

**NOTICE OF MEETING
VILLAGE OF FOX POINT
VILLAGE BOARD MEETING
*Amended**

**SCHWEMER HALL – MUNICIPAL BUILDING
7200 N. SANTA MONICA BLVD
FOX POINT, WI 53217**

**TUESDAY
SEPTEMBER 12, 2023
7:00 P.M.**

NOTE: THE VILLAGE BOARD WILL BE MEETING IN PERSON AT VILLAGE HALL, WITH A REMOTE ATTENDANCE OPTION, PER THE HYBRID MEETING PROCEDURES FURTHER DESCRIBED IN SECTION 19-32 D. OF THE VILLAGE CODE. THIS MEETING IS OPEN TO ALL CITIZENS IN PERSON AT VILLAGE HALL, OR THROUGH THE ZOOM PARTICIPANT INFORMATION SHOWN BELOW, SUBJECT TO THE FOLLOWING: NO ASSURANCE IS PROVIDED TO THOSE GOVERNING BODY MEMBERS AND CITIZENS INTENDING TO ATTEND REMOTELY THAT THE TECHNOLOGY WILL PERFORM SUFFICIENTLY TO ALLOW FOR THEIR PARTICIPATION AND THE MEETING WILL PROCEED REGARDLESS. PUBLIC OFFICIALS AND CITIZENS WISHING TO ENSURE THEY CAN PARTICIPATE ARE ENCOURAGED TO ATTEND IN PERSON. CITIZENS ARE ENCOURAGED TO SUBMIT ANY COMMENTS IN WRITING IN ADVANCE OF THE MEETING TO THE VILLAGE MANAGER AT sbotcher@villageoffoxpoint.com, HOWEVER THERE IS NO LARGER RIGHT TO COMMENT REMOTELY OR IN WRITING THAN IN PERSON.

Zoom Participant Information
<https://us02web.zoom.us/j/81545671003>
Meeting ID: 815 4567 1003
Dial: (312) 626-6799

AGENDA

- 1. Roll Call**
- 2. 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. Citizen comment when agenda items are called will be heard at the discretion of the chair, subject to the overall three-minute limit. In connection with non-agenda items, no action will be taken except for possible referrals to individuals or committees. No comments will be received at this time for matters that will be or have been the subject of a public hearing, because the proper time for such comments is during the public hearing.

- 3. Committee Reports**

- a. Plan Commission**

1. The Village Board will receive a report regarding Plan Commission's review and recommendation of a Conditional Use Permit for Matilda, LLC, d/b/a, Matilda Bakehouse, 6870-6874 N Santa Monica Blvd.

2. The Village Board will receive a report regarding Plan Commission's review and recommendation of a land combination for Starfish Five Properties, LLC, 8090 & 8100 N Beach Drive, tax key #057-9989-000 and 057-9990-000.
3. The Village Board will receive a report regarding the proposed ordinance to repeal and re-create subsection 745-20 (B) concerning the process and Building Board's participation in the granting of permits.

b. Pool Committee

1. The Village Board will receive a written report from Pool Committee Chair Marty Tirado, as in the Village Board packet.

[Page 1]

4. Public Hearings

a. Conditional Use Permit for 8647 N Port Washington Road – Premier WI Fox Point, LLC, d/b/a, The Nurturing Nook

The Village Board will hear comments and input regarding the review and recommendation of a Conditional Use Permit for Premier WI Fox Point, LLC, d/b/a, The Nurturing Nook located at 8647

b. Conditional Use Permit for Matilda, LLC, d/b/a, Matilda Bakehouse, 6870-6874 N Santa Monica Blvd.

The Village Board will hear comments and input regarding the review and recommendation of a Conditional Use Permit for Matilda, LLC, d/b/a, Matilda Bakehouse, 6870-6874 N Santa Monica Blvd.

c. Ordinance Repealing and Recreating Section 745-20 (B) regarding the Process and Building Board Participation Regarding Granting of Permits in the F-Institutional District of the Village of Fox Point Municipal Code.

The Village Board will hear comments and input regarding the review and recommendation of an ordinance repealing and recreating Section 745-20 (B) of the Village of Fox Point municipal code regarding the process and Building Board participation regarding granting of permits in the F Institutional District.

5. Consent Agenda – All items listed under the Consent Agenda will be approved in one motion without discussion unless any Board member requests that the item be removed for individual discussion and possible action. Any item(s) so removed shall be considered individually prior to consideration of any New Business agenda items in the same order in which they were originally listed in the Consent Agenda.

- a.** Approve the minutes of the August 8, 2023 Village Board and Public Hearing meeting.

[Pages 2-6]

- b.** Grant Conditional Use Permit for 8647 N Port Washington Road, Premier WI Fox Point, LLC, d/b/a, The Nurturing Nook.

[Pages 7-9]

- c.** Grant Conditional Use Permit for Matilda, LLC, d/b/a, Matilda Bakehouse, 6870-6874 N Santa Monica Blvd.

[Pages 10-12]

- d.** Approve payment of the bills in the amount of \$377,518.34 for the period August 1, 2023 through August 31, 2023 per the report submitted by the Village Manager.

[Pages 13-25]

- e. Approve the Land Combination and Certified Survey Map submitted by applicant Starfish Five Properties LLC, whose registered agent is Joseph Hanni, for the properties located at 8090 and 8100 North Beach Drive, upon all terms and conditions recommended by the Village Plan Commission.
[Pages 26-32]
- f. Adopt a Resolution Authorizing the Director of Public Works to submit an Urban Forestry Grant to the Wisconsin Department of Natural Resources for the preparation of an updated tree inventory.
[Page 33]
- g. Adopt a Resolution Authorizing the Director of Public Works to act on the Village Board's behalf for the Acquisition of Temporary Limited Easements (TLEs) and Permanent Limited Easements (PLEs) on terms recommended by the Village's consultants Single Source, Inc., and Kapur & Associates, with approval by Wisconsin DOT if necessary, for Nine (9) Temporary Limited Easements (TLEs) and Four (4) Permanent Limited Easements (PLEs) and Three (3) Utility Release of Rights for Restoring Roadway Grading, Drainage, and Crosswalks along the Lake Drive corridor.
[Pages 34-36]
- h. Adopt a Resolution Approving the Relocation Order for Nine (9) Temporary Limited Easements (TLEs) and Four (4) Permanent Limited Easements (PLEs) and Three (3) Utility Release of Rights for Restoring Roadway Grading, Drainage, and Crosswalks along the Lake Drive corridor.
[Pages 37-57]
- i. Approve the contract with Single Source, Inc. for negotiation services and recording fees associated with the acquisition of the Temporary Limited Easements (TLEs) and Permanent Limited Easements (PLEs) along Lake Drive in the amount of \$20,350 and authorize the Village President and Village Clerk/Treasurer to sign the contract on behalf of the Village.
[Page 58]
- j. Approve Change Order No. 2 from Kapur & Associates in the amount of \$1,036 for additional water main design services associated with the Lake Drive project and authorize the Village President and Village Clerk/Treasurer to sign the change order on behalf of the Village.
[Pages 59-61]
- k. *Approve the Agreement between the Milwaukee Metropolitan Sewerage District and the Village of Fox Point for the Connection to the Village's Water Main on Beach Drive pursuant to the Director of Public Works' memorandum dated September 11, 2023.
[Pages 62-63]

6. Unfinished Business

- a. **Ordinance Repealing and Recreating Section 745-20 (B) regarding the Process and Building Board Participation Regarding Granting of Permits in the F-Institutional District**

The Village Board will discuss and may act on an ordinance repealing and recreating Section 745-20 (B) regarding the process for approval of uses, buildings and building alterations in the F-Institutional District.

[Pages 64-67]

7. New Business

- a. **Police Car Purchase Authorization**

The Village Board will consider and may act on a request to authorize the Village Manager to submit letters of intent / purchase orders not to exceed \$55,000 per vehicle for police fleet vehicles when the order window opens for delivery in 2024, for up to two vehicles.

[Pages 68-69]

b. Consideration of Design Options for the Beach Drive and Lake Drive intersection

The Village Board will consider and may act on a recommendation from the Director of Public Works for the design of the Beach Drive and Lake Drive intersection.

[Pages 70-76]

c. Consideration of the Speed Limit Along North Lake Drive

The Village Board will receive and may discuss a report from the Director of Public Works to consider the speed limit along Lake Drive in light of clarifications provided by the Wisconsin Department of Transportation.

[Pages 77-95]

d. Referral of an application by the Town Club to the Plan Commission under Section 745-10 for consideration of the proposed conversion of tennis courts into pickleball courts.

The Village Board will review and may refer an application by the Town Club to the Plan Commission under 745-10 for consideration of the proposed conversion of tennis courts into pickle ball courts.

e. Popland Studios Civic Center Study

Trustee Ollman and Trustee Aelion requests to have an item added to the agenda for the September 12, 2023 Village Board meeting to hear a report from the Village Manager on the work done to date under the Popland Studios Civic Center Study agreement and on any discussions held between the Village Administration and Popland Studios and further to reconsider the agreement for the performance by Popland Studios of a Civic Center Study and to take possible action to cancel the agreement.

8. Future Agenda Items

The Village Board will act on any Trustee requests to place additional matters on an upcoming agenda, without discussion.

9. Announcements

The following individuals will be given the opportunity to make announcements at the meeting in regard to (i) actions taken since the previous Village Board meeting on behalf of the Village, (ii) future Village activities and (iii) communications received from citizens. These matters will not be discussed or acted on, and Board members shall not comment on matters announced by others. Referrals may be made to committees and/or individuals.

- a.** President Symchych
- b.** Trustee Fonstad
- c.** Trustee Sumner
- d.** Trustee Ollman
- e.** Trustee Anderson
- f.** Trustee Aelion
- g.** Trustee Stoltz

h. Manager Botcher

1. Receive a report dated August 31, 2023 related to Change Order Nos. 1 and 2 from Michels Corp in the amount of \$20,096.65 and \$4,140.50, respectively, and an extension of time for the Beach Drive revetment project.

[Page 96]

10. Adjournment

NEXT REGULAR VILLAGE BOARD MEETING:

October 10, 2023 7:00 P.M.

PLEASE NOTE:

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. Also, upon reasonable notice, best efforts will be used to ensure that members of the public lacking access to the virtual meeting platform are provided alternative reasonable methods to attend. For additional information or to request these services, contact the Village Clerk at (414) 351-8900. "Persons requiring an interpreter or other assistance should contact the Village Clerk's office 72 hours prior to the meeting. Notice is hereby given that a majority any other board, commission or committee may be present at the meeting to gather information about a subject in which they are interested. This constitutes a meeting of any other board, commission or committee pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis. 2d 553, 494 2d 408 (1993), and must be noticed as such, although said boards, commissions or committees will not take any formal action at this meeting."

September 5, 2023

To: Fox Point Village Board

From: Martin Tirado; Chair, Municipal Pool Citizens Committee

Monthly Report, Municipal Pool Citizens Committee
September 2023

The Municipal Pool Citizens Committee held its first meeting on August 16, 2023 at Village Hall. All five members of the committee were present. We established foundational principles by reviewing Resolution 2023-15 which created the committee. I informed the members that all meetings will be governed using Roberts Rules of Order.

Agreement was reached and we approved to begin the process of creating a non-profit entity separate from the Village of Fox Point that will be able to accept and manage charitable donations via fundraising. This entity will likely be named or have a name similar to the "Friends of the Fox Point Pool". The committee is going to start drafting bylaws and articles of incorporation in anticipation of a future filing with the IRS as a non-profit organization. We are looking for an attorney who will assist with the filing pro-bono once initial drafts of the needed documents are written. There was some general discussion on the mission of the fundraising entity and who will serve on it. It was noted these plus other items will be addressed in the creation of the founding bylaws and articles of incorporation.

Our next meeting will be on October 16, 2023 at 5:00pm in Schwemer Hall, 7200 N. Santa Monica Blvd. (Village Hall).

**VILLAGE OF FOX POINT
VILLAGE BOARD MEETING MINUTES
AUGUST 8, 2023**

A meeting and public hearing of the Fox Point Village Board was held by a combination of in-person and virtual attendance via telephonic and video conferencing on Tuesday, August 8, 2023 in Schwemer Hall, 7200 N. Santa Monica Boulevard. President Symchych 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 Christine Symchych
Trustee Eric Fonstad
Trustee Liz Sumner
Trustee Greg Ollman
Trustee Catie Anderson
Trustee Liz Aelion
Trustee Jennie Stoltz

Also, present were Village Attorney Eric Larson, Village Manager Scott Botcher, Public Works Director Scott Brandmeier, Public Works Superintendent Mike Krueger, 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

Hearing no comments, President Symchych closed public comment.

COMMITTEE REPORTS-PLAN COMMISSION

Trustee Fonstad gave the report of the Plan Commission meeting Monday, August 7, 2023. A Conditional Use Permit for a change of ownership to Premier Wisconsin LLC, doing business as Nurturing Nook, 8647 North Port Washington Road. A representative of the applicant was available for questioning by the members of the Plan Commission. Staff confirmed they had no issues with the change in ownership. Based on that, the Plan Commission recommended to the Village Board that the Board approve the revised Conditional Use Permit.

CONSENT AGENDA

- a. Approve the minutes of the July 11, 2023 Village Board and Public Hearing meeting.
- b. Approve payment of the bills in the amount of \$1,327,337.86 for the period July 1, 2023 through July 31, 2023 per the report submitted by the Village Manager.

Motion by President Symchych, seconded by Trustee Ollman, and carried by roll call vote (7-0), to approve the consent agenda, as presented.

REFERRAL OF AN ORDINANCE REPEALING AND RECREATING SECTION 742-20 (B) REGARDING THE PROCESS AND BUILDING BOARD PARTICIPATION CONCERNING GRANTING OF PERMITS IN THE F-INSTITUTIONAL DISTRICT.

Assistant Village Manager Kevin Ausman gave a brief synopsis of the ordinance.

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Village Attorney Eric Larson briefly clarified the four conditions the Plan Commission makes a recommendation on, under the ordinance:

- (1) Appropriateness in the location proposed
- (2) Compatible with the neighborhood
- (3) Not detrimental to the property value of the surrounding properties
- (4) Keeping with residential character and quality of the village

Village Attorney Eric Larson further clarified the two changes. The first change would be that the Building Board would no longer have to be involved the meeting. The second change is to the process currently requiring that it begin at the Village Board and be referred to a Joint Plan Commission and Building Board meeting. Both of those steps are being modified in this ordinance. This would allow for an F-Institutional District application start directly at the Plan Commission. The Plan Commission alone would make the record.

Larry Booth, 220 E Clovernook Lane

Mr. Booth noted his concerns with the changes to the current code in eliminating the Building Board's technical engineering and architectural expertise (lighting, grading, groundwater runoff, and noise abatement) from the process.

Village Attorney Eric Larson stated the approval tonight is for a provision under the code. The building code aspect still applies and is required. It doesn't negate anything else. It will still have to go to the Building Board process. This proposal allows the Building Board to be involved only once and not twice.

Motion by Trustee Fonstad, seconded by President Symchych, to refer agenda item 6a, the Ordinance Repealing and Recreating Section 742-20 (B) regarding the process and Building Board participation concerning granting of permits in the F-Institutional District to Plan Commission for review and recommendation to the Village Board.

Discussion followed.

President Symchych called the question. Roll call vote followed:

Trustee Fonstad	Aye
Trustee Sumner	Aye
Trustee Ollman	Aye
Trustee Anderson	Aye
Trustee Aelion	Aye
Trustee Stoltz	Aye
President Symchych	Aye

Motion carried by roll call vote, 7-0.

**CONSIDERATION OF AN ORDINANCE TO CREATE ARTICLE III OF CHAPTER 417 TO
REGULATE MOBILE FOOD VENDORS OF THE VILLAGE OF FOX POINT MUNICIPAL CODE**

Village Manager Scott Botcher and Village Attorney Eric Larson gave background on the creation of Article III of Chapter 417 to regulate mobile food vendors.

The Village Board had a lengthy discussion regarding the consideration of regulation of mobile food vendors.

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Mary Beth Mills 1811 E Dean Road

Mrs. Mills agreed with Trustee Sumner for the ease of short-term vendors, to allow a reasonable fee.

Without objection and by unanimous consent, President Symchych requested this be carried over to whenever the Village Manager and Village Attorney feel this is appropriate to bring back to the Village Board.

PRESENTATION BY SOUTHEASTERN WISCONSIN STORMWATER TRUST

Sweetwater and Partners with Southeastern Wisconsin Stormwater Trust Representative Erin Povak gave a presentation for National Stormwater Week, on actions that residents and businesses can take to decrease runoff and decrease pollution. Handouts were distributed - Exhibit A (Tips to Keep Your Water Clean) and Exhibit B (Effects of Stormwater).

No action was taken.

CONSIDERATION OF LAKE DRIVE WATERMAIN AND STORM WATER MANAGEMENT IMPROVEMENTS

Director of Public Works Scott Brandmeier gave a brief presentation regarding the stormwater management improvements from Dean Road to Fox Lane (Task 2), Club Circle to Lilac Lane (Task 4), Bell Road Intersection (Task 6), Holly Court (Task 7), Calumet to Portage (Task 5), Daphne to Acacia (Task 10), Quarles Place to Links Circle (Task 3), Dean Road to Spooner Road (Task 1), Daphne Road to School Road (Task 9) and Apple Tree Road (Task 8), including estimated costs.

Motion by Trustee Ollman, seconded by Trustee Fonstad, and carried by roll call vote (7-0) to direct staff to bring forward to the Board, a contract for design work for the high and medium priority stormwater projects identified in the Director of Public Works memorandum dated August 3, 2023 on page 48 of the Village Board packet.

Director of Public Works Scott Brandmeier gave a brief presentation regarding the watermain management improvements as indicated on page 49 in the VB packet.

Motion by Trustee Ollman, seconded by Trustee Fonstad, and carried by roll call vote (7-0) to direct staff to bring forward to the board a contract for design work for the water main improvements identified in the first five bullet points and the second alternate of the sixth bullet point in the Director of Public Works memorandum dated August 3, 2023 on page 49 of the Village Board packet.

CONSIDERATION OF REQUEST BY TRUSTEES STOLTZ AND AELION

Trustee Stoltz and Trustee Aelion presented the Village Board with background information regarding the cost savings of curbside pickup for both garbage and recycling. Trustee Stoltz referenced a document she created of nearby municipalities regarding curbside pickup.

An extensive Board discussion took place.

Drew Carmichael, 6438 N Santa Monica Blvd.

Mr. Carmichael's concern is the tradeoff between service costs and efficiency for up-the-drive garbage and recycling in relation to village services, such as the pool.

No action was taken.

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FUTURE AGENDA ITEMS – None

ANNOUNCEMENTS

Village President Symchych announced this Friday at 5:00 pm, a reception will take place for previous President Frazer. It will be held at the pool area beer garden, weather permitting. Rain location will be at Longacre Pavilion.

Trustee Fonstad had no announcements.

Trustee Sumner announced the Doctor's Park Beer Garden opens tomorrow at 5:00 p.m. There is a Rock the Fox concert on August 16th from 6:00 to 8:30 p.m. Milwaukee County is holding a Safe Street Roadshow and the location will be at Friendship Circle August 18 at 1:00 p.m. This is an opportunity to engage and hear from residents and gather feedback from residents. This is the initial step in the planning process to host these roadshows. Feedback gathered from residents will help to understand how Milwaukee County municipalities and all roadway users are impacted by reckless driving, project goals and timelines.

Trustee Ollman had no announcements.

Trustee Anderson announced North Shore Library website has been updated (northshorelibrary.org). There is project progress related to the capital campaign on the North Shore Library website. There is an art fair at the North Shore Library on August 27th.

Trustee Aelion had no announcements.

Trustee Stoltz had no announcements.

Village Manager Scott Botcher announced Assistant Village Manager Kevin Ausman and the Pool Committee are working on the agenda for the first meeting. When the date has been picked, Assistant Village Manager Kevin Ausman will let the Board know. Secondly on the pool topic, tentatively the Pool Public Information Meeting is being scheduled for September 12th from 5:30 to 6:30 p.m. It will be in a Q&A format. It will be advertised. Third, Village Manager Scott Botcher was honored to be asked to a finance symposium at the University of Nebraska, Omaha via Zoom.

CLOSED SESSION

Motion made by Trustee Sumner, seconded by Trustee Fonstad, to convene into closed session regarding agenda item 9, at 9:23 p.m., Pursuant to State Statutes Sections:

- a. 19.85(1)(g), to confer with legal counsel for the government who is rendering oral or written advice concerning strategy to be adopted by the governing body with respect to litigation in which the body is involved; more specifically regarding the Milwaukee County Circuit Court case entitled *Bruckner v. Fox Point*. Participating in the closed session will be the Village Board, Village Manager, Village Director of Public Works, Village Clerk, Village Attorney and Village litigation counsel.

Trustee Fonstad	Aye
Trustee Sumner	Aye
Trustee Ollman	Aye
Trustee Knight	Aye
Trustee Aelion	Aye
Trustee Stoltz	Aye
President Symchych	Aye

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Carried by roll call vote (7-0).

RECONVENE INTO OPEN SESSION

Motion made by Trustee Fonstad, seconded by Trustee Anderson, and carried by roll call vote (7-0), to reconvene into open session at 9:48 p.m.

No action was taken.

ADJOURNMENT

Motion made by Trustee Ollman, second by Trustee Fonstad, and carried by roll call vote (7-0) to adjourn the Village Board meeting at 9:49 p.m.

Respectfully submitted,

Kelly A. Meyer, WCMC/CMC/CMTW
Village Clerk Treasurer

Conditional Use Order

WHEREAS, an application has been filed by **Premier WI Fox Point, LLC dba the Nurturing Nook** (hereinafter "Applicant"); and

WHEREAS, the Applicant is requesting that a conditional use permit be granted pursuant to the Zoning Ordinance of the Village of Fox Point for land described as **8647 N Port Washington Road, Fox Point, Wisconsin**.

NOW, THEREFORE, the Village of Fox Point Village Board, upon consideration of thoughts expressed by all persons heard at the Village Board meeting in this matter, upon consideration of the recommendation from the Plan Commission, and following all necessary study and investigation, having given the matter due consideration, hereby ORDERS AS FOLLOWS: Commencing upon the date hereof, the Applicant is hereby granted a conditional use permit, subject to initial and continued compliance with each and every one of the following conditions, restrictions and limitations.

1. **Use Restricted.** **Nurturing Nook operates a day care center for children, subject to the terms of this Conditional Use Permit. The hours of operation shall be limited Monday through Friday, 7:00 a.m. until 5:30 p.m., unless additional hours are approved in writing by the Village Manager.**
2. **Presentation Compliance.** All of the Applicant's plans, specifications, terms and representations as submitted with the application, or in support thereof, or as represented to the Village Board in the course of the approval process, are specifically incorporated herein and made a part hereof by reference, and the use of the subject property shall be in substantial conformance with the same except as further restricted or modified herein.
3. **Not Transferable.** This conditional use permit is granted to the Applicant and shall not be transferred or assigned without the Village Board's prior written consent, which may only be granted following the Village Board's receipt of a recommendation from the Plan Commission.
4. **Applicant and Owner Agreement.** As a condition precedent to the issuance of the conditional use permit, the owner of the Subject Property shall approve the issuance of this conditional use permit upon the terms and conditions described herein in writing, and the Applicant is required to accept the terms and conditions of the same in its entirety in writing.
5. **Other Uses Prohibited.** Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to whether a use is permitted, the question shall be submitted to the Plan Commission for recommendation to the Village Board, and then to the Village Board for determination.
6. **No Nuisances, and Compliance with Applicable Laws.** No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the municipal governing body, the County of Milwaukee, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the subject property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.
7. **Subject Property Only.** This conditional use hereby authorized shall be confined to the Subject Property described, without extension or expansion other than as noted herein.
8. **Abandonment.** Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the Applicant be delinquent in payment of any monies due and owing to the Village, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Village Board following receipt of a recommendation from the Plan Commission and after the Village Board holds a public hearing in the matter.

9. Amendments. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises (including but not limited to any change to the boundary limits of the Subject Property), structures, lands or owners, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
10. Plan Amendments. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended (a) without separate approval in the limited circumstances described in Section 14.19(11) of the Village Code; or (b) by the Village Board upon receipt of a recommendation from the Plan Commission if the Village Board finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the Village Board, in its sole discretion, finds to be substantial shall require a new permit, and all procedures in place at the time must be followed.
11. Severability. Should any paragraph or phrase of this conditional use permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.
12. Most Restrictive Applies. If any aspect of this conditional use permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission.
13. Prior Conditional Use Permits Terminated. Unless stated otherwise herein or in the documents incorporated herein, all conditional use permits previously granted for the Subject Property, if any, shall be automatically terminated without further action of the Village Board immediately following full satisfaction of all condition's precedent to this conditional use order taking effect.
14. Payment of fees. Applicant shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this conditional use order including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional use order due to a violation of these conditions.
15. Payment of Taxes and Charges. Any unpaid bills owed to the Village by the Subject Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees; or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village; shall be placed upon the tax roll for the Subject Property if not paid within thirty (30) days of billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional use order, that is subject to all remedies available to the Village, including possible cause for termination of the conditional use order.
16. Conditions Shown in Minutes Incorporated. All conditions of approval imposed by duly adopted motion of the Village Board in its consideration of the Applicant's application, as noted in the Minutes of the Village Board meeting at which approval was granted, are specifically incorporated herein by reference.
17. The Applicant is obligated to file with the Village Clerk a current mailing address and current phone number at which the Applicant can be reached, which must be continually updated by the Applicant if such contact information should change, for the duration of this conditional use. If the Applicant fails to maintain such current contact information the Applicant thereby automatically waives notice of any proceedings that may be commenced under this conditional approval, including proceedings to terminate this conditional use.

Let copies of this order be filed in the permanent records of the Village Board for the Village of Fox Point, and let copies be sent to the proper Village of Fox Point authorities and the Applicant and Owner.

Signed this _____ day of _____, 2023, *nunc pro tunc* the _____ day of _____, 2023.

BY THE FOX POINT VILLAGE BOARD:

Eric Fonstad, Village Trustee

Attest:

Kelly A. Meyer, CMC/WCMC, Village Clerk/Treasurer

APPROVAL

I hereby approve the issuance of this Conditional Use Permit to the Applicant on the terms and conditions described herein.

Dated this _____ day of _____, 2023.

SUBJECT PROPERTY OWNER

By: _____
Authorized Signatory

Title: _____

ACCEPTANCE

I hereby accept the terms and conditions of this Conditional Use in its entirety.

Dated this _____ day of _____, 2023.

APPLICANT:

By: _____
Authorized Signatory

Title: _____

Conditional Use Order

WHEREAS, an application has been filed by **Matilda, LLC dba Matilda Bakehouse** (hereinafter "Applicant"); and

WHEREAS, the Applicant is requesting that a conditional use permit be granted pursuant to the Zoning Ordinance of the Village of Fox Point for land described as **6870-6874 N Santa Monica Blvd, Fox Point, Wisconsin**.

NOW, THEREFORE, the Village of Fox Point Village Board, upon consideration of thoughts expressed by all persons heard at the Village Board meeting in this matter, upon consideration of the recommendation from the Plan Commission, and following all necessary study and investigation, having given the matter due consideration, hereby ORDERS AS FOLLOWS: Commencing upon the date hereof, the Applicant is hereby granted a conditional use permit, subject to initial and continued compliance with each and every one of the following conditions, restrictions and limitations.

1. Use Restricted. **Matilda, LLC will conduct retail sales to include the sales of bakery items, coffee, beverages, and retail good related to a baking and cooking lifestyle as well as customer seating, subject to the terms of this Conditional Use Permit. The hours of operation shall be limited to 6:00 a.m. until 4:00 p.m. Wednesday through Sunday unless additional hours are approved in writing by the Village Manager.**
2. Presentation Compliance. All of the Applicant's plans, specifications, terms and representations as submitted with the application, or in support thereof, or as represented to the Village Board in the course of the approval process, are specifically incorporated herein and made a part hereof by reference, and the use of the subject property shall be in substantial conformance with the same except as further restricted or modified herein.
3. Not Transferable. This conditional use permit is granted to the Applicant and shall not be transferred or assigned without the Village Board's prior written consent, which may only be granted following the Village Board's receipt of a recommendation from the Plan Commission.
4. Applicant and Owner Agreement. As a condition precedent to the issuance of the conditional use permit, the owner of the Subject Property shall approve the issuance of this conditional use permit upon the terms and conditions described herein in writing, and the Applicant is required to accept the terms and conditions of the same in its entirety in writing.
5. Other Uses Prohibited. Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to whether a use is permitted, the question shall be submitted to the Plan Commission for recommendation to the Village Board, and then to the Village Board for determination.
6. No Nuisances, and Compliance with Applicable Laws. No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the municipal governing body, the County of Milwaukee, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the subject property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.
7. Subject Property Only. This conditional use hereby authorized shall be confined to the Subject Property described, without extension or expansion other than as noted herein.
8. Abandonment. Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the Applicant be delinquent in payment of any monies due and owing to the Village, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Village Board following receipt of a recommendation from the Plan Commission and after the Village Board holds a public hearing in the matter.

9. Amendments. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises (including but not limited to any change to the boundary limits of the Subject Property), structures, lands or owners, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
10. Plan Amendments. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended (a) without separate approval in the limited circumstances described in Section 14.19(11) of the Village Code; or (b) by the Village Board upon receipt of a recommendation from the Plan Commission if the Village Board finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the Village Board, in its sole discretion, finds to be substantial shall require a new permit, and all procedures in place at the time must be followed.
11. Severability. Should any paragraph or phrase of this conditional use permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.
12. Most Restrictive Applies. If any aspect of this conditional use permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission.
13. Prior Conditional Use Permits Terminated. Unless stated otherwise herein or in the documents incorporated herein, all conditional use permits previously granted for the Subject Property, if any, shall be automatically terminated without further action of the Village Board immediately following full satisfaction of all condition's precedent to this conditional use order taking effect.
14. Payment of fees. Applicant shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this conditional use order including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional use order due to a violation of these conditions.
15. Payment of Taxes and Charges. Any unpaid bills owed to the Village by the Subject Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees; or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village; shall be placed upon the tax roll for the Subject Property if not paid within thirty (30) days of billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional use order, that is subject to all remedies available to the Village, including possible cause for termination of the conditional use order.
16. Conditions Shown in Minutes Incorporated. All conditions of approval imposed by duly adopted motion of the Village Board in its consideration of the Applicant's application, as noted in the Minutes of the Village Board meeting at which approval was granted, are specifically incorporated herein by reference.
17. The Applicant is obligated to file with the Village Clerk a current mailing address and current phone number at which the Applicant can be reached, which must be continually updated by the Applicant if such contact information should change, for the duration of this conditional use. If the Applicant fails to maintain such current contact information the Applicant thereby automatically waives notice of any proceedings that may be commenced under this conditional approval, including proceedings to terminate this conditional use.

Let copies of this order be filed in the permanent records of the Village Board for the Village of Fox Point, and let copies be sent to the proper Village of Fox Point authorities and the Applicant and Owner.

Signed this _____ day of _____, 2023, *nunc pro tunc* the _____ day of _____, 2023.

BY THE FOX POINT VILLAGE BOARD:

Eric Fonstad, Village Trustee (Acting Chair)

Attest:

Kelly A. Meyer, CMC/WCMC, Village Clerk/Treasurer

APPROVAL

I hereby approve the issuance of this Conditional Use Permit to the Applicant on the terms and conditions described herein.

Dated this _____ day of _____, 2023.

SUBJECT PROPERTY OWNER

By: _____
Authorized Signatory

Title: _____

ACCEPTANCE

I hereby accept the terms and conditions of this Conditional Use in its entirety.

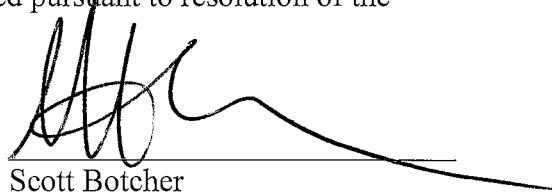
Dated this _____ day of _____, 2023.

APPLICANT:

By: _____
Authorized Signatory

Title: _____

This is to certify that the attached is true and correct list of bills due for a period from August 1-31, 2023, in the total amount of \$377,518.34. Each bill has been approved in writing by the official department head or employee authorized to incur the obligations and which bills have been audited by the undersigned pursuant to resolution of the Village Board.

A handwritten signature in black ink, appearing to read 'Scott Botcher', written over a horizontal line.

Scott Botcher
Village Manager
Village of Fox Point

This is to certify that the above listed accounts and demands have been presented and allowed and ordered paid by the Village Board at a meeting thereof held on September 12, 2023.

Christine Symchych
Village President

Kelly A. Meyer
Village Clerk/Treasurer
Village of Fox Point

VILLAGE OF FOX POINT

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Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
10-21520 GROUP LIFE						
18	SECURIAN FINANCIAL GROUP I	SEPTEMBER 2023	LIFE INSURANCE	08/10/2023	939.24	08/11/2023
Total 10-21520 GROUP LIFE:					939.24	
10-21521 SUPPLEMENTAL PLANS						
18	SECURIAN FINANCIAL GROUP I	08/01/2023	ACCIDENTAL	08/10/2023	110.60	08/11/2023
1227	AFLAC	674944	ACCT #G8B41	08/03/2023	724.02	08/04/2023
Total 10-21521 SUPPLEMENTAL PLANS:					834.62	
10-21525 UNION DUES						
185	FOX POINT POLICE PROT. ASS	AUGUST 2023	POLICE DUES	08/03/2023	495.00	08/04/2023
Total 10-21525 UNION DUES:					495.00	
10-21530 DEFERRED COMPENSATION						
77	MissionSquare - 303753	PR0803231	Deferred Comp ICMA-PRETAX	08/03/2023	1,180.14	08/04/2023
77	MissionSquare - 303753	PR0817231	Deferred Comp ICMA-PRETAX	08/17/2023	1,180.14	08/18/2023
375	NORTH SHORE BANK, FSB	PR0803232	Deferred Comp NORTH SHORE	08/03/2023	2,230.00	08/04/2023
375	NORTH SHORE BANK, FSB	PR0817232	Deferred Comp NORTH SHORE	08/17/2023	2,230.00	08/18/2023
814	GREAT-WEST TRUST COMPAN	PR0803231	Deferred Comp WI DEFER - PRE	08/03/2023	3,287.60	08/04/2023
814	GREAT-WEST TRUST COMPAN	PR0803231	Deferred Comp WI DEFER - RO	08/03/2023	1,115.00	08/04/2023
814	GREAT-WEST TRUST COMPAN	PR0817231	Deferred Comp WI DEFER - PRE	08/17/2023	3,287.60	08/18/2023
814	GREAT-WEST TRUST COMPAN	PR0817231	Deferred Comp WI DEFER - RO	08/17/2023	1,115.00	08/18/2023
Total 10-21530 DEFERRED COMPENSATION:					15,625.48	
10-21540 GARNISHMENT						
797	WI SCTF	08/04/2023	REMIT 217318 CASE PIN 217318	08/03/2023	149.60	08/04/2023
797	WI SCTF	08/18/2023	REMIT 217318 CASE PIN 217318	08/17/2023	149.60	08/18/2023
Total 10-21540 GARNISHMENT:					299.20	
10-44120 LIQUOR/TOBACCO LICENSES						
727	WI DEPT. OF JUSTICE	2MUYNYHD	BARTENDER	08/17/2023	7.00	08/18/2023
727	WI DEPT. OF JUSTICE	HW4TCHRR	BARTENDERS	08/29/2023	21.00	08/30/2023
727	WI DEPT. OF JUSTICE	NJHHEQMN	BARTENDER	08/15/2023	7.00	08/18/2023
Total 10-44120 LIQUOR/TOBACCO LICENSES:					35.00	
10-44500 ESTATE SALES PERMIT						
444	CREAM CITY ESTATE	3.116363	DEPOSIT 7150 N BARNETT	08/21/2023	500.00	08/30/2023
1563	EDIE B ESTATE SALES	1.059390	ESTATE SALE DEPOSIT	08/01/2023	500.00	08/04/2023
Total 10-44500 ESTATE SALES PERMIT:					1,000.00	
10-46710 PAVILION RENTALS						
1306	BELETE, MICHAEL	1.058604	06/24/23 DEPOSIT	08/02/2023	50.00	08/04/2023
1306	BELETE, MICHAEL	1.058785	7/22/23 DEPOSIT	08/02/2023	50.00	08/04/2023
1564	PEIL, KIMBERLY	1.059337	REFUND DEPOSIT	08/02/2023	50.00	08/04/2023
Total 10-46710 PAVILION RENTALS:					150.00	
10-51100-310 SUPPLIES/EXPENSES						
57	JPMORGAN CHASE BANK NA	07/11/2023	BOARD	08/04/2023	40.00	08/11/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	ZOOM	08/11/2023	40.00	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	BOARD	08/11/2023	12.89	08/18/2023

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Total 10-51100-310 SUPPLIES/EXPENSES:					92.89	
10-51100-321 PROFESSIONAL DUES/MEETINGS						
57	JPMORGAN CHASE BANK NA	08/10/2023	ASSIST MANAGER	08/11/2023	47.28	08/18/2023
Total 10-51100-321 PROFESSIONAL DUES/MEETINGS:					47.28	
10-51200-395 COUNTY COURT FEES						
330	MILWAUKEE COUNTY TREASU	JULY 2023	DRIVER SUR/JAIL FEE	08/02/2023	713.70	08/04/2023
552	WISCONSIN, STATE OF - COUR	JULY 2023	JULY	08/02/2023	1,720.60	08/04/2023
Total 10-51200-395 COUNTY COURT FEES:					2,434.30	
10-51300-218 VILLAGE ATTORNEY						
535	MUNICIPAL LAW & LITIGATION	10243	VLG ATTORNEY	08/17/2023	6,141.00	08/18/2023
535	MUNICIPAL LAW & LITIGATION	10413	VLG ATTORNEY	08/29/2023	5,452.00	08/30/2023
Total 10-51300-218 VILLAGE ATTORNEY:					11,593.00	
10-51410-310 SUPPLIES/ MISC EXPENSES						
57	JPMORGAN CHASE BANK NA	08/10/2023	ASSIST MANAGER	08/11/2023	20.00	08/18/2023
Total 10-51410-310 SUPPLIES/ MISC EXPENSES:					20.00	
10-51410-322 TRAINING						
57	JPMORGAN CHASE BANK NA	07/11/2023	ASSIST MANAGER	08/04/2023	33.91	08/11/2023
Total 10-51410-322 TRAINING:					33.91	
10-51420-321 PROFESSIONAL DUES/MEETINGS						
57	JPMORGAN CHASE BANK NA	08/10/2023	CLERK	08/11/2023	72.03	08/18/2023
Total 10-51420-321 PROFESSIONAL DUES/MEETINGS:					72.03	
10-51420-322 TRAINING						
57	JPMORGAN CHASE BANK NA	07/11/2023	CLERK	08/04/2023	290.00	08/11/2023
1271	WI DEPT OF FINANCIAL INST.	SCHAFER 2023 4Y	SCHAFER	08/10/2023	20.00	08/11/2023
Total 10-51420-322 TRAINING:					310.00	
10-51420-323 OFFICIAL PUBLICATIONS/NOTICES						
1567	GANNETT WISCONSIN LOCALI	0005738130	LQUOR LICENSE	08/18/2023	30.28	08/30/2023
Total 10-51420-323 OFFICIAL PUBLICATIONS/NOTICES:					30.28	
10-51440-233 EQUIPMENT MAINTENANCE						
774	ELECTION SYSTEMS & SOFTW	CD2064601	MAINTENANCE FEE	08/29/2023	334.75	08/30/2023
Total 10-51440-233 EQUIPMENT MAINTENANCE:					334.75	
10-51440-310 SUPPLIES/EXPENSES						
57	JPMORGAN CHASE BANK NA	07/11/2023	CLERK	08/04/2023	300.00	08/11/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	ELECTIONS	08/11/2023	19.99	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	ELECTIONS	08/11/2023	3.00	08/18/2023
Total 10-51440-310 SUPPLIES/EXPENSES:					322.99	

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10-51440-321 DUES/TRAINING						
57	JPMORGAN CHASE BANK NA	07/11/2023	CLERK	08/04/2023	36.89	08/11/2023
Total 10-51440-321 DUES/TRAINING:					36.89	
10-51520-322 TRAINING						
2678	MTAW	4809	FALL CONF	08/10/2023	125.00	08/11/2023
Total 10-51520-322 TRAINING:					125.00	
10-51530-210 CONTRACT SERVICES						
2706	ASSOCIATED APPRAISAL CON	169582	MONTHLY/REVALUATION	08/01/2023	3,137.52	08/04/2023
Total 10-51530-210 CONTRACT SERVICES:					3,137.52	
10-51600-210 CONTRACT SERVICES						
57	JPMORGAN CHASE BANK NA	07/11/2023	FINANCE CHARGE	08/04/2023	30.38	08/11/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	FINANCE CHARGE	08/11/2023	17.93	08/18/2023
194	BAKER TILLY VIRCHOW KRAUS	BT2442926	PROGRESS BILLING	08/03/2023	3,050.00	08/04/2023
265	GREATAMERICAN FINANCIAL S	34675002	MONTHLY COPIER	08/21/2023	232.00	08/30/2023
405	PITNEY BOWES INC.	3317892842	QUARTERLY FEES	08/29/2023	480.57	08/30/2023
477	TAYLOR COMPUTER SERVICES	25098	MANAGED SERVICES	08/29/2023	741.25	08/30/2023
789	DO IT NOW CLEANING LLC	638	MONTHLY CLEANING	08/03/2023	1,583.37	08/04/2023
1353	FORWARD TS, LTD	183445	MONTHLY COPIES	08/21/2023	434.47	08/30/2023
1353	FORWARD TS, LTD	AR181040	MONTHLY COPIES	08/21/2023	429.49	08/30/2023
1353	FORWARD TS, LTD	AR192953	MONTHLY COPIES	08/21/2023	496.26	08/30/2023
Total 10-51600-210 CONTRACT SERVICES:					7,495.72	
10-51600-220 GAS-HEAT						
536	WE-ENERGIES	7/26/23	0702787382-00002	08/01/2023	22.89	08/04/2023
Total 10-51600-220 GAS-HEAT:					22.89	
10-51600-221 ELECTRIC UTILITIES						
536	WE-ENERGIES	08/04/2023	0702787382-00009	08/10/2023	20.17	08/11/2023
536	WE-ENERGIES	7/26/23	0702787382-00002	08/01/2023	1,420.67	08/04/2023
Total 10-51600-221 ELECTRIC UTILITIES:					1,440.84	
10-51600-222 TELEPHONE UTILITIES						
2691	CENTURYLINK-BUSINESS SVC.	652393373	87619173	08/08/2023	.47	08/11/2023
5312	AT & T- VILLAGE	07/22/2023	414 351-8900 758 7	08/01/2023	63.50	08/04/2023
Total 10-51600-222 TELEPHONE UTILITIES:					63.97	
10-51600-234 VILLAGE HALL MAINTENANCE						
360	NASSCO INC.	6321783	PAPERSUPPLIES	08/08/2023	128.72	08/11/2023
892	SPECTRUM	08/07/23	8348 10 012 0042231 VLG	08/15/2023	12.05	08/18/2023
1710	UP NORTH SERVICES	4380	PEST CONTROL VLG	08/18/2023	50.00	08/30/2023
Total 10-51600-234 VILLAGE HALL MAINTENANCE:					190.77	
10-51600-310 SUPPLIES/MISC EXPENSES						
57	JPMORGAN CHASE BANK NA	07/11/2023	AMAZON	08/04/2023	4.96	08/11/2023
57	JPMORGAN CHASE BANK NA	07/11/2023	AMAZON	08/04/2023	22.92	08/11/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	VILLAGE	08/11/2023	16.95	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	VILLAGE	08/11/2023	13.99	08/18/2023

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57	JPMORGAN CHASE BANK NA	08/10/2023	VILLAGE	08/11/2023	66.96	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	VILLAGE	08/11/2023	25.96	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	VILLAGE	08/11/2023	15.29	08/18/2023
Total 10-51600-310 SUPPLIES/MISC EXPENSES:					167.03	
10-51700-511 GROUP HEALTH - RETIREES						
433	RESNICK, AMY	43	HEALTH INSURANCE REIMBUR	08/01/2023	790.63	08/04/2023
435	RIES, DANIEL	59	HEALTH	08/01/2023	896.14	08/04/2023
446	SCHELLING JUDITH	22	REIMBURSEMENT	08/01/2023	275.86	08/04/2023
520	WICHMAN, MICHELLE	4	MONTHLY	08/01/2023	375.00	08/04/2023
638	KRIEFALL, DONALD A	87	HEALTH INSURANCE REIMBUR	08/01/2023	825.89	08/04/2023
2194	OBREMSKI, DANIEL	8	SUPPLEMENTAL PAY	08/01/2023	375.00	08/04/2023
Total 10-51700-511 GROUP HEALTH - RETIREES:					3,538.52	
10-52100-210 POLICE MAINTENANCE CONTRACTS						
1412	CONDITIONED AIR DESIGNED I	43048	INSPECT/ FILTER CHANGE	08/29/2023	1,680.00	08/30/2023
1560	FP SOLUTIONS	24580	ANNUAL FIRE	08/09/2023	400.00	08/11/2023
1710	UP NORTH SERVICES	4381	POLICE PEST CONTROL	08/16/2023	50.00	08/18/2023
5152	JAMES IMAGING SYSTEMS, IN	1346977	POLICE DEPARTMENT	08/21/2023	102.92	08/30/2023
Total 10-52100-210 POLICE MAINTENANCE CONTRACTS:					2,232.92	
10-52100-220 GAS UTILITIES						
536	WE-ENERGIES	07/25/2023	0702787382-00008	07/28/2023	154.76	08/04/2023
536	WE-ENERGIES	08/24/2023	0702787382-00008	08/29/2023	127.47	08/30/2023
Total 10-52100-220 GAS UTILITIES:					282.23	
10-52100-221 ELECTRIC UTILITIES						
536	WE-ENERGIES	07/25/2023	0702787382-00015	07/28/2023	27.69	08/04/2023
536	WE-ENERGIES	07/26/2023	0702787382-00006	07/31/2023	2,438.32	08/04/2023
536	WE-ENERGIES	08/24/2023	0702787382-00015	08/29/2023	26.04	08/30/2023
Total 10-52100-221 ELECTRIC UTILITIES:					2,492.05	
10-52100-222 TELEPHONE UTILITIES						
892	SPECTRUM	08/03/2023	8348 10 012 0041845 POLICE	08/10/2023	24.11	08/11/2023
892	SPECTRUM	70433001080123	070433001	08/09/2023	862.53	08/11/2023
2691	CENTURYLINK-BUSINESS SVC.	652393373	87619173	08/08/2023	.46	08/11/2023
5312	AT & T- VILLAGE	07/22/2023	414 351-8900 758 7	08/01/2023	39.69	08/04/2023
5312	AT & T- VILLAGE	28732+447591x081	287329447591-PD	08/29/2023	393.74	08/30/2023
5312	AT & T- VILLAGE	287329447591X071	287329447591-PD	07/31/2023	581.12	08/04/2023
Total 10-52100-222 TELEPHONE UTILITIES:					1,901.65	
10-52100-232 VEHICLE MAINTENANCE						
172	Gordie Boucher Ford	137383	REPAIR	07/17/2023	93.29	08/04/2023
Total 10-52100-232 VEHICLE MAINTENANCE:					93.29	
10-52100-233 EQUIPMENT MAINTENANCE						
57	JPMORGAN CHASE BANK NA	07/11/2023	POLICE	08/04/2023	59.80	08/11/2023
57	JPMORGAN CHASE BANK NA	07/11/2023	POLICE	08/04/2023	23.53	08/11/2023
57	JPMORGAN CHASE BANK NA	07/11/2023	POLICE	08/04/2023	43.88	08/11/2023
57	JPMORGAN CHASE BANK NA	07/11/2023	POLICE	08/04/2023	26.14	08/11/2023
57	JPMORGAN CHASE BANK NA	07/11/2023	POLICE	08/04/2023	30.19	08/11/2023

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57	JPMORGAN CHASE BANK NA	08/10/2023	POLICE	08/11/2023	48.17	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	POLICE	08/11/2023	30.30	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	POLICE	08/11/2023	19.99	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	POLICE	08/11/2023	24.50	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	POLICE	08/11/2023	361.19	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	POLICE	08/11/2023	63.99	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	POLICE	08/11/2023	15.28	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	POLICE	08/11/2023	119.88	08/18/2023
2620	SIRCHIE FINGER PRINT LAB, IN	0601972	TEST KITS	07/31/2023	15.75	08/04/2023
5839	LEXISNEXIS	1246411-20230731	MONTHLY	08/03/2023	30.00	08/04/2023
102081	GOODYEAR AUTO SERVICE CE	51482	TIRES	08/03/2023	639.12	08/04/2023
Total 10-52100-233 EQUIPMENT MAINTENANCE:					1,551.71	
10-52100-234 BUILDING MAINTENANCE						
57	JPMORGAN CHASE BANK NA	08/10/2023	WI DSPS	08/11/2023	102.00	08/18/2023
503	VILLAGE HARDWARE - DPS	231590	MISC	08/16/2023	4.48	08/18/2023
1412	CONDITIONED AIR DESIGNED I	42938	REPAIR	08/16/2023	990.00	08/18/2023
1925	ACTION FIRE & ALARM INC.	66824	SERVICE	08/03/2023	665.00	08/04/2023
Total 10-52100-234 BUILDING MAINTENANCE:					1,761.48	
10-52100-310 SUPPLIES/EXPENSES						
57	JPMORGAN CHASE BANK NA	07/11/2023	AMAZON	08/04/2023	57.96	08/11/2023
57	JPMORGAN CHASE BANK NA	07/11/2023	POLICE	08/04/2023	421.89	08/11/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	POLICE	08/11/2023	28.99	08/18/2023
297	MAJESTIC ENGRAVING CORP.	62707	LOCKER TAGS	08/03/2023	115.00	08/04/2023
1230	ODP BUSINESS SOLUTIONS LL	327352831001	37360205-POLICE DEPT	08/29/2023	67.82	08/30/2023
Total 10-52100-310 SUPPLIES/EXPENSES:					691.66	
10-52100-330 CLOTHING ALLOWANCE						
473	STREICHER'S	1645717	BONEBRAKE	08/03/2023	10.07	08/04/2023
473	STREICHER'S	1647252	WIESMUELLER	08/03/2023	825.00	08/04/2023
473	STREICHER'S	1647253	FREEDY	08/03/2023	1,101.00	08/04/2023
473	STREICHER'S	1647254	MEMO BOOKS	08/03/2023	49.90	08/04/2023
473	STREICHER'S	1648080	FREEDY	08/09/2023	136.99	08/11/2023
473	STREICHER'S	1649097	WALKER	08/21/2023	276.00	08/30/2023
473	STREICHER'S	1650147	HUBER	08/21/2023	114.95	08/30/2023
473	STREICHER'S	1651253	WALKER	08/29/2023	52.98	08/30/2023
Total 10-52100-330 CLOTHING ALLOWANCE:					2,566.89	
10-52100-334 JANITORIAL SUPPLIES						
393	PACKERLAND RENT-A-MAT INC.	3034670	10586-10586-POLICE DEPT	08/16/2023	139.80	08/18/2023
1585	QUILL CORPORTATION	3053884	PAPER TOWELS	08/29/2023	113.97	08/30/2023
Total 10-52100-334 JANITORIAL SUPPLIES:					253.77	
10-52100-335 SCHOOL EXPENSES						
1072	WISCONSIN SUPREME COURT	2023judicial	REGISTRATION FEE	08/16/2023	40.00	08/18/2023
4258	RADISSON PAPER VALLEY HOT	3414407685	LODGING-COURT CLERKS CON	08/16/2023	180.00	08/18/2023
Total 10-52100-335 SCHOOL EXPENSES:					220.00	
10-52100-343 FUEL						
57	JPMORGAN CHASE BANK NA	07/11/2023	POLICE	08/04/2023	57.12	08/11/2023

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Total 10-52100-343 FUEL:					57.12	
10-52200-377 2% FIRE DUES(NSFD)						
54	NORTH SHORE FIRE DEPARTM	2023 FIRE DUES	FIRE DUES	08/17/2023	42,636.37	08/18/2023
Total 10-52200-377 2% FIRE DUES(NSFD):					42,636.37	
10-53300-221 STREET LIGHTS - ELECTRIC						
536	WE-ENERGIES	08/04/2023	0702787382-00001	08/10/2023	182.22	08/11/2023
536	WE-ENERGIES	08/10/23	0702787382-00013	08/15/2023	15.23	08/18/2023
Total 10-53300-221 STREET LIGHTS - ELECTRIC:					197.45	
10-53300-405 STREET MATERIALS						
1273	WOLF PAVING CO. INC.	44921	5LTS	08/17/2023	155.04	08/18/2023
Total 10-53300-405 STREET MATERIALS:					155.04	
10-53400-221 BUS STOP-ELECTRIC						
536	WE-ENERGIES	08/10/23	0702787382-00005	08/15/2023	15.23	08/18/2023
536	WE-ENERGIES	08/10/23	0702787382-00016	08/15/2023	15.23	08/18/2023
536	WE-ENERGIES	08/11/2023	0702787382-00003	08/18/2023	17.08	08/30/2023
Total 10-53400-221 BUS STOP-ELECTRIC:					47.54	
10-53630-370 LANDFILL FEES						
1298	WASTE MANAGEMENT OF WI-M	0000885-1996-2	MSW	08/08/2023	7,025.23	08/18/2023
Total 10-53630-370 LANDFILL FEES:					7,025.23	
10-53642-400 MATERIALS						
1298	WASTE MANAGEMENT OF WI-M	0067812-2286-1	YARDWASTE	08/08/2023	755.71	08/18/2023
1298	WASTE MANAGEMENT OF WI-M	0067929-2286-3	YARDWASTE	08/29/2023	1,305.86	08/30/2023
Total 10-53642-400 MATERIALS:					2,061.57	
10-53700-300 MISCELLANEOUS EXPENSE						
57	JPMORGAN CHASE BANK NA	08/10/2023	DPW	08/11/2023	33.90	08/18/2023
1074	MATHESON TRI-GAS, INC	0027898895	CARBON DIOXIDE	08/10/2023	57.14	08/18/2023
2241	ITU ABSORB TECH, INC	8168200	SHOP	08/03/2023	11.90	08/11/2023
2241	ITU ABSORB TECH, INC	8176252	SHOP	08/18/2023	11.90	08/30/2023
2241	ITU ABSORB TECH, INC	A000080861	FOAM SOAP	08/03/2023	186.27	08/11/2023
Total 10-53700-300 MISCELLANEOUS EXPENSE:					301.11	
10-53700-341 REPAIR PARTS						
57	JPMORGAN CHASE BANK NA	07/11/2023	STATE CHEMIC	08/04/2023	300.36	08/11/2023
57	JPMORGAN CHASE BANK NA	07/11/2023	SHOP	08/04/2023	36.91	08/11/2023
89	FABICK CAT	PIMK0270138	FILTER	08/03/2023	18.73	08/11/2023
89	FABICK CAT	PIMK0270139	MISC PARTS	08/03/2023	92.82	08/11/2023
89	FABICK CAT	PIMK0272965	MISC PARTS	08/18/2023	40.08	08/30/2023
89	FABICK CAT	PIMK0273614	MISC PARTS	08/18/2023	199.65	08/30/2023
89	FABICK CAT	PIMK0273920	MISC PARTS	08/18/2023	102.16	08/30/2023
172	Gordie Boucher Ford	44352	PART	08/10/2023	137.20	08/18/2023
547	ROLAND MACHINERY	40119662	LUBE SPIN	08/10/2023	115.33	08/18/2023
597	BROOKS TRACTOR INC.	M69129	FILTER	08/03/2023	105.60	08/11/2023
631	FACTORY MOTOR PARTS	13-1701414	MISC	08/18/2023	99.53	08/30/2023

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631	FACTORY MOTOR PARTS	160-178398	MISC	08/03/2023	82.01	08/11/2023
631	FACTORY MOTOR PARTS	160-178913	PARTS	08/03/2023	64.17	08/11/2023
631	FACTORY MOTOR PARTS	160-179109	PARTS	08/03/2023	51.08	08/11/2023
631	FACTORY MOTOR PARTS	160-179196	PARTS	08/03/2023	25.78	08/11/2023
631	FACTORY MOTOR PARTS	160-179543	PARTS	08/03/2023	62.25	08/11/2023
631	FACTORY MOTOR PARTS	160-179691	PARTS	08/03/2023	25.78	08/11/2023
631	FACTORY MOTOR PARTS	160-180507	PARTS	08/18/2023	33.96	08/30/2023
631	FACTORY MOTOR PARTS	160-181035	PARTS	08/18/2023	106.08	08/30/2023
1099	HYDROTEX	508643	ACCULUBE	08/18/2023	325.96	08/30/2023
1481	MILWAUKEE AUTO BODY	90621	REPAIR	08/02/2023	1,449.00	08/04/2023
1629	CASPER'S TRUCK EQUIPMENT	0057851-IN	PARTS	08/18/2023	1,568.30	08/30/2023
2987	TEREX	5004585723	REPAIR/PARTS	08/03/2023	507.12	08/11/2023
2987	TEREX	5004592850	REPAIR/PARTS	08/03/2023	44.36	08/11/2023
4554	TERMINAL SUPPLY CO.	57193-00	MISC SHOP	08/03/2023	178.17	08/11/2023
4554	TERMINAL SUPPLY CO.	57193-01	MISC SHOP	08/18/2023	132.65	08/30/2023
101685	FASTENAL COMPANY	WIGOV5352	PARTS	08/03/2023	92.88	08/11/2023
101685	FASTENAL COMPANY	WIGOV5366	PARTS	08/03/2023	288.86	08/11/2023
101685	FASTENAL COMPANY	WIGOV5370	PARTS	08/03/2023	90.00	08/11/2023
101685	FASTENAL COMPANY	WIGOV5371	PARTS	08/03/2023	284.77	08/11/2023
101685	FASTENAL COMPANY	WIGOV5372	PARTS	08/03/2023	24.19	08/11/2023
Total 10-53700-341 REPAIR PARTS:					6,685.74	
10-53700-343 FUEL						
57	JPMORGAN CHASE BANK NA	08/10/2023	FUEL	08/11/2023	69.15	08/18/2023
2179	EDWARD H. WOLF & SON'S INC	524273	FUEL	08/02/2023	2,407.43	08/04/2023
2179	EDWARD H. WOLF & SON'S INC	524285	FUEL	08/02/2023	824.87	08/04/2023
2179	EDWARD H. WOLF & SON'S INC	539476	FUEL	08/16/2023	2,934.22	08/18/2023
2179	EDWARD H. WOLF & SON'S INC	539490	FUEL	08/16/2023	3,069.25	08/18/2023
Total 10-53700-343 FUEL:					9,304.92	
10-53800-220 GAS UTILITIES						
536	WE-ENERGIES	7/26/23	0702787382-00002	08/01/2023	22.89	08/04/2023
Total 10-53800-220 GAS UTILITIES:					22.89	
10-53800-221 ELECTRIC UTILITIES						
536	WE-ENERGIES	7/26/23	0702787382-00002	08/01/2023	1,420.66	08/04/2023
Total 10-53800-221 ELECTRIC UTILITIES:					1,420.66	
10-53800-222 TELEPHONE UTILITIES						
5312	AT & T- VILLAGE	07/22/2023	414 351-8900 758 7	08/01/2023	55.57	08/04/2023
Total 10-53800-222 TELEPHONE UTILITIES:					55.57	
10-53800-224 CELL PHONES						
57	JPMORGAN CHASE BANK NA	07/11/2023	APPLE	08/04/2023	.99	08/11/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	APPLE	08/11/2023	.99	08/18/2023
2136	VERIZON WIRELESS	9940992711	787000169-00001	08/15/2023	195.58	08/18/2023
Total 10-53800-224 CELL PHONES:					197.56	
10-53800-300 MISCELLANEOUS EXPENSE						
57	JPMORGAN CHASE BANK NA	07/11/2023	DPW	08/04/2023	114.75	08/11/2023
727	WI DEPT. OF JUSTICE	RKAP1THE	BACKGROUND CHECK DPW	08/29/2023	14.00	08/30/2023
727	WI DEPT. OF JUSTICE	VW3A6TJ3	BACKGROUND CHECK DPW	08/21/2023	7.00	08/30/2023

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1074	MATHESON TRI-GAS, INC	522107565	ACETYLENE	08/03/2023	48.35	08/11/2023
2241	ITU ABSORB TECH, INC	8168202	TOWELS/MATS	08/03/2023	217.52	08/11/2023
2241	ITU ABSORB TECH, INC	8176254	DPW	08/18/2023	27.73	08/30/2023
Total 10-53800-300 MISCELLANEOUS EXPENSE:					429.35	
10-53800-333 SAFETY PROGRAM						
5691	CINTAS CORPORATION	5170137095	FIRST AID CABINET	08/10/2023	177.18	08/18/2023
Total 10-53800-333 SAFETY PROGRAM:					177.18	
10-55200-445 TENNIS COURT MAINTENANCE						
360	NASSCO INC.	6321783	PAPERSUPPLIES	08/08/2023	128.71	08/11/2023
Total 10-55200-445 TENNIS COURT MAINTENANCE:					128.71	
10-55400-430 LX CLUB MATERIALS						
890	FOX POINT BAYSIDE LX CLUB	7.17.23	LX CLUB FEES	08/14/2023	120.00	08/18/2023
890	FOX POINT BAYSIDE LX CLUB	7-24-23	LX CLUB FEES	08/14/2023	55.24	08/18/2023
890	FOX POINT BAYSIDE LX CLUB	8.8.23	LX CLUB FEES	08/14/2023	100.00	08/18/2023
Total 10-55400-430 LX CLUB MATERIALS:					275.24	
10-55440-220 GAS UTILITIES						
536	WE-ENERGIES	08/10/23	0702787382-00011	08/15/2023	27.10	08/18/2023
Total 10-55440-220 GAS UTILITIES:					27.10	
10-55440-221 ELECTRIC UTILITIES						
536	WE-ENERGIES	08/10/23	0702787382-00010	08/15/2023	233.03	08/18/2023
Total 10-55440-221 ELECTRIC UTILITIES:					233.03	
10-56100-125 FORESTRY CONSULTANT						
5933	WACHTEL TREE SCIENCE & SE	121800	FORESTRY REQUESTS	08/01/2023	4,050.00	08/04/2023
Total 10-56100-125 FORESTRY CONSULTANT:					4,050.00	
21-71000-400 MATERIALS						
141	DIGGERS HOTLINE	230757801	TICKETS	07/31/2023	43.97	08/11/2023
281	LINCOLN CONTRACTORS SUP	160774	WATER DEPT	08/04/2023	59.92	08/11/2023
2260	PORT A JOHN	1358332	PORT A JOHN	07/27/2023	113.00	08/04/2023
Total 21-71000-400 MATERIALS:					216.89	
21-72000-220 GAS UTILITIES						
536	WE-ENERGIES	08/10/23	0702787382-00004	08/15/2023	80.89	08/18/2023
Total 21-72000-220 GAS UTILITIES:					80.89	
21-72000-221 ELECTRIC UTILITIES						
536	WE-ENERGIES	08/10/23	0702787382-00007	08/15/2023	20.16	08/18/2023
Total 21-72000-221 ELECTRIC UTILITIES:					20.16	
21-72000-400 MATERIALS						
4777	BATTERIES PLUS -	P64410573	12VOLT	08/03/2023	21.25	08/11/2023
4777	BATTERIES PLUS -	P64414430	BACK UPS	08/03/2023	88.22	08/11/2023

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Total 21-72000-400 MATERIALS:					109.47	
21-73000-310 SUPPLIES/EXPENSES						
415	POSTMASTER	09/01/2023	MAY-AUG WATER BILLS	08/29/2023	452.68	08/30/2023
Total 21-73000-310 SUPPLIES/EXPENSES:					452.68	
21-73000-400 MATERIALS						
50	BADGER METER, INC.	80135010	HOSTING SERV UNIT	07/29/2023	676.00	08/04/2023
57	JPMORGAN CHASE BANK NA	07/11/2023	WATER DEPT	08/04/2023	14.99	08/11/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	WATER DEPT	08/11/2023	117.50	08/18/2023
2136	VERIZON WIRELESS	9940992711	787000169-00001	08/15/2023	37.50	08/18/2023
Total 21-73000-400 MATERIALS:					845.99	
21-91000-871 TELEVISIONS						
1247	VISU-SEWER, INC.	34790	LATERAL INSPECTION	08/14/2023	2,073.75	08/18/2023
Total 21-91000-871 TELEVISIONS:					2,073.75	
21-91000-888 SEWER SYSTEM IMPROVEMENTS						
535	MUNICIPAL LAW & LITIGATION	10243	VLG ATTORNEY	08/17/2023	60.00	08/18/2023
1328	AMERICAN SEWER SERVICES I	Pay app 5	ROAD AND UTILITY	07/27/2023	3,283.54	08/11/2023
Total 21-91000-888 SEWER SYSTEM IMPROVEMENTS:					3,343.54	
23-55420-220 GAS UTILITIES						
536	WE-ENERGIES	08/10/23	0702787382-00012	08/15/2023	64.01	08/18/2023
Total 23-55420-220 GAS UTILITIES:					64.01	
23-55420-221 ELECTRIC UTILITIES						
536	WE-ENERGIES	08/10/23	0702787382-00012	08/15/2023	305.43	08/18/2023
Total 23-55420-221 ELECTRIC UTILITIES:					305.43	
24-52400-218 VILLAGE ATTORNEY						
535	MUNICIPAL LAW & LITIGATION	10413	VLG ATTORNEY	08/29/2023	114.00	08/30/2023
Total 24-52400-218 VILLAGE ATTORNEY:					114.00	
24-52400-224 CELL PHONES						
2136	VERIZON WIRELESS	9940992711	787000169-00001	08/15/2023	35.00	08/18/2023
Total 24-52400-224 CELL PHONES:					35.00	
24-52400-310 SUPPLIES/EXPENSES						
57	JPMORGAN CHASE BANK NA	07/11/2023	INSPECTOR	08/04/2023	137.86	08/11/2023
Total 24-52400-310 SUPPLIES/EXPENSES:					137.86	
25-53410-400 MATERIALS						
141	DIGGERS HOTLINE	230757801	TICKETS	07/31/2023	43.96	08/11/2023
281	LINCOLN CONTRACTORS SUP	160774	WATER DEPT	08/04/2023	59.92	08/11/2023
Total 25-53410-400 MATERIALS:					103.88	

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25-53420-400 MATERIALS						
57	JPMORGAN CHASE BANK NA	08/10/2023	STATE CHEMIC	08/11/2023	692.02	08/18/2023
280	LIESENER SOILS INC.	0214834	SOIL	08/02/2023	820.00	08/04/2023
327	MENARD'S - MILWAUKEE	71147	MISC	08/02/2023	518.72	08/04/2023
327	MENARD'S - MILWAUKEE	72020	MISC	08/18/2023	26.92	08/30/2023
502	VILLAGE HARDWARE - VH	231258/1	COUPLING	08/01/2023	21.58	08/04/2023
959	ETNA SUPPLY	S105231572.001	METAL PIPE	08/15/2023	689.00	08/18/2023
5986	WSO GRADING & EXCAVATING	4229	STONE/FILL	08/16/2023	1,970.00	08/18/2023
Total 25-53420-400 MATERIALS:					4,738.24	
25-53800-210 CONTRACT SERVICES						
2136	VERIZON WIRELESS	9940992711	787000169-00001	08/15/2023	30.00	08/18/2023
Total 25-53800-210 CONTRACT SERVICES:					30.00	
25-55410-310 SUPPLIES/EXPENSES						
415	POSTMASTER	09/01/2023	MAY-AUG WATER BILLS	08/29/2023	452.68	08/30/2023
Total 25-55410-310 SUPPLIES/EXPENSES:					452.68	
25-91500-835 STORM SEWER SYSTEM (MISC)						
535	MUNICIPAL LAW & LITIGATION	10243	VLG ATTORNEY	08/17/2023	60.00	08/18/2023
5986	WSO GRADING & EXCAVATING	4228	INSTALL PIPE	08/16/2023	7,320.00	08/18/2023
Total 25-91500-835 STORM SEWER SYSTEM (MISC):					7,380.00	
40-58100-680 DEBT ISSUANCE COST						
253	HUSCH BLACKWELL LLP	3375219	BOND COUNSEL	08/10/2023	3,952.50	08/11/2023
Total 40-58100-680 DEBT ISSUANCE COST:					3,952.50	
40-91200-819 SMALL EQUIPMENT						
1566	SELLMARK CORPORATION	90010152	INFORCE WMLX	08/03/2023	840.00	08/04/2023
Total 40-91200-819 SMALL EQUIPMENT:					840.00	
40-91200-829 FACILITIES MAINTENANCE						
57	JPMORGAN CHASE BANK NA	08/10/2023	POLICE	08/11/2023	279.95	08/18/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	POLICE	08/11/2023	219.83	08/18/2023
Total 40-91200-829 FACILITIES MAINTENANCE:					499.78	
40-91400-841 SMALL EQUIPMENT PURCHASES						
1446	REVELS TURF & TRACTOR LLC	270546	EDGE R RITE	08/18/2023	3,023.00	08/30/2023
Total 40-91400-841 SMALL EQUIPMENT PURCHASES:					3,023.00	
40-91500-801 STREET RESURFACING						
535	MUNICIPAL LAW & LITIGATION	10243	VLG ATTORNEY	08/17/2023	1,901.00	08/18/2023
535	MUNICIPAL LAW & LITIGATION	10413	VLG ATTORNEY	08/29/2023	250.00	08/30/2023
1073	WI DEPT. OF TRANSPORTATIO	395-0000316730	DESIGN	08/14/2023	4,665.97	08/18/2023
1328	AMERICAN SEWER SERVICES I	Pay app 5	ROAD AND UTILITY	07/27/2023	35,953.47	08/11/2023
Total 40-91500-801 STREET RESURFACING:					42,770.44	
40-91600-800 STORMWATER ROAD PROJECT						
1328	AMERICAN SEWER SERVICES I	Pay app 5	ROAD AND UTILITY	07/27/2023	2,960.41	08/11/2023

VILLAGE OF FOX POINT

Payment Approval Report - by GL - Board Report
Report dates: 08/01/2023-08/31/2023Page: 11
Aug 30, 2023 09:06AM

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
Total 40-91600-800 STORMWATER ROAD PROJECT:					2,960.41	
40-91600-826 LONGACRE - ROOF REPAIR						
2741	LAUBENSTEIN INC	14646	ROOFING	08/18/2023	25,057.00	08/30/2023
Total 40-91600-826 LONGACRE - ROOF REPAIR:					25,057.00	
40-91600-833 TREE REPLACEMENT						
1569	CUTNGO, LLC	02988-I	TREE CUTTING	08/17/2023	2,400.00	08/30/2023
1569	CUTNGO, LLC	03036-I	TREE CUTTING	08/17/2023	2,400.00	08/30/2023
1569	CUTNGO, LLC	03037-I	TREE CUTTING	08/17/2023	2,400.00	08/30/2023
3251	CRAWFORD TREE & LANDSCA	19788	TREE REMOVAL	07/27/2023	38,764.18	08/04/2023
3251	CRAWFORD TREE & LANDSCA	19788B	TREE REMOVAL	08/09/2023	119.77	08/11/2023
Total 40-91600-833 TREE REPLACEMENT:					46,083.95	
40-91600-849 BEACH DRIVE-SHORELINE EROSION						
983	MSA PROFESSIONAL SVCS, IN	R17951003.0-20	SHORELINE REPAIRS	07/27/2023	24,336.36	08/04/2023
983	MSA PROFESSIONAL SVCS, IN	R179551003.0-21	SHORELINE REPAIRS	08/14/2023	8,955.31	08/18/2023
Total 40-91600-849 BEACH DRIVE-SHORELINE EROSION:					33,291.67	
50-81000-601 SOURCE OF WATER SUPPLY						
378	NORTH SHORE WATER COMM	88	MONTHLY	08/01/2023	26,588.43	08/04/2023
Total 50-81000-601 SOURCE OF WATER SUPPLY:					26,588.43	
50-81000-640 OPERATIONS LABOR WATER MAINS						
2839	CITY WATER LLC	1013	MONTHLY MANAGEMENT FEE	08/03/2023	6,200.00	08/04/2023
Total 50-81000-640 OPERATIONS LABOR WATER MAINS:					6,200.00	
50-81000-651 MAINTENANCE OF MAINS						
141	DIGGERS HOTLINE	230757801	TICKETS	07/31/2023	43.97	08/11/2023
281	LINCOLN CONTRACTORS SUP	I60191	WATER DEPT	08/02/2023	45.99	08/11/2023
281	LINCOLN CONTRACTORS SUP	I60774	WATER DEPT	08/04/2023	59.92	08/11/2023
474	CORE & MAIN LP	S389761	HYMAX	02/20/2023	1,931.78	08/11/2023
502	VILLAGE HARDWARE - VH	231217/1	WATER DEPT	07/27/2023	30.30	08/04/2023
1273	WOLF PAVING CO. INC.	44908	5LTS	08/17/2023	363.28	08/18/2023
2241	ITU ABSORB TECH, INC	8168201	WATER	08/03/2023	46.53	08/11/2023
2241	ITU ABSORB TECH, INC	8176253	WATER DEPT	08/18/2023	8.60	08/30/2023
Total 50-81000-651 MAINTENANCE OF MAINS:					2,530.37	
50-81000-680 DEBT ISSUANCE COSTS						
253	HUSCH BLACKWELL LLP	3375219	BOND COUNSEL	08/10/2023	11,047.50	08/11/2023
Total 50-81000-680 DEBT ISSUANCE COSTS:					11,047.50	
50-81000-800 CAPITAL OUTLAY						
535	MUNICIPAL LAW & LITIGATION	10243	VLG ATTORNEY	08/17/2023	685.00	08/18/2023
983	MSA PROFESSIONAL SVCS, IN	R17951007.0-6	BEACH DR WATERMAIN	07/27/2023	570.00	08/04/2023
1328	AMERICAN SEWER SERVICES I	Pay app 5	ROAD AND UTILITY	07/27/2023	8,275.00	08/11/2023
Total 50-81000-800 CAPITAL OUTLAY:					9,530.00	

VILLAGE OF FOX POINT

Payment Approval Report - by GL - Board Report
Report dates: 08/01/2023-08/31/2023

Page: 12
Aug 30, 2023 09:06AM

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Amount Paid	Date Paid
50-81000-844 NSWC CAPITAL PROJECTS						
378	NORTH SHORE WATER COMMI	08/09/23 SCADA	SCADA	08/10/2023	141.49	08/11/2023
378	NORTH SHORE WATER COMMI	08/09/23 VALVE	VALVE ACTUATOR	08/10/2023	112.80	08/11/2023
Total 50-81000-844 NSWC CAPITAL PROJECTS:					254.29	
50-81000-903 SUPPLIES AND EXPENSE						
50	BADGER METER, INC.	80135010	HOSTING SERV UNIT	07/29/2023	676.00	08/04/2023
Total 50-81000-903 SUPPLIES AND EXPENSE:					676.00	
50-81000-921 OFFICE SUPPLIES AND EXPENSE						
57	JPMORGAN CHASE BANK NA	07/11/2023	WATER DEPT	08/04/2023	15.00	08/11/2023
57	JPMORGAN CHASE BANK NA	08/10/2023	WATER DEPT	08/11/2023	117.50	08/18/2023
415	POSTMASTER	09/01/2023	MAY-AUG WATER BILLS	08/29/2023	452.67	08/30/2023
2136	VERIZON WIRELESS	9940992711	787000169-00001	08/15/2023	59.21	08/18/2023
Total 50-81000-921 OFFICE SUPPLIES AND EXPENSE:					644.38	
50-81000-930 MISC GENERAL EXPENSE						
900	AWWA Q	SO100862	WATER DUES	06/20/2023	418.00	08/30/2023
2385	WISCONSIN RURAL WATER AS	10/10/2023	TRAINING	07/27/2023	220.00	08/04/2023
Total 50-81000-930 MISC GENERAL EXPENSE:					638.00	
Grand Totals:					377,518.34	

Date Approved: _____

Village Manager: _____

Village Board: _____



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT 53217-3505
414-351-8900
FAX 414-351-8909

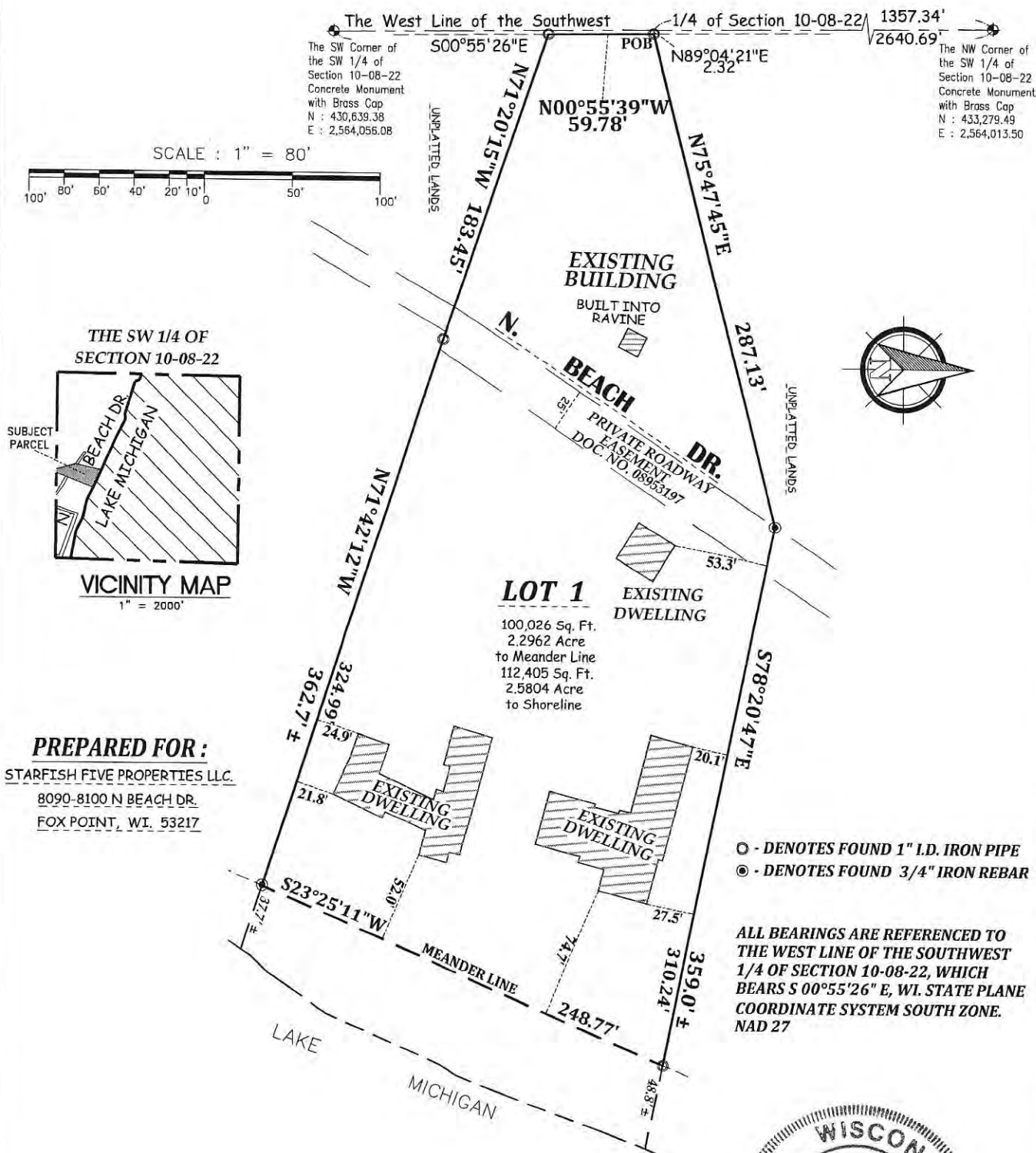
To: Village of Fox Point Plan Commission
From: Scott Brandmeier, Director of Public Works *SB*
Through: Scott Botcher, Village Manager *JB*
Date: August 30, 2023
Re: Land Combination – 8090-8100 North Beach Drive

An application was submitted by Starfish Five Properties LLC, whose registered agent is Joseph Hanni (Applicant) and who owns the parcels at 8090 and 8100 North Beach Drive to combine the lots (Tax Key Numbers 0579989000 and 0579990000) into one parcel. The Applicant is requesting that the two parcels as shown on the Plat of Survey (Attachment A) be combined and that one lot be created as shown on the Certified Survey Map (CSM) (Attachment B). The Applicant has submitted this application in accordance with Section 738 of the Village Code.

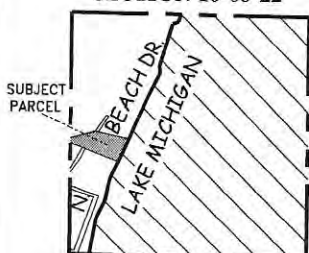
Based upon correspondence from the Village Attorney, it is my understanding that the application requires a filing fee (\$300) and the appropriate CSM but does not require an appraisal, as it is a land combination, nor notice to property owners within 500 feet of the proposed land combination. As the filing fee has been paid and the Plat of Survey and CSM have been submitted depicting the land combination, it appears that the requirements for the land combination have been met and, therefore, is referred to the Plan Commission for action on the matter.

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A DIVISION OF A PART OF GOVERNMENT LOT 2 IN THE NORTHWEST ¼ AND THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 10, TOWN 8 NORTH, RANGE 22 EAST, IN THE VILLAGE OF FOX POINT, MILWAUKEE COUNTY, WISCONSIN.



THE SW 1/4 OF SECTION 10-08-22



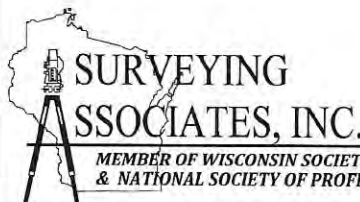
VICINITY MAP
1" = 2000'

PREPARED FOR:

STARFISH FIVE PROPERTIES LLC.
8090-8100 N BEACH DR.
FOX POINT, WI. 53217

- - DENOTES FOUND 1" I.D. IRON PIPE
- - DENOTES FOUND 3/4" IRON REBAR

ALL BEARINGS ARE REFERENCED TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 10-08-22, WHICH BEARS S 00°55'26" E, WI. STATE PLANE COORDINATE SYSTEM SOUTH ZONE. NAD 27



2554 N. 100TH STREET
P.O. BOX 26596
WAUWATOSA, WISCONSIN 53226
(414) 257-2212 FAX: (414) 257-2443
sai@wi.rr.com

MARC C. PASSARELLI P.L.S. # 2817
JOB NO. 36317

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A DIVISION OF A PART OF GOVERNMENT LOT 2 IN THE NORTHWEST ¼ AND THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 10, TOWN 8 NORTH, RANGE 22 EAST, IN THE VILLAGE OF FOX POINT, MILWAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE
STATE OF WISCONSIN)
MILWAUKEE COUNTY)SS

I, Marc Passarelli, a Professional Land Surveyor do hereby certify:

That I have surveyed, divided and mapped a division of a part of Government Lot 2 in the Northwest ¼ and the Southwest ¼ of the Southwest ¼ of Section 10, Town 8 North, Range 22 East, in the Village of Fox Point, Milwaukee County, Wisconsin, being more particularly described as follows: Commencing at the Northwest corner of the Southwest ¼ of said Section 10; thence South 00° 55' 26" East along the West line of said Southwest ¼, 1357.34 feet; thence North 89° 04' 21" East, 2.32 feet to a found 1" iron pipe also the point of beginning of the lands to be described; thence North 75° 47' 45" East, 287.13 feet to a found ¾ inch iron rebar; thence South 78° 20' 47" East, 310.24 feet to a found ¾ inch iron rebar being a point on a meander line of Lake Michigan; thence South 23° 25' 11" West along said meander line, 248.77 feet to a found ¾ inch iron rebar; thence North 71° 42' 21" West, 324.99 feet to a found 1 inch iron pipe; thence North 71° 20' 15" West, 183.45 feet to a found 1 inch iron pipe; thence North 00° 55' 39" West, 59.78 feet to the point of beginning. Including land lying between the meander line and the shore line of Lake Michigan. Containing 112,405 square feet, (2.5804 acre) more or less to the shoreline.

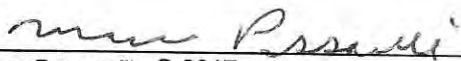
That I have made such survey, land division and map by the direction of Starfish Five Properties, LLC, owner of said land.

That this map is a correct representation of all exterior boundaries of land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and The Land Division Regulations of the Village of Fox Point in surveying, dividing and mapping the same.

Dated this 4th day of August, 2023.





Marc Passarelli S-2817
Wisconsin Professional Land Surveyor

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A DIVISION OF A PART OF GOVERNMENT LOT 2 IN THE NORTHWEST ¼ AND THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 10, TOWN 8 NORTH, RANGE 22 EAST, IN THE VILLAGE OF FOX POINT, MILWAUKEE COUNTY, WISCONSIN.

OWNERS CERTIFICATE:

Starfish Five Properties, LLC, owner, does hereby certify that it has caused the land described in this document to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the Ordinances of the Village of Fox Point.

Starfish Five Properties, LLC, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: Village of Fox Point.

Witness the hand and seal of said owner this _____ day of _____, 2023.

Joseph G. Hanni, Owner

Trisha K. Hanni, Owner

STATE OF WISCONSIN)
_____ COUNTY)SS

Personally came before me this _____ day of _____, 2023, the above named Joseph G. Hanni and Trisha K. Hanni, Owner of Starfish Five Properties, LLC, to me known to be the person who executed the foregoing instrument and acknowledge that he executed the foregoing instrument.

Notary Public, State of Wisconsin
My Commission expires _____

CONSENT OF MORTGAGEE:

JP Morgan Chase, duly organized and existing under and by virtue of the laws of the United States, mortgagor of the above described land, hereby consent to the surveying, dividing, and mapping of the land described in the foregoing affidavit of Marc C. Passarelli, surveyor and does hereby consent to the above certificate of Starfish Five Properties, LLC, owner.

In Witness Whereof, JP Morgan Chase, has caused these presents to be signed by _____ its Representative, at _____, this _____ day of _____, 2023.

JP Morgan Chase, Representative

STATE OF WISCONSIN)
_____ COUNTY)SS

Personally came before me this _____ day of _____, 2023, the above named _____, of the above named JP Morgan Chase, to me known to be the person who executed the foregoing instrument and to me known to be such Representative said company and acknowledged that he executed the foregoing instrument as such officer as the deed of said company by its authority.



Notary Public, State of _____
My Commission expires _____

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A DIVISION OF A PART OF GOVERNMENT LOT 2 IN THE NORTHWEST ¼ AND THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 10, TOWN 8 NORTH, RANGE 22 EAST, IN THE VILLAGE OF FOX POINT, MILWAUKEE COUNTY, WISCONSIN.

VILLAGE BOARD APPROVAL

APPROVED by the Village of Fox Point on this _____ day of _____, 2023.

Christine Symchych, Village President

Kelly Meyer, Village Clerk



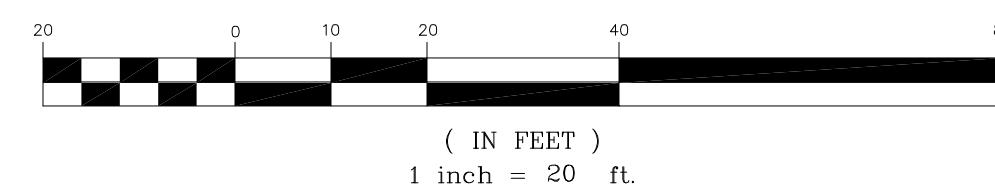
INSTRUMENT DRAFTED BY: MARK W. WEINGARTEN

JOB NO. 36317

SHEET 4 OF 4

49,953 Sq. Ft. / 1.147 Acres
to Meander Line
55,446 Sq. Ft. / 1.273 Acres
to Shoreline

- GRAPHIC SCALE

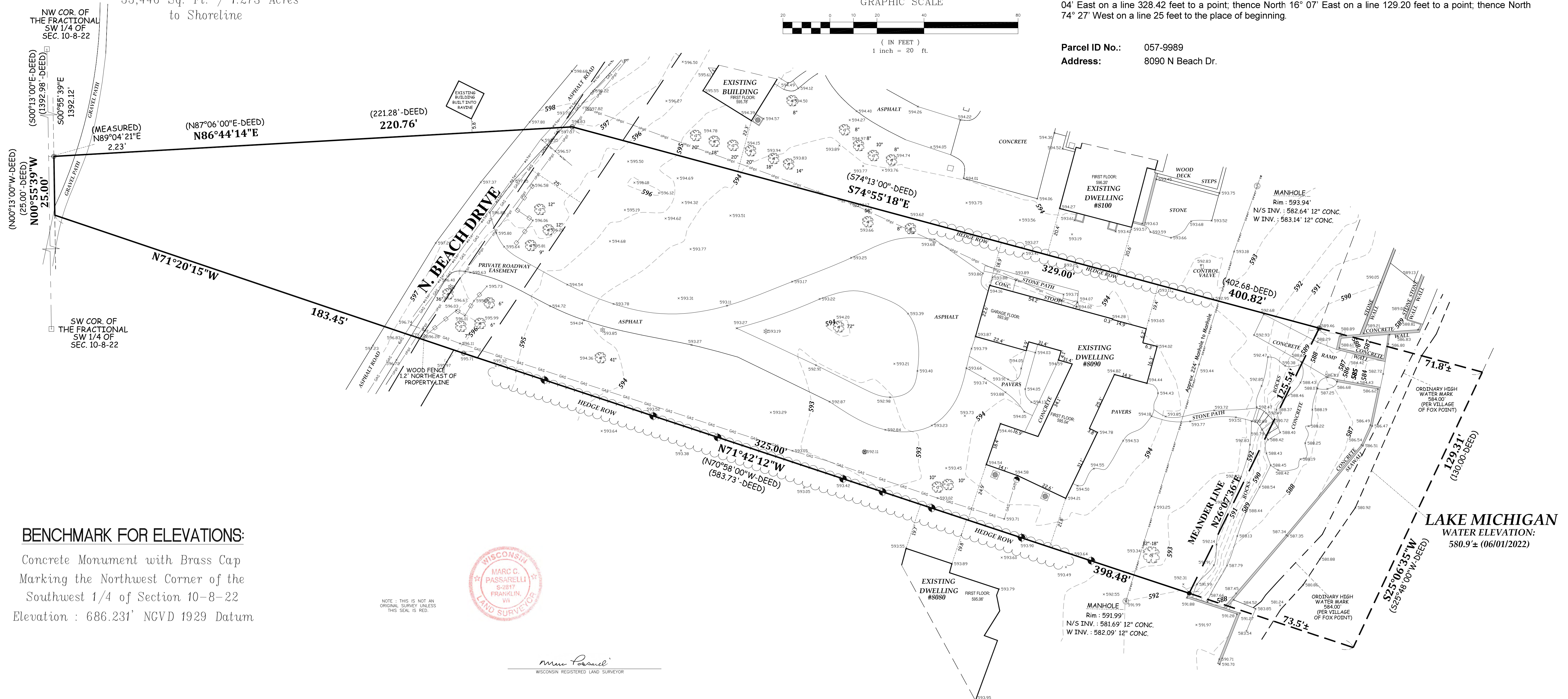


That part of Government Lot 2 in the Southwest ¼ of Fractional Section 10, Town 8 North, Range 22 East, in the Village of Fox Point, County of Milwaukee, State of Wisconsin, bounded and described as follow:

Easement for roadway purposes for the benefit of Parcel 1 in common with others, over and across a private roadway described as follows:

Commencing at a point on the West line and 996.87 feet South 0° 14' East of the Northwest corner of said ¼ Section; thence South 77° 53' East on a line 388.85 feet to the point of beginning of the land to be described; thence South 16° 07' West on a line 125 feet to a point; thence South 34° 04' West on a line 331.18 feet to a point; thence South 30° 36' West on a line 376.94 feet to a point in the East line of North Beach Road; thence South 9° 25' West along the East line of said Road 41.51 feet to a point; thence North 30° 36' East on a line 421.56 feet to a point which is 183.30 feet South 70° 58' East to a point in the West line of said ¼ Section 1417.98 feet South 0° 14' East of the Northwest corner thereof; thence South 70° 58' East on a line 10.58 feet to a point; thence North 34° 04' East on a line 328.42 feet to a point; thence North 16° 07' East on a line 129.20 feet to a point; thence North 74° 27' West on a line 25 feet to the place of beginning.

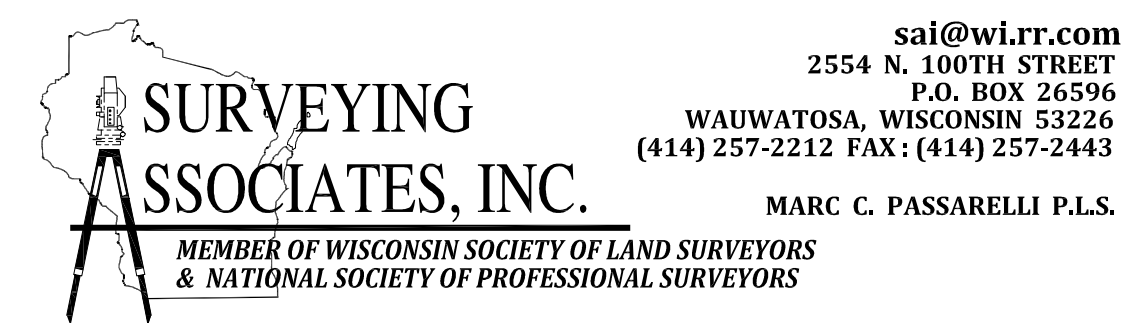
Address: 8090 N Beach Dr.



Concrete Monument with Brass Cap
Marking the Northwest Corner of the
Southwest 1/4 of Section 10-8-22
Elevation : 686.231' NGVD 1929 Datum

REVISION NO.	DESCRIPTION	DATE	BY	FIELD WORK BY MWW/NAS/MCP/MJS	DATE 06/08/22
				DRAWN BY MCP/MWW	DATE 06/17/22
				APPROVED BY	DATE
				CADFILE	
				XREF	
				J.MAN	

"THE INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATIONS AS TO THE TYPE AND LOCATION OF UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO."



KEY PROJECT NUMBER
36145

PROJECT SCALE
1" = 20'

SHEET NUMBER
1 of 1

PLAT OF SURVEY

That part of Government Lot Two (2), in the Southwest One-quarter (¼) of Section Ten (10), in Township Eight (8) North, Range Twenty-two (22) East, in the Village of Fox Point, Milwaukee County, Wisconsin, bounded and described as follow:

Commencing at a point in the West line, 1357.98 South 0° 14' East of the Northwest corner of said ¼ Section; thence South 0° 14' East along the West line of said ¼ Section, 35 feet to a point; thence North 87° 06' East on a line, 221.28 feet to a point; thence South 74° 13' East on a line, 402.68 feet to a point in the shore line of Lake Michigan; thence North 25° 48' East along the shore line of Lake Michigan, 130 feet to a point; thence North 77° 40' West on a line, 391.48 feet to a point; thence South 76° 37' West on a line, 290.66 feet to the place of beginning, together with an easement for roadway purposes in common with others, over and across that certain private roadway described as follows:

Commencing at a point on the West line and 996.87 feet South 0° 14' East of the Northwest corner of ¼ Section; thence South 77° 53' East on a line, 388.85 feet to a point of beginning of the land to be described; thence South 16° 07' West on a line, 125.00 feet to a point; thence South 34° 04' West on al line, 331.18 feet to a point; thence South 30° 36' West on a line, 376.94 feet to a point in the East line of North Beach Road; thence South 9° 25' West along the East line of said road, 41.51 feet to a point; thence North 30° 36' East on a line, 421.56 feet to a point which is 183.80 feet South 70° 58' East of a point in the West line of said ¼ Section, 1417.98 feet South 0° 14' East of the Northwest corner thereof; thence South 70° 58 East on a line, 10.58 feet to a point; thence North 34° 04' East on a line, 328.42 feet to a point; thence North 16° 07' East on a line, 129.20 feet to a point; thence North 74° 27' West on a line, 25.00 feet to the place of beginning.

Parcel ID No.: 057-9990-000
Address: 8100 N Beach Dr.

LEGEND

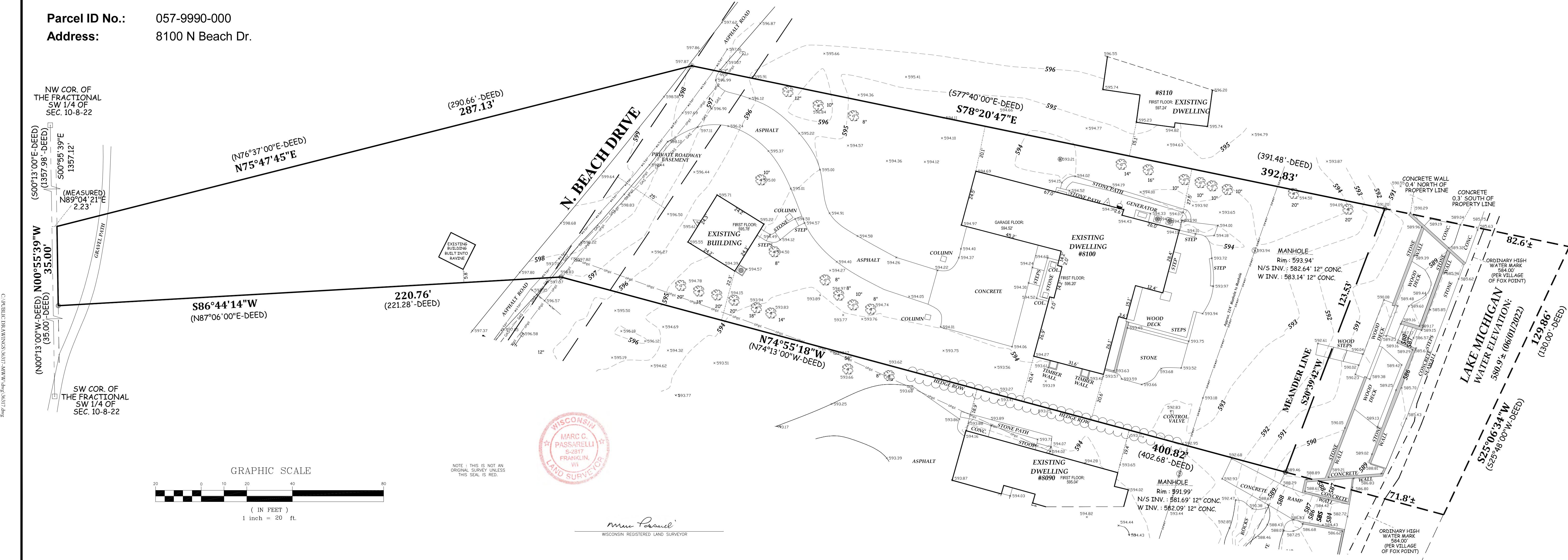
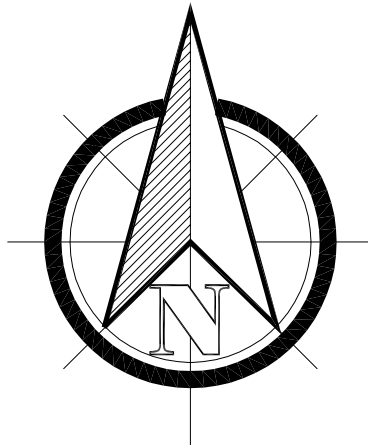
- - Denotes Found Iron Pipe
- - Denotes Found Iron Rebar
- - Denotes Set 3/4" Iron Rebar
- ⊗ - Denotes Existing Air Conditioner
- ⦿ - Denotes Existing Gas Meter
- ⚡ - Denotes Existing Electric Meter
- ⊙ - Denotes Existing Sewer Manhole
- ⊕ - Denotes Existing Round Catch Basin
- ☆ - Denotes Existing Light Pole
- ⦿ - Denotes Existing Power Pole
- ⦿ - Denotes Existing Wood Lath on Property Line
- × - Denotes Existing Spot Elevation
- 591 — - Denotes Existing Contour Line
- - □ - □ - Denotes Existing Wood Fence
- GAS --- - Denotes Underground Gas Line
- SEWER --- - Denotes Underground Sewer Line
- WATER --- - Denotes Underground Water Line
- POWER --- - Denotes Overhead Power Lines
- 12' ⦿ - Denotes Existing Tree with Size

BENCHMARK FOR ELEVATIONS:

Concrete Monument with Brass Cap
Marking the Northwest Corner of the
Southwest 1/4 of Section 10-8-22
Elevation : 686.231' NGVD 1929 Datum

AREA OF PROPERTY

50,811 Sq. Ft. / 1.116 Acres
to Meander Line
56,811 Sq. Ft. / 1.304 Acres
to Shoreline



REVISION NO.	DESCRIPTION	DATE	BY	FIELD WORK BY MWW/NAS/MCP/MJS	DATE 06/08/22
				DRAWN BY MCP/MWW	DATE 06/17/22
				APPROVED BY	DATE
				CADFILE XREF LMAN	

BOUNDARY / TOPOGRAPHIC SURVEY
JOE & TRISH HANNI
8100 N. BEACH DRIVE
FOX POINT, WI. 53217

"THE INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATIONS AS TO THE TYPE AND LOCATION OF UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO."

SURVEYING ASSOCIATES, INC.
MEMBER OF WISCONSIN SOCIETY OF LAND SURVEYORS & NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS

sai@wi.rr.com
2554 N. 100TH STREET
P.O. BOX 26596
WAUWATOSA, WISCONSIN 53226
(414) 257-2212 FAX: (414) 257-2443

MARC C. PASSARELLI P.L.S.

PROJECT NUMBER 36317
PROJECT SCALE 1" = 20'
SHEET NUMBER 1 of 1

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF FOX POINT

RESOLUTION NO. 2023 - XX

RESOLUTION REGARDING THE URBAN FORESTRY GRANT

WHEREAS, The Village of Fox Point is interested in obtaining a cost share-grant from the Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects or urban forestry catastrophic storm project specified in s. 23.097(1g) and (1r), Wis. Stats.;

WHEREAS, the Village of Fox Point attests to the validity and veracity of the statements and representations contained in the grant application; and

WHEREAS, the Village requests a grant agreement to carry out the project;

NOW, THEREFORE, BE IT RESOLVED, the Village of Fox Point will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

BE IT FURTHER RESOLVED, the Village Board of Trustees will budget a sum sufficient to fully and satisfactorily complete the project and hereby authorized and empowers the Director of Public Works to act on its behalf to:

1. Sign and submit the grant application.
2. Sign a grant agreement between applicant and the DNR.
3. Submit interim and/or final reports to the DNR to satisfy the grant agreement.
4. Submit grant reimbursement request to the DNR.
5. Sign and submit other required documentation.

PASSED and ADOPTED by the Fox Point Village Board, Milwaukee County,
Wisconsin this 12th day of September, 2023.

Eric Fonstad
Village Trustee

Attest:

Kelly Meyer
Village Clerk/Treasurer



VILLAGE OF FOX POINT

MILWAUKEE COUNTY

WISCONSIN

VILLAGE HALL

7200 N. SANTA MONICA
BLVD.

FOX POINT WI 53217-3505

414-351-8900

FAX 414-351-8909

To: Village of Fox Point Village Board

From: Scott Brandmeier 

Through: Scott Botcher 

Date: August 31, 2023

Re: Lake Drive Resolution and Relocation Order

As presented to the Village Board at prior meetings, staff continues to work with our consultant, Kapur & Associates, and the Wisconsin Department of Transportation (WIDOT) to prepare for the repaving and other improvements of Lake Drive. Part of the work to be performed (widening the road to accommodate bike lanes, incorporating crosswalks, etc.) requires the acquisition of four (4) Permanent Limited Easements (PLEs) and nine (9) Temporary Limited Easements (TLEs). Additionally, three (3) utility release of rights are needed for restoring roadway grading, drainage areas and crosswalks.

The Relocation Order is the legal document that approves the TLE and PLE shown on the right of way (R/W) exhibits. The signed Relocation Order will be filed with the Milwaukee County Clerk. Approval of this document allows Single Source, Inc, who is already under contract with the Village, to appraise, negotiate and acquire these easements on behalf of the Village (please note that a separate agenda item includes a proposal to have Single Source to negotiate the easement price for each parcel).

The resolution permits the Director of Public Works to coordinate the work associated with acquisition of the TLEs and PLEs, including offering price reports, performing administrative revisions, signing and submitting required documentation and other tasks associated with the acquiring of the TLEs and PLEs.

Approving the Relocation Order and adopting the resolution allows for a more efficient process related to the acquisition of the TLEs and PLEs. If not approved, a special Village Board meeting would be required at each step (offering the price reports to the residents affected by the easements, performing administrative revisions, etc.) and may require multiple special Village Board meetings given the number of easements (13 in total) required.

Therefore, it is my recommendation that the Village Board approve the Relocation Order and adopt the resolution and authorize the Village President and Village Clerk/Treasurer to sign the documents accordingly.

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF FOX POINT

RESOLUTION NO. 2023 - XX

**RESOLUTION REGARDING THE WISCONSIN
DEPARTMENT OF TRANSPORTATION REAL ESTATE ACQUISITION AND
EASEMENT PROCESS FOR THE LAKE DRIVE/STH 32 PROJECT**

WHEREAS, State Highway 32 (Lake Drive) is a connecting highway within the municipal boundaries of the Village of Fox Point; and

WHEREAS, the Wisconsin Department of Transportation (WisDOT) has scheduled a project in 2025 or 2026 to address deteriorating pavement conditions and upgrade existing municipal underground facilities; and

WHEREAS, temporary limited easements (TLE's) and permanent limited easements (PLE's) are required by WisDOT for properties within the corridor where grading and earthwork associated with the project will impact adjacent private properties; and

NOW, THEREFORE, BE IT RESOLVED, the Village of Fox Point will comply with all local, state, and federal rules, regulations and ordinances relating to the purchase of such temporary and permanent easements.

BE IT FURTHER RESOLVED, the Village Board of Trustees hereby authorizes and empowers the Director of Public Works, its official or employee, to act on its behalf to approve the following items in relation to the acquisition of TLE's and PLE's for the Lake Drive STH 32 project:

1. Offering Price Reports.
2. Administrative revisions.
3. Sign and submit other required documentation.
4. Other associated tasks related to acquiring the TLE's and PLE's.

PASSED and ADOPTED by the Fox Point Village Board, Milwaukee County,
Wisconsin this 12th day of September, 2023.

Attest:

Eric Fonstad
Village Trustee

Kelly Meyer
Village Clerk/Treasurer



VILLAGE OF FOX POINT

MILWAUKEE COUNTY

WISCONSIN

VILLAGE HALL

7200 N. SANTA MONICA
BLVD.

FOX POINT WI 53217-3505

414-351-8900

FAX 414-351-8909

To: Village of Fox Point Village Board

From: Scott Brandmeier 

Through: Scott Botcher 

Date: August 31, 2023

Re: Lake Drive Resolution and Relocation Order

As presented to the Village Board at prior meetings, staff continues to work with our consultant, Kapur & Associates, and the Wisconsin Department of Transportation (WIDOT) to prepare for the repaving and other improvements of Lake Drive. Part of the work to be performed (widening the road to accommodate bike lanes, incorporating crosswalks, etc.) requires the acquisition of four (4) Permanent Limited Easements (PLEs) and nine (9) Temporary Limited Easements (TLEs). Additionally, three (3) utility release of rights are needed for restoring roadway grading, drainage areas and crosswalks.

The Relocation Order is the legal document that approves the TLE and PLE shown on the right of way (R/W) exhibits. The signed Relocation Order will be filed with the Milwaukee County Clerk. Approval of this document allows Single Source, Inc, who is already under contract with the Village, to appraise, negotiate and acquire these easements on behalf of the Village (please note that a separate agenda item includes a proposal to have Single Source to negotiate the easement price for each parcel).

The resolution permits the Director of Public Works to coordinate the work associated with acquisition of the TLEs and PLEs, including offering price reports, performing administrative revisions, signing and submitting required documentation and other tasks associated with the acquiring of the TLEs and PLEs.

Approving the Relocation Order and adopting the resolution allows for a more efficient process related to the acquisition of the TLEs and PLEs. If not approved, a special Village Board meeting would be required at each step (offering the price reports to the residents affected by the easements, performing administrative revisions, etc.) and may require multiple special Village Board meetings given the number of easements (13 in total) required.

Therefore, it is my recommendation that the Village Board approve the Relocation Order and adopt the resolution and authorize the Village President and Village Clerk/Treasurer to sign the documents accordingly.

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF FOX POINT

RESOLUTION NO. 2023 - XX

**RESOLUTION APPROVING THE RELOCATION ORDER FOR THE
DEPARTMENT OF TRANSPORTATION REAL ESTATE ACQUISITION
AND EASEMENT PROCESS FOR THE LAKE DRIVE/STH 32 PROJECT**

WHEREAS, State Highway 32 (Lake Drive) is a connecting highway within the municipal boundaries of the Village of Fox Point; and

WHEREAS, the Wisconsin Department of Transportation (WisDOT) has scheduled a project in 2025 or 2026 to address deteriorating pavement conditions and upgrade existing municipal underground facilities; and

WHEREAS, temporary limited easements (TLE's) and permanent limited easements (PLE's) are required by WisDOT for properties within the corridor where grading and earthwork associated with the project will impact adjacent private properties; and

NOW, THEREFORE, BE IT RESOLVED, the Village of Fox Point will comply with all local, state, and federal rules, regulations and ordinances relating to the purchase of such temporary and permanent easements.

BE IT FURTHER RESOLVED, the Village Board of Trustees hereby approves the relocation order for nine (9) temporary limited easements (TLEs), four (4) permanent limited easements (PLEs) and three (3) utility release of rights, in the locations described in Exhibit A attached hereto and incorporated herein by reference, for restoring roadway grading, drainage and crosswalks along the Lake Drive corridor in the Village of Fox Point.

PASSED and ADOPTED by the Fox Point Village Board, Milwaukee County,
Wisconsin this 12th day of September, 2023.

Eric Fonstad
Village Trustee

Attest:

Kelly Meyer
Village Clerk/Treasurer

EXHIBIT A

RELOCATION ORDER

RE1708

Wisconsin Department of Transportation

PROJECT ID 2225-00-73	Name of Road STH32/Lake Drive	Highway STH 32	County Milwaukee
Right of Way Plat Date 8/25/2023	Plat Sheet Numbers 4.01, 4.02, 4.03, 4.04, 4.05, 4.06	Date of Previously Approved Relocation Order	

Description of Termini of Project

Beginning at a point located 53 feet North and 654 feet East of the Southwest 1/4 Corner of Section 21, Township 8 North, Range 22 East, Village of Fox Point, Milwaukee County, State of Wisconsin;

Thence northerly, 13,817 feet (2.61 miles) to a point located 115 feet North and 2 feet West of the Center 1/4 Corner of Section 9, Township 8 North, Range 22 East, Village of Fox Point, Milwaukee County, State of Wisconsin.

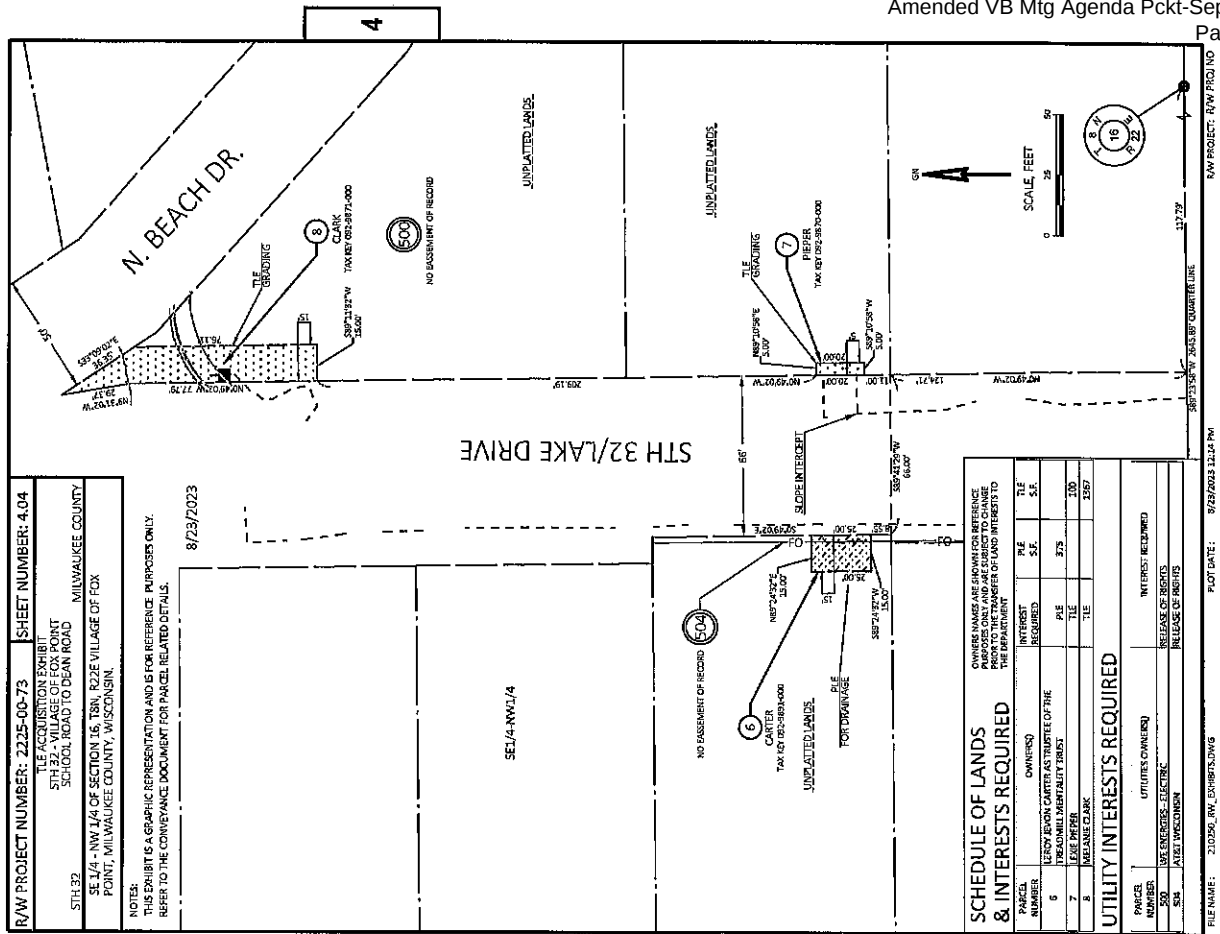
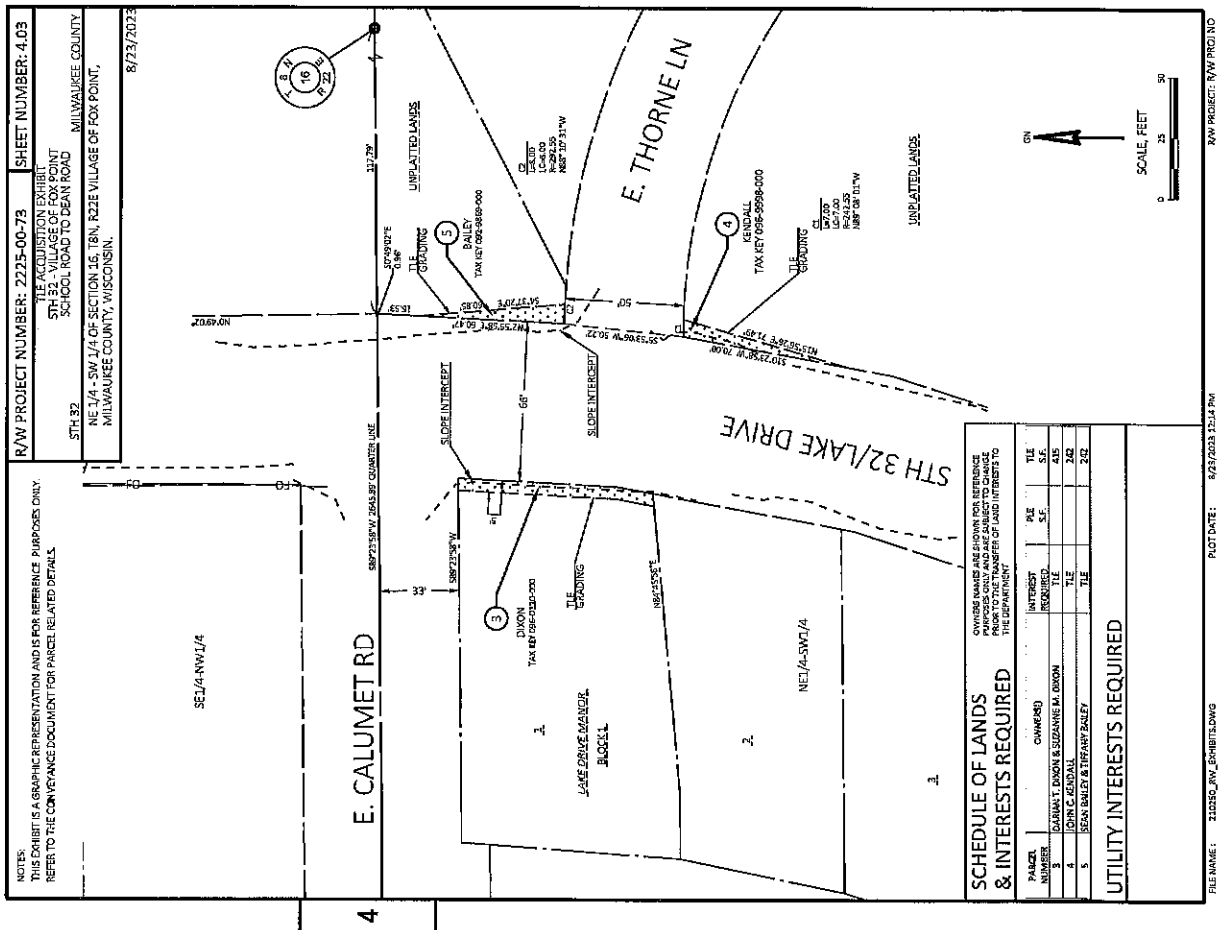
To properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the highway designated above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project.

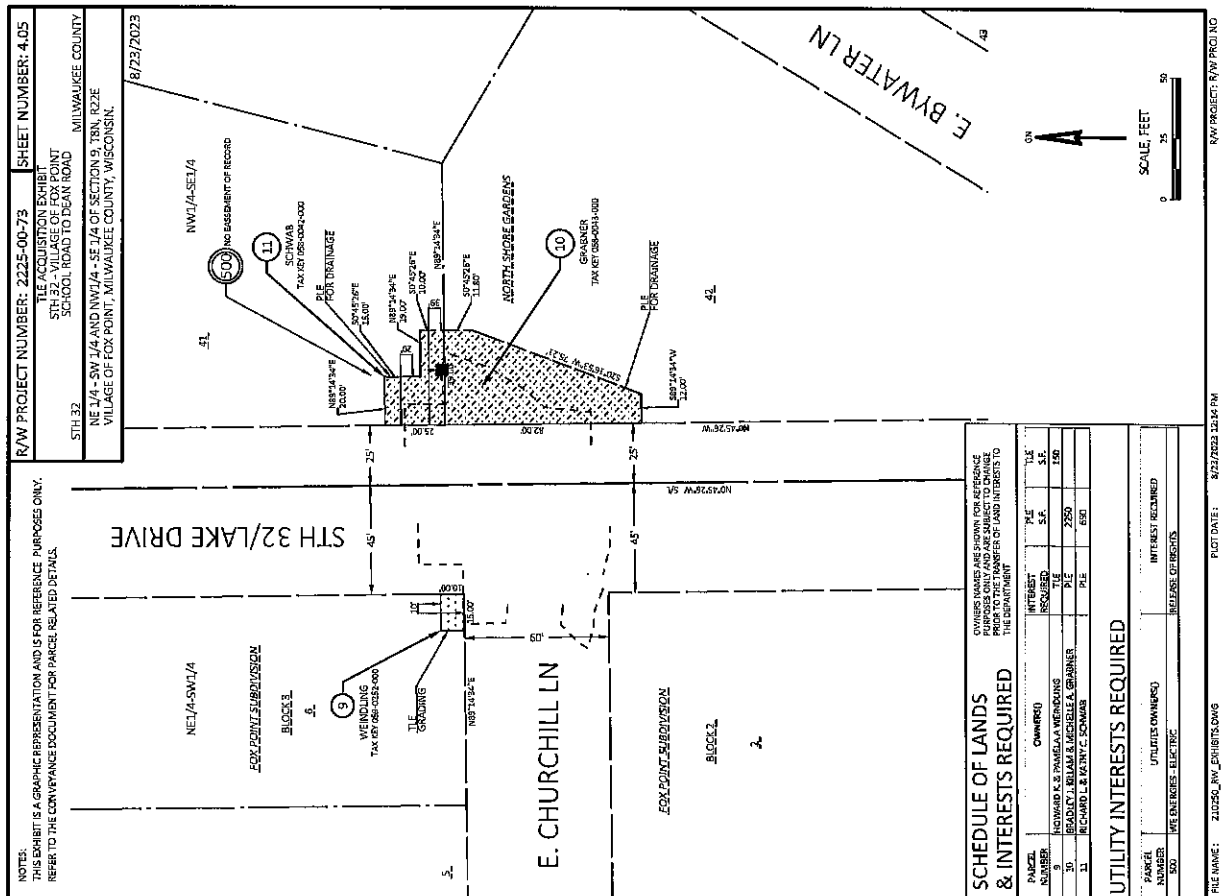
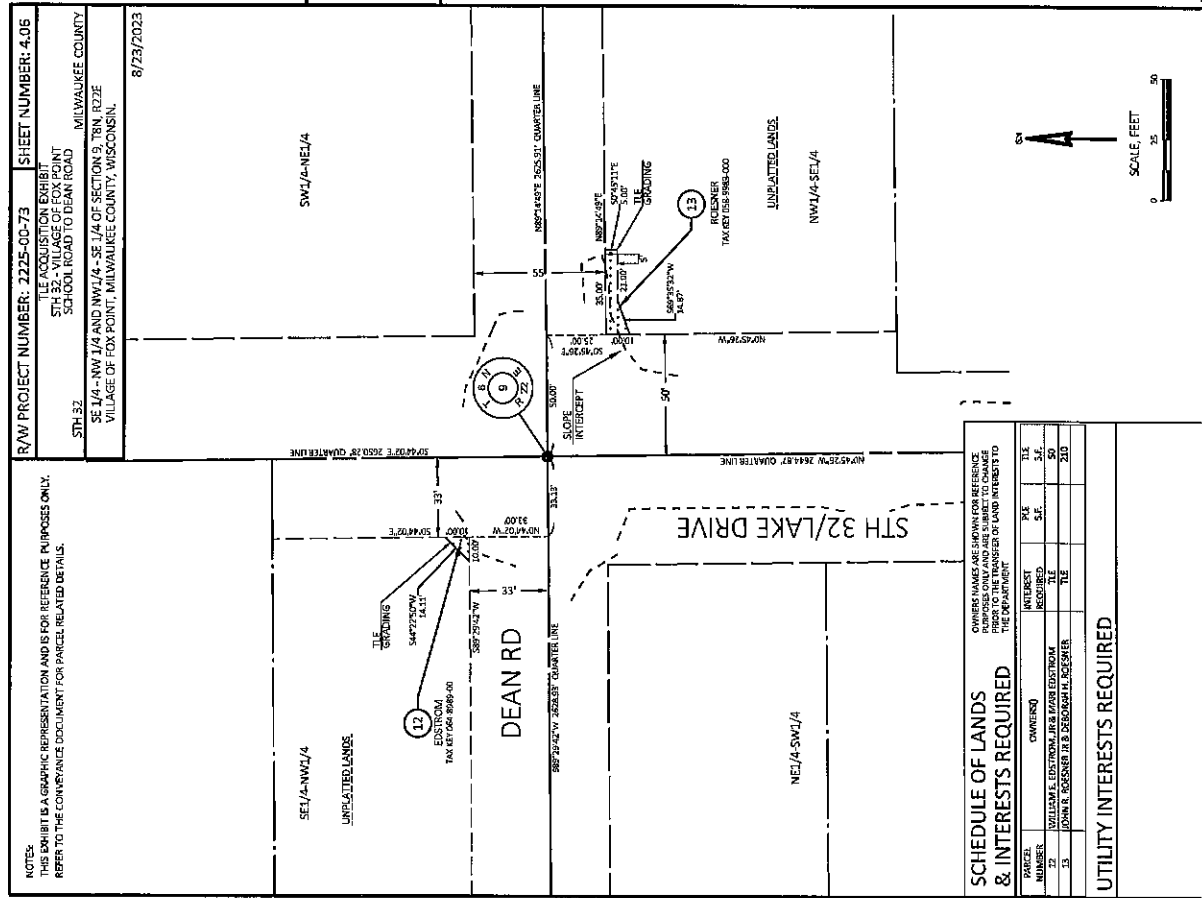
To effect this change, pursuant to authority granted under Sections 61.34(3) and (3m), Wisconsin Statutes, the Village of Fox Point orders that:

1. The said road is laid out and established to the lines and widths as shown on the plat.
2. The required lands or interests in lands as shown on the plat shall be acquired by the Village of Fox Point.
3. This order supersedes and amends any previous order issued by the Village of Fox Point.

(Christine Symchych, Village President)

(Date)





LEGAL DESCRIPTION

Permanent Limited Easement for the right to place and maintain drainage facilities and to construct and maintain slopes, including the right to operate necessary equipment thereon and the right of ingress and egress, as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the highway facilities, in and to the following tract of land in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of the Northeast 1/4 of the Southwest 1/4 of Section 16, Town 8 North, Range 22 East, described as follows:

Commencing at the center 1/4 corner of said Section 16, thence South 00°08'30" West, along the east line of said Southwest 1/4 of Section 16, 1322.05 feet; thence South 89°20'37" West, 1035.39 feet to the east line of STH 32 (Lake Drive), thence along said east line North 44°55'28" East, 174.39 feet to the point of beginning; thence continuing along said east line North 44°55'28" East, 62.00 feet; thence South 45°04'32" East, 15.00 feet; thence South 44°55'28" West, 62.00 feet; thence North 45°04'32" West, 15.00 feet to the point of beginning.

This parcel contains **930 square feet**, more or less.

LEGAL DESCRIPTION

Temporary Limited Easement for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following tract of land, in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of the Southeast 1/4 of the Northwest 1/4 of Section 16, Town 8 North, Range 22 East, described as follows:

Commencing at the center 1/4 corner of said Section 16, thence South 89°23'58" West along the south line of said Southeast 1/4 of the Northwest 1/4 of Section 16, 117.79 feet to the east line of STH 32 (Lake Drive); thence North 00°49'02" West along said east line, 135.71 feet to the point of beginning; thence continuing North 00°49'02" West along said east line, 20.00 feet; thence North 89°10'58" East, 5.00 feet; thence South 00°49'02" East, 20.00 feet; thence South 89°10'58" West, 5.00 feet to the point of beginning.

This parcel contains **100 square feet**, more or less.

The above Temporary Limited Easement is to terminate upon the completion of this project or on the day the highway is open to the traveling public, whichever is later.

LEGAL DESCRIPTION

Temporary Limited Easement for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following tract of land, in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of the Northwest 1/4 of the Southeast 1/4 of Section 9, Town 8 North, Range 22 East, described as follows:

Commencing at the center 1/4 corner of said Section 9, thence North 89°14'49" East along the north line of said Southeast 1/4, 50.00 feet; thence South 00°45'26" East, 25.00 feet to the point of beginning; thence North 89°14'49" East along the south line of Dean Road, 35.00 feet; thence South 00°45'11" East, 5.00 feet, thence South 89°14'49" West, 21.00 feet; thence South 69°35'32" West, 14.87 feet to the east line of STH 32 (Lake Drive); thence North 00°45'26" West along said east line, 10.00 feet to the point of beginning.

This parcel contains **210 square feet**, more or less.

The above Temporary Limited Easement is to terminate upon the completion of this project or on the day the highway is open to the traveling public, whichever is later.

LEGAL DESCRIPTION

Temporary Limited Easement for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following tract of land, in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of the Northeast 1/4 of the Southwest 1/4 of Section 16, Town 8 North, Range 22 East, described as follows:

Commencing at the center 1/4 corner of said Section 16, thence South 00°08'30" West, along the east line of said Southwest 1/4 of Section 16, 928.36 feet; thence South 89°30'30" West, 685.49 feet to the centerline of line of STH 32 (Lake Drive), thence along said centerline line North 35°16'30" East, 209.97 feet; thence South 59°33'30" East, 33.12 feet to the point of beginning; thence continuing South 59°33'30" East along owners north line, 25.09 feet; thence South 35°16'30" West, 69.03 feet; thence North 59°33'30" West, 25.09 feet to the east line of said STH 32 (Lake Drive); thence North 35°16'30" East along said east line, 69.05 feet to the point of beginning.

This parcel contains **1726 square feet**, more or less.

The above Temporary Limited Easement is to terminate upon the completion of this project or on the day the highway is open to the traveling public, whichever is later.

LEGAL DESCRIPTION

Temporary Limited Easement for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following tract of land, in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of the Southeast 1/4 of the Northwest 1/4 of Section 16, Town 8 North, Range 22 East, described as follows:

Commencing at the center 1/4 corner of said Section 16, thence South 89°23'58" West along the south line of said Southeast 1/4 of the Northwest 1/4 of Section 16, 117.79 feet to the east line of STH 32 (Lake Drive); thence North 00°49'02" West along said east line, 364.90 feet to the point of beginning; thence continuing North 00°49'02" West along said east line, 77.79 feet; thence North 09°31'02" West along said east line, 29.37 feet to the south line of N. Beach Drive; thence South 33°09'02" East along said south line, 36.35 feet; thence South 00°49'02" East, 76.11 feet; thence South 89°11'32" West, 15.00 feet to the point of beginning.

This parcel contains **1367 square feet**, more or less.

The above Temporary Limited Easement is to terminate upon the completion of this project or on the day the highway is open to the traveling public, whichever is later.

LEGAL DESCRIPTION

Temporary Limited Easement for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following tract of land, in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of Lot 1, Block 1 in Lake Drive Manor in the Northeast 1/4 of the Southwest 1/4 of Section 16 Township 08 North, Range 22 East, described as follows:

The easterly 5 feet of said Lot 1.

This parcel contains **415 square feet**, more or less.

The above Temporary Limited Easement is to terminate upon the completion of this project or on the day the highway is open to the traveling public, whichever is later.

LEGAL DESCRIPTION

Temporary Limited Easement for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following tract of land, in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of Lot 6, Block 3 in Fox Point Subdivision in the Northeast 1/4 of the Southwest 1/4 of Section 9 Township 08 North, Range 22 East, described as follows:

The south 10 feet of the east 15 feet of said Lot 6.

This parcel contains **150 square feet**, more or less.

The above Temporary Limited Easement is to terminate upon the completion of this project or on the day the highway is open to the traveling public, whichever is later.

LEGAL DESCRIPTION

Temporary Limited Easement for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following tract of land, in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of the Northeast 1/4 of the Southwest 1/4 of Section 16, Town 8 North, Range 22 East, described as follows:

Commencing at the center 1/4 corner of said Section 16, thence South 89°23'58" West along the north line of said Southwest 1/4, 117.79 feet to the east line of STH 32 (Lake Drive); thence South 00°49'02" East along said east line, 0.96 feet; thence South 2°55'58" West along said east line, 77 feet; thence South 05°53'06" West, 50.22 feet to the south line of E. Thorn Lane and the point of beginning; thence along said south line 7.00 feet along and arc of a curve to the right, having a radius of 242.55 feet, and a chord which bears South 89°08'01" East, 7.00 feet; thence South 15°56'26" West, 71.49 feet to the east line of said STH 32 (Lake Drive); thence North 10°23'58" East along said east line, 70.00 feet to the point of beginning.

This parcel contains **242 square feet**, more or less.

The above Temporary Limited Easement is to terminate upon the completion of this project or on the day the highway is open to the traveling public, whichever is later.

LEGAL DESCRIPTION

Permanent Limited Easement for the right to place and maintain drainage facilities and to construct and maintain slopes, including the right to operate necessary equipment thereon and the right of ingress and egress, as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the highway facilities, in and to the following tract of land in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of Lot 42, North Shore Gardens in the Northwest 1/4 of the Southeast 1/4 of Section 9 Township 08 North, Range 22 East, described as follows:

Beginning at the northwest corner of said Lot 42; thence North $89^{\circ}14'34''$ along the north line of said Lot 42, 39.00 feet; thence South $00^{\circ}45'26''$ East, 11.80 feet; thence South $20^{\circ}16'53''$ West, 75.21 feet; thence South $89^{\circ}14'34''$ West, 12.00 feet to the east line of STH 32/Lake Drive; thence North $00^{\circ}45'26''$ West along said east line, 82.00 feet to the point of beginning.

This parcel contains **2,250 square feet**, more or less.

LEGAL DESCRIPTION

Temporary Limited Easement for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following tract of land, in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of the Northeast 1/4 of the Southwest 1/4 of Section 16, Town 8 North, Range 22 East, described as follows:

Commencing at the center of Section 16, thence South 89°23'58" West along the north line of said Southwest 1/4, 117.79 feet to the east line of STH 32 (Lake Drive); thence South 00°49'02" East along said east line, 0.96 feet; thence South 2°55'58" West along said east line, 16.53 feet to the point of beginning; thence South 04°37'20" East, 60.85 feet to the north line of E. Thorne Lane; thence along said north line 8.00 feet along and arc of a curve to the left, having a radius of 292.55 feet, and a chord which bears North 88°10'31" West, 8.00 feet to the east line of said STH 32 (Lake Drive); thence North 02°55'58" East along said east line, 60.47 feet to the point of beginning.

This parcel contains **242 square feet**, more or less.

The above Temporary Limited Easement is to terminate upon the completion of this project or on the day the highway is open to the traveling public, whichever is later.

LEGAL DESCRIPTION

Permanent Limited Easement for the right to place and maintain drainage facilities and to construct and maintain slopes, including the right to operate necessary equipment thereon and the right of ingress and egress, as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the highway facilities, in and to the following tract of land in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of Lot 41, North Shore Gardens in the Northwest 1/4 of the Southeast 1/4 of Section 9 Township 08 North, Range 22 East, described as follows:

Beginning at the southwest corner of said Lot 41; thence North 00°45'26" West along the east line of STH 32/Lake Drive, 25.00 feet; thence North 89°14'34" East, 20.00 feet; thence South 00°45'26" East, 15.00 feet; thence North 89°14'34" East, 19.00 feet; thence South 00°45'26" East, 10.00 feet to the south line of said Lot 41; thence South 89°14'34" West along said south line, 39.00 feet to the point of beginning.

This parcel contains **690 square feet**, more or less.

LEGAL DESCRIPTION

Permanent Limited Easement for the right to place and maintain drainage facilities and to construct and maintain slopes, including the right to operate necessary equipment thereon and the right of ingress and egress, as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the highway facilities, in and to the following tract of land in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of the Southeast 1/4 of the Northwest 1/4 of Section 16, Town 8 North, Range 22 East, described as follows:

Commencing at the center 1/4 corner of said Section 16, thence South 89°23'58" West along the south line of said Southeast 1/4 of the Northwest 1/4 of Section 16, 117.79 feet to the east line of STH 32 (Lake Drive); thence North 00°49'02" West along said east line, 124.71 feet; thence South 89°41'29" West 66.00 feet to the west line of said STH 32 (Lake Drive); thence North 00°49'02" West along said west line, 8.55 feet to point of beginning; thence South 89°24'32" West, 15.00 feet; thence North 00°49'02" West, 25.00 feet; thence North 89°24'32" East, 15.00 feet to said west line; thence South 00°49'02" East along said west line, 25.00 feet to the point of beginning

This parcel contains **375 square feet**, more or less.

LEGAL DESCRIPTION

Temporary Limited Easement for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following tract of land, in the Village of Fox Point, Milwaukee County, State of Wisconsin, described as:

That part of the Southeast 1/4 of the Northwest 1/4 of Section 9, Town 8 North, Range 22 East, described as follows:

Commencing at the center 1/4 corner of said Section 9, thence South 89°29'42" West along the south line of said Northwest 1/4, 33.13 feet; thence North 00°44'02" West, 33.00 feet to the point of beginning; thence South 89°29'42" West along the north line of Dean Road, 10.00 feet; thence North 44°22'50" East, 14.11 feet to the west line of STH 32 (Lake Drive); thence South 00°44'02" East along said west line, 10.00 feet to the point of beginning.

This parcel contains **50 square feet**, more or less.

The above Temporary Limited Easement is to terminate upon the completion of this project or on the day the highway is open to the traveling public, whichever is later.



VILLAGE OF FOX POINT

MILWAUKEE COUNTY

WISCONSIN

VILLAGE HALL

7200 N. SANTA MONICA
BLVD.

FOX POINT WI 53217-3505

414-351-8900

FAX 414-351-8909

To: Village of Fox Point Village Board
From: Scott Brandmeier *SB*
Through: Scott Botcher *SWB*
Date: August 31, 2023
Re: Lake Drive Appraisals - Single Source

In October 2020, Fox Point entered into an agreement with the Department of Transportation for the repaving of Lake Drive. There have been additions to the overall plan that will impact thirteen (13) parcels along Lake Drive – predominantly related to the incorporation of bike lanes and cross walks but also related to storm water improvements.

Each of the thirteen (13) parcels require some level of encroachment in order to properly grade the grass line ditches/swales after the roadway improvements have been made. The area upon which the encroachments will occur will require temporary limited easements (TLEs) or permanent limited easements (PLEs) which will allow the DOT's contractor to properly grade the ditches/swales with ownership residing with the current property owner. After the work is completed, the TLEs will expire but the PLEs will remain in force.

Single Source, Inc. was approved to perform the appraisals on fifteen parcels at the June meeting (as that was the number of parcels estimated at that time) and, during discussions with the Village Attorney and DOT representatives, it was determined that Single Source should also perform the negotiation services for obtaining the requisite TLE or PLE. While TLEs or PLEs are needed for only thirteen (13) parcels, the contract includes a provision for fifteen (15) parcels in the chance that, during final design, a TLE or PLE is needed on additional parcels. As noted by the representative from Single Source, the Village will only pay for the services for each parcel that is negotiated.

Single Source submitted a proposal in the amount of \$20,350 to perform the work associated with negotiating the cost of the easements, certifying the documents and recording each one. It is my recommendation that the Village Board approve the agreement with Single Source to perform the negotiations for the parcels along Lake Drive that will be impacted by the construction during the Lake Drive Construction project in an amount not to exceed \$20,350 and authorize the Village President and Village Clerk/Treasurer to sign the contract on behalf of the Village. Please note that the Village will be reimbursed 100 percent of the cost of the work from the DOT.



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT 53217-3505
414-351-8900
FAX 414-351-8909

To: Village of Fox Point Village Board
From: Scott Brandmeier, Director of Public Works 
Through: Scott Botcher, Village Manager 
Date: August 31, 2023
Re: Recommendation for Acceptance of Change Order No. 2 for Lake Drive Water Main Improvement Services

At the August 2023 Village Board meeting, staff was provided direction on the preferred work to be performed (water and storm) along Lake Drive and instructed to bring forth a contract for the work to be performed. Contracts for the storm sewer work and most of the water main work had been previously approved and signed.

Staff, however, met with representatives from Kapur and determined that a change order was needed for extra work associated with the design of the water main along Lake Drive. The changed services, which includes both deducts from the contract as well as increases, are shown on the attached change order no. 2. The total requested increase is \$1,036.

After reviewing the change order and meeting with Kapur to discuss the services, I am of the opinion the requested amount is fair and reasonable. Therefore, it is my recommendation that the Village Board accept change order no. 2 from Kapur & Associates in the amount of \$1,036 for additional design services and authorize the Village President and Village Clerk to sign the change order on behalf of the Village.



CONTRACT CHANGE ORDER NO. 2

LAKE DRIVE WATER MAIN IMPROVEMENT VILLAGE OF FOX POINT, WI

Contract Document made and entered into by and between the Village of Fox Point and Kapur & Associates, Inc., dated June 16, 2022 is hereby amended as set forth as follows, which is annexed and made a part of the original Contracts.

Revised scope of work:

Task 2:

- Design for replacement of approximately 1,200 LF for two 12-Inch water main sections identified in the SEH report.
- Design for replacement of approximately 570 LF for the four short sections of 12-Inch water main at Green Tree Road, south of Juniper Lane, vicinity of Baywater Lane/Fox Lane and Dean Road. Those sections were recommended after preliminary design.
Original design cost for Task 2 will be decreased from \$3,365 to \$1,145 (Deduct from Contract \$2,220)

Task 3:

- Design for replacement of additional five 8-inch water main crossings at: Green Tree Road, Lilac Lane, Thorne Lane, Club Circle (N) and two new crossings across the Lake Drive to accommodate SEH sections.
The number of 8-inch water main crossing will be increased from 24 Each to 29 Each.
Original design cost for Task 3 will be increased from \$5,688 to \$9,280 (Add to Contract \$3,592).

Task 4:

- Design for replacement of approximately 30 hydrants and 22 water valves, instead of originally proposed 29 hydrants and 27 water valves.
Original design cost for Task 4 will be decreased from \$5,520 to \$5,150 (Deduct from Contract \$370).





Task 5:

- Design for replacement of approximately 12 (each) lead water services, instead of originally proposed 85 (each).
Original design cost for Task 5 will be decreased from \$3,336 to \$720 (Deduct from Contract \$2,616)

Additional design for installation of new of 8-inch gate valves within the project limits 27 (each) - Add \$2,650.

Thus, deducted from original Contract (\$2,220+\$370+\$2,616) = \$5,206, and added to original Contract (\$3592+\$2,650) = \$6,242, or **Contract amount increased for \$1,036.**

Contract Amount

The following is a summary of the revised contract amount:

Original Contract Amount	\$ 40,407.00
Additional Fees (Contract Change Order No. 1).....	\$ 12,976.00
Additional Fees (Contract Change Order No. 2).....	\$ 1,036.00

Revised Contract Amount	\$ 54,419.00
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Receipt of a signed copy of this document will constitute an executed agreement.

For Kapur & Associates, Inc.,

By: _____

Yuriy Amelyan, P.E.,
Associate/Project Manager

Date: _____

8-28-2023

For the Village of Fox Point,

By: _____

Christine Symchych
Village President

Date: _____

By: _____

Kelly Meyer
Village Clerk/Treasurer

Date: _____





VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT 53217-3505
414-351-8900
FAX 414-351-8909

To: Village of Fox Point Village Board
From: Scott Brandmeier, Director of Public Works *SB*
Through: Scott Botcher, Village Manager *KA per SB*
Date: September 11, 2023
Re: Recommendation for Approval of Agreement between the Milwaukee Metropolitan Sewerage District and the Village of Fox Point for the Connection to the Village's Water Main on Beach Drive

The Village of Fox Point is currently installing a new water main between approximately 7328 North Beach Drive and 7600 North Beach Drive. The Milwaukee Metropolitan Sewerage District (MMSD) owns and operates a sanitary sewer lift station on property located at 7509 North Beach Drive which is also served by a water lateral that extends down the bluff from Thorne Lane. However, the water lateral broke and is not currently in operation.

MMSD has evaluated its options for installation of a new water service lateral and requested that the Village of Fox Point add a water service lateral connection to the new main being installed on Beach Drive. Our Village Attorney proposed that the Village enter into an agreement with MMSD to install the water service lateral, at their cost, which was submitted to MMSD representatives for their review and approval. MMSD proposed the addition of the following language in Paragraph 8 of the Agreement: "Village agrees to assign the warranty provided by its contractor to the District and to assist the District as necessary in the event the District needs to enforce such warranty."

Staff has reviewed the agreement and is requesting that it be approved so that the water service lateral can be constructed while the contractor is on site performing the water main work. Therefore, it is my recommendation that the Village Board approve the Agreement and authorize the Village President and Village Clerk to sign the Agreement on behalf of the Village.

**Agreement between the
Milwaukee Metropolitan Sewerage District
and the Village of Fox Point for the
Connection to the Village's Water Main on Beach Drive**

1. **Parties.** This Agreement ("Agreement") is made between the Milwaukee Metropolitan Sewerage District ("District"), and the Village of Fox Point ("Village").
2. **Purpose.** The purpose of this Agreement is to establish responsibilities for the parties regarding the District's connection to the Village's water main on Beach Drive, in the Village of Fox Point.
3. **District Responsibilities.** The District shall be responsible for all costs, fees, charges, and any other costs incurred by the Village for the installation of the lateral at the Village's water main. The Village shall not pay for any costs of the connection. After the installation and connection of the lateral is completed, the Village shall invoice the District for the full amount of all costs incurred by the Village. The District shall pay this invoice within thirty (30) days of receipt.
4. **Village Responsibilities.** The Village shall install and connect the lateral to the water main at 7509 N. Beach Drive, and then invoice the District for all costs, pursuant to Section 3 of this Agreement.
5. **Modifying this Agreement.** Any modification to this Agreement will be in writing and signed by both Parties.
6. **Severability.** If a court finds any part of this Agreement unenforceable, then the remainder of this Agreement continues in effect.
7. **Applicable Law.** The laws of the State of Wisconsin apply to this Agreement.
8. **Private Lateral.** Nothing herein shall be interpreted as any warranty from the Village. The Village shall have no responsibility for the lateral after it is placed by the Village contractors. The District accepts the lateral as constructed "AS IS" and with all faults, known and unknown. The Village agrees to assist the District in attempting to resolve any workmanship or warranty claims against the Village's contractors that may arise relative to the installation of the water service lateral.
9. **Authority of Signatories.** Each person signing this agreement certifies that the person is properly authorized by the Party's governing body to execute this Agreement.

**MILWAUKEE METROPOLITAN
SEWERAGE DISTRICT**

VILLAGE OF FOX POINT

By: _____ By: _____

Date: _____ Date: _____



VILLAGE OF FOX POINT

MILWAUKEE COUNTY

WISCONSIN

VILLAGE HALL

7200 N. SANTA MONICA BLVD.

FOX POINT WI 53217-3505

414-351-8900

FAX 414-351-8909

To: Village Board

From: Kevin Ausman, Assistant Village Manager *KA*

cc: Scott Botcher, Village Manager *SB*

Date: August 1, 2023

Re: Amendment of F Institutional District

Overview:

The attached ordinance would amend section 745-20(B) of the municipal code by removing the requirement of hearing requests of applicants by a joint meeting of the Building Board and Plan Commission.

Details:

Currently, F Institutional District applications require more time and review than any other use applications. A project in the F Institutional District requires a preliminary appearance at Village Board before a referral to a public hearing and joint meeting of the Plan Commission and Building Board, before a recommendation back to the Village Board.

The amended process would eliminate the initial Village Board appearance and remove the Building Board requirement from a joint meeting, therefore becoming consistent with other use approvals. Building Board members have expressed frustration at being required to appear at a meeting where their opinions are heard but not legally taken as part of the consideration. The requirement of a second regulatory body for quorums also makes a hearing more difficult to schedule. The Building Board is in favor of this change.

By approving this amendment, the application process becomes consistent with other use approvals and maintaining the same level of oversight where applicants initially appear before Plan Commission, Plan Commission makes its recommendation, and the public hearing is held at Village Board before final decision.

Recommendation:

Staff recommends the Village Board refer this item to the Plan Commission for report and recommendation. The Plan Commission will review and recommend back to the Village Board for Public Hearing and action.

STATE OF WISCONSIN

VILLAGE OF FOX POINT

MILWAUKEE COUNTY

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND RE-CREATE SUBSECTION 745-20(B) OF
THE VILLAGE OF FOX POINT VILLAGE CODE REGARDING THE PROCESS
AND BUILDING BOARD PARTICIPATION IN THE GRANTING OF PERMITS IN
THE F INSTITUTIONAL DISTRICT

WHEREAS, the F Institutional District in the Village of Fox Point requires any building or premise use, enlargement, or exterior alteration to be completed in conformity with the requirements of the Village Code; and

WHEREAS, Section 745-20(B)(1) of the Village Code requires written applications for the use, construction or enlargement of premises or a building or for exterior alterations to an existing building in an F Institutional District to be made to the Village Board, which is then referred to a joint meeting of the Plan Commission and Building Board; and

WHEREAS, the Assistant Village Manager recommended this process be amended to be consistent with other use approvals throughout the Village Code, including removing the requirement to first appear before the Village Board, and that the Building Board participate in a joint meeting with the Plan Commission; and

WHEREAS, the Village Board has initiated this proposed Zoning Code amendment and has referred the matter to the Plan Commission for report and recommendation pursuant to Wisconsin Statutes Section 62.23(7)(d)(2); and

WHEREAS, pursuant to Wisconsin Statutes Section 62.23(7)(d)(1)b class 2 notice was duly provided for the hearing held by the Village Board, which occurred on September 12, 2023; and

WHEREAS, the Village Board received a report and recommendation from the Village Plan Commission in favor of adopting the ordinance to repeal and re-create section 745-20(B) of the Zoning Code for the Village of Fox Point; and

WHEREAS, the Village Board finds that this change to the Village Zoning Code is not a down zoning ordinance because it does not decrease the development density of land and it does not reduce the permitted uses of land, and therefore the super majority requirement of Section 66.10015, Wisconsin Statutes, does not apply to this ordinance; and

WHEREAS, further the Village Board of the Village of Fox Point having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such amendment on the health, safety and welfare of the community, hereby determines that the amendment will not violate the spirit or intent of the Zoning Code for the Village of Fox Point, will not be contrary to the public health, safety or general welfare of the Village of Fox Point, and the amendment is consistent with the Village of Fox Point Comprehensive Plan.

NOW, THEREFORE, the Village Board of the Village of Fox Point, Milwaukee County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 745 of the Village of Fox Point Village Code entitled, "Zoning," Section 745-20 entitled, "F Institutional District," Subsection B entitled "Limitations, Conditions and Procedure," is hereby repealed and re-created as follows:

B. Limitations, conditions and procedure.

- (1) Written application for the use, construction or enlargement of premises or a building or for exterior alterations to an existing building shall be made to the Plan Commission, accompanied by such building plans, sketches, renderings, and site plans as the Plan Commission determines reasonably necessary to form an opinion. A filing fee as described in Chapter 63 of this Code shall be paid to the Village at the time of filing the application.
- (2) The Plan Commission shall study such application and make its report to the Village Board advising the Village Board whether or not the Plan Commission considers that the standards have been met. The standards to be applied are:
 - (a) Appropriate in the location proposed;
 - (b) Compatible with the neighborhood;
 - (c) Not detrimental to the property values of surrounding property; and
 - (d) In keeping with the residential character and quality of the Village.
- (3) If the Plan Commission reports that in its opinion any one or more of the above standards have not been met, and the Village Board on motion duly adopted agrees with this report, then the application shall be considered denied.
- (4) If the Plan Commission reports that in its opinion the above standards have been met, or if the Plan Commission has reported that in its opinion any one or more of the above standards have not been met and the Village Board has not agreed with the report of the Plan Commission, then the Village Board shall schedule a public hearing on the application.
- (5) Notice of such public hearing shall be given by publication at least once in the official newspaper of the Village and by mailing a copy of such notice to all property owners who own land abutting on the site or across a street from the site, not less than five days prior to the hearing. Mailing shall be to the last known address of the respective property owners as appears from the records of the Village.
- (6) If after such public hearing it shall appear to the Village Board that the standards above set forth have been met, the application shall be approved; otherwise, it shall be denied.
- (7) The Plan Commission may recommend and the Village Board (whether or not recommended by the Plan Commission) may condition its approval upon the compliance with such requirements as appear reasonably necessary to ensure compliance with the above standards.

SECTION 2: CONTINUATION OF EXISTING PROVISIONS

The provisions of this ordinance, to the extent that they are substantively the same as those of the ordinances in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinances. In addition, the adoption of this ordinance shall not affect any action, prosecution or proceeding brought for the enforcement of any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance for the time that such provision was in effect, and the repeal of any such provisions is stayed pending the final resolution of such actions, including appeals.

SECTION 3: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this _____ day of _____, 2023.

Village of Fox Point

Christine Symchych, Village President

ATTEST:

Kelly A. Meyer, Village Clerk/Treasurer



MEMORANDUM

POLICE DEPARTMENT VILLAGE OF FOX POINT

TO: FOX POINT BOARD OF TRUSTEES

FROM: CHIEF CHRISTOPHER FREEDY

DATE: SEPTEMBER 1, 2023

REGARDING: FLEET EQUIPMENT

Background / History

The Police Department developed a vehicle replacement plan for all police vehicles based on maintenance costs, product wear / failure rate, resale value and lifespan as an emergency vehicle (economic life expectancy). The costs of unpredictable performance associated with high-mileage vehicles are greater than the cost of purchasing vehicles more frequently. The police fleet in Fox Point has a lifespan of approximately 4 years and 90,000 – 100,000 miles; however, the administration will balance officer safety with fiscal responsibility and the service life of the vehicle may be extended for an additional year when appropriate.

Given the demands put on a marked patrol vehicle, they are removed from police service at the end of their lifecycle. Administrative vehicles however have a longer lifecycle and as the mileage increases are rotated to a duty area that does not include regular emergency response.

Current Situation

The availability of vehicle components and microchips has impacted many aspects of life, especially the automotive sector. Most car manufacturers are requiring customers place orders for vehicles with a future delivery date of anywhere between 3 and 18 months from the time of order, and the fleet division is no different. As of this writing, agencies in the metropolitan area are waiting upwards of 1 year for delivery of a squad car, if the vehicle order is not cancelled.

Staff has had the opportunity to speak with the dealerships representing the two fleet police vehicle manufacturers, Ford and General Motors, that provide state contract pricing (Dodge was not considered due to the end-of-life prediction for the current fleet vehicles) to obtain pricing, order, and delivery information. The summary below captures the issue we are facing as we look to replace aging equipment.

- Ford Motor Car
 - Ford has extended the 2023 production to the end of the year for current orders and will have a short run of 2024 vehicles.
 - Orders (Ford Police Utility) have temporarily halted to identify the availability of vehicles based on current orders and production.

- Ford will provide updates in late September to identify when orders will be taken for 2025 production. Additional information will be provided related to body changes and price increases.
- Ford raised prices 16% for 2024.
- General Motors (Chevrolet)
 - General Motors will provide pricing and order information in late September.
 - The General Motors order window may be as short as 1 week (only one day in 2023).
 - General Motors delivery and production limits (allocations) have not been shared.

Request to Board

Based on the information being provided by the dealerships and limited resources for police fleet vehicles, I am expecting that vehicle orders will need to be placed prior to the submission and approval of the annual capital budget (currently expecting September 28). Additionally, I expect that this may become the normal procedure for vehicle manufacturers until supply chain shortages are resolved.

The initial capital expenditure projection to the board in June of 2023 was based on expected increases for a Ford Police Interceptor; however, ongoing communications with dealerships and other agencies may require exploring options from other manufacturers. I am asking the Village Board to authorize the Village Manager to submit letters of intent / purchase orders not to exceed \$55,000 per vehicle for police fleet vehicles when the order window opens for delivery in 2024.



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To: Village of Fox Point Village Board
From: Scott Brandmeier *SB*
Through: Scott Botcher *SB*
Date: August 31, 2023
Re: Lake Drive Project

As presented at the June, July and August Village Board meetings, staff continues to work with our consultant, Kapur & Associates, and the Wisconsin Department of Transportation (WIDOT) to prepare for the repaving and other improvements of Lake Drive. As noted previously, the design documents for the project are required to be completed by November 2024 for a possible early let (bidding) that would allow the roadway to be resurfaced in 2025 depending on available budget. If Lake Drive is not resurfaced in 2025, it will be performed in 2026.

Based on the uncertainty of the DOT schedule for Lake Drive, it is recommended that all improvements along and adjacent to Lake Drive be made in 2024 so as to avoid conflict with the DOT contractor (as early as 2025). A brief presentation was made at the June and July Village Board meetings related to the reconfiguration of the Beach Drive and Lake Drive intersection which is summarized below.

Additionally, staff requested clarification from the DOT regarding our request to reduce the speed limit in light of the change recently approved by the Whitefish Village Board. A summary of the speed limit discussion and updated recommendation is provided below.

Lake Drive and Beach Drive

The proposed 2024 budget presented at the July meeting reflected four options for Beach Drive from Lake Drive to the bottom of the bluff:

- Reconstruct the Beach Drive intersection to eliminate the northern leg and repave Beach Drive (asphalt) - \$586,000
- Maintain the existing intersection and repave Beach Drive (asphalt) - \$600,000
- Reconstruct the intersection and repave Beach Drive (concrete option) - \$703,000
- Maintain the existing intersection layout and repave Beach Drive (concrete) - \$728,000

Please note these cost estimates were developed prior to a project status update meeting with Kapur & Associates and their subconsultant (GZA) that was held on August 2, 2023. During that meeting, it was learned that additional asphalt and a concrete curb exists under and behind the existing retaining wall on the north side of Beach Drive. We are currently exploring options and cost estimates for the drainage and possible removal of the old infrastructure.

Based on prior presentations to the Village Board and feedback received, the preference appeared to be reconfiguring the Beach Drive and Lake Drive intersection to eliminate the northern leg of Beach Drive as it connects with Lake Drive. From a practical perspective, while southbound traffic can more easily access Beach Drive in the current configuration, westbound traffic on Beach to go north on Lake Drive requires motorists to contort their bodies in order to observe oncoming traffic. Kapur had previously presented on this and noted that it was not a favorable design.

Therefore, it is my recommendation to reconstruct the Beach Drive intersection and eliminate the northern leg. It is also my recommendation that two options be provided for construction of this area of Beach Drive: one for concrete and one for asphalt and that these alternate bid items be included when the work is bid. I am recommending concrete be included as an alternate bid item based on the longevity, durability and constructability of concrete compared to asphalt and in light of a meeting we held with a paving contractor who expressed concerns about placing asphalt on the steep slope.

Additionally, based on the proposed 2024 budget, it is my intent to propose that this work be performed in early 2025 in advance of the DOT performing their work on Lake Drive. Part of the reason for this is that there may still be work being completed on the revetment in early 2024 (landscaping, touch up, etc.) and that the proposed 2024 budget already includes significant proposed capital expenditures.

Lake Drive Speed Limit

In early August 2023, staff was made aware of a proposed speed limit change in Whitefish Bay from 30 mph to 25 mph. At that time, I reached out to my counterpart at Whitefish Bay to inquire if they had performed a speed study and, concurrently, inquired of the DOT how Whitefish Bay was allowed to change their speed limit but Fox Point was not in spite of Lake Drive being a connecting highway in both jurisdictions. Whitefish Bay responded by noting they had not performed a speed study but were going off a recommendation from the public works committee to change the speed limit.

The DOT responded with clarification on our request to modify the speed limit noting that we could lower the speed limit under state law but strongly suggested "documenting the reasons why [we] are changing" the speed limit (refer to the attached memorandum from Kapur listing the history of this matter).

Based on the clarification from the DOT and the supplemental information we have provided previously (the Admin Report and an email to the Board on August 11), if the Village Board considers reducing the speed limit, I recommend the following:

1. Reduce the speed limit 5 mph to 30 mph after Lake Drive is resurfaced. I am recommending the change occur at that time because there will be changed circumstances: (a) the lane width will be narrowed, (b) bike lanes will be incorporated into the project, and (c) crosswalks will be installed at six locations along Lake Drive.

2. In 2028 or 2029 (approximately three years after completion of the Lake Drive project), perform another speed study to determine the 85th percentile and speed habits of the driving public. Once that information is known, staff can present the data to the Village Board and determine whether the speed limit should remain the same or be changed again (either back to 35 mph or lowered, if necessary).

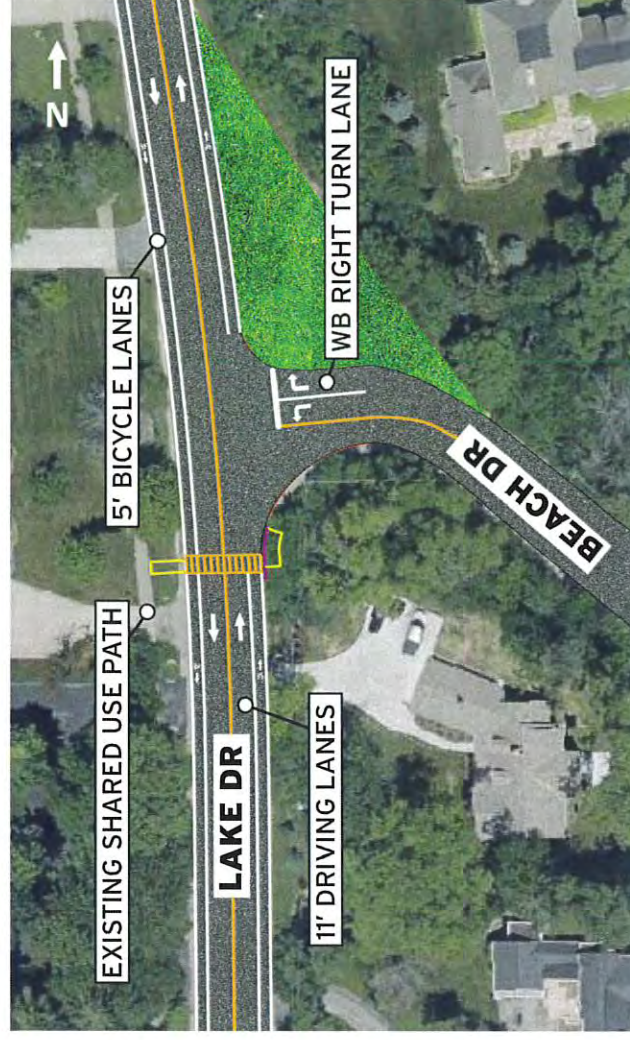
BEACH DRIVE INTERSECTION STUDY: EAST LEG

- Turning Movement counts collected Wednesday, July 27, 2022, at Beach Drive
- Intersection operations evaluated in Synchro with the east leg becoming a single shared left/right turn lane
 - Beach Drive would operate with level of service (LOS) C in the AM and LOS B in the PM peak
 - LOS B means slight delays, stable operation
 - LOS C means acceptable delays, stable operation
 - Less than one vehicle queued to make the turn



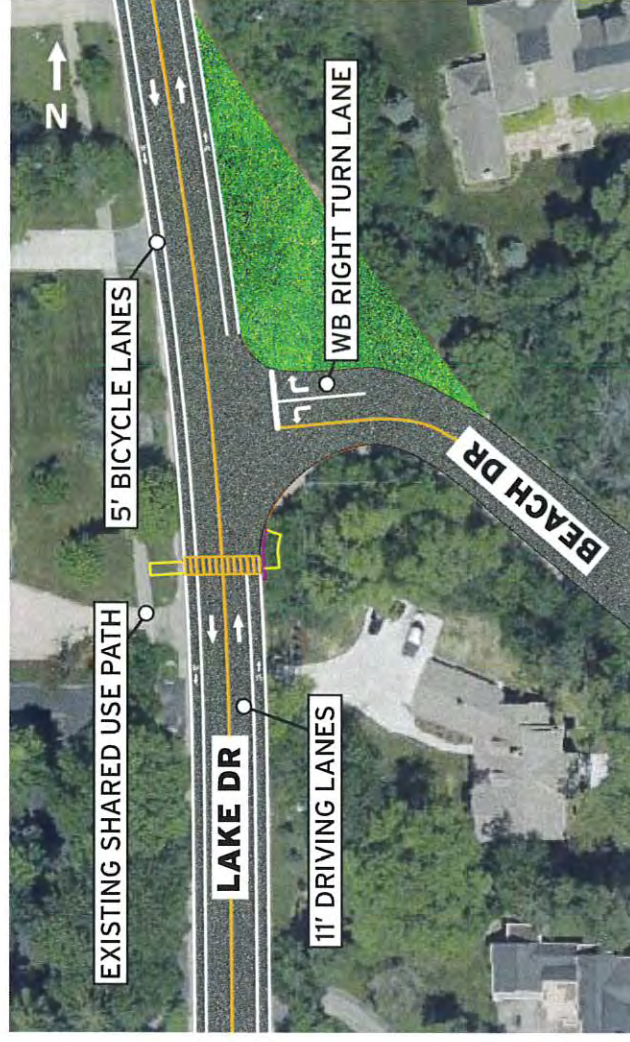
BEACH DRIVE INTERSECTION STUDY: SOUTHBOUND LEFT TURN

- WisDOT's Facilities Development Manual (FDM) recommends using:
 - Traffic volumes
 - Opposing traffic volume
 - Volumes not high enough to meet warrants
 - Crash history
 - No crash history
 - Experience
 - No significant queuing currently



BEACH DRIVE INTERSECTION STUDY: SOUTHBOUND LEFT TURN

- National Cooperative Highways Research Program (NCHRP) Report #745 warrants left turn lane for only 1 hour/day
- Beach Drive and STH 32/Lake Drive would operate acceptably without southbound left turn lane
- Southbound left turn lane is not recommended







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7711 N. Port Washington Road
Milwaukee, WI 53217
T: 414.751.7200 • F: 414.351.4117

memo

STH 32 (Lake Drive)
School Road to Dean Road
Village of Fox Point
Milwaukee County
Project ID 2225-00-03 (Design)

Date: August 23, 2023
To: Scott Brandmeier, PE – Village of Fox Point
Cc: Nguyen Ly, PE – WisDOT SE Region
From: Aaron J. Bubba, PE
RE: STH 32 (Lake Drive) Posted Speed Limit

Background and Timeline

Kapur and Associates, Inc. was retained by the Village of Fox Point and the Wisconsin Department of Transportation (WisDOT) to provide engineering design services for the pavement resurfacing of State Trunk Highway 32 (STH 32/Lake Drive). The project covers approximately 2.6 miles. As part of the project, a Public Involvement Meeting (PIM) was held on **October 19, 2021**. At the PIM, six comments were received in support of reducing the posted speed limit.

- *"Recommend lowering speed limit to 25 mph or 30 mph."*
- *"Speed calming techniques should be considered."*
- *"Would love to see the speed limit reduced to 30 mph as it is in Whitefish Bay."*
- *"Reduction of the speed limit to 25-30mph as this segment of Lake Drive is residential and also to be in concert with the speed limits to the south in Whitefish Bay and Shorewood."*
- *"Reducing the speed limit on Lake Drive from 35 to 30 mph would bring Fox Point in line with Whitefish Bay and Shorewood and enhance pedestrian and bicycle safety."*
- *"The speed limit should be reduced to 30 mph."*

These PIM results were shared at the **December 14, 2021** Village Board Meeting.

Wisconsin State Statutes 346.57 and 349.11, vest WisDOT with the authority to establish regulatory speed limits on the state trunk highway system. For this reason, the project team asked WisDOT if the STH 32 speed limit could be reduced to 30



mph. On **January 14, 2022**, WisDOT responded that, *"all speed limit changes shall be based on a traffic engineering study...the village is responsible for the traffic engineering study."* See **Attachment 1**.

As a result, a speed study was conducted by Kapur on behalf of the Village of Fox Point along STH 32 between School Road and Dean Road to determine if the speed limit could be lowered from 35 mph to 30 mph. Kapur collected the field data in **August 2022** and submitted a final report in **March 2023**. The report was prepared in conformance with the requirements in Chapter 13, Section 5 of the WisDOT Traffic Engineering, Operations, and Safety (TEOpS) Manual and recommended that the current posted speed limit remain unchanged based on guidance from the WisDOT TEOpS Manual, a Federal Highway Administration (FHWA) online tool, and the WisDOT Manual on Uniform Traffic Control Devices (MUTCD).

In light of the speed study, the Village of Fox Point Public Works Director asked if WisDOT would consider reducing the speed limit from 35 mph to 30 mph. On **April 11, 2023**, WisDOT responded that they, *"concur with the report that the existing speed limit remain...the current speed limit is appropriate."* See **Attachment 2**. The speed study and these findings by WisDOT were shared at the **June 13, 2023** Village Board Meeting.

On **August 8, 2023**, the project team was made aware of the Village of Whitefish Bay's plans to lower the STH 32 posted speed limit from 30 mph to 25 mph immediately south of School Road. Kapur then reached out to WisDOT for clarification. On **August 14, 2023**, WisDOT responded that the Village of Fox Point could, *"lower the speed limit by a maximum of 10 mph if they wish citing Table 1 of TEOpS 13-5. This change would not need WisDOT approval. If the Village of Fox Point chooses to lower the speed limit, I would strongly suggest documenting the reasons why they are changing..."* See **Attachment 3**. WisDOT goes on to note that, *"Lowering the speed limit doesn't automatically lower the vehicle speeds and there may need more law enforcement patrols to monitor the highway and encourage the slower speeds."*

Conclusion

If the Village of Fox Point determines that lowering the STH 32 speed limit is in the best interest of their community, this change would not require WisDOT approval. Based on the information provided by WisDOT and attached to this memo, State Statutes allow Fox Point the ability to lower the posted speed limit by a maximum of 10 mph citing Table 1 of TEOpS Manual 13-5.

Under Item #5 of TEOpS Manual 13-5, *"Alternatives such as signing adjustments, traffic calming, roadway design modifications including modifications to roadway cross-section, access control, or other changes to the physical environment may alter vehicle speeds."* The WisDOT project to resurface STH 32 includes the following roadway design modifications:

- Narrowing vehicular travel lanes from 12 feet to 11 feet
- Providing a 5-foot paved shoulder in each direction for on-street bicycle accommodations
- Installing east-west crosswalks at six locations with rectangular rapid flashing beacons (RRFBs) and on-demand lighting

If the Village decides to lower the STH 32 posted speed limit, it may be prudent to do so after the WisDOT resurfacing project has been completed since the roadway cross section alterations listed above may influence traffic speeds within the corridor.

Attachments:

1. January 14, 2022 WisDOT email correspondence
2. April 11, 2023 WisDOT email correspondence
3. August 14, 2023 WisDOT email correspondence



ATTACHMENT 1

Aaron J. Bubb, PE

From: Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>
Sent: Tuesday, January 18, 2022 10:48 AM
To: Aaron J. Bubb, PE
Cc: Scott Brandmeier; Aaron R. Groh, PE; mkrueger@villageoffoxpoint.com
Subject: FW: ID 2225-00-03 Lake Drive Fox Point: Progress Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Aaron/Scott,

Please see the response email to your questions, attached below.
Let me know if you have any other questions.

Thanks,



Nguyen Ly (Win Lee), P.E. | Project Manager | WisDOT - SE Region | 262-548-8739 | nguyen.ly@dot.wi.gov

From: Dedrick, Dan I - DOT <Dan.Dedrick@dot.wi.gov>
Sent: Friday, January 14, 2022 6:50 AM
To: Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>
Cc: Borck, Michael W - DOT <Michael.Borck@dot.wi.gov>
Subject: RE: ID 2225-00-03 Lake Drive Fox Point: Progress Meeting

Nguyen,

All speed limit changes shall be based on a traffic engineering study. The village should refer to Chapter 13, Section 5 of the WisDOT Traffic Engineering, Operations & Safety Manual and relevant state statutes. Since the section of STH 32 is connecting highway, the village is responsible for the traffic engineering study.
<https://wisconsindot.gov/dtsdManuals/traffic-ops/manuals-and-standards/teops/13-05.pdf>

The turn lanes shall not be removed since it would result in an increase in crashes based on Crash Modification Factors. WisDOT Asset Management does not allow alternatives that decrease safety and result in higher crashes.

Let Mike or me know if there are additional questions.

Thank you, Dan

From: Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>
Sent: Thursday, January 13, 2022 2:16 PM
To: Borck, Michael W - DOT <Michael.Borck@dot.wi.gov>; Dedrick, Dan I - DOT <Dan.Dedrick@dot.wi.gov>
Subject: FW: ID 2225-00-03 Lake Drive Fox Point: Progress Meeting

Hi Dan/Mike,

Regarding the above subject project, the design team had a progress meeting recently and there were two questions brought up to my attention, please see the email below for those questions. I have indicated at the meeting that the answers would most likely be NO to both. But I said that I would have to run it through you to confirm it.

Please let me know your thoughts and I will forward that info on to the Village of Fox Point.

Thanks,



Nguyen Ly (Win Lee), P.E. | Project Manager | WisDOT - SE Region | 262-548-8739 | nguyen.ly@dot.wi.gov

From: Aaron J. Bubb, PE <abubb@kapurinc.com>

Sent: Thursday, January 13, 2022 2:01 PM

To: Scott Brandmeier <sbrandmeier@villageoffoxpoint.com>; Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>

Cc: Mike Krueger <mkrueger@villageoffoxpoint.com>; Aaron R. Groh, PE <agroh@kapurinc.com>

Subject: RE: ID 2225-00-03 Lake Drive Fox Point: Progress Meeting

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Thanks to all for a productive meeting on Tuesday. As a follow up, the Village has the following questions for WisDOT:

- a. **Can the Speed Limit be reduced to 30 mph (from 35 mph)?**
- b. **Can the following existing turn lanes be eliminated?**
 - Green Tree Road SB Right-Turn Lane
 - Bell Road NB Left-Turn Lane

Nguyen, please let us know the Department's position on these items. Thanks!

Aaron J. Bubb, PE

M: 414.550.0295

O: 414.751.7230

From: Aaron J. Bubb, PE

Sent: Monday, January 10, 2022 4:17 PM

To: Scott Brandmeier <sbrandmeier@villageoffoxpoint.com>; Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>

Cc: Mike Krueger <mkrueger@villageoffoxpoint.com>; Aaron R. Groh, PE <agroh@kapurinc.com>

Subject: RE: ID 2225-00-03 Lake Drive Fox Point: Progress Meeting

Attached is the agenda for tomorrow's Progress Meeting. Please let me know if you have anything to add.

Nguyen, please note the following real estate questions the Village had as part of the 30% Plan Review Meeting:

- a. Is there a cost share for real estate acquisition?
- b. Can the Village use construction permits instead of TLE?
- c. If TLE is required, does there need to be a fee paid to the property owner?

Thanks!

Aaron J. Bubbs, PE

M: 414.550.0295

O: 414.751.7230

-----Original Appointment-----

From: Aaron J. Bubbs, PE

Sent: Thursday, December 9, 2021 12:11 PM

To: Aaron J. Bubbs, PE; Scott Brandmeier; Ly, Nguyen - DOT; Aaron R. Groh, PE

Cc: Mike Krueger; Lisa A. Flynn

Subject: ID 2225-00-03 Lake Drive Fox Point: Progress Meeting

When: Tuesday, January 11, 2022 10:00 AM-12:00 PM (UTC-06:00) Central Time (US & Canada).

Where: Kapur & Associates; _Conf - Main Bldg South (MIL)

Below is the meeting agenda. Please note each of us has items to discuss.

- Status of Project (**Aaron B.**)
- Real Estate (**Nguyen**)
 - Is there a cost share for real estate acquisition?
 - Can the Village use construction permits instead of TLE?
 - If TLE is required, does there need to be a fee paid to the property owner?
- Amendment #1 (**Aaron B.**)
 - R/W Plat
 - Archaeological/Historic Surveys
 - Bike Lanes (Preliminary & Final Design)
 - Crosswalks (Preliminary & Final Design)
 - Curb Ramp/Detectable Warning Field Details
- Drainage Issues (**Aaron G./Scott**)

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ATTACHMENT 2

Aaron J. Bubb, PE

From: Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>
Sent: Monday, April 24, 2023 1:43 PM
To: Scott Brandmeier
Cc: Aaron J. Bubb, PE; Neal R. Styka, P.E., PTOE, RSP1; Aaron R. Groh, PE; Eruchalu, Benedict C - DOT
Subject: FW: 2225-00-03 | STH 32 (Lake Drive) | School Road - Dean Road | Fox Point: Speed Study and Beach Drive Intersection Analysis - Speed Reduction Request

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Scott,

Please see email response below regarding your Speed Reduction Request for the above subject project.
Let me know if you have any other questions.

Thanks,



Nguyen Ly (Win Lee), P.E. | Project Manager | WisDOT - SE Region | 262-548-8739 | nguyen.ly@dot.wi.gov

From: Borck, Michael W - DOT <Michael.Borck@dot.wi.gov>
Sent: Tuesday, April 11, 2023 8:42 AM
To: Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>
Cc: Eruchalu, Benedict C - DOT <Benedict.Eruchalu@dot.wi.gov>; Martens, Karen L - DOT <Karen.Martens@dot.wi.gov>
Subject: RE: 2225-00-03 | STH 32 (Lake Drive) | School Road - Dean Road | Fox Point: Speed Study and Beach Drive Intersection Analysis - Speed Reduction Request

Nguyen,

I concur with the report that the existing speed limit remain.
Per WisDOT TEOpS Manual, it is recommended that the posted speed limit is within 5 MPH of the 85th percentile speed and not more than 2 less than the 50th percentile speed. In this case, the 85th percentile (40 MPH) and 50th percentile (37 MPH) shown in the study show the current speed limit is appropriate.

Let me know if you need anything else.

Mike Borck

Traffic Regulations Engineer
Wisconsin Department of Transportation
DTSD, SE Region
141 NW Barstow Street
Waukesha, WI 53187-0798
Office: (262) 521-5364

Cell: (414) 659-1248

From: Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>
Sent: Wednesday, April 05, 2023 3:01 PM
To: Borck, Michael W - DOT <Michael.Borck@dot.wi.gov>
Cc: Eruchalu, Benedict C - DOT <Benedict.Eruchalu@dot.wi.gov>; Martens, Karen L - DOT <Karen.Martens@dot.wi.gov>
Subject: RE: 2225-00-03 | STH 32 (Lake Drive) | School Road - Dean Road | Fox Point: Speed Study and Beach Drive Intersection Analysis - Speed Reduction Request

Hello Mike,

Village of Fox Point is requesting for a speed reduction for the above subject project.
Please see the email request below and the attachments for information in your evaluation process.
If the answer is NO, please provide reasons so it can be shared with the Village elected officials.

Thanks,



Nguyen Ly (Win Lee), P.E. | Project Manager | WisDOT - SE Region | 262-548-8739 | nguyen.ly@dot.wi.gov

From: Scott Brandmeier <sbrandmeier@villageoffoxpoint.com>
Sent: Wednesday, April 05, 2023 2:35 PM
To: Aaron J. Bubba, PE <abubba@kapurinc.com>; Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>
Cc: Neal R. Styka, P.E., PTOE, RSP1 <nstyka@kapurinc.com>; Aaron R. Groh, PE <agroh@kapurinc.com>; Scott Brandmeier <sbrandmeier@villageoffoxpoint.com>
Subject: RE: Lake Drive Fox Point: Speed Study and Beach Drive Intersection Analysis

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Nguyen,

It was good seeing you in person today – after about 3 years of virtual meetings.

I am writing to follow up on the speed study that was sent to you a few weeks ago. **In light of the speed study that was done for Lake Drive, will the DOT consider reducing the speed limit from 35 mph to 30 mph?** I am working with Kapur to make a presentation to the Village Board at the June meeting on a variety of items (water main, storm water drainage, etc.) and would like to give them an update on the speed study and whether DOT will consider reducing the speed. If you or someone within the DOT could get back to me by the end of May, I would appreciate it.

Thank you.

Scott

Scott Brandmeier, P.E.
Director of Public Works
Village of Fox Point
7200 North Santa Monica Boulevard
Fox Point, WI 53217
414-351-8900 ext. 6624
sbrandmeier@villageoffoxpoint.com

From: Aaron J. Bubb, PE <abubb@kapurinc.com>
Sent: Thursday, March 16, 2023 11:41 AM
To: Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>
Cc: Scott Brandmeier <sbrandmeier@villageoffoxpoint.com>; Neal R. Styka, P.E., PTOE, RSP1 <nstyka@kapurinc.com>; Aaron R. Groh, PE <agroh@kapurinc.com>
Subject: FW: Lake Drive Fox Point: Speed Study and Beach Drive Intersection Analysis

Nguyen, as part of a two-party agreement with the Village of Fox Point, Kapur completed a Speed Study of the Lake Drive corridor and an analysis of traffic at the Beach Drive intersection. Draft reports have been attached for your reference. As noted below:

- The posted speed limit on Lake Drive is recommended to remain at 35 mph.
- At the Beach Drive intersection:
 - A separate, dedicated southbound left-turn lane is not warranted.
 - The intersection would have acceptable operations with only a single westbound lane.

Aaron J. Bubb, PE
M: 414.550.0295
O: 414.751.7230

From: Aaron J. Bubb, PE
Sent: Monday, March 13, 2023 4:12 PM
To: Scott Brandmeier <sbrandmeier@villageoffoxpoint.com>
Cc: Neal R. Styka, P.E., PTOE, RSP1 <nstyka@kapurinc.com>; Aaron R. Groh, PE <agroh@kapurinc.com>
Subject: Lake Drive Fox Point: Speed Study and Beach Drive Intersection Analysis

Hi Scott!

In preparation for the May Village Board Meeting, I have attached copies of the Lake Drive Speed Study and Beach Drive Intersection Analysis Reports conducted as part of our two-party agreement. In short:

- The posted speed limit on Lake Drive is recommended to remain at 35 mph.
- At the Beach Drive intersection:
 - A separate, dedicated southbound left-turn lane is not warranted.
 - The intersection would have acceptable operations with only a single westbound lane.

Please let me know if you have questions or would like to meet and discuss further. I'm happy to share these reports with WisDOT too. Please let me know.

Aaron J. Bubb, PE
Associate / Project Manager

ATTACHMENT 3

Aaron J. Bubb, PE

From: Borck, Michael W - DOT <Michael.Borck@dot.wi.gov>
Sent: Monday, August 14, 2023 7:07 AM
To: Aaron J. Bubb, PE
Cc: Neal R. Styka, P.E., PTOE, RSP1; Eruchalu, Benedict C - DOT; Ly, Nguyen - DOT; Dedrick, Dan I - DOT
Subject: RE: Lake Drive Speed Limit

Aaron,

State Statute allows them to lower the speed limit by a maximum of 10 MPH if they wish citing Table 1 of TEOpS 13-5. This change would not need WisDOT approval.

If the Village of Fox Point chooses to lower the speed limit, I would strongly suggest documenting the reasons why they are changing, it even though the study recommends different, so that if the speed limit is challenged in court, the Village has documentation on why they lowered the speed limit.

Drivers have a habit of driving what they feel comfortable driving. Lowering the speed limit doesn't automatically lower the vehicle speeds and there may need more law enforcement patrols to monitor the highway and encourage the slower speeds.

Mike Borck

Traffic Regulations Engineer
Wisconsin Department of Transportation
DTSD, SE Region
141 NW Barstow Street
Waukesha, WI 53187-0798
Office: (262) 521-5364
Cell: (414) 659-1248

From: Aaron J. Bubb, PE <abubb@kapurinc.com>
Sent: Friday, August 11, 2023 11:08 AM
To: Borck, Michael W - DOT <Michael.Borck@dot.wi.gov>
Cc: Neal R. Styka, P.E., PTOE, RSP1 <nstyka@kapurinc.com>; Eruchalu, Benedict C - DOT <Benedict.Eruchalu@dot.wi.gov>; Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>
Subject: RE: Lake Drive Speed Limit

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Good morning Mike!

TEOpS 13-5 references the statutes that vest WisDOT with the authority to establish regulatory speed limits on the state trunk highway system. Since STH 32 (Lake Drive) in Fox Point is a connecting highway, does this authority still apply?

Under Table 1 of TEOpS 13-5, can you please clarify which category STH 32 falls under which allows the Village of Fox Point the ability to lower the STH 32 speed limit by 10 mph?

Per footnote (b) below, all speed limit changes shall be based on a traffic engineering study. As you know, the Village of Fox Point completed a speed study which did not recommend lowering the speed limit based on WisDOT guidelines. If the Village has the ability to lower the posted speed limit by 10 mph, what documentation would they need to make the change official? Does the documentation need to be shared with WisDOT or can it be filed internally?

As part of the project's public involvement process, residents asked about lowering the speed limit. If the Village of Fox Point determines that lowering the STH 32 speed limit is in the best interest of their community, would this change require WisDOT approval?

I appreciate your help in answering these questions.

Authority

The statutory authority for establishment of regulatory speed limits is provided in Statutes s. 346.57 and s. 349.11. These statutes vest WisDOT with the authority to establish regulatory speed limits on the state trunk highway system. Furthermore, the statutes provide WisDOT with approval authority (refer to Statute s. 349.11(3)(c)) over some regulatory speed limits that local units of government would establish on facilities under respective maintenance jurisdictions. Figure 1 summarizes the speed limits under Statutes s. 346.57 and authority under s. 349.11.

TEOpS 13-5

Table 1. Speed Limits and Authority to Change

Statutory (Fixed) Limits per Statute 346.57(4) ^(a)	What Local Governments ^(b) Can do Per Statute 349.11(3) and (7) ^(a)
70 mph – Freeway/Expressway	WisDOT ONLY
65 mph – Freeway/Expressway	WisDOT ONLY
55 mph – State Trunk Highway	WisDOT ONLY
55 mph – County Trunk Highway, Town Roads	Lower the statutory speed limit by 10 mph or less.
45 mph – Rustic Roads	Lower the statutory speed limit by 15 mph or less.
35 mph – Town Road (1,000' min) with 150' driveway spacing	Lower the statutory speed limit by 10 mph or less.
25 mph – Inside corporate limits of a city or village (other than outlying districts)	Raise the speed limit to 55 mph or lower. Lower the statutory speed limit by 10 mph or less.
35 mph – Outlying district ^(c) within city or village limits	Raise the speed limit to 55 mph or lower. Lower the statutory speed limit by 10 mph or less.
35 mph – Semiurban district ^(d) outside corporate limits of a city or village	Raise the speed limit to 55 mph or lower. Lower the statutory speed limit by 10 mph or less.
15 mph – School Zone, when conditions are met	Raise the speed limit to that of the roadway. Lower the speed limit by 10 mph or less.
15 mph – School Crossing, when conditions are met	Raise the speed limit to that of the adjacent street. Lower the speed limit by 10 mph or less.
15 mph – Pedestrian Safety Zone, with Public Transit Vehicle Stopped	No changes permitted.
15 mph – Alley	Lower by 10 mph or less.
15 mph – Street or town road adjacent to a Public Park	Lower by 10 mph or less.
Construction or maintenance zones – as appropriate	State and Local have authority to establish lower limit.
(a) Source: Wisconsin State Statutes (b) All speed limit changes shall be based on a traffic engineering study. Including modifications allowed under Statute. Local governments can implement speed limit changes on the local road system without WisDOT approval when proposals are within the constraints identified above. (c) Per Statute 346.57(1)(ar) "outlying district" is an area contiguous to any highway within the corporate limits of a city or village where on each side of the highway within any 1,000 feet, buildings are spaced on average more than 200 feet apart. (d) Per Statute 346.57(1)(b) "semiurban district" is an area contiguous to any highway where on either or both sides of the highway within any 1,000 feet, buildings are spaced on average less than 200 feet apart.	

Aaron J. Bubbs, PE

M: 414.550.0295

O: 414.751.7230

From: Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>

Sent: Thursday, August 10, 2023 3:40 PM

To: Scott Brandmeier <sbrandmeier@villageoffoxpoint.com>

Cc: Aaron J. Bubbs, PE <abubbb@kapurinc.com>; Neal R. Styka, P.E., PTOE, RSP1 <nstyka@kapurinc.com>; Eruchalu, Benedict C - DOT <Benedict.Eruchalu@dot.wi.gov>

Subject: FW: Lake Drive Speed Limit

Scott,

Please see the response in the email below from our Traffic Regulations Engineer.
Let me know if you have any additional questions.

Thanks,



Nguyen Ly (Win Lee), P.E. | Project Manager | WisDOT - SE Region | 262-548-8739 | nguyen.ly@dot.wi.gov

From: Borck, Michael W - DOT <Michael.Borck@dot.wi.gov>
Sent: Wednesday, August 09, 2023 11:17 AM
To: Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>; Tarnow, Debra A - DOT <debra.tarnow@dot.wi.gov>
Cc: Eruchalu, Benedict C - DOT <Benedict.Eruchalu@dot.wi.gov>; LeVeque, Joshua - DOT <Joshua.LeVeque@dot.wi.gov>; Dedrick, Dan I - DOT <Dan.Dedrick@dot.wi.gov>
Subject: RE: Lake Drive Speed Limit

Nguyen,

I think there was a misunderstanding of my comments regarding the speed limit change. I concurred with the report on that I didn't think the speed limit should be lowered. The report concurs with WisDOT guidelines on setting speed limits.

With that being said, State Statute allows them to lower the speed limit by a maximum of 10 MPH if they wish citing Table 1 of TEOpS 13-5.

If the Village of Fox Point chooses to lower the speed limit, I would strongly suggest documenting the reasons why, so that if the speed limit is challenged in court, the Village has documentation on why they lowered the speed limit.

Drivers have a habit of driving what they feel comfortable driving. Lowering the speed limit doesn't automatically lower the vehicle speeds and there may need more law enforcement patrols to monitor the highway and encourage the slower speeds.

I have not heard anything from Whitefish Bay regarding speed limits. According to State Statutes, they need to conduct a traffic engineering study prior to changing the speed limit.

Let me know if you have any questions.

Mike Borck

Traffic Regulations Engineer
Wisconsin Department of Transportation
DTSD, SE Region
141 NW Barstow Street
Waukesha, WI 53187-0798
Office: (262) 521-5364
Cell: (414) 659-1248

From: Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>
Sent: Tuesday, August 08, 2023 5:50 PM
To: Borck, Michael W - DOT <Michael.Borck@dot.wi.gov>; Tarnow, Debra A - DOT <debra.tarnow@dot.wi.gov>
Cc: Eruchalu, Benedict C - DOT <Benedict.Eruchalu@dot.wi.gov>; LeVeque, Joshua - DOT <Joshua.LeVeque@dot.wi.gov>
Subject: FW: Lake Drive Speed Limit

Mike – we have approached you before regarding speed limit reduction for my STH 32 project in Fox Point and your recommendation was NOT to reduce the speed limit for our project.

Below is an email from Village of Fox Point Engineer wants to know how Whitefish Bay is planning on reducing their posted speed limit on their section of STH 32? Without DOT input...

Please let me know your thoughts on this issue and what do we need to do to maintain consistency throughout STH 32 facility.

Thanks,



Nguyen Ly (Win Lee), P.E. | Project Manager | WisDOT - SE Region | 262-548-8739 | nguyen.ly@dot.wi.gov

From: Scott Brandmeier <sbrandmeier@villageoffoxpoint.com>

Sent: Tuesday, August 08, 2023 4:38 PM

To: Ly, Nguyen - DOT <Nguyen.Ly@dot.wi.gov>

Cc: Aaron J. Bubb, PE <abubb@kapurinc.com>; Scott Brandmeier

<sbrandmeier@villageoffoxpoint.com>; Neal R. Styka, P.E., PTOE, RSP1 <nstyka@kapurinc.com>

Subject: Lake Drive Speed Limit

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Nguyen,

Aaron and Neal shared a link from TMJ4 earlier today (<https://www.tmj4.com/news/local-news/expert-weighs-in-on-whitefish-bays-proposal-to-reduce-speed-limit-on-portion-of-lake-drive>) regarding Whitefish proposing to lower the speed limit on Lake Drive from 30 mph to 25 mph. I asked their Director (John Edlebeck) how they were able to propose a reduction and whether they did any studies (speed study to start off). John noted that State Statute and the FDM (Section 4-5) gives them the authority to set the speed limit on Lake Drive as it is a connecting highway. If that is correct, why were we told we could not lower the speed limit? Are there differences in the two communities that I'm not aware of that will allow Whitefish Bay to lower the speed limit without input from the DOT?

Basically, I'm trying to understand how they can do so and we cannot. I've already had one trustee reach out to me and I suspect others, including residents, will be calling or emailing me this week to ask the same question. If you can pass this along to the appropriate staff at DOT and have them respond in the next day or two, that would be great.

Thanks much.

Scott

Scott Brandmeier, P.E.
Director of Public Works
Village of Fox Point
7200 North Santa Monica Boulevard
Fox Point, WI 53217
414-351-8900 ext. 6624



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT 53217-3505
414-351-8900
FAX 414-351-8909

To: Village of Fox Point Village Board
From: Scott Brandmeier, Director of Public Works *SB*
Through: Scott Botcher, Village Manager *SWB*
Date: August 31, 2023
Re: Report of Acceptance of Change Order Nos. 1 and 2 for the Beach Drive Revetment Project

During the course of work on the storm sewer portion of the Beach Drive revetment project, it was determined that the size of storm sewer listed on the drawings and in the Village's GIS was incorrectly noted as a 54-inch pipe as opposed to the actual 66-inch pipe size. As a result, there is an increased cost of \$20,096.95 to install the correct 66-inch pipe size (bringing the total cost of the work to install the 66-inch pipe to \$68,226.10).

Additionally, there is a restocking fee for the 54-inch pipe that was delivered to the site of \$8,281.00 which the contractor and the Village have agreed to split bringing the cost of Change Order No. 2 to \$4,140.50. Please note that there was ambiguity in the contract documents regarding the pipe size which is the reason Michels and the Village have agreed to share the cost of restocking the pipe. Village staff has also requested a cost share from its consultant, MSA, but have not come to a final resolution at this time.

Due to the lead times associated with the increased pipe size, Michels' subcontractor MJ has also requested an extension of time for the storm sewer work.

The requested change orders and time extension are reasonable and have been approved. Pursuant to the updated Village charter ordinance, the Village Manager approved the change orders on August 31, 2023 and this is presented to the Village Board as part of the reporting process required by the charter ordinance.