

**VILLAGE OF FOX POINT
VILLAGE BOARD MEETING MINUTES
DECEMBER 13, 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, December 13, 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 Manager to take roll call. Roll Call of the Village Board present included:

Village President Douglas H. Frazer
Trustee Eric Fonstad
Trustee Christine Symchych
Trustee Liz Sumner
Trustee Greg Ollman
Trustee Catie Anderson Knight
Trustee Liz Aelion

Also, present were Village Attorney Eric Larson (via Zoom), Village Manager Scott Botcher, Public Works Director Scott Brandmeier, Assistant Village Manager Kevin Ausman (via Zoom), 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

Joan McDonagh 7425 N Beach Ct-Mary Nohl proposal does not meet the zoning ordinance required "four standards" and is opposed

Bill Hudson 7419 N Lombardy-Does not support moving pool

Michael Tarney 7308 N Beach Drive-Opposed to Nohl plan

Douglas Gregor 7275 N Beach Drive- Opposed to Nohl. Property tax given up could go to other purposes.

Kathe Lake 7471 N Beach-Opposed to plan. Concerned Kohler could keep buying properties

Nathan Bernstein 7425 N Lombardy-stated the pool is an amenity. People in Fox Point bought into a certain lifestyle

Dr. Marnie Pearsall 8044 N Santa Monica-opposed to both the Nohl proposal and moving the pool.

Paul Keyser 8300 N Links Way-Current pool is serviceable and we should keep going

Mickey Mayer 7433 N Beach Court-need for quiet enjoyment; opposed to Cultural Overlay

Laurie Kabins 7615 N Beach Drive-Opposed to Nohl proposal. Traffic safety on hill is concern

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COMMITTEE REPORTS –None

PUBLIC HEARINGS

Motion by Frazer, seconded by Fonstad, and carried by roll call vote (7-0), to cancel the public hearings regarding the Ordinance to Repeal and Re-create Chapter 285 Article III Relating to Stormwater Management Regulations of the Municipal Code and the Ordinance to Repeal and Re-Creat Chapter 285 Article IV Relating to Construction Site Erosion Control of the Municipal Code until the WDNR has finalized the flood zone maps.

CONSENT AGENDA

- a. Approve the minutes of the November 8, 2022 Village Board meeting.
- b. Approve the minutes of the November 21, 2022 Budget Public Hearing.
- c. Approval of President's appointment of Lucille Sells to the Building Board for a term ending in 2024.
- d. Accept the bid of Mid-City Corporation in the amount of \$222,067.50 for the Port Washington Road water main relocation and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 7, 2022.
- e. Accept the proposal of Wachtel Tree Science in an amount not to exceed \$45,630 for the 2023 Forestry Services and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 6, 2022.
- f. Accept the proposal of Wachtel Tree Science in an amount not to exceed \$15,000 for the administration of the 2023 Emerald Ash Borer initiative and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 6, 2022.
- g. Accept the proposal of Ruekert and Mielke in an amount not to exceed \$41,240 for the performance of continuing work within the GIS database for activities performed throughout the year and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 6, 2022.
- h. Accept the proposal of Kapur & Associates in an amount not to exceed \$22,909 to design the rehabilitation of sanitary sewers in Bason Nos. 2, 4, and 6 authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 6, 2022.
- i. Accept the proposal of Kapur & Associates in an amount not to exceed \$28,910 for the inspection and design of 145 sanitary manholes in Basin No. 4 and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 6, 2022.
- j. Accept the proposal of Kapur & Associates in an amount not to exceed \$23,750 for the televising of approximately 20,000 linear feet of sanitary sewers and authorize the Village President and Village Clerk/Treasurer to sign the contract per the Director of Public Works' memorandum dated December 6, 2022.

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- k. Accept the proposal of Marek Landscaping in the amount of \$12,516.00 for control of invasive species, native planting and monitoring for Indian Creek and authorize the Village President and Village Clerk/Treasurer to sign the proposal pursuant to the Director of Public Works' memorandum dated December 6, 2022.
- l. Approval of Resolution Adopting Amended Rubbish Special Pickup Fees for the Village of Fox Point.
- m. Approval of Resolution to Adopt Amended Stormwater Fees for the Village of Fox Point
- n. Approval of Resolution to Adopt Amended Sewer Fees for the Village of Fox Point
- o. Approval of Resolution to Adopt Amended Mailbox Post Fees for the Village of Fox Point
- p. Authorize Village Manager to sign Flock Camera purchase order pursuant to Chiefs memo dated December 5, 2022.
- q. Approve and Adopt Resolution Determining Certain Funds as Unassigned and Moving to General Fund Balance.
- r. Approve payment of the bills in the amount of \$645,420.61 for the period November 1, 2022 through November 30, 2022 per the report submitted by the Village Manager.
- s. Adopt Resolution confirming Obligation to Contribute to North Shore Fire Department's Budget to Pay Debt Service on Bonds Issued by the City of Glendale on Behalf of the North Shore Fire Department.
- t. Adopt Resolution approving a "Single or Multi-Year Capital" Budget for Glendale Station 82 Project.

Trustee Aelion requested the removal of agenda item 5d.

Motion by President Frazer, seconded by Fonstad and carried by roll call vote (7-0), to approve the consent agenda, absent items 5d.

UNFINISHED BUSINESS

Aquatic Recreation Facilities Discussion and Possible Action

Citizens Comments

Louise Petering 7229 N Santa Monica-Opposed to moving the pool. Some who want to are not listening to the citizens

Douglas Gregor 7275 N Beach Drive-Money given up for pool could be used for pool.

Ken Friedman 8001 N Links Way-enjoys pool. Longacre neighborhood did not expect pool; Santa Monica residents did

Hope Oliva 7426 N Crossway-opposed Longacre for pool. Does not want to listen to kids; wants small community pool.

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Terese Gripentrog 8145 N Navajo-supports pools in community. Supports pool but not private funding component

Sandy Hurley 7334 N Longacre-Opposes pool at Longacre. Noise traffic and safety concerns

David Petering 7229 N Santa Monica-submitted written comments

Dan Knopp 7510 N Fairchild-avid swimmer loves fundraising, probably wouldn't contribute with only 4 lane pool.

David Miller 7401 N Crossway-Supports pool but only at Santa Monica location

No action was taken. Staff will report back in February or March with updated cost estimates and report on a massing analysis of Village owned property along Santa Monica.

Resolution of Appreciation - Farmers Market Founders Mary and James LaCharite

Motion by Sumner, seconded by Fonstad and carried by roll call vote (7-0), to adopt the Resolution of Appreciation to Farmers Market Founders Mary and James LaCharite, as set forth on page 92.

NEW BUSINESS

Consent Agenda Item 5d.

Motion by Frazer, seconded by Ollman, and carried by roll call vote (7-0), to

Approval of revised North Shore Health Department agreement

Motion by Frazer, seconded by Symchych, and carried by roll call vote (7-0), to approve the revised North Shore Health Department agreement, as set forth on pages 93-110 of the agenda packet.

Accept the bid of Michels Foundations, a Division of Michels Corporation, for the Beach Drive Coastal Resiliency Project

Citizen Comments-

Kathe Lake 7471 N Beach Court-asked if a path was on northern and southern part of project.

Mike McDonagh 7425 N Beach Court- Opposes the path ; eliminating path would save \$100,000

Judy Hearst 8050 N Beach Dr-opposes public access on northern part of the project

Douglas Gregor 7275 N Beach Drive-opposed to path

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Doug Podzilni 7600 N Beach Drive-prefers staus quo in terms of path. Secure public works benefits. Riparian rights must be respected but must also must respect rights of those residents who do not live on Beach Drive.

Mark Levin 7415 N Beach Drive-current look is neighborhood when they bought home. Suports status quo in terms of path. Further, opposes Kohler proposal.

Terese Gripentrog 8145 N Navajo-In favor of path. It's a public coastline.

Mickey Meyer 7433 N Beach Court-Path is superfluous. Opposed.

Meg Kinney 7575 N Beach Drive-Path is unnccessary

Dan Knopp 7510 N Fairchild-Maintain access with status quo. Path would be superflous

Manmet Singh 8035 N Beach Drive-Opposed to path. Concerned with people parking on Beach Drive.

Tom Simeone 8045 N Beach Drive-opposed to path and access. No plan to manage traffic

Motion by Fonstad, seconded by Ollman, and carried by roll call vote (6-1, Frazer opposed), to accept the bid of Michels Foundations, a Division of Michels corporation, for the Beach Drive Coastal Resiliency Project, approving the alternate bid to remove the proposed gravel path along the shoreline which would result in a project cost of \$3,595,951.07, as set forth on pages 111-117 of the agenda packet.

Approve Amendment No. 5 from MSA for the Beach Drive Coastal Resiliency Project

Motion by Frazer, seconded by Fonstad, and carried by roll call vote (7-0) to award Amendment No. 5 to MSA in an amount not to exceed \$183,536.25 for construction administration and other tasks associated with the Beach Drive Coastal Resiliency Project, as set forth on pages 118-133 of the agenda packet, and contingent on the Costello's signing the charge back form so as to reimburse the Village for identified costs.

Discussion of Clear-Cutting ordinance

The Board had a discussion regarding the Clear-Cutting ordinance; no action was taken.

Approval of Resolution recognizing service of Officer Daniel Obremski

Motion by Frazer, seconded by Symchych, and carried by roll call vote (7-0) to Adopt the resolution recognizing service of Officer Daniel Obremski, as set forth on page 135 of the agenda packet.

Receipt and Referral to Plan Commission for public hearing on the application of Creation and Preservation Partners, Inc to create a Cultural Overlay District at 7254 and 7328 North Beach Drive (Mary Nohl House)

Motion by Frazer, seconded by Ollman, and carried by roll call vote (6-1, Fonstad opposed) to refer to Plan Commission and hold a public hearing regarding the application of Creation and Preservation Partners, Inc to create a Cultural Overlay District at 7254 and 7328 North Beach Drive (Mary Nohl House), as set forth on pages 136-169 of the agenda packet, with further instruction to Staff to poll the Village Board

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and Plan Commission seeking to hold a joint meeting (public hearing) in mid to late January so as to hear evidence together.

FUTURE AGENDA ITEMS - None

ANNOUNCEMENTS

Trustee Fonstad-No Announcements

Trustee Symchych-No Announcements

Trustee Sumner-No Announcements

Trustee Ollman-No Announcements

Trustee Anderson-No Announcements

Trustee Aelion-No Announcements

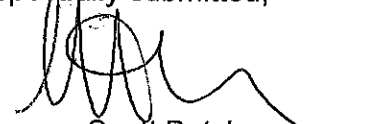
Village President Frazer-No Announcements

Village Manager Scott Botcher-No Announcements

ADJOURN

Motion made by President Frazer, second by Ollman, and carried by roll call vote (7-0) to adjourn the Village Board meeting at 10:25 p.m.

Respectfully submitted,



Scott Botcher
Village Manager