

VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
NOVEMBER 7, 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, Hughes, Kaminski, Vanderheiden, Wing and Zabel. Absent but arriving later were Trustees Ewert and Werderman. Also present were Village Attorney DeStefanis, Administrator Schornack and Clerk Knaack.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

Trustees Werderman and Ewert arrived at this time. (7:05 p.m.)

PRESIDENT'S REPORT

No report at this time.

**ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/
COMMITTEE REPORTS**

It was noted that Saturday is the Christmas parade and tree lighting ceremony. It was also noted that there will be a service on Saturday to honor veterans with a lunch to follow. The veterans were thanked for their service. Upcoming meetings were also announced.

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

No appearances.

VII. **CONSENT AGENDA**

A. **MINUTES -**

1. October 17, 2011 and COW October 20, 2011

B. **ACCOUNTS PAYABLE/PAYROLL**

- | | | |
|---|---------------|--------------|
| 1. Payroll – Salary | Oct. 14, 2011 | \$ 75,683.83 |
| 2. Accounts Payable | Oct. 25, 2011 | \$294,184.60 |
| 3. Payroll – Hourly | Oct. 25, 2011 | \$205,261.13 |
| 4. Payroll – Salary | Oct. 31, 2011 | \$ 74,730.60 |
| 5. October 2011 Accounts Payable | | \$ 33,640.15 |

- C. **OPERATOR (BARTENDER) LICENSES** B new for the period ending June 30, 2012: Nathan F. Belleau, Kristina B. Mietelski and Morgan D. Murphy.

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

- D. **CONSIDERATION OF INVOICE FOR WASHINGTON COUNTY
HIGHWAY DEPARTMENT**

- E. **AUTHORIZATION TO PURCHASE A TANDEM CAB AND CHASSIS**

CONSENT AGENDA continued

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

- F. **DANCE LICENSE RENEWALS - AMERICAN LEGION POST #1 AND QUILTED BEAR**
- G. **SECONDHAND ARTICLE DEALER & SECONDHAND JEWELRY LICENSES – KESSLERS DIAMOND CENTER**
- H. **OFFICER VACANCY FOR POLICE DEPARTMENT**

Items E and H were removed from the Consent Agenda.

Motion by Vanderheiden second by Ewert to accept the consent agenda. Roll call vote was taken, all present voted aye. Motion carried.

Motion by Kaminski second by Baum to approve Item E. Roll call vote was taken, all present voted aye. Motion carried.

Motion by Zabel second by Baum to approve Item H. All present voted aye. Motion carried.

UNFINISHED BUSINESS

WASTE MANAGEMENT CUP REQUIREMENT: PLAN OF OPERATION APPROVAL

Planner Retzlaff gave a brief presentation on the history of the plan approval.

Motion by Ewert second by Kaminski to approve the plan of operation. Roll call vote was taken. All present voted aye. Motion carried.

ORDINANCE AMENDING SECTION 1.43 OF THE GERMANTOWN CODE OF ORDINANCES – CHANGE IN POLLING PLACE FOR DISTRICT 3

Motion by Vanderheiden second by Baum to adopt the Ordinance with the notes regarding changes to the name of First Alliance Church. All present voted aye. Motion carried.

PUBLIC HEARINGS – 7:00 P.M. OR LATER

MONCHES CONSTRUCTION, AGENT FOR SUPER LUBE AND DDS-GERMANTOWN INVESTMENTS LLC, PROPERTY OWNERS, FOR A CONDITIONAL USE PERMIT TO DEVELOP AND OPERATE A SUPER LUBE 10-MINUTE OIL CHANGE BUSINESS FROM A PORTION OF THE COMMERCIAL PROPERTY LOCATED AT N112 W16076 MEQUON ROAD (TAX PARCEL NO. 224-971)

Planner Retzlaff gave a presentation on the proposed conditional use permit. He stated the Plan Commission recommends approval with eleven conditions.

The Public Hearing was opened at 7:37 p.m.

Craig Vandembush appeared before the Board to express his opposition to this proposed project.

With no one else appearing for or against, the Public Hearing was closed at 7:44 p.m.

NEW BUSINESS

CONDITIONAL USE PERMIT- MONCHES CONSTRUCTION & DDS-GERMANTOWN INVESTMENTS LLC; N112 W16076 MEQUON ROAD; SUPER LUBE 10-MINUTE OIL CHANGE BUSINESS

Motion by Baum second by Wing to approve the CUP.

CONDITIONAL USE PERMIT- MONCHES CONSTRUCTION & DDS-GERMANTOWN INVESTMENTS LLC; N112 W16076 MEQUON ROAD; SUPER LUBE 10-MINUTE OIL CHANGE BUSINESS – continued

Discussion:

- Traffic is higher for a video store or fast food
- The oil trucks will use the west interior service door
- This is not in the well protection area
- This is not the best location for this business
- They serve approximately 35 cars per day
- It would be harder to fill this location once vacated as an oil change business
- It is close to Lake Park Ponds watershed
- Hollywood Video traffic was more intense
- Roberts have an amiable agreement with them that works well for both of them

Motion by Baum second by Zabel to amend the motion to add two conditions to the CUP, one being that the exterior overhead door will be closed at all times unless a car is entering or exiting and the other being that landscaping is improved along Mequon Road to make sure there is not a problem with lights from the cars. All present voted aye, excepting Hughes nay. Motion carried.

Stephen Provancher appeared and stated he had met with Roberts and they were glad to have them there.

Discussion:

- This is a quality building
- It will have a Germanic architecture look
- It is for oil change only
- This building has been vacant for 2 ½ years

Roll call vote was taken on the motion as amended, all present voted aye except Ewert and Vanderheiden nay. Motion carried.

CERTIFIED SURVEY MAP- TARANTINO & CO. AND THE GABLES OF GERMANTOWN LLC; 3-LOT LAND DIVISION

Motion by Zabel second by Ewert to approve the CSM. All present voted aye. Motion carried.

ORDINANCE-AMENDING SECTION 10.065 (PROPERTY MAINTENANCE) OF THE VILLAGE MUNICIPAL CODE; ESTABLISHING LOCATION & DESIGN REQUIREMENTS FOR DUMPSTER ENCLOSURES

Planner Retzlaff gave a presentation on the proposed Ordinance.

Discussion:

- This would add a requirement for areas to be enclosed and screened
- Enclosures keep garbage contained
- There are thousands of dumpsters in the Village
- This would be a cost burden on our business
- The Village would have one year to put up enclosures and it is not in the budget
- This would need more consideration

Motion by Zabel second by Baum to send this proposed Ordinance to the Economic Development Committee. All present voted aye. Motion carried.

RESOLUTION- ESTABLISHING PERMIT FEES FOR TEMPORARY REAL ESTATE AND REPLACEMENT SIGNS

Motion by Wing second by Kaminski to approve the Resolution. Roll call vote was taken, all present voted aye. Motion carried.

AUTHORIZATION TO FILL VACANCY FOR A HIGHWAY, PARK, BUILDINGS AND GROUNDS MAINTENANCE WORKER II

Motion by Vanderheiden second by Werderman to approve filling the vacancy. Highway Supt. Jay Olszewski appeared before the Board to give a brief presentation and to answer questions from the Board regarding the vacancy.

Discussion:

- It should be open to the general public not just posted and filled
- If it is filled from the outside there is a learning curve and training time
- It is good to build from within
- If this is not filled, one snow route may not get done
- A person is not being added, personnel is just being shuffled
- The Public Works Committee voted 3-1 to fill the position
- Eventually we will have to hire from the outside

Roll call vote was taken on the motion. All present voted aye except Zabel nay. Motion carried.

ANIMAL FANCIER LICENSE - JULIE PETERSEN, W204 N11367 HILLTOP DRIVE

Police Chief Hoell gave a brief presentation regarding the complaint that brought this to the attention of the Village.

Discussion:

- 16 cats is an excessive amount
- Female cats attract cats from the outside
- There has only been one complaint
- A neighbor has noticed an increased amount of cats on the roam by his house and garage

Motion by Ewert second by Kaminski to deny the fancier permit

Discussion:

- The priority is safety of the child that lives there
- The Officer saw no danger for the child
- Are the animals healthy
- There is no negative impact on the neighbors
- The owner is willing to spay the female cats
- The cats have to have a wellness check by a vet every year
- It is owners responsibility, the cats have never been licensed in the Village
- She has lived here four years
- It is a small house with no basement
- There are 5 litter boxes and a childs' swimming pool being used for litter
- Everybody lives differently
- 16 cats create a lot of feces
- How is the feces being disposed of

Ewert voted aye on the motion, all else nay. Motion is lost.

**ANIMAL FANCIER LICENSE - JULIE PETERSEN, W204 N11367 HILLTOP DRIVE
continued**

Motion by Zabel second by Baum to approve the license with the following conditions: all cats must be spayed and neutered, there is a limit of 16 cats, and all cats must have a wellness check yearly to prove they are healthy.

Motion by Vanderheiden second by Ewert to amend the motion that she must show the ability to dispose of feces without putting it in the trash, for example, an arrangement must be made with Waste Management to pick up the cat feces.

Baum, Vanderheiden and Ewert voted aye, all else nay. Motion to amend is lost.

Roll call vote was taken on the motion. All present voted aye, except Vanderheiden and Ewert nay. Motion carried.

**ADJOURN INTO CLOSED SESSION PER WI.SS. 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 – QUARTERLY UPDATE
ON VILLAGE ADMINISTRATOR’S GOALS AND TO APPROVE CLOSED SESSION
MINUTES OF OCTOBER 17, 2011**

Motion by Baum second by Ewert to adjourn into closed session. Roll call vote was taken, all present voted aye. Motion carried.

**RECONVENE INTO OPEN SESSION FOR THE PURPOSE OF APPROVING
CLOSED SESSION MINUTES OF OCTOBER 17, 2011**

Motion by Werderman second by Zabel to approve the minutes. All present voted aye. Motion carried

ADJOURNMENT

The meeting was adjourned at 10:45 p.m.

Respectfully submitted,

Elizabeth Knaack
Village Clerk