

**VILLAGE OF FOX POINT  
VILLAGE BOARD MEETING MINUTES  
AUGUST 8, 2023**

A meeting and public hearing of the Fox Point Village Board was held by a combination of in-person and virtual attendance via telephonic and video conferencing on Tuesday, August 8, 2023 in Schwemer Hall, 7200 N. Santa Monica Boulevard. President Symchych called the meeting to order at 7:00 p.m. and asked the Village Clerk Treasurer to take roll call. Roll Call of the Village Board present included:

Village President Christine Symchych  
Trustee Eric Fonstad, Acting Chair  
Trustee Liz Sumner  
Trustee Greg Ollman  
Trustee Catie Anderson  
Trustee Liz Aelion  
Trustee Jennie Stoltz

Also, present were Village Attorney Eric Larson, Village Manager Scott Botcher, Public Works Director Scott Brandmeier, Public Works Superintendent Mike Krueger, Assistant Village Manager Kevin Ausman and Village Clerk Treasurer Kelly Meyer

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 board at 7200 N Santa Monica Boulevard, as well as the village website at [www.villageoffoxpoint.com](http://www.villageoffoxpoint.com), as per 2015 Wisconsin Act 79 and as described in Village Ordinance Chapter 116-2, 116-2(C).

**PERSONS DESIRING TO BE HEARD**

Hearing no comments, President Symchych closed public comment.

**COMMITTEE REPORTS-PLAN COMMISSION**

Trustee Fonstad gave the report of the Plan Commission meeting Monday, August 7, 2023. A Conditional Use Permit for a change of ownership to Premier Wisconsin LLC, doing business as Nurturing Nook, 8647 North Port Washington Road. A representative of the applicant was available for questioning by the members of the Plan Commission. Staff confirmed they had no issues with the change in ownership. Based on that, the Plan Commission recommended to the Village Board that the Board approve the revised Conditional Use Permit.

**CONSENT AGENDA**

- a. Approve the minutes of the July 11, 2023 Village Board and Public Hearing meeting.
- b. Approve payment of the bills in the amount of \$1,327,337.86 for the period July 1, 2023 through July 31, 2023 per the report submitted by the Village Manager.

*Motion by President Symchych, seconded by Trustee Ollman, and carried by roll call vote (7-0), to approve the consent agenda, as presented.*

**REFERRAL OF AN ORDINANCE REPEALING AND RECREATING SECTION 742-20 (B) REGARDING THE PROCESS AND BUILDING BOARD PARTICIPATION CONCERNING GRANTING OF PERMITS IN THE F-INSTITUTIONAL DISTRICT.**

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Assistant Village Manager Kevin Ausman gave a brief synopsis of the ordinance.

Village Attorney Eric Larson briefly clarified the four conditions the Plan Commission makes a recommendation on, under the ordinance:

- (1) Appropriateness in the location proposed
- (2) Compatible with the neighborhood
- (3) Not detrimental to the property value of the surrounding properties
- (4) Keeping with residential character and quality of the village

Village Attorney Eric Larson further clarified the two changes. The first change would be that the Building Board would no longer have to be involved the meeting. The second change is to the process currently requiring that it begin at the Village Board and be referred to a Joint Plan Commission and Building Board meeting. Both of those steps are being modified in this ordinance. This would allow for an F-Institutional District application start directly at the Plan Commission. The Plan Commission alone would make the record.

Larry Booth, 220 E Clovernook Lane

Mr. Booth noted his concerns with the changes to the current code in eliminating the Building Board's technical engineering and architectural expertise (lighting, grading, groundwater runoff, and noise abatement) from the process.

Village Attorney Eric Larson stated the approval tonight is for a provision under the code. The building code aspect still applies and is required. It doesn't negate anything else. It will still have to go to the Building Board process. This proposal allows the Building Board to be involved only once and not twice.

*Motion by Trustee Fonstad, seconded by President Symchych, to refer agenda item 6a, the Ordinance Repealing and Recreating Section 742-20 (B) regarding the process and Building Board participation concerning granting of permits in the F-Institutional District to Plan Commission for review and recommendation to the Village Board.*

Discussion followed.

*President Symchych called the question. Roll call vote followed:*

<i>Trustee Fonstad</i>	<i>Aye</i>
<i>Trustee Sumner</i>	<i>Aye</i>
<i>Trustee Ollman</i>	<i>Aye</i>
<i>Trustee Anderson</i>	<i>Aye</i>
<i>Trustee Aelion</i>	<i>Aye</i>
<i>Trustee Stoltz</i>	<i>Aye</i>
<i>President Symchych</i>	<i>Aye</i>

*Motion carried by roll call vote, 7-0.*

**CONSIDERATION OF AN ORDINANCE TO CREATE ARTICLE III OF CHAPTER 417 TO REGULATE MOBILE FOOD VENDORS OF THE VILLAGE OF FOX POINT MUNICIPAL CODE**

Village Manager Scott Botcher and Village Attorney Eric Larson gave background on the creation of Article III of Chapter 417 to regulate mobile food vendors.

The Village Board had a lengthy discussion regarding the consideration of regulation of mobile food vendors.

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Mary Beth Mills 1811 E Dean Road

Mrs. Mills agreed with Trustee Sumner for the ease of short-term vendors, to allow a reasonable fee.

*Without objection and by unanimous consent, President Symchych requested this be carried over to whenever the Village Manager and Village Attorney feel this is appropriate to bring back to the Village Board.*

**PRESENTATION BY SOUTHEASTERN WISCONSIN STORMWATER TRUST**

Sweetwater and Partners with Southeastern Wisconsin Stormwater Trust Representative Erin Povak gave a presentation for National Stormwater Week, on actions that residents and businesses can take to decrease runoff and decrease pollution. Handouts were distributed - Exhibit A (Tips to Keep Your Water Clean) and Exhibit B (Effects of Stormwater).

No action was taken.

**CONSIDERATION OF LAKE DRIVE WATERMAIN AND STORM WATER MANAGEMENT IMPROVEMENTS**

Director of Public Works Scott Brandmeier gave a brief presentation regarding the stormwater management improvements from Dean Road to Fox Lane (Task 2), Club Circle to Lilac Lane (Task 4), Bell Road Intersection (Task 6), Holly Court (Task 7), Calumet to Portage (Task 5), Daphne to Acacia (Task 10), Quarles Place to Links Circle (Task 3), Dean Road to Spooner Road (Task 1), Daphne Road to School Road (Task 9) and Apple Tree Road (Task 8), including estimated costs.

*Motion by Trustee Ollman, seconded by Trustee Fonstad, and carried by roll call vote (7-0) to direct staff to bring forward to the Board, a contract for design work for the high and medium priority stormwater projects identified in the Director of Public Works memorandum dated August 3, 2023 on page 48 of the Village Board packet.*

Director of Public Works Scott Brandmeier gave a brief presentation regarding the watermain management improvements as indicated on page 49 in the VB packet.

*Motion by Trustee Ollman, seconded by Trustee Fonstad, and carried by roll call vote (7-0) to direct staff to bring forward to the board a contract for design work for the water main improvements identified in the first five bullet points and the second alternate of the sixth bullet point in the Director of Public Works memorandum dated August 3, 2023 on page 49 of the Village Board packet.*

**CONSIDERATION OF REQUEST BY TRUSTEES STOLTZ AND AELION**

Trustee Stoltz and Trustee Aelion presented the Village Board with background information regarding the cost savings of curbside pickup for both garbage and recycling. Trustee Stoltz referenced a document she created of nearby municipalities regarding curbside pickup.

An extensive Board discussion took place.

Drew Carmichael, 6438 N Santa Monica Blvd.

Mr. Carmichael's concern is the tradeoff between service costs and efficiency for up-the-drive garbage and recycling in relation to village services, such as the pool.

*No action was taken.*

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**FUTURE AGENDA ITEMS – None**

**ANNOUNCEMENTS**

Village President Symchych announced this Friday at 5:00 pm, a reception will take place for previous President Frazer. It will be held at the pool area beer garden, weather permitting. Rain location will be at Longacre Pavilion.

Trustee Fonstad had no announcements.

Trustee Sumner announced the Doctor's Park Beer Garden opens tomorrow at 5:00 p.m. There is a Rock the Fox concert on August 16<sup>th</sup> from 6:00 to 8:30 p.m. Milwaukee County is holding a Safe Street Roadshow and the location will be at Friendship Circle August 18 at 1:00 p.m. This is an opportunity to engage and hear from residents and gather feedback from residents. This is the initial step in the planning process to host these roadshows. Feedback gathered from residents will help to understand how Milwaukee County municipalities and all roadway users are impacted by reckless driving, project goals and timelines.

Trustee Ollman had no announcements.

Trustee Anderson announced North Shore Library website has been updated (northshorelibrary.org). There is project progress related to the capital campaign on the North Shore Library website. There is an art fair at the North Shore Library on August 27<sup>th</sup>.

Trustee Aelion had no announcements.

Trustee Stoltz had no announcements.

Village Manager Scott Botcher announced Assistant Village Manager Kevin Ausman and the Pool Committee are working on the agenda for the first meeting. When the date has been picked, Assistant Village Manager Kevin Ausman will let the Board know. Secondly on the pool topic, tentatively the Pool Public Information Meeting is being scheduled for September 12<sup>th</sup> from 5:30 to 6:30 p.m. It will be in a Q&A format. It will be advertised. Third, Village Manager Scott Botcher was honored to be asked to a finance symposium at the University of Nebraska, Omaha via Zoom.

**CLOSED SESSION**

*Motion made by Trustee Sumner, seconded by Trustee Fonstad, to convene into closed session regarding agenda item 9, at 9:23 p.m., Pursuant to State Statutes Sections:*

- a.** *19.85(1)(g), to confer with legal counsel for the government who is rendering oral or written advice concerning strategy to be adopted by the governing body with respect to litigation in which the body is involved; more specifically regarding the Milwaukee County Circuit Court case entitled Bruckner v. Fox Point. Participating in the closed session will be the Village Board, Village Manager, Village Director of Public Works, Village Clerk, Village Attorney and Village litigation counsel.*

<i>Trustee Fonstad</i>	<i>Aye</i>
<i>Trustee Sumner</i>	<i>Aye</i>
<i>Trustee Ollman</i>	<i>Aye</i>
<i>Trustee Knight</i>	<i>Aye</i>
<i>Trustee Aelion</i>	<i>Aye</i>
<i>Trustee Stoltz</i>	<i>Aye</i>

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*President Symchych Aye*

*Carried by roll call vote (7-0).*

**RECONVENE INTO OPEN SESSION**

*Motion made by Trustee Fonstad, seconded by Trustee Anderson, and carried by roll call vote (7-0), to reconvene into open session at 9:48 p.m.*

No action was taken.

**ADJOURNMENT**

*Motion made by Trustee Ollman, second by Trustee Fonstad, and carried by roll call vote (7-0) to adjourn the Village Board meeting at 9:49 p.m.*

Respectfully submitted,



Kelly A. Meyer, WCMC/CMC/CMTW  
Village Clerk Treasurer