

**VILLAGE OF FOX POINT
VILLAGE BOARD MEETING MINUTES
DECEMBER 14, 2021**

A meeting of the Fox Point Village Board was held by a combination of in-person and virtual attendance via Zoom telephonic and video conferencing on Tuesday, December 14, 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 Liz Sumner
Trustee Bill Kravit
Trustee Greg Ollman
Trustee Catie Knight

Also, present were Village Attorney Eric Larson, Village Manager Scott Botcher, Public Works Director Scott Brandmeier, Assistant Village Manager Kevin Ausman, 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.

Andrew Elmer 101 E Bradley Rd.

Mr. Elmer commented on his concerns with the upcoming Bradley Road resurfacing project and traffic speed issues arising from the project.

David Petering, 7229 N Santa Monica Blvd.

Mr. Petering submitted a letter [Exhibit A] to the Village Board in connection with the Cobalt Partners redevelopment proposal. Peterson believes consideration should be given to Fox Point resident surveys, transparency with residents, traffic studies, costs to the village, financial implications of a TID, pool safety, and consultation with nearby residents.

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

Consent Agenda

- a. Approve the minutes of the November 9, 2021 Village Board meeting.
- b. Approve the minutes of the November 22, 2021 Budget Public Hearing and meeting.
- c. Appoint Election Inspectors for the two-year term of January 1, 2022 through December 31, 2023 per the Village Clerk's memorandum updated November 30, 2021.
- d. Confirm President Frazer's appointment of Russell Yale, M.D. to Plan Commission as replacement for Carol Wilkens.

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- e. Approve Change Order No. 1 from WSO Grading & Excavating in the amount of \$22,084.20 for the placement of 4-8 inch stone for the Barnett Lane ravine project and authorize the Village President and Village Clerk/Treasurer to sign the change order per the Director of Public Works' memorandum dated December 7, 2021.
- f. Accept the proposal of Wachtel Tree Science in an amount not to exceed \$44,800 for the 2022 Forestry Services and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 7, 2021.
- g. Accept the proposal of Wachtel Tree Science in an amount not to exceed \$15,000 for the administration of the 2022 Emerald Ash Borer initiative and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 7, 2021.
- h. Accept the proposal of Kapur & Associates in an amount not to exceed \$19,838 for the televising of approximately 18,000 linear feet of sanitary sewers and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 7, 2021.
- i. Accept the proposal of Kapur & Associates in an amount not to exceed \$33,686 for the design and rehabilitation of sanitary sewer mains and manholes in Basin Nos. 1, 2 and 3 and for a section of storm sewer pipe and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 7, 2021.
- j. Accept the proposal of Ruekert Mielke in an amount not to exceed \$35,600 for GIS services and data/site maintenance and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 7, 2021.
- k. Adopt Resolution 2021-31 to Recognize Martin Luther King Day in Memory of Rev. Dr. Martin Luther King, Jr. in the Village of Fox Point.
- l. Approve payment of the bills in the amount of \$470,247.50 for the period November 1, 2021 through November 30, 2021 per the report submitted by the Village Manager.

Trustee Ollman requested the withdrawal of agenda items 3e.

Motion made by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (7-0), to approve the consent agenda, absent item, 3e.

Update on Data Collection and Preliminary Design Concepts along Lake Drive

Public Works Director Scott Brandmeier gave an update on the data collection and preliminary design concepts along Lake Drive; this included details concerning four options at the intersection of Lake Drive and Beach Drive. Kapur & Associates Professional Engineer Aaron Bubb appeared online and was available to answer questions.

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President Frazer asked if there were any comments from the public; no comments were heard. Hearing no comments, President Frazer opened comments up to the Village Board and staff.

Without objection and by Village Board consensus, Kapur and staff were directed by to develop and present the following items to the Village Board at a subsequent meeting:

*Evaluate Bicycle Lanes
Study of Crosswalks (regular and smart)
Beach Drive intersection Option 1
Beach Drive Intersection Option 2
Beach Drive Intersection Option 4
Study of Left Turn Lane on Lake Drive and Bell Rd
Study of Right Turn Lane on Lake Drive and Green Tree Rd
Drainage Improvements
Water Main Replacement*

Scott Brandmeier stated Department of Public Works will work with Kapur & Associates to put together a two-party scope of services in relation to the above items. They will also speak to WDOT to determine whether the agency would entertain reducing the speed limit in Fox Point on Lake Drive from 35 miles per hour to 30 miles per hour.

Approve Change Order No. 1 from WSO Grading & Excavating in the amount of \$22,084.20 for the placement of 4-8 inch stone for the Barnett Lane ravine project (3e)

Motion by President Frazer, seconded by Trustee Ollman, and carried by roll call vote (7-0) to approve Change Order No. 1 from WSO Grading & Excavating in the amount of \$22,084.20, as reflected in the change order proposal prepared by the Director of Public Works and as stated in the agenda packet on pages 11-13.

Cobalt Partners Presentation Concerning Its Redevelopment Concept, Including Village Facilities

Cobalt Partners, LLC President and CEO Scott Yauck gave a presentation to the Village Board regarding Cobalt Partners' preliminary development concept within the Village of Fox Point. The project envisions private redevelopment of certain property owned by the village, including Village Hall and the DPW yard, with those Village facilities being relocated to property Cobalt Partners would acquire and transfer to the Village. The presentation outlined the extensive procedural steps that moving the proposal forward would involve.

Architect and Senior Design Director at RINKA Buck Knitt gave a brief presentation regarding the 30-35 single family lots (community-centered pocket neighborhood) proposed for the area now occupied by the village hall, the DPW yard, and the swimming pool.

Village Attorney Eric Larson outlined what the process and procedures would be to move this proposal forward.

President Frazer asked for public comment.

Luke Junk 7945 N Mohawk Rd.

Mr. Junk is very concerned regarding the Cobalt Partners proposal, due to their property bordering the parcels off of N Port Washington Road. Mr. Junk asked the Board to consider protecting their property and the value of their property.

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Mr. Jesse and Julie Carlton, 7442 N Mohawk Rd.

Mr. Carlton is sympathetic to Mr. Junk's situation. Mr. Carlton, in general, is supportive of the proposal and the opportunity Cobalt Partners presents.

David Miller 7401 N Crossway Rd.

Mr. Miller's background is in real estate. He is generally in support of the project but has concerns regarding the utilization of the N. Port Washington Road properties.

Therese Gripentrog, 8145 N Navajo Rd.

Ms. Gripentrog is not in support of the Cobalt Partners proposal. She does not believe the village is staffed to take on Cobalt Partners development. She is concerned with high-density housing, parking, and the proposed facilities' appearance as an entryway to the village.

Stephanie Astrin, 803 E Calumet Rd.

Ms. Astrin commented on concerns that the village will contract out services provided by the DPW.

Elizabeth Aelion, 210 W Bergen Ct

Ms. Aelion commented that more clarification would assist in a clearer understanding of the Cobalt Partners proposal, such as the questions of where the village hall will be located, whether the Department of Public Works, Police Department, and Village Hall would be rebuilt at the same time, and whether the proposal is consistent with the village comprehensive plan.

Brad Fedderly, 7901 N Mohawk Rd.

Mr. Fedderly has concerns regarding the Cobalt Partners proposal. His concerns include the proposed location of the Department of Public Works and the lack of notification to nearby owners of the proposal.

Jill Macek, 7870 N Mohawk Rd.

Ms. Macek's concern is whether the village needs or desires the Cobalt Partners proposal, or would benefit from a village-initiated request for proposal (RFP) process.

Kate Junk, 7945 N Mohawk Rd.

Ms. Junk's concerns include a change in the feel to the village and what she and her husband imagined to be their forever home in Fox Point.

Holly Harnischfeger, 711 E. Calumet Rd.

Ms. Harnischfeger questioned the Village of Fox Point's agenda, goal, or reason for the proposal.

Larry Cohn, 200 W Dunwood Rd

After recounting his many objections to the Dunwood project, Mr. Cohen's raised concerns about potential change to village property values, and the ownership of public and private properties mentioned in the proposal.

Mr. Yauck answered questions from the Village Board members.

President Frazer concluded the presentation.

2021 Municipal Pool Year End Overview

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Assistant Village Manager Kevin Ausman gave a report on the year end 2021 Municipal Pool operation and finances.

Ordinance to Create Section 19-9 C (6) of the Village of Fox Point Village Code to Exclude Installation of Egress Windows from the Requirement of Building Board Review

Motion by President Frazer, seconded by Trustee Knight, and carried by roll call vote (7-0) to Adopt an Ordinance to Create Section 19-9 C (6) to Exclude Installation of Egress Windows from the Requirement of Building Board Review, as set forth in the agenda packet on pages 116 through 118.

Ordinance to Repeal and Re-create Sections 63-2, 63-4, and 63-7 of the Village of Fox Point Village Code Related to Fees Arising Pursuant to the Building and HVAC Code, Plumbing Code, and Electrical Code.

Motion by Trustee Symchych, seconded by Trustee Knight, and carried by roll call vote (7-0) to Adopt an Ordinance to Repeal and Re-create Sections 63-2, 63-4, and 63-7 of the Village of Fox Point Village Code Related to Fees Arising Pursuant to the Building and HVAC Code, Plumbing Code, and Electrical Code.

Property Easement – 7736 North Beach Drive

Motion by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (7-0), to approve the amended storm sewer easement for 7736 North Beach Drive, consistent with pages 129-144 of the agenda packet, subject to the incorporation of the missing property description(s) and other items, and subject to the approval of the Village Attorney.

Community Enhancement Grants

Motion by President Frazer, seconded by Trustee Sumner, to approve the creation of a special “pilot” committee for the purpose of describing the requirements and soliciting applications for, reviewing, and recommending to the Village Board community enhancement grants to Village-centered organizations for projects or programs that would have a tangible effect on enriching life in the Village of Fox Point, in amounts not to exceed \$5,000 per organization or \$10,000 in the aggregate for a calendar year.

Trustee Fonstad	Nay
Trustee Symchych	Nay
Trustee Sumner	Aye
Trustee Kravit	Aye
Trustee Ollman	Aye
Trustee Knight	Nay
President Frazer	Aye

Motion passed by roll call vote (4-3).

Motion by President Frazer, seconded by Trustee Ollman, to authorize the Village President to appoint five members, consisting of three trustees and two non-elected citizens, to the special “pilot” committee.

Trustee Fonstad	Aye
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<i>Trustee Symchych</i>	<i>Nay</i>
<i>Trustee Sumner</i>	<i>Aye</i>
<i>Trustee Kravit</i>	<i>Aye</i>
<i>Trustee Ollman</i>	<i>Aye</i>
<i>Trustee Knight</i>	<i>Aye</i>
<i>President Frazer</i>	<i>Aye</i>

Motion passed 6-1.

Future Agenda Items-None

Announcements

Trustee Fonstad

No announcements.

Trustee Symchych

No announcements.

Trustee Sumner

No announcements.

Trustee Kravit

Trustee Kravit announced a dryer is at the bottom of the Bridge Lane ravine.

Trustee Ollman

No announcements.

Trustee Anderson Knight

No announcements.

Village President Frazer

President Frazer wished everyone a Merry Christmas and a healthy 2022.

Village Manager Scott Botcher

Village Manager Scott Botcher announced tax bills have been mailed out. He also announced the memorandum of understanding regarding the North Shore Library passed and will be signed by the municipalities.

Adjourn

Motion made by President Frazer, seconded by Trustee Ollman, and carried by roll call vote (7-0); the Village Board adjourned the Village Board meeting at 9:42 p.m.

Respectfully submitted,

Kelly A. Meyer, CMC/WCMC
Village Clerk Treasurer

To: Village Board, Village of Fox Point
From: David Petering, resident 7229 N. Santa Monica Blvd.
Re: Cobalt proposal, December 14, 2021 Village Board meeting

A neighbor brought to my attention an item on the agenda of the Fox Point Village Board for its meeting on December 14, 2021. The Cobalt proposal (page 86 of the detailed agenda materials) briefly sketches a major series of changes to the public spaces of the Village, including moving the location of and building new DPW facilities and swimming pool to be undertaken by the Village and conversion by the developer of the present DPW and adjacent public land into housing.

As you listen to and consider responses to this proposal, it strikes me that your first decision needs to center on the question: Does the Village need or want to drastically redo its public spaces and locations? To answer this complex question, I think

- Fox Point residents should be surveyed carefully about their views based upon a well-developed document from the Board that sets forth objectively the reasons for implementing or not implementing the various, interlocking aspects of this proposed project.
- In preparing the background information to be shared with residents, planning, traffic, fiscal, and other experts should also be engaged to provide their input about the advisability of the project.
- Is there a need for a new DPW garage and what is its likely cost? (It appears from the proposal that the Village would pay for the new DPW buildings.) How much will a new aquatic recreation site cost the Village to construct.
- What are the financial implications, including undertaking a Tax Incremental District to help the developer accrue sufficient monetary return from the project? Will Village tax revenues increase significantly over the next 10-15 years? Will the project improve the village profile – its appearance and reputation? Will the project cost us more than any benefits it provides?" Etc.
- There are significant implications for residents who live in the vicinity of the land that is proposed to undergo change. They need to be closely consulted during any decision-making process.

If there is interest among a majority of village residents to move ahead as determined in a referendum, there should be an open process for all developers to respond to a Village call for proposals.

If agreement is reached to proceed, any new development needs to meet climate mitigation and resilience criteria that get the planet to net-zero carbon emission by 2050. Basically, the buildings need to be powered and heated by electricity, feature solar panels to gather energy, be state-of-the-art insulated, etc.

A few cursory observations about the concept proposal. First, placing housing up against the rail right of way is really unacceptable as a desirable living arrangement. Second, the proposed swim facility is much smaller than presently available, limiting access for adult swim. The proposed swim facility is not parent and child friendly because other present swim options are eliminated (wading pool, shallow swim area, deep swim area) and the important feature of safe access (fencing and an admission gate) is missing. Lastly, there seems to be nothing in the proposal that addresses moving the Village Hall to the Police Station.

Without lots more detail as described above, it is not possible to make a judgment about the wisdom of the basic concept of this proposal – the Village moves and rebuilds its DPW, Village Hall, and swimming facility; the Developer builds new housing on the vacated land.