

VILLAGE OF ELM GROVE  
BOARD OF TRUSTEES MINUTES  
AUGUST 22, 2006

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

Also Present: Village Manager David De Angelis, Village Clerk Mary S. Stredni, Attorney de la mora, Police Chief Gage, and Assistant Planner Austin Eich. Also residents and the press.

ROLL CALL

Mary S. Stredni took the roll at 7:30 p.m.

PLEDGE OF ALLEGIANCE

President Palmer led the pledge of allegiance.

PUBLIC HEARING

1. Amendment to the Village of Elm Grove Code of Ordinances Chapter 335-68 regarding Board of Appeals.
2. Amendment to the Village of Elm Grove Code of Ordinances Chapter 335-22 and 335-23 governing yard requirements for B-1 and B-2 Zoning District parcels within the Downtown Design Overlay District.
3. Amendment to the Village of Elm Grove Code of Ordinances Chapter 335-51 and 335-94 Concerning the Regulation and Definition of Non conforming uses, buildings, and premises, structures and fixtures.
4. Amendment to the Village of Elm Grove Code of Ordinances Chapter 335-34 Governing Driveway Openings and Dimensions.

As there were no comments, President Palmer closed the public hearing.

NO PUBLIC COMMENTS

MINUTES

Clark and Torkelson moved and seconded to approve the July 25, 2006 minutes. Motion carried 6-0. Fronberry abstained.

AGENDA

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

REPORT OF VILLAGE PRESIDENT

President Palmer noted that Wauwatosa is in the process of reviewing report in regard to Elm Grove municipal water.

NO REPORT OF FIRE CHIEF

REPORT OF POLICE CHIEF

Chief Gage reviewed the July report. Noted that a new police officer has been hired and the department is now at full staff.

NO REPORT OF EMS

NO REPORT OF VILLAGE CLERK

#### REPORT OF VILLAGE MANAGER

De Angelis noted that CW Purpero will begin laying top soil in the park next week; project is scheduled to be completed by early November. Michels is in the process of completing Legion Drive.

#### NO REPORT OF VILLAGE ATTORNEY

#### STANDING COMMITTEES

#### NO REPORT ADMINISTRATIVE AND PERSONNEL

#### FINANCE AND LICENSING

1. Vouchers  
Trustee Haas moved to approve July manual checks in the amount of \$77,012.50. Fronberry seconded. Motion carried 7-0.  
Trustee Haas moved to approve August manual checks in the amount of \$70,911.48. Fronberry seconded. Motion carried 7-0.  
Trustee Haas moved to approve August checks in the amount of \$275,888.24. Azpell seconded. Motion carried 7-0.
2. Trustee Haas moved to approve Reserve Class B Alcohol License for Wine Cellar of Wisconsin, Inc. Azpell seconded. Motion carried 7-0.
3. Trustee Haas moved to approve new operator's license for Molly Ramstack. Azpell seconded. Motion carried 7-0.

#### LEGISLATIVE

1. Trustees Clark and Haas moved and seconded to approve Amendment to the Village of Elm Grove Code of Ordinances Chapter 335-68 regarding Board of Appeals. Motion carried 7-0.
2. Trustees Clark and Haas moved and seconded to approve Amendment to the Village of Elm Grove Code of Ordinances Chapter 335-22 and 335-23 governing yard requirements for B-1 and B-2 Zoning District parcels within the Downtown Design Overlay District.  
Trustee Fronberry stated that if a property meets the current code it should be built that way. Opined that the Plan Commission can change the code or guidelines at anytime; Plan Commission can interpret the zoning code anyway that they want.  
Assistant Planner Eich stated that this amendment would help with the implementation of the Downtown Design Guidelines. Objective guidelines of the code are needed.  
Trustee Clark called for the question. Motion carried 5-2. Fronberry and Schoenecker voting nay.
3. Trustees Clark and Haas moved and seconded to approve Amendment to the Village of Elm Grove Code of Ordinances Chapter 335-51 and 335-94 Concerning the Regulation and Definition of Non conforming uses, buildings, and premises, structures and fixtures. Motion carried 7-0.
4. Trustees Clark and Azpell moved and seconded to approve Amendment to the Village of Elm Grove Code of Ordinances Chapter 335-34 Governing Driveway Openings and Dimensions. Motion carried 7-0.

#### PUBLIC SAFETY

Trustees Schoenecker and Torkelson moved and seconded to approve Amendment to the Village of Elm Grove Code of Ordinances Chapter 275 Vehicles and Traffic in regard to stop signs and no parking designations. Motion carried 7-0.

#### PUBLIC WORKS/UTILITIES

Trustee Azpell reviewed August 21<sup>st</sup> meeting.

#### RECREATION AND PARK

Trustee Fronberry reviewed August meeting.

### LIBRARY

Trustee Torkelson noted that the Friends of the Elm Grove Library have donated over \$45,000 this year.

### PLAN COMMISSION

1. Trustees Azpell and Schoenecker moved and seconded to approve the Autumn Grove Development Agreement Amendment.
2. Trustees Azpell and President Palmer moved and seconded to approve the Comprehensive Planning Stakeholder Groups with the addition of the Friends of the Elm Grove Library. Motion carried 7-0.

### OTHER

Assistant Planner noted that to date 23% of the Comprehensive Planning Surveys have been returned.

### CLOSED SESSION

At 8:47 p.m. by roll call vote the board went into Closed Session as permitted under Wisconsin – 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 Michels Corporation and as permitted under Wisconsin – 19.85 (1) (c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, with respect to the Zoning and Planning Administrator and Assistant Planner positions.

At 9:15 p.m. the Board reconvened into open session. President Palmer and Trustee Torkelson moved and seconded to approve the promotion of Austin Eich to Zoning and Planning Administrator/Assistant to the Village Manager effective immediately. Motion carried 6-1. Trustee Fronberry voting nay.

### ADJOURN

Trustees Azpell and Torkelson moved and seconded to adjourn at 9:17 p.m. Motion carried 7-0.

Respectfully submitted,

Mary S. Stredni, Village Clerk