

**Village of Elmwood Park
Meeting of the Board of Trustees Minutes
3131 Taylor Avenue – Village Hall Building 3
August 13, 2015 – 6:30 P.M.**

All agenda items shall follow protocol including staff overview, Board discussion, questions by public, Board disposition of items. The public must be recognized by the President.

CALL TO ORDER/ROLL CALL

Meeting called to order by President Steiner at 6:30 p.m.

Present: President Steiner, Trustees Pete Clouthier, Kathy Wells, Laura Rude, Nick Haas, Alan Bagg, and Clerk Treasurer Tammy Ruggaber. Trustee Klimek is excused.

PRAYER AND PLEDGE OF ALLEGIANCE

PUBLIC COMMENT AND INPUT

Pursuant to Wisconsin Statute 19.84(2) "the public notice of a meeting of the governmental body may provide for a period of public comment, during which the body may receive information from members of the public." Correspondence shall be read into record at this time.

Alan and Maureen Bagg who reside at 3230 Lathrop Ave inform the board that in 2011 Walmart tried to purchase a four acre parcel, just to the north of his residence, belonging to the Heinrichs. The Village residents were very vocally opposed to this. The former president Audrey Viau was recalled and subsequently, in 2012 the contract between the Heinrichs and Walmart was void. In May of 2012, the Baggs filed a lawsuit against Robert Heinrich claiming adverse possession. Mr. Heinrich filed countersuits stating that the Baggs' lawsuit adversely affected his pending contract with Walmart. Recently, a jury ordered the Baggs to pay Robert Heinrich \$405,000 in damages. Mr. Bagg is concerned about the future of this parcel of land. The parcel is zoned PRD-1 (planned residential development). This is the only parcel in the village zoned this way and it allows condo type development. He could also sell his land. Mr. Bagg suggests the village consider how it would like to see the vacant Kohl's parcel used in the future and also consider, when making decisions, the general future destiny of the village.

Carol Hansen, 3517 S Elmwood Drive, wants the village to look pristine. She asks why the letter that Ellis wrote hasn't gone out to residents. She states there are junk cars, trailers, and boats.. There are a lot of things in driveways and on the grass and the village is starting to look really junky. She suggests certified letters are sent out to residents who violate the ordinances of the village.

The Clerk-Treasurer comments that the board had passed a motion to send out the letter Carol mentioned with the condition that the money had to be in the budget. There are no available funds in the office supplies account. She further states that on this night's agenda is a resolution to reallocate funds in the budget which will allow the letter to be sent out in the near future.

Sheri Klabo thanks the board for getting the property cleaned up on Elm Tree Lane. She asks about a tornado siren, that she believes, used to be on top of Beebe School. Trustee Bagg states that he contacted David Maack, Emergency Management Coordinator, who stated there was never a siren on that school.

Marcia Russell of 3413 Oak Tree Lane asks about the road work being done in the village. She also asks what is happening with Evergreen purchasing property.

Consent agenda: The minutes from June 24th, June 29, and July 9th are to be approved. Trustee Wells has an issue with the minutes from July 9. She specifically references a vote the board had where two members abstained, two voted nay, and three voted aye. She states the minutes reflect voting on tabling the discussion and she feels we were voting on revising the willow tree ordinance. She states that it was an illegal vote. She feels this way because being a seven member board, four members must vote yes for the motion to pass. Trustee Haas and the Clerk explained that there must be a quorum that votes, and then a majority of that quorum must vote yes to make a motion pass. For example, if there are four members at the meeting, a motion would pass with three votes. Trustee Haas suggests Trustee Wells consult with the League of Wisconsin Municipalities if she needs anything clarified. They are an excellent resource. Trustee Wells maintains that she believes the motion is

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recorded incorrectly and the vote was illegal. Trustee Haas moves to approve the July 9th minutes and it is seconded by Trustee Bagg. Roll call vote:

Bagg (aye) Clouthier (nay) Rude (nay) Wells (nay) Steiner (aye) Haas (aye). Tie vote. Minutes not approved.

Trustee Haas moves to approve the minutes from June 24th, 2015 as presented. Trustee Rude seconds and the motion passes unanimously.

Trustee Haas moves to approve the minutes from June 29th, 2015. It is seconded by Trustee Rude and the motion passes unanimously.

Trustee Clouthier moves to approve the accounts payable. It is seconded by Trustee Rude and the motion passes unanimously.

Sgt. Litwin, from the Racine County Sheriff's Department, gives his report. He notes that the department has been dealing with issues of an unlicensed dog and issues of boats and trailers stored on properties. They have one property remaining that has until tomorrow to resolve his issue (3304 N. Elmwood) . A resident states that motorcycles have been racing up and down Taylor Ave. Sgt. Litwin states the deputies will give extra attention to the area.

The Treasurer reads her report. In July, receipts totaled \$14,863.59, disbursements of \$24,395.49, and interest of \$5.81. Total Village assets as of July 31, 2015 are \$115,123.08. President Steiner mentions that we need to discuss, later, the budget to actuals.

Trustee Clouthier mentions that he is starting to work on the DNR recycling grant for next year. He is not sure if it will be as much money as this year.

Trustee Haas reminds everyone that we had a motion pass to use "Sign-up Genius" to facilitate hall rentals.

Trustee Wells states she asked for letters to go out and wants to know if the Clerk sent them out. The Clerk states that the Sheriff just reported that they have already addressed these concerns. The Clerk contacted the Sheriff's Department and they visited residences with ordinance infractions so no letters were necessary. She asks about a letter on a dead tree. Trustee Wells announces that she rented out a space in building one and it will be occupied as of September 1st. Trustee Haas asks what just got rented, to whom, and when was it reviewed or approved by the board? Trustee Haas reminds Trustee Wells that this is not allowed by law and our village should not be run this way. All authority comes from the board of trustees. She states she is also waiting for the Clerk to draft a new lease agreement that she negotiated with RAAD that commenced July 1st.

Trustee Rude comments that when letters are sent out regarding code violations, they should be sent out certified. The President comments that a letter isn't necessary. When there is a code violation, we notify the sheriff's department, and they act on it.

Trustee Bagg will be reviewing the insurance with the Clerk-Treasurer. We want to make sure we have adequate and affordable coverage.

President Steiner states that we will start looking at the 2015-2016 budgets in September. He also states that he received a call from the attorney stating that someone in the village has been calling them about various issues. He reminds everyone that the President is the only individual authorized to contact the attorney.

President Steiner gives an update on Beebe School. He states that spoke with Grant Meier who said they are definitely interested in purchasing the property. They are currently having an architect looking at the land for best use. After that is completed, President Steiner states, Evergreen will come forward with a legal offer.

The board reviews a resolution to re-appropriate funds within the 2015 budget.

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| Maintenance | | -15,000 |
| Attorney Fees | +8,000 | |
| Insurance | +4,548 | |
| Office Supplies | +1,001 | |
| Fire Service | <u>+1,451</u> | |
| | +15,000 | -15,000 |

The board discusses the resolution. Trustee Wells states that the board should review the budget to actuals prior to re-allocating funds. Trustee Haas comments that the reallocation is necessary to conduct our business since we can't spend out of budget. Roll call vote for resolution:

President Steiner (aye), Trustee Clouthier (aye), Trustee Haas (aye), Bagg (aye), Trustee Rude (aye), Trustee Wells (nay)

The resolution is approved.

Trustee Haas brings forth Resolution 2015-6 for the board's consideration. It is a resolution to authorize short term contracting of facilities at the Taylor Complex. This resolution authorizes Wendy Spencer ~~or Kathy Wells~~, or any person that these two individuals give authority in writing to the Village Clerk, to make contracts with prospective renters for periods not to exceed 12 months. This resolution is for hall and gym rentals. Trustee Wells states she is not interested in being part of this resolution. The resolution is revised to eliminate any mention of Trustee Wells. Roll call vote for resolution:

President Steiner (aye), Trustee Clouthier (nay), Trustee Haas (aye), Trustee Bagg (aye), Trustee Rude (aye), Trustee Wells (aye).

The resolution is approved.

With no other business coming before the board, the meeting is adjourned, by motion made by Trustee Wells, at 8:07 pm.

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