



MINUTES - SHOREWOOD BOARD OF TRUSTEES
Committee of the Whole Meeting
March 2, 2020

1. Call to Order

President Rozek called the Committee of the Whole meeting of the Village Board to order at 6:49 p.m. in the Committee Room.

2. Statement of Public Notice

Clerk Bruckman stated that the meeting had been posted and noticed according to law.

3. Roll Call

President Rozek called the roll. Present: Trustees Davida Amenta, Tammy Bockhorst (6:52), Jessica Carpenter, Michael Maher via phone, Ann McKaig, and Wesley Warren.

Others Present: Village Manager Rebecca Ewald, Finance Director Mark Emanuelson, Public Works Director Leeann Butschlick, Assistant Public Works Director Joel Kolste, Library Director Rachel Collins.

4. Review of auditor's report on cash handling procedures.

Dan Berg, Sikich, reviewed the auditor's report dated February 27, 2020. It was noted that site visits were made and staff interviewed regarding cash handling processes. In reviewing possible improvements, cost benefits of implementation were taken into consideration, because the combined smaller sites take in less than 1% of the revenue received by the Village.

Sikich approached this review as a consulting engagement and not as part of the audit. The report would lead to an ongoing conversation and not necessarily part of the audit findings. They will be reviewed as part of the regular audit. Manager Ewald noted that the next steps would be to take the recommendations back to the Departments Heads and then discuss what can be reasonably implemented. Two trustees requested to update/document the plan with the recommendations received and implemented and note when recommendations would come to the Board, if necessary. Manager Ewald noted that the intent is to document and list what we are or are not doing and inform the Board; review facilities for purposes of additional cameras for security purposes and then three (3) policies based on financial management starting with the Red Flag Policy. Other issues identified by Trustees as potential areas for loss are fixed asset inventories and procurement processes.

The Village Board discussed the Clerk & Customer Service Department and how staff handles Shorewood Foundation funds and the need to be consistent with all non-profits. If the Village chooses to handle funds all non-profits should be treated the same with our internal controls. There was a suggestion to design a service agreement between the entities if we continue to provide these services to mitigate the Village's liability.

Finance Director Emanuelson noted that many of the procedures were already updated with more specifics as to who is responsible for some of the processes.

The Village Board discussed using the “square,” on-line payments, order prepaid tags, etc. at the smaller sites versus cash to eliminate some of the cash handling concerns. Some Village Board members questioned the North Shore Bank \$2 deposit fee and suggested investigating other bank options. There was Village Board discussion on best practices for daily deposits (most departments) no matter the size of the deposit versus non-daily deposits (smaller departments) or holding on to cash for a combined larger deposit (smaller departments).

Next steps: Discuss the report with staff, provide report of those discussions, other pieces that we will start implementing, discussion with IT about security options.

Geoff Davidian, 4101 N Prospect - Requested that Sikich grade Shorewood with respect to the cash handling procedures, a grade similar to the Health Department restaurant grading system. Mr. Berg responded that he only provides a Pass/Fail rating, based on whether the financial statements are materially correct. Over the years, there have not been any issues with internal controls or any findings of material weakness or deficiencies.

5. Consider Trustee Compensation

Recommended that discussion on this item be deferred until the new trustees are elected. Discussion on policy should take place in advance of the budget discussions and the mathematical discussion about budget impact at the budget discussion.

Tr. Bockhorst moved, seconded by Tr. Warren to defer until after the two new trustees are sworn in. Motion carried 7 – 0.

6. Adjournment.

Tr. Bockhorst moved, seconded by Tr. Warren to adjourn at 7:33p.m. Motion carried 7 - 0.



**MINUTES - SHOREWOOD BOARD OF TRUSTEES
Village Board Meeting
March 2, 2020**

1. Call to Order

President Rozek called the meeting of the Village Board to order at 7:34 p.m. in the Court Room.

2. Roll Call

President Rozek called the roll. Present: Trustees Davida Amenta, Tammy Bockhorst, Jessica Carpenter, Ann McKaig, and Wesley Warren

Others Present: Village Manager Rebecca Ewald, Assistant Village Manager Tyler Burkart, Public Works Director Leeann Butschlick, Assistant Public Works Director Joel Kolste, Library Director Rachel Collins

3. Statement of Public Notice

Clerk Bruckman stated that the meeting had been posted and noticed according to law.

4. Special Order of Business

a. Consider Atwater Beach rule for smoking in designated area(s). (7:35 p.m.)

Ann Christiansen, Health Director, North Shore Health Department, presented this agenda item. Initial discussion proposed an ordinance change to smoke-free parks and beaches and a request to gather public input. This resulted in proposing a rule for a smoke-free area at Atwater Beach with a designated smoking area.

Trustee McKaig, Chair of the Community and Business Relations Committee, noted that the Committee initially discussed an ordinance change but were not in agreement, because of possible adverse impacts or creating a disparity of who is negatively impacted by this change and creating an enforcement issue (managing community expectations). The rule is sufficient to address the nuisance aspect and adding the receptacle would address the environmental impact.

Ms. Christiansen explained the NSHD position is a smoke-free beach is always the preference. From an education standpoint the messaging is clearer. From a health standpoint it reduces exposure to second hand smoke.

There was Village Board discussion to include in the motion a plan/timeframe to get to a smoke free beach. This was not discussed at committee level. Milwaukee County has the largest beach area, if they went smoke-free the change would be easier. Some Village Board members stressed we are a community that is progressively environmental; however, a memo was shared that noted low socio-economic brackets and people of color smoke more than their white, privileged counterparts. We continue, as a community, to struggle with being welcoming at Atwater Beach. Some Village Board members shared they are unwilling to introduce another opportunity for residents who struggle with being welcoming to call the police on people using the beach.

There was Village Board discussion on being mindful of perception if setting up designated smoking areas on the beach. If it's an ordinance, then enforcement would most likely be more consistent. Ms. Ewald explained the vendor who provides lifeguard services does, when opportunity arise, take time to educate beach patrons on the rules of the beach. However, enforcement level actions will result in the police being called. Because the impact of this is unknown, the incremental approach was the compromise. The Board could also decide to not make a rule, leave the status quo and just add a receptacle for cigarette butts.

Trustee Warren moved, seconded by Trustee Bockhorst to approve implementation of an Atwater Beach rule prohibiting smoking and e-cigarettes on the beach, except in designated location(s) and for North Shore Health Department implementation of a communications plan with a re-examination of such rule prior to Summer of 2021.

Some Village Board members expressed the re-examination could include the annual end of season review with the vendor, and an inquiry of the Police Department to see if they had been called to address any concerns at the beach.

Some Board members noted that the proposal for a designated smoking area did not specify the size or extent of such an area.

No public comments.

Ms. Christiansen noted that the communication plan was created after NSHD met with African American Tobacco Network and Poverty Network to address some of the strategies. The City of Milwaukee has a website portal for concerns with regard to vaping ordinance,

policing and discriminatory practices, which NSHD can create on their website as well to gather information.

Tr. Amenta called to question. Call to question passed 6-0.

Original motion: approve implementation of an Atwater Beach rule prohibiting smoking and e-cigarettes on the beach, except in designated location(s) and for North Shore Health Department implementation of communications plan with a re-examination of such rule prior to Summer of 2021 failed 3-3 with Trustees Amenta, Carpenter and President Rozek voting nay.

5. Consent Agenda Items (8:06 p.m.)

- a. Accept presentation of Accounts – March 2, 2020
- b. Consider Special Village Board Minutes and Village Board Minutes – February 17, 2020
- c. Consider updated Downer Avenue Meter Vault Replacement Project Management and Communication Plan.
- d. Consider 2020 Sewer Lining Project Management and Communication Plan
- e. Consider 2020 Manhole Rehabilitation Project Management and Communication Plan
- f. Consider 2020 Road Reconstruction Project Management and Communication Plan
- g. Consider Special Event Permit for the UPAF Ride for the Arts for Sunday, May 31, 2020
- h. Consider delegation of change order review to the Village Manager for fire station deed restriction compliance

Tr. Bockhorst moved, seconded by Tr. Carpenter to approve the consent agenda, President Rozek requested removing item 5b. Motion carried 6 - 0 with item 5b removed.

6. Items Removed from the Consent Agenda (8:07 p.m.) –

Tr. Amenta moved, seconded by Tr. Bockhorst to defer the Special Village Board Minutes and Village Board Minutes – February 17, 2020 until the next Village Board Meeting. Motion carried 6 – 0.

7. Public Hearing(s) (8:09 p.m.) - None

8. Citizens to be heard – This item is for matters not on the agenda. Discussion may follow comment on non-agenda items or discussion and action may come at future meetings. – (8:09 p.m.)

9. New Business

- a. Consider Communication Plan Policies: Chapters 4 and 5 on Social Media and Communications in Public Buildings. (8:10 p.m.)

Mr. Burkart introduced the chapters and requested them to be reviewed one at a time. Mr. Burkart reviewed some of the additional red lined changes since this was reviewed at the last meeting.

There was Village Board discussion on incorporating Wisconsin State Ethics Commission language for complaints about Village Board members and how such complaints would be handled.

Discussed naming department heads and what constitutes as an open record on a social media page.

There was Village Board discussion on Village management versus Village non-management being named on social media on bullet point three. Some Village Board members suggested

having two separate statements for Village Management / Department Heads and Village Non Management. The Village Board members expressed naming a department head position to be able to report on something shared from them. Some Village Board members expressed they did not support naming Department Heads on social media as people have different opinions what information is appropriate and not appropriate to post. Mr. Burkart explained the way the policy is currently written, a department head can be named as long as it relates to their current responsibilities; if anyone else was named, they would have to give permission first.

There was Village Board discussion on whether Village Board members acting civilly is personal or policy. Some Village Board members expressed they felt they should be able to post their views on policy decisions. Some Village Board members suggested to not engage in negative comments about other Village Board members on social media and on a personal level.

One Village Board member suggested an edit on bullet three. Do not reference or cite Village non-management employees without their expressed consent unless sharing content directly from an official Village page or website or listing a direct contact for more information. Comments regarding management employees should be limited to their official position and responsibilities.

Tr. Amenta moved, seconded by Tr. McKaig to adopt chapter 4 social media of the Communication Management Plan and also remove and replace the Social Media policy currently in the Human Resources Manual with rephrasing bullet three to say do not reference or cite Village non-management employees without their expressed consent unless sharing content directly from an official Village page or website or listing a direct contact for more information. Comments regarding management employees should be limited to their official position and responsibilities.

Tr. Bockhorst moved to amend to strike the third bullet point and add “Do not reference or cite Village employees without their expressed consent unless sharing content directly from an official Village page or website.” Motion fails for lack of a second.

Paul Florsheim, 4105 N. Farwell Ave., Shorewood, 53211; suggested it could have been a friendly amendment.

Tr. Bockhorst moved call to question. Call to question carried 6 – 0.

Original motion: to adopt chapter 4 social media of the Communication Management Plan and also remove and replace the Social Media policy currently in the Human Resources Manual with rephrasing bullet three to say do not reference or cite Village non-management employees without their expressed consent unless sharing content directly from an official Village page or website or listing a direct contact for more information. Comments regarding management employees should be limited to their official position and responsibilities. Motion carried 5 – 1 with Tr. Bockhorst voting nay

Mr. Burkart reviewed the suggested changes in chapter 5. Mr. Burkart explained there was additional language added in b1 about physical displays; “physical displays, verbal solicitation, tables, information collection box, easels, surveys, etc. from outside organizations are prohibited in Village facilities.

Some Village Board members expressed they do not want to include verbal solicitation because that infringes on freedom of speech.

Tr. McKaig moved, seconded by Tr. Bockhorst to adopt Chapter 5 communication in public buildings of the communications plans as presented.

The Village Board inquired about the legal opinion of allowing verbal solicitation. Attorney Bayer clarified the verbal solicitation would depend on what the individual is doing; it would be a case by case basis.

Paul Florsheim, 4105 N. Farwell Avenue, Shorewood, 53211; explained he is a professor at UW Milwaukee in the school of Public Health. He is a clinical psychologist and public health professor who does community intervention research. Shorewood is a community Mr. Florsheim could do his research and would like to set up a table in the library atrium for students to conduct a study.

Some Village Board members questioned if Mr. Florsheim wanted to set up in the library or the atrium space. Mr. Florsheim said he would setup in either spot.

President Rozek moved to call to question. Call to question failed 2 – 4 with President Rozek and Tr. McKaig voting aye.

Joanne Lipo Zovic, 2504 E. Newton Avenue, Shorewood, 53211; expressed her support of being able to post boards in the public atrium. She stated that she was there on behalf of the School Board as a former School Board member and that certain members of the Village Board should be ashamed of themselves.

Geoffrey Davidian, 4101 N. Prospect Avenue, Shorewood, 53211; explained he supports allowing all groups to be able to display.

Some Village Board members expressed their support for allowing groups to display in public spaces.

Tr. Amenta moved to call to question. Call to question carries 4 – 2 with Tr. Bockhorst and Tr. McKaig voting nay.

Original Motion: to adopt Chapter 5 communication in public buildings of the communication plans as presented. Motion failed 1 – 5 with President Rozek voting aye.

Some Village Board members expressed they do not support the motion as they would like to see an approval process and they do not agree with limiting access to the public spaces.

Tr. Amenta moved, seconded by President Rozek to approve Chapter 5 of the communication plan, communication in public buildings with removing the wording of verbal solicitation in b1.

Paul Florsheim, 4105 N. Farwell Avenue, Shorewood, 53211; expressed the lobby should be used as public space.

Director Collins clarified the topic of an individual setting up a table for a research project has not been brought to the Library Board.

Tr. Carpenter moved to call to question. Call to question carried 6 – 0.

Vote on motion: to approve Chapter 5 of the communication plan, communication in public buildings with removing the wording of verbal solicitation in b1. Motion fails 3 – 3 with Tr. Bockhorst, Tr. McKaig and Tr. Warren voting nay.

Mr. Burkart recommended putting together two to three options for the Village Board to consider at a Committee of the Whole.

President Rozek moved, seconded by Tr. Warren to defer items 9b and 9c until the next Village Board meeting and to suspend the rules and take item 9e followed by 9d. Motion carried 6 – 0.

The Village Board recessed at 9:30 p.m.

The Village Board reconvened at 9:42 p.m.

The Village Board took up item 9e.

- b. Consider Ordinance 3004 Repealing and Replacing Chapter 462 Street Festivals and Block Parties.

This item was deferred until the March 16, 2020 Village Board Meeting

- c. Consider Ordinance 3009 amending Chapter 400 Parks and Recreation and Resolution 2020-02 amending the Village Fee Schedule for park and beach permits.

This item was deferred until the March 16, 2020 Village Board Meeting.

- e. Consider geotechnical and bluff stability analysis services for storm sewer manhole repair at 4480 N. Lake Drive. (9:43 p.m.)

Ms. Ewald explained a recommendation for geotechnical analysis at 4480 N. Lake Drive for the Village to diagnose and provide recommended engineering solutions for completing work on the sewer manhole on the bluff in that area.

Some Village Board members inquired if it was feasible to abandon this storm sewer. Ms. Ewald stated this area is part of the combined sewer system; this storm sewer takes flow from N. Oakland Ave, down Kensington and discharges into Lake Michigan. The nearest manhole is over 2,300 feet away with an estimated connection cost of \$3,500,000. Ms. Ewald clarified this is storm water discharge only.

One Village Board member inquired if discharge into the lake or river was normal and if there is a way for the water to enter into the combined sewer system. Ms. Butschlick explained typically no, but at one time there was a storm system that collected only street flow and the Village removes clear water from entering the combined system.

The Village Board discussed and asked for clarification of the photos included in the packet.

Ms. Ewald clarified there was not a formal RFP done, but quotes were obtained due to the urgency of the situation.

Tr. Amenta moved, seconded by Tr. Warren approval of the expenditures for the proposal for geotechnical and bluff stability analysis services for the storm sewer structure at 4480 N. Lake Drive form Miller Engineers and Scientists in the amount of \$18,800. Motion carried 6 - 0.

- d. Consider Marketing Leadership Committee Shorewood Today funding gap. (9:53 p.m.)
Mr. Burkart explained based on the first quarter trends of advertisers, Shorewood Today revenue is going to be much lower than expected for 2020. All community partners are asking the funding partners on direction on how to proceed with the revenue gap. The Marketing Leadership Committee is recommending to ask community partners to contribute \$1,000 each and the additional revenue shortages will use fund balance.

There was Village Board discussion on ad sales and fundraising efforts for the future. Some Village Board members expressed they did not support the additional taxpayer funds. Other Village Board members expressed they would like to see more digital advertising.

There was Village Board discussion that one vendor who responded to the RFP did not require a subsidy but that the Village Board chose a vendor that did require a subsidy. Some Village Board members expressed their support for Shorewood Today magazine.

Joanne Lipo Zovik, 2504 E Newton Avenue, Shorewood, 53211; expressed support for Shorewood Today and approval of additional funding.

Arthur Ircink, 4105 N Morris Blvd, Shorewood, 53211; explained the BID supports the additional funding. Mr. Ircink explained some past advertisers did not appreciate the rate increase on ads. Mr. Burkhart reiterated that he had spoken to advertisers that preferred digital advertising and so were not renewing ads in Shorewood Today.

Tr. Warren moved, seconded by Tr. Bockhorst to increase partner contributions by \$1,000 and using fund balance for any remaining revenue shortages for 2020. Motion carried 4 – 2 President Rozek and Tr. Carpenter voting nay.

10. Reports of Village Officials (10:15 p.m.)

a. Village President – inquired when the public will be involved in the housing study. Ms. Ewald explained March 12 and April 2 strategic planning meetings for the CDA and Village Board. President Rozek noted her attendance at the candidate forum hosted by the League of Women’s Voters.

b. Village Trustees –

Tr. Bockhorst shared that she and Tr. McKaig will be in Washington DC next week for the National League of Cities Congressional Meeting.

c. Village Manager

Clarified the League of Wisconsin Municipalities will be holding an educational session with the Village Board to discuss, code of conduct, code of ethics, conflict of interests, and open meetings at April 20, 2020.

11. Items for future consideration (10:23 p.m.) –

a. Board conflict resolution intervention/training – Tr. Bockhorst

President Rozek moved, seconded by Tr. Warren to request the Human Relations Commission to discuss and provide input on gender barriers for private organizations. Motion failed 3 – 3 with Tr. Amenta, Bockhorst and McKaig voting nay.

12. Closed Session – The Village Board will adjourn into closed session pursuant to 19.85(1)(c) to discuss the annual performance evaluation of the village manager.
The Village Board did not adjourn into closed session.

13. Adjournment.

Tr. Amenta moved, seconded by Tr. McKaig to adjourn at 10:32 p.m. Motion carried 6 - 0.

Respectfully submitted,

Sara Bruckman, CMC/WCMC
Village Clerk