

Village of Elm Grove Board of Trustee Meeting Minutes

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Board of Trustee Call to Order

The meeting was called to order by the Clerk at 7:33PM.

Roll Call:

PRESIDENT PALMER

TRUSTEE IRWIN

TRUSTEE HAAS

TRUSTEE MICHALSKI

TRUSTEE DOMASZEK

TRUSTEE CORNELL

TRUSTEE KRESSIN

DAVID DE ANGELIS, VILLAGE MANAGER

HECTOR DE LA MORA, VILLAGE ATTORNEY

TOM HARRIGAN, ZONING ADMINISTRATOR

MICHELLE LUEDTKE, 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.

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

3.) Approval of Agenda

MOTION BY TRUSTEE HAAS, SECOND BY TRUSTEE KRESSIN, TO APPROVE THE AGENDA AS PRESENTED.

ALL WERE IN FAVOR. MOTION CARRIED.

4.) Approval of Minutes

a. 2020-1-25 Board of Trustee DRAFT Minutes.

MOTION BY TRUSTEE KRESSIN, SECOND BY TRUSTEE IRWIN, TO APPROVE THE DRAFT MINUTES AS PRESENTED.

ALL WERE IN FAVOR. MOTION CARRIED.

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

a. Review and possible action to appoint Debra Baesemann to the Beautification Committee.

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- b. Review and possible action to appoint Becky Rintelmann to the Beautification Committee.

MOTION BY TRUSTEE MICHALSKI, SECOND BY TRUSTEE KRESSIN, TO APPROVE THE APPOINTMENT OF DEBRA BAEMANN, BECKY RINTELMANN, AND ANNE SPALTHOLZ TO THE BEAUTIFICATION COMMITTEE.

ALL WERE IN FAVOR. MOTION CARRIED.

- 6.) Report of Fire Chief - David Kastenholtz
 - a. January Fire Department Report
- 7.) Report of Police Chief - James Gage
 - a. January Police Department Reports
- 8.) Report of EMS Director - Dr. Jon Robinson
 - a. No report.

- 9.) Report of Village Clerk - Michelle Luedtke
 - a. Review and possible action for a palpable assessor error on Parcel EGV 1099.020, located at 15025 Cascade Drive.

Trustee Domaszek asked about the timing of the sale used in this instance.

Manager De Angelis explained the time adjustment.

President Palmer shared an example from the Board of Review.

Trustee Haas recalls many types of appraisals. It isn't common, but it does happen. The amount is then adjusted. .

Trustee Kressin remembers adjustments being made, but not necessarily the timing of them. He goes with the recommendation of the appraiser.

Manager De Angelis explained the letter of voluntary adjustment. The signed letter was missed in the assessment roll.

President Palmer indicated this was an error and we are just fixing it.

MOTION BY TRUSTEE KRESSIN, SECOND BY TRUSTEE MICHALSKI, TO APPROVE THE RESOLUTION FOR THE PALPABLE ASSESSOR ERROR.

6 WERE IN FAVOR – WITH DOMASZEK VOTING NAY. MOTION CARRIED.

- 10.) Report of Village Manager - David De Angelis
 - a. Review and possible action on approval of traffic consultant for the review of the

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Mandel/SSND redevelopment request.

Manager De Angelis explained the four proposals attached to the meeting packet. The two most responsive: one out of Madison and one out of Cedarburg.

Trustee Kressin added that the Cedarburg company does a fair number of these and has a handle on the expectations needed. He asked who the representative doing the analysis was. Manager De Angelis indicated it was John Bieberitz who would be doing the presenting.

President Palmer asked about the differences in timeframe for deliverables. Manager De Angelis indicated they would both be done within a few weeks.

Trustee Kressin shared his expertise on the consulting firms and how it is important to have someone who is familiar with the area as opposed to those who are further out and may not catch the detail we need in this analysis.

Attorney De La Mora indicated if the board accepts the contract, they should do so with the review of the council.

MOTION BY TRUSTEE KRESSIN, SECOND BY TRUSTEE HAAS, TO APPROVE TRAFFIC ANALYSIS AND DESIGN FROM CEDARBURG, SPECIFICALLY UTILIZING JOHN BIEBERITZ, AS THE TRAFFIC CONSULTANT FOR THE REVIEW OF THE MANDEL/SSND REDEVELOPMENT REQUEST; SUBJECT TO COUNCIL REVIEW AND POSSIBLE CHANGE OF CONTRACT LANGUAGE.

ALL WERE IN FAVOR. MOTION CARRIED.

- b. Review and possible action on Extension Agreement between the Village of Elm Grove and R&R Investments of Wisconsin LLC.

Trustee Haas indicated we need to change the word expire to expired – because it is already expired.

Manager De Angelis indicated the 180 days brought this to a Saturday.

Trustee Kressin asked if we can do this indefinitely.

Attorney De La Mora and President Palmer indicated we cannot. President Palmer would like to see this issue come up for discussion with the applicant in the next board meeting.

Manager De Angelis indicated we should have Mr. Reinders at the next meeting to go over when this issue will be moved forward.

Attorney De La Mora indicated because they are asking for “no action” because they have withdrawn it – we have agreed to hold position. Given the passage of time, the plan to have a direct discussion with the owner is appropriate at this time.

Trustee Haas indicated the current agreement to extend will lapse if we do not

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complete this new extension tonight.

MOTION BY TRUSTEE KRESSIN, SECOND BY TRUSTEE HAAS, TO APPROVE THE 182 DAY EXTENSION AGREEMENT BETWEEN THE VILLAGE OF ELM GROVE AND R&R INVESTMENTS OF WISCONSIN LLC WITH THE FOLLOWING ITEMS: WORDING CHANGED FROM 'EXPIRE' TO 'EXPIRED', ASKING THE APPLICANT TO COME TO THE BOARD WITHIN THE NEXT 60-90 DAYS, AND CONTACTING THE ATTORNEYS FOR THE APPLICANT TO REVIEW THE PROPOSAL.

ALL WERE IN FAVOR. MOTION CARRIED.

- c. Review and possible action on Resolution 022221B of revised Major Investigations Unit Mutual Aid Agreement.

Manager De Angelis reviewed the Mutual Aid Agreement.

Trustee Haas asked about defining "local". Trustee Haas would like it to be clearer – for example: "At the home of the aiding municipality". President Palmer would like an insertion to say who is local and agrees with Trustee Haas.

President Palmer suggested to approve it and suggest to prepare an explanatory letter what 'local' means.

MOTION BY PRESIDENT PALMER, SECOND BY TRUSTEE HAAS, TO APPROVE THE RESOLUTION OF REVISED MAJOR INVESTIGATIONS UNIT MUTUAL AID AGREEMENT; WITH THE ADDITIONAL REQUEST TO CLARIFY WHICH "LOCAL CONDITIONS DEVELOPING" WE ARE TALKING ABOUT – A LETTER OF EXPLANATION WOULD BE SUFFICIENT.

ALL WERE IN FAVOR. MOTION CARRIED.

Manager De Angelis has no reports for projects at this time. He expects information from the City of Wauwatosa next week. He also indicated the question regarding the usage of salt for the year has been answered with "we are in a good place" for salt; we had a late winter and had additional salt from the 2020 year.

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

- a. Attorney De La Mora had no report at this time.

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

1. Plan Commission - Trustee Michalski
 - i. Had a joint meeting with Building Board. Discussed the Mandel proposal for the School Sisters property. It was mostly discussion of expectations

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of the building board. Please see the minutes on our website for more detail.

2. Library Board - Trustee Irwin
 - i. Since the last Board of Trustees meeting, there have been two Library Board meetings. The FOEGL group ended and raised a decent amount of money despite not having the book sale. There were two milestone anniversaries of the Library staff. The library is now open on Saturdays with increasing numbers. By-laws were reviewed and updated over the last several weeks. The annual report has been completed and submitted. Please see the minutes on our website for more detail.
3. Public Works - Trustee Kressin
 - i. Had a meeting and spoke about citizen plantings in the right of way. They are going to continue to review this item and look at other communities; to create a standard. There are other projects in the works. They talked about the transportation utility and evaluating the need for it with the upcoming projects. We will hire a consultant for more information. Please see the minutes on our website for more details.
4. Public Safety - Trustee Cornell
 - i. No meeting. The pathway ad hoc committee meets next week for those interested. March 4th 6:00pm.
5. Legislative - Trustee Domaszek
 - i. Review and possible action on Chapter 134 Electrical Standards
MOTION BY TRUSTEE DOMASZEK, SECOND BY PRESIDENT PALMER, TO APPROVE THE CHAPTER 134 ELECTRICAL STANDARDS.
ALL WERE IN FAVOR. MOTION CARRIED.
 - ii. Took up a few issues: 1. Electrical standards ordinance and five suggestions along with 2. Zoning ordinance changes. They are trying to clean up the code. Things are not changing as they pertain to the School Sisters project. Come to the meeting if you have questions on the wording in the changes. You can also see the minutes on our website for more detail.
6. Park and Recreation - Trustee Irwin
 - i. Met on the 18th. Winterfest took place on the coldest weekend of the year. With better weather, we may have better results. Summer 2021 planning is underway. They would like the rec guide shared with them prior to the printing. They talked about pool procedures. They also discussed a grand opening for the splash pad to start fresh for the new

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season. They also discussed the renaming of the south park – to use the land as a dog park which may affect the naming rights. Please see the minutes on our website for more details.

7. Administrative and Personnel - Trustee Michalski
 - i. No meeting, no report.
8. Finance and Licensing - Trustee Haas
 - a. Review and act on Operator License for Lemier O. Robey Butler.

THE APPLICANT DID NOT SHOW. TABLED UNTIL MARCH.

- b. Review and act on Resolution 022221a Amendment of 2020 Budget.

MOTION BY TRUSTEE HAAS, SECOND BY TRUSTEE DOMASZEK, TO APPROVE RESOLUTION 022221a AMENDMENT OF 2020 BUDGET.

ALL WERE IN FAVOR. MOTION CARRIED.

- c. Review and Act on Vouchers.

MOTION BY TRUSTEE HAAS, SECOND BY PRESIDENT PALMER, TO APPROVE THE VOUCHER LISTS AS SUBMITTED.

ALL WERE IN FAVOR. MOTION CARRIED.

13.) Other Business – None.

14.) Closed Session - May convene into closed session pursuant to Wis. Stat. ss.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 or is likely to become involved; more specifically Notice of Claim for Matthew Donahue.

MOTION BY PRESIDENT PALMER, SECOND BY TRUSTEE HAAS, TO CONVENE INTO CLOSED SESSION.

ROLL CALL VOTE: YAY – PALMER, HAAS, IRWIN, KRESSIN, MICHALSKI, DOMASZEK, CORNELL. MOTION CARRIED. CLOSED SESSION BEGAN AT 8:30PM.

15.) Open Session - May convene into open session to take action on any closed session items.

MOTION BY PRESIDENT PALMER, SECOND BY TRUSTEE MICHALSKI, TO CONVENE INTO OPEN SESSION.

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ROLL CALL VOTE: YAY – PALMER, HAAS, IRWIN, KRESSIN, MICHALSKI, DOMASZEK, CORNELL. MOTION CARRIED.

Motion on item discussed in Closed Session:

MOTION BY TRUSTEE HAAS, SECOND BY TRUSTEE MICHALSKI, TO APPROVE RESOLUTION 022221C TO DISALLOW THE CLAIM FOR THE NOTICE OF CLAIM FOR MATTHEW DONAHUE. THE CLERK IS TO SEND THIS RESOLUTION TO THE CLAIMANT VIA CERTIFIED MAIL.

ALL WERE IN FAVOR. MOTION CARRIED.

16.) Adjournment

There was no further business.

MOTION BY TRUSTEE KRESSIN, SECOND BY TRUSTEE IRWIN, TO ADJOURN THE MEETING.

ALL WERE IN FAVOR. MOTION CARRIED. MEETING ADJOURNED AT 8:46PM.

Minutes transcribed by: Michelle Luedtke

Minutes Approved on: