

Village of Elm Grove Legislative Committee
Minutes

Call to Order

The meeting was called to order by the Chair at 5:36PM.

Roll Call:

Trustee John Domaszek (Chair)
President Neil Palmer (absent)
Trustee George Haas
Committee Member Angie Jodie
Committee Member Marlee Jansen
David De Angelis, Village Manager
Hector De La Mora, Village Attorney
Michelle Luedtke, Village Clerk/Deputy Treasurer

WELCOME THE NEW MEMBER, MARLEE JANSEN!

Review and act on meeting minutes dated 2/9/2021.

MOTION BY TRUSTEE HAAS, SECOND BY CHAIR DOMASZEK, TO ACCEPT THE MEETING MINUTES AS PRESENTED.

ALL WERE IN FAVOR. MOTION CARRIED.

Review and possible recommendations on Right of Way Public Use.

Chair Domaszek went over the history and where this comes from. Where residents want to put something in the right of way. One of the examples is the little free library across the street from Tonawanda. Items in the right of way can cause water issues if the water is blocked. At that point, it made sense to have some sort of a standard and an ordinance that codifies the process.

Trustee Haas made the following changes:

- Defining excessive ditch slope and ROW Indemnification agreement.
- Modifying ROW and hardscape.
- Removing the definition for indemnification.
- In line 30, including driveway, objects, and authorized.
- Capitalizing words found in the definition section.
- Using the same terminology throughout.
- Rewriting section 3 – existing items within the ROW.
- Defining the Village as the owner of the ROW and allowing the Village to place items in the ROW.
- Changing request to application.
- Change the title of Section 5 to be ROW Ditch Slope.
- Removing the 5th paragraph from Section 5.

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- In Section 9, changing Section to Article.

Attorney De La Mora clarified that an Indemnification Agreement does not absolve someone from liability.

Trustee Haas stated this Indemnification Agreement does absolve the Village for items damaged in the ROW.

Manager De Angelis clarified the Indemnification Agreement is a form that is recorded at the Waukesha County Register of Deeds and follows the home – not the homeowner.

Manager De Angelis wants to know if boulders, rocks, or other stone are included in the hardscape. Trustee Haas indicated this would be part of the non-plant material.

Other changes made by the Committee included:

- Changing road edge to road pavement edge.
- Clarifying the process for when a resident disagrees with the Director of Public Works determination for the items in the ROW.
- Removing the term – as they would their private property from the maintenance section.
- And including a reference to the current maintenance of yards and lot areas at the end of Section 7.

MOTION BY TRUSTEE HAAS, SECOND BY MEMBER JANSEN, TO APPROVE THE ORDINANCE WITH THE ABOVE CHANGES. THE REVISED ORDINANCE TO BE SENT TO VILLAGE BOARD OF TRUSTEES FOR FINAL APPROVAL AT THEIR NEXT MEETING.

ALL WERE IN FAVOR. MOTION CARRIED.

Review and possible recommendations on Beekeeping.

Manager De Angelis gave a background on the reason we are going over beekeeping. Beautification has brought forth this ordinance. Part of being a bee city is to have a bee ordinance. This has been taken from the bee city folks and modified to our format.

Chair Domaszek and Trustee Haas indicated there are many unanswered question including zoning, commercial activity, location of hive (front yard), and

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the definition of the beekeeper not including the resident. The responsibility is not on the owner.

Member Jansen asked about permission of the neighbors.

Chair Domaszek wants an application. Likes the idea overall. Wonders about proof of insurance. Wants to make it somewhat mimic the chicken ordinance.

THIS ITEM WAS TABLED UNTIL THE NEXT MEETING. Representatives for the ordinance should appear to answer questions regarding the ordinance proposed.

Other Business – possible discussion regarding the keeping of exotic animals.

Adjournment

There was no further business.

MOTION BY TRUSTEE HAAS, SECOND BY MEMBER JANSEN, TO ADJOURN THE MEETING.

ALL WERE IN FAVOR. MOTION CARRIED. MEETING ADJOURNED AT 7:12PM.

Minutes transcribed by: Michelle Luedtke
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