

**VILLAGE OF FOX POINT
VILLAGE BOARD MEETING AND PUBLIC HEARING MINUTES
JULY 13, 2021**

A meeting and public hearings of the Fox Point Village Board were held by a combination of in-person and virtual attendance via telephonic and video conferencing on Tuesday, July 13, 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 Christine Symchych
Trustee Bill Kravit – (Via Zoom at 7:04 p.m.)
Trustee Greg Ollman
Trustee Catie Knight

Not Present:

Trustee Liz Sumner

Also, present were Village Attorney Eric Larson, Village Manager Scott Botcher, Public Works Director Scott Brandmeier, Police Chief Chris Freedy, Assistant Village Manager Michael Pedersen 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.

Elizabeth Aelion, 210 W Bergen Court

Ms. Aelion commented on the draft ordinance Entitled “Hybrid Meetings” and asked the Village Board to consider permitting individuals to speak under each item listed on the agenda, not solely under “Persons desiring to be heard”.

Ms. Aelion commented on the direct assessment to pay off the debt that is being proposed. She inquired if the village will be sending out some type of letter to notify people that they are going to be directly assessed to pay off this debt.

Ms. Aelion had questions regarding the proposed Capital Budget for 2022-2026. She inquired on an update for the FEMA funding for the Beach Drive project and when will there be discussion about what the project will actually entail.

Bill Kravit entered via Zoom at 7:04 p.m.

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

Committee Reports – Plan Commission

Trustee Fonstad gave a brief synopsis to the public and Village Board regarding Plan Commission’s meeting held on July 6, 2021, regarding the conditional use permit for Milwaukee Guitar Collective, 6928 N Santa Monica Blvd and Plan Commission’s review and recommendation to the Village Board. He also gave a report regarding the public hearing for a chicken application and permit and the Plan Commission’s consideration of the chicken permit at 8329 N Santa Monica Blvd., as required by

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Section 579-17.5. The Plan Commission did grant the chicken permit after considering whether the four standards had been met.

It was also noted that Agenda Item 3.A.2. is for informational purposes only, as the Plan Commission made their final determination and is not considered by the Village Board.

2022 Community Development Block Grant (CDBG) program project list

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (6-0), to open the public hearing at 7:10 p.m., regarding the 2022 Community Development Block Grant (CDBG) program project list.

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 (6-0) to close the public hearing at 7:11 p.m. regarding the 2022 Community Development Block Grant (CDBG) program project list.

Conditional Use Permit for Milwaukee Guitar Collective, 6928 N Santa Monica Blvd, Fox Point

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (6-0), to open the public hearing at 7:12 p.m., regarding the Conditional Use Permit for Milwaukee Guitar Collective, 6928 N Santa Monica Blvd, Fox Point.

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 (6-0) to close the public hearing at 7:12 p.m. regarding the Conditional Use Permit for Milwaukee Guitar Collective, 6928 N Santa Monica Blvd, Fox Point.

Consent Agenda

- a. Approve the minutes of the June 8, 2021 Village Board meeting.
- b. Approve the minutes of the June 17, 2021 Special Village Board meeting.
- c. Authorize the submittal of a Community Development Block Grant application for the reimbursement of lease costs for the LX Club, a community based senior group.
- d. Grant a Conditional Use Permit to applicant Milwaukee Guitar Collective, 6928 N Santa Monica Blvd, and authorize the Village President and Village Clerk Treasurer to sign the Conditional Use Order.
- e. Approve Change Order No. 2 from Kapur & Associates in the amount of \$8,958 for additional design services for the 2021 Road and Utility Reconstruction Project and authorize the Village President and Village Clerk/Treasurer to sign the change order pursuant to the Director of Public Works' memorandum dated July 7, 2021.
- f. Approve Change Order No. 1 from MSA in the amount of \$6,325 to obtain geotechnical borings for the Beach Drive Coastal Resiliency Project and authorize the Village President and Village Clerk/Treasurer to sign the change order pursuant to the Director of Public Works' memorandum dated July 7, 2021.

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- g.** Approve Change Order No. 1 from All-Ways Contractors in the amount of \$66,415 for the private property service lateral rehabilitation on the 2021 Road and Utility Reconstruction Project and authorize the Village President and Village Clerk/Treasurer to sign the change order pursuant to the Director of Public Works' memorandum dated July 7, 2021.
- h.** Accept the bid of CutNGo, LLC in an amount not to exceed \$20,000 for the removal of diseased elm trees and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Village Forester's memorandum dated July 7, 2021.
- i.** Accept the base bid of Underground Pipeline, Inc. in the amount of \$269,125 as well as Alternate Bid Nos. 1, 2 and 3 for the 2021 private property lateral rehabilitation project and authorize the Village President and Village Clerk/Treasurer to sign the contract pursuant to the Director of Public Works' memorandum dated July 8, 2021.
- j.** Accept the proposal of Kapur & Associates in an amount not to exceed \$29,916 for inspection services for the 2021 private property lateral rehabilitation project and authorize the Village President and Village Clerk/Treasurer to sign the contract pursuant to the Director of Public Works' memorandum dated July 8, 2021.
- k.** Approve payment of the bills in the amount of \$427,401.98 for the period June 1, 2021 through June 30, 2021 per the report submitted by the Village Manager.

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (6-0), to approve the consent agenda, as presented.

Unfinished Business

Snow Plowing Village of Fox Point Private Streets

Without objection and by unanimous consent, the Village Board directs village staff to revise the proposed contract and the letter to the property owners, and make a recommendation on cost—all to be brought back to the Village Board.

Ordinance to Create Section 19-32 D. Entitled "Hybrid Meetings" And Section 19-32 E. Entitled "Virtual Meetings" Related to the Hybrid and Virtual Meeting Models of the Village of Fox Point Village Board Commissions and Committees

Without objection and by unanimous consent, village staff is directed to make changes to the Ordinance to Create Section 19-32 D. Entitled "Hybrid Meetings" and Section 19-32 E. Entitled "Virtual Meetings" Related to the Hybrid and Virtual Meeting Models of the Village of Fox Point Village Board Commission and Committees consistent with the Board's discussion. Village Board expects to take the matter back up at the next regular meeting.

Consideration of "Resolution Awarding the Sale of \$3,175,000 General Obligation Promissory Notes, Series 2021".

Robert W. Baird Justin Fischer was present and gave a brief synopsis of the Village of Fox Point \$3,175,000 General Obligation Promissory Notes, Series 2021.

Motion made by President Frazer, and seconded by Trustee Ollman by roll call vote (6-0), to adopt the "Resolution Awarding the Sale of \$3,175,000 General Obligation Promissory Notes, Series 2021" as described in agenda item 7a with the supporting documents in the village packet.

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Non-Residential Garbage and Recycling Collection

Without objection and by unanimous consent, the Village Board directed staff to determine how to notify subject condominiums and the subject school about the discontinuation of non-residential garbage and recycling collection and asked Village Attorney Eric Larson to report back to the Village Board with more information regarding village duties in this regard concerning CBRF's (Community Based Residential Facilities).

Consideration and Possible Action to Approve Temporary Construction Easements and Utility Easements to Pave Portions of East Goodrich Lane.

Motion made by Trustee Fonstad, seconded by Trustee Ollman, and carried by roll call vote (6-0); the Village Board accepts the Temporary Construction Easements and Utility Easements to Pave Portions of East Goodrich Lane as set forth in agenda item 7.c.

Consideration and Possible Action to Adopt a Preliminary Special Assessment Resolution Concerning Public Works Improvements on Portions of East Goodrich Lane.

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (6-0); adopts a Preliminary Special Assessment Resolution, as set forth in the agenda packet (pages 134-136) concerning certain paving and utility work to be constructed on East Goodrich Lane.

Review of 2022-2026 Capital Plan

The Board received a report from Village Manager and Department Heads regarding the 2022-2026 Capital Plan for the purpose of long-range planning.

No action was taken.

Future Agenda Items – None

Announcements

Trustee Fonstad

No announcements.

Trustee Symchych

No announcements.

Trustee Kravit

Trustee Kravit thanked Assistant Village Manager Michael Pedersen for his services to the Village of Fox Point and wished him the best of luck in the future.

Trustee Ollman

No announcements.

Trustee Knight

No announcements.

Village President Frazer

President Frazer echoed Trustee Kravit's sentiments about losing Assistant Village Manager Michael Pedersen. He has done a wonderful job during his time here and will very much be missed.

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President Frazer commended the Fox Point Foundation and the staff for a very successful Fourth of July parade. It was nice to resume the parade this year and it was a lot of fun.

President Frazer announced the pool is open and operating very well. There were so many people at the pool on July 3, 2021 it seemed like the entire village was there. It was a happy occasion.

Village Manager Scott Botcher

Village Manager Scott Botcher announced Assistant Village Manager Michael Pedersen is moving to Arizona.

Closed Session

Motion made by President Frazer, seconded by Trustee Kravit, and carried by roll call vote (6-0) to move into closed session at 9:04 p.m., Pursuant to State Statutes Sections:

- a. *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 Sandra Grady and Village Attorney.*

- b. *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.*

President Frazer called a recess at 9:05 p.m.; Village Board closed session commenced at 9:08 p.m.

Reconvene into Open Session

Motion made by President Frazer, seconded by Trustee Ollman, and carried by roll call vote (6-0), to reconvene into open session at 9:44 p.m.

President Frazer announced no action was taken for agenda items 10.a. or 10.b.

Adjourn

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (6-0); the Village Board adjourned the Village Board meeting at 9:45 p.m.

Respectfully submitted,



Kelly A. Meyer, CMC/WCMC
Village Clerk Treasurer