain property used exclusively for manufacturing purposes, as well as properties used in part for manufacturing. These properties will be assessed according to the standard formula set forth in this BID Plan because it is assumed that they will benefit from development of the BID.
2. Wisconsin Statutes section 66.1109(1)(f)(5): A legal opinion from the Village of Whitefish Bay Attorney indicated that this BID Plan complies with all applicable provisions of state law is attached as Appendix F and incorporated herein by this reference.
3. Wisconsin Statutes section 66.1109(5)(a): Property known to be used exclusively for residential purpose will not be assessed.

K. Severability and Expansion

The BID has been created under authority of Section 66.1109 of the Statutes of the State of Wisconsin.

Should any court find any portion of this statute invalid or unconstitutional said decision will not invalidate or terminate the BID and this BID plan shall be amended to conform to the law without need of reestablishment.

Should the legislature amend the statute to narrow or broaden the powers of a Business Improvement District so as, amongst other things, to exclude or include as assessable properties a certain class or classes of properties, then this BID Plan may be amended by the Whitefish Bay Village Board as needed when it conducts its annual budget approval and authorization, without necessity to undertake any other act.

All of the above is specifically authorized under Wisconsin Statutes section 66.1109(3)(b).

All expenditures of the BID shall be financed through the assessment method identified above; however, the Board is also empowered to accept and secure other gifts donations, grants, and other monies, to carry out other actions in keeping with the general goals of the BID identified herein. All expenditures shall be made in the BID, or for its benefit.

Attachments:

Appendix A – 2008 Petitions for the Formation of a Business Improvement District

Appendix B – Map Defining Boundaries of the Business Improvement District

Appendix C – Bylaws for the Business Improvement District Board

Appendix D – Projected Assessments on Properties to be included in BID

Appendix E – Wisconsin Statute 66.1109

Appendix F – Legal Opinion for BID Operating Plan

Petition for Creation of a Business Improvement District

We the undersigned owner(s) of real property used for commercial purposes located in the proposed Business Improvement District, hereby petition the Village of Whitefish Bay, Wisconsin, pursuant to the provisions of Sec. 66.1109 Stats., for the creation of a Business Improvement District for the business along and in the near vicinity of E. Silver Spring Dr. from Lydell Ave. to Lake Dr.

Name of Commercial Property Owner: THOMAS STUHLMACHER
TERRANCE STUHLMACHER
JAMES KOCK

Commercial Property Address: 601-629 E. SILVER SPRING DRIVE

Signature of Commercial Property Owner: Thomas D. Stuhlmacher

Title of Commercial Property Owner: MANAGING PARTNER Date: 5/29/08

For Office Use Only:

Date Received: 5/29/08

Received by: MGB

Petition for Creation of a Business Improvement District

We the undersigned owner(s) of real property used for commercial purposes located in the proposed Business Improvement District, hereby petition the Village of Whitefish Bay, Wisconsin, pursuant to the provisions of Sec. 66.1109 Stats., for the creation of a Business Improvement District for the business along and in the near vicinity of E. Silver Spring Dr. from Lydell Ave. to Lake Dr.

Name of Commercial Property Owner: Tulane LLC

Commercial Property Address: 409 - E. Silver Spring

Signature of Commercial Property Owner: [illegible]

Title of Commercial Property Owner: Partner Date: 6/4/08

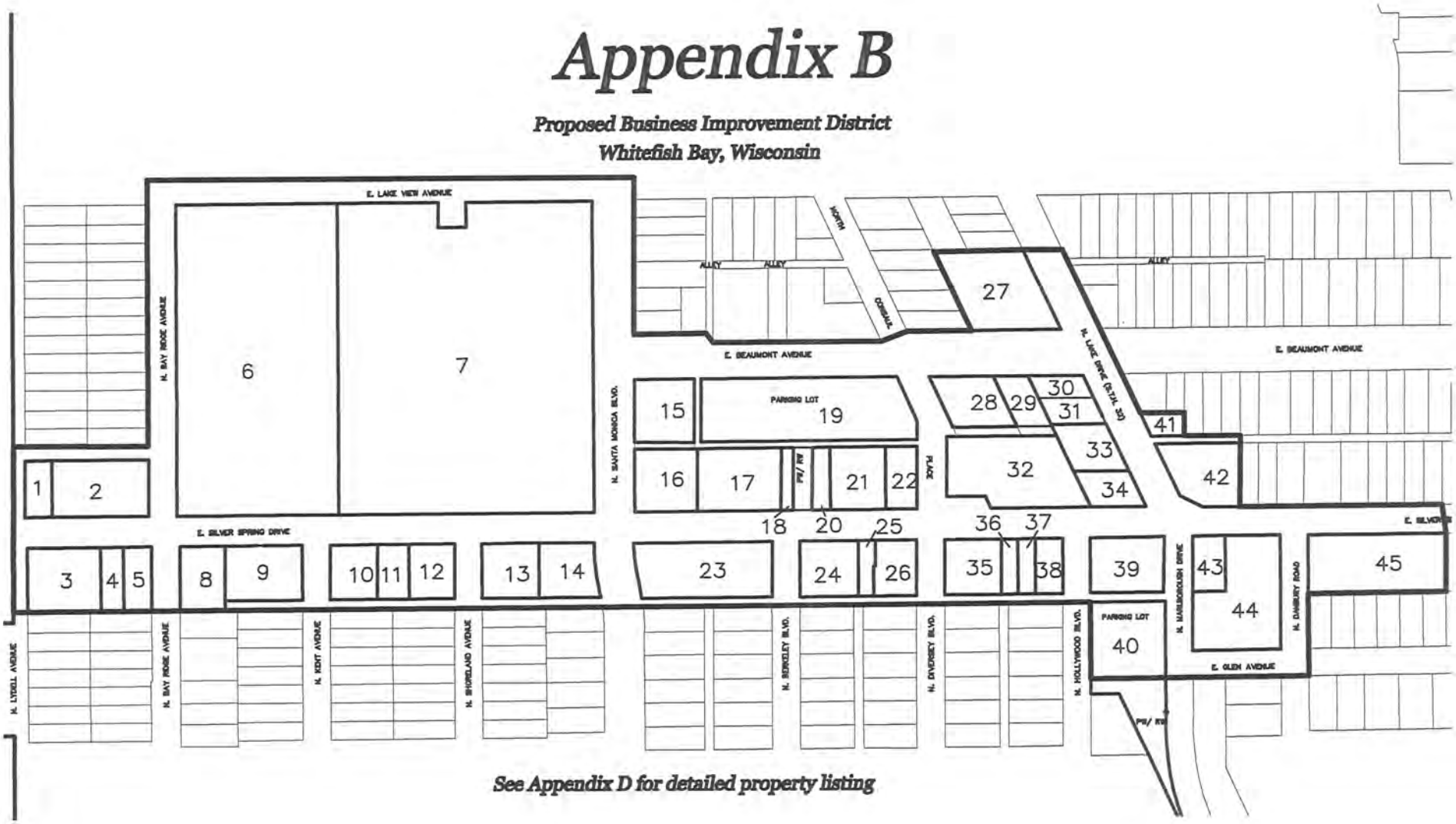
For Office Use Only:

Date Received: 6/24/08

Received by: [illegible]

Appendix B

Proposed Business Improvement District
Whitefish Bay, Wisconsin



See Appendix D for detailed property listing

Whitefish Bay Business Improvement District
By-Laws 2010

Article I
Name and Office

The name of the Business Improvement District shall be the Whitefish Bay Business Improvement District (BID). The Board of the BID (hereafter, the "Board") shall determine the location of the office for the BID. As used herein, "BID" shall refer to the organization of Members, as that term is defined below, and "District" shall refer to the property located within the physical boundaries identified in the Whitefish Bay Business Improvement District Operating Plan as amended from time to time, which is incorporated herein by this reference (hereafter, the "Plan").

Article II
Purpose and Powers

It shall be the purpose of the BID to perform all acts authorized by law for a Business Improvement District, including but not limited to redeveloping, developing, managing, and promoting the District as authorized by Wisconsin law. The BID shall work within the bounds of the law in order to retain existing business uses and attract new businesses and other uses to the District and to otherwise implement the Plan. The Board shall have all powers necessary or convenient to implement the Plan, including the power to contract subject to approval from the Village Board for contracts exceeding $10,000.

Article III
Members

Owners and tenants of real estate in the District upon which assessments are levied by the Village of Whitefish Bay for the purpose of funding the BID's operating and program costs, shall be members of the BID, although they are not members of the Board (each such owner or occupant shall hereinafter be referred to as a "Member" and all Members shall collectively be referred to as the "Members"). Membership terminates when a Member ceases to have an interest in such real estate, whether as an owner or as a tenant. Members shall be entitled to receive information and to advise the Board, but shall have no other rights beyond those prescribed by Section 66.1109 of the Wisconsin statutes.

Article IV
Membership Meetings

General meetings of the Members shall be held at least annually, in the Village of Whitefish Bay, Wisconsin (the "Village") at a time and place to be determined by the Board. Special meetings may be called with the approval of 4 Board members. The annual meeting shall be held on the fourth Wednesday of March of each year.

Article V
BID Board

Number and Designation: The affairs of the BID shall be managed by the Board, as identified in the Plan. The existing Board, if any, shall nominate a candidate(s) to fill each vacancy in the Board to the Village President. A total of 9 individuals will serve as Board members annually; one member is to be from the community-at-large. One ex-officio (nonvoting) member will be the Village Manager or his designee of the Village.

Term of Board Member: Appointment to the Board shall be for a period of three years each, except that initially three members of the Board shall be appointed for three year terms, three members of the Board shall be appointed for two year terms, and three members of the Board will be appointed for one year terms. Each Board member will be appointed by May 1 of the specified year. A Board member shall continue to serve until the appointment of such party's successor.

Board Meetings: Board meetings shall be held at least once annually and at such times as the Board deems necessary, upon at least as much notice as is required by the Open Meetings Law. All Board members are expected to actively participate in the meetings and to notify the Chairperson or designee if unable to attend. Missing two regularly scheduled meetings without prior notification shall be grounds for removal from the Board. A quorum shall consist of 5 members of the Board. Except as otherwise provided herein, all votes of the Board shall be by simple majority of the Board members present at a meeting. Board meetings and Members meetings are public meetings and their records are public records subject to the Wisconsin Open Meetings Laws and Public Records Laws.

Resignation and Removal: A Board member may resign by filing a written resignation with the Secretary. Any Board member may be removed by an affirmative vote of two-thirds of all of the members of the Board whenever, in its judgment, the best interests of the BID would be served thereby, after notice and opportunity for a hearing are afforded the Board member in question. Upon a vacancy being created on the Board, the Board shall petition the Village President to appoint a replacement nominated by the Board.

Article VI
Officers

Officers Generally: The officers of the BID shall be Chairperson/ Vice Chairperson/Secretary/and Treasurer nominated and elected by the Board, except that at the appointment of the initial Board, the Village President shall designate one Board member as Chairman until the Board can elect its officers. The officers shall be Board members and shall be elected by the Board annually at the first regularly scheduled meeting of the Board subsequent to the appointment by the Village President and confirmation by the Village Board of new Board members. The officers shall serve at the pleasure of the Board. Term of office shall be one year, but a BID officer shall continue to serve until the appointment of such party's successor. An officer can serve in the same capacity as in the previous year if so appointed. Any officer elected or appointed by the Board may be removed by an affirmative vote of two-thirds of all of the

members of the Board whenever, in its judgment, the best interests of the BID would be served thereby.

Chairperson: The Chairperson shall preside at all meetings of the Board and of the members. The Chairperson may sign with the Secretary, or any other proper officer of the organization authorized by the Board, any deed, mortgage, bond, contract, or other instrument which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated to some other officer or agent of the organization. In general, the Chairperson shall perform all duties incident of the office of Chairperson and such other duties that shall be prescribed by the Board from time to time.

Vice-Chairperson: In the absence of the Chairperson or in the event of the Chairperson's inability or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson, and, when so acting, shall have all the powers of and subject to, all the restrictions upon the Chairperson. The Vice-Chairperson shall perform other duties as from time to time may be assigned by the Chairperson or by the Board.

Secretary: The Secretary shall keep the permanent minutes of the meetings of the Board and of the Members in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these bylaws, or as required by law; be custodian of the records; keep a register of the name and address of each Member; and in general, perform all duties incident to the office of Secretary and such other duties as may be assigned from time to time by the Chairperson.

Treasurer: The Treasurer shall have charge and custody of and be responsible for all funds and securities of the BID. The Treasurer shall perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned by the Board. The Treasurer and Chairperson shall prepare annual operating budgets showing income and expenses to be presented to the Board for approval.

Article VIII
Financial

The Chairperson or the Treasurer is authorized on behalf of the BID to open such bank accounts, checking accounts, or accounts with a Village financial institution as the Board may authorize. The authorized signers of checks or withdrawal orders in connection with any such account shall be any two of the officers whose names and signatures shall have been certified to such financial institutions from time to time by the Secretary of the BID, and at least one who shall be the Chairperson or Treasurer of the BID. Any financial institution shall be fully protected in relying on any such certification by the Secretary until it shall have received written notice of change in such office or such signing authority.

The Chairperson of the BID shall approve all invoices for goods supplied or services rendered to the BID for payment and payment will be made by procedures established by the Chairperson and Treasurer.

Board members may make application to the Chairperson for reimbursement of out-of-pocket expenses incurred in connection with service to the BID up to $100.00. Reimbursement for out--of-pocket expenses in excess of $100.00 will require prior approval according to procedures established by the Chairperson.

Article IX
Fiscal Year

The Fiscal Year of the BID shall be the calendar year.

Article X
Non-Profit and Non-Partisan

The BID shall be non-profit, non-partisan and non-sectarian and shall take no part in or lead its influence, facilities, either directly or indirectly, to the nomination, election, or appointment of any candidate for public office in the Village, County, State or Nation.

The BID will be a quasi-governmental entity, created by the Village Board, in accordance with the Wisconsin Business Improvement Law.

Article XI
Amendment of By-Laws

These Bylaws may be amended to the extent not in conflict with Sec. 66.1109 WI Stats. or the Plan, by an amendment adopted by a simple majority of the Board members at two consecutive regular meetings of the Board.

Article XII
Board Liability

Board members shall be indemnified in accordance with Section 895.46 Wis Stats. as amended.

Article XIII
Other Organizations

The BID shall be a separate entity from any other organization.

Appendix D

Projected Assessments for Commercial Properties to be Included in the BID 2018

Index	Number	Dir.	Street	Type	Property Owner	Parcel Number	Assessed Property Value	Percentage of Property	2017 Prop. Assess.
41	5630	North	Lake	Drive	Kivley Investments, LLC	165-0284	$ 414,400	0.87%	$ 663
42	5600	North	Lake	Drive	Boulder Venture 12 LLC	165-0286-002	$ 1,756,000	3.70%	$ 2,810
30	5639	North	Lake	Drive	Sendik's Investments, LLC	165-0301	$ 277,300	0.58%	$ -
31	5633	North	Lake	Drive	Sendik's Investments, LLC	165-0302	$ 282,200	0.59%	$ -
33	5629	North	Lake	Drive	Sendik's Investments, LLC	165-0303	$ 1,309,000	2.76%	$ -
34	5605	North	Lake	Drive	B Bros LLC	165-0304	$ 495,200	1.04%	$ 792
27	5655	North	Lake	Drive	Church Christ Episcopal	165-0308-001	$ -	0.00%	$ -
28	517	East	Beaumont	Avenue	Silver Spring Lodge	165-0330	$ -	0.00%	$ -
32	530	East	Silver Spring	Drive	Sendik's Investments, LLC	165-0332-001	$ 3,620,400	7.62%	$ 3,500
19	401	East	Beaumont	Avenue	Beaumont Place, LLC	165-0333-005	$ -	0.00%	$ -
15	301	East	Beaumont	Avenue	Beaumont Place, LLC	165-0333-03	$ -	0.00%	$ -
16	306	East	Silver Spring	Drive	Fox Bay Building Spe, LLC	165-0336	$ 1,726,800	3.64%	$ -
17	316	East	Silver Spring	Drive	Fox Bay Building Spe, LLC	165-0337	$ 2,214,400	4.66%	$ 3,500
18	342	East	Silver Spring	Drive	Silver Fox Properties, LLC	165-0338	$ 391,000	0.82%	$ 626
20	400	East	Silver Spring	Drive	Ramlal, LLC	165-0340	$ 1,425,000	3.00%	$ 2,280
21	412	East	Silver Spring	Drive	East Bay Building Co.	165-0341	$ 1,826,700	3.85%	$ 2,923
22	430	East	Silver Spring	Drive	Associated Bank	165-0342	$ 1,207,300	2.54%	$ 1,932
1	106	West	Silver Spring	Drive	130, LLC	166-0270-007	$ 1,628,300	3.43%	$ 3,500
2	130	West	Silver Spring	Drive	130, LLC	166-0270-008	$ 1,812,300	3.82%	$ -
6	120	East	Silver Spring	Drive	Dominican HS Corp	166-0353-001	$ -	0.00%	$ -
7	5635	North	Santa Monica	Boulevard	St. Monica's Congregation	166-0357-001	$ -	0.00%	$ -
29	525	East	Beaumont	Avenue	Sendik's Investments, LLC	166-0360	$ 342,500	0.72%	$ -
8	103	East	Silver Spring	Drive	Mathie WFB Holdings LLC	166-0364	$ 983,000	2.07%	$ 1,573
5	105	West	Silver Spring	Drive	KKW Enterprises, LLC	166-0365	$ 479,100	1.01%	$ 767
4	115	West	Silver Spring	Drive	KKW Enterprises, LLC	166-0366	$ 399,600	0.84%	$ 639
3	131	West	Silver Spring	Drive	JBC 6 LLC	166-0367	$ -	0.00%	$ -
13	205	East	Silver Spring	Drive	Erastus Investments II LLC	197-0001	$ 1,466,300	3.09%	$ -
12	177	East	Silver Spring	Drive	BMO Harris Bank	197-0014	$ 1,724,600	3.63%	$ 3,500
11	171	East	Silver Spring	Drive	BMO Harris Bank	197-0015	$ 377,300	0.79%	$ -
10	153	East	Silver Spring	Drive	The Kent Building LLC	197-0016	$ 1,504,100	3.17%	$ 2,407
9	111	East	Silver Spring	Drive	Atid Investments, LLP	197-0040-003	$ 2,270,900	4.78%	$ 3,500
45	819	East	Silver Spring	Drive	United Methodist Church	198-0023	$ -	0.00%	$ -
44	721	East	Silver Spring	Drive	First Church of Christ Scientist	198-0037-001	$ -	0.00%	$ -
39	601	East	Silver Spring	Drive	Stuhlmacher Holdings LLC	198-0125	$ 2,948,600	6.21%	$ 3,500
40	5575	North	Marlborough	Drive	Village of Whitefish Bay	198-0126	$ -	0.00%	$ -
43	705	East	Silver Spring	Drive	M Y Design Partnership	198-0131	$ 932,200	1.96%	$ 1,492
38	527	East	Silver Spring	Drive	Austin, LLC	198-0226	$ 892,600	1.88%	$ 1,428
37	523	East	Silver Spring	Drive	SJMEC, LLC	198-0227	$ 538,500	1.13%	$ 862
36	517	East	Silver Spring	Drive	Thomas Harris	198-0228	$ 628,300	1.32%	$ 1,005
35	501	East	Silver Spring	Drive	Diversey WFB LLC	198-0229	$ 1,686,400	3.55%	$ 2,698
26	421	East	Silver Spring	Drive	AMP Holdings LLC	198-0257	$ 1,767,000	3.72%	$ 2,827
25	417	East	Silver Spring	Drive	Lexor, LLC	198-0258	$ 663,300	1.40%	$ 1,061
24	401	East	Silver Spring	Drive	TOV LANU, LLP	198-0259	$ 2,330,800	4.91%	$ 3,500
23	325	East	Silver Spring	Drive	BV/B2 LLC	198-0287	$ 3,710,100	7.81%	$ 3,500
14	219	East	Silver Spring	Drive	Erastus Investments II LLC	198-0315	$ 1,466,300	3.09%	$ 3,500

2017 Assessment	$ 1.60	per $1,000 of value	$ 47,497,800	100.00%	$ 60,284
2017 Maximum	$ 3,500				

Assessed Value as of January 1, 2017

2. Designates the reinvestment neighborhood or area as of a date provided in the resolution.

3. Contains findings that the area to be designated constitutes a reinvestment neighborhood or area.

History: 1977 c. 418; 1979 c. 361 s. 112; 1985 a. 29 s. 3200 (14); 1999 a. 150 s. 479; Stats. 1999 s. 66.1107; 2001 a. 104.

66.1109 Business improvement districts. (1) In this section:

(a) "Board" means a business improvement district board appointed under sub. (3) (a).

(b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights–of–way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax–exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.

(c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.

(d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.

(e) "Municipality" means a city, village or town.

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:

1. The special assessment method applicable to the business improvement district.

1m. Whether real property used exclusively for manufacturing purposes will be specially assessed.

2. The kind, number and location of all proposed expenditures within the business improvement district.

3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

5. A legal opinion that subds. 1. to 4. have been complied with.

(g) "Planning commission" means a plan commission under s. 62.23, or if none a board of public land commissioners, or if none a planning committee of the local legislative body.

(2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:

(a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under par. (b) has petitioned the municipality for creation of a business improvement district.

(b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.

(c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.

(d) Within 30 days after the hearing under par. (c), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.

(e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.

(3) (a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.

(b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub. (3) (c) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

(a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

(b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under par. (c) and unless the business improvement district is not terminated under par. (e).

(c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.

(d) Within 30 days after the date of hearing under par. (c), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.

(e) If after the expiration of 30 days after the date of hearing under par. (c), by petition under this subsection or subsequent notification under par. (d), and after subtracting any retractions under par. (d), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(5) (a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under s. 70.11 may not be specially assessed for purposes of this section.

(b) A municipality may terminate a business improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

History: 1983 a. 184; 1989 a. 56 s. 258; 1999 a. 150 s. 539; Stats. 1999 s. 66.1109; 2001 a. 85.

66.1110 Neighborhood improvement districts. (1) In this section:

(a) "Board" means a neighborhood improvement district board elected under sub. (4) (a).

(b) "Chief executive officer" means a mayor, city manager, village president, or town chairperson.

(c) "Local legislative body" means a common council, village board of trustees, or town board of supervisors.

(d) "Municipality" means a city, village, or town.

(e) "Neighborhood improvement district" means an area within a municipality consisting of nearby but not necessarily contiguous parcels, at least some of which are used for residential purposes and are subject to general real estate taxes, and property that is acquired and owned by the board if the local legislative body approved acquisition of the property under sub. (4) (d) as part of its approval of the initial operating plan under sub. (3) (e).

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation, and promotion of a neighborhood improvement district.

(g) "Owner" means the owner of real property that is located within the boundaries, or the proposed boundaries, of a neighborhood improvement district.

(h) "Planning commission" means a plan commission under s. 62.23 or, if none exists, a board of public land commissioners or, if none exists, a planning committee of the local legislative body.

(2) An operating plan shall include at least all of the following elements:

(a) The special assessment method applicable to the neighborhood improvement district.

(b) The kind, number, and location of all proposed expenditures within the neighborhood improvement district.

(c) A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

(d) A description of how the creation of the neighborhood improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

(e) A statement as to whether the local legislative body authorizes the board to own real property and, if so, a description of the real property to be owned, the purpose of the ownership, and a statement of to whom the real property will be transferred if the neighborhood improvement district is terminated.

(f) A legal opinion that pars. (a) to (e) have been complied with.

(3) A municipality may create a neighborhood improvement district and adopt its operating plan if all of the following conditions are met:

(a) An owner of real property subject to general real estate taxes and located in the proposed neighborhood improvement district designated under par. (b) has petitioned the municipality for creation of a neighborhood improvement district.

(b) The planning commission has designated a proposed neighborhood improvement district and adopted its proposed initial operating plan.

(c) At least 30 days before creation of the neighborhood improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed neighborhood improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice, together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed neighborhood improvement district, shall be sent by certified mail to all owners of real property within the proposed neighborhood improvement district. The notice shall state the boundaries of the proposed neighborhood improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.

(d) Within 30 days after the hearing under par. (c), one of the following has not filed a petition with the planning commission protesting the proposed neighborhood improvement district or its proposed initial operating plan:

1. The owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40 percent of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan.

2. The owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40 percent of the assessed valuation of all property to be assessed under the proposed initial operating plan.

(e) The local legislative body has voted to adopt the proposed initial operating plan for the neighborhood improvement district.

DAVIS | KUELTHAU
attorneys at law

MEMORANDUM

To: Whitefish Bay Business Improvement District

From: Christopher J. Jaekels, Village Attorney CJJ

Date: November 15, 2017

Subject: Legal Opinion Regarding Silver Spring Drive Business Improvement District Operating Plan

You have asked me to review the proposed Operating Plan for 2018 for the Silver Spring Drive Business Improvement District (BID) and to provide my opinion as to whether the Operating Plan complies with Section 66.1109 Wis. Stats. The opinion is specifically required under this statute.

OPERATING PLAN

Under § 66.1109(2)(f) Wis. Stats., the Operating Plan for the District must specify (1) the special assessment method applicable to the District; (2) whether manufacturing property will be specially assessed; (3) the kind and location of proposed expenditures; (4) a description of methods of financing, estimated expenditures, and the time when costs will be incurred; and (5) a description of how the creation of the business improvement district promotes orderly development pursuant to any master plan.

I have reviewed the proposed Operating Plan and find that it satisfies the legal requirements of Wisconsin Statutes generally as set forth above.

CJJ/nr

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STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

RESOLUTION NO. 3003

WHEREAS, the Village Board did on November 20, 2017 hold a public hearing on the proposed budgets for the Village of Whitefish Bay for the calendar year 2018.

NOW, THEREFORE, BE IT RESOLVED by the Village Board that the Village of Whitefish Bay adopt the following individual fund budgets in the amounts indicated for the calendar year 2018:

Fund		Amount
General Fund	$	10,519,138
Library Fund	$	794,181
Debt Service Fund	$	3,251,863
Capital Fund	$	331,605
Special Assessment - Capital Projects Fund	$	114,001
Borrowed Money - Capital Projects Fund	$	3,091,000
TID No. 1 Fund	$	891,200
TID No. 2 Fund	$	366,235

These said budgets in detail are open to public inspection, Monday through Friday, between the hours of 8:00 AM and 4:30 PM in the Finance Department at the Department of Public Works, 155 W. Fairmount Avenue, Whitefish Bay, Wisconsin, and:

BE IT FURTHER RESOLVED by the Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin, that there is hereby levied upon all taxable property in said Village, to be extended upon the tax roll of said Village for the year 2017 and to be collected in and during the taxpaying period of 2017-2018 the sum of Eleven Million Sixty Seven Thousand Two Hundred and Ninety Six Dollars ($11,067,296) for the support of said Village and the payment of projected indebtedness, all as indicated in the budget hereby adopted by the Village Board on November 20, 2017 and the Clerk of said Village is hereby directed and authorized to extend said amount upon the 2017 tax roll of said Village.

PASSED AND ADOPTED this 20th day of November, 2017.

Julie Siegel, President

Countersigned:

Jennifer R. Amerell, Village Clerk

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

RESOLUTION NO. 3004

WHEREAS, the Village Board did on November 20, 2017, hold a Public Hearing on the proposed utility fund operating budgets for the Village of Whitefish Bay for the calendar year 2018.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Whitefish Bay adopt the following individual utility fund operating budgets in the amounts indicated for the calendar year 2018:

Fund	Amount
Water Utility	$ 2,195,623
Sewer Utility	$ 2,565,214
Stormwater Utility	$ 760,500
Parking Utility	$ 84,903

BE IT FURTHER RESOLVED by the Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin that the above said budgets are adopted for the calendar year 2018, and that these said budgets in detail are open to public inspection Monday through Friday, between the hours of 8:00 AM and 4:30 PM in the Finance Department at the Department of Public Works, 155 W. Fairmount Avenue, Whitefish Bay, Wisconsin.

PASSED AND ADOPTED this 20th day of November, 2017.

Julie Siegel, President

Countersigned:

Jennifer R. Amerell, Village Clerk

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

RESOLUTION NO. 3005

BE IT RESOLVED that the reports for assessments, delinquent accounts, and other delinquent charges on file in the office of the Village Clerk be and the same is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Clerk be authorized to extend the following items against the respective lots and parcels of land as listed in said reports on file in the office of the Village Clerk, and enter the same in the tax roll for the year 2017 to be collected the same as other taxes.

- Special assessments
- Business Improvement District assessments
- Delinquent water/sewer/stormwater user charges
- Other delinquent charges

PASSED AND ADOPTED this 20th day of November, 2017.

_____

Julie Siegel, President

Countersigned:

_____

Jennifer R. Amerell, Village Clerk

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

RESOLUTION NO. 3006

A Resolution to Increase Local Sewer User Charges

BE IT RESOLVED that rate changes for the Whitefish Bay portion of the total sewer rate be increased from $3.73 per 100 cubic feet to $3.84 per 100 cubic feet effective January 1, 2018.

BE IT FURTHER RESOLVED that the Clerk is hereby directed to publish notice of these rate increases in the North Shore Now newspaper as a Class 1 Notice.

PASSED AND ADOPTED this 20th day of November, 2017.

_____

Julie Siegel, President

Countersigned:

_____

Jennifer R. Amerell, Village Clerk

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees

REPORT FROM: Paul Boening – Village Manager

AGENDA ITEM: Discussion/action regarding residential structure teardowns/rebuilds/additions.

ACTION REQUESTED: __Ordinance ___Resolution _√_Motion _____Information Only

BACKGROUND

In the past five years, a total of 12 new homes have been constructed in Whitefish Bay. Eight of those homes were built between 2016 and 2017. Of those projects, 11 included demolition (teardown) of an existing home. Director of Building Services Joel Oestreich informed me that there are five developers handling the majority of the teardown/rebuild projects. As a side note, four of those developers happen to reside in Whitefish Bay.

This past summer, ARC Chairperson Roy Wagner contacted President Siegel via email to pass along the following concern:

I believe there is an ARC issue I would like to bring to your attention and perhaps the full board. While we do have Design Guidelines, lot overbuilding is becoming an increasing acrimonious neighborhood issue.

President Siegel and Trustee Serebin subsequently met with Mr. Wagner to discuss his concerns in further detail. Mr. Wagner explained that both complete rebuilds and home addition projects were of concern with regard to lot "overbuilding."

In the months that followed that meeting, I have received copies of email messages/letters pertaining to the topic from Jen Anderes, Kathy Rogers, David Pritchard, Brian Tobiczyk, Paul Hunter and Jennifer West. Copies of those messages/letters are attached.

Trustee Miller and Trustee Serebin requested placement of the teardown/rebuild/addition topic on a Village Board agenda.

RECOMMENDED ACTION BY VILLAGE BOARD

The Village Board has not previously reviewed this specific topic. Therefore, staff is requesting Board direction regarding how to proceed.

For the purposes of discussion, the Board should determine whether residential teardowns/rebuilds/additions constitute a problem in Whitefish Bay. If so, how should the Village work to address the issue?

Potential discussion topics could include:

- **Design Guidelines** (Section 16.31 of the Zoning Code, attached) – Attorney Jaekels contends that Whitefish Bay has the most modern design guidelines in the State of Wisconsin. The guidelines include language that enables ARC to deny plans based upon such factors as scale, massing, and/or compatibility with neighborhood patterns. Attorney Jaekels has offered to appear before the ARC to provide a "refresher" session related to ARC's ability to utilize such authority.

- **Zoning Requirements** – Key provisions that apply to such projects include setbacks, maximum lot coverage and structure height. Attorney Jaekels can speak to the legality of amending such requirements for new homes. If that is a possibility, the Board will need to consider the fairness of applying different Zoning standards to new projects. On the flip side, amending such provisions in an entire Zoning District would cause many existing properties to become legal non-conforming.

- **Economic Factors** - Given the profit margin associated with teardowns/rebuilds, we anticipate that such projects will continue so long as the housing market remains strong. From a property value perspective, construction of new homes adds to Whitefish Bay's equalized property value. A steady continuation of interior/exterior remodels and additions are other factors that have enabled Whitefish Bay's equalized value to increase.

- **Property Owner/Developer Rights** – Village officials have received questions about why "perfectly good homes" have been demolished. As the Board is aware, property owners are afforded many rights that are protected by law including utilizing property for a permitted use. The existing Zoning Code requirements and Design Guidelines were authored to comply with such protections while still providing ARC with the authority to apply the aforementioned guidelines.

Joel Oestreich will be in attendance at the meeting and will be able to answer any questions related to the ARC process, demolition/construction, etc. Attorney Jaekels will be able to address both the history of Design Guideline adoption and the legal implications of potential modifications.

Potential Village Board options include the following:

- Proceed under the existing requirements, guidelines and processes (No action necessary).
- Direct Attorney Jaekels to appear before ARC to provide a "refresher" session related to ARC's ability to enforce the Design Guidelines.
- Direct staff to provide additional information for review at a future Board meeting. If so, what information would the Board like staff to assemble?
- Appoint a Committee to review the topic in further detail and/or ask ARC to provide feedback/suggestions for Village Board consideration.

The Board may also suggest options that are not listed above. Again, since this is a new topic, staff is seeking direction from the Board regarding whether the subject warrants additional review. If so, how would the Board like to proceed?

C: Department Heads
Attorney Jaekels

Boening, Paul

From: Tara Serebin <thserebin@gmail.com>
Sent: Friday, September 08, 2017 11:23 AM
To: Boening, Paul; Oestreich, Joel; Julie
Subject: Fwd: Quick thought, more to come

Categories: Admin Report

Hi,

Kathy initially called me early this week, and since then I've had 2 pretty extensive conversations with her regarding this issue as it pertains to her neighborhood and to WFB as a whole. I've also heard a number of complaints from other residents who are similarly concerned about the increased rate of tear-downs in the village with very large replacements, and their impact on neighborhoods. I'd like the board to at least review our current guidelines, and possibly look at what some other communities facing this trend have done in the past just to be sure that everyone is comfortable with both our process and our guidelines. From what I understand we've gone from about 1 per year, to 9 already this year so it seems like this would be an appropriate time to take a look at this.

Please feel free to share this with the rest of the board - I will forward you any additional communication I get from Kathy or other residents.

Thanks!

Tara
---------- Forwarded message ----------
From: **Kathy Rogers** <rogersk@wi.rr.com>
Date: Fri, Sep 8, 2017 at 11:00 AM
Subject: Quick thought, more to come
To: Trustee Serebin <TrusteeSerebin@wfbvillage.org>

Hi Tara,

I will write you a longer, more formal e-mail but here is a quick thought about something that might be helpful and could be implemented very quickly. The ARC agenda is sent out to neighbors of the properties on the agenda for that week's meeting; I am assuming the agenda is mailed to those neighbors in the "Design Area" of each agenda property as that term is defined in the Village Guidelines. I think the mailing would be improved by adding the following information to the header.

Current wording: "The Architectural Review Commission will review and act on the following building applications for permit on September 7, 2017 in the Village Hall, 5300 N. Marlborough Drive." **Proposed additional wording:** You are receiving this agenda because your property falls within the Design Area of one or more projects on the agenda. In its review, the Commission will apply the last section of Village Ordinance 16.31, "Single-family and two-family residential design guidelines." A PDF of Ordinance 16 can be found at

http://www.wfbvillage.org/DocumentCenter/Home/View/99 ; the design guidelines begin near the bottom of page 134. Members of the public can attend the meeting and offer comment if they wish. You may submit written comments to J.Oestreich@wfbvillage.org" *(perhaps he would like a deadline included so he has time to get them to the ARC members.)*

I think this addition would improve the public notice in the following ways:

- It would help neighbors know the ARC members will be applying official guidelines to the projects proposed;
- It would help neighbors quickly know what the guidelines are and where they can find them;
- It would help neighbors realize they can attend the meeting and comment if they wish (but, with luck, focus their comments on the language of the guidelines); and
- It would help neighbors know that if they can't attend, their written comments can be submitted and will be considered.

More soon.

Kathy Rogers

From: Jen A [mailto:janderes@gmail.com]
Sent: Friday, September 08, 2017 11:42 AM
To: Boening, Paul
Subject: Concerns

I am writing to you as a concerned citizen of Whitefish Bay. I am not expecting any changes, nor am I here to start an argument. I am a neighbor who is out and about in my neighborhood and the amount of negative feedback I have recently received regarding a certain topic has given me 2 options. To either sit back, listen, and do nothing, or to at least draw attention to this issue so the Village is aware of the situation. I have chosen to speak up knowing that the Village has thousands of issues to deal with, and our concern within a few block perimeter, might not be on the Village's radar. (I will use the term "we" in this email; which represents my feelings and a multitude of other people who have communicated with me verbally and by text message, but this may not be the opinion of every neighbor).

Ultimately, many neighbors are concerned with the way a contractor is handling building in our neighborhood. Last year 2 homes on the 5100 block of Woodburn were leveled and new homes were built. These homes are similar in nature, span most of the lot, and have brought in significant sales prices and tax income for the Village as well. This has been fine, and the neighbors have accepted these changes and welcomed the new home owners with open arms, (although the feedback regarding the sheer size of these homes on a street like ours has been mixed), and we have moved on.
However, this contractor has now purchased 2 more houses within the 5000 block of Woodburn (one is technically on Fairmount) and once again there are plans to level both of these homes.

We, as a Village, trust the architectural review board. Until these most recent purchases, we have not felt it necessary to attend the meetings, as the board has always been diligent, has stayed true to the history of this area and about maintaining a "Whitefish Bay feel". What has just occurred on Fairmount has put us (neighbors who love this neighborhood for being charming and beautiful) on a very worried and concerned path.

The home on Fairmount had *many* HUGE trees on the lot and a few bordering it's lot. Apparently, the Village has approved a foundation that is going to be so large that the neighbors trees would die, and so 5+ trees have been removed thus completely changing the landscape of our neighborhood. People have lost privacy, natural beauty, and on a functional level- a loss of natural house cooling for warm summer days. We fully understand having to remove a tree or two, but the removal of 5+ healthy trees on a postage sized stamp lot is a drastic and a sad change. If a foundation is going to be so large it will kill the neighboring trees, then that foundation is too large for these small lots. We are fortunate that a lack of money isn't a huge concern for most of us in this area, that being said, money shouldn't be able to buy the ability to make drastic environmental changes or completely change the aesthetics of a neighborhood.

The feedback I have received, as well as expressed by me to others is: we are *more than happy* with dramatic updates to homes and even leveling homes that are in disrepair. However, what we are seeing is a sheer lack of caring for the environment and for our historical and charming neighborhood. This will be 4 knock down/rebuilds within 2 blocks, and I challenge you to drive on the 5000/5100 block and not immediately know which ones are the knock down/rebuilds.

We hesitantly accept that these 2 current homes will be leveled and new homes that fill most of the lot will be built (this is our assumption from prior homes with this contractor). However, we (as a neighborhood community from Ardmore to Cumberland and Henry Clay to Chateau) hope that the board will attempt to be more aware of what is being approved and how it is drastically changing a simply beautiful and delightful street. We chose to live in Whitefish Bay for it's charm, it's history, the variety of home architecture, the range in home affordability in our neighborhood, and it's stunning old tree lined streets vs. living in an area like Brookfield.

Thank you for your time and your patience with listening to our concern. We don't plan to descend upon the review board and fight with the Village or our neighbors. We just want the Village to know what our concerns are.

Thank you very much.

Boening, Paul

From: thserebin@gmail.com on behalf of Tara Serebin <TrusteeSerebin@wfbvillage.org>
Sent: Monday, September 11, 2017 7:38 AM
To: President Siegel; Boening, Paul; Blakeslee, Tim
Subject: Fwd: Concerns about new construction in Whitefish Bay
Attachments: Trustee Tara Serebin.docx

Categories: Admin Report

Good morning - this is the follow-up that I got from Kathy. Can you please share it with the rest of the board?

Thanks!

Tara
---------- Forwarded message ----------
From: **Kathy Rogers** <rogersk@wi.rr.com>
Date: Sat, Sep 9, 2017 at 11:37 AM
Subject: Concerns about new construction in Whitefish Bay
To: Trustee Serebin <TrusteeSerebin@wfbvillage.org>

Dear Trustee Serebin, Thank you for considering the concerns in the attached letter. Kathy Rogers

Kathy A. Rogers
5059 N. Woodburn St.
Whitefish Bay, WI 53217
414-961-0142 rogersk@wi.rr.com

Tara Serebin, Trustee
Whitefish Bay Village Board

Dear Trustee Serebin,

I am writing to ask the Village Board to review the guidelines for new residential construction, and the process for approving new homes. The pace of demolition and replacement is increasing in the village, with many of the replacement homes drastically larger than the structures they replace. The new homes are changing the character of neighborhoods in ways the community and its elected officials may not intend.

I live at 5059 North Woodburn Street. Recently, within two blocks of my home, four houses have either been torn down or are in the process of being torn down. Two new homes have been built (5100 block;) a third has been approved (1400 block of Fairmount) and the proposal for the fourth, directly across the street from me, was tabled by the Architectural Review Commission on September 7 because it violated the village's residential design guidelines. While the concentration of tear-downs in my neighborhood may be unusual, such situations are increasingly common throughout the village.

The relatively sudden appearance of these large homes has taken many people by surprise. A developer buys a house and gets permission to build a new, larger house without the knowledge of most of the neighbors. I believe that only neighbors in the "design area" of a proposed project receive a copy of the agenda of the Architectural Review Commission's meeting.

Those residents are often uncertain whether they have any say in what happens to the character of their neighborhoods. There is confusion among them about the standards the ARC uses to arrive at its decisions. While the deliberations of the Commission should be grounded in the Residential Design Guidelines (section 16.31 of the village ordinances), the agenda sent to residents in the relevant design areas contains no mention of that section, much less how residents can find it. This all contributes to a sense of mystery in what I believe the village actually intends to be an open process.

Many people perceive the Design Guidelines to be inconsistently and arbitrarily applied. Because the ARC meets frequently, the composition of the Commission may differ at each meeting. At the meeting I attended September 7, the ARC chair noted several times that an applicant re-appearing before the Commission for additional discussion of a project may face new, different questions and concerns from whichever Commission members may be seated that night. In other words, the discussion at a previous meeting is not binding on the Commission when it resumes consideration of an applicant's case. Published minutes of ARC meetings are not detailed. I sympathize with the burden the ARC's caseload places on Commission members,

who devote many volunteer hours. But it isn't hard to understand why some residents lack confidence in the consistency of the ARC's decision-making.

It also seems that members of the ARC interpret the Guidelines differently. Some design issues understandably allow for subjective judgment, especially in remodeling projects integrating new with old. However, many parts of the village's Design Guidelines are not subjective. The concept of "design area," for example, is central to the application of the guidelines and is clearly defined. Nonetheless, at the recent ARC meeting I attended, one Commission member said that a feature allowed in a previous new home, in another design area (and therefore entirely irrelevant to the proposal at hand), could be properly viewed as "precedent" and permitted in the case under review – something the guidelines clearly do not allow. Three other Commission members seated that night adhered to the definition in the Guidelines, (the fifth did not specifically comment) but that may not have been the case had other members been seated.

Neighbors in a design area can appeal the ARC's approval of a project to the Board of Appeals if that approval violates the Guidelines, but it seems questionable that residents should have to devote time and effort to appeal a permit that, by the village's own rules, should not have been granted in the first place.

In light of these concerns, I request that the Village Board undertake the following:

- A moratorium on approving new home construction.

- A report at a Village Board meeting about the number of tear-downs each year for the past decade, including the size of the new homes compared to the size of other homes in the immediate neighborhood. Where exceptions were made to the Design Guidelines, why were they made?

- A review of the Residential Design Guidelines to limit the possibility of subjective and arbitrary interpretation by the Architectural Review Commission. The review should consider changing the name of section 16.31 to Residential Design <u>Standards</u> to emphasize that they are not merely advisory.

- Consideration of an objective standard for how much bigger the mass of a new home can be, relative to the size of the other homes in its design area.

- Consideration of how to better inform residents of (a) new construction projects in their neighborhood, (b) the standards that govern such projects, and (c) the opportunity to express their opinion to the ARC about the suitability of such projects.

The intent of the village's Residential Design Guidelines is to balance the interests of developers with those of current residents. A review of the Guidelines, and the process used in applying them, would reveal to the Village Board whether this balance is being achieved, or whether the Guidelines need to be strengthened to better manage change in the face of so many proposals for new, large homes.

In closing, I want to emphasize that I am not resistant to change or opposed to new construction. One of the charms of the village is its diversity in housing, and new homes can continue to add positively to that diversity. But the size and scale of those new homes should not disadvantage current residents, many of whom have lovingly cared for their own homes for many years.

Thank you for your consideration and for your service on the Village Board.

Sincerely,
Kathy Rogers

Boening, Paul

From: President Siegel
Sent: Thursday, September 14, 2017 12:35 PM
To: Boening, Paul
Subject: FW: tear-downs

Categories: Admin Report

From: David Pritchard [david.pritchard50@gmail.com]
Sent: Thursday, September 14, 2017 7:51 AM
To: President Siegel
Subject: tear-downs

Dear President Siegel,

I am writing in hopes that the Village Board will consider a temporary moratorium on tear-downs and replacement homes. The village zoning ordinance and residential design guidelines were enacted before the rush of tear-down/replacement proposals we have seen in the past two or three years. Taking a timeout so that the code could be adapted to this new reality would represent sound planning practice.

Many of the recent proposals have been for houses that are substantially larger than neighboring houses. While I do not oppose the idea of replacing a tired old house with a nicer new house, it is also important to preserve the quality of Whitefish Bay's neighborhoods.

A moratorium on new proposals of perhaps six months would give the village time to consider revisions to the current zoning code and residential design guidelines. Perhaps an ad hoc committee with broad representation could review the current standards and make a proposal to the Village Board.

If such a committee were created, I would be glad to serve on it. I was a member of the Board of Appeals for 10 years, which gave me some insight into the zoning code and how much Whitefish Bay residents care about their neighborhoods.

I am hopeful that the village can address the issue of tear-downs in a way that is sensitive to the needs not only of builders but also of current residents of neighborhoods.

David Pritchard
5059 N. Woodburn St.
961-0142

Boening, Paul

From: Tara Serebin <thserebin@gmail.com>
Sent: Wednesday, October 04, 2017 4:49 PM
To: Oestreich, Joel; Boening, Paul
Subject: Fwd: Architectural Review Commission and Residential Design Guidelines

Categories: Admin Report

Hi,

This is an interesting idea - do you have any thoughts Joel? Paul, can you send this out to everyone as well?

Thanks!

Tara
---------- Forwarded message ----------
From: **David Pritchard** <david.pritchard50@gmail.com>
Date: Sat, Sep 30, 2017 at 8:40 PM
Subject: Architectural Review Commission and Residential Design Guidelines
To: "trustee.serebin@wfbvillage.org" <trustee.serebin@wfbvillage.org>, "jsiegel8695@gmail.com" <jsiegel8695@gmail.com>, Trustee Serebin <TrusteeSerebin@wfbvillage.org>

I write to express my strong desire that the Village Board consider amending section 16.31 of the village ordinances (the Residential Design Guidelines) so that they may better guide the Architectural Review Commission in its consideration of proposals for demolition and replacement of existing homes. The village is seeing a sharply increased number of proposals for demolitions and replacements without having updated its standards for considering such proposals.

One immediate improvement could be implemented without Village Board action. At present, homeowners in the neighborhood of a project receive a copy of the agenda for the ARC meeting. The Residential Design Guidelines are not included with the agenda, or even mentioned. The date, time, and place of the ARC meeting is listed on the agenda, but there's no mention that neighbors may express their views about a project to ARC.

The result is that most of the village residents who get these agendas don't know what standards are used to evaluate proposed projects, and they don't know that they can share their views about a project with ARC.

An information sheet telling neighbors how to access the Residential Design Guidelines, and also telling them that they are welcome to express their view to the ARC, would be a big improvement over sending only an agenda.

David Pritchard
5059 N. Woodburn St.

Boening, Paul

From: thserebin@gmail.com on behalf of Tara Serebin <TrusteeSerebin@wfbvillage.org>
Sent: Thursday, September 21, 2017 2:50 PM
To: Boening, Paul; Oestreich, Joel; President Siegel
Subject: Fwd: Continued Home Demolitions
Attachments: 1.jpg; 2.jpg; 3.jpg; 4.jpg; 5.jpg

Categories: Admin Report

Hi,

Here is the most recent letter I got from a resident on this issue. Please share it with the rest of the board as well.

Thanks,

Tara
---------- Forwarded message ----------
From: **Brian Tobiczyk** <Brian.Tobiczyk@mortenson.com>
Date: Tue, Sep 19, 2017 at 4:35 PM
Subject: Continued Home Demolitions
To: Trustee Serebin <TrusteeSerebin@wfbvillage.org>
Cc: "rogersk@wi.rr.com" <rogersk@wi.rr.com>, "amjungers@gmail.com" <amjungers@gmail.com>

Trustee Serebin-

I recently received a copy of the correspondence that Kathy Rogers (5059 N Woodburn) forwarded to you, and wanted to express my concern as well. I, my Wife, and two small Children live at 5006 N Woodburn. Directly adjacent the property that is being razed on the 1400 block of Fairmount.

We're not long term residents of the Village. We moved to our home in March of this year from Bayside as we craved what Whitefish Bay has to offer. Sidewalks, street lights, and tight knit neighborhoods where children grow-up together were great attractors. It does feel as if that character, which we sought so much, has the potential to be lost and replaced with something entirely different. That change will happen on the watch of a flawed approval system. We purchased our house from an elderly women that had spent her entire life in the house. Her parents built it in the late 40's and she remained until she found us. Her biggest fear was that her home would face the fate of the others around it and meet the wrecking ball. She never placed the home on the market and spent some time looking for the right family to move in and turn the house into a home. I have spent a career engaged in planning and constructing buildings and it is incredibly surprising that the only safeguard for maintaining the integrity of the neighborhood and ultimately the Village is an Architectural Review Board charged with nothing more than making certain the design meets the "guidelines." There is little to no consideration if the intended solution maintains the fabric of the neighborhood or embraces the spirit of the Village. There isn't an argument that can be made (other than additional tax dollars) that can justify a 4800

square foot home being placed on a parcel that previously supported a 1300 square foot house in area where 1500 square feet is the norm. While I have no animosity for the developer as he's simply completing a project that's within his rights, I do place a significant burden and blame on the Village administration and flawed ordinance. A moratorium on tear-downs needs to be enacted until a smart plan for growth and appropriate set of ordinances and controls can be enacted before parts of the Village begin to disappear. Between the current project on Fairmount and the upcoming tear down on Woodburn there will be four homes completed by the same developer on the same block two blocks. Make no mistake, Mr. Hernandez is not motivated by improving the community.

There is one more impact that should be considered. The impact on the quality of life the neighbors directly adjacent these projects. We aren't profiting in these endeavors, we aren't gaining anything, yet we spend significant time dealing with the issues these projects present. I've spent countless hours dealing with utility companies, subcontractors, and Mr. Hernandez. While it's their job, it's my personal time. Additionally the constant noise, construction dust and debris, inability to use our yards, and growing list of other impacts continue to affect us. Take a look at the photos I've included below and perhaps you can begin to understand. Note the location of our children's playset and the proximity to the work. You should note, that there are two additional playsets, all frequently used by children, that directly abut this property and that as of today they are covered in demolition dust, comprised of gypsum, asbestos, lead, silicas, and other high dangerous materials. He's concerned about his livelihood, we're concerned about the health and well-being of our families and the outlook of our neighborhoods. There is no comparison. I look forward to discussing further with you. Thank you!

Brian Tobiczyk RA, Assoc. DBIA

Senior Design Phase Manager

17975 West Sarah Lane

Brookfield, WI 53045

Mortenson | *Building what's next.*®

direct 262.792.2923 | mobile 414.477.3355

brian.tobiczyk@mortenson.com

www.mortenson.com/Milwaukee

Mortenson

Boening, Paul

From: Tara Serebin <thserebin@gmail.com>
Sent: Tuesday, September 26, 2017 11:01 PM
To: Boening, Paul; Julie; Oestreich, Joel
Subject: Fwd: Tear down moratorium

Categories: Admin Report

FYI - can you forward this as well?

Thanks,

Tara
---------- Forwarded message ----------
From: **Paul Hunter** <phunter1@wi.rr.com>
Date: Tue, Sep 26, 2017 at 10:52 PM
Subject: Tear down moratorium
To: Trustee Serebin <TrusteeSerebin@wfbvillage.org>

Dear Trustee Serebin,

I write to express concern about the rapid pace of home demolitions in the village and the adverse effects of overly large replacement homes on surrounding properties.

I ask that the village trustees institute a moratorium on tear downs and a review of the process by which new larger replacement homes are approved.

Paul Hunter
phunter1@wi.rr.com
5116 N Woodbury St
414-550-2524

Jennifer M. West
1006 E. Colfax Place
Whitefish Bay, WI 53217
414-322-4277 jennwest0831@sbcglobal.net

October 19, 2017

Tara Serebin, Trustee
Whitefish Bay Village Board

Dear Trustee Serebin:

I understand you, as a member of the Whitefish Bay Village Board, have been receiving and forwarding requests from residents to review the guidelines for new residential construction and the process for approving new homes. I have seen a copy of a letter from resident Kathy Rogers and the specifics she eloquently requested with regard to that matter. I would like to add my support for this review; I would also like to expand this request to include some additional concerns.

- With regard to the guidelines for new residential construction, I would like to see the Board address an objective standard for massing in relationship to existing homes that also includes a limit on the percentage of streetscape occupied relative to existing structures.
- I would like to request consideration of language that precludes any remedies to major deviation from approved plans, except for extraordinary, undiscovered circumstances during construction. It is my understanding that project inspections occur at key points within the construction process; if the construction is different than the approved plan (say a contractor adds a foot to the width of a structure), the Village inspector can instruct the variation to be corrected, *but* the property owner can go to the Architectural Review Committee for an amendment to the original approval or challenge the inspector's decision at the Board of Appeals. This opportunity to have another chance at altering approved plans seems counterintuitive to the purpose and role of the ARC in the first place, and I do not know that there are protocols under these circumstances to inform neighbors or allow them an opportunity to provide feedback.
- The 10-year Village plan stipulates that the various Village committees and boards will work together to ensure they are all collaborating to achieve the agreed-upon goals of the Village. I would like to request clearer, specific communication around expectations as to how those entities interrelate with each other and with Village staff members and departments, and how outcomes are monitored, evaluated, and measured.

As the resident of a block that has new construction currently underway, I would also like to request the Village Board include a review of the process affecting another aspect of the surge in building in the Village – what comes *after* the approval process. I understand new construction poses different challenges than a remodeling project, and both neighbors and contractors must give and take around the various issues that are inherent in every project. The construction period may be classified as a temporary inconvenience and must be accepted with a certain amount of resignation, but this temporary period typically lasts several months and has a significant impact on the provision of Village services and neighborhood quality of life. The effect on neighbors and current residents should not be underestimated nor unrecognized, and the Village seems to lack the resources to oversee these issues.

Noise, dirt, parking, Village services (such as yard waste removal, street cleaning, and snowplowing), disruption of streets and sidewalks, impact on neighbor property and possessions – these are issues that neighbors in a construction zone deal with daily for months at a time. There are some Village guidelines regulating contractor behavior, but they are not extensive and enforcement appears to be irregular. This is especially apparent around the issues of parking for multiple construction vehicles and equipment and the provision of Village services. I would like to request that the Village explore and recommend guidelines for the following issues to mitigate as much as possible the negative effects of construction on existing neighbors:

- Development of a consistent communication plan or venue that can be accessed by neighbors, to include the following:
    - frequently asked general questions (who is responsible for repairing the street after new laterals are installed? How quickly will the street be repaired? Do contractors have to observe posted parking restrictions? Do contractors have to ask my permission to put their equipment on my property? Etc.)
    - Contact names and phone/email for the property owner, contractor, and pertinent Village staff members (Building Inspection, DPW, etc.)
    - Broad timeline for the overall project, not just initial demolition
- Development and/or publication of the process that informs residents how Village services will be provided to taxpayers during construction. This is especially pertinent to the issues of yard waste removal, street cleaning, and snow plowing being impeded by contractor vehicles parked on the street. There is currently no process for alerting or ensuring contractors to park elsewhere so these services may be performed, and these services are especially critical on a street like Colfax where plant material, dirt and gravel can clog storm drains in an area prone to flooding.
- Development of site expectations that include measures to minimize dirt and noise. While dirt is to be expected, residents should not have to make drastic lifestyle changes to keep their homes from being infiltrated by grit and bombarded by decibels. The contractor-offered solution – "keep your windows closed" – is not acceptable (and not effective), and the problem is exacerbated by lack of response to contributing issues, such as street repair. Site expectations might also address preparation of the area for resident comfort after the contractors have left the site. An entire weekend of sleepless nights due to loose Tyvek sheets cracking in the wind like a whip all night long is not respectful to neighbors who live in close proximity and have no available remedy except the reappearance of the construction crew on Monday morning. A code of contractor conduct might also be appropriate to set expectations regarding language, volume of music and conversation at the site, etc.
- Clarification of parking regulations, expectations and enforcement. Contractors bring in multiple vehicles and equipment that compete with residents for parking; these vehicles are consistently parked in violation of posted parking restrictions. On Colfax, this behavior affects not just residents of the street, but individuals, frequently elderly, who come to swim during the weekday lunch hours. There is also a detrimental impact on the provision of Village services, as mentioned earlier. If posted parking conditions are not going to be enforced and contractors are going to be allowed to override the parking restrictions at the expense of residents, perhaps the Village could look at developing a monthly pass that could be purchased for, and posted in, each construction vehicle for the duration of the construction period.

Obviously, I understand it is not feasible to draft policy or guidelines that resolve each and every issue of construction. However, I hope I have illustrated that approval of a construction project has far-reaching implications that exceed well beyond signing the building approval permit, especially for existing residents who have to live with these conditions for a lengthy period of time. I ask you to give consideration to these issues as part of a wholistic process that encompasses not just the needs of the property owner, but respects and addresses the long-term daily living impact on the individuals who reside in the neighborhood.

I appreciate the Board's consideration of this request, and I look forward to a productive dialogue that recognizes and addresses this opportunity to improve the process that yields diversity in housing while preserving the charm of our Village. Thank you for your consideration of bringing this forward in your service on the Whitefish Bay Board of Trustees.

Sincerely,

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16.31 SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL DESIGN GUIDELINES. (Ord. 1685)

INTRODUCTION

These guidelines (hereinafter "Guidelines") are intended to help maintain the high quality of Whitefish Bay's neighborhoods by providing guidance for the design of new houses, additions and/or remodels in existing neighborhoods. These guidelines are intended to focus on the characteristics of neighborhood compatibility and to provide individual homeowners flexibility to build, expand or remodel to meet their own needs and objectives.

All new house construction, additions and remodel projects must conform to the development standards of the zoning districts in which they are located. The single-family and two-family design guidelines presented below are intended to go beyond the basic requirements of the Zoning Ordinance and, in greater detail, address issues specifically related to neighborhood character and compatibility. These guidelines apply in all neighborhoods but will perhaps be particularly important in neighborhoods with established historic or architectural merit and for individual buildings with historic or architectural merit.

Applicability. The *Guidelines* apply to all new single-family and two-family structures on individual lots, including new subdivisions located within or adjacent to existing neighborhoods, and all additions and remodels requiring a building permit.

Application. These *Guidelines* are provided for the use of homeowners, builders, contractors, architects, designers, Village staff and Village decision makers.

Homeowners, builders, architects and other designers are encouraged to consult the *Guidelines* prior to designing new houses, additions or remodels for ideas and advice.

The *Guidelines* can be used as an informational resource by homeowners, builders and/or designers.

The *Guidelines* will be used by Village staff and decision makers as the criteria for making permit decisions.

Neighborhood residents should consult the Guidelines to understand the neighborhood compatibility concepts which will apply to new construction.

Definition. The following definition shall apply under these Guidelines:

1. Design Area. The Design Area of a property consists of six (6) parcels on both sides of the street in all linear directions from the subject property plus the parcels abutting the subject property, and subject to such further refinements as might be made by the Building Inspector to deal with unique circumstances such as curved streets, cul de sacs, subdivision or zoning district boundaries, and the like.

These *Single-Family and Two-Family Residential Design Guidelines* are

organized in four Sections:

I. Neighborhood Patterns. The first section identifies those common building characteristics which are most apt to define a neighborhood's appeal and identity. Not all pattern themes will be present in every neighborhood.

II. Elements of Building Design. This section addresses design integrity within the individual building.

III. Relationships to Adjacent Properties. This section deals with the interfaces between new construction and adjacent existing single-family houses.

IV. References to Treatise. Reference to McAlister: A Field Guide to American Houses (Knopf 1984) (hereinafter "McAlister") is provided as a resource for homeowners and builders who wish to understand the architectural origins of houses and the representative elements of their style. All references to architectural style or elements in these Design Guidelines are to be interpreted and understood by reference to that book.

1 I. NEIGHBORHOOD PATTERNS

Because the major objective of these guidelines is to ensure that new homes, additions and remodels are appropriately compatible with the Design Area, compliance with the guidelines in this chapter is essential for the preservation of the neighborhood character, and consistency with them will be an important component of those projects which qualify for approval. While compatibility with neighboring structures is required, a proposed project should not be so similar in design, materials, style or exterior appearance to structures in the Design Area that excessive monotony is created. In the event of any conflict between these design guidelines and the Historic Properties Ordinance of the Municipal Code (§ 16.25), the Historic Properties Ordinance shall control.

A. SETBACKS (See Figure 1)

1. At a minimum, setbacks must conform to the standards of the applicable zoning district.

2. In addition, front setbacks should be compatible with existing front setbacks in the Design Area or on adjacent properties, whichever is less.

3. Side setbacks should generally be compatible with the side setbacks of adjacent properties if there is a Design Area pattern of larger side setbacks than is required by the zoning district.

Rear setbacks should generally be compatible with the rear setbacks of adjacent properties unless the Architectural Review Commission finds that the scale, massing, architectural design, and detail of the proposed structure are such as to mitigate to a substantial degree any negative impacts on light, air, views, and privacy of adjacent properties.

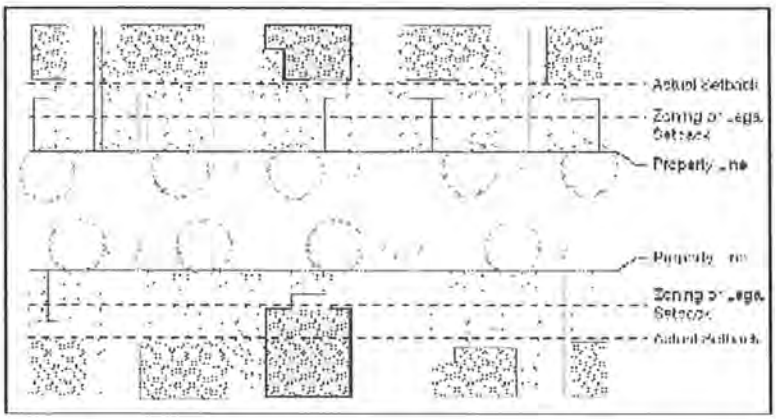
4. 

Figure 1. The new house at the bottom disrupts the established Design Area Front setback pattern. The new house at the top is consistent with the setback pattern.

B. HEIGHT

1. The height of new houses and additions should be limited to 25 feet in most Design Areas. Few Design Areas in Whitefish Bay have houses that are taller than 30 feet and even fewer have a significant pattern of such houses.

2. Heights of up to 35 feet, however, may be considered for sites where the architectural style of the house is a traditional one that is characteristically tall, (for example, Victorian, Gothic, etc.) and where any two of the following conditions are found:

   a. The new house or addition is consistent with a Design Area of houses which are more than 25 feet tall.

   b. The new house or addition is not out of scale relative to the homes in the design area with primary consideration given to the adjacent homes and the available remedial approaches as noted in Section III. (Ord. 1705)

   c. The new construction is an addition which adds a minor amount of mass above 25 feet to a house which is already more than 25 feet tall, primarily for consistency with the architectural style, ceiling height or roof characteristics of the existing house.

   d. The house has side setbacks of 25 feet and a minimum rear setback of 50 feet.

C. ENTRIES AND PORCHES

1. In Design Areas where there is a dominant pattern of front porches for existing houses:

   a. New houses should have front porches, consistent with the style of the house.

   b. Existing porches should be retained with remodels.

2. Main entries should be prominent and oriented to the street unless another pattern is well established in the Design Area.

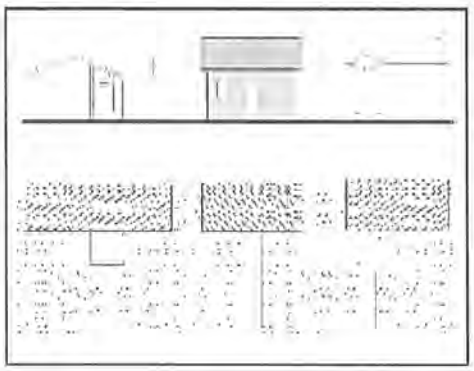


Figure 2. The house without any entry feature lacks the architectural interest and sense of welcome of the other houses.

D. GARAGES AND PARKING AREAS (See Figures 9 through 15)

1. Garages should be consistent with those in the Design Area and should not be the dominant feature of the façade of a house.

   a. In Design Areas with an established pattern of detached garages located in the rear yard, new garages should also be located at the rear of the house. Garages on such blocks may be attached if they are located behind the house, or face the side yard with no garage walls included in the front façade of the house. On properties with insufficient room due to setbacks the requirements of this section may be waived by special exception provided mitigating design elements are employed.

   b. In Design Areas with an established pattern of attached garages, unless the predominant pattern in the design area for any of the following requirements is to the contrary:

      i. The front line of any garage should be set back from the majority of the front line of the structure a distance sufficient to reduce the relative overall scale of the garage as

compared to the house front façade and insure that the front house facade is the dominant feature when observed from the street.

ii. Attached garages located at the front or side facades of the house should be no wider than one half the width of the total structure facade which includes the garage doors.

iii. In addition, in Design Areas where the predominant pattern is attached two or more car garages, new or expanded attached garages for three cars should be either turned sideways to the street, configured as two tandem spaces and one single space, or split or offset as two distinct garages, a two car garage and a one car garage.

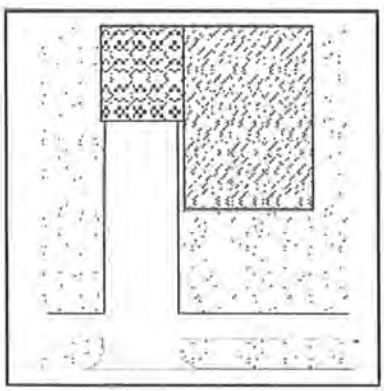
iv. Attached garages on corner lots should be located to avoid driveway paving at or near the corner unless the paving forms an entry court of superior design.

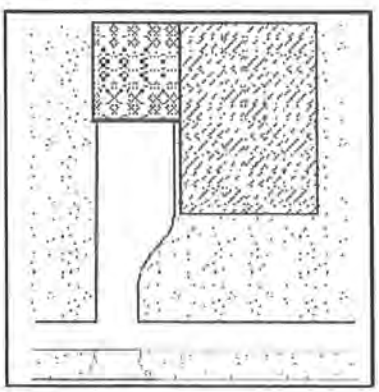
v. No single vehicle entry door of an attached garage which faces the front yard shall in width exceed 30% of the width of the total combined residence and garage structure.

2. The least amount of paved surface necessary on a lot for driveways and parking is encouraged. Curb cuts, driveways and parking surfaces should be no more than the width of two cars except as follows:

a. Paved areas may be flared to allow access to three car garages.

b. Curb cuts or paved surface connection of up to three car widths per lot are permitted along alleys.





Figures 3 and 4. Avoid unnecessary driveway paving. Driveway pavement minimized.

II. SCALE, MASSING AND ELEMENTS OF HOUSE DESIGN

This Chapter addresses the scale, massing and design integrity of the individual building. While scale, massing and design integrity are important to the appearance of individual buildings, their importance in the context of these guidelines is equally related to the building's impact and "fit" in its neighborhood or on its block. The guidelines in this Chapter will be applied most rigorously in Design Areas with distinct architectural character.

A. SCALE AND MASSING (See Figures 5 through 7)

1. The scale and massing of new houses and additions including proportions, roof lines, and slopes should be consistent with the general scale and shapes of adjacent houses. Where necessary the appearance of excessive scale may be minimized by employing one or more of the following techniques:

   a. Limiting the building profile (see figure 5) of the new house or expanded house to an area generally consistent with the profiles of homes in the design area with primary consideration to the adjacent homes and the available remedial approaches as noted in Section III. (Ord. 1705)

   b. Setting the second story back from the front and sides of the first story a distance sufficient to reduce the apparent overall scale of the building.

   c. Significantly limiting the size of the second story relative to the first story, including any addition to the first story.

   d. Significantly increasing the front and/or side setbacks for the entire structure.

   e. Sloping the new roof back from adjacent houses.

2. The scale and mass of any portion of a new house or addition facing a public street should be compatible with those of adjacent houses and/or with the predominant scale in the Design Area.

3. Scale and massing compatibility should include the elevation of floor plates (including certification by the owner of such proposed elevations relative to adjacent streets). For example, in Design Areas with houses set high on their foundations, new houses and additions should be set similarly high. In addition, compatibility of scale and massing should be maintained by:

a. Avoiding flat roofs in Design Areas with a predominant pattern of peaked roofs unless the building profile area of the flat roofed structure is no larger than the profile areas of the adjacent houses.

b. If large blank surfaces are proposed, they should serve some compelling design purpose, and the design should incorporate mitigating features to enrich the appearance of the structure and provide a sense of scale at ground level that is inviting to the observer.

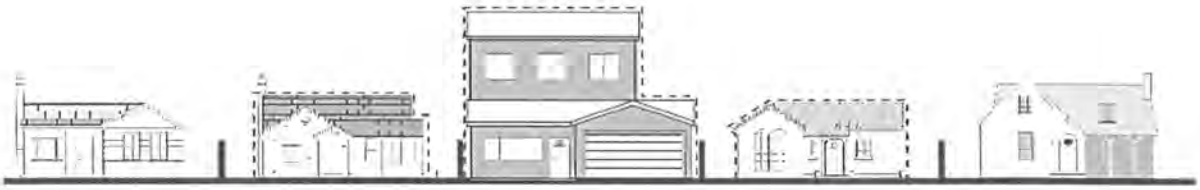


Figure 5. Middle building profile area is significantly larger than adjacent building profiles.

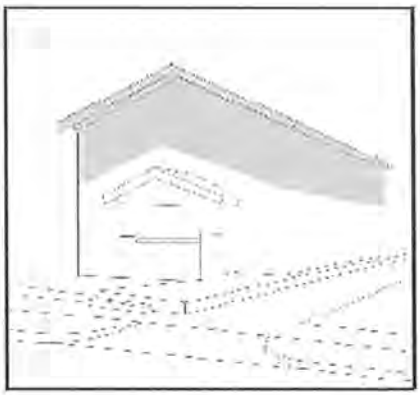


Figure 6. Large block second story overwhelms the original house and streetscape.

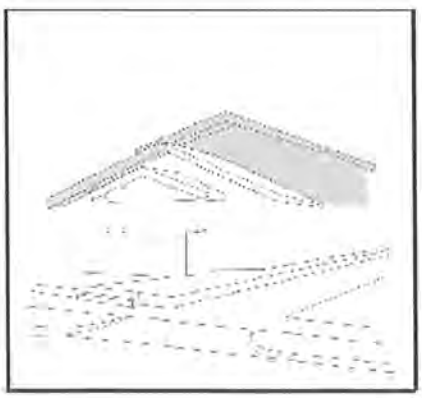


Figure 7. Smaller setback second story in scale with and preserves streetscape lines of the original house.

B. ARCHITECTURAL STYLE

1. Architectural styles of new houses and substantial remodels should be compatible with the architectural styles found in the Design Areas and for remodels consistent with the existing house (unless the existing architectural style is to be changed). Compatibility can be achieved with the use of any architectural style provided it employs building scale, massing, and roof lines, materials and building orientations that are commonly found in the Design Area.

2. For additions and remodels, the architectural design of the building elements listed below should be generally consistent with that of the existing dwelling, unless an objective of a remodel is to change the existing style to another one or to upgrade one or more of the building elements, for example to replace wood window frames with aluminum ones. (For definition and interpretation with regard to architectural styles and elements, reference is made to McAlister which is incorporated into these design guidelines by reference.) For new houses or houses with substantial remodels constituting a change in architectural style, individual building elements should be employed for architectural consistency. In general, the following building elements should be stylistically consistent for each building:

   a. ***Overall Style***

   The overall style of each house should be consistent on all sides of the building as well as among all portions of the roof. Particular care should be taken that building elevations and roof elements visible from streets and other public or quasi-public spaces are stylistically consistent. Consistency should be determined by evaluating each of the building components below.

   b. ***Siding Materials***

   Natural building materials are encouraged. Synthetic siding/trim materials will be considered based on quality and appearance.

   Siding materials should be appropriate to the style and style era of the house. For example, materials developed after the establishment of a particular architectural style are not appropriate on buildings of that style unless the new material is a high quality and deliberate reproduction of the original material. The same siding material should be used on all building elevations unless multiple materials are a legitimate expression of the particular style.

c. ***Roof Materials (Ord. 1705)***

Acceptable sloped roofing materials include:

Cedar Shake
Slate
Fiberglass Shingles
Concrete Shingles
Tile
Dimensional Asphalt Shingles
Copper

Roof materials should be appropriate to the style of the house and (except for flat roofs or flat roof portions) should be the same product for the entire roof system. New materials designed for fire resistance are appropriate as long as they replicate the traditional material (e.g., composition or concrete products designed to look like wood shingles or shakes, non-copper metals designed to look like copper, synthetic products designed to look like slate or tile).

d. ***Roof Lines and Roof Slopes***

Roof types and slopes should be generally the same over all parts of a single building. Exceptions are roof styles or architectural styles that traditionally involve varying slopes such as gambrel roofs, or, architectural styles that sometimes mix flat and sloped roofs, such as the Mediterranean style. In addition, gable and hip roof elements are often used in combinations and very small gable or shed roof elements used over dormers or to highlight or shield a prominent window or windows are generally appropriate.

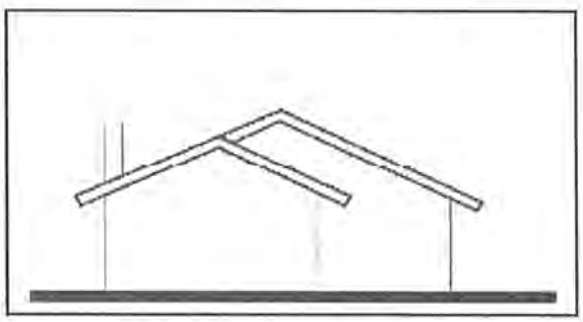


Figure 8. Roof elements should generally have the same slope.

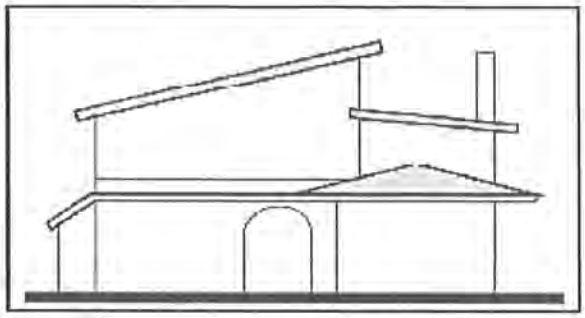


Figure 9. Roof elements with varied slopes result in a building that looks confused and unattractive.

e. ***Window Styles and Frame Materials***

Window styles (double hung, casement, sliding, fixed, etc.) and frame materials (aluminum, wood, steel, etc.) are particularly important expressions of architectural style and should be compatible among all elevations of a building. Window styles may vary depending on the specific use or size of the window for some architectural styles. Window frame materials should not vary on a single building except in some limited cases where the frame material is being upgraded. See McAlister for examples of appropriate window styles and frame materials. Windows in garden rooms, greenhouses, and solaria may vary from the existing house in style and materials provided the style and size of windows on such structure are not significantly incompatible with the existing house.

f. ***Window Sizes and Proportions***

Window sizes and proportions are also important expressions of architectural style and should be consistent with the architectural style of the house. For example, Victorian windows are typically tall and slender, Ranch Style windows are most often wider than they are high, International Style windows are often square, etc. While windows sizes on a single house most often vary by the purpose of the room, several styles, e.g., Craftsman Bungalow and American Revival styles, typically include largely uniform window heights all around the building. Several styles also traditionally employ the same window repeated in groups of two, three or four as a fundamental expression of the style.

g. ***Decorative Features***

Decorative features such as corbels, bargeboards, porch or balcony rails and columns, other columns and capitals, windowsills, carvings and any other decorative elements should be consistent as appropriate over the entire building. Some elements such as corbels, bargeboards and decorative window trim should be consistent on all parts of the house,

while others such as porch and balcony rails may apply only to those individual structures, typically those located at or near the front of the house. For purposes of decorative features, consistency means the same materials, dimensions and design elements. Decorative consistency is perhaps most critical for additions to houses with architectural styles which include decorative features as important elements of the style. Simple decoration added to a house previously without decorative features is not precluded.

It is important that exterior details such as shutters, corner boards, quoins, cupolas, wing walls, cornices and cornice returns, gable vents, fanlights, trim boards, lintels, sills, etc., be designed into the facades together with the other design features. These elements, where repeated, should be consistently applied throughout the project.

h. Chimneys

Masonry chimneys (or chimneys faced with real or artificial stone, brick, or stucco which is satisfactory to the Architectural Review Commission) will generally be required, even if the fireplaces themselves are not masonry. Consideration to frame chimneys will be given based on the context of the project. Frame chimneys not covered with real or artificial stone, brick, or stucco must be consistent with the architectural style of the structure and any existing structure, and to the maximum extent practicable should not be visible from the street.

i. Garages and Sheds (Ord. 1705)

Garages and sheds should be of an architectural style and detail to be consistent with the residence on the property.

III. RELATIONSHIPS TO ADJACENT PROPERTIES (See Figures 25 through 28)

This section contains additional guidelines in the form of recommendations intended as suggestions for application in the single- and two-family design review process to minimize the impact of new houses or additions on neighboring houses. Taking care to avoid noise, light, shade, privacy and aesthetic impacts on neighboring properties will always be appreciated and will often make the difference between support for and opposition to the new house or addition. While not mandatory design features, the guidelines presented in this section are highly desirable for incorporation into all new residential construction.

A. GUIDELINES

1. BALCONIES AND DECKS

a. New balconies or decks located more than one foot above grade on new or existing houses should be built in accordance with these architectural guidelines and preferably no closer than 20 feet to adjacent rear property lines.

2. EXTERIOR LIGHTING

a. Lighting should not be installed in such a manner or at such total capacity as to shine directly onto adjacent residential properties.

b. To the extent practicable, the view of light sources should be shielded from adjacent residences.

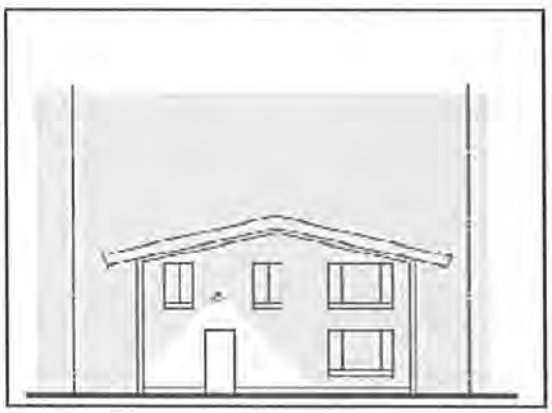


Figure 10. Light should be directed downward and light sources shielded from off-site view.

3. SITE PLAN

Siting of the project should not impair the lot's natural beauty or that of the neighborhood. It should respect the shape and physical attributes of the lot and of the neighborhood including drainage matters, mature trees, sun

penetration and views as much as possible. These aspects should be taken into consideration with respect to the project's effects on neighboring properties. The Site Plan should attempt to address drainage, to eliminate or minimize the loss of mature trees and vegetation, and to minimize or reduce alteration of natural topography.

4. AIR CONDITIONING EQUIPMENT

Air conditioning equipment can create noise that is irritating to neighbors. The location of such equipment should be designated to minimize noise impacts to adjacent properties.

B. REMEDIAL APPROACHES

If appropriate, the Architectural Review Commission may require remedial approaches to mitigate impacts on adjacent properties including, but not limited to, the following:

1. Setting second story balconies and decks back from property lines a distance greater than intended by the basic guideline above can help avoid direct views into adjacent residential windows, patios and rear yards.

2. New windows can be placed to avoid direct views into existing neighboring windows.

3. Views into neighboring buildings and yards can be further minimized by adding structural screens, such as trellises or wing walls, to interrupt those views.

4. Encouraging smaller building masses at the sides and rear of adjacent single family rear yards in order to help preserve privacy and sunlight access for the neighboring property.

5. Avoiding large second story windows overlooking adjacent rear yards can limit views into those rear yards.

6. Incorporating grading modifications and other techniques to avoid creating drainage problems for adjacent properties.

7. Avoiding destruction of mature trees and vegetation.

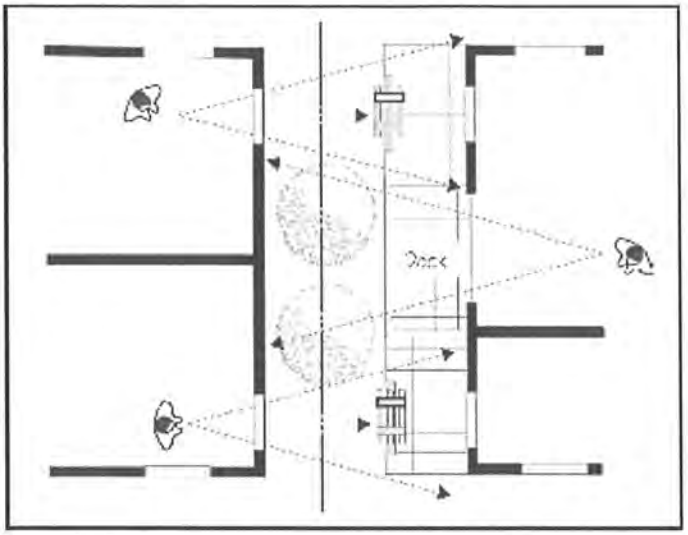


Figure 11. Offsetting window locations will help prevent views into adjacent houses.

ITEM 6
11-20-17
Village Board Meeting

Village of Whitefish Bay
Policy Report
Residential Trash and Recycling Collection Program

Date: November 15, 2017

Prepared By:
Tim Blakeslee
Assistant Village Manager

Reviewed By:
Paul Boening
Village Manager

John Edlebeck
Director of Public Works

ISSUE:
Review and discuss cart size and cart regulations for the revised 2018 residential Trash and Recycling Collection Program

BACKGROUND:
On Monday, December 13, the Public Works Committee met to begin the initial discussions regarding the revised 2018 residential Trash and Recycling Collection Program. Due to the turnaround time required to bid, order, and deliver trash carts for each Village household, staff chose to make trash cart size and regulations the first topic of discussion. Staff recommends that the Village Board take action on the first three sub-topics outlined in the charts below to maintain the desired spring 2018 implementation timeframe for the automated collection program. Action topics tonight:

- Trash Cart Size.
- Trash Cart Color.
- Residential Purchase of Additional Carts.

Several other sub-topics were also discussed by the Public Works Committee but do not require action at this time. These topics were more of a policy nature and will be formalized into an updated policy/ordinance at an upcoming meeting.

PUBLIC WORKS COMMITTEE REPORT:
In 2017, the Village of Whitefish Bay Board of Trustees voted to implement an automated residential trash and recycling collection program in 2018. The Village Board directed that specific policy issues related to program implementation be deliberated by the Public Works Committee prior to final approval. Village staff plans to compose a series of reports related to a number of the policies that need to be defined as part of the program. In addition, staff plans to use these policy reports to reevaluate current policies that are already in place for trash and recycling.

Staff plans to address the following topics with Public Works Committee:

- Trash Cart Size and Regulations.
- Trash and Recycling Cart-to-Curb Exemptions.
- Trash and Recycling Rules, Regulations, Policies, and Ordinance (Will include topics such as special pick-ups, winter collection, violations, etc…).
- Public Information Plan/Documentation.
- Other issues, follow up, or revisions as requested by the Public Works Committee.

For each Public Works Committee meeting, village staff has or will publicize the topics for discussion directly to previously interested residents, in the village newsletter, on the village website, and on social media.

After these issues are discussed at the Committee level, staff will prepare the required ordinance documentation for approval. It is anticipated that the automated trash and recycling program will be implemented in spring 2018. Purchase of the new trash and recycling trucks was approved at the Board Meeting on October 16, 2017. In addition, staff will begin the process of developing a public information campaign for the revised residential trash and recycling collection program. As needed, staff will request input from the Public Works Committee regarding proposed informational documentation.

The first topics for discussion will be related to Trash Cart Size and Cart Regulations. Discussion topics/questions will be outlined in the charts below. In addition to information collected from other communities (15 municipalities with automated or semi-automated trash recycling), other considerations, and a staff recommendation will be listed. Previous comments received by residents related to the discussion topic have been included as **Attachment 1**.

Topic 1:	Will Whitefish Bay allow different sized garbage/recycling carts? Options are 95-gallons, 64-gallons, and 32-gallons.
Research:	• Of the 15 communities surveyed with automated collection programs, 13 communities use 95-gallon carts for their trash and recycling programs. There are several exceptions or alternatives offered by various communities: o Madison: Offers both 64-gallon and 95-gallon for trash collection and recycling. Madison used to offer 32-gallon containers but they are being phased out. o Grand Chute: Provides 64-gallon trash container and 96-gallon recycling container. A smaller recycling cart can be granted by a physician's note. o Verona: 64-gallon cart is only available after a 30 day trial period of the 95-gallon cart. o Bayside: A 64-gallon container can be obtained and swapped with the larger 95-gallon upon request. o Glendale: A 64-gallon container can be obtained and swapped with the larger 95-gallon upon request.
Other Considerations:	• Current recycling carts are 95-gallons. • 95-gallon carts have a similar footprint to the 64-gallon carts. • The new trucks can pick-up each cart size without issue. • The more options available the more difficult inventory management becomes. • Does the uniformity and visual impact of carts that are all the same vs. different sized carts have any importance? • Should resident choice be a factor in the size of a cart? • A smaller cart for older/disabled residents may be slightly easier to maneuver. • The cost of the carts slightly varies based on size. However, if different sized carts are purchased, extras of each size will be needed to be kept in stock which limits potential savings related to purchasing smaller carts.
Staff	Village staff recommends the selection of 95-gallon carts to limit the

Recommendation:	impact of inventory management and provide village-wide uniformity. If the Public Works Committee recommends moving forward with different carts sizes, staff would recommend that a 64-gallon cart be offered via an "opt-in" process. This could be the first alternative instead in lieu of granting an exemption of "cart-to-curb".
Public Works Committee Recommendation	The Public Works Committee recommends to the Village Board that a 95-gallon cart be standard for the new automated trash collection program. As part of the initial request, residents may opt-out of the 95-gallon cart to a smaller 64-gallon cart. In order to limit up the drive service for a medical exemption, the smaller 32-gallon container may be permitted. Future changes in trash cart size will be at cost to the resident, including when a property is sold.

Topic 2:	Will Whitefish Bay allow residents to purchase or rent extra garbage/recycling carts? What will the cost be?
Research:	• It is typical that a community will provide a one recycling cart and one trash cart free of charge to the resident. Omro charges for the initial trash and recycling cart costs on the property tax bill. • It is typical that initial carts issued by the municipality are owned by the municipality and must remain at the residence. Carts have barcodes/serial numbers can correspond to a specific residence. • Bayside, Brown Deer, Verona, and Omro provide cart rentals ($5 -$10 per month). It is noted that a rental program can cause additional administrative work related to billing if not prepared for the demand. • Madison, Glendale, Shorewood, and Franklin allow carts to be purchased at cost. Several communities charge an additional administrative fee. • Grand Chute charges $100 per additional cart. • Several other communities place the additional cart rental charge on the yearly property tax bill. • Several communities permit a second free recycling cart to encourage recycling.

Other Considerations:	• Brown Deer will allow residents with large families (5+ children) or with a medical condition that creates a large amount of waste to have multiple carts without an additional fee. This has limited applications in Brown Deer but has been an appreciated convenience.
	• Additional carts at the curb do not provide a significant additional strain on the automated trucks but can cause a delay if a resident has "up-the-drive" service.
	• If the village sells additional carts (as opposed to rentals), do the carts become personal property? This is viewed differently in several communities.
	  o Some view the cart as an item that been purchased like a commodity.
	  o Others view the payment of another cart as purchasing the "right" to have a second cart be collected by the truck. In this case, the cart still remains municipal property.

Staff Recommendation:	For simplicity, Village staff recommends that additional carts be permitted to be purchased at cost, plus a 10% to 15% administrative fee for interested residents. Staff recommends that the cart must be paid for in

	advance before it is delivered. Purchased carts would remain the property of the Village.
Public Works Committee Recommendation	Public Works Committee recommends to the Village Board that additional carts be permitted to be purchased at cost, plus an administrative fee for interested residents. Cart must be paid for in advance before it is delivered and purchased carts would remain the property of the Village.

Topic 3:	What color should the trash carts be?
Research:	Colors used in other communities are Green, Tan, Black, Gray, and Brown.
Other Considerations:	• President Siegel recommends something more subtle than the blue recycling cart for the trash carts. Her recommendation is to avoid green and use a neutral shade of brown (i.e. tan or taupe). • Glendale uses a dark brown color for their trash carts. It would be helpful for residents and collectors if the color did not exactly match. There are several village streets that are shared with Glendale. • Cart lids do not have to be the same color as the carts. • There is no difference in cost with regard to a cart's color.
Staff Recommendation:	Village Staff recommends a neutral shade of brown (i.e. tan or taupe) that is easy to differentiate from the recycling cart. However, staff will defer to the Public Works Committee on a recommendation to the Village Board.
Public Works Committee Recommendation	Public Works Committee recommends to the Village Board that the trash cart be a gray cart with a gray lid.

Topic 4:	Where will a cart be permitted on Collection Days? What is the distance requirement of the Cart from other objects?
Research:	• Bayside: Carts must be placed within three feet of the edge of the pavement, either on the terrace or at the end of a driveway, and must have the back side of the cart with the wheels and handle facing away from the street. • Franklin: Carts may never be placed in the street. Carts must be placed on driveway apron or in the parkway within 2 feet of the curb or roadside. • Madison: If possible, placement of refuse cart and recycling carts should be on the opposite sides of the driveway from each other. Carts must be four feet away from other objects. Carts must be placed so that the white serial numbers are facing the street. • Somers: Cart must be placed in the parkway or driveway apron. • Verona: Cart must be curbside. • Brookfield: Non-collection items must be at least 10 feet away from carts. • Lawrence: To allow the collection truck sufficient space to pick-up the carts, they must be 4 to 5 feet from another container, mailbox, vehicle, etc. or trash will not be picked up. If possible, it is best if the trash and recycling container are opposite sides of the driveway. • Mount Pleasant: All containers must be easily accessible outside of buildings and within five feet of the alley, street, or highway.
Other Considerations:	• Currently, alley trash and recycling must be placed at the alley edge. • The new trash trucks need a minimum of 3 feet from any object and

	within 10 feet of the truck
Staff Recommendation:	Based on the specifications of the new trash trucks, Village Staff recommends that carts must be placed within three feet from the curb edge and three feet away from any other object. The lid opening must face the street. Staff recommends to the Public Works Committee that the trash cart and recycling carts should be on the opposite sides of the driveway from each other (if possible). This was noted as a preferred method in several communities. Based on the specifications of the new trash trucks, alley trash and recycling carts must be placed at the alley edge, three feet from other objects, and with the lid opening facing the street. Staff recommends a placement diagram be created that is sent with any informational material. When carts are initially delivered, informational material can be attached to the cart. It was noted by the administration of a number of communities that this helpful way to answer placement questions and prevent phone calls. Staff also recommends that instructions be imprinted on the lid or body of the trash can. Staff prefers to avoid the use of a sticker.
Public Works Committee Recommendation	The Public Works Committee did not make a formal motion on this sub-topic. Discussion from the Public Works Committee focused on making the placement requirements flexible (as allowable per the specifications of the new trucks) and supplying material on suggested placement to residents. A recommendation will be formalized into an updated ordinance, which will be discussed at an upcoming Public Works Committee meeting.

Topic 5:	Will items outside of the cart be picked up without scheduling a special collection?
Research:	• Glendale: No, it is a strict policy. Noted that this helps employees with questions from residents and limits ambiguity. • Wauwatosa: No, however management suspect it happens once in a while. • Bayside: No, loose items stored outside of carts will not be picked up. Management suspects it happens once in a while. • Shorewood: Trash is collected outside of the carts. However, it was noted by village officials that this service may end in the near future. The newly purchased trucks make additional non-cart collection difficult. • Brown Deer: No • Grand Chute: All solid waste or recyclables must fit in the cart without packing too tightly and the lid must close. Any waste or recyclables set outside the cart will not be collected.
Other Considerations:	• Each truck will be operated by only one employee, making it difficult to lift potentially heavy items outside the cart without a scheduled special pick-up. • A reason listed for switching to an automated collection system was to limit the employee exposure to hazardous objects.

Staff Recommendation:	Staff recommends that items outside of the cart not be collected unless scheduled for a special pick-up. Special pick-up policies will be discussed at a future Public Works Committee meeting.
Public Works Committee Recommendation	The Public Works Committee did not make a formal motion on this sub-topic. Discussion from the Public Works Committee focused creating a standard special pick-up policy and keeping the new automated trash collection program as efficient as possible. A recommendation will be formalized into an updated ordinance, which will be discussed at an upcoming Public Works Committee meeting.

Topic 6:	How will WFB respond to damaged trash and recycling carts?
Research:	• Brookfield: Property owners are responsible for repair or replacement cost of containers if damaged by property owners negligence. • Madison: Residents may need to purchase the replacement cart, depending on the situation (negligence). • Glendale: Refuse and recycling carts are the property of the City of Glendale and are maintained by the City. The homeowner or resident is responsible for maintaining the carts and keeping them clean and in good repair. • Grand Chute: If the damage is the result of normal wear and tear, (example: broken lid or wheel), it will be replaced or repaired by the hauler at no charge to the homeowner. If the damage is the result of abuse, there will be a charge to the homeowner to replace the cart. All repairs or replacement of cart will be handled by the hauler. • Omro: The carts are under warranty for ten (10) years of normal use and wear and tear. Should they be damaged by any other means the homeowner will be responsible to replace the cart from the city at the homeowner's expense. If the damage is covered by warranty, the city will replace the cart. Damage by an automobile is not a covered expense under the warranty.
Other Considerations:	• Currently, collectors take note of damaged carts throughout the month. At the end of each month, they compile a list of all carts that need to be replaced/repaired. • It is often more cost-effective to replace a cart than repair a cart. • Carts have a 10-year warranty, however, the carts that are replaced are typically over 10-years old. • It's difficult to determine if the damage is from regular wear & tear or resident misuse. • The Village has not charged for replacements in the past.
Staff Recommendation:	Village Staff recommends that if the damage is covered by warranty or caused by normal wear and tear, the Village will replace or repair the cart at no charge to the resident. Should the carts be damaged by negligence, the homeowner will be responsible to replace the cart at the homeowner's expense. In addition, the homeowner or resident should be responsible for keeping carts clean and reporting maintenance issues as they arrive.
Public Works Committee Recommendation	The Public Works Committee did not make a formal motion on this sub-topic. Discussion from the Public Works Committee focused remaining lenient with the Village's damage repair policy. A recommendation will be formalized into an updated ordinance, which will be discussed at an upcoming Public Works Committee meeting.

Topic 7:	What times will carts be permitted at the curb? When must carts be placed at the curb to ensure pick-up? When must carts be removed from the curb?
Research:	• Omro: Early placement limit is 5 p.m. on the day prior to collection. The last chance to guarantee collection is placement by 7 a.m. the day of pick-up. The cart must be returned by 8 p.m. the day of pick-up for removal. • Shorewood: The last chance to guarantee collection is placement by 7 a.m. day of pick-up. The cart must be returned by 8 p.m. the day of pick-up for removal. • Somers: Early placement limit is 5 p.m. on the day prior to collection. The last chance to guarantee collection is placement by 6 a.m. day of pick-up. The cart must be returned by 8 p.m. the day of pick-up for removal • Verona: Early placement limit is 7 a.m. on the day prior to collection. The last chance to guarantee collection is 7 a.m. day of pick-up. • Glendale: Early placement limit is 4 p.m. on the day prior to collection. The cart must be returned by 4 p.m. the day of for removal. • Brookfield: The last chance to guarantee collection is 7 a.m. day of pick-up. • Franklin: The last chance to guarantee collection is 7 a.m. day of pick-up. • Grand Chute: Early placement limit is 5 p.m. on the day prior to collection. The last chance to guarantee collection is placement by 6 a.m. the day of pick-up. The cart must be returned within 24 hours of pick-up. • Lawrence: The last chance to guarantee collection is 6 a.m. day of pick-up. • Mount Pleasant: Early placement limit is 7 a.m. day prior to collection. The last chance to guarantee collection is 7 a.m. day of pick-up.
Other Considerations:	• Currently, there is nothing listed in code discussing when trash and recycling need to be placed at the curb to guarantee collection. • Currently, trash and recycling may be placed at the curb at 8 p.m. the day before pick-up. • Currently, trash and recycling bins are required to be brought back up to the house by 8 p.m. on the day of pick-up
Staff Recommendation:	Village Staff recommends that carts be at the curb by 7 a.m. on the day of collection to guarantee pick-up. Carts also should be allowed to be placed at 6 p.m. the day prior to collection. Carts should be returned to their storage location by 8 p.m. on the day of pick-up.
Public Works Committee Recommendation	The Public Works Committee did not make a formal motion on this sub-topic. It will be incorporated into an updated ordinance, which will be discussed at an upcoming meeting. The Public Works Committee did not note any concerns with the proposed staff recommendation.

UPCOMING TOPICS:

- Trash and Recycling Cart-to-Curb Exemptions.
- Trash and Recycling Rules, Regulations, Policies, and Ordinance (Will include topics such as special pick-ups, winter collection, violations, etc…).
- Public Information Plan/Documentation

- Other issues, follow up, or revisions as requested by the Public Works Committee.

ATTACHMENT:

1. Comments received by village residents prior to the Village Board meeting in September 2017

Trash and Recyling Feedback for Public Meeting

Attachment 1

Trash Feedback Received on Trash, Recycling: Updated Tues., Sept. 26, 2017
Below line: provided in Administrator Notes Aug. 11, Aug. 25, Sept. 8, Sept. 15
All communications have been responded to in kind, with a thank you and note that their feedback will be forwarded to the Board.

Yellow fields relates to comments about Trash and Recycling Carts

Date Received	Format	First Name	Last Name	Address	Zip	Email Address	Pos/Ne	Wants Except	Topic	Summary
9/8/2017	Email	Joanne	Grych			jjgrych@yahoo.com	+, Q		Trash	Questions size of trash - too big for once a week
9/8/2017	Email	Adam	Krug			adamwkrug@eaton.com	+, Q		Trash	Support, Size, Recycling, Composting Questions
9/11/2017	Email	Pat	Santilli			ptsan@wi.rr.com	-, Q		Trash	Concern about size of cart having to be outside
9/8/2017	Email	David	Drzadinski			ddrzadinski@aieglercap.com	+, Q		Trash	Needs 2 carts, extra trash next to cart ok?
9/8/2017	Email	Kjell	Johansen	408 E Lexington Blvd		kajohans@sbcglobal.net	Q		Trash	Concern about winter alley snow, and cart not big enough for trash
9/8/2017	Email	Kjell	Johansen	408 E Lexington Blvd		kajohans@sbcglobal.net	Q		Recycling	We have 2 carts. Will you continue to pick up both?
9/8/2017	Email	Meta and Joe	Novack	4901 N Newhall		josephanovak@aol.com	-		Trash	Size of new trash can, #trash bins should be limited
9/8/2017	Email	Christine	Reed	4619 N Wildwood Ave		reedlabs@aol.com	-	Exception	Trash	Hoping waiver exists - can't "drag heavy trash containers" to street
9/5/2017	Email	Thomas	Kister			thomas.h.kister@jcifederal.com	-, Q		Trash	We have raccoons that attack our garbage cans if we don't secure lids
8/26/2017	Email	Richard	Foster	4645 N Murray Ave		rfoster2@wi.rr.com	Q		Trash/Recy	1. easily answered: 2 Need two recycling bins. Ok to continue?
8/25/2017	Email	Arlene	Wesson			apwesson@aol.com	+,Q		Trash	Positive but question about bin size
8/25/2017	Email	Robert	Chun	5319 N Lake		rchun@mcw.edu	Q		Trash	If trash doesn't fit in container, will it get picked up?
8/21/2017	Email	Kelly	Zauner	4836 N Bartlett		morankelly_@hotmail.com	+		Trash	saves money, keeps raccoons out, nice cart
8/17/2017	Email	Nancy	Dickens			nancysdickens@gmail.com	-		Trash	raccoons, opossums, too big
8/17/2017	Phone	Janet	Heidemann	6078 N Santa Monica			-	Exception	Trash	Cart won't fit in garage, can't take down to street (elderly)
8/17/2017	Email	Susan	Hirst	324 E Lexington	53217	lieb3hirst1@gmail.com	+		Trash	Saves money, keeps lids on, alley will be cleaner, better for collector safety
8/7/2017	Letter	Janet	Doellman	4948 N Berkeley	53217		-		Trash	Trash too hard to put in place. Racoons will invade trash accumulated in back of house
9/26/2017	Email	Laura	Regan	6340 N Lake Drive		jrega001@aol.com		Exception	Trash	Need Exceptions - want to be on Waiver Committee/Feedback Group
9/26/2017	Call	Deb	Tietjen			tietj111@aol.com		Exception	Trash	Mother will need an exception
9/14/2017	Email	Sandra	Organek			sandrakwo@aol.com		Exception	Trash	Trash Except
9/13/2017	Email	Sandy	Bernstein			sandymarl@aol.com		Exception	Trash	Needs an exception
9/11/2017	Email	Laura	Regan	6340 N Lake Drive		jrega001@aol.com	-		Trash	Putting us in harm's way
9/8/2017	Email	Barb	Haag-Heitman	551 E Lake Hill Ct		bhaagheitman@yahoo.com	+, Q		Trash	Support, Question about Disposal of Current Containers
9/8/2017	Email	Barb	Haag-Heitman	551 E Lake Hill Ct		bhaagheitman@yahoo.com	+		Recycling	Support
9/9/2017	Email	Beth	Schroeder			bethschroeder@icloud.com	+		Trash	Support
9/8/2017	Email	Krisjon	Olson			krolson@mcw.edu	+		Trash	Support
9/8/2017	Email	Andrew	Crowbridge	5156 N Shoreland Ave		acrowbridge@hotmail.com	+		Trash	Support
9/7/2017	Email	Beth and Ted	Matkom	5375 N Lake Dr		ted.matkom.gorman@gmail.com	+		Trash	Support action to approve automated trash collection
9/5/2017	Email	Joel	Olson	4740 N Hollywood		JLOLSON@michaelbest.com	+		Trash	Great idea, great savings, we already comply
9/4/2017	Email	Robert	Fuller			rfuller42@icloud.com	-	Exception	Trash	Shouldn't have to move trash from garage
9/2/2017	Email	James	Martin	629 E Day		jamesjmartin38@gmail.com	+		Trash	Support moving to automated
9/2/2017	Email	Nancy	Weas			nweasinwfb@aol.com	-	Exception	Trash	Too old, driveway too long
9/1/2017	Email	Jane	Kaltenbach	6121 N Kent Ave		janekaltenach@gmail.com	-, Q		Trash	Need 2 containers,What if we have too much garb, who's out of a job, how does winter work, how much to pay for it
9/1/2017	Email	John	Kearns	5845 N Shoreland Ave		johnkearns424@icloud.com	+		Trash	Support for automated, confident
9/1/2017	Email	John	Widdifield	4722 N Hollywood		john.widdifield@jpmorgan.com	+		Trash/Recy	Positive support, lots of suggestions about more recycling than trash
9/1/2017	Email	Debbie	Berg	6123 N Shoreland Ave		dwbergfam@att.net	+	Exception	Trash	Support, assuming exclusions for eldery/disabled
9/1/2017	Email	Richard	Lincoln	761 E Lexington Blvd		rlincoln@mandelgroup.com	+		Recycling	Strong support of every other week pickup
8/30/2017	Email	Maureen	Fernstrum	Hampton/Ardmore		mfernstrum@c-l.com	+		Trash	Supports automated trash collection, would like to see it passed
8/29/2017	Email	Peggy	Stieger	5074 N Bay Ridge		pstieger@gmail.com	-	Exception	Trash	Can't take trash out, will suffer broken bones
8/28/2017	Email	Margaret	O'Connell	1606 E Cumberland		margaret.o'connell@froedtert.com	+		Trash	Positive. Doesn't want to have to pay to purchase a second cart, however.
8/26/2017	Email	Elaine	Friesler	4778 N Ardmore		lanie18@att.net	-		Trash	Eldery, enjoyed not having to take trash out
8/26/2017	Email	Rozanne	Koshakow	4763 N Sheffield		rkoshakow@gmail.com	-	Exception	Trash	Elderly, cant do it, WFB does it for me, cost benefit not enough to change
8/26/2017	Email	Kat	Murray	4953 N Berkeley		doglover53217@gmailcom	+		Trash	Strong support, can't believe we don't have uniform garbage cans
8/25/2017	Email	Jill Griffee	Ross			jgriffeeross@gmail.com	+		Trash	Yes automated, seems safer, saves Village money
8/25/2017	Email	Liz	Sanders			elizabeth.sanders@marquette.edu	+		Recycling	
8/25/2017	Email	Annette and Ian	Bishton			ahbishton@gmail.com	-/+		Trash/Recy	No on automated, Yes to 2x month Recycling
8/25/2017	Email	Georgia	Mavrinac			mikelpl@hotmail.com	+,Q		Trash	Supportive, question about extra trash
8/25/2017	Email	Francis	Kim	731 E Lake View			+		Trash	Enthusiastic Support
8/25/2017	Voicemail	George	Ingram	50cent pickup not worth it		414-534-2227	-		Trash	How are we getting message out to non newsletter subscribers?
8/25/2017	Email	Kristine	Wulz			kwulz@sbcglobal.net	Q		Trash	Questions - what about breakdowns. What about snow.
8/25/2017	Email	Emily	Densmore			dennismoored@outlook.com	Q		Trash	Want to know how savings is calculated, ?firing employees, ?how use money
8/25/2017	Email	~~Jeri~~	~~Kohler~~	ANONYMOUS		jjkohler@wi.rr.com	Q		Recycling	Alley questions
8/25/2017	Email	Mark	Eppli	5221 N Hollywood Ave		mark.eppli@marquette.edu	+		Trash	Good idea, for all the reasons you state
8/23/2017	Letter	Jim	Anderson				-		Trash	Don't change anything, we like the collectors, they are our eyes and ears, and old people can't push a cart
8/22/2017	Email	Cynthia	Nelson	5730 N Bay Ridge		cindyschu@aol.com	+		Trash/Recy	Convenient and saves money
8/18/2017	Email	Christie	Moxom			christiemoxom@icloud.com	+		Trash	It's about time
8/18/2017	Email	Jim	Roemer			JRoemer@theprivatebank.com	+		Trash	cost savings, re-allocation of labor hours, and/or speed of service
8/14/2017	Email	Scott and Brigid	Ingram	405 E Day		singram@gmail.com	-		Trash	Not enough public benefit for the cost savings
8/11/2017	Email	Elizabeth	Fetzer			eafetzer@msn.com	+		Trash	like the cart idea
8/11/2017	Email	Sanford and Kathari	Mallin	4794 N Lake Drive	53217	sandy@mallin.com	-		Trash	Hope pickups will continue for homes with long driveways
8/8/2017	Email	Mary	Buscher	5070 N Bay Ridge Ave	53217	mcbuscher@aol.com	-		Trash	In-depth list of questions, focus on exceptions needed for seniors
8/6/2017	Email	Ellinas	Herodotos			Hellinas@mcw.edu	-		Recycling	Every other week recycling
8/4/2017	Email	Greta	Kassam	4724 N Wilshire Rd		kassamg@gmail.com	-		Recycling	Every other week recycling
8/3/2017	Email	Jim	Daly	4640 N Woodburn		daly.james@att.net	+		Trash	Great job
7/28/2017	Email	Adam	McDowell			adammcmcdowell@gmail.com	-		Trash/Recy	Every other week recycling; suggest fewer trash pickups
7/28/2017	Email	Kate & Jerry	Parent	5862 N Shore Dr	53217	katiekate53217@gmail.com	-		Trash	Every other week recycling; Compost; Combine resources with Shorewood