VILLAGE OF GERMANTOWN
MEETING MINUTES
MAY 2, 2011
VILLAGE HALL BOARD ROOM

CALL TO ORDER
The meeting was called to order at 7:00 p.m.

ROLL CALL
Members present: President Wolter, Trustees Baum, Ewert, Hughes, Kaminski, Wing, Werderman and Zabel. Absent: Trustee Vanderheiden. Also present were Administrator Schornack, Attorney DeStefanis and Clerk Knaack.

PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was given.

PRESIDENT'S REPORT
None at this time.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/ COMMITTEE REPORTS
The Clerk announced she had checked with the City of Hartford and the Village of Menomonee Falls as directed in regards to publishing minutes. She reported the City of Hartford does designate a newspaper and publishes their minutes in it. The Village of Menomonee Falls does not designate an official newspaper but publishes their minutes in what we know as the Germantown Now.
She further reported on the recount for the Village of Germantown. She reported no discrepancies had been found in any of the four Districts. She thanked the Election Workers and congratulated them on a job well done. She also thanked Deputy Clerks Micka and Lofy for their part of the election process. She stated this week is Municipal Clerk's Week and wanted to express her congratulations to them and commend them for the jobs they do on a daily basis for the Village.

Upcoming meetings were announced.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing
No appearances.

CONSENT AGENDA
A. **MINUTES**
   1. April 19, 2011

B. **ACCOUNTS PAYABLE/PAYROLL**

1.	**Payroll** – Hourly	Apr. 25, 2011	$203,581.60
2.	**Accounts Payable**	Apr. 26, 2011	$248,774.07

C. **OPERATOR (BARTENDER) LICENSES** B new licenses for the period ending June 30, 2011:

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

D. **NEW 600 AMP SERVICE FOR POLICE DEPT.**

E. **OFFICE CARPETING FOR POLICE DEPT.**

CONSENT AGENDA continued

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

F. **ORDINANCE – AMENDING SECTION 12.02 (7)(B)2 OF THE MUNICIPAL CODE OF ORDINANCES RELATING TO LICENSE DENIAL FOR DELINQUENT REAL ESTATE TAXES**

G. **RESOLUTION – APPROVING AMENDMENTS TO THE 2011 BUDGET – GERMANTOWN COMMUNITY LIBRARY COUNTY NON-LAPSING FUNDS FY2010**

H. **WATER UTILITY RATE – MULTI FAMILY BULK BILLED CUSTOMERS – RESIDENTIAL UNIFORM RATE CODE**

The minutes were removed from the Consent Agenda.
Motion by Ewert second by Baum to approve the Consent Agenda. Roll call vote was taken, all present voted aye. Motion carried.

Motion by Zabel second by Kaminski to correct the minutes to state Trustee Kaminski was absent from the meeting. All present voted aye to accept the minutes as amended. Motion carried.

UNFINISHED BUSINESS
None

NEW BUSINESS (moved to this portion of the meeting as the time for the Public Hearing has not come)
RESOLUTION AWARDING THE SALE OF $2,220,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2011A; PROVIDING THE FORM OF THE NOTES; AND LEVYING A TAX IN CONNECTION THEREWITH
Jim Mann with Ehlers & Associates gave a presentation on the award of the notes.
Motion by Zabel second by Ewert to award the sale to Baird out of Milwaukee, WI. Roll call vote was taken, all present voted aye. Motion carried.

WASHINGTON COUNTY RADIO USERS/EQUIPMENT AGREEMENT
Motion by Ewert second by Werderman to accept the agreement regarding Washington County Radio Users/Equipment. All present voted aye. Motion carried.

RESOLUTION – APPROVING AMENDMENTS TO 2011 BUDGET – KINDERBERG PARK SPRAYGROUND CONCRETE PAD EXTENSION
Park and Rec. Director Brett Altergott gave a presentation on the need for safety improvements to the area around the current spray pad.
Motion by Baum second by Ewert to accept the Resolution allowing use of $3,500 from the Village facility fund to expand the sprayground pad by five feet. Roll call vote was taken, all present voted aye. Motion carried.

AWARD OF CONTRACT – TIF 4 STORM SEWER AND GRADING
Motion by Zabel second by Kaminski to award the bid to Wondra Construction in the amount of $150,545.09. Roll call vote was taken, all present voted aye. Motion carried.

<u>PUBLIC HEARINGS – 7:00 P.M. OR LATER</u>

MSI GENERAL CORP., AGENT FOR JDV REAL ESTATE HOLDINGS, LLC AND ENVIRO-SAFE CONSULTING, LLC, PROPERTY OWNER FOR A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION AND OPERATION OF A 15,000 SQFT OFFICE/INDUSTRIAL WAREHOUSE BUILDING TO BE USED FOR THE TRANSPORTATION, BULK STORAGE, DISPENSING AND RECYCLING OF FLAMMABLE, COMBUSTIBLE, HAZARDOUS AND NON-HAZARDOUS LIQUID AND SOLID WASTE MATERIALS ON A 3.0 ACRE LOT ON WASHINGTON DRIVE IN THE GERMANTOWN BUSINESS PARK DESCRIBED PURSUANT TO SECTION 17.33 (3)(A) AND (B) OF THE VILLAGE ZONING CODE FOR THE PROPERTY LOCATED AT: 3.0 ACRE VACANT PARCEL IN THE SOUTHEAST CORNER OF THE INTERSECTION OF WASHINGTON DRIVE @ BRADLEY WAY; LOT 33 OF CSM #6396 (EAST OF WASHINGTON DRIVE AND THE CAMBRIDGE MAJOR LABORATORIES PROPERTY)

The Public Hearing was called to order at 7:38 p.m.
Planner Retzlaff gave a presentation regarding the proposed office/industrial warehouse.
Jeanne Stewart, Manager of Real Estate Development for Kohls spoke in opposition to the proposal.
With no one else appearing for or against, the Public Hearing was closed at 7:42 p.m.

<u>NEW BUSINESS continued</u>

CONDITIONAL USE PERMIT FOR THE CONSTRUCTION AND OPERATION OF A 15,000 SQFT OFFICE/INDUSTRIAL WAREHOUSE BUILDING TO BE USED FOR THE TRANSPORTATION, BULK STORAGE, DISPENSING AND RECYCLING OF FLAMMABLE, COMBUSTIBLE, HAZARDOUS AND NON-HAZARDOUS LIQUID AND SOLID WASTE MATERIALS – MSI GENERAL CORP., AGENT FOR JDV REAL ESTATE HOLDINGS, LLC AND ENVIRO-SAFE CONSULTING, LLC, PROPERTY OWNER

Motion by Baum second by Werderman to approve the Conditional Use Permit with 7 conditions outlined by the Village Planner. All present voted aye. Motion carried.

DENIAL OF CLAIM – HELGA AND ROBERT KRAPF

Motion by Zabel second by Werderman to deny the claim per the recommendation of the Village's insurance carrier. All present voted aye. Motion carried.

EASEMENTS FOR WATER & SEWER RELATED TO GRACE CHURCH PROJECT

1. **KLOEHN**
2. **PINGEL**
3. **MERIDIAN GERMANTOWN LLC**

Motion by Zabel second by Ewert to grant the Village President the right to sign the easements after the Village Attorney updates them to the Village standards. Roll call vote was taken, all present voted aye. Motion carried.

FINAL ESCROW AGREEMENT FOR GRACE CHURCH PROJECT

Motion by Zabel second by Ewert to accept the final escrow agreement. Roll call vote was taken, all present voted aye. Motion carried.

ADJOURN INTO CLOSED SESSION PER WI. SS 19.85 (1)(e) FOR THE PURPOSE OF DELIBERATING OR NEGOTIATING THE PURCHASE OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHERE COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION – BARGAINING STRATEGY AND LAND PRICES FOR TIF #4
Motion by Zabel second by Ewert to adjourn into closed session with the closed session attendance to include Barry Chavin. Roll call vote was taken, all present voted aye. Motion carried.

It was noted that Clerk Knaack excused herself from the closed session and Administrator Schornack will be taking the minutes.

Respectfully submitted,

Elizabeth Knaack
Village Clerk