

**VILLAGE OF FOX POINT
VILLAGE BOARD MEETING AND PUBLIC HEARING MINUTES
TUESDAY, JUNE 12, 2018**

A meeting and public hearing of the Fox Point Village Board was held on Tuesday, June 12, 2018 in Schwemer Hall, 7200 N. Santa Monica Boulevard. President Frazer called the meeting to order at 7:00 p.m. and asked the Village Clerk to take roll call. Roll Call of the Village Board present included:

Village President Douglas H. Frazer
Trustee Eric Fonstad
Trustee Bill Kravit
Trustee Greg Ollman
Trustee Liz Sumner-(Arrival at 7:02 p.m.)
Trustee Christine Symchych
Trustee Marty Tirado

President Frazer noted there is a quorum present.

Also present are Village Attorney Eric Larson, Village Manager Scott Botcher, Assistant Village Manager Michael Pedersen, and Village Clerk 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

Larry Cohn, 200 W Dunwood Road

Mr. Cohn noted his distaste for the Dunwood project and the construction which causes dust and noise.

With no other public comments, President Frazer closed public comment period.

Committee Reports-Plan Commission

Trustee Fonstad gave a report to village board concerning the Plan Commission Review and consideration of Stormonth Elementary School's proposed modification to the parking lot and new lighting in the F-Institutional District, 7301 North Longacre Road and the Plan Commissions favorable recommendation to the Village Board.

Trustee Fonstad gave a report to village board concerning the Plan Commission's review and consideration concerning the possible use of a portion of village right way to be used by Stormonth Elementary School and the favorable recommendation to the Village Board.

Public Hearing – Proposed modifications to Stormonth Elementary School, 7301 North Longacre Road

On motion of Trustee Symchych, seconded by Trustee Kravit, and carried unanimously, the Village Board opened the public hearing at 7:06 p.m.

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President Frazer, Village Attorney Eric Larson and Village Manager Scott Botcher gave a brief background regarding the process of the public hearing.

There were no comments from the public.

Representative Fox Point-Bayside School District Director of Facility Services Brian Reiels gave a brief background and answered questions on the modifications to Stormonth Elementary School, 7301 North Longacre Road.

On motion of Trustee Fonstad, seconded by Trustee Ollman, and carried unanimously, the Village Board, hearing no other comments, closed the public hearing at 7:09 p.m.

Consent Agenda

- a. Approve the minutes of the May 8, 2018 village board meeting.
- b. Grant the 3 “Class A” Beer and Intoxicating Liquor and 6 “Class B” Beer and Intoxicating Liquor licenses and approve the appointment of the 2 new agents, per the Village Clerk/Treasurer’s memo dated June 1, 2018, subject to any conditions as noted.
- c. Grant the Cigarette and Tobacco Product Retail license to the establishment Walgreen Co, d/b/a, Walgreens #03125, located at 8615 North Port Washington Road-agent Tammy Marie Kachelmeier per the Village Clerk/Treasurer’s memo dated May 23, 2018 and subject to any conditions as noted.
- d. Schedule a Public Hearing for the July 10, 2018 regular Board meeting to receive comments and input on the proposed 2019 Community Development Block Grant (CDBG) program project list immediately following “Persons desiring to be heard” per the Director of Public Works’ memorandum dated May 22, 2018.
- e. Adopt a Resolution Approving of and Authorizing Submittal of the Compliance Maintenance Annual Report (CMAR) for the Sanitary Sewer Activities of 2017.
- f. Accept the proposal of Kapur & Associates in an amount not to exceed \$57,050 for the design of the 2019 Road and Utility Reconstruction Project and authorize the Village President and Village Clerk to sign the contract per the Director of Public Works’ memorandum dated June 4, 2018.
- g. Refer to the Village Plan Commission for joint meeting with the Building Board, and for Plan Commission report and recommendation to the Village Board, the Azura, LLC 1233 N Mayfair Road, Suite 301, Milwaukee, WI applications for the F-District and proposed development site plans, and to set the public hearing for the July 10, 2018 regular Village meeting which begins at 7:00 p.m., immediately following the Persons Desiring to be Heard agenda item.
- h. Approve agreement for public health services with North Shore Health Department and authorize the Village President and Village Clerk to sign the contract.
- i. Approve Public Safety Communications Services Agreement (Dispatch) between Village of Bayside and Villages of Brown Deer, Fox Point, River Hills, Shorewood, Whitefish Bay; City of

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Glendale; North Shore Fire Department and authorize the Village President and Village Clerk to sign the contract.

- j. Find that the standards of Section 745-20 B.(2) are met, and approve Stormonth Elementary School's proposed modification to the parking lot and new lighting in the F-Institutional District, 7301 North Longacre Road.
- k. Approve the license agreement authorizing the Fox Point – Bayside School District to use of a portion of Lombardy Road right of way for parking and landscaping, and authorize the Village President and Village Clerk to sign the agreement.
- l. Adopt the Ordinance to Repeal and Re-Create Section 276-4, to Repeal Section 781-16. A., and to Repeal and Re-Create Section 781-16 of the Village of Fox Point Village Code Concerning Burning Materials in the Village of Fox Point.
- m. Adopt an Ordinance to repeal and re-create portions of section 63-3 concerning the reduction of swimming pool fees after 5:00 p.m.
- n. Adopt an Ordinance to repeal and re-create section 19-5 (A) concerning Board of Review procedures.
- o. Approve Payment of the Bills in the amount of \$478,462.15 for the period May 1, 2018 through May 31, 2018 per the report submitted by the Village Manager.

Trustee Fonstad requested items 5h, 5i, and 5l be removed from the consent agenda.

On motion of Trustee Symchych, seconded by Trustee Fonstad, and carried unanimously, the Village Board approved the consent agenda, as amended, absent items.

Consent Agenda Item 5h and 5i

On motion of Trustee Fonstad, seconded by President Frazer, the Village Board approves the inter-municipal agreements for Public Health Services for the North Shore Health Department and Public Safety Communications Services (Dispatch) and authorize the Village President and Village Clerk to execute the same, subject to revisions first being made to address issues identified by the Village Manager and in a form approved by the Village Attorney.

A brief discussion with further clarification took place.

Motion carried unanimously.

Consent Agenda Item 5l

Trustee Fonstad commented on concerns within the ordinance Section 781-16 (c), small bonfires exception.

On motion of Trustee Fonstad, seconded by President Frazer, and carried unanimously the Village Board Adopt the Ordinance to Repeal and Re-Create Section 276-4, to Repeal Section

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781-16. A., and to Repeal and Re-Crete Section 781-16 of the Village of Fox Point Village Code Concerning Burning Materials in the Village of Fox Point, as set forth in the agenda with the amendment that the small bonfire exception be removed from the ordinance.

Former Board of Review Chairwoman Nancy Carpenter Resolution of Commendation and Appreciation

On motion of Trustee Fonstad, seconded by Trustee Kravit, and carried unanimously, the Village Board adopts the Resolution No. 2018-12, Commendation and Appreciation to Former Board of Review Chairwoman Nancy Carpenter.

Former Board of Review Member David Franklin Resolution of Commendation and Appreciation

On motion of Trustee Fonstad, seconded by Trustee Symchych, and carried unanimously, the Village Board adopts the Resolution No. 2018-13, Commendation and Appreciation to Former Board of Review member David Franklin.

Former Board of Review Member Michael A. West Resolution of Commendation and Appreciation

On motion of Trustee Fonstad, seconded by Trustee Kravit, and carried unanimously, the Village Board adopts the Resolution No. 2018-14, Commendation and Appreciation to Former Board of Review member Michael A. West.

Former Ethics Board member Mardee Gruen Resolution of Commendation and Appreciation

On motion of Trustee Fonstad, seconded by Trustee Kravit, and carried unanimously, the Village Board adopts the Resolution No. 2018-15, Commendation and Appreciation to Former Ethics Board member Mardee Gruen.

Municipal Judge Scott Wales will provide a municipal court update and answer questions from the Village Board.

Municipal Judge Scott Wales gave an update on the 2017/2018 Fox Point Municipal Court.

Lance Parve, 500 E Fox Dale Court

Mr. Parve commended the community and the police department on the comfort of safety felt here in the community.

North Shore Health Department Update Presentation by Health Director/Officer Ann Christiansen.

North Shore Health Department Director Officer Ann Christiansen and Dr. Bruce Weiss, M.D. gave an update presentation and answered questions on the North Shore Health Department programs, services, and concerns facing the North Shore.

Josiah Parve, 500 E Fox Lane Court

Mr. Parve commented on the opioid issue facing communities.

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Discussion, consideration and possible action pertaining to owning and raising chickens on private properties in the Village of Fox Point

Trustee Tirado introduced the topic and gave background on the agenda item.

Julie Parve, 500 E Fox Dale Court

Mrs. Parve of the Fox Point Backyard Chicken Organization, Nurse Practitioner, and Professor gave background on owning and raising chickens, as well as other municipalities that allow chickens. She noted the best and healthiest places to live permit backyard chickens in their communities.

Erica Waldau, 7218 N Longacre Road

Ms. Waldau reported she has been working with the group on research and she is in support of the chickens in the community if neighbors wish to have them.

Jeff Ziebelman, 8017 N Whitney Road

Mr. Ziebelman he noted his support for chickens and requested the village not spend a lot of money on regulations and ordinance research to own and raise chickens in the community.

Michael Day, 7629 N Bell Road

UWM Professor Day conveyed having chickens is normal in the country where he grew up and indicated his support, noting chickens pose no threat to anyone.

Kate Cooper, 707 N Juniper Lane

Ms. Cooper noted her support for chickens in the community regardless of whether she decides to raise them or not.

Elizabeth Aelion, 210 W Bergen Ct.

Ms. Aelion supports chickens in the community, commenting other pets are allowing including dogs which can be of more danger to citizens then the chickens. They are considered pets and they are healthy.

Dr. Mary Beth Alvarez, 7138 N Lake Drive

Dr. Alvarez confirmed her support of chickens; she raised chickens in New Orleans prior to living in Fox Point. She mentioned Other Ordinances ask for permission from the neighbors and she hopes the village doesn't do that.

Dr. Gisela Chelimsky, 7950 N Lake Drive

Dr. Gisela Chelimsky is also in support of chickens even if she does not have chickens.

North Shore Health Department Director Officer Ann Christiansen spoke in regard to health issues. Salmonella, Bird Flus, and nuisance complaints are all concerns with backyard chickens. Clear guidelines are necessary. Chickens can attract raccoons and coyotes to the area as well.

It was suggested that the expectation of what a clean coop should be would be outlined in an ordinance for consideration. Oral contamination or transfer from hands would spread Salmonella; it can be brought in on shoes as well. It was observed, people can also catch illnesses from many pets if hands are not washed.

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Mrs. Parve addressed concerns and answered questions.

Lance Parve, 500 E Fox Dale Court

Mr. Parve is an engineer and resident and works for the city of Brookfield. He noted the aesthetics of the chicken coops are important and can enhance the community.

Trustee Christine Symchych commented she would prefer staff and legal input on this matter prior to going any further holding this over until the next meeting.

Kate Cooper, 707 E Juniper Lane

Ms. Cooper stated she has been a realtor for the last 15 years and stated she has never had an issue selling a home because of a chicken coop.

Mr. Ziebelman, 8017 N Whitney Road

Mr. Ziebelman noted this has been long and coming; the community should not have to revisit this again.

Village Manager Scott Botcher gave a brief synopsis of the procedures remaining prior to any ordinance or permission of chickens in the village. He noted the staff may have to look at potential impacts prior to moving forward. Mr. Botcher suggested a staff report.

Attorney Larson noted the ordinance issues that were considered in 2012. He noted a decision should be made on the type of policy to put in place.

Trustee Tirado suggested a public education meeting.

President Frazer echoed the thoughts of Trustee Symchych in asking for input from the staff. Trustee Fonstad noted procedurally, he would like to refer this to staff and bring back a report.

Manager Botcher suggested a policy brought back in July and an ordinance be brought back in August. President Frazer noted this will be postponed until August.

Village Board discussed and considered at length owning and raising chickens on private properties in the Village of Fox Point.

Report provided by Village Manager Scott Botcher on Comprehensive Plan Update Process

Village Manager Scott Botcher gave a brief background on the Comprehensive Plan Update Process. Mr. Botcher suggested that the matter be placed on the next regular village board meeting agenda.

Announcements

Village President Frazer extended his condolences to the Village Manager Scott Botcher on his father's passing.

President Frazer commented on the successful of the open house held on Saturday, June 9, 2018. He thanked the staff who attended the open house. He also commended Trustee Symchych and Trustee Sumner for assisting with the Pool Committee's attendance.

President Frazer noted the up rooter tool has been used quite a bit and has a waiting list.

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Trustee Symchych reported on the Audit Committee; Audit Committee met last week and the audit was accepted as final. Trustee Symchych commented the audit books (Financial Statements and Communication to those Charged with Governance and Management) have been distributed for review by the trustees. An audit presentation time is currently being coordinated by the Village Manager and the Village Auditor.

Trustee Tirado reported on the purely conceptual design of the Fox Point Community Pool by the CDS team. He reported a large display board and table with information was exhibited at the open house. Really good questions and feedback were received from stakeholders; this information continues to raise awareness on what the committee is working towards. He thanked the village for the third annual open house and the additional signage to assist with open house event knowledge.

Trustee Kravit reiterated the sentiments on the open house, stating the event went very well and it is good for the village.

Trustee Kravit observed the village is in very fine condition financially according to the audit. He commended Village Manager Scott Botcher for a job well done.

Trustee Ollman recapped the success of Saturday's Village of Fox Point open house.

Village Manager Scott Botcher noted the audit is available; it should be presented at the August village board meeting.

Manager Botcher reported on current staff changes. Deputy Clerk Jilline Dobratz accepted the Clerk/Treasurer position at the Village of Jackson. A City of Glendale six-year administrative assistant Tia Ritter has been hired to fill the vacant Administrative Position in Fox Point. She will begin full-time employment on June 20, 2018.

Village Manager Scott Botcher announced The Fresh Market did not meet the deadline for the liquor license publication and June Village Board approval. He commented a potential special village board meeting may be scheduled for Tuesday at 5:00 p.m.

Manager Botcher presented the new Fox Point Police Department pedestrian safety signs.

Adjourn

On motion of Trustee Tirado, seconded by Trustee Kravit, and carried unanimously, the Village Board adjourned the Village Board meeting at 9:21 p.m.

Respectfully submitted,

Kelly A. Meyer
Village Clerk/Treasurer