

A regular meeting of the Board of Trustees of Whitefish Bay was held via GoToMeeting on May 18, 2020

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

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

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

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

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

**II. Consent Agenda**

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

1. Claims for April, 2020.
2. Renewal of Village Purchasing Policy.
3. Resolution No. 3072 – Acknowledging the Midwest Renewable Energy Association’s Group Buy Solar Program.
4. Contract Award for the 2020 Emerald Ash Borer Treatment Project.

**III. Report of Village Officers**

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

Village Manager Paul Boening noted the local health order overturning the state order is set to expire at 11:59pm on Thursday, May 21st, with no further word on a subsequent order.

3. **Village President** – No report
3. **Miscellaneous Trustees**

Trustee Buckley inquired about the most recent heavy rainfall and the impact it had on Village homes and/or streets. Director of Public Works John Edlebeck noted there were 7 clear water backups in basements within the Village, several private property drainage concerns, and minimal flooding on E. Beamont Avenue related to the Lake Drive construction project.

**IV. Petitions and Communications**

Lane Kistler and Bruce Kruger, Whitefish Bay Environmental Group, sent email correspondence encouraging the approval of the Resolution No. 3072, which would provide value to Whitefish Bay residents with no financial obligation to the Village.

**V. General Business**

1. **Discussion/action on Resolution No. 3073 – Proclaiming May 17<sup>th</sup> – May 23<sup>rd</sup> as “Public Works Week” in the Village of Whitefish Bay**

Trustee Serebin read Resolution No. 3073 to the Board verbatim.

It was moved by Trustee Serebin, seconded by Trustee Davis and unanimously carried by the Village Board to approve Resolution No. 3073 – Proclaiming May 17th – May 23rd as “Public Works Week” in the Village of Whitefish Bay.

**2. Discussion/action on appeal of ARC decision regarding the approval of a Certificate of Appropriateness for demolition of the house at 4640 N. Lake Dr. (Appellants: Jefferson Aikin, Thomas Fehring, Kenneth Berg, Carol Krigbaum, Julie Gilpin, David Pacifico and Teri Quaintance).**

Village President Julie Siegel provided the Board with a format for discussion regarding this agenda item, and noted public comment is not being taken. Time frames for each representative providing testimony and/or comment is being allocated appropriately. Deputy Clerk Caren Brustmann swore in all person(s) who intended to provide testimony for the record.

Village Attorney Chris Jaekels introduced the appeal regarding a Certificate of Appropriateness (“COA”) issued by the Architectural Review Commission (“ARC”) allowing for demolition at 4640 N. Lake Drive. Attorney Jaekels summarized the ARC’s decision at it’s April 9<sup>th</sup> meeting, where it was determined that the applicant and the applicant’s real estate broker, Suzanne Powers, had shown that he had made good faith efforts for a period of at least sixty (60) days to secure a buyer who agrees to, or otherwise secure a means to, preserve, relocate, reuse or otherwise rehabilitate the historic structure or structures utilizing a reasonable level of resources available to the owner had been satisfied. On April 22<sup>nd</sup>, six citizen members of the Whitefish Bay Historic Preservation Commission filed an appeal challenging the issuance of the COA. One additional resident also appealed. The Village Board has three (3) options in response to the Appeal; deny the Appeal and uphold the issuance of the Certificate of Appropriateness; impose additional requirements for attempts to sell the property or preserve historical artifacts and other materials, and allow for approval of the Certificate of Appropriateness after satisfaction of those terms or deny the Certificate of Appropriateness.

Lauren Triebenbach, Chairperson of ARC, provided a summary of ARC’s decision that the applicant satisfied the good faith efforts, adding there had been price reductions and the property had been staged by Ms. Powers recently. Attorney Josh Levy of HuschBlackwell, representative for the property owner, stated Ms. Powers took a new approach at marketing, had approximately 115 viewings of the property, and no true offers were received. Mr. Levy clarified that a term sheet was prepared, however, this is not an offer. Mr. Levy also noted materials within the property would be restored and resold if able by Habitat for Humanity. Mr. Thomas Fehring of the Whitefish Bay Historical Society, spoke on behalf of the appellants. Mr. Fehring stated the owner knew of it’s historic designation at the time of purchase and the property was left without heat or electricity, creating the mold. It was also noted if this property was ever to be placed on the National Registry for historic homes, perhaps credits would be available towards the cost of restoring the current condition of the property. Mr. Fehring on behalf of all appellants, ask that the COA be denied or time be given to work with the property owner to restore and have the property listed on the National Registry. Appellant Teri Quaintance added the recently adopted Village Comprehensive Plan, advocates maintaining historical properties in the community, and is in support of renovation as opposed to demolition.

Further closing remarks were provided by the property owner and representative as well as the appellants. There was Board discussion regarding the listing/viewings of the property by Ms. Powers and the validity of the term sheet being considered as an offer. Trustee Saunders inquired about the National Registry of historic property and what impact it would have on the Village. After closing arguments, a motion was made.

It was moved by Trustee Fuda, seconded by Trustee Saunders and carried by the Village Board by a roll call vote to deny the Appeal and uphold the issuance of the Certificate of Appropriateness, with Trustees Demet, Davis, and Serebin opposing. Motion carries 4-3.

**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 7:46 pm.

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Caren Brustmann  
Deputy Clerk