

**VILLAGE OF FOX POINT
VILLAGE BOARD MEETING MINUTES
MARCH 9, 2021**

A meeting of the Fox Point Village Board was held virtually via telephonic and video conferencing on Tuesday, March 9, 2021 in Schwemer Hall, 7200 N. Santa Monica Boulevard. President Frazer called the meeting to order at 7:00 p.m. and asked the Village Clerk-Treasurer to take roll call. Roll Call of the Village Board present included:

Village President Douglas H. Frazer
Trustee Eric Fonstad
Trustee Liz Sumner
Trustee Marty Tirado
Trustee Greg Ollman
Trustee Bill Kravit

Not Present:

Trustee Christine Symchych

Also, present were Village Attorney Eric Larson, Village Manager Scott Botcher, Assistant Village Manager Michael Pedersen, Public Works Director Scott Brandmeier, City Water Director of Operations Jim Voigt, North Shore Fire Department Robert Whitaker, and Village Clerk Treasurer Kelly Meyer.

Notice of the meeting was provided to the North Shore Now and to all others as required by State open meetings laws and posted on the official bulletin board at 7200 N Santa Monica Boulevard, as well as the village website at www.villageoffoxpoint.com, as per 2015 Wisconsin Act 79 and as described in Village Ordinance Chapter 116-2, 116-2(C).

Persons desiring to be heard

President Frazer opened Persons desiring to be heard and clarified the rules of persons desiring to be heard.

Nicolet Superintendent Dr. Greg Kabara

Dr. Kabara gave a brief background on the Nicolet School District 2021 operational referendum.

Shirini Matugama, 8307 N Greenvale Road

Ms. Matugama recognized the Village Board's action on the purchase of land for the creation of the bioretention basin on N. Greenvale Road. In her view this was essential. She does have some concerns on the construction and how this will affect the properties around the bioretention basin.

Elizabeth Aelion, 210 W Bergen Court

Ms. Aelion stated she had concerns regarding the second time there has been a closed session to discuss the sale of public property in the Village; she feels there is no reason for the Board should speak about this in closed session.

Ms. Aelion also noted that the Lake Drive Project does have more clarity now on which sections need to be widened for a bike path, but the cost estimates exclude the cost of acquiring property or easements or for moving utilities. It would be useful if the village could make clear what, if any, property would have to be acquired and what trees would have to be cut down particularly if the bike path is going to be on the side of the street where the foot path would be.

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Without objection and hearing no other remarks, President Frazer closed the public comment period.

Committee Reports – Plan Commission

President Frazer informed the public and Village Board regarding the March 1, 2021 Plan Commission meeting. The Comprehensive Plan was the only item on the Plan Commission agenda. Plan Commission felt the Comprehensive Plan product was satisfactory, including the changes that were proposed by Trustee Fonstad and therefore, the Comprehensive Plan will move forward at the next Plan Commission meeting for referral to the Village Board.

Trustee Fonstad briefly discussed the changes made to the Comprehensive Plan. The Comprehensive Plan and will be placed in final version for collaboration in collaboration with Assistant Village Manager Michael Pedersen.

Consent Agenda

- a. Accept the quote of Lakeside International in the amount of \$46,753 for the purchase of the cab and chassis for Truck No. 4 plus an additional amount of \$3,500 for body modifications, graphics and other miscellaneous items for an amount not to exceed \$50,253 pursuant to the Lead Mechanic's memorandum dated February 26, 2021.
- b. Accept the quote of Monroe Truck Equipment in the amount of \$96,836 for the purchase of the body and associated equipment for Truck No. 4 plus an additional not to exceed amount of \$1,500 for body modifications, graphics and other miscellaneous items for an amount not to exceed \$98,336 pursuant to the Lead Mechanic's memorandum dated February 26, 2021.
- c. Accept the quote of Ewald Automotive Group of Hartford in the amount of \$30,485 for the purchase of the cab and chassis for Truck No. 16 plus an additional amount of \$2,000 for body modifications, graphics and other miscellaneous items for an amount not to exceed \$32,485 pursuant to the Lead Mechanic's memorandum dated February 26, 2021.
- d. Accept the quote of Olson Trailer & Body in an amount not to exceed \$34,372 for the purchase of the body and associated equipment for Truck No. 16 pursuant to the Lead Mechanic's memorandum dated February 26, 2021.
- e. Accept the proposal of Kapur & Associates in an amount not to exceed \$58,839 for the drainage analysis of Bywater Lane and Portage Road and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated March 5, 2021.
- f. Accept the bid of All-Ways Contractors, Inc. in the amount of \$91,410 for the construction of the Greenvale Road bioretention basin and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated March 1, 2021.

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- g.** Accept the proposal of Kapur & Associates in an amount not to exceed \$25,754 for inspection services associated with the construction of the Greenvale Road bioretention basin and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated March 1, 2021.
- h.** Accept the bid of Globe Contractors, Inc. in the amount of \$67,700 for the 2021 sanitary and storm sewer reconstruction project located on Santa Monica Boulevard, Holly Court, Bell Road and Goodrich Lane and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated March 1, 2021.
- i.** Accept the proposal of Kapur & Associates in an amount not to exceed \$13,416 for inspection services associated with the 2021 sanitary and storm sewer reconstruction project and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated March 1, 2021.
- j.** Accept the bid of Visu-Sewer, Inc. in the amount of \$204,862.50 for the 2021 sanitary and storm sewer rehabilitation project in Sanitary Sewer Basin Nos. 4 and 5 as well as Santa Monica Boulevard and Holly Court and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated March 1, 2021.
- k.** Accept the proposal of Kapur & Associates in an amount not to exceed \$22,666 for inspection services associated with the 2021 sanitary and storm sewer rehabilitation project and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated March 1, 2021.
- l.** Accept the bid of All-Ways Contractors, Inc. in the amount of \$2,301,875.25 for the 2021 road and utility reconstruction project located on Santa Monica Boulevard, Regent Road and a portion of Goodrich Lane and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated March 1, 2021.
- m.** Accept the proposal of Kapur & Associates in an amount not to exceed \$138,404 for inspection services associated with the 2021 road and utility reconstruction project and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated March 1, 2021.
- n.** Accept the proposal from RU2 Systems for the Radar Speed Trailer with Variable Message Board in the amount of \$16,919.00 and authorize the Village Manager to sign the purchase order to obtain the trailer.
- o.** Approve Resolution 21-XXXX, A Resolution Approving a "Single or Multi-Year Capital" Budget to Purchase Large Apparatus Equipment for 2022, 2023, 2024 and 2025 for North Shore Fire Department.
- p.** Approve payment of the bills in the amount of \$290,990.13 for the period February 1, 2021 through February 28, 2021 per the report submitted by the Village Manager.

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Trustee Ollman requested the removal of consent agenda item 4f. Trustee Sumner withdrew items 4g and 4o.

Motion made by President Frazer, seconded by Trustee Tirado, unanimously by roll call vote (6-0), to approve the consent agenda, absent consent agenda items 4f, 4g, and 4o.

Consideration and possible action on Lake Drive design considerations

Director of Public Works Scott Brandmeier gave Lake Drive Project background, including detailed cost estimates which were requested by the Board at the December and January Village Board meetings.

By consensus, the Village Board directed staff to put something together in a two-party contract to include a public information meeting/presentation in the next 60 days outlining the concrete options and various costs discussed, as simply, economically and efficiently as possible regarding the Lake Drive design considerations.

Conditional Use Permit Denial concerning Spring North Corp., d/b/a Pantry 41, 8000 North Port Washington Road, Fox Point, for a Convenience Store and Gas Station.

Motion made by Trustee Fonstad, seconded by Trustee Ollman, and carried by roll call vote (6-0) to approve the Conditional Use Order with the written Findings of Fact, Conclusions of Law and Order the Conditional Use Permit to Spring North Corp., d/b/a Pantry 41, 8000 North Port Washington Road, Fox Point, for a Convenience Store and Gas Station.

Accept the bid of All-Ways Contractors, Inc. in the amount of \$91,410 for the construction of the Greenvale Road bioretention basin (4f).

Motion made by Trustee Fonstad, seconded by Trustee Ollman, and carried by roll call vote (6-0) to accept the bid of All-Ways Contractors, Inc. in the amount of \$91,410 for the construction of the Greenvale Road bioretention basin and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memo dated March 1, 2021.

Accept the proposal of Kapur & Associates in an amount not to exceed \$25,754 for inspection services associated with the construction of the Greenvale Road bioretention basin (4g).

Motion made by Trustee Sumner, seconded by Trustee Fonstad, and carried by roll call vote (6-0) to accept the proposal of Kapur & Associates in an amount not to exceed \$25,754 for inspection services associated with the construction of the Greenvale Road bioretention basin and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated March 1, 2021.

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Approve Resolution 21-XXXX, A Resolution Approving a “Single or Multi-Year Capital” Budget to Purchase Large Apparatus Equipment for 2022, 2023, 2024 and 2025 for North Shore Fire Department (4o).

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (6-0) to adopt Resolution 21-XXXX, A Resolution Approving a “Single or Multi-Year Capital” Budget to Purchase Large Apparatus Equipment for 2022, 2023, 2024 and 2025 for North Shore Fire Department.

Consideration of Ordinance to Create Article V of Chapter 325 of the Village of Fox Point Code Concerning the Replacement of Lead Water Service Lines Within the Village of Fox Point.

Motion made by Trustee Fonstad, seconded by Trustee Ollman, and carried by roll call vote (6-0) to adopt Ordinance to Create Article V of Chapter 325 of the Village of Fox Point Code Concerning to Replacement of Lead Water Service Lines Within the Village of Fox Point, as set forth in the agenda with the various blanks filled in on page 84, Item E, the number 21 business days should be inserted; page 85, Item F (1), 7 business days should be inserted; page 85 F (2), 21 business days should be inserted; and page 86, under sub 2, three percent per annum or the cost of capital plus one percent, whichever is larger should be inserted.

Consideration and possible action on the Beach Drive coastal resiliency design proposals, and possible award of a contract.

Motion made by Trustee Fonstad, seconded by President Frazer, and carried by roll call vote (6-0) to rescind the approval of the contract with Smith Group and authorize staff to engage MSA for the Beach Drive coastal resiliency design work.

Consideration and possible action concerning a Relocation Order and Resolution of Necessity for Storm Sewer Easement Acquisition and Improvement Work on 6747 and 6759 North Holly Court

Motion made by President Frazer, seconded by Trustee Tirado, and carried by roll call vote (6-0) to approve the relocation order and adopt the Resolution of Necessity for Storm Sewer Easement Acquisition and Improvement Work on 6747 and 6759 North Holly Court, as outlined in the agenda packet on page 98.

Future Agenda Items – None.

Announcements

Trustee Fonstad

Trustee Fonstad reported on the North Shore Library statistics for February; in-person visits are down and electronic activity is up.

Trustee Fonstad announced he is working on the Candidate Selection Committee to find a new Library Director. The Committee has identified the final candidates. The interviews

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with the last two candidates were yesterday and the last interview will be on Thursday. The Committee intends to make a recommendation next week to fill the position.

Village President Frazer

President Frazer thanked the staff for a successful ice-skating season.

Village Manager Scott Botcher

Village Manager Scott Botcher invited the public to view the drone video of the ice-skating rink taken by Assistant Village Manager Michael Pedersen.

Village Manager Scott Botcher reported on an upcoming meeting with Director of the North Shore Health Department Ann Christiansen via Zoom on Thursday to discuss Health Department recommendations in terms of the potential pool opening and the Fox Point Open House during the summer time. The village is proceeding as if the pool will open. Expect the programmatic activities that happened in the past may or may not happen as in the exact fashion as in the past. The Village is doing their best to work on a plan with Health Director Ann Christiansen to provide aquatic recreation for the Fox Point community this summer.

Village Manager Scott Botcher also announced as of late this afternoon, he pulled off some numbers from the proposed COVID-19 relief bill. Fox Point would receive approximately \$650,000 if the bill passes.

Closed Session

Motion made by President Frazer, seconded by Eric Fonstad, and carried by roll call vote (6-0) to move into closed session at 8:52 p.m., (9a) pursuant to Wisconsin Statutes Section 19.85(1)(e) to Deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: Specifically, discuss possible acquisition opportunities for municipally owned properties, and related property transfers. Participating in the closed session will be the Village Board, Village Manager, Assistant Village Manager, Village Clerk, and Village Attorney and (9b) pursuant to Wisconsin Statutes Section 19.85(1)(e) to Deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: Specifically, to review and discuss the 1985 Joint Library Agreement entered into by Glendale, Fox Point, River Hills and Bayside and issues and opportunities arising from Glendale's notice of withdrawal. Participating in the closed session will be the Village Board, Village Manager, Assistant Village Manager, Village Clerk, Library Board Member Rindt and Village Attorney.

Reconvene into Open Session

Motion made by President Frazer, seconded by Trustee Kravit, and carried by roll call vote (6-0), to reconvene into open session at 9:37 p.m.

President Frazer announced no action will be taken on agenda items 9a and 9b.

Adjourn

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Motion made by President Frazer, seconded by Trustee Kravit, and carried by roll call vote (6-0); the Village Board adjourned the Village Board meeting at 9:37 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kelly A. Meyer". The signature is written in a cursive style with a large, stylized initial "K".

*Kelly A. Meyer, CMC/WCMC
Village Clerk Treasurer*