

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes November 19, 2015
7:00 pm

1. Call to Order/ Roll Call

The meeting was called to order by Village President John Jeffords at 7:04 pm. A quorum of the Village Board was present. Present: Village Board of Trustees; Bill Collins, Dan Neu, and Sandy Voss.

Trustee Brandner had an excused absence.

Also present: Village Administrator Jim Healy and Administrative Services Coordinator KateLynn Schmitt

2. Verification of Compliance With Open Meeting Law

Village Administrator Healy verified that the meeting was posted per statute at three local post offices and the Village Hall. Digital copies of the agenda were sent to the West Bend Daily News, Germantown Express News, Hartford Times Press, and the Milwaukee Journal Sentinel.

3. Pledge of Allegiance

4. PUBLIC HEARING

a. 2016 Budget

Motion by Trustee Neu to open public hearing; Seconded by Trustee Voss; Motion carried unanimously.

Gil Frank, 4156 Elmwood Road, Colgate asked several questions regarding the 2016 budget. Mr. Frank went on to ask if the Village has done everything it can to cut costs because the Village's portion of taxes continues to go up while the school districts goes down.

Will Hessenauer, 3339 Mount Lane, thanked everyone in the Village who had input into the budget. Mr. Hessenauer stated that the Village has a very responsible budget and that the Board and Village Staff has continued to strive toward a great level of transparency.

Jeff Gonyo, Highway J citizens group, 2668 Hwy 164, Town of Polk, stated his educational credentials for the record. Mr. Gonyo stated that in order to determine whether the Village is being fiscally responsible you've got to compare the Village of Richfield to like comparable municipalities such as towns that offer similar services as the Village. Mr. Gonyo stated his belief that the Village keeps more than what is necessary in reserves. A way to further save money would be to eliminate office staff.

Danah Zoulek, 623 Amy Belle Road, believes the Village is wasting tax dollars. As it relates to the budget, Ms. Danah Zoulek stated the Village makes more work for themselves and wastes time and money when it comes to processing open record requests. Ms. Danah Zoulek discussed how excessive legal fees in the budget are the result of the Village pursuing frivolous litigation.

Paul Craig, 501 Scenic Road, Colgate stated that he was the Mayor of the City of Delafield for four (4) years and a councilman for an additional four (4) years. Mr. Craig stated that he has a history of working with municipal budgets. Mr. Craig explained that people should be careful what they wish for regarding the use of reserve funds.

Linda Fitzpatrick, 1836 Hwy 175, requested the Village consider contributing funds for fencing-in approximately 10 acres of Glacier Hills Park which is owned and operated by Washington County. Ms. Fitzpatrick stated that county workers would install the fencing and give them a kiosk. Ms. Fitzpatrick stated that if there was a substantial donation for the fencing, which is estimated to cost approximately \$25,000, there may be naming rights for the dog park, itself.

Motion to close public hearing by Trustee Collins; Seconded by Trustee Neu; Motion carried unanimously.

b. Discussion/Action regarding Resolution R2015-11-01, a Resolution adopting the 2016 Village of Richfield budget

Administrator Healy gave an update on the Village of Richfield's budget.

Motion by Trustee Voss to adopt the 2016 Village Budget, as outlined in the 2016 'Notice of Public Hearing', for the Village of Richfield; Seconded by Trustee Neu; Motion carried unanimously

5. REPORT

a. Scenic Pit LLC. Vs. Village of Richfield et. Al., Case No. 2015CV000374

Administrator Healy gave an update on the ongoing litigation between the Village and Scenic Pit LLC.

6. PUBLIC COMMENTS

Doug Felton, 535 Scenic Road Colgate stated that he lives two doors down from the pit. Felton stated it would take one (1) quad axle dump truck every four (4) minutes for 12 hours a day, 6 days a week. Mr. Felton thanked the Village Board for listening to a lot of content and volume and determining what is right and protecting interests the interests of the Village residents.

Gil Frank, 4156 Elmwood Road, Colgate spoke in regards to concealed carry in parks. Mr. Frank stated he is in favor of the Village allowing people to carry in parks to protect themselves from people and animals.

Paul Craig, 501 Scenic Road, keep up the good work.

Shelly Vento, 3715 Water Crest Court, Colgate thanked the Village Board and community for standing up for rights of residents. Ms. Vento stated that as a resident and neighbor she opposes Scenic Pits use as a neighborhood business. Ms. Vento said neighbors and businesses do not match or mix well in residential neighborhoods.

Roger Keuhn, 546 Jordan Circle, Colgate stated that he is still opposed to Scenic Pit LLC. Mr. Keuhn said that after the October meeting he was at a loss for words as a resident of Richfield. Mr. Keuhn was embarrassed and sad for Richfield. He thanked everyone and wished them a Happy Thanksgiving.

Jeff Gonyo, Highway J Citizens Group, 2668 Highway 164, Polk commended Ms. Danah Zoulek for filing an appeal because he believes Judge Gonerig was wrong. Mr. Gonyo stated he believes that the "Derosso ruling" exempts Scenic Pit site from local zoning. Mr. Gonyo stated the DNR withdrew their support for the Village of Richfield and DNR did so because they incorrectly interpreted the law.

Ms. Danah Zoulek, 623 Amy Belle Road, Colgate stated she never wanted to have any problems in the community and that in her first meeting with the Village she offered to donate the land to the Village once it was restored. Ms. Danah Zoulek said she has a binder full of information for the project if anyone ever wants to discuss it with her.

Steve Maller, 429 Pheasant Run Road, Colgate thanked the Village Board for protecting the community. Mr. Maller stated that he cannot do anything he wants in his backyard because of the laws protecting the community. Mr. Maller said he will continue to support what the Village Board is doing to protect the interests of the community.

Marie Graziano, 1787 Whispering Ridge Court, Richfield spoke about Scenic Pit LLC vs. the Village of Richfield. Ms. Graziano asked why Jeff Gonyo is so supportive of this when he has for four (4) years been against increasing traffic in the Village of Richfield. She went on to say that in a prior case Mr. Gonyo stated that a project like this would have an adverse impact on health, safety and home values in the Village. She questioned

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes November 19, 2015
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why Mr. Gonyo has had concerns about building on top of a landfill before, but now it is not a concern of his. She thanked the Village Board for standing up for the Village of Richfield.

7. CONSENT AGENDA

- a. Vouchers for Payment**
- b. Treasurer's Report**
- c. Meeting Minutes:**
 - i. October 15, 2015 – Regular Meeting**
 - ii. October 26, 2015 – Special Meeting**
- d. New Operator Licenses**
- e. Move the Polling Location to Northbrook Church- Resolution R2015-11-02**
- f. Fee Schedule (Amendment) – Resolution R2015-11-03**
- g. St. Gabriel Parish Class "B" Picnic License**

Trustee Collins asked that the Class "B" Picnic License for St. Gabriel's Parish be considered separately from the rest of the consent agenda due to his involvement as Parish Council President and him having to recuse himself.

Motion by Trustee Neu to approve the Vouchers for Payment, Treasurer's Report, the Village Board Minutes from October 15 and 26, 2015, New Operator Licenses, Resolution(s) R2015-11-02 and R2015-11-03, and Fee Schedule; Seconded by Trustee Voss; Motion carried unanimously.

Trustee Collins recused himself due to his position with the Church's leadership.

Motion by Trustee Voss to approve the Class "B" Picnic License for St. Gabriel's Parish – Trivia Night; Seconded by Trustee Neu; Motion carried unanimously.

8. DISCUSSION/ACTION ITEMS

- a. Discussion/Action regarding Temporary Operator License**

Trustee Collins recused himself due to his involvement with the church as St. Gabriel's Park Council President.

Motion by Trustee Neu to approve the temporary operator license 2015 per the attached list; Seconded by Trustee Voss; Motion carried unanimously.

- b. Discussion/Action regarding Ordinance O2015-11-01, an Ordinance to rezone property (15.44ac) located at 3208 STH 167 (Tax Key: V10_027600E), from P-1, Parks and Recreation District to B-2, Community Business District for Logger's Park, LLC.**

Motion by Trustee Voss to approve Ordinance O2015-11-01, an Ordinance to rezone 3208 STH 167 (Tax Key: V10_027600E) from P-1, Parks and Recreation District to B-2, Community Business District; Seconded by Trustee Collins; Motion carried unanimously.

- c. Discussion/Action regarding Ordinance O2015-11-02, an Ordinance to amend Section 70.198(D) relating to Conditional Uses in the B-2, Community Business District**

Motion by Trustee Neu; to approve Ordinance O2015-11-02, an Ordinance to amend Sec. 70.198(D) of the Village Code relating to Conditional Uses allowed in the B-2, Community Business District; Seconded by Trustee Voss; Motion carried unanimously.

- d. Discussion/Action regarding Ordinance O2015-11-03, an Ordinance to create Chapter 172, entitled Animal Waste Storage Facilities**

Paul Sebow, Washington County Conservationist stated that Washington County has had oversight for waste regulation in the Village since 1991. When Richfield became a Village, the County Ordinances no longer applied.

Village of Richfield
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Village Board Meeting Minutes November 19, 2015
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The new ordinance being proposed would reenact regulation for animal waste in the Village and the County would administer the ordinance for the Village and make sure the structures holding waste prevent groundwater contamination. This agreement would be at no cost to the taxpayers.

Motion by Trustee Neu to approve Ordinance O2015-11-03, an ordinance to create Chapter 172 of the Village Code, entitled Animal Waste Storage Facilities subject to the Village Attorney's final review and approval; Seconded by Trustee Voss; Motion carried unanimously.

e. Discussion/Action regarding Ordinance O2015-11-04, an Ordinance related to prohibited acts in or on public lands

Village Administrator Healy explained this ordinance amendment was brought to his attention by a local resident, has been confirmed by the Department of Justice, and reviewed by the Village Attorney.

Trustee Collins publicly thanked the resident that found the ordinance issue in question.

Motion by Trustee Collins; to approve Ordinance O2015-11-04, an ordinance to amend Section 270-2 of the Village Code regarding prohibited acts in or upon any public grounds in the Village; Seconded by Trustee Neu; Motion carried unanimously.

9. PUBLIC COMMENTS (...Continued)

No one spoke.

10. ADJOURNMENT

Motion by Trustee Neu to adjourn the meeting at 9:09 pm; Seconded by Trustee Voss; Motion carried unanimously.

Respectfully Submitted,

Jim Healy
Village Administrator