

**VILLAGE OF GERMANTOWN
SPECIAL VILLAGE BOARD MEETING MINUTES
AUGUST 31, 2015**

CALL TO ORDER: The meeting was called to order at 6:15 p.m. by President Wolter in the Village Hall Boardroom.

ROLL CALL: President Wolter, Trustees Baum, Daniels, Kaminski, Myers, Warren and Zabel. Trustee Hughes and Miller were absent and excused. Also present were Administrator Schornack, Attorney Sajdak, Engineer Bischke, Planner Retzlaff and Deputy Clerk Dobratz.

MOTION (Warren/Kaminski) to move the new business items to be first on the agenda, carried.

NEW BUSINESS:

- A. Request to Approve Certified Survey Map -Todd Roskopf, Agent For RJTR LLC, Property Owner of Parcel #GTNV 163-991 & 163-996 (N124 W18109 W Lovers Lane); Two (2) lot CSM.

MOTION (Zabel/Myers) to approve the CSM as presented, carried.

- B. Request Approval of Preliminary & Final Subdivision Plat (Prairie Glen II) - Bielinski Homes Inc., Property Owner of Parcel #GTNV 251-982 (Wasaukee Road south of Mequon Road and north of Prairie Glen Subdivision); Preliminary & Final Subdivision Plat Approval for a 16-Lot Single-Family Residential Subdivision.

MOTION (Baum/Warren) to approve the Preliminary & final Subdivision Plat as presented. Discussion of approving the preliminary plot as it has been revised from 17 lots to 16, **Carried.**

- C. Timetable for Preparation of 2016 Budget
Administrator Schornack explained the dates of the timetable. The dates are; Wednesday, September 23rd Department of Public Works, Tuesday, September 29th, Emergency Government, Police and Fire along with Capital and Thursday, October 8th, finish up with everything else. All meetings are to start at 6:00 p.m. This was discussed at the last General Government & Finance meeting and the Committee wanted to make sure the Village Board is in agreement. Discussion on September meetings and having to have two budgets, one approved with the referendum passing and one approved with the referendum failing. They both have to be published by October 21, 2015. No conflicts discussed.

UNFINISHED BUSINESS:

- A. Request To Modify TID #6 Grading & Erosion Control Contract With Super Western To Accommodate Site Layout Changes.

Engineer Bischke presented information regarding the request to modify TID #6 grading & erosion control contract with Super Western to accommodate site layout changes. Since the August 17, 2015 Village Board meeting, an updated quote was received after Super Western got numbers back from their subcontractors. The increase from the original contract is an increase of almost \$650,000. Josh Regent-Smith, Project Manager / Estimator from Super Western, gave a summary of the project and the original bid from a year ago. The industry has changed to having to rent equipment, labor and material costs have increased and the site conditions have changed.

UNFINISHED BUSINESS continued:

Trustee Warren asked for the Village Engineer's opinion. Engineer Bischke's opinion is to rebid the project and postpone it until spring. The risk is that you could lose the current prospective tenant. The costs exceed 15% of the contract, would have to terminate the current contract with Super Western. Administrator Schornack discussed the recap spread sheet; the costs have skyrocketed on many line items. From a legal standpoint and also coming up with a viable project, the project will need to be rebid. Discussion on how much the numbers have changed due to changes in the project, examples given between bids from last year to this year. Further discussion between Trustees and Mr. Regent-Smith on detailed explanation of specific line item increases. Administrator Schornack stated MLG and Ehlers are aware of the increases. Due to a personal reason, MLG wasn't able to attend the meeting. Trustee Baum asks Mr. Josh Regent-Smith what his thoughts are on delaying and rebidding. He agrees with Engineer Bischke as everyone has enough work to finish the rest of the year and is looking for next year. You will get the best prices in late winter for spring work. Administrator Schornack stated Attorney Sajdak will talk from a legal stand point but the numbers we currently have on the project would put them in the red for a number of years. It would take until the end of this TIF District to come out of the red. His opinion is it is too risky with these numbers, need to rebid from a financial point and take another look at this project to lower the cost.

Attorney Sajdak states we have really two issues that relate to the contract and the bid; 1. The scope of the project itself changed significantly. 2. We have statutory requirements that say if a unit price basis has gone up more than 15% on a bid it effectively requires you to rebid. Typically Engineer Bischke sends out bids to contractors in January/February, giving three weeks to prepare the bids. Last year four bids were received, Super Western was lowest. Discussion of soil stabilization, soil work, turf restoration, looking at any way to move forward with the contract by taking items out. Super Western had the contract for a year, kept working with village staff to try and get the project going. Super Western repriced it as is, asked for requotes on it but all the prices have gone up and the risk is huge. They looked for any way to save the Village money, from a contractor standpoint everything it has to be done. Developers agreement discussion; this board has asked for a developers agreement before bidding the utility work and the prospective buyer is looking for us to move on the dirt work in good faith in order for them to finish out the developers agreement and put it forward to start the utility work. Now bound to rebid this work based on the numbers, it is a good time to regroup and get all parties together to look at options. When these types of costs come from those types of engineering changes or site changes, we need to look at what's best for the project going forward. The original plan had a different road layout and some of the focus from what was initially looked at when the TIF was first approved, on lands toward Lannon Road changed. As stewards of the TIF we need to look at making sure we are making the right decision and are being financially astute in how to start the process. The board and staff have been pulled in several different directions and each of those directions adds costs. Each year it is delayed it's a percentage of increased costs from year to year based on everything going up. Need to have a proper, planned, agreed way so it makes sense for the TIF, the Village and everyone that's involved. We don't have anyone firm in regards to a Developers Agreement. Further discussion on timeframe of rebid, WISDOT project and activity within the area on construction and growth from companies adding square footage.

UNFINISHED BUSINESS continued:

MOTION (Zabel/Warren) to terminate the contract that is now with Super Western and go out for rebids. Discussion on terminating the contract, current costs to Super Western for work already done, contract itself authorizes termination, it is spelled out in the contract of what costs need to be paid. Any updates will be put on future Village Board agendas. **Carried.**

There being no further business the meeting was adjourned at 7:04 p.m.

Jilline Dobratz
Deputy Clerk