

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
December 19, 2016**

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

ROLL CALL: President Wolter, Trustees Baum, Campbell, Hughes, Kaminski, Miller, Myers, Warren and Zabel. Also Present: Attorney Sajdak, DPW Director Ratayczak, CDD/Planner Retzlaff, Park & Rec Director Schroeder, Water Superintendent Driver, Fire Chief Weiss and Clerk Goeckner

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: None.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS: Trustees announced upcoming meetings and events.

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

Brian Depies – W143N9867 Ridgewood Lane, Germantown – Concerns regarding Item 10Q – Permit for 120' Utility Pole

CONSENT AGENDA:

- A. Approval of Village Board Minutes: Regular Village Board Meetings
- B. Accounts payable/payroll
 - 1. November 2016 Accounts Payable \$ 28,505.76
 - 2. December 10, 2016 Accounts Payable \$ 667,644.41
 - 3. December 13, 2016 Payroll (hourly) \$ 238,661.20
- C. Operator Licenses: December 14, 2017 to June 30, 2017:
Richard L. Eastman; Anfernee A. Whitaker; Ciara R. Wilson [Recommended Approval]

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

- D. Request Approval of Animal Fancier License for Jan 1, 2017 – Dec 31, 2017, Phil Secker, W167 N10532 Bridle Path, with Stipulation that Mr. Secker Complete the Conditions Passed by Village Board on 12/21/2015 (Enclose the One Wall and Add A 6' Fence) and Have This Done by July 1, 2017 [Recommended Approval]
- E. Request Authorization to Pay Invoice to Lakeside International LLC for Repairs to Ambulance 52 in the Amount of \$6,701.94 with \$1,995.00 being Returned for Core Charges. Funds to be allocated from Acct. #10-522-530-5500 [Recommended Approval]
- F. Request Authorization to Pay Invoice to ProPhoenix for 2017 Annual Service Support & Maintenance in the Amount of \$10,349.72, with Funds to be Allocated from Acct. # 10-522-530-7910 [Recommended Approval]

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

- G. Request Authorization of Payment of HACCH Corporation Invoice in the amount of \$5,865.85 for Replacement of One On-Line Fluoride Analyzer with Funds to be Allocated from Acct. #50-742-530-6770 [Recommended Approval]

MOTION (Baum/Myers) to approve Consent Agenda Items A-G, roll call vote, carried.

UNFINISHED BUSINESS: None.

PUBLIC HEARINGS – 7:00 P.M. OR LATER:

- A. Rachit Dhingra, Agent for Odyssey Hotels, Property Owner & Agent for Riversbend Country Club Inc., Property Owner; Riversbend Country Club: N96W18034 County Line Road (Tax Key No. 333-951); Holiday Inn Express: W177N9675 Riversbend Lane (Tax Key No. 334-100); (1) Amendments to the Neviasser Planned Development District (PDD) and the Riversbend Country-Continental 246 Fund LLC Planned Development District (PDD) to allow for an expansion of a hotel and development of an off-site parking lot on the Odyssey Hotels property (Holiday Inn Express) and the adjacent Riversbend Country Club Inc. Property Located on County Line Road
CDD Retzlaff presented information regarding the application, as provided for in the packet of materials.

President Wolter opened the public hearing at 7:21 p.m.

The following parties spoke at the public hearing:

Sharon Loftus, W178N9740 Riversbend Circle W, Germantown – opposed

Robert Eastman, W179N9773 Riversbend Circle W, Unit D11, Germantown – made requests within project on items of concern.

Jason Day with Excel Engineering, Petitioner and representing Odyssey Hotels - spoke regarding application.

President Wolter closed the public hearing at 7:41 p.m.

- B. Matthew Schaetzel & Carrie D'Acquisto, Property Owners for (1) an application to REZONE the following described Schaetzel property located at N116W16416 Main Street (Tax Key No. 222-011) from the Rs-3: Single-Family to the Rd-2 One & Two Family Zoning District and the D'Acquisto property located at N116W16366 (Tax Key No. 221-010) from the Rs-3: Single-Family to the Rs-4: Single-Family Zoning District
CDD Retzlaff presented information regarding this application. Information provided in packet.

President Wolter opened the public hearing at 7:44 p.m.

No one spoke at the hearing.

President Wolter closed the public hearing at 7:45 p.m.

- C. Michelle Richards, Operator and Agent for A&V Waterjet Tech, Property Owners for (1) a CONDITIONAL USE PERMIT to allow a dog daycare, training, grooming, boarding and retail shop for accessories from the following described property located at N116W18395 Morse Drive (Tax Key #212-978) pursuant to Section 17.33(3)(c) of the Village Zoning Code
CDD Retzlaff presented information regarding the application. Information provided in packet.

President Wolter opened the public hearing at 7:50 p.m.

No one spoke at the public hearing.

President Wolter closed the public hearing at 7:51 p.m.

- D. David & Lori Gutbrod, Property Owners, for (1) an application to REZONE the property located at W162N11840 Fond du Lac Avenue (Tax Key No. 221-986) from the Rs-2: Single-Family to the B-4: Professional Office Zoning District for purposes of converting the existing residential dwelling to an office building

PUBLIC HEARINGS continued:

CDD Retzlaff presented information regarding the application. Information provided in the packet.

President Wolter opened the public hearing at 7:55 p.m.

The following persons spoke:

William Tait N120 W16355 Freistadt Road, Germantown – Questions regarding project.

Dann Fitzgerald W163N11861 Fond du Lac Avenue, Germantown – Concerned with traffic.

President Wolter closed the public hearing at 8:02 p.m.

- E. Corey Becker, Surge Martial Arts LLC, Operator and Agent for James Barry, Property Owner for (1) a CONDITIONAL USE PERMIT for the operation of a martial arts and fitness center from the property located at W188N11927 Maple Road Suite 10 (Tax Key No. 201-964), pursuant to Section 17.33(3)(h) of the Village Zoning Code

CDD Retzlaff presented information regarding the application. Information provided in packet.

President Wolter opened the public hearing at 8:05 p.m.

No one spoke at the public hearing.

President Wolter closed the public hearing at 8:06 p.m.

NEW BUSINESS:

- A. **ORDINANCE AMENDMENTS:** Matthew Schaetzel & Carrie D'Acquisto, Property Owners For (1) An Application to REZONE the Following Described Schaetzel Property Located at N116W16416 Main Street (Tax Key No. 222-011) From the Rs-3: Single-Family to The Rd-2: One & Two Family Zoning District and The D'Acquisto Property Located at N116W16366 Main Street (Tax Key No. 221-010) f from The Rs-3: Single-Family to The Rs-4: Single-Family Zoning District & a 2-Lot Certified Survey Map
MOTION (Baum/Miller) to approve as presented, carried.
- B. **CONDITIONAL USE PERMIT:** Michelle Richards, Operator and Agent For A&V Waterjet Tech, Property Owners for A CONDITIONAL USE PERMIT to Allow a Dog Daycare, Training, Grooming, Boarding and Retail Shop for Accessories from The Following Described Property Located at N116W18395 Morse Drive (Tax Key #212-978) Pursuant to Section 17.33(3)(C) Of the Village Zoning Code
MOTION (Baum/Myers) to approve as presented. Discussion. Carried.
- C. **ORDINANCE AMENDMENTS:** David & Lori Gutbrod, Property Owners, for (1) An Application to REZONE the Property Located at W162N11840 Fond Du Lac Avenue (Tax Key No. 221-986) From the Rs-2: Single-Family to the B-4: Professional Office Zoning District for Purposes of Converting the Existing Residential Dwelling to An Office Building
MOTION (Baum/Miller) to approve as presented. Discussion. Carried.
- D. **CONDITIONAL USE PERMIT:** Corey Becker, Surge Martial Arts LLC, Operator and Agent for James Barry, Property Owner For (1) A CONDITIONAL USE PERMIT for The Operation of a Martial Arts and Fitness Center from The Property Located at W188N11927 Maple Road Suite 10 (Tax Key No. 201-964), Pursuant to Section 17.33(3)(H) Of the Village Zoning Code
MOTION (Baum/Myers) to approve as presented, carried.

NEW BUSINESS continued:

- E. **ORDINANCE AMENDMENTS:** Rachit Dhingra, Agent For Odyssey Hotels, Property Owner & Agent For Riversbend Country Club Inc., Property Owner; Riversbend Country Club: N96W18034 County Line Road (Tax Key No. 333-951): Holiday Inn Express: W177N9675 Riversbend Lane (Tax Key No. 334-100): (1) Amendments To The Neviaser Planned Development District (PDD) And The Riversbend Country-Continental 246 Fund LLC Planned Development District (PDD) To Allow For An Expansion Of A Hotel And Development Of An Off-Site Parking Lot On The Odyssey Hotels Property (Holiday Inn Express) And The Adjacent Riversbend Country Club Inc. Property Located On County Line Road
MOTION (Baum/Warren) to approve as presented. Discussion. **MOTION (Zabel/Myers) to amend the motion for the berm to continue west along that line of the north parking lot to the west end of that parking lot, and if it does go into the floodplain look at some kind of a fence to block the lights that are coming from the vehicles.** Discussion. **Trustee Myers withdraws his second. Motion fails for lack of a second. Original motion carried.**
- F. Request Authorization to Approve Allocation of \$150,000 in the Form of a Blanket Purchase Order for the Continuing Purchase of Water Meters on a Time and Need Basis; Funds to be Allocated from the 2017 Capital Budget Acct.#50-180-183-3460
MOTION (Kaminski/Warren) to approve as requested, roll call vote, 7 in favor, 2 opposed (Hughes, Zabel), carried.
- G. An ordinance amendment Section 1.378(3) of the Germantown Municipal Code as it relates to the terms of office for members of the Tourism Commission.
MOTION (Zabel/Baum) to approve as presented, carried.
- H. Request Approval of Cooperative Agreement Between the Village of Germantown and the Aging & Disability Resource Center of Washington County
MOTION (Myers/Baum) to approve as requested, carried.
- I. Request Approval of Letter of Agreement Between the Village of Germantown and the Aging & Disability Resource Center of Washington County for Year 2017
MOTION (Myers/Baum) to approve as requested, carried.
- J. Request Approval of Public Grant Application
MOTION (Baum/Warren) to approve as requested, carried.
- K. Request for School District Facility Fund Purchase
MOTION (Zabel/Miller) \$12,162 for Kennedy Middle School, updating of volleyball nets, roll call vote, 8 in favor, 1 opposed (Baum), carried.
- L. **RESOLUTION NO. xx-16 Salary Resolution Amendment Merit Adjustment Calendar Year 2016**
MOTION (Zabel/Myers) to approve as presented, retroactive to January 1, 2016. Discussion: not a bonus, goes on the salary structure. **Roll call vote, carried.**

NEW BUSINESS continued:

- M. **ORDINANCE** Amending Section 2.02(1) Regular Meetings, as it Relates to Rescheduling of Certain Meetings of the Village Board
MOTION (Zabel/Baum) to approve as presented, carried.
- N. Request Approval of Change of Agent – Walmart Store #1515, W190N9855 Appleton Ave., Germantown, to Shante T. Travis, N165W20166 Hickory Ln #2, Jackson, WI
MOTION (Baum/Myers) to approve as requested, carried.
- O. Request Approval for Secondhand Article Dealer & Secondhand Jewelry Dealer License Renewal for January 1, 2017 to December 31, 2017, Kessler's Diamond Center
MOTION (Baum/Miller) to approve as requested, carried.
- P. Request Approval of Secondhand Article Dealer License Renewal for January 1, 2017 to December 31, 2017 White House of Music
MOTION (Baum/Warren) to approve as requested, carried.
- Q. Request Approval of Permit for Wisconsin Technology Networking, LLC to Install a 120' Utility Pole in Right-of-Way on Maple Road
MOTION (Zabel/Baum) to postpone action until we have a chance to review what other communities have done in regard to permits in right of ways. Discussion.
1 in favor, (Zabel), 8 opposed, motion fails. **MOTION to approve as presented (Baum/Kaminski) 8 in favor, 1 opposed (Zabel), carried.**

ADJOURNMENT

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



Barbara K. D. Goeckner MMC/WCPC
Village Clerk