

VILLAGE OF ELM GROVE  
BOARD OF TRUSTEES MINUTES  
April 25, 2006

Present: President Palmer, Trustees Azpell, Fronberry, Clark, Haas, Torkelson and Schoenecker.

Also Present: David De Angelis Village Manager, Mary S. Stredni Village Clerk, Rebecca Finn Zoning Administrator, Hector de la Mora Village Attorney, Police Chief Gage, Assistant Fire Chief Kastenholtz, the press and residents.

ROLL CALL

David De Angelis took the roll at 7:30 p.m.

PLEDGE OF ALLEGIANCE

President Palmer led the pledge.

Trustee Clark made a motion to move item 8.A., Resolution of Tribute to Margaret Dunn, to follow the Oath of Office for new Trustees. Mr. Fronberry seconded. Motion carried 7-0.

ADMINISTERING OATH OF OFFICE FOR NEW TRUSTEES

Village Manager David De Angelis administered the Oath of Office to Trustees Haas, Fronberry and Schoenecker.

RESOLUTION OF TRIBUTE TO MARGARET DUNN

President Palmer read the resolution of tribute. Ms. Dunn thanked the Board of Trustees for their support, encouragement and guidance over the last four years.

PUBLIC HEARING

President Palmer conducted a hearing for amendment to Chapter 335-88(D)(6)(h) Retaining Walls. There was no public comment.

President Palmer conducted a hearing for amendment to Chapter 335-39(H) Existing Substandard Lots. There was no public comment.

MINUTES

Trustee Clark and Torkelson moved and seconded to approve the March 28, 2006 minutes. Motion carried 6-0. Trustee Azpell abstained.

AGENDA

Trustee Clark and Haas moved and seconded to approve the agenda. Motion carried 7-0.

REPORT OF THE VILLAGE PRESIDENT

President Palmer reviewed the list of appointments to Village Boards, Committees and Commissions. Trustee Clark and Fronberry moved and seconded approval. Motion carried 7-0.

President Palmer reviewed Resolution 042506D Urging the Legislature to Reject the Assembly Substitute Amendment and Senate Bill 1 Code of Ethics for Local Officials. Trustee Haas noted that it applies to all volunteer committees in any capacity at the Village. It was the conclusion of the Board that the Village would lose volunteers if this law were approved. Trustees Haas and Azpell moved and seconded to approve the resolution. Motion carried 7-0.

President Palmer provided an update on municipal water. The Milwaukee Common Council approved a resolution allowing the City of Wauwatosa to sell the Village of Elm Grove water. A timeline regarding the Village's review of municipal water will be made available in the near future. Trustee Haas inquired as to whether a new committee will be formed to review the topic. President Palmer stated an ad hoc committee would likely be formed to provide recommendations to the Public Works-Utilities Committee. Trustee Torkelson inquired if President Palmer would appoint a business community member to the committee. President Palmer stated he would.

#### REPORT OF THE FIRE CHIEF

Assistant Fire Chief Kastenholz reviewed the March report.

#### REPORT OF THE POLICE CHIEF

Chief Gage reviewed the March report.

#### NO REPORT OF EMS

#### REPORT OF THE VILLAGE CLERK

De Angelis provided the Village Clerk's report in her absence. Trustees Fronberry and Haas moved and seconded approval of Resolution 042506A Granting a Permit to Bartolotta Firework's Company for Pyrotechnic Display on July 4, 2006. Motion carried 7-0.

Trustees Clark and Haas moved and seconded to approve Resolution 042506B to Designate a Special Event. Motion carried 7-0.

Trustees Azpell and Torkelson moved and seconded approval of Resolution 042506C Purchase of HAVA voting system. Motion carried 7-0. Trustee Haas inquired how many would be purchased and how it would be paid for. De Angelis noted that the Village would receive one ADA voting machine that should be paid for with a grant from the State received by Waukesha County.

#### REPORT OF THE VILLAGE MANAGER

De Angelis provided an update on the flood management project.

President Palmer reviewed the request to approve the text on the Blue Star Marker proposed by the Garden Club for the Legion Post Property. President Palmer recommended striking "Village of" and inserting "Beautification Committee" after Elm Grove to read "Elm Grove Beautification Committee." President Palmer reminded the community that the Village owns the Legion Post property, a Chapter 30 permit from the DNR regulates the site, and the Village Board has final approval of the proposed plan for the site. He also recognized the efforts of all the stakeholder groups involved in the planning process.

## NO REPORT OF THE VILLAGE ATTORNEY.

### STANDING COMMITTEES

#### ADMINISTRATIVE AND PERSONNEL

Trustee Torkelson reviewed the April meeting.

Trustee Torkelson and President Palmer moved and seconded approval of the agreement between the Village of Elm Grove and the Friends of the Elm Grove Library regarding community room usage. Trustee Fronberry recommended deleting the word "only" and inserting the words "up to" before 3 months in the last sentence under A. Application of the agreement. Trustee Torkelson revised her motion and President Palmer seconded to reflect the recommendations of Trustee Fronberry. Motion carried 7-0.

#### FINANCE AND LICENSING

##### Vouchers

Trustee Haas moved to approve the March 2006 manual checks in the amount of \$7,924.26. Trustee Fronberry seconded. Motion carried 7-0.

Trustee Haas moved to approve the April 2006 manual checks in the amount of \$52,115.53. Trustee Fronberry seconded. Motion carried 7-0.

Trustee Haas moved to approve the April 2006 checks in the amount of \$1,156,020.65. The majority of this amount was for the construction of the flood management project. Trustee Fronberry seconded. Motion carried 7-0.

##### Operators Licenses

Trustee Haas moved to approve a new operator's license for Pamela Mathias – Elmbrook C Store. Trustee Fronberry seconded. Motion carried 7-0.

##### Amendment to Chapter 30-2 (A) and 30-2 (B) (1) Financial Procedures

Trustee Haas and Azpell moved and seconded to approve the amendment to financial procedures in Chapter 30 of the Elm Grove ordinances. Motion carried 7-0.

#### LEGISLATIVE

Trustee Clark and Azpell moved and seconded approval of amendment to Chapter 335-88(D)(6)(h) Retaining Walls. Motion carried 7-0.

Trustee Clark and Haas moved and seconded approval of amendment to Chapter 335-39H. Existing Substandard Lots. Motion carried 7-0.

#### PUBLIC SAFETY

Trustee Fronberry reviewed the April meeting. Mr. Kileen, Endeavor, reviewed the traffic circulation and barricade map. It was noted that the schedule of races would allow for 15 minute intervals between races in which residents on the race route could exit in their vehicles. Mr. Kileen volunteered to supply colored cards that residents along the route could place in the windshield of their car to park closer to the route behind the temporary barricades. Spectators and racers will be instructed to park only at the Lutheran Church.

Police Chief Gage noted the new route as proposed has significantly less impacts on traffic circulation in comparison to the previously proposed route located in the Legion Drive neighborhood. Chief Gage also noted that he contacted the Cudahy Chief of Police who reviewed a previous race conducted by Endeavor. The Cudahy Chief stated

that the event ran smoothly and there were no additional police response related incidents due to the event.

Trustee Fronberry and Azpell moved and seconded to approve the bicycle race as proposed.

Trustee Clark observed that the only resident to submit a letter not in favor of the race was Mr. and Mrs. DiFonzo. Several letters of support were submitted in favor of the race. Mr. Kileen noted that they contacted approximately 45 homeowners along the race route.

Chad Demmon, 1035 Woodland Avenue – stated his support for the bicycle race in the neighborhood. Ingress and egress provisions have been provided to allow residents in and out from their properties throughout the day of the race. He noted that Mr. Kileen and Endeavor are very organized and well planned.

Mark DiFonzo, 1045 Woodland Avenue – stated he is not in favor of the bicycle race. He is concerned about the ability to transport his two teenage children to work and other activities throughout the day. He expressed that the race would disrupt the quiet residential neighborhood and utilization of his property.

President Palmer noted that Mr. Kileen, Endeavor and his neighbors have done everything they can to try and make the event work within the confines of the neighborhood. The spectators of this event are known to be respectful of the neighborhoods in which races are held. President Palmer recommended that the item be placed on the agenda one-month prior to the event for an update. Motion carried 7-0.

Mr. Clark inquired if the Village is concerned about the feeding of waterfowl. Mr. De Angelis noted that feeding waterfowl is prohibited within the Village Park.

#### NO PUBLIC WORKS/UTILITIES REPORT

#### PARK AND RECREATION

Ms. Jeske requested the Board's approval of submission for a Community Development Block Grant to update the pool house facilities for the physically disabled. Mr. Clark noted that the proposed modifications to the pool house are timely due to the upgrades occurring in the Village Park. Trustee Fronberry and Clark moved and seconded to approve the application as submitted. Motion carried 7-0.

Trustee Fronberry reported on the April meeting. It was noted that the Committee reviewed the donation of a gazebo and proposed sale of bricks for the area around the donated gazebo. Any additional profits from the bricks will be donated to the Recreation Department for park improvements. The Park and Recreation Committee forwarded the gazebo proposal to the Building Board for review. After this review the proposal will go back to the Park and Recreation Committee for final consideration.

#### LIBRARY BOARD

Trustee Torkelson reviewed the April meeting.

#### PLAN COMMISSION

Trustee Azpell reviewed the April meeting.

President Palmer and Trustee Azpell moved and seconded approval of the second amendment to the development agreement with Autumn Grove LLC. Trustee Haas inquired regarding the material usage on the proposed improvements. He also recommended the agreement be amended to reflect the materials on the proposed improvements as approved by the Building Board. President Palmer and Trustee Azpell moved and seconded to amend their motion to reflect Trustee Haas's recommendation. Motion carried 7-0.

NO OTHER BUSINESS

ADJOURNMENT

Trustee Fronberry moved and Torkelson seconded to adjourn. Motion carried 7-0. Meeting adjourned at 9:05 p.m.

Respectfully Submitted,

Rebecca Finn  
Zoning and Planning Administrator/  
Assistant to the Village Manager