

VILLAGE OF FOX POINT
VILLAGE BOARD MEETING

May 8, 2012

A meeting of the Fox Point Village Board was held on May 8, 2012 in Schwemer Hall, 7200 N. Santa Monica Blvd., beginning at 7:02 p.m. Members of the Village Board present included:

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

Also present were Village Treasurer/Deputy Village Clerk John S. George 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.

Oath of Office: Re-elected Trustees

The Deputy Village Clerk administered the oath of office to re-elected Trustees Beverly Bell and F.R. Dengel III.

Persons desiring to be heard

Bob Corey, 7740 N. Santa Monica Blvd., said he recently observed a meeting of the fund raising committee for the Fox Point Ravine Bridge. It was his belief that the cost of the bridge is \$2,000,000 yet the committee seemed to have a goal of raising \$625,000. He said it was his impression that the fund raising committee was to aim to raise one half of the cost of the bridge. Mr. Corey further asked if the committee does not reach its goal, will the project be put on hold or be set aside. Finally, Mr. Corey asked if some of the pledges made to the committee are not collected would the Village be obligated to make up the difference to reach the stated goal.

Conditional Use Permit: Midland Management, LLC acting as Managing Agent for North Shore Centers Partners, d/b/a Riverpoint Salons and Spa, 8653 N. Port Washington Road, Riverpoint Village (new Conditional Use Order, in Space Formerly Occupied by Tenant Le Court Salon)

President West announced that this item had been referred for approval by the Plan Commission.

Consent Agenda

- a. Approve the minutes of the April 10, 2012 Village Board meeting as drafted April 11, 2012
- b. Grant a Conditional Use Permit to Riverpoint Salons and Spa, 8653 N. Port Washington Road, RiverPoint Village and authorize the Village President

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and Village Clerk to sign the Conditional Use Order

- f. Accept the Permanent Storm Sewer Easement for storm sewer purposes in relation to the Green Tree Road construction project, for property located at 600 East Green Tree Road, as prepared by the Village Attorney
- h. Approve the Tennis Concession Agreement with Glendale Tennis Facility, LLC, which replaces the existing agreement and extends the term through 2014, as presented with the Village Attorney's letter of May 1, 2012, and authorize the Village President and Village Clerk to execute the agreement
- i. Adopt the Resolution to Sponsor and Conduct a village of Fox Point Fourth of July Celebration as drafted May 2, 2012
- j. Adopt the Resolution to Sponsor and Conduct a Village of Fox Point Summer Serenade as drafted May 2, 2012
- k. Approve Payment of the Bills in the amount of \$312,940.91 for the period April 1, 2012 through April 30, 2012 per the report prepared by the Village Manager

Trustee Dengel asked to remove items 6. c., d. and e.

Trustee Fonstad asked to remove item 6. g.

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

Accept the bid of T & T Tree Service LLC in the amount of \$11,795 for the 2012 Emerald Ash Borer Initiative Tree Removal Contract and authorize the Village President and Village Clerk to sign the contract per the Village Forester's memorandum dated April 27, 2012

On motion of Trustee Dengel, seconded by Trustee Warner, and carried unanimously, the Board accepted the bid of T & T Tree Service LLC in the amount of \$11,795 for the 2012 Emerald Ash Borer Initiative Tree Removal Contract and authorized the Village President and Village Clerk to sign the contract per the Village Forester's memorandum dated April 27, 2012.

Adopt a Relocation Order Resolution and Resolution of Necessity for Temporary Construction Access for Sanitary Sewer Main Rehabilitation for property located at 8121 N. Seneca Road, as prepared by the Village Attorney

On motion of Trustee Symchych, seconded by Trustee Warner, and carried unanimously, the Board adopted a Relocation Order Resolution and Resolution of Necessity for Temporary Construction Access for Sanitary Sewer Main Rehabilitation for property located at 8121 N. Seneca Road, as prepared by the Village Attorney.

Accept the Temporary Limited Easement for temporary construction access for

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sanitary sewer main rehabilitation for property located at 8121 N. Seneca Road, as prepared by the Village Attorney

On motion of Trustee Warner, seconded by Trustee Dengel, and carried unanimously, the Board accepted the Temporary Limited Easement for temporary construction access for sanitary sewer main rehabilitation for property located at 8121 N. Seneca Road, as prepared by the Village Attorney.

Rescind the acceptance of bid for the Beach Court Stormwater Improvements project and rescind the authorization for the Village President and Village Clerk to sign the contract, and terminate the project, due to the lack of necessary property rights to proceed, per the recommendation of the Director of Public Works in his memorandum dated May 1, 2012

On motion of Trustee Warner, seconded by Trustee Dengel, with Trustees Warner, Bell, Dengel, Frazer and Symchych and President West voting aye, the Board voted to rescind the acceptance of bid for the Beach Court Stormwater Improvements project and rescind the authorization for the Village President and Village Clerk to sign the contract, and terminate the project, due to the lack of necessary property rights to proceed, per the recommendation of the Director of Public Works in his memorandum dated May 1, 2012. Trustee Fonstad recused himself from participating in the matter.

In announcing his recusal, Trustee Fonstad asked that the record show that his home is located directly south of the properties that are part of the contract being discussed and he was advised by the Village that in order to do the project a large ash tree on his property would have to be removed.

Presentation by Friends of Doctors Park

Kim Caviggiola, 7911 N. Links Circle and Sam Radcliffe, 8301 N. Allen Lane made a presentation to the Board on the Friends of Doctors Park.

Acceptance of Amendment for Additional Design and Related Activities Associated with the Bridge Lane Ravine Footbridge

Trustee Fonstad made a motion, seconded by Trustee Warner that the Board accept the recommendation of Village Staff for the additional design services in the amount not to exceed \$17,500 for the Bridge Lane Ravine Footbridge and that the Village President and Village Clerk be authorized to sign Amendment No. 3 and that funding for the amendment come from the Unappropriated Fund Balance of the Capital Projects Fund.

On motion of Trustee Fonstad, seconded by Trustee Warner with Trustees Warner, Fonstad, Bell, Frazer and President West voting aye and Trustees Dengel and Symchych voting nay, the Board called the question.

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

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Acceptance of Bid for Green Tree Road Reconstruction Project

On motion of President West, seconded by Trustee Fonstad, and carried unanimously, the Board accepted the bid from Reesman's Excavating & Grading in the amount of \$850,015.00 for the base bid and accepted alternates 2 and 3 in the amounts respectively for \$9,750.00 and \$14,830.00 and authorized the signatures of the Village President and Village Clerk.

Acceptance of Proposal for Green Tree Road Reconstruction Project Inspection

On motion of Trustee Fonstad, seconded by Trustee Warner, and carried unanimously, the Board accepted the proposal of the Director of Public Works to accept the 2012 Green Tree Road Project Inspection Services as to the base bid and alternates 2 and 3 as set forth in the Director of Public Works memorandum dated April 26, 2012.

Discussion and Possible Action Regarding Village Signs

President West proposed to the Board that the Village let matters stand until it becomes evident to the Village's Congressional Delegation that the Village has reached an impasse with the Federal Highway Administration. He stated that it is the consensus of the Board that if the Village must go to one of the proposed new street signs that the color of the sign will be black. President West further directed staff to attempt to have any new signs be constructed so that the fox emblem is more difficult to take apart from the sign itself.

On motion of Trustee Fonstad, seconded by Trustee Bell, with Trustees Warner, Fonstad, Bell and Frazer and President West voting aye and Trustees Dengel and Symchych voting nay, the Board directed staff that in the matter of replacing street signs it be left to the discretion of the Director of Public Works as to the design of the replacement signs.

Consideration and Possible Action Regarding Old Dutch Cemetery and Kenneth E. Leindecker Donation, Restoration and Burial Issues

Staff gave a report to the Board regarding the Old Dutch Cemetery and the Kenneth E. Leindecker Donation, Restoration and Burial Issues.

Appointments to Various Boards, Committees, and Commissions

On motion of Trustee Fonstad, seconded by Trustee Bell, and carried unanimously, the Board confirmed the Appointments to Various Boards, Committees, and Commissions as presented by President West in his memorandum dated May 8, 2012.

Consideration of Cooperating with the Village of Bayside on Spring Clean-up Days

On motion of Trustee Fonstad, seconded by Trustee Symchych, and carried unanimously, the Board directed staff to liaise with the Village of Bayside regarding cooperating on their Spring Clean-up Days.

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Future Agenda Items - None

Announcements

President West announced the North Shore Water Commission meeting will be held on May 11th.

Trustee Warner announced that June 16th will mark the tenth anniversary of the Farmer's Market.

Trustee Bell announced that on Saturday, May 5th Bird City was initiated in the Village of Fox Point at the Indian Creek Parkway. Four Village Trustees were present for this event. The Village was presented with a Bird City flag and a plaque.

Closed Session

President West announced that in the absence of the Village Manager Agenda Items 8 and 9 will be held over to the June Village Board Meeting.

Adjourn

On motion of Trustee Warner, seconded by Trustee Bell, and carried unanimously, the Board adjourned at 10:05 p.m.

Respectfully Submitted,

John S. George, CMTW, CMFA
Village Treasurer/Deputy Village Clerk