

**NOTICE OF MEETING AND PUBLIC HEARING
VILLAGE OF FOX POINT
VILLAGE BOARD MEETING**

**SCHWEMER HALL – MUNICIPAL BUILDING
7200 N. SANTA MONICA BLVD
FOX POINT, WI 53217**

**TUESDAY
APRIL 9, 2019
7:00 P.M.**

AGENDA

- 1. Roll Call**
- 2. Persons desiring to be heard**

At this time, individuals can address the Village Board on one or more topics for up to three-minutes with time extensions at the Village President's discretion. Individuals desiring to be heard may reserve a portion of their time, or defer it altogether, to when the Board takes up an agenda item. In connection with non-agenda items, no action will be taken except for possible referrals to individuals or committees.

- 3. Committee Reports**

- a. Plan Commission**

1. The Village Board will receive a report concerning the Plan Commission's review and recommendation to the Village Board regarding the Certified Survey Map, which includes a proposed land combination of two parcels submitted by Applicant Richard J. McMicken, located at 7210 North Barnett Lane.
2. The Village Board will receive a report concerning the Plan Commission's review and recommendation to the Village Board regarding a Conditional Use Permit for Applicant Amanda Tulloch, d/b/a, Pure Lotus Boutique Kindergarten, 6846 N Santa Monica Blvd.
3. The Village Board will receive a report concerning the Plan Commission's review and recommendation for Applicant Wheel & Sprocket, Inc., 6940 N Santa Monica Blvd, to add a Coffee Shop within the existing Sporting Goods Store.
4. The Village Board will receive a report concerning the Plan Commission's review and recommendation to the Village Board regarding An Ordinance to Repeal and Re-create the Definition of Time Share Property on the regulation of vacation rental establishments in the Village.

4. Public Hearings

a. Ordinance to Repeal and Re-Create the Definition of Time Share Property in the Village of Fox Point

As required, the Village Board will hear comments and input on the Ordinance to Repeal and Re-Create the Definition of Time Share Property. This ordinance would amend the definition of “time share property” contained in Section 745-2 of the Village of Fox Point Zoning Code, to remove a regulation of rental for less than 120 days, to comply with recently adopted Wisconsin Statutes §66.1014.

b. Ordinance to Repeal and Re-Create Sections 745-23 A., B., C. (Intro), and D. (Intro) and Create Section 745-23 c.(4)(e) of the Village of Fox Point Village Code Concerning Wireless Telecommunications Mobile Service Facilities.

As required, the Village Board will hear comments and input on the Ordinance to Repeal and Re-Create Sections 745-23 A., B., C. (Intro, and D. (Intro) and Create Section 745-23 C.(4)(e) of the Village of Fox Point Village Code Concerning Wireless Telecommunications Mobile Service Facilities. This ordinance would amend Village Regulation of telecommunications facilities within the Village of Fox Point Zoning Code, to comply with recent order of the Federal Communications Commission.

5. Consent Agenda – All items listed under the Consent Agenda will be approved in one motion without discussion unless any Board member requests that the item be removed for individual discussion and possible action. Any item(s) so removed shall be considered individually prior to consideration of any New Business agenda items in the same order in which they were originally listed in the Consent Agenda.

- a.** Approve the minutes of the March 12, 2019 Village Board meeting.
- b.** Grant approval for the issuance of a “Class B” Beer and Intoxicating Liquor license to A’Viands, LLC, 775 Woodlands Pkwy, Ste 100, Ridgeland, MS 39157-5214., d/b/a, A’Viands at Cardinal Stritch University, with the appointment of Agent: Allan Fischer. Premise to be licensed as described and located at: Cardinal Stritch University, 6801 N Yates Road, Fox Point, WI 53217, per the Village Clerk/Treasurer’s memo dated March, subject to the satisfaction of all outstanding financial obligations to the Village of Fox Point.
- c.** Approve the Land Combination and Certified Survey Map submitted by Applicant Richard J. McMicken for the property located at 7210 North Barnett upon all terms and conditions recommended by the Plan Commission.
- d.** Accept the proposal of Kapur & Associates in an amount not to exceed \$14,958 for the televising of approximately 17,600 feet of sanitary sewer main in Sanitary Sewer Basin No. 5 and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works’ memorandum dated March 25, 2019.

- e. Accept the proposal of Crawford Tree and Landscape, 8760 W. Calumet Road, Milwaukee in an amount not to exceed \$48,000.00 for the 2019 Emerald Ash Borer Treatment Project and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Village Forester's memorandum dated April 2, 2019.
- f. Adopt proclamation establishing Friday, April 26, 2019, as Arbor Day in the Village of Fox Point and urge all citizens to support the efforts to protect our trees and woodlands and to support our Village's urban forestry program.
- g. Accept the quote of WSO Grading & Excavating in the amount of \$15,545 for the installation of storm sewer pipe on Lilac Lane and authorize the Village Manager to sign the quote per the Direction of Public Works' memorandum dated March 29, 2019.
- h. Adopt proclamation establishing May 5, 2019 through May 11, 2019, as Municipal Clerks Week in the Village of Fox Point in recognition and awareness of Municipal Clerks and the vital services they provide for local government and the community, including the Village of Fox Point.
- i. Accept the proposal of Brooks Tractor, Inc. of Milwaukee in the amount of \$75,859.00 for the purchase of a backhoe/loader and authorize the Village Manager to sign the purchase orders per the Assistant Director of Public Works' memorandum dated March 29, 2019.
- j. Approve the permit to use Village streets for the Fox Point-Bayside PTO Cupcake Run on Saturday, June 1, 2019 per the Assistant Village Manager's memo dated April 10, 2019.
- k. Adopt a Resolution Supporting State of Wisconsin Levy Limit Exemptions for Consolidated Dispatch Centers.
- l. Grant a Conditional Use Permit to applicant Amanda Tulloch, d/b/a, Pure Lotus Boutique Kindergarten, 6846 N Santa Monica Blvd., and authorize the Village President and Village Clerk/Treasurer to sign the Conditional Use Order.
- m. Grant a Conditional Use Permit to applicant Wheel & Sprocket, Inc., 6940 N Santa Monica Blvd, to add a Coffee Shop within the existing Sporting Goods Store, and authorize the Village President and Village Clerk/Treasurer to sign the Conditional Use Order.
- n. Adopt Resolution for Update to Wisconsin Public Employers' Group Health Insurance Program, dated, April 9, 2019.
- o. Approve Payment of the Bills in the amount of \$762,395.71 for the period March 1, 2019 through March 31, 2019 per the report submitted by the Village Manager.

6. Unfinished Business

a. Property Located at 411 E. Bradley Road

The Board will hear a status report for consideration and possible action, including a progress report, specific milestones, contracts, architectural renderings, estimates of costs and expected completion dates by owner Infinity Funding, LLC on the property located at 411 E. Bradley Road.

b. Property Located at 139 E. Good Hope Road

The Board will be given a status report for consideration and possible action, including a progress report, specific milestones, contracts, architectural renderings, estimates of costs and expected completion dates by owner Nagel Real Estate, LLC on the property located at 139 E. Good Hope Road.

c. Aquatic Facility Study Presentation

The Board will be given a presentation by Ayres Associates in regard to the 2019 Aquatic Facility Study. The Board will also discuss and may authorize staff to solicit quotes from a specialized organization to develop a community survey.

d. Ordinance to Repeal and Re-Create the Definition of Time Share Property in the Village of Fox Point

The Village Board will discuss, consider, and may act on an Ordinance to Repeal and Re-Create the Definition of Time Share Property for the Village of Fox Point Village Code.

e. Ordinance to Create Regulation of Vacation Rental Establishments in the Village of Fox Point

The Village Board will discuss, consider and may act on an Ordinance to create regulation of vacation rental establishments in the Village of Fox Point.

f. Ordinance to Repeal and Re-Create Sections 745-23 A., B., C. (Intro), and D. (Intro) and Create Section 745-23 c.(4)(e) of the Village of Fox Point Village Code Concerning Wireless Telecommunications Mobile Service Facilities.

The Village Board will discuss, consider, and may act on an Ordinance to Repeal and Re-Create Sections 745-23 A., B., C. (Intro), and D. (Intro) and Create Section 745-23 C.(4)(e) of the Village of Fox Point Village Code concerning wireless telecommunications mobile service facilities.

g. Ordinance to Create Section 292-5.5 of the Village of Fox Point Village Code Concerning Obstructions and Encroachments in the Village Rights-of-Way

The Village Board will discuss, consider and may act on an Ordinance to Create Section 292-5.5 of the Village of Fox Point Village Code concerning obstructions and encroachments in the village rights of way.

7. New Business

a. Bequest and Gift from Ken Leindecker to the Village of Fox Point

The Village Board will consider and may take action concerning Ken Leindecker's bequest of certain real property located in Price County, Wisconsin and other gifts to the Village of Fox Point. President Frazer will give a verbal report on the bequest.

8. Future Agenda Items

The Village Board will act on any Trustee requests to place additional matters on an upcoming agenda, without discussion.

9. Announcements

The following individuals will be given the opportunity to make announcements at the meeting in regard to (i) actions taken since the previous Village Board meeting on behalf of the Village, (ii) future Village activities and (iii) communications received from citizens. These matters will not be discussed or acted on, and Board members shall not comment on matters announced by others. Referrals may be made to committees and/or individuals.

- a. Village President Frazer
- b. Trustee Fonstad
- c. Trustee Symchych
- d. Trustee Sumner
- e. Trustee Tirado
- f. Trustee Kravit
- g. Trustee Ollman
- h. Village Manager Scott Botcher

10. Adjourn

NEXT REGULAR VILLAGE BOARD MEETING: MAY 14, 2019 7:00 P.M.

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request these services, contact the Village Clerk at (414) 351-8900. Persons requiring an interpreter or other assistance should contact the Village Clerk's office 72 hours prior to the meeting. Notice is hereby given that a majority any other board, commission or committee may be present at the meeting to gather information about a subject in which they are interested. This constitutes a meeting of any other board, commission or committee pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis. 2d 553, 494 2d 408 (1993), and must be noticed as such, although said boards, commissions or committees will not take any formal action at this meeting."