

**VILLAGE OF FOX POINT
VILLAGE BOARD MEETING MINUTES
JULY 12, 2022**

A meeting of the Fox Point Village Board was held by a combination of in-person and virtual attendance via telephonic and video conferencing on Tuesday, July 12, 2022 in Schwemer Hall, 7200 N. Santa Monica Boulevard. President Frazer 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 Douglas H. Frazer
Trustee Eric Fonstad
Trustee Christine Symchych (via Zoom)
Trustee Liz Sumner (via Zoom)
Trustee Greg Ollman
Trustee Catie Anderson Knight
Trustee Liz Aelion

Also, present were Village Attorney Eric Larson, Village Manager Scott Botcher, Public Works Director Scott Brandmeier, Police Chief Chris Freedy, 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, as per 2015 Wisconsin Act 79 and as described in Village Ordinance Chapter 116-2, 116-2(C).

Persons desiring to be heard

President Frazer opened Persons desiring to be heard. President Frazer noted the procedures for public comment.

North Shore Library Director, Rhonda Gould

North Shore Library Director Rhonda Gould stated gave a brief introduction. Ms. Gould has 25 years' experience as a librarian and was the former executive director at Walla Walla County Rural Library District, Lakeshores Library System in Waterford and the public library in Burlington. She originally is from Wisconsin.

North Shore Library Board Chairman and River Hills Trustee Kurt Glaisner

North Shore Library Board Chairman Kurt Glaisner gave a brief update regarding the successes with the North Shore Library building and fundraising plans.

Without objection and hearing no other public comments, President Frazer closed the public comment period.

Public Hearing for the 2023 Community Development Block Grant (CDBG) program project list

Open Public Hearing

Motion by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (7-0), to open the public hearing for the 2023 Community Development Block Grant (CDGB) program project list at 7:06 p.m.

Public Comment

There are no public comments.

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Close Public Hearing

Motion by President Frazer, seconded by Trustee Sumner, and carried by roll call vote (7-0), to close the public hearing at 7:07 p.m. for the 2023 Community Development Block Grant (CDBG) program project list.

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.

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

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

Motion by Trustee Fonstad, seconded by Trustee Knight, to approve the contract with Kapur & Associates for design option A (Tasks 1, 2A, 3, 4, 5A, and 6-9) to procure the options for the tasks that the board may consider later.

Discussion ensued; President Frazer called the question.

Motion carried by roll call vote, 7-0.

Resolution Awarding the Sale of \$2,410,000 General Obligation Promissory Notes, Series 2022A”.

Robert W. Baird Managing Director and Branch Manager Brad Viegut gave a brief synopsis of the bids and sale of \$2,410,000 General Obligation Promissory Notes, Series 2022A, due to Moody's Aaa rating given to the village for a consecutive third year.

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Motion by President Frazer, seconded by Trustee Fonstad, to adopt the resolution circulated today, based on the market results “Awarding the Sale of \$2,410,000 General Obligation Promissory Notes, Series 2022A”.

Trustee Fonstad	Aye
Trustee Symchych	Aye
Trustee Sumner	Aye
Trustee Ollman	Aye
Trustee Knight	Aye
Trustee Aelion	Aye
President Frazer	Aye

Motion carries by roll call vote (7-0).

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

Motion by President Frazer, seconded by Trustee Fonstad, and carried by roll call vote (7-0), to accept the agreement with Short Elliott Hendrickson Inc. (SEH) for design of watermain relocation related to the I-43/Port Washington Road project, as set forth in the agenda packet on pages 69-86, subject to final review and approval of the village attorney and senior village staff.

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

Motion by Trustee Fonstad, seconded by President Frazer, and carried by roll call vote (7-0), approve entering into the agreement with the Wisconsin Department of Transportation (DOT) related to the DOT’s I-43/Port Washington Road project, as set forth in the agenda packet on pages 87 to 98, conditioned upon the DOT compensating the village for the “Temporary Construction Easement” at a level satisfactory to staff and subject to the village attorney’s approval of the final form of the agreement and additional DOT exhibits.

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

Without objection and by unanimous consent, the Board took no action.

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

Motion by Trustee Fonstad, seconded by Trustee Knight, and carried by roll call vote (7-0), to refer the Ordinance to Repeal and Re-Create Chapter 285 Article III Relating to Stormwater Management Regulations of the Municipal Code, to the Plan Commission and schedule a public hearing for the September regularly scheduled meeting of the Board.

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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

Motion by President Frazer, seconded by Trustee Knight, and carried by roll call vote (7-0), to refer Ordinance to Repeal and Re-Create Chapter 285 Article IV Relating to Construction Site Erosion Control to the Plan Commission for report and recommendation back to the September village board and to schedule a public hearing for the September meeting.

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

Kent Newbury, 8527 N Point Drive

Mr. Newman had concerns regarding the new proposed FEMA flood maps and his home value, due to his home now being placed in the new flood zone. He asked the board to consider questions for FEMA on the determination and establishment of the flood zone map.

Lawrence Tarnoff, 8501 N Point Drive

Mr. Tarnoff had concerns regarding the new FEMA flood insurance rate maps. According to the new map, the area is worse even after the village, DNR and MMSD spent a lot of money to alleviate flooding near Indian Creek.

Motion by Trustee Fonstad, seconded by President Frazer, and carried by roll call vote (7-0), to authorize staff to spend up to \$15,000 for consulting services to address the issues raised why these preliminary FEMA flood insurance rate maps were established and authorize the village manager to sign the contract.

Pool Report

Assistant Village Manager Kevin Ausman gave a report regarding the highlights of the Village of Fox Point municipal pool including the addition of the New Barons Brewing Cooperative beer garden, Pete's Pops, and partnering with Wisconsin Athletic Club to offer free programming for residents and pool members.

Given its age, maintenance continues to be the most challenging aspect of pool operations.

Future Agenda Items – None

Announcements

Village President Frazer commended the Fox Point foundation and staff for putting on a great 4th of July parade.

Trustee Fonstad reported on the Tree commission meeting last Thursday, the Indian Creek Woods Project, No Mow May and the treatment of Fox Point ash trees. Trustee Fonstad also stated Judy Shirley retired as of Thursday July 7, 2022 from the Tree Commission; she has been a very active, significant, and valuable member of the Tree Commission for many years. She will be missed.

Trustee Symchych had no announcements.

Trustee Sumner announced Rock the Fox Concert on Wednesday, July 20, 2022 at 6:00 p.m. until 8:30 p.m. at the Longacre Pavilion. Also, the first day of the traveling garden at Doctors Park will be July 27 at 5:00 p.m.

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Trustee Ollman had no announcements.

Trustee Anderson Knight had no announcements.

Trustee Aelion had no announcements.

Village Manager Scott Botcher is honored to address the Wisconsin Municipal Clerks Association (WMCA) and teach two courses on finance and budgeting in August at the Chula Vista in the Wisconsin Dells. Second, Captain Doug Dubnicka is an instructor at WCTC in Pewaukee where police training is held; Dubnicka teaches a lot of courses, including active shooter training. We will be meeting to come up with an active shooter training curriculum for staff.

President Frazer called a short 3-minute recess from 9:03 p.m. until 9:06 p.m.

Closed Session

President Frazer noted there is no reason for the Board to move into closed session for agenda item 9a; closed session will include item 9b.

Motion made by President Frazer, seconded by Trustee Fonstad, to convene into closed session regarding 9b, at 9:07 p.m., Pursuant to State Statutes Sections:

- 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.*

Trustee Fonstad	Aye
Trustee Symchych	Aye
Trustee Sumner	Aye
Trustee Ollman	Aye
Trustee Knight	Aye
Trustee Aelion	Aye
President Frazer	Aye

Carried by roll call vote (7-0).

President Frazer noted the Board will pause for 30 seconds to allow those not participating in the closed session to be escorted to the waiting room.

Reconvene into Open Session

Motion made by President Frazer, seconded by Trustee Ollman, and carried by roll call vote (7-0), to reconvene into open session at 9:31 p.m.

President Frazer announced there was no action on agenda items 9b.

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Adjourn

Motion made by President Frazer, seconded by Trustee Ollman, and carried by roll call vote (7-0), to adjourn the Village Board meeting at 9:32 p.m.

Respectfully submitted,



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