

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

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

**TUESDAY  
JULY 12, 2022  
7:00 P.M.**

**NOTE: THE VILLAGE BOARD WILL BE MEETING IN PERSON AT VILLAGE HALL, WITH A REMOTE ATTENDANCE OPTION, PER THE HYBRID MEETING PROCEDURES FURTHER DESCRIBED IN SECTION 19-32 D. OF THE VILLAGE CODE. THIS MEETING IS OPEN TO ALL CITIZENS IN PERSON AT VILLAGE HALL, OR THROUGH THE ZOOM PARTICIPANT INFORMATION SHOWN BELOW, SUBJECT TO THE FOLLOWING: NO ASSURANCE IS PROVIDED TO THOSE GOVERNING BODY MEMBERS AND CITIZENS INTENDING TO ATTEND REMOTELY THAT THE TECHNOLOGY WILL PERFORM SUFFICIENTLY TO ALLOW FOR THEIR PARTICIPATION AND THE MEETING WILL PROCEED REGARDLESS. PUBLIC OFFICIALS AND CITIZENS WISHING TO ENSURE THEY CAN PARTICIPATE ARE ENCOURAGED TO ATTEND IN PERSON. CITIZENS ARE ENCOURAGED TO SUBMIT ANY COMMENTS IN WRITING IN ADVANCE OF THE MEETING TO THE VILLAGE MANAGER AT [sbotcher@villageoffoxpoint.com](mailto:sbotcher@villageoffoxpoint.com).**

**Zoom Participant Information**

<https://us02web.zoom.us/j/85063393551>

Meeting ID: 850 6339 3551

Dial: (312) 626-6799

**AGENDA**

- 1. Roll Call**
- 2. Persons desiring to be heard**

*At this time, individuals can address the Village Board on one or more topics for up to three-minutes with time extensions at the Village President's discretion. Citizen comment when agenda items are called will be heard at the discretion of the chair, subject to the overall three-minute limit. In connection with non-agenda items, no action will be taken except for possible referrals to individuals or committees.*

- 3. Public Hearings**

- a. 2023 Community Development Block Grant (CDBG) program project list.**

The Village Board will hear comments and input regarding the 2023 Community Development Block Grant (CDBG) program project list.

- 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 June 14, 2022 Village Board meeting.**

- b. Approve payment of the bills in the amount of \$718,949.19 for the period June 1, 2022 through June 30, 2022 per the report submitted by the Village Manager.
- c. Authorize the submittal of a Community Development Block Grant application for the reimbursement of lease costs for the LX Club, a community based senior group pursuant to the Director of Public Works' memorandum dated July 6, 2022.
- d. Accept the bid of Compass Minerals America, Inc. in the amount of \$69.60 per ton for sodium chloride pursuant to the Director of Public Works' memorandum dated July 6, 2022.
- e. Approve Amendment No. 4 from MSA for additional investigative work of the sanitary manholes on Beach Drive pursuant to the Director of Public Works' memorandum dated July 7, 2022.
- f. Approve the quote of WSO Grading & Excavating in the amount of \$11,730 for drainage improvements on Boyd Way pursuant to the Director of Public Works' memorandum dated July 6, 2022.
- g. Approve the quote of WSO Grading & Excavating in the amount of \$9,100 for drainage improvements in the 1530 block of East Goodrich Lane pursuant to the Director of Public Works' memorandum dated July 6, 2022.

## **5. Unfinished Business**

- a. **Consideration and possible action on an agreement with Kapur & Associates for the design of water main improvements along Lake Drive.**

The Village Board will discuss and may act on an agreement from Kapur & Associates to perform the design activities of proposed water main improvements along Lake Drive.

## **6. New Business**

- a. **"Resolution Awarding the Sale of 2,410,000 General Obligation Promissory Notes, Series 2022A".**

Following Presentation by Managing Director & Branch Manager Bradley Viegut of Robert W. Baird, the Village will consider and may act on the "Resolution Awarding the Sale of \$2,410,000 General Obligation Promissory Notes".

- b. **Consideration of an agreement with Short Elliott Hendrickson Inc. (SEH) for design of watermain relocation related to the I-43/Port Washington Road project**

The Village Board may consider and may act on an agreement with Short Elliot Hendrickson Inc. (SEH) for the design of watermain relocation, related to the I-43/Port Washington Road project being conducted by the Wisconsin Department of Transportation (DOT), with Village costs to be reimbursed by DOT.

- c. **Consideration of agreements with the Wisconsin Department of Transportation (DOT) related to the DOT's I-43/Port Washington Road project**

The Village Board may consider and may act on certain documents the DOT has asked the Village to approve related to the DOT project on Port Washington Road in Glendale, including a “Conveyance of Rights in Land,” a “Temporary Construction Easement,” an “Audit Agreement for Payment for Lands or Interests in Lands Acquired from Public Utility,” and an “Agreement for Payment for Relocation or Replacement of Municipal Utility Facilities Located on Public Held Land Required by Freeway Construction.”

**d. Consideration of an Ordinance to Repeal and Recreate Chapter 724 Relating to Floodplain Zoning of the Municipal Code of the Village of Fox Point**

The Village Board may consider and may refer to the Plan Commission for report and recommendation, and may schedule a public hearing, concerning a recreated floodplain ordinance for the Village of Fox Point to incorporate the requirements of the Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA), including new Flood Insurance Rate Maps (FIRM's) as required by the DNR and FEMA.

**e. Consideration of an Ordinance to Repeal and Re-Create Chapter 285 Article III Relating to Stormwater Management Regulations of the Municipal Code of the Village of Fox Point**

The Village Board may consider and may refer to the Plan Commission for report and recommendation, and may schedule a public hearing, concerning an updated stormwater management ordinance for the Village of Fox Point.

**f. Consideration of an Ordinance to Repeal and Re-Create Chapter 285 Article IV Relating to Construction Site Erosion Control of the Municipal Code of the Village of Fox Point**

The Village Board may consider and may refer to the Plan Commission for report and recommendation, and may schedule a public hearing, concerning an updated construction site erosion control ordinance for the Village of Fox Point.

**g. Discussion and possible action Preliminary FEMA Flood Insurance Rate Maps for the Village of Fox Point**

The Village Board will receive a report from the Director of Public Works and may take action regarding Preliminary FEMA Flood Insurance Rate Maps issued for the Village of Fox Point.

**h. Pool Report**

The Village Board will hear a report from the Assistant Village Manager Kevin Ausman on an interim pool report.

**7. Future Agenda Items**

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

**8. 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 Frazer
- b. Trustee Fonstad
- c. Trustee Symchych
- d. Trustee Sumner
- e. Trustee Ollman
- f. Trustee Anderson Knight
- g. Trustee Aelion
- h. Village Manager Scott Botcher

## 9. Closed Session

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

- a. Pursuant to State Statutes Section 19.85(1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, more specifically, to consider the numerous agreements the Wisconsin DOT has asked the Village to enter, the legal obligations of the Village in this regard, and the terms of the agreements. The agreements relate to the DOT project on Port Washington Road in Glendale, and include a "Conveyance of Rights in Land," a "Temporary Construction Easement," an "Audit Agreement for Payment for Lands or Interests in Lands Acquired from Public Utility," and an "Agreement for Payment for Relocation or Replacement of Municipal Utility Facilities Located on Public Held Land Required by Freeway Construction." Participating in this portion of the closed session will be the Village Board, Village Manager, Village Public Works Director, Village Attorney and Village Clerk Treasurer.
- b. *\*Pursuant to State Statutes Sections 19.85(1)(g) to with legal counsel for the governmental body 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, specifically concerning Milwaukee County small claims case no. 2021 SC 11399, entitled Catherine F. Conway v. Douglas H. Frazer et al. Participating in this portion of the closed session will be the Village Board, Village Manager, Village Attorney Eric Larson and Village Clerk Treasurer and may include Attorney Luke Martell, Attorney Stan Riffle.*

## 10.Reconvene and Possible Action on Closed Session Items

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

## 11.Adjourn

**NEXT REGULAR VILLAGE BOARD MEETING:**

**AUGUST 9, 2022 7:00 P.M.**

PLEASE NOTE:

*Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. Also, upon reasonable notice, best efforts will be used to ensure that members of the public lacking access to the virtual meeting platform are provided alternative reasonable methods to attend. For additional information or to request these services, contact the Village Clerk at (414) 351-8900. "Persons requiring an interpreter or other assistance should contact the Village Clerk's office 72 hours prior to the meeting. Notice is hereby given that a majority any other board, commission or committee may be present at the meeting to gather information about a subject in which they are interested. This constitutes a meeting of any other board, commission or committee pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis. 2d 553, 494 2d 408 (1993), and must be noticed as such, although said boards, commissions or committees will not take any formal action at this meeting."*