

Village of Elm Grove Board of Trustee Meeting Minutes

Board of Trustee Call to Order:

The meeting was called to order at 7:30 PM

Roll Call:

PRESIDENT PALMER
TRUSTEE CORNELL – appeared via Zoom
TRUSTEE STUCKERT
TRUSTEE KOLESKI
TRUSTEE SCHINDLER
TRUSTEE MICHALSKI
TRUSTEE SAYAS

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 – 2023 Operating and Capital Budget

HEARING NO ONE PRESENT WHO WISHED TO SPEAK – THE PUBLIC COMMENT PERIOD WAS CLOSED.

- 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.

Mike Hamilton – 13130 Watertown Plank -Watermark – Mr. Hamilton stated the importance of getting water into the Village; the current plan goes to Church street in the Wauwatosa agreement. He emphasized the poor quality of water in that area of the Village; the poor water quality damages metal parts in water treatment equipment. Reverse osmosis used to improve water quality uses water for that process. The Village needs a plan and financing to bring water further into the village.

Mary Inden, 14745 Watertown Plank Rd – Ms. Inden stated the Underwood Creek Daylighting project will require a referendum. Trustee Schindler gave a wonderful presentation on the Creek. She is not opposed to the plan, only the scope. In order for the referenda to be valid, the public needs to be informed. We have to be sure that the wording and information to the public is crystal clear. She recommends the western boundary of the project be marked so that the businesses can operate for a time with that border marked. The plan for a 12’ wide pathway includes 6’ of potential parking that could be left as available for the shops. Ms. Inden commented about the state having control over local budgets; she asked that the board join forces with other communities to voice our inability to operate within the state’s constraints.

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Hearing no one else present or on Zoom who wished to speak – the public comment period was closed.

3.) Approval of Agenda

MOTION BY TRUSTEE SAYAS, SECOND BY TRUSTEE STUCKERT, TO APPROVE THE AGENDA AS PRESENTED.

ALL WERE IN FAVOR, MOTION CARRIED.

4.) Approval of Minutes

Approval of Minutes – October 24, 2022

MOTION BY TRUSTEE SAYAS, SECOND BY TRUSTEE MICHALSKI TO APPROVE THE MINUTES.

ALL WERE IN FAVOR. MOTION CARRIED.

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

A. Resolution – Wisconsin National Wildlife Federation Community Habitat

MOTION BY TRUSTEE MICHALSKI, SECOND BY TRUSTEE KOLESKI TO APPROVE THE WISCONSIN NATIONAL WILDLIFE FEDERATION COMMUNITY HABITAT RESOLUTION.

ALL WERE IN FAVOR. MOTION CARRIED.

6.) Report of Fire Chief - David Kastenholtz

October Fire Department Report

7.) Report of Police Chief – Jason Kubiak

October Police Department Report

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

No report

9.) Report of Village Clerk – Sandee Policello

A. Review and action on the December 26th Board of Trustee meeting date

It was discussed and agreed to move the December 26th meeting to December 19, 2022.

B. The Clerk provided information on the local offices that will appear on the April 2023 ballot.

10.) Report of Village Manager – David De Angelis

A. Engagement Agreement for Legal Services January 1, 2023 – December 31, 2023.

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Trustee Koleski asked if we are unique by not using encrypted emails. Mr. DeAngelis said that we only use encryption for banking. Koleski asked about waivers requested by vonBriesen for conflicts of interest. Attorney Trace Hummel said he is not aware of any in the last 5 – 7 years. President Palmer said any waiver request would go before the board for approval.

MOTION BY TRUSTEE MICHALSKI, SECOND BY TRUSTEE CORNELL TO APPROVE THE ENGAGEMENT AGREEMENT FOR LEGAL SERVICES JANUARY 1, 2023 – DECEMBER 31, 2023.

ALL WERE IN FAVOR. MOTION CARRIED.

B. Review and possible action on ongoing projects requiring referendum votes in 2023, principally Underwood Creek Daylighting and municipal water extension on Watertown Plank Road to west of the railroad tracks as part of TID #3.

Mr. DeAngelis stated that the January Board meeting is the deadline to vote on referenda for the April 2023 election. A special meeting will be needed in December. DeAngelis gave an update regarding the Underwood Creek Daylighting project. A purchase of land is required from the railroad, easements are needed from the Sendik’s property owner, 890 Building owner and the Park and Shop owner; appraisals are needed for that process. The final design of the creek has been completed, however, all of the amenities have not been completed, i.e. pathway, lights, benches. DeAngelis said with the reconfiguration of the parking lot by moving the creek will add parking spots. Trustee Koleski said it would be wise to place barrels/cones that would denote the creek, DNR plan and accessories, he feels it would be valuable. DeAngelis agrees it would be beneficial to mark it out; it is private property and we would need permission. President Palmer said we will pick up two rows of parking behind the 890 Building. Palmer said it would be helpful to have large scale drawings prepared. Palmer said the three properties owners are very supportive of the project. Trustee Stuckert said a 3D model would help visualize the plan. Palmer asked that DeAngelis send an email to get trustee availability for Dec. 5, 8 and 13.

Mr. DeAngelis said that the Recreation Manager position will be reposted. He added that an IT Manager was hired, however, they took another position prior to completing the hiring process; he has more interviews tomorrow.

A grant was received from the Junior Guild in the amount of \$8,520.

Trustee Koleski said he met with DeAngelis last week. He has requests for Ehlers to add to their TID review – he will get that information to DeAngelis this week. He asked if the requirement for referendum includes that financing information be part of the language. DeAngelis has sent that question to Attorney de la Mora.

Mr. DeAngelis said the Juneau and Highland paint striping may not happen before spring.

- 11.) Report of Village Attorney – Hector De La Mora
No report

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

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- a. Plan Commission - Trustee Michalski
Trustee Michalski gave a report. See Plan Commission minutes of 11/7/22 for details.
- b. Library Board - Trustee Sayas
Report given by Trustee Sayas, see Library Board minutes of 11/10/22 and 11/21/22 for details.
- c. Public Works – Trustee Schindler
Report given by Trustee Schindler, see Public Works minutes of 11/14/22 for details.
- d. Public Safety - Trustee Sayas
No meeting, no report
- e. Legislative - Trustee Michalski
No meeting, no report
- f. Park and Recreation – Trustee Cornell
No meeting, no report
- g. Administrative and Personnel - Trustee Stuckert
No meeting, no report
- h. Finance and Licensing – Trustee Koleski

1. Review and act on bartender/operator application – Timothy Pence, Jilly’s Car Wash
**MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE STUCKERT TO APPROVE THE BARTENDER/OPERATOR LICENSE FOR TIMOTHY PENCE.
ALL WERE IN FAVOR. MOTION CARRIED.**

2. Review and act on Resolution 112822A to approve 2023 budget and user fees and 2022 tax levy.
Changes to the original draft were made to define infrastructure and indicate funding options for projects.
**MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE SAYAS TO APPROVE THE 2023 BUDGET.
ALL WERE IN FAVOR. MOTION CARRIED.**

3. Review and act on vouchers
**MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE STUCKERT TO APPROVE VOUCHERS.
ALL WERE IN FAVOR. MOTION CARRIED.**

13.) Closed Session - May convene into closed session pursuant to Wis. Stat. Sec. 19.85 (1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or

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bargaining reasons require a closed session with respect to 13405 Watertown Plank Road, commonly referred to as One Hour Martinizing (OHM) and pursuant to Wis. Stat. Sec. 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved, more specifically, Beans Beans LLC v. Village of Elm Grove, Waukesha County Case No. 22CV1357.

President Palmer moved to go into closed session. Roll call was taken at 8:48pm. Vote was unanimous.

14.) May convene into open session to take action on any closed session items.

MOTION BY TRUSTEE STUCKERT, SECOND BY TRUSTEE SAYAS TO RETURN TO OPEN SESSION. ALL TRUSTEES PRESENT WERE IN FAVOR. MOTION PASSED.

15.) Other Business – There was no other business.

16.) Adjourn

MOTION BY TRUSTEE MICHALSKI, SECOND BY TRUSTEE STUCKERT TO ADJOURN. ALL TRUSTEES PRESENT WERE IN FAVOR. MOTION PASSED. MEETING ADJOURNED AT 9:06 PM.

Minutes transcribed by: Sandee Policello
Minutes Approved on: