

**VILLAGE OF FOX POINT  
VILLAGE BOARD MEETING MINUTES  
MAY 14, 2019**

A meeting of the Fox Point Village Board was held on Tuesday, May 14, 2019 in Schwemer Hall, 7200 N. Santa Monica Boulevard. President Frazer called the meeting to order at 7:00 p.m., noting there was a quorum 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 Bill Kravit  
Trustee Greg Ollman

Those absent included:

Trustee Christine Symchych

Also, present are Village Attorney Eric Larson, Village Manager Scott Botcher, Assistant Village Manager Michael Pedersen, Police Chief Chris Freedy, Public Works Director Scott Brandmeier, Police Sergeant Brouwer, 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](http://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 public comment with a brief synopsis.

North Shore Library Director Susan Draeger-Anderson

Ms. Draeger-Anderson gave the Board a brief update on the North Shore Library Renovation Project and the North Shore Library Foundation meeting on April 25, 2019, regarding fundraising. Draeger-Anderson shared that the Fox Point Foundation generously approved a request for funding a \$1,413 AED Defibrillator for the library.

President Frazer, hearing no other comment, closed the public comment period.

**Consent Agenda**

- a. Approve the minutes of the April 9, 2019 Village Board Meeting and Public Hearing.
- b. Approve the request of The Rotary Club of Milwaukee – North Shore and Boy Scout Troop 391 to use Village streets on May 27, 2019 for the Memorial Day Parade and to waive fees for the event per the Assistant Village Manager’s memorandum dated April 8, 2019.
- c. Approve the request of the United Performing Arts Fund to use village streets on June 2, 2019 for their 2019 Ride for the Arts per the Assistant Village Manager’s memorandum dated April 23, 2019.

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- d. Adopt an Ordinance to Repeal and Re-Create Section 19-1 Concerning Membership of the Board of Review for the Village of Fox Point Village Code, per Village Manager's memorandum dated April 29, 2019.
- e. Approve the Green Solutions Funding Agreement between the Milwaukee Metropolitan Sewerage District (MMSD) and the Village of Fox Point for the green infrastructure project on Calumet Road and authorize the Village President and Village Clerk/Treasurer to sign the agreement.
- f. Approve Change Order No. 1 from Kapur & Associates in the amount of \$18,177 for additional construction inspection services related to the green infrastructure project on Goodrich Lane and authorize the Village President and Village Clerk/Treasurer to sign the change order per the Director of Public Works' memorandum dated May 3, 2019.
- g. Adopt Resolution to determine that failure of a Drop Pipe Structure that connects a Village Sewer Main to an MMSD Metropolitan Interceptor Sewer System is causing a sink hole traffic hazard in Green Tree Road which constitutes a public emergency, requiring immediate repair and reconstruction.
- h. Accept the quote of Munson, Inc. in the amount of \$20,896 for the patching of various water main break areas in the Village and authorize the Village Manager to sign the quote per the Director of Public Works' memorandum dated May 7, 2019.
- i. Accept the quote of Munson, Inc. in the amount of \$34,269 for the paving or road patches at various areas in the Village and authorize the Village Manager to sign the quote per the Director of Public Works' memorandum dated May 7, 2019.
- j. Accept the quote of Bobcat Plus, Inc. in the amount of \$70,756 for the purchase of a mini-wheel loader and authorize the Village Manager to sign the purchase order per the Assistant Director of Public Works' memorandum dated May 3, 2019.
- k. Adopt Resolution Concerning a Lateral Rehabilitation Program in the Village of Fox Point.
- l. Adopt Preliminary Resolution Declaring Intent to Levy Special Assessments under Municipal Police Power Pursuant to §66.0703, Stats in the Village of Fox Point.
- m. Approve the contract of Kapur & Associates in the amount not to exceed \$19,728 for the design of the lateral rehabilitation project in Basin No. 4 and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated May 6, 2019.
- n. Refer the application of Fox Point Lutheran Church to a joint Plan Commission/Building Board meeting to be held on Monday, June 3, 2019, and set a public hearing in the matter for the June 11, 2019 regular Village Board meeting which begins at 7:00 p.m., immediately following the Persons Desiring to be Heard agenda item.
- o. Adopt proclamation establishing May 11, 2019 through May 18, 2019, as 2019 Creative Economy Week in the Village of Fox Point.

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- p. Adopt Initial Resolution Authorizing the Borrowing of Not to Exceed \$1,830,000 and Providing for the Issuance and Sale of General Obligation Promissory Notes.
- q. Approve recommendation for appointment of Justin T. Padway as Village Prosecutor, effective August 1, 2019, per Village Manager's memorandum dated May 7, 2019.
- r. Approve Payment of the Bills in the amount of \$319,258.10 for the period April 1, 2019 through April 30, 2019 per the report submitted by the Village Manager.

*On motion by President Frazer, seconded by Trustee Fonstad, and carried unanimously, the Village Board approved the consent agenda as presented.*

**Property Located at 411 E. Bradley Road**

The Board heard a status report from Village Manager Scott Botcher in regard to the property located at 411 E. Bradley Road, noting that as of this afternoon a fax from Digger's Hotline was received to do a locate for the gas disconnect. The Village Manager expects the property to be razed shortly after the gas is disconnected. The Village Board took no action on this item.

**Property Located at 139 E. Good Hope Road**

The Board heard a status report from Village Manager Scott Botcher in regard to the property located at 139 E. Good Hope Road. The Village authorized staff to move ahead with preparations for a raze order. Property Owner Andrew Nagel will give an update on the current property status.

Property Owner Andrew Nagel, 121 Michelle Drive, Johnson Creek, WI

Mr. Nagel reported a demo permit has been issued and building has been gutted. Architectural Plans have been drawn up and they are ready to continue to proceed.

Village Manager Scott Botcher

Village Manager Scott Botcher gave report regarding a meeting with the Village Building Inspector's. The Village Building Inspector indicated he expects plans to be submitted by next week. Mr. Nagel's plans will also appear on the subsequent Building Board agenda for its review and approval.

There were notable concerns from Village Trustees regarding the unenclosed outdoor pool on the property. Mr. Nagel stated they are planning to fill in the pool and would take whatever steps necessary to secure the property pool for public safety.

No action was taken at this time.

**Four-way Stop Sign at Bradley and Regent Roads**

Police Chief Chris Freedy gave a status report on the findings of the four-way temporary stop sign placed at the intersection of Bradley Road and Regent Road. (On February 13, 2018, the Village Board took action to place a temporary four-way stop sign at the intersection, to be revisited in one year.)

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Police Chief Chris Freedy noted, in general, that the data maintained some consistency in the average speed in the 50<sup>th</sup> percentile and the 85<sup>th</sup> percentile pre and post stop sign placement. There were no significant changes. Based on the data information, the Village Manager and Police Chief Freedy are recommending the additional installation of radar feedback signs on a semi-permanent basis.

Andrew Elmer, 101 E Bradley Road

Mr. Elmer stated he didn't feel the signs would be effective, although he appreciates the recommendation for the stop signs and the additional traffic calming measure. The bushes on the southeast corner become problematic visually for northbound traffic. Mr. Elmer has three young children and safety is important.

Fox Point Police Sergeant Brouwer

Sergeant Brouwer commented on his knowledge of one accident of a west bound vehicle on Bradley and a northbound vehicle on Regent prior to the signage approximately three years ago. Sergeant Brouwer is not aware of any four way stop accidents.

There was notable concern regarding the bushes that obscure the view of the intersection.

The Board suggested to staff a two-way stop sign at Bradley and Regent Roads and, in addition, the radar feedback sign installation.

**Appointments to Various Boards, Committees, and Commissions**

*On motion by President Frazer, seconded by Trustee Ollman, and carried unanimously, the Village Board approved the appointments of President Frazer to the various Boards, Committees and Commissions, as presented and per the attached Village President's appointments dated May 14, 2019 [Exhibit A].*

**Pool Survey**

*On motion by Trustee Fonstad, seconded by Trustee Kravit, and carried unanimously, the Village Board approved the proposal from Neighborhood Analytics, LLC regarding the Fox Point Community Pool Survey, as noted in the Village Managers memo dated May 7, 2019.*

**Potential Fox Point Village Board Compensation**

*On motion by President Frazer, seconded by Trustee Tirado, the Village Board postponed the proposal to authorize compensation for the Village Board Trustees to the June 11, 2019 Village Board meeting. Motion passes, 5-1 (Opposed-Trustee Sumner).*

**Announcements**

Trustee Fonstad reported on a very good Arbor Day Celebration at Maple Dale Indian Hill School.

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Trustee Tirado reminded everyone of the Village Open House in Fox Point and the coinciding Fox Point Pool opening being held June 8, 2019.

Trustee Kravit has been working with Public Works Director Scott Brandmeier in placing a few more doggy stations around the community.

Village Manager Scott Botcher gave a brief update on the Chiswick project. Village Manager Scott Botcher distributed the updated Aquatic Pool Facility Study. Village Manager Scott Botcher stated Mr. Fulton was at the last Village Board meeting speaking about Calumet Road. The speed trailer will be placed out there to get the baseline data. Data will be developed to make a rational decision. He indicated Brad Viegut from Baird was present. In the 1.8 million dollar borrowing this year, seventy nine thousand dollars of it was for the library for this year. It is apparent that seventy nine thousand dollars will not be spent on the library. There is a sinkhole near the intersection of Santa Monica and Green Tree Roads. There is a sixty foot MMSD pipe from the late 1920's or 1930's that is collapsing.

Village President Frazer congratulated Justin Padway on his new appointment as the prosecutor for the Village of Fox Point. He also announced on April 30, 2019 he traveled to meet Mr. Leindecker who has decided to leave his estate to the Village of Fox Point. Mr. Leindecker was very grateful for the village proclamation.

**Closed Session**

*On motion by President Frazer, seconded by Trustee Fonstad, by roll call vote, the Village Board convened into closed session at 8:13 p.m. pursuant to State Statutes Section 19.85(1)(g), to confer with counsel who is rendering legal advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved involving properties located at 411 E. Bradley Road and 139 E. Good Hope Road.*

**Reconvene and Possible Action on Closed Session Items**

*On motion by Trustee President Frazer, seconded by Trustee Fonstad, and carried unanimously, the Village Board reconvened into open session at 8:37p.m.*

President Frazer specified the Village Board states the following regarding the property at 139 E Good Hope Road:

1. The raze order will stand and remain in effect. The Village Board reserves the right to take action to enforce it at any time.
2. The pool is causing a safety hazard and the Village Board strongly suggests to the property owner that the property owner address and remediate that hazard. The Board will give the property owner until noon on Monday, May 20, 2019 to address the hazard, to report back to the Village Inspector and the Village Manager concerning the remediation. If the property owner expects to remove the pool, the Village Board would like a report on the property owners plan to accomplish that. The deadline is noon Monday, May 20, 2019 to report to the Village Inspector and the Village Manager concerning those plans.

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3. There is debris along the side of the pool that the Village Board feels is a safety hazard. The Village Board suggests to the property owner that the debris be removed; the deadline will be noon Monday, May 20, 2019. The property owner is directed to report to the Village Inspector and the Village Manager concerning the remediation of that safety hazard.

**Adjourn**

*On motion by President Frazer, seconded by Trustee Fonstad, and carried unanimously, the Village Board adjourned the Village Board meeting at 8:43 p.m.*

*Respectfully submitted,*



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

May 14, 2019

APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS  
VILLAGE OF FOX POINT, WISCONSIN<sup>1</sup>

**Plan Commission**

(3-year term)

Eric Fonstad (R)

Jay Craig (R)

**Board of Appeals** (*confirmation requested*)

(3-year term)

Appointment pending

**Building Board** (*confirmation requested by resolution*)

(2-year term)

Michael West (R)

William Feldman (R)

Trustee Christine Symchych (R)

Anthony Klenke (R)

Ji Ju Johnson (R)

**Board of Review** (*confirmation requested*)

(1-year term)

Trustee Eric Fonstad (R)

Michael Carter (R)

Aaron Aizenberg (R)

**Fair Housing Commission** (*confirmation requested*) (5-year term)

No vacancies

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<sup>1</sup> (R) designates returning member.

**Administration Committee**

(1-year term)

Trustee Fonstad, Chair (R)  
Trustee Liz Sumner (R)  
Trustee Greg Ollman (R)

**Finance Committee**

(1 year term)

Trustee Symchych, Chair (R)  
Trustee Tirado (R)  
Trustee Kravit (R)

**Audit Committee**

(1-year term)

Trustee Symchych, Chair (R)  
Trustee Tirado (R)  
Trustee Kravit (R)  
Terry Rindt (R)  
Kenneth J. Wirth, Jr. (R)

**Water/Sewer Utility Committee**

(1-year term)

Trustee William Kravit, Chair (R)  
Joel Been (R)  
Andrew Pokrass (R)  
Appointments pending

**Ethics Board** (*confirmation requested*)

(3-year term)

Appointment pending

**North Shore Library Board** (*confirmation requested*)

(3-year term)

No vacancies.

**Historic Preservation Committee**

Appointment pending



**Shared Services Committee**

TBD

**Rep – North Shore Health Department**

No vacancy

**Rep – North Shore Fire Commission**

No vacancy

**Board of Police Commissioners**

(5 year term)

No vacancy

**North Shore Water Commission** (*confirmation requested*)

(1-year term)

Scott Botcher (R)

Alternate Member, Appointment pending

**Weed Commissioner**

(1-year term)

Douglas H. Frazer (R)

**Fox Point Representative ICC for County Real Estate**

(1-year term)

Jaime Druck (R)

**Pool Committee**

Appointment pending

*Respectfully submitted,*

Douglas H. Frazer

Village President

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