

**VILLAGE OF ELM GROVE  
BOARD OF TRUSTEES MINUTES  
Tuesday October 23, 2007**

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

Also Present: Village Manager David De Angelis, Village Clerk Mary S. Stredni, Zoning/Planning Administrator Jessi Balcom, Police Chief Gage, Fire Chief Selzer, and Attorney de la mora.

ROLL CALL

President Palmer brought the meeting to order at 7:30 p.m. Village Clerk Mary S. Stredni took the roll.

PLEDGE OF ALLEGIANCE

President Palmer led the Pledge of Allegiance.

NO PUBLIC HEARING

PUBLIC COMMENTS

President Palmer requested that item 12.D, Request of Terrace Condo Association be moved to after the public comment period. All concurred.

Mary Inden, Vice President Elm Grove Business Association. Gave update on Business Association Holiday open house scheduled for November 9<sup>th</sup> and 10<sup>th</sup>, 2007.

Bob Aslin, 13335 Watertown Plank Road, President Elm Grove Terrace Owners Association, Inc. Stated the condominium owner's dissatisfaction during the flood management construction. Project took much longer than expected; very disruptive during the construction; spoiled view for the homeowners; exit drive was used for construction equipment for a period of time; difficult for homeowners to drive in and out of parking lot; lost parking lot for 6-8 months; made security very difficult; upset the quality of life for the residents; and retaining wall was damaged during construction. Requested financial compensation.

Marjorie Wagner, 13335 Watertown Plank Road

Noted that there was a large hole in the parking lot during the delay in construction. Contractor, Michels, used the parking lot for a 'staging area', which caused parking problems. Opined that the condominium owners bore a lot of inconvenience during the construction considering that the building wasn't even in the floodplain to begin with.

Richard Hoesly, 13335 Watertown Plank Road, Vice President Elm Grove Terrace Owners Association, Inc.

Also spoke in regard to the inconvenience. Had believed that construction would take 3 – 4 months, but it took much longer. Stated belief that money received for easement had nothing to do with the problems incurred during the project.

Mary Inden Stated her empathy for the condominium owners. As a business owner she foresaw that there would be great inconveniences during the construction. Everyone was inconvenienced. Many downtown businesses lost property during the last two floods and lost business during the construction. The Board of Trustees cannot set a precedent by compensating the condominium owners for the inconvenience.

As there were no other comments, President Palmer closed the public comments. Consensus to consider item during Village Manager report.

## MINUTES

Trustees Nelson and Azpell moved and seconded to approve the September 25, 2007 minutes. Motion carried 6-0. Torkelson abstained.

Trustees Torkelson and Fronberry moved and seconded to approve the October 4, 2007 minutes. Motion carried 6-0. Azpell abstained.

## AGENDA

Trustees Fronberry and Torkelson moved and seconded to approve the submitted agenda. Motion carried 7-0.

## VILLAGE PRESIDENT

President Palmer noted that discussions continue with City of Milwaukee and City of Brookfield in regard to municipal water.

## REPORT OF FIRE CHIEF

Chief Selzer reviewed the September report.

## REPORT OF THE POLICE CHIEF

Chief Gage reviewed the September report.

## NO REPORT OF EMS DIRECTOR

## REPORT OF VILLAGE CLERK

President Palmer and Trustee Azpell moved and seconded to approve Resolution 102307A Amended Established Street and Highway Width Map of Waukesha County. Motion carried 7-0.

## REPORT OF VILLAGE MANAGER

### Resolution 102307B Requiring the Routing of all Geo-Referenced Subdivision Plats and Certified Survey Maps to the County Land Information Office upon Approval

Palmer and Nelson moved and seconded to approve resolution. Discussion regarding current process. Upon approval of Certified Survey Map or Subdivision plats they are sent to the Register of Deeds to be recorded. The Register of Deeds then forwards to the Land Information Office. Diggers Hotline is requesting that everyone in the state send directly to the Land Information Systems Department of their county. This would duplicate current processes. Attorney de la mora stated that the Village does not have an obligation to enact this resolution. Palmer and Nelson withdrew motion and second. Consensus that staff will continue the current process.

### Introduction of Resolution 120707 Approving the Discontinuance/Vacation of Right of Way Adjacent to EGV 1104.169 and EGV 1104.170

De Angelis reviewed the request of St. Mary's to vacate the right of way.

### Order of Hearing to Discontinue and Vacate a Road Right of Way in the Village of Elm Grove

Palmer and Schoenecker moved and seconded to approve. Motion carried 7-0. Hearing will be December 18, 2007 during the regular Board of Trustees meeting.

### Terrace Condo Association request

Attorney de la mora verified that the payment for the easement was paid individually to each property owner and the association. Reviewed the memo of understanding. In his legal opinion the Village is not obligated to provide reimbursement for the described inconveniences from Elm Grove Terrace Condo Association property owners.

De Angelis verified that the Village corrected all damage to the parking lot. Some restoration of grounds is still in process. The Village also allowed the Condominium owners to connect to the Village stormwater which solved their prior problems.

Palmer moved to not reconsider the request from Terrace Condo Association. Schoenecker seconded. Motion carried 7-0 to not reconsider.

NO REPORT OF VILLAGE ATTORNEY

STANDING COMMITTEES

ADMINISTRATIVE AND PERSONNEL

Trustee Torkelson noted that item covered during last meeting will be taken up during closed session.

FINANCE AND LICENSING

1. Vouchers

Trustees Haas and Nelson moved and seconded to approve the September manual checks in the amount of \$22,597.35. Motion carried 7-0.

Trustees Haas and Torkelson moved and seconded to approve the October checks in the amount of \$362,424.34. Motion carried 7-0.

2. New Operators licenses

Trustees Haas and Fronberry moved and seconded to approve the following operators licenses: Virginia Champion, Peter Mitten, Michael Polczynski, Kaitlyn Lorbiecki, David Weindorfer, and Luis Ordaz. Motion carried 7-0.

NO LEGISLATIVE

NO PUBLIC SAFETY

NO PUBLIC WORKS/UTILITIES

PARK AND RECREATION

Trustee Fronberry reviewed the Beautification Committees plans for the former Legion Post site.

LIBRARY

Trustee Torkelson reviewed the October meeting.

PLAN COMMISSION

Trustee Azpell reviewed the October meetings.

NO OTHER BUSINESS

CLOSED SESSION

By roll call vote at 8:58 p.m. the Board moved to go 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, municipal water, and AT & T/ Time Warner Cable video services and as permitted under Wisconsin §19.85 (1) (c) to consider employment and compensation data over which the governmental body has jurisdiction and exercises responsibility, specifically union negotiations.

RECONVENE

At 9:14 the Board reconvened into open session. Haas and Fronberry moved and seconded to approve the submitted tentative union contract agreement between the Village of Elm Grove and Dispatchers. Motion carried 6-1. Schoenecker voting nay.

Fronberry and Torkelson moved and seconded to adjourn at 9:15 p.m. Motion carried.

Respectfully submitted,

Mary S. Stredni  
Village Clerk