

**VILLAGE OF FOX POINT
VILLAGE BOARD MINUTES
SEPTEMBER 10, 2019**

A meeting and public hearing of the Fox Point Village Board was held on Tuesday, September 10, 2019 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 Liz Sumner
Trustee Bill Kravit
Trustee Greg Ollman

Those absent included:

Trustee Marty Tirado

Also, present were Village Attorney Eric Larson, Village Manager Scott Botcher, Assistant Village Manager Michael Pedersen, 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 of the rules.

North Shore Library Director Susan Draeger-Anderson

Library Director Ms. Draeger-Anderson covered a couple of highlights. The North Shore Library received an honor from the Wisconsin Library Association, receiving one of five annual awards. The award received was for Program Innovation because of the work the North Shore Library is doing with caregivers, those who are caring for patients with dementia, and for the Memory Connection Center, including all of the related programs the Library is offering.

The summer reading program is finished; last year there were 909 participants and this year there were 963 participants. Fox Point went from 26 to 30 percent of the total participation, which was a significant jump for our community.

Hearing no other comments, President Frazer closed the public comment period.

Plan Commission

Village Board received a report from Trustee Fonstad regarding the Tuesday, September 3, 2019 Plan Commission's consideration of the Conditional Use application of The Friendship Circle, Inc., for a coffee shop, bakery and art studio, located at the former North Shore Bistro location -8649 N Port Washington Road. The Plan Commission recommended Village Board approval of the application.

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Public Hearing. Proposed *The Friendship Circle Conditional Use Permit*, for renovation to house a coffee shop, bakery and art studio, pursuant to Section 745-18 of the Village Code.

Open Public Hearing

Motion made by President Frazer, seconded by Trustee Symchych, and carried unanimously, the Village Board opened the public hearing at 7:04 p.m. for the public hearing agenda item 4a, the proposed The Friendship Circle, to be located at 8649 North Port Washington Road, Fox Point, for renovation to house a coffee shop, bakery and art studio pursuant to Section 745-18 of the Village Code.

Rabbi Levi Stein

Rabbi Stein gave a brief summary and overview of The Friendship Circle, a local non-profit organization, working with kids and adults with special needs. This will provide opportunities for the individuals working at the Friendship Circle.

Close Public Hearing

Motion made by Trustee Fonstad, seconded by Trustee Kravit, and carried unanimously, the Village Board closed the public hearing at 7:08 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 August 13, 2019 Village Board meeting and public hearing.
- b.** Grant a Conditional Use Permit to The Friendship Circle, to house a coffee shop, bakery and art studio at 8649 N Port Washington Road, Fox Point, and authorize the Village President and Village Clerk/Treasurer to sign the Conditional Use Order.
- c.** Accept the quote of Munson, Inc. in the amount of \$23,610 for the paving of Goodrich Lane between Lake Drive and Gray Log Lane and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated August 27, 2019.
- d.** Approve the request of Badgerland Striders to use Village streets on Sunday, October 6, 2019 for their 2019 Lakefront Marathon per the Assistant Village Manager's memorandum dated September 3, 2019.
- e.** Confirm Village President's appointments to Board of Appeals due to a vacancy in the Alternate #1 position that runs from 2018 to 2021.
- f.** Approve Payment of the Bills in the amount of \$1,043,340.73 for the period August 1, 2019 through August 31, 2019 per the report submitted by the Village Manager.

Motion made by President Frazer, seconded by Trustee Fonstad, and carried unanimously, the Village Board approved the consent agenda as presented.

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Property Located at 139 E. Good Hope Road

Village Manager Scott Botcher gave a brief update regarding 139 E. Good Hope Road. He stated the building permit was secured; the owner paid his building permit fees. Village Manager Scott Botcher recommended the Village Board take no action.

Municipal Judge Scott Wales will provide a municipal court update and answer questions from the Village Board.

Municipal Judge Scott Wales distributed municipal court financials; he provided a municipal court update and answered questions from the Village Board.

Resolution of Commendation and Appreciation – Retiring Department of Public Works Operator Walter Baehr

Motion made by President Frazer, seconded by Trustee Sumner, and carried unanimously to adopt the Resolution of Commendation and Appreciation for retiring Department of Public Works Operator Walter Baehr.

Resolution of Commendation and Appreciation – Retiring Department of Public Works Laborer Dale Gatford

Motion made by President Frazer, seconded by Trustee Kravit, and carried unanimously to adopt the Resolution of Commendation and Appreciation for retiring Department of Public Works Operator Dale Gatford.

Staff presentation on the Fence Ordinance.

Village Attorney Eric Larson gave a general overview and summary regarding the Village of Fox Point fence ordinance.

Julia Goldberg, 415 E Bradley Road

Ms. Goldberg inquired whether the village code would be updated with the types of fence materials permitted.

There were no other comments; no action was taken.

Staff presentation considering the powers of the Board of Appeals

Village Attorney Eric Larson gave a presentation and overview regarding the powers of the Village of Fox Point Board of Appeals.

No action was taken.

Consideration of possible referral to Plan Commission of a draft Ordinance to Repeal and Re-create Chapter 540 of the Village of Fox Point Village Code entitled “Signs”

Motion made by Trustee Symchych, seconded by Trustee Ollman, and carried unanimously the Village Board referred to the Plan Commission for consideration, a draft Ordinance to Repeal and Re-create Chapter 540 of the Village of Fox Point Village Code entitled, “Signs”.

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Staff presentation on Building Board

The Village Board received a presentation from staff and had a discussion regarding the Building Board and the process and operations of Building Board, as per the included documents in the Village Board packet.

President Frazer asked the Village Board to give some thought to the process and operations of Building Board.

No action was taken.

Comprehensive Plan Special Committee Report

The Village Board received a report from Assistant Village Manager Michael Pedersen and Chairman of the Comprehensive Plan Special Committee on the current status. Assistant Village Manager Michael Pedersen stated the second notice regarding the Comprehensive Plan survey goes out with this week's garbage pick-up. As a reminder, the deadline for the survey is September 16. Mr. Pedersen reported as of yesterday, 379 completed surveys have been returned.

Future Agenda Items - None

Announcements

Village President Frazer congratulated Deputy Clerk Treasurer Jeanne O'Brien for completing the IIMC Athenian Fellowship. This is a fellowship that requires a course of study in leadership. She now joins 5 other fellows in the State of Wisconsin.

Fox Point has plenty of civic engagement as shown by the participation in the pool survey and the new comprehensive plan survey. Over half of the community responded to the pool survey, as well as the solid response regarding the comprehensive plan survey. Congratulations to staff putting the survey together and circulating it.

The Intergovernmental Cooperation Council (ICC) is comprised of the chief elected officials in Milwaukee County. Yesterday's ICC meeting was devoted principally to discussing "Move Forward MKE", which is an initiative to ask the legislature for enabling legislation for a binding referendum on a 1% sales tax increase in Milwaukee County. This is an effort by the county and member municipalities to meet our funding obligations for the basic services we are expected to provide. This is a somewhat complicated issue. More information will be forthcoming.

Trustee Fonstad gave a report for Marty Tirado regarding the Pool Committee. The Pool Committee will meet again on September 19th at 8:00 a.m.

Trustee Fonstad reported on the August 15, 2019 Tree Commission Committee meeting. Members of the Tree Commission talked to Stormonth School staff about taking down a large number of the ash trees on the school grounds, due to the Stormonth area school citizens' concerns. The Tree Commission offered to share their institutional knowledge. The committee suggested funding opportunities, such as grants, to the school. The Village Forester, as a good neighbor, has consulted with Stormonth School. Two hundred and thirty trees will be replanted in the Indian Creek woods on October 5th and October 12th from 8:00 a.m. until noon. He welcomed everyone to bring a shovel to help plant the trees. DPW staff is being challenged by residents who are leaving large amounts of ash waste on the roadside. The staff is having difficulty finding contractors to pick up the ash waste.

Village Manager Scott Botcher announced Trick or Treat will be on is October 27 from 1:00 p.m. to 4:00 p.m.

North Shore Health Department, Ann Christiansen will be on the Village Board agenda next month in October. The North Shore Health Department is asking that we pass an ordinance that includes electronic cigarettes in a similar fashion as regular cigarettes in terms of where you can and

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cannot smoke them. It is not a prohibition of vaping within any community, but only to treat electronic cigarettes in a similar fashion as tobacco cigarettes.

Closed Session

Roll Call:

Motion made by President Frazer, seconded by Trustee Fonstad, and carried unanimously by roll call vote (6-0), the Village Board convened into closed session at 8:36 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 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 8:40 p.m.

No action was taken.

Adjourn

Motion made by President Frazer, seconded by Trustee Ollman, and carried unanimously, the Village Board adjourned the Village Board meeting at 8:41p.m.

Respectfully submitted,



Kelly A. Meyer, CMC/WCMC
Village Clerk Treasurer