

VILLAGE OF FOX POINT
VILLAGE BOARD PUBLIC HEARING AND MEETING
TUESDAY, JUNE 14, 2016

A meeting of the Fox Point Village Board was held on June 14, 2016 in Schwemer Hall, 7200 N. Santa Monica Blvd., beginning at 7:00 p.m. President West commented there is a quorum present of 7 trustees. The meeting is called to order; without objection, roll call is suspended.

Members of the Village Board present included:

Village President Michael A. West
Trustee Bill Kravit
Trustee Marty Tirado
Trustee Liz Sumner
Trustee Christine Symchych
Trustee Eric Fonstad
Trustee Terry McGauran

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

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

Persons Desiring To Be Heard

Ted Fine, 8435 North Indian Creek Pkwy

Mr. Fine submitted to Village Board and for record a letter with photos. He commented on concerns of continued degradation, probable flooding of properties and the potential devaluation of property values in regard to the Indian Creek condition. Mr. Fine gave a brief presentation.

Jan Singer, 8426 North Regent Road

Ms. Singer noted her concerns of village planning and resident input in regard to the Dunwood school property and Mandel Group. She also noted concerns of money management.

Mary LaCharite, 8049 North Santa Monica Blvd

Mrs. LaCharite commented on her concerns of the Long Range Comprehensive Plan through 2035. She inquired about the potential development of a committee to look at the Long Range Comprehensive Plan and assist in implementation.

Jim LaCharite, 8049 North Santa Monica Blvd

Mr. LaCharite expressed his appreciation with the village community open house and thanked Public Works Director Scott Brandmeier and Police Chief Chris Freedy for organizing the event; he stated it was a wonderful event with a lot of community spirit. Mr. LaCharite noted his concerns in regard to the Dunwood property and its effect on the village community overall.

Elizabeth Aelion, 210 West Bergen Court

Ms. Aelion noted her concerns on debt in the village.

Diane Rolfs, 8324 North Indian Creek Parkway

Ms. Rolfs commented on concerns in regard to the condition and flood danger of Indian Creek and its importance. She stated her concerns with how Indian Creek currently appears as a disaster and the flood risk. She requested the Village Board look into the matter and keep the public informed.

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President West directed Village Manager Scott Botcher to contact the citizens with concerns about Indian Creek crisis' progress, after review with the Public Works Director Scott Brandmeier.

Michael Stein, 8439 North Indian Creek Parkway

Mr. Stein stated his unease with the current condition of Indian Creek and the damage to the area.

Janet Fine, 8435 North Indian Creek Parkway

Mrs. Fine noted the solution to the Indian Creek problem will take a long time to correct. She asked that while the long term plans are being considered, cut down the cattails for the short term solution.

Jan Singer, 8426 North Regent Road

Ms. Singer noted concerns about the agendas being sent out until today. President West directed Ms. Singer to call Village Clerk/Treasurer Ms. Meyer in regard to posting the village agenda.

Hearing no other comments, President West closed public comment.

Plan Commission Report

Conditional Use Permit Application and Order for Lathom Holdings, LLC, d/b/a, CryoVive, 333 W Brown Road

President West gave the Plan Commission report. Mr. West noted the Lathom Holdings, LLC, d/b/a, CryoVive, 333 W. Brown Road Conditional Use Order amended changes to the hours to include the omitted Saturday hours and the additional hours as requested by the applicant at the Plan Commission meeting of Sunday from 9:00 a.m. until 3:00 p.m.

Mark Thomas, Owner of CryoVive was present and gave a brief synopsis of the business and services offered and distributed to the Village Board some business informational materials.

President West asked for public comments on the application.

Gary Hollander, 6807 N Lake Drive

Mr. Hollander inquired on the state's requirements for this business and concerns of liability.

President West closed public comment.

Consent Agenda

President West opened public comment on consent agenda items.

Jim LaCharite, 8049 North Santa Monica Blvd

Mr. LaCharite commented on concerns of Walgreens tobacco/cigarette license as an opponent of smoking.

President West closed public comment.

- a. Approve the Minutes of the May 10, 2016 Village Board Meeting, as drafted May 10, 2016.
- b. Grant a Conditional Use Permit to Lathom Holdings, LLC, d/b/a, CryoVive, 333 West Brown Deer Road (Audubon Shopping Center) and authorize the Village President and Village Clerk/Treasurer to Sign the Conditional Use Order.
- c. Grant the "Class A" and "Class B" liquor licenses and approve the appointment of new agent per the Village Clerk/Treasurer's memo dated June 7, 2016, subject to any conditions as noted.

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- e. Schedule a Public Hearing for the July 12, 2016 regular Board meeting to receive comments and input on the proposed 2017 Community Development Block Grant (CDBG) program project list immediately following "Persons desiring to be heard" per the Director of Public Works' memorandum dated June 6, 2016.
- g. Approve President West's reappointment of Nicholas P. Wahl to Board of Police Commissioners.
- h. Authorize Village Manager and Utility Rate Consultant to submit a Simplified Rate Case application to the Public Service Commission on behalf of the Water Utility.
- i. Approve Payment of the Bills in the amount of \$349,140.59 for the period May 1, 2016 through May 31, 2016 per the report submitted by the Village Manager.

President West requested item 4d and 4f be removed from the consent agenda.

On motion of Trustee Symchych, seconded by Trustee Kravit, and carried unanimously, the Village Board approved the amended consent agenda.

Proposed Change to the Village Board Meeting Location

Village Manager Scott Botcher gave a report on the proposed change to the meeting location in consideration of Police Department Padway Hall. He noted the most significant issue being the parking.

Village Trustees discussed the village board meeting locations and asked to consider changes to the current meeting room location at Schwemer Hall, including the walls and updates to provide a more professional image.

President West directed staff to formalize quotations and improvements for the next Village Board meeting by investigating cost on audience chairs, wall covering, tables, screens (2 screens) and projectors.

Douglas Frazer, 6045 N Berkley Road

Mr. Frazer noted concerns the village board room does not reflect the best image of the Village of Fox Point. He noted the parking is an issue if the village board is held at Padway Hall. He noted he would like to see a footbridge considered to solve the parking problem.

President West directed Mr. Botcher to research a walkway/footbridge over the swale to get to the Police Department parking lot.

A straw poll vote was taken for Padway Hall of 2 votes (Liz Sumner, Terry McGauran) and Schwemer Hall 5 votes.

On motion of Trustee Fonstad, seconded by Trustee Symchych to direct Village Manager Scott Botcher and Public Works Director Scott Brandmeier to prepare a quick estimate of an all-season path between North Shore Congregation Church parking lot and the Police Department parking lot. Motion failed 2-5.

Gary Hollander, 6807 North Lake Drive

Mr. Hollander noted his concerns about spending \$7,500 on the village board room chairs instead of the green tree crosswalks to provide safety for pedestrians.

Elizabeth Aelion, 210 West Bergen Court

Ms. Aelion noted Schwemer Hall is the appropriate place for village board meetings and commented on concerns for individuals who could not handle the walk from the North Shore Congregation Church parking lot to the Police Department parking lot. Concerns there are other priorities.

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President West closed public comment.

Grant the cigarette license for the establishment Walgreen Co, d/b/a, Walgreens #03125 per the Village Clerk/Treasurer's memo dated May 26, 2016 (4d)

Jim LaCharite, 8049 North Santa Monica Blvd

Mr. LaCharite commented on his concerns with the cigarette/tobacco license for Fox Point Walgreens #03125.

Village Clerk Meyer gave a brief background of the liquor license, answering questions.

Village Attorney Eric Larson gave a brief background of the State Law requirement on tobacco/cigarette licenses.

President West closed public comment.

On motion of Trustee Fonstad, seconded by Trustee McGauran, and carried unanimously, the Village Board granted the cigarette/tobacco license per the agenda notice.

Adopt a Resolution Approving of and Authorizing Submittal of the CMAR Report for the Activities of 2015 drafted May 27, 2016 (4f)

Mr. Brandmeier gave a brief background of the CMAR Report.

On motion of Trustee Fonstad, seconded by Trustee Symchych, and carried unanimously, the Village Board Approve of and Authorize Resolution adoption of submittal of the CMAR Report for the activities of 2015 drafted May 27, 2016.

Take up the topic of Village Board Compensation

Village Board discussed the potential village board compensation. Trustees made comments on their concerns and comments with compensation. Village Manager Scott Botcher submitted data from Washington, Ozaukee, Milwaukee and Waukesha County communities on municipalities' village board compensation.

Village Attorney Eric Larson comment if compensation is acted on, the Village Board terms are staggered and this would not take effect until after the new election year. This requires a ¾ vote for any change in compensation.

Jan Singer, 8426 North Regent Road

Ms. Singer concerned not considering some type of compensation makes the village classist. The broad scope of those living in the community is not being considered.

Douglas Frazer, 6045 N Berkley Road

Mr. Frazer noted his favoritism in compensating trustees in trying to be as inclusive to the community as possible, noting there is more to fox point then the retired and the well-to-do. It is important to have the widest range of people serving the village. Fox Point is by far the outlier on this; Fox Point no longer has to be the outlier on this and service should be acknowledged.

Upon consensus, President West postponed this agenda item for consideration, discussion and possible action at the July 2016 Village Board meeting.

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Consideration of a Fox Point Pool Systems Advisory Committee

Village Board discussed the consideration of a Fox Point Pool Systems Advisory Committee.

President West distributed the footbridge Resolution 2011-23, establishing a committee as a standard and for review.

Trustee Symchych gave a brief update to the village board on the status of the Architecture and Planning School of UWM students to potentially collectively engage with the village regarding the pool. Manager Botcher and Trustee Symchych will be meeting with someone next week to discuss different options available. Spring of 2017 option would be master's students using the pool as a project and there would be no charge. The second option would be to engage the institute with graduate students and professionals that work together on projects; the timeline for that option would be flexible. Option 2 would be a fee based service.

President West suggested he work with staff and Trustee Tirado to bring back a resolution to establish a Pool Systems Advisory Committee with potentially 9 members.

Gary Hollander, 6807 North Lake Drive

Mr. Hollander highly endorsed Trustee Tirado's notion to form this committee. He suggested it would be in the best interest to consult with the Fox Point/Bayside School District. He encouraged the village board to make the statement that this is to remain a public asset.

President West will bring to everyone a resolution creating this committee for your consideration and will bounce it off Trustee Tirado.

At 9:16 p.m. President West exited, returning at 9:17 p.m. He asked Trustee Fonstad to move to the next agenda item.

Review and Discussion of 2017 through 2021 Capital Plans

The Village Board reviewed and discussed the 2017 through 2021 Capital Plans for the Village of Fox Point. No action was taken. Public Works Director Mr. Brandmeier gave a brief synopsis of the Department of Public Works 2017 through 2021 Capital Plan.

Manager Botcher stated the Department of Public Works capital plan would have an addition of a subtotal line placed in the capital plan for each year.

Village Manager Botcher gave a brief synopsis on the Police Department capital plan for the 2017 through 2021.

President West closed the public comment period and noted the trustees would see this again at budget time.

Review and Discussion of PASER (street condition) analysis

Public Works Director Scott Brandmeier gave brief background of the PASER (street condition) analysis report to the village board as attached and answered inquiries. No action was taken.

Future Agenda Items - none.

Announcements

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Village President West complimented Mr. Botcher, all the department heads, all the employees, North Shore Fire, flight for life, and the Sheriff's Office who sent the bomb squad to the open house; it was a beautiful day. He noted the Dengel Family was thankful for the flagpole dedication at Longacre Pavilion on Sunday afternoon. The Dengel family provided refreshments. President West thanked the Department of Public Works for making Fox Point look so good. At yesterday's ICC meeting, the county parks is trying to engage all of the citizens of Milwaukee County on where they need to go with the Domes. The Milwaukee County Mitchell Park Conservatory Domes need something major to refurbish them. He noted a stack of Mitchell Park Conservatory Domes cards have been placed on the table outside the door.

Trustee Symchych announced both Ms. Symchych and Mr. Botcher have a meeting at UWM on next Wednesday morning with Caroline, one of the faculty members to discuss possible services that might be provided to the village for the pool.

Trustee Sumner announced she attended the training from the League of Wisconsin Municipalities and thought it was very informative; she suggested attending for those who have not done so.

Trustee Tirado noted he attended the open house day. He thanked the pool and the staff for having the open house day. It was very well communicated and announced. He noted the pool looked great and the food service was well received. He thanked the staff for both events.

Village Manager Scott Botcher reported Act 175 thanked the staff for the great day this past Saturday. Mr. Botcher reported on the administrative change with a joint health department issue in Act 175. Funding of the health department can be done through equalized value or population. In the North Shore Health Department there is a more complex formula factor which involves usage similar to our Fire Department. Fox Point does not fund either way currently. He has been on the phone with the Senator Darling and Representative Ott because this is an issue now. Next January or thereafter, Mr. Botcher noted he will be testifying in regard to this new law change in Act 175. He commented he will be out of town Thursday through Tuesday on vacation.

Adjourn

On motion of Trustee McGauran, seconded by Trustee Symchych and carried unanimously, the Village Board adjourned at 9:54 p.m.

Respectfully submitted,

Kelly A. Meyer, WCMC
Village Clerk/Treasurer