

VILLAGE OF FOX POINT
VILLAGE BOARD MEETING
NOVEMBER 12, 2013

A meeting of the Fox Point Village Board was held on November 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

Absent: Trustee Christine Symchych

Also present were Village Manager Melissa Bohse, 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

Trustee Fonstad said that he understood that some residents were going to speak about the former Mary Nohl House. He stated that prior to being elected to the Village Board, he had been very active on the issue of the Mary Nohl House. He indicated that if the Kohler Foundation were to take formal action, it was important that they received a fair hearing before the Board and to avoid any appearance of bias, he would be stepping out of his chair while the residents are speaking. He stated that anything he said on the subject would be in his capacity as a resident and not in his capacity as a Trustee. Trustee Fonstad removed himself from the front table.

Ms. Kathe Lake, 7471 N Beach Court, stated that she was opposed to a cultural overlay designation for the Nohl property and requested that the Board enforce residential zoning standards. She indicated that the home and outdoor sculptures should be move to the Kohler Arts Center in Sheboygan.

Mr. Kurt Jensen, 7535 N Beach Drive, stated that the residents in the Beach Drive area had formed a committee to aid communications with the Kohler Foundation. He stated that it was important to use the people who live in the area and that it was important to meet the needs of the neighborhood.

Trustee Fonstad returned to the front table.

Ms. Elizabeth Aelion, 210 W Bergen Court, addressed the Board with various questions on the budget, debt service, and the agreement with the Footbridge Friends.

Public Hearing - Proposed Lighting of Existing Art Installation at Congregation Shalom, 7630 N Santa Monica Boulevard

On motion of Trustee Warner, seconded by Trustee Bell, and carried unanimously, the Board opened the Public Hearing at 7:15 p.m.

Ms. Holly Blomquist, lighting designer, Mr. Chris Egner, art installer, and Mr. Richard Edelman, artist, were present to provide information and answer questions.

Mr. Bob Cory, 7710 N Santa Monica Boulevard, stated that the institution sat in the middle of a bedroom community. He stated that he did not want to look at the structures at night and that he was concerned about light trespass.

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On motion of Trustee Warner, seconded by Trustee Bell, and carried unanimously, the Board closed the Public Hearing at 7:50 p.m.

Trustee Frazer made a motion to approve the application and find that the four conditions of the Ordinance were met. Trustee Warner seconded the motion.

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

Consent Agenda

- a. Approve the Minutes of the October 8, 2013 Village Board meeting as drafted October 21, 2013
- b. Approve the Minutes of the October 14, 2013 Special Village Board meeting as drafted October 21, 2013
- c. Approve the Minutes of the October 28, 2013 Special Village Board meeting as drafted October 29, 2013
- d. Approve the Minutes of the October 31, 2013 Special Village Board meeting as drafted November 1, 2013
- e. Accept the amendment of Wachtel Tree Science in the amount of \$4,500 for additional forestry and coordination activities and authorize the Village President and Village Clerk to sign the amendment per the Director of Public Works' memo dated November 4, 2013
- f. Accept Amendment No. 1 from AECOM in the amount of \$19,315 for additional design and construction management activities related to the Willow, Whitney and Regent Road storm sewer, water main and road reconstruction project and authorize the Village President and Village Clerk to sign the amendment per the Director of Public Works' memo dated November 4, 2013
- g. Accept Change Order No. 1 from Heartland Construction, Inc. in the amount of \$37,075.11 for additional storm sewer and water main work performed on the Willow, Whitney and Regent Road storm sewer, water main and road reconstruction project and authorize the Village President and Village Clerk to sign the amendment per the Director of Public Works' memo dated November 4, 2013
- j. Refer the proposed Ordinance to Repeal Section 14.02(16), and to Repeal and Recreate Section 14.205 of the Village of Fox Point Village Code Related to Personal Wireless Service Facilities to the Plan Commission and schedule a public hearing in this regard for the December 10, 2013 regular Village Board meeting immediately following "Persons desiring to be heard"
- k. Approve Payment of the Bills in the amount of \$301,734.89 for the period October 1, 2013 through October 31, 2013 per the report submitted by the Village Manager

President West announced that there was a typographical error in item 4.d. of the October 31, 2013 minutes and asked for unanimous consent to amend the draft minutes in line 22 to change the word "Fun" to "Fund". Without objection, the minutes were amended.

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Trustee Dengel requested the removal of items 4.h. – Municipal Services Mutual Aid Agreement and 4.i. – Law Enforcement Mutual Aid Agreement.

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

President West asked for unanimous consent to suspend the rules to take up items 4.h. and 4.i. together. Without objection, the rules were suspended.

Approve the Municipal Services Mutual Aid Agreement and authorize the Village President and Village Clerk to sign the agreement and Approve the Law Enforcement Mutual Aid Agreement and authorize the Village President and Village Clerk to sign the agreement

On motion of Trustee Fonstad, seconded by Trustee Warner, and carried unanimously, the Board approved the Municipal Services Mutual Aid Agreement and authorized the Village President and Village Clerk to sign the agreement.

On motion of Trustee Dengel, seconded by Trustee Bell, and carried unanimously, the Board approved the Law Enforcement Mutual Aid Agreement and authorized the Village President and Village Clerk to sign the agreement.

Resolution of Appreciation and Condolence for Edward Le Vine

On motion of Trustee Fonstad, seconded by Trustee Bell, and carried unanimously, the Board adopted the Resolution of Appreciation and Condolence for Edward Le Vine.

Presentation and Possible Action Regarding the North Shore Fire Department Funding Formula

President West presented the proposed North Shore Fire Department Funding Formula.

Discussion and Possible Action Regarding Obtaining an Estimate for the Bridge Lane Ravine Footbridge

Mr. Bob Cory, 7740 N Santa Monica Boulevard, stated that the fundraising was a joke and was supposed to have been completed by January 31st. He asked the Board to consider putting the project to sleep and focusing on other Village infrastructure.

Ms. Barbara Schwartz, 7239 N Barnett Lane, Footbridge Friends President, stated that the Friends group needed a solid dollar amount for the cost of the bridge. She stated that the Friends had raised about \$412,000 and had an aggressive campaign planned for the end of the year. She indicated that a solid number would be influential with potential givers.

Mr. Larry Booth, 220 E Clovernook Lane, stated that the Village had already spend \$142,000 on consultants and asked why another consultant would be needed. He indicated that he would be happy to see the bridge built if the total cost was \$1.2 million and there was a 50/50 split with the Friends group. He stated that he was not against the bridge but rather against the spending above \$1.2 million.

Ms. Schwartz stated that the estimated bridge costs were surprising to her and it appeared that the Friends group was being asked to raise more than 50%.

Mr. Terry McGauran, 308 E Willow Road, Footbridge Friends member, stated that it was hard to raise funds in an atmosphere with so much misinformation and that in order to proceed, they needed to be confident that the number being presented was a reasonable amount.

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President West asked for unanimous consent to lay the matter over to the next regular Village Board meeting. Without objection, the matter was laid over.

Schedule Special Village Board Meeting

President West asked for unanimous consent to schedule a Special Village Board meeting for review and discussion of the proposed 2014 - 2023 Capital Improvement Program and 2014 Village Budget for November 18, 2013 at 6:30 p.m. Without objection, the meeting was scheduled.

Future Agenda Items - None

Announcements

President West announced that he had asked the Village Attorney to work with the Police Chief to investigate the Village's authority to regulate reflective clothing/devices on Village streets after dark. He also announced that Ms. Laura Gramling Perez, a candidate for Judge, was in the audience and encouraged the Trustees to meet her.

Trustee Warner announced that he would not be running for re-election in 2014.

Adjourn

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

Respectfully submitted,

Tanya O'Malley, WCMC
Village Clerk