



REGULAR VILLAGE BOARD MEETING

MEETING NOTICE AND AGENDA

**WHITEFISH BAY VILLAGE HALL
5300 North Marlborough Drive**

Monday, November 18, 2019, 6:00 PM

- I. Call to Order and Roll Call
- II. PUBLIC HEARING ON 2020 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 the regular meeting held on November 4, 2019.
 2. Investment Report for October, 2019.
 3. Ordinance No. 1860 – Amending Chapter 8, Article X of the Municipal Code.
 4. 2020 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. 3062 to extend the tax levy for the year 2019

and to adopt the 2020 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. 3063 to adopt the 2020 Budget for the following utility funds:

- Water Utility
- Sewer Utility
- Stormwater Utility

3. Discussion/action to adopt Resolution No. 3064 authorizing the extension of assessments, special charges, and delinquencies on the 2019 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. Ordinance No. 1859 – To Adopt the 2019 Comprehensive Plan Update of the Village of Whitefish Bay.

VII. 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 Plan 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 Board Room of Whitefish Bay Village Hall, 5300 North Marlborough Drive, November 4, 2019

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, Buckley, Demet, Fuda and President Siegel

Excused: Trustees Serebin and Davis

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

II. Consent Agenda

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

1. Minutes of the regular meeting held on October 21, 2019.
2. Claims for October, 2019.
3. Appointment of Andrew Hunt as an Alternate Member of the Board of Appeals for a term to expire in 2020.

III. Report of Village Officers

1. **Village Attorney** – No report
2. **Village Manager** – No report
3. **Village President** – No report
4. **Miscellaneous Trustees** – No reports

IV. Petitions and Communications

Tom Schmidt, 5030 N. Woodburn St.; Noted he was in attendance with his son, a boy scout, and they were hoping to witness a dissenting opinion at the meeting.

V. General Business

1. Presentation of the 2019 American Public Works Association – Wisconsin Chapter Service Award to John Edlebeck by Mary Dziejwiontkoski (City of Milwaukee DPW).

Mary Dziejwiontkoski, President of the APWA, presented John Edlebeck, Director of Public Works, with the WI Chapter Service Award, recognizing him for his outstanding achievements throughout his career and service to the Association.

2. Ordinance/Action on Contract Award for the 2019 Wildwood Avenue Storm Sewer Project.

Village Manager Paul Boening provided a brief background on the project, noting the 4600 block doesn't have an existing public storm sewer main system to connect adjacent actively discharging private property foundation drain sump pumps. Public Works staff has worked with affected residents to determine a solution to allow for discharge connections. Mr. Boening shared the bid results for the project.

It was moved by Trustee Saunders, seconded by Trustee Demet, and unanimously carried by the Village Board to award the 2019 Wildwood Avenue Storm Sewer Project Construction Contract to UPI, LLC for the submitted unit bid prices in Section A in the amount of \$41,248.00 and the unit bid prices in Section B in the amount of \$18,577.00 for a total unit bid price amount of \$59,825.00.

3. Discussion/Action on the 2020 Village Budget.

Village Manager Paul Boening and Finance Director Jen Amerell led the Board in the review and discussion of the 2020 Village Budget. Finance Director Jen Amerell discussed the signification budget impacts including the proposed market basket with a 3 year history, water rate increases, service level changes, and increase in assessed value on properties. Each department's budget was reviewed in further detail with corresponding variances explained from the previous budget year.

VI. Adjourn

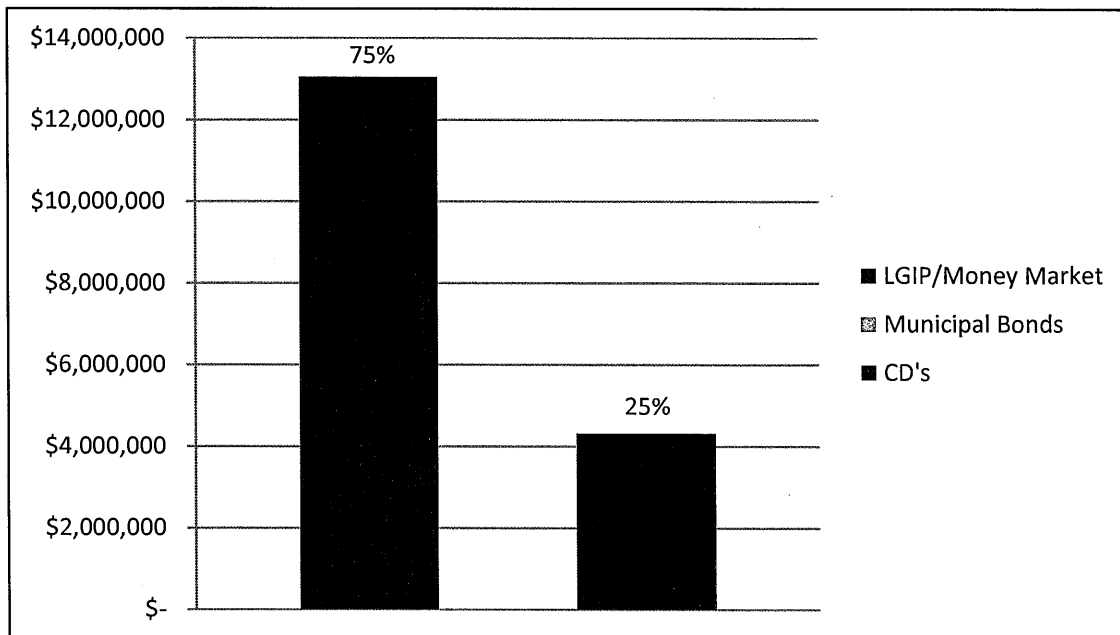
There being no further business, it was moved by Trustee Fuda, seconded by Trustee Saunders, and unanimously carried by the Village Board to adjourn the meeting at 7:50pm.

Caren Brustmann
Deputy Clerk

Monthly Investment Summary

October 2019

	General Investments	Post Retirement Investments	Total
LGIP/Money Market	\$ 13,044,139	\$ -	\$ 13,044,139
Municipal Bonds	-	-	-
CD's:			
Less than 1 Year	1,203,129	342,725	1,545,854
1 to 3 Years	2,058,368	708,555	2,766,923
3 to 5 Years	-	-	-
Total CD's	3,261,497	1,051,280	4,312,777
Total Investments	\$ 16,305,636	\$ 1,051,280	\$ 17,356,916
Accrued Interest	\$ 4,951	\$ 1,083	\$ 6,034





VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Julie Siegel & Village Board of Trustees

REPORT FROM: Paul Boening – Village Manager

DATE: 9/15/19

AGENDA ITEM: Ordinance No. 1860 – Amending Chapter 8, Article X of the Municipal Code

ACTION REQUESTED: Ordinance (Consent Agenda) Resolution Motion
 Information Only

BACKGROUND

In August of this year, the Village Board adopted Ordinance No. 1855, which amended the Sex Offender ordinance to add an appeal process for an aggrieved party. Attorney Jaekels had recommended that amendment in response to recent court decisions. For clarification purposes, Ordinance No. 1860 (attached) would further amend the appeal language by specifying:

The Village Building Inspector shall be responsible for enforcement of the residency provisions of this Ordinance. The Police Department shall be responsible for enforcement of all other provisions of this Ordinance.

The wording change is a housekeeping matter aimed at ensuring that the Code language aligns with the Village's current enforcement of the restrictions.

RECOMMENDED ACTION BY VILLAGE BOARD

To adopt Ordinance No. 1860.

Attachments:

1. Ordinance 1860

C: Department Heads
Attorney Jaekels

STATE OF WISCONSIN MILWAUKEE COUNTY VILLAGE OF WHITEFISH BAY

ORDINANCE NO: 1860

**An Ordinance to Amend Section 8-65 of the Municipal Code
with Regard to Enforcement and Appeals**

The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does ordain as follows:

Section One: Section 8-65 of the Municipal Code is hereby amended to delete the first sentence and replace it with the following:

The Village Building Inspector shall be responsible for enforcement of the residency provisions of this Ordinance. The Police Department shall be responsible for enforcement of all other provisions of this Ordinance.

Section Two: All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby and to such extent repealed.

Section Three: This ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay this 18th day of November, 2019.

VILLAGE OF WHITEFISH BAY

Julie Siegel, Village President

Jennifer Amerell, Village Clerk



VILLAGE BOARD MEETING - STAFF REPORT

REPORT TO: Julie Siegel – Village President
Members of the Village Board
Paul Boening – Village Manager

REPORT FROM: Tim Blakeslee – Assistant Village Manager

DATE: 11/15/19

AGENDA ITEM: Approval of the Whitefish Bay Improvement District's 2020 Operating Plan

ACTION REQUESTED: _____ Ordinance _____ Resolution Motion (Consent)

BACKGROUND

The Whitefish Bay Business Improvement District's 2020 Operating Plan is attached for Village Board action. The BID Board reviewed the plan at its meeting on November 1, 2019. Per Section C. of the Whitefish Bay Business Improvement District Operating Plan, the Village Board must review and adopt the Business Improvement District'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.

RECOMMENDED ACTION BY THE VILLAGE BOARD

Staff recommends Village Board move to adopt the BID's 2020 Operating Plan

Attachments:

1. Proposed 2020 Operating Plan

Whitefish Bay Business Improvement District Operating Plan 2020

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 2020:

2020/2021 WFB BID Budget

INCOME	2017	2018	2019	2019	2020
	Actual	Actual	Budget	Projected	w/CDA at \$48,500
BID Assessment	\$ 59,465.00	\$ 60,285.00	\$ 60,000.00	\$ 59,953.00	\$ 63,590.00
CDA Contribution	28,500.00	28,500.00	28,500.00	28,500.00	48,500.00
Dog Days of Summer	-	4,700.00	5,000.00	-	-
Farmers Market	5,500.00	11,227.00	10,000.00	6,880.00	9,000.00
Interest	-	288.12	-	280.31	-
Sidewalk Sale	5,520.00	1,663.91	2,000.00	663.00	1,000.00
WFB Sounds of Summer	8,035.00	-	-	-	-
WFB Holiday Stroll	12,000.00	18,520.00	20,000.00	18,500.00	20,000.00
TOTAL INCOME	\$ 119,020.00	\$ 125,184.03	\$ 125,500.00	\$ 114,776.31	\$ 142,090.00
EXPENSES					
Art Festival	\$ -	\$ -	\$ -	\$ 1,186.80	\$ 5,000.00
Bay Day	-	-	-	4,610.82	5,000.00
Dog Days of Summer	-	3,675.77	3,500.00	415.00	-
Events	-	-	-	1,000.00	1,000.00
Holiday Stroll	17,000.00	30,330.33	35,000.00	30,000.00	25,000.00
Insurance	1,000.00	921.00	1,000.00	905.00	1,000.00
Internet	100.00	-	-	-	-
Marketing	12,700.00	8,685.12	16,000.00	14,000.00	14,840.00
Meetings	100.00	1,002.09	1,000.00	2,000.00	2,000.00
Office Supplies	430.00	682.01	1,000.00	2,000.00	2,000.00
Professional Services	33,800.00	35,750.04	40,000.00	36,000.00	40,000.00
Rent	1,800.00	1,650.00	1,500.00	1,800.00	1,800.00
Sidewalk Sale-a-bration	8,090.00	6,716.74	7,000.00	908.48	2,000.00
Sounds of Summer	7,900.00	5,000.00	5,000.00	5,000.00	5,000.00
Street Beautification	12,650.00	10,815.55	10,000.00	10,000.00	31,450.00
Survey	-	388.00	-	-	-
Farmers Market	2,500.00	5,232.24	4,500.00	5,500.00	6,000.00
TOTAL EXPENSES	\$ 98,070.00	\$ 110,848.89	\$ 125,500.00	\$ 115,326.10	\$ 142,090.00
NET INCOME	\$ 20,950.00	\$ 14,335.14	\$ -	\$ (549.79)	\$ -

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 Expiration
Marty Stilling	Member	Resident	2020
Ted Balistreri	Member	Bus/Prop Owner	2020
Charlie Stalle	Member	Bus/Prop Owner	2022
Jeff Commer	Chairperson	Bus Rep.	2021
Bryan Schauland	Member	Bus/Prop Owner	2021
Kevin Schuk	Treasurer	Bus/Prop Owner	2022
Jamie Lynn Fritsch	Member	Bus Owner	2022
Phil Aiello	Member	Resident	2021
Stefanie Corbett	Member	Bus Rep.	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.
- Finance 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 2017 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)(1m): 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.

THOMAS STUHLMACHER
TERENCE STUHLMACHER

Name of Commercial Property Owner: JAMES KOSK

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: MJB

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: Tulan LLC

Commercial Property Address: 409-E Silver Spring

Signature of Commercial Property Owner: [Signature] - Martini

Title of Commercial Property Owner: Partner Date: 6/24/08

For Office Use Only:

Date Received: 6/24/08

Received by: [Signature]

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 2020

Index	Number	Dir.	Street	Type	Property Owner	Parcel Number	Assessed Property Value	Percentage of Property	2018 Prop. Assess.
41	5630	North	Lake	Drive	Kivley Investments, LLC	165-0284	\$ 450,000	0.87%	\$ 720
42	5600	North	Lake	Drive	Boulder Venture 12 LLC	165-0286-002	\$ 1,895,800	3.66%	\$ 3,033
30	5639	North	Lake	Drive	Sendik's Investments, LLC	165-0301	\$ 291,400	0.56%	\$ -
31	5633	North	Lake	Drive	Sendik's Investments, LLC	165-0302	\$ 296,600	0.57%	\$ -
33	5629	North	Lake	Drive	Sendik's Investments, LLC	165-0303	\$ 1,427,400	2.75%	\$ -
34	5605	North	Lake	Drive	B Bros LLC	165-0304	\$ 520,200	1.00%	\$ 832
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	\$ 3,931,000	7.59%	\$ 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	\$ 1,883,000	3.63%	\$ -
17	316	East	Silver Spring	Drive	Fox Bay Building Spe, LLC	165-0337	\$ 2,412,300	4.65%	\$ 3,500
18	342	East	Silver Spring	Drive	Silver Fox Properties, LLC	165-0338	\$ 425,200	0.82%	\$ 680
20	400	East	Silver Spring	Drive	Ramlal, LLC	165-0340	\$ 1,544,100	2.98%	\$ 2,471
21	412	East	Silver Spring	Drive	River Beach, LLC	165-0341	\$ 2,569,300	4.96%	\$ 3,500
22	430	East	Silver Spring	Drive	Associated Bank	165-0342	\$ 1,159,400	2.24%	\$ 1,855
1	106	West	Silver Spring	Drive	130, LLC	166-0270-007	\$ 1,152,200	2.22%	\$ 3,500
2	130	West	Silver Spring	Drive	130, LLC	166-0270-008	\$ 1,468,800	2.83%	\$ -
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	\$ 359,800	0.69%	\$ -
8	103	East	Silver Spring	Drive	Mathie WFB Holdings LLC	166-0364	\$ 1,070,100	2.06%	\$ 1,712
5	105	West	Silver Spring	Drive	KKW Enterprises, LLC	166-0365	\$ 518,100	1.00%	\$ 829
4	115	West	Silver Spring	Drive	KKW Enterprises, LLC	166-0366	\$ 432,100	0.83%	\$ 691
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	\$ 1,761,500	3.40%	\$ 3,500
12	177	East	Silver Spring	Drive	BMO Harris Bank	197-0014	\$ 1,881,100	3.63%	\$ 3,500
11	171	East	Silver Spring	Drive	BMO Harris Bank	197-0015	\$ 396,500	0.77%	\$ -
10	153	East	Silver Spring	Drive	The Kent Building LLC	197-0016	\$ 1,637,900	3.16%	\$ 2,621
9	111	East	Silver Spring	Drive	Atid Investments, LLP	197-0040-003	\$ 2,476,900	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	\$ 3,326,000	6.42%	\$ 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	\$ 1,074,900	2.07%	\$ 1,720
38	527	East	Silver Spring	Drive	Austin, LLC	198-0226	\$ 1,413,700	2.73%	\$ 2,262
37	523	East	Silver Spring	Drive	SJMEC, LLC	198-0227	\$ 585,100	1.13%	\$ 936
36	517	East	Silver Spring	Drive	Thomas Harris	198-0228	\$ 682,600	1.32%	\$ 1,092
35	501	East	Silver Spring	Drive	Diversey WFB LLC	198-0229	\$ 1,821,600	3.52%	\$ 2,915
26	421	East	Silver Spring	Drive	AMP Holdings LLC	198-0257	\$ 1,920,500	3.71%	\$ 3,073
25	417	East	Silver Spring	Drive	Lexor, LLC	198-0258	\$ 717,300	1.38%	\$ 1,148
24	401	East	Silver Spring	Drive	TOV LANU, LLP	198-0259	\$ 2,537,300	4.90%	\$ 3,500
23	325	East	Silver Spring	Drive	BV/B2 LLC	198-0287	\$ 4,021,200	7.76%	\$ 3,500
14	219	East	Silver Spring	Drive	Erastus Investments II LLC	198-0315	\$ 1,761,500	3.40%	\$ -

2018 Assessment	\$	1.60 per \$1,000 of value	\$	<u>51,822,400</u>	100.00%	\$	<u>63,590</u>
2018 Maximum	\$	3,500					

Assessed Value as of September 18, 2019

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 subs. 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.

66.1109 MUNICIPAL LAW

(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.

October 31, 2019

Business Improvement District
Village of Whitefish Bay
5300 N. Marlborough Dr.
Whitefish Bay, WI 53217

**Re: Legal Opinion Regarding 2020 Silver Spring Drive
Business Improvement District Operating Plan**

Dear District Board Members:

You have asked me to review the proposed Operating Plan for 2020 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.

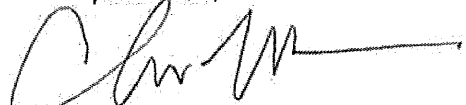
Under § 66.1109(2)(f) Wis. Stats., the Operating Plan for the District must specify (1) the special assessment method applicable to the District; (2) whether manufacturing property will be specially assessed; (3) the kind and location of proposed expenditures; (4) a description of methods of financing, 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 the applicable 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.

If you have any questions or comments, please do not hesitate to call.

Very truly yours,

Davis | Kuethau, s.c.



Christopher J. Jaekels

CJJ/das



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

Memorandum

To: President Siegel and Members of Village Board
 From: Jen Amerell, Finance Director/Clerk
 Date: November 12, 2019
 Re: Budget Summary & Budget Resolutions

JRA

Background

At the November 4th Village Board budget review session, the Board reviewed the 2020 Proposed Budget and discussed impacts on the levy amount, tax rate, utility rates and overall market basket. A summary of the 2020 budget achievements are listed below:

- 1.33% increase in tax levy
- 12.60% decrease in tax rate
- 7% water rate increase (pending PSC rate study completion)
- 0% stormwater rate change with no contribution from General Fund
- 0% local sewer rate change with no contribution from General Fund
- 2.38% increase on market basket cost for average assessed home with average utility usage
- Includes employee wage increases of 2.5%
- Includes 6.5% Increase in health insurance premium costs and 2% increase in dental premium costs

There were no recommended edits to the EAB budget line item as a result of the Public Works Committee's discussion on November 11th. Changes to the 2020 Proposed Budget from the Board review are as follows:

Capital Fund:			Original	Updated	Increase /
Dept	Acct #	Description	Budget	Budget	(Decrease)
VH	98000-380-1000	Energy Efficient Windows	-	35,000	35,000
Facilities	98000-380-1002	Fire Station Attic Insulation	-	15,000	15,000
Parks	98000-380-1004	Klode Park Playground Equipment	50,000	-	(50,000)
Total Budget Impact					-

Action Requested

Approve the 2020 Proposed Budget with above changes and adopt the following Budget resolutions:

- Resolution No. 3062: A Resolution to extend the tax levy and adopt individual governmental funds
 Resolution No. 3063: A Resolution adopting individual utility funds
 Resolution No. 3064: A Resolution authorizing the extension of assessments, special charges and delinquent charges on the tax roll

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

RESOLUTION NO. 3062

WHEREAS, the Village Board did on November 18, 2019 hold a public hearing on the proposed budgets for the Village of Whitefish Bay for the calendar year 2020.

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 2020:

Fund	Amount
General Fund	\$ 10,872,194
Library Fund	\$ 823,008
Debt Service Fund	\$ 3,736,853
Capital Fund	\$ 382,912
Special Assessment - Capital Projects Fund	\$ 120,110
Borrowed Money - Capital Projects Fund	\$ 2,366,500
TID No. 1 Fund	\$ 650,841
TID No. 2 Fund	\$ 335,801

These said budgets in detail are open to public inspection, Monday through Friday, between the hours of 8:00 AM and 4:30 PM at the Administration Department in Village Hall, 5300 N. Marlborough Drive, 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 2019 and to be collected in and during the taxpaying period of 2019-2020 the sum of Eleven Million Five Hundred Fifty One Thousand Four Hundred and Eight Dollars (\$11,551,408) 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 18, 2019 and the Clerk of said Village is hereby directed and authorized to extend said amount upon the 2019 tax roll of said Village.

PASSED AND ADOPTED this 18th day of November, 2019.

Julie Siegel, President

Countersigned:

Jennifer R. Amerell, Village Clerk

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

RESOLUTION NO. 3063

WHEREAS, the Village Board did on November 18, 2019, hold a Public Hearing on the proposed utility fund operating budgets for the Village of Whitefish Bay for the calendar year 2020.

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 2020:

Fund	Amount
Water Utility	\$ 2,268,895
Sewer Utility	\$ 2,743,633
Stormwater Utility	\$ 816,554

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 2020, 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 at the Administration Department in Village Hall, 5300 N. Marlborough Drive, Whitefish Bay, Wisconsin.

PASSED AND ADOPTED this 18th day of November, 2019.

Julie Siegel, President

Countersigned:

Jennifer R. Amerell, Village Clerk

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

RESOLUTION NO. 3064

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 2019 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 18th day of November, 2019.

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

DATE: 9/15/19

AGENDA ITEM: Ordinance No. 1859 – To Adopt the 2019 Comprehensive Plan Update of the Village of Whitefish Bay

ACTION REQUESTED: Ordinance Resolution Motion Information Only

BACKGROUND

At its meeting on October 21st, the Village Board discussed the proposed 2019 Comprehensive Plan Update. Specifically, the Board focused on the Implementation Chapter, which had previously been amended to reflect feedback from the Plan Commission following its review in September.

During the Board’s discussion on October 21st, multiple Board members suggested a “softening” of language associated with various “Goals + Actions” contained in the Implementation Chapter. In addition, there was discussion pertaining to the potential deletion of some of the “Goals + Actions” in their entirety.

Ultimately, it was decided that Board members would individually submit specific feedback/recommendations to the Village Manager. I received such feedback from three Trustees. Based upon direction from the Village, the GRAEF team incorporated the feedback into the attached redline version of the Implementation Chapter. Board members should note that although feedback was submitted regarding the potential deletion of some specific “housing” wording, the housing goals were kept intact to ensure Village compliance with Section 66.1001(2)(b) of Wisconsin Statutes.

While there was uniformity in a number of suggestions, there are a few “Goals + Actions” that reflect conflicting feedback. Those items are illustrated with a grey background and will require specific direction from the Board.

RECOMMENDED ACTION BY VILLAGE BOARD

To review/discuss the redline version of the Implementation Chapter and to adopt Ordinance No. 1859 subject to any final modifications/direction to Village staff.

Attachments:

1. Ordinance 1859
2. Redline Version of the DRAFT Implementation Chapter

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

ORDINANCE NO. 1859

An ordinance to adopt the 2019 Comprehensive Plan Update of the Village of Whitefish Bay, Wisconsin

The Village Board of the Village of Whitefish Bay, Wisconsin, do ordain as follows:

SECTION 1. Pursuant to sections 62.23(2) and (3) of Wisconsin Statutes, the Village of Whitefish Bay in 2009 prepared and adopted a comprehensive plan as defined in sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

SECTION 2. In accordance with section 66.1001(2)(i) of Wisconsin Statutes, comprehensive plans must be updated no less than once every 10 years, and the Village of Whitefish Bay has been drafted a comprehensive plan update to comply with said requirement.

SECTION 3. The Village Board of the Village of Whitefish Bay, Wisconsin, has adopted written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan update as required by section 66.1001(4)(a) of the Wisconsin Statutes.

SECTION 4. The plan commission of the Village of Whitefish Bay by a majority vote of the entire commission recorded in its official minutes, has recommended the adoption to the Village Board of the document entitled "Comprehensive Plan Update," containing all of the elements specified in section 66.1001(2) of the Wisconsin Statutes.

SECTION 5. The Village has held at least one public hearing on this ordinance, in compliance with the requirements of section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION 6. The Village Board of the Village of Whitefish Bay, Wisconsin, does, by the enactment of this ordinance, formally adopt the document entitled, "Comprehensive Plan Update," pursuant to section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION 7. This ordinance shall take effect upon passage by a majority vote of the members-elect of the Village Board and publication as required by law.

PASSED AND ADOPTED this 21st day of October, 2019.

Countersigned:

Julie Siegel, Village President

Jennifer Amerell, Village Clerk

Implementation | WFB

Housing Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
1	Develop and Support activities (the “carrots”) that promote the continual upkeep of existing housing stock, within our resource construct. CF	See enclosed actions	See enclosed actions	
a.	» Compose a list of residential styles in WFB, identify homes from each style that have been thoughtfully modified, and showcase their stories to WFB community members seeking examples of renovation over demolition. Consider initiating this action by building upon the HPC’s walking tour series and digital brochures.	Village Staff, ARC, HPC, WFB Historical Society, Consultants, Resident Participants TS	2020-2024	
b.	» Consider hosting an annual Tour of Homes, in conjunction with regional events, that features customized renovations and additions to existing residential structures in Whitefish Bay. KB: Delete TS: “Consider...”	Village Staff, ARC, WFB Civic Foundation, Consultants, Realtors	2025-2029	
c.	KB » Convene as needed with regional partners to support households in need of targeted housing assistance.	Village Staff, Milwaukee County Housing Division, Possible Future Ad Hoc Affordable Housing Group	2020-2024	
2	Revisit and update residential design standards that guide new home construction, as needed. CF	See enclosed actions	See enclosed actions	
a.	» Consider infusing sustainability and resilience goals into residential design standards. TS KB	Village Staff, ARC, Plan Commission, CDA, Consultants, WFB Environmental Group	2020-2024	
b.	» Ensure standards not only fit local density and context, but also encourage “aging in place”—that is, providing a home for our aging population within the community. CF	Village Staff, ARC, Plan Commission, CDA, Consultants, WFB Environmental Group	2020-2024	

Note: The Village Board is likely to have a review or approval role in many of these actions, and therefore is not expressly listed in each individual action.

Implementation | WFB

Housing Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
3	Nurture programs that make all housing units more sustainable & resilient.	See enclosed actions	See enclosed actions	
a.	» Facilitate Consider the creation of a Resilient Neighborhoods Committee, comprised of residents interested in sharing best practices for resilience with other residents. Consider making the first Committee event a “how-to” program on installation and maintenance of sustainable and resilient design elements: CF : Soften KB: Delete	Village Staff, ARC , WFB Environmental Group, Consultants	2020-2024	
b.	» Facilitate Encourage participation in solar “group buys” to ensure local residences are utilizing solar power. CF KB	Village Staff, ARC, WFB Environmental Group, Consultants	2020-2024	
c.	» Research, incentivize , and streamline approval processes for geothermal, white roofs, living walls, and “design against extinction” features for a variety of species. KB	Village Staff, ARC, Plan Commission, Public Works Committee	2020-2024	
4	Preserve a range of housing options that support households with varying income levels.	See enclosed actions	See enclosed actions	
a.	» Complete the 2019 Property Assessment Revaluation Project by finishing all Open Book appointments and making adjustments to revaluations as necessary.	Village Staff, Consultants	2019	
b.	» Consider extending tax incremental districts by one year to benefit housing and affordable housing throughout the community as allowed by state statute.	Village Staff, CDA	2025-2034	
c.	» Assemble an ad hoc committee – a brain trust comprised of local residents who are regional leaders in affordable housing – that can recommend to Village leadership the most prudent ways to continually ensure that housing in the community remains affordable for many: CF KB TS	Village Staff, Plan Commission	2020-2029	
d.	» Comprehensively review, fully evaluate, and widely circulate requests for residential lot combinations or any parcel boundary changes within the village.	Village Staff	2020-2040	

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Implementation | WFB

Economic Development Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
1	Recruit industries businesses that reflect the skills of the local workforce. CF	See enclosed actions	See enclosed actions	
a.	» As vacancies arise in commercial areas of the village, work with property owners and management companies to customize recruitment toward industries that employ the majority of the WFB workforce – currently educational services, healthcare, social assistance, finance, insurance, real estate, and various professional services. Seek current employment data when customizing recruitment efforts.	Village Staff, Merchants of WFB (BID), CDA, Consultants, Realtors	2020-2029	
b.	» Designate a point staff person in the village whose role is to advance both technology and triple bottom line sustainability in the village, i.e. economic vibrancy, environmental sustainability, and social equity.	Village Staff	2020	
2	Support the transformation of local commerce into a marketplace inclusive of food growth right in Whitefish Bay CF KB TS	See enclosed actions	See enclosed actions	
a.	» Identify local land and rooftop opportunities where growing food is viable, and partner with both property owners and growers to initiate agricultural practices at those locations.	Village Staff, WFB Environmental Group, Realtors, Property Owners, Private Companies / Organizations	2020-2040	
b.	» Evaluate how and where local food, once harvested, could be collected, processed, and distributed within the community.	Village Staff, WFB Environmental Group, Private Companies / Organizations	2020-2040	
c.	» As agricultural practices are established in the community, kickstart a WFB Farm to School Program.	Village Staff, WFB School District, Local Private Schools, WFB Garden Club, WFB Environmental Group, Local Growers / Producers	2020-2040	

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Economic Development Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
3	Encourage, celebrate, and reward business certifications and changes that demonstrate advancement in sustainable and resilient approaches.	See enclosed actions	See enclosed actions	
a.	» Review the plethora of business certifications and property investments that demonstrate commitments to sustainability and resilience, and identify those of interest to the community. Establish a policy or proclamation that acknowledges these advancements by individuals and companies, celebrate the work through events, and consider a microgrant to reward those who garner such certifications and changes.	Village Staff, Merchants of WFB (BID)	2020-2029	
4	Facilitate conversations that boost economic activity in 3 local districts.	See enclosed actions	See enclosed actions	
a.	» Pursue completion of relevant actions in the 2016 Silver Spring Drive Master Plan Update, and upgrade Village welcome and branding signage throughout the community.	Village Staff, Merchants of WFB (BID), CDA, WFB Civic Foundation	2020-2029	
b.	» Consider working with Bayshore Town Center representatives to develop a mutually beneficial marketing program for Bayshore and the Merchants of Whitefish Bay. TS	Village Staff, Merchants of WFB (BID), CDA	2020-2029	
c.	» Evaluate and, where appropriate, modify the zoning designations along East Henry Clay Street and/or zoning district language for District 5 - Apartment to build the district's role as the multifamily, commercial, and institutional seam between residential neighborhoods.	Village Staff, Plan Commission	2025-2029	
d.	» Initiate discussions with private owners and the City of Milwaukee about making commercial performance and capacity improvements to the East Hampton Road / North Santa Monica Boulevard intersection.	Village Staff	2025-2029	

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Implementation | WFB

Land Use + Natural Resources Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
1	Further integrate uses Encourage integration of uses, as market conditions demand, both on single parcels and strings of parcels. CF	See enclosed actions	See enclosed actions	
a.	» Allow for continued small-format retail and office spaces along East Henry Clay Street between Santa Monica Boulevard on the west and Marlborough Drive on the east, thus encouraging a mix of uses that provides for greater walkability to local destinations.	Village Staff, Plan Commission	2020-2040	
b.	» Initiate discussions about Consider increasing the mix and intensity of uses at the intersection of East Hampton Road / North Santa Monica Boulevard to encourage walkability, traffic reduction, and a more robust commercial mix. TS	Village Staff, Plan Commission	2025-2040	
2	Educate community members on the village's comprehensive natural resources, i.e. beyond parks, woodlands, and wetlands classifications.	See enclosed actions	See enclosed actions	
a.	» Activate local discussions about the Great Lakes Compact and Sustainable Water Resources Agreement by including feature news pieces in Bay Leaves, the Village's weekly e-newsletter, on the web and social media, and in relevant local event communications e.g. Bay Day.	Village Staff, WFB Environmental Group, NSWC	2020-2040	
b.	» Make and publish a municipal tree removal & replacement map showing, in 1-year or 5-year increment categories, the location of removed & replaced trees (and their species) on public lands over the last 20 years. Make and publish a planned tree removal & replacement map for public land over the next 10-20 years; educate private property owners on impacts.	Village Staff, Public Works Committee, Consultants	2020-2024	
c.	» Compensate for the absence of Class I and Class II "National Prime Farmlands" by implementing the actions listed in the Economic Development section of this document. TS KB	Village Staff, WFB School District, Local Private Schools	2020-2040	
d.	» Participate in the current coastline management and coastal development guideline discussions with Milwaukee County and its municipalities. As policies and best practices emerge, communicate those in public meetings and directly to private property owners within the broader lakeshore area.	Village Staff	2020-2024	

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Implementation | WFB

Land Use + Natural Resources Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
3	Shift local efforts toward habitat-diversifying approaches.	See enclosed actions	See enclosed actions	
a.	» Encourage local groups to study study the local presence of rare species listed in this chapter, and work with regional and state partners to develop + implement a plan that not only preserves existing rare species, but supports diversifying the local habitat in support of rare species. KB	Village Staff, WFB Environmental Group, WFB Garden Club	2020-2024	
b.	» Develop a reimbursable, matching grant program for Encourage private property owners to install a pre-approved list of rare plant species in landscaped areas. KB	Village Staff	2025-2029	
c.	» Work collaboratively to ensure that capital, operating, and Encourage maintenance plans for all public land, i.e. Village land and School District land, and local private institutional land transitions landscaped areas away from non-native species and toward rare plant species. TS	Village Staff, WFB School District, Local Private Schools, Local Private Institutions	2020-2024	
4	Alter the current Explore a plan for parks and landscape management practices in Whitefish Bay. CF	See enclosed actions	See enclosed actions	
a.	» Prohibit the use of herbicides and pesticides on public land in Whitefish Bay, and institute a grant program to encourage pesticide- and herbicide-free maintenance on private property. KB	Village Staff, WFB School District	2020-2024	
b.	» Develop a public-private partnership that offers low-cost sustainable landscape services for public and private property, thereby replacing chemical and gasoline-powered maintenance with manpower, hand weeding and pruning, native perennial plantings, and natural fertilizers. KB TS	Village Staff, Private Partner(s)	2025-2034	
c.	» Develop a parks master plan to guide future investment in all local parks.	Village Staff, Plan Commission, Public Works Committee	2020-2024	

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Implementation | WFB

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Circulation Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
1	Build on Whitefish Bay's reputation as a walkable and bikeable destination.	See enclosed actions	See enclosed actions	
a.	» Consider Undertake a village-wide traffic calming, wayfinding, and bike/ped striping and signage plan that recommends where to install new striping, signage, crosswalks, and traffic calming measures to support modes of transportation other than automobile or bus. Prioritize implementation of plan recommendations in the subsequent three to five years of capital improvement budgets. Evaluate installations for both durability and sustainability. TS	Village Staff, Public Works Committee	2025-2029	
b.	» Partner initially with the Whitefish Bay School District, Dominican High School, St. Monica School, and Holy Family School to revisit the Safe Routes to School program, and determine which principles should be high-priority applications in Whitefish Bay. If possible, conduct this review concurrently with the village-wide traffic calming, wayfinding, and bike/ped striping and signage plan process. After an initial review, determine how local child care establishments can participate in the process, and whether an ad hoc committee can form to manage regular review.	Village Staff, Plan Commission, Public Works Committee, WFB School District, Local Private Schools	2025-2034	
c.	» Continue coordinating with bike share programs to identify suitable locations for stations within Whitefish Bay and establish an ideal timeline for installation.	Village Staff, CDA, Public Works Committee, Merchants of WFB (BID)	2020-2024	
d.	» Deter excessive speed with continuous traffic calming, pavement marking, and police presence, particularly along the community's arterial / collector roads and near public schools and local parks.	Village Staff	2020-2040	
2	Support the continual maintenance and sustainable performance of the existing circulation network.	See enclosed actions	See enclosed actions	
a.	» Preserve the existing bikeway / trail network access in Whitefish Bay, and collaborate to expand this network further into the community.	Village Staff, Public Works Committee, City of Milwaukee, Village of Shorewood, Village of Fox Point, Milwaukee County, Bubl Bikes	2025-2040	
b.	» Work with Encourage Milwaukee County Transit System to review the performance and ridership of local transit routes. Aim to reevaluate every 2-4 years. Collaborate with MCTS and private philanthropy to install bus shelters or canopies along both routes. regardless of prior ridership data. TS	Village Staff, MCTS Staff	2020-2040	
c.	» As asphalt and concrete surfaces in the public realm come due for replacement, focus on consider installing permeable pavement or porous asphalt. Align replacement with water & sewer line repairs. TS KB	Village Staff, Public Works Committee	2020-2040	
d.	» Implement still-relevant actions from the Silver Spring Drive Master Plan Update and the Silver Spring Drive Parking Strategy that have not yet been implemented.	Village Staff, CDA, Merchants of WFB (BID)	2020-2034	

Implementation | WFB

Circulation Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
4	Forecast changes to transportation, and plan ahead.	See enclosed actions	See enclosed actions	
a.	» Extract from Connections 2030 and VISION 2050 (or replacement plans from WisDOT and SEWRPC) the set of recommendations relevant to Whitefish Bay's transportation network, and review them every few years with the Plan Commission and / or Village Board to aid decision-making.	Village Staff	2020-2040	
b.	» Track the development of drone delivery services at a national scale, and determine if or when to develop ordinances governing the use of drone delivery services in Whitefish Bay.	Village Staff, North Shore Managers	2020-2040	
c.	» Forecast the arrival of electric scooters in Whitefish Bay, and develop a set of policies governing the usage, storage, and operations of electric scooters and related programs in the community.	Village Staff, North Shore Managers	2020-2040	
d.	» Review the status of discussions pertaining to driverless vehicles, and informally track potential impacts to the community.	Village Staff, North Shore Managers	2020-2040	
e.	» Evaluate, craft, and adopt a living complete streets policy and consider commissioning a living complete streets plan that guides forthcoming changes in Village streets. CF KB TS	Village Staff, Plan Commission, Public Works Committee	2025-2040	

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Implementation | WFB

TBL, Resilience, Culture Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
1	Respond to community desires provided via written comment for this plan. CF: NO to both 1A & 1B	See enclosed actions	See enclosed actions	
a.	» "Improve energy efficiency and reduce energy consumption" by including TS considering efficiency standards in design approval of all new buildings in WFB, and monitoring Village buildings for energy efficiency and making needed changes as soon as possible.	Village Staff, Public Works Committee	2020-2040	
b.	» KB Initiate Consider efforts to "achieve zero waste" by eliminating TS reducing single-use plastics from Village and School District offerings, perhaps replacing them with compostable materials. CF KB	Village Staff, WFB School District CF KB	2020-2040	
2	Further evaluate and implement TBL and Resilience efforts in WFB. CF: NO	See enclosed actions	See enclosed actions	
a.	» Evaluate the establishment of one or two CF nimble commissions or task forces in WFB that cover both triple bottom line policies and actions and resilience policies and actions. Review how the former EAC can inform the structure of the commission(s) or task force(s).	Village Staff	2020-2024	
b.	» Seek to make WFB both "RainReady" and "StormReady" in keeping with nationwide efforts by a) connecting to the RainReady Community program, and b) applying for and completing the StormReady program.	Village Staff	2020-2024	
c.	» Initiate a "WFB TBL + Resilience Plan" which seeks to a) answer the questions about TBL + Resilience posed in the comprehensive plan update, and b) assigns priorities to the actions needed in WFB to further a sustainable and resilient way of living.	Village Staff	2020-2029	
d.	» Build on recent green infrastructure investments by convening local partners in implementing investigating additional regional green infrastructure solutions opportunities as they arise . Assertively seek private philanthropic support for these solutions. TS	Village Staff	2020-2040	

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Implementation | WFB

TBL, Resilience, Culture Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
3	Enhance the use and awareness of local cultural resources in WFB.	See enclosed actions	See enclosed actions	
a.	» Activate Consaul Commons as the primary public feature in Downtown Whitefish Bay. Complete the redesign of Consaul Commons in accordance with the goals outlined in the 2018 Request for Proposals.	Village Staff , CDA, Merchants of WFB (BID) TS	2020-2024	
b.	» Update the interactive digital brochures of the properties listed on the Whitefish Bay Architecture & History Inventory to provide more information about the properties themselves while infusing related narratives about the overall community history.	Village Staff , HPC, WFB Historical Society TS	2020-2024	
c.	» Review the 12 districts eligible as historic districts in the 2010-2011 Architectural and Historical Intensive Survey Report, and consider nominating them as Wisconsin historic districts to increase district appeal and unlock additional resources.	Village Staff , HPC, WFB Historical Society, Property Owners TS	2020-2029	
d.	» Maintain and publish a full list of community groups in Whitefish Bay to help educate staff and the general public as to general cultural resources not provided through the public sector. TS	Village Staff	2020-2040	

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Government + Services Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
1	Seek deeper cooperation from existing local public partnerships.	See enclosed actions	See enclosed actions	
a.	» Meet with SEWRPC to evaluate how local development decisions and physical changes a) are impacted by regional changes, b) will impact regional circulation and services, and c) can address the needs of the aging regional population.	Village Staff	2020-2040	
b.	» Identify the point person(s) for coordinating Village and School District service provisions in Whitefish Bay. Coordinate with multiple partners an annual or bi-annual native plant sale in conjunction with the grant program mentioned in the Natural Resources Section. KB	Village Staff, WFB School District, Farmers Market / Merchants of WFB (BID), WFB Garden Club, WFB Environmental Group, and/or Bay Day coordinators	2020-2040	
c.	» Consider Eextending the residential green infrastructure program, known as "WFB Green Summer", by extending an agreement with MMSD, to ensure all properties (regardless of type) have received consultations and installations for stormwater best management practices educating property owners on potential green solutions available through MMSD. KB TS	Village Staff, MMSD	2020-2029	
d.	» Utilize the North Shore Managers convening as a forum for developing a North Shore economic development strategy, and to exchange business recruitment and retention issues.	Village Staff, North Shore Managers	2020-2040	
2	Develop policies & programs to share knowledge about existing public facilities, utilities & infrastructure – and about maintenance best practices.	See enclosed actions	See enclosed actions	
a.	» Develop preventative maintenance plans for all community facilities in concert with multi-year capital planning, review during both budget season and midway through each fiscal year, and post these efforts on the Village website and social media.	Village Staff, Public Works Committee	2020-2040	
b.	» Evaluate options & select the intended path to address / replace the presence of lead water lines.	Village Staff, Public Works Committee	2020-2040	
c.	» Institute a policy that requires any type of municipal building demolition to undertake a deconstruction process. Research the organizations that manage deconstruction and/or reuse materials that otherwise enter the waste stream, and educate the community on the Village's efforts to lead the charge.	Village Staff	2020-2040	
d.	» Build upon the Village's recent installation of solar panels atop its DPW facility, and evaluate appropriate locations for municipal solar fields on the public buildings or ground locations. Include Consider including installations in future capital improvement programming. KB	Village Staff, Public Works Committee	2020-2040	
e.	» Update Consider updating the municipal fleet to hybrid or electric vehicles, as vehicles come due for repair or replacement, and strive to charge vehicles with electric capabilities connected to the local renewable energy grid. TS KB	Village Staff	2020-2040	
f.	» Evaluate program benefits, and consider adopting ordinances for both the Broadband Forward! and Telecommuter Forward! programs sponsored by the PSC Wisconsin Broadband Office. Develop a plan for the community's preferred deployment of wireless infrastructure in WFB.	Village Staff	2025-2029	

Implementation | WFB

Government + Services Goals + Actions		Who should be involved?	What is the time frame needed?	What is the status? (working column)
3	Position the community to function beyond standard waste disposal. CF: Soften 3a,b,c)	See enclosed actions	See enclosed actions	
a.	» Partner with TerraCycle and community members to provide Investigate the potential for local drop-off locations of otherwise non-recyclable materials. TS	Village Staff, WFB School District, Local Private Schools, WFB Environmental Group	2020-2040	
b.	» TS Expand Consider expanding Bay Day / Green Day in the Bay / Recycle Day in the Bay, through additional locations and/or additional event days, to encourage proper disposal and recycling of all products in WFB.	Village Staff, WFB Civic Foundation, WFB Environmental Group, WFB Garden Club, WFB School District	2020-2040	
c.	» Continue to encourage the diversion of produce waste from refuse collection by promoting on-site composting and/or compost collection programs and educating citizens on single-use plastics.	Village Staff, WFB School District, Local Private Schools, Local Private Institutions	2020-2040	

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