

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING: **PUBLIC WORKS & HIGHWAY COMMITTEE**

DATE AND TIME: **TUESDAY, November 4, 2014** *****5:00 P.M.*****

LOCATION: **Germantown Village Hall Board Room**

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with Wisconsin Statutes, Section 19.83 and 19.84 in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.
- II. **ROLL CALL:** Chairman Kaminski, Trustees Zabel, Vanderheiden and Warren
- III. **APPROVAL OF MINUTES:** October 7, 2014
- IV. **PUBLIC COMMENT:** Please be advised per State Statute Section 19.84(2), information will be received from the public. It is the policy of this municipality that there be a three minute time period, per person, with time extensions per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, NO ACTION will be taken under public comments.
- V. **NEW BUSINESS:**
 - A. Consideration of Invoice – Joe De Belek Plumbing – Division Road Lateral
 - B. Consideration of invoice – Xylem Flyght – Lift Station #3 – Pump Replacement
 - C. Authorization to Purchase – Asphalt Cutter/Router
 - D. Authorization to Replace Doors – Police Department
 - E. WE Energies Gas Line Project- Donges Bay Road - Update
 - F. Approval of Second Appraisals – STH 145 Roundabout
 - G. Foth Infrastructure Proposal for Shallow Well Exploration Test Boring Phase
 - H. Approval of Change Order – TID #6 Traffic Impact Analysis

VI. **ANNOUNCEMENTS:**

The Next Public Works Committee Meeting will be held **Tuesday, December 2, 2014 @ 5:00 p.m.**

VII. **ADJOURNMENT:**

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.

*** Notice is given that a majority of the Village Board may attend this meeting to gather information about an agenda item over which they have decision making responsibility. This may constitute a meeting of the Village Board per State ex rel. Badke v. Greendale Village Board, even though the Village Board will not take formal action at this meeting.

PUBLIC WORKS & HIGHWAY COMMITTEE MEETING MINUTES

October 7, 2014
Village Hall Board Room

CALL: Chm. Kaminski called the meeting to order at 5:00 p.m.

ROLL CALL: Chm. Kaminski, Trustee Members Zabel, Vanderheiden, and Warren. Also present were Dir. Ludwig, Engr. Bischke, Fire Chief Weiss, and Secretary Wick.

PREVIOUS MINUTES:

MOTION made by Zabel, seconded by Vanderheiden to approve the Minutes of September 2, 2014 and September 9, 2014.

Motion carried unanimously.

PUBLIC COMMENT: None

REQUEST AUTHORIZATION FOR LATERAL CONNECTION IN COMMERCE CIRCLE WITHOUT WATER MAIN EXTENSION – W188 N10707 MAPLE ROAD:

Russell Anderson, W188 N10707 Maple Road, returned to the Committee with a cost of approximately \$38,000 to install a 6" main in Commerce Circle and sprinkle the first part of the building. A fire alarm security system was estimated at \$54,000. Mr. Anderson requested everything remain the same and allow him to connect to the sewer and water line and abandon the holding tank.

Dir. Ludwig stated this topic was brought forward for the Committee to review the Lateral Connection Policy. If a connection was made to the building, the Village would require that the land owner extend water the entire length of their property. In the recent past, the Village got away from the extension requirement if the owner signed a recordable document stating they would not contest the special assessment if water main was installed. There was an Ordinance that addressed the need for a sprinkling system once water became available. The Village Attorney stated the sprinkler system was a topic to be discussed by a Committee other than Public Works. Additional comments included;

- Sprinkling requirements would be addressed under Chapter 5 of the Municipal Code. This topic could then be further discussed with the Board of Administrative Review;
- Connecting to the sewer system should not be a problem for the property owner; He should obtain the necessary permits to do so;
- Mr. Anderson was told he could connect a 2" main on to the existing water main and put water in his building. He did not need water. He just wanted to get rid of the holding tank;
- If it was Mr. Anderson's choice to connect to water, he would need to follow the Code requirements to possibly extend the lateral the full length of his property;

In closing, the Committee concurred the property owner could make the decision to connect to sanitary sewer following the proper requirements and obtaining the necessary permits.

Chief Weiss stated his hands were somewhat tied by the Ordinance. There was water running to the property and therefore property owner Mr. Anderson, would be required to hook up to the sprinkler system and to have a monitored fire alarm system in the building. Chief Weiss would need to go to the Board of Administrative Review for a final decision. No action was taken.

MOTION made by Vanderheiden, seconded by Zabel to move to Item “D” under New Business of the Public Works and Highway Committee Meeting Agenda.

Motion carried unanimously.

SHALLOW WELL INVESTIGATION – UPDATE: Dir. Ludwig introduced Greg Bolin of Foth Infrastructure who had been working on the shallow well investigation. The sources of shallow water could help the Water Utility as shallow wells recharge quickly unlike the deep wells. Three primary sites to be considered were: NW corner of Lover’s Lane at Mary Buth Lane; NE corner of Lannon Road at County Line Road; SE corner of Lannon Road at Appleton Avenue. Dr. John Jansen, Associate of Leggette, Brashears & Graham, Inc. oversaw the field geophysics and determined the location of the bedrock. Continued exploration would enter into the next Phase of locating a new well which was beyond the scope of the current contract.

Greg Bolin, of Foth Infrastructure provided a visual presentation to review the project history and rationale for pursuing shallow aquifer well sites. Reviewed were the Phase II investigation activities, results, and discussion on the recommended next steps. Based on the geophysical work, and the recommendations from Dr. John Jansen, Foth Infrastructure identified test locations in priority order. The next steps included drill test borings, preliminary test pumping and water sampling. In closing, Mr. Bolin stated part of the pumping test work would be to perform a procedure that would simulate construction of a code compliant permanent well.

Dir. Ludwig pointed out two potential sites in which property owners were willing to allow the Village to investigate; Discussion continued on the primary test boring locations and probabilities of finding a viable site.

MOTION made by Zabel, seconded by Vanderheiden authorizing an amendment to the Foth Infrastructure & Environment contract to include costs for Phase 3 of the Shallow Well siting exploration.

Motion carried unanimously.

AUTHORIZATION TO CONTRACT TREE TRIMMING – DPW: Supt. Olszewski presented pricing for the tree trimming of approximately 127 trees in the Legend Acres subdivision in which low branches have become a nuisance and hazard for large service vehicles. Two bids were received.

MOTION made by Vanderheiden, seconded by Warren to forward to the Village Board with a positive recommendation to contract Jerry Smith’s Tree Service to trim Village trees in the Legend Acres subdivision at a cost of \$120/per tree with the total amount not to exceed \$20,000. Funds to be allocated from Acct. #10-553-530-5290.

Motion carried unanimously.

AUTHORIZATION TO EXTEND THE ITU CONTRACT: Supt. Olszewski requested authorization to extend the ITU (Towel and Floor Mat) contract which expires Sept., 2015 for an additional 24 months. ITU offered the extension at no additional price increase to the Village. Committee discussion concluded staff should generate request for proposals and present those quotes prior to the current contract expiration.

ACCEPTANCE OF PROPOSAL – NITROGEN GENERATION SYSTEM FOR VILLAGE HALL FIRE SUPPRESSION: Supt. Olszewski presented three proposals ranging from \$13,925 to \$18,300 to install a nitrogen generation system to alleviate the series of leaks caused by microbial induced corrosion (MIC) within Village Hall. The new system will reduce what is causing the accelerated corrosion. Additional general maintenance and life expectancy of the nitrogen generation system is 10 -12 years.

MOTION made by Warren, seconded by Kaminski to forward to the Village Board with a positive recommendation to accept a proposal from Ahern for an amount not to exceed \$15,000 for the Nitrogen Generation System for Village Hall Fire Suppression. Funds to be allocated from Account #10-519-570-8201.

Motion carried unanimously.

CONSIDERATION OF INVOICE – D.F. TOMASINI – LAKE PARK AREA: Supt. Driver reported a water main break of a 16" line, buried 15 feet. The conditions required additional machinery and shoring.

MOTION made by Vanderheiden, seconded by Warren to forward to the Village Board with a positive recommendation to approve paying the D.F. Tomasini invoice in the amount of \$6,058.26 for the emergency water distribution repair off Western Avenue behind Lake Park Homes. Funds allocated from Account #50-742-530-6730.

Motion carried unanimously.

SEWER RATE INCREASE: Dir. Ludwig reported the 2015 Capital Charge from MMSD will be increased by 10.9% due in part to the Village's increase in equalized value. The annual household charge was estimated to increase by 3.9%. Looking at those charges, Dir. Ludwig suggested a 7.5% rate increase in volumetric rate and a 3.1% increase on the sewer service fee. This would take care of the pass-through charges as well as a debt service for a 20 year note for one million dollars. The overall increase in the quarterly service charge of 3.1% would generate the revenue needed to offset the household charge increase. The MMSD charge would be approximately \$283,000 and the debt service would be another \$68,000 if the Village would borrow one million dollars for the sewer project in 2015. A computation for the Utility was handed out to the Committee members on how the charges could be handled in a different way. It was suggested to go to a raw 10% increase in 2015 which would handle MMSD charges. Looking at the income surplus [deficiency] showed a \$1.5 million loss in year 2015 compared to the year before. If the 10% is approved [income off-set], it would give the Village three years to study the amount needed with the next increase when the Village would be in a deficit situation again where the utility will be losing money each year thereafter. If the Village did not

want to borrow the money, the chart provided showed the utility with 2 – 10% increases which showed a positive income surplus with increases of 10% in year 2015 and a subsequent increase of approximately 10% in year 2017. This information could be refined as time goes on. Discussion included;

- This topic should be referred to the Utility Advisory Committee for review and suggestions to the Public Works Committee;
- For an increase to go into effect, it was believed the affected residents needed to be notified; the next meter reading is December 15th;
- The Village needs 10% just for pass-through from MMSD; The increase should be instilled and then the Utility Advisory Committee can look at what the next rate increase would be;
- The Table generated by the Utility Advisory Committee does not identically match the Table created by the Finance Director; it had been found that data provided by the Finance Director was more accurate.
- There is time to study the second increase;
- The Committee/Board must work with the Finance Director's charts because that is the Village's budget;
- Invite the Director of Finance to the next Public Works Committee meeting to discuss the calculations related to the sewer increase;

MOTION made by Vanderheiden, seconded by Kaminski to forward to the Village Board with a positive recommendation authorizing a 10% sewer rate increase to take effect the first quarter of year 2015.

Motion carried 3-1 (Zabel)

2014 ROAD PROJECTS – UPDATE ON FINANCES: Engr. Bischke updated the Committee presenting figures on the 2014 Road Projects and noted the impact of the extra excavation below subgrade (EBS) on the Willow Creek Road project did not generate a need for a change order and the remaining budgeted funds should be enough for the remaining restoration work and other projects.

APPROVAL OF CHANGE ORDER – YEAR 2014 ROAD IMPROVEMENT PROJECTS: Dir. Ludwig reported Spaten Court which is part of the TIF #4 Industrial Park never had the final lift of asphalt applied to the road. Discussion with the Finance Director stated funds were available to complete the road surface and should be billed in year 2014. As time would not permit the contractor to complete the work in 2014, Dir. Ludwig asked for the funds to be allocated to the year 2015.

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation to approve amending the 2015 TIF #4 Budget to include allocating \$45,000 for the surface course of asphalt on Spaten Court. Funds to be allocated from Account #44-574-530-4500.

Motion carried unanimously.

LETTER OF CREDIT REDUCTION – HILLSTONE APARTMENTS: Dir. Ludwig reported the developer had installed the water main and hydrant to the 10 family apartment building. The work was inspected and accepted by staff.

MOTION made by Vanderheiden, seconded by Zabel authorizing the Letter of Credit reduction of \$10,200 for the Hillstone Apartments located on Fond du Lac Avenue.

Motion carried unanimously.

CONVEYANCE OF RIGHTS IN LAND TO WDOT – FDL AVENUE ROUNDABOUT:

Dir. Ludwig reported as part of the Fond du Lac/Donges Bay Road roundabout project, WIDOT uses a standard conveyance of rights document for utilities located on and off the right of way. An existing water main was located at the southeast quadrant of the intersection. The conveyance of rights does not require a relocation of the Village's utility but gives the WDOT the right to work on top of the Village's utility through the construction period. The Village's Attorney reviewed the document and found it acceptable to forward to the Village Board for approval.

MOTION made by Warren, seconded by Zabel to forward to the Village Board with a positive recommendation to approve signing the Conveyance of Rights to WIDOT for the existing water main in the SE quadrant of Fond du Lac Avenue and Donges Bay Road for the STH 145 Project 2475-00-22 Plat 4.01.

Motion carried unanimously.

RIVERSBEND LANE RECONSTRUCTION PROJECT – SCHEDULING UPDATE:

Engr. Bischke received notification from Payne and Dolan who reported the reconstruction of Riversbend Lane in year 2014 was not feasible due to late notice to proceed because of delayed Panda Express approvals and numerous commitments to other projects. Payne and Dolan did not want to commit to a project of this magnitude due to weather conditions that might have prohibited them from completing the project to the normal performance specifications and standards. Year 2014 project costs for Riversbend Lane will remain the same for 2015.

MOTION made by Warren, seconded by Kaminski authorizing the delay of the Riversbend Lane reconstruction project until the year 2015 construction season.

Motion carried 3-1 (Zabel)

CHANGE ORDER – WALL INSPECTION FOR AIR GAS: The Village retained R.A. Smith National to inspect the retaining wall construction at the Air Gas site for a cost of \$7,000. As part of the Developer's Agreement, Air Gas will reimburse the Village for costs associated with the wall inspection. The original contract amount for the inspection had been entirely used and the wall was only half finished. R.A. Smith National believed an additional \$5,000 would be needed to inspect the wall to its completion. Discussion continued.

MOTION made by Vanderheiden, seconded by Kaminski to approve a change order up to \$5,000 for the continued construction inspection by R.A. Smith for the Air Gas retaining wall on North Patton Court.

Motion carried unanimously.

AWARD OF CONTRACT – TID #6 SANITARY AND WATER UTILITIES: Engr. Bischke reported four bids were received ranging from \$1,122,920 to \$2,347,269. Presented was a brief description of the utility plan and profile. The apparent low bidder, Advance Construction was willing to do work over the winter season. Discussion included:

- The plan did not include the additional land to the north.
- Project numbers provided to Ehlers were for the NMMR Parcel and the Neu Parcel – Phase I;
- Pres. Wolter stated there was nothing in the plans for the WDOT lands. The further the Village looked into it, the less attractive the property became due to the amount of unusable land. Problems included road impacts and wetlands. The Village was concentrating on the first Phase and to get the anchor tenant in. If the TIF would be expanded, the Village would have the ability to amend the TIF four times without going to the full Joint Review Board.
- Should the Utility Contract be approved prior to the Developer's Agreement approval with the anchor tenant? It was believed the Village Attorney was in the process of review & President Wolter would obtain an update. President Wolter stated TID #6 was different as the Village was not the developer. There is a development group who is purchasing the land in which the Village is dealing with the infrastructure. Costs need to be watched as the Village did not have the ability of land sales to cover issues.
- Chm. Kaminski wanted to see in writing from MLG what was taking place as opposed to just hearing it. The Village is putting itself out on the line once we extend the water and sewer and expend the money.

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation to award the TID #6 Sanitary and Water Utilities contract to Advance Construction (Green Bay) at a cost of \$1,122,920 contingent upon a signed developers agreement with a major tenant to TID #6.

Motion carried 3-1(Zabel)

ANNOUNCEMENTS: The regular Public Works Committee Meeting will be held Tuesday, November 4, 2014 at 5:00 p.m.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:37 p.m.



Janice Wick, Recording Secretary

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: November 4, 2014

AGENDA ITEM: New Business

ITEM TITLE: Consideration to pay invoice – Services to repair water lateral W171 N11392 Division Rd

SUBMITTED BY: Jim Driver, Water Utility Superintendent

SUMMARY EXPLANATION:

The Water Utility is requesting authorization to pay the invoice from Joe De Belak Plumbing for the repair of the 4" water lateral and valve replacement. Work started out as the property owners responsibility, but then turned into the Utilities due to the fact that the water did not make it through the valve. This work was authorized emergency situation because of a leak. The Utility was already working on a break in a different part of the Village at that time.

Joe De Belak Plumbing	Menomonee Falls, WI	\$7,149.50
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ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER _____

RECOMMENDATION:

Staff recommends paying the invoice from Joe Delak Plumbing for emergency water distribution repair.

Staff recommends allocating \$7,149.50 from the 2014 operating budget (50-742-530-6730)

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

JOE DE BELAK® PLUMBING & HEATING COMPANY INC.

W143 N9358 HENRY STARK ROAD
MENOMONEE FALLS, WI 53051-2340
262-251-2630 (F) 262-251-0801

INVOICE

DATE
9/30/2014

INVOICE #
44734

BILL TO
VILLAGE - GERMANTOWN N112 W 17001 MEQUON ROAD GERMANTOWN, WI 53022

WORK PERFORMED AT:
W1711392 DIVISION ROAD

P.O. NO.	TERMS	DUE DATE	CLASS
	10 DAYS	10/10/2014	

DESCRIPTION	AMOUNT								
REPAIR WATER MAIN VALVE @ W172N11392 DIVISION ROAD SEE BREAKDOWN ON YELLOW SHEET 	7,149.50								
<table border="1"><tr><td>VENDOR #</td><td></td></tr><tr><td>ACCT. #</td><td>50-1742-530-6730</td></tr><tr><td>DISC. \$</td><td></td></tr><tr><td>APPROVAL</td><td></td></tr></table>		VENDOR #		ACCT. #	50-1742-530-6730	DISC. \$		APPROVAL	
VENDOR #									
ACCT. #	50-1742-530-6730								
DISC. \$									
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<table border="1"><tr><td>TOTAL</td><td>\$7,149.50</td></tr><tr><td>PAYMENTS - CREDITS</td><td>\$0.00</td></tr><tr><td>BALANCE DUE</td><td>\$7,149.50</td></tr></table>		TOTAL	\$7,149.50	PAYMENTS - CREDITS	\$0.00	BALANCE DUE	\$7,149.50		
TOTAL	\$7,149.50								
PAYMENTS - CREDITS	\$0.00								
BALANCE DUE	\$7,149.50								

1 - 1/2% INTEREST PER MONTH WILL BE CHARGED ON ANY UNPAID BALANCE - THIS INVOICE CONSIDERED CORRECT IF NOT NOTIFIED IN 10 DAYS. A 3% CONVENIENCE FEE WILL BE ADDED TO ALL CREDIT CARD PAYMENTS.



177154

DILLING
MP 246187

JOE DeBELAK® PLUMBING & HEATING CO., INC.
HEATING - AIR CONDITIONING - SEWER CONSTRUCTION

W143 N9358 HENRY STARK ROAD • MENOMONEE FALLS, WI 53051
Phone (262) 251-2630 • Fax (262) 251-0801

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL.

CUSTOMER'S PHONE	DATE
	9/30/14
NAME	
Village of Germantown Water Dept.	
STREET	

WORK DONE AT:		N112 W17001 MEQUON RD G-Town	
ARRIVAL TIME	DEPARTURE TIME	MDSE. RETD.	SERVICEMAN
QUANTITY	DESCRIPTION	PRICE	AMOUNT
	REPAIR WATER MAIN VALVE @		
	W172 N11392 DIVISION RD		
13.5	Back hose	89	1201.50
30.5	LABOR	105	3202.50
13.5	Dump truck	90	1303.50
13.5	Pick up w/ tools	35	472.50
	LOCATE		425
11000	STONE		425
2	Dump AT THREE YARD		
			7149.50

The undersigned individual acknowledges that he/she has read and understands the Terms & Conditions on the reverse side.

RECEIVED BY: _____

LABOR GUARANTY - The labor charge as recorded here relative to the equipment serviced as noted, is guaranteed for a period of 30 days. We do not, of course, guaranty other parts than those we

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: 4 November 2014

AGENDA ITEM: New Business

ITEM TITLE: Authorization to Pay Invoice – Xylem/Flygt Water Solutions USA,
replacement pump for Lift Station #3

SUBMITTED BY: Tim Zimmerman – Wastewater Superintendent

SUMMARY EXPLANATION:

On October 1, 2014, Pump 1 at Lift Station 3 “Phased” which caused an internal short in the pump windings this caused the internal components of the pump to burn up. Due to the age of the pumps at lift 3 (station put on line November 1991) and the size of the tributary basin staff opted to replace the pump with a new one from Xylem/Flygt Water Solutions USA for the sum of \$7,746.90 on an emergency basis to expedite getting the station back to full capacity. The old pump will be rebuilt in 2015 and be utilized as a spare for Lift 3.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER__X__

RECOMMENDATION:

Forward on to the Village Board a positive recommendation to pay the invoice from Xylem/Flygt Water Solutions USA in the amount of \$7,746.90 for the replacement pump. Funds to be allocated from 60-180-184-3230 Capital Electric Pumping Equipment.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and any voting NAY would deny the request if a majority vote.

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: Tuesday, November 4, 2014

AGENDA ITEM: New Business

ITEM TITLE: Authorization to Purchase – Asphalt Cutter/Router

SUBMITTED BY: Jay Olszewski, Highway Superintendent

SUMMARY EXPLANATION:

Staff is requesting authorization to purchase a new asphalt cutter/router from CRAFCO through the HGAC BUY purchasing coop. We recently purchased our crack filling machine through the same buying cooperative. HGAC Buy does all of the bidding to insure the lowest price possible. CRAFCO won the bid for this piece of equipment. The cost of the machine is slightly higher than the budgeted amount. This purchase was approved as part of the 2014 Highways Budget under the Miscellaneous Equipment Account (10-542-570-8100)

CRAFCO \$15,337 + \$415 Freight

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER _____

RECOMMENDATION:

Staff recommends purchasing the asphalt cutter/router from CRAFCO in the amount not to exceed \$15,752. If approved funds shall be allocated from Highway line item account 10-542-570-8100.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: Tuesday, November 4, 2014

AGENDA ITEM: New Business

ITEM TITLE: Authorization to Replace Doors-Police Dept

SUBMITTED BY: Jay Olszewski, Highway Superintendent

SUMMARY EXPLANATION:

Staff is requesting authorization to replace 4 sets of doors and frames at the Police Dept. These exterior doors are extremely deteriorated and are beyond repair. Years of salt build up have attached to the threshold and lower portions of the frames. Village staff attempted to obtain 3 price quotes but only two local builders responded. This work was part of the 2014 major repair projects for the Police Dept. The results are as follows:

ABCO	\$10,216.00
Dahlman Construction	\$12,458.00
Consolidated Doors	Did not Respond

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER _____

RECOMMENDATION:

Staff recommends accepting BCO's written proposal in the amount not to exceed \$10,500. If approved, funds shall be allocated from Buildings line item account 10-519-530-8221.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: November 4, 2014

AGENDA ITEM: New Business

ITEM TITLE: We Energies Gas Line Project – Donges Bay Road Update

SUBMITTED BY: Dan Ludwig, P.E., Director of Public Works

SUMMARY EXPLANATION:

We Energies is planning on replacing an existing gas pipeline that extends from Appleton Avenue to STH 181 in Mequon. There are two routes that are being studied and presented to the public on November 11th. Route “B” begins at Appleton Avenue then follows Revere Lane to Pilgrim Road to Donges Bay Road to STH 181. Route “C” follows Appleton Avenue to County Line Road to Fond du Lac Avenue then easterly along the center of Section 36 to N. Granville Road to Donges Bay Road to STH 181. The pipe replacement will take place in 2016 and 2017.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER X

German town - Mequon Main Replacement Project - Proposed Routes for WE Energies

RECOMMENDATION:

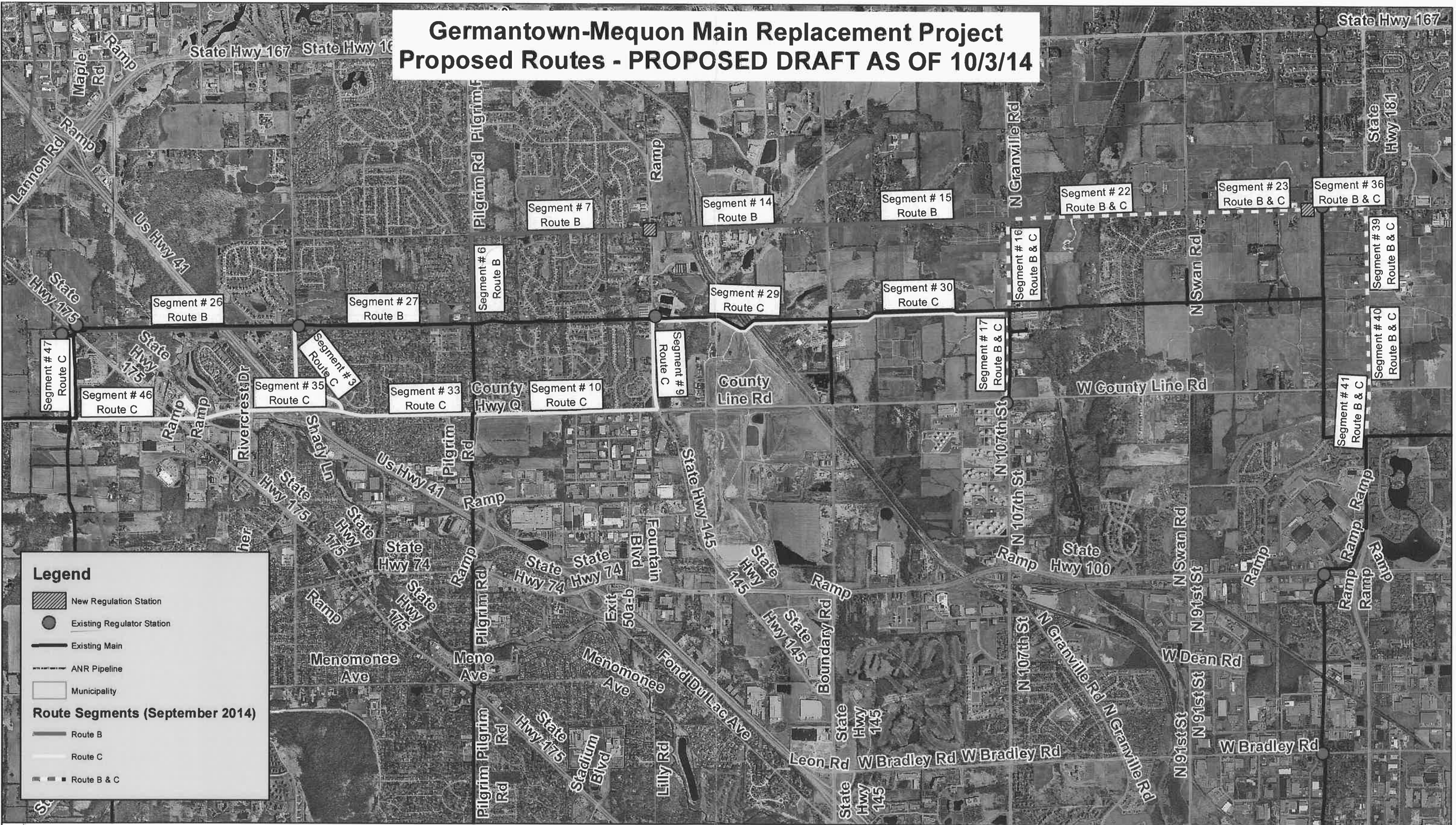
No action is required.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

Germantown-Mequon Main Replacement Project

Proposed Routes - PROPOSED DRAFT AS OF 10/3/14



DATE PLOTTED: 10/3/2014

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: November 4, 2014

AGENDA ITEM: New Business

ITEM TITLE: Approval of Second Appraisals – STH 145 Roundabout

SUBMITTED BY: Dan Ludwig, P.E., Director of Public Works

SUMMARY EXPLANATION:

The Public Works Committee requested second appraisals on two Village parcels impacted by the roundabout project along Fond du Lac Avenue at Donges Bay Road. The second appraisals were sent directly to the DOT by Valbridge Property Advisors. The DOT accepted Valbridge's revised offer as shown below.

Parcel #	Original Offer	Revised Offer
5	\$ 250	\$ 250
10	\$ 7,394	\$ 8,410
11	\$93,572	\$116,300

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER X

Appraisals for Parcels #10 and #11(partial documents)
DOT compensation offers for Parcels #5, #10, and #11.

RECOMMENDATION:

Staff requests a positive recommendation be sent to the Village for accepting the second appraisals for Parcels #10 and #11 and to accept the offers from the DOT for Parcel #5, #10 and #11 for the STH 145 Roundabout project.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.



**Division of Transportation
System Development**
Southeast Regional Office
141 NW Barstow Street
PO Box 798
Waukesha WI 53187-0798

**Scott Walker, Governor
Mark Gottlieb, P.E., Secretary**
Internet: www.dot.wisconsin.gov

Telephone: 262-548-5903
Facsimile (FAX): 262-548-6424
E-mail: ser.dtsd@dot.wi.gov

August 18, 2014

CERTIFIED MAIL

VILLAGE OF GERMANTOWN
PO BOX 337
GERMANTOWN, WI 53022

Reference: Project ID 2475-00-20
Orchard Road, Village of Germantown
STH 145; Washington County
Parcel No. 5

In compliance with Wisconsin statutes and federal regulations, you are receiving this letter, along with the enclosed appraisal report, to initiate negotiations for the acquisition of your property and/or property interests needed for the above referenced highway project. In addition, I have enclosed the following documents:

- Appraisal Guidelines and Agreement
- Temporary Limited Easement (TLE) conveyance
- Legal description of the land and/or interest(s) needed for the project
- "The Rights of Landowners Under Wisconsin Eminent Domain Law"
- Transportation Project Plat

The Wisconsin Department of Transportation's (WisDOT) determination of compensation, based on the fair market value of the property, is as follows:

Allocation	Description	Size	Unit	Per Unit	Value (\$)
Temporary Limited Easement (TLE)		0.015	Acres	\$1,000.00	\$15.00
Other	adjust for region minimum offer of \$250				\$235.00

Total Allocation \$250.00

If you agree with the values determined in the appraisal report and wish to enter into an agreement with WisDOT, sign and notarize the enclosed Temporary Limited Easement (TLE) and return a copy OR the original in a timely manner in the enclosed self-addressed, postage-paid envelope to WisDOT for final review and approval.

If you are not satisfied with the above-stated conclusions of value for your property, you are eligible to obtain an additional appraisal from a qualified appraiser of your choice. If you elect to have an appraisal report prepared, you must take certain steps to qualify for reimbursement. Your eligibility for appraisal cost reimbursement will expire 60 days from your receipt of WisDOT's appraisal, which is estimated to be on October 20, 2014. See the enclosed Appraisal Guidelines and Agreement document for further explanation. If your appraisal report is submitted after the 60-day statutory date, the department will consider it for negotiation purposes; however, it will not be eligible for reimbursement.

WisDOT wants you to be satisfied that your property and your rights have been fully considered. We will provide any additional information you request, if available, or further discuss any concerns you may have. If you have any questions, you may contact me at (262) 521-5122.

Sincerely,

A handwritten signature in black ink, appearing to read 'DZwart', written in a cursive style.

Derek J Zwart
Real Estate Specialist

Enclosures

TEMPORARY LIMITED EASEMENT

Wisconsin Department of Transportation
Exempt from fee: s. 77.25(2r) Wis. Stats.
DT1577 01/2013

THIS EASEMENT, made by **Village of Germantown, a municipal corporation** GRANTOR, conveys a temporary limited easement as described below to the **Wisconsin Department of Transportation**, GRANTEE, for the sum of **Two Hundred Fifty and 0/100 Dollars (\$250.00)** for the purpose of **Reconstruction**.

Any person named in this conveyance may make an appeal from the amount of compensation within six months after the date of recording of this conveyance as set forth in s. 32.05(2a) Wisconsin Statutes. For the purpose of any such appeal, the amount of compensation stated on the conveyance shall be treated as the award, and the date the conveyance is recorded shall be treated as the date of taking and the date of evaluation.

Other persons having an interest of record in the property:

Legal Description:

LEGAL DESCRIPTION Parcel 5 of Transportation Project Plat 2475-00-20-4.01, recorded in Transportation Project Plats, as Document 1364215, recorded in Washington County, Wisconsin. Property interests and rights of said Parcel 5 consist of: Temporary Limited Easement Any interests or rights not listed above for said parcel but shown as required on said Transportation Project Plat are hereby incorporated herein by reference.

This space is reserved for recording data

Return to
Wisconsin Department of Transportation
141 NW Barstow Street
Waukesha WI 53187-0798

Parcel Identification Number/Tax Key Number
GTNV264-297

Signature _____ Date _____
Village of Germantown, by David R. Schornack, Its Village
Administrator
Print Name _____

Signature _____ Date _____
Print Name _____

Signature _____ Date _____
Print Name _____

Signature _____ Date _____
Print Name _____

Date _____
State of Wisconsin _____)
_____) ss.
_____ County)
On the above date, this instrument was acknowledged before me by the
named person(s).

Signature, Notary Public, State of Wisconsin _____

Print or Type Name, Notary Public, State of Wisconsin _____

Date Commission Expires _____



Project ID
2475-00-20

This instrument was drafted by
Wisconsin Department of Transportation

Parcel No.
5

0 1 2 3 4 5 6 7 8 9

LEGAL DESCRIPTION

Parcel 5 of Transportation Project Plat 2475-00-20-4.01, recorded in Transportation Project Plats, as Document 1364215, recorded in Washington County, Wisconsin.

Property interests and rights of said Parcel 5 consist of:

Temporary Limited Easement

Any interests or rights not listed above for said parcel but shown as required on said Transportation Project Plat are hereby incorporated herein by reference.



Division of Transportation
System Development
Southeast Regional Office
141 NW Barstow Street
PO Box 798
Waukesha WI 53187-0798

Scott Walker, Governor
Mark Gottlieb, P.E., Secretary
Internet: www.dot.wisconsin.gov

Telephone: 262-548-5903
Facsimile (FAX): 262-548-6424
E-mail: ser.dtsd@dot.wi.gov

October 17, 2014

BRIONNE BISCHKE
VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022-0337

Reference: Project ID 2475-00-20
Orchard Road, Village of Germantown
Donges Bay Road Intersection
STH 145, Washington County
Parcel # 10

The Wisconsin Department of Transportation has approved a revised offering price in the amount of \$8,410.00 for the purchase of your property for the above referenced highway project. This letter gives you written notice of the revised offering price, and it rescinds and replaces any previous offers presented to you during our negotiations.

If you are in agreement with this revised offer and want to accept it, please sign the enclosed deed (in black ink and as your name appears, including middle initial if noted) before a notary public. A self-addressed, postage-paid envelope is included for your convenience in returning the signed document.

We want to give you a reasonable amount of time to consider this revised offer. However, in order to keep the highway project on schedule, if we have not heard back from you by , it will be necessary to begin the process of acquiring your property by means of eminent domain. This process is explained in the informational sheet, "The Rights of Landowners under Wisconsin Eminent Domain Law."

It is still our desire to reach a negotiated settlement with you. I am available to answer any questions or concerns that you may have, and should you have any questions, you may contact me at (262) 521-5122.

Sincerely,

A handwritten signature in black ink, appearing to read "DZwart".

Derek J Zwart
Real Estate Specialist

Enclosure

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE - SHORT FORM

Wisconsin Department of Transportation
DT1895 11/2012

THIS AGREEMENT, made and entered into by and between Village of Germantown, hereinafter called Seller, and the State of Wisconsin, Department of Transportation, hereinafter called WisDOT. If accepted, this offer can create a legally enforceable contract. Both parties should read this document carefully and understand it before signing.

Seller and WisDOT agree that WisDOT is purchasing this property for highway or other transportation related purposes, within the meaning of Chapter 84 of the Wisconsin Statutes.

Seller warrants and represents to WisDOT that Seller has no notice or knowledge of any of the following:

- 1) Planned or commenced public improvements which may result in special assessments which would otherwise materially affect the property, other than the planned transportation facility for which WisDOT is purchasing this property;
- 2) Government agency or court order requiring repair, alteration, or correction of any existing condition;
- 3) Shoreland or special land use regulations affecting the property; and,
- 4) Underground storage tanks and the presence of any dangerous or toxic materials or conditions affecting the property.

DESCRIPTION: The Seller agrees to sell and WisDOT agrees to buy, upon the terms and conditions hereinafter named, the following described real estate situated in Washington County, Wisconsin:

Legal description is attached and made a part of this document by reference.

The purchase price of said real estate shall be the sum of Eight Thousand Four Hundred Ten and 0/100 Dollars, (\$8,410.00) payable as follows: payable by check at closing.

General taxes shall be prorated at the time of closing based on the net general taxes for the current year, if known, otherwise on the net general taxes for the preceding year.

Seller shall, upon payment of purchase price, convey the property by warranty deed or other conveyance provided herein, free and clear of all liens and encumbrances, including special assessments, except recorded public utility easements and recorded restrictions on use running with the land or created by lawfully enacted zoning ordinances and Temporary Limited Easement, provided none of the foregoing prohibit present use.

Legal possession of premises shall be delivered to WisDOT on the date of closing.

Physical occupancy of property shall be given to WisDOT on the date of closing. Seller may not occupy property after closing unless a separate lease agreement is entered into between WisDOT and Seller.

SPECIAL CONDITIONS:

This agreement is binding upon acceptance by WisDOT as evidenced by the signature of an authorized representative of WisDOT. If this agreement is not accepted by WisDOT within 20 days after Seller's signature, this agreement shall be null and void.



Q J 3 0 5 2 9 0

Project ID
2475-00-20

Parcel No.
10

No representations other than those expressed here, either oral or written, are part of this sale.

Seller and WisDOT agree to act in good faith and use diligence in completing the terms of this agreement. This agreement binds and inures to the benefit of the parties to this agreement and their successors in interest, assigns, personal representatives, heirs, executors, trustees, and administrators.

The warranties, covenants and representations made herein survive the closing and the conveyance of this property. Seller agrees to sell and convey the above-mentioned property on the terms and conditions as set forth and acknowledges receipt of a copy of this agreement.

_____ Witness Signature	_____ Date	_____ Seller Signature	_____ Date
_____ Print Name		Village of Germantown _____ Print Name	
		_____ Seller Signature	_____ Date
		_____ Print Name	
		_____ Seller Signature	_____ Date
		_____ Print Name	
		_____ Seller Signature	_____ Date
		_____ Print Name	
		The above agreement is accepted.	
		_____ Signature	_____ Date
		_____ Print Name	
		_____ Title	

Must be signed by administrator or an authorized representative of WisDOT.

Project ID
2475-00-20

Parcel No.
10

LEGAL DESCRIPTION

Parcel 10 of Transportation Project Plat 2475-00-20-4.02, recorded in Transportation Project Plats, as Document 1364644, recorded in Washington County, Wisconsin.

Property interests and rights of said Parcel 10 consist of:

Fee Simple

Temporary Limited Easement

Any interests or rights not listed above for said parcel but shown as required on said Transportation Project Plat are hereby incorporated herein by reference.



Conclusions:

Based on the analysis contained in the following report, our value conclusions involving the subject property, as of September 18, 2014, are summarized as follows:

Summary of Before and After Values		
Before Value		\$245,000
Acquisition Allocation		
Fee Taking	\$5,550	
Severance Damages	\$0	
Severance Damages (Cost to Cure)	\$0	
Site Improvements	\$0	
Landscaping	\$2,190	
(Less) Total Acquisition		\$7,740
After Value		\$237,260
Permanent Limited Easement (PLE)	\$0	
Temporary Limited Easement (TLE)	\$670	
Total Easement Compensation		\$670
Total Acquisition	\$7,740	
Total Easement Compensation	\$670	
Total Compensation		\$8,410
Rounded		\$8,410

This letter of transmittal is not considered valid if separated from this report, and must be accompanied by all sections of this report as outlined in the Table of Contents, in order for the value opinions set forth above to be valid.

Respectfully submitted,
Valbridge Property Advisors
Vitale Realty Advisors, LLC

S. Steven Vitale, MAI
Senior Managing Director
WI Certified General Appraiser License #506-10
License Expires 12-14-2015
svitale@valbridge.com

Binh S. Hua
Appraiser
WI Certified General Appraiser License #1640-10
License Expires 12-14-2015
binhshua@gmail.com



Division of Transportation
System Development
Southeast Regional Office
141 NW Barstow Street
PO Box 798
Waukesha WI 53187-0798

Scott Walker, Governor
Mark Gottlieb, P.E., Secretary
Internet: www.dot.wisconsin.gov

Telephone: 262-548-5903
Facsimile (FAX): 262-548-6424
E-mail: ser.dtsd@dot.wi.gov

August 18, 2014

CERTIFIED MAIL

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON RD
GERMANTOWN, WI 53022

Reference: Project ID 2475-00-20
Orchard Road, Village of Germantown
STH 145; Washington County
Parcel No. 10

In compliance with Wisconsin statutes and federal regulations, you are receiving this letter, along with the enclosed appraisal report, to initiate negotiations for the acquisition of your property and/or property interests needed for the above referenced highway project. In addition, I have enclosed the following documents:

- Agreement for Purchase and Sale of Real Estate
- Appraisal Guidelines and Agreement
- Legal description of the land and/or interest(s) needed for the project
- "The Rights of Landowners Under Wisconsin Eminent Domain Law"
- Transportation Project Plat

The Wisconsin Department of Transportation's (WisDOT) determination of compensation, based on the fair market value of the property, is as follows:

Allocation	Description	Size	Unit	Per Unit	Value (\$)
Land		0.034	Acres	\$106,735.29	\$3,629.00
Temporary Limited Easement (TLE)		0.054	Acres	\$9,444.44	\$510.00
Cost to Cure	Replacement cost for landscape				\$3,255.00

Total Allocation \$7,394.00

If you agree with the values determined in the appraisal report and wish to enter into an agreement with WisDOT, sign the enclosed Agreement for Purchase and Sale of Real Estate and return it in a timely manner in the enclosed self-addressed, postage-paid envelope to WisDOT for final review and approval.

Once WisDOT is satisfied that the negotiations are complete, a fully executed (signed) copy of the agreement will be sent to you, and I will contact you to arrange for payment and closing. Please note that your execution of the Agreement for Purchase and Sale of Real Estate alone is not sufficient to result in an enforceable contract for the purchase of the needed property.

If you are not satisfied with the above-stated conclusions of value for your property, you are eligible to obtain an additional appraisal from a qualified appraiser of your choice. If you elect to have an appraisal report prepared, you must take certain steps to qualify for reimbursement. Your eligibility for appraisal cost reimbursement will expire 60 days from your receipt of WisDOT's appraisal, which is estimated to be on October 20, 2014. See the enclosed Appraisal Guidelines and Agreement document for further explanation. If your appraisal report is submitted after the 60-day statutory date, the department will consider it for negotiation purposes; however, it will not be eligible for reimbursement.



Division of Transportation
System Development
Southeast Regional Office
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Waukesha WI 53187-0798

Scott Walker, Governor
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Internet: www.dot.wisconsin.gov

Telephone: 262-548-5903
Facsimile (FAX): 262-548-6424
E-mail: ser.dtsd@dot.wi.gov

October 17, 2014

BRIONNE BISCHKE
VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022-0337

Reference: Project ID 2475-00-20
Orchard Road, Village of Germantown
Donges Bay Road Intersection
STH 145, Washington County
Parcel # 11

The Wisconsin Department of Transportation has approved a revised offering price in the amount of \$116,300.00 for the purchase of your property for the above referenced highway project. This letter gives you written notice of the revised offering price, and it rescinds and replaces any previous offers presented to you during our negotiations.

If you are in agreement with this revised offer and want to accept it, please sign the enclosed deed (in black ink and as your name appears, including middle initial if noted) before a notary public. A self-addressed, postage-paid envelope is included for your convenience in returning the signed document.

We want to give you a reasonable amount of time to consider this revised offer. However, in order to keep the highway project on schedule, if we have not heard back from you by , it will be necessary to begin the process of acquiring your property by means of eminent domain. This process is explained in the informational sheet, "The Rights of Landowners under Wisconsin Eminent Domain Law."

It is still our desire to reach a negotiated settlement with you. I am available to answer any questions or concerns that you may have, and should you have any questions, you may contact me at (262) 521-5122.

Sincerely,

A handwritten signature in black ink, appearing to read "DZwart".

Derek J Zwart
Real Estate Specialist

Enclosure

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE - SHORT FORM

Wisconsin Department of Transportation
DT1895 11/2012

THIS AGREEMENT, made and entered into by and between Village of Germantown, hereinafter called Seller, and the State of Wisconsin, Department of Transportation, hereinafter called WisDOT. If accepted, this offer can create a legally enforceable contract. Both parties should read this document carefully and understand it before signing.

Seller and WisDOT agree that WisDOT is purchasing this property for highway or other transportation related purposes, within the meaning of Chapter 84 of the Wisconsin Statutes.

Seller warrants and represents to WisDOT that Seller has no notice or knowledge of any of the following:

- 1) Planned or commenced public improvements which may result in special assessments which would otherwise materially affect the property, other than the planned transportation facility for which WisDOT is purchasing this property;
- 2) Government agency or court order requiring repair, alteration, or correction of any existing condition;
- 3) Shoreland or special land use regulations affecting the property; and,
- 4) Underground storage tanks and the presence of any dangerous or toxic materials or conditions affecting the property.

DESCRIPTION: The Seller agrees to sell and WisDOT agrees to buy, upon the terms and conditions hereinafter named, the following described real estate situated in Washington County, Wisconsin:

Legal description is attached and made a part of this document by reference.

The purchase price of said real estate shall be the sum of One Hundred Sixteen Thousand Three Hundred and 0/100 Dollars, (\$116,300.00) payable as follows: payable by check at closing.

General taxes shall be prorated at the time of closing based on the net general taxes for the current year, if known, otherwise on the net general taxes for the preceding year.

Seller shall, upon payment of purchase price, convey the property by warranty deed or other conveyance provided herein, free and clear of all liens and encumbrances, including special assessments, except recorded public utility easements and recorded restrictions on use running with the land or created by lawfully enacted zoning ordinances and None, provided none of the foregoing prohibit present use.

Legal possession of premises shall be delivered to WisDOT on the date of closing.

Physical occupancy of property shall be given to WisDOT on the date of closing. Seller may not occupy property after closing unless a separate lease agreement is entered into between WisDOT and Seller.

SPECIAL CONDITIONS:

This agreement is binding upon acceptance by WisDOT as evidenced by the signature of an authorized representative of WisDOT. If this agreement is not accepted by WisDOT within 20 days after Seller's signature, this agreement shall be null and void.



Q J 3 0 5 2 9 2

Project ID
2475-00-20

Parcel No.
11

No representations other than those expressed here, either oral or written, are part of this sale.

Seller and WisDOT agree to act in good faith and use diligence in completing the terms of this agreement. This agreement binds and inures to the benefit of the parties to this agreement and their successors in interest, assigns, personal representatives, heirs, executors, trustees, and administrators.

The warranties, covenants and representations made herein survive the closing and the conveyance of this property. Seller agrees to sell and convey the above-mentioned property on the terms and conditions as set forth and acknowledges receipt of a copy of this agreement.

_____ Witness Signature	_____ Date	_____ Seller Signature	_____ Date
_____ Print Name		Village of Germantown _____ Print Name	
		_____ Seller Signature	_____ Date
		_____ Print Name	
		_____ Seller Signature	_____ Date
		_____ Print Name	
		_____ Seller Signature	_____ Date
		_____ Print Name	
		The above agreement is accepted.	
		_____ Signature	_____ Date
		_____ Print Name	
		_____ Title	

Must be signed by administrator or an authorized representative of WisDOT.

Project ID
2475-00-20

Parcel No.
11

LEGAL DESCRIPTION

Parcel 11 of Transportation Project Plat 2475-00-20-4.02, recorded in Transportation Project Plats, as Document 1364644, recorded in Washington County, Wisconsin.

Property interests and rights of said Parcel 11 consist of:

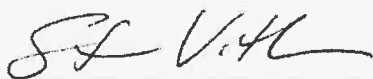
Fee Simple

Any interests or rights not listed above for said parcel but shown as required on said Transportation Project Plat are hereby incorporated herein by reference.

Summary of Before and After Values		
Before Value		\$56,000
Acquisition Allocation		
Fee Taking	\$56,000	
(Less) Total Acquisition		<u>\$56,000</u>
After Value		\$0
Severance Damages	\$0	
Severance Damages (Cost to Cure)	\$0	
Site Improvements	\$58,900	
Landscaping	<u>\$1,390</u>	
Total Damages	\$60,290	
Permanent Limited Easement (PLE)	\$0	
Temporary Limited Easement (TLE)	<u>\$0</u>	
Total Easement Compensation		<u>\$0</u>
Total Acquisition	\$56,000	
Total Damages	\$60,290	
Total Easement Compensation	<u>\$0</u>	
Total Compensation		\$116,290
Rounded		\$116,300

This letter of transmittal is not considered valid if separated from this report, and must be accompanied by all sections of this report as outlined in the Table of Contents, in order for the value opinions set forth above to be valid.

Respectfully submitted,
 Valbridge Property Advisors
 Vitale Realty Advisors, LLC



S. Steven Vitale, MAI
 Senior Managing Director
 WI Certified General Appraiser License #506-10
 License Expires 12-14-2015
 svitale@valbridge.com



Binh S. Hua
 Appraiser
 WI Certified General Appraiser License #1640-10
 License Expires 12-14-2015
 binhshua@gmail.com



Division of Transportation
System Development
Southeast Regional Office
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Internet: www.dot.wisconsin.gov

Telephone: 262-548-5903
Facsimile (FAX): 262-548-6424
E-mail: ser.dtsd@dot.wi.gov

August 18, 2014

CERTIFIED MAIL

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON RD
GERMANTOWN, WI 53022

Reference: Project ID 2475-00-20
Orchard Road, Village of Germantown
BKMK_Project_Termini
STH 145; Washington County
Parcel No. 11

In compliance with Wisconsin statutes and federal regulations, you are receiving this letter, along with the enclosed appraisal report, to initiate negotiations for the acquisition of your property and/or property interests needed for the above referenced highway project. In addition, I have enclosed the following documents:

- Agreement for Purchase and Sale of Real Estate
- Appraisal Guidelines and Agreement
- Legal description of the land and/or interest(s) needed for the project
- "The Rights of Landowners Under Wisconsin Eminent Domain Law"
- Transportation Project Plat

The Wisconsin Department of Transportation's (WisDOT) determination of compensation, based on the fair market value of the property, is as follows:

Allocation	Description	Size	Unit	Per Unit	Value (\$)
Land		0.319	Acres	\$124,291.54	\$39,649.00
Other	Sign (incl .stonewall, lights, elect)				\$49,500.00
Site Improvements	Landscaping				\$779.00
Other	2 Flag Poles				\$3,644.00

Total Allocation \$93,572.00

If you agree with the values determined in the appraisal report and wish to enter into an agreement with WisDOT, sign the enclosed Agreement for Purchase and Sale of Real Estate and return it in a timely manner in the enclosed self-addressed, postage-paid envelope to WisDOT for final review and approval.

Once WisDOT is satisfied that the negotiations are complete, a fully executed (signed) copy of the agreement will be sent to you, and I will contact you to arrange for payment and closing. Please note that your execution of the Agreement for Purchase and Sale of Real Estate alone is not sufficient to result in an enforceable contract for the purchase of the needed property.

If you are not satisfied with the above-stated conclusions of value for your property, you are eligible to obtain an additional appraisal from a qualified appraiser of your choice. If you elect to have an appraisal report prepared, you must take certain steps to qualify for reimbursement. Your eligibility for appraisal cost reimbursement will expire 60 days from your receipt of WisDOT's appraisal, which is estimated to be on October 20, 2014. See the enclosed Appraisal Guidelines and Agreement document for further explanation. If your appraisal report is submitted after the 60-day statutory date, the department will consider it for negotiation purposes; however, it will not be eligible for reimbursement.

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: November 4, 2014

AGENDA ITEM: New Business

ITEM TITLE: Foth Infrastructure Proposal for the Shallow Well Exploration Test Boring Phase

SUBMITTED BY: Dan Ludwig, P.E., Director of Public Works

SUMMARY EXPLANATION:

Foth Infrastructure has submitted a proposal for the shallow well exploration test boring phase to field test isolated prospective well locations at the northeast corner of County Line Road and Lannon Road. Testing will include controlled pumping and water quality sampling. Three sites were identified for investigation and Foth's fee for investigating these sites is \$17,800. A drilling contractor and lab fees for water sample analysis will cost an additional \$28,500+/- for three test sites. A contract for the (low bid) drilling contractor will be brought before the Committee after review of the bids.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER X

Contract Amendment from Foth Infrastructure for the Shallow Well Investigation Test Boring Phase.

RECOMMENDATION:

Staff requests a positive recommendation be sent to the Village for approval of the Shallow Well Exploration Test Boring Phase.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.



Lincoln Center II • 2514 South 102nd Street, Suite 278
West Allis, WI 53227
(414) 336-7900 • Fax: (414) 336-7901
www.foth.com

October 28, 2014

Mr. Dan Ludwig, P. E.
Director of Public Works
Village of Germantown
P. O. Box 337
Germantown, WI 53022-0337

Dear Dan:

RE: Proposal for Shallow Well Exploration Test Boring Phase

On October 7, 2014, Foth presented the results of Phase 2 shallow well site exploration activities to the Public Works and Highways Committee. These results included recommendations to drill up to three test borings at specific locations on lands northeast and adjacent to the intersection of County Line and Lannon Roads. Controlled pumping tests and water quality sampling would also be included. The test boring locations are recommended based on the results of surface geophysical investigations completed in Phase 2.

Drilling test borings, performing controlled pumping tests and water quality sampling are the next steps in the exploration process. The purpose of these activities is to gain additional information to determine if any of these locations may be suitable for development of a permanent well drilled in the shallow limestone aquifer. If it is determined that any of these locations are suitable, then drilling larger diameter test well(s) and permanent production well(s) would be subsequently recommended.

The test boring drilling and pumping activities will be performed by a contractor. The contractor's work will need to be coordinated and directed so that tasks are properly performed and the needed data is obtained. Foth is prepared to assist with this effort. The Public Works Committee requested Foth to provide a proposal for this work. We propose the following scope of services:

1. Prepare specifications, scope, and unit price bid schedule for the test boring and test pumping work.
2. Recommend at least two drilling contractors who are competent and capable of performing the test boring work. Forward the specifications and bid schedule to these contractors.
3. Review the bids received and recommend a drilling contractor for this work.
4. Conduct a preconstruction meeting with the contractor and village. Provide meeting minutes.

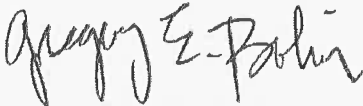
5. Direct and monitor test boring drilling. Coordinate and direct constant rate and/or step-drawdown pumping tests, packer settings, and test pumping. Oversee and coordinate the collection of pumping test data for each boring.
6. Collect water samples during test pumping of each boring. Submit samples to a certified laboratory for analysis.
7. Analyze the pumping test data and review water quality data. Based on the results of this review, determine the suitability of converting any of the test borings to a test well and then a permanent well.
8. Prepare a report documenting the results of the test boring activities, and recommendations for next steps. Present the results to the Public Works Committee.

Foth's proposed lump sum fee for these services is \$17,800. This amount is based on three test borings being drilled. This amount includes the services of our sub-consultant (John Jansen). It does not include contractor costs and laboratory costs for water sample analyses. From our discussions with drilling contractors, we estimate contractor drilling and testing costs at \$24,000 for three borings. Laboratory costs for water sample analyses are estimated at \$1,500 per boring.

We are prepared to proceed with this work immediately upon authorization by the village. Thank you for the opportunity to submit this proposal. Please contact me with questions.

Sincerely,

Foth Infrastructure & Environment, LLC



Gregory E. Bolin, P. E.

Senior Project Manager/Wisconsin Water Supply Manager

cc: Tom Ludwig, P. E., Foth Companies
Andrew Schultz, P. E., Foth Companies

**BUSINESS OF THE PUBLIC WORKS & HIGHWAY COMMITTEE
GERMANTOWN, WI**

MEETING DATE: November 4, 2014

AGENDA ITEM: New Business

ITEM TITLE: Approval of Change Order – TID #6 Traffic Impact Analysis

SUBMITTED BY: Brionne R. Bischke, P.E., Village Engineer 
Daniel R. Ludwig, P.E., Director of Public Works

SUMMARY EXPLANATION:

It appears that developing lands presently owned by WisDOT (Phase 2) would be undesirable from a Return-on-Investment (ROI) perspective. Therefore, Phase 2 should be extracted from the original TID #6 Traffic Impact Analysis (TIA). This would reduce traffic generations and resultant infrastructure investments.

The Village Engineer requested a quotation from the author of the original TIA for extracting Phase 2. The quotation is expected around October 31st; therefore, the quotation will be distributed to Committee members during the November 4th meeting.

ATTACHMENTS:

None

STAFF RECOMMENDATION TO COMMITTEE:

To be presented by the Director of Public Works during the November 4th meeting.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.