

Village of Elm Grove Board of Trustee Meeting Minutes

Board of Trustee Call to Order:

The meeting was called to order at 7:37 PM

Roll Call:

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

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

The Pledge of Allegiance was recited

1.) Approval of Agenda

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

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.

James Phillips, 2060 San Fernando Dr. Mr. Phillips spoke regarding the Request For Proposals to hire legal counsel to review the School Sisters of Notre Dame TID. How much money has been allocated for this? Is there a cap? There should be a cap. What are you trying to accomplish? What did the Village Board do wrong? If a minor technicality is found, then what? Mandel entered into a contract in good faith. What is your end game? Mr. Phillips asked when the paving projects for 2023 would be on the ballot for referendum? November? If it is not on November, then we will be behind. He asked who is on the EMS/Fire ad hoc committee?

Robert Cranny (sp?), 2155 San Fernando Dr. What are the ramifications of looking into the project? In a contract this size, damages can be huge. If we lose, what is the recourse? Is it a special assessment to the property owners? He would like to hear from the Board what their objective is. Damages could be sought from Mandel and the School Sisters of Notre Dame.

Trustee Koleski said he would like public comment items to come back to the Board with updates. If a matter is discussed by a committee, the chair should report back to the Board on that item.

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3.) Approval of Minutes

- a. Approval of Minutes – May 23, 2022

**MOTION BY TRUSTEE STUCKERT, SECOND BY TRUSTEE SAYAS, TO APPROVE THE MINUTES AS AMENDED.  
ALL WERE IN FAVOR, MOTION CARRIED.**

- b. Approval of Minutes – June 27, 2022

**MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE STUCKERT, TO APPROVE THE MINUTES AS AMENDED.  
ALL WERE IN FAVOR, MOTION CARRIED.**

- c. Approval of Minutes – Committee of the Whole, June 13, 2022

**MOTION BY TRUSTEE SAYAS, SECOND BY TRUSTEE SCHINDLER, TO APPROVE THE MINUTES AS PRESENTED.  
ALL WERE IN FAVOR, MOTION CARRIED.**

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

- A. Review and possible action on appointments to the Committee on the Future of Fire and EMS Services: Trustee John Schindler-Chair, Trustee Tom Michalski, David Irwin, Richard Edwards, Wesley Parkin

**MOTION BY PRESIDENT PALMER, SECOND BY TRUSTEE KOLESKI, TO APPROVE THE APPOINTMENTS TO THE COMMITTEE ON THE FUTURE OF FIRE AND EMS SERVICES.  
ALL WERE IN FAVOR, MOTION CARRIED.**

5.) Report of Fire Chief - David Kastenholtz

- a. June Fire Department Report

6.) Report of Police Chief – Jason Kubiak

- a. June Police Department Report

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

- a. No report.

8.) Report of Village Clerk - Sandee Policello

- a. Review and possible action on the creation of Ordinance 19-5 to Establish Board of Absentee Canvassers

**MOTION BY TRUSTEE MICHALSKI, SECOND BY TRUSTEE CORNELL, TO APPROVE THE CREATION OF ORDINANCE 19-5 TO ESTABLISH BOARD OF ABSENTEE CANVASSERS.  
ALL WERE IN FAVOR, MOTION CARRIED.**

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8) Report of Village Manager - David DeAngelis

- a. Review and possible action on the Request for Proposal for Legal Services for the Purpose of: Review the existing records concerning creation of Tax Increment District #3 (TID #3) process and the approval of Tax Increment Financing (TIF) for TID #3 process.

Trustee Stuckert said the way the RFP is currently written is limiting. We are not just seeking confirmation, we want someone to look at it in its entirety – was it done correctly?

Mr. De Angelis said he drafted the RFP based on Trustee Stuckert’s motion. He tries to make them specific enough so that the people coming forward are giving us proposals regarding the same thing. He is not being restrictive; if the Board wants to change the language, that can be done.

Trustee Stuckert said she is seeking the RFP for the purpose of reviewing the creation of TID 3 and the approval of the TIF for TID 3. The Trustees are seeking confirmation that all legal requirements have been met in the formation of TID 3 and the enactment of the TID for the Mandel development of the SSND property. She would like included “along with the process by which the public works portion of the TIF was adjusted days before the referendum vote”.

Trustee Koleski would like to add: “And the appropriateness of the village attorney’s written opinions to the Board; would like to hear best practices and other recommendations for improvement moving forward”.

Trustee Stuckert would like a mid-term progress report and final report, both in writing, with the mid-term report as a summary.

**MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE STUCKERT, TO APPROVE THE RFP AS ADJUSTED THIS EVENING, INCLUSIVE OF THE ADDITION OF ONE FIRM TO THE LIST TO RECEIVE THE RFP.**

**VOTE – AYE: STUCKERT, KOLESKI, SCHINDLER, SAYAS**

**NAY: MICHALSKI, PALMER, CORNELL**

**MOTION CARRIED**

- b. Review and Possible Action regarding the Temporary Continuation of Assessment Services from the City of Brookfield and Process Moving Forward

Mr. De Angelis recommended hiring Jeff Thornton as a permanent Village employee; he has the credentials required for the position.

**MOTION BY TRUSTEE STUCKERT, SECOND BY TRUSTEE SCHINDLER, TO ALLOW DAVE DE ANGELIS TO WORK WITH CITY OF BROOKFIELD TO TRANSITION JEFF THORNTON TO FULL TIME EMPLOYMENT BY THE VILLAGE.**

**ALL WERE IN FAVOR, MOTION CARRIED.**

- c. Review and Possible Action Regarding the Rescheduling of the 4th of July Fireworks

**MOTION BY TRUSTEE CORNELL, SECOND BY TRUSTEE MICHALSKI, TO RESCHEDULE THE**

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**FIREWORKS TO THE SUNDAY BEFORE LABOR DAY, SEPTEMBER 4<sup>TH</sup> WITH NO BACKUP DATE, IF CANCELED, FUNDS CAN BE CARRIED TO 2023.**

**ALL WERE IN FAVOR, MOTION CARRIED.**

- d. Review and Possible Extension of Reinders Extension Agreement

**MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE STUCKERT, TO EXTEND THE REINDERS AGREEMENT FOR 180 DAYS, SPECIFICALLY TO THE DATE OF ANOTHER BOARD MEETING.**

**ALL WERE IN FAVOR, MOTION CARRIED.**

- e. Other items – Mr. De Angelis said the pickle ball courts will be worked on next week.

The Village entrance signs will be in the \$1,200 range for replacement. They are made of painted styrofoam, which woodpeckers like. They have been repainted a couple times. They were a donation from the Woman’s Club in the 1990’s.

Mr. De Angelis will be meeting with the school district superintendent to discuss the possibility of the Village providing a school resource officer for the middle school. He will report back to the Board.

He will try to put another Committee of the Whole meeting together, it will most likely be the end of August.

He will send a signed copy of the Wauwatosa Water Agreement to the Board.

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

- a. No report.

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

- a. Plan Commission - Trustee Michalski

No meeting, no report.

- b. Library Board - Trustee Sayas

Trustee Sayas provided a report to the Board. See Library Board minutes for details.

- c. Public Works - Trustee Schindler

Trustee Schindler indicated there was no meeting, but did inform the Board that they have applied for grant funding from the Build Back Better and transportation funding programs. We will hear before the end of the year regarding the grants. He indicated there is no timeframe for a referendum.

- d. Public Safety - Trustee Sayas

Trustee Sayas indicated there was a recent accident on Irene Ct./Hawthorne/Marilyn Drive where the juvenile driver was going 70 mph. She said the radar trailer will be placed to collect data and there will be a police presence in that area. There will be a related discussion at next month’s meeting.

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Trustee Sayas reported that electric scooters were discussed. Chief Kubiak said dispatch has not received any related complaints. He indicated the officers monitoring the park have said there have been no issues. The Police Department website contains motorized scooter information. There is no signage in the park right now regarding scooters.

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

f. Park and Recreation – Trustee Cornell  
Trustee Cornell reported on upcoming events. An update was given regarding mechanical issues with the splash pad. She said the park and open space plan needs to be redone. President Palmer said a lot of the plan is data gathering and suggested this may be a good opportunity for a student.

g. Administrative and Personnel - Trustee Stuckert  
No meeting, no report

h. Finance and Licensing - Trustee Koleski  
1. Review and act on resolution 072522A Amending the 2022 Budget for Wage and Benefit Changes

Trustee Koleski spoke regarding the proposed budget amendment to reallocate contingency funds to the appropriate departments for wage increases. The Finance Committee recommended approval of the resolution.

**MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE MICHALSKI, TO APPROVE THE RESOLUTION AS PRESENTED.**

**ALL WERE IN FAVOR. MOTION CARRIED.**

2. Review and act on request to use ARPA funding for keyless door lock system

Trustee Koleski informed the Board that the Committee recommended approval of funding for keyless doors, not to exceed \$135,000. There is \$25,000 in grant funding; the net ARPA cost would be \$110,000. Approximately \$500,000 in ARPA funding remains prior to this expenditure.

**MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE MICHALSKI, TO APPROVE THE USE OF ARPA FUNDING FOR THE KEYLESS DOOR LOCK SYSTEM.**

**ALL WERE IN FAVOR. MOTION CARRIED.**

3. Review and act on vouchers

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

**ALL WERE IN FAVOR. MOTION CARRIED.**

11.) 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 bargaining reasons require a closed session with respect to the potential purchase of 13405 Watertown Plank Road, commonly referred to as One Hour Martinizing (OHM).

**MOTION BY TRUSTEE STUCKERT, SECOND BY TRUSTEE CORNELL, TO CONVENE INTO CLOSED SESSION.**

**ROLL CALL VOTE: AYE – PALMER, STUCKERT, KOLESKI, MICHALSKI, CORNELL, SAYAS, SCHINDLER**

**ALL IN FAVOR, MOTION CARRIED. THE CLOSED SESSION BEGAN AT 9:13 PM.**

**THE BOARD RETURNED TO OPEN SESSION AT 9:38 PM.**

**MOTION BY PRESIDENT PALMER, SECOND BY TRUSTEE SCHINDLER, TO FOLLOW INSTRUCTIONS TO MOVE FORWARD EXPEDITIOUSLY AS RECOMMENDED BY OUR COUNSEL. MOTION WAS AMENDED BY PALMER AND AGREED TO BY SCHINDLER THAT THE DOLLAR VALUE IS \$400,000 WITH OCCUPATION IN 40 DAYS.**

**ROLL CALL VOTE: AYE – PALMER, STUCKERT, KOLESKI, MICHALSKI, CORNELL, SAYAS, SCHINDLER**

**ALL IN FAVOR, MOTION CARRIED.**

12.) Other Business

There was no further business

12.) Adjournment

**MOTION BY TRUSTEE STUCKERT, SECOND BY TRUSTEE CORNELL, TO ADJOURN THE MEETING.**

**ALL WERE IN FAVOR. MEETING ADJOURNED AT 9:40 PM.**

Minutes transcribed by: Sandee Policello

Minutes Approved on: August 22, 2022