VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
AUGUST 15, 2011
VILLAGE HALL BOARD ROOM

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

ROLL CALL
Members present: President Wolter, Trustees Baum, Hughes, Kaminski, Vanderheiden, Werderman, Wing, and Zabel. Absent but arriving later was Trustee Ewert. Also present were Administrator Schornack, Attorney DeStefanis and Clerk Knaack.

PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was given.

PRESIDENT'S REPORT
President Wolter reported that Family Circle magazine had ranked the Village of Germanton #8 of the best places to live and that Money Magazine listed the Village as 71st out of 100 for the best places to live. He congratulated the residents of the Village for being involved and volunteering in the Village.

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
No appearances.

CONSENT AGENDA

A. **MINUTES** -
   1. Regular meetings of July 18 and August 1, 2011

B. **ACCOUNTS PAYABLE/PAYROLL**

1.	**Payroll** – Hourly	Aug. 2, 2011	$230,808.82
2.	**Accounts Payable**	Aug. 10, 2011	$265,514.05
3.	**Payroll** – Salary	Aug. 15, 2011	$ 73,050.68
4.	**July 2011 Payables**		$ 58,701.23

C. **OPERATOR (BARTENDER) LICENSES** B new for the period ending June 30, 2012: Renae L. Giese and Rudolph Janzen Jr.

The following item was forwarded from the Public Works Committee with a unanimous recommendation:

D. **REQUEST FOR CONTRACTED SERVICES – CURB REPLACEMENT PROGRAM**

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

E. **DANCE LICENSE – GERMANTOWN HISTORICAL SOCIETY SEPTEMBER 24-25, 2011**

F. **AMENDMENT OF LIQUOR LICENSE – TINY T'S TO INCLUDE AN OUTDOOR PARTY SATURDAY, SEPT. 17, 2011**

G. **DANCE LICENSE – ST. BONIFACE SEPTEMBER 3-4**

CONSENT AGENDA continued:

H. **RESOLUTION - TRAFFIC SAFETY REQUEST – RIVERSBEND CIRCLE WEST**

I. **COMPUTER EQUIPMENT PURCHASE**

Motion by Vanderheiden second by Zabel to accept the Consent Agenda. Roll call vote was taken, all present voted aye. Motion carried.

UNFINISHED BUSINESS

RED SWAMP CRAWFISH - RESOLUTION FOR GRANT

Village Engineer Brionne Bischke gave a presentation on the project of eradication.
Discussion:

- The DNR is just shy of calling it a success in Kenosha
- Only 1 bid had been received
- The grant will only cover $20,000
- It is in the best interest of the Village to re-bid the project
- Can the Village apply for the grant now with the condition to do the project with the 2012 construction season
- The money must be used in a reasonable amount of time
- Esquire Estates has applied for a comprehensive grant from the EPA Great Lakes Initiative

Motion by Zabel second by Werderman to approve the Resolution.
Motion by Zabel second by Hughes to amend the motion to state that the Village of Germantown will do the project in 2012 as part of the 2012 budget. All voted aye to amend. Motion carried.

Discussion:

- The pond must stay filled until the crawfish are eradicated
- MMSD wants this pond as part of storm water management
- Engineer Bischke was directed to do further research and bring that information back to the Board

Roll call vote was taken on the motion as amended with Hughes, Vanderheiden, Werderman, Wing and Zabel voting aye, Baum, Kaminski and Wolter nay. Motion carried.

PUBLIC HEARINGS – 7:00 P.M. OR LATER

JIM SEDGWICK, AGENT FOR RIVER LANE HOLDINGS LLC, PROPERTY OWNER FOR PROPOSED AMENDMENTS TO THE BLACKSTONE CREEK PLANNED DEVELOPMENT DISTRICT GENERAL DEVELOPMENT PLAN AND CONDITIONS AND RESTRICTIONS REGARDING THE TYPE, NUMBER, MINIMUM SETBACKS AND EXTERIOR MATERIAL REQUIREMENTS FOR THE CONDOMINIUM UNITS TO BE DEVELOPED IN PORTIONS OF THE GLEN AT BLACKSTONE CREEK

Planner Retzlaff gave a presentation on the proposed six amendments.

Trustee Ewert arrived at this time (7:30 p.m.)

President Wolter opened the Public Hearing at 7:35 p.m.
With no one appearing for or against, the Public Hearing was closed at 7:37 p.m.

PUBLIC HEARINGS – 7:00 P.M. OR LATER continued

PAUL DEANGELIS, JR. PROPERTY OWNER FOR A REZONING APPLICATION TO REZONE THE FOLLOWING DESCRIBED PROPERTY FROM THE A-1: AGRICULTURAL DISTRICT TO THE RS-1: SINGLE FAMILY RESIDENTIAL DISTRICT PURSUANT TO SECTION 17.14 OF THE VILLAGE ZONING CODE ON THE PROPERTY LOCATED AT N113 W15031 ROCKFIELD ROAD; TAX KEY NO. 113-994

Planner Retzlaff gave a presentation on the CSM and rezoning application. He outlined 2 conditions and stated it is consistent with the 2020 Land Use Plan.
President Wolter opened the Public Hearing at 7:40 p.m.
Paul Mraz appeared before the Board and questioned the wetland area.
David Grgwinski with MMSD gave a brief presentation on the plan for wetland areas used to absorb water.
With no one else appearing for or against, the Public Hearing was closed at 7:44 p.m.

NEW BUSINESS

RESOLUTION - PDD AMENDMENT – BLACKSTONE CREEK

The Board decided to vote on each of the six amendments separately.

Motion by Wing second by Baum to approve amendment #1: Change unit numbers 1-17 to all be single family detached units vs. the current mix of 3 single and 7 two family units. All present voted aye. Motion carried.

Motion by Baum second by Hughes to approve amendment #2: Reduce the minimum building separation distance for units 1-17 from 20 feet to 10 feet.

Discussion:

- What happens after the developer moves on
- The residents are here for a long time
- It may create a hardship later on
- We must listen to the community
- We are throwing our standards out the window
- This property is bounded by the high school and industrial property

At this time Jim Sedgwick appeared before the Board. He stated using a 10 foot building pad allows use of any model on any pad. It is more like 17 feet because the way the fronts of the units are laid out.

Baum, Hughes and Wolter voted aye, all else nay. Motion lost.

Motion by Baum second by Vanderheiden to approve amendment #3: reduce the number and change the type of condominium unit for unit numbers 18-67 from 46 to 32 units to be all single family detached site condominiums excluding the already built two family units 21,22,65 and 66 where each of these new units would remain a part of the condominium association for street and common area maintenance purposes, but, be available for sale to and development by other builders similar to a traditional single family residential subdivision. All present voted aye. Motion carried.

Motion by Baum second by Kaminski to deny amendment #4 to reduce the rear yard building setback from the north property line adjacent to the Stone Container industrial property from 100 feet to 80 feet as it affects all the units vs the already approved setback reduction for unit numbers 34/35 and 39/40.

NEW BUSINESS continued

RESOLUTION - PDD AMENDMENT – BLACKSTONE CREEK

Motion by Werderman second by Wing to amend the motion to state unit numbers 32 and 36 to 80 feet. All voted aye to amend. Motion carried.
All present voted aye on the motion as amended. Motion carried.

Motion by Baum second by Werderman to deny amendment #5 to reduce the minimum building separation distance for units 23-54 from 20 feet to 15 feet and add the concept of a side yard building setback as measured from the unit lot lines as shown in the proposed master site plan where the setback would be a minimum of 5 feet with an average of 7.5 feet. All present voted aye except Hughes, Baum and Wolter nay. Motion carried.

Motion by Wing second by Zabel to approve amendment #6 to change the exterior material requirement from Hardieboard trim and siding to allow for other low maintenance siding and trim products made from natural and composite materials. All present voted aye. Motion carried.

Motion by Zabel second by Wing to reconsider amendment #1. All voted aye to reconsider. Motion carried.
The motion on the floor will be as above in amendment #1.
On amendment #1 no one voted aye, all voted nay. Motion is lost.

At this time Meridith Dornemann addressed the Board and spoke in support of the changes being proposed by the developer.

Motion by Kaminski second by Baum to reconsider amendment #1. All present voted aye to reconsider except Ewert, Zabel and Vanderheiden. Motion carried.

The motion on the floor is as above. The motion was carried the first time and lost the second.

Motion by Kaminski second by Baum to table amendment #1. All present voted aye. Motion carried.

Motion by Kaminski second by Hughes to reconsider amendment #2. All present voted aye except Vanderheiden, Zabel, Wing and Ewert. Motion carried.

Motion by Baum second by Kaminski to amend amendment #2 to state a minimum of 15 feet. Hughes, Kaminski, Baum and Wolter voted aye, Ewert, Vanderheiden, Wing, Werderman and Zabel nay. Motion is lost.

Motion by Zabel second by Wing to bring amendment #1 off the table.
Motion is rescinded.

Amendment 1 remains tabled until the next Board meeting.

NEW BUSINESS continued

REZONING ORDINANCE – PAUL DEANGELIS JR./MMSD

Motion by Baum second by Vanderheiden to adopt the rezoning ordinance. All present voted aye. Motion carried.

CSM – PAUL DEANGELIS JR./MMSD

Motion by Baum second by Hughes to accept the CSM.
Motion by Zabel second by Hughes to amend the motion to state that the right of way on Rockfield Road has to be a minimum of 40 feet. All present voted aye. Motion carried to amend.
All present voted aye on the motion as amended. Motion carried.

CANCELLATION OF REGULAR BOARD MEETING – LABOR DAY

Motion by Baum second by Ewert to cancel the Board meeting on Labor Day. All present voted aye. Motion carried.

ADJOURN INTO CLOSED SESSION UNDER WIS. STATS. 19.85 (1) (C) FOR THE PURPOSE OF CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY – FOREMANS POSITION IN THE PUBLIC WORKS DEPARTMENT AND FOR THE PURPOSE OF APPROVING CLOSED SESSION MINUTES OF JUNE 20, 2011 AND JULY 18, 2011

Motion by Baum second by Kaminski to adjourn into closed session. Roll call vote was taken, all present voted aye. Motion carried.

RECONVENE INTO OPEN SESSION FOR THE PURPOSE OF HIRING THE FOREMAN IN THE PUBLIC WORKS DEPARTMENT

Motion by Ewert second by Baum to appoint Scott Anderson as foreman at a salary of $60,882. Roll call vote was taken, all present voted aye. Motion carried.

Motion by Werderman second by Wing to approve closed session minutes of June 20 and July 18, 2011. All present voted aye. Motion carried.

ADJOURNMENT

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Elizabeth Knaack
Village Clerk