

VILLAGE OF FOX POINT
VILLAGE BOARD MEETING AND PUBLIC HEARING MINUTES
June 8, 2021

A meeting and public hearings of the Fox Point Village Board were held virtually via telephonic and video conferencing on Tuesday, June 8, 2021 in Schwemer Hall, 7200 N. Santa Monica Boulevard. President Frazer called the meeting to order at 7:00 p.m. and asked the Assistant Village Manager to take roll call. Roll Call of the Village Board present included:

Village President Douglas H. Frazer
Trustee Eric Fonstad
Trustee Christine Symchych
Trustee Liz Sumner
Trustee Bill Kravit
Trustee Greg Ollman
Trustee Catie Knight

President Frazer noted a quorum was present.

Also, present were Village Attorney Eric Larson, Village Manager Scott Botcher, Public Works Director Scott Brandmeier, and Assistant Village Manager Michael Pedersen.

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.

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

Committee Reports – Plan Commission

President Frazer gave a brief synopsis to the public and Village Board regarding Plan Commission's meeting held on June 7, 2021; no business took place and no action was taken due to lack of a quorum.

Public Hearing Regarding Village of Fox Point 2021 Amended Comprehensive Plan

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (7-0), to open the public hearing at 7:02 p.m., regarding the Fox Point 2021 Amended Comprehensive.

President Frazer opened it up for comment; no comments were made.

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (7-0) to close the public hearing at 7:04 p.m. regarding the Fox Point 2021 Amended Comprehensive Plan.

Consent Agenda

- a. Approve the minutes of the May 11, 2021 Village Board meeting.
- b. Confirm President Frazer's list of appointments to various Boards, Committees, and Commissions.

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- c.** Grant the renewals for two “Class A” Beer and Intoxicating Liquor Licenses, renewals for four “Class B” Beer and Intoxicating Liquor Licenses, and approve the appointment of one new agent, per the Village Clerk Treasurer’s memo dated May 18, 2021 subject to any conditions as noted.
- d.** Grant the Cigarette and Tobacco Product Retail License to the Establishment Walgreen Co, d/b/a, Walgreens #03125, located at 8615 North Port Washington Road – agent Tammy Marie Kachelmeier per the Village Clerk/Treasurer’s memo dated May 18, 2021 and subject to any conditions as noted.
- e.** Approve the Land Combination and Certified Survey Map submitted by Applicants Douglas Diefenbach and Christa Beall Diefenbach for the property located at 200 West Indian Creek Court upon all terms and conditions recommended by the Plan Commission.
- f.** Adopt a Resolution Approving of and Authorizing Submittal of the Compliance Maintenance Annual Report (CMAR) to the Department of Natural Resources for the 2020 Sanitary Sewer Activities.
- g.** Schedule a Public Hearing for the July 13, 2021 regular Board meeting to receive comments and input on the proposed 2022 Community Development Block Grant (CDBG) program project list immediately following “Persons desiring to be heard” per the Director of Public Works’ memorandum dated May 24, 2021.
- h.** Accept the bid of WSO Grading & Excavating in the amount of \$292,101.15 for the 2021 Barnett Lane Stormwater Improvement Project and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works’ memorandum dated June 3, 2021.
- i.** Accept the proposal of Kapur & Associates in an amount not to exceed \$39,951 for construction management services for the 2021 Barnett Lane Stormwater Improvement Project and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works’ memorandum dated June 3, 2021.
- j.** Approve the Green Infrastructure Ten-Year Maintenance Covenant for the Acacia Road Green Infrastructure between the Village of Fox Point and the Milwaukee Metropolitan Sewerage District and authorize the Village President and Village Clerk/Treasurer to sign the covenant pursuant to the Director of Public Works’ memorandum dated May 25, 2021.
- k.** Approve a renewal of the contract with Waste Management to provide recycling services for an additional two-year period per the Director of Public Works’ memorandum dated June 3, 2021 and authorize the Village Director of Public Works to provide such notice to Waste Management.
- l.** Approval of a Joint Resolution approving the sale of Land by the North Shore Water Commission
- m.** Approve payment of the bills in the amount of \$344,802.46 for the period May 1, 2021 through May 31, 2021 per the report submitted by the Village Manager.

President Frazer requested the removal of item 5e, due to Plan Commission’s lack of a quorum; Trustee Ollman requested the removal of Item 5h.

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Motion made by President Frazer, seconded by Trustee Kravit, and carried as modified by roll call vote (7-0), to approve the consent agenda, absent items 5e and 5h.

Approve the Land Combination and Certified Survey Map submitted by Applicants Douglas Diefenbach and Christa Beall Diefenbach for the property located at 200 West Indian Creek Court (5e)

President Frazer commented there will be no action on item 5e due to lack of quorum at the Plan Commission meeting on June 7, 2021.

Accept the bid of WSO Grading & Excavating in the amount of \$292,101.15 for the 2021 Barnett Lane Stormwater Improvement Project (5h)

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (7-0) the Village Board accept the bid of WSO Grading & Excavating in the amount stated in agenda item 5h and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated June 3, 2021, as reflected in pages 27 through 29 of the agenda packets.

Municipal Judge Scott Wales municipal court update

Municipal Judge Scott Wales provided a municipal court update and answered questions from the Village Board members; Judge Wales invited the community to attend court to observe the process.

Presentation of FY 2020 Audit by Wendi Unger (Baker Tilly Partner)

Without objection and by unanimous consent of the Village Board, the presentation of FY 2020 Audit by Baker Tilly Partner Wendi Unger was moved up from agenda item 6e, and placed under agenda item 6a.

Baker Tilly Partner Wendi Unger gave a presentation to the Village Board regarding the Village of Fox Point 2020 audit.

Motion made by President Frazer, seconded by Trustee Symchych, and carried by roll call vote (7-0); the Village Board accept the Fiscal Year 2020 Audit in final format.

Snow Plowing Village of Fox Point Private Streets

Village Attorney Eric Larson gave background regarding the snow plowing of Fox Point private streets. The Board discussed and considered options with regard to snow plowing Village of Fox Point private streets. An approximate 35 homes would be impacted dependent upon the change of policy.

By consensus and without objection, the Board directed staff to return shortly to the Board at an upcoming meeting with options and recommendations concerning the question of plowing private roads.

Wisconsin Department of Revenue American Rescue Plan Act (ARPA) fund report

Village Manager Scott Botcher gave a report on the funds expected to be delivered to the Village through the Wisconsin Department of Revenue American Rescue Plan Act (ARPA) and the potential uses of those funds. Village Manager Scott Botcher's recommendation is to invest in the infrastructure of the village – water and/or sewer.

Future Methodologies by Village Board Meetings

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President Frazer noted the new audio/visual capabilities are greatly enhanced with the recent installation of new equipment. Methods discussed were hybrid (zoom/in-person), zoom, or in-person.

Village Attorney Eric Larson stated for clarification that the village is still under a declaration of emergency.

President Frazer stated without objection and by consensus the Board would like to move forward with a hybrid model. Per Village Attorney Eric Larson's recommendation, the Board directs the Village Attorney and Staff to present to the Board an ordinance that would implement a hybrid model.

Ordinance to adopt a Comprehensive Plan Amendment Pursuant to Applicable Wisconsin Statutes

Melissa Hunt of Vierbicher gave a brief synopsis and overview.

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (7-0), to adopt a Comprehensive Plan Amendment pursuant to applicable Wisconsin Statutes, as reflected on 83 through 86 of agenda packet.

Future Agenda Items – None

Announcements

Trustee Fonstad

Trustee Fonstad announced tomorrow at 5:00 p.m. the Sprecher traveling beer garden will arrive at Doctors Park.

Trustee Symchych

No announcements.

Trustee Sumner

Trustee Sumner announced she will be welcoming the Sprecher traveling beer garden tomorrow for the beer garden's two week visit from June 9 through June 27 at Doctor's Park.

Trustee Kravit

No announcements.

Trustee Ollman

No announcements.

Trustee Knight

No announcements.

Village President Frazer

President Frazer announced his gratitude to both Trustee Fonstad and Citizen Member Terry Rindt for their participation, time and commitment on the North Shore Library Board. He welcomed Sandra Grady and Trustee Knight to the North Shore Library Board for the new term.

President Frazer announced that the Weed Commissioner has selected KateLynn Harrigan as the 2021Ms.Invasive Species. KateLynn has two young daughters who will serve as her "court." KateLynn and her court will be conveyed in a convertible with license plate Weed One in the Village of Fox Point July 4th parade.

Village Manager Scott Botcher

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Village Manager Scott Botcher gave the following announcements:

1. Gave background on the upcoming PSC water rate study; information will be in the Friday folder.
2. Announced a Special Plan Commission meeting is being scheduled due to no quorum at the June 7, 2021 Plan Commission meeting.
3. Noted the Bond call is this Thursday.

Closed Session

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (7-0) to move into closed session at 8:30 p.m., Pursuant to State Statutes Sections 19.85(1)(g) and 895.46, to Confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: Specifically, to discuss the Summons and Complaint in Small Claims Court served on four members of the Village of Fox Point Board of Review. Participating in the closed session will be the Village Board, Village Manager, Assistant Village Manager, Village Attorney and Village Clerk Treasurer.

A recess was called at 8:32 p.m.; Village Board reconvened in closed session at 8:35 p.m.

Reconvene into Open Session

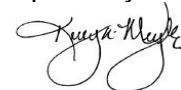
Motion made by Trustee Fonstad, seconded by Trustee Kravit, and carried by roll call vote (7-0), to reconvene into open session at 8:46 p.m.

No action was taken.

Adjourn

Motion made by Trustee Sumner, seconded by Trustee Fonstad, and carried by roll call vote (7-0); the Village Board adjourned the Village Board meeting at 8:47 p.m.

Respectfully submitted,



Kelly A. Meyer, CMC/WCMC
Village Clerk Treasurer