



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, November 21, 2022 @ 4:00 pm
This meeting was an in person and virtual meeting
through Zoom – Access code 893-1047-0003

1. **ROLL CALL** Roll call was answered at 4:00 pm by President Chris Noyes, Trustee Jamie Evans, Trustee David Fritz, Trustee Kurt Glaisner, Trustee Jon Isaacson, and Trustee Peggy Russo all in person. Trustee Bill Walker was absent and excused. Also present in person: Village Attorney Bill Dineen, Chief Milt Mrozak, Public Works Superintendent Craig Schroeder, Attorney Alan Marcuvitz, Village Engineer Mustafa Emir, Village Manager Tammy LaBorde, and Deputy Clerk/Treasurer Stacie Nelson.

2. **PUBLIC HEARING to Amend the Village Comprehensive Plan, Change the Future Land Use Map, Establish Planned Unit Development Residential Overlay District, and re-zone Lot 1 and Lot 2 of CSM 9392 for property on West Brown Deer Road**

A redline copy was included to review the proposed changes. The Plan Commission recommended that the Village Board approve.

Motion by Fritz, seconded by Russo to open the Public Hearing at 4:02pm; motion carried unanimously. There were no comments. The notice for the public hearing was published twice as legally required. The Board received a copy of the hearing notice, that included notice that persons could attend the hearing virtually via a Zoom link.

Motion by Glaisner, seconded by Evans to close the Public Hearing at 4:03pm; motion carried unanimously.

3. **PUBLIC HEARING on the 2023 Budget**

LaBorde stated that a copy of the Budget was distributed and posted to the website. One change was made to the amount for MADACC, otherwise no changes. The notice for the hearing was published and a copy of the notice was in the packet. The notice of hearing for the Budget did not include a notice that persons could attend virtually via Zoom.

Motion by Fritz, seconded by Russo to open the Public Hearing at 4:03pm; motion carried unanimously. There were no comments.

Motion by Russo, seconded by Isaacson to close the Public Hearing at 4:05pm; motion carried unanimously.

4. **Discussion and Action to Approve RESOLUTION 2022-19 to Adopt the 2023 Annual Budget and Establish the 2022 Tax Levy Utilizing the Tax Levy Allowable Increase**

Motion by Fritz, seconded by Glaisner to Approve Resolution No. 2022-19 to Adopt the 2023 Annual Budget and Establish the 2022 Tax Levy Utilizing the Tax Levy Allowable plus an additional \$300,000 as approved by the voters of the Village in a Referendum which passed on November 8, 2022, setting the levy at \$3,338,157 and tax rate at \$7.33 for the village; motion carried unanimously.

5. Discussion and Possible Action on Plan Commission Resolution P2022-10 to Recommend the Adoption of ORDINANCE NO. 567 to amend the Village of River Hills Comprehensive Plan and Change the Future Land Use Map to Include a Planned Unit Development Residential Overlay District on Certified Survey Map No. 9392, Approximately 53.4 acres located at 1600, 1620, 1700, 1820 and 1890 West Brown Deer Road in the Village of River Hills

Village Attorney Dineen presented the changes to the comprehensive plan and the change to the future land use map showing the PUD.

Motion by Glaisner, seconded by Russo to Adopt ORDINANCE NO. 567 to amend the Village of River Hills Comprehensive Plan and Change the Future Land Use Map to Include a Planned Unit Development Residential Overlay District on Certified Survey Map No. 9392, Approximately 53.4 acres located at 1600, 1620, 1700, 1820 and 1890 West Brown Deer Road in the Village of River Hills; motion carried unanimously. On November 22, 2022, it was discovered that due to a technical issue, members of the public who did not attend the public hearing in person were not able to attend the public hearing using the Zoom link that was published in the Public Hearing Notice. For that reason, the Village Attorney advised that Ordinance 567 should not be published or go into effect and that it was necessary to schedule another public hearing to ensure compliance with the laws applicable to enacting Ordinance 567. A new public hearing has been scheduled for January 10, 2023.

6. Discussion and Possible Action on the Recommendation of the Plan Commission to Adopt ORDINANCE NO. 568 to Amend Subsections 7.0301.A and 7.0301.C, and Create Subsection 7.0308 of Chapter Seven (7) of the General Ordinances of the Village of River Hills Regarding the Establishment of a Planned Unit Development Residential Overlay District in the Village of River Hills

Motion by Russo, seconded by Fritz to Adopt ORDINANCE NO. 568 to Amend Subsections 7.0301.A and 7.0301.C, and Create Subsection 7.0308 of Chapter Seven (7) of the General Ordinances of the Village of River Hills Regarding the Establishment of a Planned Unit Development Residential Overlay District in the Village of River Hills; motion carried unanimously. On November 22, 2022, it was discovered that due to a technical issue, members of the public who did not attend the public hearing in person were not able to attend the public hearing using the Zoom link that was published in the Public Hearing Notice. For that reason, the Village Attorney advised that Ordinance 567 should not be published or go into effect and that it was necessary to schedule another public hearing to ensure compliance with the laws applicable to enacting Ordinance 567. A new public hearing has been scheduled for January 10, 2023.

7. Discussion and Possible Action on the Recommendation of the Plan Commission to Adopt ORDINANCE NO. 569 to Zone Lot 1 and Lot 2 of Certified Survey Map 9392 being a re-division of Parcels 1 and 2 of Certified Survey Map No. 5755, Parcel 1 of Certified Survey Map No. 2313, and lands, being a part of the southwest ¼ and the southeast ¼ of the southeast ¼ of Section 6, Town 8 North, Range 22 East, in the Village of River Hills, Milwaukee County for the Village of River Hills on West Brown Deer Road

Motion by Glaisner, seconded by Russo to Adopt ORDINANCE NO. 569 to Zone Lot 1 and Lot 2 of Certified Survey Map 9392 being a re-division of Parcels 1 and 2 of Certified Survey Map No. 5755, Parcel 1 of Certified Survey Map No. 2313, and lands, being a part of the southwest ¼ and the southeast ¼ of the southeast ¼ of Section 6, Town 8 North, Range 22 East, in the Village of River Hills, Milwaukee County for the Village of River Hills on West Brown Deer Road; motion carried unanimously. On November 22, 2022, it was discovered that due to a technical issue, members of the public who did not attend the public hearing in person were not able to attend the public hearing using the Zoom link that was published in the Public Hearing Notice. For that reason, the Village Attorney advised that Ordinance 567 should not be published or go into effect and that it was necessary to schedule another public hearing to ensure compliance with the laws applicable to enacting Ordinance 567. A new public hearing has been

scheduled for January 10, 2023.

8. Discussion and Possible Action to Approve the Concept – Site Plan (General Plan) for The Grove on Lot 1 of CSM 9392 related to the Cornerstone Development on Brown Deer Road

A copy of a concept plan was distributed in your packet. There are two that show the development and the clubhouse. The Plan Commission reviewed the documents. Trustee Isaacson asked about the berm along Brown Deer Road.

Motion by Russo, seconded by Fritz to approve the Concept Site Plan (General Plan) for The Grove on Lot 1 of CSM 9392 related to the Cornerstone Development on Brown Deer Road with the Site Plan to be back for review and approval in due course; motion carried unanimously.

9. Discussion and Possible Action on Plan Approval of the Condominium Plat and Condominium By-Laws related to “The Grove” a Cornerstone Development on Lot 1 of CSM 9392 on Brown Deer Road

The Preliminary Condominium Plat was included in the packet. The Condominium By-Laws were laid over.

Motion by Glaisner, seconded by Russo to Approve the Preliminary Condominium Plat related to “The Grove” a Cornerstone Development on Lot 1 of CSM 9392 on Brown Deer Road; motion carried unanimously.

10. Discussion and Possible Action to Approve a Declaration of Restrictions to be recorded for the purpose of dedicating Lot 2 of CSM 9392 for conservation purposes related to the Cornerstone Development on Brown Deer Road

This item was laid over.

11. Discussion and Possible Action to Approve an Agreement with the Mequon Water Utility to provide public water to the perimeter of Lot 1 of CSM 9392 related to the Cornerstone Development on Brown Deer Road

This item was moved to Closed Session – Item 29 on the Agenda.

12. Discussion and Possible Action to Approve RESOLUTION NO. 2022-23 to Establish a North Shore Dementia/Alzheimer’s Education and Training Program

The Village will look for two volunteers to serve on the committee. Please let President Noyes if you know of anyone who would be interested.

Motion by Fritz, seconded by Evans to Approve Resolution No. 2022-23 to Establish a North Shore Dementia/Alzheimer’s Education and Training Program; motion carried unanimously.

13. CONSENT AGENDA

- a. The Agenda
- b. Village Board Minutes – October 19, 2022
- c. Building Board Minutes – October 17, 2022
- d. Plan Commission – March 7, 2022
- e. Voucher List – October 2022
- f. Approve the 2023 North Shore Environmental Health Consortium Fee Increase – Resolution 2022-25

Resolution 2022-25 will be taken up separate later in the meeting.

Motion by Fritz, seconded by Russo to remove “f” from the Consent Agenda and to approve the remaining

items on the Consent Agenda; motion carried unanimously.

14. PUBLIC COMMENTS ON NON-AGENDA MATTERS

None

15. FUTURE AGENDA ITEMS

Discussion Regarding the Village Website at the February meeting

16. Continued Discussion and Possible Action to Approve Use of ARPA Funds for Solar Panel Installation or Stormwater Project

Discussion regarding utilizing the ARPA funds for solar. Andrew Holmstrom from Arch Solar was present for this item. WE will buy back electricity at 4.2 cents per kw hour. The Village is currently paying 13 cents per kw hour. There is no storage system proposed. Supt. Schroeder plans to look at combining the 3 meters that we have to one as suggested by Mr. Holmstrom. The project will qualify for Focus on Energy Incentives in the year following installation. The total project cost is \$153,461 with Focus on Energy incentives of \$54,351, which yields a net cost of \$99,110. There is a balance of \$126,911.96 currently available. The other option would be to use the funds and apply them to the culvert repair on Range Line Road. There was discussion as to continuing to borrow for the culvert project.

Motion by Fritz, seconded by Russo to approve the use of ARPA funds for Solar Panel Installation on Village Hall and the DPW Building; motion carried 5-aye, 1-abstain (Glaisner).

(Trustee Evans left the meeting at 5:00pm)

17. Discussion and Possible Action Regarding No Left Turn Sign on Green Tree Road at Jean Nicolet Road

Due to construction taking place along I-43 and in Glendale, a request was made to temporarily remove the left turn sign. A notice will be sent out to the residents along Green Tree Road about the increase in traffic during those times.

Motion by Fritz, seconded by Russo to direct DPW to temporarily remove the “No Left Turn” sign as they deem appropriate during the times as noted on the construction map and then return it once construction is completed – February to October 2023 and June to November 2024; motion carried unanimously.

18. Discussion and Action to Approve RESOLUTION 2022-20 Establishing Employee Salaries for 2023

Motion by Glaisner, seconded by Isaacson to approve Resolution 2022-20 Establishing Employee Salaries for 2023; motion carried unanimously.

19. Discussion and Action to Approve RESOLUTION 2022-21 to Combine Wards for Spring Primary Election on February 21, 2023

Motion by Fritz, seconded by Russo to approve Resolution 2022-21 to Combine Wards for Spring Primary Election on February 21, 2023; motion carried unanimously.

20. Discussion and Action to Approve RESOLUTION 2022-22 Establishing 2023 Fee Schedule

Motion by Russo, seconded by Fritz to approve Resolution 2022-22 Establish 2023 Fee Schedule; motion carried unanimously.

21. Discussion and Action to Approve ORDINANCE NO. 570 to Repeal Subsections [tt] and [ccc] of Section 3.05 of Chapter Three (3) of the General Ordinances Regarding Stop Signs

Motion by Fritz, seconded by Glaisner to approve ORDINANCE NO. 570 to Repeal Subsections [tt] and [ccc] of Section 3.05 of Chapter Three (3) of the General Ordinances Regarding Stop Signs; motion carried unanimously.

22. REPORT OF VILLAGE PRESIDENT

a. Proposed Consolidation of North Shore Police Departments

President Noyes stated that Mayor Kennedy in Glendale had raised this issue recently. Mayor Kennedy asked all communities to look at the possibility of placing a referendum on the spring ballot to find out what their communities would like to do related to police consolidation. The consensus of the Board determined that they are not interested.

(Trustee Evans returned to the meeting at 5:13pm)

23. REPORT OF VILLAGE MANAGER

a. Financial Report for October 2022

LaBorde noted that the Village has completed 83% of the year. There are a few accounts that have exceeded budget but have revenues to offset. All of the funds are on track.

24. REPORT OF THE RIVER HILLS POLICE DEPARTMENT

a. Summary Report

b. Discussion and Possible Action to Approve RESOLUTION 2022-24 to Carry Over Funds from 2022 to 2023 for Firearms

Chief Mrozak presented the summary report. It looks like they will be finishing up on the Green Bay Road and Brown Deer Road projects. The department has been monitoring Range Line Road and issuing citations. Mequon has now received requests to lower their speed limit to 25mph.

Chief Mrozak stated that he would like to carryover funds from 2022 to 2023 in order to move forward with purchasing weapons for the department.

Motion by Isaacson, seconded by Glaisner to approve Resolution 2022-24 to Carry Over Funds from 2022 to 2023 for firearms; motion carried unanimously.

13. RESOLUTION 2022-25 to Approve the 2023 North Shore Environmental Health Consortium Fee Increase.

This item was removed from the Consent Agenda – Item #13.f., and taken up at this time. This is just a annual request to update their fees.

Motion by Fritz, seconded by Russo to Approve Resolution 2022-25 the 2023 North Shore Environmental Health Consortium Fee Increase; motion carried unanimously.

25. REPORT OF PUBLIC WORKS

a. Discussion and Possible Action Regarding ORDINANCE NO. 571 to Removal of Ash Trees within 50 feet of the right-of-way, communication lines, and property boundaries

b. Discussion Regarding Range Line Bridge

Supt. Schroeder presented information regarding the issue with dead ash trees throughout the Village. The ordinance will be reworked and brought back to the Board in February.

Supt Schroeder noted that the mortar is beginning to crumble on the Range Line Road bridge. The Village needs to start making a plan looking at annual repairs or replacement. Federal funding cannot be used for the bridge as it has landmark status. The federal funding is based on a 80/20 split. There are several options available – delist the bridge as a landmark to qualify for federal funding, rehab what is there, apply for a matching grant through TAP for a 50/50 split. He will start working on a plan for the bridge and will work with Mustafa.

26. REPORT ON COMMUNITY GATHERINGS

a. Update

Trustee Russo signed the contract for September 14th. She also has a sponsor for the event. She will be going to the Foundation to ask for funding of \$1,000 matching for the Evening at the Audubon. She has someone who is interested in sponsoring the Lynden membership for 2023.

27. REPORT OF THE NORTH SHORE FIRE DEPARTMENT

The North Shore Fire Department has several resolutions that will need the Village to take action before the end of the year. The Board will meet on Wednesday, December 7th at 4pm to address those resolutions.

28. REPORT ON NORTH SHORE LIBRARY

a. Update

Trustee Glaisner stated that statistics for October were distributed. He has no update regarding fundraising for the Library.

29. 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)(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 status of municipal water from Mequon**

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 Russo, seconded by Glaisner to move into closed session for the reasons stated on the agenda at 5:44 p.m.; motion carried unanimously. Attorney Marcuvitz was present for this item.

Motion by Fritz, seconded by Russo to reconvene to open session at 5:58 p.m.; motion carried unanimously. No action was taken on this matter.

30. ADJOURNMENT

Motion by Russo, seconded by Isaacson to adjourn at 5:58 p.m.; motion carried unanimously.

Submitted by Tammy LaBorde, Clerk on December 8, 2022.