



FOX POINT *files*

by Douglas H. Frazer



FOX POINT and the Village Form of Government

The local forms of government in Wisconsin include cities, villages, and towns.

The form of government is not predicated on a community's population or area but rather resident preference and legislature approval.

Wisconsin has 190 cities, 406 villages, and 1,257 towns. Cities and villages are viewed as self-contained units of government and are defined as "full" or "true" municipal corporations. Towns, considered quasi-municipal corporations, govern those areas not within the corporate boundaries of cities and villages.

Cities and villages typically provide services like police, fire, water, sewer, licensing, property tax billing and collection, parks and recreation, cultural services, planning and development, zoning, social services, and solid waste and recycling collection. Moreover, cities and villages have explicit authority to create tax incremental finance districts or TIFs (the municipality loans money to a developer or makes public works improvements and is paid back by the increase in tax revenue from the project) to foster economic development or redevelopment.

Towns, on the other hand, typically do not provide the full spectrum of urban services that you would find in cities and villages, such as public water and sewer systems, libraries, and police or fire departments.

Villages and cities, as opposed to towns, enjoy constitutional home rule: enhanced power to govern themselves in local matters without state government interference. This power is conferred by a 1924 state constitution amendment commonly referred to as The Home Rule Amendment.

State statute is a second source of municipal home rule authority. The legislature's grant of home rule power is broad. It gives the governing body, except as otherwise provided by law, management and control of municipal property, finances, highways, navigable waters, and public service. The statute empowers the governing body to act for the municipality's commercial benefit, and for the health, safety, and welfare of the public. The statute authorizes the governing body to carry out its powers by license, regulation, borrowing, tax levy, appropriation, fine, imprisonment, confiscation, and other necessary or convenient means. Wis. Stat. § 61.34.

For the most part, the Village of Fox Point funds operations and the acquisition of capital assets through a combination of property taxes, shared revenue, state transportation aid, and special assessments and fees.

The Village of Fox Point incorporated in 1926. In the years leading up to incorporation, the then residents of the Town of Milwaukee in the area known as Fox Point became critical of the lack of everyday services: no electricity, no sewer service or garbage collection,

and fresh water mostly accessible by hand drawing from a spring located at the foot of Spring Road (now Beach Drive where it begins its ascent up the hill). Town residents in the Fox Point area felt they were receiving little benefit from the taxes they paid.

Future Fox Pointers took matters into their own hands. To qualify for a municipal charter, they commissioned boundary surveys and conducted a census. Whitefish Bay (incorporated in 1892) offered to absorb the geographic Fox Point, but Fox Point leader Louis Quarles turned down the invitation because, in part, the Whitefish Bay tax rate was "out of line."

On December 29, 1925, future Fox Point residents filed an incorporation petition with the Milwaukee County Circuit Court. The petitioners held a special election on February 6, 1926, at a voting station located in the Stabelfeldt home on the south side of Green Tree Road just west of the railroad tracks (the current site of Wheel & Sprocket). The results: 125 for incorporation and 25 against. Fox Point was officially incorporated on February 15, 1926.

Going on 100 years, the village form of government has served the residents of Fox Point well. We enjoy a beautiful expanse of land next to Lake Michigan, wonderful assets and amenities, and a level of municipal service that is second to none. For us, the city form of government—with authority split between a mayor and city council—is probably too much. The town form of government—usually a basic nuts and bolts operation—too little. For us, the village form of government—with its unified executive and legislative functions—is just about right.

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