

Elmwood Park Village Board Meeting Minutes
3131 Taylor Avenue – Village Hall Building 3
June 11, 2015 at 6:30 p.m.

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

CALL TO ORDER/ROLL CALL:

Board of Trustees meeting called to order by President Steiner at 6:40 p.m.

Present: President Ellis Steiner, Trustees Pete Clouthier, Al Bagg, Kathy Wells, Laura Rude, Nick Haas, Jeff Klimek, and Clerk Treasurer, Tammy Ruggaber.

PRAYER AND PLEDGE OF ALLEGIANCE

President leads the board and the audience in a prayer and the 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.*

Tim Kratowicz, 3349 N Elmwood Drive, would like his version of the electrical permit application put back on the website. Also, he feels the Village does not need a Zoning Board of Appeals. Trustee Haas indicates we should get it on our website and he will transcribe it.

Maggie G of 3337 Kensington Court asks about the group to review the ordinances.

Marcia Russell, 3413 Oak Tree Lane, wants to reserve her questions for after the auditor's presentation.

Jeff Ward, 3413 McArthur Place, states the lamp posts and street signs in the Village are looking pretty shabby. Trustee Klimek is working on these issues. He states the next budget needs to address our infrastructure.

CONSENT AGENDA

Haas makes a motion to approve the minutes from May 13 and May 14. It is seconded by Trustee Bagg. The motion passes unanimously.

REPORTS

The Sheriff's representative gives his report. Area cars continue to patrol areas and give special attention to certain areas such as the entrance to the Taylor Complex. The group discusses, with the Deputy Sheriff, the issues with the property located at 3423 N. Elmwood Drive.

The Assessor's report is available in the office if anyone would like to review it.

The Treasurer reads her report.

The President gives his report. President Steiner wants the letter to residents that he drafted, and was placed on the website, to be mailed to all residents. He states that he wrote the letter because he wanted to remind everyone to maintain our values of a "park-like" setting. There have been several issues with unkempt lawns, broken windows, etc... Kathy Wells has been appointed as the Weed Commissioner and she will look into the questionable properties. President Steiner goes on to say that most of the properties in the village are beautifully kept. Trustee Haas moves that the letter is mailed to all residents. Trustee Bagg seconds the motion. The motion is amended to state the Village Clerk will mail the letter if there is money available in the budget. Trustee Bagg seconds the motion and it passes unanimously.

The Board discusses the dog bites that have occurred in the Village and the fact that some residents have not licensed their dogs. Trustee Haas moves that the Clerk draft letters to 3423 N. Elmwood Drive regarding the dog bite issue. Trustee Wells seconded the motion and it passed unanimously.

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The Board further discusses the property at 3423 N. Elmwood Drive and various issues there. It is an alleged drug house, there is a registered sex offender living there, and they have a pit bull living there that has bitten at least one person and is unlicensed. The owners are the Torosians who live in Arizona and there is a property management company involved. President Steiner makes a motion for Trustee Haas to draft a letter to the property owners. It is seconded by Trustee Haas, Bagg (aye), Klimek (aye), Wells (aye), Rude (aye), Clouthier (nay).

Trustee Rude asks what the bill to the Humane Society is for. The Clerk explains that it is a monthly fee for animal control. The attorney bill from April is taken off the list. President Steiner makes a motion to approve the accounts payable minus the April attorney bill. It is seconded by Trustee Bagg and the motion passes unanimously.

Julie Craig from Gordon J. Meier presents the audit report. She begins by indicating that their contracted amount was \$3560 but service hours totaled \$25,365. She speaks about the unapproved expenditures. These expenditures were items the Village was obligated to pay, such as: tax settlements, utility bills, and payroll. There were some gas expenditures that were inappropriate. These types of expenditures should be submitted for reimbursement by tracking mileage done on Village business and these miles submitted for reimbursement using the IRS mileage reimbursement rate. She suggests the Village review its ordinances. There was a lot of work done to update ordinances but the ordinances are not consistent as far as ratification by the village board. The information on the website needs to be reviewed and we need to ensure all updates are ratified and the village has one consistent code book. She goes on to talk about bids. In some situations, a job was bid for a certain amount, but the actual expenditures exceeded the bid. The Village needs to be more aware of expenditures and how they relate to the budget. Because we are small Village, with limited staff, the board needs to act as a second set of eyes to make sure we keep in line with our budget. Ms. Craig states that our budget should have more detailed line items. There are categories that should be broken down such as a separate line item for telephone. She also suggests that the board keep up to date with the Wisconsin League of Municipality and the Wisconsin Clerks Association. She states there is a weakness of controls on the revenue side. Ms. Craig states her firm suggested in the 2013 audit that the Village put in place a numbered receipt system and this still hasn't been done. She suggests we use a spreadsheet to track monthly leases. She explains FDIC insurance. Governments get more funds if they keep their checking account under a certain threshold. She suggests we transfer money to our money market/savings account when the checking account exceeds that threshold.

Trustee Haas states the Village Board determined to do a forensic audit with Kessler International, based on numerous concerns. We were later told by a GJM representative that there was no need; that GJM could perform the work. And once GJM completed their work, we learned that they conducted an audit of the 2014 financial statements, not an investigative audit of any kind. His purpose in supporting a forensic audit is the fiduciary obligation to the constituents/taxpayers of Elmwood Park. An investigative audit, with results showing such things as misappropriated funds could be presented to our insurance company, in the form of a claim. GJM knew a claim was what was wanted as an end result and they said they would provide that service. He does not feel GJM provided the services they assured us they would provide. He was advised by an outside auditing firm that they would have a conflict of interest in performing an investigative audit. Trustee Haas states he has done his fiduciary responsibility as he fought very hard for this audit. The board is aware of many examples where expenditures were handled inappropriately. Projects costing tens of thousands of dollars happened without board approval, there was patronizing of restaurants, gas tanks were being filled, and a cell phone purchased. He states we can't have these things happen anymore.

Trustee Rude states she thinks GJM did what we asked her to do and did a great job.

Julie Craig states that her firm looked at every expenditure, for 2013 and 2014. And as she stated before, the list of unapproved expenditures is comprised mostly of obligations we had to pay. She does not believe the Village could collect on the payment of these liabilities.

President Steiner thanks Julie Craig for a job well done. President Steiner indicates that there were policies and procedures that were not followed. There were a significant amount of dollars that were spent without the board's approval. They were not preauthorized. They were post authorized. The Village's money was spent without

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approval. There are two major examples. There was a contract for \$7,000 but \$42,000 was spent with no board approval. There was another contract for \$5,000 but \$21,000 was spent. This should not happen. President Steiner states that everyone on the board except one person was culpable for what happened. One trustee did try to bring attention to these issues again and again.

President Steiner goes on to explain, we have changed from Audrey, to Tom, to myself, as President. And, from Veronica, to Patti, to Joanne, to Barb, to Tammy, as Clerk-Treasurer. Can you imagine trying to do business in that kind of turmoil? He states, he went over the recommendations of the Auditor. He recommends the Village hire a Director of Finance which would be a one-year assignment. This person would assist putting better financial policies and procedures in place and implement suggestions from auditor.

Trustee Haas moves to approve the 2014 financial statements. It is seconded by Trustee Wells, and the motion passes unanimously.

President Steiner states the Village must pay the 2014 fire dues revenue to the city, in the amount of \$1527.41. President Steiner moves that we pay the 2014 fire dues to the city, it is seconded by Trustee Haas, and the motion passes unanimously.

The President asks the board to renew the contract with the Sheriff's Department for 2016. It covers 1800 hours with a cap of \$3,000. President Steiner moves to approve the contract, seconded by Trustee Haas, and it passes unanimously.

President Steiner states he has leased building 5, for one year, and an office in building 1.

President Steiner would like to form a committee to review and update the ordinances. He would like Trustee Haas to head the committee. Trustee Haas reminds the board that these types of committees must follow the same open meeting laws as the board does. Trustee Clouthier brings up the fact that the prior clerk spent many hours updating the code book and he thought it was finished. The online version does not match the hard copy version. President Steiner moves that we form a committee to work on the municipal code. It is seconded by Trustee Bagg, and the motion passes unanimously.

Trustee Wells gives her report. Letters will be sent out to property owners who are in violation of the municipal code regarding the care of their property. Building 5 is mostly cleaned out. Trustee Wells states that tenants should sign a hold harmless form. They should also be required to pay a security/damage deposit to ensure they leave the space in good condition. She would like Trustee Bagg to contact the insurance company to see what liability we have regarding the daycare. A carload of clothing was donated to the Hospitality Center for homeless people. There is a big couch in building 5 that needs to be put out for bulk pick up on Monday. Also, there is a leak in the ceiling. Kathy will work on getting an estimate to fix it. Trustee Wells would like to see the Clerk-Treasurer establish some sort of set office hours.

Trustee Haas clears up any misunderstanding there may be regarding the mailing address for Elmwood Park. Our mail should be addressed to Elmwood Park, not Racine. Although the Taylor Complex is in the City of Racine, it also has an Elmwood Park mailing address.

Trustee Rude reports on the condition of the property located at 3423 Elm Tree Court. The property has excessively lawn grass, weeds in the yard, garbage in the backyard, and dead trees and stumps. The house is empty. Trustee Rude asks the Clerk to send out a letter to the property owner.

Trustee Bagg reports that he attended the Wisconsin League of Municipalities seminar on "Government 101." He said he learned a lot that will help us make sure we are following all the rules. He has a handbook from the class if anyone would like to read it. Trustee Bagg states that three individuals, on the board, do not have copies of the ordinance book. Trustee Bagg says he has also received complaints about unkempt lawns.

Trustee Klimek had to leave early so he is unavailable for his report.

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Trustee Clouthier has no report.

Evergreen Academy needs to have their lawn cut. Jays Lawn Service will do it for \$80 per mowing. President Steiner moves that Jays performs this service. It is seconded by Trustee Haas. Trustee Rude asks where it will come out of the budget. The Clerk states there is a maintenance budget for this. Trustee Bagg suggests purchasing a trailer for \$500 rather than hire a lawn service. The board discusses the option of the tractor driving down the road followed by a truck with flashers on, which is legal. President Steiner states it takes nine hours to mow the Taylor Complex and they have other responsibilities. He is concerned they don't have available man hours. However, we would pay our guys \$24 hours to do it as opposed to paying Jays \$80. The motion is defeated.

Trustee Haas moves that the Village maintenance workers handle the lawn cutting at 3554 Taylor Ave. Trustee Bagg seconds the motion, and it passes unanimously.

Trustee Haas moves that the Village board approves an emergency use of Jays Lawn Care service for mowing at 3554 Taylor Avenue, in the event our maintenance workers are unavailable. Trustee Bagg seconds the motion and it passes unanimously.

The Zoning Board of Appeals needs new members. He addresses the audience and asks if anyone is interested in taking on the role as a member of the Zoning Board of Appeals. There are no volunteers.

The Clerk drafted a resolution on expenditures. Trustee Haas indicates that WI SS 66.06.09 requires an ordinance change rather than a motion or resolution. A motion or resolution isn't enough. WI SS 66.06.09 provides for a complete alternative system of approaching the approval of financial claims. We are under the default system now by state statutes. We can go ahead and make an ordinance that moves us over to what's called the alternative system, if we want to. He suggests that the board first needs to understand the system we are under and they alternative system they would be adopting before making a decision. He moves that we table this item. It is seconded by Trustee Wells and it passes unanimously.

President Steiner indicates there was a request for all the street lights and lamp posts to be upgraded. Goebel and Sons gave an estimate of \$12,904.80. We should consider this for the 2016 budget.

The board discusses the need for openers and closers for rentals. Trustee Haas suggests we use an application, Sign-up Genius, to facilitate this. Trustee Haas suggests the Clerk draft a resolution giving Wendy Spencer, or her designee authority to enter into contracts on the Village's behalf. Trustee Haas brings up the issue of having a security deposit. He states Wendy is against it as she feels our clientele can't afford it. Trustee Haas moves that the Village Board allow him to put a sign-up on the website for volunteers to open and close for hall/gym rentals and that Wendy can use Sign-up Genius or a like tool to solicit volunteers. It is seconded by Trustee Wells and it passes unanimously.

Trustee Haas moves for the Clerk to draft a resolution to authorize Wendy Spencer, or those that she delegates in writing, to execute contracts for use of facilities at 3131 Taylor Ave. It is seconded by Trustee Wells and it passes unanimously.

Trustee Wells moves that renters are required to make a \$50 security deposit and sign a hold harmless form. This is seconded by Trustee Haas. There is discussion and Trustee Rude indicates that she doesn't feel \$50 is enough. The motion passes unanimously.

There is an update on the Johnson Property. Steiner has researched the issue of the possibility of joining the sewer agreement with the City of Racine. He states, at a minimum, it would cost the Village a minimum of \$30,000 to join the sewer agreement. He went to the DNR and there is nothing we can do. He recommends that the Village does not sign into the sewer agreement. He expresses his deep regret to the Johnsons.

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President Steiner gives an update on Evergreen Academy. They received the appraisal of the Taylor Complex today. Grant Meier indicates, the amount is less than 1,000,000 but close. He also indicates that they can't get a loan over the appraised amount.

The Planning Commission has approved Ordinance 8.15 Filling of Lands and 8.16 Erosion Control and now it comes before the Board of Trustees for approval. Trustee Haas moves we table this as Trustee Klimek is not present. Trustee Bagg seconds the motion and it passes unanimously.

Trustee Wells moves to adjourn, seconded by Trustee Bagg and the meeting is adjourned at 9:42 pm.