

Approved  
7/16/2008

## ORDINANCE NO. 505

### **An Ordinance To Create Section 3.12 of Chapter Three (3) of the General Ordinances of the Village of River Hills (Traffic Code) to Authorize Neighborhood Electric Vehicles on Certain Village Streets and Highways in the Village of River Hills.**

The Village Board of the Village of River Hills, Milwaukee County, Wisconsin, do ordain as follows:

**Section I.** Section 3.12, entitled "NEIGHBORHOOD ELECTRIC VEHICLES" of Chapter Three (3) of the General Ordinances of the Village of River Hills is hereby created to read as follows:

"Section 3.12. NEIGHBORHOOD ELECTRIC VEHICLES.

(1) "Neighborhood Electric Vehicle" means as set forth in Wis. Stat. § 340.01 (36r) a 4 wheeled motor vehicle that is propelled by electric power and that conforms to the definition and requirements for low - speed vehicles as adopted in the federal motor vehicle safety standards for low - speed vehicles under 49 CFR 571.3 (b) and 571.500 and any future amendments thereof. Neighborhood Electric Vehicle does not include an Electric Golf Cart.

(2) A person may operate a Neighborhood Electric Vehicle on any Village street that has a speed limit of 35 mph or less, subject to the following restrictions:

- (a) the person operating the Neighborhood Electric Vehicle holds a valid drivers license from Wisconsin or another state;
- (b) headlights must be on during operation;
- (c) the Neighborhood Electric Vehicle is registered, titled and licensed by the State of Wisconsin;
- (d) the Neighborhood Electric Vehicle is operated subject to all vehicle, traffic and parking requirements as set forth in the Wisconsin Statutes and Chapter 3 of the River Hills Village Code.
- (e) that in addition to the requirement that the Neighborhood Electric Vehicle may only be operated on streets with a speed limit of 35 mph or less, no person shall operate a Neighborhood Electric Vehicle on, across or through any intersection with the following streets or highways within the Village boundaries:
  - (1) Brown Deer Road
  - (2) Good Hope Road
  - (3) Green Bay Avenue

**Section II.** The penalty and enforcement provisions of Sections 3.09 and 3.10 of Chapter Three (3) of the General Ordinances of the Village of River Hills are hereby made applicable to any violations of this ordinance.

**Section III.** If any subsection, section or portions of this article or the sections of this ordinance as enacted hereunder is for any reason held invalid or unconstitutional by any court of competent

jurisdiction, such portions shall be deemed a separate, distinct and independent provision and such holdings shall not effect the validity of the remaining portions hereof.

**Section IV.** All ordinances or parts of ordinances conflicting with the provisions of this ordinance are to such extent repealed.

**Section V.** This ordinance shall be in full force and effect after its passage and publication as provided by law.

**PASSED AND ADOPTED** by the Village Board of the Village of River Hills this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Robert C. Brunner, Village President

Countersigned:

\_\_\_\_\_  
Carolyn Toms-Neary, Village Clerk

**MINUTES OF THE VILLAGE OF RIVER HILLS BOARD OF TRUSTEES MEETING  
HELD WEDNESDAY, JULY 16, 2008 AT 7:00 P.M.**

1. **ROLL CALL** was answered by President Brunner and Trustees Anderson, Boyer, Fritz, Pindyck and Walcott. Trustee Perry was absent and excused. Also present were Manager Tollaksen, Village Attorney Dineen and Village Clerk Toms-Neary. The meeting was called to order at 7:00 P.M.
2. **AGENDA:** Motion by Anderson, Fritz second to approve the agenda. Motion carried unanimously.
3. **APPROVAL OF MINUTES OF JUNE 18, 2008 BOARD MEETING:** Motion by Anderson, Boyer second to approve the minutes. Motion carried unanimously.
4. **VOUCHER LISTS APPROVED:** Motion by Anderson, Walcott second to approve the voucher list. Motion carried unanimously.
5. **REPORT BY VILLAGE PRESIDENT:** President Brunner expressed his desire for the Village Board to explore in more detail ways that the Village can pursue energy savings. He thought that vehicles as well as types of fuel can be studied and that there were potential grants available for this type of plan.
6. **INFORMATIONAL ITEMS:**
  - A. Building Board Minutes of June 16, 2008
  - B. Committee on the Environment minutes of June 10, 2008.
  - C. Status of Plan Commission review of proposed amendment of Primary Environmental Conservancy District Ordinance: Village Manager Tollaksen reported that the Plan Commission met on July 7, 2008 and it was the first time the members had the opportunity to review and discuss the entire scope of the ordinance. They have no recommendations at this time and are planning on meeting on the subject on August 4, 2008 at 4:00 P.M. and again on August 18, 2008 at 4:00 P.M. for further discussion and recommendation.
7. **PUBLIC COMMENTS ON MATTERS OTHER THAN AGENDA ITEMS:**

Fred Vogel of 1805 W. Bradley Rd. presented his renewed petition requesting enforcement of River Hills Primary Environmental Corridor Conservancy District Ordinance (Sec. 2.40). He stated that discussions between himself and the Milwaukee Country Club were unsuccessful. Mr. Vogel felt that the Board inaction to enforce section 2.40 of the codes; the Village Attorney's opinion that "no permit is required"; conflict of interest of Board members; and ongoing environmental impact of the Milwaukee Country Club remain unresolved and need separate and objective analysis.
8. **ADOPTION OF ORDINANCE NO. 504 AMENDING SEC. 2.14 OF THE VILLAGE ORDINANCES RELATING TO DOG LITTER:** Motion by Walcott, Boyer second to adopt Ordinance No. 504. Motion carried unanimously.
9. **ORDINANCE NO. 505 CREATING SEC. 3.12 OF THE VILLAGE ORDINANCES RELATING TO NEIGHBORHOOD ELECTRIC VEHICLES:** Motion by Brunner, Pindyck second to lay this item over and direct Village Manager to contact the



Department of Transportation to see what kind of flexibility the Village would have in terms of where these vehicles could be used. Motion carried unanimously.

10. **APPROVAL OF RESOLUTION NO. 2008-14 AWARDED CONTRACT FOR SEWER WORK RELATED TO INFLOW AND INFILTRATION REDUCTION TO LOWEST RESPONSIBLE BIDDER FOR ALTERNATE 1 TO VISU-SEWER CLEAN & SEAL IN THE AMOUNT OF \$33,856.00 AND FOR ALTERNATE 2 TO NATIONAL POWER RODDING CORPORATION IN THE AMOUNT OF \$64,279.71 FOR A TOTAL COMBINATION BID EQUAL TO \$98,135.71:** Motion by Anderson, Fritz second to adopt the resolution as recommended by Village Engineer. Motion carried unanimously.
11. **APPROVAL OF RESOLUTION NO. 2008-15 IN THE MATTER OF LICENSE FEES FOR DOGS IN THE VILLAGE OF RIVER HILLS:** Motion by Anderson, Walcott second to approve Resolution No. 2008-15 increasing dog license fees to \$24.00 Unaltered; \$12.00 altered; \$12.00 5 months of age after July 1st of license year unaltered; \$6.00 if 5 months of age after July 1st of license year altered; \$12.00 late for unaltered and \$6.00 late fee for altered. These increases were made in an effort to be consistent with the standards recommended by the Milwaukee Area Domestic Animal Control Commission. Motion carried unanimously.
12. **APPROVAL OF RESOLUTION NO. 2008-16 AUTHORIZING EXPENDITURE OF UP TO \$5,000 FOR TRAFFIC COUNT AND WARRANT ANALYSIS OF TRAFFIC SIGNAL AT THE GOOD HOPE ROAD AND N. RIVER ROAD INTERSECTION AND TO INCLUDE IN THE STUDY AN ANALYSIS RELATING TO INSTALLATION OF A 4-WAY STOP IN LIEU OF TRAFFIC SIGNALS:** Motion by Anderson, Candy second to approve Resolution No. 2008-16 with changes. Motion carried unanimously.
13. **AUTHORIZATION FOR POLICE TO PROCEED WITH HIRING REPLACEMENT FOR RETIRING OFFICER:** Motion by Anderson, Fritz second to approve request. Motion carried unanimously.
14. **CLOSED SESSION IN ACCORDANCE WITH SEC. 19.85(1)(C) WIS. STATS TO CONSIDER COMPENSATION OF NON-REPRESENTED VILLAGE PERSONNEL FOR 2008:** Motion by Anderson, Fritz second to go into closed session pursuant to Sec. 19.85(1)(c) Wisconsin Statutes at 8:30 P.M. On the roll call vote, motion carried unanimously.
15. **RECONVENE IN OPEN SESSION FOR ACTION ON ITEM 14:** Motion by Anderson, Fritz second to adjourn closed session and reconvene in open session at 8:50 P.M. Motion carried unanimously.
16. **ADJOURNMENT:** Meeting adjourned at 8:51 p.m.

Carolyn Toms-Neary  
Clerk/Treasurer