



Village of River Hills
7650 N Pheasant Ln
River Hills, WI 53217

Village Hall: 352-8213
Public Works: 352-0080
Police: 247-2302

BOARD OF TRUSTEES MEETING MINUTES

Wednesday, March 10, 2021 @ 5:00 pm

**This meeting was a virtual meeting through Zoom –
Access code 954-5338-9375**

1. **Roll Call:** was answered at 5:00 p.m. by President Steve Anderson, Trustee Kurt Glaisner, Trustee Peggy Russo, Trustee Peter Kingwill, Trustee David Fritz, and Trustee Bill Walker. Trustee Christopher Noyes was absent and excused. Also present: Village Attorney Bill Dineen, Police Chief Mrozak, Public Works Superintendent Randy Groth, Deputy Clerk Stephanie Waala and Village Manager Tammy LaBorde.

2. CONSENT AGENDA

- a. **The Agenda**
- b. **Village Board Minutes of January 20, 2021**
- c. **Board of Appeals Minutes – November 11, 2020**
- d. **Building Board Minutes – December 21, 2020 and January 18, 2021**
- e. **Committee on the Environment – November 18, 2020**
- f. **Voucher List – January 2021 and February 2021**

Motion by Fritz and seconded by Russo to approve the consent agenda as submitted; motion carried unanimously.

3. PUBLIC COMMENTS ON NON-AGENDA MATTERS –

Peter Thornquist – 1405 Good Hope Road, important that the Board comes to a decision soon regarding the land along Brown Deer Road. They need to know what tract of land it is that they will be applying for – the whole area or part of the land. Deadline for the Knowles Nelson grant is May 1.

Bob Boucher – 9070 N. Range Line Road, he sent some letters that explain what the group has done so far. He doesn't think that the Board has been consulted as to what should go on the land. The Village should have Tammy work with DNR to apply for the Knowles Nelson grant. The ball is in the Board's court – it's up to them. You normally would want to have 30 days to prepare the grant.

President Anderson noted that the Board has to do what is in the best interest of the community. The Board has to consider the future financial picture for the community.

4. FUTURE AGENDA ITEMS

None

5. **Update from Nicolet Superintendent Dr. Kabara regarding the 2021 referendum**

No discussion as Dr. Kabara was not in attendance.

6. **Discussion and Possible Action to Approve RESOLUTION NO. 2021-05 Approval to Construct a Baseball Field and Field Hockey Field Pursuant to the Special Use Permit of University School of Milwaukee**

Gregg Bach of USM was present for this item. Attorney Dineen noted that the plans have already been approved of by the Building Board. There is a resolution due to the special use permit requirements. USM is looking to construct a baseball field and fence.

Motion by Fritz and seconded by Kingwill to approve Resolution No. 2021-05 to construct a baseball field and field hockey field pursuant to the Special Use Permit of University School of Milwaukee; motion carried unanimously.

7. **Discussion and Possible Action Regarding Request to Waive Interest & Penalty on 2020 Property Taxes January 31, 2021 Installment by Walt Ruben – 1155 W. Fairy Chasm Rd.**

Mr. Ruben was not present for this item. LaBorde explained the language in the statutes and the process that was required last year. Discussion took place and it was determined that there is no basis to waive the interest and penalty.

Motion by Walker and seconded by Kingwill to reject the request of Walt Ruben to waive interest and penalty on 2020 property taxes January 31, 2021 installment; motion carried unanimously.

8. **Consider Proposed Ordinance to Amend Village Zoning Code Related to Solar Arrays and Possible Recommendation to Refer Matter to Plan Commission**

Attorney Dineen stated that he has drafted an ordinance as directed at the prior meeting to address solar energy systems. The draft ordinance would amend the Zoning Ordinance which needs to go to the Plan Commission. If you wish to have language beyond the state statutes, this would be a start.

Motion by Glaisner and seconded by Russo to refer the draft ordinance to the Plan Commission to review and make recommendation to the Village Board and to forward the information to the Building Board for their review and input for the Plan Commission; motion carried unanimously.

9. **Discussion and Possible Action Regarding Amending the Village Code of Ordinances Regarding Keeping of Chickens**

LaBorde stated that chickens had come up in the last few years, specifically questions at the Building Board and Board of Appeals. The Village records show eight residents that currently keep chickens. She has included copies of ordinances from Fox Point and Glendale in the packet. Each of those communities have more detailed language on the keeping of chickens as well as an annual permit. Attorney Dineen stated that you don't have to change the zoning ordinance to regulate chickens. The Police Chief stated that there have been few fowl situations in the Village.

Andrew Kimmel – 7805 N. River Road, he had three issues in the planning of the coup. The visibility, any sounds, and the proximity to their house. A coup was put up within the setback area. They voiced their objection to the village. It went to the Board of Appeals. If there is a coup it should be put away from the neighbors so that it isn't objectionable.

Randy Knafllic – 7815 N. River Road, appreciates that a neighbor is still frustrated with the coup issue. He agrees that the ordinance should take into consideration of the neighbors.

Mr. Jonathan Wertz – 1125 W. River Court, they are building a coup on their property. Is there something broken that needs to be fixed.

Motion by Fritz and seconded by Russo, to recommend that the Village Attorney draft a Zoning Ordinance to outline the keeping of chickens as well as work with staff to develop an annual permit related to the keeping of chickens. The Village Attorney wanted clarification as to including it in the zoning ordinance. There was discussion regarding inclusion in the zoning code. Motion by Fritz and seconded by Russo, to amend the motion that the Village Attorney draft an ordinance. The motion and second were withdrawn.

Motion by Kingwill to hold over this item to the next meeting so that the Village Attorney can create a viable amendment to the ordinances and look at the licensing process and fees.

10. Discussion and Action to Award the Bid for the 2021 Street Maintenance Program – Range Line Road from Brown Deer Road South to the Village Limits and Greenbrook Road from Upper River Road East to 2941 W. Greenbrook

Village Engineer Mustafa Emir was present for this item. Bids were opened today at 10am and the results were forwarded to the Board. There were two bids submitted and the recommendation is to award the bid to Payne & Dolan for \$329,801.00, the lowest qualified bid.

Motion by Fritz and seconded by Glaisner to award the bid for the 2021 Street Maintenance Program – Range Line Road from Brown Deer Road South to Payne & Dolan for the amount of \$329,801.00; motion carried unanimously.

11. Discussion and Action Regarding Nominations to Various Committee, Board and Commission Appointments

President Anderson presented a list of nominees for various committee, board and commission appointments for 2021 which was included in the packet. We are looking for someone for the Board of Health with medical experience.

Motion by Kingwill and seconded by Fritz to approve the nominations as submitted for the various committee, board and commission appointments for 2021; motion carried unanimously.

12. REPORT OF VILLAGE PRESIDENT

a. Report from Scott Morey of Powers Realty on Sales in River Hills

President Anderson shared the monthly home sales report with the Board. He also noted that the report reflects a large number of sales recently.

b. Letter to Governor regarding lack of COVID Vaccines

President Anderson shared the letter that the Intergovernmental Cooperation Counsel sent to Governor Evers regarding the low number of COVID Vaccines that are being received in Milwaukee County.

c. Comments regarding land on Brown Deer Road, Flyer Distributed by Save River Hills, and Response letter

President Anderson reported there has been incorrect information distributed to the residents and that is why he felt that corrections needed to be supplied.

13. REPORT OF VILLAGE MANAGER

- a. **Financial Reports for January 2021 (Pre-audit) – Deleted from agenda**
- b. **Treasurer Report on Cash as of January 31, 2021**

LaBorde distributed a new report showing the amount of cash that the Village has on hand at a specific time. The intent is to distribute this report to the Board on a quarterly basis.

- c. **Department of Administration newsletter**

LaBorde noted that the DOA provided information related to the Governor’s proposed budget, the state trust fund loan program and an upcoming tourism conference.

14. REPORT OF THE RIVER HILLS POLICE DEPARTMENT

- a. **Summary of 2020**

Chief Mrozak noted that the report summarizes the year 2020. February’s weather affected operations. There were no questions.

- b. **Thank you letter from Kenosha**

15. REPORT OF PUBLIC WORKS

- a. **Report on Deer census and harvest**

LaBorde stated that a report on deer was included in the packet. Started with 120 deer and goal was to start 100. They trapped 60 deer. There was a flyover on January 2nd. Supt. Groth stated that a total of 28 deer were provided to residents who signed up to receive deer. A new DNR contact had given Randy the idea to advertise the opportunity. Close to half of the deer trapped were part of this program and the Village was able to save the money to process these deer.

16. REPORT OF THE NORTH SHORE FIRE DEPARTMENT

- a. **Update on NS Fire Department**

Trustee Kingwill provided an update regarding the 2020 Annual Report and COVID challenges. They are also looking at the long-term strategic plan and financials and discussed the purchase of a new fire truck. The department was recertified for another five years of accreditation.

Trustee Fritz left the meeting at 6:01pm

- b. **Discussion and Action to Approve RESOLUTION NO. 2021-01 Approving a “Single or Multi-Year Capital” Budget to Purchase Large Apparatus Equipment for 2022, 2023, 2024 & 2025**

- c. Motion by Kingwill and second by Russo to approve Resolution No. 2021-01 Approving a “Single or Multi-Year Capital” Budget to Purchase Large Apparatus Equipment for 2022, 2023, 2024 & 2025; motion carried unanimously 5 to 0, Fritz absent.

Trustee Fritz rejoined the meeting at 6:05pm

17. REPORT ON THE PERCEPTION OF RIVER HILLS PROJECT

Trustee Russo stated that with houses being sold, she checked in with Maple Dale-Indian Hill to see if enrollment has increased and it really hasn’t. MDIH has accomplished self-funding so that they won’t have to ask for any future referendums and the language is being structured so that a referendum would not be brought forward in the future. Maple Dale will be worked on this summer and Indian Hill will have landscaping completed this summer. Maple Dale was awarded the status of “Blue Ribbon” school. They have been open with 15-20% of the students working from home.

Math and reading scores went up 20%. Trustee Russo stated that it is too soon to schedule another meet and greet.

18. REPORT ON NORTH SHORE LIBRARY

Trustee Glaisner reported that the Library is open and they are in the process of hiring a director. They just had the Youth Librarian leave. He is surprised by the lack of support from the municipalities to resolve the current membership issue. He hopes to hold the Library together. Glendale said that they will be done with their committee research in August.

a. January and February Library Report

The February report was not available.

19. Discussion and Action to Approve RESOLUTION NO. 2021-02 Approving Amending the Fund Balance Policy.

President Anderson stated that the recommendation is to adjust the fund balance to a minimum of 15% and a maximum of 25%.

Motion by Glaisner and seconded by Kingwill approve RESOLUTION NO. 2021-02 Approving Amending the Fund Balance Policy; motion carried unanimously.

20. Discussion and Action to Approve RESOLUTION NO. 2021-03 Approving General Operations Policy

LaBorde stated that this is a general guideline for a financial policy. It outlines how we operate, that we are audited, etc. as outlined in the policy.

Motion by Fritz and seconded by Russo to approve RESOLUTION NO. 2021-03 Approving the General Operations Policy; motion carried unanimously.

21. Discussion and Action to Approve RESOLUTION NO. 2021-04 Approving Budget Development Policy

Motion by Fritz and seconded by Kingwill to approve RESOLUTION NO. 2021-04 Approving the Budget Development Policy; motion carried unanimously.

Public Comment made by Richard Stone, 1965 W. Fairy Chasm Rd. – He asked if the Village will be polling the residents regarding the land along Brown Deer Road. Mr. Stone would like this process to be more transparent. Mr. Stone said that he was told there were new plans coming forward but no one has seen them. President Anderson noted that there weren't any new plans for distribution. Mr. Stone asked about the Knowles Nelson grant for the whole 53 acre parcel and if the Trustees don't want to submit it the Village would lose ability to get half of the funding. President Anderson stated that this is likely not to be an acceptable plan for the grant but if we can, we should not walk away from it. He mentioned earlier that the Village has fiscal responsibility and if the plan is to turn over the land to a conservancy not paying taxes, it would be a concern. Mr. Stone stated that the COE asked for plans and that they didn't get any. President Anderson stated that the funds spent on the project so far has been for legal and

engineering costs. LaBorde noted that all of the plans that were requested by the group were forwarded to them. Trustee Walker stated that the first part of the meeting was spent discussing these points and asked if there were any additional points other than what Thornquist and Boucher made earlier. Mr. Stone stated that he did not have any additional points. President Anderson stated that there would be public hearings for discussion when a decision was made.

22. CLOSED SESSION – You are hereby notified that the Village Board and staff of the Village of River Hills will convene into closed session upon motion duly made and seconded as required under §19.85(1)(a), Stats. The purpose of the closed session is for the following:

- Pursuant to Sec. 19.85(1)(e) - Deliberating or Negotiating the Purchasing of Public Properties, the Investing of Public Funds, or Conducting other specified public business, whenever competitive or bargaining reasons require a closed session specifically regarding Sprint Cellular Tower Agreement.
- Pursuant to Sec. 19.85(1)(e) - Deliberating or Negotiating the Purchasing of Public Properties, the Investing of Public Funds, or Conducting other specified public business, whenever competitive or bargaining reasons require a closed session specifically regarding property on Brown Deer Road.

You are further notified that at the conclusion of the Closed Session, the Village Board may convene into open session pursuant to 19.85(2), Stats., for possible additional discussion and action concerning any matters discussed in closed session and for adjournment

Motion by Glaisner and seconded by Fritz to move into closed session for reasons stated on the agenda at 6:23p.m.; motion carried unanimously.

Motion by Kingwill and seconded by Russo to reconvene to open session at 7:15 p.m.; motion carried unanimously.

15. ADJOURNMENT

Motion by Kingwill and seconded by Russo to adjourn at 7:15 p.m.; motion carried unanimously.

Submitted by Tammy LaBorde, Manager/Clerk/Treasurer, on March 19, 2021.