

**NOTICE OF MEETING
VILLAGE OF FOX POINT
VILLAGE BOARD MEETING**

**SCHWEMER HALL – MUNICIPAL BUILDING
7200 N. SANTA MONICA BLVD
FOX POINT, WI 53217**

**TUESDAY
NOVEMBER 13, 2012
7:00 P.M.**

AGENDA

1. Roll Call

2. Persons desiring to be heard

At this time, individuals can address the Village Board on any topic not on the agenda for a five-minute time period per person, with time extensions per the Village President's discretion. No action will be taken aside from the possible referral to committees and/or individuals.

3. Committee Reports

a. Plan Commission

1. Conditional Use Permit: Vita Fitness & Physical Therapy, LLC, d/b/a Integra Physical Therapy & Personal Training, 8677 N Port Washington Road, RiverPoint Village (Change in Ownership & Name)

The Board will receive a report and may discuss the recommendation of the Plan Commission made at its November 5, 2012 meeting regarding the conditional use permit application of Integra Physical Therapy & Personal Training.

2. Conditional Use Permit: Andare Sports, LLC, 8757 N Port Washington Road, RiverPoint Village (Change in Ownership & Name)

The Board will receive a report and may discuss the recommendation of the Plan Commission made at its November 5, 2012 meeting regarding the conditional use permit application of Andare Sports, LLC.

b. Ethics Board

1. Ethics Board Rules of Procedure

The Board will discuss and may act on the recommendation of the Ethics Board made at its October 30, 2012 meeting regarding the Ethics Board Rules of Procedure.

2. Ordinance to Amend Section 2.18(J) of the Village of Fox Point Village Code Related to Jurisdiction of the Ethics Board

The Board will discuss and may act on the recommendation of the Ethics Board made at its October 30, 2012 meeting regarding the Ordinance to Amend Section 2.18(J) of the Village of Fox Point Village Code Related to Jurisdiction of the Ethics Board.

4. **Consent Agenda** – All items listed under the Consent Agenda will be approved in one motion without discussion unless any Board member requests that the item be removed for individual discussion and possible action. Any item(s) so removed shall be considered individually prior to consideration of any New Business agenda items in the same order in which they were originally listed in the Consent Agenda.
- a. Approve the Minutes of the October 4, 2012 Special Village Board meeting as drafted October 8, 2012
 - b. Approve the Minutes of the October 9, 2012 Regular Village Board meeting as drafted October 17, 2012
 - c. Approve the Minutes of the October 15, 2012 Special Village Board meeting as drafted October 17, 2012
 - d. Approve the Minutes of the November 7, 2012 Special Village Board meeting as drafted November 9, 2012
 - e. Grant a Conditional Use Permit to Vita Fitness & Physical Therapy, LLC, d/b/a Integra Physical Therapy & Personal Training, 8677 N Port Washington Road, RiverPoint Village and authorize the Village President and Village Clerk to sign the Conditional Use Order
 - f. Grant a Conditional Use Permit to Andare Sports, LLC, 8757 N Port Washington Road, RiverPoint Village and authorize the Village President and Village Clerk to sign the Conditional Use Order
 - g. Refer proposed improvements as described in the November 5, 2012 memorandum from the Director of Public Works, at Fox Point Village Hall, 7200 N Santa Monica Boulevard to a Joint Plan Commission/Building Board Meeting and schedule a public hearing in this regard for the December 11, 2012 regular Village Board meeting immediately following “Persons desiring to be heard”
 - h. Accept Change Order No. 2 from Kapur & Associates in the amount of \$7,920 with funding to come from the Sanitary Sewer Fund unappropriated fund balance to perform additional services and incorporate additional data into the 2011 Infiltration and Inflow Report and authorize the Village President and Village Clerk to sign the change order on behalf of the Village per the Director of Public Works’ memorandum dated November 5, 2012
 - i. Accept Change Order No. 1 from Visu-Sewer, Inc. in the amount of \$4,295 with funding to come from savings in the Sanitary Sewer Fund to perform additional work related to the 2012 Sanitary Sewer Rehabilitation Project and authorize the Village President and Village Clerk to sign the change order on behalf of the Village per the Director of Public Works’ memorandum dated November 5, 2012.
 - j. Approve Payment of the Bills in the amount of \$1,085,661.55 for the period October 1, 2012 through October 31, 2012 per the report submitted by the Village Manager.

4. **New Business**

a. **Request for Use of Village Streets and Waiver of Associated Fees for the 5k Run/Walk in Support of Audrey Parrott**

The Board will discuss and may act on the request to use Village Streets and a waiver of fees as set by Section 40.06(1) for the 5k Run/Walk in Support of Audrey Parrott on Sunday, November 18, 2012.

b. **Request from Nicolet High School – Fee Waiver of Use of Longacre Pavilion**

The Board will discuss and may act on the request from Nicolet High School for a waiver of fees as set by Section 40.06(23) of the Village Code for use of the Longacre Pavilion.

c. **Discussion and Possible Action Regarding Asset Development Group Delinquent Tax**

The Board will receive a report from Village Staff regarding a letter and proposed payment received from Mr. James McKeivitt dated October 19, 2012, concerning delinquent personal property taxes. The Board may take any action deemed appropriate.

d. **Acceptance of Proposal for 2012-2014 Village Audit**

The Board will discuss and may act on a recommendation of the Village Treasurer to accept the proposal of Baker Tilly Virchow Krause, LLP to conduct the 2012-2014 Village Audits and authorize the Village President and Village Clerk to sign the engagement letter per the Village Treasurer's memorandum dated October 3, 2012.

e. **Future Agenda Items**

The Village Board will act on any Trustee requests to place additional matters on an upcoming agenda, without discussion.

5. **Announcements**

The following individuals will be given the opportunity to make announcements at the meeting in regard to (i) actions taken since the previous Village Board meeting on behalf of the Village, (ii) future Village activities and (iii) communications received from citizens. These matters will not be discussed or acted on, and Board members shall not comment on matters announced by others. Referrals may be made to committees and/or individuals.

- a. Village President West
- b. Trustee Warner
- c. Trustee Fonstad
- d. Trustee Bell
- e. Trustee Dengel
- f. Trustee Frazer
- g. Trustee Symchych
- h. Village Manager Robertson

6. Closed Session

It is anticipated that the Village Board will convene into closed session for the following reasons:

- a. Pursuant to State Statutes 19.85(1)(g) to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically concerning pending litigation against the Village brought by John Washburn. Participating in this portion of the closed session will be the Village Manager, Village Attorney, Village Clerk and Village Board.
- b. Pursuant to Wisconsin Statutes Section 19.85(1)(g) to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically concerning possible litigation to recover delinquent personal property taxes from Asset Development Group. Participating in this portion of the closed session will be the Village Manager, Village Attorney, Village Clerk and Village Board.

7. Reconvene and Possible Action on Closed Session Items

The Village Board will convene into open session and may take action on the above described matters which were considered in closed session.

8. Adjourn

NEXT REGULAR VILLAGE BOARD MEETING:

December 11, 2012

7:00 P.M.