

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes June 18, 2020
7:00 pm

1. Call to Order/ Roll Call

The meeting was called to order by Village President John Jeffords at 7:00 PM. A quorum of the Village Board was present. Present: Village Board of Trustees; Bill Collins, Tom Wolff, and Rock Brandner.

Excused Absence: Trustee Dan Neu

Also present: Village Administrator Jim Healy and Deputy Clerk Donna Cox

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 at 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 COMMENTS:

Jeff Gonyo, 2668 STH 164, (regarding Item 9b.) Mr. Gonyo stated there was a conflict of interest being that President Jeffords worked for Payne and Dolan. Mr. Gonyo stated that Danah Zoulek of Scenic Pit, LLC was sweeping the road as required by the DNR.

Paul Craig, 501 Scenic Road, (regarding item 9b.) Mr. Craig asked the Board to continue following through with any litigation regarding Scenic Pit, LLC. Mr. Craig stated that the money being spent on litigation will be nothing compared to the millions that could potentially be spent if the groundwater gets polluted by potential contaminations caused by the Scenic Pit LLC.

Danah Zoulek, 609 Scenic Road, (regarding item 9b) Ms. Zoulek criticized Mr. Healy's emails to the DNR regarding the accident she was in a few weeks back. Ms. Zoulek stated that it is inappropriate to place blame regarding the accident and that the State should be the ones to investigate and make that decision and to not place the blame on her or Scenic Pit. Ms. Zoulek asked the Board to help her gain access to "haul road", lower the speed limit, and to place signage on the road.

Marilyn Craig, 501 Scenic Road (regarding item 9a) Mrs. Craig stated that the Scenic Pit causes an economic impact by loss of property values. Ms. Craig stated that the purchase of their home was their most significant investment and their hopes were to enjoy their home and property in a nuisance free manor and free from dust.

Don Seib, 1639 Hillside Road (regarding item 9a) Mr. Seib stated that the pit was there first, and individuals should have thought about that before moving there. Mr. Seib stated that taxpayers dollars would be better spent on paving roads.

5. CONSENT AGENDA

- a. Vouchers for Payment
- b. Treasurer's Report
- c. Meeting Minutes: May 21, 2020 – Regular Meeting
- d. Applications for New Operator's Licenses
- e. Renewal Operator's License Applications

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes June 18, 2020
7:00 pm

- f. Alcohol Beverage License Renewal Applications
- g. Unenclosed Premises Permit Renewal Applications
- h. Coin Operated Machines License Renewal Applications
- i. Cigarette and Tobacco Products License Renewal Applications
- j. Target and Trapshooting License Renewal Applications
- k. Temporary “Class B” and Class “B” Picnic License – Richfield Historical Society, Art at the Mill
- l. Letter of Credit Reduction for Highland Ridge Subdivision
- m. KT Kayak Rentals Agreement for Public Boat Launches

Motion by Trustee Wolff to approve the Vouchers for Payment, Treasurer’s Report, Minutes of the May 21, 2020 Regular Meeting, Applications for New Operator’s Licenses per the attached list, Applications for Renewal Operator’s Licenses per the attached list, Application for a Temporary Class B Picnic License for Richfield Historical Society, Applications for Renewal of Alcohol Beverage Licenses per the attached list, Applications for Renewal of Unenclosed Premises per the attached list, Applications for Renewal of Coin Operated Machine Licenses per the attached list, Applications for Renewal of Cigarette and Tobacco Products Licenses per the attached list, Applications for Renewal of Target and Trapshooting Licenses per the attached list, Letter of Credit Reduction for Highland Ridge Subdivision and Rental Agreement with KT Kayak Rentals; Seconded by Trustee Brandner; Motion passed without objection.

6. PUBLIC HEARING

Village President Jeffords read aloud the Public Hearing.

Jim Healy introduced item 7a.

Motion by Trustee Wolff to Open the Public Hearing for item 7a; Seconded by Trustee Brandner; Motion carried unanimously by voice vote.

- a. Discussion regarding the annual adoption of “Weights and Measures” pursuant to Chapter 363

Public Hearing Comments: No Comments

Motion by Trustee Wolff to Close the Public Hearing for item 7a ; Seconded by Trustee Brandner; Motion carried unanimously by voice vote.

7. DISCUSSION/ACTION

- a. **Discussion/Action regarding the annual adoption of “Weights and Measures” pursuant to Chapter 363**

Motion by Trustee Collins to approve the assessed weights and measures fees and direct Staff to administer the licensing process per Chapter 363 of the Village Code; Seconded by Trustee Brandner; Motion passed without objection.

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes June 18, 2020
7:00 pm

- b. **Discussion/Action regarding a potential Ordinance Amendment to allow “Restaurants, Standard” as a “Permitted Principal Use” in the Village’s business zoning districts**

Jim Healy introduced item 7b. In the Village, this would make Restaurants a Permitted Principal Use in all business zoning districts.

Motion by Trustee Brandner to authorize Staff to prepare an Ordinance amendment and schedule a Public Hearing for July 23, 2020 to consider “Restaurants, Standard” as a Permitted Principal Use in the [Insert desired Zoning Districts to be considered (B-1, B-2, B-3, B-4, and B-5)] and to incorporate the definition thereof into Section 70.12 of the Zoning Code; Seconded by Trustee Collins; Motion passed without objection.

- c. **Discussion/Action regarding a petition for a Reserve “Class B” Alcohol Beverage Retail License, Unenclosed Premise Permit, and Coin Operated Machine License for PERSEVERANCE CORP. d/b/a Badger Burger Company, located at 1872 STH 175 (Tax Key: V10_030000Z)**

Motion by Trustee Collins to Conditionally Approve the petitioned Unenclosed Premise Permit, Coin Operated Machine License, and Reserve “Class B” Alcohol Beverage Retail License for PERSEVERANCE CORP. d/b/a Badger Burger Company located at 1872 STH 175 (Tax Key: V10_030000Z) subject to the following Specific Conditions of Approval:

Specific Conditions of Approval:

1. The Village Board approve the proposed Ordinance Amendment considered on June 18, 2020 related to “Restaurant, Standard” to allow the “use” as being a Principal Permitted Use.
2. The Plan Commission conditionally approve the Plan of Operation for Badger Burger Company.
3. The petitioner receives all necessary permits from the Building Inspection Department, Richfield Volunteer Fire Company, and Washington County for the service of food/drink;

Seconded by Trustee Wolff; Motion passed without objection.

8. CLOSED SESSION

President John Jeffords read items 9a and 9b aloud.

- a. **Discussion / Action to enter into Closed Session under Wis. Stats. 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. – Intermunicipal agreement for a regional Transportation Impact Analysis (TIA)**
- b. **Discussion /Action to enter into Closed Session under Wis. Stats. 19.85(1)(g) conferring with legal counsel for the governing body who is rendering oral or written advice concerning strategy to be adopted by the governing body with respect to litigation in which it is or is likely to become involved. – Case No. 2015CV000374 Scenic Pit LLC. v. Village of Richfield, et. al. (2019AP718)**

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes June 18, 2020
7:00 pm

Motion by Trustee Wolff to enter into Closed Session pursuant to Wisconsin State Statutes, Section 19.85(1)(g) and 19.85(1)(e); Seconded by Trustee Brandner; Motion carried unanimously by voice vote.

9. RECONVENE IN OPEN SESSION

Motion by Trustee Collins to Reconvene in Open Session; Seconded by Trustee Wolff; Motion carried unanimously by voice vote.

- a. **Discussion/Action regarding matters addressed in Closed Session outlined above.**

None.

10. ADJOURNMENT

Motion by Trustee Wolff to adjourn the meeting at 9:07 PM; Seconded by Trustee Brandner; Motion carried unanimously by voice vote.

Respectfully Submitted,

Jim Healy
Village Administrator