



**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**  
**Village Hall, Monday, July 20, 2022 @ 5:00 pm**

**This meeting was a virtual meeting through Zoom –  
Access code 868-7913-3627**

1. **ROLL CALL** Roll call was answered at 5:00 pm by President Steve Anderson, Trustee Jamie Evans, Trustee David Fritz, Trustee Kurt Glaisner (joined at 5:02pm), Trustee Chris Noyes, Trustee Peggy Russo, and Trustee Bill Walker. Also present: Village Attorney Bill Dineen, Police Chief Mrozak, Public Works Director Schroeder, Village Engineer Mustafa Emir, Village Manager Tammy LaBorde, and Deputy Clerk/Treasurer Nelson.
2. **CONSENT AGENDA**
  - a. **The Agenda**
  - b. **Village Board Minutes – June 20, 2022**
  - c. **Building Board Minutes – May 16, 2022**
  - d. **Board of Appeals Minutes – November 11, 2021**
  - e. **Voucher List – June 2022**

President Anderson stated that he will combine Items #14 and #16.  
Motion by Fritz, seconded by Glaisner to approve the consent agenda; motion carried unanimously.

3. **PUBLIC COMMENTS ON NON-AGENDA MATTERS**

None

4. **FUTURE AGENDA ITEMS**

Trustee Fritz would like to discuss the request of a resident regarding drainage onto their yard. The Building Inspector obtained an Inspection warrant and conducted an inspection at the property on Spruce Road and he reported the property is in serious state of disrepair and Village should seek to have it razed. The Village has not been able to identify an owner of the property and may have to commence an action in circuit court. Attorney Dineen will provide a report at the next meeting regarding this matter.

5. **Discussion and Possible Action Regarding Referendum for Levy Increase**

LaBorde discussed the draft resolution to authorize a Referendum vote to exceed the state limit on increases to the tax levy and documents to explain the request that were in the Board packet. Ehlers assisted with the development of the documents. The documents show a proposal to

increase the levy by \$300,000 for 2023. Without a referendum the increase in the levy for 2022 budget would be limited to 0.324% or estimated \$8,000. The proposed resolution has the question that would be posed at the end of the resolution. The current proposed 2023 budget is in a preliminary state with an amount of \$3.28 million. If an increase in the levy is approved in a referendum, the Board still determines the amount to increase the levy. If there is no referendum or it did not pass, the Managers working draft of the budget would include the elimination of one police officer and one public works employee and that would only cover costs for 2023. Costs over budget each year have been between \$200k and \$300k for the past few years. Trustee Noyes asked if the number could be increased and then the Board would determine whether or not those funds would be used. He wanted to know if \$300k would be enough going forward. LaBorde said the deadline for submitting the question for the ballot is August 26<sup>th</sup>. Trustee Fritz asked about the projections that were previously presented. The Board should look forward two to three years with an amount that would cover the budget. In discussions about the explanatory documents Trustee Evans suggested an explanation regarding the TID development be included. She suggested that we should also include what is unique to River Hills versus other communities. LaBorde noted that the Board would have to meet in August to adopt the resolution in time to get it on the ballot for November. Trustees Evans, Fritz, Russo, Glaisner will assist with the review of the information.

**6. Discussion Regarding Coyotes and Safety Concerns**

This item will be discussed with #12.

**7. Continued Discussion and Possible Action to Approve RESOLUTION NO. 2022-08 to Consider the Request of Nicolet Union High School District to extend the time to commence construction in Special Use Permit granted by Resolution No. 2014-16**

Dr. Kabara, Curt Wiebelhaus, and Jeff Pruefer were present for this item.

Attorney Dineen stated that the same memo and resolution are in the packet from the last meeting. Nicolet provided additional information that was requested at the last meeting.

Mr. Wiebelhaus discussed the information that had been provided related to the funding. The athletic field plan was refined and had 14 tennis courts in the plan. Community input reduced it to 9 courts. There are donors who would like to see additional courts and Nicolet is in discussion regarding funding. All of the financial figures are based on 14 courts. He presented the budget update he prepared for this meeting. Nicolet used the majority of land sale money for contribution toward Maslowski Park for baseball. If fundraising is successful, they believe that there would be no need for use of referendum dollars. If none of the donors come through, the amount used would be \$1,918,002; however, if the funds did not come through Nicolet would not build the additional five courts. They plan to go out to bid in September and start construction in mid-October.

Trustee Walker stated that when the special use permit was granted, the condition was that no taxpayer funds be used for the construction. Nicolet has stated they plan to use tax dollars for

construction. He pointed out that the River Hills taxpayers did not vote in favor of the referendum for Nicolet.

Attorney Dineen stated that the resolution was drafted to accept Nicolet's information regarding the approval of using taxpayer funds – waiving the termination clause for the special use permit. If the Board doesn't approve, Nicolet couldn't construct the tennis courts located in River Hills or use the property under the terms of the special use permit and that would remove their obligation for pilot payments. Trustee Fritz asked if there could be a separation of the use of tax dollars and extending the time for construction. Atty Dineen discussed why he would not recommend that the two be separated. Dr. Kabara stated that he is targeting more donors to finish the project in order to reduce the use of referendum dollars. He asked when the stipulation was added into the special use permit. Atty Dineen stated that it was added in 2014 when the school district represented that there would be no use of taxpayer dollars. Trustee Russo asked about a timeline for the donations. Dr. Kabara hopes to have this resolved by the end of July.

Motion by Glaisner, seconded by Noyes to approve Resolution 2022-08 to extend the time to commence construction in Special Use Permit granted by Resolution No. 2014-16; motion carried 6-aye, 1-nay (Walker).

**8. Discussion and Possible Action Regarding Request for a Stoplight at Spruce Road and Brown Deer Road**

Trustee Fritz stated that he has heard from residents who live along Spruce and Greenbrook regarding this intersection. Village Engineer Emir stated that the Village can send a request to the WisDOT. Trustee Russo noted that this isn't just a USM issue that it is also for Indian Hill traffic as well. Chief Mrozak stated that the state has not wanted to signal this intersection. He suggested trying to include this with the I-43 project. There have been 25 reportable crashes there over eight years, or three per year. The Board directed staff to compose a letter to Access Management at WisDOT asking for consideration of traffic signal at Brown Deer Road and Spruce Road.

**9. Discussion and Possible Action to Approve RESOLUTION NO. 2022-09 in Support of the World Migratory Bird Day**

LaBorde stated that the Board is required to adopt this resolution every one to two years in order to maintain our Bird City status.

Motion by Fritz, seconded by Noyes to approve RESOLUTION NO. 2022-09 in Support of the World Migratory Bird Day; motion carried unanimously.

**10. Update on Meet and Greet and Bird City Status**

Trustee Russo stated that she is putting together a meet and greet for Thursday, September 8<sup>th</sup> from 5:30 to 7:30pm. It will be at the Audubon. She asked the Board members to submit 5 family names and any new residents to her. Trustee Evans noted that she has been in touch with a River Hills Mom's Group to help put the event on. Trustee Russo also recommends creating a

Hospitality Committee to assist with these types of activity. Look at funding through the Foundation to assist.

## **11. REPORT OF VILLAGE MANAGER**

### **a. Treasurer Report for June 30, 2022**

LaBorde stated that the cash balance as of June 30 is approximately \$3 million with at least \$1 million of that balance to be paid out for taxes to the other entities.

### **b. Financial Report for June 2022**

LaBorde stated that we are at 50% for the year. The Village received our payment of ARPA funds for 2022. The balance available is estimated at \$130,000.

### **c. Partisan Primary Election scheduled for Tuesday, August 9, 2022**

### **d. Update on Brown Deer Property**

Village Engineer Emir stated that they have almost resolved all of the issues with Mequon Water. They have been very cooperative. MMSD will fully serve the property. We are cleared by DOT to create an entrance to the property across from the existing River Road. The water main source will start in Bayside, under the interstate, down Fairy Chasm and south at Spruce, also down Fairy Chasm to USM and up to County Line creating a U Loop. Approximately 6,000 feet of pipe. There are 45 residents in River Hills who could also be served. There are a few hurdles with Public Service Commission. He will come back with paperwork. A checklist was received from the Mequon Water Utility last Friday that shows what needs to be completed.

LaBorde noted that Fresh Coast Partnership Program is 95% complete and will come back in September to finish plantings. Photos of work were in the packet.

### **e. Consider Recommendation from Village Attorney to not exercise “opt out” option in Monsanto Company class action lawsuit re alleged PCB contamination in Milwaukee River**

Attorney Dineen stated that he is recommending that the Village not opt out of the settlement agreement. The Village would receive approximately \$17,000 in the future. Motion by Glaisner, seconded by Fritz to not opt out of the proposed settlement; motion carried unanimously.

### **f. Discussion and Action to Approve Amendment to Clark Dietz Agreement for Engineering Services for the Grove Development**

The original agreement has changed on now requires water to be looped around to Bayside. We did meet with Ehlers to update the financial models of the TID. Motion by Noyes, seconded by Russo to approve the Amendment to Clark Dietz Agreement for Engineering Services for the Grove Development; motion carried unanimously.

### **g. Discussion and Action to support Grow Solar Greater Milwaukee 2023**

After discussion there was no action taken on this matter.

**12. REPORT OF THE RIVER HILLS POLICE DEPARTMENT**

Item #6 and #12 were discussed. Chief Mrozak reported that going back to 2017, there have been 14 incidents which were considered yellow or red. The Chief stated that the police department removing coyotes is not cost effective. Trustee Fritz asked about what the cost would be for removal of coyotes versus costs related to deer. The Chief stated that on County Line the quote was \$2,600 to trap on that property, monitor the traps, and remove them. The Board requests that staff provide the names of contractors who could be contacted to remove coyotes. The Chief was directed to contact former officer Karakis to see if he is interested.

Chief also stated that traffic on Range Line Road is an issue. Brown Deer Road at the railroad crossing has been closed and will be closed for a while which will add to the traffic. Trustee Russo asked about a camera at Range Line and Brown Deer and would like to know what it is. Chief did receive a request to put speed humps on Bradley Road and to lower the speed limit to 25mph. Trustee Russo asked about break-ins. Chief stated that they did catch someone and residents have been locking their cars and homes. Trustee Russo stated that the best way to get information out is the new email system. Trustee Evans asked about the flyer for the email system.

**13. REPORT OF PUBLIC WORKS**

Supt. Schroeder provided photos of the work completed on two bridges in the Village per maintenance required from the Bridge Inspection report of 2021. He also noted that Mequon will be posting the closure of County Line Road for culvert work in addition to what we will be posting.

**14. REPORT OF THE NORTH SHORE FIRE DEPARTMENT**

This item was combined with #16.

**15. REPORT ON NORTH SHORE LIBRARY**

Trustee Glaisner stated that Glendale has agreed to stay with the consolidated departments. He doesn't have anything new on the fundraising efforts.

**16. REPORT OF VILLAGE PRESIDENT**

**a. Recommendation to appoint Chris Meisel as River Hills ICC representative to the County Land Sales Certification**

Motion by Noyes, seconded by Russo to approve the appointment of Chris Meisel as River Hills ICC representative to the County Land Sales Certification; motion carried unanimously.

President Anderson stated that he will be resigning effective July 31, 2022. He will be delivering a letter to the Clerk tomorrow. He has served as Trustee since 2002 and almost six years as President and has enjoyed working with the trustees and employees has been a wonderful experience.

**17. 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), Stats. The purpose of the closed session is for the following:**

- **Pursuant to Sec. 19.85(1)(g) – Conferring with legal counsel for the Village who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved (Mandamus lawsuit).**

**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, seconded by Fritz to move into closed session for the reasons stated on the agenda at 6:40 p.m.; motion carried unanimously.

Motion by Russo, seconded by Fritz to reconvene to open session at 6:51 p.m.; motion carried unanimously.

The Board set Wednesday, August 17, 2022 at 5:00pm for the next Board meeting via zoom.

**18. ADJOURNMENT**

Motion by Russo, seconded by Fritz to adjourn at 6:57 p.m.; motion carried unanimously.

Submitted by Tammy LaBorde, Clerk on July 21, 2022.