VILLAGE OF FOX POINT
VILLAGE BOARD MEETING
JUNE 11, 2013

A meeting of the Fox Point Village Board was held on June 11, 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

Ms. Kathy Huston, 7707 N Bell Road, addressed the Board on behalf of her father regarding the Adult Swim times at the Village Pool. She requested that Adult Swim times from past seasons be reinstated.

Public Hearing: Proposed Ordinance to Repeal and Recreate Section 14.07(2)(c)(8)(b), and to Create Section 14.07(4)(a) of the Village of Fox Point Village Code Related to Special Exceptions, Temporary Structures, and the Intent of the D-Business District

On motion of Trustee Warner, seconded by Trustee Symchych, and carried unanimously, the Board opened the public hearing at 7:10 p.m.

There were no persons desiring to be heard.

On motion of Trustee Warner, seconded by Trustee Fonstad, and carried unanimously, the Board closed the public hearing at 7:14 p.m.

On motion of Trustee Bell, seconded by Trustee Fonstad, and carried unanimously, the Board adopted the Ordinance to Repeal and Recreate Section 14.07(2)(c)(8)(b), and to Create Section 14.07(4)(a) of the Village of Fox Point Village Code Related to Special Exceptions, Temporary Structures, and the Intent of the D-Business District per the Village Attorney's June 5, 2013 letter.

Consent Agenda

a. Approve the Minutes of the May 14, 2013 Village Board meeting as drafted May 28, 2013

b. Approve the Minutes of the May 17, 2013 Special Village Board meeting as drafted May 20, 2013

c. Approve the Minutes of the June 5, 2013 10:00 a.m. Special Village Board meeting as drafted June 6, 2013

d. Approve the Minutes of the June 5, 2013 1:30 p.m. Special Village Board meeting as drafted June 6, 2013

e. Refer proposed new garage as described in the May 27, 2013 letter from Aaron Hauschildt, at 7440 N Santa Monica Boulevard to a Joint Plan Commission/Building Board Meeting and schedule a public hearing in this regard for the July 9, 2013 regular Village Board meeting immediately following "Persons desiring to be heard"

f. Accept the proposal of Kapur & Associates in an amount not to exceed $19,535 for storm sewer drainage improvements design work along E Fox Lane and between N Regent Court and N Point Drive, plus an additional $10,500 for preparation of construction easement and authorize the

Village President and Village Clerk to sign the contract per the Director of Public Works' memo dated June 6, 2013

g. Accept Change Order No. 1 from Kapur & Associates in the amount not to exceed $4,625 for the televising of additional laterals related to the Private Property Infiltration and Inflow project and authorize the Village President and Village Clerk to sign the contract per the Director of Public Works' memo dated June 6, 2013

h. Accept the alternate proposal from Ewald's Hartford Ford in an amount of $14,915.50 for a 2013 Ford F-150 Pick-up Truck, plus an additional not to exceed $5,084.50 for miscellaneous items required to complete the unit and authorize the Acting Villager Manager to sign the Purchase Order per the Assistant Director of Public Works' memo dated June 3, 2013

i. Accept the bid from Voss' Treemendous Tree Service in an amount of $27,882 for the 2013 Emerald Ash Borer Initiative Tree Removal program and authorize the Village President and Village Clerk to sign the contract per the Village Forester's memo dated June 5, 2013

j. Accept Change Order No. 1 from General Code in the amount of $4,806, with $1,000 to come from the Capital Projects Fund and $3,806 to come from the Capital Projects Fund Unappropriated Fund Balance, for codification services and authorize the Village President and Village Clerk to sign the Change Order per the Village Clerk's memo dated June 3, 2013

k. Grant the liquor licenses and approve the appointments of Gary A Schrubbe as agent of Cardinal Stritch University and Chotik Saykawlard as agent of The Fresh Market per the Village Clerk's memorandum dated June 6, 2013, and subject to the conditions noted in said memorandum

l. Adopt the Resolution Approving of and Authorizing the Submittal of the CMAR Report for the Activities of 2012 as drafted June 6, 2013

m. Adopt the Resolution of Commendation and Appreciation for Eriks Krumins as drafted June 3, 2013

n. Adopt the Resolution of Appreciation for Kaga City and Mayor Teramae as drafted June 6, 2013

o. Adopt the Resolution to Sponsor and Conduct a Village of Fox Point Fourth of July Celebration as drafted May 21, 2013

p. Adopt the Ordinance to Repeal and Re-Create Section 2.16 of the Village of Fox Point Village Code Related to Public Records Destruction as attached to the Village Attorney's letter dated May 31, 2013

q. Adopt the Resolution to Adopt a Records Retention Schedule as attached to the Village Attorney's letter dated May 31, 2013

r. Approve Payment of the Bills in the amount of $333,917.92 for the period May 1, 2013 through May 31, 2013 per the report submitted by the Acting Village Manager

President West indicated that there was a typographical error in agenda item 4.n. and asked for unanimous consent to amend the Resolution to remove the word "and" at the end of the third paragraph. Without objection, the Resolution was amended.

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

Presentation of the 2012 Village Audit

Ms. Wendi Unger, Baker Tilly Virchow Krause presented the results of the 2012 Village audit.

Discussion and Possible Action to Confirm the Appointment of the Village Manager and to Approve the Village Manager's Employment Agreement

On motion of Trustee Frazer, seconded by Trustee Warner, and carried unanimously, the Board confirmed the Village President's appointment of Melissa Bohse to the office of Village Manager, approved the Employment Agreement as presented by the Village's Executive Recruitment Consultant, and authorized the Village President and Village Clerk to sign the Agreement.

Discussion and Possible Action Regarding Payment or Reimbursement of Legal Fees Incurred in Defending a Legal Action that has been Dismissed

Trustee Symchych recused herself from this matter.

On motion of Trustee Fonstad, seconded by Trustee Warner, and carried unanimously, the Board authorized the payment of legal fees to the law firm of Michael Best & Friedrich, LLP in the amount of $16,895.50 for legal services provided to a Village Officer in relation to a confidential Ethics Board complaint which has been dismissed by the Ethics Board, pursuant to Section 895.35, Wisconsin Statutes; or to reimburse the Village Officer if payment had been made.

Discussion and Possible Action Regarding Payment or Reimbursement of Legal Fees Incurred in Defending a Legal Action that has been Dismissed

President West and Trustee Frazer recused themselves from this matter. President West turned the chair over to Trustee Warner.

On motion of Trustee Dengel, seconded by Trustee Fonstad, and carried unanimously, the Board authorized the payment of legal fees to the law firm of Dewitt Ross & Stevens, S.C., in the amount of $6,925 for legal services provided to Village Officers in relation to a confidential Ethics Board complaint which has been dismissed by the Ethics Board, pursuant to Section 895.35, Wisconsin Statutes; or to reimburse the Village Officers if payment had been made.

President West returned to the chair.

Future Agenda Items - None

Announcements

Trustee Warner announced that the Farmer's Market would start on June 15.

President West thanked Steve Hintz, Public Administration Associates, for his work on the Village Manager recruitment.

Trustee Frazer announced that he had a gift for President West, The Federalist Papers, in Hebrew.

Acting Manager Czaja announced that the Fourth of July planning was going well and that the parade would be at 9:00 a.m. with festivities, including a softball game, at Longacre Park following the parade. He also announced that he and the Village Clerk had met with Ms. Melissa Bohse a couple times and that she was very much looking forward to the new position.

Adjourn

On motion of Trustee Warner, seconded by Trustee Symchych, and carried unanimously, the Board adjourned at 8:00 p.m.

Respectfully submitted,

Tanya O'Malley, WCMC
Village Clerk