



MINUTES - SHOREWOOD BOARD OF TRUSTEES
Village Board Meeting
March 15, 2021

1. Call to Order

President Rozek called the meeting of the Village Board to order at 7:36 p.m.

2. Roll Call

Clerk Bruckman called the roll. Present via teleconference: President Rozek, Trustees Davida Amenta, Tammy Bockhorst, Jessica Carpenter, Arthur Ircink, Kathy Stokebrand and Wesley Warren.

Others Present: Village Manager Rebecca Ewald, Village Attorney Nathan Bayer, Public Works Director Leeann Butschlick, Planning and Development Director Bart Griepentrog, Assistant Village Manager Tyler Burkart, Finance Director Mark Emanuelson, Senior Resource Center Coordinator Elizabeth Price, CDA Chair Peter Hammond

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. COVID update – Director Ann Christiansen, North Shore Health Department (7:36 p.m.)
Director Christiansen updated that the numbers are similar to February at this time, the trajectory is flat. She noted they are not seeing the potential increases they were anticipating. The waste water surveillance is also showing a decline. Director Christiansen explained over 4,000 residents have received at least one dose of the vaccination. Vaccine demand is slowing slightly but the number of vaccinators in the area is increasing.

Tr. Carpenter questioned what is the recommendation for residents who still need a vaccination. Director Christiansen explained the supply will increase in the coming weeks as the Johnson and Johnson vaccine becomes available. Residents are encouraged to utilize the health department, the Wisconsin Center, UWM, North Shore Pharmacy, and Summit in Fox Point. Healthy MKE will have information about all the different vaccinators in the area.

Tr. Ircink questioned why all restaurant staff isn't included in the next group. Director Christiansen explained those are the state guidelines and she will follow-up with them.

Tr. Bockhorst questioned how federal funds for COVID relief will be used in the village. Director Christiansen explained they are still waiting for guidance on the use of the funds, the health department is still heavily in the response effort with the vaccination clinic. Tr. Bockhorst encouraged getting information out to people on where and how they can get vaccinated.

Tr. Stokebrand thanked Director Christiansen for her service.

- b. Consider Accepting Donation to Initiate Dog Waste Station Trial Program – Parks Commission. (7:51 p.m.)
Mr. Burkart explained last October Linda Laarman and Judy Winn reached out to the village with the concept. The concept has been reviewed by the Parks Commission and Conservation

Committee. Some members of the Conservation Committee expressed some concern with the plastic bags but the dog waste issue is a larger concern at this time. Members of the Parks Commission worked with Linda and Judy on the proposed locations. The program is setup as a one-year trial volunteer program.

Linda Laarman explained as a dog owner she noticed too much dog waste in public areas that is not picked. Dog waste is a significant pollutant and disease spreader. This concept would hopefully encourage those who are not picking up their waste to pick it up. She explained she and Judy will be making the financial contributions for the waste stations.

Judy Winn explained there would be up to 15 stations for the trial program. There will be two kinds of stations, one on poles and mailboxes (attached to buildings). Each station will provide bags. The sponsors or volunteers will keep refilling the stations with bags. Each station will have the "Scoop the Poop" logo and sponsors could add their names on a station. The pole stations cost about \$125.00 and the mailbox stations cost \$55.00. The bags are \$100.00 for 3200 bags.

Bonnie Pedraza explained there was a lot of discussion on the plastic bags. The sites will be evaluated at the end of the trial.

Tr. Carpenter explained she was excited for the pilot program. She requested the map have another symbol other than a star for the receptacle indicator on the map.

Tr. Warren explained this will be a great benefit to the community.

Tr. Warren moved, seconded by Tr. Carpenter to accept the donation and approve the Scoop the Poop Shorewood trial program.

Tr. Ircink thanked the group for the concept but voiced his concerns about the use of the plastic bags. He expressed the only way he can support the trial is if they search for alternatives to the plastic bags and he will pay the difference.

Tr. Ircink moved to amend, seconded by Tr. Bockhorst to research and require the bags to be from a biodegradable material.

Tr. Bockhorst explained she is very excited about the trial program and does support a more earth friendly bag.

Tr. Stokebrand thanked Judy and Linda for bringing the concept forward and expressed concern for a single use plastic bag because of the environment and community. She questioned who was responsible for installing the posts. Mr. Burkart explained they just go into the ground no concrete required. Because of that, DPW does not need to install. it just goes into the turf. However, the Parks and Public Spaces Committee will work with DPW to make sure the poles are installed properly. She questioned if someone doesn't want the station in front of their house how can they say no. Mr. Burkart explained there was a letter mailed to residents along the proposed locations and they were informed of the meeting this evening. The committee identified a general area on certain blocks where the stations could be located. Final decision on the proposed locations would be for the Village Board to make. Tr. Stokebrand proposed putting them at Atwater Park, River Park, Hubbard Park or places where there is always a garbage can. She expressed the surrounding communities only have them located in their park land and not in their neighborhoods. She's concerned people will just leave the bags of waste. She supports a compostable bag.

President Rozek questioned what happens after the trial period. Mr. Burkart explained the

Parks and Public Spaces Committee will be asked to review and evaluate after the trial period. If it's deemed successful, one of the recommendations the Parks and Public Spaces would be asked to provide is if the amount of stations should change. President Rozek questioned who is responsible for recruiting the volunteers to refill the bags. Mr. Burkart said the Parks and Public Spaces Committee. President Rozek questioned if someone wants the station removed from in front of their home for whatever reason, who would they speak with. Mr. Burkart explained it would come to him as the liaison to the Parks and Public Spaces Committee and he would bring it to them to review and make a recommendation. President Rozek questioned if the use of biodegradable bags would be a problem. Linda explained the poll stations do not accommodate those bags so they will have to work out what the cost differential will be but is not opposed to the concept. Linda provided clarification to why Fox Point and Whitefish Bay stations are primarily located in park land is because their stations have trash receptacles attached. This proposal does not include receptacles.

Tr. Ircink explained he's open to do the research and make up the cost difference on the bags. The goal is to find a bag that breaks down easier.

Tr. Warren explained as the trustee liaison to the Conservation Committee, there was discussion around single use plastic bags and the options that are available assuming the waste bags go into the landfill even if they are compostable they still would not breakdown in that type of environment.

Tr. Carpenter moved to call to question, second by Tr. Warren. Call to question carries 7 – 0.

Amendment: research and utilize the bags to be from a biodegradable material. Amendment carries 5 – 2 with Tr. Amenta and Tr. Stokebrand voting nay.

Motion as amended: to accept the donation and approve the Scoop the Poop Shorewood trial program and to research and utilize the bags to be from a biodegradable material. Motion carried 6 – 1 with Tr. Stokebrand voting nay.

5. Consent Agenda Items (8:40 p.m.)

- a. Accept Presentation of Accounts – March 15, 2021
- b. Consider regular Village Board Minutes – February 15, 2021
- c. Consider regular Village Board Minutes – March 1, 2021
- d. Consider Application for Special Privilege Approval for a sign projecting over the public right of way at 3555B. N Oakland Ave.
- e. Consider Applications for Special Privilege Approval for outdoor seating in the sidewalk public right of way at:
 1. Brat House Shorewood, 4022 N. Oakland Ave.
 2. North Shore Boulangerie, 4401 N. Oakland Ave.
 3. MalamaDoe, 4465 N. Oakland Ave.
- f. Consider Applications for Special Privilege Approval for a parklet within the public right of way at:
 1. Camp Bar, 4044 N. Oakland Ave
 2. Draft & Vessel, 4417 N. Oakland Ave.
 3. Three Lions Pub, 4515 N. Oakland Ave.
- g. Consider communication and project management plan for historic education initiative.

Tr. Bockhorst moved, seconded by Tr. Ircink to approve the consent agenda. Tr. Amenta request to remove items 5b and 5c. Tr. Warren requested to remove item 5f3 Motion carried with items 5b, 5c and 5f3 removed 7 – 0 by a roll call vote.

6. Items Removed from the Consent Agenda (8:41 p.m.) –
 - 5b; Consider regular Village Board Minutes – February 15, 2021
Tr. Amenta requested item 9e on page 5 in the change “appealed” to “repealed”
Add with their own scanner to the paragraph below
 - 5c; Consider regular Village Board Minutes – March 1, 2021
Page 3, 4th paragraph up change “luxurious” to “luxury” and add 2016 to the remark about President Rozek. Change the word TIFF to TIF.

Tr. Amenta moved, seconded by Tr. Carpenter to approve the regular Village Board minutes of February 15, 2021 and March 1, 2021. Motion carried 7 – 0 by a roll call vote.

5f3; Consider Applications for Special Privilege Approval for a parklet within the public right of way at Three Lions Pub, 4515 N Oakland Ave.
Tr. Warren questioned if the concerns about the garbage can are being addressed.
Director Griepentrog explained someone from the planning department went to address the issue with Three Lions that it will be cleaned up by tomorrow and fixed within 3 weeks. The refuse container is used by Shorewest, Nana Asian Fusion and Three Lions and is a joint effort among all user to get that into compliance.

Tr. Bockhorst moved, seconded by Tr. Warren to approve the application for Special Privilege Approval for a parklet within the public right-of-way at Three Lions Pub, 4515 N Oakland Ave. Motion carried 7 – 0 by a roll call vote.

Tr. Bockhorst moved to reconsider, seconded by Tr. Ircink. Motion to reconsider failed 2 – 5 with Tr. Bockhorst and Tr. Ircink voting aye.

7. Public Hearing(s) (8:50 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. (8:50 p.m.) – None
9. New Business

- a. Consider liquor license for C-viche (8:51 p.m.)
Clerk Bruckman explained the Clerk’s office received applications for three full liquor licenses in a week. The Village Board is reviewing them in the order they were received in the Clerk’s office. Clerk Bruckman noted these are the last two regular licenses and the third license would be the last reserve license.

C-viche is an established restaurant in Bayview and are looking to open a Shorewood location in the old Chocolate Factory location. Tr. Carpenter noted these would be the final three liquor licenses. JP&L voted 3 – 0 to approve the license.

Tr. Bockhorst noted these are the last two liquor licenses unless something is done to change state statute. The Village will need to wait until another one is surrendered or they can negotiate a purchase from a neighboring municipality. She is supportive of issuing both licenses.

Tr. Stokebrand moved, seconded by Tr. Bockhorst to approve the application for the “Class B” Intoxicating Liquor and Class “B” Malt Beverage license for Caviche, Inc., d/b/a C-viche, 4330 N. Oakland Ave, Shorewood WI 53211 and to direct the Clerk to issue the license upon approval of occupancy from Planning and Development. Motion carried 7 – 0 by a roll call vote.

b. Consider liquor license for ATK. (8:58 p.m.)

Tr. Carpenter noted the JP&L committee voted 2 – 1 to approve the license. The concept would be a high end burger establishment in the old Hayek's Pharmacy space. She explained the Committee discussed if their restaurant model could support a beer and wine license. The applicant is looking to serve Bloody Marys for brunch on the weekend.

Tr. Amenta explained she had concerns using an entire liquor license just to serve Bloody Marys.

President Rozek noted she would be voting no because it should be reserved for a sit-down restaurant.

Tr. Bockhorst noted there is not a policy regarding guidelines on who can receive a liquor license.

Tr. Stokebrand inquired on the status of Blue's Egg. Clerk Bruckman explained she has reached out to them and they have not been responsive at this time.

Tr. Ircink voiced his support for the restaurant concept.

President Rozek noted without a policy they utilize their discretion as elected officials.

Tr. Amenta noted the Village Board's discretion under state statute is very broad. She questioned if the BID had attracted the two businesses.

Steph Salvia explained the BID had been working with the wife of the first applicant to make a temporary popup over the winter and has been working with the owner of the Hayek building for months on attracting a tenant.

Attorney Bayer clarified the criteria for denial: Wisconsin courts have held the law does not confer upon another otherwise qualified candidate an absolute right to a license however decisions to deny cannot be arbitrary or capricious and must be founded on a rational basis.

Tr. Bockhorst moved, seconded by Tr. Warren to approve the application for the "Class B" Intoxicating Liquor and Class "B" Malt Beverage License for ATK, LLC., 4003 N Downer Ave, Shorewood WI 53211 and to direct the Clerk to issue the license upon approval of occupancy from Planning and Development. Motion carried 5 – 2 by a roll call vote with Tr. Amenta and President Rozek voting nay.

The Village Board recessed at 9:20 p.m.

The Village Board reconvened at 9:32 p.m.

c. Consider resolution to extend TID 1 for affordable housing (9:32 p.m.)

Tr. Carpenter moved, seconded by Tr. Bockhorst to approve Resolution 2021-08 approving a Tax Incremental District (TID) Affordable Housing Extension for Village of Shorewood TID No. 1. Motion carried 7 – 0 by a roll call vote.

d. Consider award of contract for 2021 Alley Reconstruction Program (9:33 p.m.)

Director Butschlick explained the Village received three bids for the 2021 alley reconstruction program, Poblocki Paving came in at the lowest qualified bid.

President Rozek questioned if there could be add-ons in the bid since there was \$750,000

budgeted. Director Butschlick explained there were more alleys engineered than they thought there was funding available and one of the alleys needed to be dropped from the plan due to significant drainage work that required easements with adjacent property owners. This would not be able to be done in the timeframe allotted before construction. President Rozek requested to include additional alleys for future bids.

Tr. Stokebrand moved, seconded by Tr. Warren to the award of a contract for the 2021 Alley Reconstruction Project to Poblocki Paving in the amount of \$642,579. Motion carried 7 – 0 by a roll call vote.

- e. Review WDNR Shorewood Water Works Sanitary Survey report (9:43 p.m.)
Director Butschlick explained the Department of Natural Resources conducts a sanitary survey of municipal drinking water systems every three years. The inspections include focuses on the distribution system, monitoring, sampling and how those results are reported, management of the system, operations, and operator's certification and training. The report did identify two significant deficiencies which are both directly related to the meter replacement program which will be addressed in August with implementation of the meter program.
- f. Consider parking and software management vendor award (9:53 p.m.)
Mr. Emanuelson explained the current vendor agreement expired over a year ago. The Village received seven proposals from the RFP and EDC was the best rated respondent.

President Rozek questioned what stood out with EDC. Mr. Emanuelson explained the ease of use for both the customer and staff.

Tr. Carpenter expressed the customer end needs to be very user friendly. She would have liked if a Village Board member could have been a part of the interview process.

Tr. Bockhorst expressed she supports the proposed vendor. The current vendor would work if the Village eliminated the two per household rule.

Tr. Warren expressed he would have liked to see the user interface but supports the vendor.

Tr. Stokebrand moved, seconded by Tr. Warren to approve the selection of the EDC Corporation's proposed AIMS Parking Management System as the Village's citation and parking permit management services provider.

President Rozek questioned if the two per household will be very easy to manage. Mr. Emanuelson said yes. She inquired if there will be a cut off time to obtain one of the free 20 overnight parking permits. Mr. Emanuelson explained no everything will be in real time.

Tr. Amenta questioned if extracting data will be easier than the current system. Mr. Emanuelson explained yes they have one of the more robust reporting systems. She expressed she would have liked the opportunity to see the presentations from the vendors.

President Rozek questioned how will it be handled if more than two permits are sold to a living unit. Mr. Emanuelson will follow-up on a future date.

Motion: to approve the selection of the EDC Corporation's proposed AIMS Parking Management System as the Village's citation and parking permit management services provider. Motion carried 5 – 0 – 2 by a roll call vote with President Rozek and Tr. Amenta abstaining.

10. Reports of Village Officials (10:19 p.m.)

- a. Village President –
 - 1. Arbor Day Proclamation
 - 2. Sunshine Proclamation
- b. Village Trustees –
 - Tr. Stokebrand reminded everyone about the virtual open house on the comprehensive plan on Wednesday.
 - Tr. Ircink thanked the ice captains from the Lake Bluff ice rink.
 - Tr. Amenta noted the Village ended the year with a surplus and commended Ms. Ewald, Mr. Emanuelson and staff on keeping on top of the budget.
- c. Village Manager – No Report

11. Items for future consideration (10:24 p.m.)

President Rozek moved, seconded by Tr. Stokebrand on how to proceed with the Blue's Egg liquor license. Motion carried 5 – 2 by a roll call vote with Tr. Bockhorst and Ircink voting nay.

President Rozek requested moving up reviewing having the consultant involved with the next steps of the police study implementation.

Tr. Amenta moved, seconded by President Rozek to consider establishing an Ethics Committee in the Village of Shorewood. Motion carried 7 – 0 by a roll call vote.

12. Closed session - the Village Board upon motion duly made, may convene into closed session to confer with legal counsel for the governmental body pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel on strategy regarding Yasmine Outlaw v. Village of Shorewood litigation. (10:40 p.m.)

Tr. Warren moved, seconded by Tr. Bockhorst to adjourn into closed session to confer with legal counsel for the governmental body pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel on strategy regarding Yasmine Outlaw v. Village of Shorewood litigation. 10:41 p.m. Motion carried 7 – 0 by a roll call vote.

Tr. Amenta was excused from the closed session

13. Adjournment.

Tr. Carpenter moved and Tr. Warren seconded to adjourn at 10:54 p.m. Motion carried 6 - 0.

Respectfully submitted,
Sara Bruckman, CMC/WCMC
Village Clerk