

Village of Elm Grove Board of Trustee Meeting Minutes

Board of Trustee Call to Order:

The meeting was called to order at 7:33 PM

Roll Call:

- PRESIDENT PALMER
- TRUSTEE STUCKERT
- TRUSTEE KOLESKI
- TRUSTEE SCHINDLER
- TRUSTEE MICHALSKI
- TRUSTEE SAYAS
- TRUSTEE CORNELL

- DAVID DEANGELIS, VILLAGE MANAGER
- HECTOR DE LA MORA, VILLAGE ATTORNEY
- KATHERINE GEHL, ZONING ADMINISTRATOR
- SANDEE POLICELLO, VILLAGE CLERK/DEPUTY TREASURER

The Pledge of Allegiance was recited

- 1.) Public Hearing - None
- 2.) Public comments – please note comments read into record are included in the minutes. Comments emailed to Village Board members, but not read aloud, are not included.

Mary Inden, 14745 Watertown Plank Rd – Walk the Plank was a success. The holiday open house sponsored by the Business Association will take place on November 11th and 12th. There will be horse drawn wagon rides from 10 am – 3 pm and a visit by Santa. The Women’s Club will host Christmas in the Grove art and craft show that Friday and Saturday.

3.) Approval of Agenda

**MOTION BY TRUSTEE CORNELL, SECOND BY TRUSTEE STUCKERT, TO APPROVE THE AGENDA AS PRESENTED.
ALL WERE IN FAVOR. MOTION CARRIED.**

4.) Approval of Minutes

A. Approval of Trustee Stuckert’s addendum to the August 22, 2022 Board of Trustee Minutes.

**MOTION BY TRUSTEE STUCKERT, SECOND BY TRUSTEE SAYAS, TO APPROVE TRUSTEE STUCKERT’S ADDENDUM TO THE AUGUST 22, 2022 BOARD OF TRUSTEE MINUTES.
ALL WERE IN FAVOR, MOTION CARRIED.**

B. Approval of Minutes – September 26, 2022

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MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE SAYAS TO APPROVE THE SEPTEMBER 26, 2022 MINUTES AS AMENDED. ALL WERE IN FAVOR, MOTION CARRIED.

C. Approval of Minutes – October 4, 2022

Trustee Stuckert read comments regarding the October 4, 2022 meeting minutes and requested they be added to the record; see addendum to the October 24, 2022 minutes.

MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE SCHINDLER TO APPROVE THE OCTOBER 4, 2022 MINUTES AS AMENDED. ALL WERE IN FAVOR, MOTION CARRIED.

5.) Report of the Village President - Neil H. Palmer

A. Consideration and approval of appointment of Mike Danielson to Public Safety Committee.

MOTION BY TRUSTEE SAYAS, SECOND BY TRUSTEE KOLESKI, TO APPROVE THE APPOINTMENT OF MIKE DANIELSON TO THE PUBLIC SAFETY COMMITTEE. ALL WERE IN FAVOR, MOTION CARRIED.

B. Consideration and approval of appointment of Kim Irwin to Library Board

MOTION BY TRUSTEE MICHALSKI, SECOND BY PRESIDENT PALMER, TO APPROVE THE APPOINTMENT OF KIM IRWIN TO THE LIBRARY BOARD. ALL WERE IN FAVOR, MOTION CARRIED.

6.) Report of Fire Chief - David Kastenholtz

a. September Fire Department Report

7.) Report of Police Chief – Jason Kubiak

a. September Police Department Report

8.) Report of EMS Director - Dr. Jon Robinson

a. No report.

9.) Report of Village Clerk - Sandee Policello

No report

10) Report of Village Manager - David DeAngelis

a. Resolution 102422: Review and possible action on the 2021 Waukesha County All Hazards Mitigation Plan

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Mr. DeAngelis informed the Board there were no changes to the plan other than primary contact information. There is no cost to the Village.

MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE MICHALSKI, TO APPROVE RESOLUTION 102422, 2021 WAUKESHA COUNTY ALL HAZARDS MITIGATION PLAN. ALL WERE IN FAVOR, MOTION CARRIED.

11.) Report of Village Attorney – Hector De La Mora

- a. No report.

12.) Report of Standing Committees - Please review the minutes on our website for more details.

- a. Plan Commission - Trustee Michalski

Trustee Michalski gave a report. See meeting minutes of 9/14/22 for details.

- b. Library Board - Trustee Sayas

Trustee Sayas gave a report. See meeting minutes of 10/17/22 for details.

- c. Public Works - Trustee Schindler

Trustee Schindler gave a report. See meeting minutes of 9/12/22 for details.

- 1. Review, discussion and possible action on Gebhardt Rd. bridge replacement with City of Brookfield.

Mr. DeAngelis said it was discovered in March 2022 that Elm Grove owns half of the Gebhardt bridge. This was an unanticipated expense. The Public Works/Utility Committee is recommending that we not move forward at this time.

Attorney de la Mora said due to the estimated cost of the project at over \$1 million, even though City of Brookfield is the lead entity, it presents the question whether this public works project would be subject to a referendum. Per municipal code sec. 30-2C(2), prior to the letting of any contract for a public works project that requires an expenditure of the amount listed, the Village Board shall submit to the electorate a binding referendum. A literal reading of this ordinance suggests that if the Village proceeds at any point and the project will exceed \$1 million, to avoid a challenge, there should be a referendum. President Palmer said if we proceed in the future, we should try to get Brookfield to move the utilities and also build into our schedule a referendum.

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Mr. DeAngelis said after the Public Works meeting he discussed with Brookfield the 8 to 10 year life expectancy of the bridge; Brookfield wanted us to understand that it may need to be load rated in the future. Trustee Koleski said if it goes below a rating of 50, it would qualify for grant funding. It is not a trucking route. Mr. DeAngelis recommends moving forward with creating a maintenance agreement with Brookfield for the bridge.

MOTION BY TRUSTEE SCHINDLER, SECOND BY TRUSTEE KOLESKI, TO NOT PROCEED ON THIS PROJECT.

ALL WERE IN FAVOR OF MOTION. MOTION CARRIED.

d. Public Safety - Trustee Sayas

Trustee Sayas gave a report. See meeting minutes of 10/17/22 for details.

e. Legislative - Trustee Michalski
No meeting, no report.

f. Park and Recreation – Trustee Cornell

Trustee Cornell gave a report. See meeting minutes of 10/20/22 for details.

g. Administrative and Personnel - Trustee Stuckert

Trustee Stuckert gave a report. See meeting minutes of 10/13/22 for details.

h. Finance and Licensing - Trustee Koleski

- 1. Review and act on vouchers

MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE SAYAS, TO APPROVE VOUCHERS AS PRESENTED.

ALL WERE IN FAVOR. MOTION CARRIED.

13.) Other Business

There was no further business

14.) Adjournment

MOTION BY TRUSTEE CORNELL, SECOND BY TRUSTEE MICHALSKI, TO ADJOURN THE MEETING.

ALL WERE IN FAVOR. MEETING ADJOURNED AT 8:30 PM.

Minutes prepared by: Sandee Policello

Minutes Approved on:

Read by Trustee Stuckert at October 24, 2022
Board meeting

October 4, 2022 Board of Trustee Meeting Minutes Corrections

During the public comment portion of the Board of Trustee meeting on October 4, 2022 there were a couple of statements made that were incorrect. I would like to state the facts and have them recorded in the October 4, 2022 Board of Trustee meeting minutes.

Patty Kujawa stated I had not completed the Wisconsin League of Municipalities Local Government training. This training is only offered a couple of times each year as it is quite extensive. I did in fact complete this on September 9, 2022, after signing up for the course on May 4, 2022.

Ms. Kujawa also stated that she understood I refused to meet with Mandel. That also is not true. On August 2, 2022 Phil Aiello contacted me to meet with him, Barry Mandel and Dan Romnek to discuss the Sisters of Notre Dame Project. I replied that, "I appreciated the offer but felt at this time it was inappropriate to meet individually but would be happy to meet as a board. " Beginning in July when I first introduced the idea of obtaining outside counsel to review the creation of TIF/TID #3, I was told that Mandel would sue the village should we move forward with retaining outside counsel. Thus, I did not feel it was appropriate to meet individually but was in fact open to meeting with the three Mandel representatives as a Board. Mandel did in fact send a letter to the village stating that they would take legal action against the village should we move forward with outside counsel. Additionally at the September 24, 2022 Board of Trustee Meeting Phil Aiello stated that this is not a threat, that they (Mandel) will sue the Village of Elm Grove should we move forward with hiring outside counsel to review the TIF/TID #3 creation. Given the circumstances my openness to meeting as a Board versus individually was quite appropriate.

