VILLAGE OF FOX POINT
VILLAGE BOARD MEETING
MARCH 12, 2013

A meeting of the Fox Point Village Board was held on March 12, 2013 in Schwemer Hall, 7200 N. Santa Monica Blvd., beginning at 7:00 p.m. Members of the Village Board present included:

Village President Michael A. West
Trustee Bill Warner
Trustee Eric Fonstad
Trustee Beverly Bell
Trustee F.R. Dengel III
Trustee Douglas H. Frazer
Trustee Christine Symchych

Also present were Acting Village Manager Tom Czaja, Village Clerk Tanya O'Malley, and Village Attorney Eric Larson.

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 boards.

Persons desiring to be heard

Mr. Arthur Friedman, 7631 N Santa Monica Boulevard, stated that the Village should consider saving money by moving garbage collection to every other week.

Public Hearing: Ordinance to Repeal and Recreate Section 14.23 and to Repeal and Recreate Sections 14.24 (Intro), 14.24(2)(e) (Intro), and 14.24(5) (Intro) of the Village of Fox Point Village Code Regarding F Institutional District Uses

On motion of Trustee Warner, seconded by Trustee Dengel, and carried unanimously, the Board opened the Public Hearing at 7:04 p.m.

There were no members of the public wishing to address the Board on this matter.

On motion of Trustee Warner, seconded by Trustee Dengel, and carried unanimously, the Board closed the Public Hearing at 7:08 p.m.

On motion of Trustee Warner seconded by Trustee Dengel, and carried unanimously, the Board adopted the Ordinance to Repeal and Recreate Section 14.23 and to Repeal and Recreate Sections 14.24 (Intro), 14.24(2)(e) (Intro), and 14.24(5) (Intro) of the Village of Fox Point Village Code Regarding F Institutional District Uses as drafted.

Conditional Use Permit: YN Cleaners, 333 W. Brown Deer Road, Unit M, Audubon Court (New Business) and Conditional Use Permit: Wheel and Sprocket, 6940 N. Santa Monica Blvd., Fox Point Shops (Improvements to Interior Space) and Conditional Use Permit: Walter's Loft, LLC, and Karen & Bob Stein, Niets Property Management, Co-Applicants, 8007 N. Port Washington Road, Bradley Place (New Business)

President West announced that the Plan Commission had referred all three items for approval. He indicated that there were some changes requested to the Permit for Walter's Loft and those changes were in the draft presented to the Board. Additionally, he stated that the referral included a condition that the lighting violations be corrected at Bradley Place and indicated that they had been corrected.

Consent Agenda

a. Approve the Minutes of the February 12, 2013 Village Board meeting as drafted February 21, 2013

b. Grant a Conditional Use Permit to YN Cleaners, 333 W. Brown Deer Road, Unit M, Audubon Court and authorize the Village President and Village Clerk to sign the Conditional Use Order

c. Grant a Conditional Use Permit to Wheel and Sprocket, 6940 N. Santa Monica Blvd., Fox Point Shops and authorize the Village President and Village Clerk to sign the Conditional Use Order

d. Grant a Conditional Use Permit to Walter's Loft, LLC, and Karen & Bob Stein, Niets Property Management, Co-Applicants, 8007 N. Port Washington Road, Bradley Place and authorize the Village President and Village Clerk to sign the Conditional Use Order

e. Accept the bid from Green Man Tree and Landscape Services in the amount of $27.25 per inch diameter (DBH) and in an amount not to exceed $20,000 for the removal of diseased Dutch Elm Trees and authorize the Village President and Village Clerk to sign the contract per the Village Forester's memo dated February 28, 2013

f. Accept the bid of Reesman's Excavating and Grading, Inc. in the amount of $74,650 for the 2013 Sanitary Sewer Rehabilitation project and authorize the Village President and Village Clerk to sign the contract per the Director of Public Works' memo dated March 5, 2013

g. Accept the proposal of Kapur & Associates in the amount of $12,188 to provide construction inspection for the 2013 Sanitary Sewer Rehabilitation project and authorize the Village President and Village Clerk to sign the contract per the Director of Public Works' memo dated March 5, 2013

k. Accept the Amendment from AECOM in the amount of $4,400 for additional services related to the preparation of the Letter of Map Revision for the Indian Creek Parkway 100-year floodplain revisions and authorize the Village President and Village Clerk to sign the amendment per the Director of Public Works' memo dated March 1, 2013

l. Accept the proposal of Kapur & Associates in an amount not to exceed $27,607.50 for the coordination and televising of laterals pursuant to the Private Property Infiltration and Inflow Program and authorize the Village President and Village Clerk to sign the agreement per the Director of Public Works' memo dated March 5, 2013

m. Approve Change Order No. 1 from Kapur & Associates in the amount of $4,752 for additional stormwater modeling and analysis for the 2012 Beach Hill Improvement Project and authorize the Village President and Village Clerk to sign the change order per the Director of Public Works' memo dated March 5, 2013

n. Approve the expenditure of an amount not to exceed $15,000 for the purchase and installation of large umbrellas to shade the pool deck and authorize the Acting Village Manager to sign the purchase order and contract per the Assistant Director of Public Works' memo dated February 28, 2013

o. Authorize the increase of the spending limits of Department Heads to $1,500 per the Acting Village Manager's memo dated March 1, 2013

p. Schedule Special Village Board meetings regarding the Village Manager recruitment for May 6, 2013 at 6:00 p.m., May 17, 2013 at 1:30 p.m., and June 5, 2013 at 1:30 p.m.

q. Approve the request of the Jewish Community Center to use Village streets on April 21, 2013 for the Walk for Israel per the Village Clerk's memo dated February 25, 2013

r. Adopt a Resolution for Urban Nonpoint Source & Stormwater (UNPS&SW) Program Planning Grant Updating Stormwater Management Plan as drafted March 7, 2013

s. Adopt the Resolution to Authorize Emergency Work as presented with the Village Attorney's letter dated March 8, 2013

t. Adopt the Ordinance to Create Section 27.34 of the Village of Fox Point Code Related to Public Nuisances Involving Controlled Substances per the Chief of Police's memo dated February 26, 2013

u. Approve Payment of the Bills in the amount of $459,125.32 for the period February 1, 2013 through February 28, 2013 per the report submitted by the Acting Village Manager

Mr. Arthur Friedman, 7631 N Santa Monica Boulevard, asked questions about the difference between bids and proposals and stated that it would be interesting to know what occurred in the bidding process.

Trustee Bell requested the removal of item 5.j. regarding the Village Hall Security Improvements.

Trustee Frazer requested the removal of items 5.h. regarding the 2013 Willow/Whitney/Regent storm water, water main and road reconstruction project and 5.i. regarding the construction inspection services for the 2013 Willow/Whitney/Regent storm water, water main and road reconstruction project.

On motion of Trustee Warner, seconded by Trustee Bell, and carried unanimously, the Board adopted the Consent Agenda as amended.

Accept the bid of Heartland Construction in the amount of $1,163,076.75 for the 2013 Willow/Whitney/Regent storm water, water main and road reconstruction project and authorize the Village President and Village Clerk to sign the contract per the Director of Public Works' memo dated March 1, 2013

On motion of Trustee Frazer, seconded by Trustee Warner, and carried unanimously, the Board accepted the bid of Heartland Construction in the amount of $1,163,076.75 for the 2013 Willow/Whitney/Regent storm water, water main and road reconstruction project and authorize the Village President and Village Clerk to sign the contract per the Director of Public Works' memo dated March 1, 2013.

Accept the proposal of AECOM in the amount of $126,460 to provide construction inspection services for the 2013 Willow/Whitney/Regent storm water, water main and road reconstruction project and authorize the Village President and Village Clerk to sign the contract per the Director of Public Works' memo dated March 5, 2013

On motion of Trustee Frazer, seconded by Trustee Fonstad, and carried unanimously, the Board accepted the proposal of AECOM in an amount not to exceed $126,460 to provide construction inspection services for the 2013 Willow/Whitney/Regent storm water, water main and road reconstruction project and authorize the Village President and Village Clerk to sign the contract per the Director of Public Works' memo dated March 5, 2013.

Accept Change Order No. 1 from MK Construction, Inc. for the Village Hall Security Improvements in the amount of $1,540 for addition of two additional keypads and repairs to the wall above the entry counter and authorize the Village President and Village Clerk to sign the change order per the Director of Public Works' memo dated March 5, 2013

On motion of Trustee Warner, seconded by Trustee Symchych, and carried unanimously, the Board accepted Change Order No. 1 from MK Construction, Inc. for the Village Hall Security Improvements in the amount of $1,540 for addition of two additional keypads and repairs to the wall above the entry counter and authorize the Village President and Village Clerk to sign the change order per the Director of Public Works' memo dated March 5, 2013.

Discussion and Possible Action Regarding the Bridge Lane Ravine Footbridge

Ms. Barbara Schwartz, 7239 N Barnett Lane, stated that she missed the bridge and she wanted to see a replacement. She indicated that the Friend's group was working very hard to ensure that the bridge could be replaced.

Ms. Linda Gale Sampson, 7000 N Barnett Lane, stated that she supported building a strong new bridge, with up to date materials, that was low or no maintenance. She explained that it was unthinkable to remove the bridge without rebuilding.

Mr. Bob Cory, 7740 N Santa Monica Boulevard, stated that the bridge was a frivolous capital expenditure and explained that there were other capital items to consider, such as the roads, pool, diseased trees, etc.

Mr. Arthur Friedman, 7631 N Santa Monica Boulevard, asked if there had been a study conducted on how the bridge was used and how much it was used. He stated that the Board should consider those statistics before spending money.

Mr. Larry Booth, 220 E Clovernook Lane, stated that the bridge was a nonessential amenity. He stated that the fundraising amount set by the Board for the Friend's group was only 23% and not 50% as the Board originally indicated. He explained that the Board also broke its promise by not holding the Friend's group to the January 31st deadline. He stated that the Board needed to live up to its obligation to the taxpayers and end the fiasco. He requested $4,100 to conduct a survey to discover what the residents think about the bridge.

Mr. Steven Klein, 7231 N Barnett Lane, started that the bridge was an asset that bound the Village together and that it was used by people of all ages. He indicated that the bridge allowed access to the view of the lake for those people who did not have one from their properties.

Mr. Lee Carsten, 6607 N Birch Hill Court, stated that many of the proponents of the bridge based their advocacy on nostalgia but that many young families would be asked to pay for that nostalgia.

Mr. Cory stated that the Board should consider those residents who may be on fixed incomes and those who do not use the bridge.

Trustee Frazer made a motion to direct staff to prepare bidding documents and issue for bidding, a contract for the demolition and removal of the bridge, containing the following elements and provisions: that the concrete piers be left in place and that the contract provide for limited restoration of paths leading to the edge of the ravine. Trustee Warner seconded the motion.

President West asked for unanimous consent to amend the motion to insert the phrase "and abutments" after "piers". Without objection, the motion was amended.

President West asked for unanimous consent to amend the motion to indicate that staff was directed to work with the consultant, Ayres, in the preparation of the necessary bidding documents for the removal and limited restoration. Without objection, the motion was amended.

With Trustees Frazer, Warner, Fonstad, Dengel, and Symchych and President West voting aye, and Trustee Bell voting nay, the amended motion carried.

Future Agenda Items - None

Announcements

Trustee Bell announced that the Friends of Doctor's Park had set the following dates: Saturday, April 20, 2013 for the Spring Clean-Up & Weed-Out and Sunday, June 23, 2013 for the Picnic in the Park.

Adjourn

On motion of Trustee Bell, seconded by Trustee Warner, and carried unanimously, the Board adjourned at 8:57 p.m.

Respectfully submitted,

Tanya O'Malley, WCMC
Village Clerk