

Village of Elm Grove Board of Trustee Meeting Minutes

Board of Trustee Call to Order:

The meeting was called to order at 7:49 pm.

Roll Call:

- PRESIDENT PALMER
- TRUSTEE STUCKERT – via Zoom
- TRUSTEE KOLESKI
- TRUSTEE CORNELL
- TRUSTEE SCHINDLER
- TRUSTEE MICHALSKI
- TRUSTEE SAYAS

- DAVID DEANGELIS, VILLAGE MANAGER
- HECTOR DE LA MORA, VILLAGE ATTORNEY
- KATHERINE GEHL, ASST. VILLAGE MANAGER/ZONING ADMINISTRATOR
- SANDEE POLICELLO, VILLAGE CLERK/DEPUTY TREASURER

The Pledge of Allegiance was recited.

- 1.) Public Hearing - None
- 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.

Mary Iden – 14745 Watertown Plank Road. Shred day will take place on April 15th from 9 am to noon at the Park and Shop.

Stacy Barry Coffey – 12805 Dunwoody Dr. As a member of the Ad hoc Pathway Committee she proposed a timeline for pathways. The proposed pathways on Gebhardt, Highland, part of Gremoor and connecting the 2 parts of Juneau in front of St. Mary’s west towards Legion, will allow safer access to downtown, schools and the park. As a member of the Recreation Committee she is asking the Village Board to make updating the Village Park plan a priority. Without an updated plan the Village cannot apply for any grants or outside funding needed to update the park. She reminded residents of Village trustee and school board seats on the April 4th ballot. A trustee forum will take place at Village Hall on March 30th at 6:30 pm.

HEARING NO ONE ELSE PRESENT OR ON ZOOM WHO WISHED TO SPEAK – THE PUBLIC COMMENT PERIOD WAS CLOSED.

- 3.) Approval of Agenda
There were no objections to the agenda as presented

4.) Approval of Minutes

- a. February 27, 2023 - Village Board of Trustee Draft Minutes.

MOTION BY TRUSTEE KOLSKI, SECOND BY TRUSTEE CORNELL, TO APPROVE THE MINUTES FOR FEBRURAY 27, 2023 AS AMENDED. ALL WERE IN FAVOR. MOTION CARRIED.

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- b. February 23, 2023 - Committee of the Whole Draft Minutes.

MOTION BY TRUSTEE SAYAS, SECOND BY TRUSTEE MICHALSKI, TO APPROVE THE MINUTES AS AMENDED.

ALL WERE IN FAVOR. MOTION CARRIED.

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

- a. President Palmer thanked everyone for the reception prior to the meeting, which is his last that he will chair. It has been a great honor to serve in this position, as well as other positions. President Palmer recognized Trustees Michalski and Cornell for their service.

Trustee Koleski thanked President Palmer and the outgoing trustees for their leadership and guidance.

6.) Report of Fire Chief - David Kastenholtz

- a. February Fire Department Report

7.) Report of Police Chief – Jason Kubiak

- a. February Police Department Report

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

- a. No report. Koleski asked for an EMS report for 1st qtr.

9.) Report of Village Clerk – Sandee Policello

- a. No report.

10.) Report of Village Manager - David DeAngelis

- a. Review and possible approval of engagement letters for Valbridge Appraisal for services for acquisitions of the CP Rail abandoned rail corridor and permanent and construction easements for the purpose of daylighting Underwood Creek.

Mr. De Angelis brought this item back before the Board as there was an error on the contracts that were brought before the Board at its February meeting. The cost has increased from the previous contract, but the new figure was not in the contract. \$200 has been changed to \$325/hr for any litigation expenses. There is a separate corporate entity, Vitale Real Estate is also included. There are some changes to the indemnity language that makes it mutually exclusive. There is a change to the dispute resolution. Both documents are now the same with the exception of the specific tasks. The total fee has not changed.

MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE SCHINDLER, TO APPROVE THE TWO VALBRIDGE APPRAISAL CONTRACTS AS SUBMITTED.

ALL WERE IN FAVOR. MOTION CARRIED.

- b. Third Space Brewing Beer Garden request for an additional day.

Third Space Brewing has requested an additional day, Thursdays. The Junior Guild

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received \$1300 for staffing the July 4th event. Third Space pays the licensing fee for the food vendors that they schedule. We have had no issues with Third Space in the past, including no noise complaints with live entertainment. Mr. De Angelis doesn't see why we shouldn't grant them the additional day. He said the contract states this change would be within the Village Manager's authority.

Third Space paid the Village \$8100 for 2022. Sayas asked out of that \$8100 how many days was the Village paid \$50? She referenced a contract inflation clause and our Recreation Department has increased its fees – should we increase these fees? Or maybe just on the 4th of July or Friday night flicks when there is a dedicated audience? Koleski believes we may have missed the timing to do that for 2023. Cornell said pool rates haven't gone up since 2019. Palmer said we didn't go into this for a large revenue line; we worked for years to find someone to come to do this in Village Park. Third Space contributes to other entities; they pay to have the food vendors here; he agrees with Koleski that the time has passed to make changes for 2023; they aren't here for our revenue purposes. Sayas spoke to the City of Milwaukee who did a request for proposals and they receive 15%. We receive \$175 per day or \$50 if they don't make over \$500. Koleski would like to know their financials so we can make decisions for going forward. Palmer suggested maybe a statement from their CPA. Stuckert proposed a request for proposal process for the next contract. Sayas said the Community Foundation gives a lot to the community; she said Third Space was critical of the Foundation for not inviting them to provide product for Oktoberfest. Palmer said he didn't find the email offensive; he said the time to make a change would be to do it for 2024. Mr. De Angelis said the current contract expires at the end of this year and it will be reviewed by the Recreation Committee in fall of this year. Koleski said there is an option to renew by January 1 of 2024.

- c. Mr. De Angelis provided project status updates. At the former One Hour Martinizing, the gas has been disconnected; the electric is 90% done with the meters coming out tomorrow. The well has been abandoned. Minor asbestos is in the ceiling and we are waiting for one more proposal for removal. When this is completed we can demolish the building and will hopefully have it done by the end of April.

Gebhardt Road project – The plans are proceeding as discussed at the Public Works meeting; the updated cost estimates we will have by 4/14, prior to the next Public Works meeting; decisions made at that meeting will determine if we will need a special Board meeting, which may be needed if bids come in over \$1.3 million.

Nicci Sternitzky has been speaking with Mr. De Angelis regarding the Beautification Committee's Arbor Day event and storm water outreach scheduled for April 22nd. Notices are going out the end of this week to get residents involved.

A garbage audit is planned – volunteers will go through 2,500 lbs of trash from the Village, which will then be sorted into what could be recycled and diverted – the Green Team will lead this effort. They are looking for volunteers for the audit and for the Underwood Creek clean up. The spring plant sale is coming up.

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

- a. Attorney De La Mora had no report at this time

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

1. Plan Commission - Trustee Michalski

For additional information, please see the minutes for March 6, 2023 on the website.

At the March 6th meeting the plan of operation for Better CoWork, 12500 W. Bluemound was discussed. The building has been empty for several years. They are proposing an office space with both short and long term tenants. They wanted access 24 hours, however, the Commission wanted that scaled back. The concept was approved tentatively. The Commission requested the approval of the police and fire chiefs along with staff review for conditions, then have it go back to the Plan Commission. It will be on the next agenda.

Koleski said Attorney de la Mora wanted to view their rental agreement. Attorney de la Mora said he did receive the materials and said it is extensive and comprehensive. He submitted another memo giving context for the concept. He said Brookfield, nor Milwaukee, or any other community around us have regulations for this type of operation; he recommended some regulation for the operator or the Village to revisit it. Mr. De Angelis said \$2 million will be invested into the building by the owner. Attorney de la Mora wants it to be clear that the parking lot not be used for advertising or storage. Palmer said we don't allow that anyway. Koleski wanted the review of the contract put in the Plan Commission minutes. Attorney de la Mora was impressed by the contract; he believes they will agree to the reduced hours. Palmer said it is off a state highway and isolated, so it is an ideal location for this type of business.

2. Library Board - Trustee Sayas

For additional information, please see the minutes for March 30, 2023 on the website.

The book sale raised over \$19,000. President Hecker and Secretary Parkin will be stepping down from the board – she is grateful for their service.

3. Public Works - Trustee Schindler

For additional information, please see the minutes for March 13, 2023 on the website.

At the meeting on March 13, 2023 Ruckert & Mielke representatives were present for a review of the Gebhardt construction plan. A 6' pedestrian pathway is planned for the south side. Residents were present to ask questions and provide feedback. A special meeting may take place late March or early April but has not yet been scheduled. An open house for PPII was held. Staff hopes to have 100% of the permission slips turned in by the April 18th deadline.

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Our Public Works foreman will retire on April 14th. Greg Wolf has been with the Village since 1996.

4. Public Safety - Trustee Sayas
No meeting, no report.

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

6. Park and Recreation – Trustee Cornell
For additional information, please see the minutes for March 20, 2023 on the website.

Interviews for the manager position will take place this week. There is still a need for summer staff – 4 camp counselors, 3 desk attendants, 12 lifeguards. They asked that Facebook and Instagram posts be made to advertise the openings. Facility rental fees were last updated in 2019. They agreed to increase the pavilion and gazebo fees. Pool fees were also increased.

Pickleball classes will not be offered that were offered in 2022. The pickleball courts are lined. A co-ed softball league will be offered.

Basketball court repairs are needed and crack sealing will hopefully be done.

Sayas asked the Community Foundation to provide for free open swim on the 4th of July, which they approved.

7. Administrative and Personnel - Trustee Stuckert
For additional information, please see the minutes for March 14, 2023 on the website.

Village employee safety procedures were reviewed. Mr. De Angelis provided a comprehensive list of safety programs by department. He noted our insurance carriers for liability and worker’s compensation do annual reviews and make recommendations. Mr. De Angelis said all recommendations were executed. He provided a list of worker’s compensation claims in a HIPAA compliant manner. It was apparent that all claims were random incidences and that no areas of improvement were identified.

It was agreed to use our dispatcher for community outreach for the short term. A job description will be put together and we will look at what other communities do. This will be followed up at the next meeting. It was recommended to reach out to the Junior Guild and Women’s Club for welcome packet information to be put together.

They reviewed staff compensation.

8. Finance and Licensing – Trustee Koleski

1. Review and act on recommendation for 2023 budget amendment for sewer projects.

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Koleski said the Committee received a review of the SCADA system which has been in operation for more than 23 years and is in need of replacement. The Committee reviewed the proposal and voted to move forward with the budget amendment to authorize use of sewer funds for this replacement in the amount of \$104,571.14.

MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE MICHALSKI, TO APPROVE THE USE OF SEWER FUNDS TO REPLACE THE SCADA SYSTEM.

ALL WERE IN FAVOR. MOTION CARRIED.

A Review was made of all expenditures and trends. There is nothing in the red or trending negatively.

2. Review and Act on Vouchers.

MOTION BY TRUSTEE KOLESKI, SECOND BY TRUSTEE SAYAS, TO APPROVE THE VOUCHER LISTS AS SUBMITTED.

ALL WERE IN FAVOR. MOTION CARRIED.

13.) Closed Session - May convene into closed session pursuant to Wis. Stat. ss.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.; more specifically the Police Union Contract and represented and non-represented employee pay.

PRESIDENT PALMER MOVED TO CONVENE INTO CLOSED SESSION.

ROLL CALL VOTE: YAY – PALMER, STUCKERT, KOLESKI, MICHALSKI, CORNELL, SAYAS, SHINDLER.

MOTION CARRIED.

14.) May reconvene into open session to take action on any closed session items.

MOTION BY PRESIDENT PALMER, SECOND BY TRUSTEE SAYAS, TO RECONVENE INTO OPEN SESSION.

ROLL CALL VOTE: YAY – PALMER, STUCKERT, KOLESKI, MICHALSKI, CORNELL, SAYAS, SHINDLER.

MOTION CARRIED.

Motion on items discussed in Closed Session:

MOTION BY TRUSTEE STUCKERT, SECOND BY TRUSTEE SAYAS, TO APPROVE THE MARKET CHANGES AS PRESENTED.

ALL IN FAVOR, MOTION CARRIED.

MOTION BY TRUSTEE STUCKERT, SECOND BY TRUSTEE SCHINDLER, TO APPROVE A MARKET ADJUSTMENT TO THE VILLAGE MANAGER'S SALARY TO \$140,000 AND A \$2,500 BONUS.

ALL IN FAVOR, MOTION CARRIED.

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17.) Other Business – none.

18.) Adjournment

MOTION BY TRUSTEE MICHALSKI, SECOND BY TRUSTEE CORNELL, TO ADJOURN THE MEETING.

ALL WERE IN FAVOR. MEETING ADJOURNED AT 9:47 PM.

Minutes transcribed by: Sandee Policello

Minutes Approved on: April 24, 2023