



**MINUTES - SHOREWOOD BOARD OF TRUSTEES**  
**Committee of the Whole Meeting**  
**July 15, 2019**

1. Call to Order

President Rozek called the Committee of the Whole meeting of the Village Board to order at 6:04 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, Jessica Carpenter, and Wesley Warren. Trustees Bockhorst, Maher and McKaig were excused.

Others Present: Village Manager Rebecca Ewald, Finance Director/Treasurer Mark Emanuelson, Planning and Development Director Bart Griepentrog, Public Works Director Leeann Butschlick, Police Chief Peter Nimmer

The Village Board unanimously agreed to take #7; Discuss outstanding items related to prioritization. The Village Board moved to item #7

4. Discuss vehicle and equipment replacement standards

Mark reviewed the following information from his memo included in the July 15, 2019 packet. As part of the 2019 budget process there were a number of questions raised about how staff determines which pieces of equipment need to be replaced each year, as well as how the Village uses the various vehicles and equipment included in the capital asset schedules. To help address these questions, staff engaged in two major process enhancements in preparation for the 2020 budget cycle.

First, was the development and implementation of a new equipment replacement rating process. This included both a formal equipment replacement criteria scoring scale and a multi-factored rating system which can be used to help evaluate each vehicle or other types of major equipment. Staff has also created individual fact sheets on all municipal vehicles and major DPW equipment with this data.

The second major process enhancement was to further enhance the "critical use factor" metric of the rating system, as well as the questions related to how the Village uses these items, by integrating a listing of the primary and secondary functional uses for each piece of equipment into the capital asset schedules.

Some Village Board members questioned why are vehicle body standards based on the miles of the vehicle. Mr. Emanuelson explained there is specific discretion from Department Heads based off the APWA Guidelines.

Some Village Board members questioned how long is the maintenance cost span. Mr. Emanuelson explained the goal is a three-year average.

Some Village Board members questioned if this was a formal Village Board Policy. Mr. Emanuelson explained this is a formalization of what Village Staff has done previously. Ms. Butschlick explained this is an articulation that is less of a mathematical process and more of a review of records and

documentation of anticipated vehicles lifetimes.

Some Village Board members questioned how to convert idle time into mileage. Mr. Emanuelson explained Ford Fleet Services has a metric that looks at engine wear during idle time comparing it to normal operations and the Village has incorporated that metric into the rating guide for police equipment.

Some Village Board members would like to see hybrid inspector cars. Mr. Emanuelson explained when the vehicle is up for replacement it's something to be considered.

5. Discuss staff updates on fleet usages.

Mr. Emanuelson went over the following from his memo included in the July 15, 2019 packet.

Some Village Board members expressed they would like to discuss how the Village can save money by combining or outsourcing services to potentially reduce the fleet. Ms. Butschlick explained the fleet is built on the services the Village provides. Mr. Emanuelson explained the discussion needs to be what services the Village wants to provide.

6. Discuss updates to the 2020 fee schedule

Mr. Emanuelson went over the following from his memo included in the July 15, 2019 packet.

There are a number of administrative or clerical revisions that have been identified by staff:

P.2 Operators Licenses – propose changing \$80.00 for 2 years to \$40.00 per year

P.4 Failure to procure a permit before starting work – this item should read as: triple permit fee

P.5 Minimum Building permit fee should read as: \$65.00 correcting a clerical error

P.7 Add the word "Lot" in the description for Zoning / Lot Amendment Application Fee

Staff is also proposing increasing the fee on P.8 for Design Review Board – Residential from \$35.00 to \$50.00 to better reflect the cost of providing these services. (The fee in Whitefish Bay is \$100 and Bayside is \$60)

The Village Board discussed the following fees:

Beverage Operator will change from two-year renewal to one-year renewal for better tracking purposes.

The Design Review Board Fee is being raised from \$35.00 to \$50.00.

Failure to procure a permit before starting work, is the triple fee more punitive. The ordinance states a double fee meaning the permit plus a double fine, rewording to triple permit fee (actual fee plus double fine).

What is the fee for Police bodycams tapes? It's listed under open records for video, amount depends on the size of the file.

The \$10.00 Atwater Beach Permit fee should be reanalyzed.

Revisit refunds for repurchased parking permits after parking study.

Parking ticket forfeitures doubles after 5 days, reanalyze after parking study.

7. Discuss outstanding items related to prioritization.

Some Village Board members questioned if the Department Initiatives were included in the work plan.

Ms. Ewald explained yes, some items will be discussed during the budget cycle.

Ms. Ewald explained the list included in the packet are the items that are still in the que for discussion and action; it's not an all inclusive of the initiatives

Ms. Ewald will bring back with the list of initiatives for all committee chairs to review.

8. Tr. Amenta moved, seconded by Tr. Warren to adjourn the meeting at 7:36 p.m. Motion passed 4 - 0.



**MINUTES - SHOREWOOD BOARD OF TRUSTEES**  
**Village Board Meeting**  
**July 15, 2019**

1. Call to Order

President Rozek called the meeting of the Village Board to order at 7:41 p.m. in the Court Room.

2. Roll Call

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

Others Present: Village Manager Rebecca Ewald, Assistant Village Manager Tyler Burkart, Finance Director/Treasurer Mark Emanuelson, Planning and Development Director Bart Griepentrog, Police Chief Peter Nimmer

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 scope for Police Station Phase 2B (7:42 p.m.)

Mr. Dillion from Riley Construction presented final floor plans and budget for Phase 2B of the Dillion Police Stations.

Mr. Dillion explained Plan1A1 has 13 spaces for parking. There are 11 police cars with two extra for general overflow parking and storage. There would be no cost savings to eliminate the two additional parking stales.

Mr. Dillion explained the wall between the community space and parking garage could move. Removing the two additional parking stales would add about 860 sq. ft. to the community space.

Mr. Dillion explained this is the last item for the completion of the Police Station, there only additional cost would be resurfacing of the parking lot.

Tr. Amenta moved, seconded by Tr. Bockhorst to approve the scope of Police Department Renovation Phase 2B, option 1A1. Motion carried 5 – 0.

b. Consider Memorandum of Understanding for Crossing Guard Services with Shorewood School District and agreement for crossing guard services. (7:49 p.m.)

Ms. Ewald explained this has been forwarded to the School District for their review and there have been no comments back from the School District.

Some Village Board members inquired if this in only a one year and how are the conversations with the School Board going to be handled moving forward.

President Rozek explained the Bi-board has been eliminated; a few of the school Board members will be with the Judiciary, Personnel and Licensing Committee going forward.

Some Village Board members questioned why two crossing guards are needed at Maryland and Capital. Chief Nimmer explained there have always been because it is too congested to handle with just one crossing guard. There was a suggestion from a Village Board member to potentially reach out to St. Robert to contribute to the cost.

Some Village Board members questioned what are we going to do if this company goes out of business. Chief Nimmer explained this is the only proposal that the Village received and they provide services throughout the county. The Village would not be able to operate the way it did when the past company shut down.

Some Village Board members questioned the location Capitol Dr. and Morris 7:00 am start time, whereas the others are 7:30 a.m. Chief Nimmer will check and follow-up.

Some Village Board members do not agree with the School District sharing this cost.

Tr. Warren moved, seconded by Tr. Carpenter to approve the Memorandum of Understanding with utilizing the recommended changes from the Village Attorney as presented. Motion carried 4 – 1 with Tr. Bockhorst voting nay.

Tr. Bockhorst moved, seconded by Tr. Warren to approve the 1-year Agreement for Crossing Guard Services with All City Management Services as presented. Motion carried 5 – 0.

5. 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. - None
6. Consent Agenda Items
  - a. Accept presentation of Accounts – July 15, 2019
  - b. Consider Committee of the Whole and Village Board Minutes – July 1, 2019
  - c. Consider agreement for financial advisor services (meeting #3)

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

7. Items Removed from the Consent Agenda

6b, Consider Committee of the Whole and Village Board Minutes – July 1, 2019.  
First page - change Tr. Carpenter to Tr. McKaig as the Public Art Committee Liaison.

Tr. Warren moved, seconded by Tr. Carpenter to approve the Committee of the Whole and Village Board Minutes of July 1, 2019 with the proposed change. Motion carried 5 – 0.

8. Public Hearing(s) – None

9. New Business

- a. Consider Application for Special Privilege Approval for a building in the public right of way at 4600 N Wilson Dr.

Mr. Griepentrog reviewed the following information from his memo included in the July 15 packet.

The applicant is requesting to construct the corner of his proposed addition 1.27 feet into the right of way along the east side of N. Wilson Dr. The property line is located 2.56 feet behind the sidewalk, so a separation of 1.29 feet to between the sidewalk and building would remain with the proposed addition.

The code does not detail specific requirements for the approval or denial of a special privilege, but the general public interest is what should be contemplated. So if there is any reason in that interest the request could be denied or modified. Additionally, the Village is not legally compelled to grant special privileges, and therefore does not have to provide a specific reason

to deny such requests. If granted, the Village retains the right to order the removal of any item in the right of way.

Although a Special Privilege was applied for, upon discussion with the Village Attorney, approval of this project could also be considered through an easement, property sale or right of way vacation.

Attorney Bayer explained under Village Code 466-18, a Special Privilege permit are for temporarily obstructions in the public right-of-way and can be ordered by the Village to be removed at any time for any reason.

In the past, a request for more permanent structures in the right of way would be handled via an easement or sale of the land. Attorney Bayer explained this request is for a 1.62 square foot area of the public right-of-way. First the applicant went to Board of Appeals to obtain approval of the setback requirements.

Attorney Bayer suggest to vacate that portion of the right-of-way or grant an easement for the 1.62 sq. ft. area.

Many Village Board member prefer to retain that right of way but allow them to build on it.

Attorney Bayer explained if the portico was removed the easement would come back to the Village.

Many Village Board members support an easement.

Ms. Ewald explained if there is a request to vacate the easement the cost would rest on the property owner.

David Karademas, 3000 E Newberry Blvd, Milwaukee, 53211; - explained they are out of time and the roof has to be replaced before winter. Mr. Karademas is supportive of moving forward with an easement.

Tr. Carpenter moved, seconded by Tr. Warren to deny the Special Privilege Permit as requested and direct staff and the Village Attorney to work with applicant to devise an acceptable mechanism to proceed and to come before the Village Board for final approval on August 5, 2019 and for the applicant to pay for the attorney time and other publication request required to facilitate that change. Motion carried 5 – 0.

b. Consider Addendum One to MOU between CDA and Village of Shorewood

Ms. Ewald explained the CDA has approved an investment policy and with that the MOU needs to be modified striking one line that allows the funds to be kept where else other than the Village's general checking account for investments reasons.

Mr. Emanuelson explained the investment policy adopted by the CDA is consistent with Village Board investment policies.

Tr. Warren moved, seconded by Tr. Carpenter to approved the amended MOU. Motion carried 5 – 0.

c. Consider utility billing policy on unintended use.

Mr. Emanuelson explained this item was brought to the Budget and Finance Committee and they supported it unanimously. Direction was to bring back a formal policy for consideration, the purpose to limit the downside of a fiscal burden.

Tr. Amenta moved, seconded by Tr. Warren to approve the Utility Billing Policy for Unintended Use. Motion carried 5 – 0.

- d. Consider legislation limiting the sale and use of vaping devices, accessories to minors and prohibiting smoking and vaping in public spaces.  
Ann from North Shore Health Department reviewed the items included in the July 15, 2019 packet. The North Shore Health Department is in support of the ordinance change.

Tr. Warren explained this was at Public Safety to proceed forward with an ordinance to prohibit cigarette and vaping on municipal premises and public parks.

Some Village Board members would like to prohibit vaping where cigarette smoking is prohibited. Some Village Board members were concerned this ordinance maybe too restrictive.

This ordinance would prohibit both cigarette and vaping in parkland and public beaches, it is more restrictive than state statute.

Rod DePue, 1818 Shorewood Blvd. # 308, Shorewood, 53211; letter included at the end of the minutes.

Tr. Amenta moved, seconded by Tr. Warren to prohibit e-cigarette in all places the State bans smoking, on all municipal premises, excluding parking land and to direct staff to return with a discussion of both cigarette and e-cigarette smoking at parks and Atwater Beach. Tr. Amenta withdrew her motion.

Tr. Amenta moved, seconded by Tr. Warren to adopt the proposed ordinance on Repealing and Replacing Section 10, "Smoking Prohibited in Certain Places," of Chapter 319, "Health and Sanitation," of the Shorewood Municipal Code and to direct staff to return with further recommendations on prohibiting both cigarette and e-cigarette smoking at parks and Atwater Beach. Motion carried 5 – 0.

- e. Consider prioritization of 2020 initiatives.

Some Village Board members requested to see the full revised work plans after the initiatives are approved.

Tr. Warren moved, seconded by President Rozek to recommend the following priorities for implementation in 2020; Strategic Planning and TID Policies, Agenda and Document Management, Historic Preservation (education process), Education on Unlearning Racism and the Welcoming Ordinance, Review of parkland with organizations and possible area for bocce ball courts, Implementation of Parking and Transportation Analysis, Implement Resource Management Plan at Hubbard Park, Implement Canoe/Kayak Launch at River Park, add Living Wage Item to the list to be reviewed by JP&L, Comprehensive Plan and if time allows, Develop Capital Facilities Planning. No vote was taken.

Some Village Board members expressed concern the review of parkland for bocce ball courts should be a broader topic.

Tr. Warren made a friendly amendment; change to Review of Recreational Space in Parks with organizations.

Some Village Board members expressed the Living Wage item could be discussed during the budget review.

Tr. Warren made a friendly amendment; to strike add Living Wage Item to the list to be reviewed by JP&L. This item will be reviewed during the 2020 Budget Discussions.

Motion as amended: to recommend the following priorities for implementation in 2020; Strategic Planning and TID Policies, Agenda and Document Management, Historic Preservation (education process), Education on Unlearning Racism and the Welcoming Ordinance, Review of recreational spaces with organizations, Implementation of Parking and Transportation Analysis, Implement Resource Management Plan at Hubbard Park, Implement Canoe/Kayak Launch at River Park, and Comprehensive Plan and if time allows, Develop Capital Facilities Planning. Motion carries 5 – 0.

10. Reports of Village Officials

a. Village President

- i. Appointment of Guy Johnson to North Shore Fire Department Foundation Board.
- ii. Thank you to Tr. Carpenter and Assistant Village Manager Tyler Burkart for the assistance with the 4<sup>th</sup> of July Parade.

b. Village Trustees

Tr. Amenta

- i. The CDA reviewed the Housing Study RFP at their last meeting.
- ii. Toro Taco has applied for a liquor license in the former Ruckus building.

c. Village Manager

- i. Thank you to Sara DeNeve and Tyler Burkart for their coordination and organization of the 4<sup>th</sup> of July Parade.
- ii. There is only one meeting on August 5 for the month.

11. Items for future consideration

12. Adjournment.

Tr. Amenta moved and Tr. Bockhorst seconded to adjourn at 9:58 p.m. Motion carried 5 - 0.

Respectfully submitted,

Sara Bruckman, CMC/WCMC  
Village Clerk

My name is Rod DePue

I live at 1818 E. Shorewood Blvd Unit 308

Shorewood, WI

A Memorandum Dated: April 30th, 2019 To: Rebecca Ewald, Village of Shorewood Manager  
Peter Nimmer, Village of Shorewood Police Chief

From: Ann Christiansen, North Shore Health Department Health Director, states:

The North Shore Health Department supports an ordinance prohibiting e-cigarette use.

In 2019, the Wisconsin Department of Health Services issued a Public Health Advisory to inform the public about increasing trends in the use of e-cigarettes among youth in Wisconsin. **Data from the Wisconsin Youth Tobacco Survey showed 20% of Wisconsin high school students were using electronic cigarettes or devices like Juul vaporizers. The 2017 Youth Risk Behavior Survey showed that 12% of Wisconsin high school students smoked an e-cigarette on at least one of the previous 30 days, which is the definition of current use. Locally, data from the Shorewood School District's Youth Risk Behavior Survey collected during the 2017-2018 school year showed 30% of high school students having used an electronic vapor product on at least one day during the previous 30 days. In comparison, only 4.4% of Shorewood high school students said they smoked cigarettes on at least one of the previous 30 days.**

**So in 2017, 12% of Wisconsin high school students smoked an e-cigarette on at least one of the previous 30 days. And in Shorewood, during that same time 30% of Shorewood high school students used an electronic vapor product on at least one day during the previous 30 days. In comparison, only 4.4% of Shorewood high school students said they smoked cigarettes on at least one of the previous 30 days.**

So what does this tell us? I think you know the answer. 12 % of Wisconsin high school kids Vape, while 30% of Shorewood high school kids Vape.

Does Shorewood care about our kids?

Other municipalities in WI have such legislation: Ashwaubenon, Greenfield, Janesville, Madison, Milwaukee, Onalaska and Wausau. Let's add Shorewood to this roster of proactive communities.