

ORDINANCE NO. 507

An Ordinance to Create Subsection 7.0205.C of Chapter Seven (7), the Zoning Code, of the General Ordinances of the Village of River Hills Relating to Site Restrictions to Allow Occupancy of an Existing Dwelling Structure During Construction of a New Dwelling Structure on the Same Lot with Conditions.

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

SECTION I. That Subsection 7.0205.C of Chapter Seven (7), the Zoning Code, of the General Ordinances of the Village of River Hills is hereby created to read as follows:

“C. Temporary Dwelling Structures. Notwithstanding paragraph B immediately above, a new principal dwelling structure including an accessory garage may be constructed on a lot while the principal dwelling structure is occupied and used as permitted in the residential zoning districts subject to the following:

1. Compliance with all of the applicable Village ordinances, including but not limited to the building, razing and zoning ordinances; and
2. If the existing principal dwelling structure has not been razed before the new dwelling structure is completed and ready for occupancy, then the Building Inspector shall issue a temporary occupancy permit for the new principal dwelling structure that shall expire in ninety (90) days and which shall expressly require that the existing principal dwelling structure shall be razed prior to the expiration of the temporary occupancy permit for the new principal dwelling structure; and
3. Once the existing principal dwelling structure is razed and subject to all of the requirements applicable to the razing of the structure the building inspector shall issue an occupancy permit for the new principal dwelling structure.”

SECTION II. In the event that it is determined by a court of competent jurisdiction that any clause, sentence, paragraph, section or part, of the Ordinance is invalid or unconstitutional that shall not affect the validity of the remaining parts to this Ordinance.

SECTION III. That all ordinances, or parts of ordinances, conflicting with the provisions of this ordinance are hereby such extent repealed.

SECTION IV. This ordinance shall be in full force and effect upon its passage and publication according to law.

PASSED AND ADOPTED by the Village Board of the Village of River Hills, Milwaukee County,

Wisconsin this _____ day of November, 2008.

Robert C. Brunner, Village President

Countersigned:

Barbara K. D. Goeckner, CMC, Village Clerk

**MINUTES OF THE VILLAGE OF RIVER HILLS BOARD OF TRUSTEES MEETING HELD
WEDNESDAY, NOVEMBER 19, 2008 AT 7:00 P.M.**

1. **ROLL CALL** was answered by President Brunner and Trustees Anderson, Boyer, Perry, and Pindyck. Also present were Manager Tollaksen, Village Attorney Dineen and Village Clerk Goeckner. The meeting was called to order at 7:00 P.M.
2. **AGENDA: MOTION (Anderson/Boyer) to approve the agenda.** Carried unanimously.
3. **APPROVAL OF MINUTES OF THE OCTOBER 22, 2008 BOARD MEETING:**
MOTION (Anderson/Boyer) to approve the minutes, motion carried, with Trustee Pindyck voting no for the following reason: Trustee Pindyck requested to clarify her statements regarding the proposed ordinance in item #7. She stated that, accordingly, an alternative to passing the new ordinance would be to table it's adoption and, instead, to develop a set of best practices, which would be formally adopted by the Trustees, that would serve as an interpretation of the existing ordinance with the purpose of implementing its intents and purposes more effectively. Trustee Pindyck also clarified that at no point did she reaffirm the existing ordinance and was unclear why there were two motions on the matter as she thought the final disposition by the Trustees was, to table proposed Ordinance #503 and, in lieu of its passage, to develop a set of riparian zone best practices to be adopted by the Board of Trustees and effectively communicated to all residents, which would serve as guidelines for interpreting the intent and purposes of the existing ordinance.
4. **VOUCHER LIST APPROVED: MOTION (Perry/Anderson) to approve voucher list, carried unanimously.**
5. **REPORT BY VILLAGE PRESIDENT:** President Brunner. In the US senate – they have a way of acting in way of senatorial courtesy and I have noticed in recent months we have had some tensions regarding person's [public statements](#). I just want you to know that I will probably be sterner if these continue.
6. **INFORMATIONAL ITEMS:**
 - A. MINUTES OF THE PLAN COMMISSION MEETING OF NOVEMBER 12, 2008;
Minutes included in the packet.
 - B. CURRENT SCHEDULE FOR RESURFACING OF GOOD HOPE ROAD IN RIVER HILLS.
Village Manager reported every indication is that resurfacing for Good Hope road is on course for approval for 2009. They have stated Good Hope Road and Brown Deer Road will be scheduled separately.
 - C. REPORT BY VILLAGE MANAGER ON ENFORCEMENT OF PRIMARY ENVIRONMENTAL CONSERVANCY DISTRICT ORDINANCE;
Village Manager reported enforcement of this ordinance, as with other general ordinances within the village would be by allegations coming to the Village, either by staff or through the Police Dept. With the case where the matter is information from the citizens, if it is within the normal course, they would provide a report with a recommendation to the Village Attorney and the Attorney would indicate whether or not a citation is to be issued. With the case which was discussed, after reviewing the

information, the Village Attorney stated there was not a substantial violation of the ordinance and that is how enforcement of these ordinances proceeds.

7. **PUBLIC COMMENTS ON MATTERS OTHER THAN AGENDA ITEMS:**
None
8. **APPROVAL OF GLENORA PROPERTY DIVISION PROPOSAL;**
MOTION (Anderson/Boyer) to approve as suggested, carried unanimously.
9. **ORDINANCE NO. 507 CREATING SUBSECTION 7.02005.C OF CHAPTER SEVEN (7), THE ZONING CODE, OF THE GENERAL ORDINANCES OF THE VILLAGE OF RIVER HILLS RELATING TO SITE RESTRICTIONS TO ALLOW OCCUPANCY OF AN EXISTING DWELLING STRUCTURE DURING CONSTRUCTION OF A NEW DWELLING STRUCTURE ON THE SAME LOT WITH CONDITIONS;**
MOTION (Anderson/Perry) to approve Ordinance #507, carried unanimously.
10. **PUBLIC HEARING ON PROPOSED 2009 VILLAGE BUDGET;**
MOTION (Anderson/Perry) to go into a public hearing at 7:24 p.m., carried unanimously. No one present spoke at the public hearing. **MOTION (Anderson/Perry) to close the hearing at 7:25 p.m., carried unanimously.**
11. **ADOPTION OF 2009 VILLAGE BUDGET AND LEVY**
Village Manager corrected the amount of Expenditures for Fire Department should be \$20,461, not zero and the total for capital project expenditures will be \$472,406. This does not constitute approval for borrowing those funds. They will still have to come to the board for this. This correction does not change the tax levy or the tax rate as the total remains the same. **MOTION (Anderson/Pindyck) to approve as presented, carried unanimously.**
12. **REQUEST BY YOOK AND SUNG KYUN SOO FOR WAIVER OF \$500 FALSE ALARM FEE;**
Trustees were provided information in their packets. Discussion of history of ordinance requirements, Village liability and procedure in such cases. Consideration of sending letter to owner regarding such information and reducing fee to \$100. **MOTION (Perry/Pindyck) to reduce fee to \$100 and send letter to homeowner explaining policy. Carried unanimously.**
13. **AUTHORIZATION FOR POLICE DEPARTMENT TO PURCHASE SQUAD CAR FOR DELIVERY IN 2009;**
Chief of Police request for squad car detailed in packet. Discussion ensued regarding vehicles requested, vehicles available and fuel expense. Brunner provided pictures of Toyota Prius used in other departments. **MOTION (Anderson/Boyer) to lay over this item until the next meeting and direct the Chief of Police to provide information to the Board of Trustees regarding Toyota Prius and alternative use vehicles as directed by the President, to the senior management. Carried unanimously.**
14. **STATUS OF DELIBERATIONS OF THE COMMITTEE ON THE ENVIRONMENT REGARDING VOLUNTARY GUIDELINES ON ACTIVITIES IMPACTING THE PRIMARY ENVIRONMENTAL CORRIDOR AND NAVIGABLE WATERS;**
Started meeting on guidelines November 12th and expect to have the guidelines at the January meeting. Discussion.

15. **VILLAGE BOARD MEETING SCHEDULE FOR JANUARY 21, 2009 AND FEBRUARY 18, 2009;**
Discussion of scheduling regular meetings at an earlier time of the evening. **MOTION (Anderson/Boyer) to hold meeting on December 9th at 4:00 p.m. January 21, 2009 and February 18, 2009 for regular meetings. Carried unanimously.**
16. **ADJOURNMENT:** **MOTION (Anderson/Brunner) adjourn at 8:00 p.m., carried unanimously.**

Barbara K. Daniels Goeckner
Village Clerk/Treasurer