

**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 8, 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.

Zoom Participant Information

<https://us02web.zoom.us/j/82083119155>

Meeting ID: 820 8311 9155

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. Committee Reports**

- a. Plan Commission**

1. Plan Commission's review and recommendation regarding Crown Castle's application for a minor modification to the Existing Wireless facility at 8615 N Port Washington Road.

- 4. Public Hearings***

***NOTICE:** After the Village Board set the following two public hearings Village staff have requested to delay consideration of the matters. The Village Board has not received a Plan Commission recommendation concerning either code revision at this time. Village staff therefore believe it is

likely that the Village Board will adjourn the public hearings to a later date and time certain, which may be the regular Village Board meeting of December 13, 2022, beginning at 7:00 p.m.

a. *(See the NOTICE, above) 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 will hear comments and input regarding the 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.

b. *(See the NOTICE, above) 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 will hear comments and input regarding the 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.

5. 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 10, 2022 Special Village Board meeting.
- b. Approve the minutes of the October 11, 2022 Village Board meeting.
- c. Approve the minutes of the October 25, 2022 Village Board Budget Workshop.
- d. Approve Change Order No. 1 with Wachtel Tree Science for additional forestry services in an amount not to exceed \$8,000 and authorize the Village President and Village Clerk/Treasurer to sign the change order pursuant to the Director of Public Works' memorandum dated November 1, 2022.
- e. Approval of Plan Commission recommendation regarding Crown Castle's application for a minor modification to the Existing Wireless facility at 8615 N Port Washington Road.
- f. Referral of matter concerning Chapter 745-7(3)(h) regarding height of arbors to Plan Commission for review and recommendation.
- g. Approval of Ordinance modifying Chapter 842-3 concerning pool fencing requirements as recommended by the Building Inspector.
- h. Approve payment of the bills in the amount of \$748,550.94 for the period October 1, 2022 through October 31, 2022 per the report submitted by the Village Manager.

6. New Business

a. Aquatic Recreation Facilities Discussion and Possible Action

The Village Board will discuss aquatic recreation in the Village and may take such action as the Village Board deems appropriate, which may include final decision-making or establishing a

process for decision-making, concerning the existing municipal swimming pool, repairs, replacement, abandonment, or alternative facilities.

- b. The Village Board will discuss and may approve Amendment No. 1 with Ruekert Mielke in an amount not to exceed \$27,500 to undertake a Letter of Map Revision (LOMR) in order to appeal the 100-year floodplain delineation made by the Department of Natural Resources and authorize the Village President and Village Clerk/Treasurer to sign the change order pursuant to the Director of Public Works' memorandum dated November 1, 2022.

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:

Pursuant to Wisconsin Statutes Section 19.85(1)(g) conferring 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, to discuss Catherine Conway v Douglas Frazer, et al. Attendees will include the Village Board, Village Manager, Assistant Village Manager, and Village Attorney.

10. Adjournment

NEXT REGULAR VILLAGE BOARD MEETING: DECEMBER 13, 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."