

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING: **PUBLIC WORKS & HIGHWAY COMMITTEE**

DATE AND TIME: **TUESDAY, October 4, 2016 ***5:30 P.M.*****

LOCATION: **Germantown Village Hall Board Room**

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with Wisconsin Statutes, Section 19.83 and 19.84 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:** Chairman Kaminski, Trustees Miller, Warren and Zabel
- III. **APPROVAL OF MINUTES:** September 1, 2016
- IV. **PUBLIC COMMENT:** Please be advised per State Statute Section 19.84(2), information will be received from the public. It is the policy of this municipality that there be a three minute time period, per person, with time extensions 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.
- V. **NEW BUSINESS:**
 - A. Authorization to Contract – Internal Plumbing at Fire Station #1
 - B. EAB – Response to Common Questions, Situations, Ordinance Enforcement – Discussion and/or Direction
 - C. Authorization to Contract Tree Trimming – Old Farm Subdivision Area
 - D. Consideration of Change Order Request – TID #6 Extra Rock
 - E. TID #6 – Selling of Crushed Stone – Discussion and/or Action
 - F. Acceptance of Improvements/Letter of Credit Reduction – Gatewood Place
 - G. Relay Sanitary Sewer on Park Avenue – Discussion and/or Action
 - H. Set Back Release/DOT Noise & Access Restriction – Weimer Bearing
 - I. Extension of Water Main on Park Avenue South Across STH 145 – Discussion and/or Action
 - J. Presentation of the First Draft of the Five Year Road Improvement Program
- VI. **NEXT MEETING DATE:** Set November, 2016 Meeting Date and Time
- VII. **ANNOUNCEMENTS:**
- VIII. **ADJOURNMENT:**

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.

*** Notice is given that a majority of the Village Board may attend this meeting to gather information about an agenda item over which they have decision making responsibility. This may constitute a meeting of the Village Board per State ex rel. Badke v. Greendale Village Board, even though the Village Board will not take formal action at this meeting.

PUBLIC WORKS & HIGHWAY COMMITTEE MEETING MINUTES

September 1, 2016
Village Hall Board Room

CALL: Chm. Kaminski called the meeting to order at 5:30 p.m.

ROLL CALL: Chm. Kaminski, Trustee Members Miller and Warren. Also present were Director Ratayczak, Engr. Laning and Secretary Wick.

PREVIOUS MINUTES: MOTION made by Zabel, seconded by Warren to approve the minutes of August 4, 2016.

Motion carried unanimously.

PUBLIC COMMENT: None

AUTHORIZATION TO RENT COMPOST SCREENER: Dir. Ratayczak reported Supt. Zimmerman had found a less expensive grinder/pulverizer rental for compost screening at the Recycling Center. The equipment rental was found to be the least expensive of the companies located and included delivery and return of the equipment. As the rental cost was within the Dept. of Public Works spending authority no action was needed by the Committee.

BUDGET – LINE ITEM OVERRUN – VILLAGE HALL: Supt. Olszewski reported a budget overrun in the Buildings and Grounds line item for Village Hall. Expenditures included refurbishing parking lot lighting and upgrading fixtures to LED lights, fire suppression repairs, a clock tower motor, and pending invoices for HVAC repairs for failing air conditioning compressors. Due to the age related issues and failures of the building, the 2017 Budget line item will need to increase.

AUTHORIZATION TO FILL FULL TIME VACANCY – HIGHWAYS, PARKS, BUILDINGS AND GROUNDS:

MOTION made by Zabel, seconded by Miller authorizing staff to fill the pending full time vacancy in the Highways, Parks, Buildings and Grounds Department once the vacancy is official.

Motion carried unanimously.

PETITION BY RESIDENTS OF RIDGEVIEW LANE & SUBMITTED BY TRUSTEE MYERS REGARDING ROAD IMPROVEMENTS – DISCUSSION AND/OR ACTION:

Dir. Ratayczak acknowledged to the Committee that a petition was submitted to the Public Works Department by Trustee Myers on behalf of the residents on Ridgeview Lane who requested their street be redone in the 2017 budget year. The current PAZER Rating for Ridgeview Lane is a “No. 3”. Dir. Ratayczak did note the department is up to the No. 3 road ratings as part of the 2017 – 2022 Road Reconstruction Paving Projects list.

Trustee Myers noted the Director of Public Works had stated how he was going to handle roads outside of looking at them by taking comments from people who called or stopped in to report the conditions of the roads in the Village. Trustee Myers stated he received 2-3 phone calls

regarding the condition of Ridgeview Lane and decided to get the views from all of the residents along Ridgeview Lane by creating a petition and submitting the signed petition to the Public Works Committee for consideration.

ACCEPTANCE OF IMPROVEMENTS – MIDWEST ASSISTED LIVING PARTNERS

(Tender Reflections): Dir. Ratayczak reported work had been completed on the public sanitary sewer, water main and the extension of Virginia Avenue. The public improvements had been inspected by staff and recommended acceptance by the Committee initiating the one year warranty period.

MOTION made by Zabel, seconded by Warren to accept the water main, sanitary sewer and roadway improvements for Midwest Assisted Living Partners (Tender Reflections) and begin the one year warranty period.

Motion carried unanimously.

LETTER OF CREDIT REDUCTION – MIDWEST ASSISTED LIVING PARTNERS

(Tender Reflections): The public utility improvements have been completed and accepted. Staff recommended the Letter of Credit be reduced to 5% of the project costs for the one year warranty period.

MOTION made by Zabel, seconded by Warren authorizing staff to reduce the Midwest Assisted Living Partners (Tender Reflections) Letter of Credit to \$8,275.00 for the one year warranty period.

Motion carried unanimously.

REVIEW OF THE FIVE YEAR ROAD IMPROVEMENTS PROGRAM: Engr. Laning reported staff was in the process of developing the Village's Five Year Road Improvement Program in which a number of factors were considered during the selection process. Staff is currently evaluating and reviewing streets that received PASER Ratings between a 1 and a 4, in essence the worst streets requiring the most immediate attention. PASER Ratings are a subjective review of streets/roads and review of the roads are done every two years. Over time the PASER Rating will show the rate at which Village roads are degrading. Engr. Laning gave an overview presentation which listed roads rated between 1 and 4. He noted as you always want to address the worst roads, you need to factor in the amount of funds budgeted for road repairs, the road classification (arterial, collector, main or local), resident complaints, petitions, staff recommendations and input from the Trustees. Additional road condition factors included the type of cracking which could mean poor subgrade, or reflective cracking in which a maintenance treatment would work. The only thing that goes into the PASER rating is the quality or the defects contained therein. The PASER Rating does not take into account the amount of usage or what the daily traffic is. Staff will be developing a five year plan in which many roads listed on the overview presentation will be addressed over the next five years. As each year is addressed, another year's roads will be added to the Five Year Road Improvement Program.

Dir. Ratayczak added the Engineering Dept. staff will create and submit for Committee review an informational spread sheet to include village roads from the lowest rating on up, the lineal feet

of the roads to be reconstructed, an estimated per foot cost for reconstruction, a priority level which will be based on the main uses of the road, road location map, and staff recommendation.

Committee comments included:

- Highlighted road maps will allow Trustees to locate and drive those roads in question; Staff can email this map to the Trustees.
- Moving forward, having a Five year rolling Road Program Plan is great. This will allow planning for the budget with adjustments every year;
- An informational spreadsheet will be a helpful tool when answering questions from the constituents.

Dir. Ratayczak stated he would look into creating reference mapping which showed water main and sanitary sewer relays, and road projects. This would be a great informational tool for residents and staff. The Committee suggested this information also be placed on the Village's website.

Engr. Laning should have a rough draft of the five year plan within the next 30 days. A solid plan should be available by year end.

Trustee Zabel stated it comes down to how much money are you going to put in the Capital Improvement Plan and what is the goal. Is it the goal to keep on the one year time frame and borrow each year? You need to look at the economy. You may want to look at a three year plan and borrow more this year. The longer you put the money out the more you're going to pay.

Chm. Kaminski suggested staff review the approved 2016 Road Improvement Plan to review roads that were not able to be repaired due to year 2016 funding.

NEXT MEETING DATE: The next Public Works and Highway Committee meeting will be held Tuesday, October 4, 2016 at 5:30 p.m.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:07 p.m.

A handwritten signature in cursive script, appearing to read "Janice Wick".

Janice Wick, Recording Secretary

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: Tuesday October 4th, 2016

AGENDA ITEM: New Business **A**

ITEM TITLE: Authorization to Contract- Internal Plumbing Fire Station #1

SUBMITTED BY: Jay Olszewski, Highway Superintendent

SUMMARY EXPLANATION:

Staff is presenting for Committee review the quotes for internal plumbing work to be performed at Fire Station #1. The work includes repiping of all water lines to the fixtures, provide and install 4 wall hung sinks, 2 urinals, 3 toilets, and one shower. Staff solicited quotes from 4 area plumbers and the results are as follows:

Thiessenhusen	Did Not Respond
Hagen Plumbing	Declined
Horner Plumbing	\$31,066
Ideal Mechanical	\$16,000

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER x

RECOMMENDATION:

Staff recommends contracting with Ideal Mechanical in the amount not to exceed \$16,000. If approved funds shall be allocated from Buildings Account 10-519-570-8222.

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.

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: Tuesday October 4th, 2016

AGENDA ITEM: New Business *B*

ITEM TITLE: Discussion/Direction EAB-Response to Common Questions, Situations, and Ordinance enforcement

SUBMITTED BY: Jay Olszewski, Highway Superintendent

SUMMARY EXPLANATION:

The effects of EAB are becoming more and more evident throughout the Village. We are starting to experience noticeable dieback of both public and private trees. As more ash die the Village will face scenarios that will require our attention. In 2007 the Village prepared a comprehensive EAB Readiness Plan. In many ways that plan has helped us get to where we are today. We have a solid plan in place for the removal, treatment, and replacement of "public" ash trees. Many of the people who helped draft that plan are no longer with the Village. For that reason we felt it would be a good idea to discuss with Committee some of the scenarios staff will be faced with as well as review the Ordinances that will be used to address EAB and dead or diseased trees. Some of the questions staff would like direction on are:

Dead or Diseased trees in Easements? Staff position: Easements are private property that grant limited access to private property; therefore, the responsibility of the tree should be on the property owner.

Dead or Diseased trees on private property. Staff position: Dead or diseased trees that pose a threat to public safety or property will be handled according to ordinance. Trees that do not pose a clear and immediate threat, but are a "nuisance" to a neighbor should be resolved privately between neighbors, and would be considered a private matter.

Trees on the right of way line. Staff position: If any part of the trunk of the tree is in contact with the right of way line it will be considered a public tree and the responsibility of the Village.

Clarification of 17.06(9) Appeals: "Any person who receives a determination or order from the Village and objects to all or any part thereof may appeal to the Tree Board...." Who is the Tree Board?

Trees in common areas or "shared" parcels in subdivisions: Staff position: Contact Home Owners Assoc. (if one still exists). This could be problematic, because some HOA's have dissolved.

The intent of this topic was to generate conversation between staff and elected officials, so we can handle these situations as consistently as possible, and best serve the public.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER x

RECOMMENDATION:

Staff's recommendations are included in the above text. Staff has included a copy of Ordinance 17.60 for your review.

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.

17.60 - TREES. (Cr. Ord. #31-02)

- (1) **PURPOSE AND INTENT.** This section establishes policies, regulations, and standards necessary to ensure that the Village of Germantown will continue to realize the benefits provided by its urban forest. The provisions of this chapter are enacted to:
- (a) Establish and maintain the maximum amount of tree cover on public and private lands in the Village of Germantown.
 - (b) Maintain trees in a healthy and nonhazardous condition through good arboricultural practices.
 - (c) Establish and maintain appropriate diversity in tree species and age classes to provide a stable and sustainable urban forest.
- (2) **DEFINITIONS.**
- (a) Park Trees. Park trees are herein defined as trees, shrubs, bushes, and all other woody vegetation in public parks having individual names, and all areas owned by the Village, or to which the public has free access as a park.
 - (b) Private Trees. Any and all trees growing on private property within the Village limits as of or after the effective date of the ordinance from which this section or successful sections derives and which are not defined or designated in this chapter as street trees, park trees, or public trees.
 - (c) Public Nuisance. Any tree or shrub or part thereof growing upon private or public property which is: interfering with the use of any public area; infected with an infectious pest; or endangers the life, health, safety, or welfare of persons or property can be declared a public nuisance.
 - (d) Public Utility. Any public, private or cooperatively owned line, facility, or system for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil products, water, waste or stormwater, which directly or indirectly serves the public or any part thereof within the corporate limits of the Village.
 - (e) Street Trees. Street trees are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, roads, medians, avenues, or ways within the Village.
 - (f) Tree Topping. The severe cutting back of limbs to stubs larger than 3 inches in diameter with the tree's crown to such a degree as to remove the normal canopy and disfigure the tree.
 - (g) Vision Corner. The space formed by any 2 existing or proposed intersection street or alley right-of-way lines (property lines) and a line joining points on such lines located a minimum of 15 feet from their intersection. In the case of arterial streets intersection with other arterial streets or railways, the corner cutoff distances establishing the triangular vision clearance space shall be increased from 15 feet to 50 feet.
- (3) **VILLAGE COMPREHENSIVE TREE PLAN.** A Comprehensive Tree Plan for the Village of Germantown shall be developed by the Director of Public Works, Parks and Recreation Director, Buildings and Grounds Foreman, Village Planner and Village Forester. The Plan shall be forwarded to the Public Works Committee for its recommendation, and adopted by the Village Board.

(a) Development of the Tree Plan.

1. It shall be the responsibility of the plan to study, investigate, counsel, and develop and/or update, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets, and in other public places. Such plan will be presented to the Village Board upon their acceptance and approval shall constitute the official comprehensive city tree plan for the Village of Germantown.
2. The plan shall consider, investigate, make finding, report, and recommend upon any special matter or question coming with the scope of its work.
3. The plan shall consist of a list of desirable trees for the planting along streets in 3 size classes based on mature height: small (under 20 feet), medium (20 to 40 feet), and large (over 40 feet). Lists of trees not suitable for planting will also be included within the plan.

(4) **PLANTING OF TREES ON PUBLIC RIGHT-OF-WAY ALONG ROADS.** The Village shall have jurisdiction, direction, authority, control, and supervision over that part of every street, the grade of which has been established lying between the lot line and the curb, or curb line, and trees on any property, which may in any way have effect upon public property, and upon the public welfare of the Village of Germantown, and for the planting, care, maintenance, protection and removal thereof. The Village Board shall have the authority to make such rules and regulations as it may deem applicable for carrying out the purpose of this section.

- (a) Permit Required. No tree shall be planted on the public right-of-ways within the Village of Germantown until a permit shall first have been obtained by the owner of the property abutting on the frontage thereof, or his authorized agent. Such permit shall be obtained from the Building and Grounds Foreman, and shall be issued only after the Buildings and Grounds Foreman has received a validated application for said permit.
- (b) Application for Permit. Application for the permit shall be obtained from the Village Clerk and validated by the Building and Grounds Foreman or Village Forester. A separate application and a separate permit and a fee are required for each tree intended to be planted.
- (c) Compliance with Vision Clearance. No application shall be validated or permit issued unless the provisions of the Municipal Code of the Village of Germantown requiring vision clearance on corner lots shall have been complied with.
- (d) Fee. Any person, firm, or corporation intending to plant a tree on the public right-of-way shall submit an application for a permit and pay a fee of \$5.00 for each tree to be planted.
- (e) Inspection. The owner/applicant/developer shall provide written notice to the Village of the dates to start and finish planting. An inspection by the Village is to be done 30 days from the finish date.
- (f) Specifications. Applications for street tree permits must comply with the specifications for planting as promulgated by the Village.

(5)

PLANTING OF TREES ON PRIVATE PROPERTY. It is hereby declared to be the policy of the Village of Germantown to regulate or control all trees, shrubs, or other like obstructions growing or to be planted in or upon any private premises which shall threaten the lives, health, safety, and welfare of the public or of the property owned or controlled by the Village. It is the intent of the Village that the provisions of this section shall apply to all trees, shrubs, or plants growing or hereafter planted in or upon private property, which threatens the lives, health, safety, and welfare of the public.

- (a) Planting and Maintaining. No person shall maintain, plant, or permit to remain on any private premises situated at the intersection of 2 or more streets or alleys in the Village any hedge, tree, shrub, or other like obstruction within the vision corner of any street or alley intersection, which may obstruct the view of the operator of any motor vehicle approaching such intersection, to the extent that such operator is unable to observe other vehicles or pedestrians approaching or crossing said intersection. Any such hedge, tree, shrub, sign, or other like obstruction is hereby declared to be a public nuisance.

Specifically, it must be 2½ feet and 10 feet above the mean curb grades within the triangular space formed by vision corner.

- (b) Failure to Remedy Public Nuisance. If the owner of such premises shall fail to remedy the situation upon receipt of a 30-day written notice, either personal or by publications, from the Village, the Village shall treat or remove such obstruction or part thereof as hereinafter provided and the expense thereof shall be a charge against the property upon which the tree or shrub is located.
- (c) Removal of Hazardous Trees. Any tree or part thereof which the Village, upon examination, shall find to be infected or hazardous so as to be injurious or to endanger the public or shall be injurious to sewers, curbs, sidewalks, or other public improvements, if growing upon a private premises shall be removed by the property owner. If the owner shall fail to remedy the situation upon receipt of a 14-day written notice, either personally from the Village, or by publication in the Villages newspaper, the Village shall treat or remove such tree or part thereof. The Village shall keep a record of the labor and cost of treatment or removal of the tree or part thereof and charge the same against the property owner or owners and the cost thereof shall be entered as an assessment against the property.

Any property owner given a notice as heretofore provided may, by a written notice to the Village within 7 days of the notice, postpone the treatment or removal of the tree or part thereof by the Village, and he shall have the right to appeal the order to the Board of Appeals. No damage shall be awarded to any property owner for the destruction of a tree or a part thereof pursuant to this section.

- (d) Delay of Interference. No person shall delay or interfere with the Village Board or any of the Village employees following lawful directions of the Board in compliance with orders heretofore stated.

(6) MAINTENANCE OF STREET TREES.

- (a)

Trimming, Pruning and Corner Clearance. Every owner of any tree overhanging any street or right-of-way within the Village shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of 14 feet above street surface or 10 feet above the sidewalk surface. Said owners shall remove all dead, diseased, or dangerous trees, or broken or decayed limbs, which constitute a menace to the safety of the public. The Village shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street light, or interferes with visibility of any traffic control device or sign or sight triangle at intersections. Tree limbs that grow near high voltage electrical conductors shall be maintained clear of such conductors by the electric utility company of jurisdiction in compliance with any applicable franchise agreements.

- (b) Tree Topping. It shall be unlawful as a normal practice for any person, firm, or Village department to top any street tree or other tree on public property. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this section at the determination of the Village Forester.
 - (c) Removal of Stumps. All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.
- (7) **DEAD OR DISEASED TREE.** The Village shall have the right to cause the remedy or removal of any dead or diseased trees on private property within the Village, when such trees constitute a hazard to life and property, or harbor insects or disease, which constitute a potential threat to other trees with the Village. The Director of Public Works or Village Forester shall notify in writing the owners of such trees. Removal or corrective action shall be done by said owners at their own expense not more than 30 days of the receipt of notice, as determined by the Village Forester based on the seriousness of the tree's condition, and the danger to public safety. In the event of a failure of owners to comply with such provisions, the Village shall have the authority to remove such trees and charge the cost of removal on the owner's property tax notice. The Village must be sure that the tree is diseased before removal.

It shall be unlawful for any person to carry or transport into the Village any trees, logs, or branches known to be affected with any communicable disease or insect, which may affect trees. Any such material brought in the Village shall be disposed of by the parties responsible for bringing the diseased or infected trees, logs, or branches into the Village in the manner and in a location designated by the Director of Public Works or Village Forester.

- (8) **ADJACENT LANDOWNER RESPONSIBILITY.** No person shall remove, trim, cut roots, or disturb any public tree on any street, park, or other public place without a permit. The person receiving the permit shall abide by the standards set forth in this ordinance and by the Village Forester.
- (9) **APPEALS.** Any person who receives a determination or order from the Village and objects to all or any part thereof may appeal to the Tree Board within 7 days of receipt of the order, and the Board shall hear such appeal within 45 days of receipt of written notice of the appeal. After such hearing, the Board

may reverse, affirm, or modify the order of determination appeal. The grounds for its decision shall be stated in writing. The Board shall by letter notify the party appealing the order or determination of its decision within 10 days after the hearing has been concluded and file its written decision with the Village Clerk.

- (10) **SEVERABILITY.** If any provision of this ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not invalidate any other provision of this section.
- (11) **INTERFERENCE WITH VILLAGE.** It shall be unlawful for any person to prevent, delay, or interfere with the Village, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street trees, park trees, or trees on private grounds, as authorized by this section.
- (12) **PENALTY.** Any person violating any provision of this section shall be, upon conviction or a plea of guilty, subject to a fine not to exceed those provided in section 18 [sic] of the Municipal Code.

	Total Fine
1st Offense	\$ 250.00/day until corrected
2nd Offense	\$1,000.00/day until corrected

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE:

Tuesday October 4th, 2016

AGENDA ITEM:

New Business

C

ITEM TITLE:

Authorization to Contract-Tree Pruning Old Farm
Subdivision

SUBMITTED BY:

Jay Olszewski, Highway Superintendent

SUMMARY EXPLANATION:

Staff is presenting for Committee review the quotes obtained to prune street trees in the Old Farm subdivision area. There are approximately 28 Locusts, and 89 other trees consisting of Maples, Lindens, Ash, and Elms. Staff solicited pricing from 3 area tree service firms. The results are as follows:

Jerry Smith	\$21,300
T and T Tree Service	\$17,175
M and M Tree Care	\$10,800

ATTACHMENT:

ORDINANCE _____ RESOLUTION _____ OTHER x

RECOMMENDATION:

Staff recommends contracting with M&M Tree care in the amount not to exceed **\$13,000**. The additional funds will cover a few small removals in the area as well as a minor expansion of the pruning (12 trees along Wagon trail). If approved funds shall be allocated from Parks line item 10-553-530-5290.

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.

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: October 4, 2016

AGENDA ITEM: New Business **D**

ITEM TITLE: Consideration of Change Order Request-TID #6 Extra Rock

SUBMITTED BY: Lawrence Ratayczak, P.E.- Director of Public Works

SUMMARY EXPLANATION:

Construction of TID #6 Mass Grading and Ponds encountered a considerable amount of additional bed rock to remove. In order to maintain the construction schedule of the project and pursuant to Section 3.08 (2)(f) the Director of Public Works and the Village Administrator executed the Change Order agreement, notified the Public Works and Highway Committee by email on August 26, 2016 and are now presenting the Change Order to the Public Works and Highway Committee for approval. Additional rock was located in forested areas that were not explored for rock prior to bidding and in areas between rock exploration drill sites.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER x

-Email sent August 26, 2016
-Quotation from Super Western for SX Blasting, Inc
-Change Order

RECOMMENDATION:

Staff recommends the Public Works & Highway Committee forward this item, with a positive recommendation, to the Village Board for their approval.

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.

Lawrence Ratayczak

From: Lawrence Ratayczak
Sent: Friday, August 26, 2016 10:54 AM
To: Terri Kaminski; Art Zabel; Rick Miller; 'Warren, Robert L.'
Cc: Dave Schornack
Subject: Change Order No. 1__Willow Creek Business Park_ TID #6
Attachments: Larry Ratayczak P E .vcf; CO-1 TID #6.pdf

Members of the Public Works and Highway Committee:

Pursuant to Section 3.08 (2)(f) I am notifying you that Change Order No. 1 has been issued to the Erosion Control and Mass Grading contract for the above referenced project. The Change Order was required due to the large quantity of unknown rock that exists within the project area. Super Western reduced the bid price for this added rock from \$19.10 / CY to \$12.00 / CY. Some of the added cost will be recovered by selling the crushed rock and by managing other items in the project to reduce the overall project scope.

Regards:

Larry Ratayczak, P.E.

Village of Germantown
Director of Public Works

(262) 250-4725 Work
(414) 745-9999 Mobile
lratayczak@village.germantown.wi.us
N112 W17001 Mequon Rd.
P.O. Box 337
Germantown, WI 53022-0337

Quotation

N59 W14501 Bobolink Ave. Menomonee Falls, WI 53051 P 262-252-3200 F 262-252-3406
AN EQUAL OPPORTUNITY COMPANY

CHANGE ORDER**NO. 1**

PROJECT: Willow Creek Business Park -Mass Grading and Erosion Control

DATE OF ISSUANCE: 08/24/2016

EFFECTIVE DATE: 08/24/2016

OWNER: Village of Germantown

OWNER'S PROJECT NO. 1406

CONTRACTOR: Super Western, Inc

ENGINEER: Village Engineering Dept.

You are directed to make the following changes in the Contract Documents.**Description:** Add Pay Item "E01" Additional Drill & Blast Rock**Reason For Change Order:** During construction large areas of previously unknown areas of rock were identified. The rock was in conflict with proposed grades and required removal.**Attachments:** Quote from SX Blasting

CHANGE IN CONTRACT PRICE		CHANGE IN CONTRACT TIMES	
Original Contract Bid Price:	\$1,549,717.50	Original Contract Times	
Net changes from previous changes	\$0.00	Substantial Completion: July 15, 2016	
Orders No. _____ To No. _____		Final Completion of Project: August 15, 2016	
<i>No previous change orders for this project</i>		Net changes from previous changes	0 days
Contract Price prior to this Change Order	\$1,549,717.50	Orders No. _____ To No. _____	
		<i>No previous change orders for this project</i>	
Change Order No. 1:		Contract Times prior to this Change Order	
Item No. E01 : \$168,000.00		Substantial Completion: July 15, 2016	
\$12.00/CY for 14,000 CY (est.) Drill & Blast Rock		Final Completion of Project: August 15, 2016	
Net (Increase) of this Change Order	\$168,000.00	Net Increase this Change Order	31 days
Adjusted Contract Price:	\$1,717,717.50	Contract Times with all approved Change Orders	
Includes all Approved Change Orders		Substantial Completion: August 27, 2016	
		Final Completion of Project: September 24, 2016	

RECOMMENDEDBy: *Lawrence Ratajski*
ENGINEERDate: 8/25/16**APPROVED**By: *Ed Schuch*
Village OWNER AdministratorDate: 8-25-16**ACCEPTED**By: *JL*
CONTRACTORDate: 8/25/16

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: October 4, 2016

AGENDA ITEM: New Business *E*

ITEM TITLE: TID #6- Selling of Crushed Stone

SUBMITTED BY: Lawrence Ratayczak, P.E.- Director of Public Works

SUMMARY EXPLANATION:

Construction of TID #6 Mass Grading and Ponds encountered a considerable amount of additional bed rock to remove. This is what was presented in the previous item titled "Consideration of Change Order Request-TID #6 Extra Rock". The additional cost to the project for the removal of additional rock will be offset by the sale of the Crushed Stone. The selling price of the crushed stone was determined by the Director of Public Works through researching the cost at local crushed material vendors and estimating a cost to have customers self load the crushed stone material. Through this research a prices of \$3.25 per ton was determined. The estimated amount of crushed rock to sell is approximately 60,000 tons. Invoicing of material sold will be by the Village Finance Department and all revenue will be credited to TID #6.

In addition, the Village has consent of MLG (owners of the land) to have the crushed material remain on site until all is sold.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER x

None

RECOMMENDATION:

Staff recommends the Public Works & Highway committee approve the sale of the excess crushed aggregate material with the Director of public Works assigned to manage the sale of material.

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.

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: October 4, 2016

AGENDA ITEM: New Business *F*

ITEM TITLE: Acceptance of Public Improvements at Gatewood Place
Development and Letter of Credit Reduction

SUBMITTED BY: Lawrence Ratayczak, P.E.- Director of Public Works

SUMMARY EXPLANATION:

Work has been completed for the Public Improvement portion of the Gatewood Place Development. This work consisted of public sanitary sewer, water main and the extension of Gatewood Place. This work has been inspected and accepted by the Department of Public Works. Staff is recommending Final Acceptance of the public improvements and starting the one year warranty period as of October 1, 2016.

The Director of Public Works recommends the Letter of Credit be reduced to \$11,303.00, to be held for the one year warranty period.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER _____

NONE

RECOMMENDATION:

Staff recommends that the Public Works & Highway Committee accept the public improvements (water main, sanitary sewer & Roadway), reduce the Letter of Credit to \$11,030.00 and begin the one year warranty period as of October 1, 2016.

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.

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: October 4, 2016

AGENDA ITEM: New Business 

ITEM TITLE: Relay Sanitary Sewer on Park Avenue

SUBMITTED BY: Lawrence Ratayczak, P.E.- Director of Public Works

SUMMARY EXPLANATION:

In preparation for the water main extension project on Park Avenue the Waste Water Utility was directed to televise the existing sanitary sewer on Park Avenue to determine the condition of the existing sanitary sewer prior to construction of the water main, which will involve blasting of rock. During this televising it was determined that the existing sanitary sewer and its lining have begun to fail to a point that infiltration is occurring at lateral connections. The only effective remedy to correct this situation is to relay the existing sewer. The original pipe was installed in the 1950's and the lining was performed in 1995. This is some of the oldest sanitary sewer in the Village of Germantown. The relay would consist of approximately 640 lineal feet of 8" PVC pipe and three manholes. The relay would start at the existing manhole in Fond du Lac Avenue and end at the north tying into the sanitary sewer installed to service the Senior Center building. The estimated cost is \$228,500.00, which includes pavement replacement.

Since the estimated cost of the sanitary sewer relay is \$228,500.00 this project would have to be publically bid.

Also, Park Avenue roadway is in poor condition. The current Pazer Rating is 3. Currently, the curb and gutter does not exist due to years of pavement overly placed into the curb section. Village staff recommends that this portion Park Avenue roadway be included in the 2017 Road Improvement Schedule. Staff would recommend a shared cost between the Waste Water Utility, Water Utility and the Road Improvement Project Funds.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER x

None

RECOMMENDATION:

Staff recommends Public Works & Highway Committee give approval for the Engineering Department to develop plans/specifications and advertise for bids to relay the existing sanitary sewer. Staff also recommends that Park Avenue reconstruction (in the area of the Water Main extension and Sanitary sewer Relay) be included in the 2017 Road Improvement schedule.

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.

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: October 4, 2016

AGENDA ITEM: New Business *H*

ITEM TITLE: WIDOT Release of Access and Noise Restrictions on 4-
CSM's affecting 6 Parcels of Land owned by Weimer
Bearing

SUBMITTED BY: Lawrence Ratayczak, P.E.- Director of Public Works

SUMMARY EXPLANATION:

The Wisconsin Department of Transportation, WIDOT, is releasing their access and noise restrictions on the Weimer Bearing Company property. The release of these restrictions is being done by the creation of the attached "Correction Instruments" for the purpose of modifying all of the previous Certified Survey Maps that were prepared for this land and the previous six (6) parcels.

These Correction Instruments require execution by the Clerk of the Village of Germantown and the Village Land Surveyor. Staff is bringing these documents to the PWHC since they affect lands previously owned by the Village of Germantown and the restrictions are still in force.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER X

Four (4) Correction Instruments

RECOMMENDATION:

Staff recommends that the Public Works & Highway Committee approve the modifications to the affected parcels of land and direct staff to properly execute the required documents.

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.

**Correction Instrument
Rescission of Trans 233 Restrictions**

Wisconsin Department of Transportation

Pursuant to s.236.295(1)(a), Wis. Stats., I, Patricia Reikowski, authorized Wisconsin Department of Transportation representative, certify that in the plat of:

Legal Description:

Lot 19 and Lot 20 of Certified Survey Map No. 5975 was recorded at the Washington County Register of Deeds Office, on November 17, 2005 as document number 1109431 and being a redivision of Lot 18 of Certified Survey Map No. 5793 located in the Northwest ¼ of the Northeast ¼, of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

This correction instrument is for the purpose of modifying the above document as follows:

The Wisconsin Department of Transportation, Southeast Region has released the 50 foot highway setback line from Lot 19 and Lot 20 and the setback language that was placed on Certified Survey Map No. 5975 by Affidavit of Correction document no. 1290429. This correction instrument will also add the missing access restriction language and the noise statement.

Access Language: All lots and blocks are hereby restricted so that no owner, possessor, user, licensee, or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of STH 167; it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in §236.293, and shall be enforceable by the department or it's assigns. Any access shall be allowed only by special exception. Any access allowed by special exception shall be confirmed and granted only through the driveway permitting process and all permits are revocable.

Noise Statement: The lots of this land division may experience noise at levels exceeding the levels in s. Trans 405.04, Table 1. These levels are based on federal standards. The Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the department to the highway's through-lane capacity.

AGENDA ITEM "H"

ATTACHMENT #1

This space is reserved for recording data

Wisconsin Department of Transportation
SE Region
141 NW Barstow St
PO Box 798
Waukesha, WI 53187-0798

Parcel Identification Number/Tax Key Number
GTNV 251-969 and GTNV 251-970

Patricia Reikowski

(Authorized DOT Signature)

Patricia Reikowski

(Print Name)



State Approval Notary Certificate

State of Wisconsin)
) ss.
Waukesha County)

Subscribed and sworn to before me this date:

8-8-16

Susan M. King

(Signature, Notary Public, State of Wisconsin)

Susan M. King

(Print or Type Name, Notary Public, State of Wisconsin)

September 22, 2017

(Date Commission Expires)

Surveyor Notary Certificate

State of Wisconsin)
) ss.
_____ County)

Subscribed and sworn to before me this date: _____

(Signature, Notary Public, State of Wisconsin)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission Expires)

Approval Certification

(Date)

(Name of Local Government)

Approved for recording by the government identified above.

(Clerk Signature)

(Print or Type Name of Clerk)

City Approval Notary Certificate

State of Wisconsin)
) ss.
_____ County)

Subscribed and sworn to before me this date: _____

(Signature, Notary Public, State of Wisconsin)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission Expires)



Division of Transportation
System Development
Southeast Regional Office
141 N.W. Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798

Scott Walker, Governor
Mark Gottlieb, P.E., Secretary
Internet: www.dot.wisconsin.gov
Telephone: (262) 548-5903
Facsimile (FAX): (262) 548-5662
E-Mail: waukesha.dtd@dot.wi.gov

EXHIBIT A

Lot 19 and Lot 20 of Certified Survey Map No. 5975 was recorded at the Washington County Register of Deeds Office, on November 17, 2005 as document number 1109431 and being a redivision of Lot 18 of Certified Survey Map No. 5793 located in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

The Department of Transportation has reviewed your request to release the 50' highway setback restriction and language. The Department hereby releases the above-mentioned restrictions. It is required that this release be incorporated into a correction document under §236.295, as an exhibit.

The Department is also requiring the following restrictions to be added to Certified Survey Map No. 5793:

- Access restriction be graphically shown
- Access restriction language
- Noise statement


Tony Barth, SE Region Planning Chief

Add the following language:
Access Language: All lots and blocks are hereby restricted so that no owner, possessor, user, licensee, or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of STH 167; it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in §236.293, and shall be enforceable by the department or it's assigns. Any access shall be allowed only by special exception. Any access allowed by special exception shall be confirmed and granted only through the driveway permitting process and all permits are revocable.

Noise Statement: The lots of this land division may experience noise at levels exceeding the levels in s. Trans 405.04, Table 1. These levels are based on federal standards. The Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the department to the highway's through-land capacity.

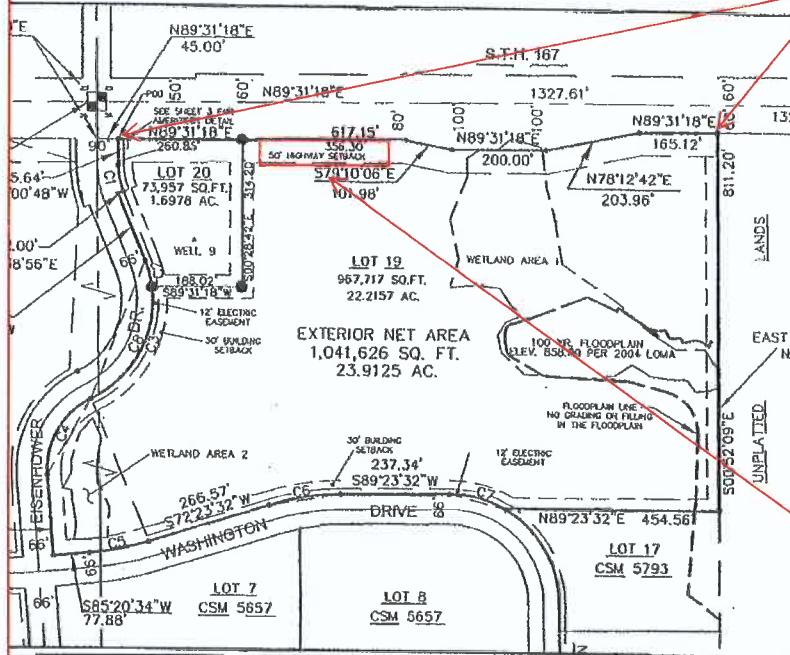
Exhibit B

CSM MAP NO 5975 VOL 44 PAGE 129

CERTIFIED SURVEY MAP No.

Being a redivision of Lot 18 of Certified Survey Map No. 5793 located in the Northwest 1/4 of the Northeast 1/4, of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

No Access



LEGEND:

- SECTION LINE
- SETBACK
- INDICATES 1" IRON PIPE FOUND
- INDICATES 1"X 18" IRON PIPE SET W/CAP WEIGHING 1.13 LBS. PER LINEAL FOOT.

BEARING BASIS:

ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.

THE NORTH LINE OF THE NE 1/4 OF SECTION 25-9-20 WAS USED AS N 89°31'18" E.

SUBJECT TO EASEMENTS OF RECORD.

ALL MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE-HUNDREDTH OF A FOOT.

ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE SECOND.

SEE SHEET 3 OF 6 20'X20' AMERITECH EASEMENT DETAIL.

TOTAL AREA: 23.9125 ACRES (1,041,626 SQ. FT.)

BUILDING SETBACKS (TYP.)

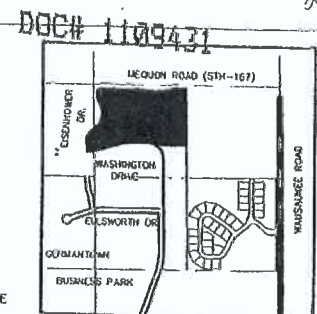
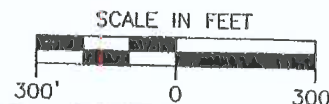
- FRONT 30'
- BACK 25'
- SIDE 25'

DATED THIS 16TH DAY OF SEPTEMBER, 2005.

CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	CH. BEAR	CHORD
C1	57.72	155.00	29.20	S11°40'56"E	57.39
C2	58.29	233.00	29.30	N15°11'02"W	58.14
C3	291.21	233.00	168.07	N27°47'16"E	272.62
C4	198.93	167.00	113.17	S29°28'04"W	187.37
C5	128.16	567.00	64.35	N78°52'03"E	127.89
C6	158.14	533.00	79.66	S80°53'32"W	157.56
C7	125.52	233.00	64.32	N75°10'29"W	124.01
C8	349.50	233.00	217.06	N20°37'15"E	317.64

THIS INSTRUMENT WAS DRAFTED BY ROBERT C. BEILFUSS, S-2072, SHEET 1 OF 7



LOCATION MAP
 NE 1/4 SECTION 25
 T 9 N, R 20 E
 1" = 2000'

PREPARED FOR:
 Village of Germantown
 N112 W17001 Mequon Road
 Germantown, Wisconsin 53022
 (262)250-4720 Engineering Dept.



Robert C. Beilfuss
 ROBERT C. BEILFUSS
 REGISTERED LAND SURVEYOR
 S-2072

Correction Instrument Rescission of Trans 233 Restrictions

Wisconsin Department of Transportation

Pursuant to s.236.295(1)(a), Wis. Stats., I, Patricia Reikowski, authorized Wisconsin Department of Transportation representative, certify that in the plat of:

Legal Description:

Lot 18 of Certified Survey Map No. 5793 was recorded at the Washington County Register of Deeds Office, on September 21, 2004, as document number 1063361 and being a redivision of Lot 3 of Certified Survey Map No. 5472 and Lot 13 of Certified Survey Map No. 5758 located in the Northwest 1/4 of the Northeast 1/4 of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

This correction instrument is for the purpose of modifying the above document as follows:

The Wisconsin Department of Transportation, Southeast Region has released the 50 foot highway setback line from Lot 18 on Certified Survey Map No. 5793 and the setback language that was placed on Certified Survey Map No. 5793 by an Affidavit of Correction document no. 1290434. This correction instrument will also correct the missing restrictions: graphically show access restriction, access restriction language, and noise statement.

Access language: All lots and blocks are hereby restricted so that no owner, possessor, user, licensee, or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of STH 167; it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in §236.293, and shall be enforceable by the department or it's assigns. Any access shall be allowed only by special exception. Any access allowed by special exception shall be confirmed and granted only through the driveway permitting process and all permits are revocable.

Noise Statement: The lots of this land division may experience noise at levels exceeding the levels in s. Trans 405.04, Table 1. These levels are based on federal standards. The Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the department to the highway's through-lane capacity.

AGENDA ITEM "H"

ATTACHMENT #2

This space is reserved for recording data

Wisconsin Department of Transportation
SE Region
141 NW Barstow St
PO Box 798
Waukesha, WI 53187-0798

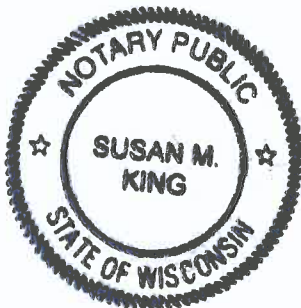
Parcel Identification Number/Tax Key Number
GTNV 251-969

Patricia Reikowski

(Authorized DOT Signature)

Patricia Reikowski

(Print Name)



State Approval Notary Certificate

State of Wisconsin)
) ss.
Waukesha County)

Subscribed and sworn to before me this date: 8-8-16

Susan M. King
(Signature, Notary Public, State of Wisconsin)

Susan M. King
(Print or Type Name, Notary Public, State of Wisconsin)

September 22, 2017
(Date Commission Expires)

Surveyor Notary Certificate

State of Wisconsin)
) ss.
_____ County)

Subscribed and sworn to before me this date: _____

(Signature, Notary Public, State of Wisconsin)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission Expires)

Approval Certification

(Date)

(Name of Local Government)

Approved for recording by the government identified above.

(Clerk Signature)

(Print or Type Name of Clerk)

City Approval Notary Certificate

State of Wisconsin)
) ss.
_____ County)

Subscribed and sworn to before me this date: _____

(Signature, Notary Public, State of Wisconsin)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission Expires)



Division of Transportation
System Development
Southeast Regional Office
141 N.W. Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798

Scott Walker, Governor
Mark Gottlieb, P.E., Secretary
Internet: www.dot.wisconsin.gov
Telephone: (262) 548-5903
Facsimile (FAX): (262) 548-5662
E-Mail: waukesha.dtd@dot.wi.gov

EXHIBIT A

Lot 18 of Certified Survey Map No. 5793 was recorded at the Washington County Register of Deeds Office, on September 21, 2004, as document number 1063361 and being a redivision of Lot 3 of Certified Survey Map No. 5472 and Lot 13 of Certified Survey Map No. 5758 located in the Northwest 1/4 of the Northeast 1/4 of Section 25, Township 9, Range 20 East, Village of Germantown, Washington County, Wisconsin.

The Department of Transportation has reviewed your request to release the 50' highway setback restriction and language. The Department hereby releases the above-mentioned restrictions. It is required that this release be incorporated into a correction document under §236.295, as an exhibit.

The Department is also requiring the following restrictions to be added to Certified Survey Map No. 5793:

- Access restriction be graphically shown
- Access restriction language
- Noise statement


Tony Barth, SE Region Planning Chief

Exhibit B

MAP NO. 5793 VOL 42 PAGE 191

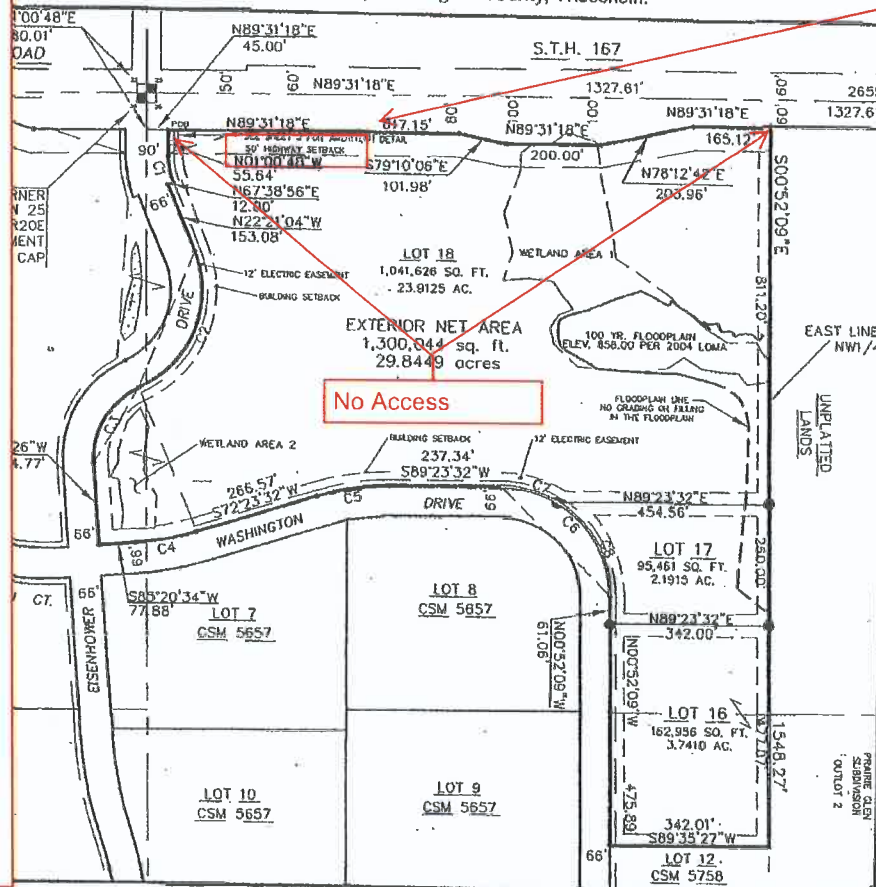
DOC# 1063361

CERTIFIED SURVEY MAP No.

Being a redvision of Lot 3 of Certified Survey Map No. 5472 and Lot 13 of Certified Survey Map No. 5758 located in the Northwest 1/4 of the Northeast 1/4, of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

50' Highway Setback released by WisDOT

Add the following language:
Access Language: All lots and blocks are hereby restricted so that no owner, possessor, user, licensee, or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of STH 167; it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in §236.293, and shall be enforceable by the department or it's assigns. Any access shall be allowed only by special exception. Any access allowed by special exception shall be confirmed and granted only through the driveway permitting process and all permits are revocable.
Noise Statement: The lots of this land division may experience noise at levels exceeding the levels in s. Trans 405.04, Table 1. These levels are based on federal standards. The Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the department to the highway's through-land capacity.



PREPARED FOR:
 Village of Germantown
 N112 W17001 Mequon Road
 Germantown, Wisconsin 53022
 (262)250-4720 Engineering Dept.

LEGEND:

— SECTION LINE
 — SETBACK
 ○ INDICATES 1" IRON PIPE FOUND
 ● INDICATES 1"X 18" IRON PIPE SET W/CAP WEIGHING 1.13 LBS. PER LINEAL FOOT.

BEARING BASIS:

ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.

THE NORTH LINE OF THE NE 1/4 OF SECTION 25-9-20 WAS USED AS N 89°31'18" E.

SUBJECT TO EASEMENTS OF RECORD.

ALL MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE-HUNDREDTH OF A FOOT.

ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE SECOND.

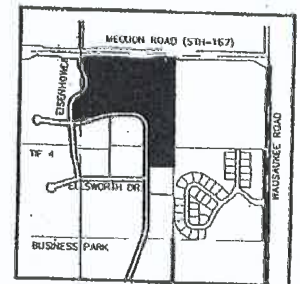
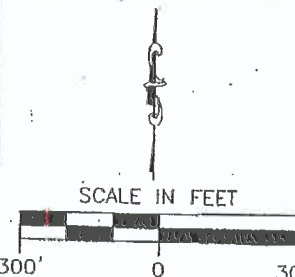
SEE SHEET 3 OF 6 FOR CURVE TABLES AND 20'X20' AMERITECH EASEMENT.

TOTAL AREA: 29.8449 ACRES (1,300,044 SQ. FT.)

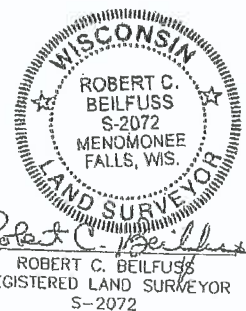
BUILDING SETBACKS (TYP.)

— FRONT 30'
 — BACK 25'
 — SIDE 25'

DATED THIS 16TH DAY OF SEPTEMBER, 2004.



LOCATION MAP
 NE 1/4 SECTION 25
 T 9 N, R 20 E
 1" = 2000'



THIS INSTRUMENT WAS DRAFTED BY ROBERT C. BEILFUSS, S-2072, SHEET 1 OF 7

**Correction Instrument
Rescission of Trans 233 Restrictions**

Wisconsin Department of Transportation

Pursuant to s.236.295(1)(a), Wis. Stats., I, Patricia Reikowski, authorized Wisconsin Department of Transportation representative, certify that in the plat of:

Legal Description:

Lot 3 of Certified Survey Map No. 5472 was recorded at the Washington County Register of Deeds Office, on May 10, 2002, as document number 932281 and part of the NW 1/4 of the NE 1/4 and part of the NE 1/4 of the NW 1/4 of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

This correction instrument is for the purpose of modifying the above document as follows:

The Wisconsin Department of Transportation, Southeast Region has released the 50 foot highway setback line and the setback language for Lot 3.

AGENDA ITEM "H"

ATTACHMENT #3

This space is reserved for recording data

Wisconsin Department of Transportation
SE Region
141 NW Barstow St
PO Box 798
Waukesha, WI 53187-0798

Parcel Identification Number/Tax Key Number
GTNV 251-959 and GTNV 251-960



(Authorized DOT Signature)

Patricia Reikowski

(Print Name)



State Approval Notary Certificate

State of Wisconsin)
) ss.
Waukesha County)

Subscribed and sworn to before me this date: 8-8-16


(Signature, Notary Public, State of Wisconsin)

Susan M. King
(Print or Type Name, Notary Public, State of Wisconsin)

September 22, 2017
(Date Commission Expires)

Surveyor Notary Certificate

State of Wisconsin)
) ss.
_____ County)

Subscribed and sworn to before me this date: _____

(Surveyor Signature)

(Signature, Notary Public, State of Wisconsin)

(Print Name)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission Expires)

Approval Certification

(Date)

(Name of Local Government)

Approved for recording by the government identified above.

(Clerk Signature)

(Print or Type Name of Clerk)

City Approval Notary Certificate

State of Wisconsin)
) ss.
_____ County)

Subscribed and sworn to before me this date: _____

(Signature, Notary Public, State of Wisconsin)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission Expires)



Division of Transportation
System Development
Southeast Regional Office
141 N.W. Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798

Scott Walker, Governor
Mark Gottlieb, P.E., Secretary
Internet: www.dot.wisconsin.gov

Telephone: (262) 548-5903
Facsimile (FAX): (262) 548-5662
E-Mail: waukesha.dtd@dot.wi.gov

EXHIBIT A

Lot 3 of Certified Survey Map No. 5472 was recorded at the Washington County Register of Deeds Office, on May 10, 2002, as document number 932281 and part of the NW 1/4 of the NE 1/4 and part of the NE 1/4 of the NW 1/4 of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

The Department of Transportation has reviewed your request to release the 50' highway setback restriction and language on the above referenced property. The Department hereby releases the above-mentioned restrictions.

It is required that this release be incorporated into a correction document under § 236.295, as an exhibit.

A handwritten signature in blue ink, appearing to read "Tony Barth".

Tony Barth, SE Region Planning Chief

Exhibit B

MAP NO. 5472 VOL. 39 PAGE 102

DOC#: 9322A1

CERTIFIED SURVEY MAP

Part of the NW 1/4 of the NE 1/4 and part of the NE 1/4 of the NW 1/4 of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

50' Highway
Setback Line had
been released by
WisDOT

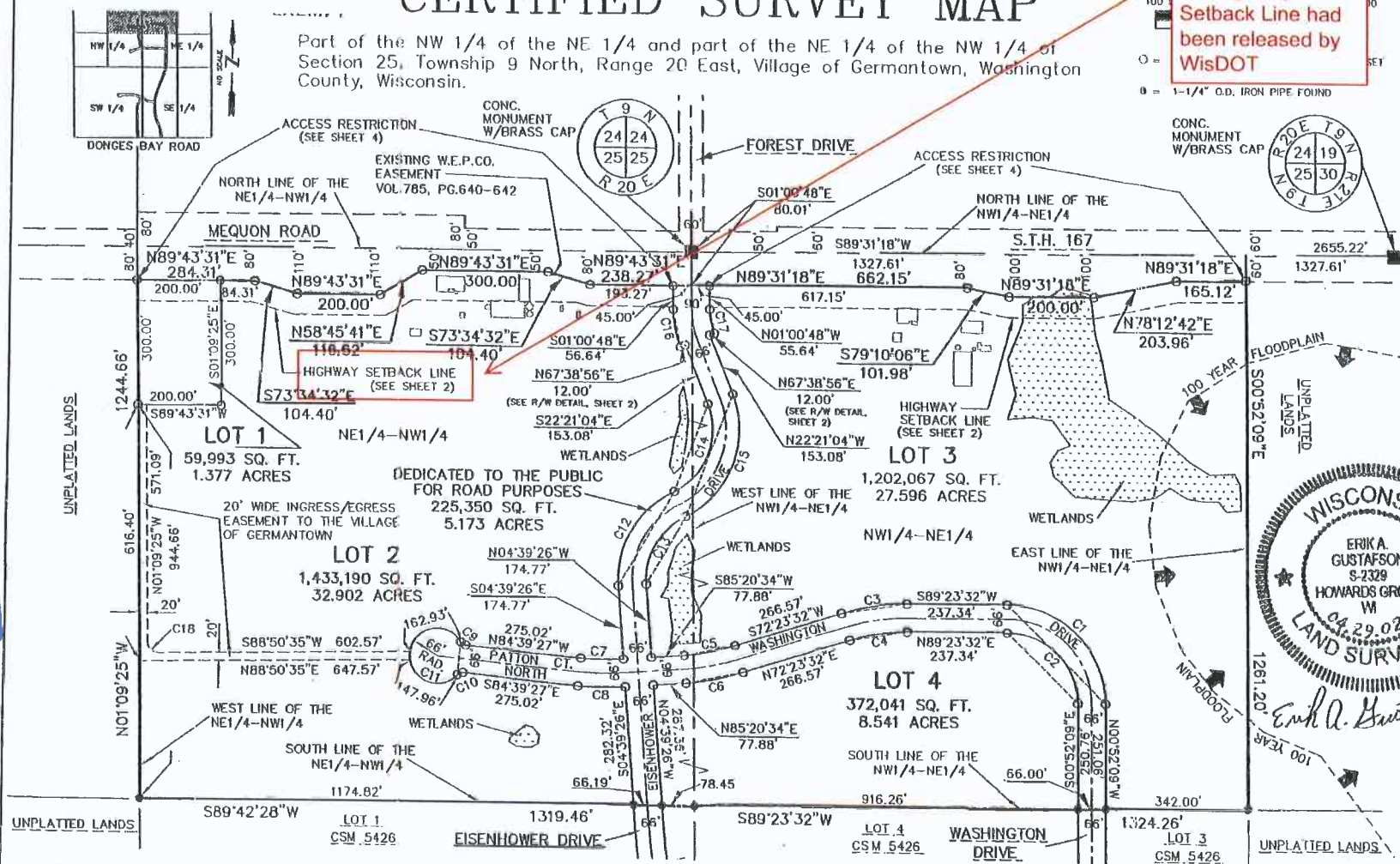
0 = 1-1/4" O.D. IRON PIPE FOUND

CONC.
MONUMENT
W/BRASS CAP

SCALE: 1" = 300'

NORTH REFERENCE TO THE WASHINGTON COUNTY
COORDINATE SYSTEM, THE NORTH LINE OF THE
1/4 OF SEC. 25-08-20 BEARING N 89°31'18" E

SHEET 1 OF 4



DWG FullPath: F:\Germantown\364Gtownlnd\survey\364CSM3.dwg

Plot Date/Time: 04/29/02 04:23pm

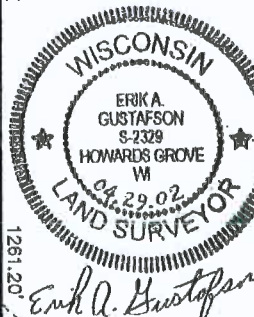
Last saved date/time: 04/29/02 04:23pm

Page 4 of 5

THIS INSTRUMENT DRAFTED BY ERIK A. GUSTAFSON, KAPUR AND ASSOCIATES

WI D.O.T. TRANS 233 CERTIFICATION NO. 66-067-0631-02.

Actual 40.
Village of Germantown
N712 W17001 Mequon Road
P.O. Box 337
Germantown, WI 53022-0337



CERTIFIED SURVEY MAP

Part of the NW 1/4 of the NE 1/4 and part of the NE 1/4 of the NW 1/4 of
Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington
County, Wisconsin.

OWNER'S CERTIFICATE:

As owner, we hereby certify that we have caused the land shown and described on this Certified
Survey Map to be surveyed, divided, mapped and dedicated as shown hereon.

We also certify that this map is required within section s236.34 of the Wisconsin Statutes in
surveying to be submitted to the following for approval or objection:

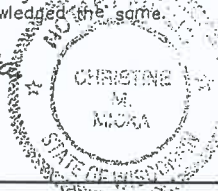
- (1) Village of Germantown Village Board
- (2) Village of Germantown Planning Commission

Charles J. Hargan Jane A. Wilms
Charles J. Hargan (Village President) Jane A. Wilms (Village Clerk)

State of Wisconsin)
Washington County) ss

Personally came before me this 9th day of May, 2002 the above named
Charles J. Hargan, Village President, and Jane A. Wilms, Village Clerk, to me known to be the
persons who executed the foregoing instrument and acknowledged the same.

Christine M. Micka (SEAL)
Notary Public, State of Wisconsin Christine M. Micka
My commission expires Sept. 14, 2003
My commission is permanent.



VILLAGE OF GERMANTOWN - VILLAGE BOARD APPROVAL

This land division is hereby approved by the Village of Germantown as being in conformance with
the Village of Germantown Land Division Ordinance in surveying, dividing, and mapping said land this
9th day of May, 2002.

Charles J. Hargan Jane A. Wilms
Charles J. Hargan - Village President Jane A. Wilms - Village Clerk

VILLAGE OF GERMANTOWN - PLAN COMMISSION APPROVAL

This land division is hereby approved by the Village of Germantown Plan Commission as being in
conformance with the Village of Germantown Land Division Ordinance this 14th day of
March, 2002.

Charles J. Hargan Angela N. Sievert
Charles J. Hargan - Chairman Angela N. Sievert - Secretary

ACCESS RESTRICTION

"All lots and blocks are hereby restricted so that no owner, possessor, user, licensee or other person
may have any right of direct vehicular ingress from or egress to any highway lying within the
right-of-way of S.T.H. 167; it is expressly intended that this restriction constitute a restriction for
the benefit of the public as provided in s.236.293, Stats., and shall be enforceable by the department
or its assigns. Any access shall be allowed only by special exception. Any access allowed by special
exception shall be confirmed and granted only through the driveway permitting process and all permits
are revocable. The road shown on the face of map, named Eisenhower Drive, is excepted from this
restriction." Lot 1 as shown on face of map is hereby granted a temporary vehicular access drive
from S.T.H. 167. Said access drive is for the Village of Germantown maintenance vehicles to access
the water tower to be constructed on said Lot 1 and will be revoked at such time when the roads
within the Germantown Business Park are improved. Said access has been granted per Trans 233
Certification No. _____

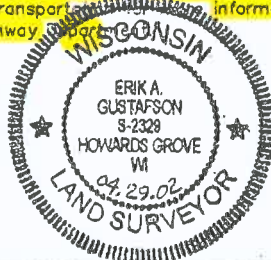
HIGHWAY SETBACK RESTRICTIONS

"No improvements or structures are allowed between the right-of-way line and the highway setback
line. Improvements and structures include, but are not limited to, signs, parking areas, driveways,
wells, septic systems, drainage facilities, buildings and retaining walls. It is expressly intended that this
restriction is for the benefit of the public as provided in section 236.293, Wisconsin Statutes, and
shall be enforceable by the Wisconsin Department of Transportation or its assigns. Contact the
Wisconsin Department of Transportation for more information. The phone number may be obtained by
contacting the County Highway Department."

SURVEYOR:
ERIK A. GUSTAFSON S-2329
KAPUR & ASSOCIATES
7711 N. PORT WASHINGTON RD.
MILWAUKEE, WI 53217

The Highway Setback
Restrictions had been
released by WisDOT

MILWAUKEE, WISCONSIN
414.351.6668



OWNER:
VILLAGE OF GERMANTOWN
N112W17001 MEQUON ROAD
GERMANTOWN, WI 53022-0337
262.250.4724

DWG FullPath: F:\Germantown\364\downland\survey\364CSM3.dwg Plot Date/Time: 04/29/02 04:23pm Last saved date/time: 04/29/02 04:23pm

FILED IN: 0716 VOL 22 PAGE 100

DOC#: 932281

**Correction Instrument
Rescission of Trans 233 Restrictions**

Wisconsin Department of Transportation

Pursuant to s.236.295(1)(a), Wis. Stats., I, Patricia Reikowski, authorized Wisconsin Department of Transportation representative, certify that in the plat of:

Legal Description:

Lot 44 and Lot 45 of Certified Survey Map No. 6552 was recorded at the Washington County Register of Deeds Office, on April 11, 2014, as document number 1357623 and being a combination of Lot 19 and Lot 20 of Certified Survey Map No. 5975 located in the Northwest 1/4 of the Northeast 1/4, and the Northeast 1/4 of the Northwest 1/4 of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

This correction instrument is for the purpose of modifying the above document as follows:

The Wisconsin Department of Transportation, Southeast Region has released the 50 foot highway setback line from Lot 44 and Lot 45. This correction instrument will also correct the missing restrictions: access restriction language and noise statement.

Access language: All lots and blocks are hereby restricted so that no owner, possessor, user, licensee, or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of STH 167; it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in §236.293, and shall be enforceable by the department or its assigns. Any access shall be allowed only by special exception. Any access allowed by special exception shall be confirmed and granted only through the driveway permitting process and all permits are revocable.

Noise Statement: The lots of this land division may experience noise at levels exceeding the levels in s. Trans 405.04, Table 1. These levels are based on federal standards. The Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the department to the highway's through-lane capacity.

AGENDA ITEM "H"

ATTACHMENT #4

This space is reserved for recording data

Wisconsin Department of Transportation
SE Region
141 NW Barstow St
PO Box 798
Waukesha, WI 53187-0798

Parcel Identification Number/Tax Key Number
GTNV 251-959 and GTNV 251-960


(Authorized DOT Signature)

Patricia Reikowski

(Print Name)

State Approval Notary Certificate

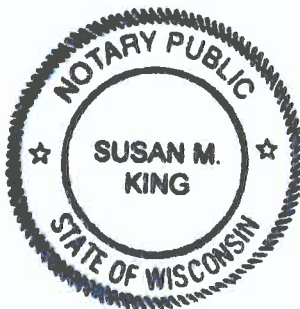
State of Wisconsin)
) ss.
Waukesha County)

Subscribed and sworn to before me this date: 8-8-16

(Signature, Notary Public, State of Wisconsin)

Susan M. King
(Print or Type Name, Notary Public, State of Wisconsin)

September 22, 2017
(Date Commission Expires)



Surveyor Notary Certificate

State of Wisconsin)
) ss.
_____ County)

Subscribed and sworn to before me this date: _____

(Signature, Notary Public, State of Wisconsin)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission Expires)

Approval Certification

(Date)

(Name of Local Government)

Approved for recording by the government identified above.

(Clerk Signature)

(Print or Type Name of Clerk)

City Approval Notary Certificate

State of Wisconsin)
) ss.
_____ County)

Subscribed and sworn to before me this date: _____

(Signature, Notary Public, State of Wisconsin)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission Expires)



Division of Transportation
System Development
Southeast Regional Office
141 N.W. Barstow Street
P.O. Box 798
Waukesha, WI 53187-0798

Scott Walker, Governor
Mark Gottlieb, P.E., Secretary
Internet: www.dot.wisconsin.gov

Telephone: (262) 548-5903
Facsimile (FAX): (262) 548-5662
E-Mail: waukesha.dtd@dot.wi.gov

EXHIBIT A

Lot 44 and Lot 45 of Certified Survey Map No. 6552 was recorded at the Washington County Register of Deeds Office, on April 11, 2014, as document number 1357623 and being a combination of Lot 19 and Lot 20 of Certified Survey Map No. 5975 located in the Northwest 1/4 of the Northeast 1/4, and the Northeast 1/4 of the Northwest 1/4 of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

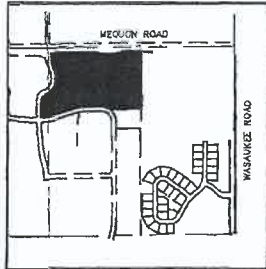
The Department of Transportation has reviewed your request to release the setback restriction, to add the access restriction language, and to add the noise statement on the above referenced property. The Department hereby releases the above-mentioned restriction.

It is required that this release be incorporated into a correction document under §236.295, as an exhibit.


Tony Barth, SE Region Planning Chief

CERTIFIED SURVEY MAP No.

Being a combination of Lot 19 and Lot 20 of Certified Survey Map No. 5975 located in the Northwest 1/4 of the Northeast 1/4, and the Northeast 1/4 of the Northwest 1/4 of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin



LOCATION MAP
NE 1/4 SECTION 25
T 9 N, R 20 E
1" = 2000'

PREPARED FOR:

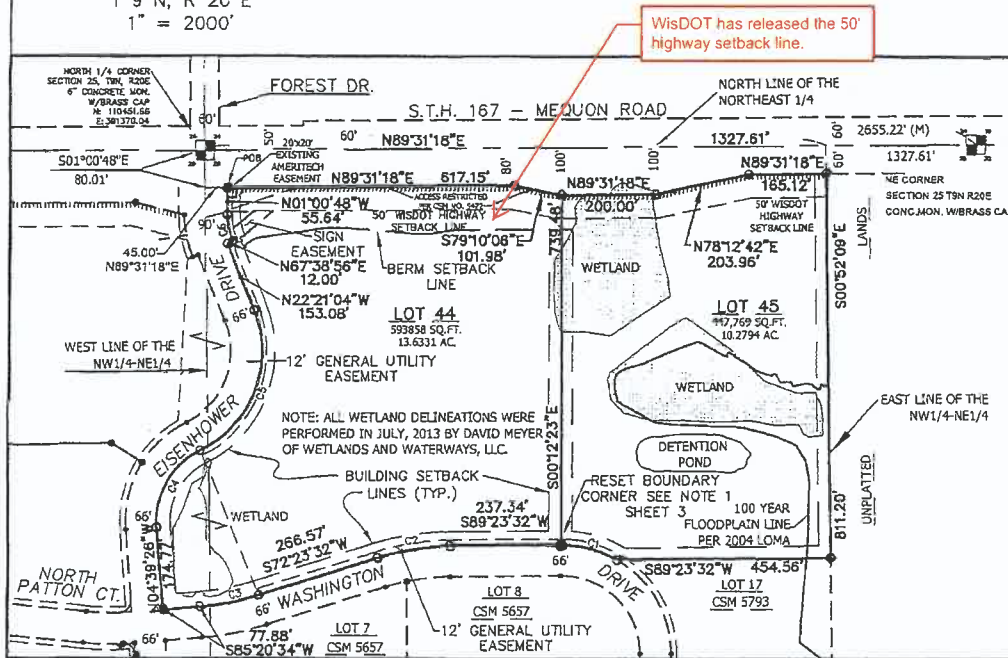
Village of Germantown
N112 W17001 Mequon Road
Germantown, Wisconsin 53022
(262)250-4720 Engineering Dept.

SCALE IN FEET

RECORDED
April 11, 2014 12:00 PM
SHARON A MARTIN, REGISTER OF DEEDS
WASHINGTON COUNTY, WISCONSIN
Fee Amount: \$30.00



1357623



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
8"	N 75°10'29" W	124.01'			
0"	S 80°53'32" W	157.56'			
2"	N 78°52'03" E	127.89'			
0"	N 29°28'04" E	187.37'			
7"	N 20°37'15" E	317.64'			
6"	N 11°40'56" W	57.39'			

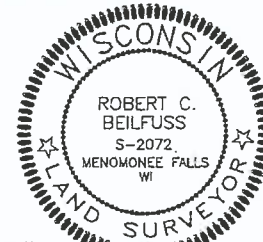
Add the following language:

Access Language: All lots and blocks are hereby restricted so that no owner, possessor, user, licensee, or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of STH 167; it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in §236.293, and shall be enforceable by the department or its assigns. Any access shall be allowed only by special exception. Any access allowed by special exception shall be confirmed and granted only through the driveway permitting process and all permits are revocable.

Noise Statement: The lots of this land division may experience noise at levels exceeding the levels in s. Trans 405.04, Table 1. These levels are based on federal standards.

The Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the department to the highway's through-land capacity.

30'
5'



Robert C. Beilfuss
ROBERT C. BEILFUSS
REGISTERED LAND SURVEYOR
S-2072

DATED THIS 17TH DAY OF MARCH, 2014.
THIS INSTRUMENT WAS DRAFTED BY ROBERT C. BEILFUSS, S-2072. SHEET 1 OF 4

Map 710 6552 Vol 50 Page 30

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: October 4, 2016

AGENDA ITEM: New Business *I*

ITEM TITLE: Extend Water Main Relay on Park Avenue to the South
ROW of Fond du Lac Avenue

SUBMITTED BY: Lawrence Ratayczak, P.E.- Director of Public Works

SUMMARY EXPLANATION:

As you are aware the water main on Park Avenue from Fond du Lac Avenue to a point approximately 510 north is set to be relayed in 2016. In addition, the Wisconsin Department of Transportation has a project in 2017 to resurface the bituminous pavement on Fond du Lac Avenue, which includes the intersection with Park Avenue. WIDOT has a policy that after paving the roadway there is a moratorium for construction activities for 5 years. With this in mind Trustee Zabel suggested that the Department of Public Works investigate extending the water main relay project to the south of Fond du Lac Avenue. Pursuing this suggestion staff approached the current contractor for a quotation to perform this work. The estimated cost to relay this section of water main is \$34,600.00 (includes a 15% contingency to deal with any unknown items crossing Fond du Lac Avenue)

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER _____

NONE

RECOMMENDATION:

Staff recommends that the Public Works & Highway Committee approve the additional water main relay on Park Avenue to cross Fond du Lac Avenue at an estimated cost of \$34,600.00 with this work to be added to the current contract with Mueller Excavating.

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.

**BUSINESS OF THE PUBLIC WORKS AND HIGHWAY COMMITTEE
GERMANTOWN, WI**

MEETING DATE: October 4, 2016

AGENDA ITEM: New Business J

ITEM TITLE: Presentation of the First Draft of the Five Year Road Improvement Program

SUBMITTED BY: John Laning, P.E., Village Engineer

SUMMARY EXPLANATION:

As requested at the September 1, 2016 Public Works and Highway Committee meeting, staff has assembled the first version of the Village's Five Year Road Improvement Program for the Committee's review and comment.

Roads proposed in this draft version were selected based primarily on each road's condition, however, a number of other factors were considered such as anticipated budget availability, proximity or grouping of streets, coordination with other public works projects and priority based on citizen usage and importance.

Staff welcomes any comments or suggestions as we work towards the next draft based on comments received and ultimately a finalized Five Year Plan.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER X

RECOMMENDATION:

This item is presented for discussion and for input and direction from the Committee.

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.