

VILLAGE OF FOX POINT
VILLAGE BOARD MEETING
JULY 10, 2012

A meeting of the Fox Point Village Board was held on July 10, 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 Eric Fonstad
Trustee Beverly Bell
Trustee F.R. Dengel III
Trustee Christine Symchych

Absent: Trustee Douglas H. Frazer

Also present were Village Manager Susan E. Robertson, 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. Bob Cory, 7740 N Santa Monica Blvd, asked questions about the private bridge fundraising group. Mr. Cory presented an article from the Journal Sentinel regarding a pedestrian bridge over the Oak Leaf Trail near Riverside High School and pointed out the amount of equipment, time, and cost involved in the project.

Ms. Anne Sachse, 7801 N Santa Monica Blvd, requested that the Village enforce the noise ordinance at night with the Town Club. She explained that the industrial sprinklers that were watering the tennis courts made lots of noise all night long.

Mr. LeRoy Larson, 6963 N Barnett Lane, requested that the Village consider providing some sort of help or aid with the water rates in light of the drought. He explained that he did not want the Village to profit from the drought. He stated that the sewage formula needed to be redone to make it more equitable.

Ms. Deborah Whittle, 7721 N Santa Monica Blvd, stated that she had heard that the Pool was in distress and that it would only be a year or two more before it needed to be rebuilt. She explained that she was concerned that the Village was expending money for the bridge and that there would not be money for the pool in a couple years. She stated that the Pool affected everyone in the Village, while the bridge only affected the people in the immediate area.

Mr. Larry Booth, 220 E Clovernook Lane, stated that the bridge presented by Mr. Cory was one tenth the cost of the bridge that the Village had been discussing and that it was guaranteed for fifty years. He asked if anyone had proposed a wooden truss bridge.

Mr. Cory stated that the Town Club was a nuisance with the sprinklers, lights, and tennis balls.

Conditional Use Permit: Midland Management, LLC, 8663A & 8663B N. Port Washington Road, RiverPoint Village (Amend Conditional Use Order for Landlord Preparation Work of the Former The Learning Shop)

President West announced that the Plan Commission had referred this item to the Village Board for approval.

Conditional Use Permit: Braatz, LLC, d/b/a Red Mango Yogurt and Smoothies, 8663A N. Port Washington Road, RiverPoint Village (Amendment to Conditional Use Permit of March 13, 2012 - Change of Address, Interior Modifications, and Outdoor Dining (Tables, Chairs and Umbrellas))

President West announced that the Plan Commission had referred this item to the Village Board for approval.

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Mr. Peter Braatz, Braatz, LLC, was present to provide information and answer questions.

Consent Agenda

- a. Approve the Minutes of the June 12, 2012 Village Board meeting as drafted July 2, 2012
- b. Grant a Conditional Use Permit to Midland Management, LLC, 8663A & 8663B N. Port Washington Road, RiverPoint Village and authorize the Village President and Village Clerk to sign the Conditional Use Order
- d. Refer proposed Ordinance to Repeal and Recreate Sections 14.07(5)(b) and 14.12(2) of the Village of Fox Point Village Code Related to Unenclosed Storage and for Correction of Missing Text to the Plan Commission and schedule a public hearing in this regard for the August 14, 2012 regular Village Board meeting immediately following "Persons desiring to be heard"
- e. Accept the bid of North American Salt Co. in the amount of \$51.03 per ton for sodium chloride per the Director of Public Works' memorandum dated July 2, 2012
- f. Approve the permit to use Village Streets for the Fox Point Lutheran Church on Saturday, September 8, 2012 per the Village Clerk's memorandum dated June 27, 2012
- g. Set dates and times for budget work sessions to discuss the proposed 2013 Village Budget and schedule a public hearing regarding the 2013 Village Budget per the Village Manager's memorandum dated July 2, 2012
- h. Approve Payment of the Bills in the amount of \$693,530.89 for the period June 1, 2012 through June 30, 2012 per the report prepared by the Village Manager

President West requested the removal of item 4.c.

On motion of Trustee Warner, seconded by Trustee Symchych, and carried unanimously, the Board approved the amended Consent Agenda.

Grant a Conditional Use Permit to Braatz, LLC, d/b/a Red Mango Yogurt and Smoothies, 8663A N. Port Washington Road, RiverPoint Village and authorize the Village President and Village Clerk to sign the Conditional Use Order

On motion of Trustee Fonstad, seconded by Trustee Warner, and carried unanimously, the Board approved the Conditional Use Permit as presented in the agenda and authorized the Village President and Village Clerk to sign the Conditional Use Order.

Resolution Approving Amendment No. 7 to the North Shore Fire Department Agreement to Provide that Each Participating Municipality's Financial Contribution be Set as a Fixed Percentage of the Fire Department's Budgets

Trustee Fonstad made a motion to report to the North Shore Fire Department Board that the Village of Fox Point Board would like to see a five year sunset added to Amendment No. 7. Trustee Bell seconded the motion.

On motion of Trustee Dengel, seconded by Trustee Fonstad, with Trustees Bell, Warner, Fonstad, Dengel, and Symchych voting aye, and President West voting nay, the Board amended the motion to make the sunset a three year sunset.

President West asked for unanimous consent to amend the motion to also report the drafting concerns pointed out in paragraph b. of Counsel's June 29, 2012 letter. Without objection, the motion was amended.

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The amended motion carried unanimously.

It was the consensus of the Board, after reviewing the last five years of data and the operation of the formula, that the Trustees took note of the trends and requested some relief in the percentages.

Future Agenda Items

On motion of Trustee Fonstad, seconded by Trustee Dengel, and carried unanimously, the Board agendaed a brief presentation from the Village Manager on the financial documents, that were recently distributed, dated May 31, 2012.

Announcements

President West thanked the volunteers and Village staff that made the Fourth of July Celebration a success and thanked Trustee Frazer for the distinctive hats.

Trustee Warner thanked F.R. Dengel for taking over as umpire of the baseball game.

Trustee Dengel congratulated the team made up of Fox Point DPW and Fox Point Police Department members for the victory on the Fourth of July.

Manager Robertson invited the Trustees to look at the segment of path that the Village owned between Green Tree and the overlook off of Barnett, where the Public Works Department had recently performed some work.

Closed Session

On motion of Trustee Bell, seconded by Trustee Warner, with all members voting aye, the Board convened into Closed Session at 9:13 p.m. pursuant to State Statutes 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the Village Board has jurisdiction or exercises authority, more specifically, to discuss the performance evaluation of the Village Manager.

Reconvene and Possible Action on Closed Session Items

On motion of Trustee Fonstad, seconded by Trustee Bell, and carried unanimously, the Board reconvened into Open Session at 10:06 p.m.

Adjourn

On motion of Trustee Bell, seconded by Trustee Warner, and carried unanimously, the Board adjourned at 10:07 p.m.

Respectfully submitted,

Tanya O'Malley, WCMC
Village Clerk