

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, JANUARY 19, 2015 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.
- 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 – December 15, 2014 and January 5, 2015 Regular Village Board Meetings
- B. Accounts payable/payroll
1. December 2014 Accounts Payable \$ 54,602.03
2. January 13, 2015 Payroll (hourly) \$ 213,477.02
3. January 10, 2015 Accounts Payable \$ 708,573.36
4. January 15, 2015 Payroll (salary) \$ 76,680.60
- C. Operator Licenses: January 20, 2015 - June 30, 2015:
 Joan Frantl, Jennifer Glab, Kirk Guse, Shannon Mitchell
- The following items were forwarded from the Public Works Committee with a unanimous recommendation:
- A. Recommended Approval to Authorize Signature and Recording Water Main Easement – Hillstone Apartments, Fond du Lac Ave

VIII. UNFINISHED BUSINESS: None

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. Chaz Hastings, Agent For Gerald Grosenick, Property Owner And Applicant For Conditional Use Permit For The Development And Operation Of An “Outdoor Recreation Facility” On A Parcel Located Adjacent To And South Of The Old Town Inn Located At N116W15841 Main Street, GTNV 224-965 Pursuant To Section 17.30(3)(V) Of The Village Zoning Code
- *B. Patrick M. Josten, Property Owner Of And Agent For Rockfield Short-Pour LLC, Applicant For (1) A 2020 Land Use Plan Map Amendment To Change The Land Use Plan Map Designation From Industrial/Office To Mineral Extraction; (2) A Rezoning Application To Rezone The Property From The M-1: Limited Industrial To The M-4: Mineral Extraction Zoning District Pursuant To Section 17.36 Of The Municipal Code; And (3) A Conditional Use Permit To Allow The Operation Of A “Ready Mix” Concrete Production And Delivery Operation Pursuant To Section 17.36(2)(E) Of The Municipal Code For The Property Located At GTNV 103-992 (1.75 Acres Located At W172N13098 Division Road)

**Both items were published in the paper as having a public hearing at this meeting. Neither item has been considered by the Plan Commission and as such, public hearings were premature. These hearings will not be held at this meeting but will be rescheduled for a future date.*

X. NEW BUSINESS:

- A. 90% Plan Review and Request to Solicit Bids for Donges Bay Road Project

XI. ADJOURNMENT

The next Village Board meeting will be on February 2, 2015 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.

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
December 15, 2014**

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by President Wolter

ROLL CALL: President Wolter, Trustees Baum, Daniels, Hughes, Kaminski, Miller, Warren and Zabel. Trustee Vanderheiden was absent and excused. Also present: Administrator Schornack, Attorney Sajdak, Planner Retzlaff, Police Chief Hoell, and Deputy Clerk Dobratz

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT:

President Wolter wished all residents of Germantown a Merry Christmas and a Happy New Year.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST & COMMITTEE REPORTS: Upcoming meetings were announced.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:
None

CONSENT AGENDA:

A. Minutes – December 1, 2014 Regular Village Board Meeting

B. Accounts payable/payroll

1.	November 2014	Accounts Payable	\$105,648.81
2.	December 2, 2014	Payroll (hourly)	\$238,080.89
3.	December 10, 2014	Accounts Payable	\$702,617.01
4.	December 15, 2014	Payroll (salary)	\$ 79,453.80

C. Operator Licenses: December 16, 2014 - June 30, 2015:

Eric Ashlock, Marie Chilicki, Dustin Davis, Brittany Johnson

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

D. Recommend Approval of Dance Hall License Renewals January 1-December 31, 2015:

1. Bubs Irish Pub, N116W16218 Main Street
2. Germantown American Legion Post 1, N120 W15932 Freistadt Road
3. Florian Park Conference & Event Center, N111 W18611 Mequon Road

E. Recommend Approval of Second Hand Article Dealer and Second Hand Jewelry Dealer License Renewals – January 1 – December 31, 2015:

1. Kessler's Diamond Center, N96 W16920 County Line Road

F. Recommend Approval of Second Hand Article Dealer License Renewal – January 1 – December 31, 2015:

1. White House of Music, N112 W16290 Mequon Road

G. Ordinance Relating to Parking Restrictions on Hilbert and Division and to Amend the Official Traffic Map to Reflect the Same.

H. Recommend Approval To Pay Invoice Of Inland Power Group For \$3,950.03 For To Fire Truck #1771, With Funds Allocated From Acct. #10-522-530-5500

CONSENT AGENDA continued:

- I. Recommend Approval to Purchase Nine (9) Eotech XPS2 Rifle Sights for \$3,780 Using Funds From the Sale of Old Rifles for \$5,770.
- J. Recommend Approval To Purchase UPS System from US Tech for \$28,224 and Labor/Materials Costs of \$2,390 Through B/A Electric. Total Cost \$614 over Budgeted Amount of \$30,000 Will Be Covered From the Police Department's Operating Budget

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

- K. Recommend Approval of Payment of Invoices to Washington County Highway Department in the Amount of \$38,330.22 for the Centerline and Edge line Painting of Village Roads.

MOTION (Baum/Miller) to approve Consent Agenda Items A-K. Trustee Hughes requests to pull Item D, Trustee Zabel requests to pull G. Trustee Baum requests to pull Items I & J. **By roll call vote, except items D, G, I & J, motion carried.**

Item 'D' – Discussion of Item 'D' to Recommend Approval of Dance Hall License Renewals January 1-December 31, 2015

MOTION (Hughes/Warren) to recommend approval of the Dance Hall Licenses for the three establishments listed; Bubs Irish Pub, Germantown American Legion Post and Florian Park Conference & Event Center with the understanding that all the applications have been submitted to the Clerk's Office, carried.

Item 'G' – Discussion of Item 'G', Ordinance Relating to Parking Restrictions on Hilbert and Division and to Amend the Official Traffic Map to Reflect the Same. Discussion regarding wording of no parking area with resolution. **Motion (Zabel/Baum) to postpone until the next scheduled Village Board meeting in January.**

Reason to postpone; looking for clarification of how far away from those intersections the no parking would be. President Wolter stated seems to be two references. On the actual Ordinance it states 200 feet but on the synopsis for backup it says 125 feet. **Motion carried.**

Item 'I' – Discussion of Item 'I', Recommend Approval to Purchase Nine (9) Eotech XPS2 Rifle Sights for \$3,780 Using Funds From the Sale of Old Rifles for \$5,770. Discussion of what happens with excess funds.

Motion (Baum/Miller) to approve the purchase Nine (9) Eotech XPS2 Rifle Sights for \$3,780 Using Funds from the Sale of Old Rifles for \$5,770.

Discussion of why sites aren't purchased when rifles are purchased. **By roll call vote, carried.**

Item 'J' – Discussion of Item 'J', Recommend Approval To Purchase UPS System from US Tech for \$28,224 and Labor/Materials Costs of \$2,390 Through B/A Electric. Total Cost \$614 over Budgeted Amount of \$30,000 Will Be Covered from the Police Department's Operating Budget.

Motion (Baum/Kaminski) to approve the Purchase UPS System from US Tech for \$28,224 and Labor/Materials Costs of \$2,390 Through B/A Electric. Total Cost \$614 over Budgeted Amount of \$30,000 Will Be Covered from the Police Department's Operating Budget, by roll call vote, carried.

UNFINISHED BUSINESS: - None

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. Don Thoma, Accurate Surveying, Agent For Jeffrey H. Gerschke, Property Owner Of A 10-Acre Parcel Located At N136 W14000 Bonniwell Road (GTNV#111-979) And Applicant To Rezone The Parcel From The A-2: Agricultural District To The Rs-1: Single-Family District, Pursuant To Section 17.14 Of The Village Of Germantown Zoning Code

Planner Retzlaff presented information on the application for rezoning and recommendation. The Plan Commission recommendation is to approve with two conditions concerning technical corrections from the Village Surveyor and also revisions to the CSM itself concerning some setbacks.

President Wolter opened the hearing at 7:15 p.m.

Randy Brokiewicz, N136W14327 Bonniwell Road, Germantown, WI – Spoke about his concerns with the high water table and flooding to his property, storm water runoff.

Don Thoma of Accurate Surveying – spoke regarding water draining to the East.

President Wolter closed the hearing at 7:21 p.m.

- B James R. Marriott, President, Stonecast Products And Applicant For (1) Conditional Use Permit (CUP) To Allow Development Within A 25' Wetland Setback, Pursuant To Section 24.04(3) Of The Municipal Code; And (2) A Rezoning Application To Rezone And Remove 35,070 Sq. Ft. (.805 Acres) From The Shoreland-Wetland Overlay Zoning District, Pursuant To Section 24.04(2) Of The Municipal Code On A Portion Of The 10.6-Acre Parcel Located At N112 W143 Mequon Road (GTNV 261-983 & 261-985)

Planner Retzlaff presented information on applications submitted by Jim Marriott President of Stonecast Products including the conditional use and rezoning applications subject to the public hearing this evening. Also has a certified survey map application that is on the agenda. A site development and building plans went before the Plan Commission that were conditionally approved subject to action taken on the three items tonight. Stonecast Products is proposing to expand outdoor storage area by approximately 55,000 square feet as part of the 10 acre facility. Plan Commission recommendation is to approve the Certified Survey Map with one condition, to approve rezoning as proposed and to approve the Conditional Use Permit subject to one condition.

President Wolter opened the hearing at 7:26 p.m.

No one came forward to speak.

President Wolter closed the hearing at 7:27 p.m.

NEW BUSINESS:

- A. Don Thoma, Accurate Surveying, Agent For Jeffrey H. Gerschke, Property Owner Of A 10-Acre Parcel Located At N136 W14000 Bonniwell Road (GTNV#111-979) And Applicant For: (1) A Rezoning Application To Rezone The Parcel From The A-2: Agricultural District To The Rs-1: Single-Family District, Pursuant To Section 17.14 Of The Village Of Germantown Zoning Code (**Ordinance Amendment**); And A Certified 2-Lot Survey Map (**CSM**) To Create Two 5-Acre Residential Parcels.
MOTION (Baum/Hughes) to approve as presented. Discussion of dwelling size requirements. Discussion on water issue, ordinances require that this property is not to cause hardship on any other property around it. The developers/owners of the property would be obligated to not interfere with any drainage patterns. They would have to, if necessary, reroute or provide ditching to accommodate whatever development without creating a problem of runoff or water backup onto adjoining properties. A mound system was approved. **Carried.**
- B. James R. Marriott, President, Stonecast Products And Applicant 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) A Rezoning Application To Rezone And Remove 35,070 Sq. Ft. (.805 Acres) From The Shoreland-Wetland Overlay Zoning District On A Portion Of The 10.6-Acre Parcel Located At N112 W143 Mequon Road (**Ordinance Amendment**); And A Certified Survey Map (**CSM**) To Combine Existing Parcels.
MOTION (Baum/Miller) to approve as presented, carried.
- C. Skyline Development Corp., Agent For Cambridge Major Laboratories Inc., Property Owner And Applicant, For A Certified Survey Map (**CSM**) To Combine A 3.15-Acre Parcel Located At W130 N10437 Washington Drive (Former Hometown Publications-Express News Parcel) With The 9.08-Acre Cambridge Major Laboratories Campus In The Germantown Business Park.
MOTION (Baum/Hughes) to approve as presented. Discussion on adding additional parking. As part of this project, a site development plan was approved conditionally by the Plan Commission to add 15 more parking stalls. Beyond that, the existing stalls, approximate 40 parking stalls, will be utilized by existing office and employees of Cambridge Major. The plan is to park on the site and once completed will utilize the additional parking stalls. Discussion on noise complaints about this property during the early hours of the morning. The Police Department took readings in the vicinity and the readings they took did not exceed any of the noise limits that apply. The plant has an incinerator and runs 24 hours a day. The noise requirements are the same at night as during the day. The readings that were taken in response to this complaint were in the parking lot of Cambridge Major and also just off of Grant/Washington Drive. **Carried**
- D. Request for Approval to Go Paperless for Agenda Packets.
Administrator Schornack stated the Village Clerk is absent and he will answer any questions. The Village Clerk went to the Village Board in September about going totally paperless. Currently four Trustees are now paperless. \$2,700 has been set aside in this year's budget to give each Trustee a \$300 stipend during their term. That would be used for Trustees to purchase their own equipment. For each new

NEW BUSINESS continued:

term starting in 2016, a \$300 stipend will be given for each trustee for that term. Trustee Hughes asked if moving forward if the stipend would come out of Clerks Budget. Right now it is budgeted in the Village Boards budget and that is entirely up to the Board on how it is budgeted in the future.

MOTION (Baum & Daniels) to approve. Discussion on which budget year this would begin. Discussion if a Trustee who will not go paperless then that person would not get the stipend. Discussion on the equipment being a personal device and everything that is on it is open to the public, open records law and email communication. Further discussion on Planning Commission because of the size of information, data and documents that are being reviewed, would have to remain paper. Also, all other smaller non-standing committees that meet periodically would go out electronically or in a paper form? Understanding is that eventually all Village Board Trustees would receive paperless packets. Discussion on how long materials remain on the computer. Agendas and minutes are posted on the web for numbers of years. Residents are able to view paper packets in the Clerk's Office. The hard copies will always exist and remain on file. Discussion on how and when the money is being disbursed. Waiting until April, then next year's budget can be amended. The money would go back into the General fund if not used.

MOTION (Kaminski/Baum) to amend to April 15th. Discussion on current procedure, some Trustees are already paperless and if anyone else wants to go paperless just notify the Clerk. Plan Commission packets will stay paper, not electronic. Along with the amended motion is to include the carryover of \$2,700 from this year's into next year's budget to cover the cost. Trustee Kaminski states the amended motion will include the carryover and Trustee Baum confirms. Discussion on eligibility is suspended until after the April Election is completed.

Carried

Motion as amended, carried.

- E. An Ordinance Creating Section 3.08(2)(F) Of The Municipal Code Of Germantown Relating To The Approval Of Change Orders.

MOTION (Zabel/Baum) to approve An Ordinance Creating Section 3.08(2)(F) of The Municipal Code of Germantown Relating to The Approval of Change Orders as presented, carried.

ADJOURNMENT

There being no other business the meeting adjourned the meeting at 8:06 p.m.

Jilline Dobratz
Village Deputy Clerk

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
January 5, 2015**

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by President Wolter

ROLL CALL: President Wolter, Trustees Baum, Daniels, Hughes, Kaminski, Miller, Vanderheiden, Warren and Zabel. Also present: Attorney Sajdak, Park & Rec Director Casperson, Fire Chief Weiss, Engineer Bischke, Hwy Supt. Olszewski, Planner Retzlaff and Clerk Goeckner

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: Happy New Year to all. Community recently lost two leaders, Howard Farrell and Phil Datka, both important to Germantown.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST & COMMITTEE REPORTS: Upcoming meetings were announced as well as other items of interest by Trustees.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing: None

CONSENT AGENDA:

- A. Minutes – December 15, 2014 Regular Village Board Meeting
- B. Accounts payable/payroll
 - 1. December 16, 2014 Payroll (hourly) \$ 231,257.50
 - 2. December 25, 2014 Accounts Payable \$ 464,413.74
 - 3. December 30, 2014 Payroll (salary) \$ 290,886.43

C. Operator Licenses: January 6, 2015 - June 30, 2015:
Alex Dingee, Amanda Klauer, Anne Mitts, Meagan Sumter

The following items were forwarded from the General Government and Finance Committee with a unanimous recommendation:

- D. Recommend Approval to Purchase Spassland Fitness Equipment as Stated from Lee Recreation, Not To Exceed \$17,381.00

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

- E. Recommend Approval to Execute and Record the Final Access Easement Agreement for Continental 246-County line Road, Which Allows Wastewater Utility Access to Lift Station No. 6
- F. Recommend Approval to Execute and Record The Final Sanitary Sewer and Water Main Easement for Continental 246-County line Road Which Allows the Water Utility and Wastewater Utility Access to Both Existing and New Public Sewers and Mains
- G. Recommend Approval to Accept the Retaining Wall Improvements Located in TIF #4 Abutting Airgas Inc., Upon Staff Review of the Warranty Requirements Within the Developers Agreement
- H. Recommend Approval for a 4.7% Change Order of \$27,709.60 for the Lannon/Appleton Water Main Extension Which Will Increase the Contract Value

from \$595,350 to \$623,059.60 with Funds to be Allocated From TID #6 Acct #46-576-530-4500

CONSENT AGENDA continued:

President Wolter requested to pull the minutes as they are not complete at this time.

MOTION (Baum/Warren) to approve Consent Agenda Items B-H, roll call vote, carried.

UNFINISHED BUSINESS:

- A. **Ordinance No. 01-15** Relating To Parking Restrictions On Hilbert And Division And To Amend The Official Traffic Map To Reflect The Same

MOTION (Baum/Hughes) to approve Ordinance No. 01-15 Relating to Parking Restrictions on Hilbert and Division and to Amend the Official Traffic Map to Reflect the Same. Trustee Zabel verified the Ordinance removed all restrictions from that point north. **Roll call vote, carried.**

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. Peter Ogorek, Perspective Design Inc., Agent For Compass Properties LLC, Property Owner; N112 W16200 Mequon Road; (1) Create A B-2: Community Business Planned Development District (PDD) For Germantown Marketplace; And (2) Rezone The Property (Germantown Marketplace) Owned By Compass Properties LLC From The B-2: Neighborhood Business District To The B-2/PDD Germantown Marketplace PDD, 3-Lot Certified Survey Map (CSM)

Planner Retzlaff presented information regarding the Public Hearing for Peter Ogorek, Perspective Design Inc., Agent for Compass Properties LLC.

PDD application and Certified Survey Map.

Plan Commission recommendation for PDD creation is to approve subject to two conditions and approve CSM with technical corrections recommended and easement documents being recorded prior to the CSM.

President Wolter opened the public hearing at 7:15 p.m.

Peter Ogorek with Perspective Design was present to answer any questions in regard to the application.

President Wolter closed the public hearing at 7:17 p.m.

NEW BUSINESS:

- A. Peter Ogorek, Perspective Design Inc., Agent For Compass Properties LLC, Property Owner; N112 W16200 Mequon Road; (1) **Ordinance** Amendment For Rezoning To Create The Germantown Marketplace Planned Development District (B-2/PDD) And Restrictions **Resolution**; And (2) 3-Lot Certified Survey Map (CSM)

MOTION (Baum/Daniels) to approve Ordinance No. 02-15 to Amend the Official Zoning Map of the Village of Germantown Creating Germantown Marketplace Planned Development District (PDD), (Compass Properties LLC, Property Owner), And Resolution No. 04-15 Adopting Conditions and

Restrictions for the Germantown Marketplace Planned Development District And 3-Lot Certified Survey Map. Discussion of landscaping and parking sites
NEW BUSINESS continued:

currently and in the future. Code at the time of Lot 3 development would apply at that time. If recommendations come out of the study and the Village deems so, it would be done at that time. Village could deny development at that time if requirements could not be met. Further discussion of concerns with Lot 3 and the number of parking spaces being removed by its creation. Parking requirements can't be determined until development is decided/proposed. **Carried.**

- B. Germantown Little League Application For Public Grant Program For Waiver Of Permit Fee

MOTION (Zabel/Baum) to approve Application for Public Grant Program to Waive Permit Fee for Germantown Little League, carried.

- C. Our Saviour's Cemetery Association Application For Public Grant Program To Erect Signage

MOTION (Zabel/Kaminski) to approve Application for Public Grant Program to Waive Permit Fee for Our Saviour's Cemetery Association. Trustee Miller stated he has a close affiliation with the applicant and will abstain from voting. **Carried.**

- D. Resolution No. 01-15 Discontinuing The Entirety Of The Public Road Right Of Way Dedication Shown On Lot 2 Of CSM No. 2360

MOTION (Baum/Vanderheiden) to approve Resolution No. 01-15 Discontinuing the Entirety of the Public Road Right of Way Dedication Shown on Lot 2 of CSM No. 2360, carried.

- E. Request For Approval Of Resolution No. 02-15 Authorizing The Application, Acceptance, And Expending Of Wisconsin Department Of Natural Resources Urban Forestry Grant Program Funds

MOTION (Baum/Hughes) to approve Resolution No. 02-15 Authorizing the Application Acceptance, and Expending of Wisconsin Department of Natural Resources Urban Forestry Grant Program Funds. Zabel asked Justin to come up – matching funds from them – full grant is \$10,000, our cost would be \$5,000. We get \$5,000 from them. Roll call vote, carried.

- F. Request And Resolution No. 03-15 Authorizing And Directing Village Staff To Contact And Work With The Southeastern Wisconsin Regional Planning Commission (SEWRPC) To Amend The Regional Water Quality Management Plan For The Removal Of Certain Lands And To Include Lands Located Generally Between Appleton Avenue, Lannon Road, Highway 41 And Maple Road To MMSD's Sanitary Sewer Service Area

Village Engineer Bischke explained the request. Bringing it back to Village Board to strip the requirement to exit the lands and proceed with entering lands to be prepared timely for need.

MOTION (Zabel/Vanderheiden) to approve Resolution No. 03-15 Authorizing

and Directing Village Staff to Contact and Work with SEWRPC to Amend the Regional Water Quality Management Plan for the Removal of Certain Lands
NEW BUSINESS continued:

and to Include Lands Located Generally Between Appleton Avenue, Lannon Road, Highway 41 and Maple Road to MMSD's Sanitary Sewer Service Area, as presented. Discussion of value, which was developed by Finance Director Rath and with MMSD. Further discussion of MMSD/SEWRPC and boundary possibilities and future plans. **Carried.**

- G. Request To Execute Conservation Easement Agreement – Alt Bauer Parking Lot Green Infrastructure

MOTION (Baum/Zabel) to approve request to execute the Conservation Easement Agreement for Alt Bauer Parking Lot Green Infrastructure, carried.

ADJOURNMENT

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

Barbara K. D. Goeckner MMC/WCPC
Village Clerk

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

MEETING DATE: January 19, 2015

AGENDA ITEM: CONSENT AGENDA

ITEM TITLE: Authorize Signature and Recording Water Main Easement -- Hillstone Apartments, Fond du Lac Ave

SUBMITTED BY: Brionne R. Bischke, P.E., Village Engineer 

SUMMARY EXPLANATION:

Recall the following:

- 1) The Public Works & Highway Committee during its Sep. 2, 2014 meeting determined that the hydrant lead for this development should be publicly-owned.
- 2) The Village Board during its Sep. 15, 2014 meeting authorized this development's Developer's Agreement.

This water main easement is for the aforementioned hydrant lead as required by the Developer's Agreement.

Village Attorney Brian Sadjak approved the easement's form and content.

ATTACHMENTS: Water Main Easement

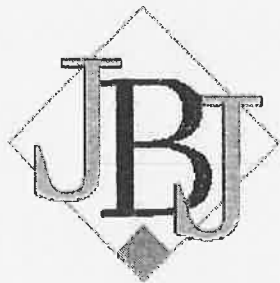
STAFF RECOMMENDATION TO COMMITTEE:

Recommend to Village Board to authorize the Village President to sign and the Village Clerk to record the public water main easement for the Hillstone Apartments project on Fond du Lac Ave.

PUBLIC WORKS & HIGHWAY COMMITTEE ACTION (Jan. 6, 2015):

Unanimous recommendation to Village Board to authorize signature and recording the water main easement.

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.



J.B.J. Companies, Inc.
W178 N9912 Rivercrest Drive, Suite 101
Germantown, WI 53022-4645
Phone: 262-255-1800
Fax: 262-255-2234
www.jbjcompanies.com

FROM: Scott J. Bence
PHONE: 262-255-1800 ext. 17
E-MAIL: scott@bjcompanies.com
___ J.B.J. Construction
___ J.B.J. Properties
___ J.B.J. Development
___ J.B.J. Custom Homes

TRANSMITTAL

COMPANY NAME: Village of Germantown

ATTENTION: Brionne

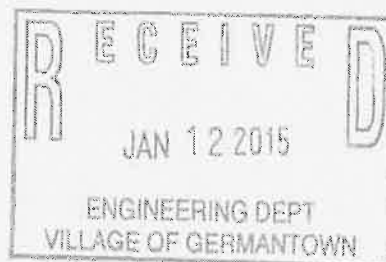
DATE: December 29, 2014

REGARDING: Hillstone Apartments (Signed Easement)

COMMENTS:

Attached is the signed easement.

Scott Bence
J.B.J. Companies, Inc.



Document Number	Water Main Easement
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This space reserved for recording data:

Return to: Village of Germantown
PO BOX 337
Germantown, WI 53022

This Water Main Easement (the "Easement") is made by and between Wexford Heights Limited Partnership, (hereinafter referred to as "Grantor"), and the VILLAGE OF GERMANTOWN, a Wisconsin municipal corporation ("Grantee"), as of the date signed by Grantor set forth below.

FOR AND IN CONSIDERATION of the sum of One (\$1.00) Dollar and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, owners and Grantors of the lands herein described do hereby grant unto the Village of Germantown, Washington County, Wisconsin (Grantee), an easement with the right, permission and authority to enter upon, construct, install, maintain, in, through, under, across, and upon the following described tract of land:

Being a part of Lot 9 in **HILLSIDE VIEW**, being a redivision of Lot 1 of Certified Survey Map No. 4534, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 26, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, better described as follows: Commencing at the Southeast corner of said Southeast 1/4 Section 26; thence N 02°43'12" W, 850.10 feet along the East line of said Southeast 1/4; thence S 88°23'35" W, 60.01 feet to the Southeast corner of said Lot 9, Hillside View; thence N 02°43'12" W along the East line of said Lot 9, a distance of 287.44 feet to the Point of Beginning of a 25' Water Main Easement; thence S 87°16'48" W, 58.00 feet; thence N 02°43'12" W, 25.00 feet; thence N 87°16'48" E, 58.00 feet to the East line of said Lot 9; thence S 02°43'12" E along said East line, 25.00 feet to the Point of Beginning. Said land containing 1,450 square feet.

The location of the easement hereinbefore described with respect to the premises of the Grantor is shown on the drawing attached hereto, marked "Exhibit A", and made a part hereof.

Grantors hereby warrant that they have legal title to the lands which are the subject of this easement and that they have lawful authority to grant this easement. Further, Grantors shall defend the Village of Germantown in its exercise of rights under the easement herein granted against any defect in title to the land involved or the right of the Grantors to make the grant herein contained.

The right, permission and authority is also granted said Grantee, to trim and/or cut down certain trees and/or brush where said trees and/or brush interfere with the existing water main and maintenance of the facilities or represent a hazard to such facilities. The restoration, however, does not apply to any brush or trees which may be removed at any time pursuant to the rights herein granted.

Grantee shall perform such regular and customary, or extraordinary or emergency maintenance, repairs or replacement to the improvements as it shall deem necessary and appropriate. Upon completion of any such work, Grantee shall backfill to approximate the pre-existing grade. Grantor, Grantor's successors and assigns, or the tenants of either shall be responsible for the restoration of topsoil, turf or other landscaping, or surface paving disturbed as a result of such work undertaken by Grantee.

The Grantor(s), their successors and assigns, covenant(s) and agree(s) to restrict the use of the land included in the easement described hereinabove as follows:

- (1) The land will only be put to uses consistent with this easement such as lawn areas, driveways and small and easily movable structures that will not interfere with access to facility or its appurtenances, with the exception of item (3), below.
- (2) No obstruction of access to the facility or its appurtenances shall be created in the future and that no building, trees or other structures or items that may interfere with inspection, maintenance or repair shall be located in the space over and within vertical planes located on both sides of the facility and/or its appurtenances.
- (3) The surface elevation of the land within the easement shall not be raised or lowered more than four (4) inches without the prior written approval of the Village Engineer of the Grantee.

In consideration of the foregoing grant of Water Main easement and the covenants herein contained, Grantor and Grantee agree that (i) Grantor, in and upon developing Grantor's Land, may freely install laterals and connections to and utilize all improvements installed by Grantor pursuant to this Easement (including the water systems of which they are part) in accordance with the Village of Germantown Code, (ii) from and after the acceptance of dedication of the Water Main to be installed in the easement granted hereunder. Grantee will indemnify and hold Grantor, including its members, officer, employees, successors and assigns, harmless from and against any and all claims, litigation, liability, loss, injury, damage, cost and/or expense on account of injury to or death of any person or persons whomsoever in any way arising out of caused, connected with, or attributed to the Easement, this agreement or the rights herein granted, and Grantee, will defend by counsel satisfactory to Grantor any suit or action brought against same based on any alleged injury, death, or damage and shall pay all damages, costs and expenses, including attorneys' fees connected therewith or resulting therefrom, and (iii) in connection with the hook-up by Grantor to the municipal water distribution system, the Village of Germantown shall levy upon Grantor only charges of general applicability to and for utilization of Village of Germantown water main and improvements; no special or unique, tax, special assessment, tap fee, connection charge, capitalization, recovery fee, reclamation charge, or any other charge not generally levied upon one connecting to the municipal water distribution system shall be assessed to or against Grantor or Grantor's land in connection, with such hook-ups.

Grantor(s), their successors and assigns, covenant(s) and agree(s) to permit and allow Grantee to have facility and its appurtenances to be installed at such time and in such location as Grantee may deem necessary.

Grantee and its agents shall have the right to enter upon the premises of the Grantor for the purpose of exercising its rights herein acquired. Grantee agrees to restore or cause to have restored said premises, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantee or its agents. The restoration, however, does not apply to any brush or trees which may be removed at any time pursuant to the rights herein granted.

The said Grantor(s), has/have caused these presents to be signed and sealed this 29 day of December, 2014.

By: Scott Bence

Title: Wexford Heights Limited Partnership

(Note: The above signature(s) must be notarized.)

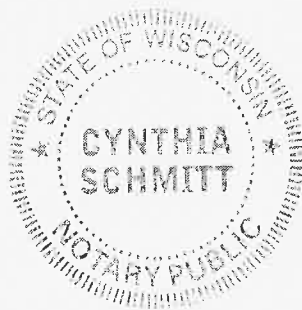
STATE OF Wisconsin

COUNTY OF Washington

Personally came before me this 29 day of December, 2014, the above named Scott Bence to me known to be the persons who executed the foregoing instrument and acknowledged the same.

My commission expires April 2, 2017
Notary Public, State of Wisconsin

Cynthia Schmitt
Cynthia Schmitt



CONSENT OF MORTGAGE

I, Adam Newman of Landmark Credit Union, mortgagee of Tax Key # GNTV 264-309, do hereby consent to the described water main easement by Wexford Heights Limited Partnership, owner of said land, to the Village of Germantown, Washington County, Wisconsin, and hereby submits its mortgage described above to the described easement.

WITNESS the hand and seal of said mortgages this 5th day of January, 201~~4~~⁵.

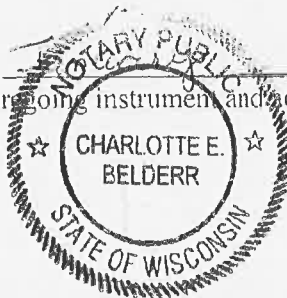
By: [Signature]
Name: Adam & Newman
Title: V.P.

STATE OF WISCONSIN

COUNTY OF Waukesha

Personally came before me this 5th day of January, 201~~4~~⁵ the above named, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Charlotte E. Belderr
Charlotte E. Belderr
My commission expires 5/24/2015
Notary Public, State of WISCONSIN



VILLAGE OF GERMANTOWN ACCEPTANCE

ACCEPTED BY The Village of Germantown on _____, 2014

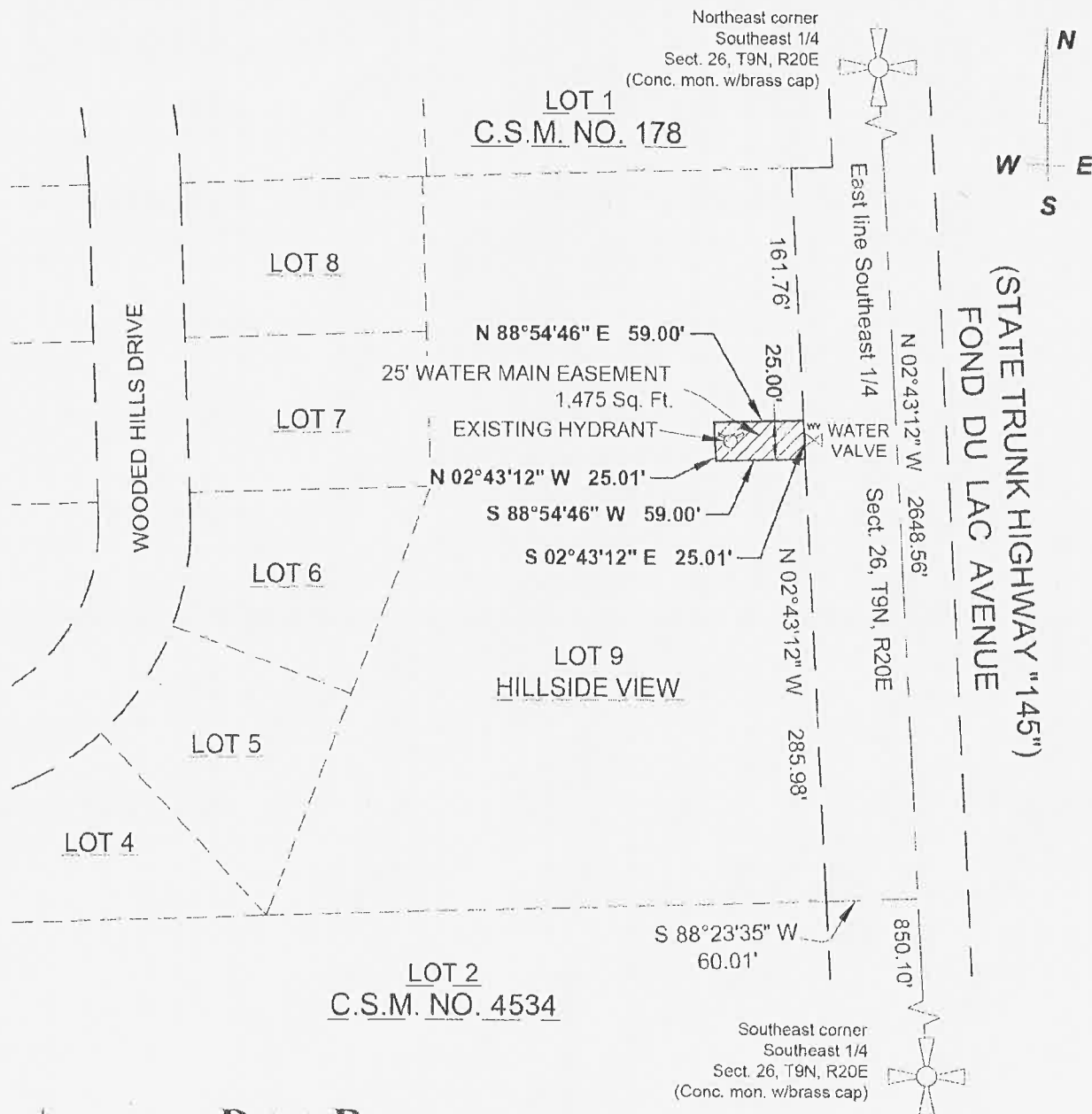
_____, 2014
Dean Wolter - Village President

_____, 2014
Barbara K.D. Goeckner - Village Clerk

This Instrument drafted by: Daar Engineering, Inc.

LEGAL DESCRIPTION of a 25' Water Main Easement for EXISTING WATER MAIN:

Being a part of Lot 9 in **HILLSIDE VIEW**, Being a redivision of Lot 1 of Certified Survey Map No. 4534, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 26, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, better described as follows: Commencing at the Southeast corner of said Southeast 1/4 Section 26; thence N 02°43'12" W, 850.10 feet along the East line of said Southeast 1/4; thence S 88°23'35" W, 60.01 feet to the Southeast corner of said Lot 9, Hillside View; thence N 02°43'12" W along the East line of said Lot 9, a distance of 285.98 feet to the Point of Beginning of a 25' Water Main Easement; thence S 88°54'46" W, 59.00 feet; thence N 02°43'12" W, 25.01 feet; thence N 88°54'46" E, 59.00 feet to the East line of said Lot 9; thence S 02°43'12" E along said East line, 25.01 feet to the Point of Beginning. Said land containing 1,475 square feet.



DAAR
ENGINEERING, INC.

ENGINEERS PLANNERS SURVEYORS
518 West Cherry Street, Milwaukee, WI 53212
PHONE (414) 604-0674 FAX (414) 604-0677
www.daaarcorp.com

GRAPHIC SCALE



1 INCH = 100 FEET

DRAWING BY: ST

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

MEETING DATE: January 19, 2015

AGENDA ITEM: New Business

ITEM TITLE: 90% Plan Review and Request to Solicit Bids for Donges Bay Road Project

SUBMITTED BY: Brionne R. Bischke, P.E., Village Engineer 

SUMMARY EXPLANATION:

Recall during its July 21, 2014 meeting, the Village Board awarded the design contract to R.A. Smith National to convert the nearly 60%-complete design from Wisconsin DOT Facilities Development Manual design criteria to the Village Board's newly established design criteria.

R.A. Smith National has prepared 90%-complete plans, and presented them for public review during a public information meeting (PIM) at the Germantown Community Library, Large Community Room, on Monday, January 5, 2015, 5:00 PM to 7:00 PM. Invitations to the PIM were mailed on December 19, 2014 to addresses within one block of Donges Bay Road, to nearby homeowners' association officers, and to the press. The PIM was also advertised on the Village's web page and the DPW/Engineering Department's Facebook page.

Board members will find that R.A. Smith National has substantially complied with the Village Board's established design criteria.

SUPPLEMENTARY DOCUMENTS:

- 1) 90%-complete plans: <http://www.village.germantown.wi.us/DocumentCenter/View/1003>
- 2) Exhibit (Division to Pilgrim): <http://www.village.germantown.wi.us/DocumentCenter/View/1005>
- 3) Exhibit (Pilgrim to Magnolia): <http://www.village.germantown.wi.us/DocumentCenter/View/1006>
- 4) Public Information Meeting Minutes (Jan. 5, 2015)
- 5) Village Engineer response to Bastings inquiries (Jan. 8, 2015)
- 6) Village Engineer response to Poetzl inquiries (Jan. 9, 2015)

STAFF RECOMMENDATION TO PUBLIC WORKS & HIGHWAY COMMITTEE:

Accept 90%-complete plans and authorize staff to solicit bids as follows:

Year 2015: Donges Bay Road (Division to Pilgrim); Year 2016: Donges Bay Road (Pilgrim to Magnolia)

PUBLIC WORKS & HIGHWAY COMMITTEE ACTION (Jan. 6, 2015):

- 1) Unanimously recommended that the Village Board accept 90%-complete plans and authorize staff to solicit bids; and
- 2) Unanimously recommended that the Village Board authorize R.A. Smith National to investigate adding a terrace between the existing pathway and the drive lanes where one does not exist now.

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.

Donges Bay Road
Division Road to Magnolia Drive
Village of Germantown
Washington County

MEETING MINUTES

Meeting Purpose: Public Involvement Meeting

Time & Date: 5:00 – 7:00 p.m., January 5, 2015

Location: Germantown Community Library
N112 W16957 Mequon Road

Minutes Prepared by: Andrew Axt, R.A. Smith National

Attendees: See attached Registration Log

Minutes Sent to: Brionne Bischke, Village of Germantown Village Engineer (for internal distribution)

Any changes/comments on these minutes should be provided to John Elkin by January 13, 2015.

Exhibits: 50-scale aerial plots from Division Road to Magnolia Drive showing the proposed improvements, including the proposed Typical Roadway Section

Handouts: Public Involvement Meeting handout and comment form attached.

Attendance

The Village of Germantown and R. A. Smith National, Inc. (RASN) conducted the meeting. 24 people signed the registration log (attached). One comment sheet was received at the meeting and one email was received before the meeting (attached). Additional comments may be forthcoming as residents were given until January 14, 2015 to submit comments.

The purpose of the meeting was to present the preliminary roadway design to residents and gather feedback.

Feedback

- Meeting overview: Residents were generally positive towards the proposed improvements and several indicated that they were glad that the project would not affect their property. Several other residents were happy that the existing roadway width was remaining the same. Residents were generally accepting of the need to excavate below subgrade to remove poor soils and to regrade short segments of ditches to alleviate drainage problems. A few residents would like to see existing sidewalks abutting the roadway moved further away from the roadway for increased safety. Specific issues were discussed and are as follows:
- Phil Laporte (N104 W16075 Hedge Way) said there is standing water in his backyard whenever it rains, however this situation is not correctable with the roadway improvement project.

- Regina Wood (N104 W15652 Donges Bay Road) said there is not a flooding issue on the north side of the Jefferson Ditch culverts (the Jefferson Ditch flows north), but did note that there is erosion on the west bank on the north end of the existing culverts. She asked if the temporary grading easement on the northeast side of the culvert could be reduced to minimize potential impacts to their screening vegetation that borders the ditch. Contractor access could be provided from the Village owned northwest quadrant. Mr. Wood noted that he placed riprap in his roadway ditch because the sideslopes were too steep to mow. It was noted to him that the ditch would be moved away from the road a little and the sideslopes flattened. He also has concrete endwalls on his driveway culvert ends. **RASN will review the size of the temporary grading easement at the Jefferson Ditch culvert.**
- Jim and Judy Geisthardt (W157 N10418 Fieldstone Pass) said there is an erosion problem on the north side of the Jefferson Ditch culverts. They said the embankment on the west side has eroded away and there is now a drop off. RASN informed them that new riprap stone would be added at the north side of the proposed culvert which should help prevent any further erosion.
- Anthony Tarantino (N104 W16227 Hedge Way) said there is a drainage problem in the southeast corner of his property. He said his sump pump runs constantly whenever it rains. RASN informed him that the project can only address drainage issues within the right of way. However, we propose to replace an existing culvert under the sidewalk (in the Donges Bay Road right-of-way) near the southeast corner of his property to provide improved flow to the road ditch.
- Bridget Poetzl (N104 W15447 Donges Bay Road) said there is a retaining wall near the end of her driveway which may be impacted. **RASN has reviewed and the proposed design will not impact the retaining wall.** She would also like to see a sign placed at the southeast corner of Donges Bay Road and Pilgrim Road to warn drivers of left-turning vehicles from the north.
- Holly Basting (N104 W16053 Donges Bay Road) provided comments in an email prior to the meeting, and the email and designer response are attached.
- A resident wanted the speed limit lowered.

PLEASE PRINT

NO.	NAME	REPRESENTING AND ADDRESS	CITY	ZIP	PHONE NO.
1	Brionne Bischoke	German town			
2	PHIL + SANDRA LA PORTE	N104 W16275 Hedge Way	German town	53022	
3	JOHN PENKAL	N104 W16075 Hedge Way	German town	53022	
4	DICK + KATHY BRUCE	N104 W15446 Donges Bay Rd	German town	53022	
5	Bob Wannen	W168 N10766 Juniper Dr.	German town	53022	414 349 1761
6	Dave Schornack	Village of 6' town (Adelmann town)	G'town	53022	262 250-4750
7	Alan Canales	W156 N10378 Papyrus Rd	German town	53022	262-442 3950
8	Ty Schmidt	German town Nov	Milwaukee	53022	
9	REGINA + BENNIE WOOD	N104 W15554 Donges Bay Rd	G'town	53022	262-251-5935
10	Andrew Ant	R.A. Smith National			262-341-3357
11	Dan Ludwig	Village of German town	G'town	53022	262-250-4721
12	Anthony Carathus	N104 W16227 Hedge Way	G'town	53022	414-690-2065
13	Mike Schmit	N104 W16801 Donges Bay Rd	G'town	53022	414 699 6191
14	Kurt D Schlehlein	N103 W16980 Wildrose Ln.	G'town	53022	262-253-3639
15	Bridget Poehl	N104 W15447 Donges Bay Rd	G'town	53022	262-253-0529
16	CURT + HOLLY PEITNER	N104 W14651 Donges Bay Rd	German town	53022	262 255 7287
17	James Ponsen	W165 N10402 Wagon Trail	German town	53022	262-255-4225
18	Justin Latham	W157 N10460 Fieldstone Pass	"	"	262 255 7614
19	DICK BRUNOW	W165 N10439 WAGON TRAIL	"	"	262-255-7141
20	Jim + Judy Geisthardt	W157 N10418 Fieldstone Pass	"	"	262-255-0346
21	BOB CAMPBELL	N104 W15929 Hedge Way	G'town	"	414-418-2144
22	Mark Effenheim	N104 W15963 Donges Bay Rd	G'town	"	262-844-7864
23	BRIAN DEPIES	W143 N9867 Ridgwood Lane	G'town	"	262-389-0704
24	SONA EIKIN	R.A. SMITH NATIONAL			262-317-3312
25					

PUBLIC INVOLVEMENT MEETING

January 5, 2015

Donges Bay Road Resurfacing Project Division Road to Magnolia Drive Village of Germantown

Welcome to the public involvement meeting for the proposed improvements to Donges Bay Road in the Village of Germantown. The Village of Germantown has contracted with R.A. Smith National, Inc. for the design of the improvements for Donges Bay Road.

Engineers representing the Village of Germantown and R.A. Smith National, Inc. are on hand to discuss the project. Exhibits are on display showing the proposed improvements and proposed roadway cross-section. The proposed improvements are as follows:

- The roadway will be pulverized and overlaid with new asphalt. Segments of the project will be reconstructed to remove poor soils underneath the roadway and to increase roadway longevity.
- Existing lane widths will remain the same. From Division Road to Pilgrim Road the lanes will be 11' wide. From Pilgrim Road to Magnolia Drive the lanes will be 12' wide. Proposed shoulders will typically match the existing conditions and consist of 1' asphalt and 1' gravel. In locations where the gravel shoulder is wider than 1', the proposed shoulder will consist of 1' asphalt and the gravel width will match the existing condition. The Pilgrim Road intersection will not be improved with this project.
- Existing ditches will generally remain the same. There will be short segments of ditch grading in some locations to improve drainage.
- A new asphalt path will be added on the north side of Donges Bay Road between Pilgrim Road and Heritage Hills Parkway. The path will vary in width from 6' to 8'.
- Driveway and roadway culverts will be replaced with similar size steel or concrete pipes.
- The roadway type will remain rural with replacement of existing curb and gutter at select intersections to provide a smooth transition to the side street.
- The project will be constructed over two construction seasons. Construction between Division Road and Pilgrim Road will take place in 2015. Construction between Pilgrim Road and Magnolia Drive will take place in 2016. During construction the roadway will be closed to through traffic and a detour route will be provided. Access for residents along Donges Bay Road will be maintained.
- Funding will be provided with 100% Village of Germantown funds.

The project contacts are as follows:

John Elkin, P.E.
Consultant Project Manager
R.A. Smith National, Inc.
16745 W. Bluemound Rd., Suite 200
Brookfield, WI 53005-5938
(262) 317-3312
E-mail: john.elkin@rasmithnational.com

Brionne Bischke, P.E.
Village Engineer
Village of Germantown – Department of Public Works
Engineering Division
N112 W17001 Mequon Road, P.O. Box 337
Germantown, WI 53022-0337
(262) 250-4724
E-mail: bbischke@village.germantown.wi.us

Axt, Andrew

From: Elkin, John A.
Sent: Monday, January 05, 2015 3:37 PM
To: Holly
Cc: bbischke@village.germantown.wi.us; tkaminski@village.germantown.wi.us; azabel@village.germantown.wi.us; Axt, Andrew
Subject: RE: Questions & Comments re: Donges Bay Road plan

Hello Ms. Basting,

We appreciate your input for the Donges Bay Road project. Your property is in an area of roadway poor soils that will require removal and replacement of the soils underneath the roadway and consequently the reconstruction of the road gravel base and asphalt, whereas the Schaetzel property is in a transition area where a reconstruction segment ends and a pulverizing and asphalt overlay segment begins. In this particular pulverizing segment the existing ditch is not being impacted so the Schaetzel culvert can be replaced in the same location.

In front of the Basting property where the roadway is being reconstructed, the gravel base of the proposed roadway shoulder is wider than the existing gravel base to provide structural support for the proposed roadway pavement. This wider base of roadway shoulder means the existing ditch would have been filled in. Re-grading the ditch a few feet further south is necessary to provide a minimal ditch (approximately 12 inches deep) to provide good drainage and longevity of the roadway pavement and shoulder. The re-graded ditch has similar running slope (east to west) as the existing ditch and all grading limits are within the right of way. The proposed ditch is approximately the same elevation as the existing (typically 3" deeper).

Please feel free to contact me if you have any further questions.

Thank you,

John

John A. Elkin, P.E., Associate
R.A. Smith National, Inc.
262-317-3312

From: Holly [<mailto:hhdb@sbcglobal.net>]
Sent: Monday, January 05, 2015 10:37 AM
To: tkaminski@village.germantown.wi.us; azabel@village.germantown.wi.us
Cc: Elkin, John A.; bbischke@village.germantown.wi.us
Subject: Fw: Questions & Comments re: Donges Bay Road plan

Ms. Kaminski: Public Works Committee Chairman
Mr. Zabel: Trustee District 4, Public Works Committee member

I am unable to attend the Public Involvement Meeting today from 5 – 7 pm. As Public Works Committee members and my trustee, I am, therefore, sending a copy of a letter I sent to John Elkin and Brionne Bishke Re: questions & comments I have about the plans for Donges Bay Road. Thank you...Holly Basting

From: Holly
Sent: Sunday, January 04, 2015 7:21 PM
To: john.elkin@rasmithnational.com

Cc: bbischke@village.germantown.wi.us

Subject: Questions & Comments re: Donges Bay Road plan

Dear Mr. Elkin and Mr. Bischke,

I am unable to attend the public information meeting on Donges Bay Road which is to be held on January 5, 2015 from 5-7 pm. I would like to submit questions and comments however, and would like them to be made part of the public record. Thank you.

In reviewing the plans I see that both Schaetzel and Basting have 15" culvert pipes, but Schaetzel's culvert is 3.6 feet closer to the road shoulder and approximately 1 foot shallower than Basting's yet the slope of the ground in front of both properties moving west is and always has been MORE than adequate as is shown on your "slope" diagram. Our existing ditch & culvert has been moved 3 feet south creating a possible conflict with the existing gas main as you move west. Why has our existing ditch line not remained the same as Schaetzel's as well as the depth kept the same considering the slope is so good and the pipes are the same size? The slope is presently more than adequate to **leave the ditch where it is**. There has never been a problem with drainage in the 43 years we have lived here. In moving the ditch toward the south you may be creating the possibility of problems with the existing gas main as well as the possibility of problems with our drainage and that of our neighbors.

Holly Basting

Public Involvement Meeting Comment Form

Donges Bay Road
Division Road to Magnolia Drive
Village of Germantown
Washington County

January 5, 2015

Please place this form in the comment box or mail by January 14, 2015 to the address on the back of this sheet. Comments can also be e-mailed to john.elkin@rasmithnational.com. Your comments assist us in developing a project that will serve the needs of the traveling public as well as the needs of the local community. Your input is welcome and appreciated throughout the design process.

Name: Kurt D. Schlelein

Address: 1103 Wildrose Lane

Daytime Phone Number (optional): 262-253-3634

Email Address (optional): Kurt.Schlelein@icloud.com

Please Print Comments (attach additional sheets if necessary)

- I am mainly concerned about water drainage. I don't want water being diverted to our backyard.
- I am also concerned about safety on the bike paths that are so close to the road
- Anything you can do to slow down drives -- would be appreciated.

Kurt D. Schlelein

The information in this document including names, addresses, phone numbers, e-mail addresses, and signatures is not confidential, and may be subject to disclosure upon request, pursuant to the requirements of the Wisconsin open records law, sections 19.31 - 19.39 of the Wisconsin Statutes.

From: Brionne Bischke
Sent: Thursday, January 08, 2015 5:40 PM
To: 'hhdb@sbcglobal.net'
Cc: 'Elkin, John A.'; Art Zabel; Terri Kaminski; Dan Ludwig
Subject: Donges Bay Rd: Evaluation of impact fronting Basting property

Dear Ms. Basting:

As you know, the Village Board, and its committees and staff, have struggled over the years to establish a project charter within a challenging arena in which a group of residents desiring zero to minimum impact to the existing roadway footprint have competed against federal grant funds that would have enabled minimum financial and capital borrowing impact to all of the Village's taxpayers overall. Changes to the federal grant funding program recently made the minimum impact to the existing roadway footprint alternative more attractive to the Village, so the Village Board rightfully abandoned the original project charter under the federal grant funding program and adopted a new charter establishing the minimum impact to the exiting roadway alternative. The Village Board's engineering consultant R.A. Smith National was therefore re-commissioned with this new charter.

As one of the group of residents advocating for the zero to minimum impact to the existing roadway footprint project charter, you have expressed concern and justification for the approximately three feet of impact fronting your property in e-mails dated Jan. 4, 6 and 7, 2015.

In order to comprehensively evaluate your concern that the approximate three feet of impact didn't conform to the project's charter for zero to minimum impact to the existing roadway footprint established by the Village Board, I as the Village's employed Wisconsin Professional Engineer consulted with the Village's engineering consultant R.A. Smith National's Wisconsin Professional Engineer and his design team, and consulted with a prospective bidder Payne & Dolan's project manager who has successfully low bid three years' worth of road projects in the Village at prices between 5% to 10% lower than the next lowest bidder in conformance with Wisconsin State Statutes 66.0901.

All three parties believe that the approximate three feet of impact fronting your property is the minimum impact required to build a roadway that will not structurally fail for numerous reasons:

1. Wisconsin Professional Engineer licensed geotechnical engineers whom perform geotechnical work on road projects throughout S.E. Wisconsin determined through field observations of existing pavement cracking and failures, field borings, and laboratory analyses that the roadway fronting your property has underlying soils that fail to provide adequate structural support to a pavement structure, all of which warrant removal of two feet of the poor soils and replacement with crushed, interlocking limestone gravel. (refer to John Elkin's Jan. 5 and 7, 2015 e-mails for further explanation regarding field observations)
2. Vertically, the new gravel must underlay both the drive lanes and the shoulder. Structurally along the outside of the edge of the gravel, the gravel cannot be placed vertically against weaker soils but must be placed at the gravel's angle of repose so that the gravel independently supports itself. Both R.A. Smith National and Payne & Dolan have witnessed structural failures occurring throughout S.E. Wisconsin in instances when the gravel's angle of repose was neglected, some of which occurred within one year of initial construction. (refer to John Elkin's Jan. 5 and 7, 2015 e-mail for further explanation regarding the gravel)
3. The Village Board's July 21, 2014 action directed an 11' drive lane and 2' shoulder, 1' of which shall be paved.
4. The existing 12" deep ditch is being shifted south beyond the edge of the new shoulder location in order to perpetuate the minimum longitudinal and lateral drainage needed for driver safety, roadway longevity, and avoiding other nuisances created by inferior drainage conditions. (refer to John Elkin's Jan. 5, 2015 e-mail for further explanation regarding the ditch)
5. Based on Diggers Hotline locates, the existing gas main is not expected to vertically or horizontally interfere with the new ditch location. Before performing any excavation in the area, the contractor will excavate potholes intended to find the actual horizontal and vertical location of the gas main. If conflict

is discovered, the conflict will be either mitigated by Wisconsin Gas perhaps by relocation or by the Village perhaps by ditch enclosure. (refer to John Elkin's Jan. 7, 2015 e-mail for further explanation)

6. Several years ago, Payne & Dolan began sequencing its projects throughout S.E. Wisconsin in which ditches are reshaped and driveway and roadway culverts are replaced before engaging in pavement pulverization and removal operations for numerous reasons:
 - a. Resident and heavy equipment construction traffic like loaders and trucks on pulverized pavement creates dust and mud nuisances for abutting residents; therefore, pulverizing the pavement after culvert and ditch work significantly reduces the dust and mud nuisance window by several weeks.
 - b. Longer windows of heavy equipment construction traffic causes the pulverized pavement to undesirably mix with underlying soils, forcing removal of the contaminated pulverized pavement and replacement with new crushed, interlocking limestone gravel. The removal and replacement escalates project costs; therefore, pulverizing the pavement after culvert and ditch work avoids these additional costs that can be minimized.
 - c. The existing pavement surface is already rigidly sloped for lateral and longitudinal drainage, while pulverized pavement surface slopes have to be continually reworked. Using the existing pavement structure as long as possible is a most efficient production practice.
 - d. Performing culvert and ditch work before pulverizing and removal operations optimizes the contractor's production, which are reflected in less costly pricing in the contractor's bid prices. Change orders are typically requested when this sequencing is altered or disrupted, whether those alterations and disruptions are localized or general.

Considering all the aforementioned, the Village Engineer, R.A. Smith National, and Payne & Dolan believe that the three feet of impact fronting your property is the minimum required impact and conforms to the project charter established by the Village Board during its July 21, 2015 meeting.

It is my hope that this comprehensive and multi-party evaluation and explanation fulfills your expectations in quality of response of a Village staff member in response to an inquiry made by one of the Village's citizens. Regards.

Brionne R. Bischke, P.E.

Village Engineer

Village of Germantown

N112 W17001 Mequon Rd., P.O. Box 337

Germantown, WI 53022-0337

Phone: (262) 250-4724; Fax: (262) 253-8255

"If you lose all hope, you stop trying and you stop caring. That won't do. I think that each of us is put here to dilute the misery in the world. You may not be able to make a big contribution, but you can make a small contribution, and you've got to try." - Dr. Karl Menninger

From: Brionne Bischke
Sent: Friday, January 09, 2015 11:48 AM
To: 'poetzls@juno.com'
Subject: Donges Bay Rd.: Matching existing driveways/side roads to new elevation vs. Overexcavation to maintain existing elevations

Dear Ms. Poetzl:

Knowing that the proposed roadway profile would be elevated by 5" as a consequence of the pulverize & overlay roadway reconditioning methodology, you had asked for a cost comparison between matching existing driveways and side roads vs. over-excavating the roadway by 5" with intention to maintain the same existing roadway profile.

\$91,390.55 Matching existing driveways and side roads to new elevation

\$185,163.60 Over-excavating the roadway to maintain existing elevation (pavement removal, base removal and over-excavation, base replacement)

It is my hope that this empirical analysis will demonstrate the Village's and R.A. Smith National's good engineering design and financial stewardship of this project. Regards.

Brionne R. Bischke, P.E.

Village Engineer

Village of Germantown

N112 W17001 Mequon Rd., P.O. Box 337

Germantown, WI 53022-0337

Phone: (262) 250-4724; Fax: (262) 253-8255

"If you lose all hope, you stop trying and you stop caring. That won't do. I think that each of us is put here to dilute the misery in the world. You may not be able to make a big contribution, but you can make a small contribution, and you've got to try." - Dr. Karl Menninger