President Hermes called the Village Board meeting to order at 7:00 p.m. in the Board Room of Village Hall

ROLL CALL

Present: Birmingham, Barbian, Chadwick, Genz, Hermes
Absent: Turay, Sikorski
Also Present: Todd Michaels, Village Manager
Sarah Jankowski, Assistant to the Village Manager
Kathryn Kasza, Clerk-Treasurer
Scott Satula, Director of Inspection Services
Robert Malasuk, Police Chief
Timothy Saidler, Fire Chief
Robert McFaul, Public Works Director
Attorney Stan Riffle
Representative from Milwaukee County Parks
Visitors

MINUTES

Trustee Birmingham moved, seconded by Trustee Barbian, that the reading of the minutes from the Regular Board Meeting held on October 15, 2013 be suspended since all Board members received copies of same prior to tonight’s meeting and that these minutes be approved as presented.

Ayes: Birmingham, Barbian, Chadwick, Genz, Hermes
Nays: None
Motion to Approve: Carried

PUBLIC HEARINGS AND ACTION ITEMS

A. PC 13-65 Review and consider approving a Special Use Application for skiing, snowboarding, snow tubing, gravity biking, mountain biking, and other public events at The Rock Sports Complex 7900 W. Crystal Ridge Drive.(#13-08/PC 13-05))

President Hermes opened the public hearing at 7:02 pm. He read the statement that “following the public hearing the Village Board may convene in closed session pursuant to Wisconsin Statutes 19.85(1)(g) to confer with legal counsel who is rendering oral advice concerning strategy to be adopted with request to litigation which the Village is likely to be involved concerning the Special Use Application for 7900 W. Crystal Ridge Drive. Should the Village Board convene into closed session it shall reconvene into open session for further discussion and action relating to the Special Use Application.”
PUBLIC HEARING

Dave Simonson, 7485 Hill Valley Ct, questioned where the communication breakdown occurred with the location of the trees planted to benefit residents from the ball field lights at the Rock. He stated that he got no relief from where the trees are planted. Nothing came of the private meetings with the managers of the Rock. Manager Michaels showed on the diagrams the tree lines planted and the existing tree lines. President Hermes addressed Mr. Simonson with the fact that the Village has no authority to address these issues and he said he should contact the Rock for any further complaints. Simonson also asked about the amphitheater they are proposing to build. Hermes also stated that it would be located in Franklin and once again Greendale has no control over it. Michaels said the County has control over the entire site and directed the residents to them for questions and complaints.

Rhonda Simonson, 7485 Hill Valley Ct, asked if the Village could plant trees in the green space to further block the lighting. She said the County and the Rock never fulfilled their promises. Manager Michaels stated that the Village might be able to plant some adult trees in the green space but they would not be the same as the ones the Rock had planted. President Hermes also brought up that there was a petition signed by several residents that they did not want adult trees in the green space.

President Hermes closed the public hearing at 7:18 p.m.

Attorney Riffle stated that the Board should only discuss the merits of the application before them and discuss the restrictions on approvals in the zoning arena. The approvals cannot be arbitrary or capricious and can only deal with the activity within the boundaries of the Village. He stated that this Village Board has been attempting to protect the interests of the citizens above and beyond what is required. He felt the focus should be on the zoning in place and past activities and approvals in zoning.

Trustee Chadwick moved, seconded by Trustee Birmingham, to approve PC 13-05 - Request for Special Use Application for skiing, snowboarding, snow tubing, cross country skiing, gravity biking, mountain biking at The Rock Sports Complex 7900 W. Crystal Ridge Drive, as submitted, subject to the conditions of the Plan Consultant’s report dated June 28, 2013, excluding conditions 2.b. & 2.t. and clarifying the that the motion includes approval for skiing, snowboarding, snow tubing, gravity biking, mountain biking and cross country skiing but does not include approval for “Concerts in the Park”, “Family Movie Night”, “The Hills Have Eyes” Halloween Event and “Other Selected Events” and other public events; and also subject to the conditions in the Village Engineer’s report dated July 8, 2013.

Discussion: Trustee Chadwick stated that the Rock Sports Complex will be holding all special events in Franklin. She added that lighting on the ski hill was not up to code and the replacement and re-lamping of the wiring will go before the Building Board. She stated that the Village residents are asking for an improvement on the lights which are located in Franklin, that the facility should have the lights turned off earlier, and to have the noise to be turned down. The Rock did put baffles on the lights and planted trees but these remedies did not solve the problems. Chadwick stated that she didn’t think it unreasonable for the Rock to turn the lights out earlier and turn the speakers down.
Trustee Barbian felt that the County could have worked with the Village Board more from the beginning. He felt that even though the shields are ineffective and the trees are nice, however, there could be more done to address the residents’ concerns. Barbian felt the Village Board forced issues that most Boards wouldn’t have, but he felt the Board has done all that it can to get concessions from the Rock.

Trustee Birmingham stated that he lives above the hill and can heard sound from other areas of the Village even more. He felt that the County has been very cooperative and wants to give them one more season to improve the situation.

Trustee Genz added that while everyone has expressed the displeasure with the situation, he wanted to give credit to the Village President and the Village Manager who have worked tirelessly behind the scenes to get the cooperation of Milwaukee County and the Rock to remedy the situation for the residents of Greendale. While he feels for the residents affected, he also feels that there is only so much we can do to mitigate the situation. He also felt the County Supervisor should get involved.

President Hermes said that he truly regrets the problems for the residents affected; but this is what happens when you are left out of the planning process. The Board did what they could when Franklin allowed it. The Village Manager asked the Franklin planner to see the lighting plan and agreed they were appropriate. The Franklin planner then changed the plans to change the height of the poles and the light fixtures. Franklin had no legal obligation to inform the Village of the changes. In the spring there was a miscommunication with the Rock about permits for the bike trails and they started building before they obtained the permits. Legally, Franklin has no obligation to ask Greendale for any permission. However, the Rock is trying to cooperate and be a good neighbor, but Greendale has no legal grounds to withhold any permits or enforce any changes. All ongoing complaints can be given to the Greendale Police so they can be cataloged and presented to the Rock.

Ayes: Birmingham, Barbian, Genz, Hermes
Nays: Chadwick
Motion to Approve: Carried

CITIZENS’ COMMENTS

Jackie Kraemer, 5729 Clover Ln, congratulated President Hermes on running for Jeff Stone’s Assembly position and wanted to know how he would resolve the conflicts between communities if he was elected and remained Village President. Hermes stated he could not comment.

STANDING COMMITTEE REPORTS

A. Finance Committee, October 28, 2013

The Finance Committee meeting regularly scheduled for October 28, 2013 was cancelled. The Board will suspend the rules and consider approving the business items as part of the November 5, 2013 regularly scheduled Board meeting agenda.
i. Consider Approving Beverage Operator Licenses (FC 13-23)

Trustee Birmingham moved, seconded by Trustee Barbian, to approve the Beverage Operator licenses for Mathew Krause, Ricardo's; subject to Police approval and receipt of training certificates.

Ayes: Birmingham, Barbian, , Genz, Hermes  
Nays: Chadwick  
Motion to Approve: Carried

ii. Finance Committee Internal Audit Review of Bills Presented for Payment.

Trustee Barbian reviewed the bills and stated that all was in order; his report was distributed at this meeting.

iii. Approval of Accounts Payable Checks for Payment.

Motion by Trustee Birmingham seconded by Trustee Barbian, to approve Accounts Payable check Nos. 95214 to 95332, in the amount of $486,196.45; ACH Payments in the amount of $782,859.11; P-Card purchases in the amount of $110,118.77 for a total of $1,397,174.33.

No Discussion

Ayes: Birmingham, Barbian, Chadwick, Genz, Hermes  
Nays: None  
Motion to Approve: Carried


The statements for September 30, 2013 were presented and that all accounts are up-to-date. Interest rates continue to be very low and funds remain in checking to be available until tax collections begin.

B. Plan Commission, October 30, 2013

President Hermes stated that the Plan Commission meeting was already covered under Public Hearings and Action Items.

OLD BUSINESS

NONE

NEW BUSINESS

Village Manager Michaels presented this resolution for Fire Captains’ Salaries which discussed in closed session at the October 15th meeting. These salaries shall be retroactive to July 1, 2013 to match the current firefighters’ contract and begin to have them contribute to Wisconsin Retirement.

**Trustee Birmingham moved, seconded by Trustee Barbian to approve Resolution R2013-10—A Resolution Setting Salaries for certain Fire Department Personnel.**

No Discussion

Ayes: Birmingham, Barbian, Chadwick, Genz, Hermes
Nays: None
Motion to Approve: Carried

B) BOT 13-67 Consider approving Resolution No. 2013-11—A Resolution approving the Aerotropolis Interlocal Cooperation Agreement.

Manager Michaels presented the document detailing the Aerotropolis Interlocal Cooperation Agreement which is a written document solidifying the relationship between member communities and provides protection for good faith cooperation.

**Discussion:** Trustee Chadwick asked if we have provided them money in the past. President Hermes stated it was completely voluntary. Chadwick also asked if they improved in how they accounted for their money. President Hermes said they have a Board that approve a budget and have an audit.

**Trustee Birmingham moved, seconded by Trustee Barbian to approve Resolution R2013-11—A Resolution approving the Aerotropolis Interlocal Cooperation Agreement.**

**Discussion:** Trustee Genz asked if there are any fiscal implications to this resolution. President Hermes said no; it will allow planning among intergovernmental boundaries. It is trying to interlink all the components of transportation for efficiencies of travel to move commerce and people in a global marketplace.

Ayes: Birmingham, Barbian, Chadwick, Genz, Hermes
Nays: None
Motion to Approve: Carried

**OFFICERS REPORTS**

The various officer reports A-E are normally on the second meeting of the month and were put on the agenda by mistake; they will be presented at the next Board meeting.

**F. Village Manager’s Report:** Manager Michaels presented the Water Supply System Improvements Status Report from Kaempfer & Associates. Trustee Chadwick asked if pictures are being taken to document the construction of the new tower and tearing down the old tower. Michaels stated that they are taking some pictures of the progress. Chadwick then asked about the painting on the water tower and Manager Michaels stated it should be recommended as an
agenda item in late February. President Hermes agreed it will be put on the agenda after the New Year.

G. Village President’s Report: President Hermes said that closing out the 75th anniversary for Greendale was an event hosted by the Milwaukee County Historical Society. He accepted a plaque presented to the residents of Greendale for the 75th birthday.

CITIZENS’ COMMENTS

Jackie Kraemer, 5729 Clover Ln, wanted to know if we could ask for an abatement program from Milwaukee County for the noise and light problems caused by the Rock for the residents affected. Manager Michaels stated that the Rock did offer to buy residents blinds and plant trees in their yards. Kraemer also reminded the Board about the Park and Recreation Fund Raiser.

CLOSED SESSION

Trustee Birmingham moved, seconded by Trustee Barbian to go into closed session pursuant to Section 19.85 (1) (c) of the Wisconsin State Statutes to discuss the 2013 Salary and Benefit Resolution and pursuant to Section 19.85 (1) (e) of the Wisconsin State Statutes to discuss strategy relevant to the Request for Proposal for the former Police and Fire Station Renovation/Re-use/Redevelopment.

President Hermes read aloud Item #13A.

NO DISCUSSION

Ayes: Birmingham, Barbian, Chadwick, Genz, Hermes
Nays: None
Motion to affirm: Carried

The Board adjourned into Closed Session at 8:08 p.m. The Board did not return to Open Session to Act on Matters Discussed.

ADJOURNMENT

Motion by Trustee Birmingham, seconded by Trustee Barbian, to adjourn.

Ayes: Birmingham, Barbian, Chadwick, Genz, Hermes
Nays: None
Motion to Adjourn: Carried

The Board adjourned at 8:29 p.m.

Respectfully submitted,

Joan L Siefert, CMC, WCMC
Deputy Clerk