

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

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

**TUESDAY
MARCH 8, 2016
7:00 P.M.**

AGENDA

1. Roll Call

2. Persons desiring to be heard

At this time, individuals can address the Village Board on any topic not on the agenda for a five-minute time period per person, with time extensions per the Village President's discretion. No action will be taken aside from the possible referral to committees and/or individuals.

3. 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 February 9, 2016 Village Board Meeting as drafted January 29, 2016. [Pages 3-7]
- b. Accept the quote of First Choice Tree Care, Inc. in an amount not to exceed \$4,000 for ground injection activities and the quote of Crawford Tree and Landscape, Inc. in an amount not to exceed \$28,000 for trunk injection activities, both related to the Emerald Ash Borer initiative, and authorize the Village President and Village Clerk to sign the contracts per the Village Forester's memorandum dated February 18, 2016. [Pages 8-9]
- c. Accept Change Order No. 1 from Kapur & Associates in an amount not to exceed \$2,620 for additional private property lateral rehabilitation design activities and authorize the Village President and Village Clerk to sign the change order per the Director of Public Work's memorandum dated February 26, 2016. [Pages 10-12]
- d. Adoption of Resolution 2016-03, authorizing Waterstone Bank as a public depository for the Village of Fox Point. [Pages 13-15]
- e. Receipt and referral to Plan Commission for request of rezoning of property and consideration of pavilion reconstruction submitted for Milwaukee County by Teig Whalley-Smith Director Department of Administrative Services. [Pages 16-17]
- f. Receipt and referral to Plan Commission and Building Board for request of property in F-Institutional District for proposed installation of new metal roof and gutters submitted for St. Eugene Congregation by applicant Terrance O'Neill. [Pages 18-19]
- g. Acceptance for the replacement of squad car proposal from Ewald's Hartford for the squad replacement in the amount of \$28,781.00 and authorize the Village Manager to sign the purchase order. [Pages 20-21]
- h. Approve Payment of the Bills in the amount of \$759,135.73 for the period February 1, 2016 through February 29, 2016 per the report submitted by the Village Manager. [Pages 22-38]

4. Old Business

- a. The Village Board will continue its discussion regarding the potential Village of Fox Point pool study, as included in the 2016 Budget. [Pages 39-40]

5. New Business

- a. Consideration and potential approval of Ground Lease Agreement amendment with PI Telecom Infrastructure T, LLC. [Pages 41-43]

VILLAGE OF FOX POINT
VILLAGE BOARD PUBLIC HEARING AND MEETING
FEBRUARY 9, 2016

1 A meeting of the Fox Point Village Board was held on February 9, 2016 in Schwemer Hall, 7200
2 N. Santa Monica Blvd., beginning at 7:00 p.m. President West commented there is a quorum; all 7
3 trustees are present. Without objection roll call is suspended.

4
5 Members of the Village Board present included:

6
7 Village President Michael A. West
8 Trustee Eric Fonstad
9 Trustee Douglas H. Frazer
10 Trustee Terry McGauran
11 Trustee Marty Tirado
12 Trustee Liz Sumner
13 Trustee Christine Symchych
14

15 Also present were Village Manager Scott Botcher, Assistant Village Manager Mike Pedersen,
16 Director of Public Works Scott Brandmeier, Village Attorney Eric Larson and Village Clerk/Treasurer
17 Kelly Meyer.
18

19 Notice of the meeting was provided to the North Shore Now and to all others as required by
20 State open meetings laws and posted on the official bulletin board at 7200 N Santa Monica Boulevard,
21 as well as the village website at www.villageoffoxpoint.com, as per 2015 Wisconsin Act 79 and as
22 described in Village Ordinance Chapter 116-2, 116-2(C).
23

24 **Persons Desiring To Be Heard**

25
26 **Jan Singer, 8426 N Regent Road**

27 Ms. Singer noted her concerns on safeguarding Doctors Park in conjunction with Bayside given
28 the recent development with Milwaukee County Parks.
29

30 **Mary Lacharite, 8049 N Santa Monica Blvd.**

31 Ms. Lacharite stated her concerns on ADA issues in the village. In traveling around the country
32 and throughout the village, she has found a wide and incorrect interpretation as someone who depends
33 on ADA. She noted the possible noncompliance at two of the buildings in the village. The ADA plate to
34 open the door at the Village Hall is too high for a person in a wheelchair and the plate at the Longacre
35 Facility does not work well. She requested the issues be addressed at the Village Board level and
36 volunteered to go to each location and assist with correcting some of the issues.
37

38 President West asked Ms. Lacharite to work with Village Manager Scott Botcher to begin to fix
39 the noted concerns and noted Mr. Botcher can use her suggestions to build on correcting the issues.
40 President West noted, if capital expenditures needed be addressed, then it would be addressed at the
41 Village Board.
42

43 **Greg Olmann, 7525 N Fairchild Road**

44 Mr. Olmann commended the Fox Point Foundation and Village of Fox Point Public Works on the
45 2016 Winter Fest event.
46

47 Hearing no other matters, President West closed public comment.
48

49 **Committee Reports - Plan Commission Report**

50 **Land Division and Certified Survey Map for 6921 North Yates Road**
51
52
53

VILLAGE OF FOX POINT
VILLAGE BOARD PUBLIC HEARING AND MEETING
FEBRUARY 9, 2016

54 President West briefly described the recommendations from the Plan Commission which met on
55 the previous Monday, February 1, 2016. He reported on Plan Commission's three applications
56 considered.

57
58 President West reported on the land division with a Certified Survey Map at 6921 N Yates Road.
59 He reported this proposal creates two conforming lots. Recommendation by Plan Commission was
60 approval and acceptance of the CSM with the application submittal as final, siting the hardship
61 provision.

62
63 Hearing no public comments, President West closed public comment was closed on this
64 application.

65
66 On motion of Trustee Fonstad, seconded by Trustee McGauran, the Village Board approved the Land
67 Division and Preliminary Certified Survey Map for 6921 North Yates Road, pursuant to section 738-8 of
68 the village code to find that requiring a second submittal of a Certified Survey Map would be
69 unnecessary and undue hardship and therefore to waive the requirements of a second submittal and
70 allow this submittal to serve as the final Certified Survey Map. Motion passed 6-1, Nay-Trustee
71 Sumner.

72
73 **Land Combination and Certified Survey Map for 7505 North Beach Drive**

74
75 President West gave a brief background of the Land Combination and Preliminary Certified Survey Map
76 at 7505 North Beach Drive. This is the combination of two lots into one lot. Plan Commission
77 considered this application and is referring it to Village Board for approval including the waiver of a final
78 Certified Survey Map with the Preliminary Certified Survey Map accepted as final per the hardship
79 provision of the village code.

80
81 Hearing no public comments, President West closed public comment on this application.

82
83 On motion of Trustee Fonstad, seconded by Trustee McGauran and carried unanimously, the
84 Village Board approved the Land Combination and Certified Survey Map for 7505 North Beach Drive
85 738-8 of the village code to find that requiring a second submittal of a Certified Survey Map would be
86 unnecessary and undue hardship and therefore to waive the requirements of a second submittal and
87 allow this submittal to serve as the final Certified Survey Map.

88
89 **Conditional Use Permit for 8777 North Port Washington Road**

90
91 President West gave a brief background on the Conditional Use Permit for 8777 North Port
92 Washington Road, Land's End, operating a retail shop at that location and noting this was all interior
93 remodeling with no exterior renovation. This is a modification of the interior of the premise. This
94 application and draft conditional use order is referred to the Village Board for consideration on the
95 following consent agenda.

96
97 Hearing no questions or public comment, Village Board moved to the consent agenda.

98
99 **Consent Agenda**

100
101 President West opened public comment on consent agenda items; hearing none, Public
102 comment was closed on consent agenda items.

- 103
104 a. Approve the Minutes of the January 12, 2016 Village Board Meeting as drafted January
105 13, 2016.

106

VILLAGE OF FOX POINT
VILLAGE BOARD PUBLIC HEARING AND MEETING
FEBRUARY 9, 2016

- 107 b. Approve the Limited Term Conservation Easement granted to the Milwaukee
108 Metropolitan Sewerage District for the bioretention area that was constructed at the
109 Longacre South Park and authorize the Village President to execute the easement per
110 the Director of Public Works' memorandum dated January 28, 2016.
- 111
- 112 c. Accept the base bid of Musson Brothers, Inc. in the amount of \$305,676.50 for the
113 proposed storm water drainage improvements at the intersection of Dean Road and
114 Santa Monica Boulevard and authorize the Village President and Village Clerk to sign
115 the contract per the Director of Public Works' memorandum dated January 28, 2016.
- 116
- 117 f. Accept the proposal of Kapur & Associates in an amount not to exceed \$10,088 for
118 construction management and inspection services for the 2016 sanitary sewer
119 improvements to be performed in the area of Dean Road and Allen Lane and the storm
120 sewer improvement on Beach Drive and authorize the Village President and Village
121 Clerk to sign the contract per the Director of Public Works' memorandum dated February
122 3, 2016.
- 123
- 124 g. Accept the proposal of Marek Landscaping in the amount of \$9,291.48 for maintenance
125 activities along Indian Creek and authorize the Village President and Village Clerk to
126 sign the contract per the Director of Public Works' memorandum dated February 1,
127 2016.
- 128
- 129 h. Accept the proposal of Lenny's Pool Service, Inc. in an amount not to exceed \$17,000
130 for the replacement of the pool heater and associated plumbing, electrical and boiler
131 house modifications and authorize the Village Manager to execute the purchase orders
132 per the Assistant Director of Public Works' memorandum dated February 1, 2016.
- 133
- 134 i. Accept the proposal of Lenny's Pool Service, Inc. in an amount not to exceed \$10,000
135 for the replacement of the main pool pump and associated electrical and authorize the
136 Village Manager to execute the purchase orders per the Assistant Director of Public
137 Works' memorandum dated February 1, 2016.
- 138
- 139 j. Grant a Conditional Use Permit to Land's End, 8777 North Port Washington Road,
140 RiverPoint Village and authorize the Village President and Village Clerk/Treasurer to
141 sign the Conditional Use Order.
- 142
- 143 k. Adopt Ordinance to Amend Section 19-10 of the Village of Fox Point Code Related to
144 Building Board Membership.
- 145
- 146 l. Adopt Resolution Approving the "Single or Multi-Year Capital" Budget to Purchase a
147 Ladder Truck and Two Ambulances for 2016, 2017 & 2018.
- 148
- 149 m. Approve Payment of the Bills in the amount of \$857,513.91 for the period January 1,
150 2015 through January 31, 2015 per the report submitted by the Village Manager.
- 151

152 Trustee Sumner asked that consent agenda item 4d be removed; Trustee Tirado requested item
153 4e be removed from the consent agenda.

154
155 On motion of Trustee Frazer, seconded by Trustee Fonstad, and carried unanimously, the
156 Village Board approved the amended consent agenda.

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158 **New Business**

159 **Kapur & Associates Proposal – Agenda Item 4d**

VILLAGE OF FOX POINT
VILLAGE BOARD PUBLIC HEARING AND MEETING
FEBRUARY 9, 2016

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A correction was requested by Trustee Sumner on item 4d to correctly reflect the area as Dean Road and Santa Monica Boulevard and a request to correct the memo date as reflected to January 28, 2016.

On the motion of Trustee Symchych, seconded by Trustee Frazer, the Village Board accepts the proposal of Kapur & Associates in an amount not to exceed \$35,622 for construction management and inspection services for the 2016 sanitary sewer improvements to be performed in the area of Dean Road and Santa Monica Boulevard and authorize the Village President and Village Clerk to sign the contract per the Director of Public Works' memorandum dated January 28, 2016.

A brief discussion took place. The motion carried unanimously.

Acceptance of Visu-Sewer, Inc. Base Bid – Agenda Item 4e

On motion of Trustee Tirado, seconded by Trustee Frazer, carried unanimously, the Village Board accepted the base bid and alternate bid numbers 2 and 3 of Visu-Sewer, Inc. in the amount of \$97,560 for the base bid and alternate bid number 2 in the amount of \$7,280 for the 2016 sanitary sewer improvements to be performed in the area of Dean Road and Allen Lane and alternate bid number 3 in the amount of \$9,300 for the lining of a storm sewer on Beach Drive and authorize the Village President and Village Clerk to sign the contract per the Director of Public Works' memorandum dated February 3, 2016.

Future Agenda Items

None

Announcements

Village President West – Milwaukee County Parks was fervently discussed at the most recent ICC meeting and the relationship of the municipalities to Milwaukee County Parks in regard to the upkeep and other items. More information in the future will be forthcoming.

Trustee Tirado – There is a coyote informational meeting in two weeks on Wednesday, February 24, 2016 at 6:30 in Bayside Middle School.

Village Manager Scott Botcher – March's agenda is going to be very full. A pool memorandum has been distributed and will be back on the March agenda. The initial software meeting with the vendor will be on February 18, 2016. A citizen about a month ago asked why there were not Committee Reports. Mr. Botcher reported he has put together a draft form of a committee listing and narrative; it will be distributed sometime during this month with final approval. Fox Point zoning code is in need of improvements; therefore, the zoning code will be reviewed with potential changes within the next 3-5 months. Scott Brandmeier sat down with the Police Department in regard to the Dean and Santa Monica project. Because it is a significant 2 month project and will cause some significant traffic issues, DPW is working with the Police Department to find alternate traffic patterns. The Village is going to the greatest lengths possible to notify the public of the project. Village staff has met with the media already for publication and it will be on the village website as well.

Adjourn

On motion of Trustee McGauran, seconded by Trustee Sumner, and carried unanimously, the Village Board adjourned at 7:42 p.m.

VILLAGE OF FOX POINT
VILLAGE BOARD PUBLIC HEARING AND MEETING
FEBRUARY 9, 2016

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Respectfully submitted,

Kelly A. Meyer, WCMC
Village Clerk/Treasurer

DRAFT



VILLAGE OF FOX POINT

MILWAUKEE COUNTY

WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT WI 53217-3505
414-351-8900
FAX 414-351-8909

To: Village Board

From: John T. Gall, Village Forester 

Through: Scott A. Botcher, Village Manager 

CC: Scott Brandmeier, Village Engineer/DPW Director 

DATE: February 18, 2016

I request that you approve the following contract awards for our Spring/Summer 2015 EAB Ash Treatment Project. There were three qualified bidders for this project. The lowest qualified bidder is being recommended for each component of the ash treatment program. A bid summary is attached.

- For the soil Injection program to **First Choice Tree Care, Inc.**, 9900 North Granville Road, Mequon, WI. Their bid amount was \$1.14 per DBH inch for a 1X application rate (trees up to 14" DBH). This treatment is for one-year protection for 291 ash trees at a contract price not to exceed \$4,000.00
- For the trunk injection program to **Crawford Tree and Landscape, Inc.**, 8760 West Calumet Road, Milwaukee, WI. Their bid amount was \$5.00 per DBH inch for trunk injection (trees 15"+ DBH). This treatment is for two-year protection for 260 ash trees at a contract price not to exceed \$28,000.00
- It is requested that the funds for this contract come from the Capital Fund – Ash Removal, Replacement and Treatment; Account # 40-91600-833.
- I recommend the Village Board authorize the Village President and Village Clerk to sign the contracts on behalf of the Village.

*DBH=Diameter Breast Height or diameter at 4 ½ feet above ground level.

**VILLAGE OF FOX POINT
 BID TABULATION
 2016 SPRING ASH TREATMENT - February 18, 2016**

CONTRACTOR	Soil Injection - 1 Year Imidacloprid Approx. DBH Inches = 3,200		Trunk Injection - 2 Year Emanectin Benzoate Approx. DBH Inches = 5,260		TOTAL TRUNK INJECTION	TOTAL PRICE BID
	PRICE/INCH DBH (1X RATE)	TOTAL SOIL INJECTION	PRICE/INCH DBH	TOTAL SOIL INJECTION		
Crawford Tree and Landscape Milwaukee, WI	\$1.15	\$3,680.00	\$5.00	\$26,300.00	\$29,980.00	
First Choice Tree Care, Inc. Mequon, WI	\$1.14	\$3,648.00	\$5.17	\$27,194.20	\$30,842.20	
M & M Tree Service Milwaukee, WI	\$1.40	\$4,480.00	\$5.90	\$31,034.00	\$35,514.00	
TOTAL AWARD					\$29,948.00	

DBH = Diameter of trunk at breast height (4.5 ft. above ground level)



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
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414-351-8900
FAX 414-351-8909

To: Village of Fox Point Village Board

From: Scott Brandmeier, Director of Public Works 

Through: Scott Botcher, Village Manager 

Date: February 26, 2016

Re: Private Property Infiltration and Inflow Design Activities Sanitary Sewer Basin Nos. 2, 3 and 8 – Change Order No. 1

As part of the Village of Fox Point’s ongoing work to improve the health of the sewer system, the Department of Public Works coordinated work associated with the investigation of infiltration and inflow (I&I) into the sanitary sewers and lift stations along Beach Drive (Sanitary Sewer Basin 8) and the sanitary sewers in Sanitary Sewer Basin 2 and portions of Basin 3. Infiltration and inflow is rainwater and other non-sewer system water entering the sewer system. Reduction and elimination of I&I from the sanitary sewer system will help to alleviate and eliminate sanitary sewer backups in residences and alleviate sanitary sewer overflows within the Village’s sanitary sewer system and manholes.

At the November 2015 Village Board meeting, Kapur & Associates was approved to perform the design for the 2016 lateral rehabilitation project. During the past few months since approval of the contract, DPW staff have had other residents inquire whether they could participate in this year’s lateral rehabilitation project. A preliminary investigation of their laterals indicates they should be included due to the condition of their lateral.

Kapur & Associates, who is performing the design activities and preparing the contract documents, has submitted a change order in the amount of \$2,620 to incorporate the additional six properties in this year’s contract documents. This cost is reimbursable through the Milwaukee Metropolitan Sewerage District’s private property lateral rehabilitation program.

I have reviewed their proposal to perform the additional activities and find that the additional costs are reasonable. Therefore, it is my recommendation that the change order be accepted in an amount not to exceed \$2,620, and that the Village President and Village Clerk be authorized to sign the proposal on behalf of the Village. Funding is available in and proposed to be allocated from the Sanitary Sewer Fund.



we listen. we innovate. we turn your vision into reality.

CONTRACT CHANGE ORDER NO. 1

**DESIGN FOR 2016 SANITARY SEWER LATERAL REHABILITATION
BETWEEN
VILLAGE OF FOX POINT AND KAPUR & ASSOCIATES, INC.**

Contract Document made and entered into by and between the Village of Fox Point and Kapur & Associates, Inc., dated November 11, 2015 is hereby amended as set forth as follows, which is annexed and made a part of the original Contracts.

A. The scope of work includes additional field and office time for collection of data and design work as follows:

- Design for rehabilitation of 6 additional private laterals and one private interceptor
- Additional field investigation to determine the type of surface (turf, asphalt, concrete) for installation of proposed temporary cleanouts and for spot repairs;
- Incorporate design of additional 6 private laterals into Bidding/Contract documents, engineering cost estimate;
- Prepare and mail out the letter to affected residents regarding impending lateral rehabilitation. Meet with residents.

Our fees are detailed in the attached Fee Schedule.

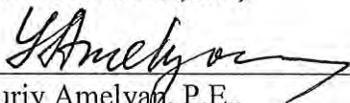
B. Contract Amount

The following is a summary of the revised contract amount:

Original Contract Amount	\$ 8,431.00
Additional Fees (Contract Change Order No. 1).....	\$ <u>2,620.00</u>

Revised Contract Amount	\$ 11,051.00
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For Kapur & Associates, Inc.,

By: 
Yuriy Amelyan, P.E.,
Senior Project Manager

Date: 2-26-2016

For the Village of Fox Point,

By: _____
Michael A. West,
Village President

Date: _____

By: _____
Kelly Meyer
Village Clerk/Treasurer

Date: _____

**CCO#1 - DESIGN FOR REHABILITATION OF ADDITIONAL PRIVATE LATERALS
 VILLAGE OF FOX POINT, WISCONSIN**

TASK	Project Manager	Project Engineer	Staff Engineer	Cad Technician	Total Task Hours	Total Task Cost
	\$130.00	\$98.00	\$78.00	\$68.00		
Design for rehabilitation of 6 additional private laterals and one private interceptor	2	6		2	10	\$984.00
Additional field investigation to determine the type of surface (turf, asphalt, concrete) for installation of proposed temporary cleanouts and for spot repairs		2	3		5	\$430.00
Incorporate design of additional 6 private laterals into Bidding/Contract documents, engineering cost estimate	2	4			6	\$652.00
Prepare and mail out the letter to affected residents regarding impending lateral rehabilitation. Meet with residents.	2	3			5	\$554.00
TOTAL:						\$2,620.00



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT 53217-3505
414-351-8900
FAX 414-351-8909

To: Village Board

From: Scott A. Botcher, Village Manager *SAB*

cc: Kelly Meyer; Mike Pedersen; Mary Carthell

Date: March 1, 2016

Re: Village Banking Services

SYNOPSIS

Since Fall, 2015, Village Staff has been involved in a review of our existing banking services. Following that review, staff requested proposals from other institutions to see if we could reduce the costs of these services while improving our level of customer service.

The criteria for our review were as follows (listed in no priority):

1. Customer Service
2. Location within the Village or VERY close to it
3. Willingness to collect property taxes
4. Commitment to community participation
5. Digital capabilities
6. Collateralization
7. Opportunities for private placements for Village capital needs
8. Competitive Fee structure
9. Credit card options (cash back to the Village for us using credit cards)

Our review process had three steps; an initial meeting prior to submittal of any proposal where we met and explained our operational needs, goals, and objectives; a second meeting where we walked through each proposal so as to make sure we understood the submittal and to inquire about staff identified strengths and weaknesses; and a third meeting with "finalists" where we drilled down into specific matters of each proposal and pressed on issues of sensitivity to the Village.

I recall that all of our submittals offered superior terms than our existing relationship insofar as charges are concerned. As an example: It is not uncommon for our monthly service fees with our current bank to be (well) in excess of \$500 per month. In the recommended proposal, our fees would be capped at \$100 per month for 12 months, and reviewed annually thereafter.

Perhaps of greater interest to Staff is the opportunity for an institution to collect taxes on behalf of the Village and deposit them directly into our tax collection account. There are a number of Cities which do this, and both Kelly and I have experience with this model.

In short, the model simply works like this: the bank agrees to be another location to which taxpayers can pay their tax bill. The bank provides evidence of payment, and the amount is immediately deposited (as opposed to the Village filling out a deposit slip and driving up to make a deposit). Much of the work of collecting the taxes is transferred from our staff to banking staff.

Further, the recommended bank has agreed to utilize a spreadsheet we developed for tax reporting. As citizens pay at the bank, the transaction is recorded. At the end of each business day, the spreadsheet is emailed to the Village where we convert it to a .txt file, a format we can then upload to our GCS tax payment reporting software (in conjunction with Milwaukee County) with any further handling by Village staff.

While citizens can still pay at Village Hall, we will be encouraging citizens to utilize the new Bank as another place to pay. The expanded hours, especially after hours, drive through availability, and Saturday banking hours afford greater convenience to our citizens.

Finally, while not something we may do at all, the opportunity to reduce our expenses in securing any future capital funding is something that Waterstone would be willing to discuss. A private placement may or may not be in our best interests given the rate and expense environment at any point in time, but the topic has been broached (and was with each party we met) and may be addressed as needed.

ACTION REQUESTED

Staff requests adoption of the Resolution 2016-03 approving Waterstone Bank as a designated public depository of the Village of Fox Point.

STATE OF WISCONSIN COUNTY OF MILWAUKEE VILLAGE OF FOX POINT

RESOLUTION 2016-03

A RESOLUTION TO
DESIGNATE PUBLIC DEPOSITORIES

WHEREAS, Wisconsin Statutes Section 34.05 requires the governing board of each public depositor to designate one or more public depositories, organized and doing business under laws of this state or federal law and located in this state, in which the treasurer of the governing board shall deposit all public monies; and

WHEREAS, the Village of Fox Point Village Manager has carefully researched available opportunities for public depositories that will be most advantageous to the Village of Fox Point; and

WHEREAS, the Village Board concurs in the recommendations of the Village Manager.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Village Board of the Village of Fox Point, Milwaukee County, Wisconsin, that a public depository for the Village of Fox Point is hereby designated to be Waterstone Bank, Fox Point, Wisconsin.

BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer shall deposit all Village public funds immediately upon receipt in the name of the Village of Fox Point in a designated public depository.

BE IT FURTHER RESOLVED, that this Resolution shall not be read as prohibiting investments made pursuant to the Village to Fox Point investment policy, which is codified in Chapter 67, Article V of the Village Code, but instead this Resolution merely designates the public depository as required by Section 34.05, Wisconsin Statutes.

Dated this 8th day of March, 2016.

VILLAGE OF FOX POINT

Michael A. West
Village President

ATTEST:

Kelly Meyer, WCMC
Village Clerk/Treasurer



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT 53217-3505
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To: Village Board
From: Scott Botcher *SAB*
cc: Kelly Meyer; Scott Miller
Date: March 1, 2016
Re: Milwaukee County Doctors Park Rezoning Request

Milwaukee County has requested a rezoning of Doctors Park property located within the Village of Fox Point. In conjunction with this rezoning, the County also wants to rebuild the pavilion at this same site.

ACTION REQUESTED:

Consistent with Village Code, this evening you are receiving this request, and should refer this request to both the Planning Commission and Building Board for their consideration and action.

A copy of the County's formal request is attached.



Date: February 24, 2016
To: Village of Fox Point, Planning Commission
From: Teig Whaley-Smith, Milwaukee County
Subject: Milwaukee County Rezoning Application

Tax Key #
0579999000

Project Summary:

Milwaukee County is undergoing a review of the municipal zoning applied to all County owned Parks. During this review we identified the zoning for tax key #0579999000 as inconsistent with its use as a park. This request is to change the zoning on the aforementioned parcel from its current zoning district to F-Institutional District and add the following text to §745-20 of the Fox Point Village Code:

“E. Any parcel that is owned by Milwaukee County in an F-Institutional District is considered to be zoned as a park for purposes of Wisconsin Statutes 59.17(2)(b)(3).”

All uses of the proposed parcel will remain unchanged from their current use as park and are consistent with “community recreational, cultural and social service purposes” as outlined in §745-20(A)(2)(d) of the Fox Point Village Code.

Pursuant to a successful change to Institutional District, per Section 745-20(B) of the Fox Point Village Code, written application for the construction or enlargement of a building within this district is required. The Milwaukee County Department of Parks, Recreation & Culture requests permission to upgrade the restroom facilities and pavilion at Doctors Park. Please see the included plans for details on the requested improvements.



VILLAGE OF FOX POINT

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WISCONSIN

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To: Village Board
From: Scott Botcher *SAB*
cc: Kelly Meyer; Scott Miller
Date: March 1, 2016
Re: St Eugene's Roof request

St. Eugene's has submitted a request for the installation of a new roof and gutters on the office building/rectory and church at the St Eugene campus. As they are requesting the installation of a standing seam metal roof, it will need to approval of the Village of Fox Point.

ACTION REQUESTED:

Consistent with Village Code, this evening you are receiving this request, and should refer this request to the Building Board and Planning Commission for their consideration and action.

The Church's request is attached.

To: Village of Fox Point, Village Board

From: Building & Grounds Committee, St. Eugene Congregation

This proposal is for the installation of a new roof and gutters on the office building/rectory and church on the St. Eugene campus at 7600 N. Port Washington Road. The roof will be a standing seam metal roof, medium bronze in color. A snow retention system will be incorporated onto both roofs. The project will also include the removal of the canopy connecting the office building/rectory to the garage. Enclosed is a letter of scope from our contractor describing this project.

Metals roofs are currently being used throughout the village on residences and institutions such as Cardinal Stritch University and Maple Dale Elementary School. Metal roofs are compatible and appropriate to the neighborhood and will enhance the value of the property. The physical improvement of the structure will also add value to the property. The use of the same color, which is currently on the school, will unite the campus and increase the visual appeal.

This project is in keeping with the residential character and quality of the village. It will result in an attractive improvement utilizing quality materials combined with reputable workmanship.



MEMORANDUM

POLICE DEPARTMENT VILLAGE OF FOX POINT

TO: FOX POINT BOARD OF TRUSTEES

FROM: CHIEF CHRISTOPHER FREEDY *CF*

DATE: 2/24/2016

REGARDING: ACCEPTANCE OF PROPOSAL FOR REPLACEMENT SQUAD CAR

BACKGROUND AND OVERVIEW

The Village of Fox Point manages a fleet of vehicles to provide policing services, including preventative patrol and response to calls. This fleet consists of current production vehicles with the highest safety standards and a rating by the Michigan State Police as certified for use in a pursuit situation.

ANALYSIS

The proper maintenance and repair of the vehicle fleet extends the life of the vehicles and reduces maintenance costs, while increasing resale value. Every vehicle in the fleet receives routine maintenance according to the manufacturer's recommendations. Officers are also encouraged to use downtime during their shifts to regularly wash the squads, especially during the winter months. The vehicles in our fleet, like our building, belong to the residents and should receive the greatest amount of care and maintenance.

It is my intent to retain and replace the vehicles on a schedule that maximizes the usefulness of the vehicle for the greatest cost efficiency. The vehicle replacement schedule utilizes a multi-faceted evaluation in determining the life of the vehicle, including age, mileage, current repair costs, current and projected mechanical failures, and finally current market value at auction. With time and use, mechanical failures increase, maintenance costs increase which cause the annual cost of ownership to rise and resale value to decrease. Based on the evaluation of the current fleet, one (1) car was requested in the current year capital budget.

Bids were submitted to seven (7) Ford dealers in the metropolitan area for a base model Police Interceptor Utility with upgrades related to emergency and interior lighting. Quotes were received from the following two vendors, in the following amounts:

Company	Total System Cost
Ewald's Hartford Ford	\$28,781.00
Sorens Ford, Inc.	\$29,600.00

These costs are for the purchase of the vehicle and do not take into account any costs to configure and up-fit the vehicle for radio / emergency equipment.

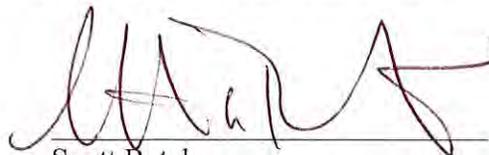
FISCAL NOTE

The Village Board has budgeted \$35,420 in the 2016 Capital Improvement Budget for this project. The proposal from Ewald's Hartford Ford is for the squad and does not include any installation or up-fitting of radio or accessory emergency equipment. The installation of accessory equipment will be handled by our regular contractors for squad up-fitting (General Communications). Historically, the cost for tear-down of the old car and up-fit of the new car, along with related hardware is approximately \$5000.00.

RECOMMENDATION

Staff recommends the Village Board accept the replacement squad car proposal from **Ewald's Hartford Ford** for the squad replacement in the amount of **\$28,781.00** and authorize the Village Manager to sign the purchase order.

This is to certify that the attached is true and correct list of bills due for a period from February 1-29, 2016, in the total amount of \$759,135.73. Each bill has been approved in writing by the official department head or employee authorized to incur the obligations and which bills have been audited by the undersigned pursuant to resolution of the Village Board.



Scott Botcher
Village Manager
Village of Fox Point

This is to certify that the above listed accounts and demands have been presented and allowed and ordered paid by the Village Board at a meeting thereof held on March 8, 2016.

Michael A. West
Village President

Kelly A. Meyer
Village Clerk/Treasurer
Village of Fox Point

VILLAGE OF FOX POINT

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10-13100	GENERAL FUND - ACCOUNTS RECEIVABLE - SUNDRY					
	2373	UNITED HEALTHCARE	PREMIUMS	0039715513	02/12/2016	92.90
10-21520	GENERAL FUND - GROUP LIFE					
	340	MINNESOTA LIFE INSURANCE C	LIFE INSURANCE PREMIUMS	MARCH 2016	02/11/2016	761.62
10-21521	GENERAL FUND - AFLAC/ALLSTATE					
	2373	UNITED HEALTHCARE	PREMIUMS	0039715513	02/12/2016	92.90
10-21525	GENERAL FUND - UNION DUES					
	185	FOX POINT POLICE PROT. ASSC	POLICE DUES	FEB 2016	02/11/2016	495.00
10-21530	GENERAL FUND - DEFERRED COMPENSATION					
	375	NORTH SHORE BANK, FSB	DEFFERD COMP	02/12/2016	02/12/2016	405.00
	375	NORTH SHORE BANK, FSB	DEFFERD COMP	02/26/2016	02/25/2016	405.00
	375	NORTH SHORE BANK, FSB	ANNUAL CONTRIBUTIONS	2016 ANNUAL	02/02/2016	3,900.00
	1622	WELLS FARGO BANK, N.A.	DEFERRED COMP	02/12/2016	02/12/2016	6,460.00
	1622	WELLS FARGO BANK, N.A.	DEFERRED COMP	02/26/2016	02/25/2016	6,460.00
	1622	WELLS FARGO BANK, N.A.	ANNUAL DEFERRED COMP	2016 ANNUAL	02/03/2016	7,384.00
	101991	VANTAGEPOINT TRANSFER AGI	ANNUAL CONTRIBUTION	2016 YEARLY	02/03/2016	200.00
						25,214.00 *
10-21540	GENERAL FUND - GARNISHMENT					
	101664	WISCONSIN DEPT. OF REVENUE	FASSBENDER	FEB 2016	02/25/2016	95.00
10-45100	GENERAL FUND - FINES/FORFEITURES - FINES/FORFEITURES					
	621	MID MORaine MUNICIPAL COUR	KENTANG/WIMOLMAS F/A 8/23/19	NTANG/WIMOLMAS	02/24/2016	114.00
	928	WEST ALLIS POLICE DEPARTME	RODRIQUEZ/JULIO S 9/5/1967	DRIQUEZ/ JULIO S	02/19/2016	154.00
	1736	GREENFIELD MUNICIPAL COUR	ROMERO-TORRES/OSCAR 7/27/8	ROMERO-TORRES	02/11/2016	136.60
	2692	GONZALEZ, GENISES GUADALO	OVERPAYMENT ON WARRANT	42368	02/11/2016	38.40
						443.00 *
10-45200	GENERAL FUND - FINES/FORFEITURES - DARE FUND					
	2690	BROWN, MONICA	DOUBLE PAYMENT	42477	02/11/2016	124.00
10-51200-310	GENERAL FUND - GENERAL GOVERNMENT - JUDICIAL - SUPPLIES/EXPENSES					
	1072	WISCONSIN SUPREME COURT	CONTINUING EDUCATION	5/1/16-4/30/17	02/04/2016	700.00
10-51200-395	GENERAL FUND - GENERAL GOVERNMENT - JUDICIAL - COUNTY COURT FEES					
	330	MILWAUKEE COUNTY TREASUR	JAIL ASSESMENT/DRIVER SURCF	JAN 2016	02/04/2016	404.80
	552	WISCONSIN, STATE OF - COURT	JANUARY	JAN 2016	02/02/2016	1,412.70
						1,817.50 *
Total JUDICIAL						2,517.50
10-51300-218	GENERAL FUND - GENERAL GOVERNMENT - LEGAL - VILLAGE ATTORNEY					
	4796	ARENZ, MOLTER, MACY, RIFFLE	VILLAGE ATTORNEY	10784	02/03/2016	9,273.30
	4796	ARENZ, MOLTER, MACY, RIFFLE	VILLAGE ATTORNEY	10821	02/25/2016	17,800.60
						27,073.90 *
10-51300-219	GENERAL FUND - GENERAL GOVERNMENT - LEGAL - VILLAGE PROSECUTOR					
	1924	STIPPICH SELIN & CAIN LLC	VILLAGE PROSECUTOR	1134	02/03/2016	1,472.00
Total LEGAL						28,545.90
10-51410-321	GENERAL FUND - GENERAL GOVERNMENT - VILLAGE MANAGER - PROFESSIONAL DUES/MEETINGS					
	2246	BOTCHER, SCOTT	MILEAGE	JAN 2016	02/04/2016	27.00

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10-51410-322	GENERAL FUND - GENERAL GOVERNMENT - VILLAGE MANAGER - TRAINING					
	1135	WISCONSIN CITY/COUNTY	CONFERENCE	101427	02/08/2016	233.88
Total VILLAGE MANAGER						260.88
10-51420-233	GENERAL FUND - GENERAL GOVERNMENT - VILLAGE CLERK/TREASURER - EQUIPMENT MAINTENANCE					
	477	TAYLOR COMPUTER SERVICES, EMAIL ARCHIVE-VLG		14408	12/31/2015	608.29
	477	TAYLOR COMPUTER SERVICES, EMAIL ARCHIVE-VLG		14714	02/18/2016	508.45
	477	TAYLOR COMPUTER SERVICES, EMAIL ARCHIVE-VLG		14790	02/18/2016	229.77
	5152	JAMES IMAGING SYSTEMS, INC. MAINTANCE CONTRACT VL		659241	02/23/2016	206.53
						1,553.04 *
10-51420-235	GENERAL FUND - GENERAL GOVERNMENT - VILLAGE CLERK/TREASURER - INTERNET SERVICE					
	1345	AT & T U-VERSE	VILLAGEHALL 134392745	1/26-2/25/16	02/10/2016	54.91
10-51420-310	GENERAL FUND - GENERAL GOVERNMENT - VILLAGE CLERK/TREASURER - SUPPLIES/EXPENSES					
	297	MAJESTIC ENGRAVING CORP.	NAME PLATE	52914	02/12/2016	20.00
	1059	BUSINESS FORMS & ACCOUNTII	W2 FORMS AND ENVELOPES	050898	02/11/2016	50.89
	1059	BUSINESS FORMS & ACCOUNTII	LASER CHECKS	050969	02/25/2016	230.39
	1766	CONFLUENCE GRAPHICS	PURCHASE ORDER	64530	02/10/2016	171.51
	5033	OFFICE DEPOT -US COMMUNITII	VLG HALL-OFFICE -37360205	819026091001	02/04/2016	18.55
	5033	OFFICE DEPOT -US COMMUNITII	VLG HALL-OFFICE -37360205	819026091002	02/04/2016	7.49
	5033	OFFICE DEPOT -US COMMUNITII	VLG HALL-OFFICE -37360205	820846359001	02/10/2016	53.20
	5033	OFFICE DEPOT -US COMMUNITII	VLG HALL-OFFICE -37360205	822252980001	02/17/2016	121.61
	5033	OFFICE DEPOT -US COMMUNITII	VLG HALL-OFFICE -37360205	822253069001	02/17/2016	8.27
	5033	OFFICE DEPOT -US COMMUNITII	VLG HALL-OFFICE -37360205	823633352001	02/23/2016	12.87
	5033	OFFICE DEPOT -US COMMUNITII	VLG HALL-OFFICE -37360205	824019606001	02/23/2016	43.97
						738.75 *
10-51420-321	GENERAL FUND - GENERAL GOVERNMENT - VILLAGE CLERK/TREASURER - PROFESSIONAL DUES/MEETINGS					
	339	METRO MUNICIPAL CLERK'S AS:	MEETING	02/24/2016	02/10/2016	26.00
	2713	WMCA	MEETING	03/03/2016	02/10/2016	70.00
						96.00 *
Total VILLAGE CLERK/TREASURER						2,442.70
10-51440-310	GENERAL FUND - GENERAL GOVERNMENT - ELECTIONS - SUPPLIES/EXPENSES					
	124	BEAR GRAPHICS, INC.	ABSENTEE	0734776	01/28/2016	46.65
	124	BEAR GRAPHICS, INC.	ABSENTEE	0736368	02/24/2016	297.92
	124	BEAR GRAPHICS, INC.	PROVISIONAL	0736842	02/24/2016	22.68
	377	OFFICE DEPOT CREDIT PLAN	ELECTIONS	02/15/2016	02/18/2016	19.51
	774	ELECTION SYSTEMS & SOFTWA	PAPER	952330	02/15/2016	27.85
	1766	CONFLUENCE GRAPHICS	ELECTION MANUALS	64509	01/29/2016	546.45
	1766	CONFLUENCE GRAPHICS	VOTER REG FORMS	64604	02/17/2016	110.93
	5033	OFFICE DEPOT -US COMMUNITII	ELECTION SUPPLIES	822522194001	02/17/2016	2.18
	5033	OFFICE DEPOT -US COMMUNITII	ELECTION SUPPLIES	82252256001	02/17/2016	9.42
	5033	OFFICE DEPOT -US COMMUNITII	ELECTION SUPPLIES	823344988001	02/23/2016	76.59
	5033	OFFICE DEPOT -US COMMUNITII	ELECTION SUPPLIES	823633352001	02/23/2016	23.48
	5033	OFFICE DEPOT -US COMMUNITII	ELECTION SUPPLIES	824019606001	02/23/2016	8.99
						1,192.65 *
Total ELECTIONS						1,192.65
10-51450-123	GENERAL FUND - GENERAL GOVERNMENT - POLL WORKERS - POLL WORKERS					
	629	ERNSTER, MARCELINE	ELECTION PAY	2016SPRING	02/23/2016	52.56
	629	ERNSTER, MARCELINE	ELECTION PAY	FEB 2016	02/16/2016	14.50

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	630	JAHRMAN, SALLY	ELECTION PAY	FEB 2016	02/16/2016	14.50
	636	MUELLER, BARBARA	ELECTION PAY	2016SPRING	02/23/2016	69.38
	636	MUELLER, BARBARA	ELECTION PAY	FEB 2016	02/16/2016	46.25
	939	LACHENMANN, ROSEANN	ELECTION PAY	2016SPRING	02/23/2016	50.75
	939	LACHENMANN, ROSEANN	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1134	ELLIS, NANCY	ELECTION PAY	2016SPRING	02/23/2016	52.56
	1134	ELLIS, NANCY	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1309	BELL, BEVERLY	ELECTION PAY	2016SPRING	02/23/2016	64.75
	1309	BELL, BEVERLY	ELECTION PAY	FEB 2016	02/16/2016	37.00
	1607	BARRETT, BETH	ELECTION PAY	2016SPRING	02/23/2016	50.75
	1607	BARRETT, BETH	ELECTION PAY	FEB2016	02/16/2016	14.50
	1608	BARRETT, MARIE	ELECTION PAY	2016SPRING	02/23/2016	50.75
	1608	BARRETT, MARIE	ELECTION PAY	FEB2016	02/16/2016	14.50
	1610	BRAUN, MARY SUE	ELECTION PAY	2016SPRING	02/23/2016	52.56
	1610	BRAUN, MARY SUE	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1615	ELLWEIN, BARBARA	ELECTION PAY	2016SPRING	02/23/2016	50.75
	1615	ELLWEIN, BARBARA	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1616	FENSTER, ABE	ELECTION PAY	2016SPRING	02/23/2016	52.56
	1616	FENSTER, ABE	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1617	FROEMMING, BARBARA	ELECTION PAY	2016SPRING	02/23/2016	52.56
	1617	FROEMMING, BARBARA	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1618	GRIEPENTROG, RICHARD	ELECTION PAY	2016SPRING	02/23/2016	67.06
	1618	GRIEPENTROG, RICHARD	ELECTION PAY	FEB 2016	02/16/2016	64.75
	1619	HOUCHIN-MILLER, LESLEY	ELECTION PAY	2016SPRING	02/23/2016	64.75
	1619	HOUCHIN-MILLER, LESLEY	ELECTION PAY	FEB 2016	02/16/2016	18.50
	1620	HUSSIN, BARBARA	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1869	MELIN, BOB	ELECTION PAY	2016SPRING	02/23/2016	103.31
	1869	MELIN, BOB	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1870	MILLER, ANTOINETTE	ELECTION PAY	2016SPRING	02/23/2016	103.31
	1870	MILLER, ANTOINETTE	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1871	PALMER, ROBERT	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1872	PATTERSON, CAROL	ELECTION PAY	2016SPRING	02/23/2016	52.56
	1872	PATTERSON, CAROL	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1873	SATTLER, UNA	ELECTION PAY	2016SPRING	02/23/2016	50.75
	1873	SATTLER, UNA	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1876	SETTLER, LINDA	ELECTION PAY	2016SPRING	02/23/2016	143.38
	1876	SETTLER, LINDA	ELECTION PAY	FEB 2016	02/16/2016	18.50
	1878	VAN UXEM, MYRA	ELECTION PAY	2016SPRING	02/23/2016	52.56
	1878	VAN UXEM, MYRA	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1879	WECHSLER, PHOEBE	ELECTION PAY	2016SPRING	02/23/2016	52.56
	1879	WECHSLER, PHOEBE	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1880	WHITTLE, DEBORAH	ELECTION PAY	2016SPRING	02/23/2016	50.75
	1880	WHITTLE, DEBORAH	ELECTION PAY	FEB 2016	02/16/2016	14.50
	1881	WOLKENSTEIN, JUDY	ELECTION PAY	FEB 2016	02/16/2016	14.50
	2009	TARNEY, GERRY	ELECTION PAY	2016SPRING	02/23/2016	50.75
	2009	TARNEY, GERRY	ELECTION PAY	FEB 2016	02/16/2016	14.50
	2012	WEINDLING, PAMELA	ELECTION PAY	2016SPRING	02/23/2016	70.69
	2012	WEINDLING, PAMELA	ELECTION PAY	FEB 2016	02/16/2016	14.50
	2383	FRANKLIN, MARILYN	ELECTION PAY	FEB 2016	02/16/2016	14.50
	2386	HURWITZ, LOIS	ELECTION PAY	2016SPRING	02/23/2016	52.56
	2386	HURWITZ, LOIS	ELECTION PAY	FEB 2016	02/16/2016	14.50
	2389	OLIN, TERRI	ELECTION PAY	FEB 2016	02/16/2016	14.50
	2390	VOSMAER, COURTNEY	ELECTION PAY	2016SPRING	02/23/2016	50.75
	2390	VOSMAER, COURTNEY	ELECTION PAY	FEB 2016	02/16/2016	14.50
	2693	JOHNSON, BETTY	ELECTION PAY	2016SPRING	02/23/2016	52.56
	2693	JOHNSON, BETTY	ELECTION PAY	FEB 2016	02/16/2016	14.50
	2700	PELLIN, CARLA	ELECTION PAY	2016SPRING	02/23/2016	87.00
	2700	PELLIN, CARLA	ELECTION PAY	FEB 2016	02/16/2016	14.50

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	2701	SETTLER, CAMERON	ELECTION PAY	2016SPRING	02/23/2016	103.31
	2701	SETTLER, CAMERON	ELECTION PAY	FEB 2016	02/16/2016	14.50
	2702	STANISLAWSKI, RICHARD	ELECTION PAY	2016SPRING	02/23/2016	52.56
	2702	STANISLAWSKI, RICHARD	ELECTION PAY	FEB 2016	02/16/2016	14.50
	2970	O'DWYER, FRANCIS	ELECTION PAY	2016SPRING	02/23/2016	50.75
	2970	O'DWYER, FRANCIS	ELECTION PAY	FEB 2016	02/16/2016	14.50
	5635	MILLS, MARY BETH	ELECTION PAY	2016SPRING	02/23/2016	78.63
	5635	MILLS, MARY BETH	ELECTION PAY	FEB 2016	02/16/2016	64.75
	5725	RASANSKY, CINDY	ELECTION PAY	2016SPRING	02/23/2016	67.06
	5725	RASANSKY, CINDY	ELECTION PAY	FEB 2016	02/16/2016	46.25
						2,803.04 *
Total POLL WORKERS						2,803.04
10-51520-321	GENERAL FUND - GENERAL GOVERNMENT - FINANCIAL ADMINISTRATION - PROFESSIONAL DUES/MEETINGS					
	2678	MTAW	CERTIFICATION	42492	02/29/2016	25.00
Total FINANCIAL ADMINISTRATION						25.00
10-51530-210	GENERAL FUND - GENERAL GOVERNMENT - ASSESSOR - CONTRACT SERVICES					
	2706	ASSOCIATED APPRAISAL CONS	ASSESSMENT SERVICES	120878	02/19/2016	2,766.21
Total ASSESSOR						2,766.21
10-51600-210	GENERAL FUND - GENERAL GOVERNMENT - GENERAL BUILDINGS - CONTRACT SERVICES					
	2689	SPRUCE UP CLEANING	JANUARY	1989	02/01/2016	1,583.37
	2689	SPRUCE UP CLEANING	FEBRUARY	2018	02/24/2016	1,583.37
						3,166.74 *
10-51600-220	GENERAL FUND - GENERAL GOVERNMENT - GENERAL BUILDINGS - GAS-HEAT					
	536	WE-ENERGIES	3298-754-812	1/22-2/22/16	02/25/2016	681.55
10-51600-221	GENERAL FUND - GENERAL GOVERNMENT - GENERAL BUILDINGS - ELECTRIC UTILITIES					
	536	WE-ENERGIES	3298-754-812	1/22-2/22/16	02/25/2016	1,054.38
10-51600-222	GENERAL FUND - GENERAL GOVERNMENT - GENERAL BUILDINGS - TELEPHONE UTILITIES					
	1336	EARTHLINK BUSINESS	7345438	02/01/2016	02/12/2016	253.33
	2691	CENTURYLINK-BUSINESS SVC.	ACCOUNT #87619173	1366010750	02/11/2016	.32
	5479	AT & T LONG DISTANCE	471365	02/01/2016	02/10/2016	4.11
						257.76 *
10-51600-223	GENERAL FUND - GENERAL GOVERNMENT - GENERAL BUILDINGS - WATER/SEWER UTILITIES					
	186	FOX POINT, VILLAGE OF - W/U	VH WATER AND SEWER	11/1-2/1/16	02/24/2016	776.53
10-51600-234	GENERAL FUND - GENERAL GOVERNMENT - GENERAL BUILDINGS - VILLAGE HALL MAINTENANCE					
	360	NASSCO INC.	JANITORIAL SUPPLIES-VH	S2001123.001	02/12/2016	628.59
	1710	UP NORTH SERVICES	RODENT CONTROL	2454	12/31/2015	46.00
	1747	BMO HARRIS BANK N.A.	SUPPLIES	41074	01/27/2016	13.01
						687.60 *
Total GENERAL BUILDINGS						6,624.56
10-51700-510	GENERAL FUND - GENERAL GOVERNMENT - INSURANCE - INSURANCE					
	480	TE BRENNAN CO.	JANUARY	18553	02/08/2016	681.25

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10-51700-511	GENERAL FUND - GENERAL GOVERNMENT - INSURANCE - GROUP HEALTH - RETIREES					
	354	MORODER, PAUL	HEALTH INSURANCE REIMB.	FEB 2016	02/11/2016	267.90
	638	KRIEFALL, DONALD A	HEALTH INS REIMB & SUP. PAYMI	FEBRUARY 2016	02/11/2016	396.85
						664.75 *
Total INSURANCE						1,346.00
Total GENERAL GOVERNMENT						48,524.44
10-52100-210	GENERAL FUND - PUBLIC SAFETY - POLICE - POLICE MAINTENANCE CONTRACTS					
	5152	JAMES IMAGING SYSTEMS, INC.	COPIER MAINT. PD	657084	02/16/2016	41.46
	5152	JAMES IMAGING SYSTEMS, INC.	COPIER MAINT. PD	658225	02/22/2016	37.20
						78.66 *
10-52100-220	GENERAL FUND - PUBLIC SAFETY - POLICE - GAS UTILITIES					
	536	WE-ENERGIES	6286-911-140	1/22-2/22/16	02/25/2016	619.18
10-52100-221	GENERAL FUND - PUBLIC SAFETY - POLICE - ELECTRIC UTILITIES					
	536	WE-ENERGIES	9299-448-560	1/22-2/22/16	02/25/2016	37.95
	536	WE-ENERGIES	0699-070-169	1/22-2/22/16	02/25/2016	1,535.58
						1,573.53 *
10-52100-222	GENERAL FUND - PUBLIC SAFETY - POLICE - TELEPHONE UTILITIES					
	477	TAYLOR COMPUTER SERVICES,	EMAIL ARCHIVE	14715	02/11/2016	365.00
	477	TAYLOR COMPUTER SERVICES,	EMAIL ARCHIVE	14789	02/18/2016	150.59
	1336	EARTHLINK BUSINESS	7345438	02/01/2016	02/12/2016	158.34
	1345	AT & T U-VERSE	POLICELINE 134392747	1/26-2/25/16	02/10/2016	70.75
	2136	VERIZON WIRELESS	786223225-00001	9759969067	02/11/2016	220.28
	2691	CENTURYLINK-BUSINESS SVC.	ACCOUNT #87619173	1366010750	02/11/2016	.32
	5479	AT & T LONG DISTANCE	471365	02/01/2016	02/10/2016	4.11
						969.39 *
10-52100-223	GENERAL FUND - PUBLIC SAFETY - POLICE - WATER/SEWER UTILITIES					
	186	FOX POINT, VILLAGE OF - W/U	POLICE WATER AND SEWER	11/1-2/1/16	02/24/2016	1,231.01
10-52100-232	GENERAL FUND - PUBLIC SAFETY - POLICE - VEHICLE MAINTENANCE					
	1904	T & L GLASS SERVICE INC.	REPAIR WINDSHIELD	024765	02/18/2016	68.64
	2632	TRUST TIRE & AUTO	OIL CHANGE	120913	02/11/2016	34.64
	2632	TRUST TIRE & AUTO	OIL CHANGE/ROTATE	120922	02/11/2016	52.24
	2632	TRUST TIRE & AUTO	OIL CHANGE/ROTATE	121045	02/17/2016	47.49
	4777	BATTERIES PLUS -	HEADLIGHTS	541-243098	01/29/2016	63.98
	4777	BATTERIES PLUS -	BATTERIES	541-243964	02/16/2016	54.99
						321.98 *
10-52100-233	GENERAL FUND - PUBLIC SAFETY - POLICE - EQUIPMENT MAINTENANCE					
	477	TAYLOR COMPUTER SERVICES,	ANTI VIRUS	14746	02/11/2016	218.85
	904	CKC GRAPHICS & SIGNS	DECALS	18816	02/12/2016	60.00
	1246	SECURE FIRE & SAFETY LLC	RECHARGE	5876	02/16/2016	101.50
	1747	BMO HARRIS BANK N.A.	REFRESHMENTS	42288	01/25/2016	20.00
	1747	BMO HARRIS BANK N.A.	BEST BUY	42427	02/04/2016	239.96
	1747	BMO HARRIS BANK N.A.	AMAZON	42431	02/04/2016	67.61
	5747	PROFESSIONAL ID CARDS, INC.	ID CARD	9231	02/04/2016	16.90
	5839	LEXISNEXIS	MONTHLY FEE	1246411-20160131	02/04/2016	30.00
						754.82 *
10-52100-234	GENERAL FUND - PUBLIC SAFETY - POLICE - BUILDING MAINTENANCE					
	1710	UP NORTH SERVICES	PEST CONTROL	2453	02/11/2016	25.00
	4777	BATTERIES PLUS -	LIGHTS	541-244311	02/23/2016	5.49

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						30.49 *
10-52100-238	GENERAL FUND - PUBLIC SAFETY - POLICE - RADIO MAINTENANCE					
	330 MILWAUKEE COUNTY TREASUR	MILW CNTY RADIO SYSTEM ACCE		2015IGA-17	12/31/2015	504.00
10-52100-310	GENERAL FUND - PUBLIC SAFETY - POLICE - SUPPLIES/EXPENSES					
	1747 BMO HARRIS BANK N.A.	PRINTING		42206	01/12/2016	145.06
	1747 BMO HARRIS BANK N.A.	DUES		42285	01/25/2016	165.00
	1747 BMO HARRIS BANK N.A.	DUES		42286	01/26/2016	85.00
	5033 OFFICE DEPOT -US COMMUNITII	POLICE DEPT-37360205		819145869001	02/05/2016	35.60
						430.66 *
10-52100-330	GENERAL FUND - PUBLIC SAFETY - POLICE - CLOTHING ALLOWANCE					
	473 STREICHER'S	ADAMAITIS		1192585	01/29/2016	38.97
	473 STREICHER'S	TENNIES		1192748	01/29/2016	74.99
	473 STREICHER'S	PAUL		11936654	02/11/2016	22.99
						136.95 *
10-52100-334	GENERAL FUND - PUBLIC SAFETY - POLICE - JANITORIAL SUPPLIES					
	393 PACKERLAND RENT-A-MAT INC.	MATS/RUNNERS 10586-0 POLICE		2168294	02/05/2016	94.00
	393 PACKERLAND RENT-A-MAT INC.	MATS/RUNNERS 10586-0 POLICE		2175018	02/18/2016	91.85
						185.85 *
10-52100-335	GENERAL FUND - PUBLIC SAFETY - POLICE - SCHOOL EXPENSES					
	113 MATHIAK, JENNIFER	MEALS		42444	02/16/2016	9.17
	511 WAUKESHA COUNT TECH. COLI	INSERVICE		0611092	02/01/2016	30.18
	520 WICHMAN, MICHELLE	MEALS		42440	02/11/2016	6.68
	1747 BMO HARRIS BANK N.A.	TASER INTERNATIONAL		42282	01/19/2016	435.00
	2122 HARTFORD POLICE DEPT	MINI ACADEMY		2016TRAINING	02/16/2016	280.00
	2266 MATC- BUSINESS OFFICE	TUITION		50389	02/01/2016	147.52
	4258 RADISSON PAPER VALLEY HOTI	ARENDT LODGING		42456	02/22/2016	164.00
	4261 HUBER, CHAD	MEAL REIMBURSEMENT		42441	02/11/2016	7.63
						1,080.18 *
10-52100-336	GENERAL FUND - PUBLIC SAFETY - POLICE - TELETYPE					
	727 WI DEPT. OF JUSTICE	TELETYPE FEE		T20242	01/27/2016	1,272.00
10-52100-351	GENERAL FUND - PUBLIC SAFETY - POLICE - DARE FUND PURCHASES					
	5784 CREATIVE PRODUCT SOURCINC	DARE SUPPLIES		80205	02/12/2016	414.89
10-52100-391	GENERAL FUND - PUBLIC SAFETY - POLICE - JAIL FUND					
	333 MILWAUKEE COUNTY - HOC	PRISONER HOUSING		4687	02/04/2016	35.00
Total POLICE						9,638.59
Total PUBLIC SAFETY						9,638.59
10-53300-221	GENERAL FUND - PUBLIC WORKS - HIGHWAYS AND STREETS - STREET LIGHTS - ELECTRIC					
	536 WE-ENERGIES	7083-911-529		1/7-2/7/16	02/10/2016	19.79
	536 WE-ENERGIES	3449-647-735		12/30-1/29/2016	02/04/2016	220.11
						239.90 *
Total HIGHWAYS AND STREETS						239.90
10-53310-400	GENERAL FUND - PUBLIC WORKS - SNOWICE REMOVAL - MATERIALS					
	2830 COMPASS MINERALS	SEASONAL FILL		71444705	02/04/2016	1,326.28
	2830 COMPASS MINERALS	SEASONAL FILL		71456905	02/23/2016	12,374.08
	4887 OZAUKEE COUNTY HIGHWAY DI	CALCIUM CHLORIDE		01/31/2016	02/19/2016	361.92

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						14,062.28 *
Total SNOW/ICE REMOVAL						14,062.28
10-53400-221	GENERAL FUND - PUBLIC WORKS - BUS STOP - BUS STOP-ELECTRIC					
	536	WE-ENERGIES	6865-091-092	1/07-02/07/2016	02/11/2016	16.80
	536	WE-ENERGIES	9024-478-778	1/07-02/07/2016	02/11/2016	16.80
	536	WE-ENERGIES	7018-222-713	1/07-02/07/2016	02/11/2016	22.52
	536	WE-ENERGIES	3217-867-834	1/7-2/7/16	02/10/2016	16.80
						72.92 *
Total BUS STOP						72.92
10-53620-400	GENERAL FUND - PUBLIC WORKS - RUBBISH COLLECTION - MATERIALS					
	1766	CONFLUENCE GRAPHICS	HANG TAGS	64484	02/10/2016	200.00
Total RUBBISH COLLECTION						200.00
10-53630-370	GENERAL FUND - PUBLIC WORKS - LANDFILL - LANDFILL FEES					
	1635	ADVANCED DISPOSAL-GERMAN	MSW	GW0000002820	02/10/2016	5,829.73
Total LANDFILL						5,829.73
10-53642-400	GENERAL FUND - PUBLIC WORKS - YARD WASTE COLLECTION - MATERIALS					
	1635	ADVANCED DISPOSAL-GERMAN	YARDWASTE	GW0000002820	02/10/2016	688.30
Total YARD WASTE COLLECTION						688.30
10-53700-300	GENERAL FUND - PUBLIC WORKS - MACHINERY/EQUIPMENT - MISCELLANEOUS EXPENSE					
	43	AUTO PARTS & SERVICE	CLEANER/LUBE	690971	02/12/2016	68.07
	502	VILLAGE HARDWARE - VH	MISC HARDWARE	142785	02/12/2016	31.15
	2241	ITU ABSORB TECH, INC	COVERALLS SHOP	6524598	02/12/2016	10.94
	2241	ITU ABSORB TECH, INC	COVERALLS SHOP	6528593	02/12/2016	10.94
	2241	ITU ABSORB TECH, INC	COVERALLS SHOP	6532718	02/12/2016	10.94
						132.04 *
10-53700-341	GENERAL FUND - PUBLIC WORKS - MACHINERY/EQUIPMENT - REPAIR PARTS					
	43	AUTO PARTS & SERVICE	LAMPS	686902	12/31/2015	26.80
	1132	BURRIS EQUIPMENT CO.	CUSHMAN PARTS	PI59604-	02/10/2016	298.32
	1178	R.N.O.W., INC	SWITCH	201548758	12/31/2015	188.30
	1276	BOB FISH GMC TRUCK, INC	CABLE	107469	02/12/2016	59.35
	3234	WALDSCHMIDT'S TOWN & COUN	TORO PARTS	511503	02/12/2016	35.35
	3234	WALDSCHMIDT'S TOWN & COUN	TRIMMER	512452	02/12/2016	29.62
	4777	BATTERIES PLUS -	BATTERIES	541-242989	02/12/2016	215.90
						853.64 *
10-53700-342	GENERAL FUND - PUBLIC WORKS - MACHINERY/EQUIPMENT - TIRES					
	413	POMP'S TIRE SERVICE, INC.	TIRES	60086538	02/12/2016	49.65
Total MACHINERY/EQUIPMENT						1,035.33

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10-53800-220	GENERAL FUND - PUBLIC WORKS - DPW GENERAL - GAS UTILITIES					
	536	WE-ENERGIES	3298-754-812	1/22-2/22/16	02/25/2016	681.56
	1336	EARTHLINK BUSINESS	7345438	02/01/2016	02/12/2016	221.67
						903.23 *
10-53800-221	GENERAL FUND - PUBLIC WORKS - DPW GENERAL - ELECTRIC UTILITIES					
	536	WE-ENERGIES	3298-754-812	1/22-2/22/16	02/25/2016	1,054.37
10-53800-223	GENERAL FUND - PUBLIC WORKS - DPW GENERAL - WATER/SEWER UTILITIES					
	186	FOX POINT, VILLAGE OF - W/U	VH WATER AND SEWER	11/1-2/1/16	02/24/2016	776.53
10-53800-224	GENERAL FUND - PUBLIC WORKS - DPW GENERAL - CELL PHONES					
	2136	VERIZON WIRELESS	787066169-00001	9759766451	02/11/2016	296.13
10-53800-234	GENERAL FUND - PUBLIC WORKS - DPW GENERAL - BUILDING MAINTENANCE					
	327	MENARD'S - MILWAUKEE	MATERIALS	93977	02/12/2016	17.99
10-53800-300	GENERAL FUND - PUBLIC WORKS - DPW GENERAL - MISCELLANEOUS EXPENSE					
	1747	BMO HARRIS BANK N.A.	JOB POSTING	42312	01/20/2016	250.75
	2241	ITU ABSORB TECH, INC	TOWELS MATS	6524600	02/12/2016	24.16
	2241	ITU ABSORB TECH, INC	TOWELS MATS	6528595	02/12/2016	46.45
	2241	ITU ABSORB TECH, INC	TOWELS MATS	6532720	02/12/2016	24.16
						345.52 *
10-53800-333	GENERAL FUND - PUBLIC WORKS - DPW GENERAL - SAFETY PROGRAM					
	671	AIRGAS	HARD HATS/ GLOVES	9047808700	02/10/2016	130.06
Total DPW GENERAL						3,523.83
10-53900-324	GENERAL FUND - PUBLIC WORKS - FRINGE BENEFITS - DRUG TESTING					
	1780	US HEALTHWORKS MED GROU	DRUG TESTING	0035792-WI	02/09/2016	58.00
Total FRINGE BENEFITS						58.00
Total PUBLIC WORKS						25,710.29
10-55400-430	GENERAL FUND - CULTURE, RECREATION AND EDU - JOINT RECREATION - LX CLUB MATERIALS					
	180	FOX POINT-BAYSIDE SCHOOL D	LX CLUB	FEB 2016	02/10/2016	500.00
Total JOINT RECREATION						500.00
10-55440-220	GENERAL FUND - CULTURE, RECREATION AND EDU - SKATE RINK - GAS UTILITIES					
	536	WE-ENERGIES	5214-367-035	1/7-2/7/16	02/10/2016	666.60
10-55440-221	GENERAL FUND - CULTURE, RECREATION AND EDU - SKATE RINK - ELECTRIC UTILITIES					
	536	WE-ENERGIES	5630-222-440	1/7-2/7/16	02/10/2016	236.78
10-55440-450	GENERAL FUND - CULTURE, RECREATION AND EDU - SKATE RINK - SKATE RINK MATERIALS					
	186	FOX POINT, VILLAGE OF - W/U	LONGACRE PAVILION	11/1-2/1/16	02/24/2016	882.04
	186	FOX POINT, VILLAGE OF - W/U	L, ICE RINK	11/1-2/1/16	02/24/2016	868.17

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						1,750.21 *
						<u>2,653.59</u>
						<u>3,153.59</u>
10-56100-125	GENERAL FUND - CONSERVATION AND DEVELOPMENT - FORESTRY - FORESTRY CONSULTANT					
	5933 WACHTEL TREE SCIENCE & SEF FORESTRY REQUESTS			217486	02/11/2016	2,340.00
10-56100-465	GENERAL FUND - CONSERVATION AND DEVELOPMENT - FORESTRY - TREE MAINTENANCE					
	4591 VERMEER-WISCONSIN, INC. BLADES			20182476	02/10/2016	234.55
						<u>2,574.55</u>
						<u>2,574.55</u>
						<u>116,919.88</u>
20-61000-156	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - UNEMPLOYMENT COMPENSATION					
	181 UNEMPLOYMENT INSURANCE 693002-000-8			02/03/2016	02/11/2016	358.88
20-61000-221	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - ELECTRIC UTILITIES					
	537 WE-ENERGIES LIB UTILITY-ELECTRIC			1/8-2/8/16	02/17/2016	3,552.95
20-61000-223	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - WATER/SEWER UTILITIES					
	5543 PREMIUM WATERS, INC. UTILITY- WATER			011767-01-16	02/17/2016	71.39
20-61000-227	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - SYSTEM EXPENSE					
	826 MILWAUKEE CTY. FED. LIBRARY SYSTEM EXPENSE			FL-02875	02/17/2016	24,058.14
20-61000-230	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - MAINTENANCE					
	393 PACKERLAND RENT-A-MAT INC. MAINTENANCE			2164335	02/03/2016	39.03
	393 PACKERLAND RENT-A-MAT INC. MAINTENANCE			2168290	02/17/2016	39.03
	570 SIDELLO PROPERTY SERVICES, MAINTENANCE			13119	02/17/2016	135.00
	2347 NORTHSHORE BANK MAINTENANCE			12/31/2015	12/31/2015	29.95
	2687 ELECTRICAL CONCEPTS INC MAINTENANCE			32886	12/31/2015	707.33
	4271 COVERALL NORTH AMERICA, IN MAINTENANCE			1070237812	12/31/2015	345.14
	4271 COVERALL NORTH AMERICA, IN MAINTENANCE			1070238761	02/03/2016	1,207.00
	4271 COVERALL NORTH AMERICA, IN MAINTENANCE			10710239391	02/17/2016	363.77
						<u>2,866.25 *</u>
20-61000-233	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - EQUIPMENT MAINTENANCE					
	826 MILWAUKEE CTY. FED. LIBRARY EQUIP MAINTENANCE			FL-02875	02/17/2016	117.00
20-61000-310	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - SUPPLIES/EXPENSES					
	1346 CARTRIDGE WORLD (238) SUPPLIES			157937	02/17/2016	150.99
	1585 QUILL CORPORTATION SUPPLIES			2798691	02/17/2016	120.06
	1960 STAPLES ADVANTAGE SUPPLIES			1/21-1/29/16	02/17/2016	96.13
	2347 NORTHSHORE BANK SUPPLIES			1/6-01/11/16	02/03/2016	378.31
	5778 OFFICE COPYING EQUIPMENT L SUPPLIES			C324646	02/17/2016	97.82

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						843.31 *
20-61000-811	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - REFERENCE SERIALS					
	826	MILWAUKEE CTY. FED. LIBRARY	REFERENCE	FL-02875	02/17/2016	1,164.40
	2426	MILWAUKEE JOURNAL SENTINE	SUBSCRIPTION ACCT 010036939	3/9/16-3/8/17	02/17/2016	325.00
	101621	INFO USA LIBRARY SALES DIV.	REFERENCE	01/14-01/19/16	02/03/2016	4,747.00
						6,236.40 *
20-61000-812	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - ADULT BOOKS					
	55	BAKER & TAYLOR BOOKS VEND	ADULT BOOKS	1/18-1/27/16	02/03/2016	637.95
	55	BAKER & TAYLOR BOOKS VEND	ADULT BOOKS	2/3-29/16	02/17/2016	230.38
	4232	CENTER POINT LARGE PRINT	ADULT BOOKS	1343312	02/03/2016	1,360.78
						2,229.11 *
20-61000-813	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - JUVENILE BOOKS					
	55	BAKER & TAYLOR BOOKS VEND	JUVENILE BOOKS	1/7-1/25/16	02/03/2016	484.46
	55	BAKER & TAYLOR BOOKS VEND	JUVENILE BOOKS	2/2-2/5/16	02/17/2016	708.77
	2703	LOOKOUT BOOKS	JUVENILE BOOKS	ARU0196157	02/17/2016	334.94
	4200	SCHOLASTIC LIBRARY PUBLISH	JUVENILE BOOKS	1/20/2016	02/03/2016	374.40
						1,902.57 *
20-61000-814	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - PAPERBACK BOOKS					
	55	BAKER & TAYLOR BOOKS VEND	PAPERBACK BOOKS	01/12/2016	02/03/2016	4.63
20-61000-815	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - MEDIA					
	645	BAKER & TAYLOR ENTERTAINM	MEDIA-JUVENILE	B08175970	02/03/2016	167.09
	645	BAKER & TAYLOR ENTERTAINM	MEDIA-JUVENILE	B09274710	02/17/2016	10.44
	2347	NORTHSHORE BANK	ADULT MEDIA	12/31/2015	12/31/2015	43.96
	2401	MIDWEST TAPE	ADULT MEDIA	01/15-01/22/2016	02/03/2016	232.82
	2401	MIDWEST TAPE	ADULT MEDIA	1/22-2/5/16	02/17/2016	148.94
						603.25 *
20-61000-820	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - FURNITURE & EQUIPMENT					
	2347	NORTHSHORE BANK	FURNITURE & EQUIPMENT	01/04/2016	02/03/2016	130.51
	2687	ELECTRICAL CONCEPTS INC	FURNITURE & EQUIPMENT	32886	12/31/2015	707.32
						837.83 *
20-61000-830	NORTH SHORE LIBRARY SR FUND - EXPENDITURES - EXPENDITURES - ADULT PROGRAMMING					
	2347	NORTHSHORE BANK	ADULT PROGRAMMING	01/05/2016	02/03/2016	14.01
Total EXPENDITURES						43,695.72
Total EXPENDITURES						43,695.72
Total NORTH SHORE LIBRARY SR FUND						43,695.72
21-71000-888	SEWER UTILITY SR FUND - EXPENDITURES - EXPENDITURES - SEWER SYSTEM IMPROVEMENTS					
	256	KAPUR & ASSOCIATES, INC.	SANITARY SEWER REHAB	86757	12/31/2015	1,372.00
Total EXPENDITURES						1,372.00
Total EXPENDITURES						1,372.00
21-72000-220	SEWER UTILITY SR FUND - EXPENDITURES - EXPENDITURES - GAS UTILITIES					

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536 WE-ENERGIES	2417-882-521	1/7-2/7/16	02/10/2016	13.15
21-72000-221 SEWER UTILITY SR FUND - EXPENDITURES - EXPENDITURES - ELECTRIC UTILITIES				
536 WE-ENERGIES	1670-928-034	1/7-2/7/16	02/10/2016	32.43
536 WE-ENERGIES	2417-882-521	1/7-2/7/16	02/10/2016	194.74
				227.17 *
21-72000-222 SEWER UTILITY SR FUND - EXPENDITURES - EXPENDITURES - TELEPHONE UTILITIES				
1336 EARTHLINK BUSINESS	PUMP-000267599	02/01/2016	02/12/2016	25.45
1336 EARTHLINK BUSINESS	SANI-000267608	02/01/2016	02/12/2016	25.45
				50.90 *
21-72000-229 SEWER UTILITY SR FUND - EXPENDITURES - EXPENDITURES - ALARM				
536 WE-ENERGIES	7023-980-106	1/7-2/7/16	02/10/2016	18.03
Total EXPENDITURES				309.25
Total EXPENDITURES				309.25
21-73000-226 SEWER UTILITY SR FUND - EXPENDITURES - EXPENDITURES - MMSD CHARGES				
290 MMSD	JANUARY	016-16	02/17/2016	28,717.49
290 MMSD	NOV.-DEC.	326-15	12/31/2015	57,876.73
				86,594.22 *
21-73000-310 SEWER UTILITY SR FUND - EXPENDITURES - EXPENDITURES - SUPPLIES/EXPENSES				
415 POSTMASTER	WATER BILLS	11/1-2/1/16	02/24/2016	235.31
5873 LITHO SPECIALISTS	LASER CARDS	IS26240	02/24/2016	112.67
				347.98 *
21-73000-400 SEWER UTILITY SR FUND - EXPENDITURES - EXPENDITURES - MATERIALS				
2136 VERIZON WIRELESS	687068918-00001	9759748720	02/09/2016	9.03
3206 BRILLIANT DPI, INC	METER CARDS	30272	02/12/2016	29.47
				38.50 *
Total EXPENDITURES				86,980.70
Total EXPENDITURES				86,980.70
21-91000-801 SEWER UTILITY SR FUND - EXPENDITURES - EXPENDITURES - INFILTRATION/INFLOW REDUCTION				
256 KAPUR & ASSOCIATES, INC.	I & I INVESTIGATION	86752	12/31/2015	2,212.00
256 KAPUR & ASSOCIATES, INC.	I & I INVESTIGATION	86752	12/31/2015	1,170.00
				3,382.00 *
21-91000-888 SEWER UTILITY SR FUND - EXPENDITURES - EXPENDITURES - SEWER SYSTEM IMPROVEMENTS				
132 DAILY REPORTER, INC.	PUBLICATION	742567167	02/09/2016	303.69
Total EXPENDITURES				3,685.69
Total EXPENDITURES				3,685.69
Total SEWER UTILITY SR FUND				92,347.64

VILLAGE OF FOX POINT

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GL Acct No	Vendor	Vendor Name	Description	Invoice No	Inv Date	Amount
22-53650-210	TAXES - EXPENDITURES - RECYCLING - CONTRACT SERVICES					
	1634	ADVANCED DISPOSAL-MUSKEG	MONTHLY FEE	C60001314036	02/10/2016	22,790.83
Total RECYCLING						22,790.83
Total EXPENDITURES						22,790.83
Total TAXES						22,790.83
23-55420-220	MUNICIPAL POOL - EXPENDITURES - MUNICIPAL POOL - GAS UTILITIES					
	536	WE-ENERGIES	8294-368-584	1/07-02/07/2016	02/11/2016	26.35
23-55420-221	MUNICIPAL POOL - EXPENDITURES - MUNICIPAL POOL - ELECTRIC UTILITIES					
	536	WE-ENERGIES	8294-368-584	1/07-02/07/2016	02/11/2016	45.91
23-55420-222	MUNICIPAL POOL - EXPENDITURES - MUNICIPAL POOL - TELEPHONE UTILITIES					
	1336	EARTHLINK BUSINESS	POOL-000267566	02/01/2016	02/12/2016	48.33
	1345	AT & T U-VERSE	POOL- 111299163	02/02-/03/01/16	02/11/2016	26.40
						74.73 *
23-55420-223	MUNICIPAL POOL - EXPENDITURES - MUNICIPAL POOL - WATER/SEWER UTILITIES					
	186	FOX POINT, VILLAGE OF - W/U	POOL WATER AND SEWER	11/1-2/1/16	02/24/2016	1,534.19
Total MUNICIPAL POOL						1,681.18
Total EXPENDITURES						1,681.18
Total MUNICIPAL POOL						1,681.18
24-52400-218	INSPECTION SERVICES - EXPENDITURES - INSPECTION - VILLAGE ATTORNEY					
	4796	ARENZ, MOLTER, MACY, RIFFLE	BUILDING INSPECTION	10784	02/03/2016	489.00
	4796	ARENZ, MOLTER, MACY, RIFFLE	BUILDING INSPECTION	10821	02/25/2016	444.80
						933.80 *
Total INSPECTION						933.80
Total EXPENDITURES						933.80
Total INSPECTION SERVICES						933.80
25-52400-410	STORMWATER UTILITY FUND - EXPENDITURES - COMPLIANCE - PERMIT EXPENSES					
	275	LEAGUE OF WI MUNICIPALITIES	STORMWATER GROUP	OCAL STORMWATE	02/09/2016	200.00

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Total COMPLIANCE						200.00
Total EXPENDITURES						200.00
25-53420-400	STORMWATER UTILITY FUND - EXPENDITURES - CULV/DITCH/ENDWALL/CATCH BASIN - MATERIALS					
	5509	HD SUPPLY WATERWORKS, LTI	PIPE	F046123	02/02/2016	199.08
Total CULV/DITCH/ENDWALL/CATCH BASIN						199.08
25-53640-400	STORMWATER UTILITY FUND - EXPENDITURES - LEAF COLLECTION AND DISPOSAL - MATERIALS					
	1766	CONFLUENCE GRAPHICS	HANG TAGS	64484	02/10/2016	233.38
Total LEAF COLLECTION AND DISPOSAL						233.38
Total EXPENDITURES						432.46
25-55410-310	STORMWATER UTILITY FUND - EXPENDITURES - ADMINISTRATIVE - SUPPLIES/EXPENSES					
	415	POSTMASTER	WATER BILLS	11/1-2/1/16	02/24/2016	235.31
	5873	LITHO SPECIALISTS	LASER CARDS	IS26240	02/24/2016	112.67
						347.98 *
Total ADMINISTRATIVE						347.98
Total EXPENDITURES						347.98
25-91500-833	STORMWATER UTILITY FUND - EXPENDITURES - STORMWATER CAPITAL - STORM SEWER SYSTEM IMPROVE.					
	256	KAPUR & ASSOCIATES, INC.	LONGACRE RETENTION	86753	12/31/2015	490.00
	256	KAPUR & ASSOCIATES, INC.	FOX/ BEACH DRAINAGE	86755	12/31/2015	3,612.00
	256	KAPUR & ASSOCIATES, INC.	SANITARY SEWER REHAB	86757	12/31/2015	196.00
						4,298.00 *
25-91500-844	STORMWATER UTILITY FUND - EXPENDITURES - STORMWATER CAPITAL - DRAINAGE IMPROVEMENTS-BEACH DR					
	256	KAPUR & ASSOCIATES, INC.	BEACH DRIVE	86754	12/31/2015	980.00
Total STORMWATER CAPITAL						5,278.00
Total EXPENDITURES						5,278.00
Total STORMWATER UTILITY FUND						6,258.44

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40-91400-801	CAPITAL PROJECTS FUND - EXPENDITURES - PUBLIC WORKS - EQUIPMENT - DUMP TRUCK					
	430	REGISTRATION FEE TRUST	1FDRF3H69GEB64582 2016 FORD	JRF3H69GEB64582	02/11/2016	78.50
	5305	EWALD AUTOMOTIVE GROUP	1FDRF3H69GEB64582 FORD F350	18451	12/31/2015	15,581.00
						15,659.50 *
Total PUBLIC WORKS - EQUIPMENT						15,659.50
40-91500-829	CAPITAL PROJECTS FUND - EXPENDITURES - PUBLIC WORKS -CAPITAL PROJECTS - REHAB-BRIDGE LN FOOTBRID					
	4542	SEH, INC.	BRIDGE REGENT	310121	12/31/2015	48.90
Total PUBLIC WORKS -CAPITAL PROJECTS						48.90
40-91600-833	CAPITAL PROJECTS FUND - EXPENDITURES - RECREATION - EQUIP/CAPITAL - TREE REPLACEMENT					
	2669	BARK RIVER TREE SERVICE INC	EAB	2107	02/23/2016	11,608.00
	5933	WACHTEL TREE SCIENCE & SEF	ASH	217488	02/11/2016	455.00
						12,063.00 *
Total RECREATION - EQUIP/CAPITAL						12,063.00
Total EXPENDITURES						27,771.40
Total CAPITAL PROJECTS FUND						27,771.40
50-81000-601	WATER UTILITY FUND - EXPENDITURES - EXPENDITURES - SOURCE OF WATER SUPPLY					
	378	NORTH SHORE WATER COMMIS	MONTHLY PAYMENT	FPT OPS 02/2016	02/10/2016	16,872.07
50-81000-640	WATER UTILITY FUND - EXPENDITURES - EXPENDITURES - OPERATIONS LABOR WATER MAINS					
	2839	CITY WATER LLC	WATER MAIN BREAK	320	02/03/2016	150.00
50-81000-651	WATER UTILITY FUND - EXPENDITURES - EXPENDITURES - MAINTENANCE OF MAINS					
	2241	ITU ABSORB TECH, INC	WATER DEPT	6520635	02/02/2016	41.52
	2241	ITU ABSORB TECH, INC	WATER DEPT	6528594	02/12/2016	7.96
	2241	ITU ABSORB TECH, INC	WATER DEPT	6532719	02/12/2016	7.96
	2241	ITU ABSORB TECH, INC	WATER DEPT	6536731	02/24/2016	41.52
	5509	HD SUPPLY WATERWORKS, LTI	TOP SECTIONS	F047687	02/02/2016	267.18
	5509	HD SUPPLY WATERWORKS, LTI	CREDIT	F10415	02/24/2016	94.86
	5509	HD SUPPLY WATERWORKS, LTI	VALVE BOX LID	F137921	02/24/2016	117.00
						388.28 *
50-81000-653	WATER UTILITY FUND - EXPENDITURES - EXPENDITURES - MAINTENANCE OF METERS					
	3252	MIDWEST METER INC.	ORION	75016-IN	02/24/2016	134.00
	101806	USA BLUEBOOK	GASKETS	867636	02/24/2016	20.95
						154.95 *
50-81000-800	WATER UTILITY FUND - EXPENDITURES - EXPENDITURES - CAPITAL OUTLAY					
	1291	DIXON ENGINEERING	INSPECTION	16-0090	02/02/2016	175.00
	2704	L.C. UNITED PAINTING	WATER TOWER PAINTING	42323	12/31/2015	408,300.00
	3252	MIDWEST METER INC.	M-25 METERS	0074333-IN	02/02/2016	8,784.00

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						417,259.00	*
50-81000-844	WATER UTILITY FUND - EXPENDITURES - EXPENDITURES - NSWC CAPITAL PROJECTS						
	378	NORTH SHORE WATER COMMIS	CHEMICAL FEED	42374	02/11/2016	1,277.53	
50-81000-921	WATER UTILITY FUND - EXPENDITURES - EXPENDITURES - OFFICE SUPPLIES AND EXPENSE						
	415	POSTMASTER	WATER BILLS	11/1-2/1/16	02/24/2016	235.32	
	2136	VERIZON WIRELESS	687068918-00001	9759748720	02/09/2016	9.04	
	3206	BRILLIANT DPI, INC	METER CARDS	30272	02/12/2016	29.48	
	5873	LITHO SPECIALISTS	LASER CARDS	IS26240	02/24/2016	112.66	
						386.50	*
50-81000-923	WATER UTILITY FUND - EXPENDITURES - EXPENDITURES - OUTSIDE SERVICES EMPLOYED						
	2839	CITY WATER LLC	WATER UTILITY OPERATIONS	320	02/03/2016	7,800.00	
Total EXPENDITURES						444,288.33	
Total EXPENDITURES						444,288.33	
Total WATER UTILITY FUND						444,288.33	
70-12100	TAX ROLL FUND - TAXES RECEIVABLES						
	395	CITI MORTGAGE, INC.	8214 WHITNEY RD-FOX POINT WI	6080	02/02/2016	30.00	
	1108	ROZINA, JANINE S	OVERPAYMENT TAXES	5630	02/03/2016	142.44	PR
	2384	SCHNEIDER, STUART OR MARC	OVERPAYMENT TAXE	5888	01/29/2016	72.07	
	2686	VITAIRA HOLDINGS INC	OVERPAYMENT TAXES	5982	02/01/2016	1,485.66	
						1,445.29	*
Total TAX ROLL FUND						1,445.29	
72-27015	LIBRARY DONATIONS FUND - LIBRARY LOST BOOKS						
	55	BAKER & TAYLOR BOOKS VEND	LOST LIBRARY BOOK	02/03/2016	02/17/2016	99.97	
72-27030	LIBRARY DONATIONS FUND - FRIENDS OF THE NSL - DONATION						
	2347	NORTHSHORE BANK	FOL	1/14-1/15/16	02/03/2016	56.77	
	2401	MIDWEST TAPE	FOL	01/15/2016	02/03/2016	48.69	
	2401	MIDWEST TAPE	FOL	02/05/2016	02/17/2016	87.85	
	4232	CENTER POINT LARGE PRINT	FRIENDS DONATIONS	1343312	02/03/2016	709.94	
						903.25	*
Total LIBRARY DONATIONS FUND						1,003.22	
Grand Total:						759,135.73	

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Date Approved: _____

Village Manager: _____

Village Board: _____



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT 53217-3505
414-351-8900
FAX 414-351-8909

To: Village Board

From: Scott A Botcher, Village Manager 

cc: Mike Pedersen; Scott Brandmeier

Date: March 3, 2016

Re: Pool

We continue our progress on pool development and operations and I want to update you on certain items.

2016 Operation

As approved in the 2016 budget, we have ordered a new pump and heater. Both pieces of equipment are reported to be in stock locally, and our staff is coordinating to schedule removal and installation. We expect this work to be completed by mid-April, and once the pool is filled (at or about early to mid-May), we will test the equipment and tune its performance. We expect staff training to occur in mid-May, and are discussing a kick off grand opening to generate momentum for the 2016 season.

2016 Kick off/ Snack Bar

The Assistant Village Manager and Pool Manager will be coordinating the hiring of seasonal pool staff during the months of March and April. Training for these employees is expected to begin early to mid-May. In addition to hiring the seasonal pool employees, staff is expected to plan a grand opening kickoff party in an attempt to generate some momentum for the 2016 season. The tentative opening date is Friday, June 10. Ideas for this party are in the early stages, but staff is hoping to have games, food and raffle prizes. There will be no charge to participate in the grand opening party, hoping this will attract new prospective members.

On Tuesday, March 1, the Assistant Village Manager met for the second time with "Miss Cupcake" to run the Pool snack bar this season. Ashley (Miss Cupcake) currently owns a snack boutique in Shorewood and is extremely excited about putting together a small satellite location at the Fox Point Pool. During this meeting, the two developed a tentative menu, discussed necessary equipment that would need to be purchased, hours of operation, staffing levels and advertisement ideas. The Assistant Village Manager will be doing another walk through with Ashley on Wednesday, March 9 to make finalize details.

Future Operations

As we look to the information we will need to make an informed decision about the pool, I have attempted to reach out to several organizations or individuals. As I communicated in January, my objective is to generate data that would show us our place in the aquatic recreation marketplace, and if we choose to remain in the "pool business", what we might offer to meet the needs and demands of our customers (residents and not), helping guide us in future pool development, and maximizing the Village's return for its capital expenditure.

While I have also spoken to a private architecture firm about what I am seeking and they indicated they have a professional relationship with a firm who would do more market based research and economic analysis, I am also seeking a relationship with the Lubar Graduate School of Business at UWM, thinking we provide an opportunity to graduate students to do real world analysis while providing the Village with needed and necessary market research at a graduate level.

Capturing UWM's attention took much longer than I hoped, but on Thursday I met with Professor Bill Berg. Professor Berg teaches 2 graduate and senior level courses at the Lubar School; Marketing, and Marketing Research. In my own experience as an MBA student, I was required to complete a residency where we were assigned a client and then completed a "consultancy" task the needed to have done. The student gets outstanding real world research opportunities, and we as the organization receive the benefit of affordable graduate level research utilizing the data analysis tools of UWM. Finally, and selfishly, I believe it to be in the interests of UWM and the Village to develop a relationship which over time can be nurtured to both entities benefit on a variety of topics.

At this point, Professor Berg and I have conceptually agreed on the analysis the Village needs/wants to have done as we discuss the pool. Following, and he very well may have reached out to some students by the time you read this, it is our hope that student(s) will take on the necessary market analysis as we discussed previously. This relationship would be an independent study opportunity for the student(s); Professor Berg has agreed to mentor from within UWM and I (obviously) will direct on the part of the Village. I expect to be in position in the near term, perhaps as soon as Tuesday, to give an update to the Board as to how where things stand, but I think this is a unique way for us to be in a position to discuss some of the "market issues" I believe we should discuss before any further decision is made.

As done in 2007 (and before), the Village could simply hire an architecture firm but none of them do any analysis; they will provide you with building options and no quantifiable analysis. As I have made clear previously, I don't believe that alone is in our interests.

On Tuesday, I would like to give you the opportunity to communicate to me what kinds of things, general or specific, you might want to have researched part of this study. I would refer you to my January memo if you wish to refresh your memory of some of things I would recommend.

Thank you for your time and consideration.



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT 53217-3505
414-351-8900
FAX 414-351-8909

To: Village Board

From: Scott Botcher, Village Manager 

cc: Scott Brandmeier

Date: March 4, 2016

Re: Ground Lease Amendment

As part of the closing process, the lessee has been unable to provide a Certificate of Insurance underwritten by a company rated A by AM Best as required in Section 13 (a) of the Ground Lease Agreement. This evening PI, LLC is seeking a modification to the lease to allow their carrier, which is rated A- by AM Best, to be acceptable to the Village. This will require language modification to the lease, which I have included.

While the change is not exceedingly significant, and while PI would argue that they are the same, they are not. I have been somewhat firm that some consideration should inure to the Village as a result of this change.

As a result of these discussions, an agreement has been reached that would require the lessee to donate to the Fox Point Foundation \$500 per year (plus a CPI inflator) for the length of the lease. While this is a small donation, it is still significant, and I think it is in the community's best interest to have a viable and functioning Foundation as we all benefit from their activities.

Thank you for your consideration.

AMENDMENT TO GROUND LICENSE AGREEMENT

THIS AMENDMENT TO GROUND LICENSE AGREEMENT (this “Amendment”) is made and entered into as of the ____ day of March, 2016 by and between the **VILLAGE OF FOX POINT**, a Wisconsin municipal corporation (“Licensor”), and **PI TELECOM INFRASTRUCTURE T, LLC**, a Delaware limited liability company (“Licensee”).

RECITALS:

WHEREAS, Licensor and Licensee entered into that certain Ground License Agreement dated December 21, 2015 (the “License”) with respect to certain Licensed Premises (as defined and described in the License) for the installation, maintenance and operation on the Licensed Premises of certain Communications Facilities (as defined and more particularly described in the License), all in accordance with the terms and conditions of the License; and

WHEREAS, Licensor and Licensee desire to amend the License pursuant to the terms and conditions hereinafter set forth in this Amendment.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and convenience contained herein and in the License, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Licensor and Licensee hereby agree as follows:

1. Recitals. The foregoing recitals are true and correct and are expressly incorporated into and made a part of this Amendment as if fully rewritten herein.
2. Defined Terms. Any terms used in this Amendment as defined terms, but which are not defined herein, shall have the meanings attributed to those terms in the License.
3. Insurance. The first sentence of Section 13(a) of the License is hereby revised as follows: “At all times during the term of this License, LICENSEE shall keep in force and effect all insurance policies as outlined below, issued by a company or companies licensed to do business in the State of Wisconsin and rated ‘Excellent’ or better and class VII size or larger by A.M. Best.”
4. Annual Donation. Licensee shall make an annual donation on or before April 15 of each calendar year during the term of this License, to the Fox Point Foundation. The donation amount in 2016 shall be \$500. This annual donation shall be increased annually, in each year following the initial donation, based upon the United States Bureau of Labor Statistics Midwest Region All Items Consumer Price Index for All Urban Consumers (hereinafter “Index”), in accordance with the percentage increase that may occur per said Index between each annual donation date. Licensee shall provide proof of such donation to the Fox Point Village Manager, each year. If the Fox Point Foundation shall cease to exist during the term of this License, the donation shall be made to the Village of Fox Point general fund, or to such alternative civic organization within the Village of Fox Point as may be designated by the Village Manager.
5. Provisions of Amendment Control. To the extent the provisions of this Amendment are inconsistent with the License, the terms of this Amendment shall control.

- 6. Force and Effect. Except as expressly amended or modified herein, all other terms, covenants and conditions of the License shall remain in full force and effect.
- 7. Successors and Assigns. The terms, conditions, covenants, and agreements contained herein shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.
- 8. Counterparts. This Amendment may be executed in two or more counterparts, all of which shall be considered one and the same agreement and shall become effective when one or more counterparts have been signed by each of the parties, it being understood that all parties need not sign the same counterpart. The parties agree that a scanned or electronically reproduced copy or image of this Amendment shall be deemed an original.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment the day and year first above written.

LICENSOR:

VILLAGE OF FOX POINT

Michael West, Village President

ATTEST:

Kelly Meyer, Village Clerk Treasurer

LICENSEE:

**PI TELECOM INFRASTRUCTURE
T, LLC**, a Delaware limited liability
company

WITNESSES:

Print Name: _____

Print Name: _____
As to Licensee

By: _____
Print Name: _____
As its: _____



VILLAGE OF FOX POINT

MILWAUKEE COUNTY
WISCONSIN

VILLAGE HALL
7200 N. SANTA MONICA BLVD.
FOX POINT 53217-3505
414-351-8900
FAX 414-351-8909

To: Village Board

From: Scott Botcher, Village Manager 

cc: Scott Miller

Date: March 3, 2016

Re: Code Enforcement Inspections

You will see on the agenda the matter of Code Enforcement Inspections. Given some recent changes in State law, we thought it wise to broach the subject with you this evening. This matter just arose this week so I don't have any documentation to give you in the packet, but Mr. Larson will lead the discussion on the matter next week.

If you wish to read the Act, I have included 2015 Wisconsin Act 176. Pay particular attention to Section 8. Assembly Bill 582 may also have some impact on us, but as of now I do not believe it is law. Please pay particular attention to item 1 under "Property Rights and Procedural Protections". If we have any additional documentation to distribute before Tuesday we will send it electronically.

As recommended by Mr. Larson, the plan is this: we have listed the topic in open session and in closed session so we can handle any litigation-related questions that come up in the closed session, if necessary, and forego the closed session if such issues do not arise.

Menu » 2015 » Related Documents » Acts » 2015 Wisconsin Act 176

Date of enactment: **February 29, 2016**

2015 Assembly Bill 568 Date of publication*: **March 1, 2016**

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

2015 WISCONSIN ACT 176

AN ACT *to repeal* 66.1019 (3) (b) and 101.975 (3); *to renumber* 706.22 (2) (a) 1., 706.22 (2) (a) 2. and 706.22 (2) (a) 3.; *to renumber and amend* 59.69 (4m), 60.64, 62.23 (7) (em), 66.1019 (3) (a), 704.17 (1) (b), 704.17 (5), 706.22 (2) (b), 706.22 (3) and 943.14; *to amend* 20.505 (7) (h), 66.0809 (9), 101.02 (7m), 349.13 (3m) (dr) 2., 349.13 (3m) (e) 1., 349.13 (3m) (e) 3., 704.17 (2) (b), 704.19 (2) (b) 2., 706.22 (title), 706.22 (2) (title), 706.22 (2) (a) (intro.) and 800.035 (1); and *to create* 59.69 (4m) (b), 59.69 (4m) (c), 60.64 (2), 60.64 (3), 62.23 (7) (em) 2., 62.23 (7) (em) 3., 66.0104 (2) (e), 66.0104 (2) (f), 66.0104 (2) (g), 66.0104 (3) (c), 175.403, 704.055, 704.17 (1) (b) 1., 704.17 (3m), 704.17 (5) (b), 706.22 (2) (a) 2m., 706.22 (2) (a) 3m., 706.22 (2) (b) 2., 706.22 (3) (b) and 943.14 (1) of the statutes; **relating to:** terminating a tenancy for criminal activity or drug-related criminal activity; disposition of personal property left in rental property by a trespasser; preexisting sprinkler ordinances that are stricter than the multifamily dwelling code; towing vehicles illegally parked on private property; terminating certain tenancies for breaches other than failure to pay rent; limitations on the authority of political subdivisions to regulate rental units and historic properties; prohibiting local governmental units from imposing real property purchase or residential real property occupancy requirements; creating a criminal penalty; and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.505 (7) (h) of the statutes is amended to read:

20.505 (7) (h) *Funding for the homeless.* All moneys received from interest on real estate trust accounts under s. 452.13 for grants under s. 16.307, and all moneys received under ~~s. ss. 704.05 (5) (a) 2. and 704.055 (2) (b)~~, for grants to agencies and shelter facilities for homeless individuals and families under s. 16.308 (2) (a) and (b).

SECTION 2. 59.69 (4m) of the statutes is renumbered 59.69 (4m) (a) and amended to read:

59.69 (4m) (a) ~~Subject to par. (b), a~~ county, as an exercise of its zoning and police powers for the purpose of promoting the health, safety and general welfare of the community and of the state, may regulate by ordinance any place, structure or object with a special character, historic interest, aesthetic interest or other significant value, for the purpose of preserving the place, structure or object and its significant characteristics. ~~The Subject to pars. (b) and (c), the~~ county may create a landmarks commission to designate historic landmarks and establish historic districts. ~~The Subject to par. (b), the~~ county may regulate all historic landmarks and all property within each historic district to preserve the historic landmarks and property within the district and the character of the district.

SECTION 3. 59.69 (4m) (b) of the statutes is created to read:

59.69 (4m) (b) Before the county designates a historic landmark or establishes a historic district, the county shall hold a public hearing. If the county proposes to designate a place, structure, or object as a

historic landmark or establish a historic district that includes a place, structure, or object, the county shall, by 1st class mail, notify the owner of the place, structure, or object of the determination and of the time and place of the public hearing on the determination.

SECTION 3M. 59.69 (4m) (c) of the statutes is created to read:

59.69 (4m) (c) An owner of property that is affected by a decision of a county landmarks commission may appeal the decision to the board. The board may overturn a decision of the commission by a majority vote of the board.

SECTION 4. 60.64 of the statutes is renumbered 60.64 (1) and amended to read:

60.64 (1) ~~The Subject to sub. (2), the~~ town board, in the exercise of its zoning and police powers for the purpose of promoting the health, safety and general welfare of the community and of the state, may regulate any place, structure or object with a special character, historic interest, aesthetic interest or other significant value for the purpose of preserving the place, structure or object and its significant characteristics. ~~The Subject to subs. (2) and (3), the~~ town board may create a landmarks commission to designate historic landmarks and establish historic districts. ~~The Subject to sub. (2), the~~ board may regulate all historic landmarks and all property within each historic district to preserve the historic landmarks and property within the district and the character of the district.

SECTION 5. 60.64 (2) of the statutes is created to read:

60.64 (2) Before the town board designates a historic landmark or establishes a historic district, the town board shall hold a public hearing. If the town board proposes to designate a place, structure, or object as a historic landmark or establish a historic district that includes a place, structure, or object, the town board shall, by 1st class mail, notify the owner of the place, structure, or object of the determination and of the time and place of the public hearing on the determination.

SECTION 5M. 60.64 (3) of the statutes is created to read:

60.64 (3) An owner of property that is affected by a decision of a town landmarks commission may appeal the decision to the town board. The town board may overturn a decision of the commission by a majority vote of the town board.

SECTION 6. 62.23 (7) (em) of the statutes is renumbered 62.23 (7) (em) 1. and amended to read:

62.23 (7) (em) 1. ~~A Subject to subd. 2., a~~ city, as an exercise of its zoning and police powers for the purpose of promoting the health, safety and general welfare of the community and of the state, may regulate by ordinance, or if a city contains any property that is listed on the national register of historic places in Wisconsin or the state register of historic places shall, not later than 1995, enact an ordinance to regulate, any place, structure or object with a special character, historic, archaeological or aesthetic interest, or other significant value, for the purpose of preserving the place, structure or object and its significant characteristics. ~~A Subject to subs. 2. and 3., a~~ city may create a landmarks commission to designate historic or archaeological landmarks and establish historic districts. ~~The Subject to subd. 2., the~~ city may regulate, or if the city contains any property that is listed on the national register of historic places in Wisconsin or the state register of historic places shall regulate, all historic or archaeological landmarks and all property within each historic district to preserve the historic or archaeological landmarks and property within the district and the character of the district.

SECTION 7. 62.23 (7) (em) 2. of the statutes is created to read:

62.23 (7) (em) 2. Before the city designates a historic landmark or establishes a historic district, the city shall hold a public hearing. If the city proposes to designate a place, structure, or object as a historic landmark or establish a historic district that includes a place, structure, or object, the city shall, by 1st class mail, notify the owner of the place, structure, or object of the determination and of the time and place of the public hearing on the determination.

SECTION 7M. 62.23 (7) (em) 3. of the statutes is created to read:

62.23 (7) (em) 3. An owner of property that is affected by a decision of a city landmarks commission may appeal the decision to the common council. The common council may overturn a decision of the commission by a majority vote of the common council.

SECTION 8. 66.0104 (2) (e) of the statutes is created to read:

66.0104 (2) (e) No city, village, town, or county may enact an ordinance that does any of the following:

1. Requires that a rental property or rental unit be inspected except upon a complaint by any person, as part of a program of regularly scheduled inspections conducted in compliance with s. 66.0119, as applicable, or as required under state or federal law.

2. Charges a fee for conducting an inspection of a residential rental property unless all of the following are satisfied:

- a. The amount of the fee is uniform for residential rental inspections.
- b. The fee is charged at the time that the inspection is actually performed.

3. Charges a fee for a subsequent reinspection of a residential rental property that is more than twice the fee charged for an initial reinspection.

4. Except as provided in this subdivision, requires that a rental property or rental unit be certified, registered, or licensed. A city, village, town, or county may require that a rental unit be registered if the registration consists only of providing the name of the owner and an authorized contact person and an address and telephone number at which the contact person may be contacted.

SECTION 9. 66.0104 (2) (f) of the statutes is created to read:

66.0104 (2) (f) No city, village, town, or county may impose an occupancy or transfer of tenancy fee on a rental unit.

SECTION 10. 66.0104 (2) (g) of the statutes is created to read:

66.0104 (2) (g) 1. Except as provided in subds. 2. and 3., no city, village, town, or county may enact an ordinance that requires a residential rental property owner to register or obtain a certification or license related to owning or managing the residential rental property.

2. Subdivision 1. does not apply to an ordinance that applies uniformly to all residential rental property owners, including owners of owner-occupied rental property.

3. Subdivision 1. does not prohibit a city, village, town, or county from requiring that a landlord be registered if the registration consists only of providing the name of the landlord and an authorized contact person and an address and telephone number at which the contact person may be contacted.

SECTION 11. 66.0104 (3) (c) of the statutes is created to read:

66.0104 (3) (c) If a city, village, town, or county has in effect on the effective date of this paragraph [LRB inserts date], an ordinance that is inconsistent with sub. (2) (e), (f), or (g), the ordinance does not apply and may not be enforced.

SECTION 12. 66.0809 (9) of the statutes is amended to read:

66.0809 (9) A municipal utility is not required to offer a customer who is a tenant at a rental dwelling unit a deferred payment agreement. Notwithstanding, ss. 196.03, 196.19, 196.20, 196.22, 196.37, and 196.60, a determination by a municipal utility to offer or not offer a deferred payment agreement does not require approval, and is not subject to disapproval, by the public service commission.

SECTION 13. 66.1019 (3) (a) of the statutes is renumbered 66.1019 (3) and amended to read:

66.1019 (3) ~~Except as provided in par. (b), any~~ Any ordinance enacted by a county, city, village or town relating to the construction or inspection of multifamily dwellings, as defined in s. 101.971 (2), shall conform to subch. VI of ch. 101 and s. 101.02 (7m).

SECTION 14. 66.1019 (3) (b) of the statutes is repealed.

SECTION 15. 101.02 (7m) of the statutes is amended to read:

101.02 (7m) Notwithstanding sub. (7) (a), no city, village, or town may make or enforce any ordinance that is applied to any multifamily dwelling, as defined in s. 101.971 (2), and that does not conform to subch. VI and this section or is contrary to an order of the department under this subchapter; ~~except that if a city, village or town has a preexisting stricter sprinkler ordinance, as defined in s. 101.975 (3) (a), that ordinance remains in effect, except that the city, village or town may take any action with regard to that ordinance that a political subdivision may take under s. 101.975 (3) (b).~~ Any provision of a contract between a city, village, or town and a property owner of a multifamily dwelling that requires the property owner to comply with an ordinance that does not conform to subch. VI and this section or is contrary to an order of the department under this subchapter may be waived by the property owner and if waived is void and unenforceable.

SECTION 16. 101.975 (3) of the statutes is repealed.

SECTION 17. 175.403 of the statutes is created to read:

175.403 Trespassing; arrest and removal. (1) In this section:

(a) "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).

(b) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

(2) Each law enforcement agency shall have a written policy regarding the investigation of complaints alleging a violation of s. 943.14. The policy shall require a law enforcement officer who has probable cause to arrest a person for a violation of s. 943.14 to remove the person from a dwelling.

SECTION 18. 349.13 (3m) (dr) 2. of the statutes is amended to read:

349.13 (3m) (dr) 2. A towing service may not collect any charges for the removal or storage of an illegally parked vehicle under this subsection if unless the towing service has not complied made a good faith effort to comply with par. (d) 2. with respect to the vehicle. A towing service operating in a 1st class city may not collect any charges for the removal or storage of an illegally parked vehicle under this subsection if the towing service has not complied with par. (d) 2. with respect to the vehicle.

SECTION 19. 349.13 (3m) (e) 1. of the statutes is amended to read:

349.13 (3m) (e) 1. Reasonable charges for removal and storage of vehicles under this subsection when no citation has been issued.

SECTION 20. 349.13 (3m) (e) 3. of the statutes is amended to read:

349.13 (3m) (e) 3. Guidelines for towing services to notify law enforcement under par. (d) upon removal of a vehicle when no citation has been issued.

SECTION 21. 704.055 of the statutes is created to read:

704.055 Disposition of personalty left by trespasser. (1) DEFINITION. In this section, "trespasser" means a person who is not a tenant and who enters or remains in residential rental property without the consent of the landlord or another person lawfully on the property.

(2) **AT THE LANDLORD'S DISCRETION.** (a) If a trespasser is removed or otherwise removes from residential rental property and leaves personal property, the landlord shall hold the personal property for 7 days from the date on which the landlord discovers the personal property. After that time, the landlord may presume that the trespasser has abandoned the personal property and may dispose of the personal property in any manner that the landlord, in the landlord's sole discretion, determines is appropriate but shall promptly return the personal property to the trespasser if the landlord receives a request for its return before the landlord disposes of it.

(b) If the landlord disposes of the abandoned personal property by private or public sale, the landlord may send the proceeds of the sale minus any costs of sale and, if the landlord has first stored the personal property, minus any storage charges to the department of administration for deposit in the appropriation under s. 20.505 (7) (h).

(3) **RIGHTS OF 3RD PERSONS.** The landlord's power to dispose as provided by this section applies to any personal property left on the landlord's property by the trespasser, whether owned by the trespasser or by others. The power to dispose under this section applies notwithstanding any rights of others existing under any claim of ownership or security interest. The trespasser, other owner, or any secured party has the right to redeem the personal property at any time before the landlord has disposed of it or entered into a contract for its disposition by payment of any expenses that the landlord has incurred with respect to the disposition of the personal property.

SECTION 22. 704.17 (1) (b) of the statutes is renumbered 704.17 (1) (b) (intro.) and amended to read:

704.17 (1) (b) (intro.) If a month-to-month tenant commits waste or a material violation of s. 704.07 (3) or breaches any covenant or condition of the tenant's agreement, other than for payment of rent, the tenancy can be terminated if ~~the landlord gives~~ any of the following applies:

2. The landlord gives the tenant notice requiring the tenant to vacate on or before a date at least 14 days after the giving of the notice.

SECTION 23. 704.17 (1) (b) 1. of the statutes is created to read:

704.17 (1) (b) 1. The landlord gives the tenant a notice that requires the tenant to either remedy the default or vacate the premises no later than a date at least 5 days after the giving of the notice, and the tenant fails to comply with the notice. A tenant is considered to be complying with the notice if promptly

upon receipt of the notice the tenant takes reasonable steps to remedy the default and proceeds with reasonable diligence, or if damages are adequate protection for the landlord and the tenant makes a bona fide and reasonable offer to pay the landlord all damages for the tenant's breach. If, within one year from receiving a notice under this subdivision, the tenant again commits waste or breaches the same or any other covenant or condition of the tenant's rental agreement, other than for payment of rent, the tenant's tenancy is terminated if the landlord gives the tenant notice to vacate on or before a date at least 14 days after the giving of the notice.

SECTION 24. 704.17 (2) (b) of the statutes is amended to read:

704.17 (2) (b) If a tenant under a lease for a term of one year or less, or a year-to-year tenant, commits waste or a material violation of s. 704.07 (3) or breaches any covenant or condition of the tenant's lease, other than for payment of rent, the tenant's tenancy is terminated if the landlord gives the tenant a notice requiring the tenant to remedy the default or vacate the premises on or before a date at least 5 days after the giving of the notice, and if the tenant fails to comply with such notice. A tenant is deemed to be complying with the notice if promptly upon receipt of such notice the tenant takes reasonable steps to remedy the default and proceeds with reasonable diligence, or if damages are adequate protection for the landlord and the tenant makes a bona fide and reasonable offer to pay the landlord all damages for the tenant's breach. If within one year from the giving of any such notice, the tenant again commits waste or breaches the same or any other covenant or condition of the tenant's lease, other than for payment of rent, the tenant's tenancy is terminated if the landlord, ~~prior to the tenant's remedying the waste or breach,~~ gives the tenant notice to vacate on or before a date at least 14 days after the giving of the notice.

SECTION 25. 704.17 (3m) of the statutes is created to read:

704.17 (3m) CRIMINAL ACTIVITY. (a) In this subsection:

1. "Controlled substance" has the meaning given in s. 961.01 (4).
2. "Drug-related criminal activity" means criminal activity that involves the manufacture or distribution of a controlled substance. "Drug-related criminal activity" does not include the manufacture, possession, or use of a controlled substance that is prescribed by a physician for the use of a disabled person, as defined in s. 100.264 (1) (a), and that is manufactured by, used by, or in the possession of the disabled person or in the possession of the disabled person's personal care worker or other caregiver.

(b) 1. Notwithstanding subs. (1) (b), (2) (b), and (3) (a), and except as provided in par. (c), a landlord may, upon notice to the tenant, terminate the tenancy of a tenant, without giving the tenant an opportunity to remedy the default, if the tenant, a member of the tenant's household, or a guest or other invitee of the tenant or of a member of the tenant's household engages in any criminal activity that threatens the health or safety of, or right to peaceful enjoyment of the premises by, other tenants; engages in any criminal activity that threatens the health or safety of, or right to peaceful enjoyment of their residences by, persons residing in the immediate vicinity of the premises; engages in any criminal activity that threatens the health or safety of the landlord or an agent or employee of the landlord; or engages in any drug-related criminal activity on or near the premises. The notice shall require the tenant to vacate on or before a date at least 5 days after the giving of the notice. The notice shall state the basis for its issuance; include a description of the criminal activity or drug-related criminal activity, the date on which the activity took place, and the identity or description of the individuals engaging in the activity; advise the tenant that he or she may seek the assistance of legal counsel, a volunteer legal clinic, or a tenant resource center; and state that the tenant has the right to contest the allegations in the notice before a court commissioner or judge if an eviction action is filed. If the tenant contests the termination of tenancy, the tenancy may not be terminated without proof by the landlord by the greater preponderance of the credible evidence of the allegation in the notice.

2. To terminate a tenancy under this subsection, it is not necessary that the individual committing the criminal activity or drug-related criminal activity has been arrested for or convicted of the criminal activity or drug-related criminal activity.

(c) Paragraph (b) does not apply to a tenant who is the victim, as defined in s. 950.02 (4), of the criminal activity.

SECTION 26. 704.17 (5) of the statutes is renumbered 704.17 (5) (a) and amended to read:

704.17 (5) (a) ~~Provisions~~ Except as provided in par. (b), provisions in the lease or rental agreement for termination contrary to this section are invalid except in leases for more than one year.

SECTION 27. 704.17 (5) (b) of the statutes is created to read:

704.17 (5) (b) Provisions in any lease or rental agreement for termination contrary to sub. (3m) are invalid.

SECTION 28. 704.19 (2) (b) 2. of the statutes is amended to read:

704.19 (2) (b) 2. Notwithstanding subd. 1., nothing in this section prevents termination of a tenancy before the end of a rental period because of an imminent threat of serious physical harm, as provided in s. 704.16, or for criminal activity or drug-related criminal activity, nonpayment of rent, or breach of any other condition of the tenancy, as provided in s. 704.17.

SECTION 29. 706.22 (title) of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

706.22 (title) Prohibition on imposing time-of-sale, purchase, or occupancy requirements.

SECTION 30. 706.22 (2) (title) of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

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CORRECTED COPY

LRB-3974/1

ES/MS/EM/PK:all

2015 - 2016 LEGISLATURE

2015 ASSEMBLY BILL 582

December 7, 2015 - Introduced by Representatives JARCHOW, ALLEN, CRAIG, CZAJA, KNODL, NYGREN, PETERSEN and TAUCHEN, cosponsored by Senators LASEE, LEMAHIEU and NASS. Referred to Committee on Housing and Real Estate.

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AN ACT *to renumber* 706.22 (2) (a) 1., 706.22 (2) (a) 2. and 706.22 (2) (a) 3.; *to renumber and amend* 70.32 (2) (c) 4., 70.32 (4), 706.22 (2) (b) and 706.22 (3); *to amend* 59.69 (4) (intro.), 59.69 (4) (j), 59.69 (5) (f), 59.692 (1k) (a) 2., 59.692 (1k) (a) 4., 59.692 (1k) (b), 60.23 (33), 60.61 (2) (a) 6., 60.61 (4) (f), 62.23 (7) (am), 62.23 (7) (d) 4., 66.1001 (4) (f), 66.10015 (title), 66.10015 (1) (a), 66.10015 (1) (b), 66.10015 (1) (d), 66.10015 (2) (b), 66.10015 (2) (d), 236.45 (2) (am) (intro.), 706.22 (title), 706.22 (2) (title) and 706.22 (2) (a) (intro.); and *to create* 59.692 (1h), 59.692 (1k) (a) 6., 59.692 (1p), 59.692 (7), 66.10015 (1) (as), 66.10015 (1) (bs), 66.10015 (3), 70.32 (2) (c) 4. b., 70.32 (4) (b), 227.445, 700.28, 706.22 (2) (a) 2m., 706.22 (2) (a) 3m., 706.22 (2) (b) 2., 706.22 (3) (b) and 895.463 of the statutes; **relating to:** government actions affecting rights to real property; the

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regulation of shoreland zoning; the substitution of hearing examiners in contested cases; and the property tax treatment of unoccupied property.

Analysis by the Legislative Reference Bureau

INTRODUCTION

This bill makes various changes to the regulation of property rights and shoreland zoning and allows for the substitution of hearing examiners in contested case hearings.

PROPERTY RIGHTS

PROCEDURAL PROTECTIONS

Restrictions on sale, purchase, development, or occupancy of real property

This bill does all of the following:

1. Prohibits a local governmental unit from requiring a person to take certain actions with respect to real property, or pay a related fee, before purchasing, taking title to, or occupying the property.
2. Provides that a local governmental unit may require a real property owner to take certain actions with respect to property that are not related to purchasing or occupying the property.
3. Invalidates any ordinance, resolution, or policy currently in effect that is inconsistent with the prohibitions in the bill.
4. Provides that the prohibitions in the bill, and related prohibitions under current law, do not affect the ability of a local governmental unit to enforce any state or federal requirement.
5. Specifically prohibits a county from enacting a development moratorium.
6. Prohibits a city, village, town, or county (political subdivision) from prohibiting or unreasonably restricting a real property owner from selling or transferring title to any interest in the real property.

Individual notice requirements

This bill requires a political subdivision to provide written notice to a landowner that potential action by the political subdivision may affect the allowable use of the landowner's property. The bill also requires counties and towns to provide such notice if a proposed zoning ordinance will affect the size or density requirements of a landowner's property. In addition, the bill eliminates a political subdivision's authority under current law to impose a fee for providing notice.

VESTED RIGHTS

This bill requires a political subdivision to deny or approve a permit for activity related to a specific and identifiable land development based on regulations and ordinances in effect at the time that the permit application was submitted for approval. Also, if a project requires an approval from a state agency and a political subdivision, the existing requirements applicable at the time of filing the first application, whether filed with the state agency or political subdivision, are

applicable to all subsequent approvals required for the project. The bill also provides that any deadline set by the political subdivision for approving a permit application must be extended so that it coincides with the period in which other related applications are being decided on, including the duration of any proceedings contesting the approval of such applications.

SHORELAND ZONING

Under current law, a county must enact a shoreland zoning ordinance for all shorelands in its unincorporated area and the ordinance must meet shoreland zoning standards established by DNR by rule. Current law defines shorelands to be the area within a certain distance from the OHWM of a navigable water. Current law requires a county to establish a shoreland setback area, which is an area within a certain distance of the OHWM in which the construction or placement of structures is limited or prohibited. Under this bill, if a professional land surveyor, in measuring a setback from an OHWM of a navigable water, relies on a map, plat, or survey that incorporates or approximates the OHWM, the setback measured is the setback with respect to a structure constructed on that property if the map, plat, or survey relied upon is prepared by a professional land surveyor and DNR has not identified the OHWM on its Internet site at the time the setback is measured.

Current law generally prohibits the enactment of a county shoreland zoning ordinance that prohibits or regulates the maintenance, repair, replacement, restoration, rebuilding, or remodeling of all or any part of a nonconforming structure if that activity does not expand the structure's footprint, and a county shoreland zoning ordinance that requires any approval or imposes any fee or mitigation requirement for, or otherwise prohibits or regulates, the vertical expansion of a nonconforming structure. This bill expands these prohibitions to a structure of which any part is legally located in the shoreland setback area only by operation of a variance.

Under the bill, neither DNR nor a county shoreland zoning ordinance may prohibit the owner of a boathouse with a flat roof from using the roof as a deck if the roof has no side walls or screens or from having or installing a railing around the roof that is consistent with Department of Safety and Professional Services standards.

This bill provides that a shoreland zoning standard or ordinance may not prohibit placement of a device or system that retains runoff in a shoreland setback area.

The bill also provides that the construction or maintenance of property or equipment used for the transmission, delivery, or furnishing of natural gas, heat, light, or power and owned by a public utility or cooperative association organized for

the purpose of producing or furnishing heat, light, or power to its members only is considered to satisfy shoreland zoning laws and a county's shoreland zoning ordinance if DNR has issued all required navigable water, water and sewage, and pollution discharge permits or approvals authorizing the construction or maintenance or, if no such permits or approvals are required, if the construction and maintenance is conducted in a manner that employs best management practices to infiltrate or otherwise control storm water runoff from that infrastructure.

RESOLUTION OF CHALLENGE TO ZONING RESTRICTIONS

This bill requires a court to resolve any ambiguity in a matter involving a zoning ordinance or shoreland zoning ordinance in favor of the free use of private property.

SUPERMAJORITY VOTE TO DOWN ZONE A PROPERTY

The bill allows a political subdivision to enact a down zoning ordinance only if the ordinance is approved by at least two-thirds of the members of its governing body. The bill defines a down zoning ordinance as an ordinance that affects an area of land by rezoning it to a usage that is less dense than its previous usage.

PROPERTY TAX TREATMENT OF UNDEVELOPED LAND

This bill defines, for property tax purposes, "undeveloped land" to include land that is platted and zoned for residential, commercial, or manufacturing use until such time that a permit is issued for constructing a building or other structure on the land. The bill provides that such land be assessed at its unimproved value. Other undeveloped land under current law is assessed at 50 percent of its full value.

CONTESTED CASE HEARINGS

Under this bill, a person who has applied for a contract, permit, or other approval that is the subject of a contested case hearing for which the Division of Hearings and Appeals in the Department of Administration has assigned a hearing examiner may file one written request per hearing for a substitution of a new hearing examiner. If the request is timely and in proper form, the matter must be transferred to a new hearing examiner.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 59.69 (4) (intro.) of the statutes is amended to read:
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59.69 (4) EXTENT OF POWER. (intro.) For the purpose of promoting the public health, safety and general welfare the board may by ordinance effective within the areas within such county outside the limits of incorporated villages and cities establish districts of such number, shape and area, and adopt such regulations for each such district as the board considers best suited to carry out the purposes of this section. The board may establish mixed-use districts that contain any combination of uses, such as industrial, commercial, public, or residential uses, in a compact

urban form. The board may not enact a development moratorium, as defined in s. 66.1002 (1) (b), under this section or by acting under ch. 236. The powers granted by this section shall be exercised through an ordinance which may, subject to sub. (4e), determine, establish, regulate and restrict:

SECTION 2. 59.69 (4) (j) of the statutes is amended to read:

59.69 (4) (j) The Subject to s. 66.10015 (3), the density and distribution of population.

SECTION 3. 59.69 (5) (f) of the statutes is amended to read:

59.69 (5) (f) ~~The county zoning agency shall maintain a list of persons who submit a written request to receive notice of any proposed ordinance or amendment that affects the allowable use of the property owned by the person.~~ If the county zoning agency completes a draft of a proposed zoning ordinance under par. (a) or if the agency receives a petition under par. (e) 2., the agency shall send a notice, which contains a copy or summary of the proposed ordinance or petition, to each person ~~on~~ the list whose property, the allowable use or size or density requirements of which, may be affected by the proposed ordinance or amendment. The notice shall be by mail or in any reasonable form that is agreed to by the person and the agency. ~~The agency may charge each person on the list who receives a notice a fee that does not exceed the approximate cost of providing the notice to the person.~~ An ordinance or amendment that is subject to this paragraph may take effect even if the agency fails to send the notice that is required by this paragraph.

SECTION 4. 59.692 (1h) of the statutes is created to read:

59.692 (1h) If a professional land surveyor licensed under ch. 443, in measuring a setback from an ordinary high-water mark of a navigable water as required by an ordinance enacted under this section, relies on a map, plat, or survey

that incorporates or approximates the ordinary high-water mark in accordance with s. 236.025, the setback measured is the setback with respect to a structure constructed on that property if all of the following apply: