

**VILLAGE OF FOX POINT
VILLAGE BOARD MINUTES
SEPTEMBER 8, 2020**

A meeting of the Fox Point Village Board was held on Tuesday, September 8, 2020 entirely virtually via telephone and video conferencing and available to attend through Zoom, 7200 N. Santa Monica Boulevard. President Frazer called the meeting to order at 7:01 p.m. President Frazer asked the Clerk Treasurer to take roll call. Roll Call of the Village Board present included:

President Douglas H. Frazer
Trustee Eric Fonstad
Trustee Christine Symchych
Trustee Marty Tirado
Trustee Liz Sumner
Trustee Bill Kravit (signed in at 7:05 p.m.)
Trustee Greg Ollman

Also present via Zoom were Village Manager Scott Botcher, Assistant Village Manager Michael Pedersen, Department of Public Works Director Scott Brandmeier, Village Attorney Eric Larson 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

At this time, individuals can address the Village Board on one or more topics for up to three-minutes with time extensions at the Village President's discretion. Per Fox Point Emergency Proclamation No. 3, there will be no citizen comments received during this meeting other than during this "persons desiring to be heard" agenda item, to avoid confusion and preserve order during the virtual meeting. In connection with non-agenda items, no action will be taken except for possible referrals to individuals or committees.

Lance and Julie Parve, 500 E Fox Dale Court

Mr. and Mrs. Parve asked the Village Board to clarify the definition of accessory structure under Village Code Section 579-17.5, Keeping of Chickens.

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

Consent Agenda

- a. Approve the minutes of the August 11, 2020 Village Board meeting.
- b. Approve the Green Infrastructure Ten-Year Maintenance Covenant for Calumet 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 September 2, 2020.

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- c. Approve Change Order No. 2 from Kapur & Associates in an amount not to exceed \$26,852 for geotechnical borings and investigations on the Barnett Road ravine stormwater project and authorize the Village President and Village Clerk/Treasurer to sign the change order pursuant to the Director of Public Works' memorandum dated September 2, 2020.
- d. Approve Change Order No. 1 from WSO Grading & Excavating in an amount not to exceed \$30,000 for additional shoreline stabilization activities along Beach Drive and authorize the Village President and Village Clerk/Treasurer to sign the change order pursuant to the Director of Public Works' memorandum dated September 2, 2020.
- e. Approve the request of Friendship Circle to use Village streets on Sunday, September 13, 2020 for their 2020 Bike4Friendship event per the Assistant Village Manager's memorandum dated September 2, 2020.
- f. Approve payment of the bills in the amount of \$289,025.41 for the period August 1, 2020 through August 31, 2020 per the report submitted by the Village Manager.

Trustee Fonstad requested the removal of agenda item 3a; Trustee Ollman requested the removal of agenda item 3d.

Motion made by President Frazer, seconded by Trustee Sumner, and carried by roll call vote (6-0, Not Present-Trustee Kravit), the Village Board approved the consent agenda, as modified, with the removal of items 3a and 3d.

Minutes of August 11, 2020

Trustee Fonstad requested the minutes be modified with the following changes:

LINES 38 & 39: restate the second sentence to say: "He is supportive of erosion protection and shoreline restoration generally but against picnic tables and parking spaces."

LINE 53: change "7850" to "7250"

LINES 59 & 60: restate the first sentence to say: "Mr. Tarney said Beach Drive is well used for walking, running, biking and sightseeing and that he has deep concerns about designating the land east of Beach Drive a public park."

LINE 69: change "Beach Circle" to "Links Circle"

LINE 229: add: Thomas LaConte 7110 N. Barnett Lane. Mr. LaConte said he owns three lots on Beach Drive and that he opposes adding benches, swimming, or parking to this area."

Motion made by Trustee Fonstad, seconded by President Frazer, and carried unanimously by roll call vote (7-0), to approve the Village Board minutes of August 11, 2020 with the modifications, as stated in lines 38 and 39, line 53, Lines 59 and 60, Line 69, and Line 229, as above.

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Change Order No. 1 from WSO Grading & Excavating in an amount not to exceed \$30,000 for additional shoreline stabilization.

Motion made by President Frazer, seconded by Trustee Fonstad, to approve Change Order No. 1 from WSO Grading & Excavating in an amount not to exceed \$30,000, for additional shoreline stabilization activities along Beach Drive and authorize the Village President and Village Clerk/Treasurer to sign the change order pursuant to the Director of Public Works' memorandum dated September 2, 2020.

Discussion ensued.

Trustee Fonstad called the question.

Motion passed by roll call vote (4-3, Opposed-Trustee Tirado, Trustee Ollman, Trustee Kravit).

Proposal to Refinance 2011 Bonds

Baird Director Justin Fischer

Justin Fischer, a Director at Baird gave a presentation regarding the refinancing of the 2011 bonds.

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (7-0), to authorize the execution of the engagement letter and authorize the Village Manager to pursue a private placement, as referenced on page 55 and 59 of the agenda packet and consistent with the Village Manager's Memorandum.

Future Agenda Items

Motion made by Trustee Kravit, seconded by Trustee Ollman, and carried by roll call vote (7-0), to place a report by the Director of Public Works on the next agenda concerning the fulfillment of contractual terms connected to recent work on the shoreline adjacent to North Beach Drive, the ownership interests of the parcels between 8000 North Beach Drive and 8040 North Beach Drive located between North Beach Drive and Lake Michigan, and the interaction or involvement of those property owners with the contractual work being performed.

Announcements

Village Manager Scott Botcher announced the Comprehensive Plan Special Committee will hold a meeting on September 14th, 2020 at 8:00 a.m.

Village Manager Scott Botcher reported the Village of Fox Point has prepared a submittal for the CARES Act, which was enacted in response to COVID-19. The Village of Fox Point's estimate for available funds (in the form of grants) is approximately \$106,000. The deadline for the CARES Act submittal is September 15, 2020.

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Closed Session

Motion by President Frazer, second by Trustee Fonstad, and carried unanimously by roll call vote (7-0), to adjourn into closed session at 7:58 p.m., 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, 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.

Reconvene into Open Session

Motion made by Trustee Fonstad, seconded by Trustee Ollman, and carried by roll call vote (7-0), to reconvene into open session at 8:59 p.m.

President Frazer stated that on the matter of the library, agenda item 7a, the village board took no action.

Adjourn

Motion made by President Frazer, seconded by Trustee Fonstad, and carried unanimously by roll call vote (7-0); the Village Board adjourned the Village Board meeting at 9:01 p.m.

Respectfully submitted,



*Kelly A. Meyer, CMC/WCMC
Village Clerk Treasurer
Village of Fox Point*