

VILLAGE OF ELM GROVE

13600 Juneau Boulevard
Elm Grove, WI 53122

LEGISLATIVE COMMITTEE

Thursday, April 21, 2016 * 7:00 PM * Parkview Room

AGENDA

1. Call meeting to order

Documents: [legislative committee memo- 042116.pdf](#)

2. Review and Act on Previous Meeting Minutes

Documents: [LC031716md.pdf](#)

3. Review, discussion and possible action on an amendment to Chapter 204 Parks and Recreation.

Documents: [Chapter 204 Section 204-6 03 31 16.pdf](#)

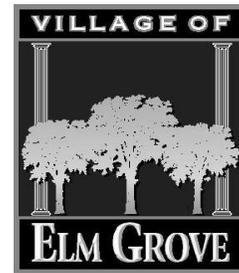
4. Adjourn

5. Other Business

Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires that the meeting or materials for the meeting has to be in an accessible location or format must contact the Village Clerk, Mary S. Stredni, at 262-782-6700 or 13600 Juneau Boulevard by 3:00 PM Friday prior to the meeting so that any necessary arrangements can be made to accommodate your request.

NOTICE: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to in the above notice.

Memo



To: Legislative Committee

From: Casey Griffiths, Zoning & Planning Administrator/Assistant to the Village Manager

Date: April 15, 2016

Re: Review of Agenda for April 21st

Review, discussion and possible action on an amendment to Chapter 204 Parks and Recreation.

The amendment to this ordinance was reviewed and tabled at the Legislative Committee's March meeting. Scott and Ben Alsum have received approval for the operation of a vegetable stand, located at 12600 Bluemound Road (South Park Facility). Currently, as the property is Village owned, vending is prohibited under §204-6 unless a business holds a temporary vending permit for a special event. The Alsum's will not be vending under a special event and as such in order for them to utilize the property the ordinance needs to be amended.

The Committee asked Attorney de la Mora to review the proposed ordinance amendment to include additional wording for the seasonal sale of agricultural products, providing for the sale of community sourced products and limiting sales to Village owned property on Bluemound Road. The changes from the previously reviewed amendment include language which limits the sale to the paved area at the South Park Facility on Bluemound Road. It also requires that the seasonal business sells vegetables, fruits or flowers grown within 500 miles of the Village of Elm Grove.

The amendment still includes the requirement that an applicant obtain approval of a temporary plan of operation for a seasonal business and that they have an agreement for the use of the property approved by the Village Board.

Please see the enclosed ordinance amendment.

**VILLAGE OF ELM GROVE
LEGISLATIVE COMMITTEE MINUTES
Thursday, March 17, 2016**

Present: President Palmer, Trustee Haas and John Collins. Chairman Domaszek excused. Mary Stredni, Village Clerk, Casey Griffiths, Zoning & Planning Administrator, and Village Attorney Hector de la Mora

1. Call meeting to order

Mary Stredni brought the meeting to order at 7:00 p.m. President Palmer and Collins moved and seconded to appoint Trustee Haas as Chairman in Trustee Domaszek's absence. Motion carried.

2. Minutes

Palmer and Collins moved and seconded to approve the February 18, 2016 minutes with one correction: add the word 'not' in #3 paragraph 8, "(a) It is not". Motion carried.

3. Review, discussion, and possible action on an amendment to §106 Building Construction, §134 Electrical Standards and §212 Plumbing

Griffiths updated the committee on the process of staff with building inspection contractor Safe Built to streamline processes for review of documents. The Village has applied to the State of Wisconsin seeking delegated municipal authority to allow for Safe Built to perform commercial plan reviews, rather than the state. The Code of Ordinances needs to be updated to reflect current Wisconsin State Code in order for the state to grant delegated status to the Village. Changes to Chapters 106, 134, and 212 remove references to previous state code (COMM) and update to the current state code (SPS 300 series).

Amendments delete references to Village licensing electricians as this is no longer allowed by the state. Chapter 212 includes current reference to Wis. Stat. §145.01(10).

Palmer and Haas moved and seconded to recommend approval to the Village Board for all of the amendments. Motion carried.

4. Review, discussion, and possible action on amendment to Chapter 204 Parks and Recreation – Vending and Peddling

Griffiths explained that the Plan Commission approved a temporary plan of operation for a vegetable stand for Scott and Ben Alsum. The proposed stand to be located on Village property at 12600 Bluemound Road. The Code of Ordinances prohibits vending unless a business holds a temporary vending permit for a special event. As the Alsum's will not be under a special permit, to allow the temporary stand the ordinance must be amended.

Discussion regarding wording: seasonal sale of agricultural products – community products, possibly limit to Village owned park land on Bluemound Road.

Consensus to table item and for de la mora to review amendments.

5. Other Business

None

6. Adjourn

Palmer and Collins moved and seconded to adjourn at 7:35 p.m. Motion carried.

Respectfully submitted,

Mary S. Stredni, Village Clerk

STATE OF WISCONSIN

WAUKESHA COUNTY

VILLAGE OF ELM GROVE

**CHAPTER 204
THE VILLAGE OF ELM GROVE CODE OF ORDINANCES
PARKS AND RECREATION**

THE VILLAGE BOARD OF THE VILLAGE OF ELM GROVE DO ORDAIN AS FOLLOWS:

Section 1: §204-6. Vending and peddling prohibited of the Village of Elm Grove Code of Ordinances is hereby amended by the addition of underlined text and deletion of ~~strikethrough~~ text.

No person, at any time, shall sell or offer to sell any article, thing, or food item, or station or place any stand, table, display unit, cart or vehicle for the transportation, sale or display of any such article, thing or food item in any Village of Elm Grove park or lands unless said person holds a valid temporary vending permit for special events under **§ 262-12** of this Code., or with respect to the paved area of a village owned parcel located at 12600 Bluemound Road that a person or entity has met all of the following requirements:

A. A temporary plan of operation for a seasonal business engaged in the sale of vegetables, fruits and flowers grown within three hundred (300) miles of the Village of Elm Grove has been reviewed and approved by the Plan Commission as provided under **§335-85B**.

B. The Village Board, has reviewed and approved a license agreement for the use of the seasonal business purposes.

Section 2: If any section, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of such ordinance.

Section 3: This ordinance shall take effect and be in full force from and after its passage.

VILLAGE OF ELM GROVE

Dated this day of _____ day of April, 2016

Neil H. Palmer, Village President

Mary S Stredni, Village Clerk