VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
April 18, 2016

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, Myers, Warren and Zabel. Trustee Miller was absent and excused. Also present: Administrator Schornack, Attorney Sajdak, Public Works Director Ratayczak, Wastewater Superintendent Zimmerman, Fire Chief Weiss, Hwy. Park & Bldg. Superintendent Olszewski, Police Communications Supervisor Schmidt, Finance Director Rath and Clerk Goeckner

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: President welcomed all members of Troop 271 joining us for the meeting. Board of Zoning Appeals meeting last week regarding JBJ Homes/Saxony Village. Decision made for higher number of density and placement of buildings in favor of Applicant and requirement of gabled roofs in favor of Plan Commission. Will discuss this in closed session at next Village Board meeting.

APPOINTMENTS

A. ***Standing Committees of the Village Board***

1. General Government & Finance

Chair Trustee	Arthur Zabel	04/19/2016 – 04/17/2017
Trustee	Terri Kaminski	04/19/2016 – 04/17/2017
Trustee	Shane Daniels	04/19/2016 – 04/17/2017
Trustee	Robert Warren	04/19/2016 – 04/17/2017

2. Public Safety

Chair Trustee	Jeff Hughes	04/19/2016 – 04/17/2017
Trustee	Shane Daniels	04/19/2016 – 04/17/2017
Trustee	David Baum	04/19/2016 – 04/17/2017
Trustee	Dennis Myers	04/19/2016 – 04/17/2017

3. Public Works & Highways

Chair Trustee	Terri Kaminski	04/19/2016 – 04/17/2017
Trustee	Rick Miller	04/19/2016 – 04/17/2017
Trustee	Robert Warren	04/19/2016 – 04/17/2017
Trustee	Arthur Zabel	04/19/2016 – 04/17/2017

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

B. ***Commissions/Boards/Committees***

1. Administrative Appeals Review Board

Trustee	Dean Wolter	04/19/2016 – 04/15/2019

4. ***Board of Review***

Member	William Shadid	05/01/2016 – 04/30/2021

5. ***Board of Zoning Appeals***

Alternate	Carroll Merry	05/01/2016 – 04/30/2021
Alternate	Benjamin Goetter	05/01/2016 – 04/30/2021

6. Economic Development Committee

Member	Scott Coulthurst	05/01/2016 – 04/30/2019

B. ***Commissions/Boards/Committees continued:***

7. Ethics Board

Member	Richard Kent	05/01/2016 – 04/30/2019
Member	Wyatt Wiehr	05/01/2016 – 04/30/2019
Alternate member	VACANT	05/01/2016 – 04/30/2019
Alternate Member	VACANT	05/01/2015 – 04/30/2018

8. ***Historic Preservation Commission***

Citizen Member	Christine Kauth	05/01/2016 – 04/30/2019
Citizen Member	Barbara Mendenahll	05/01/2016 – 04/30/2019

9. Library Board

School District Rep.	Brenda O'Brien	07/01/2016 – 06/30/2019
Member	Charlene Brady	07/01/2016 – 06/30/2019

10. ***Park & Recreation Commission***

Chair Member	Scott Coulthurst	05/01/2016 – 04/30/2019
Trustee	Rick Miller	04/19/2016 – 04/17/2017
School Member	Brian Medved	05/01/2016 – 04/30/2019
Member	Kim Leukert	05/01/2016 – 04/30/2019

11. ***Plan Commission***

Chair	Dean Wolter	04/19/2016 – 04/17/2017
Trustee	David Baum	04/19/2016 – 04/17/2017

10. ***Senior Center Advisory Committee***

Senior Club member	Arline Flesch	04/19/2016 – 04/16/2018

11. ***Tourism/Community Betterment Committee***

Chair Trustee	Jeffrey Hughes	05/01/2016 – 04/18/2017
Chamber Rep	Lynn Grgich	05/01/2016 – 04/30/2017
Hotel Rep	Sue Ciurro	05/01/2016 – 04/30/2017
Member	Patricia Adair	05/01/2016 – 04/30/2017
Member	Charlene Brady	05/01/2016 – 04/30/2017
Member	Carroll Merry	05/01/2016 – 04/30/2017
Member	Judy Rogers	05/01/2016 – 04/30/2017
Member	Kevin Meyer	05/01/2016 – 04/30/2017

12. ***Utility Advisory Committee***

Engineer Member	Benjamin Goetter	05/01/2016 – 04/30/2019
Member	Jeff Schleif	05/01/2014 – 04/30/2017*

**(completing term left vacant by prior resignation)*

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

C. ***Weed Commissioner***

Planning/Zoning Adm.	Jeff Retzlaff	04/19/2016 – 04/17/2017

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

D. ***Mid-Moraine Legislative Committee***

Trustee Representative	Art Zabel	04/19/2016 – 04/17/2017

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

E. ***Official Posting Places***

Village Hall - N112 W17001 Mequon Road
Public Library - N112 W16957 Mequon Road
Village Website

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

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.	March 31, 2016	Payroll (salary)	$ 80,240.19
2.	March 2016	Accounts Payable	$ 29,203.79
3.	April 5, 2016	Payroll (hourly)	$ 214,374.82
4.	April 10, 2016	Accounts Payable	$1,412,717.31
5.	April 15, 2016	Payroll (salary)	$ 78,941.16

B. Operator Licenses: April 19, 2016 - June 30, 2016:

C. Jennifer M. Heinzel, Michelle L. Kind, Sangita Raut, Sardar Raza, Kim Wolff [Recommended Approval]

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

D. Application For Fireworks User Permit, July 4th At Fireman's Park – Lynn Grgich [Recommend Approval]

E. Request to Purchase Replacement 911 System Through Baycom Inc., In the Amount of $136,842.02 Allocated from Acct #40-521-570-8460 (Police Dept.) [Recommended Approval]

F. Purchase Upgrade to Building Security & Surveillance System Through H&S Protection Systems in The Amount of $46,658.00 Allocated from Acct #40-521-570-8450, Which Would Include Replacing and Upgrading 13 Cameras, The Video Server and The Client Workstation, An Additional 40" Monitor for Communications Center, Also Includes Audio/Video Recording Systems for 3 Interview Rooms for Police Dept. [Recommended Approval]

G. Request to Re-Chassis 2 Ambulances At a Cost of $270,000 Instead of Buying 1 New Ambulance at a Cost of $250,000 (Fire Dept.) [Recommended Approval]

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

H. Authorize Staff to Contract with Century Landscaping in the Amount of $23,631.25 for the Replacement of Village Trees Removed as part of Emerald Ash Borer Initiative, with Funds to be Allocated from Acct. #10-553-530-5290 [Recommended Approval]

I. Approval of 2015 WI DNR MS4 Annual Report and Authorize Village President to Sign for Submission to the WDNR [Recommended Approval]

MOTION (Baum/Zabel) to approve Consent Agenda Items A-I excepting Item 'G', by roll call vote, carried. Item G – Trustee Hughes stated Public Safety did approve this but pulled for Fire Chief to provide additional information. Chief Weiss stated he had budgeted $250,000 for an ambulance this year but has now found he can re-chassis two ambulances for $270,000, but this is $20,000 over budgeted amount and he does not have those additional funds. Must do the two this year to receive the discounted rate. Discussion of funding and possible funding from Police Dept. 911 system. That purchase is more than what was originally anticipated and there is no additional funding left from that. Additional funding from other areas will have to come back through Village Board. Other discussion regarding the re-chassis requirements and if it should wait, costs of repairing equipment now. Need to find

CONSENT AGENDA continued:

funding prior to commitment. Would like to go to bid to get exact numbers. **MOTION (Kaminski/Warren) to bid the re-chassis for 2 ambulances, by roll call vote, carried.**

UNFINISHED BUSINESS:

A. Request to Award Contract for TID #6 Phase #1 Appleton Ave. Paving & Lighting

DPW Director Ratayczak provided information regarding the proposed contract. **MOTION (Kaminski/Meyers) to award the contract for this project in the amount of $454,549.03.** Discussion: Temporary easement need (no), contingency, request of higher change order limit, committee will always be informed. **MOTION (Hughes/Zabel) to amend to pull the additional 5% contingency.** Discussion: necessity to go through Committee or Board for changes will cost in down time for contractors and they could leave the job to go elsewhere and delay returning. Previously amended change orders – if Director and Administrator sign off and notify committee of jurisdiction they are allowed to do so. Further discussion of budget, contingencies, approval process for claims of varying amounts, Village Board could change that process. **MOTION to amend 3 in favor, 5 opposed (Daniels, Kaminski, Myers, Warren, Wolter), motion to amend fails. Main motion, by roll call vote, 5 in favor, 3 opposed (Baum, Hughes, Zabel), carried.**

B. Request to Accept Memorandum of Understanding with WisDOT for Future TID #6 Appleton Ave. – Lannon Rd. Roundabout Intersection Improvements

DPW Director Ratayczak presented information regarding this item. DOT doing project this year to construct a roundabout at the intersection of Appleton and Lannon Road. With the development of TID 6 coming forward They feel it is necessary to increase the capacity of the roundabout and the cost should be borne by the Village. Originally DOT wanted us to do it immediately when they were doing the project this year. Design fee was $43,000 and construction cost estimated at $30,000. Discussions with DOT on why do it now, not knowing when there will be increased traffic, brought consideration of Memorandum of Understanding. Village to participate in the roundabout required when trigger is met, then Village would have to engage in making improvements to roundabout. Even stated our crews could do improvements. Depending on how big buildings are that go in it could be one year before they are occupied or three years before we get the trigger. Choice now is to sign off on memorandum of understanding. (7:50 p.m. -Trustee Myers left the room). **MOTION (Kaminski/Warren) to approve Memorandum of Understanding and direct DPW Director to execute same.** Discussion of our requirement to pay for this, it's a state and county road, drawings and design before and after MOU. (Trustee Myers returned at 7:54 p.m.) **MOTION (Zabel/Kaminski) to amend and modify with legal verbiage to show what we are required to do.** Discussion to request an exhibit showing what is described in MOU. **7 in favor, 1 opposed (Baum), carried. Original motion, roll call vote, 5 in favor, 3 opposed (Baum, Hughes, Zabel), carried.**

C. **Certified Survey Map:** Tim Hiller, Agent for Steven Stoffel, Property Owner of a 7.14-acre Parcel located on Donges Bay Road ¼-mile west of STH145 (Parcel GTNV#351-990); Certified Survey Map (CSM) to create four (4) residential parcels in an existing Rs-4: Single-family Zoning District

UNFINISHED BUSINESS continued:

Village Attorney Sajdak provided information on the CSM presented. Stated options. Plan Commission recommends approval of revised CSM. **MOTION (Baum/Daniels) to approve with conditions as stated in memo.** Discussion. **Carried.**

PUBLIC HEARINGS – 7:00 P.M. OR LATER:

A. Daniel & Kim Skrober, Property Owners and Applicant for (1) a **CONDITIONAL USE PERMIT** to allow "recreational vehicle and boat storage" and "storage of commercial vehicles and equipment" pursuant to Sections 17.13(2)(s) and 17.13(2)(mm) of the Village Zoning Code from the following described property: GTNV #072-990, N136 W21801 Bonniwell Road

In absence of Community Development Director Village Attorney Sajdak presented information on this item. CUP to allow some storage activities to the applicant for recreational vehicle, boat and commercial equipment storage on the 21.6 acres which is zoned agricultural. Use is both inside and some external storage of the buildings. Code requires all storage to be completely enclosed. Fire Department has concerns of storage on sight. Conditions are within the packet provided.
President Wolter opened the public hearing at 8:10 p.m.
No one spoke at the public hearing.
President Wolter closed the public hearing at 8:12 p.m.

B. Christopher Jackson, CJ Engineering, Agent, for Gehl Foods LLC, Property Owner and Applicant for: (1) an amendment to **CONDITIONAL USE PERMIT No. 07-10** to allow the expansion of an existing "off-site" parking lot pursuant to Section 17.45(5) of the Village Zoning Code on the Following Described Property: GTNV #224-017 N116 W15953 Main Street

Village Attorney Sajdak presented information regarding this request as provided by Community Development Director. Allows expansion of an offsite parking lot to add parking stalls on Main Street. Across from Gehl Food entrance. 24 proposed, 39 existing. Removal of existing building and expanding parking in this area. When discussed there were concerns with respect to the site. Landscape issues discussed. B-3 Zoning District, minimum setback of 8' buffer. Residential duplex to be removed, did add some screening of that parking lot to preserve character of main street. Plan Commission recommendation was to deny the amendment. Staff's recommendation was to approve with 8 conditions all identified within the packet.
President Wolter opened the public hearing at 8:16 p.m.
The following parties spoke at the public hearing:
Nancy Litzow – No problem with the expansion.
President Wolter closed the public hearing at 8:18 p.m.

C. Skyline Development Corp., Property Owner and Petitioner for: (1) a **COMPREHENSIVE PLAN MAP AMENDMENT** to change the 2020 Land Use Plan Map classification for the property described below from "Commercial" to the "Industrial/Office" classification; (2) a **REZONING** application to rezone the property described below from the B-1: Neighborhood Business District to the M-1: Limited Industrial District; and (3) a **CONDITIONAL USE PERMIT** application to allow development within a 25' wetland and 75' navigable waterway setback on a portion of the property described below pursuant to Section 24.04(3) of the Municipal Code on the

PUBLIC HEARINGS continued:

Following Described Property: GTNV #362-983 (S.E. Corner of STH145 @ Donges Bay Road Intersection)

Attorney Sajdak presented. CSM does not require public hearing. Summary of proposal is land use map amendment from commercial to industrial/office use. Allow for 2 lot CSM, Rezoning and CUP. Justification for LUP amendment is to enhance scenery for existing owners in business park and allow for additional businesses to come into the area. Staff recommendation is to approve CUP.

President Wolter opened the public hearing at 8:25 p.m.

Following parties spoke at the public hearing:

Cathy Jahn – W140N10363 Hwy 145, Germantown – concerns with noise and light pollution and additional traffic.

President Wolter read letter submitted by Donald Schulties who raised several concerns and is against this request.

Public hearing closed at 8:30 p.m.

NEW BUSINESS:

A. **CONDITIONAL USE PERMIT** to allow "recreational vehicle and boat storage" and "storage of commercial vehicles and equipment" pursuant to Sections 17.13(2)(s) and 17.13(2)(mm) of the Village Zoning Code from the following described property: GTNV #072-990, N136 W21801 Bonniwell Road, Daniel & Kim Skrober, Property Owners and Applicant

MOTION (BAUM/MYERS) to approve as requested. Discussion: Plan Commission wanting to grant fee free ability to return if zoning code changes, Attorney Sajdak clarified, difficult to allow someone to do something without a fee that others have to pay. Making sure everyone understands the intent of #7. **Carried.**

B. **Amendment to CONDITIONAL USE PERMIT No. 07-10** to allow the expansion of an existing "off-site" parking lot pursuant to Section 17.45(5) of the Village Zoning Code on the Following Described Property: GTNV #224-017 N116 W15953 Main Street Christopher Jackson, CJ Engineering, Agent, for Gehl Foods LLC, Property Owner and Applicant

MOITON (Myers/Kaminski) to approve amendment to CUP No. 07-10 as requested. Discussion: evergreens/plantings, access point, consideration of liability risks by owner. **6 in favor, 2 opposed (Baum, Zabel), carried.**

C. **COMPREHENSIVE PLAN MAP AMENDMENT (ORDINANCE)** to change the 2020 Land Use Plan Map classification for the property described below from "Commercial" to the "Industrial/Office" classification; on the Following Described Property: GTNV #362-983 (S.E. Corner of STH145 @ Donges Bay Road Intersection) Skyline Development Corp., Property Owner and Petitioner for

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

D. **REZONING** (**ORDINANCE)** application to rezone the property described below from the B-1: Neighborhood Business District to the M-1: Limited Industrial District; on the Following Described Property: GTNV #362-983 (S.E. Corner of STH145 @ Donges Bay Road Intersection) Skyline Development Corp., Property Owner and Petitioner

NEW BUSINESS continued:

MOTION (Baum/Kaminski) to approve as requested. Discussion: hours of operation, number of employees, difference between manufacturing vs commercial, possible traffic situation, minimal operation for noise and traffic, warehousing and distributions. **Carried.**

E. **CONDITIONAL USE PERMIT** to allow development within a 25' wetland and 75' navigable waterway setback on a portion of the property described below pursuant to Section 24.04(3) of the Municipal Code on the Following Described Property: GTNV #362-983 (S.E. Corner of STH145 @ Donges Bay Road Intersection) Skyline Development Corp., Property Owner and Petitioner
MOTION (Baum/Kaminski) approve as presented, carried.

F. **CERTIFIED SURVEY MAP** to create two (2) parcels from a 11.2-acre Parcel located in the southeast corner of the Donges Bay Road @ STH145 intersection (Parcel GTNV#362-983); Skyline Development Corp., Property Owner and Applicant.
MOTION (Baum/Warren) to approve as presented. Discussion. **Carried.**

G. **RESOLUTION No. XX-16** Authorizing Redemption Of General Obligation Promissory Notes Dated December 15, 2007
Finance Director Rath presented information regarding the redemption. **MOTION (Zabel/Myers) to approve resolution authorizing redemption of General Obligation Promissory Notes dated December 15, 2007, carried.**

H. **RESOLUTION No. XX-16** Awarding the Sale of $4,500,000** General Obligation Promissory Notes, Series 2016A; Providing the Form of the Notes; and Levying a Tax in Connection Therewith
Jim Mann of Ehlers presented information on the bond sale. **MOTION (Zabel/Baum) awarding the sale of $4,335,000.** Discussion. **Roll call vote, carried.**

I. **ORDINANCE No. XX-16** – An Ordinance to Amend Section 3.11(2) of Germantown Code of Ordinances as it relates to the imposition of a Room Tax Within the Village
Attorney Sajdak presented information on legislation passed in 2015 regarding terms of percentage of room tax retained and methods and operations to spend it. Discussion of timing for ordinance. **MOTION (Zabel/Baum) to approve as proposed, carried.**

J. **ORDINANCE No. XX-16** – Ordinance to Amend Section 1.378 of the Germantown Code of Ordinances, Pertaining to the Composition of the Tourism and Betterment Committee
MOTION (Zabel/Baum) to approve the ordinance as proposed, carried.

K. Update on Brush Truck Re-Conditioning Project – Fire Dept.
Truck has been reconditioned and should last 7 years or longer.

L. Deputy Fire Chief Position: Request to Create and Fill Position
Chief Weiss presented information on need for Deputy Fire Chief position. 10% pay raise for person being selected putting them at about $70,000. Provides Deputy during the day when Chief at meetings. Position exempt with no overtime. Funds are there, saving money in overtime and requesting to go forward with position. **MOTION**

NEW BUSINESS continued:

(Baum/Warren) to approve. Discussion: Would like to see tax dollars go for more firefighters instead. Use existing person with no more overtime, reducing expense, on 3-week rotation. **Roll call vote, carried.**

M. Employee Policy & Procedure Manual Revision Relating to Filling an Open, Existing, and Budgeted Position
Trustee Zabel presented. Approval for hiring all full time and part time positions.
MOTION (Zabel/Kaminski) to approve, carried.

N. Authorization to Fill Clerk's Office Position
MOTION (Baum/Myers) to approve, carried.

O. Authorization to Contract – Replacement of Garage Doors – DPW
Superintendent Olszewski presented information regarding need, bid and cost.
MOTION (Baum/Warren) to approve authorization in the amount of $25,675 to Door Master Door Company, 7 in favor, 1 opposed (Zabel), carried.

P. Authorization to Purchase Tractor with Broom and Blade – DPW
Superintendent Olszewski presented information on the request. **MOTION (Myers/Hughes) to approve, to go with Mid-State Equipment Jackson at a cost not to exceed $73,016.55.** Discussion. **Roll call vote, 6 in favor, 2 opposed (Baum, Zabel), carried.**

Q. Authorization to Purchase a Used Vehicle for Engineering Department Inspector
Superintendent Olszewski presented information on the request. **MOTION (Hughes/Myers) to approve.** Discussion: Rotation of vehicles, time required to take care of older vehicles already used for many years, what type of vehicle available for $17,000. **Roll call vote, 7 in favor, 1 opposed (Zabel), carried.**

R. MOTION (Baum/Zabel) to go into closed session at 9:35 p.m. for the Germantown Municipal Employees Union Local 730 Negotiations, as per into Closed Session Per WI Stats. 19.85(1)(E) For The Purpose of Deliberating or Negotiation the Purchase of Public Properties, The Investing of Public Funds, Or Conducting Other Specified Public Business, When Competitive or Bargaining Reasons Require a Closed Session and Then May Re-Enter Open Session to Take Such Action as It Deems Appropriate roll call vote, carried.
MOTION (Zabel/Baum) to return to open session, carried.

MOTION (Kaminski/Baum) to give DPW Employee raise of .73% retroactive to January 1, 2016, which we are allowed, carried.

There being no further business, the meeting adjourned at 9:55 p.m.

Barbara K. D. Goeckner MMC/WCPC
Village Clerk