

**VILLAGE OF FOX POINT
VILLAGE BOARD MEETING MINUTES
JULY 9, 2019**

A meeting and public hearing of the Fox Point Village Board was held on Tuesday, July 9, 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 (Arrived - 7:04 p.m.)
Trustee Marty Tirado
Trustee Bill Kravit
Trustee Greg Ollman

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, North Shore Library Director Susan Draeger-Anderson, 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.

Julie Parve, 500 E Foxdale Ct.

Ms. Parve noted her support for the beekeeping ordinance.

North Shore Library Director Susan Draeger-Anderson

Ms. Draeger-Anderson gave a brief report regarding the North Shore Library highlights for the month of June, 2019.

Liz Sumner arrived at 7:04 p.m.

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

Plan Commission

Village Board received a report from Trustee Fonstad regarding the Plan Commission's consideration (Plan Commission meeting July 1, 2019) of the application of Marnat, LLC, d/b/a, Lou Malnati's Pizzeria located at 8799 N. Port Washington Rd. The Plan Commission recommended Village Board approval of the application.

Public Hearing: Proposed 2020 Community Development Block Grant (CDBG) program project list for public input

Open Public Hearing

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Motion made by President Frazer, seconded by Trustee Fonstad, and carried unanimously, the Village Board opened the public hearing for the public hearing agenda item 4a, the proposed 2020 Community Development Block Grant program project list at 7:05 p.m.

There were no village board or public comments.

Close Public Hearing

Motion made by President Frazer, seconded by Trustee Fonstad, and carried unanimously, the Village Board closed the public hearing for public hearing agenda item 4a, the proposed 2020 Community Development Block Grant program project list at 7:06 p.m.

Public Hearing: Proposed 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.

Motion made by President Frazer, seconded by Trustee Fonstad, and carried unanimously, the Village Board will adjourn the public hearing on the matter on the proposed 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 to a date and time certain of Tuesday, August 13, 2019 at the regular Village Board meeting, commencing at 7:00 p.m., immediately after persons desiring to be heard.

Public Hearing: Proposed Marnat LLC, d/b/a Lou Malnati's Pizzeria Conditional Use Permit Application

Open Public Hearing

Motion made by President Frazer, seconded by Trustee Tirado, and carried unanimously, the Village Board opened the public hearing for the public hearing agenda item 4c, the proposed Marnat, LLC d/b/a, Lou Malnati's Pizzeria Conditional Use Permit application at 7:07 p.m.

There were no village board or public comments.

Close Public Hearing

Motion made by President Frazer, seconded by Trustee Sumner, and carried unanimously, the Village Board closed the public hearing for public hearing agenda item 4c, the proposed Marnat, LLC d/b/a, Lou Malnati's Pizzeria Conditional Use Permit application at 7:08 p.m.

Consent Agenda

- a. Approve the minutes of the June 11, 2019 Village Board meeting and public hearings.
- b. Approve the Temporary Class "B" (Fermented Malt Beverage) and Temporary "Class B" (Wine) Retailer's License for Congregation Sinai's event, Campaign for Tomorrow Celebration being held on Sunday, September 8, 2019 per the Village Clerk/Treasurer's memorandum dated July 1, 2019.

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- c. Grant a Conditional Use Permit to Lou Malnati's Pizzeria, for a carry-out pizza store located at 8799 N Port Washington Rd., Fox Point, and authorize the Village President and Village Clerk/Treasurer to sign the Conditional Use Order.
- d. 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.
- e. Accept the bid of Compass Minerals America Inc. in the amount of \$72.59 per ton for sodium chloride per the Director of Public Works' memorandum dated June 28, 2019.
- f. Accept the proposal of Barrientos Design & Consulting in an amount not to exceed \$19,415 to perform a facility space and needs assessment of the Department of Public Works and Village Hall buildings and ancillary facilities and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated June 28, 2019.
- g. Accept the Agreement for Water Utility Management and Operation Services from City Water and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated June 28, 2019.
- h. Approve the Green Infrastructure Partnership Program funding agreement with the Milwaukee Metropolitan Sewerage District (MMSD) for the stormwater improvements along Calumet Road and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated July 1, 2019.
- i. Adopt Proclamation establishing a Fox Point Farmers Market week, August 4 through August 10, 2019.
- j. Approve Payment of the Bills in the amount of \$1,090,265.29 for the period June 1, 2019 through June 31, 2019 per the report submitted by the Village Manager.

Trustee Fonstad requested removal of agenda item 5g.

Motion made by President Frazer, seconded by Trustee Tirado, and carried unanimously, the Village Board approved the consent agenda as presented, absent consent agenda item 5g.

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. The Manager reported the demolition and grading is complete at 411 E Bradley Road; the lot is for sale at this time.

No action was taken.

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Property Located at 139 E. Good Hope Road

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

Mr. Nagel reported the contractor submitted building plans to the Building Board last month. The Building Board conditionally approved the plans pending some revisions. He expects to have those revisions in hand this week to be submitted.

Mr. Nagel informed the Village Board the insurance on the 139 E Good Hope Road has been dropped due to the raze order; he asked the Village Board to remove the raze order.

Trustee Symchych elaborated briefly on the Building Boards expectations for revisions on the building plans.

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

A brief overview was given by Village Manager Scott Botcher and Village Attorney Eric Larson.

Julie Parve, 500 E Foxdale Ct.

Ms. Parve commented on support of flyaway barrier and 30-day notice; her concern is bee allergies and anaphylactic reactions.

Motion made by Trustee Symchych, seconded by Trustee Fonstad, for the Village Board to adopt the Ordinance to Create Section 579-17.7 of the Village of Fox Point Village Code concerning beekeeping, as presented.

Motion to Amend made by Trustee Fonstad, for the Village Board to insert the initial fee of \$100 and an annual fee of \$25 into the blanks shown on page 5 of the draft ordinance. Seconded by Trustee Symchych. Motion to Amend passed, 6-1 (Opposed – Trustee Tirado).

Motion made by Trustee Fonstad, seconded by Trustee Kravit, to postpone consideration of the pending motion, as amended, until the regularly scheduled Village Board meeting on August 13, 2019. Motion to postpone carried unanimously.

Agreement for Water Utility Management and Operation Services from City Water (Consent Agenda 5g)

Motion made by Trustee Fonstad, seconded by Trustee Tirado, and carried unanimously the Village Board accepted the agreement for Water Utility Management and Operation Services from City Water and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated June 28, 2019.

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Consideration of Resolution Awarding the Sale of \$1,830,000 General Obligation Promissory Notes, Series 2019.

Baird Senior Vice President Justin Fischer was present to give a brief synopsis of the Sale General Obligation Promissory Notes, Series 2019.

Motion made by President Frazer, seconded by Trustee Kravit, to adopt the draft Resolution awarding the sale of \$1,830,000 General Obligation Promissory Notes, Series 2019, as presented on page 102 of the Board packet.

Motion made by President Frazer, seconded by Trustee Kravit, to amend the pending motion to adopt the final Resolution distributed to the Board at the meeting rather than the draft presented on page 102 of the packet. Upon no objection, motion to amend carried by unanimous consent.

Upon roll call vote, the amended motion carried unanimously. (7-0)

Pedestrian Traffic Study

The Village Board took up the question of pedestrian safety and whether it should direct staff to conduct a pedestrian traffic study.

Tyson Kuhrmeier, 315 Foxdale Road

Mr. Kuhrmeier is concerned with the safety of pedestrian and bike traffic; he asked the Village Board to consider hiring a traffic engineer.

Erica Waldau, 7218 N Longacre Road

Ms. Waldo supports a pedestrian traffic study in the Village of Fox Point; her concerns are for pedestrian safety in Fox Point.

Adam Shea, 6820 N Yates Road

Mr. Shea stated his concern for pedestrian safety and supports a traffic study.

Katrina Lipman, 580 E Foxdale Road

Ms. Lipman stated her concerns of pedestrian safety; she is supportive of a traffic study and more law enforcement.

Frank Savage, 6953 N Barnett Lane

Mr. Savage supports a traffic study for the Village of Fox Point.

Dawn Tarpey, 360 E MacArthur Road

Ms. Hartwig commented she is in support of a traffic study; she is concerned for pedestrian and bike safety.

Village Manager Scott Botcher, Police Chief Chris Freedy and Direct of Public Works Scott Brandmeier addressed staff research, data, enforcement, and current, upcoming, and prospective traffic safety engineering and speed calming devices. Village Board discussed potential safety measures, education and outreach.

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President Frazer closed the comment period. By consensus of the Village Board, no action was taken on this item.

Future Agenda Items

Motion made by Trustee Kravit, seconded by President Frazer, for the Village Board's consideration of the fence ordinance. Motion carries.

Motion made by Trustee Kravit, seconded by Trustee Ollman, Village Board directs staff to make a presentation considering the powers of the Board of Appeals. Motion carries.

Announcements

Trustee Sumner announced there will be another summer serenade concert on July 17, 2019 at Longacre Pavilion.

Trustee Tirado the citizen pool survey is ready and will be sent out in two weeks by Department of Public Works with a door flyer and also sent through the listserv notifications. Trustee Tirado thanked the Department of Public Works staff for all their time and hard work for the July 4th parade.

Trustee Kravit expressed his gratitude for the staff's hard work on the Fourth of July parade.

Trustee Ollman thanked the Village Manager for achieving a Aaa bond rating.

Village President Frazer congratulated the Village Manager for securing the Aaa bond rating from Moodys Investor Service; Fox Point is the only village in the State of Wisconsin to have been awarded a Aaa rating and joins only two other municipalities in the state that hold that rating. He congratulated the Board for their fiscal stewardship and the manager and staff for making this possible.

President Frazer thanked staff in general and DPW in specific for the successful July Fourth parade—in particular for bringing out the equipment. He thanked the Fox Point Foundation for its work in putting together the parade.

The Intergovernmental Cooperation Council (ICC) is now chaired by Glendale Mayor Bryan Kennedy. On July 8, 2019, the ICC hosted Congressman Glen Grothman and Congressman Bryan Steil. President Frazer commended Mayor Kennedy for making that possible. Kennedy has had much success in arranging for state and federal elected officials to address the ICC and engage with it on issues affecting Milwaukee County and its municipalities.

Village Manager Scott Botcher reported on the two items coming to August's Village Board agenda - discussion on the sign ordinance and on the Building Board.

Village Manager Scott Botcher announced the Village of Fox Point received a dividend check from the League of Wisconsin Municipalities. The village's "mod-factor" is still .98.

Village Manager Scott Botcher commended the staff and the Village Board for helping obtain the Aaa bond rating.

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Closed Session

Motion made by President Frazer, seconded by Trustee Fonstad, and carried unanimously by roll call vote (7-0), the Village Board convened 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 411 E. Bradley Road and 139 E. Good Hope Road.

Reconvene and Possible Action on Closed Session Items

Motion made by President Frazer, seconded by Trustee Fonstad, and carried unanimously, the Village Board reconvened into open session at 9:43 p.m.

No action was taken following closed session.

Adjourn

Motion made by President Frazer, seconded by Trustee Fonstad, and carried unanimously, the Village Board adjourned the Village Board meeting at 9:44 p.m.