

**VILLAGE OF FOX POINT
VILLAGE BOARD MINUTES
AUGUST 13, 2019**

A meeting and public hearing of the Fox Point Village Board was held on Tuesday, August 13, 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 Christine Symchych
Trustee Liz Sumner
Trustee Marty Tirado
Trustee Greg Ollman

Those absent included:

Trustee Bill Kravit

Also, present were Village Attorney Val Anderson, Village Manager Scott Botcher, Assistant Village Manager Michael Pedersen, Police Chief Chris Freedy, Public Works Director Scott Brandmeier, North Shore Library Director Susan Draeger-Anderson (8:12 p.m. arrival), 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 public comment with a brief synopsis. Hearing no comments, closed the public comment period.

Plan Commission

Village Board received a report from Trustee Fonstad regarding the August 12, 2019, Plan Commission's consideration of the application of Fox Point Lutheran Church Site Plan, Floor Plans, Proposed Addition and Parking Lot changes per Section 745-20 B. (2) of the Village of Fox Point Code. This was a continuation of a preliminary application that was submitted in June of 2019. Preliminary citizen concerns were lighting, green buffering, and encroachment into the village right-of-way for parking. At its meetings on August 12, 2019, the Plan Commission reviewed the updated application which addressed the concerns from June 2019. The Plan Commission determined the four standards had been met and the ordinance satisfied. The Plan Commission recommended to the Village Board approval of the application.

Public Hearing. The proposed Fox Point Lutheran Church Site Plan, Floor Plans, Proposed Addition and Parking Lot Changes per Section 745-20 B. (2).

Open Public Hearing

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Motion made by President Frazer, seconded by Trustee Ollman, and carried unanimously, the Village Board opened the public hearing at 7:07 p.m. for the public hearing agenda item 4a, the proposed Fox Point Lutheran Church Site Plan, Floor Plans, Proposed Addition and Parking Lot Changes per Section 745-20 B. (2).

John Heilman, 7505 N Santa Monica Blvd.

Mr. Heilman commented he is in favor of Fox Point Lutheran Church's proposal. Mr. Heilman has been a neighbor of the church; the church has been a fantastic neighbor, good stewards, and improves the value of the neighborhood.

Bob Cory, 7740 N Santa Monica Blvd.

Mr. Cory has concerns regarding enough parking for the church.

Mark Grady, 8425 N Indian Creek Parkway

Mr. Grady noted that the majority of the church members are overwhelmingly in favor of this project. This project is vital, vibrant religious institutions in the community and to the growth of the church membership. The expansion of the building is at the back of the building not at the front of the building. Therefore, no changes are being made to the architectural appearance of the front of the building.

There were no other comments.

Close Public Hearing

Motion made by President Frazer, seconded by Trustee Tirado, and carried unanimously, the Village Board closed the public hearing at 7:16 p.m. for agenda item 4a, the proposed Fox Point Lutheran Church Site Plan, Floor Plans, Proposed Addition and Parking Lot Changes per Section 745-02 B. (2).

Consent Agenda

- a. Approve the minutes of the July 9, 2019 Village Board meeting and public hearings.
- b. Approve an Ordinance amending portions of Section 63-6 of the Village of Fox Point Village Code concerning fees charged under the Wisconsin public record laws.
- c. Accept the proposal of Consolidated Doors, Inc. of Milwaukee in the amount of \$17,130.00 for replacement of the village hall DPW service doors, frames and hardware and authorize the Village Manager to execute the purchase order per the Assistant Director of Public Works memorandum dated August 13, 2019.
- d. Accept the Public Participation Plan per the Assistant Village Manager's memo dated August 5, 2019.
- e. Confirm the Village President's reappointment of Kurt Ostoic to the Board of Appeals.
- f. Confirm Village President's appointment of Jonathan H. Margolies to Ethics Board.

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- g.** Accept the proposal of Kapur & Associates in an amount not to exceed \$59,976 for the design of the 2020 road and utility reconstruction project along Santa Monica Boulevard (School Road to Yates Road), Acacia Road and Regent Road (Bradley Road to Dean Road) and authorize the Village President and Village Clerk/Treasurer to sign the agreement per the Director of Public Works' memorandum dated August 8, 2019.
- h.** Accept the proposal of Kapur & Associates in an amount not to exceed \$12,982 for the design of a bio-retention facility and bluff/stormwater improvements in the ravine adjacent to 6880 North Barnett Lane and authorize the Village President and Village Clerk/Treasurer to sign the agreement per the Director of Public Works' memorandum dated August 8, 2019.
- i.** Accept the proposal of Short Elliott Hendrickson (SEH) in the amount of \$50,606 for the analysis of the 12-inch water mains along Santa Monica Boulevard and Yates Road (from School to Green Tree) and authorize the Village President and Village Clerk/Treasurer to sign the agreement per the Director of Public Works' memorandum dated August 8, 2019.
- j.** Approve the Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage Association (MMSD) for the installation of Green Infrastructure (a StormGUARDen structure) at Village Hall and authorize the Village President and Village Clerk/Treasurer to sign the agreement per the Director of Public Works' memorandum dated August 8, 2019.
- k.** Approve Payment of the Bills in the amount of \$435,297.43 for the period July 1, 2019 through July 31, 2019 per the report submitted by the Village Manager.

Trustee Fonstad requested removal of agenda item 5d.

Motion made by President Frazer, seconded by Eric Fonstad, and carried unanimously, the Village Board approved the consent agenda as presented, absent consent agenda item 5d.

Property Located at 139 E. Good Hope Road

Property owner Andrew Nagel gave a brief update regarding 139 E. Good Hope Road. Mr. Nagel stated he received finished plans from his Architect/Engineer which will be submitted tomorrow or next week along with the building permit application.

No action was taken.

Consideration of an Ordinance to Create Section 579-17.7 of the Village of Fox Point Village Code Concerning Beekeeping

Motion made by President Frazer, seconded by Trustee Fonstad, the Village Board accepts the pending motion regarding Ordinance to Create Section 579-17.7 of the Village of Fox Point Village Code concerning beekeeping, as outlined starting on page 124 of the agenda packet.

President Frazer called the question.

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Motion passed, 5-1 (Opposed-Trustee Tirado).

Comprehensive Plan and Public Participation Plan per the Assistant Village Manager's memo (Item 5d)

Trustee Fonstad distributed his written comments to the Board regarding concerns on the Comprehensive Plan Public Participation Plan (the "draft plan"), including nine items that he would like to see included in the plan.

Beth Gregg, 7414 N Boyd Way

Ms. Gregg suggested placing public participation plan information on garbage receptacles or door hangers for a better response.

Motion made by President Frazer, seconded by Trustee Tirado, to accept the public participation plan per the Assistant Village Manager's memo dated August 5, 2019.

Motion to amend made by Trustee Fonstad to accept the plan as proposed with the provision that the Special Committee give due consideration to incorporating the nine points in his memo submitted tonight. Motion died for lack of a second.

Original motion passed 5-1 (Opposed-Trustee Fonstad).

Approval of Resolution Concerning Conveyance of Property from Kenneth E. Leindecker to the Village of Fox Point

Motion made by Trustee Sumner, seconded by President Frazer, and carried unanimously the Village Board adopted resolution concerning conveyance of property from Kenneth E. Leindecker upon terms outlined in the Quit Claim Deed to the Village of Fox Point.

Approval of Fox Point Lutheran Church Site Plan, Floor Plans, Proposed Addition and Parking Lot Changes per Section 745-20 B. (2) of the Village of Fox Point Code

Pastor Knapp gave a brief background of the proposed Fox Point Lutheran Church Plans for additions and changes.

Motion made by President Frazer, seconded by Trustee Fonstad, and carried unanimously the Village Board approved Fox Point Lutheran Church Site Plan, Floor Plans, Proposed Addition and Parking Lot Changes per Section 745-20 B. (2) of the Village of Fox Point Code, as presented starting on page 1 of the agenda.

Future Agenda Items – none

Announcements

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Motion made by Trustee Fonstad, seconded by Trustee Ollman, and carried unanimously to suspend the rules to receive a short presentation by Library Director Susan Draeger-Anderson.

North Shore Library Director Susan Draeger-Anderson gave a brief status report on the North Shore Library.

Trustee Fonstad announced Tree Commission will meet this Thursday afternoon, August 15, 2019. Trustee Fonstad commented on ash trees on private property and the upcoming Indian Creek tree restoration project.

Trustee Sumner announced the final concert of the Fox Point Foundation Summer Serenade Concert Series is Wednesday, August 21, 2019 at Maple Dale School.

Trustee Tirado reported there has been good response to the pool survey as participation approaches 40% of village households. The research company conducting the survey will need a portion of September to compile the results.

Village Manager Scott Botcher announced:

The October meeting date should be rescheduled due to a conflict. All Board members will be receiving a note in regard to the change. On October 8, 2019, the Board will need to meet briefly and on Thursday, October 10, 2019, Village Board regular village board business will take place.

At a ceremony on June 5, 2019 in Madison, the Wisconsin Department of Natural Resources Invasive Species Council conferred on President Frazer the Invader Crusader Award.

Net new construction numbers have been e-mailed to all of the Board members. We are in a much stronger financial position. Ninety three percent is the current ratio with pretty strong sales numbers.

Closed Session

Motion made by President Frazer, seconded by Trustee Fonstad, and carried unanimously by roll call vote (6-0), the Village Board agreed not to convene into closed session 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 139 E. Good Hope Road.

Adjourn

Motion made by President Frazer, seconded by Trustee Tirado, and carried unanimously, the Village Board adjourned the Village Board meeting at 8:30 p.m.