

**VILLAGE OF FOX POINT
VILLAGE BOARD MEETING MINUTES
NOVEMBER 14, 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, November 14, 2023 in Schwemer Hall, 7200 N. Santa Monica Boulevard. President Symchych 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 (via Zoom)
Trustee Liz Sumner (via Zoom)
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, City Water Director of Operations Jim Voigt, 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

Kenneth Friedman 8001 N Links Way

Mr. Friedman commented on the resurfacing of Bradley Road and the temporary stop sign placed on Bradley and Regent Roads. The majority of individuals at that meeting wanted the stop sign to remain in the temporary location; he reminded the Board this is only a minority of people who live in Fox Point.

Jess Langerman 7946 N Fairchild Rd

Mr. Langerman commented on the Board's discussion in October regarding the implementation of a four-way stop sign on Calumet and Santa Monica Boulevard. He noted due to the criteria, the village consultant for the study suggested a four-way stop sign be implemented.

Will Stalle, 7342 N Longacre Rd

Mr. Stalle noted his support for a pool at the current location, but not at the Longacre Pavilion proposed site.

Holly Segel, 711 E Calumet Rd

Ms. Segel agrees with Will Stalle; she supports the current pool location and is opposed to the Longacre Pavilion site.

Mark Levin, 7415 N Beach Dr

Mr. Levin expressed his frustration and disappointment regarding the difficulty in getting things accomplished in the village. Fox Point is such a nice village and he is concerned with the staff and the board's decisions.

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Erin Hudson, 7008 N Lombardy Rd

Ms. Hudson supports the pool in the current location. She lives across the street and enjoys seeing the pool from her window.

Margaret Keehn, 8650 N Manor Ct.

Ms. Keehn encouraged the board to make a decision regarding the pool.

Steve Jarvis, 6707 N Santa Monica Blvd.

Mr. Jarvis noted he and his wife chose to purchase a home in Fox Point due to the pool. He also noted his concerns with the intersection of Yates Road and Santa Monica Boulevard, suggested the installation of a stop sign. He further noted, he supports the gates at the prior Cardinal Stritch campus.

Rosalie O'Meara, 7014 N Lombardy Rd.

Ms. O'Meara supports the pool in its current location, commenting it is a great spot, safe location, and a central point for residents.

Hearing no other comments, President Symchych closed public comment.

COMMITTEE REPORTS - POOL COMMITTEE

President Symchych commented, the Pool Committee reports stands, as included in the Village Board packet.

CONSENT AGENDA

- a. Approve the minutes of the October 10, 2023 Village Board and Public Hearing meeting.
- b. Approve the minutes of October 17, 2023 Village Board and Budget Workshop meeting.
- c. Confirm President Symchych' s appointment to various Boards, Committees, and Commissions, as attached.
- d. Approve the Agreement with Southeastern Wisconsin Watersheds Trust Inc. for the Village of Fox Point Indian Creek bacteria and chloride study in the amount of \$10,000 and authorize the Village Director of Public Works to sign the agreement on behalf of the Village.
- e. Approve payment of the bills in the amount of \$641,081.49 for the period October 1, 2023 through October 31, 2023 per the report submitted by the Village Manager.

Motion by Trustee Sumner, seconded by Trustee Anderson, and carried by roll call vote (7-0), to approve the consent agenda, with removal of consent agenda item 4b.

**MINUTES OF OCTOBER 10, 2023 VILLAGE BOARD AND PUBLIC HEARING
MEETING (Item 4b)**

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Motion by President Symchych, seconded by Trustee Anderson, and carried by roll call vote (7-0), to approve the October 10, 2023 Village Board and Public Hearing meeting minutes, as presented with the changes on the table tonight which includes changes to line 84, line 85, line 186, line 197 and with the additional change to lines 38 and 39, to correct the name to Thomasini.

MUNICIPAL JUDGE SCOTT WALES MUNICIPAL COURT UPDATE

Municipal Judge Wales distributed a Fox Point Municipal Court report and gave further background to the Board on a Municipal Court update.

Judge Wales noted his high regard for Municipal Court Clerk Ellen McKenzie.

INITIAL CONSIDERATION OF A RESOLUTION TO AMEND THE VILLAGE RECORDS RETENTION SCHEDULE TO INCLUDE VIDEO RECORDINGS OF PUBLIC MEETINGS

Village Manager Scott Botcher gave background regarding the resolution to amend the village records retention schedule to include video recordings of public meetings with the State of Wisconsin Historical Society 60-day notice, adoption of the General Records Schedules with a one-year destruction date and submittal to the State of Wisconsin Public Records Board. Storage costs are becoming an issue and the village is running out of space to store unlimited recordings.

Motion by Trustee Fonstad, seconded by President Symchych, and passed by roll call vote, 4-3 (Opposed-Trustee Ollman, Trustee Aelion, and Trustee Stoltz), to direct village staff to provide all required notice to the State of Wisconsin Public Records Board and Historical Society of the village's intention to adopt a resolution that is attached on pages 31-34 of the agenda package.

CONSIDERATION OF PROPOSALS TO REPLACE A WATER SERVICE LATERAL AT 1208 EAST GOODRICH LANE

Director of Public Works Scott Brandmeier and City Water Director of Operations Jim Voigt gave background regarding the replacement of a water service lateral options (Option #1, Option #2 and Option #3) at 1208 East Goodrich Lane.

A lengthy Board discussion ensued.

Motion by President Symchych, seconded by Trustee Anderson, and carried by roll call vote (7-0), to approve paying up to \$8,023.00 toward construction of a new lateral at 1208 E. Goodrich Lane that connects to the water main at North Gray Log Lane, subject to the property owners and contractors completing the work within the next 12 months and payment upon completion.

AQUATICS FACILITY LOCATION AND DESIGN

President Symchych prefaced the item by stating she asked the village staff to put together various information that the village has accumulated over the last seven years from the various aquatics/pool studies, making it useful to refresh everyone's memory. Some

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individuals may not have been there for the prior studies and information. The village has heard from many people on this and the number one item is to make a decision and do it yesterday.

Ellen McBride, 7506 N Crossway Rd.

Ms. McBride asked the Board to keep the municipal pool at its current location.

Hope Oliva, 7426 N Crossway Rd.

Ms. Oliva fully supports concept #1 for the aquatic facility/pool in the current location and is strongly opposed to the Longacre Pavilion proposed site.

Sandra Hurley 7334 N Longacre Rd.

Ms. Hurley is in favor of pool where it is today. Her concerns with the Longacre Pavilion proposed site is the narrow lot, traffic and noise.

Tyler Carlson, 7481 N Lombardy Rd.

Mr. Carlson supports a pool in the same location and other comments tonight.

Louise Petering, 7229 N Santa Monica Blvd.

Ms. Petering noted her supports for a pool in same location, as traffic at the Longacre Pavilion is a concern. Money has already been invested in the water lines that currently feed to current pool.

Kenneth Friedman 8001 N Links Way

Mr. Friedman commented that Longacre Pavilion has a parking contingency. The costs at the current location is a million dollars more. Mr. Friedman asked the Board to consider these points prior to a decision.

Scott Silverson 8305 N Links Way

Mr. Silverson is in support of a lap pool and recreation pool at the current location.

Bill Hudson, 7419 N Lombardy Rd.

Mr. Hudson noted his appreciation to the Board for the diligence in making a decision. He supports the pool in the current location.

David Miller, 7401 N Crossway Rd.

Mr. Miller is in favor of other's comments here tonight; he noted community support was for Concept 1 in the current location. Mr. Miller inquired on why there was not consideration of a location option at the Indian Creek Park area.

Courtney Armstrong, 8680 N Regent Rd.

Ms. Armstrong stated her support in a pool in the current location. A lap pool is most valuable to a wide range of users of all ages. Zero entry area and features for younger children should be considered.

Katrina Lipman, 580 E Fox Dale Rd.

Ms. Lipman voiced her support for a multi-generational pool in the current location on Santa Monica Boulevard.

Terence Ploszaj, 901 E Churchill Lane.

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Mr. Ploszaj supports Option 1 at current location with amenities, including a concession stand, for all ages.

Mary Beth Mills, 1811 E Dean Rd.

Ms. Mills supports option 1 in the current location, providing the ability for many generations to use it. It is an accessible location.

President Symchych noted with all of the information that the Board has gone through the last many years. she would like to reference the Ayres study and acknowledge this is not a perfect solution. It is the solution that can best serve the village for the future.

Motion by President Symchych, to select Concept #2, which is the neighborhood pool and splash pad on the existing pool site, as described in the 2019 aquatics facility study prepared for the Village by Ayres Associates, as the conceptual design for the future aquatics facility for the village to replace the existing municipal pool. Trustee Fonstad seconded.

The Village Board had a lengthy discussion regarding the pool concepts, location, and amenities.

President Symchych reminded the Board there is a motion on the table.

Motion to amend the main motion by Trustee Ollman, to include the language of the pool location to be, on the existing site at Santa Monica Boulevard. Trustee Aelion seconded.

Roll call vote:

<i>Trustee Fonstad</i>	<i>Aye</i>
<i>Trustee Sumner</i>	<i>Aye</i>
<i>Trustee Ollman</i>	<i>Aye</i>
<i>Trustee Anderson</i>	<i>Aye</i>
<i>Trustee Aelion</i>	<i>Aye</i>
<i>Trustee Stoltz</i>	<i>Aye</i>
<i>President Symchych</i>	<i>Aye</i>

Motion to amend the main motion, carried unanimously (7-0).

Motion for amendment to the main motion by Trustee Fonstad, the total pool area will not exceed 5,000 square feet. Seconded by President Symchych.

The Board discussed the amendment to the motion.

Trustee Fonstad requested the withdrawal of his motion.

Without objection and by unanimous consent, President Symchych withdrew Trustee Fonstad's amended motion.

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Motion for amendment to the main motion by Trustee Fonstad, the total pool area would not be limited to 2,000 square feet but could go up to 5,000 square feet with the number and type of pool(s) to be determined at a later date. Trustee Anderson seconded.

Board discussion regarding the motion developed.

Roll call vote was taken:

<i>Trustee Fonstad</i>	<i>Aye</i>
<i>Trustee Sumner</i>	<i>Nay</i>
<i>Trustee Ollman</i>	<i>Nay</i>
<i>Trustee Anderson</i>	<i>Aye</i>
<i>Trustee Aelion</i>	<i>Nay</i>
<i>Trustee Stoltz</i>	<i>Nay</i>
<i>President Symchych</i>	<i>Aye</i>

Motion to amend the main motion failed (4-3).

Village Attorney Eric Larson reminded the Board, the main motion is on the floor. The only amendment that passed was to underscore the location at the current site on Santa Monica Boulevard.

Main Motion, as amended:

Motion by President Symchych, to select Concept #2, which is the neighborhood pool and splash pad on the existing pool site, as described in the 2019 aquatics facility study prepared for the Village by Ayres Associates, as the conceptual design for the future aquatics facility for the village to replace the existing municipal pool, on the current site on Santa Monica Boulevard. Trustee Fonstad seconded.

Roll call vote was taken:

<i>Trustee Fonstad</i>	<i>Aye</i>
<i>Trustee Sumner</i>	<i>Aye</i>
<i>Trustee Ollman</i>	<i>Nay</i>
<i>Trustee Anderson</i>	<i>Nay</i>
<i>Trustee Aelion</i>	<i>Nay</i>
<i>Trustee Stoltz</i>	<i>Nay</i>
<i>President Symchych</i>	<i>Aye</i>

Main motion, as amended, failed (4-3).

Motion by Trustee Anderson, to select the current Santa Monica location as the site for a future pool. Seconded by Trustee Ollman.

Roll call vote was taken:

<i>Trustee Fonstad</i>	<i>Aye</i>
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<i>Trustee Sumner</i>	<i>Aye</i>
<i>Trustee Ollman</i>	<i>Aye</i>
<i>Trustee Anderson</i>	<i>Aye</i>
<i>Trustee Aelion</i>	<i>Aye</i>
<i>Trustee Stoltz</i>	<i>Aye</i>
<i>President Symchych</i>	<i>Aye</i>

Motion carried, (7-0).

Discussion took place regarding potential design inclusions and suggestion of the pool.

Motion by Trustee Anderson, seconded by Trustee Ollman, to direct staff to go back to Parkitecture for two new concepts that incorporate the Board's suggestions.

Roll call vote was taken:

<i>Trustee Fonstad</i>	<i>Aye</i>
<i>Trustee Sumner</i>	<i>Aye</i>
<i>Trustee Ollman</i>	<i>Aye</i>
<i>Trustee Anderson</i>	<i>Aye</i>
<i>Trustee Aelion</i>	<i>Aye</i>
<i>Trustee Stoltz</i>	<i>Aye</i>
<i>President Symchych</i>	<i>Aye</i>

Motion carried unanimously, (7-0).

FUTURE AGENDA ITEMS – None

ANNOUNCEMENTS

President Symchych announced she attended yesterday's ICC meeting. Two items were discussed. 1) ICC has a fund balance which they voted to suspend municipal dues for the organization. 2) ICC approved a resolution that will go to the state legislatures that will encourage them to adopt some legislation that will allow homeowners to take restrictive covenants out of their home titles.

Trustee Fonstad reported on the Tree Commission meeting held on November 2nd. Kathe Lake and Trustee Ollman attended the meeting. Trustee Ollman spoke about the clear-cutting ordinance and is happy something is being done to address the issue. In May, Village Attorney Eric Larson suggested the Village find ways to reward people for preserving trees. They may use the stormwater utility to adjust rates for people who have high canopy for what they have on their property, similar to properties that have different rates for impervious area. Many trees have been lost since the revetment project and within the community. A total of 57 public trees along Beach Drive have been lost since 2011, including nine significant trees and three junipers that were lost since the start of the revetment project, and 12 replacement trees have been planted since 2011. The landscaping project plan is to plant 13 trees next year with final locations to be determined. The goal of the revetment project was to protect the road, sanitary sewer, and try to re-establish the natural looking shoreline.

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Trustee Sumner had no announcements.

Trustee Ollman had no announcements.

Trustee Anderson announced the North Shore Library Board is meeting on Thursday, November 16, at 9:00 a.m. A total of 70 percent of the goal has been met for the fundraising of the new North Shore Library. Everyone on the Board has donated. There are virtual update meeting; one update was held today.

Trustee Aelion had no announcements.

Trustee Stoltz had no announcements.

Village Manager Scott Botcher announced the Budget Public Hearing is at 7:00 p.m.in the Village Board room on Monday, November 20, 2023. He asked that the Board members bring their Budget Books with them.

ADJOURNMENT

Motion made by Trustee Ollman, second by President Symchych, and carried by roll call vote (7-0) to adjourn the Village Board meeting at 10:30 p.m.

Respectfully submitted,



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