

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
February 16, 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: Administrator Schornack, Attorney Sajdak, Planner Retzlaff, DPW Director Ludwig, Engineer Bischke, Police Capt. Snow and Clerk Goeckner

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: Old Town Inn's review for their downtown plan will probably be on the agenda for Plan Commission on the 2nd Monday in March with follow up to a later Village Board meeting.

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:

Charlie Hargen – W169 N11504 Biscayne Drive, Germantown – Spoke regarding the Main Street development plans.

The following persons spoke in favor of the proposed Donges Bay Road speed limit reduction:

John Penkal - N104 W16075 Hedge Way, Germantown

Bridget Poetcl – N104 W15447 Donges Bay Road, Germantown

Bernard Wood - N104 W15692 Donges Bay Road, Germantown

Sarah Hansen – N104 W16801 Donges Bay Road, Germantown

CONSENT AGENDA:

A. Minutes –February 16, 2015 Regular Village Board Meetings

B. Accounts payable/payroll

1.	January , 2015	Accounts Payable	\$ 34,515.48
2.	February 10, 2015	Accounts Payable	\$ 1,251,834.76
3.	February 11, 2015	Payroll (hourly)	\$ 213,071.11
4.	February 13, 2015	Payroll (salary)	\$ 77,826.94

C. Operator Licenses: February 17, 2015 - June 30, 2015:

Kevin Dobson, Judith Greve, Kelley Scheidegger, Robert Wiedenfeld, Craig Wolf

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

D. Recommendation to Approve Changeovers for New Squads by General Fire in an Amount Not to Exceed \$25,000 from Account #10-521-570-8100

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

E. Recommended Approval to Purchase of One 2015 Chevrolet 2500 HD Silverado Truck from Bob Fish Chevrolet for the Amount of \$34,734 with Funds Allocated From the Capital Budget Account #50-180-183-3920

CONSENT AGENDA continued:

- F. Recommended Approval to Purchase of Five Online CL2 Analyzers from Hach Co. for the Amount of \$16,615 for the Well Houses With Funds Allocated From Account #50-180-183-3210
 - G. Recommended Approval of Three Year Contract with Johnson Controls as Part of a Planned Service Agreement to Cover the Heating and Colling System for the Library, with Funds Allocated From Account #10-519-530-5251
 - H. Recommended approval of a Contract with General Communications for the Maintenance of the Village's Radio System, Three Times Per Year, for the Amount of \$1,260 with Funds Allocated From Account #10-519-530-4400
 - I. Recommended Approval to Contract Marine Biochemist for the Treatment of Algae Three Times Seasonally in the Village of Germantown/WAGO Pond at a cost of \$1,800 and Treatment as Needed in the Friedenfeld Park Pond at a Cost of \$609.00 per Treatment, with Funds Allocated From Account #10-542-530-4100 and #10-553-530-4100
 - J. Recommended Approval to Purchase 340 T-8 LED Lamps From Neu-Tech at a Cost Not to Exceed \$11,560 and to Allow Staff to Use Any Unused Funds to Convert Various Other LED Lamps at the Library
 - K. Recommended Approval to Purchase Crack Filling Material for Village Roads From Sherwin Industries at a cost of \$.4874 Per Pound Not to Exceed 35,000 Pounds with Funds to be Allocated From Account #10-542-530-3505
 - L. Recommended Approval of the 2014 MMSD Chapter 13 Annual Report and Authorize Signature by the Village Board President for Submission to MMSD
 - M. Recommended Approval of the 2014 WI DNR MS4 Annual Report and Authorize Signature by the Village Board President for Submission to the WDNR
 - N. Recommended Approval of the Proposed 2015 Village Labor and Equipment Rates
- MOTION (Baum/Vanderheiden) to approve Consent Agenda Items A-N, 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. Richard & Catherine Evers, Agent for John & Ellen Kuber, Property Owner of Parcel #051-997 (W200N14144 Rocky Lane, Richfield, WI; ½ Mile North of Cedar Lane) and Applicant to Rezone Portions of the Lands From the A-1: Agricultural District to the Rs-1: Single family and A-2: Agricultural District Pursuant to the Village Code
Planner Retzlaff presented information regarding the application. Proposal to create three parcels. Proposal consistent with 2020 land use map. Access easement agreement required and has been prepared. Plan Commission recommendation to approve both and to also approve CSM with conditions.

President Wolter opened the public hearing at 7:17 p.m.
No one spoke regarding the request.
President Wolter closed the public hearing at 7:18 p.m.

NEW BUSINESS:

- A. **Ordinance No. 03-15 Amending the Zoning Code of the Village of Germantown to Rezone Portions of the Lands From the A-1: Agricultural District to the Rs-1: Single Family and A-2: Agricultural District; 2-Lot Certified Survey Map (CSM) for Parcel #051-997 (W200N14144 Rocky Lane, Richfield, WI; ½ Mile North of Cedar Lane), Richard & Catherine Evers, Agent for John & Ellen Kuber, Property Owner and Applicant**
MOTION (Baum/Warren) to approve as presented. Correction to approval page to read Village Board President. **Motion carried.**
- B. **Request for Approval of State/Municipal Agreement for Fond du Lac Ave – Donges Bay Road Intersection & Utility Update**
Director Ludwig presented information regarding the roundabout project at Fond du Lac and Donges Bay Road for 2016. Asked DOT to consider improving our storm sewer while on this project. It will impact a number of our utilities with relocations and abandonments as well as relaying and lowering of water main. Due to the impact of the project would like to extend utilities to the north to get them out of the intersection and to avoid future impacts by getting them out of the DOT right of way. All expenses are TIF eligible as the 1994 plan mentioned these as possible projects. No cost for liability insurance or delay of contractors. Requesting to use TIF 4 funds to fund the project. This fits within the DOT timeline as well. Requesting approval and signing of the agreement. Discussion of project, which will be done in conjunction with DOT project, using their contractor, their traffic control and their contract. We don't have to supply a separate contractor which leaves us out of the liability issue. Our responsibility to reimburse the DOT and to inspect the sewer to be sure it is installed correctly. **MOTION (Baum/Kaminski) to approve the request as presented.** Discussion of a vacant lot the Village has there with a lateral indicated to be abandoned and consideration to not do so for possible future development. **MOTION (Baum/Kaminski) to amend to put a new lateral back in for this one, 8 in favor, 1 opposed (Warren), carried.** Discussion of consideration of special assessments in this area. **MOTION (Zabel/Baum) to amend to direct staff to bring back a special assessment resolution for those properties that do not have sewer and water, for consideration.** Discussion of it being a TIF project, TIF funded and consideration of special assessments and where assessed funds end up. **8 in favor, 1 opposed (Vanderheiden), carried. Motion as amended, by roll call vote, carried.**
- C. **Request to Award Water Main Contract – Appleton Ave Extension and Lakewood Condos Relay Contract**
Engineer Bischke presented information on the proposed contract. **MOTION (Baum/Kaminski) to award the water main contract for Appleton Ave Extension and Lakewood Condos Relay contract to Advance Construction in the amount of \$538,000.** Discussion of need for easement and process to obtain it, rates required by PSC. **Roll call vote, 8 in favor, 1 opposed (Zabel), carried.**
- D. **Recommendation to Lower Speed Limit on Donges Bay Road to 35 mph Between Division Road and Fond du Lac Ave**
MOTION (Hughes/Kaminski) to approve as requested. Discussion: Engineer

NEW BUSINESS continued:

Bischke recommends postponing this until Police Department can put together their information on a study of the speed in that area and presented information on Methods and Practices for setting Speed Limits. Speeds those traveling the road are comfortable with vs. enforcement vs. monitoring it at a lower speed. Attorney Sajdak stated an ordinance is required to change this speed limit and recited the Ordinance, No. 04-15, in its entirety, for approval with this motion. Further discussion on whether to delay for study or not. **MOTION (Warren/Daniels) to delay action until study is done.** Discussion of drivers going faster once the road is improved, requirements, safe travel etc. **2 in favor (Warren/Daniels) 7 opposed, motion to delay fails. Motion to approve the Ordinance #04-15, 7 in favor, 2 opposed (Daniels, Warren), carried.**

E. **Request to Approve Resolution No. 07-15 Establishing a Schedule for Fire Department Inspection and Permit Fees**

Chief Weiss presented information regarding the Fire Department fee schedule for inspections and permits. Discussion of burning permits which are currently free and other fees proposed. **MOTION (Kaminski/Zabel) to approve Resolution No. 07-15 minus the burning permit fee and establish the schedule for the Fire Department Inspection and Permit Fees.** Discussion: process when called out for burning related issues, tents for assembly, fees for initial call out or one time fee. Attorney Sajdak verified all fees proposed reflect actual cost to the work. **Carried.**

F. **Amendment to MLG-Commercial Listing Contract for the TID #4 Business Park**
MOTION (Baum/Warren) to approve the amendment to MLG-Commercial Listing Contract for the TID #4 Business Park, as presented. Discussion. **Carried.**

G. **Amendment No. 3 to Declaration of Restrictions and Covenants for Germantown Business Park TIF #4**
MOTION (Zabel/Miller) to approve the Amendment No. 3 to Declaration of Restrictions and Covenants for Germantown Business Park TIF #4, pending Attorney's final stipulations and approvals, carried.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:50 p.m.

Barbara K. D. Goeckner MMC/WCPC
Village Clerk