

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, November 16, 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.

****To Include Village Clerk Report on November 3, 2015 Special Referendum Election and 2016 Election Dates**

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. Approval of Village Board Minutes

B. Accounts payable/payroll

1.	October 2015	Accounts Payable	\$ 24,008.69
2.	November 3, 2015	Payroll (hourly)	\$ 227,920.14
3.	November 10, 2015	Accounts Payable	\$ 574,927.82
4.	November 13, 2015	Payroll (salary)	\$ 83,524.29

C. Operator Licenses: November 17, 2015 – June 30, 2016 [Recommended Approval]
Joshua Kau, Roxanne M. Lenz, MD S. Rahman and Samantha Wilkinson

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

D. Request for Replacement of Police Officer #1 [Recommended Approval]

E. Request for Replacement of Police Officer #2 [Recommended Approval]

VII. CONSENT AGENDA continued:

- F. Request To Amend Village Of Germantown Design, Drafting & Construction Standards And Specifications Section 6.0: To Require Harrington Integral Hydrant Storz Nozzles Or An Equivalent On Fire Hydrants Situated Within Village Limits. [Recommended Approval]

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

- G. **Resolution No. xx-15** Authorizing the Write-Off of Delinquent Accounts Receivable – for Ambulance Bills Through August 2015 in the Amount of \$48,332.77 [Recommended Approval]
- H. Request to Proceed with Option #2 Gerber Life \$45,000 Deductible for the 2016 Stop Loss Renewal of the Health Fund [Recommended Approval]
- I. Proceed with 2016 Property Insurance Renewal with the Chubb Proposal of \$52,895 Total Premium Starting January 1, 2016 with the \$2,000,000 Business Income/Extra Expense Option [Recommended Approval]

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

- J. Authorize Staff to Contract Clean Power for Two (2) Years to Provide Janitorial Services for All Municipal Buildings Except the Village Hall, DPW, Fire Station #1 and Fire Station #2. Annual Cost of Buildings Selected is \$110,000 [Recommended Approval]
- K. Request to Purchase Decking Supplies from Menard's for the Survive Alive House for a Total Cost of \$6,378.58 [Recommended Approval]
- L. Request to Purchase 7,500 Feet of Fiber Optic Cable from Cable Com at a Cost Not to Exceed \$2,275 for the County Line Road Signal Project [Recommended Approval]
- M. Authorization To Award The GIS Hosting Agreement To Ruekert & Mielke For A Cost Of \$19,500 Over A Three Year Period [Recommended Approval]

VIII. UNFINISHED BUSINESS:

- A. Request By Wisconsin Gas To Amend Language In Distribution Easement (Gas) Through Village-Owned Property Northeast Of Donges Bay Road And Fond Du Lac Avenue (August 17, 2015 Village Board)
- B. Reconsideration of Village of Germantown Community Development Department, General Zoning Code Text Amendments to Section 17.08 (Definitions), Section 17.12 through 17.24 (Residential Zoning Districts), Section 17.241 (Elderly Housing District) and Section 17.27 (Planned Development District) of the Village of Germantown Municipal Code [**ORDINANCE**]

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. 2016 Budget and 2015 Tax Levy
- B. New Frontier Land Surveying, Agent for Brian & Kevin Kazmierczak, Property Owners and Applicant to Rezone the Property Located at N128W21030 Holy Hill Road, Parcel GTNV #074-996, from the A-1: Agricultural District to the Rs-1: Single Family Residential District Pursuant to Section 17.14 of the Village of Germantown Zoning Code

IX. PUBLIC HEARINGS continued:

- C. Tim Preuninger, Agent for Gehl Foods LLC, Property Owners and Applicant to **Amend Conditional Use Permit #05-01** to Amend Condition No. 6 Regarding the Time Period Within Which Trucking Activity Can Occur On The Site and Any Other Possible Amendments the Village Board Deems Necessary and Appropriate Related to the Petitioner's Request and Application, at W160N11736 Crusader Court, Parcel GTNV #221-963

X. NEW BUSINESS:

- A. New Frontier Land Surveying, Agent for Brian & Kevin Kazmierczak, Property Owners and Applicant to Rezone Property at N128W21030 Holy Hill Road, Parcel GTNV #074-996 **Ordinance No. xx-15** to Amend the Official Zoning Map of the Village of Germantown Zoning Code
- B. **2-Lot Certified Survey Map** – New Frontier Land Surveying, Agent for Brian & Kevin Kazmierczak, Property Owners of Parcel #074-996, N128 W21030 Holy Hill Road, to Create one (1) 5-Acre Parcel Containing an Existing Farm Dwelling and Buildings
- C. Tim Preuninger, Agent for Gehl Foods LLC, Property Owners and Applicant to **Amend Conditional Use Permit #05-01** to Amend Condition No. 6 Regarding the Time Period Within Which Trucking Activity Can Occur On The Site and Any Other Possible Amendments the Village Board Deems Necessary and Appropriate Related to the Petitioner's Request and Application, at W160N11736 Crusader Court, Parcel GTNV #221-963
- D. **Resolution No. xx-15** Adopting the 2016 Budget & 2015 Tax Levy
- E. **Resolution No. xx-15** Authorizing the Placement of Special Charges on the 2015 Tax Roll Against Certain Properties
- F. Withdrawal From LGPIF Effective 12/31/2015
- G. **Resolution No. xx-15** Amendment to Fee Schedule for Ambulance and EMT Services
- H. Business Development Loan Pool
- I. Maintenance of Ditches Within the Right-of-Way
- J. **Ordinance No. xx-15** An Ordinance Repealing Sections 12.06 and 12.07 of the Germantown municipal Code Relating to Dance and Entertainment Licenses
- K. Payment to Wisconsin Department of Transportation for Engineering Services for Donges Bay Road
- L. Remainder of Budgeted Employee Compensation Increase for 2015
- M. Agreement for Assessment Services for 2016, 2017 and 2018. The Village Board may enter into closed session per Wis. Stats. §19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and then re-enter open session to take such action as it deems appropriate.

XI. ADJOURNMENT

The next Village Board meeting will be on December 7, 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
September 21, 2015**

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

ROLL CALL: President Wolter, Trustees Baum, Daniels, Hughes, Kaminski, Miller, Myers, Warren and Zabel. Also present: Administrator Schornack, CDD Retzlaff, Park & Rec Director Schroeder, Finance Director Rath, Sewer Supt. Zimmerman, DPW Director Ratayczak, Fire Chief Weiss, and Clerk Goeckner

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: None.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS: Trustees provided information on upcoming meetings and events.

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

CONSENT AGENDA:

- A. Minutes – August 17, 2015 Regular & August 31, 2015 Special Village Board Meetings
- B. Accounts payable/payroll
 - 1. August 25, 2015 Accounts Payable \$ 518,125.16
 - 2. August 25, 2015 Payroll (hourly) \$ 230,464.11
 - 3. August 31, 2015 Payroll (salary) \$ 82,104.18
 - 4. August 2015 Accounts Payable \$ 105,558.68
 - 5. September 8, 2015 Payroll (hourly) \$ 230,065.12
 - 6. September 10, 2015 Accounts Payable \$ 413,726.66
 - 7. September 15, 2015 Payroll (salary) \$ 84,240.89
- C. Operator Licenses: September 22, 2015 – June 30, 2016 [Recommended Approval]
Alec Billingsley, Hannah Bingham, Bridget De Leon, Vanessa Garnier, Catherine Habron, Star Herrera, Robert Kane, Tina Nelson, Conor Pitterle, Toan Kevin Tran and Tamara Waterhouse

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

- D. Amendment to State/Municipal Agreement for Non-Participating Utility Extensions/Relays to Reflect New Costs for the Non-Participating Utility Extensions/Relays Situated Around the STH 145-Donges Bay Road Intersection [Recommended Approval]
- E. WDOT Maintenance Agreement for Crosswalk Marking-Highway Pavement Marking Within the Municipality with the Following Revision: Thermoplastic Markings to be Changed to Painted Epoxy Markings and Existing Crosswalks be Striped the Same as they are Currently [Recommended Approval]
- F. Authorization to fill current full-time vacancy for a Water Utility Maintenance Operator [Recommended Approval]
- G. Blanket Purchase Order for an Amount not to Exceed \$12,000 for the Recycling Center material processing completed by Max R Recovery [Recommended Approval]

CONSENT AGENDA continued:

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

- H. Invoice from T.E. Brennan, Insurance Consultant, in the Amount of \$5,626.68 for August 2015-August 2015 Retainer [Recommended Approval]
- I. 2014 Comprehensive Annual Financial report [Recommended Approval]
- J. **Resolution No. xx-15** Establishing a Fund Balance Policy in Accordance with GASB Statement No. 54
- K. Extension of Agreement for EMS Billing with 3Rivers Billing Through 12/31/2017
- L. **Resolution No. xx-15** Resolution Authorizing the Application, Acceptance, And Expending Of Wisconsin Department of Natural Resources Urban Forestry Grant Program Funds

MOTION (Baum/Kaminski) to pull the minutes from August 17th, carried.

MOTION (Baum/Myers) to approve Consent Agenda items A-L, except August 17th Village Board minutes, by roll call vote, carried.

UNFINISHED BUSINESS: None.

PUBLIC HEARINGS – 7:00 P.M. OR LATER:

- A. Village of Germantown Floodplain Zoning Ordinance amendment; Adoption of a revised FLOODPLAIN INSURANCE STUDY (FIS) and revised FLOODPLAIN INSURANCE RATE MAPS (FIRM) with an effective date of October 16, 2015 (Section 23 of the Village of Germantown Municipal Code);
Community Development Director Retzlaff presented the amended Floodplain Zoning Ordinance. Plan Commission recommends approval of this floodplain map/ordinance amendment.

President Wolter opened the hearing at 7:12 p.m.

No one spoke at the hearing.

President Wolter closed the hearing at 7:14 p.m.

- B. Scott Bence, Agent for Heritage Place Joint Venture, Jacobus Energy/Land15 LLC and MCB Investments LLC, Property Owners, to: (1) rezone a 1.33-acre parcel (Tax Key No. GTNV 224-025) and a .872-acre parcel (Tax Key No. GTNV 224-027) from the B-3: General Business District to the Rm-2: Multi-family Zoning District; and (2) create the "Saxony Village" Planned Development Overlay Zoning District (Rm-2/PDD) to be comprised of the above described parcels and a 21.56-acre parcel (Tax Key No. GTNV 224-992) lying south of Main Street between the east end of Castle Drive and the west end of Hilbert Lane

Planner Retzlaff presented information regarding this application and request. Since Plan Commission recommendation was delivered, developer submitted Option 'D' to address concerns stated by Plan Commission. Approve rezoning of 2 parcels – 1.33 and .872 acres from B-3 to Multi Family and create an Rm-2 PDD subject to the 4 conditions incorporated into the draft.

Developer Scott Bence presented information regarding project. Worked on project since December 2014. Worked with staff then submitted as conception for community members to provide input. Have begun a fifth time and submitted. Architect also

PUBLIC HEARINGS continued:

provided information. Fifth option incorporates all planning concerns expressed by Plan Commission and staff. Original plan had three large 3-story buildings in the plan and it was suggested a better arrangement would be three 2-story buildings and two 3-story buildings.

President Wolter stated rezoning is for the two smaller parcels for multi-family as larger parcel has already been rezoned to multi-family. Keep comments to the two parcels that are being rezoned and the PDD overlay.

Public hearing opened at 7:33 p.m.

The following parties spoke regarding the rezoning and PDD request:

Dick Kent - N114W15520 Hilbert Lane

James Kapus - N114W15909 Hilbert Lane

Nikki Broetzmann - W163N11502 Windsor Court

(A citizen provided an information sheet on 'deeper groundwater' to Trustees at this point)

Betsy Devilbiss - W159N11438 Red Oak Circle

Wendy Horsens - W157N11460 Unit B Hilbert Lane

Tim Greeble - N116W16076 Main Street

Holly Basting - N104W16053 Donges Bay Road

Charles Brown - W162N11979 Park Avenue

Jenine Eilers - W163N11504 Windsor Court

Dan Wing – N116W16044 Main Street

Larry Prodoehl – W140N10111 Fond Du Lac Ave

Chuck Sardegna - N113W16218 Sylvan Circle

Public hearing was closed at 8:48 p.m.

NEW BUSINESS:

- A. Village of Germantown Floodplain Zoning Ordinance amendment; Adoption of a revised FLOODPLAIN INSURANCE STUDY (FIS) and revised FLOODPLAIN INSURANCE RATE MAPS (FIRM) with an effective date of October 16, 2015 (Section 23 of the Village of Germantown Municipal Code) [Ordinance];
MOTION (Baum/Myers) to accept the new floodplain maps and Floodplain Zoning Ordinance Amendment as presented, carried.
- B. Scott Bence, Agent for Heritage Place Joint Venture, Jacobus Energy/Land15 LLC and MCB Investments LLC, Property Owners, to: (1) rezone a 1.33-acre parcel (Tax Key No. GTNV 224-025) and a .872-acre parcel (Tax Key No. GTNV 224-027) from the B-3: General Business District to the Rm-2: Multi-family Zoning District [Ordinance]; and (2) create the "Saxony Village" Planned Development Overlay Zoning District (Rm-2/PDD) to be comprised of the above described parcels and a 21.56-acre parcel (Tax Key No. GTNV 224-992) lying south of Main Street between the east end of Castle Drive and the west end of Hilbert Lane [Ordinance and a Conditions and Restrictions Resolution]
President Wolter read the petition turned in regarding this application and request. Attorney Sajdak stated if there are a sufficient number of signatories that would require a super majority vote, then by statute $\frac{3}{4}$ of the people voting would be required

NEW BUSINESS continued:

and local code would require a $\frac{3}{4}$ vote of entire Village Board, which is a valid regulation even though it differs from what Statutes require. According to Village Clerk there are 99 signatures received. Attorney Sajdak further explained the three tests required by statutes in regard to the petition meeting the 20% requirements for a super majority vote. Rental signatures would not be valid. At this time can table to allow Clerk's Office and Village Planner to determine if requirements for validity of petition have been met. Discussion: 20% requirements, voting or postponing, recommendation by Attorney to verify information, consequences of moving forward with vote and finding later it was different. Net acreage, Zoning Administrators interpretation, ambiguous statute, ground sight and effect on ground water. Developer discussed brownfield status – closed DNR site registered with them. Consultant on staff to guide them. Discussion of homes built on these sites and sensitivity to 'hot spot' locations which they stay out of. Further discussion on net acreage and consistent interpretation of code. CDD Retzlaff provided background and history of net acreage, definitions of terminology and zoning interpretation. Calculations in past variable from project to project. Areas allowed in calculations, usable area, number of units allowed, prior Planner comments and interpretations regarding net acres, usable acres and net and gross density. Need to spur development, fill property with development already planned for, connect roads, utilities and fill in with a higher density. People objecting now and did in past, but is same process. Need for verification of. Discussion of area for signature need and condo associations. If defined as a 'unit' then only the unit would count. If a common area, those areas are owned by each individual. Discussion continued between resident Broetzmann, Trustees and CDD Retzlaff. Trustee Zabel discussed past developers agreement that was brought forward in 2002. This agreement never went forward. If agreement wasn't signed and nothing happened within 1 year and acted upon approval within 1 year, approval has lapsed. Further discussion of number of units, traffic analysis and number of cars traveling and turning at various times and various streets included. **MOTION (Kaminski/Hughes) to postpone this item until results of petition are determined.** Discussion: Public hearing portion was already completed, petition filed. **Carried.**

Meeting recessed at 10:12 p.m.

Meeting called back to order at 10:22 p.m.

- C. Application for Amendment of "Class B" Fermented Malt Beverage & Intoxicating Liquor License Outside Premises Extension, Gamroth's Kuhburg Junction, W140N10385 Fond Du Lac Ave., Germantown WI. 20' x 30' tent, back yard area, southwest of building, Saturday October 3, 2015 from 11:00 a.m. – 6:00 p.m.
MOTION (Hughes/Baum) to approve license amendment for Outside Premises Extension, Gamroth's Kuhburg Junction, carried.
- D. Amendment to Ordinance No. 8-94, Establishing Unreserved Fund Limits and Adopt Ordinance No. xx-15 Amending Chapter 3.12 of the Municipal Code of Germantown to Make Certain Changes Relating to Unassigned Fund Balance
Finance Director Rath explained ordinance amendment. **MOTION (Miller/Kaminski) to approve Ordinance Amendment as requested, carried.**

NEW BUSINESS continued:

- E. Request to Increase Intraosseous IV Charges – Fire Department
MOTION (Hughes/Baum) to approve increase to fee for Intraosseous IV Charges, carried.
- F. Request Approval to Extend Current “Contract for Collection of Refuse & Recyclables” with Waste Management to December 31, 2015 and Request to Postpone Start Date of the Approved Contract for Automated Refuse Collection and Automated Recyclable Collection with Waste Management to January 1, 2016
DPW Director Ratayczak explained contract presented for extension. Problem with contract getting hung up with change of DPW Director position. Review by new director noted amendments to 2010 contract not included, now ready to sign. Request to extend contract to get carts delivered by November 16th giving two weeks to get things taken care of for notifications and work involved. Discussion of timing of contract signing, postcard notices to be sent to residents, need for addresses, making January 1st new date makes for an even year regarding budget. **MOTION (Hughes/Daniels) to approve request as presented.** Further discussion regarding contract pricing and effective date of automated pricing. **MOTION (Zabel/Hughes) to amend that if we continue after October 1, 2015, we would use their bid price for non-automated garbage collection until January 1, 2016 and then automated bid price would go into effect.** Discussion of contract, signing, timing for mailings and delivery of carts. **2 in favor (Hughes, Zabel), 7 opposed, motion fails.** **MOTION (Kaminski/Baum) to sign contract to commence November 1st and have carts in place by then.** Discussion. Amendment carried. Original motion, as amended, by roll call vote, 8 in favor, 1 opposed (Zabel), carried.
- G. **MOTION (Baum/Kaminski) to go into closed session at 10:50 p.m. for the Agreement for Assessment Services for 2016, 2017 and 2018 per Wis. Stats. §19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and then re-enter open session to take such action as it deems appropriate, by roll call vote, carried.**

There being no further business, the meeting adjourned at 11:08 p.m.

Barbara K. D. Goeckner MMC/WCPC
Village Clerk

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

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

ROLL CALL: President Wolter, Trustees Baum, Daniels, Hughes, Kaminski, Miller, Myers, Warren and Zabel. Also present: Administrator Schornack, Community Development Director Retzlaff, DPW Director Ratayczak, Fire Chief Weiss and Clerk Goeckner

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: President Wolter asked for a moment of silence in remembrance of former Trustee Melvin Ewert who passed away last week. A great loss to the community, he will be sorely missed. Attended Octoberfest which was a nice event. Thanked all who worked so hard to put this on.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE

REPORTS: Trustees provided information on upcoming meetings and events. President Wolter mentioned the upcoming budget meeting and invited all to attend.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:

The following citizens spoke regarding the Saxony Village Project:

Loren Doll - W159N11447 Red Oak Circle
Dan Wing - N116W16044 Main Street
Carol Preiss - W157N11457 Hilbert Lane
Nikki Broetzmann - W163N11502 Windsor Court
Lawrence Meier - W164N11487 Squire Court
Susan Knepel Shiring - W162N11699 Park Ave
George Shiring - W162N11699 Park Ave
Jenine Eilers - W163N11504 Windsor Court

CONSENT AGENDA:

- A. Accounts payable/payroll
- | | | | |
|----|--------------------|------------------|---------------|
| 1. | September 22, 2015 | Payroll (hourly) | \$ 199,133.31 |
| 2. | September 25, 2015 | Accounts Payable | \$ 733,469.60 |
| 3. | September 30, 2015 | Payroll (salary) | \$ 79,749.43 |
- B. Operator Licenses: October 6, 2015 – June 30, 2016 [Recommended Approval]
Rebecca Budnik, Peter Chappy, Kevin Debroux, Michael Haley, Crystal J.R. Harris,
Morgan Moudy

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

- C. Request to Use Excess Funds from 2014 Capital Borrowing Account 40-522-8460 to Purchase a Station Security System for Fire Station 2, in an Amount not to Exceed \$15,000 with quotes to be obtained. [Recommended Approval]
- D. Request to Purchase (2) Panasonic CF-19 Toughbook Computers from TTK Electronics for \$6,310 with funds allocated from Acct. #40-522-570-8460 and Fire Chief to Provide Committee of the Whole with summary of computer needs for Department to include

CONSENT AGENDA continued:

information on vehicles that have computers, age of computers and feasibility of moving them to other emergency vehicles for next budget meeting. [Recommended Approval]

MOTION (Baum/Warren) to approve Items A-D of the Consent Agenda, roll call vote, carried.

UNFINISHED BUSINESS:

- A. Scott Bence, Agent for Heritage Place Joint Venture, Jacobus Energy/Land15 LLC and MCB Investments LLC, Property Owners, to: (1) rezone a 1.33-acre parcel (Tax Key No. GTNV 224-025) and a .872-acre parcel (Tax Key No. GTNV 224-027) from the B-3: General Business District to the Rm-2: Multi-family Zoning District [**Ordinance**]; and (2) create the "Saxony Village" Planned Development Overlay Zoning District (Rm-2/PDD) to be comprised of the above described parcels and a 21.56-acre parcel (Tax Key No. GTNV 224-992) lying south of Main Street between the east end of Castle Drive and the west end of Hilbert Lane [**Ordinance** and a Conditions and Restrictions **Resolution**]

President Wolter introduced Attorney Sajdak to speak regarding the petitions and validation. Village Attorney Sajdak stated: as to the large rezoning and the PDD, there were sufficient signatures to trigger the 20% requiring a super majority vote as it relates to that issue. The smaller parcels regarding Map ID #9. Petition signed by that owner was sufficient to trigger the 20% of the property immediately opposite and a super majority vote is required there also. The statute speaks to the area to be rezoned and in reading the statute when it applies to the first test, multiple parcels in the area to be rezoned, would have to consider both of those to be in the rezoning and as part of the PDD that is separate from the smaller zoning. Unlike the statute which says a super majority of those that are voting, the local municipal code requires a majority of the full body, which is present this evening. President Wolter stated a petition such as this has not come forward before and was a great learning resource with the criteria requirements.

Discussion items:

- If not rezoned, can still be allowed a driveway through those to the south, subject to setbacks etc.
- If not rezoned, down to 160 units and would add building to the south with the other two disappearing.
- Site plan and number of units allowed but still meeting height requirement of the story unit.
- Items provided to benefit Village – storm water retention, parking lot, access of trail system.
- Attorney reminded the Board the issue before them is the request to rezone and need to remain focused on whether or not this is an appropriate use of this land.
- Area subject to restrictions by DNR.
- Possibilities for zoning and building options.
- Possible those present today would be back in the future to speak to other categories allowed with rezoning.

MOTION (Zabel/Daniels) to deny the rezoning.

Further discussion:

- People looking to lower density. Any increase in acreage would increase density.
- Access to buildings and location of them.

UNFINISHED BUSINESS continued:

- 2020 Plan and consideration of updating it.
- Survey of community for preliminary discussions on 2020 plan.
- Various buildings and locations and possible heights.
- Further uses if not rezoned. By saying no, you can't build apartments there, doesn't mean you can't use that land to increase the density.
- Comparison of two different items: lot area vs. density. Discussion between attorney and trustee regarding interpretation and court rulings.
- CDD Retzlaff – being asked to consider what was done many years ago for previous. Need to re-define our definitions. CDD Retzlaff read from prior records and discussions.
- Concern by some of having pushed to get what was requested (by citizens), parking lots not visible, 3 story buildings moved, immense changes and now asking them (developer) to go back and do it again.
- Density, size of lot, number of units, goal to reduce traffic and reduce impact on schools.

Developer Bence spoke regarding development put forward for blighted areas and costs spent to clean the area, options available and objections by neighborhood, support of project by business for their employees. What will development be without rezoning? Attorney Sajdak clarified that the form of the motion is a typical majority rule in this case. If it fails would still need to vote on the zoning with a super majority. Discussion of motions and Roberts Rules of Order. **5 in favor, 4 opposed (Baum, Hughes, Kaminski, Warren) to deny the rezoning, carried.**

MOTION (Baum/Kaminski) to approve the PDD as presented.

Discussion:

- Item here for entire Board to consider.
- Without PDD Developer does what they want. Trustee Baum wishes to get something for the community in the development.
- Disagreement by Trustee Kaminski with density as it is.
- Conceivable to approve PDD for zoning, but withhold PDD to negotiate with developer.
- Plan Commission recommendation is for a different option.
- It will get apartments either way.
- Further discussion of plan, zoning and acreage.
- Discussion of going forward with terms and conditions we have already, knowing they don't match, or pull it off and go back to get a PDD to bring back.
- CDD Retzlaff - If we exclude the 2 parcels and reduce the Rm-2 area to the 21.5 acres, the calculation equals roughly 170 units. If we stay with PDD in exchange of reduction of units from 190 to 172, maybe we still allow buildings to be up to 3 stories where we could achieve the buildings in the primary area and not in the southeast corner.

MOTION (Myers) to table this vote on the PDD. Motion fails for lack of a second.

Kaminski – we vote this down and it goes back to Plan Comm. If he wants to negotiate with PC he can or he can build what he wants. Makes sense to reject this and let him go back.

- Discussion to vote this down and let developer go back to Plan Commission.
- Developer suggested, contingent on approval tonight, to go with PDD as it exists today and go with 8 units per acre so 172 units, keeping all other terms and

UNFINISHED BUSINESS continued:

conditions as they are. The plan was changed many different times, if you want to keep the good things of the plan, this would be the plan.

- If it doesn't get approved, it goes back to Rm2, and is the same amount of units either way.

5 in favor, 4 opposed (Hughes, Myers, Wolter, Zabel), motion fails super majority vote.

Meeting was recessed at 8:55 p.m.

Meeting was called back into session at 9:13 p.m.

PUBLIC HEARINGS – 7:00 P.M. OR LATER: None

NEW BUSINESS:

A. Appointments

Board of Zoning Appeals

Chair Barry R. White 10/06/2015 – 04/30/2018

MOTION (Zabel/Baum) to approve appointment as presented, carried.

- B. Change of Agent - **Speedway #4465**, W178 N9653 Riversbend Lane, Germantown, WI 53022, Mary E. Wicklander, Agent, W226 N7256 Woodland Creek Dr., Sussex, WI 53089
MOTION (Baum/Miller) to approve change of agent as presented, carried.

- C. Change of Agent - **Speedway #4495**, W164 N11233 Squire Drive, Germantown, WI 53022, Kimberly L. Doran, Agent, N108 W16526 Carriage Ave., Germantown, WI 53022

MOTION (Baum/Warren) to approve change of agent as presented, carried.

There being no further business, the meeting adjourned at 9:16 p.m.

Barbara K. D. Goeckner MMC/WCPC
Village Clerk

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
October 19, 2015**

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

ROLL CALL: President Wolter, Trustees Baum, Daniels, Hughes, Kaminski, Miller, Myers, Warren and Zabel. Also present: Administrator Schornack, CDD Director Retzlaff, Park & Rec Director Schroeder, Finance Director Rath, Engineer Bischke, Police Chief Hoell, Sewer Supt. Zimmerman, DPW Director Ratayczak, Fire Chief Weiss and Clerk Goeckner

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: None.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS: Trustees provided information on upcoming meetings and events.

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

CONSENT AGENDA:

- A. Accounts payable/payroll
- | | | | |
|----|------------------|------------------|----------------|
| 1. | September 2015 | Accounts Payable | \$ 26,059.40 |
| 2. | October 6, 2015 | Payroll (hourly) | \$ 207,157.66 |
| 3. | October 10, 2015 | Accounts Payable | \$1,540,703.89 |
| 4. | October 15, 2015 | Payroll (salary) | \$ 80,700.39 |
- B. Operator Licenses: October 20, 2015 – June 30, 2016 [Recommended Approval]
Andrew Aldred, Patricia Bolling, Karen Gerpoltz, Deborah Jones, Kristi Love, Sangeeta Pant, Jessica Pulanco, Elaine Steele, Annette Vesper, Jessica Wilson
- The following items were forwarded from the Public Works Committee with a unanimous recommendation:
- C. Authorize Staff to Fill the Current Full Time Vacancy in the Waste Water Utility Department [Recommended Approval]
- D. Authorize the Purchase of Snow Plow Cutting Edges from Heavy Equipment Specialists for a Total Cost of \$7,110.00 with Funds Allocated from Account #10-542-530-5400 [Recommended Approval]
- E. Authorize Contract with ITU-Absorb Tech for an Annual Cost of \$4,993.53 Which Includes the 2% Discount and Fixed Unit Rates for 36 months for the Supply of Mats, Towels and Mop Heads for Village Buildings. [Recommended Approval]
- F. Contract with TAPCO to Provide Maintenance of 15 Controlled Intersections under Village Jurisdiction at a Cost of \$2,075 with Funds Allocated from Account# 10-542-530-3540 [Recommended Approval]
- G. Resolution Approving Amendments To The 2015 Budget Line Item Transfer Of \$6,700 From The Fire Department Vehicles Account To The Building And Grounds Fire Station Account To Fund The Fire Station No. 2 Concrete Driveway Approach Replacement [Recommended Approval]

CONSENT AGENDA continued:

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

- H. Replacement for Vacant Police Officer Position, No Requirements regarding Wages or Term Limits Were Set With this Request To Fill a Vacancy [Recommended Approval]
- I. Class A Intoxicating Liquor (Cider Only) Licenses, Oct. 20, 2015 – June 30, 2016
 - 1. (New) Speedway LLC, Mary Wicklander – Agent, W226 N7256 Woodland Creek Dr., Sussex, d/b/a Speedway 4465, W178 N9653 Riversbend Lane, and
 - 2. (New) Speedway LLC, Kimberly Doran – Agent, N108 W16526 Carriage Ave., d/b/a Speedway #4495, W164 N11233 Squire Drive [Recommended Approval]

MOTION (Baum/Warren) to approve Consent Agenda Items A-I, by roll call vote, carried.

UNFINISHED BUSINESS: None

PUBLIC HEARINGS – 7:00 P.M. OR LATER:

- A. Village of Germantown Community Development Department, General Zoning Code text amendments to Section 17.08 (Definitions), Sections 17.12 through 17.24 (Residential Zoning Districts), Section 17.241 (Elderly Housing District) and Section 17.27 (Planned Development District) of the Village of Germantown Municipal Code

Community Development Department Director Retzlaff presented information based on the prior history of the Village regarding this topic and the need for changes. In reviewing plans and most recent zoning applications there is profound misunderstanding and confusion in using the Village Zoning Code. He did a quick summary of research on 7 surrounding municipalities and the results were varied and generally inconclusive. Most use terms of net density or net acre in the text of zoning district regulations but only 2 have definitions in their code. Those with definitions are somewhat 'old school' and ambiguous to determine how they are to be used in the calculation. All 7 have PUD/PDD in their codes and 5 of 7 have other 'special' purpose districts. Other community regulations range from 'Density Neutral' to 'Density Bonus'. Density neutral requires amount of development units be consistent or not greater than what would be considered in the underlying zoning district. Germantown under current regulations would be considered density neutral. Density bonus allows the amount of development units to be greater than the underlying zoning district. Others have language that would allow some change, either up or down, based on a specific proposal. Presented other information provided by peers across the state which are truly a community choice. One requires exclusion of wetlands, floodplains, slopes etc. from a density calculation to prohibit a developer from using those unbuildable areas to satisfy space requirements, while another community requires the inclusion of those areas in the calculation of density to maximize open space and give the developer the development units needed to ensure success of the project.

Staff prepared and Plan Commission has recommended approval of text amendments to various parts of the Zoning Code to address the issues, including the creation of definitions for the terms "gross acre" and "net acre", as well as, revisions to the density provisions in the Planned Development District (PDD) regulations, as presented in the draft Ordinance provided.

PUBLIC HEARINGS continued:

President Wolter opened the public hearing at 7:14 p.m.

The following spoke regarding the proposed zoning code text amendments:

Holly Basting – N104 W16053 Donges Bay Road

Judy Kind – N109W17334 Virginia Ave

James Kapus – N114W15909 Hilbert Lane

Carol Preiss – W157N11457 Hilbert Lane

Julie Reichert – W156N11580 Pilgrim Road

Betsy Devilbiss - W159N11438 Red Oak Circle

Lawrence Prodoehl – W140N10111 Fond Du Lac Ave

Nikki Broetzmann - W163 N11502 Windsor Court

President Wolter closed the public hearing at 7:43 p.m.

- B. Johnathan Friess, Property Owner, Conditional Use Permit Application For The Construction And Use Of A Mother-In-Law Suite Accessory Dwelling Unit In The Existing Single-Family Dwelling Located At N128 W17151 Holy Hill Road (Tax Key No. GTNV 152-994)

CDD Director Retzlaff presented information on the application and request for Conditional Use Permit for a mother-in-law suite accessory dwelling unit in existing single-family dwelling. Recommendation is to allow this, subject to 3 conditions as listed in the Conditional Use Permit.

President Wolter opened the public hearing at 7:48 p.m.

The following spoke regarding the request:
Johnathan Friess – N128W17151 Holy Hill Road

President Wolter closed the public hearing at 7:52 p.m.

NEW BUSINESS:

- A. Village of Germantown Community Development Department, General Zoning Code text amendments to Section 17.08 (Definitions), Sections 17.12 through 17.24 (Residential Zoning Districts), Section 17.241 (Elderly Housing District) and Section 17.27 (Planned Development District) of the Village of Germantown Municipal Code.

[ORDINANCE]

MOTION (Baum/Kaminski) to approve as presented. Discussion and clarification of language. This is a work in progress. Intention is to not penalize by double counting. Trustee Baum discussed the proposed ordinance amendments. Discussion of unbuildable areas and how they are counted.

CDD Director Retzlaff recommended adding the phrase 'same area subject to more than one unbuildable feature shall be subtracted only once'. **MOTION (Daniels/Miller) to amend the motion and add this phrase as stated.** Discussion of whether or not one could have the option not to take away. Attorney Sajdak stated there is no choice

NEW BUSINESS continued:

that is implied in the language and suggested changing the proposed definition to simply read: ***'A measure of developable land area computed by subtracting from the gross acres of a site all of the unbuildable area found within the parcel. Unbuildable area shall include but is not limited to existing and dedicated rights-of-way required for existing streets and highways, navigable waterways, wetlands, and floodplains.'*** Then you just have your gross acres, you take out anything that is not buildable and that gives you your net definition.

Vote on amendment: 8 in favor, 1 opposed (Myers), carried.

MOTION (Zabel/Baum) to amend to eliminate the word 'existing'. Discussion by Trustee Zabel of number of units and ability to start at a smaller number then do more and to see the plan for an idea of the concept. Discussion with Trustees and CDD Retzlaff on complications if it is removed. Discussion of additional work and costs to developer to present a plan and the order of the steps and complications. **7 in favor, 2 opposed (Kaminski, Myers), carried.**

Discussion of attorney's language presented, which he displayed on the screen.

MOTION (Zabel/Myers) to amend to replace the net acre definition with the Attorney's recommendation, with the word 'existing' eliminated. Discussion: CDD Retzlaff suggests also removing the phrase 'but is not limited to'. The way the language as it reads is 100%, you are taking out the unbuildable areas all together. Further discussion on language. Attorney agrees 'but is not limited to' should be removed. Both first and second agree to the change including: **Remove 'but is not limited to' as part of motion.** Further discussion on other 'existing' verbiage. **All in favor, carried.**

MOTION (Zabel/Myers) to amend to keep existing language of 17.27(2)(d) within our code and eliminate the new language as added by Plan Commission.

Discussion: losing ability to get developers to do more, problem with cutting negotiation tools of all parties, this change only applies to the density allowance in the PDD section, it doesn't do away with the other things. Concerns of limiting flexibility PDD's are designed to create. Further discussion. **Vote: 2 in favor (Myers, Zabel), 8 opposed, amendment fails.**

Attorney Sajdak recommends a change to clarify the language prepared by him. Leave the original sentences in place and add ***'Except that the Village Board may increase the maximum allowable density.'*** **MOTION (Baum/Kaminski) to accept the Village Attorney's written version of the language, carried.**

Original motion as amended, 7 in favor, 2 opposed (Myers, Zabel), carried.

8:40 p.m. meeting recessed.

8:50 p.m. meeting called back to order.

- B. Johnathan Friess, Property Owner, Conditional Use Permit application for the construction and use of a mother-in-law suite accessory dwelling unit in the existing single-family dwelling located at N128 W17151 Holy Hill Road (Tax Key No. GTNV 152-994). [CONDITIONAL USE PERMIT]

NEW BUSINESS continued:

MOTION (Baum/Hughes) to approve the Conditional Use Permit for Johnathan Friess as presented, carried.

- C. Joshua Wolfgram, Agent for John & Ellen Kuber, Property Owners of a 52.5-acre Parcel, W200 N14144 Rocky Lane, Richfield, WI, Extraterritorial Plat Review of a Certified Survey Map (CSM) to create an 18.9-acre parcel in the Town of Germantown.
[CERTIFIED SURVEY MAP]
MOTION (Baum/Myers) to approve the CSM for Joshua Wolfgram as presented for the Town of Germantown, carried.
- D. 2016 Budget
President Wolter discussed the budget presented for publication. **MOTION (Baum/Myers) to approve the draft version for publication prior to the referendum being held. Draft publication will include two budgets. One to include the \$1,000,000 if the referendum passes and one without the \$1,000,000 if the referendum fails, carried.**
- E. Request Approval of Payment to Vermont Systems for Recreation Software
MOTION (Baum/Miller) to approve payment for Vermont Systems as presented. Discussion of prior review of this item and need for board approval due to amount. **Carried.**
- F. Request To Approve A Change Order In The Amount \$15,000 To Badger Well Drilling For The Additional Test Pumping At Boring #1 Of The Test Well Site Located On Lannon Road At County Line Road
MOTION (Myers/Miller) to approve change order as requested. Discussion of need for change order. **Roll call vote, carried.**
- G. Request To Approve A Change Order In The Amount Of \$11,000 To Foth Infrastructure & Environment, LLC For Additional Engineering Consulting Services As Related To Continued New Well Development And By Temporarily Removing The Following Service: "Prepare A Detailed Engineering Services Proposal For Constructing New Permanent Well(S) At The Site Of Boring No.1 To Include Developing Budget Amounts For Well Drilling Costs, Engineering Services For Required Activities To Develop The New Well Sources Such As Site Acquisition, Site Investigation Report Preparation, Gaining DNR Approvals, Well(S) Designing, Bidding And Construction Services
MOTION (Myers/Baum) to approve change order as presented. Discussion of requirement for change order. **Roll call vote, carried.**
- H. Request to Award Contract To T.P. Concrete For The Amount Of \$51,700 For Concrete Driveway Approach Replacement At Fire Station #2
Motion (Kaminski/Daniels) to award the contract to T.P. Concrete as low bidder. Discussion of current asphalt driveway condition. **Roll call vote, 7 in favor, 2 opposed (Baum, Zabel), carried.**

NEW BUSINESS continued:

I. Adoption of the 2016 Road Reconstruction Projects

MOTION (Kaminski/Baum) to approve the 2016 Road reconstruction projects as presented. Discussion of road projects presented. Staff memo explores alternatives to have been considered. Difficulty in proportioning the funds available to do all that is needed. Further discussion on Concord and other roads. \$50,000 short in budget to do that whole area. **8 in favor, 1 opposed (Zabel), carried.**

MOTION (Wolter, Baum) to put forward New Business Item 'A' for reconsideration.

Attorney Sajdak stated the item is closed and finished for this meeting and will come to the next Village Board meeting to be reconsidered. President Wolter stated he wished to add language that any changes would require a super majority vote of the Village Board. **7 in favor, 2 opposed (Daniels, Kaminski), carried.**

There being no further business, the meeting adjourned at 9:25 p.m.

Barbara K. D. Goeckner MMC/WCPC
Village Clerk

**VILLAGE OF GERMANTOWN
SPECIAL VILLAGE BOARD MEETING MINUTES
OCTOBER 26, 2015**

CALL TO ORDER: The meeting was called to order at 6:05 p.m. by President Wolter

ROLL CALL: President Wolter, Trustees Baum, Daniels, Hughes, Kaminski, Miller, Myer, Warren and Zabel. Absent and excused were Trustees Daniels and Kaminski. Absent was Trustee Myers. Trustee Hughes will arrive late to the meeting. Also present: Administrator Schornack, Fire Chief Weiss and Clerk Goeckner.

President Wolter allowed Fire Chief Weiss to present a message of an upcoming event.

NEW BUSINESS:

- A. **MOTION (Baum/Warren) to enter into closed session at 6:13 p.m. for the Village Administrator Review per Wis. Stats. §19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and then re-enter open session to take such action as it deems appropriate and dismiss Clerk Goeckner, by roll call vote, carried.** Trustee Zabel agreed to take any necessary minutes from this point forward.

Trustee Hughes arrived at 6:15 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:02 p.m.

Barbara K. D. Goeckner MMC/WCPC
Village Clerk

Trustee Zabel

RESOLUTION NO. - 15

**AUTHORIZING THE WRITE-OFF OF DELINQUENT ACCOUNTS RECEIVABLE –
AMBULANCE through Aug 2015**

WHEREAS, The Village of Germantown contracts with 3Rivers Billing to invoice and collect for Fire Department Ambulance services, and when payment options have been exhausted the accounts are sent to a collection agency or to the State of WI TRIP program for potential future collection, and;

WHEREAS, delinquent accounts are sometimes returned by the agent as uncollectible, although remain charged against the parties credit rating, and;

WHEREAS, it is necessary to have these accounts removed from the general ledger of the Village in order to maintain proper accounting controls and procedures, and;

WHEREAS, the amount requested to be removed from our open receivables pertaining to delinquent ambulance billings is **\$48,332.77**. The invoices span service dates between 2008 - 2014. These accounts have been deemed uncollectible by the collection agency or held against the party without imminent payment, and;

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Germantown, Washington County, Wisconsin, that the following accounts receivables, a listing of which is attached hereto and a part thereof, be removed from open accounts receivable in the general ledger of the Village of Germantown.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, President

ATTEST:

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

August 2015 Ambulance Write-offs

GERMANTOWN AMBULANCE

5-Aug-15

3 RIVERS BILLING

Client#

NEB01 -1

AAA Collections

Accounts old, uncollectible - still on client credit report at TRIP

YOUR ACCOUNT NUMBER	MASTER NUMBER	NAME	TURNOVER DATE	ORIGINAL BALANCE	CURRENT BALANCE	REMARKS
09-0217A1	F12730	ANDERSON, TODD M	9/9/2010	624.00	624.00	BANKRUPTCY
14-0006A1	N27646	BLUE, BRITTNEY	3/27/2015	839.50	839.50	BANKRUPTCY
09-0015A1	F12723	BRISTER, LASHANDRA D	9/9/2010	648.00	648.00	FORWARD
08-8915.1A1	F12708	BURKE, GUARDIAN	9/9/2010	92.80	92.80	BANKRUPTCY
08-8904A1	F12707	CAMERON, PEGGY K	9/9/2010	395.00	395.00	UNCOLLECTIBLE
08-8967A1	F12707	CAMERON, PEGGY K	9/9/2010	404.00	404.00	UNCOLLECTIBLE
10-0519A1	N27599	CHRISTIENSEN, CHARLES W	3/27/2015	87.28	87.28	DECEASED
08-8897A1	F12706	CISSE, ALESIA	9/9/2010	438.00	438.00	FORWARD
09-0699A1	F12767	COOPWOOD, GUARDIAN	9/9/2010	519.00	519.00	FORWARD
09-0801A1	N27582	CORSTEN, ANTHONY M	3/27/2015	464.00	464.00	FORWARD
09-0626A1	F12758	CROM, MARIJANE	9/9/2010	404.00	404.00	FORWARD
09-0629A1	F12758	CROM, MARIJANE	9/9/2010	404.00	404.00	FORWARD
09-0625A1	F12757	DABEL, SUSAN	9/9/2010	882.00	882.00	FORWARD
09-0789A1	F12774	DAVIS, AIMEE A	9/9/2010	146.80	146.80	FORWARD
08-0677A1	F12693	DERY, JAMES P	9/9/2010	464.00	464.00	BANKRUPTCY
09-0992A1	F12783	DITTO, BRIAN L	9/9/2010	504.00	504.00	BANKRUPTCY
09-0633A1	F12759	DONLOW, FREDERICK	9/9/2010	88.00	88.00	UNCOLLECTIBLE
14-1018A1	N27666	EHN, JEFFREY A	3/27/2015	1,111.00	1,111.00	DECEASED
13-0392A1	K96749	EVANS, LAWRENCE C	1/17/2014	928.00	928.00	BANKRUPTCY
08-0779A1	F12698	FAHEY, VIVIAN L	9/9/2010	79.61	79.61	UNCOLLECTIBLE
11-0771A1	N27617	FELTES, DENNIS J	3/27/2015	25.00	25.00	DECEASED
09-0116A1	F12726	FELTES, DEVIN C	9/9/2010	564.00	564.00	FORWARD
10-0245A1	F12805	FINCEL, DANYEL C	9/9/2010	683.00	20.00	UNCOLLECTIBLE
09-0649A1	F12762	FREDERICKS, DEIDRE	9/9/2010	584.00	584.00	FORWARD
13-0089A1	L43523	FRITZ, CARRIEANN L	4/22/2014	762.50	762.50	UNCOLLECTIBLE
11-0873A1	I32752	GIZEWSKI, CHRISTINE M	7/3/2012	967.50	967.50	DECEASED
10-0515A1	N27598	GOODE, JUSTIN D	3/27/2015	727.00	727.00	DECEASED
09-0792A1	F12768	GRACZYK, JENNIFER R	9/9/2010	107.80	107.80	FORWARD
09-1000A1	F12784	GRIESBACH, SEPTEMBER N	9/9/2010	102.60	102.60	FORWARD
09-0651A1	F12763	GROER, GARRETT	9/9/2010	648.00	648.00	FORWARD
08-0667A1	F12766	GROMACKI, ANTHONY R	9/9/2010	653.00	653.00	FORWARD
09-1064A1	F12791	HARDWICK, GREGORY J	9/9/2010	597.00	597.00	FORWARD
09-0384A1	F12747	HARPER, ANDRE	9/9/2010	404.00	404.00	FORWARD
08-8888A1	F12703	HERNANDEZ SANDOVAL, YOL	9/9/2010	564.00	564.00	FORWARD
09-0250A1	F12731	HORTON, DINA L	9/9/2010	729.00	729.00	FORWARD
12-0680A1	J83022	JACOBS, ANITA D	4/29/2013	75.07	75.07	DECEASED
09-0154A1	F12728	KILLIPS, JENNIFER R	9/9/2010	504.00	504.00	FORWARD
08-9003A1	F12712	KOEHLER-MARKOVICH, KRIST	9/9/2010	404.00	404.00	UNCOLLECTIBLE
09-0749A1	F12775	KOHL, JOHN P	9/9/2010	884.00	884.00	DECEASED
09-0234A1	N27581	KOLBECK, FRANK J	3/27/2015	386.00	386.00	FORWARD
10-0426A1	F12810	KOSIDOWSKI, QUIN W	9/9/2010	60.00	60.00	UNCOLLECTIBLE
11-0194A1	H22281	KRUBSACK, KARLEEN K	11/22/2011	87.62	87.62	UNCOLLECTIBLE
11-0656A1	H33116	KRUBSACK, KARLEEN K	12/15/2011	86.38	86.38	DECEASED
09-0006A1	F12719	KUBASH, CHAD M	9/9/2010	530.00	530.00	FORWARD
09-0173A1	F12729	KUNKEL, MICHAEL J	9/9/2010	404.00	404.00	FORWARD
12-0211A1	J62861	LAABS, MARTINA M	3/12/2013	558.00	558.00	UNCOLLECTIBLE
09-1037A1	F12789	LANHAM, BRUCE H	9/9/2010	570.00	570.00	FORWARD
09-0344A1	F12743	LAUDERBAUGH, RYAN C	9/9/2010	149.90	149.90	FORWARD
08-8893A1	F12704	LAUFER, ERICH J	9/9/2010	404.00	404.00	FORWARD
09-1080A1	N27586	LUKOWITZ, SARAH L	3/27/2015	504.00	504.00	FORWARD
09-0295A1	F12733	LYONS, NICHOLAS A	9/9/2010	711.00	711.00	FORWARD
09-0397A1	F12748	MACK, DONALD	9/9/2010	488.00	488.00	FORWARD

09-0075A1	F12725	MATHY, JENNIFER L	9/9/2010	617.00	617.00 FORWARD
09-0005.1A1	F12718	MATTEK, SCOTT	9/9/2010	537.00	537.00 FORWARD
08-0726A1	F12697	MCGEE, ETHEL	9/9/2010	557.00	557.00 FORWARD
09-0412A1	F12749	MILLS, ERIC	9/9/2010	545.00	395.00 UNCOLLECTIBLE
09-0008A1	F12720	MISKOWICZ, PEARL A	9/9/2010	537.00	537.00 FORWARD
09-0771A1	F12770	MORGAN, CHAD W	9/9/2010	557.00	557.00 FORWARD
08-9008A1	F12714	MURPHY, KATHLEEN M	9/9/2010	717.00	717.00 FORWARD
09-0025A1	F12722	NEAL, KEITH C	9/9/2010	486.00	486.00 FORWARD
09-0352A1	F12742	NIMITZ, DIANE L	9/9/2010	100.00	100.00 UNCOLLECTIBLE
09-0366A1	F12745	OLLA, TED	9/9/2010	560.00	560.00 FORWARD
12-0870A1	J62873	OTTO, THOMAS M	3/12/2013	746.50	746.50 DECEASED
13-0391A1	K96748	OTTO, THOMAS M	1/17/2014	508.50	508.50 FORWARD
08-9012A1	H22242	PARULSKI, MARY M	11/22/2011	657.00	657.00 FORWARD
12-0517A1	K43577	PEPLINSKI, JOSHUA M	9/18/2013	107.70	107.70 UNCOLLECTIBLE
08-0557A1	N27576	POUNDS, RICHARD	3/27/2015	312.66	312.66 FORWARD
09-0723A1	F12773	ROBERTS, MARK	9/9/2010	458.00	458.00 FORWARD
14-0164A1	M16233	ROSS, JESSICA	8/15/2014	223.38	223.38 BANKRUPTCY
09-0925.2A1	N27584	SARWAS, TIMOTHY	3/27/2015	124.00	124.00 FORWARD
09-0122A1	F12727	SCHULTZ, DANNY	9/9/2010	627.00	627.00 FORWARD
08-0619A1	B50002	SHERMAN, ROBIN L	1/26/2009	488.00	15.22 UNCOLLECTIBLE
08-8956A1	F12709	SHMELOVA, OKSANA	9/9/2010	513.00	513.00 BANKRUPTCY
14-0460A1	M99447	SINCLAIR, VIRGINIA I	1/30/2015	857.00	857.00 UNCOLLECTIBLE
14-0482A1	M99447	SINCLAIR, VIRGINIA I	1/30/2015	854.00	854.00 UNCOLLECTIBLE
09-0986A1	N27585	SMITH, MICHELLE L	3/27/2015	621.00	621.00 FORWARD
09-0297A1	F12734	SNYDER, BETH L	9/9/2010	608.00	608.00 FORWARD
09-1129A1	F12793	STEWART, CORNELIUS M	9/9/2010	657.00	657.00 FORWARD
08-08853A1	F12701	TAYLOR, GUARDIAN	9/9/2010	592.00	592.00 FORWARD
13-1223A1	M51604	UMHOFER, DAVE	10/24/2014	748.50	748.50 FORWARD
14-0061A1	M51604	UMHOFER, DAVE	10/24/2014	595.00	595.00 FORWARD
14-0160A1	M51604	UMHOFER, DAVE	10/24/2014	608.50	608.50 FORWARD
08-9050A1	F12717	UMHOFER, DAVID D	9/9/2010	455.00	455.00 FORWARD
12-1143A1	K96739	UMHOFER, DAVID D	1/17/2014	365.00	365.00 FORWARD
14-0197A1	N27655	UMHOEFFER, DAVE D	3/27/2015	534.00	534.00 FORWARD
11-0977A1	I32764	VAN BEUSEKOM, SCOTT D	7/3/2012	60.00	60.00 UNCOLLECTIBLE
09-0656A1	F12764	VAN KIRK, ELLIOTT	9/9/2010	464.00	464.00 FORWARD
08-0533A1	F12685	VANDERWAL, TIFFANY	9/9/2010	476.00	476.00 FORWARD
10-0238A1	F12804	WAFFENSCHMIDT, ELISABETH	9/9/2010	743.00	743.00 BANKRUPTCY
08-0624A1	F12690	WAGNER, THERESA M	9/9/2010	175.00	175.00 FORWARD
09-0943A1	F12780	WANDERHOOF, WENDY S	9/9/2010	168.69	168.69 FORWARD
09-0340A1	F12741	WENDLER, JOAN M	9/9/2010	564.00	564.00 BANKRUPTCY
09-1085A1	H22247	WIEDIMANN, JENNIFER M	11/22/2011	395.00	395.00 FORWARD
09-1125A1	H22247	WIEDIMANN, JENNIFER M	11/22/2011	545.00	545.00 FORWARD
09-0524A1	F12753	WILKERSON, RONALD	9/9/2010	696.00	696.00 FORWARD
13-0008A1	K96741	WILKES, WARNER A	1/17/2014	200.00	200.00 UNCOLLECTIBLE
09-0348A1	F12744	WILLIAMS, HENRY M	9/9/2010	748.00	748.00 FORWARD
08-0671A1	F12692	WILLIAMS, JESSE L	9/9/2010	618.00	618.00 FORWARD
07-083A1	A89208	WILSON, JENNY L	7/23/2008	334.56	334.56 UNCOLLECTIBLE
09-0486A1	F12752	WINNIE, LISA E	9/9/2010	602.00	602.00 FORWARD
41045A1	B49925	WITT, TYLER A	1/26/2009	267.20	267.20 UNCOLLECTIBLE
09-000/BHHA1	F12761	WYMAN, ZACHERY J	9/9/2010	37.00	37.00 UNCOLLECTIBLE
40336A1	B49907	ZEHNER, GERALD G	1/26/2009	604.00	604.00 UNCOLLECTIBLE

49,618.55 48,332.77

**BUSINESS Of the VILLAGE OF GERMANTOWN
VILLAGE BOARD**

MEETING DATE:

GGF – October 20, 2015
VB - November 16, 2015

PLACEMENT

Consent

ITEM TITLE:

Health Insurance Renewal 2016

SUBMITTED BY:

Kim Rath, Finance Director

SUMMARY EXPLANATION:

Attached are the 2016 Stop Loss Carrier renewals provided by R&R Insurance (formally Snyder Ins.) We received several quotes which is a change from previous renewals; Gerber Life (our current carrier), American National, Everest Reinsurance, QBE Insurance, Fidelity Security, HCC Life, and Sun Life.

Each quote had an option for a \$40,000 specific deductible or a \$45,000 one, with the higher deductible being lower in cost. All of the carriers use our current Third Party Administer (TPA) Auxiant.

The \$5,000 difference in deductible compared to the cost difference in the Gerber Life exhibit between Option 1 and Option 2 of roughly \$30,000 means we'd have to incur more than six instances of individual claims totally more than \$45,000 in a year. Our history runs between 5 and 8 per year, average is closer to 5.

\$45,000 is a pretty high standard and we only just moved from \$35,000 to \$40,000 in 2014. At this point though it looks like the Health Plan will end with a healthy surplus, but with the inclusion of up to ten more participants because of changes in the law I could go either way on staying at \$40,000 or moving to \$45,000. I am leaning toward the higher deductible.

Secondly I would recommend staying with Gerber, their cost is one of the lower quotes, we are familiar with the company and their response time with reimbursements, plus we wouldn't need to cover any potential run-in claim overages. 2014's run in claim amount was \$249,000. Their \$40,000 deductible option with 87 employees would be \$461,091 (\$6816 higher than 2015), or the \$45,000 deductible option for \$396,417 (\$23,463 less)

The quotes show an 87 member employee count, with changes in personnel and the new ACA additions the 2016 count may be closer to 100. All numbers would go up proportionately, the Gerber quote for 100 members would be \$485,248 or \$450,852.

Our projected monthly premium costs for 2016 are:

\$750 Deductible

Family Gold	\$1,874.32 - Employee share \$224.91	- Yearly Employer cost \$19,793
Single Gold	\$ 760.43 - Employee share \$ 91.25	8,030

HDHP \$4,500 Family, \$2,250 Single

Family Silver	\$1,428.00 - Employee share \$171.36	- Yearly Employer Cost \$15,080
Single Silver	\$ 537.60 - Employee share \$ 64.51	5,677

Silver Plan includes a \$2,500/\$1,250 Health Savings Account contribution

All employee groups pay 12% toward the premium.

Carmen Winkelman our benefits consultant with R&R insurance will be present to answer any questions.

ATTACHMENT: ORDINANCE____ RESOLUTION ____ OTHER __X__

Renewal Exhibits

RECOMMENDATION:

Gerber Life Option \$45,000 Deductible

ACTION BY Committee

4/0 Unanimous

Gerber Life – 2016 Renewal for Stop Loss Reinsurance Carrier
\$45,000 Specific Deductible

Renewal Exhibit for:
Village of Germantown
Partnership Plus Health Management Program

	<u>Current</u>		<u>Option 1</u>		<u>Option 2</u>	
Reinsurance Carrier:	Gerber Life		Gerber Life		Gerber Life	
Specific Contract Type:	24/12		24/12		24/12	
Specific Deductible:	\$40,000		\$40,000		\$45,000	
Aggregate Contract Type:	24/12		24/12		24/12	
Aggregate Run-In Limit:	\$234,967		None		None	
Aggregating Specific Corridor:	\$35,000		\$35,000		\$35,000	
Effective Date:	01/01/15		01/01/16		01/01/16	
Specific Premium	<u>Monthly</u>	<u>Annual</u>	<u>Monthly</u>	<u>Annual</u>	<u>Monthly</u>	<u>Annual</u>
Single	\$186.68		\$189.94		\$174.76	
Family	\$410.69	\$372,309.84	\$417.87	\$378,817.92	\$384.47	\$348,539.76
Aggregate Premium	\$11.07	\$11,553.60	\$11.11	\$11,600.00	\$11.11	\$11,600.00
Annual Administration Fee		\$750.00		\$750.00		\$750.00
Administration Fee ¹	\$18.50	\$19,314.00	\$18.75	\$19,575.00	\$18.75	\$19,575.00
UR Fee	\$2.75	\$2,871.00	\$2.80	\$2,923.20	\$2.80	\$2,923.20
Partnership Plus Fee ²	\$0.55	\$574.20	\$0.60	\$626.40	\$0.60	\$626.40
COBRA Fee	\$1.25	\$1,305.00	\$1.25	\$1,305.00	\$1.25	\$1,305.00
Dental Fee	\$2.50	\$2,610.00	\$2.50	\$2,610.00	\$2.50	\$2,610.00
PPO Fee - Average	\$5.50	\$5,742.00	\$5.50	\$5,742.00	\$5.50	\$5,742.00
Monthly Broker Fee	\$2.63	\$2,745.72	\$2.63	\$2,745.72	\$2.63	\$2,745.72
BridgeHealth Fee	\$0.10	\$104.40	\$0.00	\$0.00	\$0.00	\$0.00
FocusHealth	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Fixed Cost		\$419,879.76		\$426,695.24		\$396,417.08
Aggregate Factors						
Single	\$783.27		\$713.25		\$729.47	
Family	\$1,723.20	\$1,562,158.44	\$1,569.15	\$1,422,505.80	\$1,604.83	\$1,454,851.80
Estimated Total Cost: (A)						
Single	\$1,015.51		\$949.05		\$950.09	
Family	\$2,179.45	\$1,982,038.20	\$2,032.88	\$1,849,201.04	\$2,035.16	\$1,851,268.88
Estimated Expected Cost: (B)						
Single	\$858.86		\$806.40		\$804.19	
Family	\$1,834.81	\$1,669,602.24	\$1,719.05	\$1,564,700.40	\$1,714.19	\$1,560,294.36
Census:						
Single	21		21		21	
Family	66		66		66	
Total	87		87		87	

Note: See Quote Assumptions

¹Note: Auxiant's Admin. Fee includes AuxiantHealth, Healthcare Advisor and our new interactive reporting package.

²See quote assumptions for more details regarding our Partnership Plus program.

Note: PPO fees are for the Current Option: Trilogy/HPS Solutions - \$5.50

Note: PPO fees are: Trilogy/HPS Solutions - \$5.50

BridgeHealth will not be available as of 1/1/16.

Auxiant will not be responsible for any disclosure issues or problems relating to the stop loss contract if not placed by Auxiant.

By signing below, I acknowledge that I understand the risk and agree to hold Auxiant harmless.

Village of Germantown selects Option ___ and agrees to this renewal for the renewal plan year starting 1/1/2016

and amends Auxiant's Claim Administration Agreement to incorporate the fees illustrated in our renewal.

Village of Germantown commits to these rates and fees for the next plan year starting 1/1/2016 (includes all Auxiant fees).

_____, Group Signature

_____, Date

_____, Broker/Consultant

_____, Date

09/09/15

Auxiant
Your Integrated Benefits Partner

Business of the Village Board of the Village of Germantown

MEETING DATE: GGF – October 20, 2015
Village Board - November 16, 2015

PLACEMENT: Consent

ITEM TITLE: T.E. Brennan Company – Insurance
Consultant - Presentation and
Recommendation for 2016 Property
Insurance -

SUBMITTED BY: Kim Rath, Finance Director

SUMMARY EXPLANATION:

Bob Burnside from T.E. Brennan, our insurance consultant, is present with analysis and recommendation for our 2016 Property Insurance.

ATTACHED : ORDINANCE____ RESOLUTION ____ OTHER _X_

Recommendation and Property Renewal Comparisons

GGF COMMITTEE ACTION

2016 Property Insurance Renewal with CHUBB - with \$2,000,000 Business
Income/Extra Expense Limit - \$52,895

4/0 Unanimous to Approve

October 12, 2015

Ms. Kim Rath
Finance Director
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022

Re: Property Marketing Project
Renewal Date: January 1, 2016

Dear Kim:

We have completed our property marketing efforts for the Village of Germantown's January 1, 2016 renewal. At your direction, our office solicited competitive quotes from your existing insurance agent, Mark Meeks of M3 Insurance Solutions.

Mark was able to obtain four property quotes. In addition to this, we are including the renewal quote from the LGPIF as part of our comparison. Two of the quotes obtained by Mark (EMC and Chubb) are reasonably close to one another. The other two quotes (Liberty and Hartford) are not competitive. The LGPIF is increasing their premium by approximately 98% from \$41,213 to \$81,730 for the renewal. The LGPIF renewal premium is substantially higher than all of the other quotes. The attached exhibits include information from each of these five quotes

The following exhibits provide comparisons of your current program with the renewal proposals offered by each of the quotes:

- **EXHIBIT 1 – PROPERTY RENEWAL PREMIUM COMPARISON**
- **EXHIBIT 2 – PROPERTY COVERAGE COMPARISON**
- **EXHIBIT 3- ALTERNATE QUOTES**
- **EXHIBIT 4- HISTORICAL LOSS INFORMATION**

PROPERTY RENEWAL QUOTES

I will focus my comments on the quotes being provided by EMC and Chubb since these are the two most competitive quotes. The Chubb property quote is \$55,955 which is \$645 lower than the EMC property quote of \$56,600. Note that both of these quotes include ordinance and law coverage within the property limits, whereas your prior coverage with the LGPIF provided an additional \$2,000,000 limit for this coverage. It is our opinion that providing this coverage within your property limits will provide you with an adequate amount of coverage in this area.

The main area where the EMC and Chubb quotes differ is with regards to the flood coverage. The EMC quote includes a \$2,000,000 occurrence limit for flood with a \$50,000 deductible. However, EMC will exclude 9 locations from flood coverage due to their proximity to flood zones. Please refer to Exhibit 2, Page 2 of 2 for a listing of locations that EMC would need to exclude from flood coverage.

Ms. Kim Rath
October 12, 2015
Page 2

The Chubb quote provides a \$5,000,000 occurrence flood limit with a \$50,000 deductible for all locations with the exception of locations 5,12,13,17,24 and 25. A \$1,500,000 flood limit with a \$100,000 deductible applies to each of these 5 locations. Please refer to Exhibit 2, Page 2 of 2 for a listing of these locations. Note that surface water coverage is included within the definition of flood under the Chubb and EMC coverage forms. Although Chubb is providing only a \$1,500,000 limit for 5 of the locations, this lower limit is still equal to the limit that was provided by the LGPIF for this coverage. Also, the LGPIF policy included surface water coverage, but did not include flood coverage. The Chubb and EMC quotes will provide coverage for both of these perils. The EMC and Chubb flood quotes include deductibles that are much higher than the \$1,000 deductible provided by the LGPIF for surface water coverage.

Both the Chubb and EMC quotes include a \$5,000,000 limit for business income/extra expense. The LGPIF policy automatically provided a \$5,000,000 limit for extra expense coverage. However, I'm not sure that the Village needs this high of a limit. Therefore, we have obtained optional quotes from EMC and Chubb showing optional premiums with a \$2,000,000 and a \$3,000,000 limit for this coverage. Please refer to Exhibit 3 for the optional quotes. The main type of exposure that would be covered under the business income/extra expense coverage would be if the Village were to have a loss at one of the locations and extra expenses were incurred to rent another facility until the damaged location was repaired. In our opinion, the village may want to consider one of the lower options. Perhaps we can discuss this in further detail during the meeting on October 20th.

Please note that the EMC quote provides only \$7,500 of coverage for Rambo. The Chubb quote provides \$10,000 of coverage which is the same limit that you currently have with the LGPIF. There would be no deductible for the EMC Special Use Animal Coverage, but a \$1,000 deductible will apply for the Chubb coverage. You currently have a \$500 deductible for the LGPIF Special Use Animal Coverage.

RECOMMENDED PROGRAM

Our recommendation for the Village's property insurance program for the January 1, 2016 renewal would be to go with the Chubb proposal. Although the EMC and Chubb premiums are very close, with Chubb being \$645 lower, the Chubb program is more attractive from a coverage standpoint. Although Chubb is offering lower flood/surface water limits for 5 of the locations, the lower limits are still equal to the limit that was provided by the LGPIF for surface water coverage. Also, EMC is excluding flood coverage from 9 of the locations.

We are pleased to have conducted this marketing effort on behalf of the Village of Germantown. Please feel free to contact me if you have any questions.

Yours very cordially,

T.E. BRENNAN COMPANY

Bob Burnside, AU
burnside@tebrennan.com
Enclosure

VILLAGE OF GERMANTOWN

PROPERTY RENEWAL COMPARISON

JANUARY 1, 2016

**VILLAGE OF GERMANTOWN
PROPERTY RENEWAL PREMIUM COMPARISON
JANUARY 1, 2016**

	2015/2016	2016/2017					
	LGPIF/EMC	LGPIF	EMC	Chubb	Liberty	Hartford	Recommended
Property							
Real/Personal/Prop in open	\$35,668	\$76,255	\$43,986	\$55,955	\$57,048	\$46,385	\$55,955
Contractors Equipment	5,545	5,475	7,949	Incl.	11,198	10,134	Incl.
Ordinance or Law	Incl.	Incl.	Incl.	Incl.	Incl.	Incl.	Incl.
Flood/Surface Water	NA/Incl.	NA/Incl.	4,665	Incl.	Incl.	7,270	Incl.
Subtotal	\$41,213	\$81,730	\$56,600	\$55,955	\$68,246	\$63,789	\$55,955
Equipment Breakdown	2,851(Liberty)		TBD				TBD
Crime	1,752		TBD				TBD
General Liability	29,970		TBD				TBD
Employee Benefit Liability	249		TBD				TBD
Automobile Liability	43,265		TBD				TBD
Automobile Physical Damage	26,252		TBD				TBD
POL/EPL	12,623		TBD				TBD
Law Enforcement Liability	7,337		TBD				TBD
Umbrella	43,146		TBD				TBD
Workers Compensation	235,133		TBD				TBD
Estimated Annual Premiums	\$443,791		TBD				TBD
Anticipated Dividend - WC ⁽¹⁾	(42,324) ⁽²⁾		TBD				TBD
Estimated Net Annual Premiums	\$401,467		TBD				TBD

⁽¹⁾ Dividends cannot be guaranteed by law. They are payable pursuant to conditions determined by the insurer's Board of Directors.

⁽²⁾ Amount is based on 18% flat dividend.

VILLAGE OF GERMANTOWN
PROPERTY COVERAGE COMPARISON
JANUARY 1, 2016

	2016/2017						
	2015/2016						
	LGPIF	LGPIF	LGPIF	EMC	Chubb	Liberty	Hartford
Property							
Limit - Real and Personal	\$50,362,330	\$60,989,541	\$59,291,291	\$59,291,291	\$59,291,291	\$59,955,098	\$59,291,291
Ordinance or Law	2,000,000	2,000,000	Included w/in limit	Included w/in limit	Included w/in limit	2,000,000	2,000,000
Deductible	1,000	1,000	1,000	1,000	1,000	2,500	5,000
Business Income/Extra Expense	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000 ⁽¹⁾	5,000,000
Replacement Cost Valuation	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Special Use Animal Coverage							
Limit	10,000	10,000	7,500	7,500	10,000	NA	NA
Deductible	500	500	No deductible	No deductible	1,000	NA	NA
Named Peril Coverage	Yes	Yes	Yes	Yes	Yes	NA	NA
Flood/Surface Water							
Occurrence Limit	1,500,000	1,500,000	2,000,000 ⁽²⁾	2,000,000 ⁽²⁾	5,000,000 ⁽³⁾	1,000,000 ⁽⁴⁾	1,500,000
Premises Aggregate	NA	NA	2,000,000 ⁽²⁾	2,000,000 ⁽²⁾	5,000,000 ⁽³⁾	NA	Incl.
Policy Aggregate	NA	NA	N/a	N/a	5,000,000	1,000,000 ⁽⁴⁾	NA
Flood Included	No	No	Yes	Yes	Yes	Yes	Yes
Surface Water Included	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Deductible	1,000	1,000	50,000	50,000	50,000 ⁽³⁾	100,000	25,000 ⁽⁵⁾
Waiting Period	NA	NA	72 hours	72 hours	24 hours ⁽³⁾	72 hours	TBD
Contractors Equipment							
Limit	\$3,097,621	\$3,058,922	\$3,179,706	\$3,179,706	\$3,179,706	\$3,040,681	\$3,040,684
Deductible	500	500	500	500	1,000	1,000	10,000
Replacement Cost Valuation	Yes	Yes	Yes	Yes	Yes	Yes	Yes

(1) Extra expense coverage only. No business income coverage

(2) Nine locations deleted from flood coverage. See Exhibit 2, Page 2 of 2

(3) The following applies to locations 5, 12, 13, 17, 24 and 25: Limit = \$1,500,000; Premises Aggregate = \$1,500,000; \$100,000 deductible and 72 hour waiting period.

(4) Locations excluded for flood coverage: Old Farm Lift Station and Schoen Laufen Park

(5) Some locations would have a \$50,000 flood deductible. No flood coverage for locations without a location address.

VILLAGE OF GERMANTOWN

LOCATION SCHEDULE

JANUARY 1, 2016

EMC LOCATIONS EXCLUDED FROM FLOOD COVERAGE

- Location 2-1: N11 W16877 Mequon Rd., Germantown (Police Dept Garage)
- Location 2-2: N11 W16877 Mequon Rd., Germantown (Police Dept Annex)
- Location 7-1: N112 W17001 Mequon Rd., Germantown (Village Hall)
- Location 8-1: N116 W17230 Mequon Rd., Germantown (Treatment Plant Office)
- Location 13-1: N106 W16730 Old Farm Rd., Germantown (Well House #4)
- Location 14-1: W188 N9811 Appleton Ave., Germantown (Lift Station #3)
- Location 16-1: W172 N10591 Division Rd., Germantown (Old Farm Package Lift Station)
- Location 20-1: N116 W17235 Main St., Germantown (Main St Lift Station)
- Location 22-1: 15840 Burr Oak, Germantown (Lift Station #2)
- Location 36-1 N11 W16957 Mequon Rd., Germantown (Library)

CHUBB LOCATIONS WITH \$1,500,000 FLOOD LIMIT AND \$100,000 DEDUCTIBLE

- Location 5: N106W16730 Old Farm Rd., Germantown (Well House #4)
- Location 12: N116W17230 Main St., Germantown (Treatment Plant Office)
- Location 13: N116W17235 Main St., Germantown (Main Street Lift Station)
- Location 17: Tennis Shed
- Location 24: W168N11295 Western Ave., Germantown (Well house #5)
- Location 25: W172N12217 Division Rd., Germantown (Old Farm Lift Station)

VILLAGE OF GERMANTOWN
PROPERTY RENEWAL
ALTERNATE PROPOSALS
JANUARY 1, 2016

2016/2017	
EMC	
BI/EE Premium Reduction	Total Premium
\$3,000,000 Business Income/Extra Expense	\$54,520
\$2,000,000 Business Income/Extra Expense	\$53,480
Chubb	
\$3,000,000 Business Income/Extra Expense	\$53,915
\$2,000,000 Business Income/Extra Expense	\$52,895

**VILLAGE OF GERMANTOWN
PROPERTY LOSS HISTORY
JANUARY 1, 2016**

Property						
Year	Insurer	No. of Claims	No. of Open Claims	Paid	Reserved	Total
1/1/04-05	LGPIF	6	0	90,410	0	90,410
1/1/05-06	LGPIF	9	0	20,956	0	20,956
1/1/06-07	LGPIF	8	0	23,708	0	23,708
1/1/07-08	LGPIF	7	0	80,527	0	80,527
1/1/08-09	LGPIF	7	7	10,771	0	10,771
1/1/09-10	LGPIF	0	0	0	0	0
1/1/10-11	LGPIF	6	0	18,775	0	18,775
1/1/11-12	LGPIF	2	0	9,713	0	9,713
1/1/12-13	LGPIF	0	0	0	0	0
1/1/13-14	LGPIF	3	0	18,622	0	18,622
1/1/14-15	LGPIF	3	0	6,395	0	6,395
1/1/15-16	LGPIF	2	1	0	3,438	3,438
TOTALS		53	1	279,877	3,438	283,315

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

MEETING DATE: November 16, 2015

AGENDA ITEM: Unfinished Business

ITEM TITLE: Request By Wisconsin Gas To Amend Language In Distribution Easement (Gas) Through Village-Owned Property Northeast Of Donges Bay Road And Fond Du Lac Avenue

SUBMITTED BY: Brian Sajdak, Esq., Village Attorney

SUMMARY EXPLANATION:

This agenda item was last presented to the Village Board during its August 17, 2015 meeting. As requested during that meeting, language has been developed and mutually agreed to by WE Energies and the Village Attorney. This item is being returned to the Village Board to confirm acceptability of the revised language.

ATTACHMENTS:

Draft Gas Distribution Easement

COMMITTEE 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.

Document Number

GAS DISTRIBUTION EASEMENT

RETURN TO:

WE ENERGIES
Attn: Rita C. Qualls
231 W. Michigan Street, A252
Milwaukee, WI 53203

(GTNV 254273)
(GTNV 263989)
(GTNV 341998)

This **GAS DISTRIBUTION EASEMENT**, (the "Easement") is made by **Village of Germantown, a municipal corporation** ("Grantor") to **WISCONSIN GAS, LLC, a Wisconsin limited liability company, doing business as We Energies** ("Grantee"). Grantor and Grantee may be referred to individually as "Party" or collectively as the "Parties".

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby conveys and grants to Grantee, its successors and assigns, a permanent non-exclusive easement on, over, under, across, through and upon a part of Grantor's land hereinafter referred to as the "Easement Area".

1. **Easement Area:** The Easement Area is described as a strip of land fifty (50) feet in width (or such other widths as described hereinafter), being a part of the premises of Grantor in a part of the Southeast $\frac{1}{4}$ of Section 25, Southwest $\frac{1}{4}$ of Section 26, and the Northeast $\frac{1}{4}$ of Section 34, all in Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin (the "Easement Area").

The location of the Easement Area with respect to Grantor's premises is described on the attached Exhibit "A" and shown on the attached Easement Description Maps, marked Exhibit "B", and made a part hereof by this reference.

2. **Purpose:** This Easement gives, grants and conveys unto Grantee, its successors and assigns, subject to the limitations and reservations herein stated, the permanent and non-exclusive right, permission and authority to lay, install, construct, maintain, operate, inspect, alter, replace, protect, test, patrol, extend, repair, reconstruct, relocate, enlarge, and remove or abandon a pipeline or pipelines with valves, tie-overs, main laterals and service laterals, and other appurtenant facilities, including cathodic protection apparatus used for corrosion control, all of which shall be and remain the property of Grantee, for the transmission and distribution of natural gas and all by-products thereof or any liquids, gases, or substances which can or may be transported or distributed through a pipeline or pipelines on, over, under, across, through and upon the Easement Area.

Grantee may designate or otherwise appoint, assign, contract, and duly authorize other persons, firms, or corporations to perform, carry out and complete, in whole or in part, the activities operations, herein enumerated, as it deems necessary and convenient for the full enjoyment and use of the rights herein granted.

3. **Nonexclusive:** The easement herein granted is nonexclusive, and Grantor reserves unto itself, the right, not inconsistent with the rights granted to Grantee hereunder, to use the Easement Area for any purpose, including for the construction, installation, operation, maintenance, repair and replacement of sanitary sewer, water main, storm sewer and related facilities (collectively hereinafter the "Grantor Facilities"), underground, upon, over, across within and beneath the Easement Area. (As of the date of this Easement there are no Grantor Facilities under, upon, over, across, within or beneath the Easement Area.)
4. **Grantor Facilities:** In the event that, ~~after the construction, initial installation, operation, maintenance of Grantee's facilities within the Easement Area, the reconstruction,~~ repair, replacement or relocation of any of Grantee's facilities within the Easement Area makes it necessary or prudent (under good utility practice or at the request of Grantee) for Grantor to reconstruct, modify, replace or relocate any Grantor Facilities within the Easement Area, ~~or if the cost of construction or installation of future Grantor Facilities or improvements within the Easement Area is increased by virtue of the construction, installation, operation, maintenance, repair, replacement or relocation of any of Grantee's facilities, then the reasonable cost (or increased cost in the event of new facilities) then the reasonable cost~~ of such reconstruction, modification, replacement or relocation shall be reimbursed by Grantee to Grantor. Such reimbursement shall be made within thirty (30) days after Grantee's receipt of a detailed invoice and supporting documents for such costs and expenses from Grantor.
5. **Grantee Facilities:** In the event that the construction, installation, operation, maintenance, repair, replacement, or relocation of any future Grantor Facilities makes it necessary or prudent (under good utility practice or at the request of Grantor) for Grantee to reconstruct, modify, replace or relocate any of Grantee's facilities within the Easement Area, then the reasonable cost of such reconstruction, modification, replacement or relocation shall be reimbursed by Grantor to Grantee. Such reimbursement shall be made within thirty (30) days after Grantor's receipt of a detailed invoice and supporting documents for such costs and expenses from Grantee.
6. **Good Faith Effort:** Grantor and Grantee each agrees to use good faith efforts to construct, install, operate, maintain, repair and replace its facilities within the Easement Area in a manner that minimizes the impact on the facilities of the other party hereto, subject to the requirements of good utility practice.
- ~~6.7.~~ **Use and Access:** Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment and use of the rights herein granted, including but not limited to, the right to remove and to clear all structures and obstructions such as, but not limited to, rocks, trees, brush, limbs and fences which might interfere with the rights herein contained, and the free and full right of ingress and egress over and across the Easement Area, to and from the Easement Area, and other adjacent lands of Grantor, as necessary or convenient for the full enjoyment and use of the rights herein granted, during the operations of Grantee as herein above enumerated, but not necessarily limited thereto.
- ~~7.8.~~ **Structures and Improvements:** Grantor covenants and agrees that no structures or above ground improvements (as defined in the attached Exhibit "C"), obstructions or impediments, of whatever kind or nature will be constructed, placed, granted or allowed within the Easement Area. Grantor further covenants and agrees not to plant any trees or shrubs within fifteen (15) feet of the centerline of the pipeline.

Grantor agrees to comply with the Addendum - General Construction Requirements and Restrictions for Wisconsin Gas LLC Gas Pipeline Easement Areas which is attached hereto, marked Exhibit "C", consisting of two pages, and made a part hereof by this reference.

- ~~8.9.~~ **Elevation:** Grantor covenants and agrees that the elevation of the existing ground surface of land within the Easement Area will not be altered by more than six (6) inches without the prior written consent of Grantee.

9.10. Temporary Easement: Grantee and its agents shall have the further right to use, for initial construction purposes only, a strip(s) of land as shown on the attached Exhibit "B", as a temporary construction easement area. For non-wooded parcels Grantor and Grantee agree that Grantee may at the time of construction extend the temporary easement area up to an additional twenty-five (25) feet. The temporary easement is for construction purposes only and shall terminate when the need therefor passes.

10.11. Reserved Rights: Grantor, after the initial construction of the pipeline is completed, reserves the right to cultivate and use the ground surface within the Easement Area covered by this Easement provided that such use shall not, in the opinion of Grantee, interfere with or obstruct Grantee in its exercise of the rights and privileges herein granted, or create any actual or potential hazard to the pipeline facilities ultimately installed therein.

11.12. Restoration: Grantee agrees to restore or cause to have restored Grantor's land, including fencing, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the Easement Area.

12.13. Ownership: Grantor, its successors, assigns, heirs, executors and administrators covenant and agree to and with Grantee, its successors and assigns, that at the time of the enrolling and delivery of this Easement, they are well seized of good and marketable title to the premises above described.

13.14. Exercise of Rights. The Parties agree that the complete exercise of the rights herein conveyed may be gradual and not fully exercised for some time in the future, and that none of the rights herein granted shall be lost by non-use for any length of time.

14.15. Binding Effect: This Easement shall be a covenant running with the land and shall be binding upon, and inure to the benefit of, the heirs, legal representatives, executors, administrators, devisees, legatees, successors or assigns of all Parties hereto. The rights herein granted to Grantee may be assigned in whole or in part by Grantee at any time.

IN WITNESS WHEREOF, the Party or Parties hereto have executed this instrument this _____ day of _____, 2015.

Grantor: Village of Germantown, a municipal corporation

Print Name: Dean Wolter, Village President

Print Name: Barbara K.D. Goeckner, Village Clerk

STATE OF WISCONSIN)
: SS

COUNTY)

Personally came before me this _____ day of _____, 2015 the above named _____ and _____, known to me to be the President and Clerk of Village of Germantown, a municipal corporation, who executed the foregoing instrument by its authority and on its behalf and acknowledged the same.

Notary Public, State of Wisconsin

Print Name: _____

My commission expires _____

[Notary Seal]

This instrument was drafted by Rita Qualls on behalf of Wisconsin Gas LLC, 231 W. Michigan St., Milwaukee
WI 53203.

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY AND EASEMENT AREA

Grantor and Grantee agree that the Easement Area legal description will be substituted at the time the Option is exercised.

Parcel 1:

Lot 26 of Certified Survey Map No. 6275, recorded on December 22, 2008 as Document No. 1206791 and corrected by Affidavit of Correction recorded on February 16, 2009 as Document No. 1210944, being a redivision of Lot 2 of Certified Survey Map No. 5404, located in that part of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 25, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

GTNV 254273

Parcel 2:

Lot 3 of Certified Survey Map No. 4473, recorded on April 6, 1995, as Document No. 688873, being a part of the Northeast 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 26, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

GTNV 263989

Parcel 3:

Lot 1 of Certified Survey Map No. 4531, recorded on August 15, 1995 as Document No. 697516, being a part of the Southwest 1/4 of the Northeast 1/4, Section 34, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

GTNV 341998

EXHIBIT "B"

Grantor and Grantee agree that the Easement Description Map will be substituted at the time the Option is exercised.

EXHIBIT "C"

ADDENDUM

General Construction Requirements and Restrictions for Wisconsin Gas LLC Gas Easement Areas

1. The Easement Area must be accessible to Grantee and its duly authorized agents, invitees, contractors, persons, firms or corporations.
2. Fill material, rubble, scrap, pavement, berms or earthworks may not be placed within the Easement Area without Grantee's prior written approval.
3. The elevation or grade over the gas pipeline may not be altered by more than 6 inches without Grantee's prior written approval. A minimum of 36 inches of cover over the gas pipeline must be maintained at all times.
4. Retention ponds and their inlets/outlets are not permitted within the Easement Area.
5. Drainage ditches or drain tiles are not permitted within the gas pipeline Easement Area without Grantee's prior written approval of Grantor's plans. Plans must include consideration for proper cover and erosion protection.
6. Septic fields or mound systems are not permitted within the Easement Area. Laterals to or from the field or mound may cross the gas pipeline, provided that they maintain an 18 inch separation from the gas pipeline. Any excavation within 2 feet of the pipeline must be done by hand-digging or vacuum excavation with a Wisconsin Gas LLC representative present to view and inspect excavation activities.
7. Underground culverts, pipelines, cables, sewers or any utility may not be placed within 18 inches of the gas pipeline, and may not be placed within the Easement Area without Grantee's prior written approval of Grantor's plan, which approval shall not be unreasonably withheld. Any excavation within 2 feet of the pipeline must be done by hand-digging or vacuum excavation with a Wisconsin Gas LLC representative present to view and inspect excavation activities.
8. Digger's Hotline must be contacted at least 3 days prior to any excavation or construction activities within the Easement Area. The current contact for Digger's Hotline is 811 or 1-800-242-8511 or www.diggershotline.com.
9. Structures or above ground improvements are not permitted within the Easement Area. Prohibited structures include but are not limited to: houses, garages, outbuildings, storage sheds, decks, swimming pools, gazebos, satellite dish antennas and dog kennels/runs. Fencing may be installed in the Easement Area provided fence posts are placed a minimum of five feet from the gas pipeline.

EXHIBIT "C" – Page 2

10. Landscaping, including planting of trees and shrubs, **is not** permitted within 15 feet of the centerline of the pipeline.
11. The installation of private or public roads may be permitted within the Easement Area with Grantee's prior written approval of Grantor's road plan. The road plan must show sound structural fill around the gas pipeline. Grantee may require soil borings to establish the subgrade load bearing characteristics of the site and prove that unstable soils are not present around the gas pipeline.
12. A paved/compacted surface, such as a driveway, may be permitted within the Easement Area with Grantee's prior written approval of Grantor's driveway plan. The driveway plan must provide a minimum cover of 48 inches over the gas pipeline.
13. Heavy earth moving equipment may not be routed over the gas pipeline without Grantee's prior written approval of Grantor's construction plan. The construction plan must provide sufficient load bearing protection, including, but not limited to, temporary pavement, heavy mats, additional compacted cover or other adequate bridging methods.
14. **Wisconsin Gas LLC Field Operations must be contacted at least three (3) working days prior to any excavation activity within the Easement Area to coordinate oversight or inspection, or to confirm compliance with these provisions. The current phone number for Wisconsin Gas LLC Call Center is 1-800-242-9137.**
15. Additional protective requirements may be necessary upon review of Grantor's construction plans submitted to Grantee as required by the Easement.

WISCONSIN GAS LLC
Attn: System Engineering, A516
333 W. Everett Street
MILWAUKEE, WI 53203

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

MEETING DATE: October 19, 2015

AGENDA ITEM: Public Hearing & New Business **[ORDINANCE]**

ITEM TITLE: Village of Germantown Community Development Department, General Zoning Code text amendments to Section 17.08 (Definitions), Sections 17.12 through 17.24 (Residential Zoning Districts), Section 17.241 (Elderly Housing District) and Section 17.27 (Planned Development District) of the Village of Germantown Municipal Code.

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

SUMMARY EXPLANATION:

At their May 20, 2015 meeting, the Village General Government & Finance Committee (GGF) discussed concerns raised by one of its members regarding: (1) the perceived use of Planned Development Districts (PDD's) by developers in order to manipulate and/or take advantage of the residential density provisions in our Zoning Code; and (2) the lack of a definition of (and prescribed method for calculating) "net density" in our current Zoning Code.

At their July 6, 2015 meeting, the Village Board discussed these issues and generally concluded that the issue is a definition and calculation issue with respect to the calculation of allowable development units or "density" in a proposed residential development and not an issue of PDD's being used by developers to circumvent the Zoning Code. The Village Board directed the Plan Commission and staff to bring the issues to the Plan Commission for discussion, and, to create the necessary Zoning Code revisions.

Staff has prepared and the Plan Commission has recommended approval of text amendments to various parts of the Zoning Code to address the issues, including the creation of definitions for the terms "gross acre" and "net acre", as well as, revisions to the "density" provisions in the Planned Development District (PDD) regulations.

ATTACHMENTS:

- ◆ 9/14/15 & 10/12/15 Staff Reports
- ◆ 9/14/15 & 10/12/15 Plan Commission Meeting Minutes
- ◆ Misc documents on development definitions
- ◆ Draft Ordinance

PLAN COMMISSION RECOMMENDATION:

APPROVE the proposed Zoning Code amendments as drafted (see attached draft ordinance).

NOTE: The public hearing notice references various code sections subject of the code amendments that do not appear in the draft ordinance. Since the public hearing notice was prepared and published prior to the final drafting of the code amendments, staff included code sections in the notice that might have or need some revision but, in the end, were not proposed for specific amendment at this time.

ORDINANCE NO. _____

**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 17.08(2a) of the Zoning Code is created to read:

17.08(2a) Acre, Gross.
 The total area of land within the perimeter of a development tract or parcel of land.

SECTION 2. That Section 17.08(2b) of the Zoning Code is created to read:

17.08(2b) Acre, Net.
 A measure of developable land area computed by subtracting unbuildable features including: dedicated rights-of-way required for existing streets and highways, 100 percent of area in navigable water bodies, rivers and streams, 100 percent of area in delineated wetlands, and 100 percent of area in the 100-year floodplain. Area subject to more than one unbuildable feature shall be subtracted only once.

SECTION 3. That Section 17.27(2)(d) of the Zoning Code is revised to read as follows where words that are stricken are deleted and words that are underlined are added:

17.27(2)(d) Density.
 The Planned Development District may permit the transfer of density (dwelling units) from one portion of the subject site to another and will permit the clustering of dwelling units in one or more locations within the total site. ~~However, the density of use shall not exceed the density permitted in the underlying existing zoning district.~~ The Village may increase density, i.e. allowable development units greater than the amount allowed in the underlying zoning district, after considering the community benefits to be derived from the development based on the size, location, type of development, quality of building materials, and type and amount of aesthetic, architectural, and recreational features and amenities proposed for the development.

SECTION 4. 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

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, October 19, 2015
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 17.08 (Definitions), Sections 17.12 through 17.24 (all Residential Zoning Districts), Section 17.241 (Elderly Housing District) and Section 17.27 (Planned Development District) of the Village of Germantown Municipal Code.

A copy of the application is on file in the Village of Germantown Community Development Department (Planning & Zoning 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 23rd day of September, 2015
Barbara K. D. Goeckner, Village Clerk

To Be Published On: October 1st and October 8th, 2015

D. Glazer said financing would not be difficult from his experience and the lenders told him it doesn't change anything.

Trustee Baum said refinancing individual condos are more difficult to finance because there aren't many comparables.

- o Chairman Wolter asked if all agreements will remain in place for Stormwater and easements for crossing parking lots held by the association.

Planner Retzlaff said that would be a priority to ensure the agreements remain in place.

This item was for discussion only. No action was taken.

Community Development Department – Discussion and action on possible Zoning Code amendments regarding Planned Development District (PDD) provisions, density and lot size definitions. Following a lengthy discussion on August 10th, the Plan Commission directed staff to develop clear definitions of the terms “net acre” and “net density” for further consideration and collect information about how other surrounding communities address this issue and use or define these terms. Planner Retzlaff presented a summary table of the definitions for the terms net and gross density and net and gross acre for 7 surrounding municipalities. His general conclusion is that the results in comparison vary greatly and are inconclusive. He found that most of the communities use the terms, net density or net acre like we do, don't have definitions and are interpretive. He said its clear the Zoning Code needs to be amended to make the calculation of allowable development units consistent for all 13 residential zoning districts and create a provision in the PDD regulations that enable the Village to increase density to some amount or percentage on a case-by-case basis given the size, location, type of development, quality of building materials, type and amount of amenities proposed by a developer.

Chairman Wolter thanked Planner Retzlaff for all his homework and how it was prepared and presented. A lengthy discussion followed. Trustee Baum said the language for net density, net acre, gross density and gross acre are standards to start with. But when a PDD or PUD is used, that means doing something different and changing the definitions to accommodate a development. Chairman Wolter said the committees would need to be in agreement, but each point could be negotiated, looked at and approved if the development were to occur. He said the definitions for net acre and gross acre need to put in because it goes across all zoning. The steps for a custom development also need to have some sort of oversight and negotiation. The real discussion comes from a PDD proposal. Trustee Baum said a PDD can be used to re-write the rules, but the Village requires more amenities of the site to make it work in exchange for accepting the developers proposal. Commissioner Laszewski said more PDD's will be proposed by creating this net definition, because it takes the calculus away from the developer and gives it to the Village. Chairman Wolter explained the underlying zoning is a determinant of density under the PDD definition. Planner Retzlaff explained there is no definition for net acre. It now falls back on the interpretation of the zoning administrator, who has said it is the gross area minus dedicated public rights of way. The proposed definition now excludes wetlands and floodplain and is somewhat a penalty, depending on the definition of a PDD.

Trustee Zabel said all the points brought up sound pretty good but they will force the creation of more PDD's. He said the Village survey information should be reviewed to see how residents see the future growth of the Village. Dan Wing commented and said the community needs to be consistent.

MOTION Baum second Shadid to accept the definition of Acre, Net 17.08(2a) as the Village definition.

Commissioner Gray asked for clarification on how the open space requirement will be determined after total net acres is calculated. Planner Retzlaff said the unbuildable areas can be counted as satisfying the open space requirement. Commissioner Nilles said he is not ready to take action until other considerations relating to where wetlands and floodplain overlap, steep slope areas or environmental corridors exist are figured in. Planner Retzlaff said excluding special features could be discussed. Trustee Baum said those things could be negotiated as part of the PDD process.

MOTION to Amend Baum second Laszewski to add the definition of Gross Acre to be: Gross acres is the acreage within the perimeter of a development tract or parcel of land.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried (5-2-Nilles & Gray)

Chairman Wolter said the results of the Village Survey should be reviewed before any action is taken on Section 17.27.

MOTION Baum second Shadid to Postpone action on Section 17.27(2)(d) until the next Plan Commission meeting.

MOTION carried unanimously.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:51 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

**ZONING CODE AMENDMENTS:
DEFINITIONS & PLANNED DEVELOPMENT
DISTRICT (PDD) PROVISIONS
10/12/15 Plan Commission Meeting**

Community Development Department

Village Planner Report

Germantown, Wisconsin

Background

At the September 14, 2015 meeting, staff presented and the Plan Commission considered information regarding how surrounding municipalities dealt with the calculation of dwelling units allowed within a given development based on their own definition and use of the terms “net” and “gross” density, acres and/or lot area. Staff handed out a comparison table for the following municipalities (see Table 1 attached):

- Village of Menomonee Falls
- Village of Richfield
- Village of Sussex
- Village of Jackson
- City of Mequon
- City of Hartford
- City of West Bend

As discussed, many do not have specific definitions for these terms and, as a result, it's unclear exactly how development units are calculated and what, if any, “unbuildable” features (e.g. wetlands, floodplains, steep slopes, etc.) are or are not included in the calculation.

What is clear from our discussion is that our Zoning Code needs to be amended to clarify and address the issues raised regarding the calculation of development units allowed in a given development proposal and, in so doing, create definitions and/or procedures that are not arbitrary, ambiguous or left open for differing interpretations.

It was agreed that we need to amend various provisions in the Zoning Code that make the calculation of allowable development units consistent for all of the (13) residential zoning districts. Toward that end, staff recommended and the Plan Commission agreed to amend the Zoning Code to include the following definition of “Net Acre”:

Section 17.08(2a) of the Zoning Code is created to read as follows:

- 17.08(2a) Acre, Net.
 A measure of developable land area after excluding dedicated rights-of-way, surface water, delineated wetlands and 100-year floodplain areas.

The Plan Commission, in turn, recommended that the Zoning code be amended to include the following definition of "Gross Acre":

17.08(2b) Acre, Gross.

The total area of land within the perimeter of a development tract or parcel of land.

As a result of adopting a "Gross Acre" definition, and, to further clarify how "net acre" should be calculated, staff is recommending the following revisions to the definition of "Net Acre":

17.08(2a) Acre, Net.

A measure of developable land area computed by subtracting unbuildable features including: after excluding dedicated rights-of-way required for existing streets and highways, 100 percent of area in navigable water bodies, rivers and streams surface water, 100 percent of area in delineated wetlands, and 100 percent of area in the 100-year floodplain areas. Area subject to more than one unbuildable feature shall be subtracted only once.

It was also recommended by staff that, in order to take advantage of the design flexibilities for which they are intended, the Village needs to create a specific provision in our Planned Development District (PDD) regulations that enables the Village to increase density by some amount or percentage on a case-by-case basis given the size, location, type of development, quality of building materials, and type and amount of amenities proposed by a developer for a particular development.

Toward that end, staff recommended and the Plan Commission agreed to amend the Zoning Code to include the following language in the "Density" section of the PDD regulations:

Section 17.27(2)(d) of the Zoning Code is revised to read as follows where words that are ~~stricken~~ are to be deleted and words that are underlined are to be added:

17.27(2)(d) Density.

The Planned Development District may permit the transfer of density (dwelling units) from one portion of the subject site to another and will permit the clustering of dwelling units in one or more locations within the total site. ~~However, the density of use shall not exceed the density permitted in the underlying existing zoning district.~~ The Village may increase density, i.e. allowable development units greater than the amount allowed in the underlying zoning district, after considering the community benefits to be derived from the development based on the size, location, type of development, quality of building materials, and type and amount of aesthetic, architectural, and recreational features and amenities proposed for the development.

The Plan Commission tabled further discussion of the proposed PDD amendment until after the results of the Community Opinion Survey have been reviewed.

PLANNED DEVELOPMENT DISTRICT (PDD) DENSITY PROVISIONS & DENSITY DEFINITIONS

9/14/15 Plan Commission Meeting

Community Development Department

Village Planner Report

Germantown, Wisconsin

NOTE: THE FIRST SECTION OF THIS REPORT IS REPEATED FROM THE AUGUST 10, 2015 STAFF REPORT; INCLUDING SOME OF THE SAME ATTACHMENTS. NEW INFORMATION FOR CONSIDERATION BEGINS ON PAGE 4 AND IN THE ATTACHED TABLE 1.

Background

At their May 20, 2015 meeting, the Village Board's General Government & Finance Committee (GGF) discussed concerns raised by one of its members concerning: (1) the perceived use of Planned Development Districts (PDD's) by developers in order to manipulate and/or take advantage of the residential density provisions in our Zoning Code; and (2) the lack of a definition of (and prescribed method for calculating) "net density" in our current Zoning Code.

At their July 6, 2015 meeting, the Village Board also discussed these issues. It was generally concluded that the issue is more of a definition and calculation issue with respect to the determination of allowable "density" in a proposed residential development (and not so much the use of PDD's by developers to circumvent the Zoning Code).

At the conclusion of both meetings, direction was given to the Plan Commission and staff to bring the issues to the Plan Commission for further discussion, and, as a result, create a definition of (and method for calculating) "net density" as that term is used to determine the maximum number of residential dwelling units allowed in any given development proposal.

Village of Germantown Zoning Code: Some Basics

Zoning Code Administration and Interpretation. The Village's Zoning Administrator is responsible for the interpretation and administration of the Zoning Code. In addition, the Board of Zoning Appeals has various powers, including the power to: hear appeals for and grant variances, hear applications for and decide interpretations of the Zoning Code regulations, and hear and decide appeals when it is alleged that Zoning Administrator has erred in a given decision, interpretation or action.

General Zoning. Germantown's "general" Zoning Code (Section 17 of the Municipal Code of Ordinances) which is separate from the Village's Floodplain Zoning Code (Section 23) and the Shoreland-Wetland Zoning Code (Section 24), establishes a total of (27) different zoning districts. Each district contains a separate set of allowances for land uses (permitted, accessory and conditional) and a separate set of "bulk" requirements and limitations (e.g. minimum lot size, lot width, minimum building setbacks, maximum building

height or number of stories, maximum floor-area-ratios, minimum green/open space, minimum parking, etc.). Thirteen (13) of the Village's zoning districts regulate residential development, including: (7) single-family districts, (1) one & two-family district, (3) multi-family districts, (1) elderly housing district and (1) mobile home district (see Table 1).

For example, the Rs-3: Single-family District allows for "...single-family development in predominantly rural areas not served by municipal water and sewer at a density that does not exceed 1.0 dwelling units per net acre". The Rs-3 district also has a minimum lot size requirement of 1.0 acres.

Residential Density

In the context of land use planning, zoning and development, the term "density" is a basic measure of the amount of development within a given area. With respect to residential development, the term "density" typically refers to the ideal or maximum number of dwelling units allowed per acre of land in a particular area or zoning district. When taken together with the other "bulk" requirements and limitations in a given zoning district, "density" is one of many important factors that ultimately determines how intense a particular area or tract of land can be developed. Depending on the effect of the other "bulk" requirements and limitations that are applied in a given zoning district, the actual creation and development of the ideal or maximum number of dwelling units (based on the calculated density) may not be achieved.

$$\text{Residential Density} = \frac{\text{Number of Dwelling Units}}{\text{Land Area}}$$

$$\text{Number of Dwelling Units} = \frac{\text{Land Area}}{\text{Residential Density}}$$

While the basic equations for calculating "Residential Density" and the "Number of Dwellings Units" for a given development proposal appear simplistic, the key factor in each equation is "Land Area" and what areas or components of the land a community decides it will allow to be included in the "Land Area" factor for density calculation purposes.

While some communities choose to exclude or "discount" those areas or components of a development area that cannot reasonably be developed or used by the residents of a future development, such as public road rights-of-way or other areas dedicated for public use, some communities go so far as to exclude not only dedicated rights-of-way but other "unbuildable" areas or features, such as 100-year floodplains, wetlands, surface water, areas with steep slopes (>25%), environmental corridors, archeological sites, areas that are designated as or contain federal or state protected and endangered species, all public and private streets, and drainage basins.

Many communities go so far as to specifically define the terms “gross density” and “net density” in their zoning codes to make it clear how residential density is to be calculated and, conversely, how many dwelling units a particular development proposal would be allowed based on the site-specific features or characteristics of the land and what, if any, of those features need to be excluded or discounted when planning a new residential development.

As one might guess, “Gross Density” includes all of the land area within a given tract of land proposed for to be developed (regardless of use or purpose). “Net Density” typically includes only that land area devoted to residential uses and excludes whatever “unbuildable” land area or features the community decides will not be included or credited when calculating residential density (e.g. public rights-of-way, 100-year floodplains, delineated wetlands, surface water, steep slopes, environmental corridors, drainage basins, etc.

It’s important to point out that, whether or not a community chooses to include, exclude or discount these types of features and land uses when determining residential density is entirely up to that community; there is no federal, state, county or other jurisdiction, authority or professional organization requiring or even recommending what a community should choose to adopt and administer with respect to this issue.

Historically, the Village of Germantown has adopted different definitions (or none at all) with respect to regulating residential density over the last 35+ years. As was pointed out and discussed by the GGF Committee, the Village’s Zoning Ordinance that was adopted in November, 1978 (prepared by SEWRPC) contains definitions for the terms “Gross Density” and “Net Density” (see partial definition list enclosed). As one can see, the term “Net Density” as adopted in the old 1978 Zoning Ordinance included only “...the actual sites devoted to the residential use including buildings, the required yards and open space...”. The term “Gross Density” included all of the same land area and features included in “Net Density” plus “...the proportionate area devoted to all supporting land uses including streets, school sites, other public lands or unusable lands within the neighborhood...”.

For whatever reason, when the Village repealed the 1978 Zoning Ordinance and replaced it with the current Zoning Code (adopted in January, 1988), the new Zoning Code no longer contained definitions for “Gross Density” or “Net Density”, despite adopting residential zoning districts with density limitations based on a measurement of “dwelling units per net acre”. The term “net acre” is not defined in the current Zoning Code either.

Consequently, without a specific definition for these terms contained in the Zoning Code, administration of the Zoning Code with respect to the calculation of residential density and the number of allowable dwelling units has been made by the Zoning Administrator using what is (arguably) considered to be based on what he considers to be the typical application or general usage of those terms. Which is to say that the terms “net density” or “net acre” as used in the calculation excludes only those features or areas within a property or proposed development site that are required/proposed to be dedicated for a public purpose, i.e. road rights-of-way, parks, drainage basins, etc. Given the terms and

provisions contained in the current Zoning Code (or lack thereof), features or land areas that are considered to be “unbuildable”, such as floodplains, wetlands, steep slopes, environmental corridors, etc., are NOT excluded from the general calculation. Which is not to say that those “unbuildable” features are susceptible to actual development. On the contrary, by virtue of the Village’s Floodplain and Shoreland-Wetland Zoning Codes, floodplain areas and wetlands are protected from actual development. Moreover, the other “bulk” requirements in a particular zoning district (e.g. minimum lot size, lot width, minimum building setbacks, maximum building height or number of stories, maximum floor-area-ratios, minimum green/open space, minimum parking, etc.), will also play a role in determining how much development can occur within a particular development site.

Plan Commission Direction (August 10 PC Meeting)

Following a lengthy discussion of this topic on August 10, the Plan Commission directed staff to develop clear definitions of the terms “net acre” and “net density” for further consideration, and, collect information about how other, surrounding communities address this issue and use or define these terms.

Table 1 presents a summary of the definitions for the terms “net density”, “gross density”, “net acre”, “gross acre” and “lot area” taken from the zoning codes for the following seven (7) municipalities in the surrounding area:

- Village of Menomonee Falls
- Village of Richfield
- Village of Sussex
- Village of Jackson
- City of Mequon
- City of Hartford
- City of West Bend

As presented, while all of these municipalities use one or more of these terms in their zoning codes, many do not have specific definitions for these terms; not unlike the Village of Germantown. In some cases, the definitions are not clear in terms of how they are/can be used in the calculation of development units and what, if any, features (e.g. wetlands, floodplains, etc.) are/are not included in the calculation. In fact, the one term that is most important to the calculation of development units under the Germantown Zoning Code as well as some of the other municipalities, i.e. “net acre”, is not defined in 5 of the 7 municipalities surveyed (6 out of 8 if we include the Village of Germantown). The two communities that do define “net acre” (Hartford and Richfield) as NOT including “...lands devoted to access to the parcel or devoted to uses attendant to or provided for service to the parcels or residents thereof”. Clear as day...right? In addition, Hartford, Richfield and Jackson have definitions of “gross density” and “net density” that are similar to the definitions that used to be in Germantown’s “old” pre-1988 Zoning Code.

Other interesting items found in the other community codes include:

- Jackson has a specific provision that allows the use of floodway areas within the Cedar Creek Floodway District to meet lot area requirements of an adjoining district;
- West Bend has a specific provision that defines “developable land” as not including wetlands, floodplains, steep slopes, public right-of-way and park dedications, but, for purposes of determining density in multi-family residential districts defines “developable land” as the total lot area, or, 1.5 times the amount of “developable land”, whichever is less;
- Richfield has a rather mixed-bag of residential zoning districts that use “gross density” in the calculation of development units for some districts, “average gross” lot area and density in other districts, and “net acre” in another;
- Richfield has a “Cluster/Open Space” residential district that has an elaborate method of calculating development units spelled out, step-by-step, in their Zoning Code;
- Menomonee Falls doesn’t use “net density” or “gross density” in most of their residential zoning districts, relying on “lot area” and a definition of “net developable acres” to determine development units.

With regard to the issue of density within PDD/PUD’s, all seven communities have residential PUD/PDD regulations. Hartford and West Bend have residential PUD/PDD regulations that require the density of the PUD/PDD to “be consistent” with that of the underlying or former zoning district. Jackson, Mequon and Sussex have residential PUD/PDD regulations that allow for “...*flexibility of the overall development design and benefits from such design flexibility...while at the same time maintaining insofar as possible the land use density and other standards...in the underlying zoning district*”.

Richfield and Menomonee Falls had residential PUD/PDD regulations that are designed to “...*allow for increased density through greater utilization of the land in a more efficient manner*”.

While the zoning codes for these communities are the same and/or similar in many respects to Germantown’s Zoning Code, there are many differences and nuances that make it difficult to easily compare and explain... short of becoming an expert in each of the community Zoning Codes surveyed. Unfortunately, one thing that is fairly clear is that many community Zoning Codes contain provisions that fall into the “this is what it says-now let me tell you what it means” category. For that reason, it is not easily determined if/how each community actually enforces their zoning code provisions with respect to the issues of determining development units based on what, if any, features are included or excluded from the “net density” or “net acre” calculations.

In addition to the communities listed above and summarized in Table 1, I reached out to other community development professionals, planners and zoning administrators in the area through the American Planning Association (APA) Wisconsin Chapter “listserv” networking system. I asked the basic question about how they and/or their community defines these terms and generally handles the issue of determining development units allowed under their codes.

So far, the responses have been mixed and, in some cases, are opposite given different community goals and priorities. For example, I have one community response indicating that their policy to exclude wetlands, floodplains, steep slopes >20%, etc. from the calculation of development units is necessary to preclude developers from using those “unbuildable” areas to satisfy the minimum open space requirements under their residential PUD/PDD regulations. On the other hand, I have another community response indicating that a policy in their residential PUD/PDD regulations REQUIRES (i.e. “shall include”) unbuildable areas such as wetlands, floodplain, steep slopes, etc. to be included in the calculation of development units in order to “maximize open space...and give the developer the units needed to ensure success of the project”.

Need for Zoning Code Definitions & Text Amendments

From our discussion and comments received to date, it's clear that the Zoning Code needs to be amended to clarify and address the issues raised regarding the calculation of development units allowed in a given development proposal and, in so doing, define various terms and procedures in the Code. Like some of the other community zoning codes that have been reviewed, Germantown's Zoning Code has numerous provisions that are left for interpretation, make little if any sense and/or conflict with other provisions within the same code (for example: the phrase “acreage for density calculations shall be net of road dedications” appears in the same paragraph that states wetland and floodplain areas can be counted in the density calculation).

At this point in time, I believe that we need to amend various provisions in the Zoning Code that make the calculation of allowable development units consistent for all of the (13) residential zoning districts; and, create a provision in the PDD regulations that enable the Village to increase density to some amount or percentage on a case-by-case basis given the size, location, type of development, quality of building materials, type and amount of amenities proposed by a developer.

For purposes of initiating discussion, the following text amendments could be made to the Zoning Code (with whatever other "clean-up" amendments may be required to ensure consistency within the document):

Section 17.08(2a) of the Zoning Code is created to read as follows:

17.08(2a) Acre, Net.

A measure of developable land area after excluding dedicated rights-of-way, surface water, delineated wetlands and 100-year floodplain areas.

Section 17.27(2)(d) of the Zoning Code is revised to read as follows where words that are ~~stricken~~ are to be deleted and words that are underlined are to be added:

17.27(2)(d) Density.

The Planned Development District may permit the transfer of density (dwelling units) from one portion of the subject site to another and will permit the clustering of dwelling units in one or more locations within the total site. ~~However, the density of use shall not exceed the density permitted in the underlying existing zoning district.~~ The Village may increase density, i.e. allowable development units, up to an amount _____ percent greater than the amount allowed in the underlying zoning district, after considering the community benefits to be derived from the development based on the size, location, type of development, quality of building materials, and type and amount of aesthetic, architectural, and recreational features and amenities proposed for the development.

TABLE 1.
COMPARISON OF ZONING CODE DEFINITIONS & PUD PROVISIONS

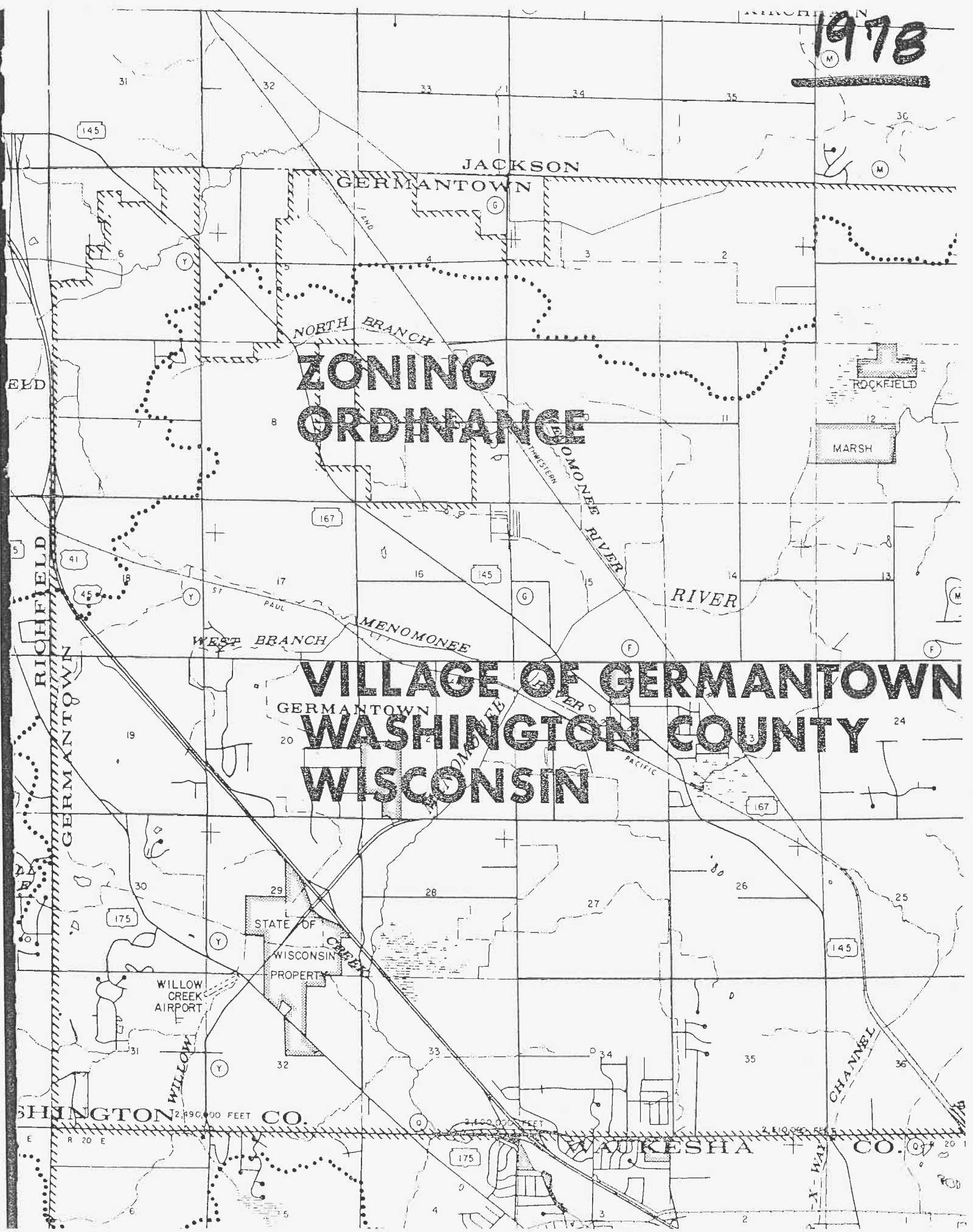
MUNICIPALITY	"Net Density"	"Gross Density"	ZONING CODE DEFINITIONS "Net Acre"	"Gross Acre"	"Lot" or "Lot Area"	PDD/PUD Comments	Other Comments
City of Hartford	Density, Net - Density is the area required for a residence divided into an acre (43,560 square feet). The result is expressed as "dwelling units per acre". Net areas, used in computing "net density" are the actual sites devoted to the residential use and consists of the ground floor area of the building plans, the required yards, and open space.	Density, Gross - Density is the area required for a residence divided into an acre (43,500 square feet). The result is expressed as "dwelling units per acre". Gross areas, used in computing "gross density" are the net area devoted to the residential use plus the proportionate area devoted to all supporting land uses, including streets, public lands or unusable lands, school sites, and commercial sites in a given neighborhood, section, quarter-section, or other area delineation.	Acre, Net - A parcel of land 43,560 sq. ft. in area and including no lands devoted to access to the parcel or devoted to uses attendant to or provided for service to the parcels or residents thereof.	Acre, Gross - A parcel of land 43,560 sq. ft. in area and including all lands devoted to access to the parcel or devoted to uses attendant to or providing for service to the parcels or residents thereof	Lot - For the purpose of this ordinance a lot shall be defined as a parcel of land on which a principal building and its accessory buildings are placed, together with the required open spaces; provided that no such parcel be bisected by a public street or other public or private right-of-way. No lands dedicated to the public or reserved for roadway purposes shall be included in the computation of lot size for the purposes of this ordinance.	Residential Planned Unit Development (PUD) such as cluster developments and detached condominiums. The district lot size and frontage and yard requirements may be varied provided that adequate space shall be provided so that the average intensity and density of land use shall be no greater than that permitted for the district.	
Village of Jackson	DENSITY, NET – Density is the area required for a residence divided into an acre (43,560 square feet). The result is expressed as "dwelling units per acre." Net areas, used in computing "net density" are the actual sites devoted to the residential use and consist of the ground floor area of the building plans, the required yards, and private drives.	DENSITY, GROSS – Density is the area required for a residence divided into an acre (43,560 square feet). The result is expressed as "dwelling units per acre." Gross areas, used in computing "gross density" are the net area devoted to the residential use plus the proportionate area devoted to all supporting land uses, including streets, public lands, or usable lands, school sites, and commercial sites in a given development.	None	None	LOT – For the purpose of this Code, a lot shall be defined as a parcel of land on which a principal building and its accessory building are placed, together with the required open spaces; provided that no such parcel be bisected by a public street, and shall not include any portion of a public right-of-way. No lands dedicated to Chapter 14 10 09/2010 the public or reserved for roadway purposes shall be included in the computation of lot size for the purpose of this Code.	Density. The former zoning classification of the area under consideration shall serve as the primary requisite in determining the density of dwelling units within the proposed P.U.D. unless it was found that a reduction or increase would be in the best interest of the Village. The density of residential development shall not be greater than the number of units permitted per acre on a total acreage basis and shall include wetlands, water bodies, storm water detention basins, dedicated park land, open space owned in common, etc. so as to maximize open space, wetlands, woodlands, and views, while giving the developer the units needed for the success of the project.	FLOODWAY LANDS ELIGIBLE FOR MEETING AREA REQUIREMENTS. Where a lot is located partially within the FW Cedar Creek Floodway District and partially within any adjoining use district, that portion of the lot in the FW Cedar Creek Floodway District may be utilized to meet the area requirements of the adjoining use district.

ZONING CODE DEFINITIONS

MUNICIPALITY	"Net Density"	"Gross Density"	"Net Acre"	"Gross Acre"	"Lot" or "Lot Area"	PDD/PUD Comments	Other Comments
City of West Bend	(45) DENSITY. Density is the number of dwelling units per acre of developable land. (46) DEVELOPABLE LAND. Developable land is the land area accommodating urban uses including buildings, yards and parking areas. The following land areas shall not be considered developable land - floodplains, wetlands, steep slopes of 15% or greater, public street right-of-way and public park land.	None	None	None	None	(c) That in the case of a proposed residential Planned Unit Development: The total net residential density within the Planned Unit Development Overlay District will be consistent with and not exceed the average intensity and density of development permitted in the underlying basic use district.	(c) Developable Land. For purposes of calculating allowed density in multifamily residential districts (RM-1, RM-2, RM-3, and RM-4), the area of a lot shall be the total area of the lot or one and one-half (1 1/2) times the area of developable land on the lot, whichever is less.
City of Mequon	Density means the number of dwelling units or housing structures per unit of land.	None	None	None	Lot area means the total square footage within the boundaries of a lot, excluding any street rights-of-way.	The PUD planned unit development overlay district under this chapter will allow for flexibility of overall development design with benefits from such design flexibility intended to be derived by both the developer and the community, while at the same time maintaining insofar as possible the land use density and other standards or use requirements as set forth in the underlying base zoning district.	Buildable area means the space remaining on a lot after the minimum open space, offset and setback requirements of this chapter have been complied with; excepting therefrom any floodplain, wetland, or similarly designated unbuildable lands.
Village of Sussex	None	None	None	None	Lot For the purpose of this Ordinance a lot shall be defined as a parcel of land on which a principal building and its accessory building are placed, together with the required open spaces, provided that no such parcel shall be bisected by a public street and should not include any portion of a public right-of-way. No lands dedicated to the public or reserved for roadway purposes should be included in the computation of lot size.	The PDO Overlay District under this Ordinance will allow for flexibility of overall development design with benefits from such design flexibility intended to be derived by both the developer and the community, while at the same time maintaining insofar as possible the land use density and other standards or use requirements set forth in the underlying basic zoning district	

ZONING CODE DEFINITIONS							
MUNICIPALITY	"Net Density"	"Gross Density"	"Net Acre"	"Gross Acre"	"Lot" or "Lot Area"	PDD/PUD Comments	Other Comments
Village of Richfield	Density is the area required for a residence divided into an acre (43,560 square feet). The result is expressed as "dwelling units per acre." Net areas, used in computed net density, are the actual sites devoted to the residential use and consists of the ground floor area of the building plans, the required yards, and open space.	Gross Density is the area required for a residence divided into an acre (43,560 square feet). The result is expressed as "dwelling units per acre." Gross area, used in computing gross density, are the net area devoted to the residential use, plus the proportionate area devoted to all supporting land uses, including street, public lands or unusable lands, school sites, and commercial sites in a given neighborhood, section, quarter-section, or other aerial delineation.	Net Acre: A parcel of land one acre in size and including no lands devoted to access to the parcel or devoted to uses attendant to or provided for service to the parcels or residents thereof.	None	A parcel of land on which a principal building and its accessory building are placed, together with the required open spaces; provided, that no such parcel be bisected by a public street or other public or private right-of-way and shall not include any portion of a public right-of-way. No lands dedicated to the public or reserved for roadway purposes shall be included in the computation of lot size for the purposes of this chapter.	Residential PUD: Density. For each 1.5% of the land reserved by open space easement or in an open space outlot as defined in chapter 66. One percent may be deducted from the gross density requirement per lot, but in no case below a minimum that produces 65,000 square feet (approximately 1.5 acres) of lot area net of existing and proposed streets and net of other dedications and reservation.	Density, gross as used in this section (net of existing highway rights-of-way, but inclusive of proposed new rights-of-way
Village of Menomonee Falls	none	None	None	Gross acres. Gross acres is the acreage within the perimeter of a development tract or parcel of land.	Lot means a single parcel of contiguous land abutting and having frontage on a public street, except in a planned residential development (PRD) district, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot area, yard parking area and other open space provisions of this chapter.	The PRD district is intended to allow for greater development flexibility and greater design freedom consistent with the most advanced development techniques in use today... In keeping with current economic considerations and the utilization of condominium laws, this PRD district is specifically intended to allow for increased density through greater utilization of the land and in a more efficient manner, and at a lower cost than by applying the now existing standards.	Net developable acres. Net developable acres (NDA) is computed by taking the gross site acreage and subtracting the following: 100 percent of acreage in existing road rights-of-way, 100 percent of acreage in access or utility easements, 100 percent of floodplains, 100 percent of wetlands, 100 percent of water bodies and watercourses, 100 percent of slopes 25 percent or greater, 50 percent of slopes 15 percent—24.9 percent.

1978



ZONING ORDINANCE

VILLAGE OF GERMANTOWN WASHINGTON COUNTY WISCONSIN

j. Channel

A natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow is that water which is flowing within the limits of the defined channel.

k. Conditional Uses

Uses of a special nature as to make impractical their predetermination as a principal use in a district.

l. Density, Net

Residential density is the area required for dwelling units expressed as "dwelling units per acre." Areas used in computing "net density" are the actual sites devoted to the residential use including buildings, the required yards, and open space and are then expressed as "dwelling units per net acre."

m. Density, Gross

Residential density is the area required for dwelling units expressed as "dwelling units per acre." Areas used in computing "gross density" are the net area devoted to the residential use plus the proportionate area devoted to all supporting land uses including streets, school sites, other public lands, or unusable lands within the neighborhood in which the dwelling units are located and are expressed as "dwelling units per gross acre."

n. District, Basic

A part or parts of the Village for which the regulations of this Ordinance governing the use and location of land and buildings are uniform (such as the Residential, Commercial, and Industrial District classifications).

o. Dwelling

A detached building designed or used exclusively as a residence or sleeping place. The term does not include boarding or lodging houses, motels, hotels, tents, or cabins.

p. Dwelling, Single-Family

A detached building designed for or occupied exclusively by one (1) family.

q. Dwelling, Two (2)-Family

A detached building containing two (2) separate single dwelling (or living) units designed for occupancy by not more than two (2) families.

r. Dwelling, Multiple-Family

A residential building designed for or occupied by three (3) or more families, with the number of families in residence not to exceed the number of dwelling units provided.

s. Equal Degree of Encroachment

The effect of any encroachment into the floodway must be computed by assuming an equal degree of hydraulic encroachment on the other side of a river or stream for a significant hydraulic reach. This computation assures that property owners up, down, or across the river or stream will have the same rights of hydraulic encroachment. Encroachments are analyzed on the basis of the

SUMMARY OF REQUIREMENTS FOR RESIDENTIAL USES IN ZONING DISTRICTS
IN GERMANTOWN, WISCONSIN

ZONING DISTRICT (Sections in Text)	PERMITTED USES		CONDITIONAL ^a USES	MAXIMUM DWELLING UNITS PER NET ^b ACRE	LOT REQUIREMENTS		YARD REQUIREMENTS			INDIVIDUAL DWELLING UNIT REQUIREMENTS						MINIMUM OFFSTREET PARKING SPACE	MINIMUM REQUIRED UTILITY SERVICE
	Principal	Accessory			Minimum Area	Minimum Width At Front Building Setback	Front Building Setback ^c (Minimum Front Yard)	Minimum Side Yard	Minimum Rear Yard	Minimum Total Floor Area					Maximum Principal Building Height		
										No Bedroom	One Bedroom	Two Bedroom	Three Bedroom	Four or More Bedrooms			
A-1 (17.0403)	General Agriculture (see text)	Farm dwelling, farm buildings (see text)	Agricultural related and second farm dwelling (see text)	0.029 (see text)	35.0 Acres	600 Feet	60 Feet	25 Feet	50 Feet	N/A	1,200 Square Feet	1,200 Square Feet	1,300 Square Feet	1,400 Square Feet	40 Feet	-- (see text)	Electricity
A-2 (17.0404)	General and Special Agriculture	(see text)	Agriculture processing (see text)	0.10	10.0 Acres	300 Feet	60 Feet	25 Feet	50 Feet	N/A	1,200 Square Feet	1,200 Square Feet	1,300 Square Feet	1,400 Square Feet	40 Feet	-- (see text)	Electricity
Rs-1 (17.0405)	Single Family Dwelling	Home occupations and keeping of certain pets (see text)	Raising of poultry, animals, and fish (see text)	0.20	5.0 Acres	300 Feet	45 Feet	30 Feet	35 Feet	N/A	1,200 Square Feet	1,300 Square Feet	1,500 Square Feet	1,700 Square Feet	35 Feet	--	Electricity
Rs-2 (17.0406)	Single Family Dwelling	Home occupations	Keeping of certain pets (see text)	0.50	2.0 Acres	220 Feet	45 Feet	25 Feet	35 Feet	N/A	1,200 Square Feet	1,300 Square Feet	1,500 Square Feet	1,700 Square Feet	35 Feet	--	Electricity
Rs-3 (17.0407)	Single Family Dwelling	Home occupations	PUD's (see text)	1.00	1.0 Acre	150 Feet	45 Feet	20 Feet	35 Feet	N/A	1,200 Square Feet	1,300 Square Feet	1,500 Square Feet	1,700 Square Feet	35 Feet	--	Public sanitary sewer and water service, electricity
Rs-4 (17.0408)	Single Family Dwelling	Home occupations	PUD's (see text)	2.18	20,000 Square Feet	110 Feet	40 Feet	20 Feet	35 Feet	N/A	1,200 Square Feet	1,300 Square Feet	1,500 Square Feet	1,700 Square Feet	35 Feet	--	Public sanitary sewer and water service, electricity
Rs-5 (17.0409)	Single Family Dwelling	Home occupations	PUD's (see text)	2.90	15,000 Square Feet	100 Feet	35 Feet	15 Feet	35 Feet	N/A	1,200 Square Feet	1,300 Square Feet	1,400 Square Feet	1,500 Square Feet	35 Feet	--	Public sanitary sewer and water service, electricity
Rs-6 (17.0410)	Single Family Dwelling	Home occupations	PUD's (see text)	3.48	12,500 Square Feet	90 Feet	30 Feet	12 Feet	35 Feet	N/A	1,100 1,200 Square Feet	1,200 1,300 Square Feet	1,300 1,400 Square Feet	1,400 1,500 Square Feet	35 Feet	--	Public sanitary sewer and water service, electricity
Rs-7 (17.0411)	Single Family Dwelling	Home occupations	PUD's (see text)	4.36	10,000 Square Feet	80 Feet	30 Feet	10 Feet	25 Feet	N/A	1,000 1,100 Square Feet	1,100 1,200 Square Feet	1,200 1,300 Square Feet	1,300 1,400 Square Feet	35 Feet	--	Public sanitary sewer and water service, electricity
Rd-1 (17.0412)	Two Family Dwellings	Home occupations	PUD's (see text)	4.84	18,000 Square Feet	120 Feet	40 30 Feet	10 Feet	30 Feet	N/A	900 Square Feet	1,120 Square Feet	1,220 1,120 Square Feet	1,220 Square Feet	35 Feet	500 Square Feet Per Unit	Public sanitary sewer and water service, electricity
Rd-2 (17.0413)	Two Family Dwellings	Home occupations	PUD's (see text)	5.81	15,000 Square Feet	100 Feet	40 30 Feet	10 Feet	30 Feet	N/A	800 900 Square Feet	900 1,120 Square Feet	1,000 1,120 Square Feet	1,000 1,220 Square Feet	35 Feet	500 Square Feet Per Unit	Public sanitary sewer and water service, electricity
Rm-1 (17.0414)	Multiple Family Dwellings	Home occupations	PUD's (see text)	6.00	0.5 Acre	120 Feet	35 Feet	25 Feet	35 Feet	400 Square Feet	650 Square Feet	800 Square Feet	1,000 Square Feet	1,000 Square Feet	35 Feet	500 Square Feet Per Unit (see text)	Public sanitary sewer and water service, electricity
Rm-2 (17.0415)	Multiple Family Dwellings	(see text)	PUD's and mobile home parks (see text)	10.00	0.5 Acre	120 Feet	35 Feet	25 Feet	35 Feet	400 Square Feet	650 Square Feet	800 Square Feet	1,000 Square Feet	1,000 Square Feet	45 Feet	500 Square Feet Per Unit (see text)	Public sanitary sewer and water service, electricity
Rm-3 (17.0416)	Multiple Family Dwellings	(see text)	PUD's and elderly housing (see text)	14.00	0.8 Acre	150 Feet	35 Feet	25 Feet	35 Feet	350 Square Feet	525 Square Feet	650 Square Feet	750 Square Feet	850 Square Feet	45 Feet	500 Square Feet Per Unit (see text)	Public sanitary sewer and water service, electricity

^aSee also Section 17.0500 of the text.

^bIncludes only individual lot area, and does not include public streets or highways.

^cImaginary line generally paralleling the public land access right-of-way.

NOTE: N/A indicates not applicable.

TABLE 1.

**VILLAGE OF GERMANTOWN
GENERAL ZONING CODE- RESIDENTIAL ZONING DISTRICT SUMMARY**

RESIDENTIAL ZONING DISTRICT	DENSITY (Maximum DU's per Acre)	LOT AREA (Minimum area per DU)	ROAD FRONTAGE/ LOT WIDTH (Minimum)	PRINCIPLE BUILDING SETBACKS (Minimum)
Rs-1, Single-Family Residential District	.2	5 Acres	300'	Front: 45', Side: 30', Rear: 35'
Rs-2, Single-Family Residential District	.5	2 Acres	220'	Front: 45', Side: 25', Rear: 35'
Rs-3, Single-Family Residential District	1.0	1 Acre	150'	Front: 45', Side: 20', Rear: 35'
Rs-4, Single-Family Residential District	2.2	20,000 SF	110'	Front: 40', Side: 20', Rear: 35'
Rs-5, Single-Family Residential District	2.9	15,000 SF	100'	Front: 35', Side: 15', Rear: 35'
Rs-6, Single-Family Residential District	3.5	12,500 SF	90'	Front: 30', Side: 12', Rear: 30'
Rs-7, Single-Family Residential District	4.4	10,000 SF	80'	Front: 30', Side: 10', Rear: 25'
Rd-2, One- and Two-Family Residential District	5.8	15,000 SF	100'	Front: 30', Side: 10', Rear: 25'
Rm-1, Multi-Family Residential District	6.0	7,260 SF	120'	Front: 35', Side: 25', Rear: 35'
Rm-2, Multi-Family Residential District	8.0	5,445 SF	120'	Front: 35', Side: 25', Rear: 35'
Rm-3, Multi-Family Residential District	10.0	4,356 SF	150'	Front: 35', Side: 25', Rear: 35'
EH Elderly Housing District	10.0 (avg)	10 Acres	100'	Front: 30', Side: 20', Rear: 30'
MHP Mobile Home Park Residential District	7.25	10 Acres	500'	Front: 100', Side: 40', Rear: 40'

Chapter 17.56 DENSITY COMPUTATIONS

Sections:

- 17.56.010 Purpose.
- 17.56.020 Density calculation.
- 17.56.030 Transfer of residential density.
- 17.56.040 Residential density transition.

17.56.010 Purpose.

The purpose of this chapter is to implement the comprehensive plan by establishing the criteria for determining the number of dwelling units permitted. (Ord. 2875 § 1.100.010, 2003)

17.56.020 Density calculation.

(1) Net development area, in acres, shall be determined by subtracting the following land area(s) from the gross acres, which is all of the land included in the legal description of the property:

(a) All sensitive land areas:

- (i) Land within the 100-year floodplain;
- (ii) Land or slopes exceeding 25 percent;
- (iii) Drainageways;
- (iv) Wetlands;
- (v) Fish and wildlife habitats;
- (vi) Archaeological sites;
- (vii) Federal or state protected areas for listed threatened or endangered species; and
- (viii) Designated open space and open space-design review areas;

(b) All land dedicated to the public for park purposes;

(c) All land dedicated for public right-of-way:

- (i) Single-dwelling units: allocate 20 percent of gross acres for public facilities; and
- (ii) Multiple-dwelling units: allocate 15 percent of gross acres for public facilities;

(d) All land proposed for private streets; and

(e) A lot of at least the size required by the applicable base zoning district, if an existing dwelling is to remain on the site.

(2) To calculate the net units per acre, divide the number of square feet in the net acres by the minimum number of square feet required for each lot by the applicable zoning district.

ties to rightful users and/or residents to defend themselves against intruders and criminal activity. (*California Planning Roundtable*)

■ **delicatessen** (See also *retail sales establishment, speciality*) An establishment where food is sold for consumption off-premises and no counters or tables for on-premises consumption of food are provided, but excludes groceries and supermarkets. (*Boulder, Colo.*)

■ **delivery service** (See *mail services*)

■ **demolition, partial** Any act or process that destroys or removes less than 75 percent of the exterior walls of a structure, improvement, or object. (*Oak Park, Ill.*)

■ **demolition permit** A permit that gives the applicant/owner the right to demolish a building and to ensure that no unsafe condition exists on the site when the demolition is complete. (*Edmonton, Alberta, Canada*)

■ **demolition waste** (See also *landfill, construction/demolition; solid waste*)



delivery service

■ **demolition** Any act or process that destroys in part or in whole a building or structure. (*Normal, Ill.*)

The razing or destruction, whether entirely or in significant part, of the exterior of a building, structure, or site. Demolition includes the removal of a building or structure from its site or the removal, stripping, concealing, or destruction of the facade or any significant exterior architectural features which are integral to the historic character of the resource, for whatever purpose, including new construction or reconstruction. (*Willistown Township, Pa.*)

Any dismantling, intentional destruction, or removal of public or private structures, sites, surfaces, utilities, or other improvements. (*Sedona, Ariz.*)

The tearing down or razing of 25 percent or more of a structure's external walls. (*Temple Terrace, Fla.*)

■ **demolition, complete** Any act or process that destroys or removes 75 percent or more of the exterior walls of a structure, improvement, or object. (*Oak Park, Ill.*)

Materials found in demolished buildings, roads, and other structures including but not limited to concrete, drywall, asphalt, wood, masonry, composition roofing, roofing, siding, structural metal, wire, insulation. (*Renton, Wash.*)

■ **density** (See also *intensity*) The number of dwelling units permitted per net acre of land. (*Coral Gables, Fla.*)



density

The number of dwelling units per gross area devoted to residential development. (*Baton Rouge, La.*)

The number of dwelling units per acre. (*Durham, N.C.*)

The number of dwelling units situated on or to be developed on a net acre (or smaller unit) of land, which shall be calculated by taking the total gross acreage and subtracting surface water, undevelopable lands (e.g., wetlands) and the area in rights-of-way for streets and roads. (*Muskegon, Mich.*)

The number of dwellings or principal buildings or uses permitted per net acre of land. Net acre of land shall not include land required for public streets. (*Mankato, Minn.*)

The number of dwelling units allowed on an area of land, which area of land may include dedicated streets contained within the development. (*North Liberty, Iowa*)

The permitted ratio of residential units to land area or the permitted ratio of building size to land area. (*Concrete, Wash.*)

■ **density, base** The maximum number of dwelling units permitted outright by a particular land-use classification. (*Island County, Wash.*)

The lot area per dwelling unit requirements stipulated in the district regulations. (*Ocean City, Md.*)

■ **density bonus** (See also *bonus provision; incentive zoning*) The allocation

of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity at the same site or at another location. (*California Planning Roundtable*)

The granting of the allowance of additional density in a development in exchange for the provision by the developer of other desirable amenities from a public perspective (e.g., public open spaces, plazas, art, landscaping, etc.). (*Peoria, Ill.*)

A minimum density increase of at least 25 percent over the maximum residential density. (*San Juan Capistrano, Calif.*)

Dwelling units or non-residential square footage permitted in addition to the permitted density or intensity within a zoning district. (*Concord, N.C.*)

■ **density bonus, housing** A legally binding agreement between a developer and the city to ensure that the requirements of [local affordable housing requirements] are satisfied. The agreement, among other things, shall establish: the number of target units, their size, location, terms, and conditions of affordability, and production schedule. (*San Juan Capistrano, Calif.*)

Those residential units granted pursuant to the provisions of [local affordable housing requirements] which exceed the otherwise maximum residential density for the development site. (*San Juan Capistrano, Calif.*)

■ **density, control of** A limitation on the occupancy of land. Density can be controlled through zoning in the following ways: use restrictions, minimum lot-size requirements, floor area ratios, land use-intensity ratios, setback and yard requirements, minimum house-size requirements, ratios comparing number and types of housing units to land area, limits on units per acre, and other means. Allowable density often serves as the major distinction between residential districts. (*California Planning Roundtable*)

■ **density, employment** A measure of the number of employed persons per spe-

cific area (for example, employees/_acre). (*California Planning Roundtable*)

■ **density, gross** The numerical value obtained by dividing the total number of dwelling units in a development by the gross area of the tract of land (in acres) within a development. This would include all nonresidential land uses and private streets of the development, as well as rights-of-way of dedicated streets; the result being the number of dwelling units per gross acre of land. (*Gurnee, Ill.*)

The total number of dwelling units divided by the total project area, expressed as gross dwelling units per acre. (*Maryland Heights, Mo.*)

The number of dwelling units within the gross area of a project divided by the total number of gross acres. (*Lake Elsinore, Calif.*)

The ratio of dwelling units per acre utilizing the full acreage of the parcel without subtracting areas dedicated to public or private roads, schools, parks, or similar public use and open space areas or hazard areas. (*Monterey County, Calif.*)

■ **density, maximum allowable** The number of dwelling units allowed on a parcel of land based upon the gross, overall area of the parcel without any consideration for land areas required for road rights-of-way, easements, and other non-residential uses. However, in using gross area to compute allowable dwelling units, the overall area of the parcel shall be adjusted by subtracting the area of any subparcel of unbuildable or submerged lands. In computing the maximum allowable density for any parcel, any fractional dwelling count shall be equal to zero dwelling units. (*Boca Raton, Fla.*)

■ **density, net** The result of: (a) dividing the total number of dwelling units existing on a housing site by the net area in acres; or (b) multiplying the net area in acres times 43,560 square feet per acre and then dividing the product by the required minimum number of square feet per dwelling unit. "Density" or "net density" is expressed as dwelling units per acre or per net acre. (*Growing Smart Legislative Guidebook*)

The numerical value obtained by dividing the total number of dwelling units in a development by the area of the actual tract of land (in acres) upon which the dwelling units are proposed to be located and including common open space and associated recreational facilities within the area; the result being the number of dwelling units per net residential acre of land. Net density calculations exclude rights-of-way of publicly dedicated streets and private streets. (*Gurnee, Ill.*)

The total number of dwelling units divided by the net project area. In determining net density, all land area associated with and accessory to the dwelling unit, including private streets and driveways, off-street parking facilities, and common open space and recreational facilities, shall be included in the calculation. Net density calculations exclude rights-of-way of publicly dedicated streets and nonresidential structures, land uses, and accessory facilities. (*Maryland Heights, Mo.*)

The number of dwelling units within a project divided by the number of net acres. (*Lake Elsinore, Calif.*)

The number of dwelling units per acre of land when the average involved includes only the land devoted to residential uses and excludes such areas as street rights-of-way, parks, common open space, and other similar uses. (*Trenton Township, Ohio*)

The number of residential dwelling units permitted per net acre of land and is determined by dividing the number of units by the total area of land within the boundaries of a lot or parcel not including street rights-of-way. In the determination of the number of dwellings to be permitted on a specific parcel of land, a fractional unit shall not entitle the applicant to an additional unit. (*Grand Chute, Wisc.*)

■ **density transfer** A way of retaining open space by concentrating densities—usually in compact areas adjacent to existing urbanization and utilities—while leaving unchanged historic, sensitive, or hazardous areas. In some jurisdictions, for example, developers can buy development rights of properties targeted for

VILLAGE OF GERMANTOWN
Public Hearing November 16, 2015
2016 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 2016 Budget will be held at 7:00 p.m. on November 16, 2015 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 2016 budget proposal is available for public inspection at the Germantown Village Clerk's Office, 8:00 a.m. - 4:30 p.m. Monday - Friday

	2015 Budget as Amended	2015 Estimated Year End	2016 Proposed	Percent Change Increase (Decrease) over prior budget
Revenues:				
Taxes (other than property taxes)	927,571	889,418	890,000	
Intergovernmental revenues	2,299,314	2,317,316	2,285,730	
Licenses and permits	797,640	879,384	821,930	
Fines, forfeits and penalties	224,500	216,990	217,000	
Public charges for services	1,535,462	1,540,262	1,583,736	
Miscellaneous	133,849	170,140	64,512	
Total Revenues	5,918,336	6,013,510	5,862,908	-0.94%
Expenditures:				
General government	1,577,356	1,495,283	1,765,518	
Public safety	6,971,010	6,957,041	6,988,547	
Public works	3,787,561	3,776,322	3,566,723	
Culture, recreation and education	2,501,207	2,503,259	2,592,270	
Conservation and development	297,220	228,883	236,584	
Transfers Out	600	600	600	
Total Expenditures	15,134,954	14,961,388	15,150,242	0.10%
Excess (deficiency) of revenues over expenditures	(9,216,618)	(8,947,878)	(9,287,334)	
Local property taxes	8,961,076	8,961,076	9,287,334	3.64%
Net increase (decrease) in fund balance	(255,542)	13,198	0	
Fund Balance - Beginning of Year	4,269,492	4,269,492	4,282,690	
FUND BALANCE - END OF YEAR	4,013,950	4,282,690	4,282,690	

Proposed Tax Levy	2015	2016	% Levy Change	\$ Amount
By Fund	Budget	Budget		Difference
GENERAL FUND	8,961,076	9,287,333	3.64%	326,257
DEBT SERVICE	2,205,941	2,486,502	12.72%	280,561
TOTAL LEVY	11,167,017	11,773,835	5.43%	606,818

VILLAGE OF GERMANTOWN
2016 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 2016, Tax Bill 2015

Fund	Total Revenue	Total Expenditure	Excess/Deficit	Projected Balance Jan 1	Projected Balance Dec 31	Property Tax Contribution
General Fund	15,150,242	15,150,242	0	4,282,690	4,282,690	9,287,334
Special Revenue (Combined)	56,228	31,969	24,259	272,112	296,371	
Impact Fees (All)	42,950	91,188	(48,238)	206,000	157,762	
Debt Service	4,522,008	4,791,385	(269,377)	764,007	494,630	2,486,502
Capital Projects	3,384,139	3,375,237	8,902	1,579,801	1,588,703	
T.I.F. District #4	1,359,000	2,563,209	(1,204,209)	3,326,322	2,122,113	
T.I.F. District #6	1,073,935	4,777,251	(3,703,316)	4,971,147	1,267,831	
Water Utility	2,508,718	2,746,510	(237,792)	1,879,100	1,641,308	
Sewer Utility	6,551,015	6,411,188	139,827	3,242,457	3,382,284	
Village Health Plan	1,826,850	1,826,850	0	927,079	927,079	
Village Dental Plan	107,750	107,750	0	25,502	25,502	
Total	36,582,835	41,872,779	(5,289,944)	21,476,217	16,186,273	11,773,836

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, 2015 is projected to be:

General Obligation Notes & Bonds	\$27,355,000
Utility Revenue Bonds	\$1,302,768
	\$28,657,768

	Impact Fee Budgets					
	2015	2016	Percent	2015	2016	Percent
	Revenue		Change	Expenditure		Change
Police	3,288	3,600	9.49%	0	0	0.00%
Fire	5,240	5,300	1.15%	26,000	26,000	0.00%
Library	3,175	5,250	65.35%	13,000	20,000	53.85%
Recreation	5,550	6,300	13.51%	0	0	0.00%
Water	10,000	20,000	100.00%	48,263	45,188	-6.37%
Total	27,253	40,450	48.42%	87,263	91,188	4.50%

VILLAGE OF GERMANTOWN

PROPERTY TAX LEVY

2016 BUDGET

DRAFT v

Public Hearing 11/16/15

TAX LEVY BY FUND	2015 BUDGET	2016 BUDGET	% CHANGE 2015-2016
GENERAL FUND	8,961,076	9,287,333	3.64%
DEBT SERVICE FUND	2,205,941	2,486,502	12.72%
CAPITAL PROJECTS FUND	0	0	#DIV/0!
HISTORIC PRESERVATION	0	0	#DIV/0!
TOTAL LEVY	11,167,017	11,773,835	5.43%

326,257

280,561

606,818

0

VILLAGE TAX RATE	4.97343	5.099422	2.53%
ASSESSED VALUE (WITHOUT TIF)	2,245,334,546	2,308,856,603	2.83%

99.3891301%

Tax Rate Difference	0.126
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2015 G/F Levy \$11,167,023

Less 2015 DS (Post 2005) (\$1,962,439)

\$9,204,584

0% Max or Growth 2015 \$276,966 *

** 2016 Debt Service Change \$2,293,138

State Allowable Limit \$11,774,687

9,288,186

New Loans Effective outside of Levy Limit

May 15, 2008 G.O. \$180,818

May 1, 2007 G.O. \$39,976

May 1, 2007 Prom Note \$176,375

April 15, 2006 G.O. \$311,100

May 18, 2011 G.O. \$265,275

March 27, 2012 G.O. \$263,898

March 27 2012 New Debt issue \$119,631

May 8, 2013 G.O. \$204,710

May 14, 2014 Refunding \$236,450

May 14 2014 G.O. \$199,900

March 24, 2015 G.O. \$348,508

2,346,641

Premium -\$53,503

2,293,138

DS Projections:

Existing DS 284,340 (Less new issues) (does not include special assmt loans) Total Village DS \$2,630,981.00

Impact Fee Reduction Fire (26,000) \$312,421

Impact Fee Reduction Library (20,000)

Debt Service Interest (5,000)

Blackstone Spec Assmt (39,976)

193,364

Home Value Yearly Increase

75,000 9.45

125,000 15.75

150,000 18.90

200,000 25.20

250,000 31.50

350,000 44.10

450,000 56.70

New Debt Difference	330,699
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Growth + New Debt Total 2015	607,664
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2015 Net New Construction -	3.009% *
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Amount not Used for 2015	\$67,980
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Amount less State Allowable Levy 2016	853
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IX. B
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X. A

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

MEETING DATE: November 16, 2015

AGENDA ITEM: Public Hearing & New Business (REZONING ORDINANCE & CERTIFIED SURVEY MAP)

ITEM TITLE: New Frontier Land Surveying, Agent for Brian & Kevin Kazmierczak, Property Owners; 18.78 acres located at N128 W21030 Holy Hill Road (Tax Parcel ID# 074-996); Rezoning Application & 2-Lot Certified Survey Map (CSM)

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

SUMMARY EXPLANATION:

Brian & Kevin Kazmierczak, property owners of an 18.78 acre parcel located on Holy Hill Road ½ mile east of US 41/45 is requesting approval of a rezoning and 2-lot Certified Survey Map (CSM) in order to create one (1) 5-acre parcel containing an existing farm dwelling and buildings. Kazmierczak owns a total of 186.7 acres surrounding and including the 18.78-acre parcel north of Holy Hill Road and east of USH 41/45.

The issue of needing to rezone the parcel from A-1 to Rs-1 was discussed with the owner and Plan Commission both wanting to leave the zoning A-1: Agricultural. Following the October 12 PC meeting, the Village Attorney has advised that the Village can/should not create a non-conforming parcel in the A-1 District (which requires a minimum 35 acres). Therefore, the proposed/required rezoning to Rs-1 is valid and needs to be approved in order to create the 5-acre parcel.

Staff's recommendation is to **DENY** both the rezoning and CSM land division due to the proposal being inconsistent with the 2020 Land Use Plan classification and future development contemplated under the LUP for this area.

ATTACHMENTS:

- ◆ 10/12/15 Staff Report
- ◆ 10/12/15 Plan Commission Meeting Minutes
- ◆ Draft Ordinance
- ◆ Preliminary CSM

PLAN COMMISSION RECOMMENDATIONS:

NOT APPROVE rezoning the proposed 5.0-acre Lot 2 from A-1: Agricultural to Rs-1: Residential and to leave the zoning A-1: Agricultural; and

APPROVE the proposed 2-lot Certified Survey Map subject to the following (2) conditions:

1. All requirements and technical corrections identified in the Village Surveyor's September 21, 2015 memo shall be addressed in a revised CSM prior to Village Board approval;
2. A note shall be included on the CSM indicating that "Lot 1 shall not be further divided or developed with any habitable structures until such time as soil evaluations indicating that the land can support on an on-site septic system have been submitted to the Village of Germantown (unless Lot 1 is served by municipal sanitary sewer).

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN ZONING CODE**
(Brian & Kevin Kazmierczak, Property Owners)

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

SECTION 1. That the zoning map of the Village of Germantown is amended by rezoning from the A-1: Agricultural District to the Rs-1: Single-family District the following described property:

Part of the W 1/2 of the SW 1/4 of the SE 1/4 of Section 7, T.9N., R.20E., Village of Germantown, Washington County, Wisconsin being more particularly described as follows:

Beginning at the South 1/4 corner of said Section 7, thence N 89°41'41"W, 348.38 feet; thence N2°21'50"W, 795.68 feet; thence S89°43'47"E, 344.56 feet; thence S1°34'09"E, 496.40 feet; thence N89°43'47"W, 167.67 feet; thence S2°21'50"E along the west line of CSM No. 1963, 323.89 feet; thence N89°41'41"W, 148.15 feet to the Point of Beginning. Said parcel contains 5.0 acres or 217,800 square feet more or less.

SECTION 2. That the zoning map of the Village of Germantown is amended by rezoning from the A-1: Agricultural District to the A-2: Agricultural District the following described property:

Part of the W 1/2 of the SW 1/4 of the SE 1/4 of Section 7, T.9N., R.20E., Village of Germantown, Washington County, Wisconsin being more particularly described as follows:

Beginning at the South 1/4 corner of said Section 7, thence N. 1 °33'39"W. along the west line of the SE 1/4, 1320.19 feet to the northwest corner of the SW 1/4 of the SE 1/4; thence S.89°37'32"E. along the north line of the SW 1/4 of the SE 1/4, 660.59 feet to the east line of the W 1/2 of the SW 1/4 of the SE 1/4; thence S.1 °34'09"E. along said east line, 499.19 feet; thence S89°43'47"W, 344.56 feet; thence S.2°21'50"E, 795.68 feet to the centerline of Holy Hill Rd. and the south line of the SE 1/4; thence N.89°41'41"W. along said centerline and south line, 348.38 feet to the Point of Beginning. Said parcel contains 13.443 acres or 5857,603 square feet more or less.

SECTION 3. 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: _____, 2015

Vote: Ayes: _____
 Nays: _____

Dean Wolter, Village President

ATTEST:

Barbara K. D. Goeckner, Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney
Published:

DRAFT

CERTIFIED SURVEY MAP (CSM) & REZONING

10/12/15 Plan Commission Meeting

New Frontier Land Surveying / Brian & Kevin Kazmierczak

Village Planner Report

Germantown, Wisconsin

Summary

New Frontier Land Surveying, agent for Brian & Kevin Kazmierczak, property owners of an 18.78 acre parcel located on Holy Hill Road ½ mile east of US 41/45 is requesting approval of a rezoning and 2-lot Certified Survey Map (CSM) in order to create one (1) 5-acre parcel containing an existing farm dwelling and buildings.

Location: N128 W21030 Holy Hill Road (½ mile east of US 41/45)

Property Owner/

Applicant:

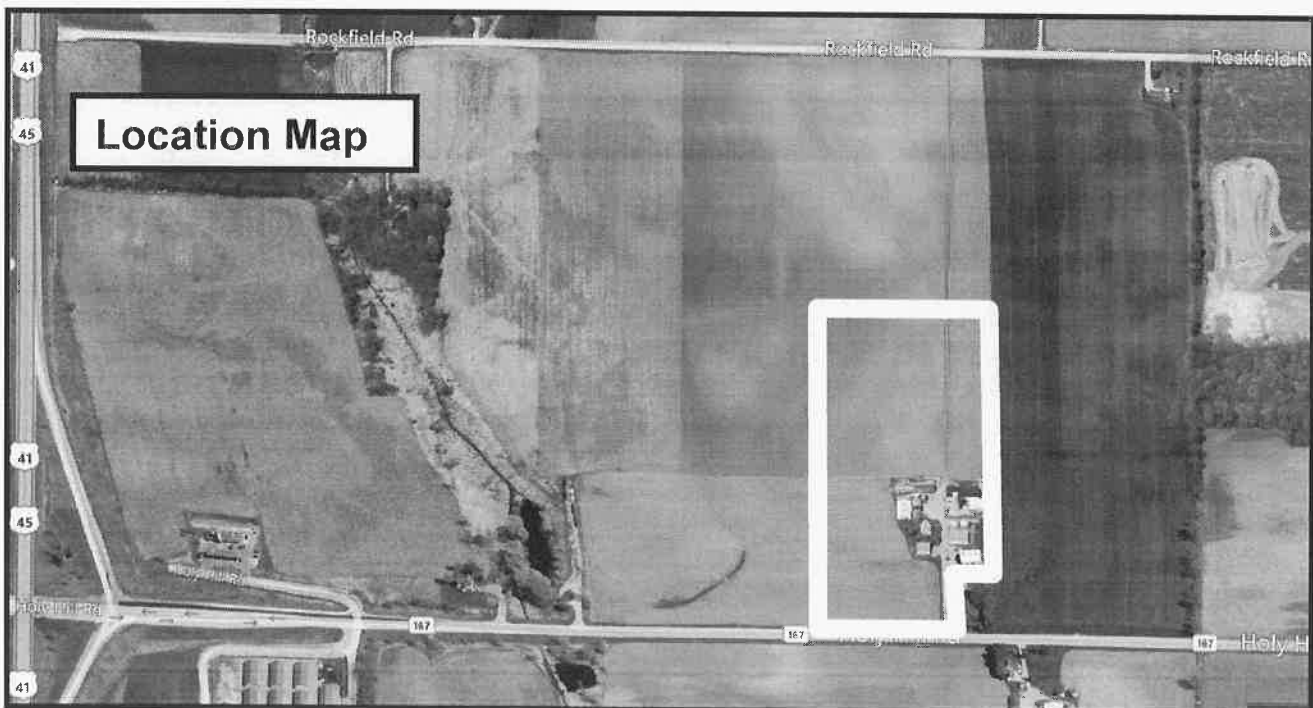
Brad Johnson
New Frontier Surveying
Beaver Dam, WI

Brian & Kevin Kazmierczak
W202 N11420 Merkel Drive
Germantown, WI

Current Zoning District: A-1: Agricultural

Proposed Zoning District: Rs-1: Single-family

Adjacent Land Uses		Zoning
North	Agricultural	A-1
South	Agricultural/Residential	A-1/Rs-2
East	Agricultural/Residential	A-1/Rs-2
West	Agricultural	A-1



Proposal

New Frontier Land Surveying, agent for Brian & Kevin Kazmierczak, property owners of an 18.78 acre parcel located on Holy Hill Road ½ mile east of US 41/45 is requesting approval of a rezoning and 2-lot Certified Survey Map (CSM) in order to create one (1) 5-acre parcel containing an existing farm dwelling and buildings. Kazmierczak owns a total of 186.7 acres surrounding and including the 18.78-acre parcel north of Holy Hill Road and east of USH 41/45.

Staff CommentsConsistency with Village's Land Use Plan.

The 2020 Land Use Plan map classifies portions of this property as "Mixed Use". The proposed Rs-1 rezoning for the 5-acre parcel is NOT consistent with the 2020 Land Use Plan.

As discussed in the Village's 2020 Land Use Plan, this particular "Mixed Use" area is intended to satisfy future development pressure resulting and/or associated with future development of the Holy Hill Road @ US 41/45 interchange. The following excerpt is from the Land Use Element of the 2020 Plan:

"Rather than allow for typical suburban development of "big-box" retailers and sterile auto-oriented apartment complexes at the intersection, the Village can create design guidelines, which will create a compatible mix of unique commercial uses and high-quality residential development. Site design guidelines can require pedestrian connections between uses, commercial buildings with high-quality architectural features, site plans which create a unique pedestrian environment while meeting the vehicular needs of store owners, and residential dwellings which provide high-quality amenities such as public plazas, sidewalks, individual entrances and parking in the rear of buildings. Near the Holy Hill Road interchange, the mixed use development can also allow for an efficient transition in use from the high intensity of regional commercial, to multi-family development, to single family development to the adjacent existing rural and agricultural land uses".

In 2010, the Village was presented with a 185-acre mixed-use development proposal called "Holy Hill Farms" (see attached aerial photo and conceptual plans). As shown on the Holy Hill Farms "Site Base Map" (i.e. aerial photo) and development plan, this 18.78-acre parcel and existing farm buildings are located near the center of the development site intended for the "Village Center" and "Community Open Space" areas.

While the proposal did not get any further through the development review process than a special meeting presentation to the Village's Committee of the Whole (after which it was withdrawn prior to going to the Plan Commission for consideration), it does represent the type of mixed-use development envisioned under the Village's 2020 Land Use Plan for this area. It is the opinion of staff that, if the proposed rezoning and land division were approved as proposed, the potential for creating a unified, mixed-use development similar to the Holy Hill Farms proposal would be seriously compromised. The creation of another isolated, residential parcel (in this case, a 5-acre parcel with

aging farm buildings) that may not be easily incorporated into a unified development plan, or, may result in future land use conflicts that might have been avoided by simply allowing this farm property to be used as such until such time as redevelopment of the overall area is carried out in the future with the type of uses and development envisioned under the Village's 2020 Land Use Plan.

Therefore, staff does NOT support the proposal to rezone and create a new 5-acre parcel in this location (or a separate parcel of any size). In the event that the rezoning and land division are denied, the property owner can continue to use the property as it is currently zoned (for agricultural purposes).

Conformance with Zoning District & Subdivision Requirements.

The proposed 5-acre parcel meets the requirements of the Rs-1 Zoning District. Soil evaluations have not been prepared given the intent to simply split off the existing farm dwelling and buildings on the 5-acre parcel (Lot 2). Because Lot 1 is not intended for development at this time, soil evaluations will not be required unless and until the parcel is proposed for development. Consequently, an additional note/restriction shall be placed on the CSM indicating that Lot 1 cannot be further divided or developed with any habitable structures until such time as soil evaluations indicating that the land can support on an on-site septic system have been submitted to the Village of Germantown (unless Lot 1 is served by municipal sanitary sewer).

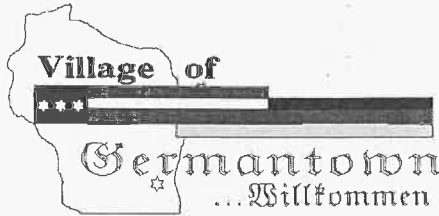
The Village Surveyor has identified a number of code requirements and technical corrections in a September 21, 2015 memo (copy attached) that will need to be addressed in a revised CSM prior to Village Board approval. Most notable is the need to dedicate a total of 60' for right-of-way north of and along Holy Hill road (vs. the 24'-39' shown).

Village Planner Recommendation

DENY the proposed A-1 to Rs-1 Rezoning for the proposed 5-acre parcel (Lot 2 on the proposed CSM);

DENY the proposed 2-lot Certified Survey Map (CSM) as drafted subject to the following conditions if the Plan Commission recommends APPROVAL:

1. All requirements and technical corrections identified in the Village Surveyor's September 21, 2015 memo shall be addressed in a revised CSM prior to Village Board approval;
2. A note shall be included on the CSM indicating that "Lot 1 shall not be further divided or developed with any habitable structures until such time as soil evaluations indicating that the land can support on an on-site septic system have been submitted to the Village of Germantown (unless Lot 1 is served by municipal sanitary sewer).



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner
CC:
From: Bob Beilfuss, PLS, Village Surveyor
Date: September 21, 2015
Re: Kazmierczak CSM

Jeff,

Here are my review comments for the CSM received 9-9-2015.

Certified Survey Map

Applicant or Owner: Brian Kazmierczak CSM
Land Surveyor/Firm: New Frontier Land Surveying LLC, Mark Tomashek, PLS
Current Zoning: A-1

1. No building setbacks shown. This property is requesting to be rezoned to R-1. The following setbacks need to be added to the map on Sheet 1 of 3:
Front: 45'
Side: 30'
Rear: 35'

There appears to be two (2) buildings located on Lot 2 that could be in violation of the building setbacks. However without dimensional ties from the buildings to the boundary line it is impossible to tell for certainty.

What we have done in the past in these type of cases of setback or right of way encroachments, is have the surveyor include a note on the face of the CSM indicating that should the buildings in question, become damaged or structurally unsafe, that the building be razed and rebuilt if need be, in a different location on the property that would be in compliance with current building setbacks

2. The ultimate right of way for north half of Holy Hill Road is 60' as measured from the South line of the Southeast $\frac{1}{4}$ of Section 7. We will need the 60' dedicated to the Village of Germantown for public road purposes on both Lot 1 and Lot 2.

As a result, the area for both lots will need to be recomputed and the individual boundary line dimensions will need to be adjusted. The north line of Lot 2 will need to be moved north to account for the 5 acre minimum lot size.

September 22, 2015

Also, the legal description in the Surveyor's Certificate will need to be adjusted to account for the change in right of way.

3. We assume the change in rezoning to RS-1 is for Lot 2 and Lot 1 would remain Agricultural zoning.

No further review comments.

Document Submittals and Data Conversion

As of October, 2005, the Village of Germantown requires a digital copy of all Certified Survey Maps, Condominium Plats and Subdivision Plats in addition to the documents as required by Wisconsin Statute and Village Ordinances as part of the land division approval.

Prior to Recording the Certified Survey Map, the professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2007 on compact disk (CD) or via email to the Village Surveyor.

All digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

The model space of the drawing will be done in Wisconsin State Plane Coordinate System, South Zone (NAD 1927 datum) and the Grid Bearing basis.

Prior to Recording the Certified Survey Map, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map. All boundary corners are to be clearly marked in the field by the professional land surveyor of record.

PLAN COMMISSION MINUTES

October 12, 2015

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 Bill Shadid, Tim Yokes, Mary Ellen Gray, Peter Nilles and Tony Laszewski were present. Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson were also present.

PUBLIC INPUT: None

PREVIOUS MINUTES: *MOTION Baum second Shadid to Approve the minutes from 9-14-15.*

MOTION carried unanimously.

Brian & Kevin Kazmierczak – N128 W21030 Holy Hill Road. The property owners of an 18.78 acre parcel located on Holy Hill Road ½ mile east of US 41/45 are requesting approval of a rezoning and 2-lot Certified Survey Map (CSM) in order to create one (1) 5-acre parcel containing an existing farm dwelling and buildings. Planner Retzlaff summarized the proposal. The staff recommendation is to deny the rezoning and the certified survey map because the proposal is inconsistent with the land use plan map and will make it difficult to develop into a mixed use development by fracturing the area and by creating a separate 5 acre parcel.

Brian Kazmierczak said he is selling this property to the farmer across the street for him to be able to store his machinery. He realizes the land has a greater use potential down the road and as a condition of the sale, he has a buy back provision with the buyer. If development occurs and he needs to buy the property back, it is something he will be able to do at any point. Discussion followed. Planner Retzlaff said the Village has no control over the buy back feature and asked what would preclude Mr. Kazmierczak from leasing the buildings to the farmer for his use. Mr. Kazmierczak said he does that now but does not want the tax or building liability. He said he would prefer to split off a smaller lot but the Village requires a 5 acre lot size in this area. Planner Retzlaff said he is eligible to petition for rezoning and land division consistent with the land use plan, but the area is classified as mixed use and is intended for non-residential uses and higher density multi family and single family. Chairman Wolter questioned if the property needed to be rezoned to Rs-1. He said the owner is stuck in our zoning code to create the 5 acre parcel. Planner Retzlaff reasoned that it didn't make sense to split off a separate parcel because a preferred, mixed used proposal may come in that would then need to work around the 5 acre tract. Mr. Kazmierczak said he doesn't want to create that kind of problem for future development either. Trustee Baum said he was satisfied with the buy back provision because the big picture is more valuable to the owner.

MOTION Baum second Shadid to Approve the proposed A-1 to Rs-1 Rezoning for the proposed 5-acre parcel (Lot 2 on the proposed CSM); and

Approve the proposed 2-lot Certified Survey Map (CSM) as drafted subject to the following conditions:

- 1. All requirements and technical corrections identified in the Village Surveyor's September 21, 2015 memo shall be addressed in a revised CSM prior to Village Board approval.***

- 2. A note shall be included on the CSM indicating that "Lot 1 shall not be further divided or developed with any habitable structures until such time as soil evaluations indicating that the land can support an on-site septic system have been submitted to the Village of Germantown (unless Lot 1 is served by municipal sanitary sewer)."**

Commissioner Shadid said he didn't understand the need for the rezoning. Planner Retzlaff explained the Village of Germantown has a zoning district requirement, but said the parcel could remain agricultural. Chairman Wolter said keeping the agricultural zoning would keep the property cleaner.

MOTION to Amend Shadid second Laszewski to leave the zoning at A-1.

Mr. Kazmierczak said he is doing everything possible to make sure someone can buy this property. Planner Retzlaff said he'd rather not create the future problem and avoid the remnant situation now.

MOTION to Amend carried. (6-1 Baum)

MOTION to Approve as Amended carried unanimously.

Henry & Julie Schlee – W148 N12455 Pleasant View Drive. The property owners of a 43.3 acre parcel have requested a consultation with the Plan Commission to discuss a potential 3-lot Certified Survey Map (CSM) and rezoning in order to create three (3) parcels. Because of the limited amount of frontage on Pleasant View Drive, the owner's only option is to pursue a shared driveway for the 3 parcels. Plan Commission should discuss if additional road right of way or road reservation should be required in the event Lovers Lane Road would be extended. Planner Retzlaff summarized the proposal. Mr. Schlee answered questions.

Plan Commission had the following comments and concerns:

- Trustee Baum would support a gravel driveway over 1200 sqft with a 30 foot diameter cul de sac at the end as requested by the owner. Mr. Schlee questioned where the cul de sac should be located because it is not known where the house will be.
- Is there a legal requirement to observe the 80' right of way that could have happened years ago. The road could be developed at some time in the future.
- A fire truck will not go down the driveway
- Leave the easement for the road – don't extend – leave it as is. Additional 7 foot road reservation not required.
- A 40 foot future road reservation should be shown on the CSM.

This item was a consultation. No action was taken.

Machining Concepts – W188 N12050 Maple Road. Germantown Realty Investments LLC, property owner, is requesting sign approval for the recently completed manufacturing facility. Planner Retzlaff summarized the proposal.

MOTION Baum second Yokes to Approve the proposed monument and directional signs for Machining Concepts located at W188 N12050 Maple Road.



Village of



Germantown

Willkommen

FEES MUST BE PAID AT TIME OF APPLICATION

- ☐ \$200 Plan Commission Consultation
- ☒ \$1,085 Rezoning
- ☐ \$1,240 PDD < 5 acres
- ☐ \$2,095 PDD 5-20 acre site
- ☐ \$3,460 PDD > 20 acre site

Date Paid: 9-8-15 Received by: [Signature]

REZONING & PDD APPLICATION

Pursuant to Section 17.51 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1 APPLICANT OR AGENT

NEW FRONTIER LAND SURVEYING

P.O. Box 576

BEAVER DAM, WI 53916

BRAD JOHNSON

Phone (920) 885-3904

Fax (920) 885-3905

E-Mail NEWFRONTIER@POWER.COM.WI

PROPERTY OWNER

BRIAN KAZMIERCZAK

KEVIN KAZMIERCZAK

W202 N11420 MEADOW DR.

GERMANTOWN, WI 53022

Phone (920) 960-4002

2 PROPERTY ADDRESS OR GENERAL LOCATION

SW1/4-SE1/4 - Sec. 7-9-20

HOLY HELL RD.

TAX KEY NUMBER

074996

3 REZONING REQUEST

FROM

A-1

TO

RS-1

4 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY - REQUIRED

Attach pages as necessary

SEE ATTACHED CSM.

5

PURPOSE OF REZONING REQUEST

Briefly describe why the applicant is rezoning the property. Include a description of the proposed use, including any new construction and number of employees, if applicable.

TO DEVELOP OFF A 5AC. PIECE OF
LAND WITH HOUSE AND OUTBUILDINGS.

6

SUPPORTING DOCUMENTATION:

- ☐ Plat of Survey (1:100)
- ☐ Site Plan and elevations for new construction (can be conceptual)
- ☐ _____
- ☐ _____

7

READ AND INITIAL THE FOLLOWING:

BT I understand that the Village is under no obligation to rezone property and that density and lot coverages provided in the Zoning Code are maximums. Actual build out will depend on myriad factors including topography and other natural conditions, surrounding neighborhood context and the detailed design of a project.

BT I understand that Village Staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request and failure to provide such information may in itself be sufficient cause to deny the petition.

BT I am aware that this rezoning shall go into effect immediately upon the final approval of the Village Board and its execution of the rezoning ordinance

8

SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

[Signature] 8/8/15
Applicant Date

[Signature] 8/8/15
Owner Date



Village of

Germantown

Willkommen

Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid \$ Date 9-8-15

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1 APPLICANT OR AGENT

NEW FRONTIER LAND SURVEY, INC.

P.O. Box 576

BEAVER DAM, WI 53916

BRAD THOMPSON

Phone (920) 885-3964

Fax (920) 885-3905

E-Mail NEWFRONTIER@POWERCOM.NET

PROPERTY OWNER

BREAN KAZMIERCZAK

KEVIN KAZMIERCZAK

W202 N11420 MERCEL DR.

GERMANTOWN, WI 53022

Phone (920) 960-4002

2

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

SECTION 7-9-20 SW 1/4 - SE 1/4

074996

Hwy 424 RD.

3

PURPOSE OF LAND SPLIT

<u>DEVELOP OFF BUILDINGS</u>	Will the land split require rezoning?	
	<u>YES</u>	
	From <u>A-1</u>	To <u>RS-1</u>

4

READ AND INITIAL THE FOLLOWING:

BT

I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.

BT

I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.

BT

I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

BT

I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

5

SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Applicant

Date

Owner

Date

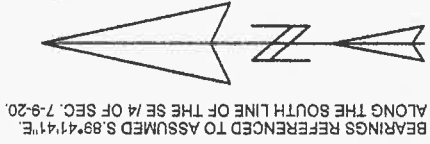
NEW FRONTIER
LAND SURVEYING LLC.
P.O. BOX 576- BEAVER DAM, WI 53916
PH (920-885-3904) FAX (920-885-3905)

CERTIFIED SURVEY MAP NO. _____

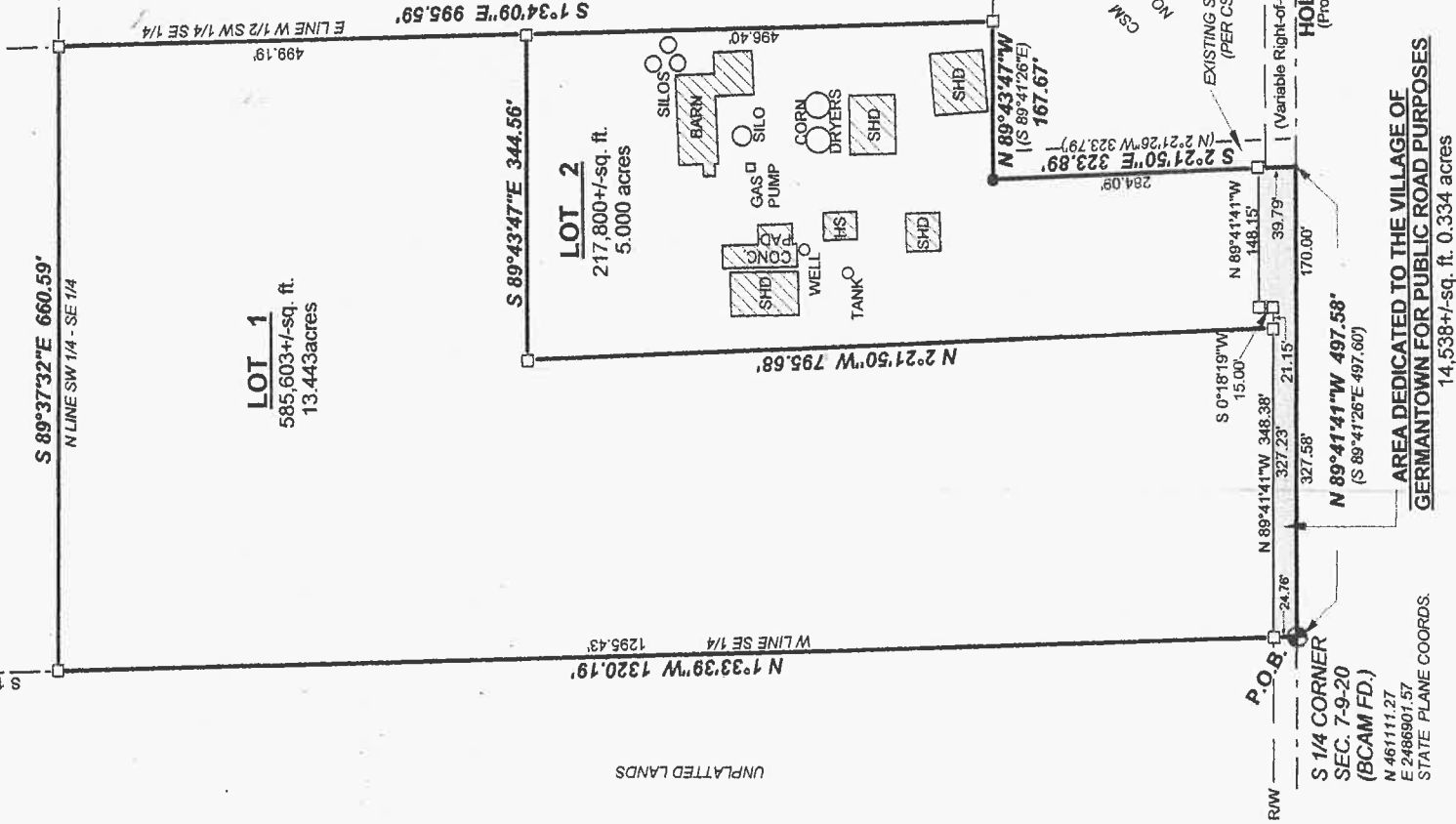
A SURVEY OF A PART OF THE E1/2 OF THE NORTHWEST 1/4 OF
SECTION 14, TOWN 7 NORTH, RANGE 16 EAST, TOWN OF CONCORD,
JEFFERSON COUNTY, WISCONSIN.

CENTER
SEC. 7-9-20
(BCAM FD.)
N 463750.67
E 2486629.65
STATE PLANE COORDS.

OWNER/SUBDIVIDER
BRIAN & KEVIN KAZMIERCZAK
W202 N11420 MERKEL DR.
GERMANTOWN, WI 53022



BEARINGS REFERENCED TO ASSUMED S. 89°41'14"E
ALONG THE SOUTH LINE OF THE SE 1/4 OF SEC. 7-9-20.



LEGEND

- 3/4" X 18" REBAR SET
WEIGHING 1.50lbs/ft.
- IRON PIPE FOUND
- ⊙ WASHINGTON COUNTY SURVEY
MONUMENT AS SHOWN
- () RECORDED

TOTAL AREA

817,941 +/- sq. ft.
18.777 acres

Dated this _____ day of _____, 2015

Mark R. Tomashek WI PLS S-2340
New Frontier Land Surveying, LLC.
Beaver Dam, Wisconsin
If the surveyors stamp is not RED in color,
this instrument is not an original document.

NEW FRONTIER
LAND SURVEYING LLC.
P.O. BOX 576- BEAVER DAM, WI 53916
PH (920-885-3904) FAX (920-885-3905)

CERTIFIED SURVEY MAP NO. _____

A SURVEY OF A PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF
THE SOUTHEAST 1/4 OF SECTION 7, TOWN 9 NORTH, RANGE 20 EAST,
VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, Mark R. Tomashek, Professional Land Surveyor of the State of Wisconsin, do hereby certify that I have made a survey under the direction of Brian Kazmierczak, agent and owner, of a part of the W 1/2 of the SW 1/4 of the SE 1/4 of Section 7, T.9N., R.20E., Village of Germantown, Washington County, Wisconsin being more particularly described as follows:

Beginning at the South 1/4 corner of said Section 7, thence N.1°33'39"W. along the west line of the SE 1/4, 1320.19 feet to the northwest corner of the SW 1/4 of the SE 1/4; thence S.89°37'32"E. along the north line of the SW 1/4 of the SE 1/4, 660.59 feet to the east line of the W 1/2 of the SW 1/4 of the SE 1/4; thence S.1°34'09"E. along said east line, 995.59 feet to the north line of Certified Survey Map No. 1963; thence N.89°43'47"W. along said north line, 167.67 feet to the west line of said Certified Survey Map No. 1963; thence S.2°21'50"E. along said west line, 323.89 feet to the centerline of Holy Hill Rd. and the south line of the SE 1/4; thence N.89°41'41"W. along said centerline and south line, 497.58 feet to the Point of Beginning.

Said parcel contains 18.777 acres or 817,942 square feet more or less.

I further certify that this map is a correct representation of all exterior boundaries and interior divisions thereof according to official records and that I have complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the Subdivision Ordinance of the Village of Germantown in surveying and mapping the same to the best of my knowledge and belief.

Dated this _____ day of _____, 2015

Mark R. Tomashek WI PLS S-2340
New Frontier Land Surveying, LLC
at Beaver Dam, Wisconsin

*If the surveyors stamp is not Red in color,
this instrument is not an original document*

VOLUME _____

PAGE _____

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 _____, 2015

Dean Wolter, Chariman	_____	Date
Lori Johnson, Secretary	_____	Date

VILLAGE OF GERMANTOWN BOARD APPROVAL:

This Certified Survey Map, being a division of the West 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 7, 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 the dedication of that part of Holy Hill Road for public road purposes shown on Sheet 1 of 3 is hereby accepted by the Village Board of Trustees of the Village of Germantown on this _____ day of _____, 2015

Dean Wolter, Chariman	_____	Date
Barbara Goeckner, Clerk	_____	Date

**NEW FRONTIER
LAND SURVEYING LLC.**
P.O. BOX 576- BEAVER DAM, WI 53916
PH (920-885-3904) FAX (920-885-3905)

CERTIFIED SURVEY MAP NO. _____

A SURVEY OF A PART OF THE W ½ OF THE SOUTHWEST 1/4 OF THE SOUTHEAST OF SECTION 7, TOWN
9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

OWNER'S CERTIFICATE OF DEDICATION:

Brian and Kevin Kazmierczak, as owner do hereby certify that have caused the land described on
this plat to be surveyed, divided, mapped and dedicated as represented on this plat and this plat is
required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

1. Village of Germantown

WITNESS the hand and seal of said owners this _____ day of _____, 2015

IN PRESENCE OF:

Brian Kazmierczak, Owner

Kevin Kazmierczak, Owner

STATE OF WISCONSIN)
WASHINGTON COUNTY)SS

Personally came before me this _____ day of _____, 2015 the above named Brian Kazmierczak
Kevin Kazmierczak to me known to be the persons who executed the foregoing instrument and
acknowledge the same.

Notary Public, _____ County, WI

My Commission Expires: _____

CONSENT OF MORTGAGEE:

BMO Harris Bank, a Wisconsin Corporation, Mortgagee of the land described and represented on
this map, does hereby consent to the surveying, dividing, mapping and dedication of said land, and
does hereby consent to the certificate of the owner. In witness whereof, the said BMO Harris Bank,
has caused these present to be signed by _____, its _____, and
by _____, its _____, at Appleton, Wisconsin and it's Corporate
Seal to be hereunto affixed, on this _____ day of _____, 2015

In the Presence of: _____

STATE OF WISCONSIN)
OUTAGAMIE COUNTY) SS

Personally came before me this _____ day of _____, 2015, the above named _____,
and _____, to me known to be the persons who executed the foregoing instrument
and acknowledged the same.

Notary Public, _____ County, WI

My Commission Expires: _____

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

IX. C
+
X. C

MEETING DATE: November 16, 2015

AGENDA ITEM: Public Hearing & New Business **(Conditional Use Permit)**

ITEM TITLE: Tim Preuninger, Agent for Gehl Foods LLC, Property Owner;
Proposed Amendment to Conditional Use Permit No. 5-01
Regarding Trucking Activity at the Warehouse located at W160
N11736 Crusader Court (Tax Parcel ID# 221-963)

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

SUMMARY EXPLANATION:

Tim Preuninger, agent for Gehl Foods, Inc., is requesting approval of an amendment to Conditional Use Permit #5-01 issued to Gehl Foods for the warehouse facility at W160 N11736 Crusader Court. CUP #5-01 was granted in June, 2001 with a condition that limits "trucking activity" between the hours of 7:00 am to 6:00 pm.

Gehl Foods is requesting that condition #6 be amended to extend the hours available for trucking activity between the hours of 6:00 am to 10:00 pm.

ATTACHMENTS:

- ◆ 11-9-15 Staff Report
- ◆ 11-9-15 Plan Commission Meeting Minutes
- ◆ Application, plans & photos

PLAN COMMISSION RECOMMENDATION:

Motion to **APPROVE** the request to amend Condition #6 in CUP #5-01 to extend the time period within which truck activity can occur from 6:00 am to 10:00 pm failed on a 3-3 vote.

CONDITIONAL USE PERMIT AMENDMENT

11/9/15 Plan Commission Meeting

Gehl Foods, Inc. (formerly Gehl Guernsey Farms, Inc.)

Village Planner Report

Germantown, Wisconsin

Summary

Tim Preuninger, agent for Gehl Foods, Inc., is requesting approval of an amendment to Conditional Use Permit #5-01 issued to Gehl Foods for the construction and operation of a 108,000 sqft warehouse facility at W160 N11736 Crusader Court.

Location: W160 N11736 Crusader Court

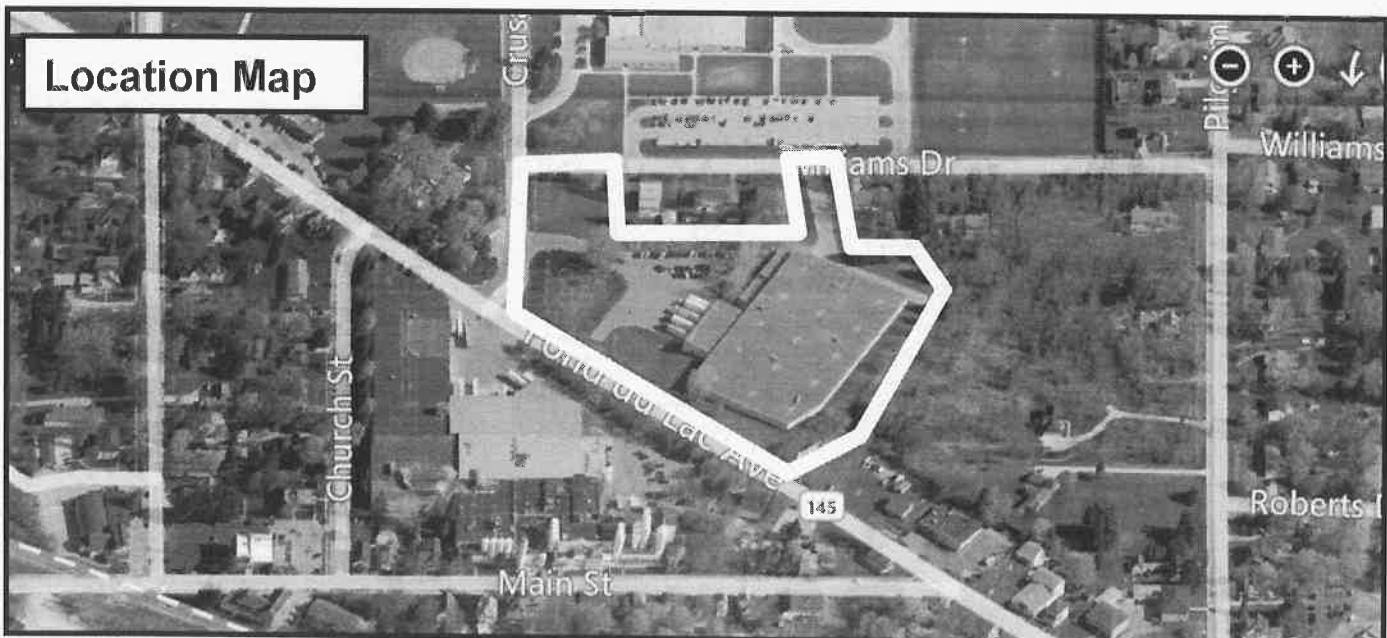
Applicant/ Property Owner:

Tim Preuninger, CFO
Gehl Foods, Inc.
N116 W15970 Main Street
Germantown, WI 53022

Current Zoning: B-3: General Business District

Adjacent Land Uses		Zoning
North	Institutional/Residential	I/Rd-2
South	Industrial	M-1
East	Residential	Rs-3
West	Commercial/Residential	B-3

Location Map



Background/Proposal

Tim Preuninger, agent for Gehl Foods, Inc., is requesting approval of an amendment to Conditional Use Permit #5-01 issued to Gehl Foods for the construction and operation of a 108,000 sqft warehouse facility at W160 N11736 Crusader Court.

CUP #5-01 was granted to Gehl Foods (formerly Gehl Guernsey Farms, Inc.) in June, 2001 (copy attached). Condition #6 limits "trucking activity" between the hours of 7:00 am to 6:00 pm.

As detailed in the CUP application and supporting documents, Gehl Foods is requesting that condition #6 be amended as follows to extend the hours available for trucking activity:

"The trucking activity will be active only between the hours of 6:00 7:00 a.m. and 10:00 6:00 p.m."

Gehl's indicates that with the extended trucking hours, the warehouse facility will operate under the same, noise-related Village code provisions that apply to other businesses in Germantown while avoiding the downtime, loss of productivity, and higher costs resulting from the existing time limitation.

As discussed in detail in the supporting documents, Gehl's indicates that the benefits of being able to operate from 6:00 am to 10:00 pm will include:

- Improved efficiency
- Reduced costs
- Better able to meet the needs of customers
- Reduced congestion and idling time for trucks (and in turn, reduced noise and exhaust emissions)
- Company growth (and in turn, increased tax revenue, higher employment, and a stronger local economy)

Staff Analysis/Comments

Gehl Foods first approached the Village with the idea of building/operating the Crusader Court facility in March, 2001. At their initial consultation with the Plan Commission on March 21, 2001, the facility's hours of operation and potential truck activity was discussed. Gehl Foods representatives indicated that the operation would likely include two shifts with truck activity occurring between the hours of 7:00 am to 4:30 pm. Ultimately, this statement became the basis for the Plan Commission recommendation that truck activity be limited to the hours of 7:00 am to 6:00 pm. At the June 18, 2001, public hearing and Village Board meeting, hours of operation, truck traffic and idling, landscape buffering from the adjacent residential/school area, improvements to FDL Avenue, and the installation of sidewalks was discussed. The Village Board considered different beginning and ending times for the truck activity time period, e.g. 8:00 am vs. 7:00 am, and, 4:00 pm vs. 6:00 pm), but eventually approved CUP #5-01 with the recommended and current 7:00 am to 6:00 pm restriction (see June 18, 2001 meeting minutes).

The Village Code does not establish a specific “quiet time” period for businesses like Gehl Foods. Section 9.07 (Public Peace & Good Order) does establish a 10:00 pm to 6:00 am “quiet time” affecting the playing of loud music, amplifiers, construction-related noise, and powered garden/lawn equipment, as well as, a general prohibition of “loud and unnecessary noise”. Section 17.47 (Zoning) establishes certain performance standards that apply to all businesses in the Village, including a set of specific noise criteria (measured at the property line) for industrial districts and a set for all other districts. For practical purposes, the noise level for all business uses in a B-3 District is limited to a maximum of 72 decibels...at any time (and not limited to any particular am-to-pm time period). This is the only specific noise standard that applies to all businesses in all zoning districts in the Village.

To date, the Police Department has received two (2) truck-related noise complaints associated with the Gehl Foods Crusader Court facility; one in 2008 and the other in 2009. No other complaints of any nature have been received since that time.

Given the above, staff supports the request to amend Condition #6 to allow trucking activity during the time period from 6:00 am to 10:00 pm. It would appear that an extended time period would provide Gehl Foods the flexibility needed to improve efficiency, reduce costs, take advantage of the opportunity for business growth and the benefits associated with such growth, AND reduce truck congestion, idling time, noise and emissions.

Village Planner Recommendation

APPROVE the Gehl Foods, Inc. request to amend Condition #6 in CUP #5-01 for the warehouse facility located at W160 N11736 Crusader Court subject to extend the time period within which truck activity can occur on the property to be 6:00 am to 10:00 pm.



Village of

Germantown
Willkommen

Fee must accompany application

\$1460 Paid 8 Date 10-8-15

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1 APPLICANT OR AGENT

Gehl Foods, LLC (f.k.a. Gehl Foods, Inc. and Gehl Guernsey Farms, Inc.)

Attention: Tim Preuninger, CFO

W160 N11736 Crusader Court

Germantown, WI 53022

Phone (262) 251-8572 x184

Fax (262) 250-6862

E-Mail tpreuninger@gehlfoods.com

PROPERTY OWNER

Gehl Foods, LLC (f.k.a. Gehl Foods, Inc. and Gehl Guernsey Farms, Inc.)

Attention: Tim Preuninger, CFO

W160 N11736 Crusader Court

Germantown, WI 53022

Phone (262) 251-8572 x184

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

Gehl Foods, LLC (f.k.a. Gehl Foods, Inc. and Gehl Guernsey Farms, Inc.)

3 PROPERTY ADDRESS

W160 N11736 Crusader Court, Germantown, WI 53022

TAX KEY NUMBER

GTNV 211-963

4 DESCRIPTION OF EXISTING OPERATION

Briefly describe the use as it exists today, including use, size, number of employees, hours of operation, etc. If this permit involves new construction, describe the current status of the property, e.g. "vacant." Use additional pages if necessary.

The property is currently being operated as a warehouse and indoor storage facility, pursuant to Conditional Use Permit #5-01. CUP#5-01 was granted by the Village Board of the Village of Germantown on June 18, 2001, and contains several conditions. Pursuant to condition #6: "The trucking activity will be active only between the hours of 7:00 a.m. and 6:00 p.m." (Continued on another page.)

5 DESCRIPTION OF PROPOSED OPERATION

Write the name of the proposed conditional use exactly as it appears in the Municipal Code.

The proposed conditional use remains as described in CUP#5-01 with one change. (Continued on another page.)

Describe the proposed use, including size, number of employees, hours of operation and extent of any new construction/alterations.

Gehl Foods respectfully submits this application to change condition #6 of CUP#5-01 to read: "The trucking activity will be active only between the hours of 6:00 a.m. and 10:00 p.m." (Continued on another page.)

ADDITIONAL PAGE(S) FOR APPLICATION
OF
GEHL FOODS, LLC
(FORMERLY KNOWN AS GEHL FOODS, INC. AND GEHL GUERNSEY FARMS, INC.)

4. DESCRIPTION OF EXISTING OPERATION

(Continued from a previous page.)

The property also has office space attached to the warehouse and indoor storage facility. Attached is a satellite image of the property, entitled "Aerial View of W160 N11736 Crusader Court."

Gehl Foods has approximately 45 employees working at W160 N11736 Crusader Court. The majority of them work the first shift (arriving generally after 5:00 a.m.) and two of them work the second shift (arriving generally after 2:00 p.m.) The majority of these employees do not work on the weekends.

Trucks are only permitted during the hours of 7:00 a.m. and 6:00 p.m. To enforce this restriction, outside deliveries are generally scheduled for loading and unloading between the hours of 8:00 a.m. and 4:00 p.m., and receiving of non-Gehl trucks generally closes after the 4:00 p.m. appointment has been (un)loaded. Some outside deliveries arrive on weekends, but most occur during the week. Gehl Foods has installed a gate that gets closed after most of the employees have left the building, generally by 6:15 p.m. If an employee needs to come or go from the parking lot after that time, (s)he opens the gate with an electronic key and closes the gate after passing through it. Otherwise the gate doesn't get opened again until the following morning at 7:00 a.m. Please see the attached photographs entitled "Entrance and Signage" for pictures of the gate and adjacent signage. These signs say: "ATTENTION TRUCK DRIVERS this Lot Closed Until 7:15 AM Park at Main Plant to the South" and "Drivers Please Do Not Park Here Before 7:15 am Please Park in the South Lot across Hwy. 145 / Fond du Lac Ave."

In addition to these signs, in the vicinity of the facility, the Village has designated certain stretches of Fond du Lac Avenue as "No Parking." Please see the attached photographs and map entitled "No Parking Signs and No Parking Areas on Fond du Lac Avenue".

Approximately 75-100 trucks (un)load at the facility each week, and Gehl Foods attempts to spread out the appointments across the week so that typically 15-20 trucks (un)load at the facility each day. These include approximately 10-15 shuttles each day between the facility and another Gehl Foods' location.

5. DESCRIPTION OF PROPOSED CONDITIONAL USE

(Continued from a previous page.)

Specifically, CUP#5-01 allows for "a warehouse and indoor storage (approximately 108,000 square feet) in accordance with Section 17.30(3)(ff) of the Municipal Code" with some conditions. One of those conditions (condition #6) limits trucking activity, allowing it to be active only between the hours of 7:00 a.m. and 6:00 p.m. The proposal is to amend condition #6 to allow trucking activity to be active only between the hours of 6:00 a.m. and 10:00 p.m.

5. DESCRIPTION OF PROPOSED OPERATION

(Continued from a previous page.)

No new construction or physical alterations will be made.

Gehl Foods needs expanded hours to meet current requirements of customers, to improve efficiency and to reduce costs. Gehl Foods is an exciting, high growth business and one of the largest and most prestigious low-acid aseptic food manufacturing companies in the country. The company produces shelf stable dairy products including nacho cheese sauces, puddings, yogurts, and beverages such as weight loss shakes, yogurt smoothies, and iced lattes. Gehl Foods has its own brands and also partners with global companies to contract manufacture a number of national brands. Gehl Foods serves over 200,000 retailers, foodservice operators, and distributors throughout the US, Canada, and Mexico, operating out of four state-of-the-art facilities with over 800,000 square feet of manufacturing and warehouse space. The organization was founded in the late 1800s and has enjoyed a strong entrepreneurial spirit and long track record of success, culminating to date with the sale of the company in 2015 to an organization unrelated to the Gehl family. Since the issuance of the Village's original Conditional Use Permit over 14 years ago, Gehl Foods has grown its business by more than 160%, and it expects business to grow each year. As a result of this growth, restricted truck hours have been creating congestion at Gehl Foods' Crusader Court location (which are expect to worsen as business increases), preventing ingredients and packaging from flowing into the company's production stream continuously. Gehl Foods has been experiencing downtime, productivity loss and higher costs as a result of restricted truck times. Expanded truck hours would allow Gehl Foods to operate more smoothly, thereby allowing the company to meet the needs of customers, to improve efficiency and to reduce costs.

A continued presence and future growth in Germantown provides a higher property value, resulting in more tax revenue to the Village. Because Gehl Foods has had operations in Germantown since the late 1800s, it submits this application in hopes of finding ways to work with the Village to retain and strengthen the company's presence within Germantown. The company's staffing has grown from 272 in 2011 to approximately 375 permanent employees (plus another 25 employees of staffing firms). Additional flexibility for trucks at Crusader Court would enable the company to continue its growth within its properties and to consider renting, buying or building additional warehouse space in Germantown, instead of areas outside of Chicago, for example. Gehl Foods' new owners do not have ties to Germantown like the Gehl Family had, so any flexibility on the Village's part could go a long way to encourage a continued and strengthened presence in the Village. And as the value of the company's real properties increases here in Germantown, so too do the revenues to the Village, strengthening the Germantown community further.

Changing the restriction on Gehl Foods' trucking hours would be more in line with other businesses in the Village. Gehl Foods is not proposing an amendment or other change to any general law, rule or regulation governing the Village or its residents. As a result, Gehl Foods is not asking that the company be allowed to operate in ways that would violate those laws, rules or regulations. With expanded truck hours, Gehl Foods would at all times remain subject to the municipal code and all other applicable laws, including those relating to noise and vibrations. Gehl Foods respectfully requests only that it be allowed to operate within the law, without an overly harsh company-specific restriction on its trucking activities. Other operations within the Village operate without any specific trucking restrictions, and Gehl Foods is simply requesting that the restrictions that have been placed upon it be loosened somewhat.

Changing the restriction on Gehl Foods' trucking hours is expected to have additional advantages for the Village:

Expanded truck hours are expected to diminish the length of time a truck is idling, thereby reducing noise and emissions and ensuring safety. There is an extensive berm along the northern side of the facility's lot, buffering nearby residential properties. Please see the attached photographs entitled "360° Views," pictures K-N. The first picture (K) is of the school, visible from the entrance of the facility looking north, and the subsequent three photographs (L-N) continue that northerly view heading along the berm, toward the facility, along the north-side of the facility's lot. As can be seen from the photographs, on top of the berm are mature plantings and a fence. Together this berm, this fence and these plantings help to buffer residential properties from the activities of the facility. Expanded truck hours will allow trucks to pull into the facility's lot where they are expected to be less visible and be quieter for residents than trucks that might otherwise idle on nearby village streets. In addition, given the current restricted truck hours, trucks can get backed-up in the process of (un)loading. Trucks then line-up and wait their turn, idling their engines while they wait. Please see the attached photographs entitled "Dock Area and Waiting Trucks" for an example of waiting trucks. This idling creates noise and, depending on where

Aerial View of W160 N11736 Crusader Court

Google



Entrance and Signage



No Parking Signs and No Parking Areas on Fond du Lac Avenue



#1



#3



#2



#4

Dock Area and Waiting Trucks



360° Views



A.



B.



C.



D.



E.



F.



G.



H.



I.



J.



K.



L.



M.



N.



O.



P.



Q.



R.



S.



T.

CUP #
Document No. 5-01

CONDITIONAL USE PERMIT
Document Title

DOC#: 894599



Recorded
JULY 24, 2001 AT 09:00AM

DOROTHY C. GONNERING
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Fee Amount: \$14.00

COPY

14-3

ORIGINAL
VILLAGE OF GERMANTOWN
CONDITIONAL USE ZONING PERMIT

Whereas, **GEHL GUERNSEY FARMS INC., applicant**

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 officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to:

GEHL GUERNSEY FARMS INC.

to allow for:

To allow for a warehouse and indoor storage (approximately 108,000 square feet) in accordance with Section 17.30(3)(ff) of the Municipal Code,

on the following described real estate in the Village of Germantown, Washington County, Wisconsin:

That part of Outlot 3 of the Assessor's Plat, located in the SE 1/4 of the NE 1/4 of Section 22, T9N, R20E, Village of Germantown, Washington County, WI, bounded and described as follows:.

Commencing at the northeast corner of said Section 22; thence S88° 44'35" W, along the north line of said Section 22, 1322.30 feet; thence S01°45'25" E, 1599.40 feet; thence N88°39'35" E, 60.00 feet to the intersection of the east right of way line of Crusader Court and the south right of way line of Williams Drive, said point being the point of beginning of lands to be described: thence continuing N88°39'35" E along said south right of way line, 169.00 feet to the northwest corner of Certified Survey Map No. 1191; thence S05°00'35" W along the west line of said CSM, 140.86 feet to the southwest corner of said CSM; thence N88°39'35" E along the south line of said CSM, 359.47 feet to the southeast corner of Parcel 3 of said CSM; thence N11°50'25" W along the east line of said Parcel 3, 142.38 feet to the northeast corner of said parcel 3, said point lying in the south right of way line of Williams Drive; thence N88°39'35" E along said south right of way line, 61.53 feet; thence S11°50'25" E, 232.24 feet; thence N78°09'35" E, 120.00 feet to a point west line of Pleasant Hill Estates a recorded subdivision; thence S11°50'25" E along said west line, 129.44 feet; thence S28°20'20" W along said west line, 351.05 feet to the northwest corner of Lot 5 of the Assessor's Plat; thence S47°50'20" W along the west line of said Lot 5,

Name & Return Address

Village of Germantown
P O Box 337
Germantown WI 53022

GTNV 211-992. 993 and 994
Parcel Identification Number (PIN)

148.84 feet to a point in the northeasterly right of way line of W. Fond du Lac Avenue (STH 145); thence N51°22'16" W along said northwesterly right of way line, 405.63 feet; thence N51°06'16" W along said northwesterly right of way line, 216.92 feet to a point in the east right of way line of Crusader Court; thence N36°01'18" E along said East right of way line, 53.90 feet; thence N01°45'42" W along said East right of way line, 292.54 feet to the point of beginning. Parcel contains 7.419 +/- acres.

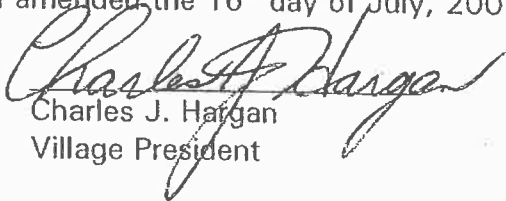
Also described as the northeast corner of Crusader Court and Fond du Lac Avenue (S.T.H. 145) Recorded as Warranty Deed Document #667869 on March 17, 1994 and Warranty Deed Document #803529 on November 24, 1998.

pursuant to the following conditions:

- 1) A certified survey map shall be submitted, combining the separate parcels identified as tax key numbers 221-992, 221-993 and 221-994 into one parcel.
- 2) A final site plan will contain a mature planting buffer between the building and all residential lot lines. Applicant will be responsible for the maintenance/replacement of the landscaping per the final landscaping plan.
- 3) Crusader Court shall be redesigned and rebuilt at the applicant's expense with the proper truck turning radius, as approved by the Engineering Department.
- 4) Per Trans 233, Wis DOT approval is required for the certified survey map and the building location along S.T. H. 145 (currently 55 feet from centerline).
- 5) Final architectural plans shall include a nice facade along Fond du Lac Avenue, south elevation.
- 6) The trucking activity will be active only between the hours of 7:00 a.m. and 6:00 p.m.
- 7) The site shall meet all fire safety concerns of the Village Fire Department including a fire access road around the building an access drive off Williams Drive, which will be maintained by the applicant.
- 8) A painted cross walk will be placed on Fond du Lac Avenue, along the west side of Park Avenue and on Park Avenue approximately 200 feet north of Fond du Lac Avenue. Flashing yellow light signal and crossing identification signs will be installed north and south of the proposed striped cross walk on Fond du Lac Avenue. A 6 foot wide asphalt path shall be constructed from the service drive in Firemen's Park east to the west property line of Kennedy Middle School, skirting the northern edge of the existing baseball field. (Assignment of costs and responsibility to be set forth in a Development Agreement.)

The provisions of this permit shall be binding upon the owner unless and until amended by the Village of Germantown. Granted by action of the Village Board of the Village of Germantown this 18th day of June and amended the 16th day of July, 2001.

ATTEST:


Charles J. Hargan
Village President


Jane A. Wilms, MMC
Village Clerk

Conditional Use Permit No.

Page 3

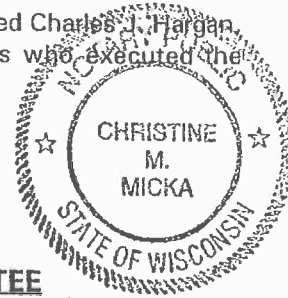
STATE OF WISCONSIN)
)SS
 WASHINGTON COUNTY)

Personally came before me this 23rd day of July, 2001, the above named Charles J. Hargan, Village President, and Jane A. Wilms, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Christine M. Micka

Christine M. Micka

My Commission Expires: Sept. 14, 2003



ACCEPTANCE OF TERMS AND CONDITIONS BY PERMITTEE

I, John P. Gehl, President and I, Michael A. Stewart, Vice President (title) representing GEHL GUERNSEY FARMS INC. do 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.

GEHL GUERNSEY FARMS INC.

BY: John P. Gehl
 Print name of officer signing below

John P. Gehl
 Title: President

BY: Michael A. Stewart
 Print name of officer signing below

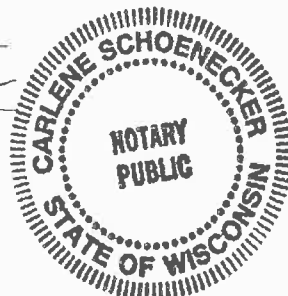
MICHAEL A. STEWART
 Title: VICE-PRESIDENT

STATE OF WISCONSIN)
)SS
WASHINGTON COUNTY)

Personally came before me this 20 day of July, 2001, the above named John P. Gehl, (title) President and MICHAEL A. STEWART, (Title) VICE-PRESIDENT to me known to be the person(s) who executed the foregoing instrument and acknowledged the same, as officers of Gehl Guernsey Farms, Inc.

C. Schoencker
 Notary Public, State of Wisconsin
 My Commission Expires: June 12, 2005
Charlene Schoencker

This instrument was drafted by:
 Jane A. Wilms, MMC; Village Clerk



VILLAGE OF GERMANTOWN
BUSINESS OF
THE VILLAGE BOARD

MEETING DATE: November 16, 2015

LOCATION New Business

ITEM TITLE: Resolution for Adoption of the 2016 Village Budget
and 2015 Tax Levy

SUBMITTED BY: Kim Rath, Finance Director

SUMMARY EXPLANATION:

2016 Budget Adoption

ATTACHMENT: ORDINANCE____ RESOLUTION ____ OTHER __X__

RECOMMENDATION:

Approval

ACTION BY Board

ADOPTING THE 2016 VILLAGE BUDGET AND 2015 TAX LEVY

WHEREAS, the proposed 2016 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 16, 2015, at which residents and taxpayers of the Village of Germantown 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; and

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 2016 budget for the Village of Germantown; and

BE IT FURTHER RESOLVED that for the uses and purposed set forth in said budget, there be and hereby is levied upon all taxable property in the Village of Germantown, as certified to the Village Clerk by the Assessor for the year 2015, an ad valorem tax in the amount of **\$ 11,773,835** which shall be payable and collectible in 2015 – 2006.

Introduced by:

Adopted:

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

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

2016 Village of Germantown Proposed Budget

Summary

Fund	Revenue	Expense
General Fund	15,150,240	15,150,241
Recreation Facility Fund	30,600	23,000
Historic Preservation	608	469
Canine Fund	7,515	4,000
Asset Forfeiture	200	4,000
Library Board Accounts	5,100	500
Police Impact Fee	3,600	0
Fire Impact Fee	5,300	26,000
Library Impact Fee	5,250	2,000
Park & Recreation Impact Fee	6,300	0
Semior Van Replacement	2,320	0
Capital Projects	3,384,139	3,375,237
T.I.F. # 4	1,359,000	2,493,209
T.I.F. # 6	1,073,935	4,777,251
Water Utility	2,511,218	1,957,511
Wastewater Utility	6,551,015	5,696,188
Health Insurance	1,826,850	1,826,850
Dental Insurance	107,750	107,750
Debt Service	4,522,008	4,791,385
	36,552,948	40,235,591

2016 Village of Germantown Proposed Budget

2015 Tax Levy

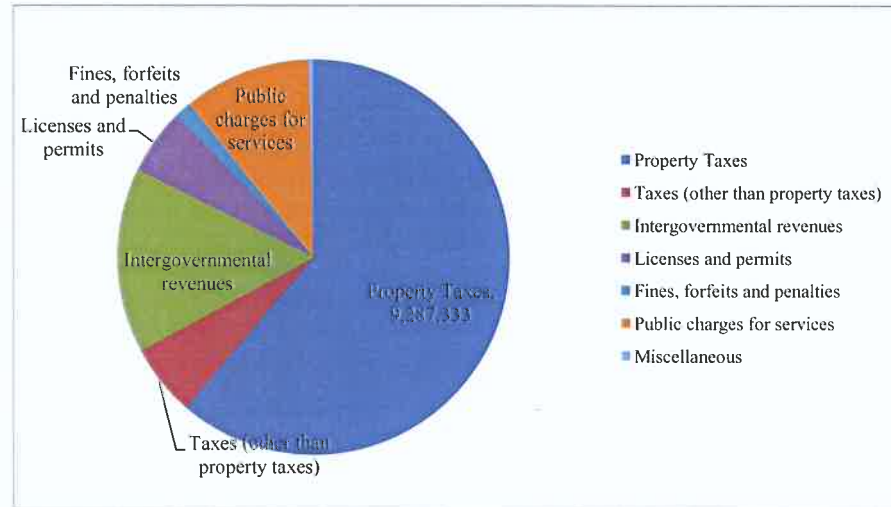
General Fund	2015 Estimated			
	2014 Actual	2015 Budget	Year End	2016 Proposed
Revenue Source				
General Property taxes	8,950,355	8,961,076	8,961,076	9,287,333
Other taxes	916,415	927,571	889,418	890,000
Intergovernmental Rev	2,272,251	2,299,314	2,317,316	2,285,730
Licenses & Permits	960,133	797,640	879,384	821,930
Fines, Forfeitures & Penalties	213,628	224,500	216,990	217,000
Public Charges for Services	1,543,613	1,535,462	1,540,262	1,583,736
Interest	26,699	24,499	37,477	32,412
Other Revenue	143,417	109,350	132,663	32,100
Total Revenues	15,026,511	14,879,412	14,974,586	15,150,241
Expenditures				
Legislative - Village Board	120,086	135,825	105,843	143,998
Administration	99,933	102,490	101,859	108,175
Village Clerk	269,095	299,254	293,747	337,799
Treasurer & Accounting	190,789	188,249	187,764	188,631
Assessor	69,270	69,167	69,631	105,334
Data Processing	40,141	108,192	108,141	82,050
General Government	90,489	120,283	92,920	168,383
Buildings & Grounds	473,032	553,896	535,378	631,147
Law Enforcement - Police	4,834,660	4,875,274	4,881,720	4,822,462
Fire Protection	1,945,353	1,819,844	1,821,164	1,900,527
Emergency Government	13,635	11,080	11,778	17,075
Community Development - Inspection	219,237	264,812	242,379	248,483
Public Works Adm & Eng	148,048	195,587	197,641	225,338
Highway Department	2,850,812	3,025,552	3,009,514	2,948,565
Recycling	548,356	566,422	569,167	392,820
Library	826,509	878,490	871,850	808,880
Recreation	1,048,959	1,055,955	1,059,823	1,190,551
Parks	407,127	451,214	457,733	474,949
Senior Center	115,468	115,548	113,852	117,890
Community Develop - Planing & Zonin	155,417	188,825	188,265	173,743
Municipal Development	51,330	108,395	40,619	62,841
Transfers Out	104,734	600	600	600
Total Expenditure	14,622,480	15,134,954	14,961,388	15,150,241
Excess of Revenue over Expenditure	404,031	(255,542)	13,198	0
Fund Balance - January 1	3,865,461	4,269,492	4,269,492	4,282,690
Fund Balance - December 31	4,269,492	4,013,950	4,282,690	4,282,690

Property Tax Support General Fund	9,287,333
Property Tax Support Debt Service	<u>2,486,502</u>
	11,773,835

2016 General Fund Budget

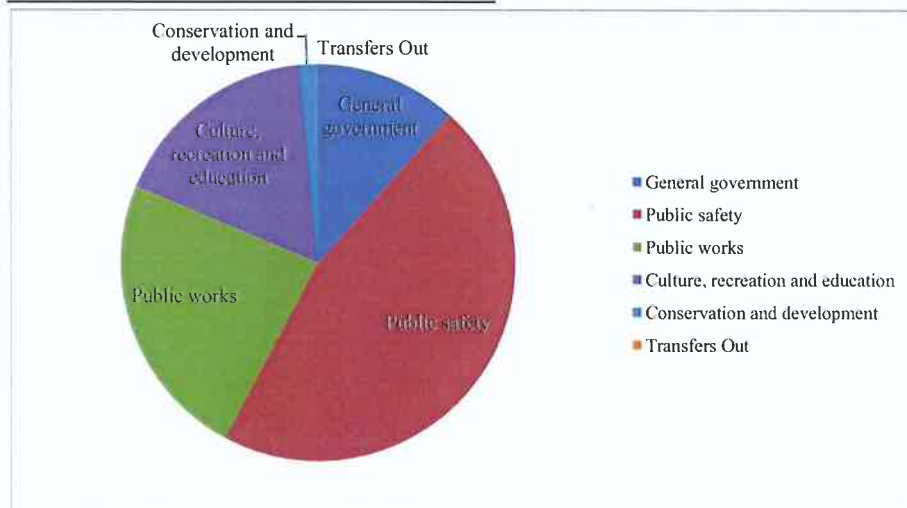
Revenues

Property Taxes	9,287,333
Taxes (other than property taxes)	890,000
Intergovernmental revenues	2,285,730
Licenses and permits	821,930
Fines, forfeits and penalties	217,000
Public charges for services	1,583,736
Miscellaneous	64,512
Total Revenue	15,150,241



Appropriations

General government	1,765,518
Public safety	6,988,547
Public works	3,566,722
Culture, recreation and education	2,592,270
Conservation and development	236,584
Transfers Out	600
Total Expenditures	15,150,241



2016 Village of Germantown

Proposed Budget

SPECIAL REVENUE

Summary of Special Revenue

SPECIAL REVENUE FUNDS

SPECIAL REVENUE FUNDS	2015 Estimated			
	2014 Actual	2015 Budget	Year End	2016 Proposed
Revenue				
Total Revenue	273,145	73,366	176,180	86,793
Expenditures				
Total Expense	(122,209)	(121,232)	(114,191)	(123,157)
Excess of Revenue over Expenditure	150,936	(47,866)	61,989	(36,364)
Fund Balance - January 1	526,159	677,095	677,095	739,084
Fund Balance - December 31	677,095	629,229	739,084	702,720

Detail Special Revenue

	2015 Estimated			
<i>Recreation Facility Fund (16)</i>	2014 Actual	2015 Budget	Year End	2016 Proposed
Total Revenue	35,191	30,300	29,580	30,600
Total Expense	(12,220)	(22,000)	(20,411)	(23,000)
Excess of Revenue over Expenditure	22,971	8,300	9,169	7,600
Fund Balance - January 1	35,546	58,517	58,517	67,686
Fund Balance - December 31	58,517	66,817	67,686	75,286

	2015 Estimated			
Canine Fund (18)	2014 Actual	2015 Budget	Year End	2016 Proposed
Total Revenue	10,785	7,400	11,766	7,515
Total Expense	(1,206)	(7,000)	(2,970)	(4,000)
Excess of Revenue over Expenditure	9,579	400	8,796	3,515
Fund Balance - January 1	33,004	42,583	42,583	51,379
Fund Balance - December 31	42,583	42,983	51,379	54,894

	2015 Estimated			
Library Fund (83)	2014 Actual	2015 Budget	Year End	2016 Proposed
Total Revenue	5,249	5,100	5,152	5,100
Total Expense	(32,521)	(500)	(78)	(500)
Excess of Revenue over Expenditure	(27,272)	4,600	5,074	4,600
Fund Balance - January 1	138,403	111,131	115,731	120,805
Fund Balance - December 31	111,131	115,731	120,805	125,405

	2015 Estimated			
<i>Police Impact Fee (21)</i>	2014 Actual	2015 Budget	Year End	2016 Proposed
Total Revenue	17,243	3,288	11,444	3,600
Total Expense	0	0	0	0
Excess of Revenue over Expenditure	17,243	3,288	11,444	3,600
Fund Balance - January 1	28,264	45,507	45,507	56,951
Fund Balance - December 31	45,507	48,795	56,951	60,551

	2015 Estimated			
Library Impact Fee (23)	2014 Actual	2015 Budget	Year End	2016 Proposed
Total Revenue	18,759	3,175	6,676	5,250
Total Expense	(11,000)	(13,000)	(13,000)	(20,000)
Excess of Revenue over Expenditure	7,759	(9,825)	(6,324)	(14,750)
Fund Balance - January 1	18,744	26,503	26,503	20,179
Fund Balance - December 31	26,503	16,678	20,179	5,429

	2015 Estimated			
<i>Water Impact</i>	2014 Actual	2015 Budget	Year End	2016 Proposed
Total Revenue	91,263	10,000	58,305	20,000
Total Expense	(50,932)	(48,263)	(48,263)	(45,188)
Excess of Revenue over Expenditure	40,331	(38,263)	10,042	(25,188)
Fund Balance - January 1	166,902	207,233	207,233	217,275
Fund Balance - December 31	207,233	168,970	217,275	192,087

	2015 Estimated			
<i>Historic Preservation (17)</i>	2014 Actual	2015 Budget	Year End	2016 Proposed
Total Revenue	404	603	608	608
Total Expense	(303)	(469)	(469)	(469)
Excess of Revenue over Expenditure	101	134	139	139
Fund Balance - January 1	244	345	345	484
Fund Balance - December 31	345	479	484	623

	2015 Estimated			
Asset Forfeiture (19)	2014 Actual	2015 Budget	Year End	2016 Proposed
Total Revenue	15,004	50	10,838	200
Total Expense	(3,027)	(4,000)	(3,000)	(4,000)
Excess of Revenue over Expenditure	11,977	(3,950)	7,838	(3,800)
Fund Balance - January 1	8,409	20,386	20,386	28,224
Fund Balance - December 31	20,386	16,436	28,224	24,424

	2015 Estimated			
Senior Van Replacement (28)	2014 Actual	2015 Budget	Year End	2016 Proposed
Total Revenue	2,253	2,660	2,335	2,320
Total Expense	0	0	0	0
Excess of Revenue over Expenditure	2,253	2,660	2,335	2,320
Fund Balance - January 1	17,191	19,444	19,444	21,779
Fund Balance - December 31	19,444	22,104	21,779	24,099

	2015 Estimated			
Fire Impact Fee (22)	2014 Actual	2015 Budget	Year End	2016 Proposed
Total Revenue	27,715	5,240	21,251	5,300
Total Expense	(11,000)	(26,000)	(26,000)	(26,000)
Excess of Revenue over Expenditure	16,715	(20,760)	(4,749)	(20,700)
Fund Balance - January 1	19,840	36,555	36,555	31,806
Fund Balance - December 31	36,555	15,795	31,806	11,106

	2015 Estimated			
<i>Park & Recreation Impact (24)</i>	2014 Actual	2015 Budget	Year End	2016 Proposed
Total Revenue	49,279	5,550	18,225	6,300
Total Expense	0	0	0	0
Excess of Revenue over Expenditure	49,279	5,550	18,225	6,300
Fund Balance - January 1	59,612	108,891	108,891	127,116
Fund Balance - December 31	108,891	114,441	127,116	133,416

2016 Village of Germantown
Proposed Budget
Capital Projects Funds

	2015 Estimated			
Capital Projects (40)	2014 Actual	2015 Budget	Year End	2016 Proposed
Revenue Source				
General Property Tax	0	0	0	0
Special Assessment	335,264	248,906	359,031	250,140
Intergovernmental	46,587	46,578	94,154	46,578
Property Sales	27,480	0	29,000	0
Miscellaneous	0	0	0	0
Transfers from Other Funds	279,000	0	0	0
Long Term Debt	2,645,000	2,616,000	2,725,246	3,060,000
Interest	61,506	52,490	52,000	27,421
Total Revenue	3,394,837	2,963,974	3,259,431	3,384,139
Expenditures				
Debt Issuance	35,044	35,000	54,858	50,000
Office Equipment	51,798			
Building & Grounds		45,000	45,000	85,000
Police Department	191,933	200,079	191,061	282,000
Fire Department	160,878	198,711	910,036	250,000
DPW Administration & Engineering	86,123	342,623	342,623	163,400
Highway	1,527,311	1,960,953	1,960,953	1,995,000
Senior Center	9,669	5,892	5,892	0
Recreation	0	120,500	83,840	150,000
Parks	65,536	213,082	213,082	80,000
Transfer to General Fund	1,600	0	0	0
Transfer to Debt Service	306,381	304,700	346,653	319,837
Total Expense	2,436,273	3,426,540	4,153,998	3,375,237
Excess of Revenue over Expenditure	958,564	(462,566)	(894,567)	8,902
Fund Balance - January 1	1,160,414	2,118,978	2,118,978	1,224,411
Fund Balance - December 31	2,118,978	1,656,412	1,224,411	1,233,313

CAPITAL PROJECTS FUNDS

	2015 Estimated			
T.T.F. District #6	2014 Actual	2015 Budget	Year End	2016 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	5,405,000	1,060,935	0	1,060,935
Interest/Premium on issuance	263,306	4,000	15,000	13,000
Total Revenue	5,668,306	1,064,935	15,000	1,073,935
Expenditures				
General Administration/ Land Acquis	220,795	291,405	78,937	90,838
Land Bank Drawdown	0	100,000	0	100,000
Site Grading	30,369	863,750	883	1,540,000
Street Improvement	0	465,000	0	898,800
Storm Drainage	0	150,000	0	170,300
Water Improvements	208,176	500,000	0	813,300
Sewer Improvements	0	200,000	0	948,700
Wetland Mitigation	6,100	6,100	0	5,000
Walkways & Safety Paths	0	0	0	25,600
Incentive Rebates	0	0	0	0
Transfer to Debt Service Principal	0	0	0	0
Transfer to Debt Service Interest	0	169,320	167,292	184,713
Total Expense	465,440	2,745,575	247,112	4,777,251
Excess of Revenue over Expenditure	5,202,866	(1,680,640)	(232,112)	(3,703,316)
Fund Balance - January 1	0	5,202,866	5,202,866	4,970,754
Fund Balance - December 31	5,202,866	3,522,226	4,970,754	1,267,438

	2015 Estimated			
T.T.F. District #4	2014 Actual	2015 Budget	Year End	2016 Proposed
Revenue Source				
Taxes	1,406,474	1,255,321	1,255,320	1,300,000
Intergovernmental	41,512	35,000	37,082	35,000
Land Sales	1,858,600	0	509,410	0
Transfers from Other Funds	0	0	219	0
Long Term Debt	0	0	0	0
Interest	22,675	20,000	24,000	24,000
Total Revenue	3,329,261	1,310,321	1,826,031	1,359,000
Expenditures				
General Administration	33,751	14,732	14,732	11,139
Site Grading	1,410,531	0	0	0
Land Purchase Expense	173,163	0	0	0
Street Improvement	154,967	0	73,543	396,814
Water Mains & Improvements	0	0	0	212,000
Sanitary Sewer Mains & Improve	0	0	0	206,000
Storm Drainage/ Wetland	0	0	0	0
Incentive Rebates	147,876	150,000	160,681	180,000
Transfer to Debt Service Principal	1,295,000	1,320,000	1,320,000	1,340,000
Transfer to Debt Service Interest	201,516	174,621	174,620	147,256
Total Expense	3,416,804	1,659,353	1,743,576	2,493,209
Excess of Revenue over Expenditure	(87,543)	(349,032)	82,455	(1,134,209)
Fund Balance - January 1	3,324,991	3,237,448	3,237,448	3,319,903
Fund Balance - December 31	3,237,448	2,888,416	3,319,903	2,185,694

2016 Village of Germantown

Proposed Budget

UTILITIES

Utilities

Public charges for service do not show open receivables

			2015 Estimated	
Water Utility - Operating	2014 Actual	2015 Budget	Year End	2016 Proposed
Revenue Source				
Public Charges for Services	2,352,628	2,350,966	2,350,966	2,423,903
Miscellaneous	100,084	66,050	66,050	66,015
Special Assessment Received	473,464	0	0	0
Interest	18,889	11,800	22,000	21,300
Total Revenue	2,945,065	2,428,816	2,439,016	2,511,218
Expenditures				
Source of Supply	55,281	62,503	62,503	58,985
Source of Supply Maintenance	54,020	54,379	55,245	54,210
Pumping Expense - Operation	305,385	280,738	280,264	290,586
Pumping Expense - Maintenance	31,364	44,000	44,000	104,000
Water Treatment - Operation	66,419	78,000	71,090	78,000
Water Treatment - Maintenance	41,990	35,179	40,857	43,133
Trans & Distribution Expense - Oper	77,425	88,205	93,337	84,989
Trans & Distribution Expense - Maint	219,225	222,913	137,813	218,300
Customer Accounts Expense	186,361	196,815	196,815	202,940
Administrative & General Exp	262,345	273,007	271,821	290,722
Property Tax Equivalent	520,057	574,705	529,246	529,246
Miscellaneous	2,398	2,129	2,398	2,400
Int on Long Term Debt- Paid by Impact Fe	0	0	0	0
Total Expense	1,822,270	1,912,573	1,785,389	1,957,511
Excess of Revenue over Expenditure	1,122,795	516,243	653,627	553,707
Fund Balance - January 1	2,226,478	2,860,973	2,860,973	2,503,533
Debt Service Principal	89,512	90,433	90,433	91,378
Capital Outlay	398,788	920,634	920,634	1,652,000
Fund Balance - December 31 **	2,860,973	2,366,149	2,503,533	1,313,862

			2015 Estimated	
Wastewater Utility - Operating	2014 Actual	2015 Budget	Year End	2016 Proposed
Revenue Source				
Public Charges for Services	5,600,268	6,430,300	6,462,828	6,440,000
Operating Revenues	354,415	73,550	230,223	90,515
Contribution Aid of Construction	53,354	0	0	0
Interest	26,090	15,500	26,636	20,500
Total Revenue	6,034,127	6,519,350	6,719,687	6,551,015
Expenditures				
MMSD Sewer User Fee	1,364,770	1,518,013	1,365,593	1,458,138
MMSD Capital Charge	2,590,813	2,874,348	2,900,277	3,208,000
Operation	199,596	225,392	205,675	210,134
Maintenance	262,719	302,096	291,109	305,236
Customer Account	31,942	35,965	35,965	37,675
Administrative & General Exp	416,229	489,294	486,439	477,005
Total Expense	4,866,069	5,445,108	5,285,058	5,696,188
Excess of Revenue over Expenditure	1,168,058	1,074,242	1,434,629	854,827
Fund Balance - January 1	4,303,205	4,385,198	4,385,198	3,511,327
Capital Outlay	1,086,065	2,308,500	2,308,500	382,000
Fund Balance - December 31 **	4,385,198	3,150,940	3,511,327	3,984,154

2016 Village of Germantown

Proposed Budget

INTERNAL SERVICE FUNDS

			2015 Estimated	
HEALTH INSURANCE	2014 Actual	2015 Budget	Year End	2016 Proposed
Revenue Source				
Premiums	1,548,046	1,523,015	1,529,400	1,622,350
Employee Contributions	180,542	190,000	187,104	200,000
Interest	4,920	3,500	5,764	4,500
Total Revenue	1,733,508	1,716,515	1,722,268	1,826,850
Expenditures				
Administrative Exp/Stop Loss	426,197	460,000	427,292	471,000
HS A Contribution	55,000	56,000	54,388	75,000
HPS - AFI Fee	16,686	13,000	20,152	22,000
Health Claims	1,148,488	1,197,000	900,000	1,258,850
Total Expense	1,646,371	1,716,000	1,401,832	1,826,850
Excess of Revenue over Expenditure	87,137	515	320,436	0
Fund Balance - January 1	514,811	601,948	601,948	922,384
Fund Balance - December 31	601,948	602,463	922,384	922,384

			2015 Estimated	
DENTAL INSURANCE	2014 Actual	2015 Budget	Year End	2016 Proposed
Revenue Source				
Premiums	70,406	87,500	87,778	107,250
Interest	530	400	352	500
Total Revenue	70,936	87,900	88,130	107,750
Expenditures				
Administrative Expense	2,815	2,900	2,888	4,000
Dental Claims	97,757	85,000	87,667	103,750
Total Expense	100,572	87,900	90,555	107,750
Excess of Revenue over Expenditure	(29,636)	0	(2,425)	0
Fund Balance - January 1	57,562	27,926	27,926	25,501
Fund Balance - December 31	27,926	27,926	25,501	25,501

2016 Village of Germantown

Proposed Budget

DEBT SERVICE

			2015 Estimated	
Debt Service	2014 Actual	2015 Budget	Year End	2016 Proposed
Revenue Source				
General Property Tax	2,123,188	2,205,942	2,205,942	2,486,502
Miscellaneous	29,543	10,000	10,078	10,000
Proceeds Refinancing			0	
Other Financing Sources	3,051,533	2,005,613	2,047,566	2,025,506
Total Revenue	5,204,264	4,221,555	4,263,586	4,522,008
Expenditures				
Principal Payable	5,498,353	4,545,000	4,545,000	4,095,000
Interest Payable	617,881	739,902	739,902	696,385
Refinancing		0	0	0
Total Expense	6,116,234	5,284,902	5,284,902	4,791,385
Excess of Revenue over Expenditure	(911,970)	(1,063,347)	(1,021,316)	(269,377)
Fund Balance - January 1	2,697,292	1,785,322	1,785,322	764,006
Fund Balance - December 31	1,785,322	721,975	764,006	494,629

VILLAGE OF GERMANTOWN
2016 CAPITAL PURCHASES FUND 40 ITEMS -

ITEM DESCRIPTION	PROJECT/ EQUIPMENT	FUNDING SOURCE				ITEMS TO BE BORROWED FOR
		CAPITAL/GENERAL RESERVE	GRANTS	REVENUE FROM FIXED ASSET SALES	IMPACT FEE SPECIAL REVENUE	
POLICE DEPARTMENT						
Replace Roll Call Room Furniture and interview room	20,000					20,000
ProPhoenix Enhancement - Citizen & Court Interface	17,000					17,000
Upgrade Video Security of PD Complex	50,000					50,000
Replace 9-1-1 System	161,000					161,000
Replace Chief's Squad	34,000					34,000
						0
TOTAL POLICE DEPARTMENT	282,000	0	0	0	0	282,000
FIRE DEPARTMENT						
New Ambulance	250,000					250,000
Tender \$300,000 remove COW 9/29/15						0
						0
TOTAL FIRE DEPARTMENT	250,000	0	0	0	0	250,000
DPW ADMINISTRATION AND ENGINEERING						
Ditch Enclosures - Crestview	60,000					60,000
Ditch Enclosures - Happy Hollow/Whitehorse	60,000					60,000
DOT Donges Bay Design Payback	43,400					43,400
						0
TOTAL DPW ADMINISTRATION AND ENGINEERING	163,400	0	0	0	0	163,400
HIGHWAY DEPARTMENT						
Tandem Axle Patrol Truck	210,000			(28,000)		182,000
Singel Axle Patrol Truck	190,000					190,000
Tractor w/ Sweeper & blade	70,000					70,000
Asphalt Paving	1,500,000					1,500,000
Traffic Signal Cabinet Equipment upgrades County Line Rd	25,000					25,000
						0
TOTAL HIGHWAY DEPARTMENT	1,995,000	0	0	-28,000	0	1,967,000
PARKS & BLD & GROUNDS						
Replace Concrete Approach - North, Fire Station 2	85,000					85,000
Chipper	80,000					80,000
						0
TOTAL PARKS & Bld & GROUNDS	165,000	0	0	0	0	165,000
RECREATION						
Alt Bauer & Haupt Strasse Tennis Courts	65,000					65,000
Alt Bauer Park Playground Equipment	85,000					85,000
						0
TOTAL RECREATION	150,000	0	0	0	0	150,000
GRAND TOTAL	3,005,400	0	0	-28,000	0	2,977,400

Borrowing Costs	50,000					50,000
						3,027,400
					approx borrowing	3,030,000

2016 VILLAGE OF GERMANTOWN GENERAL LEVY MISC EQUIPMENT

ITEM DESCRIPTION	AMOUNT
DATA PROCESSING	
Websitte Maintenance	7,026
TOTAL DATA PROCESSING	7,026
VILLAGE CLERK	
New Election Voting Equipment	10,000
12 New Laptops - polls	6,000
Agenda Management Software/Document Imaging Systems	2,000
Upgrade Election Equipment, stanchions, poll booths, etc	2,500
TOTAL VILLAGE CLERK	20,500
PARKS & BUILDING & GROUNDS	
Landscape Village Hall	5,000
Police Annex Renovation	33,000
Replace Police Dept Flooring	6,000
Police Garage - Soffit/Fascia	6,000
Fire Station 1 - New Water line & Plumbing	45,000
DPW Garage Doors	25,000
Library LED Light Conversion	10,000
Weidenbach Park Lighting Upgrades	16,000
18' Trailer	7,000
TOTAL PARKS & BUILDING & GROUNDS	153,000
POLICE DEPARTMENT & EMERGENCY GOVT	
Replace (2) Squads @ \$42,600/ea	85,200
TOTAL POLICE DEPARTMENT & EMERGENCY GOVT	85,200
FIRE DEPARTMENT	
New Furniture Station 2 (5 Recliners)	4,500
(1) Portable Tanks, 3,0000 gallons, w/ low level jet	5,200
Siphoning Setups, and supply line holders	
(3) Hand Tool Kits @ \$400 ea	1,200
TOTAL FIRE DEPARTMENT	10,900
HIGHWAY DEPARTMENT	
Plow	9,500
Hydraulic upgrade for hoist (1 Ton Truck)	7,000
Welder	5,000
Chainsaws & backpack blower	3,000
Polyfoms and hardware	1,000
TOTAL HIGHWAY DEPARTMENT	25,500
DPW Admin & ENGINEERING	
Replace GMC	17,000
TOTAL DPW AMIN & ENGINEERING	17,000
VILLAGE BOARD - LEGISLATIVE	
Update Audio Visual System in Board Room	20,000
TOTAL LEGISLATIVE	20,000
GRAND TOTAL	339,126

Fire Dept Act 102 (has revenue offset) 5,000
344,126

STATE OF WISCONSIN VILLAGE OF GERMANTOWN WASHINGTON COUNTY

RESOLUTION NO. – 15

AUTHORIZING THE PLACEMENT OF SPECIAL CHARGES ON THE 2015 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 2015; 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 2015 Tax Roll for collection in 2015 and 2016.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

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

Village of Germantown

2015 Tax Roll - Special Charges & Assessments

Special Assmnt	Code	Amount
Water Main - Prin	01	\$5,584.29
Water Main - Interest	02	\$881.26
Street Improvement	11	\$5,997.16
Sub-total		\$12,462.71
Special Charge		
Weed Cutting	60	\$410.12
Delq Other - Prop Damage	67	154.50
Sub-total		\$564.62
Sub-Total before w/s		\$13,027.33
Deliq Water/Sewer		\$386,201.54
Total		\$399,228.87

Business of the Village Board of the Village of GermantownMEETING DATE:

November 16, 2015

PLACEMENT:

New Business

ITEM TITLE:

Withdrawal from LGPIF effective 12/31/15

SUBMITTED BY:

Kim Rath, Finance Director

SUMMARY EXPLANATION:

With the recommendation of Bob Burnside of TE Brennen, our insurance consultant, and the approval of the Village Board the Village of Germantown will engage with CHUBB as our 2016 Property Insurance carrier. The Local Government Property Insurance Fund (LGPIF) requires a majority vote of the Village Board to withdraw from the Fund. Attached is a form, that when signed, establishes that decision.

ATTACHED : ORDINANCE ____ RESOLUTION ____ OTHER X

Withdrawal from the Local Government Property Insurance Fund Form

ACTION

LOCAL GOVERNMENT PROPERTY INSURANCE FUND

559 D'Onofrio Drive, Suite 10

Madison, WI 53719-2805

PHONE: 877-229-0009

FAX: 877-832-0122

WITHDRAWAL FROM THE LOCAL GOVERNMENT PROPERTY INSURANCE FUND

INSTRUCTIONS: Pursuant to the requirements of s.605.21(3) Wisconsin Statutes, provide certified notice to the Local Government Property Insurance Fund that by a majority vote, your Board or Council elected to withdraw from the Fund. **Withdrawal date cannot be prior to the date action was taken.** Send completed notice to above address.

Policyholder Name	Cancel Effective Date	Policy #
<u>Village of Germantown</u>	<u>12/31/2015</u>	<u>160208</u>

As Clerk, I certify that by a majority vote, the above-named local governmental unit's Board/Council voted to withdraw from the Local Government Property Insurance Fund. This action was taken at the _____ / _____ / _____ meeting.
Month Day Year

Name of Clerk (Type or Print)	Signature of Clerk	Date
-------------------------------	--------------------	------

LOCAL GOVERNMENT PROPERTY INSURANCE FUND

559 D'Onofrio Drive, Suite 10

Madison, WI 53719-2805

PHONE: 877-229-0009

FAX: 877-832-0122

WITHDRAWAL FROM THE LOCAL GOVERNMENT PROPERTY INSURANCE FUND

INSTRUCTIONS: Pursuant to the requirements of s.605.21(3) Wisconsin Statutes, provide certified notice to the Local Government Property Insurance Fund that by a majority vote, your Board or Council elected to withdraw from the Fund. **Withdrawal date cannot be prior to the date action was taken.** Send completed notice to above address.

Policyholder Name	Cancel Effective Date	Policy #
<u>Village of Germantown</u>	<u>12/31/2015</u>	<u>160208</u>

As Clerk, I certify that by a majority vote, the above-named local governmental unit's Board/Council voted to withdraw from the Local Government Property Insurance Fund. This action was taken at the _____ / _____ / _____ meeting.
Month Day Year

Name of Clerk (Type or Print)	Signature of Clerk	Date
-------------------------------	--------------------	------

Business of the Village Board of the Village of Germantown

MEETING DATE:

Village Board - November 16, 2015

PLACEMENT

New Business

ITEM TITLE:

Resolution – Amend Fee Schedule for Ambulance and EMT Services

SUBMITTED BY:

Kim Rath, Finance Director

SUMMARY EXPLANATION:

The fee for intraosseous (IO) IV's was changed upon the recommendation of Chief Weiss at the Sept 21, 2015 Village Board Meeting. The attached is a resolution to establish that.

ATTACHED : ORDINANCE_____ RESOLUTION X_____ OTHER _____

Resolution No. xx - 15 Amendment to Fee Schedule for Ambulance and EMT Services

RECOMMENDATION

Approval

ACTION

RESOLUTION - 15

AMENDMENT TO FEE SCHEDULE FOR AMBULANCE AND EMT SERVICES

WHEREAS, the Village Board having previously set a fee schedule for ambulance and EMT services provided by the Village's Fire Department on August 18, 2014; and

WHEREAS, Chief Weiss of the Germantown Fire Department has reviewed the current listing and has recommended a change in the amount charged for establishing intraosseous (IO) IV's from \$175.00 to \$220.00; and

WHEREAS, the change was approved at the September 21, 2015 Village Board Meeting; and

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Germantown Wisconsin, do hereby replace the existing fee schedule with the fee schedule attached to this Resolution, which shall be henceforth used and shall constitute the fees for ambulance and EMT service until amended or rescinded by further resolution of the Village Board.

Introduced by Trustee:

Adopted:

Vote: Ayes:

Nays:

Absent:

Dean M. Wolter, Village President

ATTEST:

Barbara K.D. Goeckner, Village Clerk

Village of Germantown
Fire Department Ambulance Charges
Village Board Approved 8/18/14

Transport Fee	Rate
BLS Base Rate - Resident	525.00
BLS Base Rate - Non Resident	625.00
ALS 1 Base Rate - Resident	700.00
ALS 1 Base Rate - Non Resident	800.00
ALS 2 Base Rate - Resident	750.00
ALS 2 Base Rate - Non Resident	850.00
Mileage	15.00
No Transport	
No Transport - 5 - 10 (Non MVA)	75.00
No Transport 11 - 15 (Non MVA)	200.00
No Transport 16+ (Non MVA)	400.00
Special Services	
Extrication	500.00
Extended Extrication	0.00
Supply Charges	
Advanced Airways	110.00
CPAP	125.00
Defibrillator Supplies	100.00
EKG Supplies	85.00
IV Start	65.00
IO Start	220.00
OB/Childbirth Supplies	50.00
Pneumothorax Kit (TEMS)	100.00
Supplies - BLS	60.00
Supplies - ALS	75.00
Medications	
Albuterol	30.00
Aspirin per dose	10.00
Atrovent	25.00
Dextrose	30.00
Epinephrine 1:1000	65.00
Glucagon	175.00
Oral Glucose per 15G	20.00
Narcan/Naloxone (per 2mg)	50.00
Nitroglycerin	25.00
Normal Saline Flush	35.00
Normal Saline Flush (IV Administration) per 1000 ml	50.00
Oxygen	70.00

Approved 9/21/15

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

MEETING DATE: November 16, 2015

AGENDA ITEM: New Business

ITEM TITLE: Business Development Loan Pool

SUBMITTED BY: Dave Schornack, Village Administrator

SUMMARY EXPLANATION:

First Bank Financial Centre in making available in Germantown \$200,000 to establish a loan pool to encourage business development and revitalization in specified areas of the Village. The loan proceeds will be utilized to fund a wide variety of commercial projects ranging from assisting new businesses locating in these areas with startup costs to helping existing businesses with renovations or expansion plans. The loans will carry below market rates and favorable terms. The minimum loan amount shall not be less than \$10,000 and the maximum loan shall not be greater than \$25,000 subject to the availability of funds in the Pool. The Economic Development Commission is forwarding a positive recommendation to the Village Board for the adoption of the attached resolution to adopt this program.

The boundary for this program is the following area: Mequon Road from Division Road east to the eastern most railroad tracks just west of Country Aire Drive; Division Road from Mequon Road north to Main Street; Main Street from Division Road east to Fond du Lac Avenue; Fond du Lac Avenue from Main Street southeast to Pilgrim Road; Pilgrim Road from Fond du Lac Avenue South to Mequon Road,; and all other roads there-within.

Eligible Businesses to include: Commercial, retail and restaurant businesses within the above boundary.

The Economic Development Commission will forward all applications that meet the above boundary and business type requirements directly to First Bank Financial Centre without individual review. Any applications received that do not meet these requirements will be brought forth at the next regularly scheduled Economic Development Commission meeting.

ATTACHMENT: ORDINANCE_____ RESOLUTION X OTHER_____

- Resolution Approving the Germantown Business Development Loan Pool and Authorizing Local Financial Institutions to Partner with the Economic Development Commission to Fund Projects in Certain Areas of the Village

RECOMMENDATION:

Motion to approve Resolution Approving the Germantown Business Development Loan Pool and Authorizing Local Financial Institutions to Partner with the Economic Development Commission to Fund Projects in Certain Areas of the Village

RESOLUTION NO. _____-15

A RESOLUTION APPROVING THE GERMANTOWN BUSINESS
DEVELOPMENT LOAN POOL AND AUTHORIZING LOCAL FINANCIAL
INSTITUTIONS TO PARTNER WITH THE ECONOMIC DEVELOPMENT
COMMISSION TO FUND PROJECTS IN CERTAIN AREAS OF THE VILLAGE

WHEREAS, the Village of Germantown (the "Village") previously created the Economic Development Commission (the "Commission"); and

WHEREAS, under Village code, the Commission may "Formulate, manage and administer the Village's economic development program"; and

WHEREAS, the Village may accept loans, grants, contributions, and any other forms of financial assistance from the State, County, or from any other sources, public or private, for the purposes of redevelopment; and

WHEREAS, the Village finds that partnering with First Bank Financial Centre to create a Business Development Loan Pool will further the goals of the Village's economic development programs by providing low cost loans to fund various costs incurred by new and existing businesses located within the Village; and

WHEREAS, proposed Guidelines and Application documents for the Business Development Loan Pool are attached to this resolution and incorporated herein as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Germantown, Wisconsin, do hereby create the Germantown Business Development Loan Pool Program as follows:

Section 1. The Germantown Business Development Loan Pool is hereby created in accordance with the attached Guidelines and Application documents to implement the Main Street Redevelopment Plan and the 2010 Update to the Village Centre Master Plan.

Section 2. The Village Administrator, Community Development Director and the Economic Development Commission are hereby authorized and directed to review applications submitted to the Germantown Business Development Loan Pool for completeness and eligibility in cooperation with other participating entities and financial institutions.

Section 3. The Economic Development Commission is hereby authorized to approve applications submitted to the Business Development Loan Pool.

Section 4. The Village Administrator, Community Development Director and/or Economic Development Commission is authorized to take the necessary steps to promote the Germantown Business Development Loan Pool, including among other things coordinating promotional efforts with other entities such as Economic Development Washington County; and to expand and develop the program by, among other things, seeking additional entities and financial institutions as needed to participate along with First Bank Financial Centre.

Section 5. SEVERABILILTY. If a court of competent jurisdiction adjudges any section, clause, provision or portion of this resolution unconstitutional or invalid, the remainder of this resolution shall not be affected thereby.

Introduced by Trustee:

Adopted: _____, 2015 Vote: Ayes: Nays: Absent:

Dean Wolter, Village President

ATTEST:

Barbara K.D. Goeckner, Village Clerk

EXHIBIT A

Resolution No. ____-15

**GERMANTOWN BUSINESS DEVELOPMENT LOAN POOL (GBDLP)
VILLAGE OF GERMANTOWN, WISCONSIN**

Guidelines and Application Follow Beginning on Next Page

**GERMANTOWN BUSINESS DEVELOPMENT LOAN POOL (GBDLP)
VILLAGE OF GERMANTOWN, WISCONSIN**

Guidelines and Application

PARTICIPATING PARTNERS

Participating Partners include:

- Village of Germantown
- First Bank Financial Centre

FUNDING SOURCE

- Public/Bank Consortium

DESCRIPTION

The Germantown Business Development Loan Pool (GBDLP) is a revolving loan fund designed to provide low cost loans for start-up costs for new businesses and/or expansion costs for existing businesses located in specified areas of the Village of Germantown, Wisconsin.

ELIGIBLE ACTIVITIES

Eligible expenses include loans the following:

- Building improvements/ renovation or new construction
- Land or building acquisition
- Equipment purchase
- Costs associated with environmental and/or safety compliance
- Costs associated with the redevelopment of blighted or vacant land and facilities

INELIGIBLE ACTIVITIES

Ineligible expenses include loans for the following:

- Refinancing of existing debt or the interest payments on existing debt
- Improvements completed prior to loan approval
- Paying of taxes
- Contributing equity required of borrowers participating in other loan programs.
- Investing in interest bearing accounts, certificates of deposits, or other investments not related to job creation/retention
- Purchasing or financing equity in private businesses
- Subsidizing interest payments on existing loans
- Loans which would create a potential conflict of interest
- Loans for the purpose of speculative activities

APPLICATIONS

Applications are available at:

- Any participating First Bank Financial Centre

- By contacting Jeffrey W. Retzlaff, Community Development Director, Village of Germantown at 262-250-4735 or jretzlaff@village.germantown.wi.us
 - By contacting David Schornack, Village Administrator at 262-250-4750 or dschornack@village.germantown.wi.us
-

I. Introduction

First Bank Financial Centre will commit \$200,000 to establish a loan pool to encourage business development and revitalization in specified areas of the Village of Germantown. The loan proceeds will be utilized to fund a wide variety of commercial projects ranging from assisting new businesses locating in these areas with startup costs to helping existing businesses with renovations or expansion plans. The loans will carry below market rates and favorable terms.

The program is designed to encourage new investment in commercial and mixed-use projects by property owners and/ or tenants.

II. Program Description

The Germantown Business Development Loan Pool (GBDLP) is a pool of money made available by the participating banks for the purpose of making loans to achieve economic benefits.

Economic benefits are defined as:

- Business development, including the start-up or expansion;
- Business and job retention;
- Redevelopment of blighted land and vacant facilities for a mixed-use residential, commercial, or business purpose;
- Modernization and rehabilitation of existing mixed-use residential or commercial properties;
- Support for the use of new technologies, growth industries and/or high-tech firms. In general, lending policies and financing techniques will include, but are not limited to:
- Providing below market interest rates;
- Providing longer term loans than are traditionally available for a particular type of financing;
- Reducing the risk for non-participating commercial lenders by providing subordinate financing.

Eligibility Requirements

Eligible GBDLP projects must meet the following basic program eligibility requirements:

A. Eligible Areas

Eligible projects must be located in the areas specified in the attached Exhibit A.

B. Eligible Applicants

In order to be eligible for the program, an applicant and the proposed project must meet at least the following criteria:

1. The applicant must own or have a legal option to purchase the subject property, or have a Lease or an Agreement to Lease equal to, or greater than, the term of the loan. Proof of the length of the Lease or Agreement must be furnished. (A signed, notarized copy of the Lease or Agreement will be considered proof)
2. The applicant must demonstrate to the Participating Partners that there are adequate resources available to complete the project and create economic benefit. This will include proof of a commitment for financing, along with the necessary equity required by the primary lender(s). A current business plan must be submitted as part of the application process.
3. The taxes on the subject property must be up to date prior to the final approval by the Economic Development Commission and remain current for the length of the term of the loan.
4. If the project is for construction financing, plans and specifications must show the property will be substantially improved, and all reasonably usable space within the structure will be returned to a state of utility through repair or alteration.
5. An applicant is only eligible for the GBDLP program when full private financing or credit is not otherwise available on terms and conditions which would permit completion and/or the successful operation or accomplishment of the project to be financed.
6. The applicant and guarantors, if applicable, will have no concurrent interest in any other project receiving assistance through the program.
7. The applicant and guarantors, if applicable, must have a satisfactory credit history.

C. Eligible Loan Activities

1. Fixed asset loans for the acquisition and/or improvement of land, buildings, and equipment, including new construction or renovation of existing facilities, demolition and site preparation and environmental or safety compliance.

D. Ineligible Loan Activities

1. Loans for the purpose of investing in interest bearing accounts, certificates of deposits, or other investments not related to job creation/retention.
2. Loans which would create a potential conflict of interest.
3. Loans for the purpose of speculative activities.
4. Loans for the purpose of purchase or finance equity in private businesses.
5. Loans for the purpose of subsidizing interest payments on existing loans.
6. Loans for the purpose of refinancing loans made by other lenders.
7. Loans for the purpose of payment of taxes.
8. Loans for projects completed prior to GBDLP program approval.

IV. Loan Review Criteria

In general, First Bank Financial Centre and the Economic Development Commission will consider the following priorities and conditions when reviewing an application for financing:

- A. Priority to businesses and developers looking to invest in the specified areas of the Village that further the planning goals and objectives to make these areas pedestrian oriented, mixed-use neighborhoods with vibrant commercial activities.
- B. Priority based on job retention or new job creation through capitalization of start-ups, business expansion, or retention of businesses.
- C. Priority to business which will attract large numbers of people to the specified areas of the Village.
- D. Priority to businesses looking to locate in vacant properties the specified areas of the Village.
- E. Priority based on security and repayment strength.

V. Loan Terms

It is the goal of the program to remain as flexible as possible in working with the individual needs of applicants. Therefore, the minimum/maximum loan amount, interest rate, term, and collateral will be negotiated, on a case by case basis, with the Participating Partners. The minimum loan amount shall not be less than \$10,000 and the maximum loan shall not be greater than \$25,000 subject to the availability of funds in the Pool.

In the determination of collateral requirements, the Participating Partners will consider the merits and potential economic benefits of each application. When appropriate and practical, GBDLP financing may be secured by liens or assignments of rights in assets of assisted firms as follows:

- A. In order to encourage financial participation in a direct fixed-asset loan project by other lenders and investors, the term of the GBDLP program may be for a longer period than that of the other lender(s). The lien position of the GBDLP loan may be subordinate to pre-existing or concurrent debt, and made inferior to the lien, or liens, securing other loans made in connection with the project.
- B. In projects involving direct working capital loans, the GBDLP program will normally obtain collateral such as liens on inventories, receivables, fixed assets and/or other available assets of borrowers. Such liens may be subordinate only to existing liens of record and other loans involved in the project.
- C. In projects involving fixed asset loans, the GBDLP program normally will obtain collateral on the asset(s) to be financed as well as other assets of the company, as appropriate.
- D. In projects involving guaranteed loans in the revolving phase, the lending institution ordinarily will be required to maintain a collateral position, to which the GBDLP loan is subrogated, in the assets of the borrower and/or principals of the borrower such as by taking liens on inventories, receivables, fixed assets, and/or other available assets of borrowers.
- E. In addition to the above types of security, the GBDLP program may also require security in the form of assignments of patents and licenses, leases or stock certificates, and such other additional security as the grantee determines is necessary exposure.
- F. The GBDLP program should ensure that the borrower obtains adequate hazard and other forms of insurance, as appropriate. The GBDLP program also will obtain a lender's loss payable endorsement on that insurance.
- G. GBDLP loan requests submitted by closely held corporations, partnerships, or proprietorships dependent for their continuing success on certain individuals will ordinarily be expected to provide and assign to the GBDLP life insurance on these key persons. Personal guarantees will be required from principal owners.

VI. Application Process

- A. An application is to be completed by the applicant and submitted to the Village of Germantown Department of Community Development. The preliminary application will be reviewed for completeness and eligibility.

- B. All completed and eligible applications will be reviewed and final action will be taken by the Village of Germantown Economic Development Commission following recommendations from First Bank Financial Centre and Village Staff.
- C. The application will be reviewed and approved or denied by the Village of Germantown Economic Development Commission, subject to the requirement that any application shall be approved by a majority vote and approved by First Bank Financial Centre. Terms and conditions of an approved project will be established as part of the final loan approval process.
- D. The GBDLP loan processing and servicing will be handled by First Bank Financial Centre.

GERMANTOWN BUSINESS DEVELOPMENT LOAN POOL APPLICATION

I. APPLICANT INFORMATION

Name: _____ Telephone: _____

Home Address: _____

Social Security Number: _____

II. PROPOSED PROJECT

Full Legal Name of Borrower: _____

Address: _____
Street City State Zip

Contact Person: _____ Phone Number: _____

Type of Business: _____

Year Business was established: _____

Years Under Current Management: _____

Number of employees: Current: _____ Proposed: _____

Business Ownership:

Sole Proprietorship

Corporation

LLC

General Partnership

LLP

S Corporation

Landlord Information: Name: _____

Phone Number: _____

Lease Expiration: _____ Annual Rent: _____

Any relationship between the business and the Landlord?

Yes

No

If Yes, Describe: _____

III. LOAN REQUEST

Amount Requested: _____ Term Requested: _____

For what purposes will this credit be used? _____

How will business repay this credit? _____

Is business subject to either seasonal or cyclical cash flow variations? Yes No

If yes, please explain: _____

IV. PURPOSE OF LOAN

Describe the scope of work which the Business Development Loan Pool funds are proposed for, and the anticipated benefits to be realized from the proposed project. (Examples: benefits low income employees, youths, minorities, handicapped, veterans, elderly, local economic benefits, impact on the environment (if any), community benefits, financial impact on local government, etc.)

Please be as specific as possible by presenting a detailed outline of all proposed work, including all renovations, equipment, start-up costs and training costs, etc. If applicable, the design proposal should also accompany the application. Attach additional information if necessary.

(The page contains faint horizontal lines, suggesting it was part of a lined notebook or document.)

V. FINANCIAL INFORMATION

- a. Does this business currently pay taxes to the Village of Germantown?
Yes No If yes, what is the amount \$ _____.
Enclose copies of tax bills (property, inventory and equipment if applicable).
- b. Have you received any assistance from the Village of Germantown, Economic Development Washington County, State of Wisconsin or any federal programs for the above presented project or any other property? Yes No
- c. Submit copy of deed or legal description of property, purchase and sales agreement or lease, whichever applies regarding use of loan proceeds.
- d. Business financial statements for the past three (3) years if the business is already in existence. If the business is new, a business plan is required which must include projections for at least two years into the future.
- e. Business' income tax returns for the past three (3) years, including all schedules.
- f. Interim financial statements (if six (6) months have passed since the last fiscal year-end, provide all available interim statements).
- g. Personal Financial Statement for each proposed borrower, owner, partner or guarantor.
- h. Personal Federal Income Tax Returns for the past three (3) years for each proposed borrower, owner, partner or guarantor, include all schedules.

VI. COLLATERAL OFFERED TO SECURE LOAN *

Accounts Receivable

Aging Report (Attached) Date of Report: _____

Inventory

Inventory List (Attached) Valuation: _____

Equipment

Bill of Sale (Attached) Valuation: _____

Real Estate

Recorded deeds (Attached) Address: _____

Vehicles

Title(s) (Attached) Valuation: _____

* If any collateral is pledged, identify and indicate name of secured party.

VII. Bank Relationships

Bank Name	Loan Type	Account Number	Balance

VIII. Credit References (include loans from banks, finance companies, individuals, other financial institutions, etc.)

Creditor	Loan Type	Account #	Payment	Balance	Collateral

IX. Trade References (List your four largest trade creditors).

Trade Creditor	Trade Terms	High Credit	Balance	Collateral

X. Top Four Customers

Name and Address	Selling Terms	% of Sales

Please read this:

The information contained in this application is provided to induce the participating partners to extend credit to you. You acknowledge and understand that participating partners are relying on the information provided in this application in deciding whether to extend credit to the applicant. Each of you represents, warrant and certify that the information provided in this application is true, correct and complete. Each of you agree to notify participating partners immediately of any materially adverse change in (1) any of the information contained in this application or (2) you or any proposed guarantor's financial condition. The participating partners are authorized to make all inquiries it deems necessary to verify the accuracy of the information contained in this application. You authorize any person or credit reporting agency to give the participating partners any information it may have about you. Each of you signing below do authorize the participating partners to obtain credit checks on you, including consumer credit checks through credit reporting agencies and direct inquiries of business(es) where you have accounts, where you worked, or other sources; (b) to contact these sources at any time whether before, during or after the term of any agreement between you and participating partners to update information or to assist the participating partners in enforcing any obligations you owe to the program; and (c) to properly report any performance with regard to credit extended to any one who may properly receive such information.

Please sign here:

Corporation or partnership applicant:

Name of entity

X _____
Authorized Signature

Print Name

Title

Individual, Sole Proprietor, and Guarantors:

X _____
Authorized Signature

Print Name Date

X _____
Authorized Signature

Print Name Date

X _____
Authorized Signature

Print Name Date

EXHIBIT A

Map of Eligible Loan Areas



COPY

**BUSINESS OF THE PUBLIC WORKS & HIGHWAY COMMITTEE
GERMANTOWN, WI**

MEETING DATE: November 3, 2015

AGENDA ITEM: Unfinished Business

ITEM TITLE: Maintenance of Ditches Within the Right-of-Way- Discussion and/or Action

SUBMITTED BY: Lawrence Ratayczak, Public Works Director

SUMMARY EXPLANATION:

This topic was presented at the PWHC meeting on October 6, 2015 by Engineer Bischke during which Engr. Bischke presented a summary review and associated rating system of the current status of the ditches in question. The summary evaluated current ditch side slopes and established a rating system to identify ditches and the severity of the side slopes. Utilizing this information I and the Highway Department made field inspections of ditches with a rating of 5 to evaluate methods to eliminate the side slope issues. We considered 1) resetting driveway culverts and filling in ditches to reduce depth and thereby reducing side slopes; 2) partial enclosure of ditches & 3) full enclosure of ditches. Evaluations of each method gave consideration to the immediate property owner, surrounding property owners and cost vs type of remedy selected. In addition, the Committee requested that staff evaluate the ability to perform the work in-house and to include in this evaluation the estimated cost and quantity of work that could be completed in a season (year). It was determined that to best fit the schedule of the Street Department that one of the developments be completed per season (year). First, I would like to establish that this work is well within the means for completion by the Department of Public Works-Street & Highway Division but it comes at a cost of the lost opportunity to complete other regularly performed maintenance work such as inlet replacement/reconstruction, road maintenance, ditch maintenance and already planned special projects to name only a few. That being said the estimated cost for this work to be completed in-house is \$34.80/LF. The estimated daily production is 160 lf per day.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER _XX

Spreadsheet indicating "Cost Estimate to Enclose Ditches"
Engineer Bischke Summary Tables

RECOMMENDATION:

Director of Public Works recommends the Public Works & Highway Committee approve the work to perform required ditch maintenance at ditches having a rating of 5 on the summary completed by Engr. Bischke and that the work is to be completed by the Department of Public Works-Street & Highway Division. All cost for materials, fuel and contracted work to be funded by CIP funds. In addition, we recommend maintaining the \$120,000.00 placed in the CIP

Budget until a final approval is determined for this work.

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.

Cost Estimate to Enclose Ditches

MATERIAL	EXPLANATION	QUANTITY	UNIT COST	ESTIMATE PER FOOT
TOPSOIL	Ave. 15' width by 4" deep	.19 cubic yds/ft	\$12.50/yrd	\$1.75
STONE	Ave width 3' by 10" deep	.15 tons/ft	\$8/ton	\$1.25
Turf	Seed, Fert. & Matting			\$1.00
INCIDENTALS	Sump connections, fuel, etc			\$1.25
Fill	15' wide by 2.5' deep	1.38 yds/ft	\$7/yrd	\$9.75
PIPE	18" HDPE Pipe	120' ave. frontage	\$10.20	\$10.20
COUPLERS	Mar-Max Water Tight Repair	2 per	\$125/per	\$2.10
CATCH BASIN	Nylo Drain: 1 structures/ lot	1.0/per	\$900	\$7.50
TOTAL/FT				\$34.80

Cost would be reduced by \$4.50/lf if 12" dia. Pipe installed & \$2.55/lf if 15" dia. Pipe installed
Fill Material is presented as worst case if material needed to be purchased, possible obtain free fill
Couplers required to adapt round pipe to elliptical driveway culvert pipe
Cost to raise driveway culvert, fill ditches & replace HMA driveway is approx. \$37.00/lf
Average estimated daily production to enclose ditches is 160 lf/day

ADDRESS	STREET	FRONTAGE (LF)	2015 REQUEST	>2.5' DEPTH	STAGNANT WATER	NOT MOWED	OBSTACLES	RAW SCORE	ENGR OPINION ADJUST	FINAL SCORE	EST COST (\$30/LF)	EST COST (\$45/LF)
W13281	Crestview	200	1	1	1	1		4	1	5	\$5,994	\$8,991
W13341	Crestview	280	1	1	1	1		4	1	5	\$8,393	\$12,590
W13344	Crestview	254	1	1	1			3	2	5	\$7,628	\$11,443
W13378	Crestview	145		1	1			2	3	5	\$4,363	\$6,544
W13396	Crestview	169	1	1	1			3	2	5	\$5,082	\$7,623
W13450	Crestview	389	1	1	1	1	1	5	0	5	\$11,677	\$17,515
W13523	Crestview	408	1	1	1	1	1	5	0	5	\$12,246	\$18,369
N11293	Crestview (Forest)	134		1	1	1		3	2	5	\$4,010	\$6,016
N11315	Crestview (Forest)	342	1		1	1		3	2	5	\$10,248	\$15,372
		2321									\$69,642	\$104,463
N11269	Martin	106	1		1	1	1	4	0	4	\$3,168	\$4,752
		106									\$3,168	\$4,752
N11293	Forest	238			1	1	1	3	0	3	\$7,134	\$10,701
		238									\$7,134	\$10,701
W12969	Crestview	150	1	1				2	0	2	\$4,500	\$6,750
W13033	Crestview	165	1	1				2	0	2	\$4,963	\$7,444
		315									\$9,463	\$14,194
W12885	Crestview	153			1			1	0	1	\$4,604	\$6,906
W12929	Crestview	150			1			1	0	1	\$4,500	\$6,750
		303									\$9,104	\$13,656
W12820	Crestview	60						0	0	0	\$1,800	\$2,700
W12827	Crestview	79						0	0	0	\$2,374	\$3,561
W12888	Crestview	127						0	0	0	\$3,804	\$5,706
W12930	Crestview	150		1				1	(1)	0	\$4,500	\$6,750
W12990	Crestview	150						0	0	0	\$4,500	\$6,750
W13088	Crestview	137						0	0	0	\$4,117	\$6,176
W13099	Crestview	209	1					1	(1)	0	\$6,274	\$9,410
W13132	Crestview	169	1					1	(1)	0	\$5,066	\$7,600
W13155	Crestview	238	1					1	(1)	0	\$7,148	\$10,723
W13385	Crestview	279						0	0	0	\$8,360	\$12,540
N11290	Crestview (Forest)	143						0	0	0	\$4,283	\$6,424
N11322	Crestview (Forest)	269	1					1	(1)	0	\$8,080	\$12,119
N11243	Forest	150						0	0	0	\$4,500	\$6,750
N11267	Forest	150	1					1	(1)	0	\$4,500	\$6,750
N11290	Forest	253						0	0	0	\$7,583	\$11,375
N11315	Forest	193	1					1	(1)	0	\$5,776	\$8,664
N11322	Forest	179	1					1	(1)	0	\$5,378	\$8,067
N11340	Forest	372						0	0	0	\$11,153	\$16,729

ADDRESS	STREET	FRONTAGE (LF)	2015 REQUEST	>2.5' DEPTH	STAGNANT WATER	NOT MOWED	OBSTACLES	RAW SCORE	ENGR OPINION ADJUST	FINAL SCORE	EST COST (\$30/LF)	EST COST (\$45/LF)
N11345	Forest	188						0	0	0	\$5,653	\$8,479
N11373	Forest	173	1					1	(1)	0	\$5,177	\$7,765
N11443	Forest	535						0	0	0	\$16,036	\$24,054
N11466	Forest	475						0	0	0	\$14,262	\$21,393
N11487	Forest	271						0	0	0	\$8,131	\$12,197
N11512	Forest	434	1		1			2	(2)	0	\$13,006	\$19,508
N11533	Forest	260	1		1			2	(2)	0	\$7,800	\$11,700
N11550	Forest	420			1			1	(1)	0	\$12,600	\$18,900
N11589	Forest	260			1			1	(1)	0	\$7,800	\$11,700
W13102	Forest	435						0	0	0	\$13,060	\$19,590
N11260	Martin	89						0	0	0	\$2,665	\$3,998
N11277	Martin	120						0	0	0	\$3,600	\$5,400
N11289	Martin	152						0	0	0	\$4,567	\$6,850
N11298	Martin	295						0	0	0	\$8,855	\$13,282
W13385	Martin (Crestview)	254						0	0	0	\$7,619	\$11,429
W13396	Martin (Crestview)	388	1			1		2	(2)	0	\$11,653	\$17,480
W13450	Martin (Crestview)	402	1			1		2	(2)	0	\$12,061	\$18,091
W13523	Martin (Crestview)	162	1					1	(1)	0	\$4,845	\$7,268
		8619									\$258,584	\$387,877

ADDRESS	STREET	FRONTAGE (LF)	2015 REQUEST	>2.5' DEPTH	STAGNANT WATER	NOT MOWED	OBSTACLES	RAW SCORE	ENGR OPINION ADJUST	FINAL SCORE	EST COST (\$30/LF)	EST COST (\$45/LF)
N9769	H.H.	110	1	1	1		1	4	1	5	\$3,300	\$4,950
N9795	H.H.	133	1	1	1	1		4	1	5	\$3,976	\$5,964
N9816	H.H.	151	1	1	1	1		4	1	5	\$4,523	\$6,785
N9849	H.H.	110	1	1	1	1		4	1	5	\$3,300	\$4,950
N9867	H.H.	153	1	1	1	1		4	1	5	\$4,592	\$6,888
N9813	W.H.	112		1		1		2	3	5	\$3,353	\$5,029
N9833	W.H.	112		1		1		2	3	5	\$3,353	\$5,029
N9851	W.H.	112	1	1		1		3	2	5	\$3,353	\$5,029
N9873	W.H.	146	1	1		1		3	2	5	\$4,387	\$6,581
W21715	W.H.	80		1	1			2	3	5	\$2,414	\$3,620
W21739	W.H.	110	1	1	1			3	2	5	\$3,300	\$4,950
		1328									\$39,850	\$59,774
N9780	H.H.	352	1	1	1			3	1	4	\$10,549	\$15,823
N9783	H.H.	120		1	1	1		3	1	4	\$3,600	\$5,400
N9827	H.H.	91		1	1	1		3	1	4	\$2,719	\$4,079
N9830	H.H.	99		1	1	1		3	1	4	\$2,969	\$4,454
N9835	H.H.	130		1	1	1		3	1	4	\$3,885	\$5,828
N9848	H.H.	130		1	1	1		3	1	4	\$3,900	\$5,850
N9704	W.H.	80	1	1	1			3	1	4	\$2,414	\$3,620
		1001									\$30,036	\$45,054
N9819	H.H.	100		1	1			2	1	3	\$3,009	\$4,513
N9745	W.H.	118		1	1	1		3	0	3	\$3,527	\$5,290
		218									\$6,535	\$9,803
N9763	W.H.	118	1	1				2	0	2	\$3,527	\$5,290
N9781	W.H.	112	1	1				2	0	2	\$3,533	\$5,029
N9801	W.H.	178	1	1				2	0	2	\$5,325	\$7,988
		407									\$12,204	\$18,306
N9797	W.H.	138		1				1	0	1	\$4,148	\$6,221
		138									\$4,148	\$6,221
N9626	H.H.	177	1					1	(1)	0	\$5,310	\$7,965
N9665	H.H.	156						0	0	0	\$4,685	\$7,028
N9676	H.H.	90						0	0	0	\$2,699	\$4,049
N9694	H.H.	127						0	0	0	\$3,807	\$5,711
N9743	H.H.	150		1				1	(1)	0	\$4,500	\$6,750
N9746	H.H.	118						0	0	0	\$3,527	\$5,290
N9764	H.H.	118						0	0	0	\$3,527	\$5,290
N9860	H.H.	159	1					1	(1)	0	\$4,784	\$7,175
W21780	H.H. (W.H.)	141						0	0	0	\$4,232	\$6,349

ADDRESS	STREET	FRONTAGE (LF)	2015 REQUEST	>2.5' DEPTH	STAGNANT WATER	NOT MOWED	OBSTACLES	RAW SCORE	ENGR OPINION ADJUST	FINAL SCORE	EST COST (\$30/LF)	EST COST (\$45/LF)
N9689	W.H.	215						0	0	0	\$6,443	\$9,664
N9720	W.H.	304	1					1	(1)	0	\$9,113	\$13,669
N9742	W.H.	130						0	0	0	\$3,900	\$5,850
N9748	W.H.	217	1					1	(1)	0	\$6,510	\$9,765
N9794	W.H.	140						0	0	0	\$4,200	\$6,300
N9804	W.H.	347	1					1	(1)	0	\$10,410	\$15,615
N9862	W.H.	288						0	0	0	\$8,642	\$12,963
W21704	W.H.	261						0	0	0	\$7,840	\$11,760
W21756	W.H.	130						0	0	0	\$3,911	\$5,867
W21763	W.H.	110	1					1	(1)	0	\$3,300	\$4,950
W21780	W.H.	127						0	0	0	\$3,814	\$5,720
N9626	W.H. (H.H.)	117						0	0	0	\$3,512	\$5,267
		3622									\$108,664	\$162,996

STATE OF WISCONSIN VILLAGE OF GERMANTOWN WASHINGTON COUNTY

ORDINANCE NO. ____-15

AN ORDINANCE REPEALING SECTIONS 12.06 AND 12.07
OF THE GERMANTOWN MUNICIPAL CODE
RELATING TO DANCE AND ENTERTAINMENT LICENSES

WHEREAS, the Village Board having previously adopted § 12.06 of the Municipal Code of Germantown which requires licenses for public dances and dance halls; and

WHEREAS, the Village Board having previously adopted § 12.07 of the Municipal Code of Germantown relating to entertainment licenses; and

WHEREAS, the Village has issued few licenses under either section since their adoption;

NOW, THEREFORE, the Village Board of the Village of Germantown, Wisconsin, do ordain as follows:

SECTION I:

Sections 12.06 and 12.07 of the Municipal Code of Germantown is hereby repealed in their entirety.

SECTION II:

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION III:

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

SECTION IV:

This ordinance shall take effect and be in full force upon its passage and the day after publication.

Introduced by _____ on _____, 2015.

ORDINANCE NO. ____-15

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Adopted: _____, 2015 Vote: Ayes: Nays: Absent:

Dean M. Wolter, Village President

ATTEST:

Barbara K.D. Goeckner, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published: _____

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

MEETING DATE: November 16, 2015

AGENDA ITEM: New Business

ITEM TITLE: Payment to Wisconsin Department of Transportation for Engineering Services for Donges Bay Road

SUBMITTED BY: David R. Schornack, Village Administrator

SUMMARY EXPLANATION:

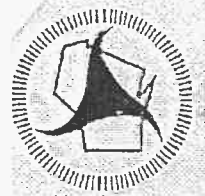
Trustee Myers has been talking with our State representatives' staff and the DPW staff has been in communication with Rep. Dan Knodl's staff regarding the payment to the Wisconsin Department of Transportation (WiDOT) of \$216,929.52 for engineering work for Donges Bay Road. As a result WiDOT has agreed to extend the repayment period from "immediately" to two years. The Village Board may want to consider placing the amount owed in the 2016 bond issue. Then the bond payment schedule could be structured so that the \$216,929.52 could be paid off over just 5 years instead of over the entire ten-year bond payment schedule.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER X

- Invoice from the Wisconsin Department of Transportation for the outstanding balance for engineering work for Donges Bay Road in the amount of \$216,929.52.

RECOMMENDATION:

Add the \$216,929.52, that the Village owes the Wisconsin Department of Transportation to the 2016 general obligation bond issue and structure the bond issue so that this, added amount, will be paid in the first 5 years of the bond repayment schedule.



DIVISION OF BUSINESS MANAGEMENT
Bureau Of Business Services
PO Box 7366
Madison, WI 53707-7366

**PROGRESS INVOICE - THIS IS NOT A FINAL BILL
SOUTHEAST REGION**

FOR ADDITIONAL INFORMATION CONTACT THE REGION OFFICE (262) 548-6895

To: BARBARA GOECKNER
VILLAGE OF GERMANTOWN
PO BOX 337
GERMANTOWN WI 53022-0337

JUNE 4, 2015

Invoice: L37303

State Project No.: 2712-00-01
DONGES BAY ROAD
DIVISION ROAD TO STH 145
PE/RECONDITIONING

Local Unit ID : 66131
Local Appropriation : 276

VILLAGE OF GERMANTOWN: \$271,087.23

PREVIOUS PAYMENTS AND WORK CREDITS: \$54,157.71

Balance Due: \$216,929.52

***** BALANCE DUE - PAYMENT DUE WITHIN 30 DAYS OF RECEIPT *****

VENDOR #
ACCT. # <u>40-541.570-8908</u>
DISC. #
APPROVAL

(Please refer to the above state project number and invoice number for all inquiries)
(Please detach the part below & return with your payment - Retain the rest for your records)

Invoice Number: L37303
Date: 2015-06-04

Balance Due: \$216,929.52

Amount Paid: _____

Make Checks Payable To:
WISCONSIN DEPT. OF TRANSPORTATION

Mail To:
WISCONSIN DEPT. OF TRANSPORTATION
Bureau of Business Services
P.O. Box 7366
Madison, WI 53707-7366

***** BALANCE DUE - PAYMENT DUE WITHIN 30 DAYS OF RECEIPT *****
*** FOR PROPER CREDIT, RETURN THIS PART WITH YOUR REMITTANCE ***

BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI

MEETING DATE: November 16, 2015

AGENDA ITEM: New Business

ITEM TITLE: Remainder of Budgeted Employee Compensation Increase for 2015

SUBMITTED BY: Dave Schornack, Village Administrator

SUMMARY EXPLANATION:

The Village Board had included in the 2015 budget a 2.0% increase for all non-union employees. Of the 2.0%, 1.5% was given to the employees earlier this year. The Committee of the Whole, at their meeting on October 8, 2015, directed the Village Administrator to place on the Village Board agenda for consideration the distribution of the remaining .5%. The Village Administrator is requesting that the .5% be distributed as a one-time pay adjustment for 2015 only, i.e., it will not be added to the employee's base wage and carried forward into future years as it is not in the 2016 budget. The .5% increase would only apply to full-time, regular, non-union employees who were employed with the Village as of December 31, 2014. The .5% would be calculated using the employee's December 31, 2014 base wage. It will also not apply to those employees who have received a pay increase as a result of a promotion in 2015.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

Motion to approve a .5% one-time pay adjustment for 2015 only, for full-time, regular, non-union employees who were employed with the Village as of December 31, 2014 whom did not receive a pay increase as a result of a promotion in 2015 and will be calculated using the employee's December 31, 2014 base wage.