VILLAGE OF GERMANTOWN
MEETING MINUTES
JANUARY 17, 2011
VILLAGE HALL BOARD ROOM

**CALL TO ORDER**
The meeting was called to order at 7:30 p.m. by Clerk Knaack.

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

**PLEDGE OF ALLEGIANCE**
The Pledge of Allegiance was given.

**PRESIDENT'S REPORT**
**AWARD OF COMMENDATION – DETECTIVE MIKE YOGERST**
Police Chief Hoell presented a commendation award to Detective Mike Yogerst for his dedication and work helping solve an eleven year old homicide within the Village.

At this time, the Clerk entertained a motion to elect a President Pro-Tem.
**Motion by Kaminski second by Baum to appoint Trustee Vanderheiden as President Pro-Tem. All present voted aye. Motion carried.**

**ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/ COMMITTEE REPORTS**
Upcoming meetings were announced.

**CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing**
No one appeared.

**CONSENT AGENDA**

A. **MINUTES**
   1. December 20, 2010

B. **ACCOUNTS PAYABLE/PAYROLL**

| | | | |
|---|---|---|---|
| 1. | **Payroll** – Hourly | Dec. 21, 2010 | $213,823.43 |
| 2. | **Payroll** – Salary | Dec. 30, 2010 | $ 77,173.69 |
| 3. | **Accounts Payable** | Dec. 25, 2010 | $227,809.75 |
| 4. | **December payables** | | $ 27,595.78 |
| 5. | **Payroll** – Hourly | Jan. 4, 2011 | $198,312.30 |
| 6. | **Payroll** – Salary | Jan. 14, 2011 | $ 80,228.19 |
| 7. | **Accounts Payable** | Jan. 10, 2011 | $546,624.46 |

C. **OPERATOR (BARTENDER) LICENSES** B new licenses for the period ending June 30, 2011: Deidre Fredricks, Loni Schmittranz and Sara Stevenson.

The following item was forwarded from the General Government and Finance Committee with a unanimous recommendation:

D. **RESOLUTION – APPROVING AMENDMENTS TO THE 2011 BUDGET CAPITAL ACCOUNT CARRY OVER**

**<u>CONSENT AGENDA continued</u>**

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

E. **AWARD OF CONTRACT – TIF 4 PH1 POND RETROFIT**
F. **APPROVAL OF CHANGE ORDER – LAKE PARK WEST WATER MAIN RELAY**
G. **VILLAGE LABOR & EQUIPMENT RATES – 2011**
H. **STATE/MUNICIPAL AGREEMENT – STH 145**

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

**<u>UNFINISHED BUSINESS</u>**

Attorney DeStefanis arrived at this time (7:35 p.m.)

**<u>PUBLIC HEARINGS – 7:30 P.M. OR LATER</u>**

**GERMANTOWN COMMERCE CENTER LLC (BLACKSTONE CREEK PDD COMMERCIAL PROPERTY); FOR AN AMENDMENT TO THE PLANNED DEVELOPMENT DISTRICT (PDD) GENERAL DEVELOPMENT PLAN AND CONDITIONS AND RESTRICTIONS TO INCLUDE THE DEVELOPMENT OF A 3-STORY 26,600 SQ FT SENIOR HOUSING COMPLEX, A FUNERAL HOME AND OTHER RELATED DEVELOPMENT**

The Public Hearing was called to order at 7:35 p.m.
Planner Retzlaff gave a presentation and Staff analysis on the proposed project.
Andy Dumke representing Keystone Development appeared before the Board to state this is an independent living facility for those aged 55 and older.
Richard Jinkins representing Blackstone Creek appeared before the Board and stated they wish to work with the Village on this project.
With no one else appearing for or against, the Public Hearing was closed at 7:48 p.m.

**WASTE MANAGEMENT OF WISCONSIN; W135 N9950 MIDLAND DRIVE (1/4 MILE NORTH OF COUNTY LINE ROAD; FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A COMPOST FACILITY PURSUANT TO SECTION 17.34 (3)(C) OF THE VILLAGE ZONING CODE**

The Public Hearing was called to order at 7:50 p.m.
Planner Retzlaff gave a presentation on the proposed CUP and outlined four conditions.
Steve Wesolowski appeared before the Board and stated the Board can set restrictions. He asked the Board members to ask questions and make the best decision for the Village.
With no one else appearing for or against, the Public Hearing was closed at 8:00 p.m.

**<u>NEW BUSINESS</u>**

**PLANNED DEVELOPMENT DISTRICT AMENDMENT – GERMANTOWN COMMERCE CENTER LLC**

**Motion by Baum second by Werderman to approve the PDD text amendments for a funeral home, senior housing and three monument signs, but not approve the site plan submitted with the text amendments.**

Jim Sedgwick appeared before the Board and stated the site plan has been modified and is off the table at this time. The need is for the use of the area and then the site plan issues can be worked out.

**NEW BUSINESS continued**

**PLANNED DEVELOPMENT DISTRICT AMENDMENT – GERMANTOWN COMMERCE CENTER LLC continued**

Discussion:

- Any plan revision would require a Public Hearing
- Senior housing was next to the funeral home and now is next to the banquet facility
- If these three things are acceptable for the Board, then the development can be brought, the uses should be approved first
- Senior housing should not be located on Mequon Road

**Motion by Kaminski second by Zabel to remove senior housing from the motion.**

Discussion:

- The applicant should have the opportunity to create a new plan
- The zoning is the only thing needed at this time

President Wolter arrived at this time (8:30 p.m.)

**Ewert, Kaminski, Vanderheiden, Wing and Zabel voted aye, Baum, Hughes, Werderman and Wolter nay. Motion carried.**

**On the original motion as amended, all present voted aye excepting Baum and Hughes nay. Motion carried.**

**CONDITIONAL USE PERMIT – WASTE MANAGEMENT OF WISCONSIN**

**Motion by Werderman second by Vanderheiden to approve the CUP.**

Representatives Mike Melan and Steve Meyer with Waste Management appeared before the Board to answer questions.

Discussion:

- How much tonnage will there be
- Veolia has a facility in Franklin
- What about royalty or hosting fees
- This is a duplicate of Orchard Ridge which has run out of space
- A plan of operation must be submitted to the DNR

**Motion by Zabel second by Wing to send this matter to the GGF Committee to sit down with Waste Management and work out the details, including clarification of permit fees for tonnage and allowing the residents of Germantown to have the same benefit of those from Menomonee Falls and any and all other discussions of topics which may come up. All present voted aye, Vanderheiden and Wolter nay. Motion carried.**

**DENIAL OF CLAIM – HERALD J. SCHROEDER**

**Motion by Zabel second by Baum to deny the claim. Roll call vote was taken, all present voted aye. Motion carried.**

**DENIAL OF CLAIM – LINDA DANKERT**

**Motion by Ewert second by Baum to deny the claim. Roll call vote was taken, all present voted aye. Motion carried.**

**NEW BUSINESS continued**
**NEW FIRE UNIT "1751" PURCHASE**
**Motion by Baum second by Werderman to approve the bid from General Fire Equipment Co in the amount of $8,497.15 and the bid from Foerster Signs LLC in the amount of $1,794.00 for accessories and lights to Fire Truck Unit 1751**
Matt Karpinski appeared before the Board to answer questions.
Discussion:

- Requirements of lighting of emergency vehicles
- The State adopts Codes for lighting
- $34,000 was budgeted and the Taho purchased was $28,000 so they are still within the budgeted amount

**Roll call vote was taken, all present voted aye. Motion carried.**

**FIRE DEPARTMENT AWARDS BANQUET**
Deputy Chief Maury appeared before the Board to answer questions.
**Motion by Baum second by Zabel to continue with the incentive awards but to hold no banquet and have the awards presented during the Christmas party in December. Roll call vote was taken, all present voted aye. Motion carried.**

**WDNR GRANT – RED SWAMP CRAYFISH ERADICATION**
Village Engineer Bischke appeared before the Board to give a presentation.
Discussion:

- The DNR wants the Village to fill in the pond
- The problem started in Esquire Estates and moved to Ashbury Woods and then to the pond behind the Library

**Motion by Zabel second by Baum to direct staff to come up with a Resolution that would go to the DNR for grand purposes with the items discussed at Public Works Committee. (Motion corrected to this form per Trustee Zabel) Roll call vote was taken, all present voted aye. Motion carried.**

**ADJOURN INTO CLOSED SESSION PER WI. SS 19.85 (1)(c) FOR THE PURPOSE OF CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY – DIALOGUE WITH STAFF REGARDING CONTRACT NEGOTIATIONS – WASTE MANAGEMENT CONTRACT**
**Motion by Zabel second by Baum to adjourn into closed session. Roll call vote was taken, all present voted aye. Motion carried.**

Respectfully submitted,

Elizabeth Knaack
Village Clerk