

**VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022**

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, NOVEMBER 17, 2014 7:00 p.m.

LOCATION: Germantown Village Hall Board Room

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, 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**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **PRESIDENT'S REPORT**
- V. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS:**

The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney and Village Clerk.

 - A. Report by Village Clerk on Elections
- VI. **CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:**

Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension 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. (15 minutes)
- VII. **CONSENT AGENDA:**
 - A. Minutes –October 15, 2014 Special Village Board Meeting and October 20, 2014 Regular Village Board Meeting
 - B. Accounts payable/payroll

1.	10/21/2014	Payroll (hourly)	\$211,519.76
2.	10/25/2014	Accounts Payable	\$116,994.71
3.	10/31/2014	Payroll (salary)	\$ 78,983.22
4.	10/2014	Accounts Payable	\$ 25,452.85
5.	11/4/2014	Payroll (hourly)	\$226,573.49
 - C. Operator Licenses: November 18, 2014 - June 30, 2015:
Stephanie Bessler, Casey Doleschy, Michelle Ehrlich, Tara Geissler, Jonathan Haugen, Melissa Lalk, Tina Nelson, Chad Nickerson, Christopher Reason, Kirsten Schirpke, Tara Smith, and Kia Vang

VII. CONSENT AGENDA continued:

The following items were forwarded from the Public Works Committee with a unanimous recommendation:

- D. Recommended Approval For Payment Of Invoice Of Joe De Belek Plumbing In The Amount Of \$7,149.50 For Emergency Water Lateral Repair At W171N11392 Division Road With Funds To Be Allocated From Acct. #50-742-530-6730
- E. Recommended Approval For Payment Of Invoice Of Xylem Flyght In The Amount Of \$7,746.90 For The Replacement Pump At Lift Station #3 With Funds To Be Allocated From Acct. #60-180-184-3230
- F. Recommended Approval To Purchase One Asphalt Cutter/Router From CRAFCO In The Amount Not To Exceed \$15,752 With Funds To Be Allocated From Acct. #10-542-570-8100
- G. Recommended Approval Of Written Proposal From ABCO For The Replacement Of Four Sets Of Doors And Frames At The Police Department For A Cost Not To Exceed \$10,500 With Funds To Be Allocated From Acct. #10-519-530-8221
- H. Recommended Authorization For Continuation Of The Shallow Well Exploration Test Boring Phase With Foth Infrastructure At A Cost Not To Exceed \$46,300

VIII. UNFINISHED BUSINESS:

- A. Fire Department Request to Proceed with Preparations for a Public Spring 2015 Referendum to Increase the 2016 Village of Germantown Levy Limit for the Purpose of Funding Full Time Staffing in the Fire Department

IX. PUBLIC HEARINGS – 7:00 P.M. OR LATER –*The purpose of said hearing(s) is to hear any and all parties, their attorneys or agents, for or against the application(s) filed by the petitioner(s).*

- A. 2015 Budget & Tax Levy
- B. Raymond Rodenbeck, Briohn Building Corp, Applicant and Petitioner for Trouble Free Realty, Inc. (Xtreme Stainless LLC) Property Owner; Parcel GTNV#291-955, N194W11005 Kleinmann Drive for (1) Conditional Use Permit (CUP) to Allow Development Within a 25' Wetland Setback Pursuant to Section 24.04(3) of the Municipal Code; (2) Rezoning Application to Rezone and Remove 1,453 sqft of the Property from the Shoreland-Wetland Overlay Zoning District, Pursuant to Section 24.04(2) of the Municipal Code;
- C. Village of Germantown, Community Development Department; Amendments to Section 17.46 (Signs) of the Village of Germantown Zoning Code.

X. NEW BUSINESS:

- A. Raymond Rodenbeck, Briohn Building Corp, Applicant and Petitioner for Trouble Free Realty, Inc. (Xtreme Stainless LLC) Property Owner; Parcel GTNV#291-955, N194W11005 Kleinmann Drive for: (1) a Conditional Use Permit (**CUP**) to Allow Development Within a 25' Wetland Setback Pursuant to Section 24.04(3) of the Village Zoning Code; (2) an Application to Rezone and Remove 1,453 sq. ft. of the Property from the Shoreland-Wetland Overlay Zoning District, Pursuant to Section 24.04 (2) of the Village Zoning Code (**Ordinance Amendment**); and (3) a 2-Lot Certified Survey Map (**CSM**) Lot Combination

X. **NEW BUSINESS continued:**

- B. Introduction of a Resolution Discontinuing the Entirety of the Public Road Right of Way Dedication Shown on Lot 2 Of CSM No. 2360 And to Set a Date for Public Hearing Thereon
- C. Village of Germantown, Community Development Department; Zoning Code Amendments; Section 17.46 (Signs) (**Ordinance Amendment**)
- D. Recommended Approval of Change of Agent - Wal-Mart #1515, W190 N9855 Appleton Avenue, Germantown, Duane Carl Van Straten, 1212 Lily Avenue, West Bend WI 53090
- E. Recommended Approval of Change of Agent - Buffalo Wild Wings, N96W17990 County Line Road, Germantown, Jillian R. Cabanatuan, N96W20309 Cty Line Rd, Menomonee Falls WI 53051
- F. Recommended Approval of Amusement Arcade License November 18, 2014 – June 30, 2015, Buffalo Wild Wings, N96W17990 County Line Road, 11 devices
- G. Recommended Approval to Award Contract For 2015 Liability Insurance
- H. Recommended Approval of **Resolution** Adopting the 2015 Budget & Tax Levy
- I. Recommended Approval of **Resolution** Authorizing Placement of Special Charges on the 2014 Tax Roll Against Certain Properties
- J. Recommended Approval of Washington County Convention and Visitors Bureau Request: Tourism Funds - 2015
- K. Roland Pieper, Agent for Patrick Josten and Rockfield Short-Pour LLC, Property Owner; Request for a six (6) Week Extension of Conditional Use Permit (**CUP**) No. 8-12 (Read-Mix Concrete Batch Plant); W172N12882 Division Road, Germantown WI
- L. Request for Acceptance of WisDOT's Jurisdictional Offer to Purchase Easements and Lands Impacted by the STH 145 Roundabout; And Dedication of An Additional 27' of Property for Right of Way Purposes
- M. **Resolution** Stating the Position of the Village of Germantown to Not Pay for Fixing the Countywide Radio System
- N. Resignation of Village Attorney Nick DeStefanis
- O. Direction to Village Attorney to Handle Municipal Court Legal Work
- P. Recommended Approval of 2015 Fireworks Contract

XI. **ADJOURNMENT**

The next Village Board meeting will be on **December 1, 2014** at 7:00 p.m.

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.

GERMANTOWN FIRE DEPARTMENT

MEMORANDUM

To: Village President Dean Wolter and the Village Board of Trustees

From: Gary L. Weiss, Fire Chief

Subject: Response to a Range of Question that were Submitted related to the Fire Department

Date: November 12, 2014

Below are responses to a range of questions that were provided to me by various Trustees'.

In 1990:

The first full time fire chief was hired along with 4 part time positions. Two full time positions were added in 2000. The third full time position was added in 2004. No further full or part time staff has been added since 2004.

- The GFD responded to 474 emergency calls.
- The population of Germantown was 13,616 (per US Census)
- The Germantown Police Department had 22 sworn officers.
- Maple Road Industrial Park had limited development in it north of the Water Tower.
- The industrial park between Mequon Road and Donges Bay did not exist.
- Mequon Road had a bank and a grocery store in a strip mall. Other strip malls and Goodyear were just being developed.
- County Line Road had Country Kitchen, a gas station, McDonalds, Super 8 Motel and Fleet Farm.
- East of Pilgrim Road was not developed except for Starlight Sub-division.

In 2014 (current):

- In 2013 the GFD responded to 1477 emergency calls. Currently we are approximately 100 calls busier that the same time last year. This was a 68% increase from 2000
- Staffing is the same as in 2004.
- Population is current listed at 19,891. This is a 31.5% increase in population.
- The Germantown Police Department has 31 sworn officers. This is a 29% increase in officers.
- Maple Road Industrial Park is almost built out with major occupancies.
- The industrial park between Mequon Road and Donges Bay Road is growing with occupancies like Air Gas, Waste Management, Cambridge Major, Ellsworth Adhesives, Kit Packers and Krenz and Company.
- Development on County Line Road has continued including several restaurants and the TJ Max Plaza with the new TIF in progress.
- Additionally box stores like Wal-Mart and Menards have been built.
- Traffic on Highway 41 (soon to be an Interstate highway) has increased.
- Currently the Village of GFD provided fire and EMS service for 8,504,282 Sq. Feet of Manufacturing/Commercial/Industrial buildings that has a total value of \$721,421,200 Dollars as reported by the Village of Germantown Development Department, November, 2014.

Now for your questions;

1. Response Times:

A: If we are using NFPA 1720 (Standard for the Organizational and Deployment of Fire Suppression Operation, Emergency Medical Operations to the Public by Volunteer Fire Departments). Their standard for a suburban area is a minimum of 10 staff within 10 minutes 80% of the time. This does not include special risk area which would include all of the industrial area of the Village. It must be understood that is an average not a one standard fits all.

Response times are relative to the situation. For example during a medical incident the goal is to get the patient to the emergency department as soon as possible. A stroke or cardiac incident the goal is to get the patient to the ER within 40 minutes of the 911 call. This provides the patient the best chance for a positive outcome.

Again, we have the "first response unit" but this does not decrease transport times and has no effect on fire calls.

For a fire, flashover occurs at about 8 minutes, at that point the building most probably will be lost and no lives can be saved.

Additionally, damage and weakening of the structure will can make it unsafe for firefighter to enter the occupancy. This danger is increased with new light-weight construction.

B: Our response must be broken down into staffed and not staffed. Combining both provides an unrealistic number.

Year	Staffed Station	Unstaffed Station
2014 (Year to Date)	6.15	15.42
2013	6.32	15.21
2012	6.20	16

As I listed, combining both staffed and unstaffed is a misleading number, but that number is as follows:

Our response times are as follows: 9.77. This is directly due to the fast response time when the station is manned.

Fire Related we meet the benchmark time 14% of the time

EMS Related Calles we meet the benchmark time 70% of the time

Department overall is at 69%

C: As you can see in the chart above our response time history has remained consistent for the past 3 years. When the station is staffed we have an acceptable response time. When we are utilizing POC our response time average is excessive.

D: Longest response time was 26.20 minutes for a medical call. POC members slept through the first and second pages.

E: Calls 12 minutes or over for 2014

Fire Related: 24 %

EMS related: 76%

Total call = 289

F: What percentage of EMS calls are "Heart Attacks"? What percentage are strokes?"

Unfortunately, when describing these calls things aren't as definitive as the general public believes. First, the terms "heart attack" and "stroke" are terms the lay person uses to describe multiple ailments. That is even evident in the question asked because it later references cardiac arrest, a condition very different from a myocardial infarction, the medical definition of the term Heart Attack. Secondly, in the medical field, to definitively answer this question would require case review/follow-up and peer review which Germantown Fire Department does not have the available resources to perform such tasks. Because of the broad spectrum of these questions posed, some assumptions will have to be made to answer it. With the disclosure of the aforementioned information, listed below are the results:

G. 2014

Percentage of "strokes": 20.2%

Percentage of "heart attacks": 22.3%

2013

Percentage of "strokes": 19.7%

Percentage of "heart attacks": 27%

In regards to the statement made about the survival rates of cardiac arrest and the reference of survivability:

*To simply say that "the likelihood of survival is minimal" appears to be a blanket statement using very broad information. Yes, the American Heart association publishes Sudden Cardiac Arrest statistics on reported data. The Out-of-Hospital Cardiac Arrest overall survival rate is approximately 9.5%. Although that number may seem low, to be fair, you need to analyze the epidemiology of Sudden Cardiac Arrest. Typically described in a 241 page document, I'll try and summarize in a few basic considerations: these are taking place in the home, unwitnessed with no definitive care nearby; compared to the In-Hospital Cardiac Arrest survival rate of 23.9%. The In-Hospital Arrests are taking place in a situation where the arrest is witnessed/ alerted to quickly and definitive care is moments away. Again, note that only 40.1% of Out-of-Hospital Cardiac Arrest patients receive by-stander CPR. Just these two statistic compared shows the importance of every moment during sudden cardiac arrest. Additionally, every minute defibrillation is withheld from a patient, the chance of survival decreases by 10%. Using the time frame of "8 minutes", as references in the question, at minimum, only allows a patient a 20% chance of survivability. Again, it reiterates the importance of RAPID response times. The American Heart Association also stresses the importance of the cardiac arrest "Chain-of-Survival". The chain includes: The **immediate recognition** of cardiac arrest and activation of the emergency response system (911), Early CPR, Rapid Defibrillation (within 2 minutes of arrest), effective advanced life support and intergraded post-cardiac arrest care. With all of these factors playing into the survivability of sudden cardiac arrest, to say, "survival is minimal" is truly a disservice. We strive with the total EMS Chain of Survival to make a positive difference and give the patient the best chance of a positive outcome.*

I assume the first responder has a defibrillator?

That assumption is correct. Not only is it a defibrillator, it is also a cardiac monitor. This is done specifically because of the already delay in definitive care that takes place during POC response, to help shaving as much time as possible from that delay.

Do Police carry the same in their vehicles? Are they trained to use it?

No. Police carry AED's in their vehicles and are trained to use them.

G: Percentage of Fire vs EMS:

2013 EMS – 1201 calls = 81.31%

2013 Fire - 276 calls = 18.69%

2012 EMS – 1070 calls = 79.91%

2012 Fire – 269 calls = 20.09%

Percentage of transports:

2012 = 84.30%

2013 = 81.27%

What are the major reasons for EMS calls?

Trauma patients are our highest request for service at 20.70% of the time.

2: POC Surrounding Communities

You cannot compare the Germantown Fire Department with surrounding department. For example total calls for other Washington County Department are (this is according to their annual reports):

Washington County has 13 fire departments providing services. I went to the local fire departments web pages to get the following data:

Allenton- Today has had 209 emergency calls

Richfield had a total of 434 emergency calls for 2013

Slinger had 103 emergency calls for 2013

Newberg has 85 emergency calls for 2013

West Bend to date has 2377 emergency calls

Hartford to date has had 1035 emergency calls.

As you can see the Village of Germantown is the second busiest department in Washington County. As a matter of fact we run more calls on the Weekend than most department do all year.

If you want to compare the GFD to similar departments in population and call load you would consider the following departments:

Department	Personnel	Call Volume	Population	Budget
Fitchburg	11 ft/10 pt	1542	25,895	2.0 M
De Pere	26 ft	2200	24,209	3.4 M
Grand Chute	21 ft	1795	20,919	2.76 M
Pleasant Prairie	26 ft	1800	20,173	3.3 M
Watertown	22 ft /9 POC	2000	23,861	2.3
Germantown	4 ft/ 4 pt	1600	20,000	1.3 M

Note: these numbers were confirmed by calling each department

As with other department the GFD has had several programs to recruit member. There were articles in newspapers; we have a recruitment video we have shown on a continuous loop at the Fire Safety Fair, National Night Out, and other event throughout the community. Members are continually talking to citizen to spike an interest in becoming a POC member. Over the last year we were able to recruit 7 new members. Once a member is hired, there is a several months training program to achieve Firefighter 1 Certification, and EMS certification is even longer.

Additionally, the fire department uses the Village Web page to promote the Paid-on-Call (POC) program. On the FD page is a link to POC information and application and recruitment video. Since January 1, 2014 there were 433 views to the POC page and 60 downloads.

Mequon has a system where they pay 6 members an hourly rate to be on call form their home and when a medical call is dispatched all 6 respond and their pay is increased to their hourly wage for the duration of the call.

This is an expensive alternative and does no help response times. For example the Mequon Fire Department has 6 members on call 24 hours a day for medical calls, they make \$3 dollars an hour when on call from their house, and then their normal hourly rate which runs from \$16 to \$24 dollars per hour depending on seniority. All 6 respond to assure that have an ambulance manned. With this type of system they are paying:

6 members at \$3 dollars and hour for a 24 hour period equals \$432.00 per day, x 365 days = \$157,680 dollars. That is before the first emergency call.

Then they have a paramedic only in station that waits for a POC to arrive to response. The person is paid \$16.00 per hour. That is a cost of \$384.00 per day or \$140,160 per year.

Total cost prior to any calls and without benefits is \$287,840. This does not count fire calls, car accident response costs for additional POC members.

Question provided to Art Zabel by a citizen

Q-How many calls for service had the 6 minute response time, and how many had the 14 minute response time?

This question was answered within the response to your questions.

Q-What is the department overall response time, separate by fire and EMS?

This question was answered within the response to your questions.

Q-Are the inspector's presently just firefighters or are they FF/EMT? Do they respond to calls?

A- The Fire inspector are certified firefighter /EMT's, one is an advanced EMT. During duty hours that are available to respond to incidents as needed. When you consider most motor vehicle accident have multiple patients and that 10% of our emergencies are simulations they are utilized often. Additionally they complete all of their required inspection (approximately 950 semiannually) and the department received 2% monies from the State of Wisconsin. This year we received from the State of Wisconsin \$85,445 dollars.

Q-What are the efforts underway for recruiting?

A- The fire department uses the Village Web page to promote the Paid-on-Call (POC) program. On the FD page is a link to POC information and application. Since January 1, 2014 there were 433 views to the POC page and 60 downloads.

Additionally, there were yard signs, and information on the FD's Facebook page. At the recent Fire Safety a table was set up for recruitment, with our promotional video playing on a loop. Also at the National Night Out our video was playing with information related to POC membership.

Q-Has the purchase of an automated device to assist in CPR been considered?

A- Currently our defibrillators are equipped with Q-CPR which monitors the rate and depth of compressions during CPR. The use of automatic CPR (compression) units had been discussed but the clinical outcomes are not proven. You still need personal to apply and monitor the equipment. Additionally, moving the patient required personnel.

Q-Does the Chief respond to all call during his scheduled time on duty?

A- The new Fire Chief feels that he is on call 24 hours a day. Since May 15, 2014 (the Chief first day) he has responded 111 to incidents. Note, the Fire Chief is exempt and does not revive any overtime.

According to our reporting software the retired Chief responded to 27 incidents in 2013 and 8 incident in 2012

Q-Have the Chief present his plan?

A-The plan, if allowed to go to referendum and the referendum passes is to have a fire department consisting of 13 to 16 full time members augmented by the POC staff.. This would be broken down as follows.

Option A-16 Member (most versatile)

- 1- Fire Chief (exempt) working days, on call 24/4.*
- 1- Second in Command/Training Officer (exempt) working days, on call 24/7.*
- 2- Fire inspectors/EMT working days. These two firefighters will be available for second EMS call or fire incidents.*

- 3- Shifts of firefighter working 24 hours on, 48 hours off with an average of 48 work week. FLSA allow up to 53 hours per week without overtime. With this schedule overtime will be seriously reduced. The Shift will consist of:
- 1- Officer/EMT
 - 1-Firefighter/MPO-EMT (MPO-Motor Pump Operator-this is a certified person to drive and operate the fire apparatus including the Ladder Truck.
 - 2- Firefighter/ EMT's

Option B- 13 Member Options

1-Fire Chief (exempt) working days, on call 24/4.

1- Second in Command/Training Officer (exempt) working days, on call 24/7.

2- Fire inspectors/EMT working days. These two firefighters will be available for second EMS call or fire incidents.

3- Shifts of 4 firefighters working 24 hours on, 48 hours off with an average of 48 work week. FLSA allow up to 53 hours per week without overtime. With this schedule overtime will be seriously reduced. The Shift will consist of:

- *1- Officer/EMT*
- *1- Firefighter/MPO-EMT*
- *1- Firefighter/ EMT's*

While both options provide an initial response to fires and medical emergencies, option A allows one person off without requiring coverage.

Q-Why is overtime presently being paid for weekends?

A- Overtime is only paid when a member is over the hours worked. Due to multiple calls during the week and nights some POC member are being paid OT for weekend staffing. To work the weekend the firefighter must be a certified firefighter and EMT, at least two of the firefighter must be EMT-Advanced and one being a MPO

Q- How many overlapping (simultaneous) calls are for the following years- 2012, 2013, 2014?

*A- 2012- 142 overlapping calls
2013- 160 overlapping calls
2014-142 overlapping call (up to October 31, 2014)*

Q- How many fire calls are false alarms?

A- A call is classified as a false alarm for multiple reasons, listed below are some of the reasons for a listing of false alarms:

- *Malicious false alarm*
- *Unintentional Fire Alarms*
- *Sprinkler system Malfunction*
- *Sprinkles System Heard Broken*
- *Smoke Detector Activation due to malfunction*
- *Heat detector malfunction*
- *CO detector malfunction*
- *Sprinkles activation but no fire*
- *Extinguishment activation but no fire*
- *System activation to increase or decrease in water pressure*

- Smoke from another fire set system off
- Wrong location
- Unfounded
- Assessment due to lighting in the area or storm system in the area
- Unfounded citizen complaint

For the year 2013 the GFD responded to 107 incidents.

For the year 2014 (up to October 31, 2014) responded to 145 incidents.

Q- Do we charge for non-transport?

A- Yes we do. If medical supplies are expended a response charge and supply charge is made.

Q- If we go full time would we need to increase the number of pieces of equipment and supplies proportionally? I.e. hidden costs.

A- No we would not have to increase the amount of equipment. As a matter of fact in the last update of the Fire Departments 20 year plan I reduced the amount of apparatus listed.

Q- Is response times related to population? I.e. if staffing stays the same and the population growth will response times continue to go up?

A- The simple answer is that it can be variable. Increase population will result in more emergency call, thus multiple calls at the sometime. Currently we are averaging about 10 %multiple calls. Additionally, travel time to the station to respond for POC member can be delayed due to increased traffic.

Q- What are other fire departments doing to recruit member? Are we competing with other department for members?

A- No we are not competing with other department for members. POC member have to live within 6 miles of the station to be a member. Someone living in other community would take even longer to get to the station.

Richfield for example as do most department conduct open houses annually, member spread the word, local newspaper and social media. The GFD provides similar program including showing our recruitment video, handouts, social media etc.

When I spoke to the Mequon Chief, he also advised that most of his POC live extremely close to the stations.

Additionally, on the Village Web Page under Fire Department there is a link to Paid-on Call Membership with an on-line application. The Fire Department Web Page, since August 1, 2014 had 530 views and the Paid-on-Call information/application page had 100 views in the same time period.

Q- What are the issues with recruitment of POC members?

A- As with other department the GFD has had several programs to recruit member. There were articles in newspapers; we have a recruitment video we have shown on a continuous loop at the Fire Safety Fair, National Night Out, and other event throughout the community. Members are continually talking to citizen to spike an interest in becoming a POC member. Over the last year we were able to recruit 7 new members. Once a member is hired, there is a several months training program to achieve Firefighter 1 Certification, and EMS certification is even longer.

The US Fire Administration in it program "Retention and Recruitment for the Volunteer Emergency Services" lists several reasons for recruitment issues;

- *44.7 % list lack of time.*
- *14.7% list health issues*
- *14.7% list family responsibilities*

Additionally, changes in sociological conditions come into play, some of the other issues that affect recruitment and retention is similar to suburban towns and include time demands of the "me" generation. The replacement of small "Mom & Pop stores" which volunteers traditionally came from with big box stores and industry where leaving for an emergency is not possible is a serious problem across the country.

I have attached at the end of this document some information from FEMA and the US Fire Administration regarding population served by different types of departments.

When you look at the State of Wisconsin, the northern area are mostly all volunteer and have a call load of less than 300 calls per year. Some departments have less than 100 calls per year.

Q-- How many calls have gone unanswered?

A- None, either the GFD or a mutual aid department response. We would never let a call go unanswered

Q- What is the average age of a patient?

A- The average age of one of our patients is 56 years old.

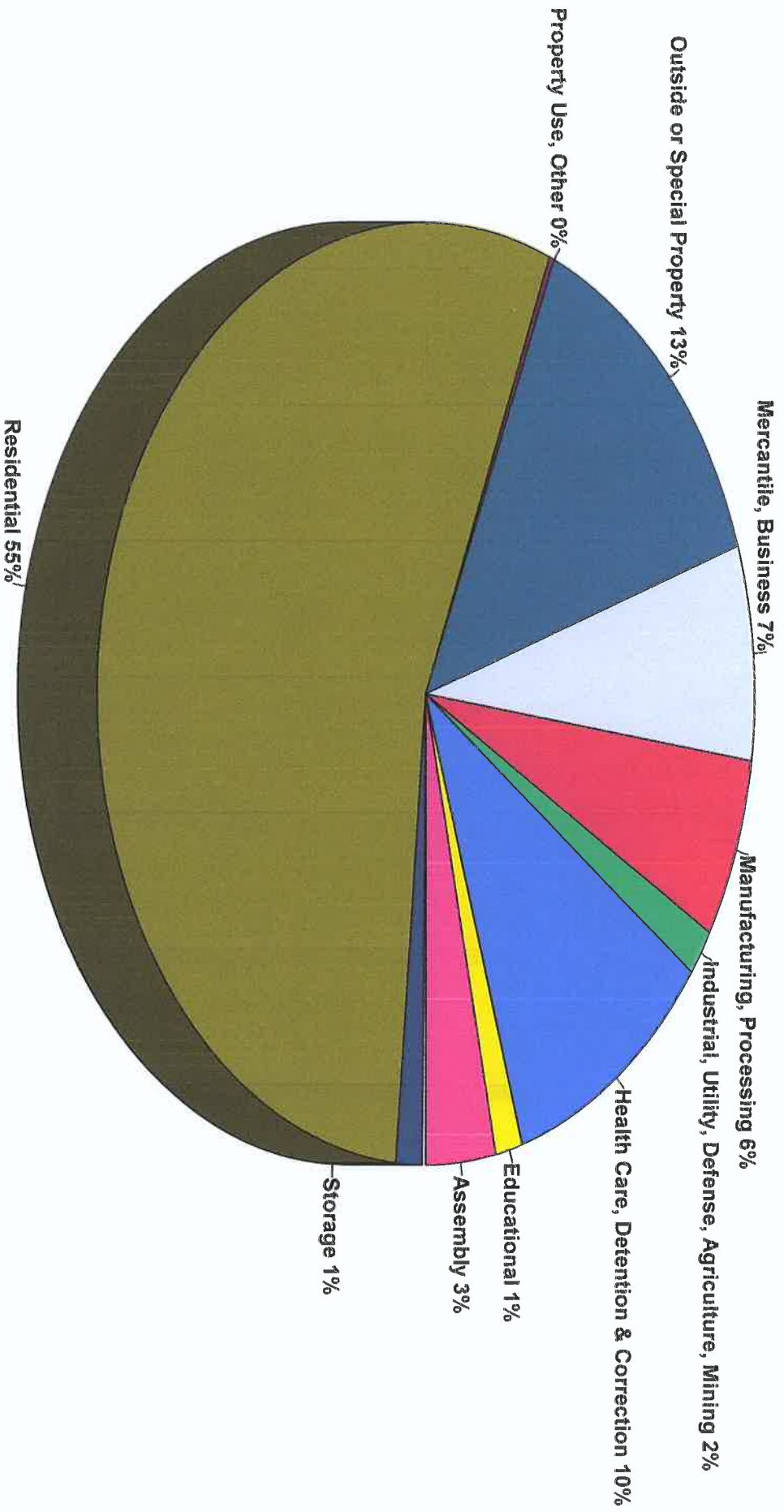
Finally, the next several pages are directly responding to Trustee Zable inquiries regarding what type of occupancies we have responded to And then

The year 2012

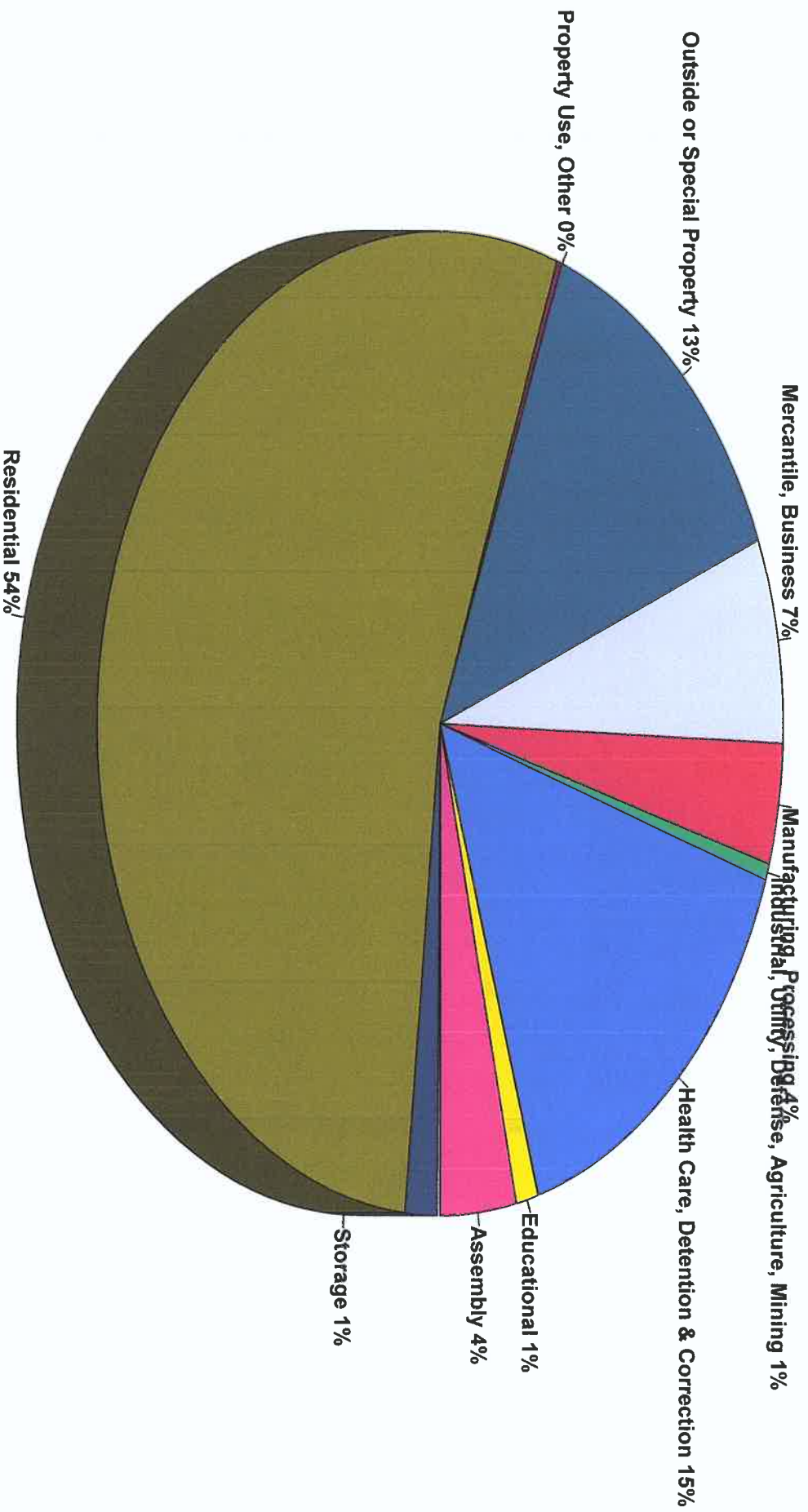
The Year 2013

The Year 2014 (to October 31, 2014)

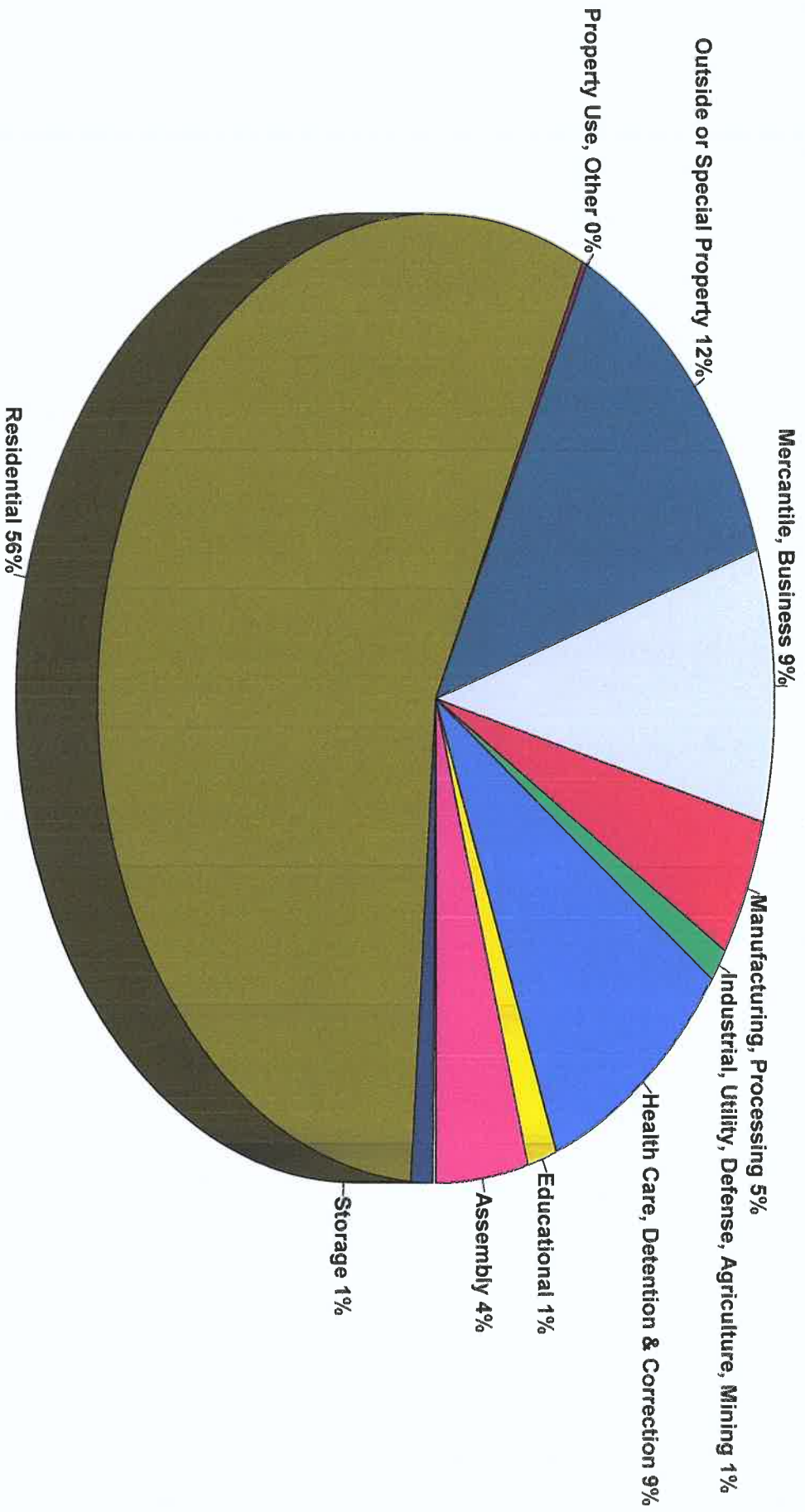
Property Use Summary
Alarm Date Between {1/1/2014} And {10/31/2014}



Property Use Summary
Alarm Date Between {1/1/2012} And {12/31/2012}



Property Use Summary
Alarm Date Between {1/1/2013} And {12/31/2013}



**VILLAGE OF GERMANTOWN
BUSINESS OF
THE VILLAGE BOARD**

MEETING DATE: November 17, 2014

LOCATION Public Hearing

ITEM TITLE: Adoption of the 2015 Village Budget and Tax Levy

SUBMITTED BY: Kim Rath, Finance Director

SUMMARY EXPLANATION:

2015 Budget Adoption

ATTACHMENT: ORDINANCE___ RESOLUTION___ OTHER __X__

RECOMMENDATION:

Approval

ACTION BY Board

VILLAGE OF GERMANTOWN
Public Hearing November 17, 2014
2015 PROPOSED BUDGET SUMMARY GENERAL FUND
(as Required by Section 65.90(3))

RESIDENTS AND TAXPAYERS OF THE VILLAGE OF GERMANTOWN PLEASE NOTE that a public hearing on the proposed 2015 Budget will be held at 7:00 p.m. on November 17, 2014 at the Germantown Village Hall, N112 W17001, Mequon Rd, Germantown 53022. This is a proposed budget, the final levy amount may increase or decrease depending on the majority vote of the board members at the meeting.

The Village of Germantown's detail 2015 budget proposal is available for public inspection at the Germantown Village Clerk's Office, 8:00 a.m - 4:30 p.m. Monday - Friday

	2014 Budget as Amended	2014 Estimated Year End	2015 Proposed	Percent Change Increase (Decrease) over prior budget
Revenues:				
Taxes (other than property taxes)	921,500	925,260	927,571	
Intergovernmental revenues	2,245,171	2,247,859	2,299,281	
Licenses and permits	725,850	894,920	797,640	
Fines, forfeits and penalties	238,000	219,718	224,500	
Public charges for services	1,379,443	1,488,390	1,535,462	
Miscellaneous	142,437	152,982	132,249	
Total Revenues	5,652,401	5,929,129	5,916,703	4.68%
Expenditures:				
General government	1,527,403	1,496,457	1,585,020	
Public safety	6,878,702	7,068,620	6,946,562	
Public works	3,726,392	3,733,207	3,710,983	
Culture, recreation and education	2,425,382	2,448,582	2,405,088	
Conservation and development	272,163	244,563	229,526	
Transfers Out	279,619	279,619	600	
Total Expenditures	15,109,661	15,271,048	14,877,779	-1.53%
Excess (deficiency) of revenues over expenditures	(9,457,260)	(9,341,919)	(8,961,076)	
Local property taxes	8,950,755	8,950,755	8,961,076	0.12%
Net increase (decrease) in fund balance	(506,505)	(391,164)	0	
Fund Balance - Beginning of Year	4,115,853	4,115,853	3,724,689	
FUND BALANCE - END OF YEAR	3,609,348	3,724,689	3,724,689	

VILLAGE OF GERMANTOWN
2015 PROPOSED BUDGET SUMMARY ALL FUNDS
(as Required by Section 65.90(3))

Following are the proposed budgets for all funds of the Village for Budget Year 2015, Tax Bill 2014

Fund	Total Revenue	Total Expenditure	Excess/Deficit	Projected Balance Jan 1	Projected Balance Dec 31	Property Tax Contribution
General Fund	14,877,779	14,877,779	0	3,724,692	3,724,692	8,961,076
Special Revenue (Combined)	46,113	34,169	11,944	231,083	243,027	
Impact Fees (All)	28,253	87,263	(59,010)	357,866	298,856	
Debt Service	4,221,555	5,284,901	(1,063,346)	1,636,605	573,259	2,205,942
Capital Projects	2,963,974	3,015,700	(51,726)	1,035,477	983,751	
T.I.F. Distrcit #4	1,355,000	1,659,186	(304,186)	2,931,428	2,627,242	
T.I.F. Distrcit #6	1,064,935	2,739,473	(1,674,538)	2,063,425	388,887	
Water Utility	2,427,816	2,902,386	(474,570)	2,393,292	1,918,722	
Sewer Utility	5,936,050	7,723,608	(1,787,558)	3,991,442	2,203,884	
Village Health Plan	1,716,515	1,716,000	515	548,724	549,239	
Village Dental Plan	87,900	87,900	0	37,831	37,831	
Total	34,725,890	40,128,365	(5,402,475)	18,951,865	13,549,390	11,167,018

NOTE: Special Revenue Funds: Senior Van Replacement, Canine Fund, Historic Preservation, Library Board Accounts, Recreation Facility Fee Fund and Police Asset Forfeiture funds are shown as one total.

NOTE: Impact Fees: Police, Fire, Library, Park/Recreation and Water

The Village's outstanding debt on December 31, 2014 is projected to be:

General Obligation Notes & Bonds	\$29,245,000
Utility Revenue Bonds	<u>\$1,393,201</u>
	\$30,638,201

	Impact Fee Budgets					
	2014	2015	Percent	2014	2015	Percent
	Revenue		Change	Expenditure		Change
Police	1,590	3,288	106.79%	0	0	0.00%
Fire	1,800	5,240	191.11%	11,000	26,000	136.36%
Library	2,870	3,175	10.63%	11,000	13,000	18.18%
Recreation	7,510	5,550	-26.10%	0	0	0.00%
Water	7,000	11,000	57.14%	51,259	48,263	-5.84%
Total	20,770	28,253	36.03%	73,259	87,263	19.12%

2015 Village of Germantown

Proposed Budget

2014 Tax Year

General Fund	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue Source				
General Property taxes	8,689,238	8,950,755	8,950,755	8,961,076
Other taxes	938,262	921,500	925,260	927,571
Intergovernmental Rev	2,254,370	2,245,171	2,247,859	2,299,281
Licenses & Permits	805,933	725,850	894,920	797,640
Fines, Forfeitures & Penalties	226,227	238,000	219,718	224,500
Public Charges for Services	1,523,499	1,379,443	1,488,390	1,535,462
Interest	14,035	24,187	26,004	24,499
Other Revenue	263,558	118,250	126,978	107,750
Total Revenues	<u>14,715,122</u>	<u>14,603,156</u>	<u>14,879,884</u>	<u>14,877,779</u>
Expenditures				
Legislative - Village Board	138,840	157,110	134,968	130,000
Administration	111,496	113,860	115,133	101,321
Village Clerk	216,761	273,831	277,775	296,657
Treasurer & Accounting	193,857	196,317	197,783	186,415
Assessor	70,145	70,147	69,123	69,167
Data Processing	95,129	81,675	90,155	107,785
General Government	74,617	115,451	113,891	176,829
Buildings & Grounds	451,769	519,012	497,629	516,846
Law Enforcement - Police	4,894,579	4,824,495	4,811,207	4,852,962
Fire Protection	1,828,233	1,828,188	2,024,671	1,818,907
Emergency Government	13,841	13,982	13,984	10,856
Community Development - Inspection	201,026	212,037	218,758	263,837
Public Works Adm & Eng	222,716	215,711	214,410	193,860
Highway Department	2,786,089	2,954,894	2,963,005	2,950,887
Recycling	538,145	555,787	555,792	566,236
Library	848,994	899,886	906,974	809,123
Recreation	1,058,071	999,788	1,034,359	1,051,217
Parks	391,772	412,505	390,645	429,914
Senior Center	100,639	113,203	116,604	114,835
Community Develop - Planing & Zoning	153,771	175,569	176,987	168,811
Municipal Development	59,789	96,594	67,576	60,714
Transfers Out	104,515	279,619	279,619	600
Total Expenditure	<u>14,554,794</u>	<u>15,109,661</u>	<u>15,271,048</u>	<u>14,877,779</u>
Excess of Revenue over Expenditure	160,328	(506,505)	(391,164)	0
Fund Balance - January 1	3,955,528	4,115,856	4,115,856	3,724,692
Fund Balance - December 31	<u>4,115,856</u>	<u>3,609,351</u>	<u>3,724,692</u>	<u>3,724,692</u>

Property Tax Support General Fund

8,961,076

Property Tax Support Debt Service

2,205,942**11,167,018**

2015 Village of Germantown

Proposed Budget

SPECIAL REVENUE

Summary of Special Revenue

SPECIAL REVENUE FUNDS

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue				
Total Revenue	214,966	67,183	189,033	74,366
Expenditures				
Total Expense	86,777	102,159	131,023	121,232
Excess of Revenue over Expenditure	128,189	(34,976)	58,010	(46,866)
Fund Balance - January 1	397,970	526,159	526,159	584,169
Fund Balance - December 31	526,159	491,183	584,169	537,303

Water Impact

Revenue Source

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue				
Total Revenue	59,394	10,759	65,904	11,000
Expenditures				
Total Expense	53,967	51,259	51,259	48,263
Excess of Revenue over Expenditure	5,427	(40,500)	14,645	(37,263)
Fund Balance - January 1	161,475	166,902	166,902	181,547
Fund Balance - December 31	166,902	126,402	181,547	144,284

Detail Special Revenue

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Recreation Facility Fund				
Revenue				
Total Revenue	23,516	24,100	31,972	30,300
Expenditures				
Total Expense	11,761	19,000	12,703	22,000
Excess of Revenue over Expenditure	11,755	5,100	19,269	8,300
Fund Balance - January 1	23,790	35,545	35,545	54,814
Fund Balance - December 31	35,545	40,645	54,814	63,114

Historic Preservation

Revenue

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue				
Total Revenue	400	404	404	603
Expenditures				
Total Expense	411	400	658	469
Excess of Revenue over Expenditure	(11)	4	(254)	134
Fund Balance - January 1	255	244	244	(10)
Fund Balance - December 31	244	248	(10)	124

Canine Fund

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue				
Total Revenue	17,479	7,120	11,231	7,400
Expenditures				
Total Expense	1,676	5,000	1,035	7,000
Excess of Revenue over Expenditure	15,803	2,120	10,196	400
Fund Balance - January 1	17,201	33,004	33,004	43,200
Fund Balance - December 31	33,004	35,124	43,200	43,600

Asset Forfeiture

Revenue

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue				
Total Revenue	5,105	3,050	1,041	50
Expenditures				
Total Expense	2,319	4,000	2,271	4,000
Excess of Revenue over Expenditure	2,786	(950)	(1,230)	(3,950)
Fund Balance - January 1	5,623	8,409	8,409	7,179
Fund Balance - December 31	8,409	7,459	7,179	3,229

Library Fund

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue				
Total Revenue	27,575	5,280	4,025	5,100
Expenditures				
Total Expense	3,743	500	41,097	500
Excess of Revenue over Expenditure	23,832	4,780	(37,072)	4,600
Fund Balance - January 1	114,571	138,403	143,183	106,111
Fund Balance - December 31	138,403	143,183	106,111	110,711

Senior Van Replacement

Revenue

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue				
Total Revenue	2,074	2,700	2,598	2,660
Expenditures				
Total Expense	0	0	0	0
Excess of Revenue over Expenditure	2,074	2,700	2,598	2,660
Fund Balance - January 1	15,117	17,191	17,191	19,789
Fund Balance - December 31	17,191	19,891	19,789	22,449

Police Impact Fee

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue				
Total Revenue	9,965	1,590	12,921	3,288
Expenditures				
Total Expense	0	0	0	0
Excess of Revenue over Expenditure	9,965	1,590	12,921	3,288
Fund Balance - January 1	18,299	28,264	28,264	41,185
Fund Balance - December 31	28,264	29,854	41,185	44,473

Fire Impact Fee

Revenue

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue				
Total Revenue	13,501	1,800	22,821	5,240
Expenditures				
Total Expense	11,000	11,000	11,000	26,000
Excess of Revenue over Expenditure	2,501	(9,200)	11,821	(20,760)
Fund Balance - January 1	17,340	19,841	19,841	31,662
Fund Balance - December 31	19,841	10,641	31,662	10,902

Library Impact Fee

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue				
Total Revenue	15,465	2,870	10,254	3,175
Expenditures				
Total Expense	1,900	11,000	11,000	13,000
Excess of Revenue over Expenditure	13,565	(8,130)	(746)	(9,825)
Fund Balance - January 1	5,179	18,744	18,744	17,998
Fund Balance - December 31	18,744	10,614	17,998	8,173

Park & Recreation Impact

Revenue

	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue				
Total Revenue	40,492	7,510	25,862	5,550
Expenditures				
Total Expense	0	0	0	0
Excess of Revenue over Expenditure	40,492	7,510	25,862	5,550
Fund Balance - January 1	19,120	59,612	59,612	85,474
Fund Balance - December 31	59,612	67,122	85,474	91,024

2015 Village of Germantown**Proposed Budget****DEBT SERVICE**

	2014 Estimated			
Debt Service	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue Source				
General Property Tax	1,869,280	2,123,188	2,123,188	2,205,942
Miscellaneous	15,343	18,583	28,027	10,000
Proceeds Refinancing			0	
Other Financing Sources	5,056,509	2,804,825	2,804,825	2,005,613
Total Revenue	6,941,132	4,946,596	4,956,040	4,221,555
Expenditures				
Principal Payable	3,808,657	4,362,985	5,387,985	4,545,000
Interest Payable	722,234	628,742	628,742	739,901
Refinancing		0	0	0
Total Expense	4,530,891	4,991,727	6,016,727	5,284,901
Excess of Revenue over Expenditure	2,410,241	(45,131)	(1,060,687)	(1,063,346)
Fund Balance - January 1	287,051	2,697,292	2,697,292	1,636,605
Fund Balance - December 31	2,697,292	2,652,161	1,636,605	573,259

2015 Village of Germantown
Proposed Budget
Capital Projects Funds

Capital Projects	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue Source				
General Property Tax	0	0	0	0
Special Assessment	304,616	238,906	307,685	248,906
Intergovernmental	92,081	70,379	46,587	46,578
Property Sales	4,240	8,000	21,710	0
Miscellaneous	21,211	0	0	0
Transfers from Other Funds	104,515	279,000	279,000	0
Long Term Debt	1,905,000	3,080,000	2,645,000	2,616,000
Interest	67,030	60,608	66,178	52,490
Total Revenue	2,498,693	3,736,893	3,366,160	2,963,974
Expenditures				
Debt Issuance	35,536	45,000	35,044	35,000
Building & Grounds	23,800	0	0	45,000
Police Department	153,217	146,350	146,350	141,000
Fire Department	28,664	986,000	986,000	144,000
DPW Administration & Engineering	109,600	239,103	131,480	275,500
Highway	1,850,758	1,790,354	1,790,354	1,755,000
Library	0	0	17,270	0
Recreation	255,493	0	0	120,500
Parks	56,252	64,002	78,262	195,000
Transfer to General Fund	8,465	0	0	0
Transfer to Debt Service	391,094	306,337	306,337	304,700
Total Expense	2,912,879	3,577,146	3,491,097	3,015,700
Excess of Revenue over Expenditure	(414,186)	159,747	(124,937)	(51,726)
Fund Balance - January 1	1,574,600	1,160,414	1,160,414	1,035,477
Fund Balance - December 31	1,160,414	1,320,161	1,035,477	983,751

T.T.F. District #4

T.T.F. District #4	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue Source				
Taxes	1,258,696	1,456,476	1,406,476	1,335,000
Land Sales	0	0	1,733,700	0
Transfers from Other Funds	0	0	219	0
Long Term Debt	0	0	0	0
Interest	2,526	10,500	21,163	20,000
Total Revenue	1,261,222	1,466,976	3,161,558	1,355,000
Expenditures				
General Administration	34,741	23,404	211,673	14,565
Site Grading	7	0	1,410,531	0
Street Improvement	18,004	289,900	289,900	0
Storm Drainage/ Wetland	104,412	8,000	0	0
Incentive Rebates	82,054	113,000	147,876	150,000
Transfer to Debt Service Principal	960,000	1,295,000	1,295,000	1,320,000
Transfer to Debt Service Interest	221,826	200,141	200,141	174,621
Total Expense	1,421,044	1,929,445	3,555,121	1,659,186
Excess of Revenue over Expenditure	(159,822)	(462,469)	(393,563)	(304,186)
Fund Balance - January 1	3,484,813	3,324,991	3,324,991	2,931,428
Fund Balance - December 31	3,324,991	2,862,522	2,931,428	2,627,242

CAPITAL PROJECTS FUNDS

T.T.F. District #6	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue Source				
Taxes	0	0	0	0
Land Sales	0	0	0	0
Transfers from Other Funds	0	0	0	0
Long Term Debt	0	5,155,678	5,405,000	1,060,935
Interest/Premium on issuance	0	0	262,185	4,000
Total Revenue	0	5,155,678	5,667,185	1,064,935
Expenditures				
General Administration/ Land Acquisi	0	385,361	385,361	391,404
Site Grading	0	247,299	247,299	863,750
Street Improvement	0	1,070,000	1,070,000	465,000
Storm Drainage	0	855,000	855,000	150,000
Water Improvements	0	305,000	305,000	500,000
Sewer Improvements	0	735,000	735,000	200,000
Wetland Mitigation	0	6,100	6,100	0
Incentive Rebates	0	0	0	0
Transfer to Debt Service Principal	0	0	0	0
Transfer to Debt Service Interest	0	0	0	169,320
Total Expense	0	3,603,760	3,603,760	2,739,474
Excess of Revenue over Expenditure	0	1,551,918	2,063,425	(1,674,539)
Fund Balance - January 1	0	0	0	2,063,425
Fund Balance - December 31	0	1,551,918	2,063,425	388,886

2015 Village of Germantown

Proposed Budget

UTILITIES

Utilities

Public charges for service do not show open receivables

Water Utility - Operating	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue Source				
Public Charges for Services	2,523,172	2,289,366	2,313,804	2,368,016
Miscellaneous	95,810	47,500	55,171	49,000
Special Assessment Received	1,878	1,800	1,800	800
Interest	(5,445)	7,000	12,031	10,000
Total Revenue	2,615,415	2,345,666	2,382,806	2,427,816
Expenditures				
Source of Supply	56,320	67,436	63,879	62,503
Source of Supply Maintenance	39,936	69,932	57,294	54,379
Pumping Expense - Operation	274,942	257,482	279,460	280,738
Pumping Expense - Maintenance	60,005	48,000	45,484	44,000
Water Treatment - Operation	70,858	76,000	74,812	78,000
Water Treatment - Maintenance	25,963	29,432	32,910	35,179
Trans & Distribution Expense - Oper	93,706	92,391	83,120	88,205
Trans & Distribution Expense - Maint	98,652	274,036	280,170	222,913
Customer Accounts Expense	198,481	195,980	193,176	196,815
Administrative & General Exp	258,986	271,757	269,715	273,007
Property Tax Equivalent	564,936	580,000	574,705	574,705
Miscellaneous	4,480	4,204	4,509	4,509
Int on Long Term Debt- Paid by Impac	0	0	0	0
Total Expense	1,747,265	1,966,650	1,959,234	1,914,953
Excess of Revenue over Expenditure	868,150	379,016	423,572	512,863
Fund Balance - January 1	1,827,942	2,473,732	2,473,732	2,393,292
Debt Service Principal	83,615	89,512	89,512	90,433
Capital Outlay	138,745	820,600	414,500	897,000
Fund Balance - December 31 **	2,473,732	1,942,636	2,393,292	1,918,722

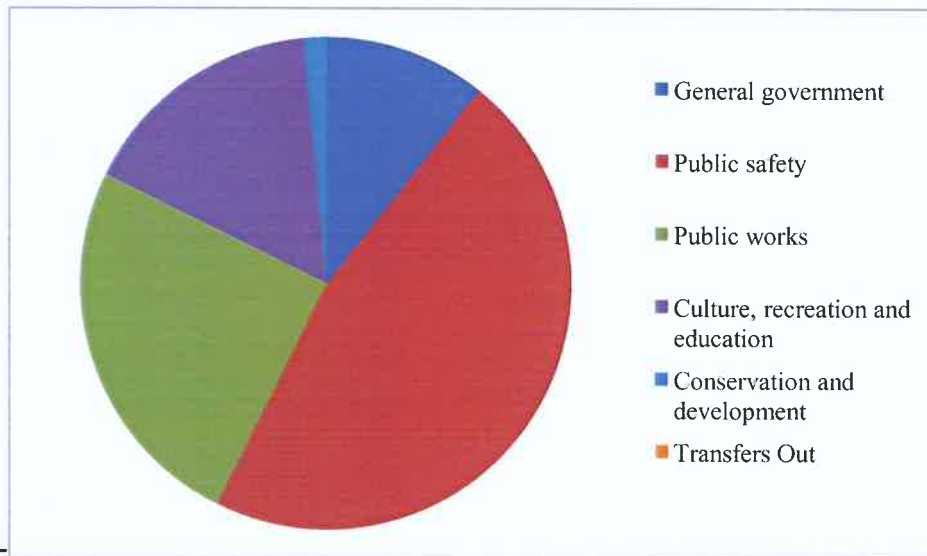
Wastewater Utility - Operating	2014 Estimated			
	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue Source				
Public Charges for Services	5,812,460	5,885,510	6,041,520	5,920,550
Miscellaneous	721	1,000	2,620	500
Special Assessment Received	0	0	0	0
Interest	4,679	15,000	17,846	15,000
Total Revenue	5,817,860	5,901,510	6,061,986	5,936,050
Expenditures				
MMSD Sewer User Fee	1,391,583	1,370,000	1,371,513	1,518,013
MMSD Capital Charge	2,498,402	2,560,000	2,590,813	2,874,348
Operation	204,086	164,071	131,745	225,391
Maintenance	291,788	390,603	274,315	302,096
Customer Account	33,846	36,430	35,277	35,966
Administrative & General Exp	423,940	485,790	435,725	489,294
Total Expense	4,843,645	5,006,894	4,839,388	5,445,108
Excess of Revenue over Expenditure	974,215	894,616	1,222,598	490,942
Fund Balance - January 1	2,918,643	3,811,750	3,811,750	3,991,442
Capital Outlay	81,108	1,107,232	1,042,906	2,278,500
Fund Balance - December 31 **	3,811,750	3,599,134	3,991,442	2,203,884

2015 Village of Germantown**Proposed Budget****INTERNAL SERVICE FUNDS**

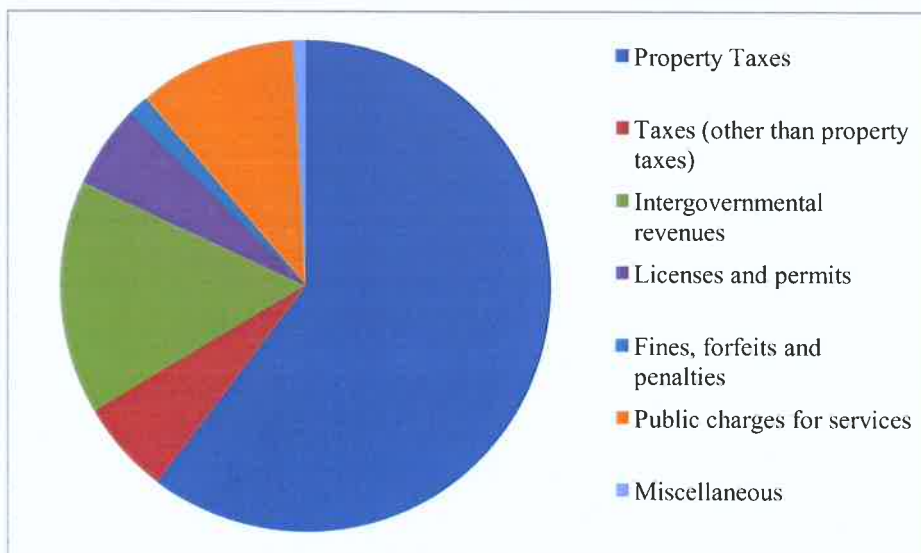
			2014 Estimated	
HEALTH INSURANCE	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue Source				
Premiums	1,592,569	1,495,000	1,513,078	1,523,015
Employee Contributions	180,060	180,000	180,338	190,000
Interest	(302)	2,000	4,142	3,500
Total Revenue	1,772,327	1,677,000	1,697,558	1,716,515
Expenditures				
Administrative Exp/Stop Loss	428,899	420,000	420,000	450,000
HS A Contribtution	52,083	58,000	55,833	56,000
HPS - AFI Fee	18,946	12,000	12,812	13,000
Health Claims	1,095,936	1,175,000	1,175,000	1,197,000
Total Expense	1,595,864	1,665,000	1,663,645	1,716,000
Excess of Revenue over Expenditure	176,463	12,000	33,913	515
Fund Balance - January 1	338,348	514,811	514,811	548,724
Fund Balance - December 31	514,811	526,811	548,724	549,239

			2014 Estimated	
DENTAL INSURANCE	2013 Actual	2014 Budget	Year End	2015 Proposed
Revenue Source				
Premiums	67,874	76,000	68,440	87,500
Interest	(195)	500	687	400
Total Revenue	67,679	76,500	69,127	87,900
Expenditures				
Administrative Expense	2,872	3,300	2,780	2,900
Dental Claims	95,048	85,000	86,078	85,000
Total Expense	97,920	88,300	88,858	87,900
Excess of Revenue over Expenditure	(30,241)	(11,800)	(19,731)	0
Fund Balance - January 1	87,803	57,562	57,562	37,831
Fund Balance - December 31	57,562	45,762	37,831	37,831

General government	1,585,020
Public safety	6,946,562
Public works	3,710,983
Culture, recreation and education	2,405,088
Conservation and development	229,526
Transfers Out	600
Total Expenditures	14,877,779



Property Taxes	8,961,076
Taxes (other than property taxes)	927,571
Intergovernmental revenues	2,299,281
Licenses and permits	797,640
Fines, forfeits and penalties	224,500
Public charges for services	1,535,462
Miscellaneous	132,249
Total Revenue	14,877,779



IX. B

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: November 17, 2014

AGENDA ITEM: Public Hearings & New Business (**Certified Survey Map, CUP & Rezoning Ordinance**)

ITEM TITLE: Briohn Building Corp, Applicant and Petitioner for Trouble Free Realty, Inc. (Xtreme Stainless LLC) Property Owner; N194 W11005 Kleinmann Drive; Conditional Use Permit (CUP) to Allow Development Within a 25' Wetland Setback; Rezoning Application to Remove 1,453 sq. ft. from the Shoreland-Wetland Overlay Zoning District; and a 2-Lot Certified Survey Map (CSM)

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department

SUMMARY EXPLANATION:

Briohn Building Corp., agent for Trouble Free Realty LLC and Xtreme Stainless LLC, is seeking approval of these applications in order to develop a 28,800 sqft industrial building on a 5.1-acre parcel located on Kleinmann Drive in the Germantown Industrial Park.

The parcel is located at what used to be the cul-de-sac end of Kleinmann Drive before it was extended to the south across the unnamed stream and associated wetlands into the Lannon Road Business Center (Enterprise Rent-a-Car, Goff's, La Fluer's). The CUP is needed in order to develop within portions of a 25' wetland setback; the rezoning is needed to remove a small area (1,453 sqft) of an existing wetland that will be filled to accommodate development; and the CSM is needed to join two parcels into one parcel (the cul-de-sac remnant that also will need to be vacated by the Village prior to recording the CSM).

ATTACHMENTS:

- ◆ 10/27/14 Staff Report
- ◆ 10/27/14 Plan Commission Meeting Minutes
- ◆ Preliminary CSM
- ◆ Rezoning Ordinance (Draft)
- ◆ Conditional Use Permit (Draft)
- ◆ Wetland Mitigation Plan

PLAN COMMISSION RECOMMENDATION:

In addition to conditionally approving the site development and building plans for the 28,800 sqft industrial building, the Plan Commission is recommending **APPROVAL** of the CUP, Rezoning and CSM.

NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Village Board at the Germantown Village Hall located at N112 W17001 Mequon Road, Germantown, Wisconsin on the following date and at the time noted below (or soon thereafter):

DATE: Monday, November 17, 2014
TIME: 7:00 p.m. or later

The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the applications filed by the following petitioner for: (1) a CONDITIONAL USE PERMIT to allow development within a 25' wetland setback on a portions of the following described parcel pursuant to Section 24.04(3) of the Municipal Code; and (2) a REZONING application to rezone and remove 1,453 sqft of the following described property from the Shoreland-Wetland Overlay Zoning District pursuant to Section 24.04(2) of the Municipal Code:

Petitioner: Raymond Rodenbeck, Briohn Building Corp.
Property Owner: Trouble Free Realty, Inc. (Xtreme Stainless LLC)
Tax Parcel #: GTNV 291-955 ~~291-995~~ (5.1-acre parcel at N194 W11005 Kleinmann Drive)

Property Description:

Lot 1 of Certified Survey Map No. 2360 located in the Northwest 1/4 of the Northeast 1/4 of Section 29, Town 9 north, Range 20 east, in the Village of Germantown, Washington County, Wisconsin.

A copy of the application is on file in the Village Planning Department office and is available for public inspection during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

Dated this 22nd day of October, 2014.
Barbara K. D. Goeckner, Village Clerk

To Be Published On: October 30th and November 6th, 2014

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN SHORELAND-WETLAND ZONING CODE
(Trouble Free Realty LLC / Xtreme Stainless LLC)**

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY,
WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That the district boundaries of the Village of Germantown Shoreland-Wetland Zoning District are amended to reflect the following described area being removed from the District as a result of wetland filling approved by the Wisconsin Department of Natural Resources (WisDNR) and the Army Corp. of Engineers (ACOE):

ALL THAT PART OF LOT 1, CSM 2360 LOCATED IN THE NE 1/4 OF SECTION 29, TOWN 9 NORTH,
RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, CSM 2360; THENCE N 89°53'03" E ALONG
SAID NORTH LINE, 254.15 FEET; THENCE S 00°06'57" E, 142.51 FEET TO THE POINT OF BEGINNING;
N 37°07'45" E, 23.22 FEET; THENCE N 85°14'57" E, 20.53 FEET; THENCE S 70°34'07" E, 11.87
FEET; THENCE S 70°34'07" E, 11.87 FEET; THENCE S 27°05'18" E, 34.78 FEET; THENCE S 55°59'26" E,
8.85 FEET; THENCE N 82°34'18" W, 22.26 FEET; THENCE N 73°15'28" W, 32.67 FEET; THENCE N
64°35'12" W, 17.14 FEET TO THE POINT OF BEGINNING. CONTAINING 1,453 SQUARE FEET.

SECTION 2. This ordinance shall take effect and be in full force the day after its passage and publication,
as provided by law.

Introduced by Trustee:

Date Adopted:

Ayes:

Nays:

Dean Wolter, Village President

APPROVED AS TO FORM:

ATTEST:

Brian C. Sajdak, Village Attorney
Published:

Barbara K. D. Goeckner, Village Clerk

CUP # – 14

Document No.

CONDITIONAL USE PERMIT

Document Title

**VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN
CONDITIONAL USE ZONING PERMIT**

Whereas the Applicant:

Trouble Free Realty LLC, Property Owner, for Xtreme Stainless LLC

agrees to comply with applicable Codes and Ordinances of the Village of Germantown, Wisconsin, and further agrees that all work done pursuant to the permission granted herewith will conform with the applications and drawings filed with and approvals granted by officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to the Applicant to permit the to allow development within the 25' wetland setback areas as presented in the Wetland Mitigation Plan dated October 31, 2014, and exhibits contained in the application pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code.

Name & Return Address:

**Village of Germantown
P.O. Box 337
Germantown, WI 53022**

Parcel Identification No:

GTNV 291-955

On the following described property located in the Village of Germantown, Washington County, Wisconsin:

N194 W11005 Kleinmann Drive; Tax Key No. 291-955

Pursuant to the following condition(s):

1. The owner shall prepare and submit an annual monitoring report to the Village and Local DNR staff concerning the various management activities proposed in the plan including the planting/restoration of native vegetation. Said report shall at a minimum detail the type and amount of plantings, all activities carried out in the previous year and the observed success of all previous activities, recommendations for new or different activities needed to ensure success of the mitigation measures and management activities to be carried out, and a list of planned activities for the upcoming year. Said report shall be submitted annually at the end of each year beginning in 2015 for a period of three (3) years.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin
on the _____ day of _____, 2014.

ATTEST:

Dean Wolter, Village President

Barbara K. D. Goeckner, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this _____ day of _____, 2014, the above
named Dean Wolter, Village President, and Barbara K. D. Goeckner, Village Clerk, to me
known to be the persons who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER

The following named person, who is authorized to represent Trouble Free Realty LLC, hereby
accept the terms and conditions set forth in this Permit, and realize that non-adherence to the
terms and conditions as stated hereon may result in the revocation of this Permit by the
Village of Germantown.

Dated this ____ day of _____, 2014

{type or print name on this line}

{signature on this line}

Agent for Trouble Free Realty LLC

STATE OF WISCONSIN) SS
_____ COUNTY)

Personally came before me this _____ day of _____, 2014, being the above
named _____, to me known to be the person who
executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

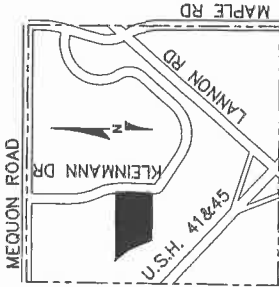
{signature of Notary on this line}

This instrument was drafted by:
Jeffrey W. Retzlaff, AICP
Village Planner/Zoning Administrator
Village of Germantown, Wisconsin

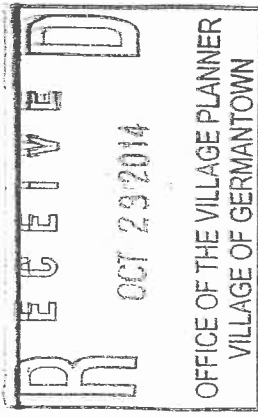
Notary Public, State of Wisconsin
My Commission Expires: _____

CERTIFIED SURVEY MAP NO.

LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 2360 LOCATED IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY WISCONSIN



CJ
engineering
civil design and consulting
9205 W. Center Street
Suite 214
Milwaukee, WI 53222
PH. (414) 443-1312
www.cj-engineering.com



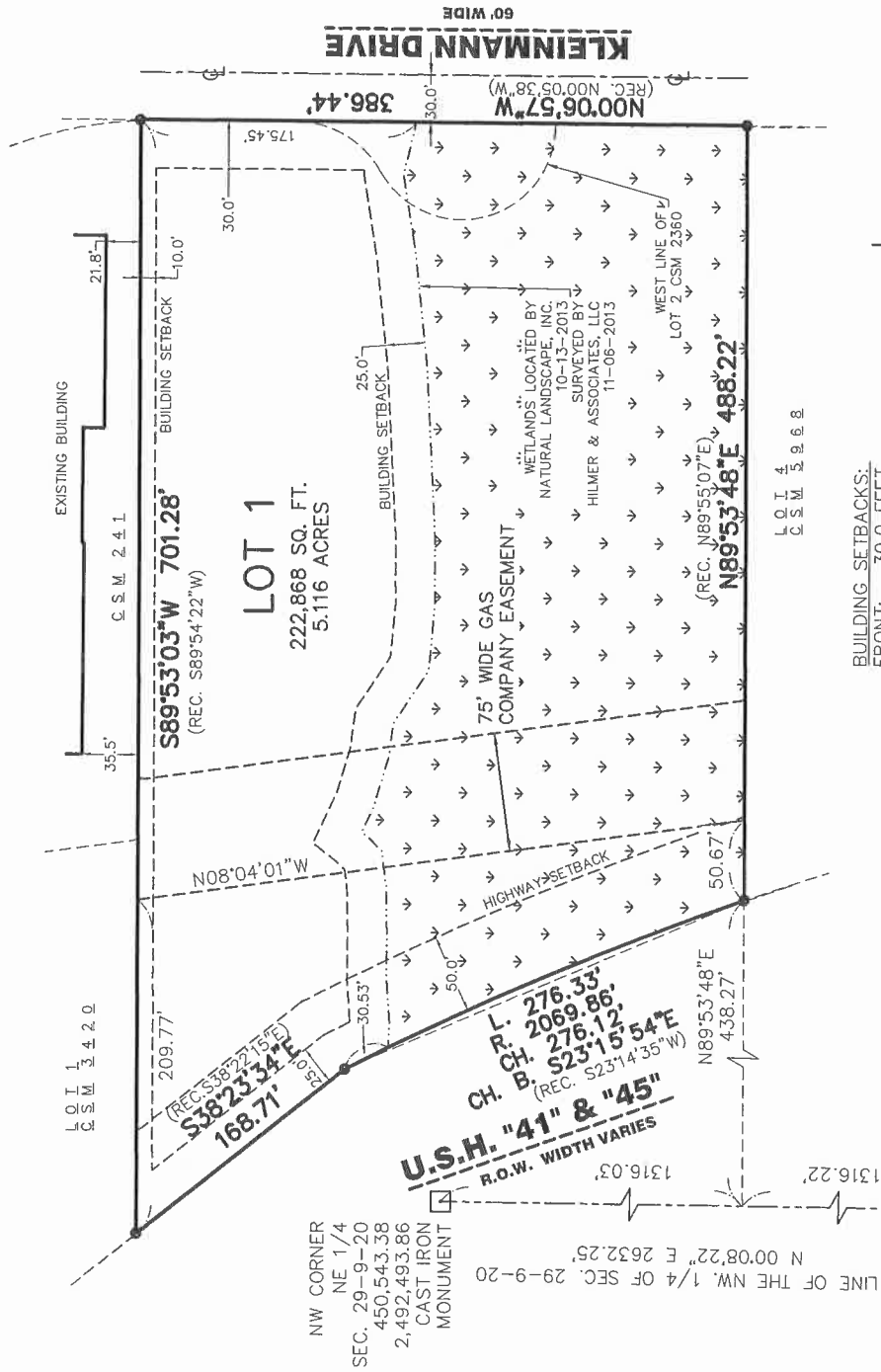
VICINITY MAP
NE 1/4 OF SEC.
29-9-20
1" = 2000'

○ INDICATES IRON PIPE FOUND

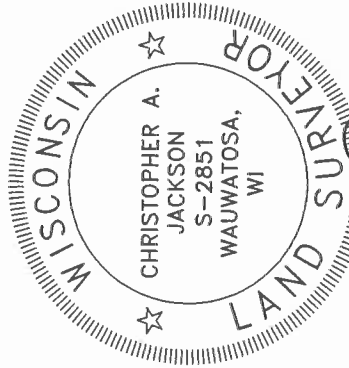
ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.

ALL ANGLES ARE MEASURED TO THE NEAREST SECOND OF A DEGREE.

ALL BEARINGS SHOWN ARE REFERENCED TO WEST LINE OF THE NE 1/4 OF SECTION 29, T9N, R20E, WHICH HAS A WISCONSIN STATE PLANE COORDINATE SYSTEM GRID, SOUTH ZONE, (NAD27) BEARING OF N00°08'22"E.



BUILDING SETBACKS:
FRONT: 30.0 FEET
SIDE: 10.0 FEET
REAR: 25.0 FEET
WETLANDS: 25.0 FEET
HIGHWAY SETBACK: 50 FEET



GRAPHIC SCALE



1 INCH = 120 FT.



CERTIFIED SURVEY MAP NO.

LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 2360 LOCATED IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY WISCONSIN

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

I, CHRISTOPHER JACKSON, A REGISTERED LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, MAPPED AND COMBINED LANDS LOCATED IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID 1/4 SECTION, THENCE S 00°08'22" W 1316.03 FEET ALONG THE WEST LINE OF SAID 1/4 SECTION TO A POINT; THENCE N 89°53'48" E 438.27 FEET TO THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE CONTINUING N 89°53'48" E 488.22 FEET TO THE WEST R.O.W. LINE OF KLEINMANN DRIVE; THENCE N 00°06'57" W ALONG SAID WEST LINE, 386.44 FEET TO THE SOUTHEAST CORNER OF C.S.M. 241; THENCE S 89°53'03" W ALONG THE SOUTH LINE OF C.S.M. 241, 701.28 FEET TO THE SOUTHWEST CORNER OF LOT 1 C.S.M. 3420; THENCE S 38°23'34" E, 168.71 FEET; THENCE SOUTHEAST 276.33 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTHWEST, WHOSE RADIUS IS 2069.86 FEET AND WHOSE CHORD BEARS S 23°15'54" E, 276.12 FEET TO THE POINT OF BEGINNING.

CONTAINING: 222,868 SQUARE FEET OR 5.116 ACRES

THAT I HAVE MADE SUCH SURVEY, MAP AND COMBINATION BY THE DIRECTION OF TROUBLE-FREE REALTY, LLC, OWNERS OF SAID LAND.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE COMBINATION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE STATUTES OF THE STATE OF WISCONSIN AND THE REGULATIONS OF THE VILLAGE OF GERMANTOWN IN SURVEYING, MAPPING AND COMBINING THE SAME.

DATED THIS _____ DAY OF _____, 2014.

CHRISTOPHER A. JACKSON
REGISTERED LAND SURVEYOR, S-2851
STATE OF WISCONSIN

CORPORATE OWNER'S CERTIFICATE

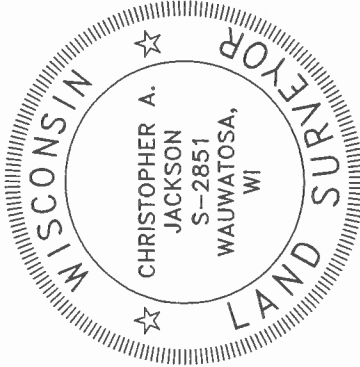
TROUBLE-FREE REALTY, LLC, A LIMITED LIABILITY COMPANY ORGANIZED UNDER THE LAWS OF THE STATE OF WISCONSIN AS OWNER, DOES HEREBY CERTIFY THAT SAID COMPANY CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, MAPPED AND COMBINED AS REPRESENTED ON THIS MAP.

IN WITNESS WHEREOF, TROUBLE-FREE REALTY, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED BY RICH RUTKOWSKI, OWNER, AND ITS CORPORATE SEAL TO BE AFFIXED
THIS _____ DAY OF _____, 2014.

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

RICH RUTKOWSKI, OWNER

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2014,
THE ABOVE RICH RUTKOWSKI, TO ME KNOWN TO BE THE OWNER OF TROUBLE-FREE REALTY, LLC AND THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.



NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION EXPIRES _____, 2014

CERTIFIED SURVEY MAP NO.

LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 2360 LOCATED IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY WISCONSIN

CONSENT OF MORTGAGEE CERTIFICATE

CORNERSTONE COMMUNITY BANK, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE SURVEYING, MAPPING AND COMBINING OF THE LAND DESCRIBED ON THIS MAP AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATION OF OWNERS

IN WITNESS WHEREOF, THE SAID CORNERSTONE COMMUNITY BANK, HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____, AT _____, WISCONSIN, THIS ____ DAY OF _____, 20 ____.

BY:

NAME:
TITLE:

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

PERSONALLY CAME BEFORE ME ON _____, 20____, BY _____, IN HIS/HER CAPACITY AS _____ OF CORNERSTONE COMMUNITY BANK, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC
STATE OF WISCONSIN
MY COMMISSION EXPIRES: _____

VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE PLANNING COMMISSION OF THE VILLAGE OF GERMANTOWN ON THIS ____ DAY OF _____ 2014.

DEAN WOLTER, CHAIRMAN

DATE

LAURA A. JOHNSON, SECRETARY

DATE

VILLAGE OF GERMANTOWN BOARD APPROVAL

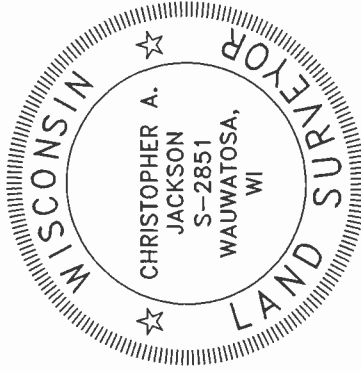
THIS CERTIFIED SURVEY MAP, BEING A DIVISION OF NW 1/4 OF THE NE 1/4 SECTION 26, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN, HAVING BEEN APPROVED BY THE PLANNING COMMISSION BEING THE SAME, IS HEREBY APPROVED AND ACCEPTED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF GERMANTOWN ON THIS ____ DAY OF _____

DEAN WOLTER, VILLAGE PRESIDENT

DATE

BARBARA K.D. GOECKNER, VILLAGE CLERK

DATE



Wetland Mitigation Plan

for

Xtreme Stainless

Germantown, WI

Purpose and Need:

Xtreme Stainless is a growing precision metal fabrication company that specializes in stainless steel, mild steel and aluminum fabrication for a wide variety of industries including architectural and structural building components, industrial OEM parts, food plant fixtures and visual display companies. The business is expanding rapidly and has found itself to have outgrown its currently leased facility located at N63W22641 West Main St. in Sussex. Their current lease expires at the end of August, 2015. In order to maintain current and anticipated growth and revenue, Xtreme Stainless has made a decision to build a new facility. The relocation and expansion of their business to the proposed site will preserve the current work force and for future job growth of approximately seven (7) employees. The proposed industrial facility is to be located at N194W110055 Kleinmann Drive in the Village of Germantown.

Xtreme Stainless purchased the property in January of 2014. The proposed development of Xtreme Stainless will consist of the construction of a 28,800 s.f. commercial building along with a parking lot along at the front (east side) of the building and a future parking area along at the rear (west side) of the building. Paved drives and loading areas will also be a part of the project. In order to meet to the storm water management requirements of NR 151, Village of Germantown and MMSD, two new storm water wet detention basins will be constructed on the east and west side of the property as part of this development. The runoff from the new building and pavement will be directed to ponds through sheet flow and a storm sewer system.

On October 13, 2013 Natural Landscape, Inc. visited the site and delineated wetlands located on the site as shown on the drawings. Based on this location, the site plan has been extensively designed, to the maximum extent practical, around the wetlands and Xtreme Stainless is impacting 1,453 s.f. of wetlands.

Avoidance and minimization:

Xtreme Stainless must impact 1,453 square feet of wetland area primarily based on the minimum size of needed building requirements for business, minimum vehicular maneuverability and the minimal parking requirements as well as site constrictions. The proposed building shown is the minimum required to maintain the growth plan for Xtreme Stainless and provide the necessary mobility necessary to function for its industrial needs.

Due to the presence of wetlands at the southern half of the property and the existing gas easement, the building has been placed as far to the east side of the property as practical while implementing a small visitor/staff parking area and a storm water basin. To prevent trucks from unsafe turning maneuvers within Kleinmann Drive, the loading docks are located at the rear of the building where pavement can be placed over the existing gas easement. Finally to access the loading docks at the rear of the site, a small portion of the access drive is located in the existing wetlands creating a wetland impact of 1,453 square feet.

25 Foot Wetland Setback Encroachments:

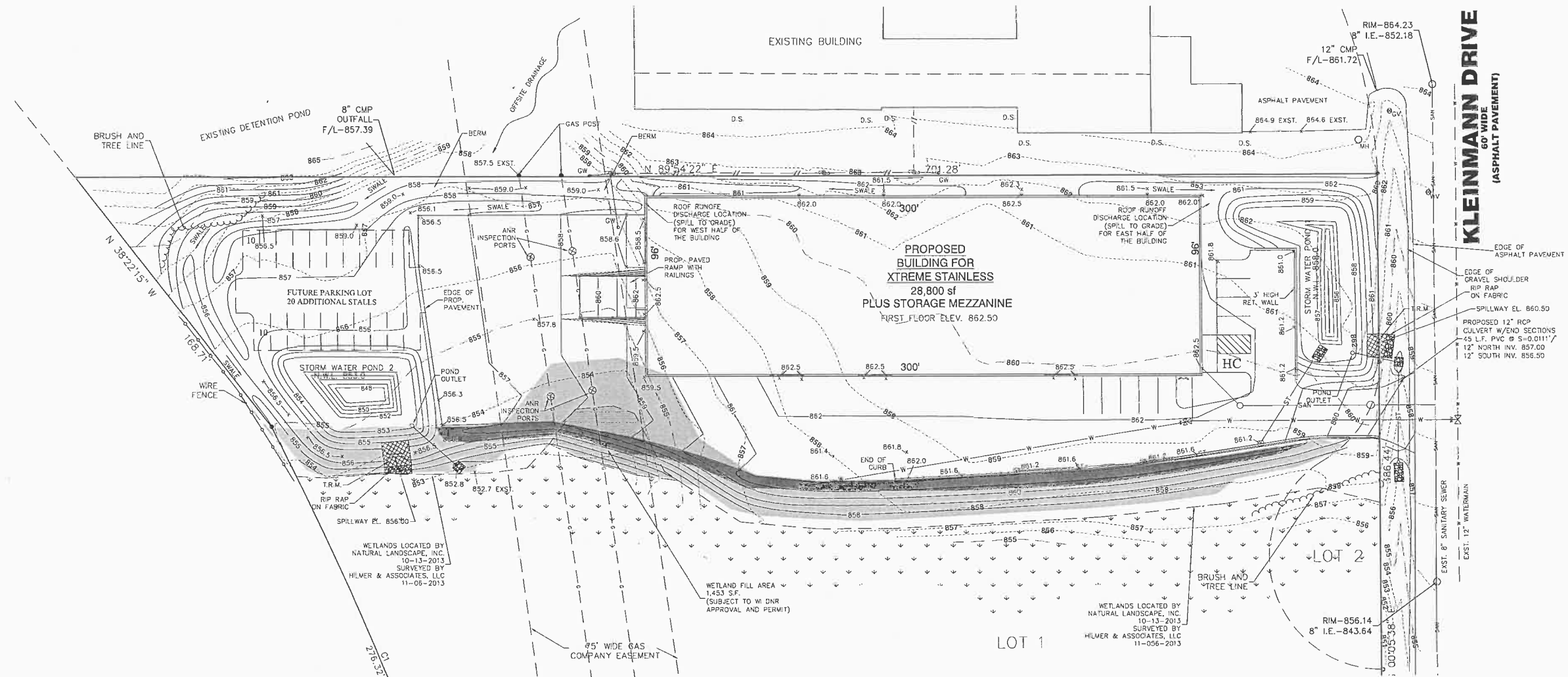
As mentioned above, Xtreme Stainless is proposing to a wetland impact on the site as a part of their development; however, the development also encroaches into the 25 foot Wetland Setback. The following table summarizes the encroachments and compensation ratios as required by the Village of Germantown:

Encroachment Type	Encroachment Area (s.f.)	Compensation Ratio	Compensation Area (s.f.)
Green Space (< 3.0' grade change)	7,938	1:1	7,938
Green Space (> 3.0' grade change)	2,992	2:1	5,984
Impervious Surface	3,386	2:1	6,772

(see attached map)

Mitigation Plan:

Xtreme Stainless proposes to mitigate all 20,694 s.f. the encroachments by providing a native prairie vegetation consisting of a Native Prairie Seed Mix, Stormwater Seed Mix and Fowl Manna Plugs (see landscape plan for locations). The establishments of the prairie areas are located within the proposed remaining open space within the existing wetland setback (12,775 s.f.), a contiguous area along the northwest portion of the site (5,840 s.f.) and finally the storm water basin (2,115 s.f.) also located adjacent to the Setback. The additional area contiguous with the wetlands at the northwest portion of the site includes a swale, located to bypass offsite storm water from the north around the site and is an opportunity to provide a vegetative buffer within a storm water conveyance system to promote water quality by slowing runoff and trapping any sediment by velocity reduction. Overall, the establishment of native prairie vegetation will increase native biodiversity, improve wildlife habitat and help reduce the spread of invasive plants within the area with on-going maintenance. The native plantings, once established, will also aid in the permeation of stormwater, further lessening the impact of the development on the abutting wetlands. The proposed shade trees in the native prairie seeding area are also proposed to be native species of trees to further blend the native portion of the site to the constructed portions



XTREME STAINLESS
GERMANTOWN, WI



LEGEND

- 863 --- EXISTING CONTOUR
- 862 --- PROPOSED CONTOUR
- x 861.2 --- PROPOSED ELEVATION
- ST --- PROPOSED STORM SEWER
- SAN --- EXISTING SANITARY SEWER
- SAN --- PROPOSED SANITARY SEWER
- W --- EXISTING WATER MAIN
- W --- PROPOSED WATER MAIN



IMPERVIOUS SURFACE - 6,772 S.F.



GREEN SPACE > THAN 3.0' GRADE CHANGE - 5,984 S.F.

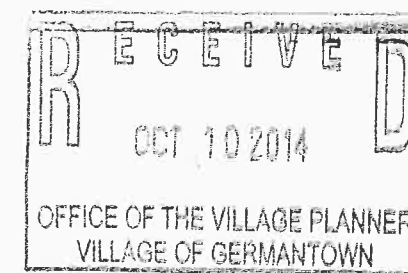


GREEN SPACE < THAN 3.0' GRADE CHANGE - 7,938 S.F.

GRAPHIC SCALE

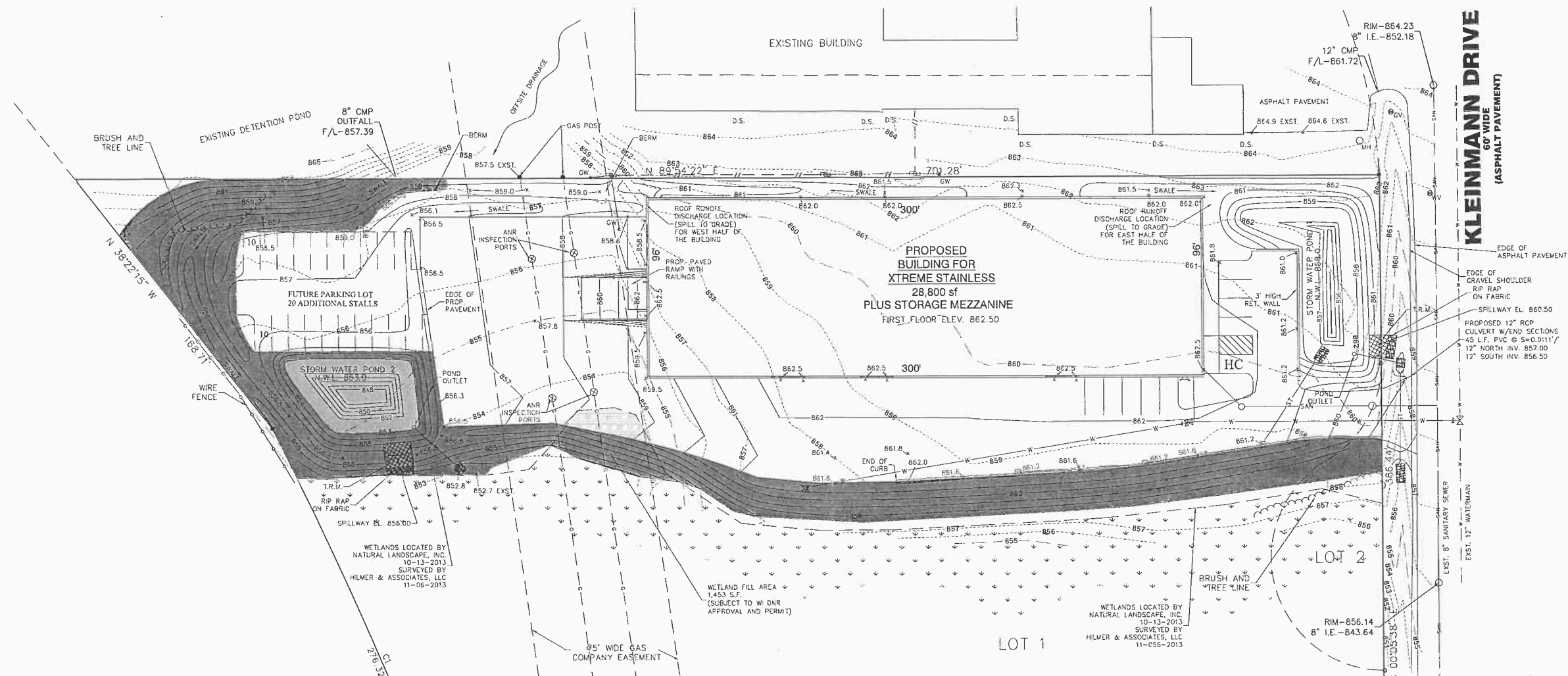


1 Inch = 30 ft



**WETLAND MITIGATION PLAN
PROPOSED ENCROACHMENTS**

CJE NO.: 1351R4
SEPTEMBER 22, 2014
REV. OCT. 7, 2014



XTREME STAINLESS
GERMANTON, WI

TO DETERMINE THE PRESENCE OF WETLANDS, A FIELD SURVEY WAS CONDUCTED ON 10/13/2013. THE RESULTS OF THE SURVEY ARE SHOWN ON THIS PLAN. THE SURVEY WAS CONDUCTED BY NATURAL LANDSCAPE, INC. (NLI) AND HILMER & ASSOCIATES, LLC (H&A). THE SURVEY AREA IS SHOWN ON THIS PLAN. THE SURVEY AREA IS 20,730 S.F. (SUBJECT TO W DNR APPROVAL AND PERMIT).

LEGEND

- 863 EXISTING CONTOUR
- 862 PROPOSED CONTOUR
- X 861.2 PROPOSED ELEVATION
- ST PROPOSED STORM SEWER
- SAN EXISTING SANITARY SEWER
- SAN PROPOSED SANITARY SEWER
- W EXISTING WATER MAIN
- W PROPOSED WATER MAIN

PROPOSED WETLAND ENHANCEMENT/PRAIRIE AREA - 20,730 S.F.



**WETLAND MITIGATION PLAN
PROPOSED ENHANCEMENTS**

CJE NO.: 1351R4
SEPTEMBER 22, 2014
REV. OCT. 7, 2014

CERTIFIED SUEY MAP (CSM), REZONING, CONDITIONAL USE PERMIT APPLICATIONS & SITE PLAN REVIEW

10/27/14 Plan Commission Meeting

Briohn Building Corp. / Xtreme Stainless LLC

Village Planner Report

Germantown, Wisconsin

Summary

Briohn Building, agent for Trouble Free Realty LLC, property owner, and Xtreme Stainless LLC, has submitted a Certified Survey Map (CSM), Rezoning, Conditional Use Permit, and Site Plan applications for the development of a 28,800 sqft industrial building on a 5.1-acre parcel located on Kleinmann Drive in the Germantown Industrial Park.

Location: W104 N11005 Kleinmann Drive

Applicant/

Property Owner: Ray Rodenbeck Rich Rutkowski
Briohn Building Trouble Free Realty LLC
3885 N. Brookfield Rd N63 W22641 Main Street
Brookfield , WI 53045 Sussex, WI 53089

Current Zoning: M-1: Limited Industrial

Adjacent Land Uses		Zoning
North	Industrial	M-1
South	Commercial	B-5
East	Industrial	M-1
West	USH41	n/a



Background

Briohn Building, agent for Trouble Free Realty LLC, property owner, and Xtreme Stainless, has submitted a Certified Survey Map (CSM), Rezoning, Conditional Use Permit, and Site Plan applications for the development of a 28,800 sqft industrial building on a 5.1-acre parcel located on Kleinmann Drive in the Germantown Industrial Park.

Xtreme Stainless is a precision fabricator of stainless steel, aluminum and other metals and composites. As discussed back in January, the site contains a number of features that reduce the amount of buildable area. More than half of the parcel (southerly portion) is covered in wetlands as detailed in the November, 2013 Wetland Determination Report submitted with the application. The report indicates that this parcel, like other surrounding land, is part of a larger area of filled/drained wetlands. In addition to wetlands, the parcel is bisected (north-south) by a 75' gas line easement. Since January, and as the result of further site investigations, more detailed site planning, and feedback from the WisDNR regarding wetlands and ANR Pipeline Company regarding the 75' gas pipeline easement, a number of changes have been made to the project, including wetland filling and an increase in the building size from the original 16,000 sqft (Phase 1 of a multi-phase project) to complete buildout of a 28,800 sqft manufacturing building.

Proposal: Certified Survey Map (CSM)

As discussed in January, the land area proposed for development actually contains two separate parcels: Lot 1 and Lot 2 of CSM No. 2360. Lot 2 is the remaining portion of the old cul-de-sac bulb that existed prior to Kleinmann Drive being extended through the area to Maple Road into and around the Lannon Road Business Center area to the south and east. The proposed CSM is a simple combination of the two lots into one 5.1-acre parcel. In addition to the CSM, the Village will need to legally vacate Lot 2 as road right-of-way as part of the process.

Proposal: Rezoning (Wetland Fill & Shoreland-Wetland)

The applicant has received approval of a permit application made to the WisDNR seeking approval to fill a small amount of wetland (1,453 sqft) within the site located within the pipeline easement under the State's general permit for industrial development (see attached October 3, 2014 approval letter). As a result, once the approved area has been filled, that area will no longer be eligible for inclusion in the Village's Shoreland-Wetland Zoning District. The proposed rezoning is to remove the Shoreland-Wetland Overlay Zoning District from the 1,453 sqft area to be filled (leaving the underlying M-1 Zoning District in place over this area).

Proposal: Conditional Use Permit (CUP)

The applicant has submitted a conditional use permit (CUP) application under the Village's Shoreland-Wetland Zoning Code because of the proposed wetland fill and other development activity within portions of the 25' wetland setback across the site.

Although the Village's Shoreland-Wetland Code requires a 25' setback from all DNR-approved delineated wetlands (regardless of size or location), the Village may allow development within the 25' setback with a CUP. Section 24.04 of the Code permits development in the required setback to provide additional buffering and/or compensation for the affected area(s) at a 1:1 ratio (for "horizontal" development) and a

2:1 ratio (for "vertical" development having a structure or grade change greater than 3' height).

As shown in the Wetland Mitigation Plan (stamp date of October 10, 2014), almost all of the 25' setback area is proposed to be disturbed as a result of development. Detailed in the narrative and exhibits, the total amount of 25' setback area encroachment is approximately 14,316 sqft, including:

- 7,938 sqft of grading with < 3' of grade change in proposed open space;
- 2,992 sqft of grading with > 3' of grade change in proposed open space;
- 3,386 sqft of proposed impervious surfaces

Due to some of the encroachment being "vertical" development (> 3' grade change) with a compensation ratio of 2:1, the total amount of area requiring compensation totals 20,694 sqft. Native prairie vegetation comprised of a native prairie seed mix, stormwater seed mix, and fowl manna plugs, will be established over the 20,694 sqft of mitigation area within the undeveloped portions of the remaining wetland setback area, around the proposed "future" parking lot and stormwater basin west of the pipeline easement as shown in Sheet 2 of the Mitigation Plan.

Proposal: Site Development & Building Plans

As presented in the Letter of intent, detailed site, architectural, landscaping and lighting plans and other supporting information, Xtreme Stainless proposes to construct a 28,800 sqft manufacturing building.

As presented in the attached plans, the proposed development has the following features:

- 28,800 sqft building (3,000 sqft mezzanine)
- 5,000 sqft office
- 5,000 sqft fabrication & sheet processing
- 10,000 sqft assembly
- 11,800 sqft storage & shipping/receiving
- 1-story building w/ flat roof
- Pre-cast wall panels with a smooth painted finish & reveals
- Two (2) depressed loading docks (west elevation)
- Four (4) overhead bay (west & south elevation)
- Surface parking (10 stalls expandable to 30 stalls)
- Two (20 on-site storm water basins

Access & Parking. The development will be served by one driveway and a total of (10) parking stalls (vs. the recommended 64 stalls). An additional twenty (20) parking stalls are proposed in a "future" parking lot west of the pipeline easement. The applicant has indicated that given the nature of their business operation, relatively low number of employees and customer visits they will not need the number of parking stalls recommended under the Village's parking guidelines. The applicant has provided a detailed explanation as to why the proposed 10 stalls will be sufficient to accommodate the current workforce plus expected customers (see October 7 e-mail). Currently, Xtreme Stainless has a total of eight (8) employees with the potential for an additional nine (9) employees as the business expands.

Utilities. Public water and sanitary sewer lines will be extended to the building from

existing lines in Kleinmann Drive. All other utilities, including gas, electric, phone and cable will be extended/installed underground.

Storm Water Management. A total of 63,277 sqft (28%) of impervious surfaces are proposed for the 5.1-acre site leaving 72% open space. Two (2) storm water basins will be developed on the site: the basin in front of the building along Kleinmann Drive will serve run-off from the east half of the site and roof run-off from the east half of the building with discharge to the Kleinmann Drive ditch; the basin west of the pipeline easement will serve run-off from the west half of the site and roof run-off from the west half of the building with discharge to the open space/wetland areas south of the developed area.

Landscaping. Detailed landscaping plans indicate a moderate amount of plantings comprised of deciduous and evergreen trees, shrubs, perennials, and ornamental grasses to be installed on the site. As discussed, above, native prairie vegetation will be established in the disturbed portions of the wetland setback area as compensation for encroachment into the 25' wetland setback areas (see details in the Landscape Plan and the Wetland Mitigation Plan) as a protective transition to the existing wetlands on the property and around the storm water basins.

Lighting. External lighting for the office building site includes:

- Six (6) 250W Metal Halide lamps in cut-off, wall-mounted fixtures located on the west and south exterior elevations on the building;
- Seven (7) 250W Metal Halide lamps in full cut-off fixtures mounted on free-standing poles at a maximum height of 22'

Signage. No signage is proposed at this time.

Staff Analysis: Issues & Concerns

Wetland Fill & Shoreland-Wetland Rezoning

With regard to the wetland district rezoning, staff supports the fact that, if the DNR allows the wetland areas to be filled, the filled areas would no longer be legally protected "wetlands" and should not be included in the Village's Shoreland-Wetland Overlay District. Moreover, as detailed in the wetland delineation report (copy on file), the wetland areas in question are of relatively low value. Staff generally agrees with DNR & ACOE approvals that the proposed wetland fill and rezoning would not have an adverse impact on:

- storm and flood water storage
- the maintenance of dry season stream flow or groundwater recharge
- filtering or storage characteristics of sediments that would otherwise flow into navigable waters
- shoreline erosion
- fish spawning or breeding grounds
- wildlife habitat
- areas of special concern, scarce wetland types or endangered species

Wetland Setback CUP

With regard to the CUP for development within the 25' wetland setback, staff supports the proposed mitigation plan that includes the creation/restoration of native vegetation in the disturbed areas of the 25' wetland setback and other areas on the site. However,

success of the native grass plantings and invasive plant removal depends on monitoring of the actions taken. Consequently, the owner should be required to prepare and submit an annual monitoring report to the Village documenting all management activities, the success of those management activities, and any corrective actions needed to ensure success of the mitigation plan for a minimum of three (3) years after initial implementation.

Village Planner

No roof plan was included in the building plans. However, the contractor has not decided how the HVAC system for the building will be handled at this time. Therefore, it is not known if there will be the need for any roof-mounted HVAC units. The contractor has indicated that, if RTU's are installed, pre-finished metal panels will be used to screen the units and include the specifications of those RTU's and screens in the final construction plans submitted with the building permit.

Engineering

The Engineering Department has identified a few technical corrections and items (see October 9, 2014 memo) that will need to be addressed prior to any construction and issuing any building permits. The Village Surveyor has identified a series of technical corrections (see October 7, 2014 memo) in the CSM that will need to be addressed prior to recording the CSM.

Fire Department

The Fire Department has indicated that the following fire/safety protection measures be installed or met:

- Building will require a monitored fire sprinkler system per VOG 5.10, DSPS that meets NFPA 13 requirements. If high rack combustible storage is planned, class 1 standpipes are required at warehouse exit doors.
- FD connection(s) to be at a location approved by the fire department and clearly marked by approved sign no more than 300 feet from the nearest fire hydrant.
- Install one fire hydrant along the fire lane on the south side of access road 50 feet west of the end of concrete curb shown on print C1.0
- Install one Knox Box on Building at location to be determined by the Germantown FD.
- Fire alarm equipment locations to be determined by Germantown FD. Recommend NFPA 72 compliant fire alarm system for building evacuation.
- Fire Department access & water supply on property per NFPA 1 (2012 Edition) Chapter 18.
- Written emergency plan required prior to occupancy.

Police Department

The Police Department is requesting that all exterior exit doors (except for the main entrances) be clearly numbered or otherwise identified with 5" or larger reflective lettering to aid emergency personnel access.

Building Inspection

State approved plans are required for both buildings along with the standard \$20,000 occupancy bond to be required prior to issuing any building permits.

VILLAGE PLANNER RECOMMENDATION

APPROVE the proposed Certified Survey Map (CSM) to combine the two parcels into one parcel subject to the following conditions:

1. All technical corrections listed in the Village Surveyor's October 7, 2014 review memo shall be addressed and/or reflected in a revised CSM prior to recording the CSM.

VILLAGE PLANNER RECOMMENDATION

APPROVE the application to rezone and remove up 1,453 sqft (.03 acres) of area from the Shoreland-Wetland Zoning District as shown in the Wetland Mitigation Plan dated 10-7-2014 pursuant to Section 24.07 of the Shoreland-Wetland Zoning Code.

VILLAGE PLANNER RECOMMENDATION

APPROVE a Conditional Use Permit to allow development within the 25' wetland setback areas and proposed compensation as presented in the Wetland Mitigation Plan pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code and subject to the following conditions:

1. The owner shall prepare and submit an annual monitoring report to the Village and local DNR staff concerning the various management activities proposed in the plan, including the planting/restoration of native vegetation. Said report shall, at a minimum, detail the type and amount of plantings, all activities carried out in the previous year and the observed success of all previous activities, recommendations for new or different activities needed to ensure success of the mitigation measures and management activities to be carried out, and a list of planned activities for the upcoming year. Said report shall be submitted annually at the end of each year beginning in 2015 for a period of three (3) years.

VILLAGE PLANNER RECOMMENDATION

APPROVE the site development & building plans submitted by Xtreme Stainless for the proposed development of a 28,800 sqft manufacturing building located at W104 N11005 Kleinmann Drive subject to the following conditions:

1. Approval is for the site development and building plan sets dated October 7-8, 2014 (unless otherwise revised by a subsequent plan set approved by the Village Planner pursuant to plan revisions required herein).
2. All landscaping, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit for the proposed buildings unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs that has been reviewed and approved by the Village is submitted to the Village to ensure installation of the proposed features will be completed within one (1) year after issuance of an occupancy permit.
3. A Fire Sprinkler system per Germantown Municipal Code 5.10, WI DSPS and NFPA 13 is required throughout the building. If high rack combustible storage is installed, Class 1 standpipes are required at warehouse exit doors.
4. FD connection(s) to be at a location approved by the Germantown FD and clearly marked by approved sign no more than 300 feet from the nearest fire hydrant. Fire Department access & water supply on property per NFPA 1 (2012 Edition) Chapter 18.
5. One (1) fire hydrant is required to be installed along the fire lane on the south side of access road 50 feet west of the end of concrete curb shown on the site plan.
6. A monitored Fire Alarm Panel for the sprinkler system shall be installed per NFPA 72 at a location to be determined by the Germantown Fire Department.
7. The Property Owner/Applicant shall ensure that all site and building improvements comply with all Village of Germantown, Wisconsin Department of Safety and Professional Services (DSPS) and other applicable safety codes in effect at the time the occupancy permit is issued for the expansion.
8. All exterior doors shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.
9. Any/all roof-mounted HVAC units shall be screened. Detailed elevations and a roof plan for any roof-mounted HVAC units shall be submitted to the Village Planner for review and approval prior to issuance of a building permit.
10. State approved plans are required and one (1) \$20,000 financial guarantee occupancy bond shall be submitted to Inspection Services as part of the building permit applications.
11. All technical corrections listed in the Village Engineer's October 9, 2014 review memo shall be addressed and reflected in revised plans (as necessary) prior to issuance of any building permit.

PLAN COMMISSION MINUTES

October 27, 2014

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 p.m.

ROLL CALL: Chairman Dean Wolter, Trustee Representative David Baum, Commissioners Mary Ellen Gray, Tim Yokes, and Dan Campbell were present. Commissioners Peck and Shadid were absent and excused. Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson were also present.

PUBLIC INPUT: None

PREVIOUS MINUTES: *MOTION Baum second Yokes to Approve the minutes from 10-13-14.*

MOTION carried unanimously.

Extreme Stainless LLC – W194 N11055 Kleinmann Drive. Briohn Building, agent for Trouble Free Realty, has submitted a Certified Survey Map, Rezoning, Conditional use Permit and Site Plan applications for the development of a 28,800 sqft industrial building on a 5.2 acre parcel located on Kleinmann Drive in the Germantown Industrial Park. Planner Retzlaff summarized the proposal.

MOTION Baum second Yokes to Approve the proposed Certified Survey Map (CSM) to combine the two parcels into one parcel subject to the following conditions:

- 1. All technical corrections listed in the Village Surveyor's October 7, 2014 review memo shall be addressed and/or reflected in a revised CSM prior to recording the CSM.*

MOTION carried unanimously.

MOTION Baum second Yokes to Approve the application to Rezone and remove up to 1,453 sqft (.03 acres) of area from the Shoreland-Wetland Zoning District as shown in the Wetland Mitigation Plan dated 10-7-14 pursuant to Section 24.07 of the Shoreland-Wetland Zoning Code.

MOTION carried unanimously.

MOTION Baum second Yokes to Approve a Conditional Use Permit to allow development within the 25' wetland setback areas and proposed compensation as presented in the Wetland Mitigation Plan pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code and subject to the following conditions:

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MOTION carried unanimously.

MOTION Baum second Campbell to Approve the site development & building plans submitted by Extreme Stainless for the proposed development of a 28,800 sqft manufacturing building located at W104 N11005 Kleinmann Drive subject to the following conditions:

- 1. Approval is for the site development and building plan sets dated October 7-8, 2014 (unless otherwise revised by a subsequent plan set approved by the Village Planner pursuant to plan revisions required herein).**
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- 3. A Fire Sprinkler system per Germantown Municipal Code 5.10, WI DSPS and NFPA 13 is required throughout the building. If high rack combustible storage is installed, Class 1 standpipes are required at warehouse exit doors.**
- 4. FD connection(s) to be at a location approved by the Germantown FD and clearly marked by approved sign no more than 300 feet from the nearest fire hydrant. Fire Department access & water supply on property per NFPA 1 (2012 Edition) Chapter 18.**
- 5. One (1) fire hydrant is required to be installed along the fire lane on the south side of access road 50 feet west of the end of concrete curb shown on the site plan.**
- 6. A monitored Fire Alarm Panel for the sprinkler system shall be installed per NFPA 72 at a location to be determined by the Germantown Fire Department.**
- 7. The Property Owner/Applicant shall ensure that all site and building improvements comply with all Village of Germantown, Wisconsin Department of Safety and Professional Services (DSPS) and other applicable safety codes in effect at the time the occupancy permit is issued for the expansion.**
- 8. All exterior doors shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.**
- 9. Any/all roof-mounted HVAC units shall be screened. Detailed elevations and a roof plan for any roof-mounted HVAC units shall be submitted to the Village Planner for review and approval prior to issuance of a building permit.**
- 10. State approved plans are required and one (1) \$20,000 financial guarantee occupancy bond shall be submitted to Inspection Services as part of the building permit applications.**
- 11. All technical corrections listed in the Village Engineer's October 9, 2014 review memo shall be addressed and reflected in revised plans (as necessary) prior to issuance of any building permit.**

Trustee Baum said the building was bland and needed color, paint or texture. Domenico Ferrante, Briohn Building, said the owner wants the building to have a clean, contemporary look and be maintenance free. He proposed an alternate sample of an exposed aggregate panel to incorporate into the design. Commissioner Gray agreed the building needs more detail. Trustee Baum suggested adding a different scoring texture, or paint color some where; maybe pick one color on the bottom and the wainscoting another color as an

alternative. He said the top band could be articulated with some texture, more horizontal reveals and some verticals to break up the long horizontal. Chairman Wolter said the building is secluded, not in a prominent location, and won't be seen from Lannon Road. He said he understood the budgetary concerns and the owner wanting a clean look. Trustee Baum said changing the color of the base and putting a 6 inch stripe in another color at the top reveal would be enough for him. Mr. Ferrante said they did not want to use paint and preferred to use the exposed aggregate alternating with a smooth finish.

MOTION to Amend Baum second Campbell to add Condition #12 to add some textural changes to the base and a textural accent band at the top reveal as illustrated in the drawing that was marked up at the meeting.

MOTION to Amend carried unanimously.

Commissioner Yokes was concerned with the proposed parking and lack of space for trucks to maneuver in the parking lot. Ray Rodenbeck, Briohn Building, said trucks could pull forward into the future parking area. Mr. Ferrante said the future parking area will probably be put in right away. Rich Rutkowski, Trouble Free Realty, added that the back lot would be paved but not striped right away. Commissioner Yokes also asked if the dumpsters were enclosed. Mr. Rutkowski, said the dumpsters would be located inside the building.

MOTION to Amend Baum second Campbell to add Condition #13 that a dumpster enclosure is required if located outside the building.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Chairman Wolter thanked Extreme Stainless for locating in Germantown.

Community Development Department – Amendments to Municipal Zoning Code Section 17.46 (Signs). Planner Retzlaff summarized the proposed amendments to revise the allowance and minimum standards for directional and off-premise signs within specific zoning districts in the Village. He said on-site traffic control and directional signage have become an issue. Businesses want more than the 3 sqft maximum size allowance for directional signs. He said specifics dealing with height and width will increase the opportunity to do monument style signs instead of pole mounted signs. The intent is to allow double what is currently in the code and create specific standards. Plan Commission will continue to review and approve the signs as part of the overall sign package.

Discussion followed. Planner Retzlaff said promotional items and events would not be allowed on the signs. He said there is currently no limitation on the amount of directional signs allowed except during the approval process where it could be determined there is excessive signage. Trustee Baum did said he was open to language allowing different signs but was more concerned with the quantity of signage that's an issue for him. Chairman Wolter liked the flexibility and format of the language regarding what is acceptable and allowed and that Plan Commission has the ability to control the number of signs allowed. Commissioner Yokes thought the language regarding the size limitations was confusing. Planner Retzlaff suggested eliminating the width restriction and going with a maximum height and sign area.

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

IX. C +
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MEETING DATE: November 17, 2014

AGENDA ITEM: Public Hearing & New Business (Ordinance)

ITEM TITLE: Community Development Department; Zoning Code Text
Amendment (Section 17.46: Signs)

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department

SUMMARY EXPLANATION:

The Community Development Department is proposing a series of amendments to Section 17.46 of the Zoning Code (Signs). The proposed amendments create specific standards for the installation of: (1) directional and traffic control signs; (2) off-premises ground signs; and (3) electronic message boards, on property in our business, industrial and institutional zoning districts.

ATTACHMENTS:

- ◆ 10/27/14 & 11/10/14 Staff Reports
- ◆ 10/27/14 & 11/10/14 Plan Commission Meeting Minutes
- ◆ Draft Ordinance

PLAN COMMISSION RECOMMENDATION:

APPROVE the proposed amendments to Section 17.46 with revisions (that have been made and are reflected in the draft ordinance).

NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Village Board at the Germantown Village Hall located at N112 W17001 Mequon Road, Germantown, Wisconsin on the following date and at the time noted below (or soon thereafter):

DATE: Monday, November 17, 2014
TIME: 7:00 p.m. or later

The purpose of said hearing will be to hear any and all parties, their attorneys or agents, for or against the petition filed by the Village of Germantown Community Development Department for proposed zoning code text amendments to Section 17.46 (Signs) of the Village of Germantown Municipal Code.

A copy of the application is on file in the Village Planning Department office and is available for public inspection during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

Dated this 22nd day of October, 2014
Barbara K.D. Goeckner, Village Clerk

To Be Published On: October 30th and November 6th, 2014

**AN ORDINANCE AMENDING
THE VILLAGE OF GERMANTOWN ZONING CODE**

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON
COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That Section 17.46(7)(f) of the Zoning Code is created to read:

17.46(7)(f) On-Site Traffic Control and Directional Signs.

One or more directional signs such those used to identify parking lot entrances and exits, direct customers to drive-through windows, direct delivery vehicles to loading/drop-off areas, etc. may be installed on a property as needed and in locations on a property necessary to serve and in the number placed adjacent to driveways provided that:

- 1. no sign shall be placed in the street right-of-way, within a vision corner or otherwise designed or installed in a manner that obstructs vehicle sight lines or vision;*
- 2. no sign shall exceed four (4) feet in height;*
- 3. no sign shall contain more than six (6) square feet of sign area per side;*
- 4. signs shall be designed and constructed of materials that either match or are complimentary to the architecture and materials of the primary building(s) and other permanent signs already installed on or proposed for the site;*
- 5. signs may be attached to or installed on decorative pylons, posts or a masonry base provided they are comprised of materials and/or painted to match or be complimentary to the primary building;*
- 6. wall-mounted directional signs above four feet in height are prohibited;*
- 7. signs shall not include any graphics, marketing or advertising messages except that the sign may include the business name, logo and directional arrows as necessary to simplify the message and assist vehicles getting to, in and around a facility or property.*

SECTION 2. That Section 17.46(15)(a)(4) of the Zoning Code is created to read:

17.46(15)(a)(4) Off-Premises Business Signs.

Permanent directional signs benefiting one or more businesses when incorporated into a permanent ground sign as set forth in Section 17.46(7)(g).

SECTION 3. That Section 17.46(7)(f) of the Zoning Code is created to read:

17.46(7)(f) *Off-Premises Business Signs.*

Ground signs located on a particular property serving the business(es) located on that property may incorporate off-premise signage benefiting one or more other businesses not located on the same property upon which the ground sign is installed provided the following minimum requirements have been met as determined by the Plan Commission:

- 1. The sign meets all requirements for ground signs in Section 17.46(7)(c) above;*
- 2. The sign shall be located along a street frontage or near the intersecting street where vehicles would be required to turn in order to gain access to the property(ies) or business(es) benefiting from the off-premises sign;*
- 3. The property(ies) or business(es) benefiting from the sign should be located with 1/4 mile from the sign location, on a local side street, cul-de-sac or other location that is not easily visible and/or accessible from the street where the sign is located;*
- 4. At the discretion of the Plan Commission, the incorporation of an off-premises sign into an existing or new ground sign may result in a reduction in the number and/or size of signage needed to be displayed on the property(ies) or business(es) benefiting from the off-premises signage;*
- 5. The sign area used for the off-premises sign shall not exceed 50 percent of the total sign area;*

SECTION 4. That Section 17.46(7)(g) of the Zoning Code is created to read:

17.46(7)(g) *Electronic Message Boards.*

Electronic message boards may be permitted by the Plan Commission but only as an integral and subordinate portion of a freestanding monument or ground sign (and not a wall, projecting, window or any other sign) provided said monument sign complies with the provisions set forth in Section 17.46(7)(c) above. Electronic message boards may be allowed with approval by the Plan Commission and shall meet all of the following requirements:

- 1. Electronic message boards may be allowed for permitted and conditional uses located within the B-1, B-2, B-3, B-4, B-5, I, M-1 and M-2 zoning districts, except on those lots within the boundaries of the Germantown Business Park and Willow Creek Business Park of Germantown;*
- 2. Electronic message boards shall not be located within 150 feet of a residential zoning district boundary or located, designed or operated in such a manner as to create a negative visual impact on property used for existing residential uses;*

3. *Electronic message boards may be installed as part of an existing monument or ground sign which is in compliance with all applicable requirements of this chapter and other applicable requirements of law. No electronic message board may be installed on or otherwise be made part of a nonconforming sign;*
4. *Electronic message boards shall only display static messages. Messages shall not contain animation, effects simulating animation, or video. Messages shall not contain text or images that dissolve, fade, scroll, travel, flash, spin, revolve, shake or include any other type of movement or motion during the message interval. The message interval, i.e. the minimum amount of time a message is required to be displayed, shall not be less than 7 seconds. The transition interval, i.e. the maximum amount of time allowed to transition from one message to the next message, may include fading, dissolving or traveling but shall not exceed 1 second;*
5. *The sign area or display face of the message board shall be included in the calculation of sign area for the monument or ground sign to which it is attached, and, shall not exceed forty (40) percent of the total sign area allowed for the monument or ground sign to which it is attached;*
6. *Electronic message boards shall be equipped with a sensor or other device that is programmed to automatically determine the ambient light level and adjust or dim the message board light level to not exceed a maximum brightness level of 0.3 foot-candles above ambient light conditions during both daylight hours (i.e. sunrise to sunset) and night time hours (i.e. sunset to sunrise);*
7. *The electronic message board shall be programmed or set in such a manner that the display face will turn dark and emit no light in case of a malfunction;*
8. *The owner of the property upon which a ground sign containing off-premises signage is located is responsible for preparing and keeping up-to-date information in an electronic message board use & maintenance agreement that identifies the name and contact information for the person(s) responsible for maintaining the message board and ensuring that the use and content of the message board complies with the provisions set forth herein on a continual basis.*

SECTION 5. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee:

Adopted:

Vote:

Ayes:

Nays:

Dean Wolter, Village President

APPROVED AS TO FORM:

ATTEST:

Brian C. Sajdak, Village Attorney

Barbara K. D. Goeckner, Village Clerk

PLAN COMMISSION MINUTES

October 27, 2014

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 p.m.

ROLL CALL: Chairman Dean Wolter, Trustee Representative David Baum, Commissioners Mary Ellen Gray, Tim Yokes, and Dan Campbell were present. Commissioners Peck and Shadid were absent and excused. Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson were also present.

PUBLIC INPUT: None

PREVIOUS MINUTES: *MOTION Baum second Yokes to Approve the minutes from 10-13-14.*

MOTION carried unanimously.

Extreme Stainless LLC – W194 N11055 Kleinmann Drive. Briohn Building, agent for Trouble Free Realty, has submitted a Certified Survey Map, Rezoning, Conditional use Permit and Site Plan applications for the development of a 28,800 sqft industrial building on a 5.2 acre parcel located on Kleinmann Drive in the Germantown Industrial Park. Planner Retzlaff summarized the proposal.

MOTION Baum second Yokes to Approve the proposed Certified Survey Map (CSM) to combine the two parcels into one parcel subject to the following conditions:

- 1. All technical corrections listed in the Village Surveyor's October 7, 2014 review memo shall be addressed and/or reflected in a revised CSM prior to recording the CSM.*

MOTION carried unanimously.

MOTION Baum second Yokes to Approve the application to Rezone and remove up to 1,453 sqft (.03 acres) of area from the Shoreland-Wetland Zoning District as shown in the Wetland Mitigation Plan dated 10-7-14 pursuant to Section 24.07 of the Shoreland-Wetland Zoning Code.

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MOTION carried unanimously.

MOTION Baum second Campbell to Approve the site development & building plans submitted by Extreme Stainless for the proposed development of a 28,800 sqft manufacturing building located at W104 N11005 Kleinmann Drive subject to the following conditions:

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- 3. A Fire Sprinkler system per Germantown Municipal Code 5.10, WI DSPS and NFPA 13 is required throughout the building. If high rack combustible storage is installed, Class 1 standpipes are required at warehouse exit doors.**
- 4. FD connection(s) to be at a location approved by the Germantown FD and clearly marked by approved sign no more than 300 feet from the nearest fire hydrant. Fire Department access & water supply on property per NFPA 1 (2012 Edition) Chapter 18.**
- 5. One (1) fire hydrant is required to be installed along the fire lane on the south side of access road 50 feet west of the end of concrete curb shown on the site plan.**
- 6. A monitored Fire Alarm Panel for the sprinkler system shall be installed per NFPA 72 at a location to be determined by the Germantown Fire Department.**
- 7. The Property Owner/Applicant shall ensure that all site and building improvements comply with all Village of Germantown, Wisconsin Department of Safety and Professional Services (DSPS) and other applicable safety codes in effect at the time the occupancy permit is issued for the expansion.**
- 8. All exterior doors shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.**
- 9. Any/all roof-mounted HVAC units shall be screened. Detailed elevations and a roof plan for any roof-mounted HVAC units shall be submitted to the Village Planner for review and approval prior to issuance of a building permit.**
- 10. State approved plans are required and one (1) \$20,000 financial guarantee occupancy bond shall be submitted to Inspection Services as part of the building permit applications.**
- 11. All technical corrections listed in the Village Engineer's October 9, 2014 review memo shall be addressed and reflected in revised plans (as necessary) prior to issuance of any building permit.**

Trustee Baum said the building was bland and needed color, paint or texture. Domenico Ferrante, Briohn Building, said the owner wants the building to have a clean, contemporary look and be maintenance free. He proposed an alternate sample of an exposed aggregate panel to incorporate into the design. Commissioner Gray agreed the building needs more detail. Trustee Baum suggested adding a different scoring texture, or paint color some where; maybe pick one color on the bottom and the wainscoting another color as an

alternative. He said the top band could be articulated with some texture, more horizontal reveals and some verticals to break up the long horizontal. Chairman Wolter said the building is secluded, not in a prominent location, and won't be seen from Lannon Road. He said he understood the budgetary concerns and the owner wanting a clean look. Trustee Baum said changing the color of the base and putting a 6 inch stripe in another color at the top reveal would be enough for him. Mr. Ferrante said they did not want to use paint and preferred to use the exposed aggregate alternating with a smooth finish.

MOTION to Amend Baum second Campbell to add Condition #12 to add some textural changes to the base and a textural accent band at the top reveal as illustrated in the drawing that was marked up at the meeting.

MOTION to Amend carried unanimously.

Commissioner Yokes was concerned with the proposed parking and lack of space for trucks to maneuver in the parking lot. Ray Rodenbeck, Briohn Building, said trucks could pull forward into the future parking area. Mr. Ferrante said the future parking area will probably be put in right away. Rich Rutkowski, Trouble Free Realty, added that the back lot would be paved but not striped right away. Commissioner Yokes also asked if the dumpsters were enclosed. Mr. Rutkowski, said the dumpsters would be located inside the building.

MOTION to Amend Baum second Campbell to add Condition #13 that a dumpster enclosure is required if located outside the building.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Chairman Wolter thanked Extreme Stainless for locating in Germantown.

Community Development Department – Amendments to Municipal Zoning Code

Section 17.46 (Signs) Planner Retzlaff summarized the proposed amendments to revise the allowance and minimum standards for directional and off-premise signs within specific zoning districts in the Village. He said on-site traffic control and directional signage have become an issue. Businesses want more than the 3 sqft maximum size allowance for directional signs. He said specifics dealing with height and width will increase the opportunity to do monument style signs instead of pole mounted signs. The intent is to allow double what is currently in the code and create specific standards. Plan Commission will continue to review and approve the signs as part of the overall sign package.

Discussion followed. Planner Retzlaff said promotional items and events would not be allowed on the signs. He said there is currently no limitation on the amount of directional signs allowed except during the approval process where it could be determined there is excessive signage. Trustee Baum did said he was open to language allowing different signs but was more concerned with the quantity of signage that's an issue for him. Chairman Wolter liked the flexibility and format of the language regarding what is acceptable and allowed and that Plan Commission has the ability to control the number of signs allowed. Commissioner Yokes thought the language regarding the size limitations was confusing. Planner Retzlaff suggested eliminating the width restriction and going with a maximum height and sign area.

MOTION Yokes second Baum to Approve Amendment #1 as drafted but removing the line "shall not exceed two (2) feet in width".

MOTION carried unanimously.

Planner Retzlaff summarized the 2nd amendment that deals with off-premises signs. He explained there is a strict prohibition of off-premise signs in the sign code except for a short list circumstances. He explained there are a number of situations in the Village where businesses are either unable to attract or direct customers to their location by virtue of not being located on or within view of the main roadways. He said the amendment would create another type of off-premise sign to Section 17.46(15) with a certain set of criteria that may be allowed with a conditional use permit, to provide such businesses equal opportunity with respect to advertising and signage. He cited the First Bank sign as an example that currently has an off-premise sign on it for the Rivers Cove apartments. (formerly approved and not in compliance with the sign regulations). He said Fountain Square, Holiday Inn, Super 8, Cracker Barrel, Lannon Road Business Center, Life Church and the Stonewood Corporate Center are all businesses located off the main road and would benefit from an off-premise sign.

Discussion followed. Retzlaff said the off-premise signs would need to be on a monument sign for an existing business. The ground sign restrictions are already in place and wouldn't change. The additional off-premise sign square footage would need to be included in the total amount allowed for the monument sign and the off premise sign cannot be more than 50% of the total sign area. Chairman Wolter said this was an opportunity for those businesses that don't have frontage to use an existing sign or through an agreement of placing a sign at the road. Commissioner Yokes questioned the ¼ mile distance requirement. Planner Retzlaff said Plan Commission would review the distance as part of the overall approval process. He said the ¼ mile distance could be readjusted if need be.

MOTION Baum second Campbell to Approve Amendment #2 as presented.

MOTION to Amend Baum second Campbell to change the language in 17.46(7)(c) #4 "The incorporation of off-premises signage into a ground sign may result at the Plan Commission's discretion in a reduction in the number and/or square footage of signage needed to be displayed on/at the property(ies) or business(es) benefiting from the off-premises signage.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

ANNOUNCEMENTS: Planner Retzlaff asked if Plan Commissioners were available to attend an extra Plan Commission meeting on November 24th at 6:30 p.m. All indicated they were available. Commissioner Gray asked when the Community Survey would be going out. Planner Retzlaff said it would be going out shortly in a different format than originally discussed. He said the survey will be available on-line through "Survey Monkey".

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,
Lori Johnson, Planning Assistant

STATE OF WISCONSIN VILLAGE OF GERMANTOWN WASHINGTON COUNTY

RESOLUTION NO. 01-15

RESOLUTION DISCONTINUING THE ENTIRETY OF
THE PUBLIC ROAD RIGHT OF WAY
DEDICATION SHOWN ON LOT 2 OF CSM NO. 2360

WHEREAS, the Certified Survey Map No. 2360 dedicated the entirety of Lot 2 depicted thereon to Public Road Right of Way; and

WHEREAS, CSM 2360 further provided that Lot 2 would become joined with Lot 1 upon the improvement and dedication to right of way of Lot 4; and

WHEREAS, Lot 4 has subsequently been improved and dedicated to public right of way as an extension of Kleinmann Drive; and

WHEREAS, the Village Board has determined that the public interest requires the vacation of the following right of way:

All of the public road right of way reservation as originally platted and dedicated on Lot 2 of Certified Survey Map No. 2360 recorded in the Office of the Register of Deeds for Washington County, Wisconsin, on February 24, 1981, in Volume 12 on Page 255 through 257 as Document No. 434619, being located in and part of the Northeast 1/4 Section 29, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin; and

WHEREAS, the public road right of way which is hereby to be vacated does not lie within one-quarter mile of any state trunk highway or connecting highway, and does not contain a railroad crossing within its boundaries;

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Germantown, Wisconsin, do hereby vacate and discontinue the roadway right of way reservation as shown on Lot 2 of CSM 2360 and as more specifically shown on the attached Exhibit A.

BE IT FURTHER RESOLVED, that the public road right of way so vacated and discontinued shall, upon passage and publication of this Resolution, forever vest in the owner of the lands which immediately abut thereto, and shall be annexed thereto, free and clear of any right, title or interest in the public as road right of way pursuant to the provisions of section 66.1003 of the Wisconsin Statutes.

Introduced by Trustee _____, at the Village Board Meeting of the Village of Germantown on November 17, 2014.

Adopted following public hearing on: January 5, 2015

Vote: Ayes: Nays: Absent:

Dean M. Wolter, Village President

ATTEST:

Barbara K.D. Goeckner, Village Clerk

This is to certify that the foregoing resolution was adopted by the Village Board of the Village of Germantown, Wisconsin, at a meeting held on the 5th day of January, 2015.

Published: _____, 2015

Barbara K.D. Goeckner, Village Clerk

OFFICE OF THE VILLAGE CLERK

Germantown Village Hall
N112 W17001 Mequon Rd.
Germantown, WI 53092

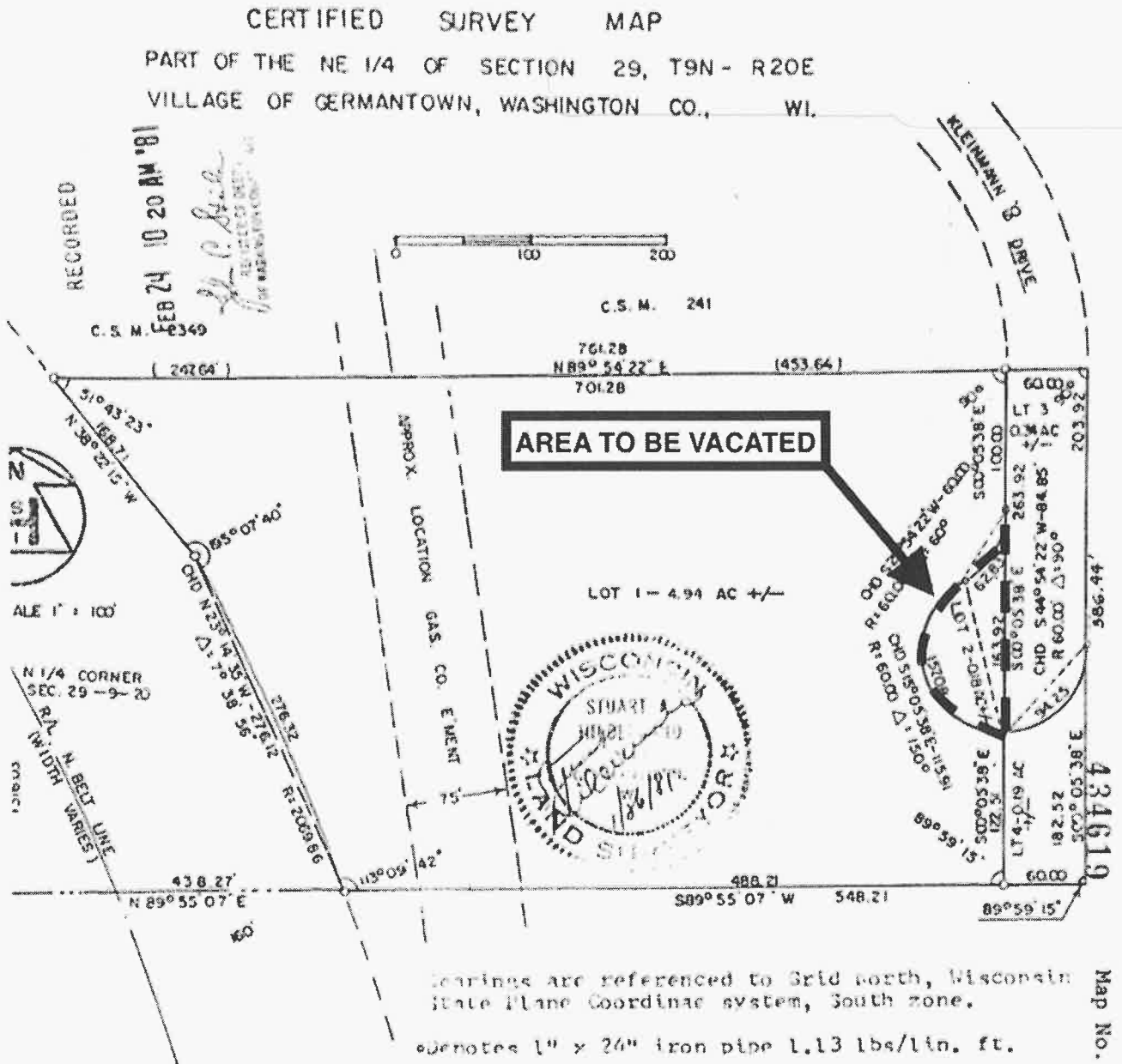
I hereby certify that this document is a true and correct copy of Resolution No. 01-15, adopted by the Village Board of the Village of Germantown, Washington County, Wisconsin, at a meeting of said Village Board on the 5th day of January, 2015.

Barbara K.D. Goeckner, Village Clerk

This Document drafted by:
Brian C. Sajdak, Village Attorney
State Bar No. 1027287

EXHIBIT A

TO RESOLUTION NO. 01-15



LEGAL DESCRIPTION OF AREA TO BE VACATED: All of the public road right of way reservation as originally platted and dedicated on Lot 2 of Certified Survey Map No. 2360 recorded in the Office of the Register of Deeds for Washington County, Wisconsin, on February 24, 1981, in Volume 12 on Page 255 through 257 as Document No. 434619, being located in and part of the Northeast 1/4 Section 29, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin

X.D

AT-107a: SCHEDULE FOR SUCCESSOR OF AGENT

If there is a change in agent, each club, corporation, or limited liability company who holds a retail permit to sell fermented malt beverages and/or intoxicating liquor must appoint a successor agent pursuant to sec. 125.04(6), Wis. Stats. There is a \$10 change in agent processing fee due with this form. The following questions must be answered by the Agent. The appointment must be signed by the President and Secretary or members of limited liability company. The appointment must be approved by the licensing authority.

Germantown

(Municipality)

Wisconsin

09/26

(Date)

20 14

1. Name of agent Duane C. Van Straten

Yes No

2. ☒ ☐ Are you of legal drinking age?
3. ☒ ☐ Have you been a resident of Wisconsin for at least 90 continuous days prior to the date of appointment as agent?
4. ☐ ☒ Have you ever been convicted of a federal law violation?
5. ☐ ☒ Have you ever been convicted of a State law violation?
6. ☐ ☒ Have you ever been convicted of a Local ordinance violation?
7. ☒ ☐ Have you completed the required responsible beverage server program per sec. 125.04(5)(a)5, Wis. Stats.?

UNDER PENALTY OF LAW, I declare that all of the above information is true and correct to the best of my knowledge and belief.

(Signature of Agent)

1212 Lily Avenue, West Bend, WI 53090

(Address)

SUCCESSOR AGENT

The undersigned appoints Duane C. Van Straten as agent in accordance with sec. 125.04(6), Wis. Stats.

Name of Permittee Wal-Mart Stores East, LP

Date 09/26 20 14

By

(Signature of President/Member)

(Signature of Secretary/Member)

I hereby accept appointment as agent for Duane C. Van Straten and assume full responsibility for the conduct of the business relative to fermented malt beverages and intoxicating liquors.

Date 09/26 10/13 20 14

(Signature of Agent)

THE AGENT APPOINTED ABOVE MUST BE APPROVED BY THE LICENSING AUTHORITY TO BE EFFECTIVE.
(See sec. 125.04(6), Wis. Stats.)



AT-107a: SCHEDULE FOR SUCCESSOR OF AGENT

If there is a change in agent, each club, corporation, or limited liability company who holds a retail permit to sell fermented malt beverages and/or intoxicating liquor must appoint a successor agent pursuant to sec. 125.04(6), Wis. Stats. There is a \$10 change in agent processing fee due with this form. The following questions must be answered by the Agent. The appointment must be signed by the President and Secretary or members of limited liability company. The appointment must be approved by the licensing authority.

Germantown

(Municipality)

Wisconsin

09/26

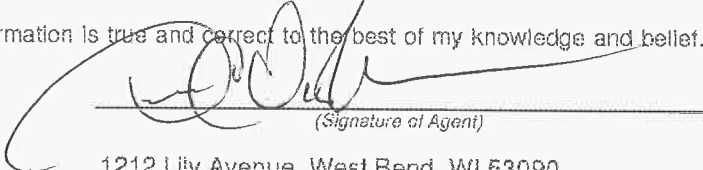
(Date)

20 141. Name of agent Duane C. Van Straten

Yes No

2. ☒ ☐ Are you of legal drinking age?
3. ☒ ☐ Have you been a resident of Wisconsin for at least 90 continuous days prior to the date of appointment as agent?
4. ☐ ☒ Have you ever been convicted of a federal law violation?
5. ☐ ☒ Have you ever been convicted of a State law violation?
6. ☐ ☒ Have you ever been convicted of a Local ordinance violation?
7. ☒ ☐ Have you completed the required responsible beverage server program per sec. 125.04(5)(a)5, Wis. Stats.?

UNDER PENALTY OF LAW, I declare that all of the above information is true and correct to the best of my knowledge and belief.


(Signature of Agent)1212 Lily Avenue, West Bend, WI 53090

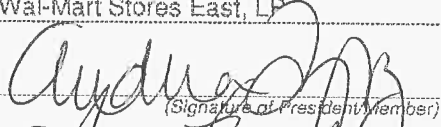
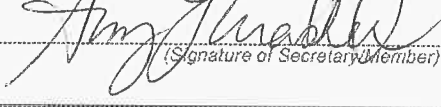
(Address)

SUCCESSOR AGENT

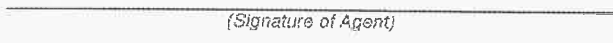
The undersigned appoints Duane C. Van Straten as agent
in accordance with sec. 125.04(6), Wis. Stats.

Name of Permittee Wal-Mart Stores East, LPDate 09/26 20 14

By


(Signature of President/Member)
(Signature of Secretary/Member)

I hereby accept appointment as agent for Duane C. Van Straten and assume
full responsibility for the conduct of the business relative to fermented malt beverages and intoxicating liquors.

Date 09/26 20 14
(Signature of Agent)

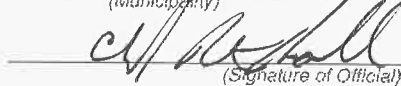
THE AGENT APPOINTED ABOVE MUST BE APPROVED BY THE LICENSING AUTHORITY TO BE EFFECTIVE.
(See sec. 125.04(6), Wis. Stats.)

GERMANTOWN
(Municipality)

WI

10-20

(Date)

20 14
(Signature of Official)CHIEF OF POLICE
(Title)

X.E

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☒ Village of Germantown County of Washington
☐ City

The undersigned duly authorized officer(s)/members/managers of Blazin Wings, Inc.
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Buffalo Wild Wings

located at N96 W18034 County Line Road Germantown WI 53022
(trade name)

appoints Jillian Cabanatuan
(name of appointed agent)

N96 W20309 County Line Rd. Menomonee Falls WI 53051
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☒ Yes ☐ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 10 months

Place of residence last year Avondale, Arizona

For: Blazin Wings, Inc.
(name of corporation/organization/limited liability company)

By: Juan Cabanatuan J. Bush
(signature of Officer/Member/Manager)

And: Juan Cabanatuan
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Jillian Cabanatuan, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Juan Cabanatuan 10/10/14 Agent's age 29
(signature of agent) (date)
N96 W20309 County Line Rd Menomonee Falls WI 53051 Date of birth 7/9/1985
(home address of agent)

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 11-12-14 by Chief [Signature] Title Police Chief
(date) (signature of proper local official) (town chair, village president, police chief)

CHANGE OF AGENT FEE \$10.00

SCHEDULE FOR SUCCESSOR OF AGENT

If there is a change in agent, each club, corporation, or limited liability company who holds a retail permit to sell fermented malt beverages and/or intoxicating liquor must appoint a successor agent pursuant to sec. 125.04(6), Wis. Stats. The following questions must be answered by the Agent. The appointment must be signed by the President and Secretary or members of limited liability company. The appointment must be approved by the proper local official.

Germantown Wisconsin 20
(Municipality) (Date)

- Name of agent Jillian Cabanatuan
- Are you of legal drinking age? ☒ Yes ☐ No
- Have you been a resident of Wisconsin for at least 90 continuous days prior to the date of appointment as agent? ☒ Yes ☐ No
- Have you ever been convicted of a federal law violation? ☐ Yes ☒ No State law violation? ☐ Yes ☒ No
Local ordinance violation? ☐ Yes ☒ No Explain _____
- Previous occupation Catering Manager

UNDER PENALTY OF LAW, I declare that all of the above information is true and correct to the best of my knowledge and belief.

Jillian Cabanatuan
(Signature of Agent)
1916 W 20309 County Line Rd Menomonee Falls
(Address) WI 53051

SUCCESSOR AGENT

The undersigned appoints Jillian Cabanatuan as agent
in accordance with sec. 125.04(6), Wis. Stats.

Date October 20 20 14
Name of Permittee Emily C. Decker, Vice President
By [Signature]
(Signature of President/Member)
(Signature of Secretary/Member)

I hereby accept appointment as agent for Blazin Wings, Inc. d/b/a Buffalo Wild Wings and assume
full responsibility for the conduct of the business relative to fermented malt beverages and intoxicating liquors.

Date October 15 20 14
Jillian Cabanatuan
(Signature of Agent)

THE AGENT APPOINTED ABOVE MUST BE APPROVED AS FOLLOWS:

- In towns, by the Town Chairman
- In villages, by the President of the Village
- In cities, by the Chief of Police

The appointment above is herewith approved.

(Municipality) Wis., _____ 20_____
(Date)

(Signature of Official)

(Title)

MEMORANDUM

TO: Village Board Members, Dave Schornack

FROM: Timmerly Tamborino, Deputy Clerk

DATE: November 11, 2014

SUBJECT: Amusement Arcade License

Buffalo Wild Wings is opening on November 24, 2014. I received their Amusement Arcade license application during the elections and set it aside to complete after the election process, thinking it only needed approval from the Village Board and could go on the November 17th agenda. I didn't realize it needed to go to the Public Safety Committee first, which was on November 3rd and is now too late. Therefore we are bringing it directly to Village Board, requesting approval in time for their November 24th opening.

Attached is the application for their Amusement Arcade License.

DATE FILED: 10-27-14
DATE ISSUED: _____

VILLAGE OF GERMANTOWN
OFFICE OF THE VILLAGE CLERK
P.O. BOX 337
GERMANTOWN, WI 53022

APPLICATION FOR AN AMUSEMENT ARCADE LICENSE

DATE: 10/1/14

FEE: THE AMUSEMENT ARCADE LICENSE SHALL BE \$100.00 PER YEAR PLUS AN ADDITIONAL CHARGE PER AMUSEMENT DEVICE AS FOLLOWS:

\$25.00 PER DEVICE FOR ONE (1) TO SEVEN (7) DEVICES
\$30.00 PER DEVICE FOR EIGHT (8) TO FIFTEEN (15) DEVICES
\$35.00 PER DEVICE FOR SIXTEEN (16) TO TWENTY-FIVE (25) DEVICES
\$40.00 PER DEVICE FOR MORE THAN TWENTY-FIVE (25) DEVICES

NAME: (Individual/Partnership/Corporation) Blazin Wings, Inc.

TRADE NAME: Buffalo Wild Wings

AGENT NAME: Jillian Cabanatuan

HOME ADDRESS: N 96 W 20309 County Line Road

CITY/STATE/ZIP CODE: Menomonee Falls, WI 53501

HOME PHONE NO.: 602-578-2541

ADDRESS OF PREMISES: N 96 W 17960 County Line Road
GERMANTOWN, WI. 53022

PLEASE FILL OUT THE BACK SIDE OF THIS FORM LISTING YOUR AMUSEMENT DEVICES NOT ALREADY LISTED ON YOUR COIN OPERATED MACHINE APPLICATION.

PLEASE NOTE: IF YOU HAVE MORE THAN 25 AMUSEMENT DEVICES, YOU MUST FIRST OBTAIN A CONDITIONAL USE PERMIT FROM THE PLAN COMMISSION AND VILLAGE BOARD.

TYPE	MANUFACTURER	LOCATION ON PREMISES
8. Tablet Tower		Bar Area
9. Tablet Tower		Bar Area
10. Tablet Tower		Front Entrance
11. Tablet Tower		Front Entrance
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		

I, the above named owner/agent, hereby apply to the Village Clerk for issuance of a coin-operated machine license for each of the above described machines. I agree to operate in compliance with provisions set forth in the Municipal Code, and if issued a license for each of the above, shall post said license with other Village issued licenses, and each machine shall be in service upon the business premises as noted.



 SIGNATURE OF OWNER/AGENT

VILLAGE OF GERMANTOWN
BUSINESS OF
THE VILLAGE BOARD

MEETING DATE: November 17, 2014

LOCATION New Business

ITEM TITLE: Resolution for Adoption of the 2015 Village Budget
and Tax Levy

SUBMITTED BY: Kim Rath, Finance Director

SUMMARY EXPLANATION:

2015 Budget Adoption

ATTACHMENT: ORDINANCE___ RESOLUTION___ OTHER __X__

RECOMMENDATION:

Approval

ACTION BY Board

RESOLUTION NO. R - 14

ADOPTING THE 2015 VILLAGE of GERMANTOWN
BUDGET AND TAX LEVY

WHEREAS, the proposed 2015 Village budget was published as required by law; and

WHEREAS, pursuant to notice given as required by law, a public hearing was held on November 17, 2013, at which residents and taxpayers of the Village had an opportunity to be heard concerning the proposed budget; and

WHEREAS, the Village Board has determined and believes that the budget as attached hereto, and the tax levy required to implement that budget are necessary and appropriate for the needs and purposes of the Village.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Germantown, Washington County, Wisconsin, that the budget attached hereto, and the revenues and appropriations in the amounts and for the purposes therein set forth, be and the same is hereby adopted as the 2015 budget for the Village of Germantown.

BE IT FURTHER RESOLVED that for the uses and purposes set forth in said budget, there be and hereby is levied upon all taxable property in the Village of Germantown, as certified to the Clerk by the Assessor for the year 2014, an ad valorem tax in the amount of **\$11,167,017** which shall be payable and collectible in 2015.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean Wolter, Village President

ATTEST:

Barbara K.D. Goeckner
Village Clerk

**VILLAGE OF GERMANTOWN
PROPERTY TAX LEVY
2015 BUDGET**

PRELIMINARY for PUBLIC HEARING
w/ reduction for Transportation Aids \$67,986
passed 10/6/14

TAX LEVY BY FUND	2014 BUDGET	2015 BUDGET	% CHANGE 2013-2014
GENERAL FUND	8,950,755	8,961,076	0.12%
DEBT SERVICE FUND	2,123,188	2,205,942	3.90%
CAPITAL PROJECTS FUND	0	0	#DIV/0!
HISTORIC PRESERVATION	0	0	#DIV/0!
TOTAL LEVY	11,073,943	11,167,017	0.84%

10,321
82,754

93,074

0			
VILLAGE TAX RATE	4.66077	4.973431	6.71%
ASSESSED VALUE (WITHOUT TIF)	2,375,990,186	2,245,334,546	-5.50%
Tax Rate Difference		0.313	

Equalized Ratio 101.1853873

2014 G/F Levy \$11,073,937

Less 2014 DS (Post 2005) (\$1,850,534)

\$9,223,403

0% Max or Growth 2013 \$49,161 *

** 2015 Debt Service Change \$1,962,439

State Allowable Limit \$11,235,003

New Debt Difference	111,905
---------------------	---------

Growth + New Debt Total 2014	161,065
------------------------------	---------

2014 Net New Construction -	0.533% *
-----------------------------	----------

Amount not Used for 2014	\$109,735
--------------------------	-----------

Amount less State Allowable Levy 2015	67,986
---------------------------------------	--------

New Loans Effective outside of Levy Limit

May 15, 2008 G.O.	\$181,830
May 1, 2007 G.O.	\$41,070
May 1, 2007 Prom Note	\$177,480
April 15, 2006 G.O.	\$308,000
May 18, 2011 G.O.	\$272,025
March 27, 2012 G.O.	\$245,403
March 27 2012 New Debt issue	\$115,365
May 8, 2013 G.O.	\$205,565
May 14, 2014 Refunding	\$304,151
May 14 2014 G.O.	\$190,701
	2,041,590
Premium	-\$79,151
	1,962,439

DS Projections:

Existing DS	338,573	(Less new issues) (does not include special assmt loans)
Impact Fee Reduction Fire	(26,000)	\$308,490
Impact Fee Reduction Library	(13,000)	
Debt Service Interest	(15,000)	
Blackstone Spec Assmt	(41,070)	

Total Village DS

\$2,380,162.50

243,503

Estimate

Property Value 2013	2013 Tax Bill	5.47% Avg Value Reduction 2014	Property Value 2014	2014 Tax Bill	Difference
75,000	350	4,103	70,898	353	3
125,000	583	6,838	118,163	588	5
150,000	699	8,205	141,795	705	6
200,000	932	10,940	189,060	940	8
250,000	1,165	13,675	236,325	1,175	10
350,000	1,631	19,145	330,855	1,645	14
450,000	2,097	24,615	425,385	2,116	18

**The Village of Germantown
BUSINESS OF THE VILLAGE BOARD**

MEETING DATE: November 17, 2014

LOCATION New Business

ITEM TITLE: Resolution Approving the Placement of Special
Charges on the 2014 Tax roll of Certain Properties

SUBMITTED BY: Kim Rath, Finance Director

SUMMARY EXPLANATION:

Requesting authorization to place special charges on the 2014 tax roll, such as special assessments, past due water and sewer billing, and accounts receivable invoicing.

Listing attached.

ATTACHMENT: ORDINANCE___ RESOLUTION X___ OTHER X___

RECOMMENDATION:

Approval

ACTION BY Board

RESOLUTION NO. – 14

AUTHORIZING THE PLACEMENT OF SPECIAL CHARGES ON THE 2014 TAX ROLL
AGAINST CERTAIN PROPERTIES

WHEREAS, certain services have been provided by the Village of Germantown, and have directly benefited specific properties within the Village, said services including water and sewer, special assessments and other miscellaneous charges for services provided during 2014, and,

WHEREAS, in specific instances, charges for services provided have not been paid, and no alternative arrangements have been reached to reimburse the Village for providing said services, or by mutual agreement, special assessment charges are to be placed on the tax roll as a means of collection, and,

NOW THEREFORE, BE IT RESOLVED by the Village Board of the Village of Germantown, Washington County, Wisconsin, that for the Village to be reimbursed for the cost it has incurred in providing certain services, a listing of which is attached, hereto and made a part hereof, pursuant to Section 66.069, 66.076, 66.60 (16) and 66.98 Wisconsin Statutes, the Village Clerk is hereby authorized and directed to place such charges upon the Tax Roll for the year of 2014.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Barbara K. D. Goeckner
Village Clerk

Village of Germantown

2014 Tax Roll - Special Charges & Assessments

Special Assmnt	Code	Amount
Water Main - Prin	01	\$8,555.53
Water Main - Interest	02	\$1,389.47
Street Improvement	11	\$6,184.57
Blackstone - Street Improvement	11	\$5,884.81
Sub-total		\$22,014.38
Special Charge		
Weed Cutting	60	\$5,325.48
Recycle Service	90	31.20
Delq Other - Prop Damage	67	4,375.74
Sub-total		\$9,732.42
Sub-Total before w/s		\$31,746.80
Deliq Water/Sewer		\$335,752.82
Total		\$367,499.62

2014 Special Assessment Water & Sewer, Streets

Payable 2015

Tax Key #	Name	Address	01		02		03		04		11	
			Water		Water		Sewer		Sewer		Street	
			Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest	P&I	Total
221-060	Wing	N116 W16044 Main St	278.70	92.02								370.72
221-068	Schott	N118 W15862-54 Williams	109.00	28.16								135.16
221-078	Plastine	N118 W15735 Williams	109.00	28.16								135.16
221-079	Feider	Lot 2, Pleasant Hills E	109.00	28.16								135.16
221-082	Keogh	W156 N11661 Pilgrim Rd	109.00	28.16								135.16
221-969	Bruno	W156 N11989 Pilgrim Rd	109.00	28.16								135.16
221-970	Lustek	W156 N11985 Pilgrim Rd	109.00	28.16								135.16
221-973	Gull	W156 N11823 Pilgrim Rd	109.00	28.16								135.16
221-979	Janetzke	W156 N11983 Pilgrim Rd	109.00	28.16								135.16
221-982	Germantown School Dist	W160 N11836 Crusader Ct	109.00	28.16								135.16
221-997	Bunke	W156 N11625 Pilgrim Rd	109.00	28.16								135.16
232-015	Zoromski	W156 N11796 Pilgrim Rd	109.00	28.16								135.16
232-994	Schulteis	W156 N11742 Pilgrim Rd	109.00	28.16								135.16
232-995	Erickson	W156 N11686 Pilgrim Rd	109.00	28.16								135.16
233-001	Reichert	W156 N11580 Pilgrim Rd	109.00	28.16								135.16
252-989	S. Sydow	N112 W13635 Mequon	210.46	37.88								248.34
252-992	Robert Brown	W140 N10910 Country Aire	210.46	37.88								248.34
253-993	Anton Frenz Trust		275.70	49.63								325.33
261-976	Daniel Krinn	W140 N11187 Country Aire	210.46	37.88								248.34
261-977	Leonard Lewinski	W140 N11161 Country Aire	210.46	37.88								248.34
261-978	Jeff Long	W140 N11125 Country Aire	210.46	37.88								248.34
261-979	Ronald Kohls	W140 N11091 Country Aire	210.46	37.88								248.34
261-980	Jeffrey King	W140 N11071 Country Aire	210.46	37.88								248.34
261-981	Steven Guelzke	W140 N11017 Country Aire	210.46	37.88								248.34
261-992	Verona Dobberfuhr	W140 N10901 Country Aire	210.46	37.88								248.34
261-993	Boehlke Family Trust	W140 N10833 Country Aire	210.46	37.88								248.34
353-976	St. Burbank	N96 W15250 County Line Rd	771.67	50.16								821.83
353-977	Wm. Coffin	N96 W15478 County Line Rd	764.69	49.70								814.39
353-982	A. Solchenberger	N96 W15358 County Line Rd	666.48	43.32								709.80
353-983	Wm. Coffin	N96 W15418 County Line Rd	659.40	42.86								702.26
203-993	Messner, Margaret	W204 N11488 Goldendale	1,508.29	316.74								1,825.03
073-996	K&M LLC of WI	N128 W21760 Holy Hill Rd									6,184.57	6,184.57
			8,555.53	1,389.47	0.00	0.00					6,184.57	16,129.57
												0.00
GTNV-211-983-992		River Lane Holding LLC									4,955.62	4,955.62
GTNV-211-983-110		River Lane Holding LLC									309.73	309.73
GTNV-211-983-119		River Lane Holding LLC									309.73	309.73
GTNV-211-983-141		River Lane Holding LLC									309.73	309.73
											5,884.81	5,884.81
Street			8,555.53	1,389.47	0.00	0.00					12,069.38	22,014.38
Water Total												
Blackstone												

6,184.57
9,945.00
5,884.81
22,014.38

Accounts Receivable

Code / Code Description	Name	Invoice #	Parcel #	Amount	Sales Tax	Penalty	Total	Expense	Account #
60	Weed Cutting	2013315	291-953	1,800.00	100.80	297.00	2,197.80	Delq Other	10-460-463-3210
		2014201	291-953	2,160.00	120.96	64.80	2,345.76		
		2014197	313-050	720.00	40.32	21.60	781.92	Weed Cutting	10-460-463-6440
								Sales Tax	10-200-240-2100
							-		
							-		
Sub-total				4,680.00	262.08	383.40	5,325.48	Penalty	10-100-130-1500
67	Damaged Property	2013321	012-994	3,756.00		619.74	4,375.74	Recycle Service	10-480-483-3600
	Delq Other								
Sub-Total				3,756.00	-	619.74	4,375.74		
90	Recycle Service	2014185	343-118	29.88		1.32	31.20		
	Cart								
Sub-Total				29.88	-	1.32	31.20		
Total				8,465.88	262.08	1,004.46	9,732.42		

Summary by Code

Summary by Code	Summary by Parcel
67	4,375.74
60	5,325.48
90	31.20
	343-977
	343-118
	31.20
	9,732.42
	9,732.42

67	4,375.74	012-994	4,375.74
60	5,325.48	291-593	4,543.56
90	31.20	313-050	781.92
		334-977	-
		343-118	31.20
			9,732.42

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
1	19197600	290.05	29.00	319.05
2	19198100	1501.20	150.12	1651.32
3	19198800	686.50	68.65	755.15
4	19198900	464.25	46.43	510.68
5	19498900	573.25	57.33	630.58
6	20303400	625.34	62.53	687.87
7	20320102	80.57	8.06	88.63
8	20320400	502.84	50.28	553.12
9	20320602	120.43	12.04	132.47
10	20320801	166.69	16.67	183.36
11	20321001	530.11	53.01	583.12
12	20321002	846.16	84.62	930.78
13	20321101	531.59	53.16	584.75
14	20321700	576.14	57.61	633.75
15	20321701	222.00	22.20	244.20
16	20322900	86.07	8.61	94.68
17	20323900	34.36	3.44	37.80
18	20325200	709.28	70.93	780.21
19	20325300	820.76	82.08	902.84
20	20330700	245.18	24.52	269.70
21	20495400	409.44	40.94	450.38
22	20495600	460.35	46.04	506.39
23	20496201	159.34	15.93	175.27
24	20496202	159.34	15.93	175.27
25	20496207	214.54	21.45	235.99
26	21100600	217.54	21.75	239.29
27	21101600	197.75	19.78	217.53
28	21102600	68.89	6.89	75.78
29	21102700	94.67	9.47	104.14
30	21295600	226.47	22.65	249.12
31	21399200	312.09	31.21	343.30
32	21499401	20.12	2.01	22.13
33	21499403	172.41	17.24	189.65
34	21499405	10.99	1.10	12.09
35	21499407	146.21	14.62	160.83
36	21499410	653.48	65.35	718.83
37	21499411	155.51	15.55	171.06
38	21499424	452.30	45.23	497.53
39	21499425	103.25	10.32	113.57
40	21499426	119.04	11.90	130.94
41	21499444	241.65	24.16	265.81
42	21499445	103.25	10.32	113.57
43	21499446	154.79	15.48	170.27
44	21499448	206.33	20.63	226.96
45	22100600	461.93	46.19	508.12
46	22101100	1849.60	184.96	2034.56
47	22101700	118.94	11.89	130.83
48	22102000	150.94	15.09	166.03
49	22102100	136.71	13.67	150.38
50	22102200	625.34	62.53	687.87
51	22102700	145.89	14.59	160.48
52	22103700	410.42	41.04	451.46
53	22104100	328.14	32.81	360.95
54	22105600	773.00	77.30	850.30
55	22105700	292.22	29.22	321.44
56	22106500	436.31	43.63	479.94
57	22107000	143.05	14.30	157.35

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
58	22107300	297.08	29.71	326.79
59	22109002	511.95	51.20	563.15
60	22197800	149.41	14.94	164.35
61	22200200	625.34	62.53	687.87
62	22200800	153.78	15.38	169.16
63	22201000	149.41	14.94	164.35
64	22201100	659.98	66.00	725.98
65	22300500	1121.73	112.17	1233.90
66	22300800	305.72	30.57	336.29
67	22300900	574.63	57.46	632.09
68	22301000	628.44	62.84	691.28
69	22301500	148.14	14.81	162.95
70	22301600	1148.48	114.85	1263.33
71	22301700	342.59	34.26	376.85
72	22302100	452.42	45.24	497.66
73	22302600	400.97	40.10	441.07
74	22302800	103.25	10.32	113.57
75	22302900	215.98	21.60	237.58
76	22303700	1076.34	107.63	1183.97
77	22303900	840.53	84.05	924.58
78	22304100	661.58	66.16	727.74
79	22304200	985.54	98.55	1084.09
80	22304600	845.31	84.53	929.84
81	22305300	656.29	65.63	721.92
82	22305700	1330.32	133.03	1463.35
83	22307900	744.49	74.45	818.94
84	22308600	720.05	72.01	792.06
85	22308800	191.68	19.17	210.85
86	22309100	572.84	57.28	630.12
87	22309200	122.69	12.27	134.96
88	22309500	628.68	62.87	691.55
89	22309700	266.47	26.65	293.12
90	22310100	565.26	56.53	621.79
91	22310200	520.31	52.03	572.34
92	22310300	853.37	85.34	938.71
93	22311800	124.86	12.49	137.35
94	22311900	161.26	16.13	177.39
95	22312000	197.75	19.77	217.52
96	22312300	170.27	17.03	187.30
97	22312500	445.44	44.54	489.98
98	22312800	302.83	30.28	333.11
99	22313100	279.14	27.91	307.05
100	22313200	270.55	27.06	297.61
101	22314100	700.46	70.05	770.51
102	22314400	999.30	99.93	1099.23
103	22314900	197.75	19.78	217.53
104	22315000	692.55	69.26	761.81
105	22315100	384.03	38.40	422.43
106	22315200	86.07	8.61	94.68
107	22317100	638.31	63.83	702.14
108	22317700	191.96	19.20	211.16
109	22318100	699.45	69.95	769.40
110	22318200	336.74	33.67	370.41
111	22318400	2180.71	218.07	2398.78
112	22318500	275.26	27.53	302.79
113	22325100	365.72	36.57	402.29
114	22325500	91.59	9.16	100.75

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
115	22326600	401.56	40.16	441.72
116	22326800	544.35	54.44	598.79
117	22328300	411.31	41.13	452.44
118	22328600	411.31	41.13	452.44
119	22328900	39.98	4.00	43.98
120	22329900	171.25	17.12	188.37
121	22330100	354.85	35.49	390.34
122	22330300	173.00	17.30	190.30
123	22331000	508.76	50.88	559.64
124	22331100	225.49	22.55	248.04
125	22331600	330.69	33.07	363.76
126	22332200	450.61	45.06	495.67
127	22334800	223.43	22.34	245.77
128	22336600	78.31	7.83	86.14
129	22336900	492.18	49.22	541.40
130	22337200	365.99	36.60	402.59
131	22337300	492.18	49.22	541.40
132	22337400	492.18	49.22	541.40
133	22338800	113.32	11.33	124.65
134	22339400	497.01	49.70	546.71
135	22340000	96.96	9.70	106.66
136	22340100	351.74	35.17	386.91
137	22340200	351.74	35.17	386.91
138	22340500	351.74	35.17	386.91
139	22340600	180.26	18.03	198.29
140	22343100	468.37	46.84	515.21
141	22343800	103.50	10.35	113.85
142	22343900	33.63	3.36	36.99
143	22345000	573.60	57.36	630.96
144	22345600	396.94	39.69	436.63
145	22346000	573.60	57.36	630.96
146	22346200	66.81	6.68	73.49
147	22346400	331.63	33.16	364.79
148	22346700	152.69	15.27	167.96
149	22346800	331.63	33.16	364.79
150	22346900	72.22	7.22	79.44
151	22347400	331.63	33.16	364.79
152	22347700	72.22	7.22	79.44
153	22348500	114.36	11.44	125.80
154	22349200	245.63	24.56	270.19
155	22349400	114.36	11.44	125.80
156	22349600	369.45	36.95	406.40
157	22350500	369.45	36.95	406.40
158	22350800	106.86	10.69	117.55
159	22352300	93.67	9.37	103.04
160	22352900	430.13	43.01	473.14
161	22353000	204.37	20.44	224.81
162	22353200	430.13	43.01	473.14
163	22397226	582.50	58.25	640.75
164	22397244	68.89	6.89	75.78
165	22397248	709.21	70.92	780.13
166	22397249	79.23	7.92	87.15
167	22397251	987.11	98.71	1085.82
168	22397269	86.01	8.60	94.61
169	22397271	396.81	39.68	436.49
170	22397272	96.63	9.66	106.29
171	22397273	189.15	18.92	208.07

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
172	22397274	175.93	17.59	193.52
173	22397280	366.34	36.63	402.97
174	22397283	682.01	68.20	750.21
175	22397285	154.48	15.45	169.93
176	22397286	482.06	48.21	530.27
177	22397288	209.92	20.99	230.91
178	22397290	120.43	12.04	132.47
179	22400600	1004.06	100.41	1104.47
180	22401200	346.83	34.68	381.51
181	22403000	557.00	55.70	612.70
182	22404100	629.18	62.92	692.10
183	22404800	1049.19	104.92	1154.11
184	22405000	529.62	52.96	582.58
185	22405300	576.01	57.60	633.61
186	22405700	512.39	51.24	563.63
187	22405800	247.99	24.80	272.79
188	22406100	537.70	53.77	591.47
189	22406300	422.97	42.30	465.27
190	22416300	163.39	16.34	179.73
191	22416600	78.20	7.82	86.02
192	22421400	539.74	53.97	593.71
193	22497701	94.67	9.47	104.14
194	22497715	291.60	29.16	320.76
195	22497722	837.42	83.74	921.16
196	22497730	520.99	52.10	573.09
197	22499001	957.95	95.80	1053.75
198	23200600	625.34	62.53	687.87
199	23203500	625.34	62.53	687.87
200	23204000	625.34	62.53	687.87
201	23204200	625.34	62.53	687.87
202	23205400	625.34	62.53	687.87
203	23205600	625.34	62.53	687.87
204	23207500	420.78	42.08	462.86
205	23210600	1694.39	169.44	1863.83
206	23211800	1245.29	124.53	1369.82
207	23220600	294.48	29.45	323.93
208	23220800	574.39	57.44	631.83
209	23221700	202.23	20.22	222.45
210	23222500	628.56	62.86	691.42
211	23222600	279.40	27.94	307.34
212	23222800	129.03	12.90	141.93
213	23299600	364.85	36.49	401.34
214	23300200	419.28	41.93	461.21
215	23300600	440.44	44.04	484.48
216	23300700	352.37	35.24	387.61
217	23300800	766.89	76.69	843.58
218	23301500	832.92	83.29	916.21
219	23301600	198.51	19.85	218.36
220	23301900	211.20	21.12	232.32
221	23302000	619.92	61.99	681.91
222	23302801	1814.75	181.48	1996.23
223	23302900	730.74	73.07	803.81
224	23303400	557.68	55.77	613.45
225	23303500	206.33	20.63	226.96
226	23303700	663.73	66.37	730.10
227	23303900	1145.01	114.50	1259.51
228	23304600	628.44	62.84	691.28

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
229	23304800	657.93	65.79	723.72
230	23305000	690.84	69.08	759.92
231	23305600	690.70	69.07	759.77
232	23305900	1416.88	141.69	1558.57
233	23306000	710.03	71.00	781.03
234	23306500	502.10	50.21	552.31
235	23306900	538.54	53.85	592.39
236	23308500	11.27	1.13	12.40
237	23308800	11.28	1.13	12.41
238	23397400	226.16	22.62	248.78
239	25140200	1402.06	140.21	1542.27
240	25141500	178.70	17.87	196.57
241	25143000	198.51	19.85	218.36
242	25198800	76.13	7.61	83.74
243	25498800	50.11	5.01	55.12
244	25498900	27.21	2.72	29.93
245	25498901	148.25	14.82	163.07
246	26110100	159.28	15.93	175.21
247	26111600	735.64	73.56	809.20
248	26112300	154.79	15.48	170.27
249	26113100	275.83	27.58	303.41
250	26121700	715.48	71.55	787.03
251	26121800	1075.60	107.56	1183.16
252	26122600	195.94	19.59	215.53
253	26122700	481.48	48.15	529.63
254	26124316	111.85	11.18	123.03
255	26200700	755.67	75.57	831.24
256	26211100	1004.78	100.48	1105.26
257	26230000	798.04	79.80	877.84
258	26230300	679.95	68.00	747.95
259	26232200	154.56	15.46	170.02
260	26232400	520.56	52.06	572.62
261	26297500	215.58	21.56	237.14
262	26304500	593.22	59.32	652.54
263	26305400	916.67	91.67	1008.34
264	26306100	838.41	83.84	922.25
265	26306600	161.98	16.20	178.18
266	26401300	827.47	82.75	910.22
267	26401400	208.58	20.86	229.44
268	26401700	444.44	44.44	488.88
269	26402500	252.29	25.23	277.52
270	26402800	255.66	25.57	281.23
271	26403400	530.38	53.04	583.42
272	26405100	258.26	25.83	284.09
273	26406000	187.83	18.78	206.61
274	26406500	404.89	40.49	445.38
275	26408700	202.99	20.30	223.29
276	26409700	680.07	68.01	748.08
277	26410000	586.35	58.64	644.99
278	26411600	204.47	20.45	224.92
279	26412300	279.54	27.95	307.49
280	26412900	225.76	22.58	248.34
281	26413000	612.36	61.24	673.60
282	26413800	480.36	48.04	528.40
283	26420100	746.74	74.67	821.41
284	26421900	862.79	86.28	949.07
285	26422300	171.97	17.20	189.17

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
286	26424000	881.14	88.11	969.25
287	26424500	171.97	17.20	189.17
288	26426200	593.58	59.36	652.94
289	26426300	242.94	24.29	267.23
290	26428600	221.75	22.17	243.92
291	26429300	779.85	77.99	857.84
292	26430400	868.07	86.81	954.88
293	27100600	60.78	6.08	66.86
294	27101100	631.08	63.11	694.19
295	27101200	566.76	56.68	623.44
296	27102600	1007.89	100.79	1108.68
297	27103900	1038.00	103.80	1141.80
298	27104600	1325.80	132.58	1458.38
299	27104800	729.86	72.99	802.85
300	27104802	414.75	41.48	456.23
301	27105300	94.67	9.47	104.14
302	27105700	600.43	60.04	660.47
303	27107500	510.65	51.07	561.72
304	27107600	1043.71	104.37	1148.08
305	27108800	103.25	10.32	113.57
306	27108900	171.97	17.20	189.17
307	27109600	437.30	43.73	481.03
308	27110000	146.21	14.62	160.83
309	27110100	1016.67	101.67	1118.34
310	27110700	128.73	12.87	141.60
311	27110800	1086.62	108.66	1195.28
312	27110900	766.93	76.69	843.62
313	27111000	197.75	19.77	217.52
314	27120600	736.44	73.64	810.08
315	27120700	146.21	14.62	160.83
316	27120800	260.94	26.09	287.03
317	27121200	565.73	56.57	622.30
318	27122800	272.96	27.30	300.26
319	27124700	197.75	19.77	217.52
320	27125800	1068.69	106.87	1175.56
321	27127000	822.69	82.27	904.96
322	27128500	176.89	17.69	194.58
323	27129200	365.57	36.56	402.13
324	27131900	116.45	11.64	128.09
325	27132100	879.14	87.91	967.05
326	27133700	146.21	14.62	160.83
327	27134600	603.12	60.31	663.43
328	27137200	120.43	12.04	132.47
329	27199900	467.77	46.78	514.55
330	27203700	1168.31	116.83	1285.14
331	27204800	618.15	61.82	679.97
332	27205200	257.87	25.79	283.66
333	27205900	762.65	76.27	838.92
334	27206600	247.87	24.79	272.66
335	27207300	240.69	24.07	264.76
336	27213000	148.45	14.84	163.29
337	27217700	1408.29	140.83	1549.12
338	27218700	965.72	96.57	1062.29
339	27219400	432.33	43.23	475.56
340	27221700	171.97	17.20	189.17
341	27222500	197.75	19.77	217.52
342	27222800	987.04	98.70	1085.74

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
343	27223200	197.75	19.77	217.52
344	27224100	786.64	78.66	865.30
345	27224500	197.75	19.77	217.52
346	27224900	811.62	81.16	892.78
347	27225600	249.29	24.93	274.22
348	27225900	29.70	2.97	32.67
349	27226000	826.63	82.66	909.29
350	27230100	180.57	18.06	198.63
351	27231100	149.26	14.93	164.19
352	27231700	129.03	12.90	141.93
353	27232100	236.16	23.62	259.78
354	27232200	646.61	64.66	711.27
355	27232800	208.58	20.86	229.44
356	27233300	197.75	19.77	217.52
357	27234100	195.88	19.59	215.47
358	27299503	98.81	9.88	108.69
359	27301600	197.04	19.70	216.74
360	27303400	969.19	96.92	1066.11
361	27303900	197.75	19.77	217.52
362	27304000	1057.79	105.78	1163.57
363	27305300	129.03	12.90	141.93
364	27305500	933.73	93.37	1027.10
365	27306000	297.38	29.74	327.12
366	27307900	367.68	36.77	404.45
367	27312700	171.97	17.20	189.17
368	27313300	657.43	65.74	723.17
369	27314400	609.66	60.97	670.63
370	27314700	163.39	16.34	179.73
371	27314800	708.49	70.85	779.34
372	27315300	549.31	54.93	604.24
373	27319500	143.68	14.37	158.05
374	27319600	242.94	24.29	267.23
375	27320100	184.58	18.46	203.04
376	27321000	189.54	18.95	208.49
377	27332000	225.83	22.58	248.41
378	27332400	232.11	23.21	255.32
379	27334000	255.64	25.56	281.20
380	27334300	540.94	54.09	595.03
381	27336400	197.75	19.77	217.52
382	27336800	137.61	13.76	151.37
383	27337300	1120.62	112.06	1232.68
384	27404500	203.47	20.35	223.82
385	27405400	587.50	58.75	646.25
386	27406500	818.45	81.85	900.30
387	27407100	146.21	14.62	160.83
388	27407400	1107.68	110.77	1218.45
389	27408000	313.76	31.38	345.14
390	27408500	1328.97	132.90	1461.87
391	27410900	485.38	48.54	533.92
392	27411000	219.79	21.98	241.77
393	27413000	575.89	57.59	633.48
394	27413900	232.18	23.22	255.40
395	27415100	861.75	86.18	947.93
396	27415900	268.55	26.86	295.41
397	27420100	223.90	22.39	246.29
398	27420900	129.03	12.90	141.93
399	27422000	692.60	69.26	761.86

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
400	27423800	681.62	68.16	749.78
401	27424200	320.39	32.04	352.43
402	27424500	96.91	9.69	106.60
403	27425300	146.21	14.62	160.83
404	27430300	670.71	67.07	737.78
405	27430800	1032.41	103.24	1135.65
406	27431800	1529.05	152.91	1681.96
407	27432600	854.11	85.41	939.52
408	27433000	322.52	32.25	354.77
409	27435800	129.03	12.90	141.93
410	28199702	137.61	13.76	151.37
411	28199900	303.34	30.33	333.67
412	28400200	235.48	23.55	259.03
413	28400400	738.17	73.82	811.99
414	28401100	1310.67	131.07	1441.74
415	28402000	789.71	78.97	868.68
416	28402100	189.15	18.91	208.06
417	33101900	1094.83	109.48	1204.31
418	33103300	840.85	84.09	924.94
419	33104900	366.61	36.66	403.27
420	33109500	220.05	22.01	242.06
421	33123100	262.42	26.24	288.66
422	33124200	799.07	79.91	878.98
423	33124700	139.85	13.98	153.83
424	33125400	1115.19	111.52	1226.71
425	33125600	1345.36	134.54	1479.90
426	33126000	361.64	36.16	397.80
427	33127500	198.12	19.81	217.93
428	33129400	394.82	39.48	434.30
429	33131000	950.66	95.07	1045.73
430	33399100	12.77	1.28	14.05
431	33400400	625.34	62.53	687.87
432	33400600	149.41	14.94	164.35
433	33400800	625.34	62.53	687.87
434	33401300	625.34	62.53	687.87
435	33401400	625.34	62.53	687.87
436	33401700	426.99	42.70	469.69
437	33402500	215.68	21.57	237.25
438	33410600	87.39	8.74	96.13
439	33412000	200.18	20.02	220.20
440	33412700	217.98	21.80	239.78
441	33418200	146.21	14.62	160.83
442	33418700	359.08	35.91	394.99
443	33420700	448.46	44.85	493.31
444	33435100	87.64	8.76	96.40
445	33436400	79.60	7.96	87.56
446	33436500	209.39	20.94	230.33
447	33437300	192.21	19.22	211.43
448	33438000	546.83	54.68	601.51
449	33438500	86.07	8.61	94.68
450	33438900	349.94	34.99	384.93
451	33440900	735.96	73.60	809.56
452	33445000	86.07	8.61	94.68
453	33445700	77.49	7.75	85.24
454	33447700	517.08	51.71	568.79
455	34100900	529.90	52.99	582.89
456	34101200	441.11	44.11	485.22

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
457	34101400	748.05	74.81	822.86
458	34102200	163.39	16.34	179.73
459	34102500	249.29	24.93	274.22
460	34102800	170.74	17.07	187.81
461	34103800	575.09	57.51	632.60
462	34103900	1130.35	113.04	1243.39
463	34105900	1206.80	120.68	1327.48
464	34108800	218.49	21.85	240.34
465	34112800	2029.79	202.98	2232.77
466	34114000	399.72	39.97	439.69
467	34120200	522.88	52.29	575.17
468	34198200	153.69	15.37	169.06
469	34199500	165.63	16.56	182.19
470	34200500	121.58	12.16	133.74
471	34210400	1176.64	117.66	1294.30
472	34210700	1273.28	127.33	1400.61
473	34212300	523.09	52.31	575.40
474	34213500	869.13	86.91	956.04
475	34214600	756.44	75.64	832.08
476	34214800	123.06	12.31	135.37
477	34215900	87.75	8.77	96.52
478	34216600	495.94	49.59	545.53
479	34220500	69.12	6.91	76.03
480	34220800	260.50	26.05	286.55
481	34221500	1580.42	158.04	1738.46
482	34222100	266.47	26.65	293.12
483	34223600	166.00	16.60	182.60
484	34223800	936.19	93.62	1029.81
485	34225000	1409.63	140.96	1550.59
486	34225300	197.75	19.77	217.52
487	34226000	524.13	52.41	576.54
488	34231000	206.33	20.63	226.96
489	34300100	351.25	35.13	386.38
490	34300700	144.06	14.41	158.47
491	34300800	625.34	62.53	687.87
492	34301600	149.41	14.94	164.35
493	34303800	149.41	14.94	164.35
494	34304100	461.93	46.19	508.12
495	34304600	301.62	30.16	331.78
496	34307400	880.20	88.02	968.22
497	34309500	150.69	15.07	165.76
498	34311000	232.11	23.21	255.32
499	34311800	150.69	15.07	165.76
500	34311900	1281.65	128.17	1409.82
501	34313100	135.75	13.57	149.32
502	34320200	201.29	20.13	221.42
503	34322600	949.17	94.92	1044.09
504	34322700	858.66	85.87	944.53
505	34322900	860.80	86.08	946.88
506	34323800	146.21	14.62	160.83
507	34324200	919.95	92.00	1011.95
508	34400600	696.77	69.68	766.45
509	34401200	461.93	46.19	508.12
510	34403000	314.40	31.44	345.84
511	34403200	431.26	43.13	474.39
512	34405200	473.75	47.38	521.13
513	34405300	168.48	16.85	185.33

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
514	34406600	109.38	10.94	120.32
515	34406700	86.07	8.61	94.68
516	34407000	657.64	65.76	723.40
517	34407300	77.49	7.75	85.24
518	34408200	170.97	17.10	188.07
519	34408400	220.46	22.05	242.51
520	34408600	163.39	16.34	179.73
521	34409700	273.44	27.34	300.78
522	34410900	319.24	31.92	351.16
523	34411700	129.03	12.90	141.93
524	34412800	793.77	79.38	873.15
525	34413800	422.84	42.28	465.12
526	34413900	307.92	30.79	338.71
527	34414000	789.84	78.98	868.82
528	34415100	625.34	62.53	687.87
529	34416000	593.47	59.35	652.82
530	34416100	798.14	79.81	877.95
531	34416600	238.27	23.83	262.10
532	34417700	584.02	58.40	642.42
533	34418200	984.01	98.40	1082.41
534	34418600	563.76	56.38	620.14
535	34418700	241.08	24.11	265.19
536	34418900	381.03	38.10	419.13
537	34420500	142.10	14.21	156.31
538	34421000	476.04	47.60	523.64
539	34422100	426.89	42.69	469.58
540	34423200	86.07	8.61	94.68
541	34430500	492.50	49.25	541.75
542	34430700	787.05	78.71	865.76
543	35100400	599.20	59.92	659.12
544	35101400	1032.01	103.20	1135.21
545	35101900	609.98	61.00	670.98
546	35102300	366.08	36.61	402.69
547	35103700	1330.89	133.09	1463.98
548	35104000	342.02	34.20	376.22
549	35104500	311.66	31.17	342.83
550	35104700	751.69	75.17	826.86
551	35105200	224.27	22.43	246.70
552	35106500	829.66	82.97	912.63
553	35107500	137.61	13.76	151.37
554	35120100	799.15	79.92	879.07
555	35121500	563.05	56.31	619.36
556	35124900	249.29	24.93	274.22
557	35125800	171.97	17.20	189.17
558	35130600	409.15	40.92	450.07
559	35131600	1133.88	113.39	1247.27
560	35132000	741.62	74.16	815.78
561	35199100	1064.81	106.48	1171.29
562	35200300	124.92	12.49	137.41
563	35201400	86.66	8.67	95.33
564	35202000	481.08	48.11	529.19
565	35202700	234.72	23.47	258.19
566	35204100	357.29	35.73	393.02
567	35205100	154.79	15.48	170.27
568	35220400	599.13	59.91	659.04
569	35220800	189.15	18.91	208.06
570	35222100	623.83	62.38	686.21

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
571	35222500	276.54	27.65	304.19
572	35223100	129.03	12.90	141.93
573	35224600	81.78	8.18	89.96
574	35225600	848.14	84.81	932.95
575	35227200	154.79	15.48	170.27
576	35228800	834.38	83.44	917.82
577	35230100	346.77	34.68	381.45
578	35230600	478.01	47.80	525.81
579	35298600	137.61	13.76	151.37
580	35299400	167.52	16.75	184.27
581	35300700	245.52	24.55	270.07
582	35301800	149.41	14.94	164.35
583	35301900	73.23	7.32	80.55
584	35305200	137.61	13.76	151.37
585	35305500	486.93	48.69	535.62
586	35310300	300.83	30.08	330.91
587	35310600	403.06	40.31	443.37
588	35310800	384.32	38.43	422.75
589	35320300	310.93	31.09	342.02
590	35322000	483.52	48.35	531.87
591	35322400	105.28	10.53	115.81
592	35333400	1281.90	128.19	1410.09
593	35335700	637.58	63.76	701.34
594	35337500	970.61	97.06	1067.67
595	35338500	543.67	54.37	598.04
596	35397600	149.41	14.94	164.35
597	35398600	498.08	49.81	547.89
598	35400700	146.58	14.66	161.24
599	35401300	197.75	19.77	217.52
600	35401800	717.38	71.74	789.12
601	35402100	713.12	71.31	784.43
602	35402700	1151.33	115.13	1266.46
603	35403200	287.99	28.80	316.79
604	35405400	425.13	42.51	467.64
605	35406600	753.39	75.34	828.73
606	35407900	171.97	17.20	189.17
607	35408600	160.00	16.00	176.00
608	35411400	133.61	13.36	146.97
609	35412400	746.45	74.65	821.10
610	35420400	259.42	25.94	285.36
611	35421300	131.27	13.13	144.40
612	35422200	770.84	77.08	847.92
613	35423200	1172.52	117.25	1289.77
614	35425100	392.63	39.26	431.89
615	35426100	192.91	19.29	212.20
616	35426300	264.22	26.42	290.64
617	35426500	679.11	67.91	747.02
618	35429400	195.77	19.58	215.35
619	35496532	94.67	9.47	104.14
620	35496553	120.43	12.04	132.47
621	35496562	218.75	21.88	240.63
622	35496591	449.74	44.97	494.71
623	35496593	102.38	10.24	112.62
624	1122397201	401.51	40.15	441.66
625	1122397211	205.85	20.59	226.44
626	1122397215	389.69	38.97	428.66
627	1122397216	47.96	4.80	52.76

ACCOUNTS FOR 2014 TAX ROLL

	AcctNum	AcctBal	0.10	Total
628	1122397219	1014.77	101.48	1116.25
629	1122397224	500.50	50.05	550.55
630	1122397227	197.70	19.77	217.47
631	1122397228	94.67	9.47	104.14
632	1122397233	555.49	55.55	611.04
633	1122397236	808.41	80.84	889.25
634	1122397239	197.75	19.77	217.52
635	1122397240	197.75	19.77	217.52
636	1122397250	102.26	10.23	112.49
637	1122397256	914.56	91.46	1006.02
638	1122397259	91.88	9.19	101.07
639	1122397262	77.86	7.79	85.65
640	1122397266	249.29	24.93	274.22
641	1122397268	395.15	39.52	434.67
642	1122397287	103.25	10.32	113.57
643	2031260100	610.49	61.05	671.54
644	2031290100	1184.44	118.44	1302.88
645	2049440200	491.98	49.20	541.18
646	2049550100	75.79	7.58	83.37
647	2049550200	63.58	6.36	69.94
648	2119830138	496.40	49.64	546.04
649	2139730100	61.89	6.19	68.08
650	2210310100	73.82	7.38	81.20
651	2240010200	1051.55	105.16	1156.71
652	2240010400	146.21	14.62	160.83
653	2240030300	504.64	50.46	555.10
654	2240030400	555.40	55.54	610.94
655	2240040100	189.15	18.91	208.06
656	2240090400	68.89	6.89	75.78
657	2240230200	11.47	1.15	12.62
658	2240960100	122.95	12.29	135.24
659	2240960700	537.36	53.74	591.10
660	2321050100	214.93	21.49	236.42
661	2330640200	180.57	18.06	198.63
662	2330690100	500.00	50.00	550.00
663	2629650200	290.55	29.06	319.61
664	2710030200	175.19	17.52	192.71
665	2710160200	628.44	62.84	691.28
666	2710170200	178.78	17.88	196.66
667	2710180100	854.60	85.46	940.06
668	2710190200	220.84	22.08	242.92
669	2710420100	202.56	20.26	222.82
670	2710460100	1525.40	152.54	1677.94
671	2720070100	558.42	55.84	614.26
672	2720090200	148.45	14.85	163.30
673	3410030200	1185.92	118.59	1304.51
674	3410170200	576.26	57.63	633.89
675	3410180100	1095.23	109.52	1204.75
676	3410190200	305.68	30.57	336.25
677	3440190100	134.56	13.46	148.02
		305229.84	30522.98	335752.82

**GERMANTOWN TOURISM / BETTERMENT FUND
REQUEST FOR FUNDING
CALENDAR YEAR: 2015**

Funds may be requested by groups for Tourism Projects (projects or events that will bring visitors to the Village of Germantown).

1. Group Name: Washington County CVB
Address: 3000 Highway PV, West Bend, 53095 Germantown, WI 53022
2. Responsible person's name: Elaine Motl Phone No: 262-677-5069
3. Amount requested: \$17,500.00

MAXIMUM AMOUNT REQUESTED IS \$2500 PER REQUEST

4. Date by which funding is desired: May, 2015

Please complete this form in its entirety. Also, please submit an estimate for the project for approval. Upon completion of the project, receipts submitted will be matched against the detail costs to verify the final expenditure. Note the guidelines for funding requests listed on the reverse side of this form.

Event or project description: (Please provide details regarding your event or project)

Promoting Germantown as a leisure and business destination
to visitors in Wisconsin, Illinois and other regional
states.

Goals of your event/project:

Feature in Visitor Guide. Opportunity for brochure placement.
Feature on Website. Feature in print advertising.
Promotion of special events. Promotion to tour bus market.

Cost Details:

\$1500 to cover cost of inclusion.

2nd or 3rd year applicants – please describe the results of the previous year's event/project:

Brought items featuring Germantown.

RECEIVED

MAY 28 2014

OFFICE OF VILLAGE CLERK
VILLAGE OF GERMANTOWN

X. K

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: November 17, 2014

AGENDA ITEM: New Business **(Conditional Use Permit)**

ITEM TITLE: Roland Pieper, Agent for Patrick Josten and Rockfield Short-Pour LLC, Property Owner; Request for a Six (6) Week Extension of Conditional Use Permit (CUP) No. 8-12 (Ready-Mix Concrete Batch Plant); W172 N12882 Division Road

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department

SUMMARY EXPLANATION:

In October 2012, the Village Board granted a conditional use permit (CUP No. 08-12) to Patrick Josten, owner/operator of Rockfield Short-Pour LLC, to continue the operation of a non-compliant small-scale, ready-mix concrete batch plant from a 2-acre residential property for a period of two (2) years. The expiration date of CUP #08-12 is November 1, 2014.

As indicated in the October 15, 2012, meeting minutes (copy attached), the Board granted a 2-year time period (extending the Plan Commission's recommended 1-year period) in order to Josten to bring his property into compliance, or, move the concrete batch plant to another location. To date, no action has been taken and, apart from Attorney Pieper's extension request letter and an earlier October 9, 2014 meeting with staff, no attempt to communicate with Village staff was made by Josten over the last two years.

As indicated in the attached letter from Attorney Roland Pieper, Pat Josten is requesting a six-week extension (from November 1, 2014 to December 13, 2014).

Pursuant to Section 17.43(8) of the Zoning Code, the Village Board has the authority to grant extensions "for good cause" and can determine the duration of the extension to be granted (not to exceed 12 months).

ATTACHMENTS:

- ◆ 10/23/14 Extension Request Letter
- ◆ CUP #08-12
- ◆ October 15, 2012 VB meeting minutes

PLAN COMMISSION RECOMMENDATION:

N/A (not required to go to Plan Commission)

ROLAND L. PIEPER

*Attorney at Law
Court Commissioner*

Tel: 262.255.4500
Mobile: 414.526.3761
Fax: 262.255.4502

W175N11081 Stonewood Dr.#213
Germantown, WI 53022
rpieper@pieperlawfirm.com

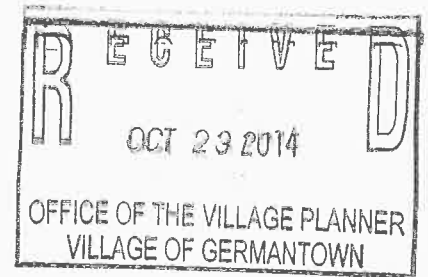
Hand Delivered

October 23, 2014

President
Dean Wolter

Village Planner
Jeffrey Retzlaff

Village Trustees
Trustee David Baum
Trustee Shane Daniels
Trustee Jeffery Hughes
Trustee Terri Kaminski
Trustee Al Vanderheiden
Trustee Robert Warren
Trustee Rick Miller
Trustee Art Zabel



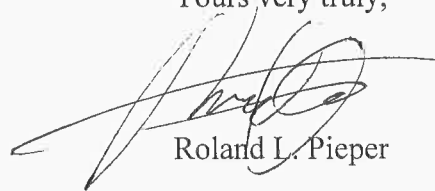
RE: Patrick Josten/Rockfield Short-Pour

Dear President Wolter, Planner Retzlaff, and Village Trustees,

I am the attorney representing Pat Josten and Rockfield Short-Pour his company. I understand the history of his conditional use permit with the village. The two year extension that he was granted in 2012 was probably as generous as has ever been issued by the village. Now, towards the two year extension, he is running short of time needed to complete all of his applications to the village for his new location. Finally realizing his procrastination Pat came to my firm to represent him before the board and to develop a re-zoning and PDD application and to oversee preparation and submission of the conditional use permit application, the site plan review application and the amendment to the land use plan. Pat has retained Mr. Paul Rushing, Architect, to work on the site plan and to assist with the other applications. Mr. Erik Schmitz, surveyor, has been retained

survey the property. The applications we are now completing will be filed as soon as the survey is completed. Mr. Josten apologizes for his delay in retaining us and working on the necessary applications and paperwork required by the village planner and village board. Mr. Josten's conditional use permit expires on November 1st, 2014. The purpose of this letter is to request this date be extended for six weeks in order to finish the season and to service ongoing customers in the Germantown community. They are requesting this extension on the conditional use for the facility by his home on Division Road, the applications for re-zoning etc are for the building he owns on Division Road just North of his home. Your thoughtful consideration would be greatly appreciated.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Roland L. Pieper', with a long horizontal line extending from the end of the signature.

Roland L. Pieper

RLP:rn

CUP # xx – 12

Document No.

CONDITIONAL USE PERMIT

Document Title

**VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN
CONDITIONAL USE ZONING PERMIT**

Whereas the Applicant:

**Patrick Josten, Property Owner & Operator of Rockfield
Short Pour LLC**

agree to comply with applicable Codes and Ordinances of the Village of Germantown, Wisconsin, and further agrees that all work done pursuant to the permission granted herewith will conform with the applications and drawings filed with and approvals granted by officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to the Applicant to permit the operation of a "short pour" ready-mix concrete batch & delivery operation as a "major" home occupation from the property located at W172 N12882 Division Road in the Rs-2; Single-family Zoning District pursuant to Section 17.61 of the Village Zoning Code.

Name & Return Address:

**Village of Germantown
P.O. Box 337
Germantown, WI 53022**

Parcel Identification No:

GTNV 103-983**On the following described property located in the Village of Germantown, Washington County, Wisconsin:**

A 2.02 acre being a part of the SW ¼ of the SW ¼ of Section 10, Township 9 North, Range 20 East in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the SW corner of the SW ¼, thence N 01 43'26" W along the west line of the SW ¼, 663.20 feet; thence N 89 10'50" E, 60.02 feet to the place of beginning; N 89 10'50" E, 301.00 feet; thence S 00 01'55" E, 276.29 feet; thence S 88 47'34" W, 162.00 feet; thence S 38 39'34" W, 66.30 feet; thence N 88 52'26" W, 87.94 feet; thence N 01 43'26" W, 325.59 feet to the place of beginning.

Tax Key No: 103-983

Address: W172 N12882 Division Road

THIS CONDITIONAL USE PERMIT AMENDS CONDITION #3 OF CUP#8-12 AS SET FORTH BELOW:**Pursuant to the following condition(s):**

1. This permit authorizes the uses and activities as set forth in the conditional use permit application and in the supporting documents and plans made part of the application. Except as may be limited herein, all of the operational characteristics and services as described, as well as any commitments made by the Applicant as set forth in the application, supporting documents, and made during presentations to the Village Plan Commission, Village Board and Village staff are deemed to be conditions of approval. Operational hours are permitted to be 6:00 am to 8:00 pm Monday through Friday, and, 8:00 am to 8:00 pm on Saturdays and Sundays.

2. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional use which causes special problems or harmful effects otherwise associated with the use to be no longer ameliorated or eliminated, or where conditions imposed were anticipated to mitigate or eliminate harmful effects associated with the use but are subsequently insufficient to do so, or for similar cause based upon consideration for the public comfort, safety, and welfare, the conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.
3. This conditional use permit shall expire on December 13 ~~November 4~~, 2014.
4. The total number of loads or deliveries of concrete allowed to leave the property shall be limited to a maximum of twelve (12) per day.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin on the _____ day of _____, 2014.

ATTEST:

Dean Wolter, Village President

Barbara K. D. Goeckner, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this _____ day of _____, 2014, the above named Dean Wolter, Village President, and Barbara K. D. Goeckner, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER

As representative for Rockfield Short Pour LLC, I, Patrick Josten, Property Owner, hereby accept the terms and conditions set forth in this Permit, and realize that non-adherence to the terms and conditions as stated hereon may result in the revocation of this Permit by the Village of Germantown.

Dated this ____ day of _____, 2014

Patrick Josten

{signature on this line}

STATE OF WISCONSIN) SS
_____) COUNTY)

Personally came before me this ____ day of _____, 2014, being the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

This instrument was drafted by:
Jeffrey W. Retzlaff, AICP
Village Planner/Zoning Administrator
Village of Germantown, Wisconsin

CUP # 8 - 12
Document No.

CONDITIONAL USE PERMIT
Document Title

1328402



VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN
CONDITIONAL USE ZONING PERMIT

RECORDED
February 07, 2013 10:00 AM
SHARON A MARTIN, REGISTER OF DEEDS
WASHINGTON COUNTY, WISCONSIN

Fee Amount: \$25.00

Whereas the Applicant:

**Patrick Josten, Property Owner & Operator of Rockfield
Short Pour LLC**

agree to comply with applicable Codes and Ordinances of the Village of Germantown, Wisconsin, and further agrees that all work done pursuant to the permission granted herewith will conform with the applications and drawings filed with and approvals granted by officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to the Applicant to permit the operation of a "short pour" ready-mix concrete batch & delivery operation as a "major" home occupation from the property located at W172 N12882 Division Road in the Rs-2; Single-family Zoning District pursuant to Section 17.61 of the Village Zoning Code.

Name & Return Address:

**Village of Germantown
P.O. Box 337
Germantown, WI 53022**

Parcel Identification No:

GTNV 103-983

3

On the following described property located in the Village of Germantown, Washington County, Wisconsin:

A 2.02 acre being a part of the SW ¼ of the SW ¼ of Section 10, Township 9 North, Range 20 East in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the SW corner of the SW ¼, thence N 01 43'26" W along the west line of the SW ¼, 663.20 feet; thence N 89 10'50" E, 60.02 feet to the place of beginning; N 89 10'50" E, 301.00 feet; thence S 00 01'55" E, 276.29 feet; thence S 88 47'34" W, 162.00 feet; thence S 38 39'34" W, 66.30 feet; thence N 88 52'26" W, 87.94 feet; thence N 01 43'26" W, 325.59 feet to the place of beginning.

Tax Key No: 103-983

Address: W172 N12882 Division Road

Pursuant to the following condition(s):

1. This permit authorizes the uses and activities as set forth in the conditional use permit application and in the supporting documents and plans made part of the application. Except as may be limited herein, all of the operational characteristics and services as described, as well as any commitments made by the Applicant as set forth in the application, supporting documents, and made during presentations to the Village Plan Commission, Village Board and Village staff are deemed to be conditions of approval. Operational hours are permitted to be 6:00 am to 8:00 pm Monday through Friday, and, 8:00 am to 8:00 pm on Saturdays and Sundays.
2. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional use which causes special problems or harmful effects otherwise associated with the use to be no longer ameliorated or eliminated, or

where conditions imposed were anticipated to mitigate or eliminate harmful effects associated with the use but are subsequently insufficient to do so, or for similar cause based upon consideration for the public comfort, safety, and welfare, the conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.

3. This conditional use permit shall expire on November 1, 2014.
4. The total number of loads or deliveries of concrete allowed to leave the property shall be limited to a maximum of twelve (12) per day.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin on the 15th day of October, 2012.

ATTEST:

Barbara K. D. Goeckner
Barbara K. D. Goeckner, Village Clerk

Dean Wolter
Dean Wolter, Village President

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this 11 day of December, 2012, the above named Dean Wolter, Village President, and Barbara K. D. Goeckner, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Christine M. Micka

{type or print name of Notary on this line}

Christine M. Micka

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: 7-19-15



Conditional Use Permit (CU,) # 8-12

Patrick Josten & Rockfield Short Pour LLC, Property Owner

Page 3 of 3

ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER

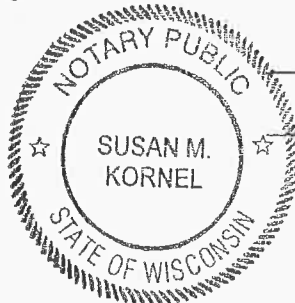
As representative for Rockfield Short Pour LLC, I, Patrick Josten, Property Owner, hereby accept the terms and conditions set forth in this Permit, and realize that non-adherence to the terms and conditions as stated hereon may result in the revocation of this Permit by the Village of Germantown.

Dated this 16 day of Jan., ~~2012~~ ²⁰¹³

Patrick Josten
 Patrick Josten
Patrick Josten
 {Signature on this line}

STATE OF WISCONSIN) SS
Washington COUNTY)

Personally came before me this 16th day of January, ~~2012~~ ²⁰¹³, being the above named Patrick Josten, to me known to be the person who executed the foregoing instrument and acknowledged the same.



Susan M Kornel
 {type or print name of Notary on this line}
Susan M Kornel
 {signature of Notary on this line}

Notary Public, State of Wisconsin
 My Commission Expires: 12/13/2015

This instrument was drafted by:
 Jeffrey W. Retzlaff, AICP
 Village Planner/Zoning Administrator
 Village of Germantown, Wisconsin

any more evidence of Red Swamp Crawfish and there is no further evidence here. Proceeding with plans to complete the project. Starting by November 1st and will line with fabric and rock to prevent them from burrowing if they leave Esquire Estates. Will build a road at the base of the slope to avoid ripping up yards of the homes in the area. This is a 22 month grant that expires July 2013. Removed approximately 2500 crayfish from the system. We have continued monitoring nearby water bodies and there is no evidence of them spreading, so we feel we have contained them.

PUBLIC HEARINGS – 7:00 P.M. OR LATER:

A. GREG & GAIL HEINZEN FOR PROPOSED ZONING CODE TEXT AMENDMENT TO SECTION 17.41 (RESIDENTIAL ACCESSORY BUILDING RESTRICTIONS) OF THE VILLAGE OF GERMANTOWN MUNICIPAL CODE

Presentation by Planner Jeff Retzlaff. Proposing amendment to section 17.41 to zoning code which would allow 2 attached garages to a dwelling. Section 17.41(1)(a) – (for the purpose of storing antique vehicles). A change to the code shouldn't be made for one property owner, but are in favor of two garages if it looks good and doesn't hurt anyone. In favor of the concept and wants further input from Village staff, particularly the attorney. Attorney proposed language which limits size to 192 sq. ft. or 1% of lot area – if 2 attached garages. Plan Commission recommendation is to approve the amendment to Section 17.41 with the additional revision proposed by the Village Attorney to change the requirement for a CUP to require only Site Plan approval by the Plan Commission. Trustee Kaminski – this is just applying to zoning for Rs-1 correct? Planner Retzlaff - Realistically I don't believe we discussed at any length the size of the parcels in the Rs-2 property. Arguably if we wanted to create an equal playing field we would need some additional language or could apply for a variance.

President Wolter opened the public hearing at 7:21 p.m. for the zoning Code Text Amendment to Section 17.41. No one spoke and the public hearing was closed.

B. PATRICK JOSTEN, PROPERTY OWNER AND OPERATOR OF ROCKFIELD SHORT POUR LLC, FOR: (1) A MAJOR HOME OCCUPATION CONDITIONAL USE PERMIT FOR THE OPERATION OF A SHORT POUR REDI-MIX CONCRETE BATCH & DELIVERY OPERATION IN A Rs-2: SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT ON THE PROPERTY AT W172 N12882 (PARCEL ID# 103-983) DIVISION ROAD, GERMANTOWN, WI, PURSUANT TO SECTION 17.61 OF THE VILLAGE ZONING CODE.

Planner Retzlaff stated Patrick Josten is seeking a Conditional Use Permit for continued operation of a short pour business/concrete batch and delivery operation at Division and Holy Hill Roads. Existing property created in 1995 and split from adjacent land owned by Josten's father. Total parcel size is 2 acres. Existing detached storage building on the site. Mixing sales and delivery operation from 6am to 6 pm. Ready mix materials provided by Mr. Josten using his own mini truck and 3 others using their own. Photos presented indicating current operation. Mr. Josten has provided another layout of operation proposal. In 2009 issued a notice of violation following a property inspection. Notified at the time he did not have a CUP for a business and major occupations are not allowed in Rs-2 district. Code amended in 2010 to allow "major" occupations in Rs-2 District. Mr. Josten delayed applying for CUP for personal and financial reasons to 2011 and possible re-location of business. In 2012 he was sent a reminder of the pending citation after a neighbor complained on other property owned by Mr. Josten and property he was interested in locating the business to. Staff comments: operation has grown too extensive to satisfy intent of home occupation regulations. No longer clearly incidental or subordinate to residential use. Operation has changed the residential character and appearance of the property and does not meet general requirements. Dust, traffic and noise exceed typical & customary impacts of surrounding residential area. Does not meet major occupational requirements. Activities not conducted entirely within dwelling or enclosed accessory building. Planner Retzlaff provided additional concerns with property zoning and actual business conduct. Staff's recommendation was to deny CUP, however, Plan

Commission recommends approval for a major home occupation for the operation of a short pour ready mix business with 2 conditions: to expire on November 1, 2013 and total number of loads or deliveries of concrete allowed to leave the property shall be limited to a maximum of 12 per day. Giving him a year would allow him to make his business compliant.

President Wolter opened the public hearing at 7:31 p.m.

The following persons spoke regarding this issue:

Todd Wetterau W204 N12541 Goldendale Rd. spoke in favor.

Nate Seidler – N128 W16655 Holy Hill Rd. spoke in favor.

John Parrish – N132 W17225 Rockfield Rd. spoke in favor.

Fred Rehbein - W172 N13215 Division Rd. – Lives directly across the street. Does not have a problem with the business but does have a problem with moving it across the street. Wants to be more informed with future of the property.

Robert Talajkowski - 520 Cedar Bluffs Way, Slinger – business owner in Germantown. Spoke in support of Pat Josten at either property.

Karen Rehbein – Division Road across from possible relocation. No problem with current location but issue with relocation.

Doug Goetz - W172 N13091 Division Rd. – No problem with where he has been operating all these years. Concern with him operating on weekends as well. But give him the permit and let him find some time.

Joe Cresci - W172 N13088 Division Rd. spoke in favor.

Jim Dragich - W172 N13186 Division Rd. spoke in favor.

Thomas G. Josten - W172 N12834 Division Rd, Pat Josten's father. Spoke in favor.

Andy Zipperer - W2017 Butler Rd. Rubicon – own property directly across the street. Spoke in favor.

Steven E. Schroeder - W175 N13008 N Lancelot Dr. spoke in favor.

Gerry Bernstein - N112 W13714 Mequon Rd. spoke in favor.

Phillip Pulvermacher - W172 N12216 Fond du Lac Ave. spoke in favor.

Glenn Miller N132 W17376 Rockfield Rd. spoke in favor.

Dave Braden - N140 W17595 Cedar Lane, spoke in favor.

Jackie Scheld – 5310 Woodland Dr. spoke in favor.

Johnathon Friess N128 W17151 Holy Hill Rd. spoke in favor.

Louis Stemmeler W169 N12147 Fond du Lac Ave. spoke in favor.

Randy Stanossek W177 N12601 DelaCourt spoke in favor.

Fred Rehbein – W172 N13215 Division Rd. We have nothing against Pat or his business. I am concerned about my property.

Attorney Sajdak read a written submission by Tom and Deanne Hapka – N128 W17714 Holy Hill Rd in support of the applicant.

Paul Guoh W211 N11863 Hilltop Dr. spoke in favor.

President Wolter closed the public hearing.

NEW BUSINESS:

MOTION (Hughes/Zabel) to move item D to the front of New Business, all in favor, motion carried.

D. CONDITIONAL USE PERMIT - (1) for the operation of a short pour ready-mix concrete batch & delivery operation in a Rs-2: Single-Family Residential Zoning, Patrick Josten, property owner and operator of Rockfield Short Pour LLC, W172 N12882 DIVISION ROAD (PARCEL ID# 103-983)

MOTION (Vanderheiden/Baum) to approve the CUP for operation of short pour ready-mix concrete batch & delivery operation in an Rs-2: Single-Family Residential Zoning, Patrick Josten, property owner and operator of Rockfield Short Pour LLC, W172N12882 Division Road, with recommendations by Plan Commission. MOTION (Ewert/Zabel) to amend that motion and increase the hours from 6 a.m. to 8 p.m. Discussion of applicants

listed hours of 6 a.m. to 6 p.m. and Plan Commission recommendation which did not specifically spell out hours. President Wolter – Trustee Ewert do you still wish to pursue the amendment. Trustee Ewert – Yes. **MOTION (Daniels/Werderman) to amend the amendment to start time on Saturdays and Sundays at 8 a.m. 7 in favor, 2 opposed (Baum and Hughes), motion on the amendment to the amendment carried.** Trustee Werderman clarified the amendment to the motion was for 6 a.m. to 8 p.m. Monday through Friday. Are we allowing Mr. Josten to leave at 8 p.m. and return at 10 p.m. or are we saying he is closed and cleaned up at 8 p.m.? Discussion. Trustee Vanderheiden – Typically business closes at 8 p.m. doesn't turn the lights off and walk away. He is not taking another order at 8 p.m. but he is allowed to come back and put his truck away. I don't think the definition we are looking at is that there are no activities after 8 p.m. **All in favor of the amendment, motion carried.** Further discussion regarding the surrounding property and possible other plans. Currently discussing a one year conditional use permit. Trustee Vanderheiden stated other uses of surrounding property in prior years and history of quarry and concrete companies. Asked Mr. Josten if one year is sufficient. Mr. Josten – would always like a longer amount of time, but would like to get this resolved before one year. **MOTION (Vanderheiden/Zabel) to amend motion to extend the CUP to November 1, 2014.** Discussion of time frame. Trustee Werderman – As it stands now, on November 1, 2013 is the expectation that Mr. Josten would have to apply and pay a fee and go through the same process as now to stay where he is or is it the intention to plan and move? President Wolter – The first question was to give him time to decide what he wanted to do and to go forward. The currently operating business is outside the regulations and this would give him time to run and operate but give him time to do research to decide. Trustee Werderman – If the north property isn't feasible and he continues to be successful where he is at and no one has issues is the CUP that expires in a year – for sake of discussion, will he have to go through this again and pay another fee? President Wolter – if he would choose to take his business and conform then no. If he would choose to continue to operate as it does today then yes. There are some other matters that we have discussed with Pat to bring it back to what it was as a residential home based business. This board did consider for his business and was accepted by this board as a use for residential home based business and that's why we feel a CUP fits the business going forward and he can decide what he wants and where he wants it. Motion on the floor to extend the date. Trustee Kaminski - concern of opening ourselves up for other businesses that may not be as pleasant and we want to be careful we don't create loopholes that will hurt us down the road. It is reasonable to give two years then you have to make a decision and comply. Discussion of valid time frame. Attorney Sajdak – In my opinion it is pretty reasonable. **On amendment to extend time to November 1, 2014, all in favor, motion carried. On original motion as amended, all in favor, motion carried.**

Adjourn for a 5 minute recess 8:50 p.m. – return at 9pm

MOTION (Baum/Zabel) to move item C to the next order of business, all in favor, motion carried.

C. PROPOSED ZONING CODE TEXT AMENDMENT TO SECTION 17.41 RESIDENTIAL ACCESSORY BUILDING RESTRICTIONS) OF THE VILLAGE OF GERMANTOWN MUNICIPAL CODE

MOTION (Baum/Zabel) to approve the proposed Zoning Code Text Amendment to Section 17.41 (Residential Accessory Building Restrictions) of the Village of Germantown Municipal Code as recommended by the Plan Commission. Trustee Zabel questioned if Plan Commission will bring up the definition of a garage in the future. Planner Retzlaff stated it had not been specifically discussed but could with the direction of the Board. Trustee Zabel said it should be brought up whether it is attached or detached so everyone understands it. **MOTION (Kaminski/Baum) to include Rs-2 with 5 acres or greater be amended as well.**

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: November 17, 2014

AGENDA ITEM: New Business

ITEM TITLE: Request for Acceptance of WISDOT's Jurisdictional Offer to Purchase Easements and Lands Impacted by the STH 145 Roundabout; and Dedication of Additional 27' of Property for Right of Way Purposes.

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 and have adjusted their Jurisdictional Offer to the revised offer amount as shown below.

The Donation/Dedication Waiver effectuates the policy established in 2001.

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

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER X

DOT's Jurisdictional Offer for Parcels #5, #10, and #11.
Donation - Waiver of Appraisal for Parcels #10 and #11.

RECOMMENDATION:

Staff requests acceptance of the Jurisdictional Offer from WISDOT for Parcels #5, #10, and #11 for the STH 145 Roundabout project; and Donation/Dedication of Additional 27' of Property for Right of Way Purposes.

BOARD 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

October 31, 2014

CERTIFIED MAIL

VILLAGE OF GERMANTOWN
ATTN: BRIONNE BISCHKE
PO BOX 337
GERMANTOWN, WI 53022

Reference: Project ID 2475-00-20
Orchard Road, Village of Germantown
Donges Bay Road Intersection
STH 145, Washington County
Parcel # 5

On 08/18/2014, you were presented with the Wisconsin Department of Transportation's (WisDOT's) initial offer of \$250.00 to purchase Temporary Limited Easement (TLE) of your land, which land or interest in land is needed for the reconstruction of STH 145. The initial offer was based upon an appraisal prepared by Seth Liefer (Lauenstein & Associates).

Because the negotiations for your property have failed to reach a satisfactory conclusion, it is now necessary for WisDOT to provide you with the enclosed Jurisdictional Offer to Purchase, also referred as the Jurisdictional Offer. The Jurisdictional Offer is for of your property, and it is WisDOT's last attempt to reach a settlement with you.

Providing this Jurisdictional Offer to Purchase is one of the necessary steps set forth in Chapter 32 of the Wisconsin Statutes in order to acquire lands and interests through the eminent domain process. This process is more fully explained in the information sheet entitled, "The Rights of Landowners under Wisconsin Eminent Domain Law," that was previously given to you.

You now have twenty (20) days from the postmark date of this mailing to either accept or reject our Jurisdictional Offer to Purchase.

It remains WisDOT's desire to reach a negotiated settlement. Please carefully consider this Jurisdictional Offer, and should you wish to accept the terms, please indicate your acceptance by signing on page 2. If you should choose to accept the Jurisdictional Offer, a deed has been enclosed for your convenience. Please sign the TLE before a notary public and return it along with the accepted Jurisdictional Offer in the self-addressed, postage paid envelope provided for your convenience.

If there is no response from you by 11/20/2014, WisDOT will presume that this offer is rejected, and will then proceed to acquire this parcel through the eminent domain process by issuing an Award of Damages pursuant to section 32.05(7) of the Wisconsin Statutes.

Please call me at (262) 521-5122 if you have any questions regarding the terms of this Jurisdictional Offer.

Sincerely,

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

Derek J Zwart
Real Estate Specialist
Enclosures

JURISDICTIONAL OFFER

Wisconsin Department of Transportation
DT1786 9/2005 s.32.05 Wis. Stats.



Date
10/31/2014
To
Village of Germantown, a municipal corporation

hereinafter referred to as Owner.

Relocation Order Date(s)
07/28/2014

Relocation Order
Recorded with the Register of Deeds

County
Washington

Public Purpose for Property
Reconstruction of STH 145

Wisconsin Department of Transportation, hereinafter referred to as Purchaser, offers to purchase a parcel of real estate and/or rights therein in which you own an interest all as particularly described on attached page, and agrees to pay the sum of:
Two Hundred Fifty and 0/100 Dollars \$ 250.00

within 60 days from the acceptance of this offer.

A. The said property, and/or rights as described, are required by the State of Wisconsin for the public purpose stated above, as more fully described in Department of Transportation Relocation Order, date and place of filing specified above. The State of Wisconsin in good faith intends to use the above-described property for such public purpose.

B. The State of Wisconsin proposes to occupy and the Owner will vacate the premises on Date: 11/28/2014

C. Pursuant to s.32.05(3)(d) Wis. Stats., the above purchase price is allocated as follows:

(a) Loss of land, including improvements and fixtures actually being acquired	\$ 0.00
(b) Damages caused by loss of existing rights of access	\$ 0.00
(c) Damages caused by loss of air rights	\$ 0.00
(d) Damages caused by loss of legal nonconforming use	\$ 0.00
(e) Damages resulting from actual severance of land including damages resulting from severance of improvements or fixtures and proximity damage to improvements remaining on Owner's land	\$ 0.00
(f) Damages to property abutting on a highway right of way due to change of grade	\$ 0.00
(g) Cost of fencing reasonably necessary to separate land taken from remainder	\$ 0.00
(h) Market value of uneconomic remnant	\$ 0.00
(i) Other - Temporary Limited Easement and adjustment for Region Minimum Offer	\$ 250.00

Compensation for additional items of damage listed in s.32.19 Wis. Stats. has not been included. If any such items are shown to exist the owner may file claims as provided in s.32.20 Wis. Stats.

D. The purchase price is based upon an appraisal of the owner's property of which a copy of the appraisal report has been provided to the owner.

E. Owner has 20 days from the date of personal service of this offer, if personally served, or 20 days from the date of postmark of the certified mail envelope transmitting this offer, if transmitted by mail, or 20 days from the date of publication of this offer, if published, in which to accept this offer, unless such time is extended by mutual written consent of Owner and Purchaser. Acceptance shall be as follows: Owner must execute the acceptance clause on back of this offer on or prior to 11/20/2014; and the offer and acceptance must be delivered to Purchaser at Derek J Zwart, WisDOT, Waukesha, 141 NW Barstow Street, Waukesha, WI 53187-0798 not later than regular office closing time on 11/20/2014, or mailed to Purchaser at the last above stated address in an addressed, postage prepaid envelope bearing postmark of not later than 12:00 midnight 11/20/2014.

Project 2475-00-20

Parcel No. 5

F. If the Owner does not accept this offer as set forth, Owner has 40 days from the date of service, postmark or publication of this offer to commence a court action to contest the right of condemnation as provided in s.32.05(5) Wis. Stats. provided that the acceptance and retention of any compensation resulting from an award made prior to the commencement of such an action shall be an absolute bar to such action.

G. If owner agrees to accept the Jurisdictional Offer, it is considered a negotiated purchase, therefore the condemnor must record the conveyance with the Register of Deeds in the county where the land is located. Also, all owners of record should receive by certified mail a copy of the conveyance and a notice of their right to appeal within 6 months after the date of the recording of the conveyance. Such an appeal would challenge the amount of compensation received by the property owner from an accepted Jurisdictional Offer.

H. Owner has 2 years from the date of the recording of an award, as described in s.32.05(7) Wis. Stats., in the office of the Register of Deeds in which to appeal for greater compensation without prejudice to Owner's right to use the compensation given to Owner by the award. Owner's right of appeal is subject to the provisions of s.32.05(9)(a) and (11), Wis. Stats.

I. The law provides for the payment of litigation expenses by the condemner and these costs are defined in Ch. 814 of Wisconsin Statutes.

J. If this offer is accepted by Owner, the transfer of title shall be accomplished within 60 days after acceptance including the payment to Owner of said purchase price, provided however, that notwithstanding any provision herein to the contrary, said 60-day period may, at the request of the Owner, be extended by mutual written agreement of the Owner and Purchaser.

K. This offer may be withdrawn by Purchaser at any time prior to its acceptance by Owner.

~~Real estate taxes for the current year shall be prorated as of the date of proposed occupancy set forth, said proration to be based upon the latest available tax assessment.~~

M. Purchaser will prepare necessary instruments to accomplish said transfer. Transfer shall be by Warranty Deed unless a lesser conveyance is accepted by Purchaser. Transfer shall be free of defects and encumbrances but subject to ordinances and restrictions of record.

N. If all persons or entities designated as Owner do not accept this offer within the time specified, this offer will be deemed to have been rejected by all such persons or entities notwithstanding the acceptance by one or more of such persons or entities.

O. Included in the purchase price is payment in full for the acquisition of the following items now on the described property: Description on additional page(s).

P. This offer, if accepted by Owner, shall constitute a binding contract.

Wisconsin Department of Transportation



Craig Andersen

Supervisor

(Title)

If Owner is not a Firm or Corporation, Check and Sign Here

☐ Accepted ☐ Rejected

If Owner is a Firm or Corporation, Check and Sign Here

☐ Accepted ☐ Rejected

Village of Germantown

(Date)

(Date)

(Date)

(Date)

(Officer)

(Date)

(Title)

(Officer)

(Date)

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.

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
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 _____



Q J 3 0 9 5 9 8

Project ID
2475-00-20

This instrument was drafted by
Wisconsin Department of Transportation

Parcel No.
5



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 31, 2014

CERTIFIED MAIL

VILLAGE OF GERMANTOWN
ATTN: BRIONNE BISCHKE
N112 W17001 MEQUON RD
GERMANTOWN, WI 53022

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

On 08/18/2014, you were presented with the Wisconsin Department of Transportation's (WisDOT's) initial offer of \$7,394.00 to purchase 0.034 acres of your land, which land or interest in land is needed for the reconstruction of STH 145. The initial offer was based upon an appraisal prepared by Seth Liefer (Lauenstein & Associates).

Because the negotiations for your property have failed to reach a satisfactory conclusion, it is now necessary for WisDOT to provide you with the enclosed Jurisdictional Offer to Purchase, also referred as the Jurisdictional Offer. The Jurisdictional Offer is for 0.034 acres of your property, and it is WisDOT's last attempt to reach a settlement with you.

Providing this Jurisdictional Offer to Purchase is one of the necessary steps set forth in Chapter 32 of the Wisconsin Statutes in order to acquire lands and interests through the eminent domain process. This process is more fully explained in the information sheet entitled, "The Rights of Landowners under Wisconsin Eminent Domain Law," that was previously given to you.

You now have twenty (20) days from the postmark date of this mailing to either accept or reject our Jurisdictional Offer to Purchase.

It remains WisDOT's desire to reach a negotiated settlement. Please carefully consider this Jurisdictional Offer, and should you wish to accept the terms, please indicate your acceptance by signing on page 2. If you should choose to accept the Jurisdictional Offer, a deed has been enclosed for your convenience. Please sign the deed before a notary public and return it along with the accepted Jurisdictional Offer in the self-addressed, postage paid envelope provided for your convenience.

If there is no response from you by 11/20/2014, WisDOT will presume that this offer is rejected, and will then proceed to acquire this parcel through the eminent domain process by issuing an Award of Damages pursuant to section 32.05(7) of the Wisconsin Statutes.

Please call me at (262) 521-5122 if you have any questions regarding the terms of this Jurisdictional Offer.

Sincerely,

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

Derek J Zwart
Real Estate Specialist
Enclosures

JURISDICTIONAL OFFER

Wisconsin Department of Transportation
DT1786 9/2005 s.32.05 Wis. Stats.



Date
10/31/2014
To
Village of Germantown

hereinafter referred to as Owner.

Relocation Order Date(s)
07/21/2014

Relocation Order

Recorded with the Register of Deeds

County
Washington

Public Purpose for Property
Reconstruction of STH 145

Wisconsin Department of Transportation, hereinafter referred to as Purchaser, offers to purchase a parcel of real estate and/or rights therein in which you own an interest all as particularly described on attached page, and agrees to pay the sum of:
Eight Thousand Four Hundred Ten and 0/100 Dollars
\$ 8,410.00

within 60 days from the acceptance of this offer.

A. The said property, and/or rights as described, are required by the State of Wisconsin for the public purpose stated above, as more fully described in Department of Transportation Relocation Order, date and place of filing specified above. The State of Wisconsin in good faith intends to use the above-described property for such public purpose.

B. The State of Wisconsin proposes to occupy and the Owner will vacate the premises on Date: 11/28/2014

C. Pursuant to s.32.05(3)(d) Wis. Stats., the above purchase price is allocated as follows:

(a) Loss of land, including improvements and fixtures actually being acquired	\$ 4,500.00
(b) Damages caused by loss of existing rights of access	\$ 0.00
(c) Damages caused by loss of air rights	\$ 0.00
(d) Damages caused by loss of legal nonconforming use	\$ 0.00
(e) Damages resulting from actual severance of land including damages resulting from severance of improvements or fixtures and proximity damage to improvements remaining on Owner's land	\$ 0.00
(f) Damages to property abutting on a highway right of way due to change of grade	\$ 0.00
(g) Cost of fencing reasonably necessary to separate land taken from remainder	\$ 0.00
(h) Market value of uneconomic remnant	\$ 0.00
(i) Other - Temporary Limited Easement and Landscaping	\$ 3,910.00

Compensation for additional items of damage listed in s.32.19 Wis. Stats. has not been included. If any such items are shown to exist the owner may file claims as provided in s.32.20 Wis. Stats.

D. The purchase price is based upon an appraisal of the owner's property of which a copy of the appraisal report has been provided to the owner.

E. Owner has 20 days from the date of personal service of this offer, if personally served, or 20 days from the date of postmark of the certified mail envelope transmitting this offer, if transmitted by mail, or 20 days from the date of publication of this offer, if published, in which to accept this offer, unless such time is extended by mutual written consent of Owner and Purchaser. Acceptance shall be as follows: Owner must execute the acceptance clause on back of this offer on or prior to 11/20/2014; and the offer and acceptance must be delivered to Purchaser at Derek J Zwart, WisDOT, Waukesha, 141 NW Barstow Street, Waukesha, WI 53187-0798 not later than regular office closing time on 11/20/2014, or mailed to Purchaser at the last above stated address in an addressed, postage prepaid envelope bearing postmark of not later than 12:00 midnight 11/20/2014.

Project 2475-00-20

Parcel No. 10

F. If the Owner does not accept this offer as set forth, Owner has 40 days from the date of service, postmark or publication of this offer to commence a court action to contest the right of condemnation as provided in s.32.05(5) Wis. Stats. provided that the acceptance and retention of any compensation resulting from an award made prior to the commencement of such an action shall be an absolute bar to such action.

G. If owner agrees to accept the Jurisdictional Offer, it is considered a negotiated purchase, therefore the condemnor must record the conveyance with the Register of Deeds in the county where the land is located. Also, all owners of record should receive by certified mail a copy of the conveyance and a notice of their right to appeal within 6 months after the date of the recording of the conveyance. Such an appeal would challenge the amount of compensation received by the property owner from an accepted Jurisdictional Offer.

H. Owner has 2 years from the date of the recording of an award, as described in s.32.05(7) Wis. Stats., in the office of the Register of Deeds in which to appeal for greater compensation without prejudice to Owner's right to use the compensation given to Owner by the award. Owner's right of appeal is subject to the provisions of s.32.05(9)(a) and (11), Wis. Stats.

I. The law provides for the payment of litigation expenses by the condemnor and these costs are defined in Ch. 814 of Wisconsin Statutes.

J. If this offer is accepted by Owner, the transfer of title shall be accomplished within 60 days after acceptance including the payment to Owner of said purchase price, provided however, that notwithstanding any provision herein to the contrary, said 60-day period may, at the request of the Owner, be extended by mutual written agreement of the Owner and Purchaser.

K. This offer may be withdrawn by Purchaser at any time prior to its acceptance by Owner.

~~Real estate taxes for the current year shall be prorated as of the date of proposed occupancy set forth, said proration to be based upon the latest available tax assessment.~~

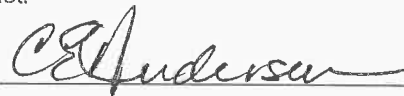
M. Purchaser will prepare necessary instruments to accomplish said transfer. Transfer shall be by Warranty Deed unless a lesser conveyance is accepted by Purchaser. Transfer shall be free of defects and encumbrances but subject to ordinances and restrictions of record.

N. If all persons or entities designated as Owner do not accept this offer within the time specified, this offer will be deemed to have been rejected by all such persons or entities notwithstanding the acceptance by one or more of such persons or entities.

O. Included in the purchase price is payment in full for the acquisition of the following items now on the described property: Description on additional page(s). Cost to cure for the replacement of landscaping.

P. This offer, if accepted by Owner, shall constitute a binding contract.

Wisconsin Department of Transportation



Craig Andersen

Supervisor

(Title)

If Owner is not a Firm or Corporation, Check and Sign Here

☐ Accepted ☐ Rejected

If Owner is a Firm or Corporation, Check and Sign Here

☐ Accepted ☐ Rejected

Village of Germantown

(Date)

(Date)

(Date)

(Date)

(Officer)

(Date)

(Title)

(Officer)

(Date)

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.

WARRANTY DEED

Wisconsin Department of Transportation
Exempt from fee [s. 77.25(2r) Wis. Stats.]
Exempt from filing transfer form [s. 77.255 Wis. Stats.]
DT1560 12/2012

THIS DEED, made by **Village of Germantown** GRANTOR, conveys and warrants the property described below to the State of Wisconsin, Department of Transportation, GRANTEE, for the sum of **Eight Thousand Four Hundred Ten and 0/100 Dollars (\$8,410.00)**.

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

This is not homestead property.

Legal Description:

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.

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
GTNV253-997

Signature _____ Date _____

Village of Germantown
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 Name, Notary Public, State of Wisconsin

Date Commission Expires



Q J 3 0 9 6 0 7

Project ID
2475-00-20

This instrument was drafted by
Wisconsin Department of Transportation

Parcel No.
10



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 31, 2014

CERTIFIED MAIL

VILLAGE OF GERMANTOWN
ATTN: BRIONNE BISCHKE
N112 W17001 MEQUON RD
GERMANTOWN, WI 53022

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

On 08/18/2014, you were presented with the Wisconsin Department of Transportation's (WisDOT's) initial offer of \$93,572.00 to purchase 0.319 acres of your land, which land or interest in land is needed for the reconstruction of STH 145. The initial offer was based upon an appraisal prepared by Seth Liefer (Lauenstein & Associates).

Because the negotiations for your property have failed to reach a satisfactory conclusion, it is now necessary for WisDOT to provide you with the enclosed Jurisdictional Offer to Purchase, also referred as the Jurisdictional Offer. The Jurisdictional Offer is for 0.319 acres of your property, and it is WisDOT's last attempt to reach a settlement with you.

Providing this Jurisdictional Offer to Purchase is one of the necessary steps set forth in Chapter 32 of the Wisconsin Statutes in order to acquire lands and interests through the eminent domain process. This process is more fully explained in the information sheet entitled, "The Rights of Landowners under Wisconsin Eminent Domain Law," that was previously given to you.

You now have twenty (20) days from the postmark date of this mailing to either accept or reject our Jurisdictional Offer to Purchase.

It remains WisDOT's desire to reach a negotiated settlement. Please carefully consider this Jurisdictional Offer, and should you wish to accept the terms, please indicate your acceptance by signing on page 2. If you should choose to accept the Jurisdictional Offer, a deed has been enclosed for your convenience. Please sign the deed before a notary public and return it along with the accepted Jurisdictional Offer in the self-addressed, postage paid envelope provided for your convenience.

If there is no response from you by 11/20/2014, WisDOT will presume that this offer is rejected, and will then proceed to acquire this parcel through the eminent domain process by issuing an Award of Damages pursuant to section 32.05(7) of the Wisconsin Statutes.

Please call me at (262) 521-5122 if you have any questions regarding the terms of this Jurisdictional Offer.

Sincerely,

Derek J Zwart
Real Estate Specialist
Enclosures

JURISDICTIONAL OFFER

Wisconsin Department of Transportation
DT1786 9/2005 s.32.05 Wis. Stats.



Date
10/31/2014
To
Village of Germantown

hereinafter referred to as Owner.

Relocation Order Date(s)
07/21/2014

Relocation Order
Recorded with the Register of Deeds

County
Washington

Public Purpose for Property
Reconstruction of STH 145

Wisconsin Department of Transportation, hereinafter referred to as Purchaser, offers to purchase a parcel of real estate and/or rights therein in which you own an interest all as particularly described on attached page, and agrees to pay the sum of:
One Hundred Sixteen Thousand Three Hundred and 0/100 Dollars \$ 116,300.00

within 60 days from the acceptance of this offer.

A. The said property, and/or rights as described, are required by the State of Wisconsin for the public purpose stated above, as more fully described in Department of Transportation Relocation Order, date and place of filing specified above. The State of Wisconsin in good faith intends to use the above-described property for such public purpose.

B. The State of Wisconsin proposes to occupy and the Owner will vacate the premises on Date: 11/28/2014

C. Pursuant to s.32.05(3)(d) Wis. Stats., the above purchase price is allocated as follows:

(a) Loss of land, including improvements and fixtures actually being acquired	\$ 56,000.00
(b) Damages caused by loss of existing rights of access	\$ 0.00
(c) Damages caused by loss of air rights	\$ 0.00
(d) Damages caused by loss of legal nonconforming use	\$ 0.00
(e) Damages resulting from actual severance of land including damages resulting from severance of improvements or fixtures and proximity damage to improvements remaining on Owner's land	\$ 0.00
(f) Damages to property abutting on a highway right of way due to change of grade	\$ 0.00
(g) Cost of fencing reasonably necessary to separate land taken from remainder	\$ 0.00
(h) Market value of uneconomic remnant	\$ 0.00
(i) Other - Sign, Stone Wall, Landscaping and Flag Pole.	\$ 60,300.00

Compensation for additional items of damage listed in s.32.19 Wis. Stats. has not been included. If any such items are shown to exist the owner may file claims as provided in s.32.20 Wis. Stats.

D. The purchase price is based upon an appraisal of the owner's property of which a copy of the appraisal report has been provided to the owner.

E. Owner has 20 days from the date of personal service of this offer, if personally served, or 20 days from the date of postmark of the certified mail envelope transmitting this offer, if transmitted by mail, or 20 days from the date of publication of this offer, if published, in which to accept this offer, unless such time is extended by mutual written consent of Owner and Purchaser. Acceptance shall be as follows: Owner must execute the acceptance clause on back of this offer on or prior to 11/20/2014; and the offer and acceptance must be delivered to Purchaser at Derek J Zwart, WisDOT, Waukesha, 141 NW Barstow Street, Waukesha, WI 53187-0798 not later than regular office closing time on 11/20/2014, or mailed to Purchaser at the last above stated address in an addressed, postage prepaid envelope bearing postmark of not later than 12:00 midnight 11/20/2014.

Project 2475-00-20

Parcel No. 11

F. If the Owner does not accept this offer as set forth, Owner has 40 days from the date of service, postmark or publication of this offer to commence a court action to contest the right of condemnation as provided in s.32.05(5) Wis. Stats. provided that the acceptance and retention of any compensation resulting from an award made prior to the commencement of such an action shall be an absolute bar to such action.

G. If owner agrees to accept the Jurisdictional Offer, it is considered a negotiated purchase, therefore the condemnor must record the conveyance with the Register of Deeds in the county where the land is located. Also, all owners of record should receive by certified mail a copy of the conveyance and a notice of their right to appeal within 6 months after the date of the recording of the conveyance. Such an appeal would challenge the amount of compensation received by the property owner from an accepted Jurisdictional Offer.

H. Owner has 2 years from the date of the recording of an award, as described in s.32.05(7) Wis. Stats., in the office of the Register of Deeds in which to appeal for greater compensation without prejudice to Owner's right to use the compensation given to Owner by the award. Owner's right of appeal is subject to the provisions of s.32.05(9)(a) and (11), Wis. Stats.

I. The law provides for the payment of litigation expenses by the condemnor and these costs are defined in Ch. 814 of Wisconsin Statutes.

J. If this offer is accepted by Owner, the transfer of title shall be accomplished within 60 days after acceptance including the payment to Owner of said purchase price, provided however, that notwithstanding any provision herein to the contrary, said 60-day period may, at the request of the Owner, be extended by mutual written agreement of the Owner and Purchaser.

K. This offer may be withdrawn by Purchaser at any time prior to its acceptance by Owner.

~~Real estate taxes for the current year shall be prorated as of the date of proposed occupancy set forth, said proration to be based upon the latest available tax assessment.~~

M. Purchaser will prepare necessary instruments to accomplish said transfer. Transfer shall be by Warranty Deed unless a lesser conveyance is accepted by Purchaser. Transfer shall be free of defects and encumbrances but subject to ordinances and restrictions of record.

N. If all persons or entities designated as Owner do not accept this offer within the time specified, this offer will be deemed to have been rejected by all such persons or entities notwithstanding the acceptance by one or more of such persons or entities.

O. Included in the purchase price is payment in full for the acquisition of the following items now on the described property: Description on additional page(s). Sign, Stone Wall, Landscaping and Flag Pole.

P. This offer, if accepted by Owner, shall constitute a binding contract.

Wisconsin Department of Transportation



Craig Andersen

Supervisor

(Title)

If Owner is not a Firm or Corporation, Check and Sign Here

☐ Accepted ☐ Rejected

Village of Germantown (Date)

(Date)

(Date)

(Date)

If Owner is a Firm or Corporation, Check and Sign Here

☐ Accepted ☐ Rejected

(Officer)

(Date)

(Title)

(Officer)

(Date)

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.

WARRANTY DEED

Wisconsin Department of Transportation
Exempt from fee [s. 77.25(2r) Wis. Stats.]
Exempt from filing transfer form [s. 77.255 Wis. Stats.]
DT1560 12/2012

THIS DEED, made by **Village of Germantown** GRANTOR, conveys and warrants the property described below to the State of Wisconsin, Department of Transportation, GRANTEE, for the sum of **One Hundred Sixteen Thousand Three Hundred and 0/100 Dollars (\$116,300.00)**.

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

This is not homestead property.

Legal Description:

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.

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
GNTV253-996

Signature _____ Date _____

Village of Germantown
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 Name, Notary Public, State of Wisconsin

Date Commission Expires



Q J 3 0 9 6 3 8

Project ID
2475-00-20

This instrument was drafted by
Wisconsin Department of Transportation

Parcel No.
11

**DONATION - WAIVER OF APPRAISAL
RECOMMENDATION AND APPROVAL**

Wisconsin Department of Transportation

DT1896 03/2012 Ch. 32 Wis. Stats.

Owner
Village of Germantown

Acres/sq. ft. required
0.4415 Acres

Interest required
See Attached Exhibit A.

The undersigned owner(s) of the above lands declare an intent to dedicate said lands.

Having been fully informed of the right to have the property appraised and to receive just compensation based upon an appraisal, the undersigned further state that the decision to dedicate said lands was made without any undue influence or coercive action of any nature, and that the right to an appraisal and to just compensation is hereby waived.

It is intended that the instrument of conveyance will be executed upon presentation by Department of Transportation agents or representatives.

Owner Signature

Date

Print Name

Owner Signature

Date

Print Name

REGIONAL OFFICE RECOMMENDATION:

Recommending Signature

Date

Print Name

APPROVED FOR DIVISION OF TRANSPORTATION
SYSTEM DEVELOPMENT:

Approving Signature

Date

Print Name



Q J 3 1 3 4 7 3

Project
2475-00-20

County
Washington

Parcel
10

EXHIBIT A

Parcel 10, Village of Germantown
Village of Germantown TIF #4
Washington County

Fee Title in and to that part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin. This parcel is more particularly described as follows:

All that part of the Village of Germantown property (GTNV 253-996) and Lot 1 of Certified Survey Map No. 825, Volume 4, Page 258-259, adjoining Fond du Lac Avenue (STH-145) lying west of a line 60.00 feet easterly of and parallel to the East line of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 25.

Said parcel contains 0.1889 acres or 8227.80 square feet, more or less, exclusive of those lands previously reserved, dedicated or conveyed for highway purposes.

Also

Fee Title in and to that part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin. This parcel is more particularly described as follows:

All that part of the Village of Germantown property (GTNV 253-996), adjoining Donges Bay Road lying north of a line 60.00 feet southerly of and parallel to the South line of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 25.

Said parcel contains 0.2226 acres or 9695.40 square feet, more or less, exclusive of those lands previously reserved, dedicated or conveyed for highway purposes.

DONATION - WAIVER OF APPRAISAL RECOMMENDATION AND APPROVAL

DT1896 03/2012 Ch. 32 Wis. Stats.

Wisconsin Department of Transportation

Owner
Village of Germantown

Acres/sq. ft. required
0.3732 Acres

Interest required
See Attached Exhibit A

The undersigned owner(s) of the above lands declare an intent to dedicate said lands.

Having been fully informed of the right to have the property appraised and to receive just compensation based upon an appraisal, the undersigned further state that the decision to dedicate said lands was made without any undue influence or coercive action of any nature, and that the right to an appraisal and to just compensation is hereby waived.

It is intended that the instrument of conveyance will be executed upon presentation by Department of Transportation agents or representatives.

Owner Signature

Date

Print Name

Owner Signature

Date

Print Name

REGIONAL OFFICE RECOMMENDATION:

Recommending Signature

Date

Print Name

APPROVED FOR DIVISION OF TRANSPORTATION SYSTEM DEVELOPMENT:

Approving Signature

Date

Print Name



Q J 3 1 3 4 7 6

Project
2475-00-20

County
Washington

Parcel
11

EXHIBIT A

Parcel 11, Village of Germantown
Village of Germantown TIF #4
Washington County

Fee Title in and to that part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin. This parcel is more particularly described as follows:

All that part of the Village of Germantown property (GTNV 253-997), adjoining Donges Bay Road lying north of a line 60.00 feet southerly of and parallel to the South line of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 25.

Said parcel contains 0.3732 acres or 16255.80 square feet, more or less, exclusive of those lands previously reserved, dedicated or conveyed for highway purposes.

BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI

MEETING DATE: November 17, 2014

AGENDA ITEM: New Business

ITEM TITLE: Resolution Stating the Position of the Village of Germantown
to Not Pay for Fixing the County-wide Radio System

SUBMITTED BY: David R. Schornack, Village Administrator

SUMMARY EXPLANATION:

Attached is a resolution stating the position of the Village of Germantown to not pay for fixing the county-wide radio system. If approved, the resolution would be forwarded to the Washington County Board of Supervisors.

ATTACHMENT: ORDINANCE_____ RESOLUTION X OTHER_____

Resolution Stating the Position of the Village of Germantown to Not Pay for Fixing the County-wide Radio System

RECOMMENDATION:

To approve the attached resolution stating the position of the Village of Germantown to not pay for fixing the county-wide radio system.

**VILLAGE BOARD
of the
VILLAGE OF GERMANTOWN, WISCONSIN**

RESOLUTION NO. _____

**RESOLUTION STATING THE POSITION OF THE VILLAGE OF GERMANTOWN TO NOT
PAY FOR FIXING THE COUNTY-WIDE RADIO SYSTEM**

WHEREAS, approximately four years ago the Washington County Board of Supervisors purchased a county-wide radio system from the Harris Corporation, and

WHEREAS, the county-wide radio system does not always allow for communication when police and firefighters are inside of buildings in the Village of Germantown, and

WHEREAS, Washington County Board of Supervisors is desiring to add a 700 MHz system overlay to the radio system purchased four years ago which would require that new handheld radios be purchased for the police and fire departments in Washington County, and

WHEREAS, whereas the Washington County Board of Supervisors is requesting that municipalities in Washington County pay to replace the handheld radios used by the police and fire departments in Washington County, and

WHEREAS, the Village of Germantown would need to replace approximately 70 handheld radios at a cost to the Village of Germantown taxpayers of approximately \$260,000, and

WHEREAS, a new communication tower was erected at the Germantown Police Department and Washington County was given top priority for antenna placement, and

WHEREAS, the space allotted to Washington County on the new tower could have been leased to commercial companies for significant revenue, and

WHEREAS, Washington County was granted permission and space to erect a building and peripherals on Village of Germantown property to support the county-wide radio equipment on the tower, and

WHEREAS, Washington County was granted permission and space to house additional tower and radio equipment in the basement of the Germantown Police Department, and

WHEREAS, the Village of Germantown turned over licensed radio frequencies to Washington County for the county-wide radio project which allowed for significant savings to Washington County , and

WHEREAS, the Village of Germantown residents are also Washington County residents, and as such, pay Washington County taxes, and

WHEREAS, this is a county-wide radio project and decisions, negotiations and directions have been made at the County level, and

WHEREAS, after purchasing the county-wide radio system there remained \$1.9 million in the Washington County radio fund which was transferred by Washington County into the County's General Fund.

NOW, THEREFORE, BE IT RESOLVED, that it is the position of the Village Board of the Village of Germantown that this is a County-wide radio project which was designed, negotiated and paid for by Washington County and that Washington County get this problem resolved so that all Washington County police and firefighters have safe and reliable communications at no direct cost to the Village of Germantown.

Introduced by Trustee _____

Adopted: _____

Vote: Ayes: _____

Nays: _____

Dean M. Wolter, Village President

ATTEST:

Barbara K.D. Goeckner, MMC/WCPC
Village Clerk

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: November 17, 2014

AGENDA ITEM: New Business

ITEM TITLE: Resignation of Village Attorney Nick DeStefanis

SUBMITTED BY: David R. Schornack, Village Administrator

SUMMARY EXPLANATION:

Village Attorney Nick DeStefanis has submitted his resignation to be effective November 30, 2014.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER X

- Copy of email from Nick DeStefanis dated November 6, 2014.

RECOMMENDATION:

Acknowledge receipt of resignation email from Village Attorney Nick DeStefanis dated November 6, 2014 and to be effective November 30, 2014.

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: November 17, 2014

AGENDA ITEM: New Business

ITEM TITLE: Direction to Village Attorney to handle Municipal Court Legal Work

SUBMITTED BY: David R. Schornack, Village Administrator

SUMMARY EXPLANATION:

With the resignation of Nick DeStefanis the Village is in need of an attorney to perform municipal court legal work. It would be beneficial to have the same law firm that performs the Village's general legal work to perform its municipal court legal work.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

To authorize and direct the Wesolowski, Reidenbach & Sajdak, S.C. law firm to undertake representation of the Village for municipal court work effective December 1, 2014 on the same terms as their existing work provided for the Village.

X. P

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Monday, November 17, 2014

AGENDA ITEM: New Business

ITEM TITLE: 2015 Fireworks Contract

SUBMITTED BY: Justin Casperson, Park & Recreation Director

JC

SUMMARY EXPLANATION:

In an effort to get the most "bang" for our buck the Bartolotta Fireworks Company has presented the Village with a contract for the 2015 4th of July fireworks display. By signing a contract in December Bartolotta is able to take advantage of end of the year prices on supplies.

The Kiwanis Club contributes \$7,895 by paying the deposit on or before January 1, 2015 and the Village pays the remaining \$6,605 in the July payables

ATTACHMENT: ORDINANCE____ RESOLUTION____ OTHER X

RECOMMENDATION:

I recommend that the Village Board approve the 2015 fireworks contract with Bartolotta Fireworks Company in an amount of \$14,500. Also, I recommended that the Village Board approve the Village's \$6,605 expenditure for July so the invoice can be paid within the 15 days outlined in the contract and avoid a 1.5% late fee.

Bartolotta Fireworks Company, Inc.

PO Box 5

Genesee Depot, WI 53127

Phone: (262) 968-4178

Fax: (262) 968-2254

www.bartolottafireworks.com

Contract

This contract entered into this 4th day of November, 2014, by and between:

Bartolotta Fireworks Company, Inc., dba

Bartolotta Fireworks, hereinafter referred to as "**Bartolotta**"

A Wisconsin Corporation, duly licensed by the BATFE.

-and-

Sponsor: Village of Germantown

Hereinafter referred to as "**Sponsor**"

1. Bartolotta agrees to furnish Sponsor, in accordance with the terms and conditions set forth herein, One (1) fireworks display as per this signed and accepted contract. This will include trained and qualified Pyrotechnicians to deliver, setup, execute and take down the pyrotechnic display.
2. Bartolotta agrees to provide insurance coverage of Five Million Dollars, Bodily Injury and Property Damage and the statutory limits for Worker's Compensation Insurance. The Sponsor will be named as additional insured on the certificate. This insurance covers the operations of Bartolotta only and does not extend to any other aspect of the event.
3. The date of this display is: **July 4th, 2015** at: _____ pm. In the event of inclement weather, the display will be rescheduled for the **next night July 5th, 2015** at no additional cost to the Sponsor (dates around the 4th of July are excluded unless approved by Bartolotta). In the event the display is rescheduled to a date not the next night, there will be an additional 15% cost added to the contract amount to cover additional expenses involved. In the event the Sponsor does not choose to reschedule another date or cannot agree to a mutually convenient date, the Sponsor shall pay the Contractor an amount equal to 40% to cover Bartolotta's cost, damages, and expenses.
4. The cost of the display is: **\$14,500.00**. A deposit in the amount of: **\$7250.00** shall be made at the time of signing this agreement. The balance due shall be paid to Bartolotta within 10 days following the display. A 2.5% Hazardous Material Handling fee will be added to the invoice (based on the display cost) along with any permit fees paid by Bartolotta. There will be a 1.5% late charge added to the invoice on any outstanding amount not paid in full by the agreed upon date.
5. Sponsor, at sponsor's expense, agrees to provide Bartolotta with a suitable display site that meets the guidelines as set forth in NFPA 1123 and meeting the approval of Bartolotta. All permits necessary for the display shall be the responsibility of the Sponsor. All necessary police, fire, and other appropriate protection necessary for proper crowd control, automobile parking, and display site security will be the responsibility of the Sponsor.

6. After the display, the pyro technicians will conduct a post display search of the area/fallout zone for any unexploded fireworks. Sponsor explicitly acknowledges that an early morning search of the grounds/location is of utmost importance and the search will be conducted by the Sponsor. If any unexploded shells or devices are found, Bartolotta will be contacted immediately to properly dispose of said material. Bartolotta will be responsible for the removal of all equipment provided by Bartolotta. Sponsor will be responsible for any remaining cleanup that may be required after the display.
7. Sponsor agrees to hold Bartolotta harmless from all claims and a penalty made against Bartolotta in the event the display fails to start on time or is disrupted as a direct result of equipment or product malfunction or failure.
8. The laws of the State of Wisconsin shall govern this contract. Nothing in this contract shall be construed as forming a partnership between the Sponsor and Bartolotta. Neither party shall be held responsible for any agreements nor obligations not expressly provided for herein, and shall be severally responsible for their own separate debts and obligations.
9. This contract constitutes the entire agreement between the parties and shall be binding on the parties, their heirs, executors, administrators, successors, and assigns.
10. Any Additional Provisions: **2015 Fall Promo- 10% more product with a signed contract and 50% deposit by January 1st**

BARTOLOTTA FIREWORKS CO., INC.

VILLAGE OF GERMANTOWN:

By: _____

By: _____

Date Signed: ____/____/____

Date signed ____/____/____

Address: PO Box 5
Genesee Depot, WI 53127

Address: Po Box 337
Germantown, WI 53022

Phone: 262-250-4715

Email: jcasperson@village.germantown.wi.us