

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, December 7, 2015 7:00 p.m.

LOCATION: Germantown Village Hall Board Room

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **PRESIDENT'S REPORT**
- V. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS:**
The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney and Village Clerk.
- VI. **CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:**
Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. (15 minutes)
- VII. **CONSENT AGENDA:**
- A. Approval of Village Board Minutes
- B. Accounts payable/payroll
- | | | | |
|----|-------------------|------------------|---------------|
| 1. | November 17, 2015 | Payroll (hourly) | \$ 208,004.83 |
| 2. | November 25, 2015 | Accounts Payable | \$ 584,587.07 |
| 3. | November 30, 2015 | Payroll (salary) | \$ 79,766.37 |
| 4. | November 2015 | Accounts Payable | \$ 29,173.26 |
| 5. | December 1, 2015 | Payroll (hourly) | \$ 222,577.99 |
- C. Operator Licenses: December 8, 2015 – June 30, 2016 [Recommended Approval]
Julia Thimm
- The following items were forwarded from the General Government and Finance Committee with a unanimous recommendation:
- D. Request to Approve Nu Vantage Employee Resource Annual Agreement [Recommended Approval]
- E. Request to Approve Ehlers Investment Advisory Agreement Renewal & Fee Increase [Recommended Approval]
- The following items were forwarded from the Public Works Committee with a unanimous recommendation:
- F. Request Authorization to Fill Operator Vacancy for Highway, Parks, Buildings and

VII. CONSENT AGENDA continued:

- Grounds Department [Recommended Approval]
- G. Approval to Pay Washington County Highway Department invoice in the Amount of \$44,659.37 for Centerline and Edge Line Painting Various Locations Within the Village [Recommended Approval]
- H. Approval to Pay the D.F. Tomasini Invoice in the Amount of \$5,345.00 for the Emergency Watermain Repair on Windsor Court [Recommended Approval]
- I. Acceptance of the State/Municipal Agreement for the Mequon Road-Country Aire Drive Intersection Project [Recommended Approval]

VIII. UNFINISHED BUSINESS:

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. Henry and Julie Schlee, Property Owners and Applicant to Rezone Portions of the Lands Located at W148N12455 Pleasant View Drive, Parcel GTNV#142-991 from the A-1: Agricultural District to the A-2: Agricultural District pursuant to the Village Zoning Code [**Ordinance**]
- B. Chris and Susan DeChant, Property Owners and Applicant for a Historic Designation for the Property Located at N116W15775 Main Street, Parcel GTNV#224-964 Pursuant to Section 26.06 of the Village of Germantown Municipal Code

X. NEW BUSINESS:

- A. Henry and Julie Schlee, Property Owners and Applicant to Rezone Portions of the Lands Located at W148N12455 Pleasant View Drive, Parcel GTNV#142-991 from the A-1: Agricultural District to the A-2: Agricultural District pursuant to the Village Zoning Code [**Ordinance**]
- B. Certified Survey Map – Henry and Julie Schlee, Property Owners of Parcel #GTNV 142-991 (W148 N12455 Pleasant View Drive) and Applicant for a three (3) lot Division [**Certified Survey Map**].
- C. Chris and Susan DeChant, Property Owners and Applicant for a Historic Designation for the Property Located at N116W15775 Main Street, Parcel GTNV#224-964 Pursuant to Section 26.06 of the Village of Germantown Municipal Code [**Ordinance**]
- D. Appointment **Board of Zoning Appeals**
Regular Member Jim Hansen 12/7/2015 – 04/30/2018
- E. Appoint the Following as Election Inspectors for the term January 1, 2016 – December 31, 2017:
DEMOCRATIC PARTY APPOINTMENTS: Charlene Brady, Phyllis Doherty, Janet Dunn, Brenda Egerer, Norine Janzen, Margaret Klopfer, Richard Klopfer, Sally Lacy, Virginia Loberg, Aurelio Mesa, David Tutaj, Christopher Yatchak
REPUBLICAN PARTY APPOINTMENTS: Joanne Axt, Marion Bezold, Alan Campbell, Anne Doran, Shirley Ehlert, Joy Gettelman, Eileen Gierach, Patricia "Gail" Greenisen, Russell "Wade" Greenisen, Susan Hafert, Carol Hakenson, Patti Hietpas, Kathleen Horn, Diane Johnson, Dolores Kloehn, Karen Kraemer, Judy Lastrilla, Mary Lauderdale, Carol Miller, Kathy Miller, Kristine Murray, MaryAnn Nordman, Catherine Osborne, Jennifer Pagel, Carol Pluta, Jean Pritchard, Nancy Schopf, Randall Schopf, Donald Schulteis, Rita Schulteis, Pamela Smith, Gwendolyn Spitz, Darlene Vosen

X. NEW BUSINESS continued:

UNAFFILIATED APPOINTMENTS:

Anne Adamec, Kenneth Bahr, Yvonne Bargenquast, Linda Bird, Holly Blaubach, Donald Boehlke, Linda Britton, Barbara Buth, Jean Drumm, Kathleen Duffy, Paulette Eck, Henry Ehler, Carolyn Eiden, Eleanor Ellner, Chandler Fraser, Lorraine French, Donald Gifford, Elizabeth Harebo, Jane Haven, Mike Heili, Charlene Hull, Marvin Jacobson, Cynthia Joerres, Janet Johnson, Nancy Kazmierczak, George Klaus, John Kraus, Sr., Katherine Kupfer, Elaine Laabs, Bonnie Lemanczyk, Roger Lemanczyk, Roger Lick, Diane Lindemeyer, Janice Oberg, Gail Prinslow, Mercedes Richter, Doris Rottmann, Mary Schulteis, Linda Shipman, Kathleen Sitzberger, Duane Skofronick, Thomas Sprink, Julie Stroik, Clara Theine, Karyl Tutaj, Catherine Webster, Susan Worden, Pamela Zangl, Donald Zolandz, Phyllis Zolandz

- F. Requested Approval of 2016 Fireworks Contract
- G. Requested Approval of Dheinsville Park Pavilion Memorandum of Understanding with the Germantown Historical Society
- H. Request Authorization to Hire Fulltime Recreation Supervisor
- I. Approval of Agreement Between Village's Senior Center & Washington County
- J. Approval of Agreement Between Washington County & Village for Senior Meal Program
- K. Request for Approval a \$3,000 Change Order Authorizing R.A. Smith National to Prepare Alternative Design of TID #6's Appleton Ave. Tee Intersection

XI. ADJOURNMENT

The next Village Board meeting will be on December 21, 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

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

MEETING DATE: December 7, 2015

AGENDA ITEM: Consent Agenda

ITEM TITLE: NuVantage Employee Resource Agreement

SUBMITTED BY: David R. Schornack, Village Administrator

SUMMARY EXPLANATION:

Attached is the annual agreement with NuVantage Employee Resource (employee assistance program) to provide assistance to Village employees in a variety of areas as described in Appendix A. The Village Administrator has reviewed the wording in the new agreement against the wording in the existing agreement and found that the wording is the same except for the fee structure. The agreement was unanimously approved by the General Government & Finance Committee.

Below are the fees over the last several years.

	11-1-2013 thru <u>10-31-2014</u>	11-1-2014 thru <u>10-31-2015</u>	11-1-2015 thru <u>10-31-2016</u>
Annual Administration Fee	\$790	\$800	\$800
Direct EAP Service (per session)	\$ 95	\$ 95	\$100
Supervisor/Manager/Employee orientations (per hour)	\$ 75	\$ 85	\$ 85
Management Consultation (per hour)	\$ 75	\$ 85	\$ 85
Substance Abuse Evaluations	\$ 300	\$300	\$300
Customized Staff training delivery (per hour)	\$ 175	\$175	\$175
Critical Incident Response (per hour)	\$250	\$250	\$250
Prep Time for Customized training Sessions	\$ 75	\$ 75	\$ 85

Normally, the only charges that we incur are the "Annual Administration Fee" and the "Direct EAP Service" fee.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER X

NuVantage Employee Resource agreement

RECOMMENDATION:

Motion to approve the NuVantage Employee Resource agreement.

NuVantage Employee Resource

LUTHERAN SOCIAL SERVICE OF MINNESOTA

Employee Assistance Program Agreement

with

Village of Germantown

THIS AGREEMENT is made and entered into as of 11/1/2015 by and between NuVantage Employee Resource, a division of Lutheran Social Service of Minnesota (hereinafter referred to as 'NuVantage') 424 W. Superior Street Suite 600, Duluth, MN 55802 and **Village of Germantown, (hereinafter referred to as 'Company') located at N122 W17001Mequon Rd Germantown WI 53022.**

In consideration of the promises and mutual covenants hereinafter contained, it is hereby agreed as follows:

Program Objectives: To provide a broad brush employee assistance program for all employees, their household family members and dependent children living outside the home. To provide support for management in the process of channeling employee productivity into Company objectives.

Company Liaison: NuVantage shall report to David R Schornack, Village Administrator (hereinafter 'Company Liaison') or designated representative who will coordinate the EAP for the Company and act as liaison between the Company and NuVantage

I. DESCRIPTION OF PROGRAM SERVICES

NuVantage shall make available the services enumerated in Appendix A, which NuVantage shall perform for the benefit of the Company's eligible population (as defined under Program Objectives) through NuVantage' provider network, upon the commencement date of this contract.

II. PROVIDER QUALIFICATIONS

NuVantage assures that it will use only Masters level trained mental health professionals for conducting assessment, referral, or brief counseling services. Additionally, those professionals providing Financial Assessments, Financial Planning, Legal and Eldercare services will be appropriately certified or licensed in their field.

III. REPORTS

NuVantage will provide quarterly, confidential utilization reports to the Company Liaison. These reports will provide aggregate information regarding the number of employees that accessed the EAP, demographic information, problem areas addressed, referral types, and an annualized utilization rate.

Annually, NuVantage will provide the Company with the outcomes of client satisfaction surveys and outcome data that may have been collected to measure the effectiveness of EAP services.

IV. CONFIDENTIALITY

NuVantage abides by all state and federal provisions related to the data privacy rights of clients and confidentiality as required by law concerning the relationship between vendor and clients. NuVantage will not communicate confidential information to the Company without the EAP client's written release of information.

V. LIABILITY STANDARD

Company agrees that it will not attempt to hold NuVantage, and/or one of its practitioners, liable for a NuVantage practitioner or network provider's failure to predict, warn of, or take reasonable precautions to provide protection from an individual's (client) violent behavior, unless the individual (client) has communicated to the practitioner a specific, serious threat of physical violence against a specific, clearly identified or identifiable potential victim.

VI. LIABILITY COVERAGE

NuVantage agrees to at all times during the term of this contract have and keep in force a liability insurance policy in the amount of \$1,000,000 for bodily injury or property damage to any one person and \$3,000,000 for total injuries or damages from any one incident.

VII. WORKERS COMPENSATION

NuVantage agrees to maintain workers compensation for all NuVantage Employees during the term of this contract.

VIII. RESPONSIBILITIES OF THE COMPANY

Furnish NuVantage information regarding its current employee health care programs and, when necessary, contact the insurance providers for answers to questions regarding coverage.

IX. USE OF NAME

Company agrees to allow NuVantage to list their organization as a customer of the agency on promotional materials of the agency.

X. FEES AND PAYMENTS

Fees and Payments are detailed in Appendix B.

XI. PROVIDER NETWORK

To provide the services as outlined in this agreement, NuVantage may subcontract with other providers. This may include mental health or substance abuse professionals or clinics, financial counseling services, legal assessment service providers, eldercare providers, financial planners, and other provider networks.

XII. RELATIONSHIP BETWEEN COMPANY AND NUVANTAGE

Company and NuVantage are independent entities. Nothing in this agreement shall be construed or deemed to create an employer/employee or principal/agent relationship or any relationship other than that of independent parties contracting with each other for the sole purpose of carrying out the provisions of this Agreement.

XIII. ENTIRE AGREEMENT

This agreement represents the total and complete agreement between the parties. All prior statements, representations, commitments, and understandings are fully merged herein.

XIV. AMENDMENT

This Agreement may be amended by mutual agreement of the Company and NuVantage evidenced by a written amendment.

XV. TERMINATION

Either party may terminate this agreement at any time with or without cause upon sixty (60) days written notice.

DocuSigned by:

Maureen Warren

October 8, 2015 | 14:58:14 PM CT

BC66520D78EC48A

Maureen E. Warren
VP & Chief Family Services Officer
Lutheran Social Service of Minnesota

Date

Dean Wolter
Village President
Village of Germantown

Date

APPENDIX A – PROGRAM SERVICES, Page One
Fee For Service Contract Terms
NuVantage Employee Resources

Client Eligibility and Emergency Service

The "eligible population" shall include all employees of the Company, their household family members and dependent children living outside the home. 1-800 access to service 24 hours a day (After hours is only for mental health phone counseling).

Emergency service: Clients in crisis will be connected directly by phone with a mental health professional for crisis counseling. NuVantage Employee Resource will screen all callers to determine eligibility for the Employee Assistance Program. Eligible clients will be offered an appointment within 3 working days of their call. All attempts will be made to see clients in need of more urgent service the same day.

Mental Health Assessment and Referral

This service will consist of a maximum of **4** in-person sessions per issue/case for each eligible client on a rolling 12 month basis. Referrals will be made to the most appropriate and cost-effective resources. The cost for any ongoing treatment or services resulting from the referral(s) will be the responsibility of the client.

Financial Counseling for Consumer Debt

This service will consist of an initial client consultation with a qualified financial counselor (in person or telephonically) which will lead to recommendations and follow up. Recommendations may include optional services which may require a nominal registration fee but most LSS charges are waived for NuVantage EAP clients. Services can also be accessed via a secure LSS website.

Legal Consultation and Referral

This service will consist of an initial telephonic intake which will lead to referrals to qualified attorneys in the client's location. The free, 30 minute consultations can be conducted in person or telephonically. Discounted rates are available should a network attorney be retained. There is no limit to the initial consultation process as long as the issues are different. This service cannot be utilized for matters involving disputes or actions between the client and the Company or EAP, agents or their officers, directors, or employees.

Eldercare Consultation and Referral

This service will consist of an initial telephonic consultation with a qualified eldercare/caregiver specialist which may lead to recommendations and follow up.

Management Consultation

NuVantage Employee Resource will provide consultation, as requested, for any supervisor or manager considering the referral of any employee to EAP or who requests advice in managing an employee performance/behavior problem. A Management Consultant will provide coaching and support throughout process, if needed, and maintain contact with the referring supervisor (provided the necessary consents for release of information are in place). Case Management is provided for Supervisory Referrals. Management consultations are available by phone via the primary access number and have a fee for service cost. See appendix B

Training and Orientation

Supervisor/Manager Orientation: Available for managers to inform them about all available services through the EAP.

Up to **0 hours** included in the contract price. Travel expenses might be incurred and will be negotiated at the time of the site visit schedule. See appendix B for details.

Employee Orientation: Available to employees to inform them about all available services through the EAP. This can include employee orientation sessions or as time spent at company sponsored benefits events. Up to **0 hours** included in the contract price. Travel expenses might be incurred and will be negotiated at the time of the site visit schedule. See appendix B for details.

APPENDIX A – PROGRAM SERVICES, Page Two
Fee For Service Contract Terms
NuVantage Employee Resource

Critical Incident Response

This service will consist of Critical Incident Response services for traumatic workplace related incidents (such as death, accident, workplace violence, etc.). Up to **0 hours** included in the contract price. Travel expenses might be incurred and will be negotiated at the time of the site visit schedule. See Appendix B for details.

Promotional and Educational Materials

Materials will include program panel cards or brochures with contact information, magnets, program posters, and quarterly promotional/educational pieces. Materials will be mailed to one primary site for distribution, available for download from our website, and/or emailed directly to a company liaison as an electronic attachment.

Access to NuVantage Wellness Resource Portal

NuVantage members have unlimited access to the NuVantage Wellness Portal which includes articles and resources on a wide variety of wellness topics. The site is password protected and the password can be obtained by contacting the NuVantage Account Manager.

Account Management

On-going account management will be provided with this contract. Account management includes on-going analysis of utilization of EAP services. And electronic version of the Utilization report will be sent to the primary company contact every 3 months, via email. A hard copy can be mailed if requested. Account management also includes regular quality assurance including review of returned client satisfaction surveys and follow up data. The account manager will serve as the point of contact for any customer service issues or special requests such as Critical Incident Response.

Substance Abuse Evaluations for Safety Sensitive Positions

Many states require that employees who hold safety sensitive positions and who test positive for drugs or alcohol after a work accident or injury be evaluated by specially trained chemical dependency counselors. NuVantage Employee Resource can assist your organization in managing these complex cases for an additional fee. See Appendix B for details.

APPENDIX B – FEES AND PAYMENTS

Fee For Service Contract Terms

NuVantage Employee Resource

Contract Term: 11/1/2015 – 10/31/2016
Organization: Village of Germantown
Total employee population: 102

Annual Administration Fee: \$800.00

Hourly Rates for the Following Services:

Direct EAP Service	\$100/session
Supervisor/Manager/Employee Orientations:	\$85/hour
Management Consultation	\$85/hour
Substance Abuse Evaluations	\$300
Customized Staff training delivery	\$175/hour
Critical Incident Response	\$250/hour
Prep Time for Customized Training Sessions	\$85/hour

Travel and lodging expenses will be charged for all on-site services beyond what is included in the capitation.

Billing Cycle:

The annual fee will be billed in quarterly installments. Hourly rates and expenses are billed monthly.

BUSINESS OF THE VILLAGE OF GERMANTOWN VILLAGE BOARD

MEETING DATE: December 7, 2015

PLACEMENT Consent

ITEM TITLE: Ehlers Investment Advisory Agreement Renewal & Fee Increase

SUBMITTED BY: Kim Rath, Finance Director

SUMMARY EXPLANATION:

The current advisory agreement between Ehlers Investment Partners and the Village will expire Feb 1, 2016. Ken Herdeman will be present to discuss the fee increase notice sent August 31, 2015 which would become effective 2/1/16.

Germantown's current investment amount with Ehlers is \$14,876,000

A spreadsheet of the cost difference is below:

Ehlers							
Current Investment	14,876,000						
Current Fee				New Fee			
less than 5 mill	0.150%	4,999,999	7,500	less than 2.5 mill	0.2000%	2,499,999	5,000
over 5 to 10 mill	0.125%	4,999,999	6,250	2.5 mill to less than 10 mill	0.1750%	7,499,999	13,125
over 10 to 15 mil	0.100%	4,876,002	4,876	10 mil to less than 20 mill	0.1500%	4,876,002	7,314
15 mill to less than 20 mill	0.075%			over 20 mill and above	0.1000%		
		14,876,000	18,626			14,876,000	25,439
						Higher	6,813

Ehlers has been our investment Advisor since 2012

ATTACHMENT: ORDINANCE ____ RESOLUTION ____ OTHER ____

RECOMMENDATION:

ACTION BY Committee

Approve Agreement effective 2/1/16 – 1/31/17 with fee increase, Finance Dept to research fee schedules of other Investment Advisors during 2016 for review before the 2/1/17 renewal 4/0

IX. A

**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, December 7, 2015
TIME: 7:00 p.m. or later

The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the application filed by the following applicant for: (1) a REZONING application to rezone portions of the following described lands from the A-1: Agricultural District to the A-2: Agricultural District pursuant to the Village Zoning Code:

Applicant: Henry & Julie Schlee, Property Owners
Property: W148 N12455 Pleasant View Drive
Tax Key No: GTNV#142-991

That part of the Southwest $\frac{1}{4}$ and Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows:
Commencing at the Northeast corner of the said Northwest $\frac{1}{4}$; thence S01°08'27"E along the East line of said Northwest $\frac{1}{4}$, 2270.46 feet to the point of beginning of this description; thence S88°54'04"W along the South line of Certified Survey Map No. 1148, 459.88 feet to a found Iron Pipe; thence N01°13'35"W along the West line of said Certified Survey Map No. 1148, 441.75 feet to a found $\frac{3}{4}$ inch Rebar, thence S88°29'01"W, 2169.66 feet to a point on the West line of said Northwest $\frac{1}{4}$; thence S01°50'22"E along said West line, 797.52 feet; thence N88°29'01"E, 2620.48 feet to a point on the East line of said Northwest $\frac{1}{4}$, thence, N01°08'27"W along said East line, 352.42 feet to the point of beginning of this description. Said parcel contains 1,889,668 sqft or 43.38 gross acres.

A copy of the application is on file in the Village Planning Department 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 12th day of November, 2015.
Barbara K. D. Goeckner, Village Clerk

To Be Published On: November 19th and November 25th, 2015

IX. B

**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, December 7, 2015
TIME: 7:00 p.m. or later

The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the applications filed by the following applicant for: (1) a HISTORIC DESIGNATION pursuant to Section 26.06 of the Germantown Municipal Code on the following described property:

Applicant: Chris & Susan DeChant, Property Owners
Property: N116 W15775 Main Street
Tax Key No: GTNV#224-964

Lot 1 of Certified Survey Map (CSM) No. 6366; being a .19-acre parcel located in part of the NE 1/4 of the SE 1/4 of Section 22, T9N, R20E, Village of Germantown, Washington County, Wisconsin

A copy of the proposed amendments are on file in the Planning & Zoning Division of the Community Development Department, N112 W17001 Mequon Road, and available for public inspection during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

Dated this 12th day of November, 2015.
Barbara K. D. Goeckner, Village Clerk

To Be Published On: November 19th and November 25th, 2015

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

MEETING DATE: December 7, 2015

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

ITEM TITLE: Henry and Julie Schlee, Property Owners of a 43.3-acre Parcel located at W148 N12455 Pleasant View Drive (Parcel GTNV#142-991); Rezoning Application & 3-Lot Certified Survey Map (CSM)

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

SUMMARY EXPLANATION:

Henry & Julie Schlee owners of a 43.3-acre parcel located on Pleasant View Drive are requesting approval of a rezoning and 3-lot Certified Survey Map (CSM) in order to create three (3) 10+ acre parcels to be served by a "private street" (i.e. shared driveway) as provided for in the Village's Subdivision regulations. The shared driveway, including the existing driveway serving the Schlee's existing residence (proposed Lot 2) will be located within a 53.5' wide "driveway access easement" subject of a shared driveway/access easement agreement.

ATTACHMENTS:

- ◆ 11/9/15 Staff Report
- ◆ 11/9/15 Plan Commission Meeting Minutes
- ◆ Draft Ordinance
- ◆ Preliminary CSM & Access Easement Agreement

PLAN COMMISSION RECOMMENDATIONS:

APPROVE rezoning the parcel from A-1: Agricultural to A-2: Agricultural; and

APPROVE the proposed 3-lot Certified Survey Map (CSM) as drafted subject to the following conditions:

1. All requirements and technical corrections identified in the Village Surveyor's October 27, 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 3 shall not be further divided or developed with any habitable structures until such time as a wetland delineation has been prepared and submitted to the Village of Germantown.
3. Soil evaluations for Lot 1 and Lot 3 indicating that each lot can support an on-site septic system shall be provided to the Village prior to Village Board approval.
4. A shared driveway/access easement agreement applicable to the 40' access outlot and across the southern portion of Lot 1 shall be prepared and submitted to the Village for review prior to review of the CSM by the Village Board. At a minimum, the agreement shall address construction of the driveway to the minimum design standards set forth in Section 18.07(d) of the Village's Subdivision Code, and, ownership and maintenance responsibilities for the easement and driveway.

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN ZONING CODE**
(Henry & Julie Schlee, 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 A-2: Agricultural District the following described property:

That part of the Southwest ¼ and Southeast ¼ of the Northwest 1/4 of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows:

Commencing at the Northeast corner of the said Northwest 1/4; thence S01°08'27"E along the East line of said Northwest 1/4, 2,270.46 feet to the point of beginning of this description; thence S88°54'04"W along the South line of Certified Survey Map No. 1148, 459.88 feet to a found Iron Pipe; thence N01°13'35"W along the West line of said Certified Survey Map No. 1148, 441.75 feet to a found 3/4 inch Iron Pipe, thence S88°29'01"W, 2,169.66 feet to a point on the West line of said Northwest, 1/4; thence S01°50'22"E along said West line, 797.52 feet; thence N88°29'01"E, 2,620.48 feet to a point on the East line of said Northwest 1/4, thence, N01°08'27"W along said East line, 352.42 feet to the point of beginning of this description. Said parcel contains 1,889,668 sqft or 43.38 gross acres.

SECTION 2. 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:

**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, December 7, 2015

TIME: 7:00 p.m. or later

The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the application filed by the following applicant for: (1) a REZONING application to rezone portions of the following described lands from the A-1: Agricultural District to the A-2: Agricultural District pursuant to the Village Zoning Code:

Applicant: Henry & Julie Schlee, Property Owners

Property: W148 N12455 Pleasant View Drive

Tax Key No: GTNV#142-991

That part of the Southwest ¼ and Southeast ¼ of the Northwest 1/4 of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, described as follows:

Commencing at the Northeast corner of the said Northwest 1/4; thence S01°08'27"E along the East line of said Northwest 1/4, 2270.46 feet to the point of beginning of this description; thence S88°54'04"W along the South line of Certified Survey Map No. 1148, 459.88 feet to a found Iron Pipe; thence N01°13'35"W along the West line of said Certified Survey Map No. 1148, 441.75 feet to a found 3/4 inch Rebar, thence S88°29'01"W, 2169.66 feet to a point on the West line of said Northwest, 1/4; thence S01°50'22"E along said West line, 797.52 feet; thence N88°29'01"E, 2620.48 feet to a point on the East line of said Northwest 1/4, thence, N01°08'27"W along said East line, 352.42 feet to the point of beginning of this description. Said parcel contains 1,889,668 sqft or 43.38 gross acres.

A copy of the application is on file in the Village Planning Department 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 12th day of November, 2015.

Barbara K. D. Goeckner, Village Clerk

To Be Published On: November 19th and November 25th, 2015

CERTIFIED SURVEY MAP (CSM) & REZONING

11/9/15 Plan Commission Meeting

Henry & Julie Schlee

Village Planner Report

Germantown, Wisconsin

Summary

Henry & Julie Schlee, property owners of a 43.3-acre parcel located on Pleasant View Drive are requesting approval of a rezoning and 3-lot Certified Survey Map (CSM) in order to create three (3) 10+ acre parcels.

Location: W148 N12455 Pleasant View Drive (@ Lovers Lane)

Property Owner/

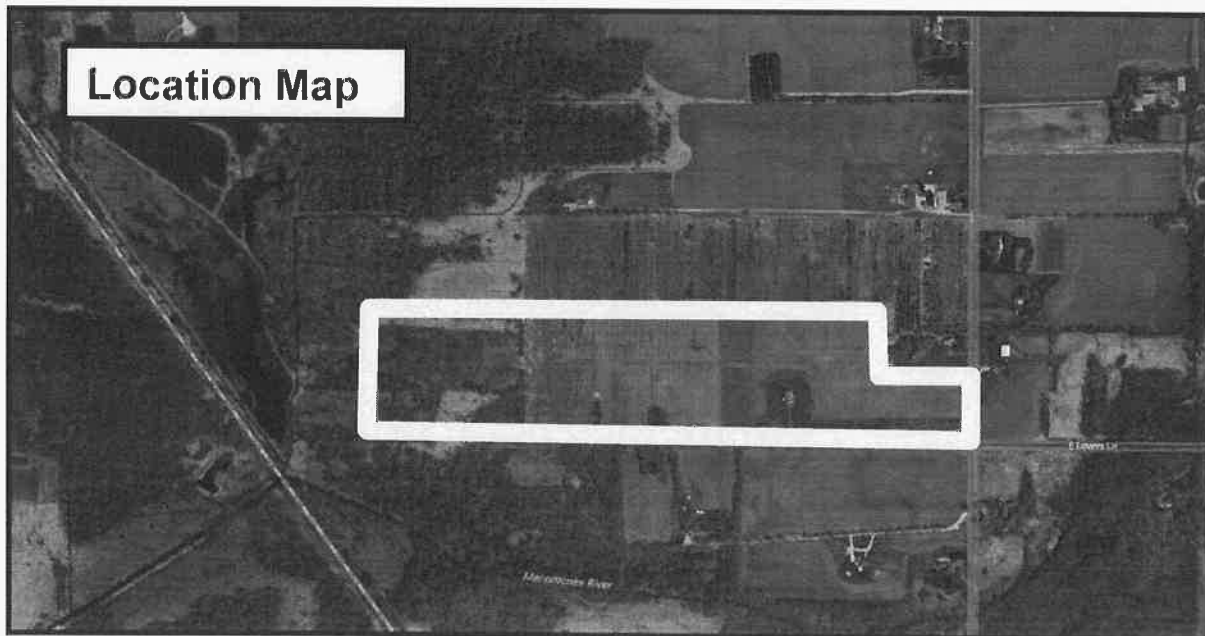
Applicant: Henry & Julie Schlee
W148 N12455 Pleasant View Drive
Germantown, WI

Current Zoning District: A-1: Agricultural

Proposed Zoning District: A-2: Agricultural

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

Location Map



Proposal

Henry & Julie Schlee, property owners of a 43.3-acre parcel located on Pleasant View Drive are requesting approval of a rezoning and 3-lot Certified Survey Map (CSM) in order to create three (3) 10+ acre parcels.

As discussed at the October PC meeting, the Schlee's propose to serve the three lots with a "private street" (shared driveway) as provided for in the Village's Subdivision regulations. The shared driveway, including the existing driveway serving the Schlee's existing residence (proposed Lot 2) will be located within a 53.5' wide "driveway access easement".

Staff CommentsConsistency with Village's Land Use Plan.

The Plan map classifies this property as "Agricultural/Conservation Residential". The proposed A-1 to A-2: Agricultural District rezoning (10 acre minimum parcel size) is consistent with the 2020 Land Use Plan.

Conformance with Zoning District & Subdivision Requirements.

The proposed lots meet the requirements of the A-2 Zoning District. Soil evaluations are being prepared for two of the proposed parcels with the third parcel containing an existing dwelling and septic system.

The most significant feature of the proposal is the lack of road frontage and shared driveway easement proposed for the three parcels. As set forth in Section 18.07 of the Subdivision regulations (copy attached), a private shared driveway (listed therein as "private street") may be permitted by the Village Board provided that certain criteria and design standards are met. The proposed 3-lot CSM appears to comply with the criteria under 18.07(1)(d) with sufficient area to meet the minimum design standards in Table 3.

The Village Surveyor has identified a number of technical corrections/issues in his October 27, 2015 review memo (copy attached) that will need to be addressed as part of the final CSM prior to Village Board approval and recording.

The most important issue concerns road right-of-way. As discussed in October and in the Surveyor's review memo, the construction of Lovers Lane west of Pleasant View Drive was anticipated as far back as 1850 when the (then) Town Board ordered Lovers Lane to be created as a 4 rod road (in a 66' wide highway easement). The Surveyor is recommending that the southernmost 23.5' of the Schlee property be dedicated for road right-of-way, although a road reservation seems more reasonable given that it is unknown if Lovers Lane will ever be extended west of Pleasant View Drive. It's important to note that there is a strip of land 16.5 feet wide south of the Schlee property that has a different property owner. While this 16.5' strip is part of the 66' highway easement, the 16.5' strip of land would have to be acquired by purchase or dedication to the Village to make up the balance of the 40' wide right-of-way north of the ¼ section line. A separate 40' wide "road reservation" already exists along the south side of the ¼ section line that was created by CSM when those lands to the south were rezoned and

divided into two parcels back in 1999. The 40' wide road reservation is consistent with the Village's ultimate right-of-way map that requires a total of 80 feet of right-of-way for the future extension/construction of Lovers Lane west of Pleasant View Drive.

The proposed lots meet the minimum requirements for parcels in the A-2: Agricultural Zoning District (10-acre minimum parcel size). The A-1 District requires a minimum of 35-acres. Soil evaluations are being prepared for proposed Lot 1 and Lot 3 (expected to be completed before Village Board review). Lot 3 contains a small wetland area that has not yet been delineated. However, because Lot 3 is not intended for development at this time, staff is recommending that the Village defer the delineation requirement until such time as Lot 3 is proposed for development. Consequently, an additional note/restriction shall be placed on the CSM indicating that Lot 3 cannot be further divided or developed with any habitable structures until such time as wetland delineation is completed with the results provided to the Village.

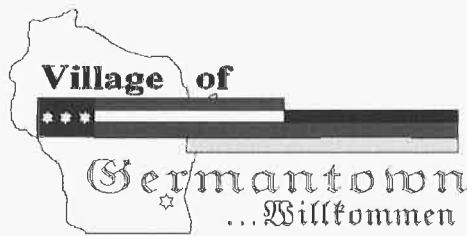
The shared driveway will have to be constructed to the minimum design standards and meet all other requirements set forth in Section 18.07(d) of the Village's Subdivision and Platting Code regarding "private streets", including the requirement for deed restrictions and/or covenants dictating ownership and maintenance responsibilities for the easement and driveway.

Village Planner Recommendation

APPROVE rezoning the parcel from A-1: Agricultural to A-2: Agricultural;

APPROVE the proposed 3-lot Certified Survey Map (CSM) as drafted subject to the following conditions:

1. All requirements and technical corrections identified in the Village Surveyor's October 27, 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 3 shall not be further divided or developed with any habitable structures until such time as a wetland delineation has been prepared and submitted to the Village of Germantown.
3. Soil evaluations for Lot 1 and Lot 3 indicating that each lot can support an on-site septic system shall be provided to the Village prior to Village Board approval.
4. A shared driveway/access easement agreement applicable to the 40' access outlot and across the southern portion of Lot 1 shall be prepared and submitted to the Village for review prior to review of the CSM by the Village Board. At a minimum, the agreement shall address construction of the driveway to the minimum design standards set forth in Section 18.07(d) of the Village's Subdivision Code, and, ownership and maintenance responsibilities for the easement and driveway.



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner
CC:
From: Bob Beilfuss, PLS, Village Surveyor
Date: October 27, 2015
Re: Schlee CSM

Jeff,

Here are my review comments for the CSM received 10-16-2015.

Certified Survey Map

Applicant or Owner: Henry and Julie Schlee
Land Surveyor/Firm: Cornerstone Land Surveying, Rich Simon, PLS
Current Zoning:

1. The document submitted for review by the owner was done without the approval of the professional land surveyor. What was submitted was a draft version for approval by the owner to clarify lot arrangement. As such, what was submitted for review is not in the proper form, specifically the wrong sheet size was submitted and due to the reduced size, mapping scale cannot be determined.
2. The location map is missing and is required to be shown on the map.
3. New soil borings need to be taken and shown on Lot 1 and 3 and a passing septic report needs to be provided for Lot 1 and 3.
4. There are wetlands located on Lot 3 that will need to be delineated by a wetland specialist and mapped by a professional land surveyor. The 25' wetland setback will need to be added based on the delineation.
5. The graphics or map scale is missing and needs to be added to both sheet 1 and 2.
6. The property, located south of the south line of the Northwest ¼ shown as "unplatted" is actually Lot 1 and Lot 2 of CSM 5124.
7. Due to the potential of future land divisions or subdivisions in the immediate area in the Northwest ¼ and Southwest ¼ of Section 14, Engineering is requiring the south 23.5' of this property be dedicated as public road right of way for the possible extension of Lovers Lane west of Pleasant View Drive.

8. The owner intends on creating a shared drive way easement across Lot 1 and Lot 2 so Lot 3 has access to Pleasant View Drive. This easement would be located in the same area as the road right of way dedication.

To avoid a conflict with private property easement rights vs. public right of way, a precedent was established by the Village Board with the Gloria Fetzer CSM located between Mary Buth Lane and Knollwood Drive on the extension of East Lovers Lane. A private drive was allowed to be constructed in public road right of way until the Village improved and extended East Lovers Lane to Mary Buth Lane.

The same criteria could be applied to this property. The driveway could be allowed in the unimproved road right of way until the road is extended at which time the individual property owners would be required to connect to the new roadway.

This proposed driveway is constrained by the Zoning Code to 1,200' in length at the discretion of the Village Board. A cul-de-sac will be required to be constructed to the level at which Village Fire trucks can navigate the turning radius.

9. The professional surveyor's seal and signature is missing from all sheets and needs to be added to the map.

Surveyor Simon informed me he would be sending a new version of the map in its correct form but at this time I do not recommend approval of this CSM in the current state it was submitted.

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.

MOTION Baum second Nilles to Approve the proposed wall-mounted sign for the Wago Corporation in the Germantown Industrial Park subject to the following conditions:

- 1. An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components***
- 2. All electrical sign components must be listed and labeled by a recognized lab.***

MOTION carried unanimously.

Chris & Susan Dechant – N116 W15775 Main Street. The property owners are seeking approval of the Village's Historic Designation for the (former) Frank Schlaefer Homestead. Planner Retzlaff summarized the proposal and indicated the staff recommendation is to deny the request. He explained the property is located in the Village's "Mixed Use" area on the 2020 Land Use Plan map and if it is designated as "historic" it may be difficult to incorporate the property into the pedestrian friendly, entertainment and retail district the Village sees for the future. He said the owners may still preserve, protect and enhance the structure without the historic designation. Discussion followed regarding the process how a property is determined to be historic. Trustee Baum said the Village's historic designation program is voluntary and prohibits, prevents and precludes anyone in the future from doing what they want with it. Denise Hoinacki, Historic Preservation Secretary, said a property owner could go through the same procedure to be removed from the historic designation.

Motion Baum second Nilles to Approve the request for Historic Designation status for the (former) Frank Schlaefer Homestead located at N116 W15775 Main Street.

Trustee Baum said he supports the historic designation because a new owner could go through the process to be removed if they don't want to participate. He feels this building is suitable for historic designation, but he could also see it as a commercial use. Chairman Wolter said Mr. Schlaefer's lime business helped grow the area and had some significance to the history of Germantown. Ms. Hoinacki said Mr. Schlaefer was instrumental in the development of Germantown. Planner Retzlaff said it was a difficult decision, but feels the historic designation is a competing interest with the Main Street development plan and could be a hindrance.

MOTION carried unanimously.

Henry & Julie Schlee – N116 W12455 Pleasant View Drive The property owners of a 43.3 acre parcel are requesting approval of a rezoning and 3-lot Certified Survey Map in order to create three 10+ acre parcels. Planner Retzlaff summarized the proposal.

MOTION Baum second Nilles to Approve rezoning the parcel from A-1: Agricultural to A-2: Agricultural and;

Approve the proposed 3-lot Certified Survey Map (CSM) as drafted subject to the following conditions:

- 1. All requirements and technical corrections identified in the Village Surveyor's October 27, 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 3 shall not be further divided or developed with any habitable structures until such time as a wetland delineation has been prepared and submitted to the Village of Germantown."***
3. ***Soil evaluations for Lot 1 and Lot 3 indicating that each lot can support an on-site septic system shall be provided to the Village prior to Village Board approval.***
4. ***A shared driveway/access easement agreement applicable to the 40' access outlot and across the southern portion of Lot 1 shall be prepared and submitted to the Village for review prior to review of the CSM by the Village Board. At a minimum, the agreement shall address construction of the driveway to the minimum design standards set forth in Section 18.07(d) of the Village's Subdivision Code, and, ownership and maintenance responsibilities for the easement and driveway.***

Mr. Schlee asked if it was necessary to provide a wetland delineation. Planner Retzlaff said the delineation is required under the Shoreland Wetland code, but it may be deferred until the property is developed. He said a notation on the CSM indicates no further land division or development can occur until the land is delineated. Mr. Schlee said the soil tests are scheduled to be done on Saturday.

MOTION carried unanimously.

Gehl Foods, LLC – W160 N11736 Crusader Court. 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. Planner Retzlaff summarized the proposal. The request is to amend Condition #6 to extend the hours available for trucking activity from 7:00 am and 6:00 pm to 6:00 am to 10:00 pm.

Tim Preuninger spoke on the request. He explained there is congestion in the parking lot especially in the morning hours. He said vendors would still be scheduled during daytime hours, but the shuttle drivers would be able to operate until 10 pm and not interfere with daytime deliveries. Trustee Baum asked if Gehl's had talked to the residents about the proposed change. Mr. Preuninger said no formal survey had been done but indicated that Gehl's had installed a deodorizer to keep a skunk like smell from occurring and installed a fence between their berm and property to keep students from coming into the parking lot. Trustee Baum said he could not recommend approval of the amendment because he hasn't heard from the residents regarding their concerns. Commissioner Laszewski agreed saying he doesn't know what the impact will be to the neighbors but understands the economic value to Gehl's. Commissioner Shadid had the same concerns with the neighbors.

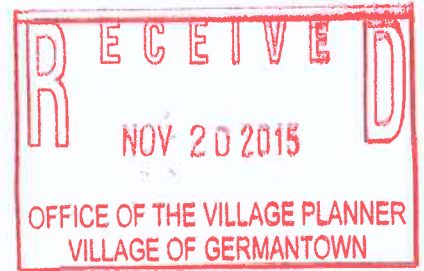
Planner Retzlaff explained the Public Hearing is held before the Village Board to hear the concerns of the residents. The Planning Commission reviews the conditional use application and makes a recommendation to the Village Board. He said the applicant has given a lot of information regarding their proposal. He indicated there is no specific set of quiet hours that applies to businesses in Germantown and Gehl's is asking that they be treated like all other businesses in the Village. Discussion continued. Mr. Preuninger explained the trucking activity would basically be one shuttle truck going back and forth, dropping off one trailer and picking up another.

GRANT OF EASEMENT

DOCUMENT NUMBER

NAME AND RETURN ADDRESS: HENRY D. & JULIE A. SCHLEE
W148 N12455 PLEASANT VIEW DR.
GERMANTOWN, WI 53022

PARCEL IDENTIFICATION NO.: GTNV 142991



RESERVED FOR RECORDING DATA

THIS GRANT OF EASEMENT, is created and established this _____ day of _____, 2015, by HENRY D. SCHLEE and JULIE A. SCHLEE, (hereafter SCHLEES);

RECITALS:

WHEREAS, SCHLEES are the owners of the following parcels of real estate:

LOT 1

Lot 1 of Certified Survey Map No. _____, recorded on _____, 2015, in Volume _____ of Certified Survey Maps on Pages _____ to _____ as Document No. _____, and being a part of the Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 14, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

LOT 2

Lot 2 of Certified Survey Map No. _____, recorded on _____, 2015, in Volume _____ of Certified Survey Maps on Pages _____ to _____ as Document No. _____, and being a part of the Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 14, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

LOT 3

Lot 1 of Certified Survey Map No. _____, recorded on _____, 2015, in Volume _____ of Certified Survey Maps on Pages _____ to _____ as Document No. _____, and being a part of the Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 14, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

WHEREAS, SCHLEES have created the division of the above referenced LOTs, and wish to create and establish an easement and agreement for the rights, responsibilities and obligations associated with providing ingress, egress and utility services to said LOTs;

NOW THEREFORE, in consideration of the covenants, promises and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, SCHLEES hereby create and establish the following:

1. The owners of said LOT 1, LOT 2 and LOT 3 hereby give, grant and convey to any and all existing and future owners of said LOT 1, LOT 2 and LOT 3, a non-exclusive, perpetual right to utilized the following described area, (hereafter EASEMENT AREA), for all ordinary, residential purposes of ingress and egress, to and from Pleasant View Drive, and their respective properties, and additionally for the purpose of providing any utility services to said LOT 1, LOT 2 and LOT 3. Said EASEMENT AREA is described as follows, and is also depicted on Page 2 of the attached Certified Survey Map:

That part of Lot 1 and Lot 2 of Certified Survey Map No. _____, recorded on _____, 2015, in Volume _____ of Certified Survey Maps on Pages _____ to _____ as Document No. _____, and being a part of the Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 14, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

South 53.50 feet of said Lot 1 and Lot 2, and, the North 70.00 feet of the South 123.50 feet of the West 70.00 feet of said Lot 2.

2. The owners of said LOT 1, LOT 2 and LOT 3 shall not use or leave any vehicle, or anything else on said EASEMENT AREA so as to prevent the free and uninterrupted use of the same by the other owners.
3. The owners of said LOT 1, LOT 2 and LOT 3 shall share equally in all expenses associated with the installation, maintenance and/or repair of any driveway located within said EASEMENT AREA, and agree that they shall jointly make all decisions with regard to the type, manner and timing of all installation, maintenance and/or repair of the same. If the owners are not able to agree on the installation, maintenance and/or repair work, then they shall attempt to agree on an impartial third party, such as a contractor or engineer, to whom they shall submit the dispute, and shall abide by the determination of such third party. Notwithstanding the above provisions, should a owner cause damage, other than normal usage, to said driveway, through the actions, omissions or negligence on the part of that owner, their guests or invitees, such owner shall be solely responsible for any and all costs associated with repairing such damage.
4. The owners of said LOT 1, LOT 2 and LOT 3, shall be solely responsible for all expenses associated with the installation, maintenance and/or repair of any utilities servicing their respective LOTs, and shall have sole discretion regarding all decisions with regard to the location, type, manner and timing of all installation, maintenance and/or repair activities associated with the same within said EASEMENT AREA. Notwithstanding the above provisions, should a owner cause damage, other than normal usage, to said EASEMENT AREA, through the actions, omissions or negligence on the part of that owner, their guests or invitees, such owner shall be solely responsible for any and all costs associated with repairing such damage.
5. Notwithstanding the previous provisions, should a dispute arise which cannot be satisfactorily settled by mutual consent of the owners, said dispute shall be submitted to arbitration at the option of any owner. Such arbitration to be held under the voluntary arbitration rules of the American Arbitration Association, and said decision being final and binding upon the owners.
6. Each owner shall indemnify and hold the other owner harmless against any and all loss, costs, claims, liabilities or damages caused by the negligence, fault or omission of the owner, their guests or invitees, associated with activities conducted on the EASEMENT AREA.
7. This Agreement may be modified or amended only by the mutual written consent of the owners of said LOT 1, LOT 2 and LOT 3.

8. This Agreement, and the covenants and conditions contained therein, shall constitute a covenant running with the land, and shall be for the benefit of, and binding upon the owners of said LOTS, their successors, heirs, personal representatives, and assigns.

HENRY D. SCHLEE

JULIE A. SCHLEE

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) SS

 COUNTY)

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

Notary Public
My Commission Expires: _____

Drafted by: Henry D. Schlee

Certified Survey Map No. _____

That part of the Southwest 1/4 and Southeast 1/4 of the Northwest 1/4 of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin

A2 Zoning Subdivisions
60' - Front Yard
50' - Side Yard
50' - Rear Yard

Northeast Corner of the Northwest 1/4 of Section 14-9-20
Concrete Monument w/ Brass Cap
461395.65
2507899.07

Surveyor:
Richard Simon
Comprehensive Land Surveying
5080 Fairy Chase
West Bend, WI 53095
(262) 424-3630

Owner:
Henry D. & Julie A. Schlee
W/48 N13455 Pleasant View Drive
Germantown, WI 53022

Legend:
● Denotes Iron Pipe Found
* Unless otherwise Denoted"

○ 3/4" OD X 18" Iron Rod 1.50 Lbs/Lin. Ft., Set

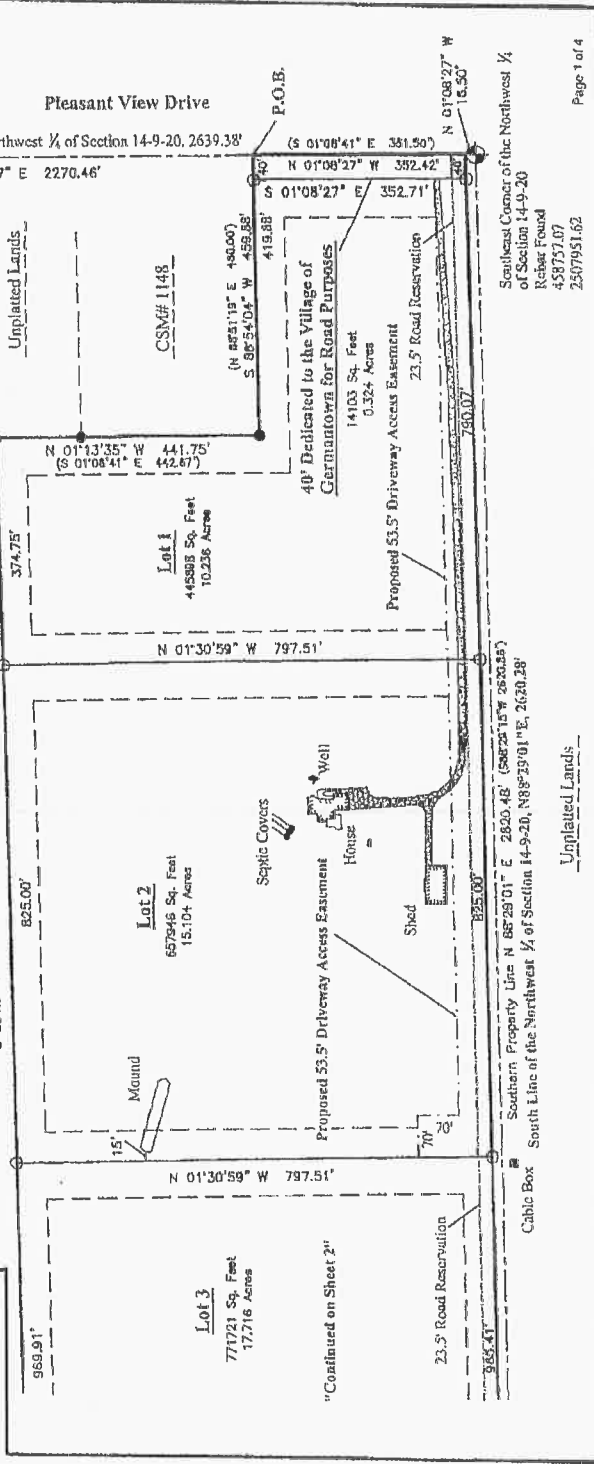
Unplatted Lands

(N 88°29'15" E 2170.43')
S 88°29'01" W 2169.66'

Unplatted Lands

Unplatted Lands

Unplatted Lands



RECEIVED
DEC 1 2015
OFFICE OF THE VILLAGE PLANNER
VILLAGE OF GERMANTOWN

X.B

Certified Survey Map No. _____

That part of the Southwest ¼ and Southeast ¼ of the Northwest ¼ of
Section 14, Township 9 North, Range 20 East, Village of Germantown,
Washington County, Wisconsin

Surveyor:
Richard Simon
Cornerstone Land Surveying
5080 Fairy Chasm
West Bend, WI 53095
(262) 424-5630

Owner
Henry D. & Julie A. Schlee
W148 N12455 Pleasant View Drive
Germantown, WI 53022

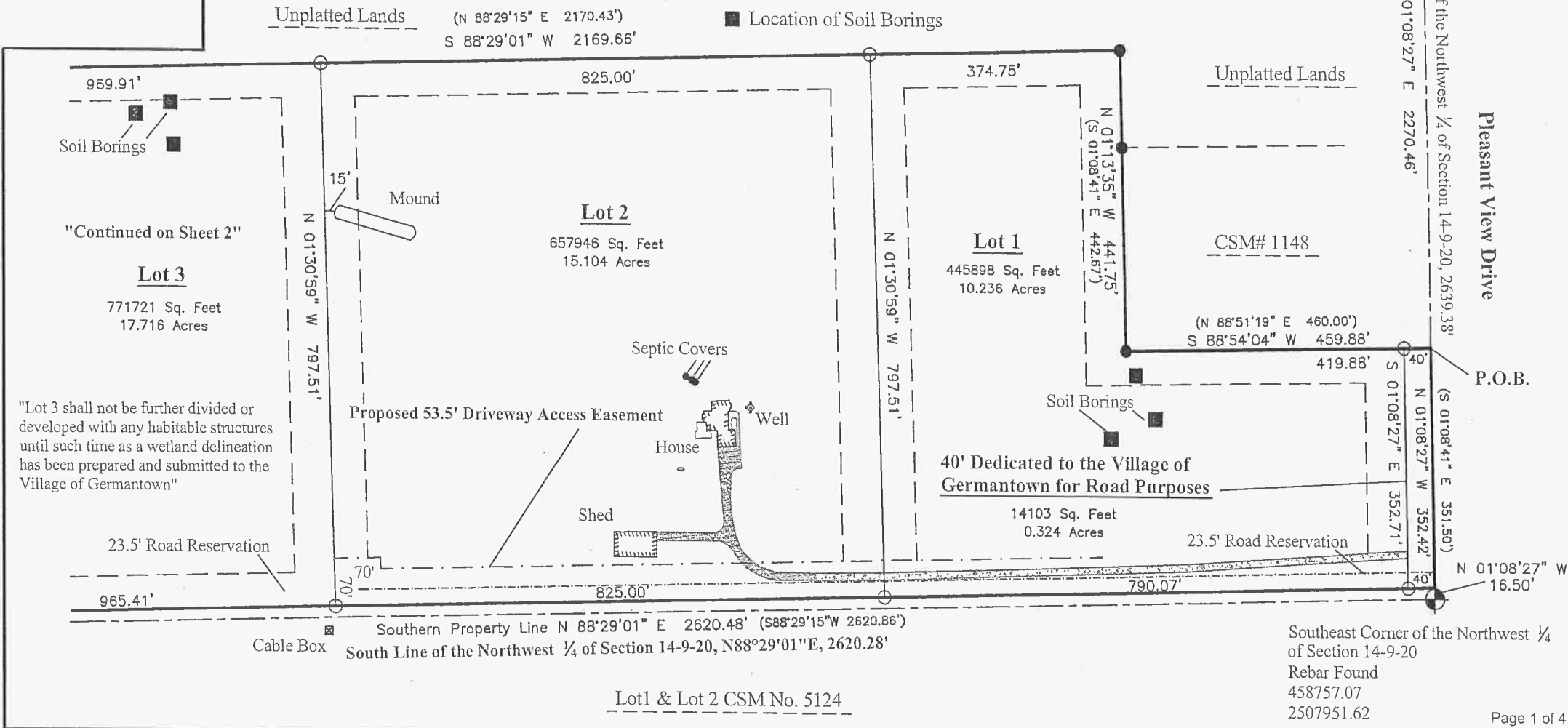
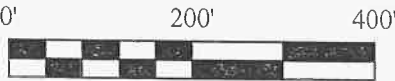
A2 Zoning Setbacks
60' - Front Yard
50' - Side Yard
50' - Rear Yard

Northeast Corner of the Northwest ¼ of Section 14-9-20
Concrete Monument w/ Brass Cap
461395.65
2507899.07

Legend:

- Denotes Iron Pipe Found
"Unless otherwise Denoted"
- 3#4" OD X 18" Iron Rod 1.50 Lbs./Lin. Ft., Set
- Location of Soil Borings

Scale 1"= 200'



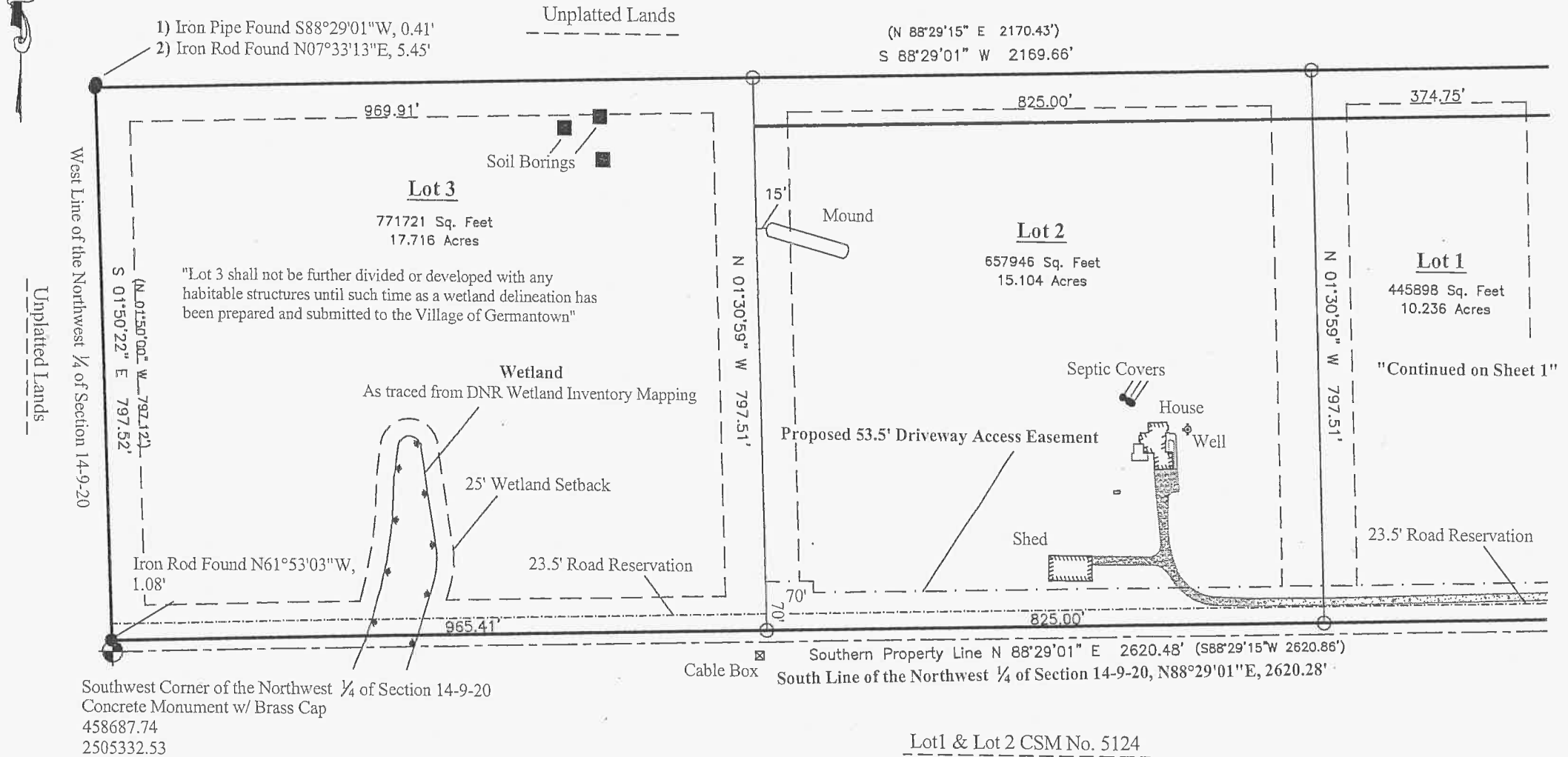
Certified Survey Map No. _____

That part of the Southwest $\frac{1}{4}$ and Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin

Notes:

- 1) Bearings or Distances in () are Recorded Measurements
- 2) In providing this boundary survey no attempt has been made to obtain or show data concerning the existence of any utility on the site, whether private, municipal, or public owned.
- 3) Bearings are referenced to the East line of the Northwest $\frac{1}{4}$ of Section 14-9-20, bearing N01°08'27"W per State Plane Coordinate System, South Zone. (NAD 1927)

Scale 1"= 200'



Certified Survey Map No. _____

That part of the Southwest $\frac{1}{4}$ and Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin

Surveyor's Certificate

I, Richard L Simon, Professional Land Surveyor, hereby certify:

That part of the Southwest $\frac{1}{4}$ and Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin

Described as follows:

That part of the Southwest $\frac{1}{4}$ and Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin; Commencing at the Northeast corner of the said Northwest $\frac{1}{4}$; thence S01°08'27"E along the East line of said Northwest $\frac{1}{4}$, 2270.46 feet to the point of beginning of this description; thence S88°54'04"W along the South line of Certified Survey Map No. 1148, 459.88 feet to a found Iron Pipe; thence N01°13'35"W along the West line of said Certified Survey Map No. 1148, 441.75 feet to a found $\frac{3}{4}$ inch Rebar, thence S88°29'01"W, 2169.66 feet to a point on the West line of said Northwest $\frac{1}{4}$; thence S01°50'22"E along said West line, 797.52 feet; thence N88°29'01"E, 2620.48 feet to a point on the East line of said Northwest $\frac{1}{4}$, thence N01°08'27"W along said East line, 352.42 feet to the point of beginning of this description.

Said parcel contains 1889668 Sq. Ft. or 43.38 Acres Gross

That I have made such survey, division, and map by the direction of Henry D. Schlee & Julie A. Schlee.

That this map is a correct representation of all exterior boundaries of the land surveyed and the land division thereof made.

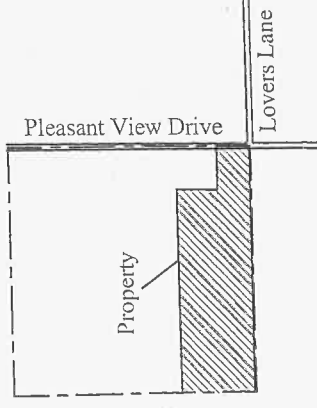
That I have fully complied with provisions of s. 236.34 of the Wisconsin Statutes and the subdivision regulations of the Village of Germantown in surveying, dedicating, dividing, and mapping the same.

Dated this 15th day of October, 2015
Revised this 30th day of November, 2015

Richard L Simon, P.L.S. #2698
Cornerstone Land Surveying
5080 Fairy Chasm Road
West Bend, WI 53095
262-424-5630

Location Map

Northwest $\frac{1}{4}$ of Section 14-9-20
"Scale 1" = 200"



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, Chairman Date

Laura A. Johnson, Secretary Date

Village of Germantown Board Approval

This Certified Survey Map, being a division of (SW $\frac{1}{4}$ & SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 14, 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 Pleasant View Drive for public road purposes as shown on Sheet 1 of 5 is hereby) accepted by the Village Board of Trustees of the Village of Germantown on this __ day of _____, 2015.

Dean Wolter, Village President Date

Barbara K.D. Goeckner, Village Clerk Date

Certified Survey Map No. _____

That part of the Southwest ¼ and Southeast ¼ of the Northwest ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin

Owner's Certificate

We, Henry D. Schlee & Julie A. Schlee do hereby certify that I caused the land described in the foregoing affidavit of Richard L. Simon, Surveyor, to be surveyed, dedicated, divided and mapped as represented on this Certified Survey Map.

WITNESS the hand and seal of said Signer, this _____ day of _____,

Henry D. Schlee _____

Julie A. Schlee _____

State of Wisconsin) SS
 County)

Personally came before me this _____ day of _____, the above named, Henry D. Schlee & Julie A. Schlee to me, known to be the people who executed the foregoing instrument and acknowledge the same.

Notary Public _____

_____ County, State of Wisconsin

My commission expires: _____

Consent of Mortgagee

I, _____ of _____, mortgagee of the above described land, do hereby consent to the surveying, dividing, dedicating, and mapping of the described land on this Certified Survey Map, and I do hereby consent to the certificate of Henry D. Schlee & Julie A. Schlee, as owners of said land.

Witness the hand and seal of said mortgagee this _____ day of _____.

Bank Officer _____

State of Wisconsin) SS
 County)

Personally came before me this _____ day of _____, the above named, Henry D. Schlee & Julie A. Schlee to me, known to be the people who executed the foregoing instrument and acknowledge the same.

Notary Public _____

_____ County, State of Wisconsin

My commission expires: _____

X.C

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

MEETING DATE: December 7, 2015

AGENDA ITEM: Public Hearing & New Business (**REZONING ORDINANCE**)

ITEM TITLE: Chris & Susan DeChant, Property Owners; N116 W15775 Main Street (Parcel GTNV#224-964); "Historic Structure" Zoning Designation Application

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

SUMMARY EXPLANATION:

Chris & Susan DeChant are seeking approval of the Village's Historic Structure designation for the .19-acre property (former Frank Schlaefer Homestead) located at N116 W15775 Main Street. The property is zoned B-3: General Business and the 2020 Land Use Plan map designation for this parcel is "Village Mixed Use".

As required, all Village Departments have reviewed the request and provided recommendations. Except for the Community Development Department, all departments have expressed their support for the historic designation request. The Historic Preservation Commission and the Plan Commission have also reviewed the request and have recommended approval. Approval of the historic designation requires a 2/3 majority vote of the Village Board.

Historic Designation applications are part of an overall voluntary program as set forth in Section 26 of the Village Code. Once designated, the regulations in Section 26 limit the type and amount of future improvements to designated structures without meeting certain guidelines intended to protect and preserve historical character.

ATTACHMENTS:

- ◆ 11/9/15 Staff Report
- ◆ 11/9/15 Plan Commission Meeting Minutes
- ◆ Draft Ordinance

PLAN COMMISSION RECOMMENDATION:

APPROVE the request for Historic Structure Designation for the (former) Frank Schlaefer Homestead located at N116 W15775 Main Street.

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF GERMANTOWN ZONING CODE AND ADOPT THE "HISTORIC STRUCTURE" DESIGNATION FOR THE BUILDING LOCATED AT N116 W15775 MAIN STREET (Chris & Susan DeChant, Property Owners of former "Frank Schlaefer" Homestead)

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 be amended to include the Historic Designation Zoning District Overlay ("HD") to the existing zoning designation of "B-3: General Business" for the following described property:

Property: N116 W15775 Main Street
Tax Key No: GTNV#224-964

Lot 1 of Certified Survey Map (CSM) No. 6366; being a .19-acre parcel located in part of the NE 1/4 of the SE 1/4 of Section 22, T9N, R20E, Village of Germantown, Washington County, Wisconsin.

SECTION 2. That Pursuant to the provisions of Section 26 of the Germantown Municipal Code (Historic Preservation Code), the designation of "Historic Structure" is hereby assigned to the existing structure constructed upon the .19-acre property located at N116 W15775 Main Street having Tax Key GTNV #224-964.

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:

Vote: Ayes: Nays:

Dean Wolter, Village President

APPROVED AS TO FORM:

ATTEST:

Brian C. Sajdak, Village Attorney

Barbara K. D. Goeckner, Village Clerk

Published:

**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, December 7, 2015
TIME: 7:00 p.m. or later

The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the applications filed by the following applicant for: (1) a HISTORIC DESIGNATION pursuant to Section 26.06 of the Germantown Municipal Code on the following described property:

Applicant: Chris & Susan DeChant, Property Owners
Property: N116 W15775 Main Street
Tax Key No: GTNV#224-964

Lot 1 of Certified Survey Map (CSM) No. 6366; being a .19-acre parcel located in part of the NE 1/4 of the SE 1/4 of Section 22, T9N, R20E, Village of Germantown, Washington County, Wisconsin

A copy of the proposed amendments are on file in the Planning & Zoning Division of the Community Development Department, N112 W17001 Mequon Road, and available for public inspection during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

*Dated this 12th day of November, 2015.
Barbara K. D. Goeckner, Village Clerk*

To Be Published On: November 19th and November 25th, 2015

HISTORIC DESIGNATION APPLICATION

11/9/15 Plan Commission Meeting

Chris & Susan DeChant Property (Frank Schlaefer Homestead)

Village Planner Report

Germantown, Wisconsin

Summary

Chris & Susan DeChant, property owners, are seeking approval of the Village's Historic Designation for the (former) Frank Schlaefer Homestead located at N116 W15775 Main Street.

Property Location: N116 W15775 Main Street

**Owner/
Applicant:** Chris & Susan DeChant
N116 W15775 Main Street
Germantown, WI 53022

Current Zoning: B-3: General Business District

Adjacent Land Uses		Zoning
North	Commercial/Business	B-3
South	Commercial/Business	B-3
East	Commercial/Business	B-3
West	Commercial/Business	B-3



Proposal/Background

Historic Designation applications are part of an overall voluntary program as set forth in Section 26 of the Village Code. The Historic Designation (HD) serves as an “overlay” district with specific design and improvement guidelines that need to be met in order to retain the Historic Designation. Once designated, the regulations set forth in Section 26 limit the type and amount of future improvements to designated structures or lands without meeting certain guidelines intended to protect and preserve historical character.

Chris & Susan DeChant are seeking approval of the Village’s Historic Designation for the Frank Schlaefer Homestead located at N116 W15775 Main Street. As required, the owners have provided a detailed history of the property and former owners as part of their application (attached).

The Frank Schlaefer Homestead is a private residence situated on what is now a .19-acre parcel (of the original 40 acre parcel in 1902). The house was originally constructed in 1902. The parcel is zoned B-3: General Business and the Comprehensive Land Use Plan designation for this parcel is “Village Mixed Use”.

As required, other Village Departments have reviewed the request and provided recommendations. All departments have expressed their support for the Historical Society request, except for the Community Development Department for reasons discussed in a September 18, 2013 letter (copy included in application documents).

The Plan Commission is required to review the request and make a recommendation to the Village Board (similar to a rezoning application). A recommendation for approval of the historic designation requires a 2/3-majority vote (5 of 7 members) of the Plan Commission.

Village Planner Recommendation

DENY the requested Historic Designation for the (former) Frank Schlaefer Homestead located at N116 W15775 Main Street.

MOTION Baum second Nilles to Approve the proposed wall-mounted sign for the Wago Corporation in the Germantown Industrial Park subject to the following conditions:

- 1. An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components***
- 2. All electrical sign components must be listed and labeled by a recognized lab.***

MOTION carried unanimously.

Chris & Susan Dechant – N116 W15775 Main Street. The property owners are seeking approval of the Village's Historic Designation for the (former) Frank Schlaefer Homestead. Planner Retzlaff summarized the proposal and indicated the staff recommendation is to deny the request. He explained the property is located in the Village's "Mixed Use" area on the 2020 Land Use Plan map and if it is designated as "historic" it may be difficult to incorporate the property into the pedestrian friendly, entertainment and retail district the Village sees for the future. He said the owners may still preserve, protect and enhance the structure without the historic designation. Discussion followed regarding the process how a property is determined to be historic. Trustee Baum said the Village's historic designation program is voluntary and prohibits, prevents and precludes anyone in the future from doing what they want with it. Denise Hoinacki, Historic Preservation Secretary, said a property owner could go through the same procedure to be removed from the historic designation.

Motion Baum second Nilles to Approve the request for Historic Designation status for the (former) Frank Schlaefer Homestead located at N116 W15775 Main Street.

Trustee Baum said he supports the historic designation because a new owner could go through the process to be removed if they don't want to participate. He feels this building is suitable for historic designation, but he could also see it as a commercial use. Chairman Wolter said Mr. Schlaefer's lime business helped grow the area and had some significance to the history of Germantown. Ms. Hoinacki said Mr. Schlaefer was instrumental in the development of Germantown. Planner Retzlaff said it was a difficult decision, but feels the historic designation is a competing interest with the Main Street development plan and could be a hindrance.

MOTION carried unanimously.

Henry & Julie Schlee – N116 W12455 Pleasant View Drive The property owners of a 43.3 acre parcel are requesting approval of a rezoning and 3-lot Certified Survey Map in order to create three 10+ acre parcels. Planner Retzlaff summarized the proposal.

MOTION Baum second Nilles to Approve rezoning the parcel from A-1: Agricultural to A-2: Agricultural and;

Approve the proposed 3-lot Certified Survey Map (CSM) as drafted subject to the following conditions:

- 1. All requirements and technical corrections identified in the Village Surveyor's October 27, 2015 memo shall be addressed in a revised CSM prior to Village Board approval;***

APPROVED BY THE GERMANTOWN HISTORIC PRESERVATION COMMISSION

THE FRANK SCHLAEFER HOME

An Application for Historic Designation

Applied for by Chris and Susan DeChant

9/21/2015



Includes a signed and dated application. Current photos. Zoning map of the surrounding area. Certified Survey Map. An Informational story about the people and events associated with the property that has contributed to the history of Germantown and the surrounding area. Succession list of owners with copies of their warranty deeds. Comments from the village departments.



Village of



Germantown

...Willkommen

**HISTORIC PRESERVATION
COMMISSION**

N112 W17001 MEQUON ROAD

P.O. Box 337

GERMANTOWN, WI 53022-0337

APPLICATION FOR HISTORIC DESIGNATION

PURSUANT TO SECTION 17.05 OF THE MUNICIPAL CODE

PLEASE READ AND COMPLETE THIS APPLICATION CAREFULLY. ALL APPLICATIONS MUST BE SIGNED AND DATED.

1. APPLICANT OR AGENT

Chris and Susan DeChant

N116 W15775 Main Street

Germantown, Wisconsin 53022

PHONE 262 623-1831 or 1832

2. PROPERTY OWNER

Same as applicant

PHONE Same as applicant

3. PROPERTY ADDRESS

Same as above

4. TAX KEY NUMBER

GTNV 224 964

5. PROPERTY HISTORY

HISTORIC NAME OF PROPERTY

The Frank Schlaefter Home

DATE BUILT

1902

ARCHITECT / BUILDER

SOURCE OF THIS INFORMATION

See the house history attached.

☐ CHECK HERE IF THIS PROPERTY IS THREATENED WITH DEMOLITION OR DESTRUCTION.

6. PURPOSE OF APPLICATION

BRIEFLY DESCRIBE THE REASON FOR YOUR REQUEST

It's a beautiful home that is unique to the other houses on Main Street. It has been

restored to show it's original style of the era it was built. It should be preserved and protected.

7. HISTORIC SIGNIFICANCE OF PROPERTY

CHOOSE ONE OR MORE OF THE FOLLOWING.

- ☒ THIS PROPERTY ILLUSTRATES AN IMPORTANT ASPECT OF GERMANTOWN'S HISTORY THROUGH ITS ETHNIC, AGRICULTURAL, INDUSTRIAL, ETC., HISTORY.
- ☒ THIS PROPERTY IS DIRECTLY ASSOCIATED WITH A PERSON WHO MADE IMPORTANT CONTRIBUTIONS TO GERMANTOWN'S HISTORY.
- ☒ THIS PROPERTY IS ARCHITECTURALLY OR ARTISTICALLY SIGNIFICANT.

EXPLAIN BRIEFLY AND INCLUDE SOURCES IF APPROPRIATE. ATTACH ADDITIONAL PAGES AS NECESSARY.

See attached story.

8. DOCUMENTATION

PLEASE CHECK ONE OR MORE OF THE FOLLOWING:

- ☒ RECENT PHOTOGRAPH (REQUIRED)
- ☐ BUILDING PLANS (IF AVAILABLE)
- ☒ HISTORIC PHOTOGRAPH (IF AVAILABLE)
- ☒ ANY ADDITIONAL SUPPORTING INFORMATION.
- ☒ SIMPLE MAP OF THE PROPERTY (REQUIRED)

BRIEFLY DESCRIBE. ATTACH ADDITIONAL PAGES AS NECESSARY.

See Attached pages.

9. ALTERATIONS / ADDITIONS TO PROPERTY

BRIEFLY DESCRIBE WITH DATES. ATTACH ADDITIONAL PAGES AND PHOTOGRAPHS AS NECESSARY.

10. SIGNATURES

Susan DeChant

APPLICANT

9/16/15

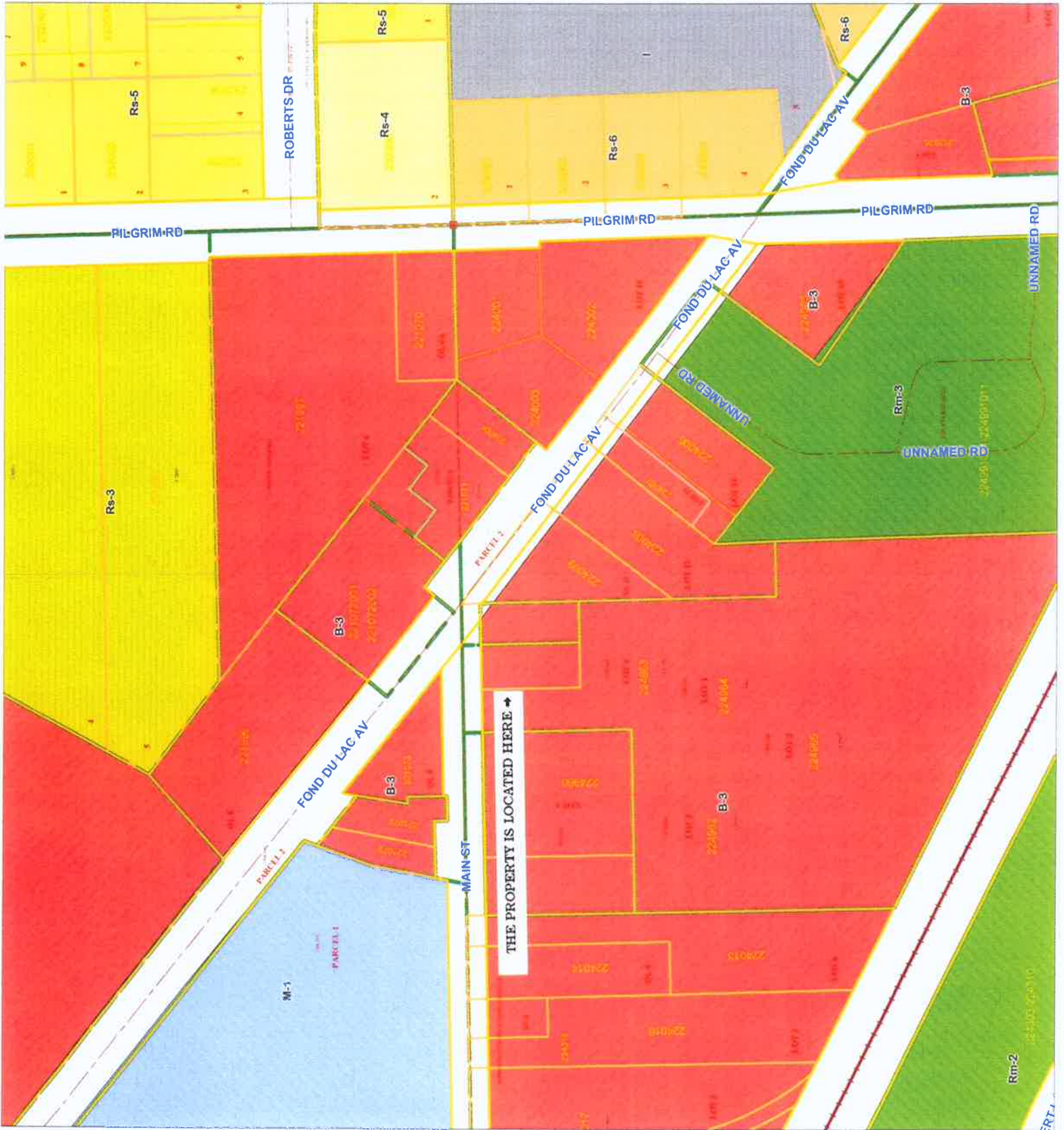
DATE

Chad A. Chant

OWNER

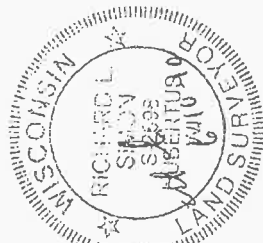
9/16/15

DATE

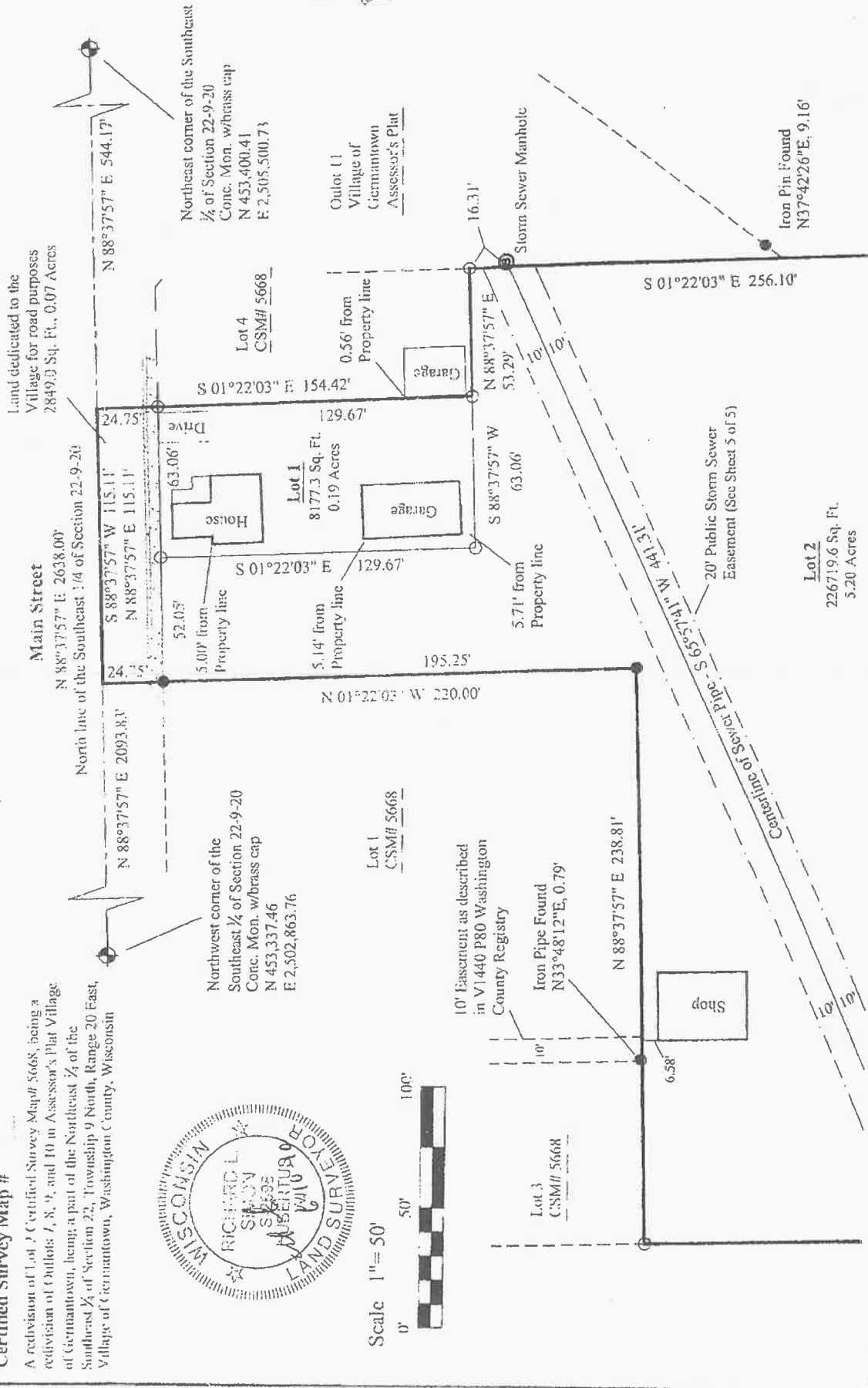


Certified Survey Map

A subdivision of Lot 2 Certified Survey Map# 5668, being a subdivision of Outlots 1, 8, 9, and 10 in Assessor's Plat Village of Germantown, being a part of the Northeast 1/4 of the Southeast 1/4 of Section 22, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin



Scale 1" = 50'





North Elevation -Street Side



Porch Detail



Garage



Southeast Elevation

Tract history for the home of Chris and Susan DeChant

Date	Document Number	Grantor	Grantee	Description
6/29/1842	9734	United States of America	Peter Lauermann (land patentee)	40 acres
3/01/1855	Vol. 6 - Pg. 170-171	Peter & Philippina Lauermann	Andrew Meyer	21 acres
3/18/1857	Vol. 7 - Pg. 50	Andrew & Anna Meyer	Frederick Weihe	21 acres
11/13/1858	Vol. 8 - Pg. 385-386	Frederick & Louisa Weihe	Edward Kelly	21 acres
8/19/1865	Vol. 18 - Pg. 616	Edward & Francis Kelly	Fred Witzleb	14 acres
8/13/1869	Vol. 27 - 385	Fred & Wilhelmina Witzleb	Henry Uhlmann & Herman Berger	19 acres
8/23/1870	Vol. 26 - Pg. 340-341	Herman & Laura Berger	Phillip Bluem	9 acres
8/23/1870	Vol. 27 - Pg. 387	Henry Uhlmann	Phillip Bluem	9 acres
3/17/1877	49966	Phillip & Amelia Bluem	Jacob Bluem	9 acres
2/17/1891	70455	Jacob & Katherine Bluem	John Bluem	6 acres
7/28/1892	72212	John Bluem (a widower)	Charles Strehlow	6 acres
12/14/1894	75545	Charles & Elizabeth Strehlow	August Roeber	2 acres
4/23/1896	77838	August & Emma Roeber	Charles Strehlow	2 acres
11/3/1897	80604	Charles & Elizabeth Strehlow	Frank Schlaefer	1 acre
11/14/1906	94632	Heirs of Frank Schlaefer	Fred & Katherine Straub	1 acre
6/25/1921	124869	Katherine Straub	Charles & Albertina Hoefer	1 acre
1/22/1924	130753	Charles & Albertina Hoefer	Joseph & Rosa Kelnhofer	1 acre
6/10/1925	133811	Joseph & Rosa Kelnhofer	J.A. & Cornelia Schwalbach	1 acre
11/29/1944	186787	Cornelia Schwalbach	William & Frieda Rennicke	1 acre
6/23/1955	227855	William Rennicke	Paul & Frances Webb	1 acre
11/29/1983	461507	Frances (Webb) Braasch	Todd & Rhonda Weber	1 acre
12/27/2001	914736	Todd & Rhonda Weber	Gerald Grosenick	1 acre
11/11/2011	1292039	Gerald Grosenick	Chris and Susan DeChant	.19 acre

Source: Washington County Register of Deeds



A picture taken of the Frank Schlaefer home in 1903.

The original forty acre parcel where this beautiful tri-gabled ell Victorian house was built on Main Street in 1902 had already contributed sixty years of history to Germantown and the surrounding area by the time it was constructed.

The home has been known as the Fred Straub home; probably named because of the 1915 plat map. The research for this application revealed it was actually built by Frank Schlaefer.

This timeline tells part of the story of how the forty acre parcel was separated by a road, a railway and divided into smaller parcels over the years until it became the one acre lot where Frank built his house.

1842-1855 Peter Lauermann

The land patentee for the forty acre parcel was born in Germany in 1813. There he learned the harness making trade. He came to America in 1837, first stopping in Cleveland, Ohio. While there on October 12th 1841, he married Philippine Hassinger who was also from Germany. She

was born in 1815. The following year a daughter named Mary was born. The young family then left Ohio and came to the Wisconsin Territory.

At the General Land Office in Milwaukee on June 29, 1842 they purchase 40 acres. It is described as "the North East quarter of the South East quarter of Section twenty-two in Township Nine, North of Range Twenty East, in the District of Lands subject to sale at Milwaukee, Wisconsin Territory, containing forty acres." On this parcel of land was a trail that crossed the northeast corner at a diagonal. The trail began in Milwaukee, led north to Fond du Lac; today's Fond du Lac Avenue.

More children were born to them; Jacob, Peter, John, Katie and William, all were born in Germantown. Although the 1850 census lists Peter as a farmer he was also involved in the community during his years in Germantown holding the positions of Town Clerk, Treasurer and the Assessor.

In 1853 he sold four and one half acres of land to the Milwaukee, Fond du Lac and Green Bay Rail Road Company (today known as the Wisconsin & Southwestern Rail Road). When the railroad track was laid in 1855 it separated his forty acre parcel yet again. The track cut across his land diagonally and left 21 acres to the north and the remaining 15 acres to the south of the track.

When he sold the property it was sold as separate parcels, 21 and 15 acres. Peter moved to Jackson, Wisconsin where he bought 196 acres, 130 of which were improved.

The son of Peter and Philippine Lauermann named Jacob became a member of the Twenty-sixth Infantry Washington County Rifles. He was killed on May 28th, 1863 at the battle of Chancellorsville, Virginia. He was nineteen years old.

1855-1857 Andrew Meyer

Andrew and Annie (Schmidt) Meyer both born in 1821, in Bavaria, Germany migrated to America in 1846 and came directly to Washington County.

While in Washington County their first child; named Balthasar, was born in 1846. Other children followed named George, Martin, John, Elizabeth, Andrew and Mary.

They own the 21 acre a short time and in 1857 they move to Plymouth in Sheboygan County. They purchase one hundred and sixty acres in Section 6 that they clear and improve. Here they have four more children, Philip, Henry, Herman and Edward in 1862. Annie passed away in 1863. Andrew married again in 1864 to Mrs. Louisa (Deale) Kirst. They had two sons and a daughter, Oscar, August and Louisa.

He remained there until his death in 1892. Louisa passed in 1902.

1857-1858 Frederick Weihe

Frederick and Louisa Weihe purchased the 21 acre parcel from Andrew and Annie Meyer in March of 1857 and sold it on November of 1858. They live in Milwaukee in 1860 along with a four year old son. Fredericks occupation is listed on the 1860 Federal census as a colporteur; a person who travels to sell or publicize Bibles, religious tracts, etc.

1858-1865 Edward J. Kelley

Edward was born in Ireland 1832 and came to America in 1834 with his parents. He lived in the state of New York until 1855 when he then came to Germantown. Frederick Weihe sold him the 21 acre parcel in 1858. He engaged in teaching school and was Superintendent of Schools, Supervisor and Town Clerk. He married Francis McCarty from Ireland. Their children were Julia, born in 1864 and Elisa, born in 1867. He was a First Lieutenant of Company I. Thirty-fourth Wisconsin Infantry, returning with his regiment in 1863. In 1866 he moved to the Third Ward of Milwaukee and was a retail grocery merchant. In 1872 he engaged in the real estate and insurance business. In 1874 he was elected Justice of the Peace, which office he held for five years. In 1880 he was appointed Assessor of the Third Ward.

1865-1869 Fred Witzleb

1869-1870 Henry Uhlmann & Herman Berger

Fred and Wilhelmina sell those 14 acres plus an additional 5 acres to Henry and Herman. No information was found on Henry Uhlmann in Germantown other than he and Herman purchase and sell this acreage together. Herman Berger however is a carpenter.

1870-1877 Philip Bluem

Philip immigrates to America in 1859 and buys 9 of the 19 acres from Herman and Laura Berger in 1870. Philip was born in Bavaria in 1835. He married Amelia (Schumann) in 1869. Their children are Ida, Edward, Mena, Adelia and Carry. The 1870 and 1880 census states he is a school teacher. On the 1900 and 1910 census they are living in Schleisingerville (Slinger) Wisconsin and are farming. Philip dies in 1914; Amelia in 1928. They are both buried at the Cedar Park Cemetery in Richfield, Wisconsin.

1877-1891 Jacob Bluem

In 1877 Philip and Amelia Bluem sells the 9 acre parcel to Jacob Bluem; who is also a farmer. He was born in 1827 in Bavaria. He marries Catherine Kopp. She was born in 1839. Their children named John, Mary and Susan were all born in Bavaria and immigrated in 1872. Otto and Richard were born in Wisconsin. On the 1905 Wisconsin State Census he is now living in Farmington, Washington County with his son Otto, his wife Hattie, and their two small children Virgil and Berdella. Catherine dies in 1897; Jacob in 1907.

1891-1892 John Bluem

John is Jacob and Catherine's oldest son. He was born in Bavaria in 1862 and immigrated with his parents in 1872. He marries Ottilie Neumann in 1891; the same year he is deeded 6 acres of the 9 acre parcel. In 1892 John is a widower. John remarries in 1893 to Anna Ruehl (b. 1873 d. 1951). Anna is the daughter of Ruehl who farms the 15 acre parcel south of the railroad tracks. They move to Sturgeon Bay, Wisconsin. John dies in 1936.

1892-1894 Charles Strehlow

Charles Strehlow was born in 1867. He emigrated from Prussia in 1882. He married Elizabeth in 1891. In 1892 he bought the six acres from John Bluem. In 1894 he sells two of the six acres to August Roeber, then buys it back in 1896. In the 1900 census Charles is still living in Germantown and is a saloon keeper.

1894-1896 August Roeber

1896-1897 Charles Strehlow

1897-1906 Frank Schlaefer

Frank buys one of the six acres.

He was the son of Jacob and Catherine (Lichte). He was born in 1836 and emigrated from Bavaria with his parents. They sailed on the ship named Louis Philipe from the port in Le Havre, France, across the Atlantic to arrive in New York, at the Port of New York, on March 24, 1840.

In 1841 his parents became the land patentees for the E1/2 of the NE1/4 in Section 22 in Germantown. Today we know their homestead as Pleasant Hill.

Frank married Sophia Knedler in 1856. They had two daughters, Delia and Jerusha.

On March 3rd, 1865 during the civil war Frank enlisted, along with his father and younger brother Jacob, Jr. They were sent to Camp Washburn in Milwaukee where Company A, Wisconsin 51s Infantry Regiment was organized. All three were privates and served at St. Louis, Missouri until they were mustered out on August 22, 1865.

On the 1870 census his occupation is listed as a farmer.

By the 1880 census his occupation is lime manufacturer. In the History of Washington and Ozaukee Counties published in 1881 it states that in South Germantown "the only considerable industry outside of agricultural pursuits is that of lime-burning, which is extensively carried on at South Germantown by Frank Schlaefer and the Germantown Lime Company. The lime is of excellent quality and finds a market at Milwaukee, Chicago and other points along the lines of railroad." He is not found to be an owner or officer in any of the lime manufacturing companies operating in Germantown but he must have had a prestigious position in the operation of manufacturing lime to have been noted in the volume mentioned above. On the 1900 census his occupation was listed as a carpenter.

Frank's last residence was this fine Victorian home he built in 1902. He died on March 20, 1903. Sophia continued to live in the house until Frank's estate was settled.

1906-1921 Fred Straub

The heirs of Frank Schlaefer sell the house to Fred and Katherine (Holl) Straub. Fred's father William was a land patentee in Section 25. Fred was born in 1852 and grew up on his father's farm. When his father retired, he continued to run the farm until he retired. Fred sold the farm to August and Emelia Radke in 1906 and moved to town.

The Straub family homestead on Mequon Road had a stone house that was built in 1868, a stone silo, a barn and out-buildings. There appeared to be an attempt at restoration or updating the house at one point in the 1990's but it stood unfinished and in disrepair for many years. It was eventually razed to make way for the business park that is now located there. The house was located near the present Airgas sign.

Fred dies in 1919 and is buried at St. John's Cemetery.

1921-1924 Charles Hoefer

Charles was born in 1873. The only information found on him was his draft registration card from 1918. At that time he and his wife Albertina were farming and living in Auburndale, Wood County, Wisconsin. He was forty-eight when they bought the house on Main Street.

1924-1925 Joseph Kelnhofer

1925-1944 John Andrew Schwalbach

John Andrew was a member of the third generation of Schwalbach's to reside in Germantown. His grand-father, Johann Francis (1812-1898) was a shoemaker. His grand-mother was Anna Maria Zimmer (1820-1893). Both were born in Germany.

His father, John Frank Jr. (1845-1915) was born in Wisconsin. His mother, Christina Wiehling (1845-1920) was born in Germany. She came to America in 1855. They were married in 1867. He was a merchant, saloon keeper and lumberman. At his establishment you could shop at the mercantile, get a drink at the bar next door and buy lumber from the lumberyard out back.

John Andrew was born in 1873. He married late in life; at the age of thirty-nine to Cornelia Poole (b. 1886). He worked his way up at the Germantown Farmers Mutual Insurance Company as Secretary and later the Vice President. The insurance company was the oldest in the state. It was established in 1854 and was said at the time to be "one of the most reliable in the State." It was originally located in Dheinsville, was moved to Main Street in 1911 and since 1997 at its new location on Insurance Place, south of Freistadt Road and can be seen to the east on HWY 45.

1944-1955 William Rennie

1955-1983 Paul Webb

1983-2001 Todd and Rhonda Weber

Todd and Rhonda renovated the home. They brought back many of the original features that can be seen in the photo from 1903. (See the following picture page).

2001-2011 Gerald Grosenick

This parcel remained a one acre parcel until Gerald Grosenick divided it again to make the homes parcel a lot .19 of an acre in size.

2011 Chris and Susan DeChant

Chris and Susan purchased the home in 2011. They are committed to preserving the home and its original features. There are no other homes on Main Street like it. They feel that even though no one of importance lived there the home is part of Germantown's past, it is worthy of historic designation and should be preserved and protected.

Lime and stone companies associated with producing lime over the years in Germantown.

- H. R. Bond Company
- Germantown Lime Company
- Cream City Lime Company
- Mace Lime Company
- Nast Brothers Lime and Stone Company
- Edgar W. Bond Company
- Milwaukee Lime Company

Sources

- Cuyahoga County, Ohio, Marriage Records and Indexes, 1810-1973, Ancestry.com
- Bureau of Land Management, Land Patentees
- The Railroads of Wisconsin 1827-1937
- Wisconsin Historical Society, Civil War Roster of Wisconsin Volunteers
- The History of Washington and Ozaukee Counties Wisconsin
- History of Milwaukee Wisconsin
- History of Sheboygan County Wisconsin, Past and Present, Volume 2
- History of Washington County Wisconsin, Past and Present, Volume 1
- Washington County Register of Deeds
- The 1850 United States Federal Census; Ancestry.com
- The 1860 United States Federal Census; Ancestry.com
- The 1870 United States Federal Census; Ancestry.com
- The 1880 United States Federal Census; Ancestry.com
- The 1900 United States Federal Census; Ancestry.com
- The 1910 United States Federal Census; Ancestry.com
- The 1920 United States Federal Census; Ancestry.com
- The 1930 United States Federal Census; Ancestry.com
- The 1940 United States Federal Census; Ancestry.com
- 1859 Germantown Plat Map
- 1873 Germantown Plat Map
- 1892 Germantown Plat Map
- 1915 Germantown Plat Map
- 1929 Germantown Plat Map



1983 - Before the renovation.



2011 - After the renovation



Community Development Department

Jeffrey W. Retzlaff, AICP, Director
N112 W17001 Mequon Road P.O. Box 337
Germantown, WI 53022-0337
(262) 250-4735 direct line
(262) 253-8255 fax

September 18, 2013

Denise Hoinacki, Secretary
Historic Preservation Commission
N112 W17001 Mequon Road
Germantown, WI 53022

RE: DeChant Property; N116 W15775 Main Street

Ms. Hoinacki:

The purpose for this letter is to confirm that the Village of Germantown Community Development Department does NOT support the property owner's request for historic designation of the above cited property.

The subject property is a small .2-acre lot located in a B-3: General Business District. The property is located in that area of the Village designated as "Village Mixed Use" on the Village's 2020 Land Use Plan map. This designation is intended to encourage both the preservation of historic buildings and re-development or "transformation" of the Main Street area into a "...pedestrian-oriented retail and entertainment district with restaurants, bars, antique stores, etc.

It's unclear if the goal of preserving historic buildings is the primary goal of the Village, or, if transformation of the area into a retail and entertainment district is the primary goal. While the two are not mutually exclusive, it is important to know that, once a building or property is designated as "historic" under Chapter 26 of the Village Code, the conversion of a use from residential to commercial and, more importantly, the conversion, expansion, alteration, reconstruction, or even removal of such buildings becomes increasingly more difficult once designated as "historic". Consequently, the goal of transforming the area into a retail and entertainment district might actually be hindered by the historic designation of this and other residential buildings along Main Street. With that in mind, the two goals may very well be considered competing goals where one needs to know what the primary goal actually is before deciding on if the historic designation is appropriate (assuming that the criteria used to determine whether or not a building receives the "historic" designation actually allows for the consideration of other Village goals and priorities as part of the process).

I believe the Plan Commission and Village Board need to review and consider this request in light of the 2020 Land Use Plan designation and associated land use and development goals and policies adopted for this area.

For these reasons, and the fact that I do not know the specific historical, architectural, or cultural significance of this building, I cannot support the request for historic designation at this time.

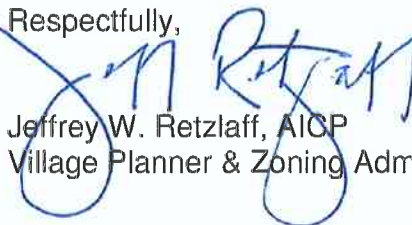
Denise Hoinacki, Historic Preservation Commission
DeChant Property; N116 W15775 Main Street
September 18, 2013

While there are no known Zoning Code violations, the existing residential use is a legal non-conforming use under the B-3: General Business Zoning District regulations. Further, the existing structures (dwelling and detached garage) appear to not meet the required side and rear yard building setbacks.

As required under Section 26.06(1)(b)(2), the Village Plan Commission is required to consider this application within thirty (30) days after the Historic Preservation Commission decision. Please inform the property owner that they are responsible for ensuring that their application is scheduled before the Plan Commission. They should contact the Planning Department to discuss how their application will be processed, meeting dates, forms, and application fees (\$75). The owner is encouraged to include in their application specific details on the history of the property and a copy of whatever documentation they provided to the Historic Preservation Commission.

Please contact me if you have question or concerns with the comments provided herein.

Respectfully,



Jeffrey W. Retzlaff, AICP
Village Planner & Zoning Administrator

Denise Hoinacki

From: Dan Ludwig <dludwig@village.germantown.wi.us>
Sent: Tuesday, September 17, 2013 8:45 AM
To: Denise Hoinacki; Gary Pollpeter ; Jeff Retzlaff; Justin Casperson; Inspector; Peter Hoell
Cc: Chris Kauth; Barb Mendenhall; Jeff Werderman; Jerry Hoinacki
Subject: RE: HPC Application

Public Works does not have any issues or objections with the historic designation at N116 W15775 Main Street.
Dan Ludwig
Director of Public Works

From: Denise Hoinacki [<mailto:dhoinacki@wi.rr.com>]
Sent: Sunday, September 08, 2013 8:31 PM
To: Dan Ludwig; Gary Pollpeter ; Jeff Retzlaff; Justin Casperson; Inspector; Peter Hoell
Cc: Chris Kauth; Barb Mendenhall; Jeff Werderman; Jerry Hoinacki
Subject: HPC Application

The Historic Preservation Commission is considering an application from Chris and Susan DeChant for their property located at N116 W15775 Main Street for historic designation.

As part of the review and adoption procedure, the historic preservation code, Sec.26.06(1)(b)1, requires us to solicit your comments on any present or future project or condition that would directly affect the applicants property. Your comments and the information received are taken into consideration before approving or denying an application.

If there are any issues with the property a brief note stating your concerns is required.

If there are no issues with the property a brief note to that effect is also required.

I thank you in advance for your attention to or request.

*Denise E. Hoinacki – Secretary
Village of Germantown Historic Preservation Commission
N112 W17001 Mequon Road
Germantown, WI 53022
262-251-8513
dhoinacki@wi.rr.com*

Denise Hoinacki

From: Chief Peter Hoell <phoell@germantownpolice.org>
Sent: Wednesday, October 02, 2013 10:59 AM
To: Denise Hoinacki; Mike Guttman
Cc: Chris Kauth; Jeff Werderman; Jerry Hoinacki
Subject: RE: HPC Request for Dept. Comments

The Police Dept. has no objections.

Peter G Hoell
Chief of Police
Germantown Police Department
N112 W16877 Mequon rd.
Germantown, WI. 53022
PH 262-253-7788
Fax 262-253-7787
E-mail phoell@germantownpolice.org

Excellence In Police Service

From: Denise Hoinacki [<mailto:dhoinacki@wi.rr.com>]
Sent: Wednesday, October 02, 2013 10:58 AM
To: Chief Peter Hoell; Mike Guttman
Cc: Chris Kauth; Jeff Werderman; Jerry Hoinacki
Subject: HPC Request for Dept. Comments

Second Request

The Historic Preservation Commission is considering an application from Chris and Susan DeChant for their property located at N116 W15775 Main Street for historic designation.

As part of the review and adoption procedure, the historic preservation code, Sec.26.06(1)(b)1, requires us to solicit your comments on any present or future project or condition that would directly affect the applicants property. Your comments and the information received are taken into consideration before approving or denying an application.

If there are any issues with the property a brief note stating your concerns is required.

If there are no issues with the property a brief note to that effect is also required.

I thank you in advance for your attention to or request.

Denise E. Hoinacki – Secretary
Village of Germantown Historic Preservation Commission
N112 W17001 Mequon Road
Germantown, WI 53022
262-251-8513
dhoinacki@wi.rr.com

Denise Hoinacki

From: Justin Casperson <jcasperson@village.germantown.wi.us>
Sent: Tuesday, September 10, 2013 2:50 PM
To: Denise Hoinacki
Subject: RE: HPC Application

I am okay with the consideration.

Justin Casperson
Park & Recreation Director
Village of Germantown
262-250-4710

From: Denise Hoinacki [<mailto:dhoinacki@wi.rr.com>]
Sent: Sunday, September 08, 2013 8:31 PM
To: Dan Ludwig; Gary Pollpeter ; Jeff Retzlaff; Justin Casperson; Inspector; Peter Hoell
Cc: Chris Kauth; Barb Mendenhall; Jeff Werderman; Jerry Hoinacki
Subject: HPC Application

The Historic Preservation Commission is considering an application from Chris and Susan DeChant for their property located at N116 W15775 Main Street for historic designation.

As part of the review and adoption procedure, the historic preservation code, Sec.26.06(1)(b)1, requires us to solicit your comments on any present or future project or condition that would directly affect the applicants property. Your comments and the information received are taken into consideration before approving or denying an application.

If there are any issues with the property a brief note stating your concerns is required.

If there are no issues with the property a brief note to that effect is also required.

I thank you in advance for your attention to or request.

Denise E. Hoinacki – Secretary
Village of Germantown Historic Preservation Commission
N112 W17001 Meqoun Road
Germantown, WI 53022
262-251-8513
dhoinacki@wi.rr.com

From: [Inspector](#)
To: [Denise Hoinacki](#)
Cc: [Barb Mendenhall](#); [Chris Kauth](#); [Jeff Werderman](#); [Jerry Hoinacki](#)
Subject: RE: HPC Request for Comment
Date: Thursday, October 10, 2013 1:44:06 PM

Dear Ms. Hoinacki,

Inspection Services has no outstanding issues with this property at this time. Thank You!

Michael D. Guttman
Building Inspector Village of Germantown

From: Denise Hoinacki [mailto:dhoinacki@wi.rr.com]
Sent: Thursday, October 10, 2013 10:42 AM
To: Inspector
Cc: Barb Mendenhall; Chris Kauth; Jeff Werderman; Jerry Hoinacki
Subject: HPC Request for Comment

3rd Notice

Mike,

As of today I have not received your comments about the property listed on the attachment. The code states that each department shall respond to the commission within 30 days of notification. We are now past the 30 days from the initial request. Please respond at your earliest opportunity so that we can continue to process this application.
Thank you.

*Denise E. Hoinacki – Secretary
Village of Germantown Historic Preservation Commission
N112 W17001 Mequon Road
Germantown, WI 53022
262-251-8513
dhoinacki@wi.rr.com*

Denise Hoinacki

From: Gary Pollpeter <gpollpeter@germantownfiredept.com>
Sent: Monday, September 09, 2013 3:09 PM
To: 'Denise Hoinacki'; Dan Ludwig ; Jeff Retzlaff; Justin Casperson; Mike Guttman; Peter Hoell
Cc: Chris Kauth; Barb Mendenhall; Jeff Werderman; Jerry Hoinacki
Subject: RE: HPC Application

Recommend approval.

Gary Pollpeter
Fire Chief
Village of Germantown
N115 W18752 Edison Drive
Germantown , Wisconsin 53022
Phone 262-502-4701 ext 1701
Fax 262-502-4744
e-mail gpollpeter@germantownfiredept.com
NFA-EFO

From: Denise Hoinacki [<mailto:dhoinacki@wi.rr.com>]
Sent: Sunday, September 08, 2013 8:31 PM
To: Dan Ludwig ; Gary Pollpeter; Jeff Retzlaff; Justin Casperson; Mike Guttman; Peter Hoell
Cc: Chris Kauth; Barb Mendenhall; Jeff Werderman; Jerry Hoinacki
Subject: HPC Application

The Historic Preservation Commission is considering an application from Chris and Susan DeChant for their property located at N116 W15775 Main Street for historic designation.

As part of the review and adoption procedure, the historic preservation code, Sec.26.06(1)(b)I, requires us to solicit your comments on any present or future project or condition that would directly affect the applicants property. Your comments and the information received are taken into consideration before approving or denying an application.

If there are any issues with the property a brief note stating your concerns is required.

If there are no issues with the property a brief note to that effect is also required.

I thank you in advance for your attention to or request.

Denise E. Hoinacki – Secretary
Village of Germantown Historic Preservation Commission
N112 W17001 Meqoun Road
Germantown, WI 53022
262-251-8513
dhoinacki@wi.rr.com

X. F

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

MEETING DATE: Monday, December 7, 2015

AGENDA ITEM: New Business

ITEM TITLE: 2016 Fireworks Contract

SUBMITTED BY: Mark Schroeder, Park & Recreation Director *MS*

SUMMARY EXPLANATION:

Attached is the fireworks contract with Bartolotta's Fireworks Company for the 2016 4th of July Festival. By signing a vendor contract in December, Bartolotta is able to take advantage of the end of the year pricing on supplies, and pass this on to the customer.

The 2016 contract amount, including the 2.5% material handling fee is \$14,862.50. The Kiwanis Club will contribute \$7,431 by paying the deposit on or before January 1, 2016, with the village paying the remaining amount with the July 2016 payables.

ATTACHMENT: ORDINANCE____ RESOLUTION____ OTHER X

RECOMMENDATION:

Staff recommends that the Village Board approve the 2016 fireworks contract with Bartolotta's Fireworks Company in an amount of \$14,500, plus the 2.5% material handling fee. It is also recommended that the board approve the village's \$7,431 expenditure for July 2016 so the invoice can be paid within the 15 days outlined in the contract and avoid a 1.5% late fee.

Bartolotta Fireworks Company, Inc.

PO Box 5

Genesee Depot, WI 53127

Phone: (262) 968-4178

Fax: (262) 968-2254

www.bartolottafireworks.com

Contract

This contract entered into this 16th day of **November**, 2015, by and between:

Bartolotta Fireworks Company, Inc., dba

Bartolotta Fireworks, hereinafter referred to as "**Bartolotta**"

A Wisconsin Corporation, duly licensed by the BATFE.

-and-

Sponsor: Village of Germantown

Hereinafter referred to as "**Sponsor**"

1. Bartolotta agrees to furnish Sponsor, in accordance with the terms and conditions set forth herein, One (1) fireworks display as per this signed and accepted contract. This will include trained and qualified Pyrotechnicians to deliver, setup, execute and take down the pyrotechnic display.
2. Bartolotta agrees to provide insurance coverage of Five Million Dollars, Bodily Injury and Property Damage and the statutory limits for Worker's Compensation Insurance. The Sponsor will be named as additional insured on the certificate. This insurance covers the operations of Bartolotta only and does not extend to any other aspect of the event.
3. The date of this display is: July 4th, 2016 at: _____ pm. In the event of inclement weather, the display will be rescheduled for the next night July 5th, 2016 at no additional cost to the Sponsor (dates around the 4th of July are excluded unless approved by Bartolotta). In the event the display is rescheduled to a date not the next night, there will be an additional 15% cost added to the contract amount to cover additional expenses involved. In the event the Sponsor does not choose to reschedule another date or cannot agree to a mutually convenient date, the Sponsor shall pay the Contractor an amount equal to 40% to cover Bartolotta's cost, damages, and expenses.
4. The cost of the display is: **\$14,500.00**. A deposit in the amount of: **\$7250.00** shall be made at the time of signing this agreement. The balance due shall be paid to Bartolotta within 10 days following the display. A 2.5% Hazardous Material Handling fee will be added to the invoice (based on the display cost) along with any permit fees paid by Bartolotta. There will be a 1.5% late charge added to the invoice on any outstanding amount not paid in full by the agreed upon date.
5. Sponsor, at sponsor's expense, agrees to provide Bartolotta with a suitable display site that meets the guidelines as set forth in NFPA 1123 and meeting the approval of Bartolotta. All permits necessary for the display shall be the responsibility of the Sponsor. All necessary police, fire, and other appropriate protection necessary for proper crowd control, automobile parking, and display site security will be the responsibility of the Sponsor.

6. After the display, the pyro technicians will conduct a post display search of the area/fallout zone for any unexploded fireworks. Sponsor explicitly acknowledges that an early morning search of the grounds/location is of utmost importance and the search will be conducted by the Sponsor. If any unexploded shells or devices are found, Bartolotta will be contacted immediately to properly dispose of said material. Bartolotta will be responsible for the removal of all equipment provided by Bartolotta. Sponsor will be responsible for any remaining cleanup that may be required after the display.
7. Sponsor agrees to hold Bartolotta harmless from all claims and a penalty made against Bartolotta in the event the display fails to start on time or is disrupted as a direct result of equipment or product malfunction or failure.
8. The laws of the State of Wisconsin shall govern this contract. Nothing in this contract shall be construed as forming a partnership between the Sponsor and Bartolotta. Neither party shall be held responsible for any agreements nor obligations not expressly provided for herein, and shall be severally responsible for their own separate debts and obligations.
9. This contract constitutes the entire agreement between the parties and shall be binding on the parties, their heirs, executors, administrators, successors, and assigns.
10. Any Additional Provisions: **2016 Fall Promo- 10% more product with a signed contract and 50% deposit by January 1st**

BARTOLOTTA FIREWORKS CO., INC.

VILLAGE OF GERMANTOWN:

By: _____

By: _____

Date Signed: ____/____/____

Date signed ____/____/____

Address: PO Box 5
Genesee Depot, WI 53127

Address: Po Box 337
Germantown, WI 53022

Phone: 262-250-4715

Email: Mark Schroeder
mschroeder@village.germantown.wi.us

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

MEETING DATE: Monday, December 7, 2015

AGENDA ITEM: New Business

ITEM TITLE: Dheinsville Park Pavilion – Memorandum of Understanding with the Germantown Historical Society

SUBMITTED BY: Mark Schroeder, Park & Recreation Director *MS*

SUMMARY EXPLANATION:

At the September 9th, 2015 Park & Recreation Commission Meeting, the Germantown Historical Society presented preliminary conceptual plans for an approximately 80'x 140' open air park pavilion. The pavilion would host future Oktoberfest celebrations, as well as be available for community rentals. The Park & Recreation Commission gave positive feedback to the Germantown Historical Society that this facility would fit within the future plans for the park site, as well as positive support for the group's fundraising efforts.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER X

RECOMMENDATION:

At the November 11, 2015 Park & Recreation Commission Meeting, Motion by Commissioner Miller, seconded by Commissioner Medved to send forward with a positive recommendation to the Village Board, to enter into the Memorandum of Understanding, with the removal of the "Germantown Friends of Parks & Recreation, hereinafter referred to as the "Friends.", with the Germantown Historical Society for the Dheinsville Park Pavilion Project. Motion unanimously carried

MEMORANDUM OF UNDERSTANDING

This memorandum of understanding is entered into by and between the Village of Germantown, Wisconsin hereinafter referred to as the "Village," and the Germantown Historical Society hereinafter referred to as "Society."

It is the understanding of the Village and the Society that any money raised for the Dheinsville Park Pavilion shall be used solely for the construction and related costs of the pavilion.

The Village and Society will have the final approval of the design of the pavilion.

Society will be responsible for project management and construction of the pavilion with the oversight and approval from the Village.

The pavilion will be the property of the Village and the Village will be responsible for all maintenance to the pavilion. The Village will insure the pavilion while the pavilion is in construction and after construction is completed.

The Village of Germantown Park and Recreation Department will be responsible for the scheduling and administration of the pavilion.

The pavilion shall be named the _____.

For the Village of Germantown, Wisconsin

President Dean Wolter

Date

For the Germantown Historical Society

Jeff Dhein, President

Date

X. H

**VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Monday, December 7, 2015

AGENDA ITEM: New Business

ITEM TITLE: Authorization to Hire Fulltime Recreation Supervisor

SUBMITTED BY: Mark Schroeder, Park & Recreation Director *MS*

SUMMARY EXPLANATION:

On November 19, 2015, Recreation Supervisor Adam Breest submitted his resignation after serving nine months with the Village of Germantown. On December 21st, Adam will be starting his new position as Director of Parks & Recreation for the Village of Little Chute.

The Recreation Supervisor position is responsible for administration and supervision of the department's popular Kid's Klub Before and After School Program, as well as the planning and oversight of a variety of youth and adult recreation activities and community special events.

In order to maintain department services with the least possible impact to the families of the community, the department is seeking to fill the vacancy as soon as possible. The goal is to have a person hired by February 1, 2016. Due to the timing of this resignation, which came after the November Park & Recreation Commission Meeting, department staff is bringing this item directly to the Village Board for review and approval.

ATTACHMENT:

Employee Vacancy Justification Worksheet
Job Description
Organization Structure
Letter of Resignation

RECOMMENDATION:

To fill the vacancy of the Village's Recreation Supervisor position.

EMPLOYEE VACANCY JUSTIFICATION WORKSHEET

All positions left vacant by retirement, quitting, or termination need to complete the following worksheet before the vacant position may be advertised or filled. This worksheet shall not pertain to temporary, seasonal, and sworn public safety employees.

Position to be filled: Recreation Supervisor

Department: Park & Recreation

Pay: Pay Grade 10: \$39,348 – \$44,501 (Current \$44,721)

How long was the previous personnel in position: 9 months of employment (5 years Full-time in the profession)

Can the Position be:

Deferred for a period of time? ☐ Yes ☒ No:

Why: The current employee will be resigning on December 18, 2015. The position has a very high level of responsibility with the day to day operations of the Before and After School Care Programs, Special Events and Recreation Activities. It is imperative the position is filled quickly to maintain department operations, and service to the community. The goal is to have a person in place by February 1, 2016.

Transferred or shared with existing staff: ☐ Yes ☒ No:

Why: It is not feasible to transfer or share the position with other Departments as workloads dictate a standalone full-time position. The stand position requires the individual to master the many of the Department's procedures and regulations in a fast pace and highly evolving environment.

Consolidated with another position? ☐ Yes ☒ No:

Why: The position cannot be consolidated as workloads dictate a fulltime position.

Privatized/Contractual? ☐ Yes ☒ No:

Why: The position reports directly to the Department Director. It is important the individual follows assigned duties. With the wide variety of tasks, required skills hours of employment, and outreach to the community, services could not be provided by contracting out this position.

Attach current job description and department organizational chart.

Mark Schroeder

Department Director

Signature/approval

Deborah Schornack

Village Administrator

Signature/Approval

11/20/15

Date

11-20-15

Date

**Village of Germantown
Position Description**

Job Title: Recreation Supervisor

Department: Parks and Recreation

Reports to: Park and Recreation Director

Compensation Plan: Non-Union

FLSA Status: Exempt

Selection: Park and Recreation Director

Date Modified: December 10, 2014

P&R Comm. Approval: December 10, 2014

GGF Approval: January 20, 2015

GENERAL STATEMENT OF DUTIES:

Responsible for the development, organization and coordination of community recreation programs, activities and special events.

DISTINGUISHING FEATURES OF THE CLASS:

The work entails the general planning, development and supervision of recreation programs at various locations throughout the Village. Introduces staff to programs, equipment and facilities, trains personnel and assists the Park & Recreation Director in interpreting the recreational needs of the community.

SUPERVISION RECEIVED:

Work under the general supervision of the Park & Recreation Director.

SUPERVISION EXERCISED:

Exercise supervision over the various seasonal and part-time recreation ~~program~~ staff employees and volunteers.

EXAMPLES OF DUTIES PERFORMED:

This list of duties and responsibilities is not all inclusive and may be expanded to include other duties and responsibilities, as management may deem necessary.

- Develop, organize and coordinate the implementation of community recreation programs, activities and special events;
- Serve as spokesperson to the public, media, businesses, and governmental inquiries about the Recreation Department;
- Recruit, interview, hire, supervise, coordinate, train, evaluate, discipline, and certify employees and volunteers for the development and implementation of community recreation programs;
- Advise the Director regarding matters involving budgeting, purchasing, personnel, and labor relations;

- Serve as a member of various committees, as assigned;
- Assist the Director in preparing and maintaining the recreation department budget;
- Prepare and justify program budgets and make recommendations to the Director on fees and charges;
- Submit financial reports on revenues and expenditures at conclusion of programs;
- Assist with various administrative functions including billing, payroll, ordering of equipment and supplies;
- Prepare and implement communications and promotional materials;
- Prepares the seasonal recreation program brochures;
- Purchase, maintain and disseminate equipment to facilities and staff.
- Assist in the planning and coordinating of registration for seasonal recreation programs;
- Maintain a friendly and cooperative relationship with Village and School District officials and staff, community organizations and the public;
- Attend public meetings and advise the Board and committees on appropriate action needed;
- Attend various functions or as requested by the Park & Recreation Director;
- Perform a variety of clerical functions as needed to accomplish work routines as follows, including filing; posting and or logging information to manual or automated records; processing mail; ordering supplies; duplicates and distributes materials; collating and assembling documents; and photocopying, scanning and faxing documents;
- Coordinate registration of recreation programs and assist in Department registration process;
- Perform a variety of miscellaneous duties such as answer telephone inquiries, as well as receive and assist visitors at front counter;
- Performs other related duties as directed by the Park & Recreation Director.

ESSENTIAL KNOWLEDGE, SKILLS AND ABILITIES:

Good knowledge of philosophies, practices and principles of public recreation in order to develop, coordinate, implement, supervise and evaluate year-round activities for all ages; ability to hire and supervise seasonal and part-time employees, provide training and evaluate performance; ability to prepare and maintain a program budget; knowledge of facilities and equipment necessary in public recreation programs in order to determine needs, make recommendations to the Director and ensure proper maintenance; ability to develop and maintain an effective relationship with the public; ability to communicate both verbally and in writing.

DESIRED EXPERIENCE AND TRAINING:

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

- An Associate's or Bachelor's Degree from an accredited school in recreation, education, or a closely related field and two years increasingly responsible experience in recreation, education or related work, that provides requisite knowledge, skills and

abilities for this position; or High school diploma or equivalent, and seven years increasingly responsible experience, or any equivalent combination of related education and experience, in recreation, education or related work, that provides requisite knowledge, skills and abilities for this position;

- A valid WI driver's license.

Supervisory Skills

- Ability to advise and provide interpretation regarding the application of policies, procedures, and standards to specific situations.
- Ability to instruct, assign, review and evaluate the work of others, and ability to discipline employees.
- Ability to develop and convey orders and instructions.
- Ability to counsel, mediate, and provide supervision and to maintain positive working relationships and supervisor-subordinate relationships.

Language Skills

- Ability to professionally communicate orally and in writing with the Department Director, staff, volunteers, other Village departments, and officials, community groups, Chamber of Commerce, schools, local businesses, media, and the public.
- Ability to comprehend and interpret complex data and information, such as Budgets and Contracts, using established criteria, in order to determine consequences and to identify and select alternatives. Ability to compare, count, differentiate, measure, copy, record and transcribe data and information. Ability to classify, compute, tabulate, and categorize data.
- Ability to communicate in a manner to persuade, convince, and/or train others and to advise, interpret and apply policies, procedures and standards to specific situations.
- Ability to utilize and apply a variety of advisory data and information such as code manuals, Village ordinances, directories, policies, State statutes, procedures, guidelines and non-routine correspondence.
- Ability to prepare a variety of documents including reports, budgeting documents, personnel documents, and program documents

Mathematical Skills

- Ability to calculate percentages, fractions, decimals, volumes, ratios, present values, and spatial relationships. Ability to interpret basic descriptive statistical reports.

Reasoning Ability

- Ability to use functional reasoning in performing influence functions.
- Ability to exercise the judgment, decisiveness and creativity required in situations involving the evaluation of information against sensory and/or judgmental criteria.
- Ability to work well under pressure and handle stressful situations, to organize work and set priorities, managing time and resources to meet deadlines and changing demands within the entire operation of administrative services, perform duties with a minimum of supervision.

Other Qualifications

- Proficiency in typing, computers and electronic data processing.
- Working knowledge of modern office practices and procedures and Microsoft Office, including Word, Excel, PowerPoint and Outlook.

- Ability to effectively meet and deal with the public.
- Artistic and creative skills desirable.
- Ability to perform bookkeeping duties accurately.
- Ability to work effectively in cooperation with fellow employees as a member of the supervisory team.
- Ability to work in and maintain an environment that may deal with sensitive and confidential information.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; stand for long periods; use hands to finger, handle, or operate objects, tools, or controls; and reach with hands and arms.
- Specific vision abilities required by this job include close vision, ability to adjust focus, and the ability to sustain prolonged visual concentration.
- Requires the ability to operate, maneuver and or provide simple but continuous adjustment on equipment, machinery and tools such as computer and other office machines, and or materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing slightly skilled movements such as typing and to operate various pieces of office equipment.
- Ability to recognize and identify degrees of similarities and differences between characteristics of colors, shapes and textures associated with job-related objects, materials and tasks.
- The employee must exert light physical effort in sedentary to light work, occasionally involving lifting, carrying, pushing, pulling, crouching, crawling, kneeling, stooping and or moving up to 50 pounds.

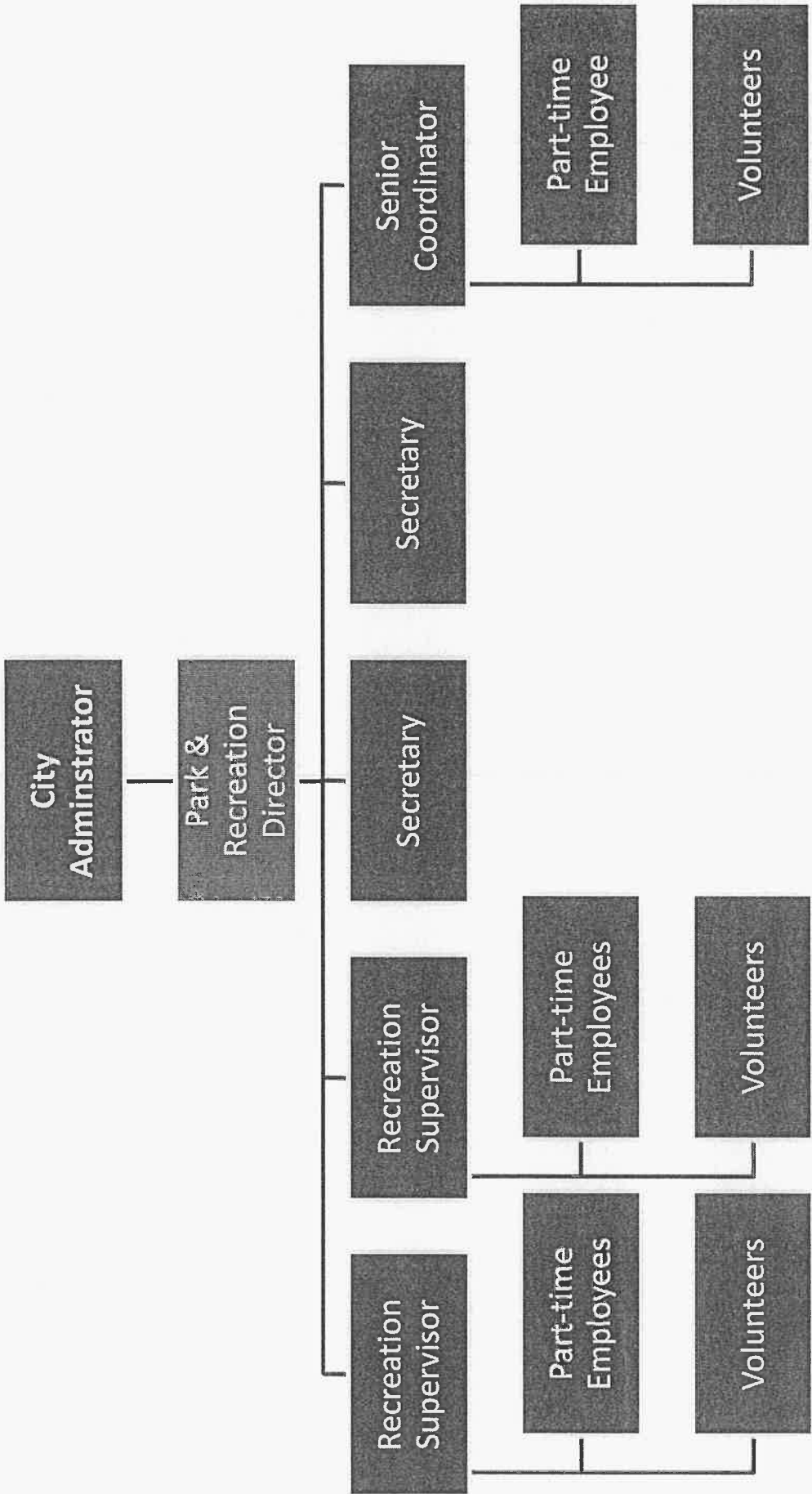
WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- This work environment has a moderate noise level.
- Ability to work under generally safe and comfortable conditions where exposure to environmental factors such as repetitive computer keyboard use, irate individuals and intimidation may cause discomfort and poses limited risk of injury.

Nothing in this job description limits management's right to assign or reassign duties and responsibilities to this job at any time. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

PARK & RECREATION DEPARTMENT ORGANIZATION CHART



11/19/2015

Mark Schroeder,

This letter is to announce my resignation from the Germantown Park and Recreation Department effective as of December 18.

I have only been here for 9 months, but in that time I have learned so much. Even though the time has been short it has been a pleasure to work with you. I know that I am better in every aspect of my professional career because of this position and the people whom I have worked with. I will always hold this job in highest regard. Thank you for being a great manager and mentor.

I wish you and the department all the best. If I can be of any help during the transition, please let me know.

Thank you Mark,

A handwritten signature in black ink, appearing to read 'Adam Breest', with a stylized, flowing script.

Adam Breest

BUSINESS OF THE VILLAGE BOARD
VILLAGE OF GERMANTOWN, WI

MEETING DATE: Monday, December 7, 2015

AGENDA ITEM: New Business

ITEM TITLE: Agreement between Village's Senior Center & Washington County

SUBMITTED BY: Mark Schroeder, Park & Recreation Director *MS*

SUMMARY EXPLANATION:

Attached is the annual agreement between the Village of Germantown and Washington County for the use of the Village's Senior Center. The Village of Germantown receives \$6,000 from the Washington County Aging and Disability Resource Center to provide prescheduled programs and services at the Senior Center, Monday – Friday 8:00 a.m. to 4:30 p.m. Monies are recognized in the Village's budget as a revenue in account 10-430-431-7215.

ATTACHMENT: ORDINANCE____ RESOLUTION____ OTHER X

RECOMMENDATION:

**COOPERATIVE AGREEMENT BETWEEN
VILLAGE OF GERMANTOWN
AND
AGING & DISABILITY RESOURCE CENTER
OF WASHINGTON COUNTY**

In consideration for the mutual covenants herein, the Aging & Disability Resource Center of Washington County, State of Wisconsin, hereinafter known as the "PROGRAM", having offices at 333 East Washington Street, Suite 1000, West Bend, WI 53095, and the Village of Germantown, for the Germantown Senior's Activity Center, hereinafter known as the "FACILITY", located at W162 N11960 Park Avenue, Germantown, WI 53022, agree as follows:

WHEREAS, the County provides services to older adults through its Aging & Disability Resource Center; and,

WHEREAS, Village of Germantown owns and operates a senior center facility in Germantown, known as Germantown Senior's Activity Center and,

WHEREAS, Germantown Senior's Activity Center provides programs and services at the Germantown Senior's Activity Center.

NOW, THEREFORE, in consideration of the mutual agreements herein contained, the parties agree as follows:

1. Washington County will provide, through its Aging & Disability Resource Center, payment of \$6,000 per year to Germantown Senior's Activity Center.
2. Village of Germantown will provide the county with a satellite location to offer senior Services, and a site for the Senior Dining program within the Germantown Senior's Activity Center.
3. Village of Germantown will allow the Germantown Senior's Center facility, including meeting rooms, kitchen facilities, and furnishings, to be used for prescheduled activities Monday-Friday between 8:00 am and 4:30 pm as agreed upon by both parties.
4. Insurance. County shall not provide any insurance coverage of any kind for Germantown Senior's Activity Center or its employees. Germantown Senior's Activity Center shall provide the following general liability coverage: General liability (\$1,000,000 per occurrence). An annual Certificate of Insurance acceptable to the County shall be submitted prior to the commencement of this Agreement. The Certificate shall contain a provision that coverage afforded under the policy will not be cancelled unless at least 30 (thirty) days prior written notice has been given to County.

5. The County will ensure that all County sponsored programs and services held at the Germantown Senior's Activity Center will be for the benefit of the older adults of Washington County.
6. Germantown Senior's Activity Center is responsible for providing a quarterly report of activities held at the Germantown Senior's Activity Center to the County. These reports should be sent to the County by the 15th of the following month. The reports shall include:
 - Type of program
 - Number of participants
 - Other general comments regarding the programs
7. This agreement may be terminated by the County or Germantown Senior's Activity Center, without cause for any reason, upon giving thirty (30) days written notice to the other party.
8. This agreement or any part thereof shall be renegotiated in the event of changes in State, Federal, or local regulations or a reduction in funds affecting the substance of contract.
9. This agreement shall be valid and enforceable for a period of one year, commencing January 1, 2016 and shall expire on December 31, 2016, unless earlier terminated pursuant to paragraph 7.

In Witness Whereof, the parties hereto affix their hands and seals.

For the PROGRAM:
Washington County

For the FACILITY:
Germantown Senior's Activity Center

Herbert Tennes
Washington County Board Chairman

Dean Wolter
President, Village of Germantown

Date: _____

Date: _____

Brenda J. Jaszewski
County Clerk for Washington County

Date: _____

X:J

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

MEETING DATE: Monday, December 7, 2015

AGENDA ITEM: New Business

ITEM TITLE: Agreement between Washington County & Village for Senior Meal Program

SUBMITTED BY: Mark Schroeder, Park & Recreation Director *MS*

SUMMARY EXPLANATION:

Attached is the annual agreement in which the Village of Germantown receives \$600 from the Washington County Aging and Disability Resource Center for use of the Senior Center to provide the weekly Senior Meal Program. Monies are recognized in the Village's budget as a revenue in account 10-430-431-2500.

ATTACHMENT: ORDINANCE____ RESOLUTION____ OTHER X

RECOMMENDATION:

**COOPERATIVE AGREEMENT BETWEEN
VILLAGE OF GERMANTOWN
AND
AGING & DISABILITY RESOURCE CENTER
OF WASHINGTON COUNTY**

In consideration for the mutual covenants herein, the Aging & Disability Resource Center of Washington County, State of Wisconsin, hereinafter known as the "PROGRAM", having offices at 333 East Washington Street, Suite 1000, West Bend, WI 53095, and the Village of Germantown, for the Germantown Senior's Activity Center, hereinafter known as the "FACILITY", located at W162 N11960 Park Avenue, Germantown, WI 53022, agree as follows:

1. The FACILITY shall provide:
 - A. Use of their facility including meeting rooms, kitchen facilities and furnishings to be used for prescheduled activities Monday-Friday between 8:00 am and 4:30 pm as agreed upon by both parties.
 - B. Payment of all utility charges.
 - C. Provisions of garbage removal.
 - D. Storage facilities for equipment and utensils.
 - E. General liability insurance coverage \$1,000,000 per occurrence.
 - F. A Certificate of Insurance acceptable to the County that shall contain a provision that coverage afforded under the policy will not be cancelled unless at least 60(sixty) days prior written notice has been given to the county annually.
 - G. An annual report of activities held at the Senior Center shall be provided in June of each year. The reports shall include the type of program, number of participants, other comments regarding programs.
2. The PROGRAM shall provide:
 - A. Payment for the use of the facility shall be made by the PROGRAM to the FACILITY and shall not exceed \$600.00 dollars per year. Meals which shall be delivered and shall contain 1/3 (one-third) minimum daily requirements for an adult.
 - B. Recruiting, training, and scheduling of volunteers who shall be responsible for hosting, serving, cleanup, record keeping, and shall follow health and sanitation procedures.
 - C. Planning and coordinating of various social and recreational activities preceding meal service, as agreed, with the approval of the Facility.
 - D. Services that are for the benefit of older adults of Washington County
3. The FACILITY and the PROGRAM agree as follows:
 - A. Meal service shall be open to all residents of the United States 60 (sixty) years of age or older, or married to a citizen 60 (sixty) years of age or older.
 - B. The PROGRAM shall not be held responsible for unclean conditions caused by individuals or groups who use the Facility outside of contract hours.
 - C. The PROGRAM may establish various rules and regulations regarding walk-ins as necessary in cooperation with the FACILITY.

D. The PROGRAM will not operate on a day when:

- 1.) There is a fifth Wednesday in the month.
- 2.) There is a community emergency. Each party will make reasonable efforts to notify the other if such emergency exists.
- 3.) All Washington County holidays including the day after Thanksgiving.
- 4.) Agreed upon by both parties.

4. Payment:

A. Payment for the use of the facility shall be made by the PROGRAM to the FACILITY and shall not exceed \$600.00 dollars per year.

5. Term and Termination:

A. Term. This Agreement shall be effective as of January 1, 2016, and ending December 31, 2016. This Agreement shall automatically renew for subsequent one (1) year periods under the same terms and conditions as outlined herein, unless modified by mutual consent of the parties, such modification shall be reduced to writing, signed by the parties and attached as an Addendum to this Agreement. This is subject to the termination provision of 5.B. below.

B. Termination. Either party may terminate this Agreement at any time during the life of this Agreement, or subsequent renewal periods, for any or no reason by giving 30 (thirty) days prior written notice in writing to the other party of the intention to do so. Said written notice for the PROGRAM shall be sent to:

AGING & DISABILITY RESOURCE CENTER OF WASHINGTON COUNTY
333 E Washington Street, Suite 1000
West Bend, WI 53095

And said written notice for the FACILITY shall be sent to:

Village of Germantown Administrator
N112 W17001 Mequon Road
P O Box 337
Germantown, WI 53022

C. The Program and the Facility shall meet annually to evaluate this cooperative agreement. This meeting shall be documented by the program.

6. Insurance:

PROGRAM shall not provide any insurance coverage of any kind for FACILITY or FACILITY'S employees. FACILITY shall provide the following general liability coverage: General liability (\$1,000,000 per occurrence). An annual Certificate of Insurance acceptable to PROGRAM shall be submitted prior to the commencement of this Agreement. The Certificate shall contain a provision that coverage afforded under the policy will not be cancelled unless at least 30 (thirty) days prior written notice has been given to PROGRAM.

7. Entire Agreement and Severability:

This Agreement constitutes the entire agreement between the PROGRAM and the FACILITY. If any provision of this Agreement is held to be void, invalid or otherwise unenforceable, in whole or in part, the other provisions shall remain in force and effect.

In Witness Whereof, the parties hereto affix their hands and seals.

For the PROGRAM:
Washington County

For the FACILITY:
Germantown Senior's Activity Center

Herbert Tennes
Washington County Board Chairman

Dean Wolter
President, Village of Germantown

Date: _____

Date: _____

Brenda J. Jaszewski
County Clerk for Washington County

Date: _____

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

MEETING DATE: December 7, 2015

AGENDA ITEM: New Business

ITEM TITLE: Request for \$3,000 Change Order Authorizing R.A. Smith National to Prepare Alternative Design of TID #6's Appleton Ave. Tee Intersection

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

SUMMARY EXPLANATION:

With Appleton Ave. being a connecting highway in which Wisconsin DOT owns right of way jurisdiction and the Village has maintenance jurisdiction, we have had to follow Memorandum of Understanding and Traffic Impact Analysis (TIA) protocol for TID #6's future tee intersection. The protocol directed the Village to coordinate with Wisconsin DOT representatives of their WIS 175 resurfacing project. Their representatives proposed a design that would be required for state/federally-funded projects. In my opinion, however, the design significantly exceeds what would normally be acceptable for municipality-funded projects and unnecessarily stresses the TID's budget for the project.

Representatives of R.A. Smith National having Professional Traffic Operations Engineer (PTOE) credentials prepared our TIA. Initial conversations with them indicate that the Wisconsin DOT design can be reduced in scope to better align with the TID's budget. They propose a \$3,000 change order to their TIA contract to prepare this alternative design and secure acceptance by Wisconsin DOT.

\$5,360	Peer Review Preliminary TIA
\$13,800	Author New TIA
\$2,000	Include I-41 Ramps in TIA

\$21,160	Total Contracted
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\$3,000	This Proposed Change Order
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\$24,160	Proposed Total
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Staff recommends approval.

ATTACHMENTS:

Wisconsin DOT design

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.

SUGGESTED LAYOUT BASED
ON WISDOT STANDARDS



938+00

937+00

936+00 BP: 10+00.00

935+00

934+00

EP: 17+00.00

PROJECT NO:

HWY: STH 175

COUNTY: WASHINGTON

PLAN DETAILS (NIMITZ COURT)

SHEET

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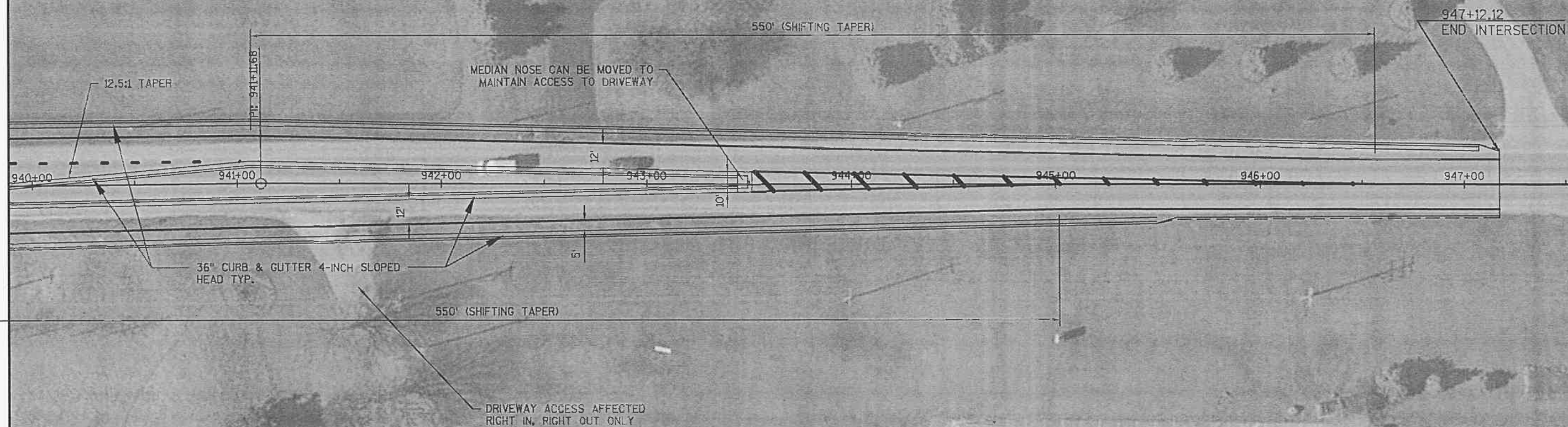
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PLOT BY : ROSBECK, JACOB D

PLOT NAME :

PLOT SCALE : 1 IN:50 FT

WISDOT/CADDs SHEET 42



PROJECT NO:

HWY: STH 175

COUNTY: WASHINGTON

PLAN DETAIL

SHEET

E

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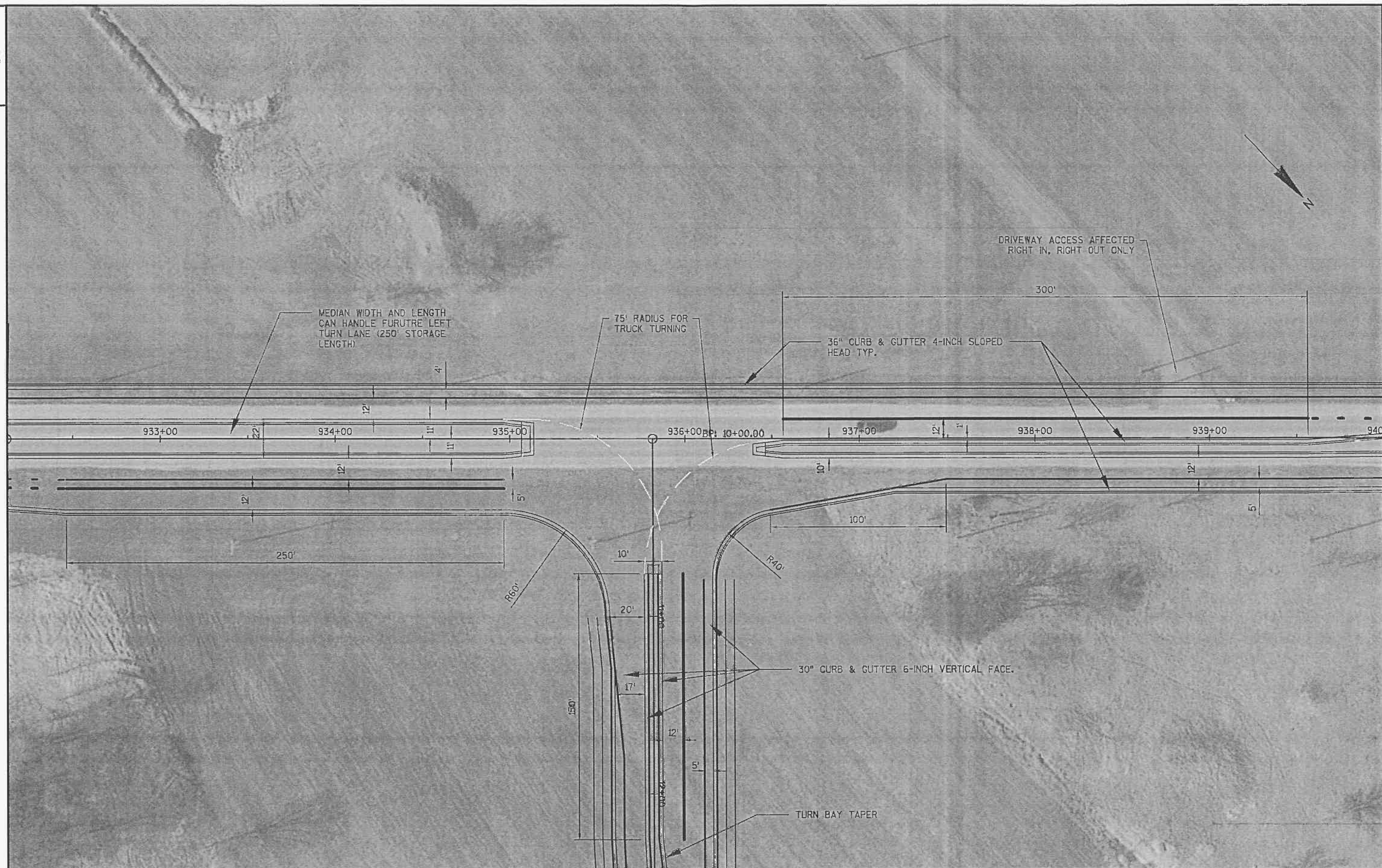
PLOT DATE : 11/19/2015 3:35 PM

PLOT BY : ROSBECK, JACOB D

PLOT NAME :

PLOT SCALE : 1 IN:50 FT

WISDOT/CADDs SHEET 42



PROJECT NO:

HWY: STH 175

COUNTY: WASHINGTON

PLAN DETAIL

SHEET

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LAYOUT NAME - SHEET - (2)

PLOT DATE : 11/19/2015 3:35 PM

PLOT BY : ROSBECK, JACOB D

PLOT NAME :

PLOT SCALE : 1 IN:50 FT

WISDOT/CADDs SHEET 42



PROJECT NO:

HWY: STH 175

COUNTY: WASHINGTON

PLAN DETAIL

SHEET

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FILE NAME : N:\PDS\PROJECTS\33600902\WILLOW CREEK DEVELOPMENT\NIMITZ CT.DWG
LAYOUT NAME - SHEET - (1)

PLOT DATE : 11/19/2015 3:35 PM

PLOT BY : ROSBECK, JACOB D

PLOT NAME :

PLOT SCALE : 1 IN:50 FT

WISDOT/CADDs SHEET 42