

**VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022**

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, February 6, 2017 7:00 p.m.

LOCATION: Germantown Village Hall Board Room

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, 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**

III. **PLEDGE OF ALLEGIANCE**

IV. **PRESIDENT'S REPORT**

V. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST**
/COMMITTEE REPORTS:

The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney and Village Clerk.

- VI. **CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:**
Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension 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. (15 minutes)

VII. **CONSENT AGENDA:**

- A. Approval of Regular Village Board Minutes for December 19, 2016 and January 16, 2017
- B. Accounts payable/payroll
- | | | | |
|----|------------------|------------------|----------------|
| 1. | January 10, 2017 | Accounts Payable | \$ 939,948.07 |
| 2. | January 13, 2017 | Payroll (salary) | \$ 85,622.90 |
| 3. | January 25, 2017 | Accounts Payable | \$1,291,716.54 |
| 4. | January 24, 2017 | Payroll (hourly) | \$ 206,451.83 |
| 5. | January 31, 2017 | Payroll (salary) | \$ 84,795.81 |
| 6. | January 2017 | Accounts Payable | \$ 49,071.21 |
- C. Operator Licenses: February 7, 2017 to June 30, 2017:
Jamie E. Bellow; Kayla N. Goudy; Verlynnette A.J. Graves; Thomas J. Provost Jr
[Recommended Approval]

VII. CONSENT AGENDA continued:

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

- D. Authorization to Purchase of (2) 2017 Ford SUV Police Interceptors from Ewald Ford for \$28,102 Each and (1) Unmarked 2017 Ford SUV Interceptor for Detective Bureau from Ewald for \$27,898, along with \$41,338 in Funds for Squad Equipment and Changeover Costs, Total of \$125,440 to be Allocated from Acct.#10-521-570-8100 [Recommended Approval]
- E. Authorization to Purchase Pro Phoenix Enhancements – Citizen Services and a Court Interface to be Added to the Current Pro Phoenix Software for an Amount of \$17,000 to be Allocated from the 2016 Budget Acct. #40-521-570-8440 [Recommended Approval]
- F. **RESOLUTION NO. 03-17**, Amending the Fee Schedule for Ambulance and EMT Services to Add a Charge of \$250 to Cover Ongoing Costs with the Addition of the Lucas 3 CPR Device [Recommended Approval]

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

- G. Authorization to Purchase One Pickup Truck for the Water Utility Department from Ewald Chevy in the Amount of \$41,913.00 and Allow the Remainder of Budgeted Funds to be Used for Additional Equipment for a Total Cost Not to Exceed the Budgeted Amount of \$45,000. Funds to be Allocated from Acct. #50-180-185-3920 [Recommended Approval]
- H. Authorization to Purchase One Pickup Truck for the Waste Water Utility Department from Ewald Automotive Group for an Amount not to Exceed \$33,220.00 and Remaining Budgeted Funds to be Used for Additional Equipment for a Total Cost not to Exceed the Budgeted Amount of \$37,000.00. Funds to be Allocated from Acct. #60-180-185-3730 [Recommended Approval]
- I. Authorization to Pay Invoice to CTW Corp. for the Emergency Repair of Motor Bearings at Well #11, in the Amount of \$6,344.00 [Recommended Approval]
- J. Approval to Enter into a One Year Contract with TAPCO to Provide Maintenance of 15 Controlled Intersections Under Village Jurisdiction at a cost of \$2,250.00 with Funds to be Allocated from Acct. #10-542-530-3540 [Recommended Approval]
- K. Approval to Contract with Carpet City for an Amount not to Exceed \$12,597.00 for the Flooring Replacement in Various 1st Floor Areas of the Police Department and Approval to Use the Remaining \$2,403 in Budgeted Funds for Additional Flooring at the Police Department for a Total Budgeted Amount Not to Exceed \$15,000.00. Funds to be Allocated from Acct. #10-519-570-8221 [Recommended Approval]
- L. Approval of the Proposed 2017 Village Labor and Equipment Rates as Presented by Staff [Recommended Approval]
- M. Authorization to Proceed with Recommended List of Streets for the Purpose of Bidding and Eventual Construction of the Village's 2017 Road Improvement Project – Streets are: Old Farm Subdivision, Park Avenue, Parkhill/Oak Lane, Concord Area, Lover's Ln/Century

VIII. UNFINISHED BUSINESS:

- A. **ORDINANCE NO. 01-17**, Creating a Conditional Use Permit (CUP) Allowance for Extended hours for Late-Night Outdoor Entertainment Uses

IX. PUBLIC HEARINGS – 7:00 P.M. OR LATER: *The purpose of said hearing(s) is to hear any and all parties, their attorneys or agents, for or against the application(s) filed by the petitioner(s).* None.

X. NEW BUSINESS:

- A. 2017 Capital Projects Review
- B. **RESOLUTION NO. 02-17** Resolution Authorizing the Borrowing of not to Exceed \$3,140,000; and Providing for the Issuance and Sale of General Obligation Promissory Notes Therefore
- C. Request to Purchase Replacement Squad Using Insurance and Budgeted Funds
- D. MLG Development, Agent for MLG Germantown Investment LLC, Property Owner of 118.7 Acres Located in TID #6 East of Appleton Avenue and South of Lannon Road (Parcel GTNV#294-998, 321-981, 321-984, 321-985, 321-991 & 321-999); 2-Lot Certified Survey Map (CSM)
- E. Memorandum of Understanding (MOU) between Washington County Geographic Information Services (GIS) Division & Village of Germantown Community Development Department; Zoning Data & Mapping Maintenance Services;
- F. **CONDITIONAL USE PERMIT** Scott Bence, Agent for Heritage Place Joint Venture, Property Owners and Developer of Saxony Village (GTVN#224-992); Request to Extend Deadline to Commence Use/Activity Granted under **CUP #01-16** (Wetland Alterations & Development within 25' Wetland Setback)
- G. Request to Fill Vacancy of Deputy Clerk Position
- H. Request to Award of Contract for Windsor Court, Castle Drive and Squire Drive Water Main Relay
- I. Christian Tscheschlok From Economic Development Washington County - (Project Advance) And Potential Development Incentive. The Village Board May Enter Into Closed Session Per Wi. Stats. §19.85(1)(E) For The Purpose Of Deliberating Or Negotiating The Purchase Of Public Properties, The Investing Of Public Funds, Or Conducting Other Specified Public Business, Whenever Competitive Or Bargaining Reasons Require A Closed Session And May Re-Enter Open Session To Take Such Action As It Deems Appropriate.
- J. Business Park Marketing Strategy And Future Business Park Development. The Village Board May Enter Into Closed Session Per Wi. §19.85(1)(E) Deliberating Or Negotiating The Acquisition Of Public Property, The Investing Of Public Funds, Or Conducting Other Specified Public Business, Whenever Competitive Or Bargaining Reasons Require A Closed Session And May Re-Enter Open Session To Take Such Action As it Deems Appropriate

XI. ADJOURNMENT

The next Village Board meeting will be on March 6, 2017 at 7:00 p.m.

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.

VII. A

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
January 16, 2017**

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. Absent and excused: Trustee Warren Also Present: Attorney Sajdak, DPW Director Ratayczak, CDD/Planner Retzlaff, Wastewater Superintendent Zimmerman, Fire Chief Weiss and Clerk Goeckner

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT:

With difficult weather the DPW has been out doing their best to put salt down, giving neighborhoods one or two passes within 24 hours.

Honored to present Eagle Scout award yesterday to Logan Kannenberg. Very active in the community and his church. One of the youngest to be awarded this great achievement, as a Freshman.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS: Trustees provided information on upcoming meeting dates and times.

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

Dan Wing – 7304 W Walker ST., West Allis WI – opposed to time changes on proposed Outside Premises Ordinance amendment and decibel level enforcement.

CONSENT AGENDA:

- A. Approval of Village Board Minutes: December 14 & 27, 2016 Special Village Board Meetings
- B. Accounts payable/payroll
 - 1. January 10, 2017 Payroll (hourly) \$ 209,262.16
- C. Operator Licenses: January 17, 2017 to June 30, 2017:
Brittany L. Beason, Thomas R. Meitner, Sangita Raut [Recommended Approval]

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

- D. Request Approval to Purchase a Used Quad-Axel Dump Truck for Water Utility in an Amount not to Exceed \$85,000 with Funds Allocated from Acct# 50-180-185-3920 [Recommended Approval]
- E. Request Approval of Blanket Purchase Order for Recycling Center for Materials, with Max R Recovery in an Amount not to Exceed \$15,000 with Funds Allocated from Acct# 10-546-570-7960 [Recommended Approval]

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

UNFINISHED BUSINESS: None.

PUBLIC HEARINGS – 7:00 P.M. OR LATER:

A. Public Hearing Regarding Proposed Industrial Development Revenue Refunding Bond Financing for L.T. Hampel Corp. project

Administrator Schornack – These are refunding bonds that will have new bonds issued in their place.

President Wolter opened the Public Hearing at 7:26 p.m.

No one spoke at the public hearing.

President Wolter closed the public hearing at 7:27 p.m.

NEW BUSINESS:

MOTION (Baum/Zabel) to take items out of order and go to item E first, carried.

E. Request Approval of the Developer Agreement with Presbyterian Homes

DPW Ratayczak presented information on the Developer Agreement with Presbyterian Homes. Was approved at Public Works with two minor changes. A typo and an agreement to extend the completion date for both buildings from 4 years to 5 years. Developer felt 5 years for completion of both buildings would be a more comfortable time line. All other issues were taken care of except one item awaiting Attorney Sajdak's final approval. Pilot agreement has been entered into. **MOTION (Zabel/Baum) to approve with attorney approving final language.** Discussion of 5-year deadline change, pilot agreement, item waiting for attorney review. Trustee Zabel requested staff contact the County and request that two separate tax key numbers be applied to the property to separate the tax-exempt building from the taxable building for better tracking. Administrator Schornack will speak with the Finance Department to make this request. **Carried.**

A. Consideration of RESOLUTION NO. 01-17, Regarding Industrial Development Revenue Refunding Bond Financing for L.T. Hampel Corp. Project

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

B. ORDINANCE NO. 01-17, Amending the Germantown Municipal Code to Provide for Extended Hours for Certain Late-Night Outdoor Entertainment Uses by Conditional Use Permit Within the Village

Trustee Baum inquired as to changes from Plan Commission not being in ordinance supplied with agenda packet. Attorney Sajdak informed Trustees the item placed in front of them is the current version with the recommended changes from Plan Commission. The Village Board can handle this since it is an agenda item, or could choose to postpone and bring it back at a later meeting with the proper ordinance and information in that packet, or could choose to read the corrected copy for the audience and public and move on that ordinance. The meeting and item were noticed to the public with their tax bill notices. Discussion of items within the ordinance and which establishments it applies to and how to proceed. **MOTION (Kaminski/Miller) to postpone to the next Village Board meeting on February 6, 2017.** Further discussion on how many could apply for this. Administrator Schornack will locate that information and get it posted to the website. Discussion of Mr. Wings comments related to the noise which is only part of this ordinance, which is about extending hours for businesses to have outside activity, decibel levels. Ed Schuster - Main Street, Germantown spoke opposed to the

NEW BUSINESS continued:

amendment change and the effect it will have on them. President Wolter stated the application will be for a Conditional Use Permit which must come back to a Public Hearing for others to speak at and for the Board to determine approval or not. Nancy Litzow – N116W15952 Main Street, Germantown – opposed to ordinance amendment and process. Discussion. President Wolter reminded by Attorney that any further discussion must pertain only to the motion for postponement. **Carried.**

- C. Request Approval of Payment of Invoice for Lucas 3 CPR Device
MOTION (Baum/Kaminski) to approve as presented, roll call vote, carried.
- D. Request Approval to Replace Deputy Chief's Vehicle
MOTION (Myers/Baum) to approve as presented, roll call vote, carried.
- F. Appointments to the Village of Germantown Newly Revised Tourism Commission Due to State Statute Changes Effective January 1, 2017:
- | | | |
|-------------------|------------------------|-------------------------|
| Jeffrey M. Hughes | Chair/Trustee | 01/16/2017 – 05/14/2018 |
| Lynn Grgich | Chamber Representative | 01/16/2017 – 05/14/2018 |
| Sue Ciurro | Hotel Representative | 01/16/2017 – 05/14/2018 |
| Patricia Adair | Member | 01/16/2017 – 05/14/2018 |
| Carroll Merry | Member | 01/16/2017 – 05/14/2018 |
| Judy Rogers | Member | 01/16/2017 – 05/14/2018 |
- MOTION (Baum/Myers) to approve the appointments as presented.** Attorney Sajdak stated Trustee Hughes should not be listed as Chair as by statute that is an appointment the Commission will make. We have the ability to recommend, they make the decision. Discussion. **Carried.**
- G. **MOTION (Baum/Miller) to enter Closed Session at 8:00 p.m., Per Wi. §19.85 (1)(E) For Deliberating or Negotiating the Purchase of Public Properties, The Investing of Public Funds, Or Conducting Other Specified Public Business, When Competitive or Bargaining Reasons Require a Closed Session and May Re-Enter Open Session to Take Such Action as It Deems Appropriate to Discuss Bargaining Strategy Involving Negotiations with the International Association of Firefighters Local 4854, roll call vote, carried.**
MOTION (Zabel/Kaminski) to go back into open session at 8:25 p.m., carried.
- H. Discussion and Action Regarding Tentative Agreement with IAFF Local 4854
MOTION (Baum/Kaminski) to direct staff to complete and execute the contract as discussed in closed session, carried.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:25 p.m.

Barbara K. D. Goeckner MMC/WCPC
Village Clerk

STATE OF WISCONSIN

VILLAGE OF GERMANTOWN

WASHINGTON COUNTY

RESOLUTION NO. 03-17

AMENDMENT TO FEE SCHEDULE FOR AMBULANCE AND EMT SERVICES

WHEREAS, the Village of Germantown having previously set a fee schedule for ambulance and EMT services provided by the Village of Germantown Fire Department on August 18, 2014, and

WHEREAS, Chief Weiss of the Germantown Fire Department has reviewed the current listing, and has recommended an additional charge due to new equipment.

ITEM	RATE
Lucas 3 CPR Device	\$250.00

WHEREAS, the change was approved at the February 6, 2017 Village Board Meeting, and

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Germantown, Wisconsin, do hereby replace the existing fee schedule with the fee schedule attached to this Resolution, which shall henceforth be used and shall constitute the fees for ambulance and EMT services until amended or rescinded by further resolution of the Village Board.

Introduced by Trustee:

Adopted: Vote: Ayes: Nays: Absent:

Dean M. Wolter, Village President

ATTEST:

Barbara K.D. Goeckner, Village Clerk

ATTACHMENT TO RESOLUTION NO. 03-17

FEE SCHEDULE FOR AMBULANCE AND EMT RATES

2/6/2017

Transport Fee	Rate
BLS Base Rate - Resident	\$525.00
BLS Base Rate - Non Resident	\$625.00
Inter-Facility Transfer	\$350.00
ALS 1Rate - Resident	\$700.00
ALS 1Rate - Non Resident	\$800.00
ALS 2 Rate - Resident	\$750.00
ALS 2 Rate - Non Resident	\$850.00
Mileage (per mile transport)	\$18.00
No Transport	Rate
No Transport - 5 -10 (Non-MVA)	\$150.00
No Transport - 11- 15 (Non-MVA)	\$250.00
No Transport 16+ (Non MVA)	\$450.00
Special Services	Rate
Lucas 3 CPR Device	\$250.00
Extrication	\$500.00
Supply Charges	Rate
Advanced Airway	\$150.00
CPAP	\$125.00
Defibrillator/AED Supply	\$100.00
EKG Supply	\$85.00
IV Start	\$75.00
IO Start	\$220.00
OB/Childbirth Supplies	\$50.00
Pneumothorax Kit	\$100.00
Supplies - BLS	\$60.00
Supplies -ALS	\$75.00
Pro-Splints	\$75.00
Medications	Rate
Albuterol	\$30.00
Asprin per Dose	\$10.00
Atrovent	\$25.00
Dextrose	\$30.00
Epinephrine 1:1000	\$75.00
Glucagon	\$350.00
Oral Glucose 15G	\$20.00
Narcan/Nalozone (per 2mg)	\$75.00
Nitroglycerin	\$25.00
Normal Saline Flush	\$35.00
Normal Saline (IV Administration(per 1000ml	\$50.00
Oxygen	\$70.00

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: February 6, 2017

AGENDA ITEM: Consent Agenda

ITEM TITLE: Village Labor & Equipment Rates - 2017

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

SUMMARY EXPLANATION:

As the Village may be requested for personnel or equipment to assist in a project, staff typically prepares a list of rates to be charged for labor and equipment. In 2017 staff is recommending a 2% rate increase for labor and a 3% increase for equipment rates.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER X

Suggested Labor and Equipment Rates for 2017.

RECOMMENDATION:

Staff recommends that the Village Board Approve the 2017 Labor & Equipment Rates as recommended and approved by the Public Works 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.

LABOR RATES -- 2017

VILLAGE OF GERMANTOWN

POSITION DESCRIPTION	Annual Hourly Rates	
	2016	2017
Director of Public Works	\$72.21	\$73.65
Village Engineer	\$60.83	\$62.05
Project Engineer	\$52.40	\$53.45
Engineer Tech III / Land Surveyor	\$45.97	\$46.89
Land Surveyor/Survey Crew w/Robot	\$133.66	\$136.33
Highway Superintendent	\$52.09	\$53.13
Zoning Administrator/Planner	\$59.18	\$60.36
Civil Engineer	\$38.79	\$39.57
Record Drawing Documentation Preparation	\$46.14	\$47.06
Construction Inspection	\$46.14	\$47.06
Highway Maintenance Worker II	\$43.70	\$44.57
Highway Operators (Traffic Signals)	\$50.74	\$51.75
Water Superintendent	\$52.09	\$53.13
Waste Water Superintendent	\$52.09	\$53.13
Utility Operator	\$44.83	\$45.73
Clerical	\$35.34	\$36.05

NOTE: 2017 rates reflect a 2% increase to the 2016 wages.

EQUIPMENT RATES -- 2017

VILLAGE OF GERMANTOWN

EQUIPMENT DESCRIPTION	Annual Hourly Rates	
	2016	2017
Cruz-Air	\$62.20	\$64.07
Case Backhoe & Loader	\$36.72	\$37.82
Michigan Loader	\$46.92	\$48.33
Case/John Deer Loader/Snow Plow	\$79.56	\$81.95
Case/John Deer Loader/Snow Blower	\$108.12	\$111.36
Single Axle Dump Truck (5yd)	\$33.66	\$34.67
Single Axle Dump Truck w/Plow/Aux. Wing/Sander (5 yd)	\$54.06	\$55.68
Tandem Axle Dump Truck	\$44.88	\$46.23
Tandem Axle Dump Truck w/Plow/Aux. Wing/Sander	\$66.30	\$68.29
4 Wheel Oshkosh w/Plow/Wing/Sander	\$108.12	\$111.36
1-Ton Patrol Truck (2-3 yd)	\$25.50	\$26.27
1-Ton Truck w/Plow	\$31.62	\$32.57
Truck w/Water Jetter w/Aux. Power Unit	\$51.00	\$52.53
Aerial Lift Truck	\$63.24	\$65.14
Pickup Truck	\$19.89	\$20.49
Pickup Truck w/Plow	\$28.56	\$29.42
Self Propelled Vibrating Roller	\$38.76	\$39.92
Self Propelled Non-Vibratory Roller	\$35.70	\$36.77
185 cfm Air Compressor (Portable)	\$28.56	\$29.42
Street Sweeper 40 Hp w/Front Mounted Broom	\$37.74	\$38.87
Vacuum Sweeper	\$83.64	\$86.15
Vac All	\$87.72	\$90.35
Sewer line Televising Truck	\$118.32	\$121.87
Combination Sewer Machine (pipe jetter & vac)	\$142.80	\$147.08
Mini Excavator	\$50.00	\$51.50
Skid Steer Loader w/Bucket	\$32.64	\$33.62
Skid Steer Loader w/Snow Blower/Broom	\$35.70	\$36.77
Tar Kettle	\$34.68	\$35.72
Motorized Mower (24" & Under)	\$13.52	\$13.93
Motorized Mower (25"-47")	\$18.87	\$19.44
Motorized Mower (48" & larger)	\$21.93	\$22.59
Tractor w/Sickle or Flail Mower	\$46.92	\$48.33

Chain Saw	\$12.50	\$12.88
Hydraulic Saw	\$12.50	\$12.88
Hydraulic Pruner	\$12.50	\$12.88
Chipper	\$40.80	\$42.02
Generator (225 Kw)	\$58.14	\$59.88
Generator (Under 10 Kw)	\$25.50	\$26.27
Trailer Mounted Vacuum Excavator	\$85.68	\$88.25
6 " Pump/Hose	\$31.62	\$32.57
4" Pump/Hose	\$26.52	\$27.32
3" Pump/Hose	\$21.93	\$22.59
Barricades-----DAILY COST	\$3.06	\$3.15
Traffic Control Signs-----DAILY COST	\$1.53	\$1.58
NOTE: 2017 rates reflect a 3% increase of 2016 rates		

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: February 6, 2017

AGENDA ITEM: Consent

ITEM TITLE: Finalized List of 2017 Street Projects

SUBMITTED BY: Lawrence Ratayczak, P.E., Director of Public Works
John Laning, P.E., Village Engineer

SUMMARY EXPLANATION:

Staff is requesting approval of the list of streets to be included in the 2017 Village of Germantown Road Improvements Project, for the purposes of bidding and construction. Roads proposed for improvement are included in the following attachments.

RECOMMENDATION:

Recommend to Village Board to approve list of streets for bidding and construction in 2017, as included herewith.

COMMITTEE ACTION:

During its February 1, 2017 meeting, the Public Works & Highway Committee advanced this project to the Village Board with a positive recommendation to proceed with the recommended list of streets for the purposes of bidding and eventual construction of the Village's 2017 Road Improvements Project.

Motion at Committee : Aye – 4, Nay – 0

Village of Germantown

Proposed Finalized 2017 Street Projects List

Reconstruct Streets:	Old Farm Subdivision	\$933,640
	Park Avenue	<u>\$ 35,073</u>
	TOTAL:	\$ 968,713

Pulverize Streets:	Parkhill / Oak Lane	\$ 197,640
	Concord Area	\$ 293,688
	Lover's Ln/Century	<u>\$ 177,408***</u>
	TOTAL:	\$ 668,736

ESTIMATED GRAND TOTAL: \$ 1,637,449

*** Note: To be constructed in 2017 if budget remains after all other work has been completed.

2017 Road Improvements Program
Pavement Reconstruct Streets

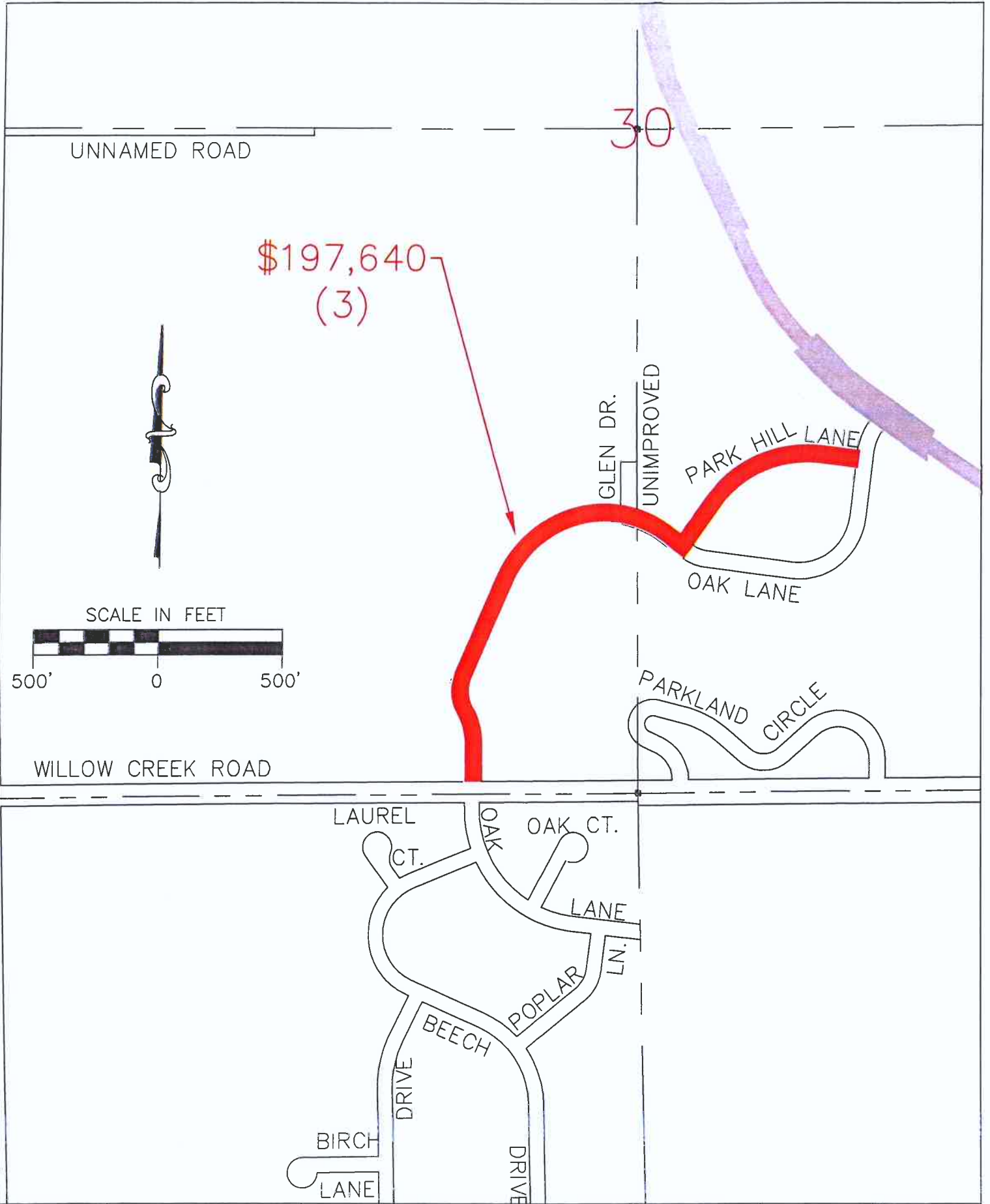
2/1/2017

Street	From:	To:	Length (L.F.)	Width (L.F.)	Area (S.Y.)	Estimated Cost
Old Farm Road	Field Stone Pass	Ridgeview Lane	2429	36	9716	\$330,344
Hedge Way	Old Farm Road	Termini	317	36	1268	\$43,112
Auburn Lane	Old Farm Road	Fieldstone Pass	370	36	1480	\$50,320
Brook Hollow Drive	Old Farm Road	Hedge Way	1162	36	4648	\$158,032
Brook Hollow Court	Brook Hollow Dr.	Termini	211	36	844	\$28,696
Hedge Way	Brook Hollow Dr.	Auburn Lane	950	36	3800	\$129,200
Hollow Brook Drive	Hedge Way	Donges Bay Road	264	36	1056	\$35,904
Auburn Lane	Old Farm Road	Hedge Way	1162	36	4648	\$158,032
						\$933,640
Park Avenue	Fond du Lac Ave.	211' North	211	44	1032	\$35,073

2017 Road Improvements Program
Pulverize and Overlay Streets

2/1/2017

Street	From:	To:	Length (L.F.)	Width (L.F.)	Area (S.Y.)	Estimated Cost
Parkhill Lane	Oak Lane	Willow Creek Road	950	24	2533	\$68,400
Oak Lane	Park Hill Lane	Willow Creek Road	1795	24	4787	\$129,240
						\$197,640
Concord Road	Colonial Drive	Division Road	3749	24	9997	\$269,928
Nigbor Road	Concord Road	Division Road	220	36	880	\$23,760
						\$293,688
Lover's Lane	Division Road	Century Lane	1320	16	2347	\$63,360
Century Lane	Lover's Lane	Fond du Lac Ave.	2112	18	4224	\$114,048
						\$177,408



PROJECT NUMBER
1701
PROJECT FILE
SCALE
AS SHOWN
SHEET NUMBER
1



2017 ROAD PROJECTS AREA-1 VILLAGE OF GERMANTOWN, WIS. VILLAGE OF GERMANTOWN, WI

DESIGNED BY	RCB	DATE	??/??/??
DRAWN BY	RCB	DATE	??/??/??
APPROVED BY	JAL	DATE	??/??/??
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© 2010 VILLAGE OF GERMANTOWN ENGINEERING DEPARTMENT			

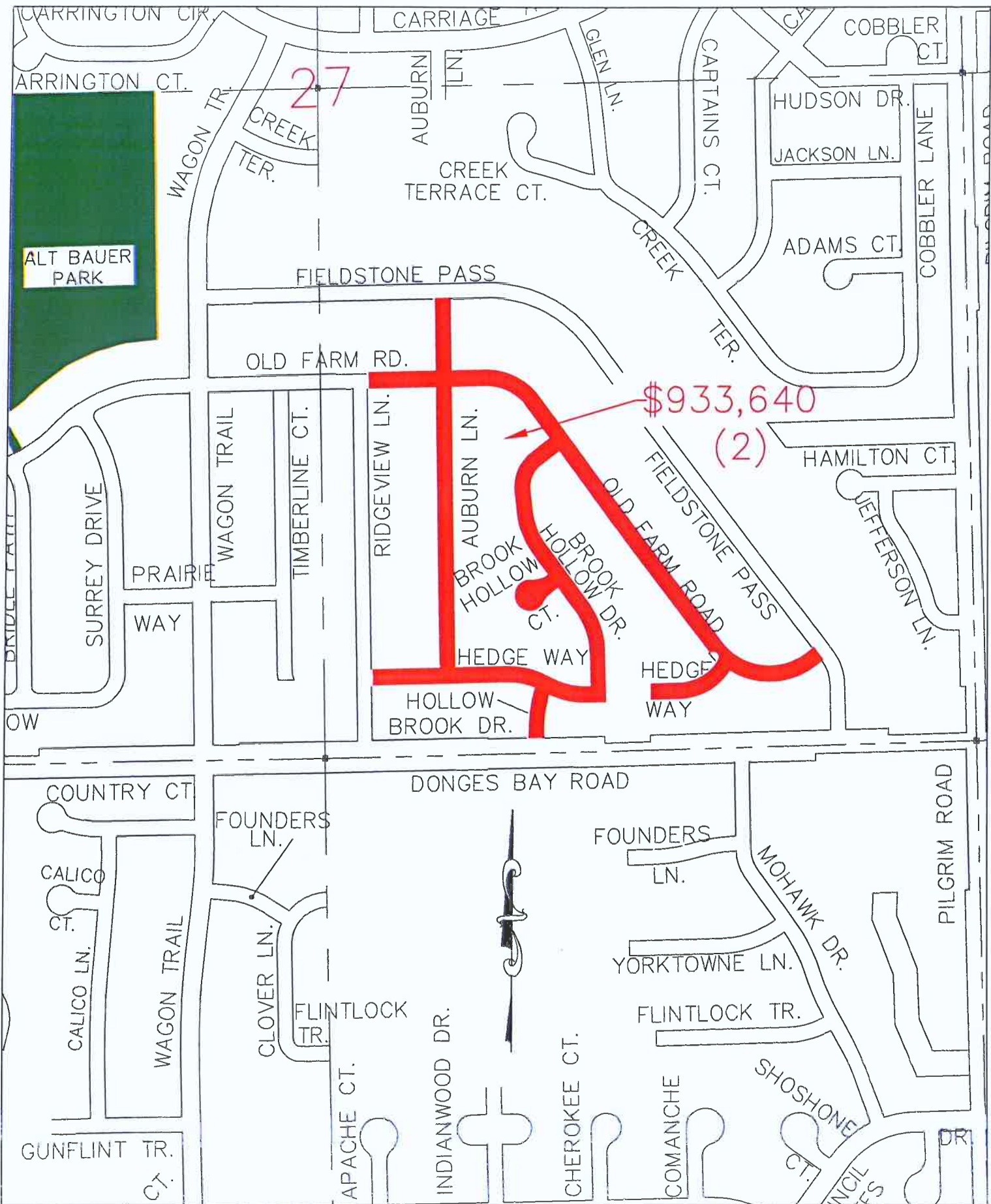


PROJECT NUMBER	1701
PROJECT FILE	
SCALE	1"=500'
SHEET NUMBER	2



2017 ROAD PROJECTS
AREA-2
VILLAGE OF GERMANTOWN, WIS.
VILLAGE OF GERMANTOWN, WI

DESIGNED BY	RCB	DATE	??/??/??
DRAWN BY	RCB	DATE	??/??/??
APPROVED BY	JAL	DATE	??/??/??
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© 2010 VILLAGE OF GERMANTOWN ENGINEERING DEPARTMENT			



PROJECT NUMBER
1701

PROJECT FILE

SCALE
1"=500'

SHEET NUMBER
3



2017 ROAD PROJECTS AREA-3

VILLAGE OF GERMANTOWN, WIS.
VILLAGE OF GERMANTOWN, WI

DESIGNED BY RCB	DATE ??/??/??
DRAWN BY RCB	DATE ??/??/??
APPROVED BY JAL	DATE ??/??/??
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PROJECT NUMBER	1701
PROJECT FILE	
SCALE	1"=500'
SHEET NUMBER	4



2017 ROAD PROJECTS
AREA-4
VILLAGE OF GERMANTOWN, WIS.
VILLAGE OF GERMANTOWN, WI

DESIGNED BY	RCB	DATE	??/??/??
DRAWN BY	RCB	DATE	??/??/??
APPROVED BY	JAL	DATE	??/??/??
CADFILE(\\eng\cadd\proj\job no\dwg\???.dwg)			
© 2010 VILLAGE OF GERMANTOWN ENGINEERING DEPARTMENT			



PROJECT NUMBER	1701
PROJECT FILE	
SCALE	1"=500'
SHEET NUMBER	5



2017 ROAD PROJECTS AREA-5

VILLAGE OF GERMANTOWN, WIS.
VILLAGE OF GERMANTOWN, WI

DESIGNED BY	RCB	DATE	??/??/??
DRAWN BY	RCB	DATE	??/??/??
APPROVED BY	JAL	DATE	??/??/??
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**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

VIII A.

MEETING DATE: February 6, 2017

AGENDA ITEM: Old Business (tabled from January 16, 2017) **[ORDINANCE]**

ITEM TITLE: Ordinance No. 01-17; Creating a Conditional Use Permit (CUP) Allowance for Extended Hours for Late-Night Outdoor Entertainment Uses

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department

SUMMARY EXPLANATION:

At the September 19, 2016 meeting (minutes attached), the Village Board held a public hearing for various Zoning Code amendments proposed by Village staff including the creation of Section 17.42(10). The Village's Public Safety Committee directed the Village Attorney to draft an ordinance that would create an opportunity for businesses that provide late-night outdoor entertainment to apply for a CUP that would enable such businesses to extend their hours for outdoor entertainment from 10:00 pm to 12:00 midnight.

Because the proposed ordinance included changes to the Zoning Code, the Plan Commission was required to make a recommendation to the Village Board. At their meeting on August 8, 2016, the PC recommended approval subject to a series of revisions (see attached minutes and highlighted page 2 of proposed ordinance).

ATTACHMENTS:

- ◆ 9/16/2016 Village Board Meeting Minutes
- ◆ 8/8/16 Plan Commission Meeting Minutes
- ◆ Draft Ordinance (Annotated with PC recommended revisions)

PLAN COMMISSION RECOMMENDATION:

APPROVE the proposed Zoning Code amendment to Section 17.42(10) subject to three (3) revisions:

1. Delete sub-section (c) pertaining to the submission of certain documentation regarding a restaurants gross sales;
 2. Delete sub-section (d) prohibiting music after 10:00 pm; and
 3. Adding the terms "tavern" and "business" to clarify the intent that both "taverns" and "restaurants" are eligible to apply for an outdoor entertainment CUP.
-

UPDATE (since January 16 VB meeting)

At the January 16 VB meeting but prior to tabling action until the February 6 meeting, a question was asked regarding the number of businesses that would be eligible to apply for an outdoor entertainment CUP given the 200' business-to-residential district buffer or setback requirement. Using the Village GIS system, Village staff prepared a series of maps using a 200' buffer established around each of the twenty-six (26) tavern and/or restaurant businesses with liquor licenses in the Village who could, conceivably be interested in seeking a CUP.

Using the 200' buffer, only two (2) businesses would be eligible to apply for a CUP: (1) Bier Stube; and (2) Old Town Inn. If the buffer is reduced to 100', three (3) additional businesses would be eligible: (3) Barley Pop; (4) Chili's; and (5) Buffalo Wild Wings.

UNFINISHED BUSINESS: None

PUBLIC HEARINGS – 7:00 P.M. OR LATER: *The purpose of said hearing(s) is to hear any and all parties, their attorneys or agents, for or against the application(s) filed by the petitioner(s).*

- A. Skyline Development Corp., Agent and Petitioner for DBH 1031 LLC, (Sports Specialists of Milwaukee Inc.), to Amend Conditional Use Permit No. 04-16, to Revise the Amount of Land mitigation for Development Activities Within a 25' Wetland and 75' Navigable Waterway Setback on the Property located at N104 W13885 Donges Bay Road (Tax Key No. GTNV 362-981, pursuant to Section 24.04(3) of the Municipal Code;
Community Development Director Retzlaff presented information on this request.
President Wolter opened the Public Hearing at 7:38 p.m.
No one spoke regarding this application.
President Wolter closed the Public Hearing at 7:39 p.m.

- B. Village of Germantown Community Development Department for Petition for Proposed Text Amendments to the following sections of the Zoning Code (Chapter 17) of the Village of Germantown Municipal Code: 17.07 (General Provisions); 17.08 (Definitions); 17.42 (Conditional Uses); 17.43 (Site Plan Approval Requirements); 17.48 (Non-Conforming Uses, Structures and Lots); 17.51 (Changes and Amendments; and 17.56 (Wireless Communication Facilities)
Community Development Director Retzlaff presented information on the proposed amendments to the Zoning Code. Does include Section 17.42(10) (Late-Night Outdoor Entertainment). Village Board directed Attorney Sajdak to draft the amendment to address business owner requests for outside premises and times allowed. Plan Commission made changes to that ordinance and recommended removing language of limiting the time to 10:00 p.m. CDD Retzlaff further explained the remaining text amendments.
President Wolter opened the Public Hearing at 7:48 p.m.
The following persons spoke against amending Section 17.42(10) Late-Night Outdoor Entertainment:
Carrie Schuster – N116W15881 Main Street
Nancy Litzow – N116W15925 Main Street
Jeff Litzow – N116W15925 Main Street
President Wolter closed the Public Hearing at 8:01 p.m.

NEW BUSINESS:

MOTION (Wolter/Hughes) to put forward a vote for a reconsideration of the August 29, 2016 Village Board item regarding Presbyterian Homes of WI Inc., Applicant and Agent for Germantown Commerce Center LLC and Romano & Schmitt LLC, Property Owners, N112W17300 Mequon Road.

Discussion of which of the two items would be reconsidered since they never acted on the second item for conditions and restrictions. Attorney Sajdak stated both would be up for reconsideration. President Wolter stated he didn't think the item was given a proper venting and debate, in fairness to the developer. Further explanation of the reconsideration.

Discussion on the proposed amendments to PDD and a proposed PILOT agreement. **By roll call vote, 4 yes, 3 no (Campbell, Myers, Zabel), carried.**

NEW BUSINESS continued:

A. CONDITIONAL USE PERMIT:

Skyline Development Corp., Agent for Sports Specialists of Milwaukee Inc., Property Owner of N104W13885 Donges Bay Road (Tax Key No. GTNV 362-981); Request to Amend Conditional Use Permit No. 04-16 to Adopt Changes to the Wetland & Navigable Waterway Setback Mitigation Plan

MOTION (Hughes/Warren) to approve the Conditional Use Permit as presented, conditional upon us finalizing the easement discussed. Discussion of other property ownership and easement being worked on. Carried.

B. ORDINANCE AMENDMENTS:

1. **ZONING ORDINANCE:** Village of Germantown Community Development Department, Text Amendments to Various Sections of the Zoning Code (Chapter 17) of the Village of Germantown Municipal Code

(Trustee Baum arrived at 8:25 p.m.)

MOTION (Myers/Miller) to take items #1 – #3 each separately, carried.

MOTION (Hughes/Warren) to start with item #3 and go back to item #1 as listed on the slide. Carried. (Zabel opposed)

Section 17.43(7) MOTION (Miller/Myers) to approve as presented.

Discussion of approval by Village Board or Plan Commission for site plans.

MOTION (Zabel/Hughes) to amend the motion that final site plan review and approval for multi-family zoning districts, be done by the Village Board.

Discussion of why only for multi-family zoning districts, should also be residential.

Attorney Sajdak: Read State Statute 62.23, sets out makeup of Plan

Commission and their duties. In his experience, governing board in Village

having final review authority is rare. Further discussion on why specific to Multi-

Family and not all and process followed. **3 in favor, 5 opposed (Baum, Miller,**

Myers, Warren, Wolter), motion to amend fails.

Original motion, carried.

Section 17.43(6) MOTION Miller/Baum to approve amendment #2 as

presented. Discussion of addressing any changes or requirements and process required. Carried.

Section 17.42(10) MOTION (Baum/Hughes) to approve as presented.

Discussion of changes by Plan Commission; 10:00 p.m. time limit pulled so all criteria would be subject to discussion with Village, not specific on one item. This gives option to negotiate items through CUP program based on each situation and specifics. Still have same outside premises requirements but they would need to get a Conditional Use Permit with public hearing and Village Board approval. An amendment to proposed amendment under B, I would remove 'business' and leave 'restaurant' and add 'or tavern' to keep it consistent. Plan Commission contemplated this. **MOTION (Baum/Miller) to amend the motion to have restaurant or tavern there instead of business, under item 'B', carried.** Further discussion regarding zoning and B-3 having a residential component with tenants above the businesses. **MOTION (Zabel) to remove B-3 from this ordinance.** Discussion of the reasoning and need to make business apply and deal with the specific review process. Cost of CUP currently \$1,400.

NEW BUSINESS continued:

Could consider allowing them to apply and get their fee back if they were denied, less any time and costs spent – return the balance. Call for a second to the motion. **Motion fails for lack of a second.** Further discussion: Who is notified when application submitted; resident in Main Street area wants it to residents further out than 300'; could be extended as it has been for other items in past; current notice was agenda item only; item 'c' put in by Public Safety and removed by Plan Commission – already stated in definitions in code. **MOTION (Wolter/Warren) to amend to postpone this item to more publicly announce this change in ordinance, to next Village Board meeting, regarding newspapers or any other vehicle so chosen to allow opportunity for more people.** Discussion of other avenues for notice. Can be postponed further than next meeting since outside season is ending. Could happen in November or December. Could also make a motion to amend to push it back into Public Safety. **MOTION (Baum/Warren) amendment to the amendment to move it back to Public Safety and go to two meetings out.** Discussion. **Amendment to amendment carried. Amendment to motion, carried.**

2. ****PUBLIC PEACE AND GOOD ORDER ORDINANCE: Village of Germantown Amendment to Provide for Extended Hours for Certain Late-Night Outdoor Entertainment Uses by Conditional Use Permit Within the Village (Section 9.07(2)(b) of the Village of Germantown Municipal Code****
MOTION (Hughes/Baum) to table, carried.

C. **Amendment to Saxony Village Development Agreement to Allow for Phasing of Construction**

Presented by DPW Director Ratayczak. Developer has requested to amend as shown in your packet. Original Developer Agreement approved and then reviewed by our attorney. Gehl's contribution of funds for sanitary sewer relay will be going through Saxony Village and we must have two agreements. Developer has approval from Plan Commission to do site in two phases of construction. Two changes: Section 1.03 ability for development agreements between Gehl's and Developer and Gehl's and Village. Second change approved at August 15th meeting to do the project in two phases. Allows DPW access to this site. Would restrict access for way to travel in and out of site.

MOTION (Baum/Warren) to approve. Discussion of #1.03 and process/path of developer in project, meeting requirement, what happens if they don't come to a conclusion, costs if changes are denied, looking at changes in plan to reduce costs.

MOTION (Zabel) to amend to eliminate 'by November 30th, 2016' from 1.03, don't put a date on it. Motion fails for lack of a second. Original motion carried. (Zabel opposed)

ADJOURNMENT

There being no further business, the meeting adjourned at 9:40 p.m.

Barbara K. D. Goeckner MMC/WCPC
Village Clerk

Community Development Department- Proposed Code Amendments to various provisions to Section 17 (Zoning Code).

The amendments are proposed in order to bring provisions up-to-date in light of changes to Wisconsin Statutes; reflect recent actions and/or policy decisions by the Village; or clarify and improve staff's ability to administer and enforce these particular regulations. Planner Retzlaff summarized the code amendments.

Amendment #1: The proposed amendment was created to implement the Village Board's direction to create a process by which business owners can apply for a conditional use permit that would enable businesses with a CUP to conduct outdoor entertainment activities from 10:00pm to 12:00 midnight subject to a series of conditions. Discussion followed. Trustee Baum explained the noise ordinance starts at 10pm, so specifically no music could be allowed after 10 pm. He said the Public Safety Committee discussed that you could have dinner outside but you couldn't have music or bands outside. This proposed another problem if someone's bedroom is 10 feet from where people are sitting having dinner. Planner Retzlaff explained the conditional use permit would be a pass to make additional noise. Trustee Baum explained that any business who wants to propose an outdoor use after 10pm would need to apply for a conditional use permit and define and describe what they are proposing to do. The Plan Commission and Public Safety Committee would then decide whether it would be acceptable at their location.

MOTION Gray second Baum to Approve the amendment to Section 17.42(10) as proposed:

17.42(10) LATE-NIGHT OUTDOOR ENTERTAINMENT.

Any restaurant within a B-1, B-2, B-3, B-4, B-5 or HIA Highway Interchange Area Overlay zoning district may apply for a late-night outdoor entertainment conditional use permit under the provisions of this section. A late-night outdoor entertainment conditional use permit shall authorize the restaurant to conduct outdoor activities between 10:00 pm and midnight notwithstanding any other provision of the Municipal Code subject to the following:

- a. **The property shall be located a minimum of 200 feet from any residential zoning district;**
- b. **The restaurant shall have been in business continuously for not less than 3 months at the time of application; and**
- c. **The restaurant shall, at the time of application and annually thereafter submit to the Village documentation showing that more than 50% of the restaurant's gross sales are from the sale of food together with a signed statement from a certified public account who has reviewed the data and certifies that it is correct.**
- d. **No music shall be allowed after 10:00 pm.**
- e. **Any other condition that may be placed upon the permit by the Village Board to ensure compatibility and harmony with surrounding uses.**
- f. **Nothing herein shall prohibit the Village from enforcing its code provisions related to those noises which are excessively or unnecessary loud, disorderly, or which otherwise create a nuisance.**

MOTION to Amend Gray second Baum to remove Item d.

MOTION to Amend carried unanimously.

MOTION to Amend Laszewski second Baum to correct Item c. to: ... a signed statement from a Certified Public Accountant and; add ...more than 50% of the restaurant's prior year gross sales. . .

Planner Retzlaff read the definitions in the zoning code for restaurant and tavern. Discussion followed.

MOTION to Amend carried unanimously.

MOTION to Amend Baum second Shadid to eliminate Item c.

MOTION to Amend carried unanimously.

Chairman Wolter questioned why the amendment says any restaurant when late night outdoor entertainment encompasses both a restaurant and tavern. Planner Retzlaff said each application should be considered on its own merits.

MOTION to Amend Baum second Shadid to add: . . . any restaurant or tavern . . . to the ordinance.

MOTION to Amend carried unanimously.

MOTION to Amend Baum second Shadid to change Item b: . . . the Business shall have been in business . . .

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Village of Germantown Zoning Code (Chapter 17)

Section 17.08 Definitions

(64a) RESTAURANT.

(Cr. Ord. #14-10) An establishment kept, used, maintained, advertised, or held out to the public as a place where the primary business is the preparation of food and meals in suitable kitchen facilities with service of such food and beverages to patrons. Food or drink are prepared and served within an enclosed building or outside dining area and predominantly consumed by customers seated at tables and served by wait staff on the premises. Other activities such as entertainment, the sale and service of alcoholic beverages for on-premises consumption, or the "carry-out" of food for off-premises consumption is considered to be accessory or incidental to the primary purpose of preparing and serving food. Restaurants have permanent seating facilities with sufficient counters or tables and seating to accommodate all customers being served with the surface of such counters or tables sufficient to accommodate full culinary services for each customer. The accessory or incidental sale of alcohol shall not entitle an establishment to be considered a tavern under the terms of this Code. The term "restaurant" shall not be interpreted to include "tavern".

When an establishment includes characteristics shared by both a restaurant and tavern, the Zoning Administrator may consider one or more of the following characteristics when determining whether an establishment is one or the other: (1) days and hours of operation; (2) amount, relative percentage, and type of floor space, seating, tables, etc. devoted to the sale and service of alcoholic beverages vs. the preparation and service of food or other uses or activities; (3) size and type of kitchen facilities; (4) relative percentage of projected or actual business income (e.g., gross receipts) attributable to the sale of alcoholic beverages vs. food and meals; (5) other business, property, building, employee or patron-specific characteristics not listed herein.

(86a) TAVERN.

(Cr. Ord. #14-10) An establishment kept, used, maintained, advertised, or held out to the public as a place where the primary business is the sale and service of alcoholic beverages for on-premises consumption, subject to regulatory authority of the Village of Germantown and consisting of one or more of the following characteristics: age restrictions or cover charges for admission; listening to music; hours of operation which extend beyond the normal dining times for dinner (after 10:00 p.m.). The serving of already prepared snacks, chips, peanuts, pizzas, and other limited menu "short-order" grill items in a tavern is considered to be accessory or incidental to the principal use of serving and consuming alcoholic beverages. The accessory or incidental sale of such snacks or food items shall not entitle an establishment to be considered a restaurant under the terms of this Code. The term "tavern" shall not be interpreted to include "restaurant".

When an establishment includes characteristics shared by both a restaurant and tavern, the Zoning Administrator may consider one or more of the following characteristics when determining whether an establishment is one or the other: (1) days and hours of operation; (2) amount, relative percentage, and type of floor space, seating, tables, etc. devoted to the sale and service of alcoholic beverages vs. the preparation and service of food or other uses or activities; (3) size and type of kitchen facilities; (4) relative percentage of projected or actual business income (e.g., gross receipts) attributable to the sale of alcoholic beverages vs. food and meals; (5) other business, property, building, employee or patron-specific characteristics not listed herein.

STATE OF WISCONSIN VILLAGE OF GERMANTOWN WASHINGTON COUNTY

ORDINANCE NO. 01-17

AN ORDINANCE AMENDING THE GERMANTOWN MUNICIPAL CODE TO
PROVIDE FOR EXTENDED HOURS FOR CERTAIN LATE-NIGHT OUTDOOR
ENTERTAINMENT USES BY CONDITIONAL USE PERMIT WITHIN THE VILLAGE

WHEREAS, the Village Board, having previously adopted § 9.07 of the Municipal Code of Germantown, regulates the various aspects of noise within the Village including outdoor entertainment; and

WHEREAS, the Village Board wishes to authorize certain outdoor entertainment uses to have extended hours of operation; and

WHEREAS, the regulation of noise associated with outdoor entertainment within the Village promotes the health, safety and welfare of the Community;

NOW, THEREFORE, the Village Board of the Village of Germantown, Wisconsin, do ordain as follows:

SECTION I:

Section 9.07(2)(b) of the Municipal Code of the Village of Germantown is hereby amended to read as follows (Note: Added text is underlined, deleted text is ~~struck through~~):

9.07(2)(b) Radios, Phonographs, Similar Devices. Except for Village celebrations authorized and regulated by the Village Board, and except for those uses which have obtained a late-night outdoor entertainment conditional use permit pursuant under the Zoning Code, the using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in a loud and unnecessary manner. The operation of any set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 6:00 a.m. in a manner as to be plainly audible at the property line of the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

SECTION II:

Section 17.42(10) of the Municipal Code of the Village of Germantown is hereby created to read as follows:

(10) LATE-NIGHT OUTDOOR ENTERTAINMENT. Any restaurant **or tavern** within a B-1, B-2, B-3, B-4, B-5 or HIA Highway Interchange Area Overlay zoning district may apply for a late-night outdoor entertainment conditional use permit under the provisions of this section. A late-night outdoor entertainment conditional use permit shall authorize the restaurant to conduct outdoor activities between 10:00 pm and midnight notwithstanding any other provision of the Municipal Code subject to the following:

- (a) The property shall be located a minimum of 200 feet from any residential zoning district;
- (b) The **business restaurant** shall have been in business continuously for not less than 3 months at the time of application; and
- ~~(c) The restaurant shall, at the time of application and annually thereafter submit to the Village documentation showing that more than 50% of the restaurant's gross sales are from the sale of food together with a signed statement from a certified public accountant who has reviewed the data and certifies that it is correct.~~
- ~~(d) No music shall be allowed after 10:00 pm.~~
- (e) Any other condition that may be placed upon the permit by the Village Board to ensure compatibility and harmony with surrounding uses.
- (f) Nothing herein shall prohibit the Village from enforcing its code provisions related to those noises which are excessively or unnecessary loud, disorderly, or which otherwise create a nuisance.

SECTION III:

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION IV:

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

SECTION V:

This ordinance shall take effect and be in full force upon its passage and the day after publication.

Introduced by Trustee:

Adopted:

Vote: Ayes:

Nays:

Absent:

Dean M. Wolter, Village President

ATTEST:

Barbara K.D. Goeckner, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Posted: _____

Jeff Retzlaff

From: Jeff Retzlaff
Sent: Wednesday, January 18, 2017 1:27 PM
To: Dave Schornack
Cc: Dean Wolter; Lori Johnson; Chief Peter Hoell; 'Brian Sajdak'
Subject: Outdoor Entertainment CUP Ordinance; Eligible Businesses
Attachments: List-Taverns and Restaurants with Class B Liquor Licenses-July 2016.pdf; Maps-200 Foot Buffer- Business with Liquor License.pdf

COPY

Dave:

At their Jan 16 meeting, the VB requested information on the number/name of those businesses (taverns and restaurants) that satisfy the criteria that "the property shall be located a minimum of 200 feet from any residential zoning district" (found in 17.42(10)a. of the proposed ordinance). Assuming that the 200 feet separation distance is to be measured as a "property line-to-property line" distance, we have identified only two (2) existing businesses that meet this criteria:

1. Bier Stube
2. Old Town Inn

The information used in this determination includes: a list of all (26) businesses having a Class B liquor license (Retail-Combo, Beer/Wine Combo, Beer & Winery); and a series of parcel-based maps from the Village's GIS system that show zoning districts, property lines for all (26) businesses, and a 200' "buffer" extending outward from each business property. Based on a visual review of these maps, staff concluded that there are only two out of the twenty-six businesses that are at least 200' away from the nearest property within a residential zoning district. The remaining 24 business properties are located within 200' of a property located within a residential zoning district.

The list of businesses and maps used for this assessment are attached (Note: there are only 25 maps because two businesses are included in one of the maps).

I will let you decide how and when you want to pass along this information to the Village Board.

Let me know if you have any questions.

Jeff

Jeffrey W. Retzlaff, AICP
Community Development Director
Zoning Administrator
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4735
jretzlaff@village.germantown.wi.us

Village of Germantown

Sorted by: Customer Name

Active Date: 7/01/2016

Business Licenses

Type: Class B Retail - Combo

Date: 6/29/2016

Time: 10:36 AM

Page: 1

License no	Name	Address	Address 2	Address 3	DOB	e-mail
16- 1	Aldo's Pizza & Pub LLC	W156 N11058 Pilgrim Road	Germantown, WI 53022			
Trade name:	Aldo's Pizza & Pub	W156 N11058 Pilgrim Road	Germantown, WI 53022			
Agent:	Dwayne R. Ketterer	584 Jordan Circle	Colgate, WI 53017			
16- 2	Barley Pop Brew Haus, LLC	N116 W16137 Main Street	Germantown, WI 53022			
Trade name:	Barley Pop Pub & Restaurant	N116 W16137 Main Street	Germantown, WI 53022			
Agent:	Deborah Reinbold	1388 Parkview Drive	Hubertus, WI 53033		5/18/1973	
16- 3	Blackstone Creek Golf Club Ltd	N112 W17300 Mequon Road	Germantown, WI 53022			
Trade name:	Blackstone Creek Golf Club	N112 W17300 Mequon Road	Germantown, WI 53022			
Agent:	Troy D. Schmidt	N105 W14467 Wilson Circle	Germantown, WI 53022		9/21/1970	
16- 5	Biazin Wings Inc.	5500 Wayzata Blvd.	Suite 1600	Minneapolis, MN 55416		
Trade name:	Buffalo Wild Wings	N96 W17990 County Line Ro	Germantown, WI 53022			
Agent:	Jillian Cabanatuan	N96 W20309 County Line Rd	Menomonee Falls, WI 53		7/09/1985	
Mail to:	Buffalo Wild Wings	N96 W17990 County Line Ro	Germantown, WI 53022	262-251-1780		
16- 4	Bubs On Main LLC	N116 W16218 Main Street	Germantown, WI 53022			
Trade name:	Bubs Irish Pub	N116 W16218 Main Street	Germantown, WI 53022			
Agent:	Scott H. Pecor	306 W. Ravine Baye Road	Bayside, WI 53217		4/27/1956	
16- 6	ERJ Dining III, LLC	1903 Stanley Gault Parkwa	Louisville, KY 40223			
Trade name:	Chili's Grill & Bar	N96 W18640 County Line Ro	Germantown, WI 53022			
Agent:	Paul S. Thompson	6812 W Greyhawk Court	Franklin, WI 53132		5/06/1957	
Mail to:	Chili's Grill & Bar	N96 W18640 County Line Ro	Germantown, WI 53022			
16- 7	Eastern Kettle Moraine Moose L	W198 N10217 Appleton Aven	Germantown, WI 53022			
Trade name:	Eastern Kettle Moraine Moose L	W198 N10217 Appleton Aven	Germantown, WI 53022			
Agent:	Daniel S. Frailing	621 Berrington Ct Apt A	West Bend, WI 53095		11/29/1971	danfrailing@yahoo.com
16- 8	Florian Park Inc.	W6120 Rock Falls Rd.	Eau Claire, WI 54701			
Trade name:	Florian Park Conference & Even	N111 W18611 Mequon Rd	Germantown, WI 53022			
Agent:	Ryan Rahl	311 Preserve Way	Colgate, WI 53017		12/14/1981	
Mail to:	Florian Park Conference & Even	N111 W18611 Mequon Rd	Germantown, WI 53022	262-257-9181		
16- 16	GTown Pub LLC	W201 N10466 Appleton Aven	Germantown, WI 53022			
Trade name:	The Public House	W201 N10466 Appleton Aven	Germantown, WI 53022			
Agent:	Craig S. Braidigan	2385 Scenic Hill Trail	Richfield, WI 53076		8/15/1970	
16- 10	Germantown American Legion Pos	N120 W15932 Freistadt Roa	P.O. Box 321	Germantown, WI 53022		
Trade name:	Germantown American Legion Pos	N120 W15932 Freistadt Roa	P.O. Box 321	Germantown, WI 53022		
Agent:	James A. Heimann	2584 Country Aire Drive	Cedarburg, WI 53012		2/08/1951	

Village of Germantown

Business Licenses

Date: 6/29/2016

Time: 10:36 AM

Page: 2

Sorted by: Customer Name

Active Date: 7/01/2016

Type: Class B Retail - Combo

License no	Name	Address	Address 2	Address 3	D O B	e-mail
16- 9	J K GAM, LLC Trade name: Gamroth's Kuhburg Junction Agent: Jon R. Gamroth	351-9144 10385 W140 N10305 Fond Du Lac A W140 N10305 Fond Du Lac A N104 W15303 Donges Bay Ro	Germantown, WI 53022 Germantown, WI 53022 Germantown, WI 53022		7/17/1961	
16- 12	La Chimenea LLC Trade name: La Chimenea Agent: Ricardo Jimenez	262-946 26 N112 W15251 Mequon Road N112 W15251 Mequon Road 3625 W. Orchard St.	Germantown, WI 53022 Germantown, WI 53022 Milwaukee, WI 53215			
16- 13	Lone Star LLC Trade name: Lone Star Agent: Karen Ann Pritzlaff	202-990 33 W204 N11912 Goldendale Ro W204 N11912 Goldendale Ro W204 N11912 Goldendale Ro	Germantown, WI 53022 Germantown, WI 53022 Germantown, WI 53022			
16- 14	Metro Cigars, LLC Trade name: Metro Cigars Agent: Jennifer Lynn Groh	333-997 12 W182 N9606 Appleton Avenu W182 N9606 Appleton Avenu 1671 Holy Hill Lane	Germantown, WI 53022 Germantown, WI 53022 Hubertus, WI 53033		4/14/1971	
16- 15	Nardo's, Inc. Trade name: Nardo's Passport Inn Agent: Christopher R. Mastronardo	203-992 35 W204 N11498 Goldendale Ro W204 N11498 Goldendale Ro 445 Wildwood Rdg	Germantown, WI 53022 P.O. Box 7 Colgate, WI 53017	Germantown, WI 53022		
16- 11	Northridge Automotive Enterpri Trade name: Ivey's At Main Agent: David L. Iverson II	221-072-001 32 W157 N11618 Fond Du Lac A W157 N11618 Fond Du Lac A W197 N17002 Stoneway Driv	Germantown, WI 53022 Germantown, WI 53022 Jackson, WI 53037		12/08/1985	
16- 24	Old Town Beer Hall Trade name: Old Town Beer Hall	224-960 40 N116 W15841 Main Street N116 W15841 Main Street	Germantown, WI 53022 Germantown, WI 53022			
16- 20	Old Town WI, LLC Trade name: Old Town Beer Hall Agent: Charles B. Hastings	644 County Rd K N116 W15841 Main Street 11310 W. Silver Spring Ro	Hartford, WI 53027 Germantown, WI 53022 Milwaukee, WI 53225		11/06/1967 11/06/1967	
16- 21	Riversbend Country Club, Inc. Trade name: Riversbend Golf Club Agent: Charles L. Schmit	333-950 9 N96 W18034 County Line Ro N96 W18034 County Line Ro N132 W18021 Rockfield Roa	Germantown, WI 53022 Germantown, WI 53022 Germantown, WI 53022			
16- 17	Robin L. Bird, LLC Trade name: Sports Corner Bar & Grill Agent: Robin L. Bird	162-994 23 W187 N12793 Fond Du Lac A W187 N12793 Fond Du Lac A W188 N13367 Maple Road	Germantown, WI 53022 Germantown, WI 53022 Richfield, WI 53076		5/29/1956	
16- 18	Tiny T's Trade name: Tiny T's Agent: Christine Ann Brockman	221-996 26 W157 N11638 Fond Du Lac A W157 N11638 Fond Du Lac A W157 N11638 Fond Du Lac A	Germantown, WI 53022 Germantown, WI 53022 Germantown, WI 53022			

Village of Germantown

Business Licenses

Date: 6/29/2016

Time: 10:36 AM

Page: 3

Sorted by: Customer Name

Active Date: 7/01/2016

Type: Class B Retail - Combo

License no	Name	Address	Address 2	Address 3	D O B	e-mail
16- 22	WI Bier Stube, LLC	644 Hwy K	Hartford, WI 53027		11/06/1967	
Trade name:	Von Rothenburg Bier Stube	N116 N15863 Main Street	Germantown, WI 53022			
16- 27	WI Bier Stube, LLC	644 Hwy K	Hartford, WI 53027		11/06/1967	
Trade name:	Von Rothenburg Bier Stube	N116 N15863 Main Street	Germantown, WI 53022			
Agent:	Charles B. Hastings	11310 W. Silver Spring Ro	Milwaukee, WI 53225		11/06/1967	
16- 26	WI Bier Stube, LLC	644 Hwy K	Hartford, WI 53027		11/06/1967	
Trade name:	Von Rothenburg Bier Stube	N116 N15863 Main Street	Germantown, WI 53022			
16- 25	WI Bier Stube, LLC	644 Hwy K	Hartford, WI 53027		11/06/1967	
Trade name:	Von Rothenburg Bier Stube	N116 N15863 Main Street	Germantown, WI 53022			
16- 19	Gerald Louis Wagner	N112 W21209 Mequon Rd	Germantown, WI 53022			
Trade name:	KJ's Bar & Grill	N112 W21209 Mequon Road	Germantown, WI 53022			

Total Licenses: 26

Village of Germantown

Business Licenses

Date: 6/29/2016

Time: 10:35 AM

Page: 1

Sorted by: Customer Name

Active Date: 7/01/2016

Type: Class B Beer/Wine - Combo

License no	Name	Address	Address 2	Address 3	D O B	e-mail
16- 2	Hung Hao LLC	N112 W15800 Mequon Road	Germantown, WI 53022			
Trade name:	Hung Hao Restaurant	N112 W15800 Mequon Road	Germantown, WI 53022			
Agent:	Hung D. Lu	N109 W12628 Conflower Cir	Germantown, WI 53022			
Mail to:	Hung Hao Restaurant	N112 W15800 Mequon Road	Germantown, WI 53022	262-250-3968		
16- 1	Zhengren Zheng	N111 W16424 Esquire Ct.	Germantown, WI 53022		1/15/1968	
Trade name:	China Kitchen	N112 W16560 Mequon Road	Germantown, WI 53022			

Total Licenses: 2

Village of Germantown

Business Licenses

Date: 6/29/2016

Time: 10:36 AM

Page: 1

Sorted by: Customer Name

Active Date: 7/01/2016

Type: Class B Retail - Beer

License no	Name	Address	Address 2	Address 3	D O B	e-mail
16 - 1 ✓	Marko's Pizza Of Germantown, I	W156 N9664 Pilgrim Road	Germantown, WI 53022			
Trade name:	Marko's Pizza	W156 N9664 Pilgrim Road	Germantown, WI 53022			
16 - 2 ✓	PH Hospitality Group, LLC	10930 W. Potter Road	Wauwatosa, WI 53226			
Trade name:	Pizza Hut	N112 W15800 Mequon Road	Germantown, WI 53022			
Agent:	Barbara L. Awve	N114 W15846 Sylvan Cir.,	Germantown, WI 53022		2/26/1978	
Mail to:	Pizza Hut	N112 W15800 Mequon Road	Germantown, WI 53022			

Total Licenses: 2

Village of Germantown

Business Licenses

Date: 6/29/2016

Time: 10:36 AM

Page: 1

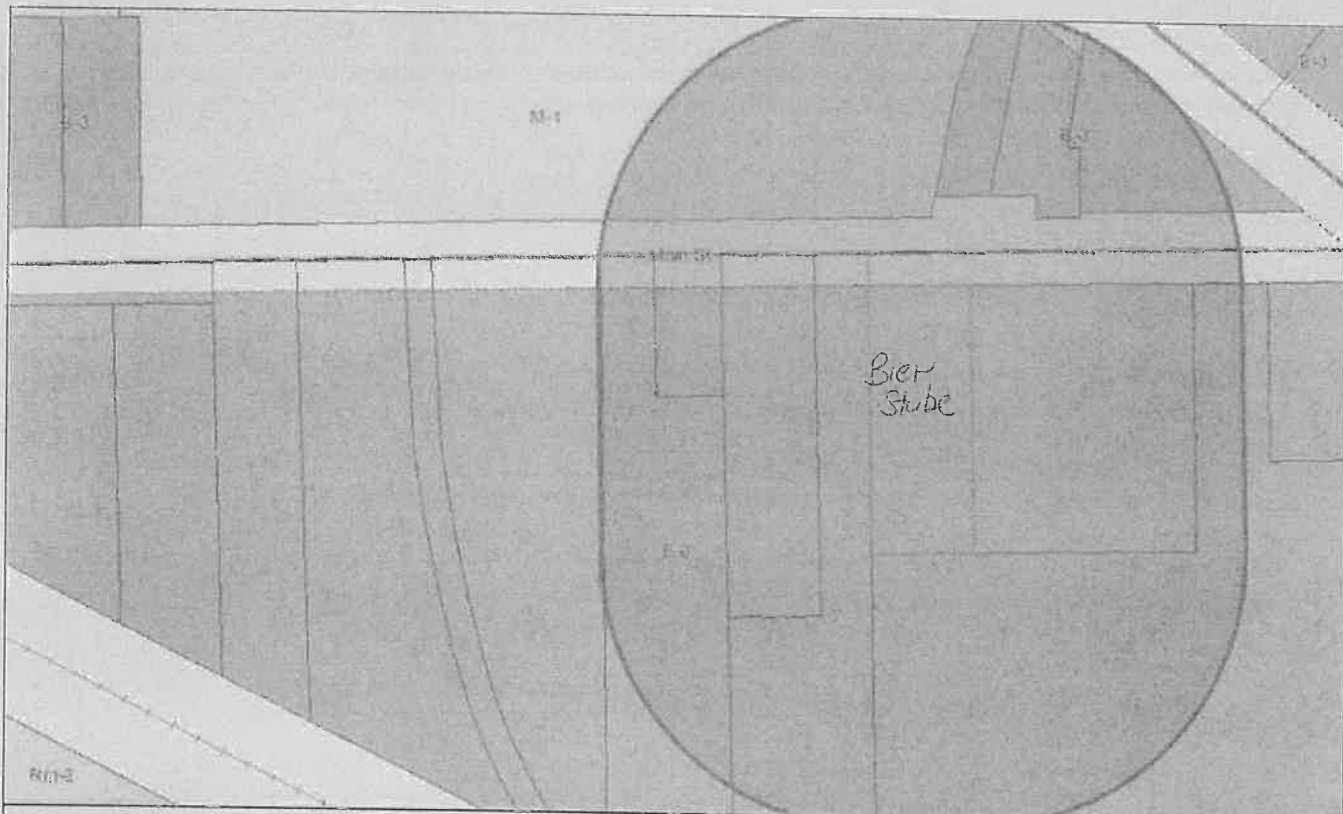
Sorted by: Customer Name

Active Date: 7/01/2016

Type: Class B Winery

License no	Name	Address	Address 2	Address 3	D O B	e-mail
16 - 1	Apple Works Winery LLC	W179 N12536 Fond Du Lac A	Germantown, WI	53022		
Trade name:	Apple Works Winery / Behnke Es	W179 N12536 Fond Du Lac A	Germantown, WI	53022		
Agent:	Kevin H. Behnke	W179 N12536 Fond Du Lac A	Germantown, WI	53022	10/08/1954	

Total Licenses: 1



Village of Germantown

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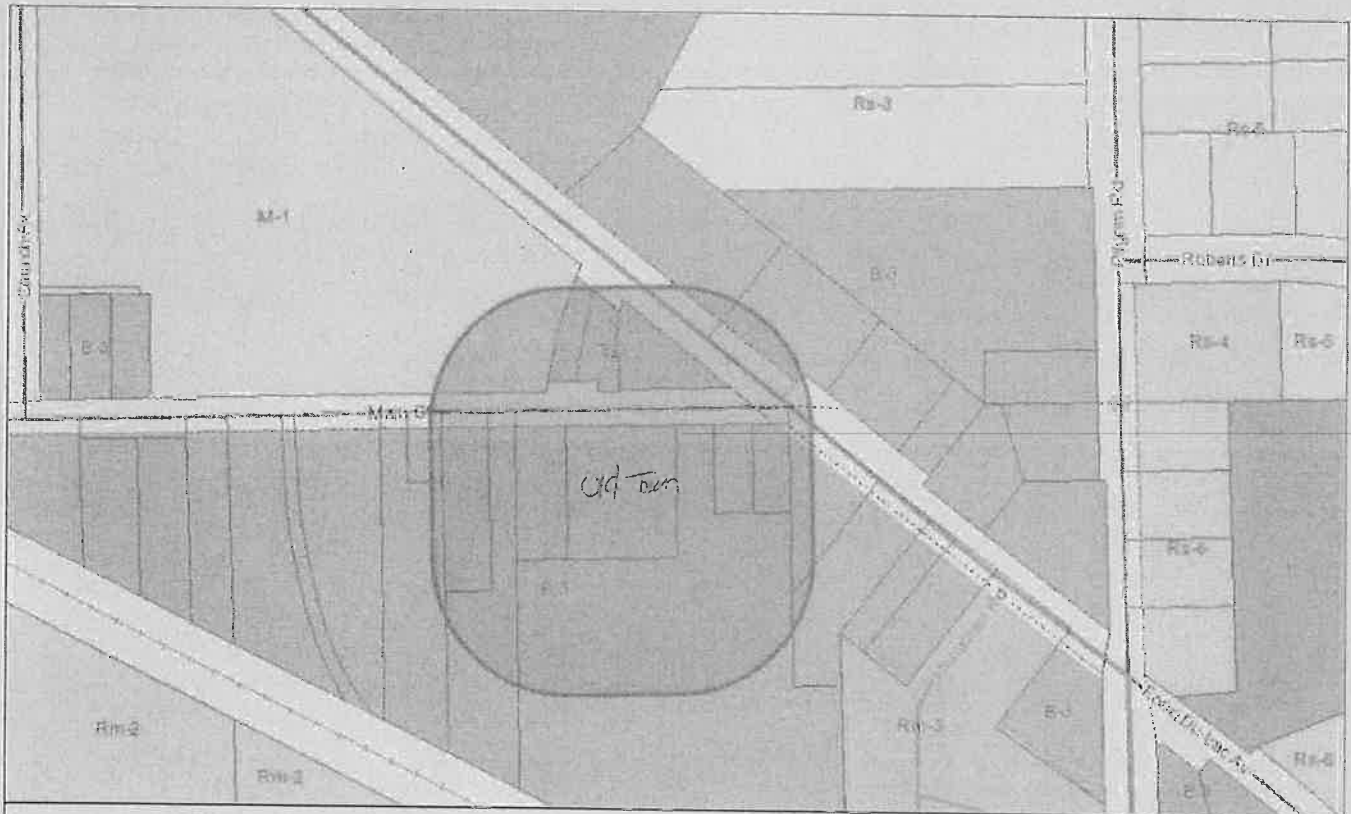
Village of
Germantown

Village Of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700



SCALE: 1" = 99'

Print Date 1/18/2017



Village of Germantown

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Village of
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N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700



SCALE: 1 = 198'

Print Date: 1/18/2017



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Village of

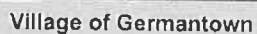
 Germantown

Village Of Germantown
 N112 W17001 Mequon Road
 Germantown, WI 53022
 262-250-4700

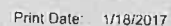
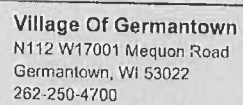


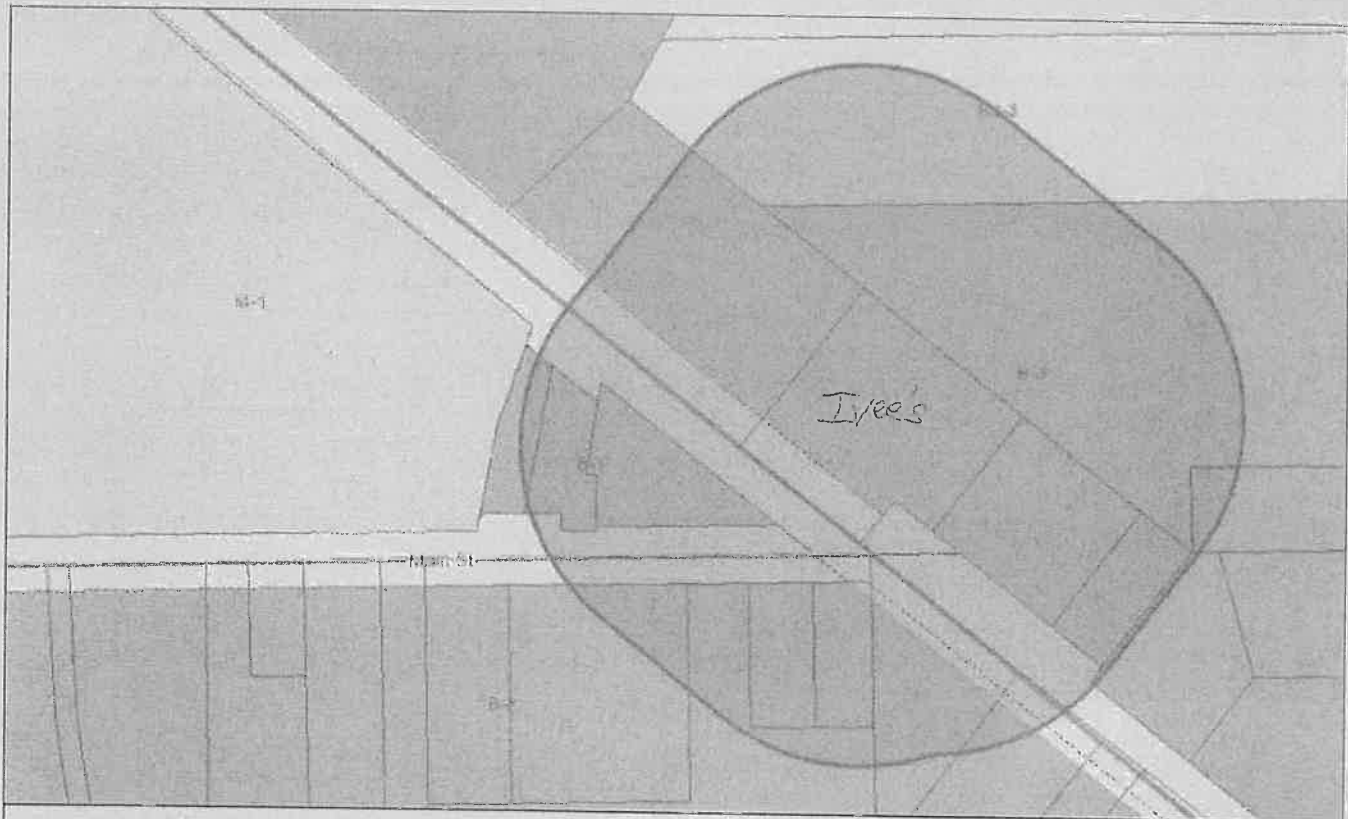
SCALE: 1" = 95'

Print Date: 1/18/2017



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Village of

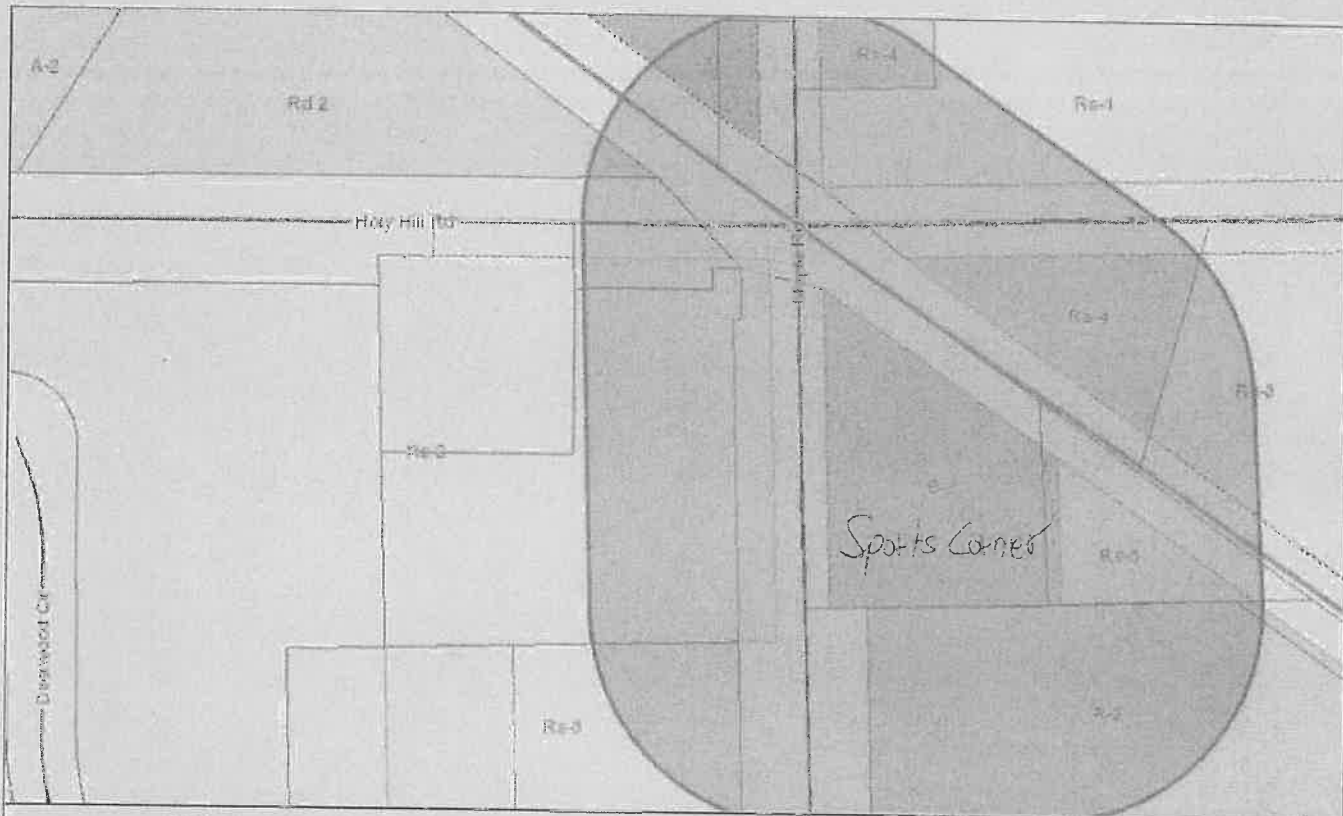
Germantown

Village Of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700



SCALE: 1" = 121'

Print Date: 1/18/2017



Village of Germantown

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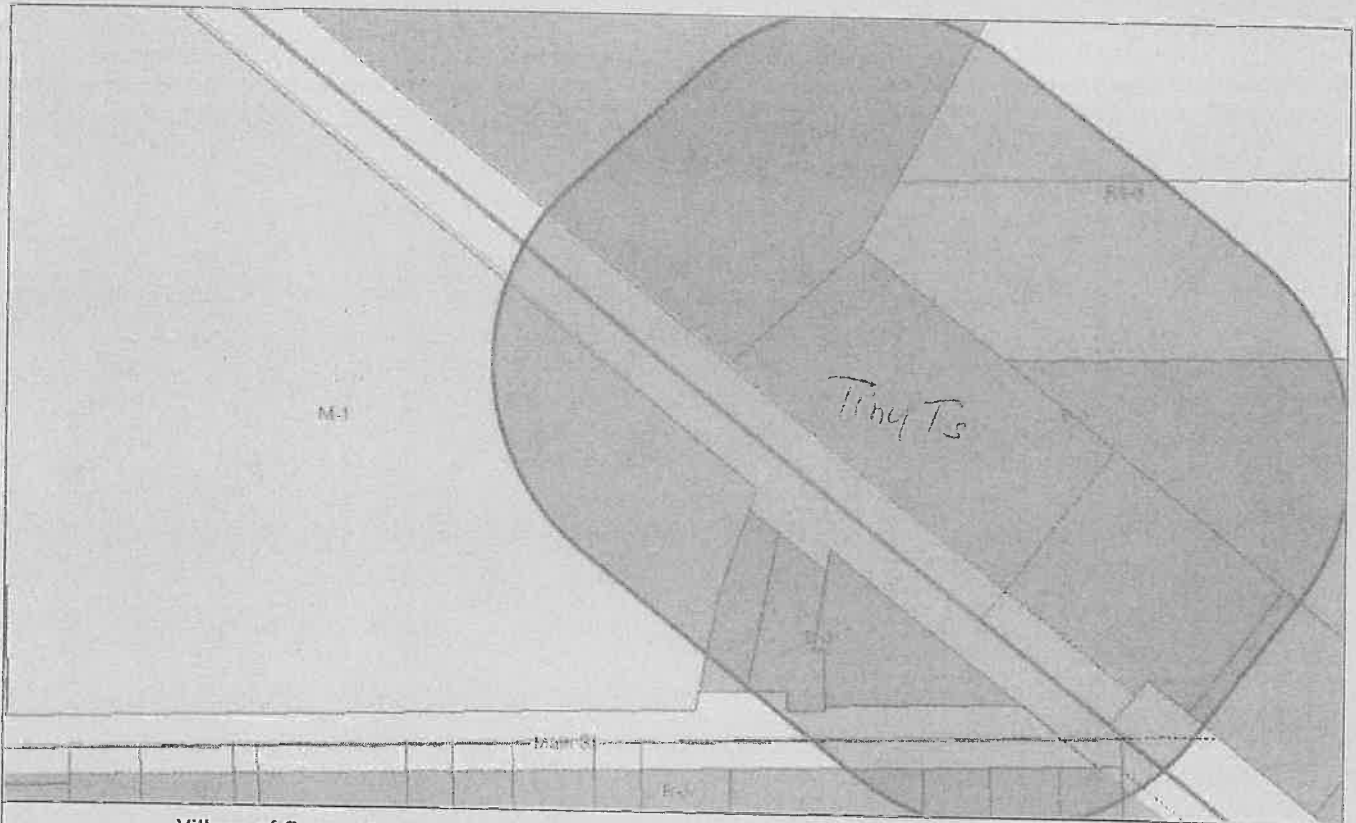
Village of
Germantown

Village Of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700



SCALE: 1" = 125'

Print Date: 1/18/2017



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Village of

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Village Of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700



SCALE: 1" = 113'

Print Date: 1/18/2017



Village of Germantown

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SCALE: 1" = 238'

Village of
Germantown

Village Of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700

Print Date: 1/16/2017



Village of Germantown

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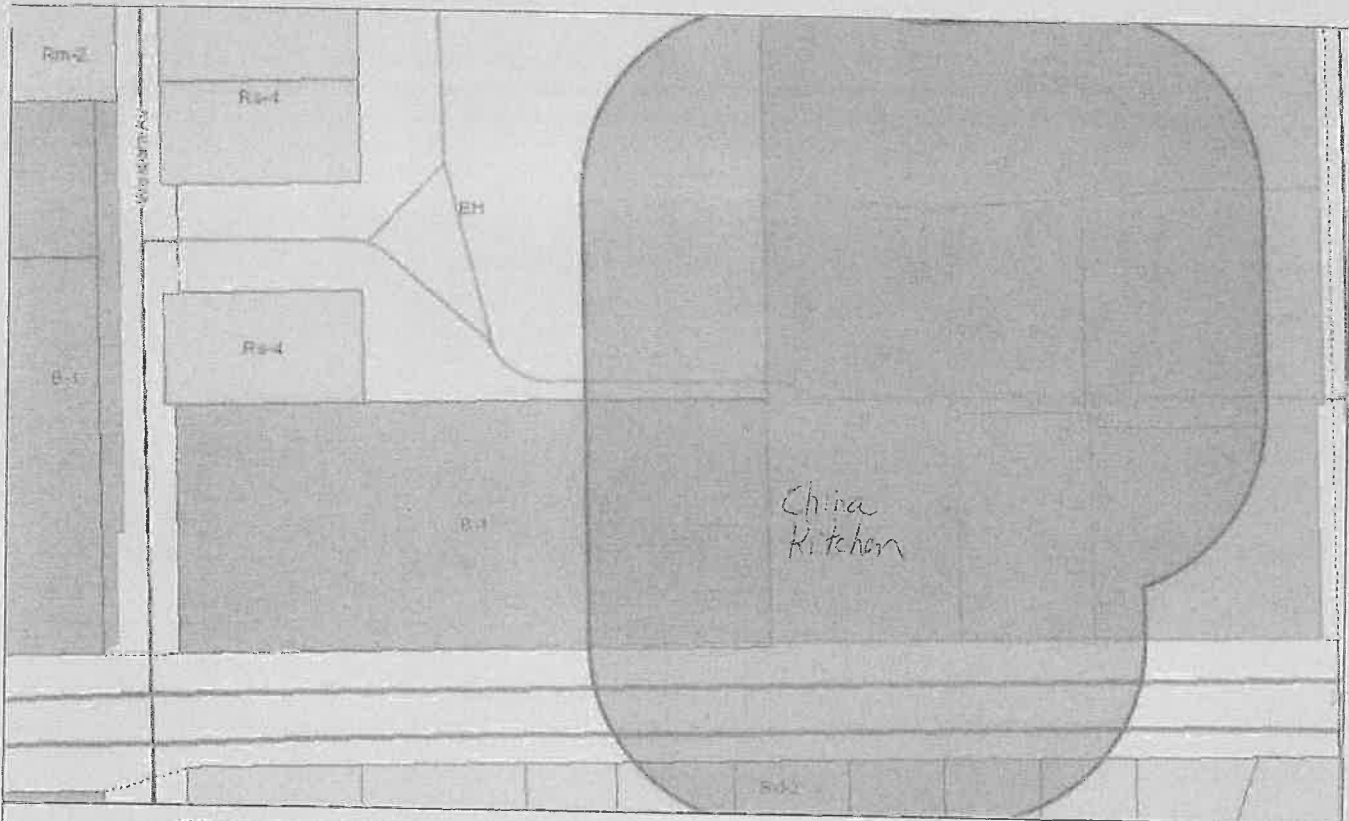
Village of
Germantown

Village Of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700



SCALE: 1 = 299'

Print Date: 1/18/2017



Village of Germantown

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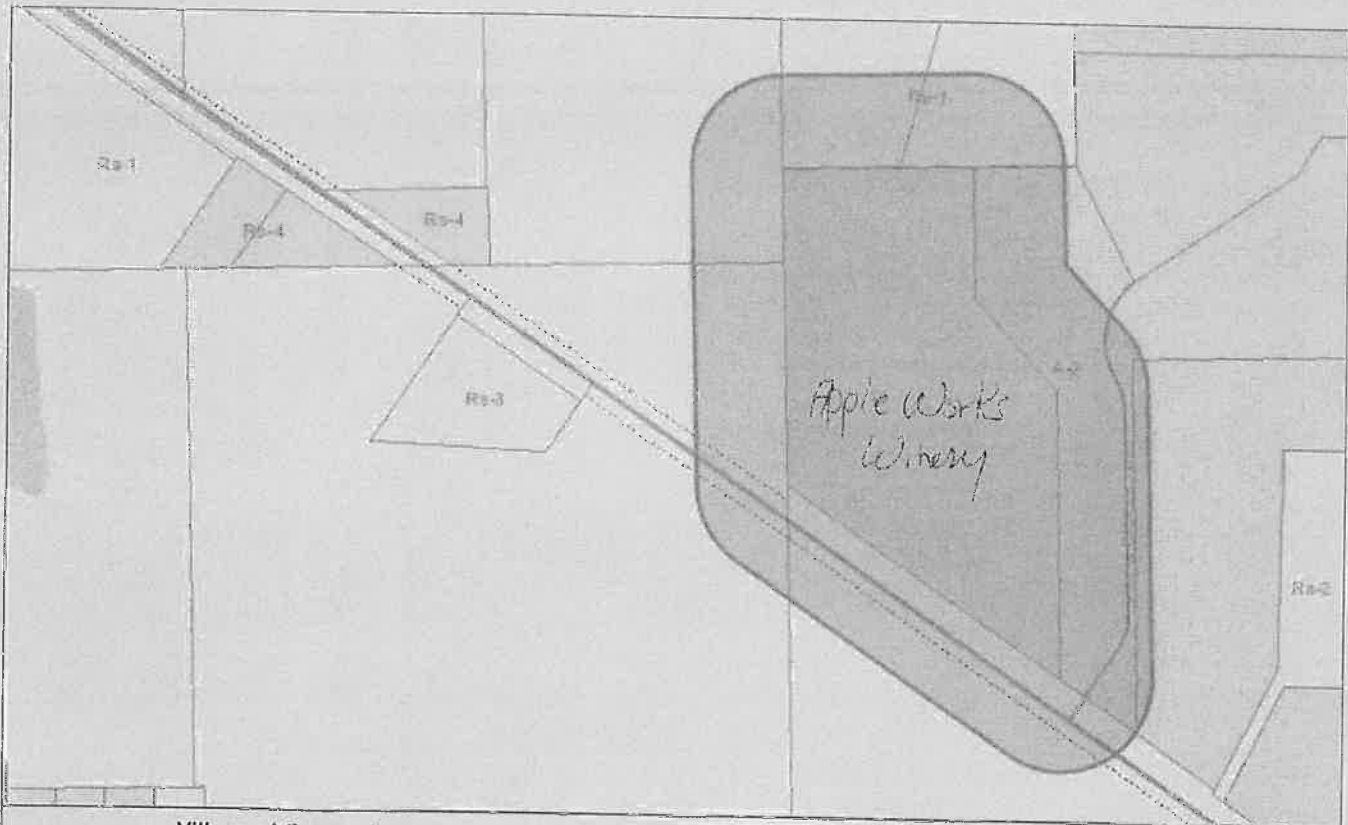
SCALE: 1" = 147'

Village of

Germantown

Village Of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700

Print Date: 1/18/2017



Village of Germantown

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Village of

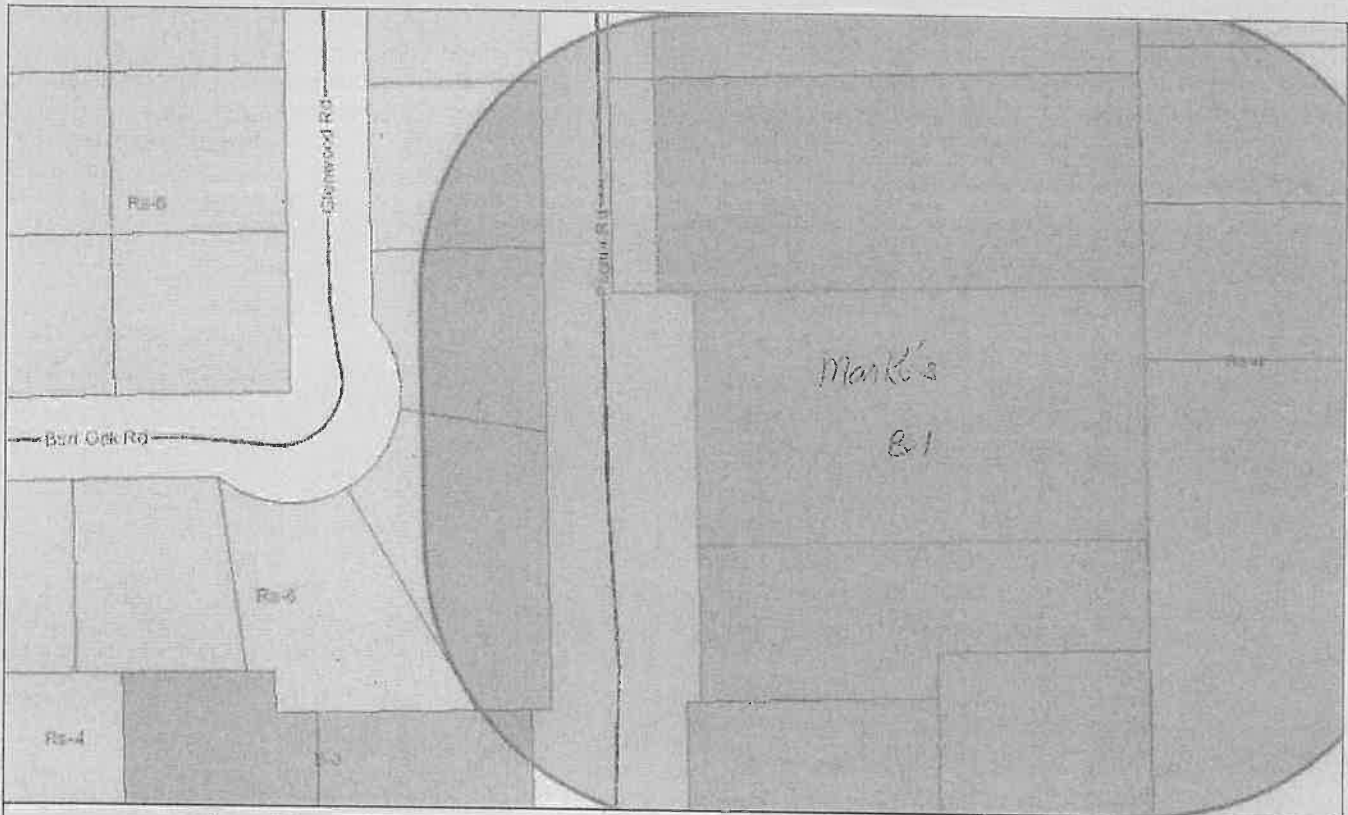
 Germantown

Village Of Germantown
 N112 W17001 Mequon Road
 Germantown, WI 53022
 262-250-4700



SCALE: 1" = 294'

Print Date: 1/16/2017



Village of Germantown

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Village of

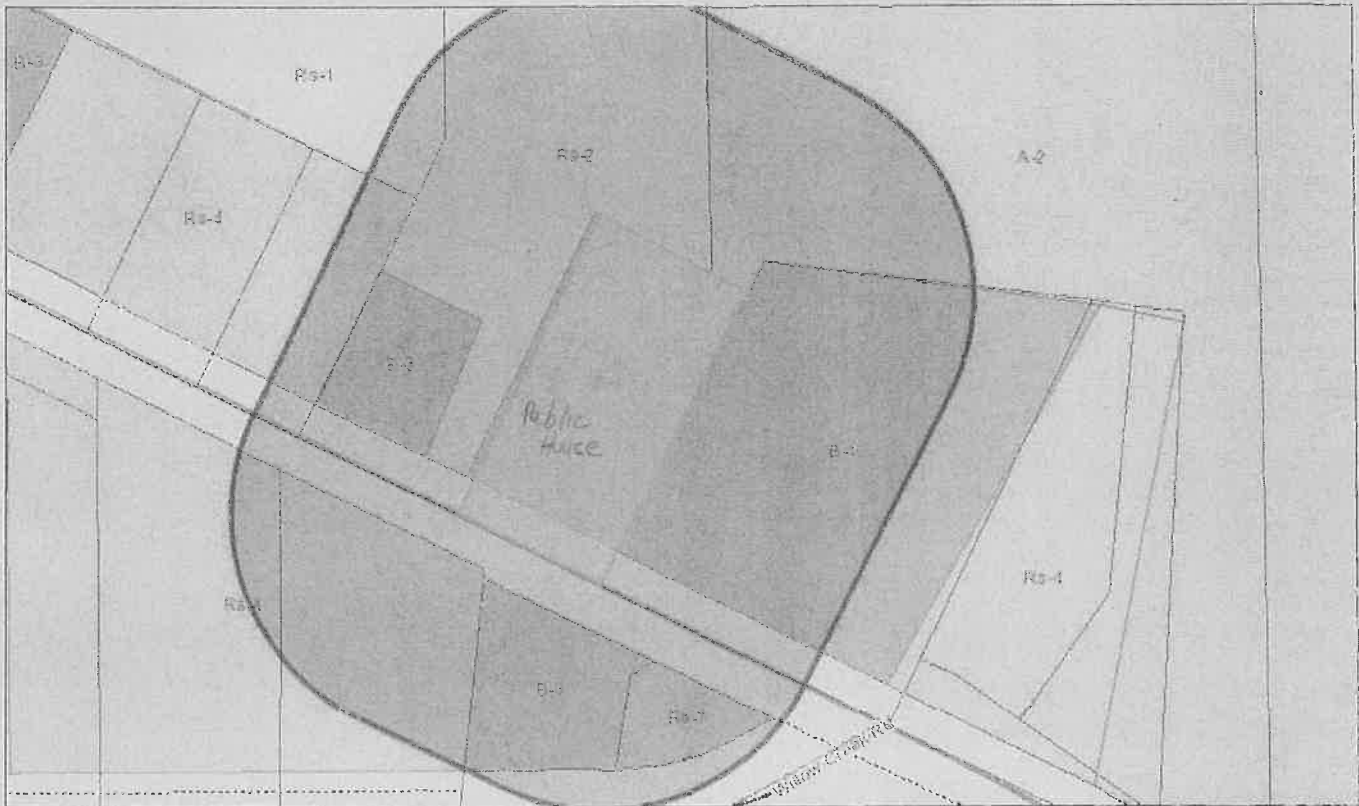
 Germantown

Village Of Germantown
 N112 W17001 Mequon Road
 Germantown, WI 53022
 262-250-4700



SCALE: 1" = 98'

Print Date: 1/18/2017



Village of Germantown

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Village of

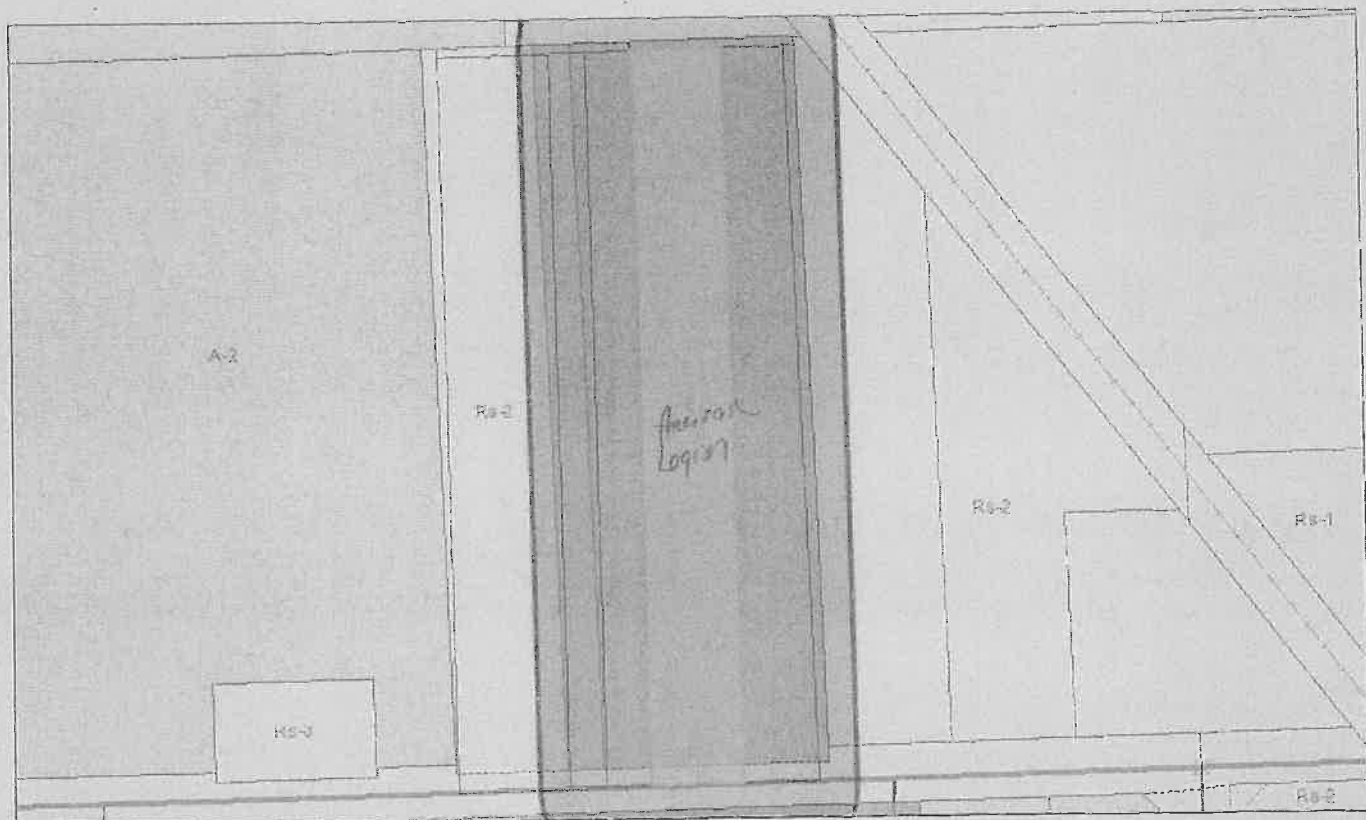
 Germantown

Village Of Germantown
 N112 W17001 Mequon Road
 Germantown, WI 53022
 262-250-4700



SCALE: 1" = 120'

Print Date: 1/17/2017



Village of Germantown

Village of

 Germantown

Village Of Germantown
 N112 W17001 Mequon Road
 Germantown, WI 53022
 262-250-4700

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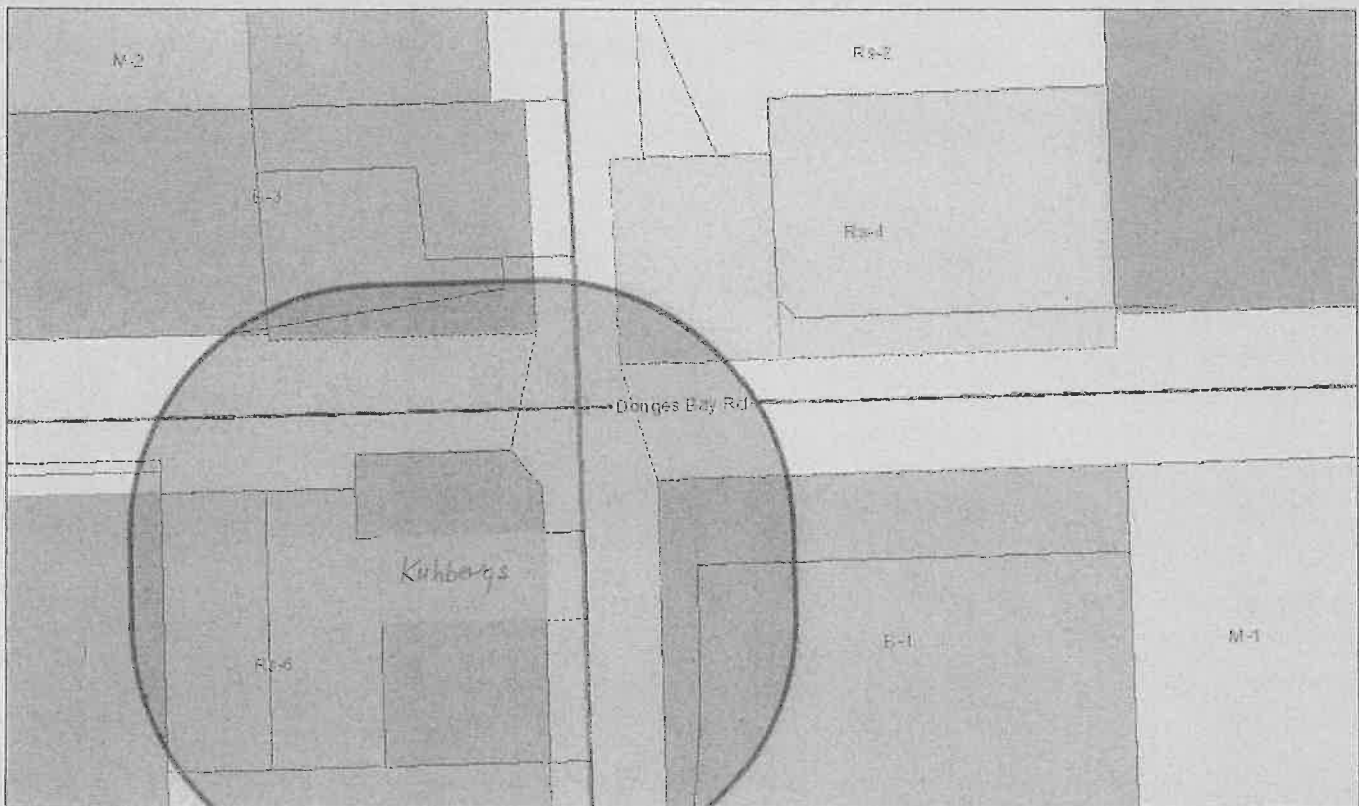
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SCALE: 1" = 240'

Print Date: 1/17/2017



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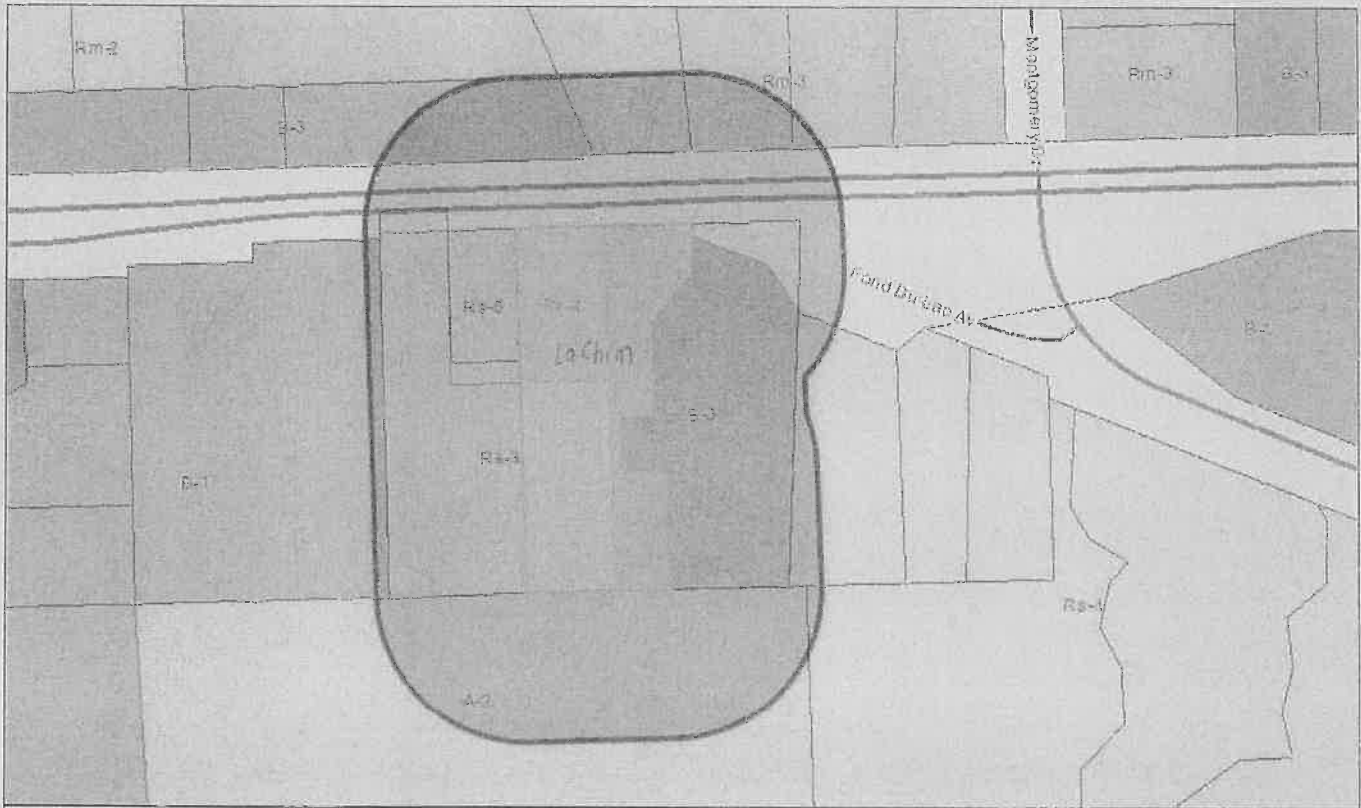


Village Of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700



SCALE: 1 = 108'

Print Date: 1/17/2017



Village of Germantown

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Village of

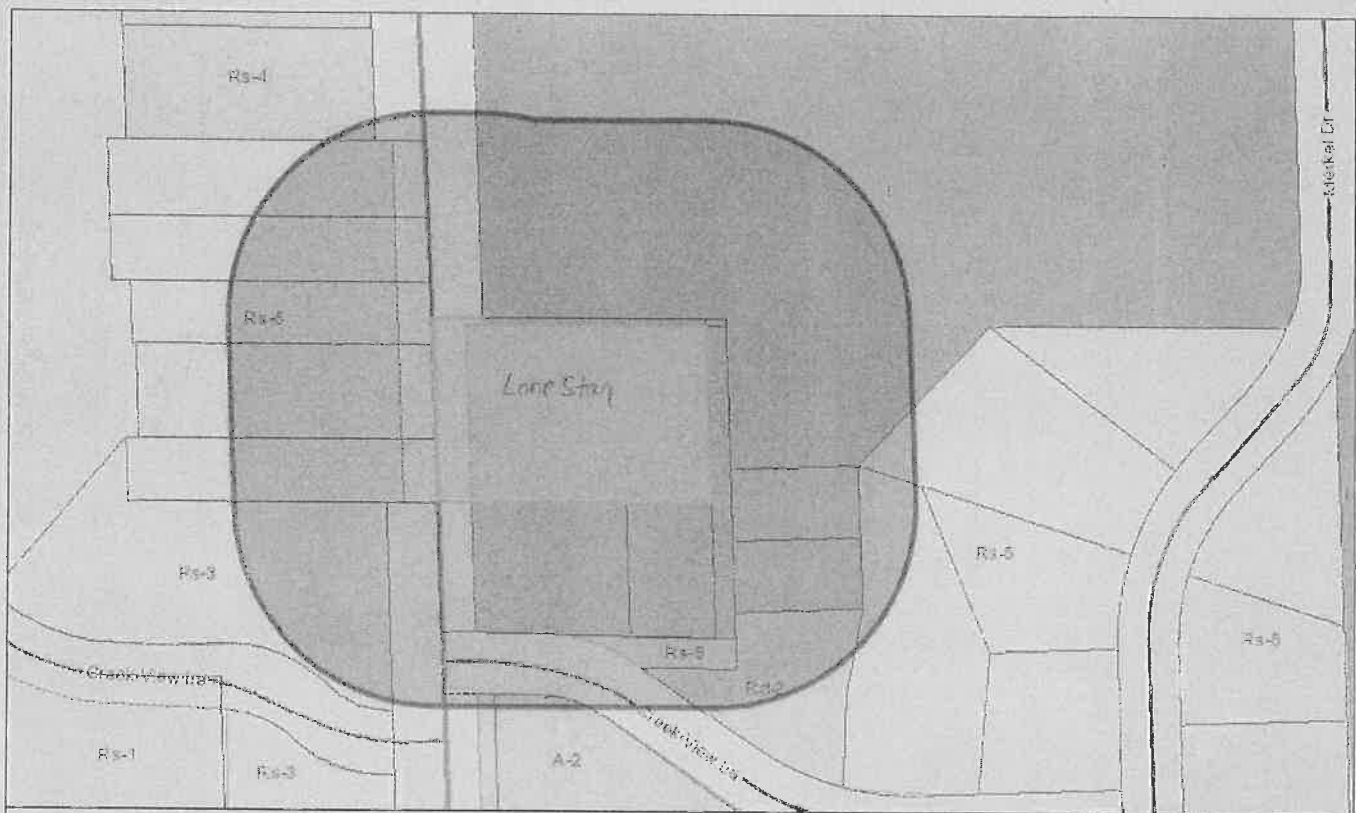
Germantown

Village Of Germantown
 N112 W17001 Mequon Road
 Germantown, WI 53022
 262-250-4700



SCALE: 1" = 181'

Print Date: 1/17/2017



Village of Germantown

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Village of

 Germantown

Village Of Germantown
 N112 W17001 Mequon Road
 Germantown, WI 53022
 262-250-4700



SCALE: 1" = 132'

Print Date: 1/17/2017



Village of Germantown

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Village of

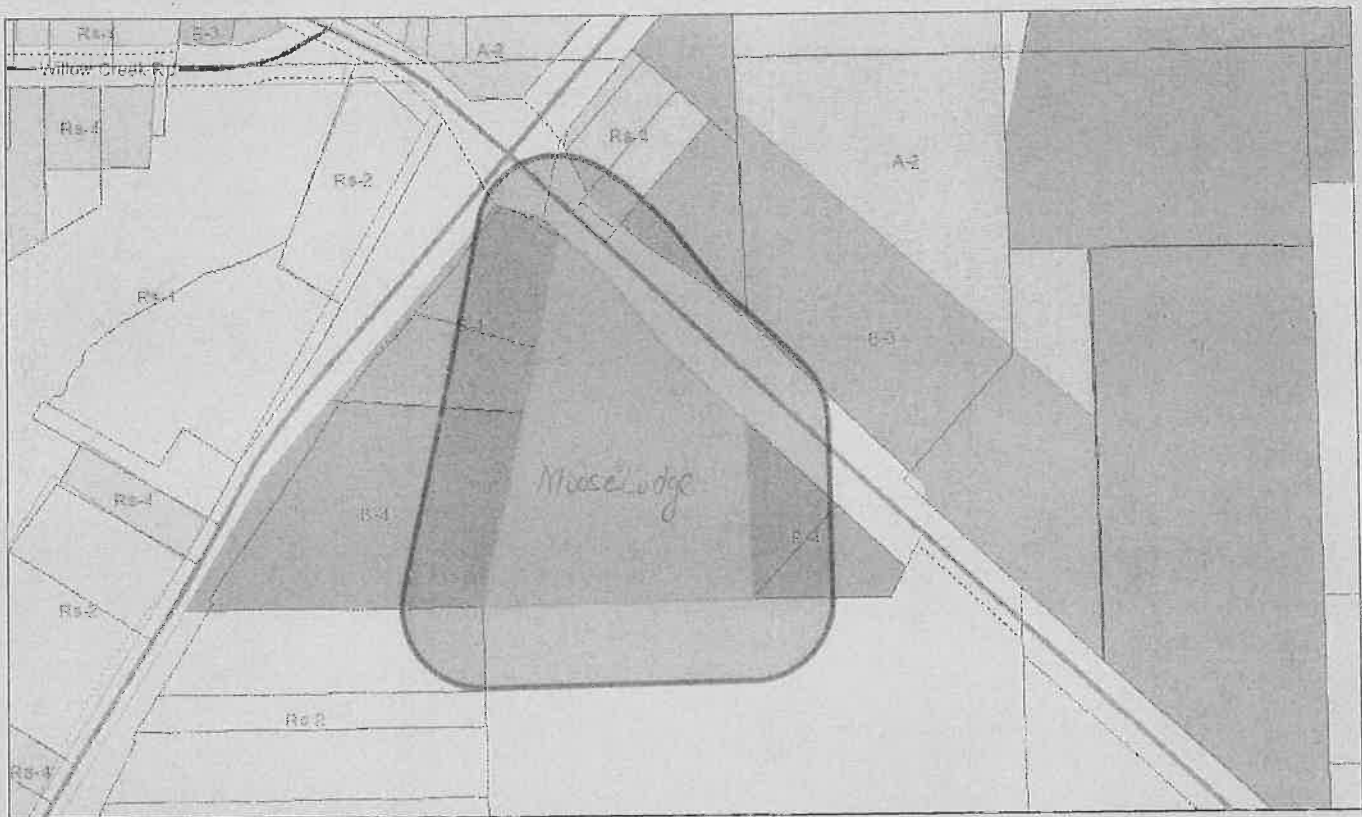
 Germantown

Village Of Germantown
 N112 W17001 Mequon Road
 Germantown, WI 53022
 262-250-4700



SCALE: 1" = 410'

Print Date: 1/17/2017



Village of Germantown

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Village of

 Germantown

Village Of Germantown
 N112 W17001 Mequon Road
 Germantown, WI 53022
 262-250-4700



SCALE: 1" = 332'

Print Date: 1/17/2017



Village of Germantown

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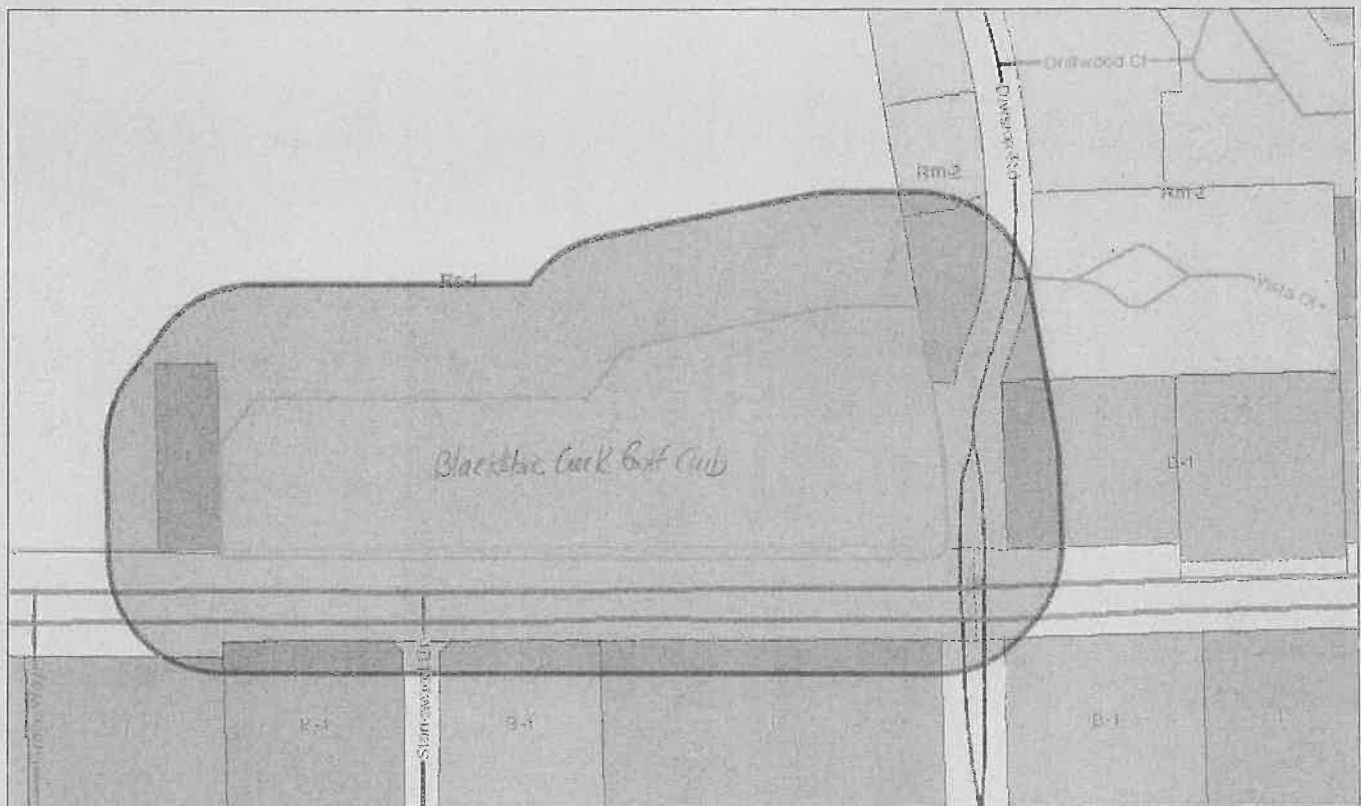
Village of
Germantown

Village Of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700



SCALE: 1" = 95'

Print Date: 1/17/2017



Village of Germantown

Village of

 Germantown

Village Of Germantown
 N112 W17001 Mequon Road
 Germantown, WI 53022
 262-250-4700

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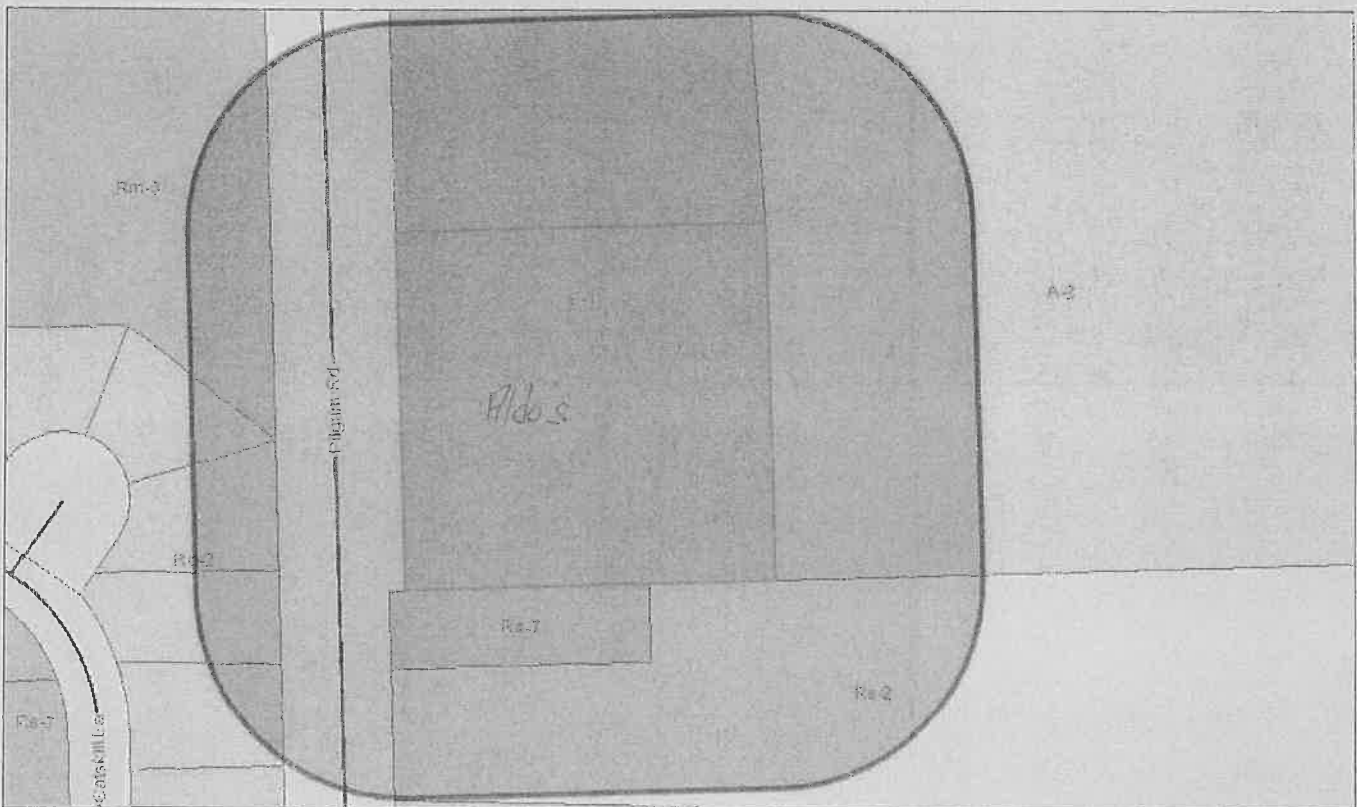
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SCALE: 1" = 237'

Print Date: 1/17/2017



Village of Germantown

Village of
Germantown

Village Of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700

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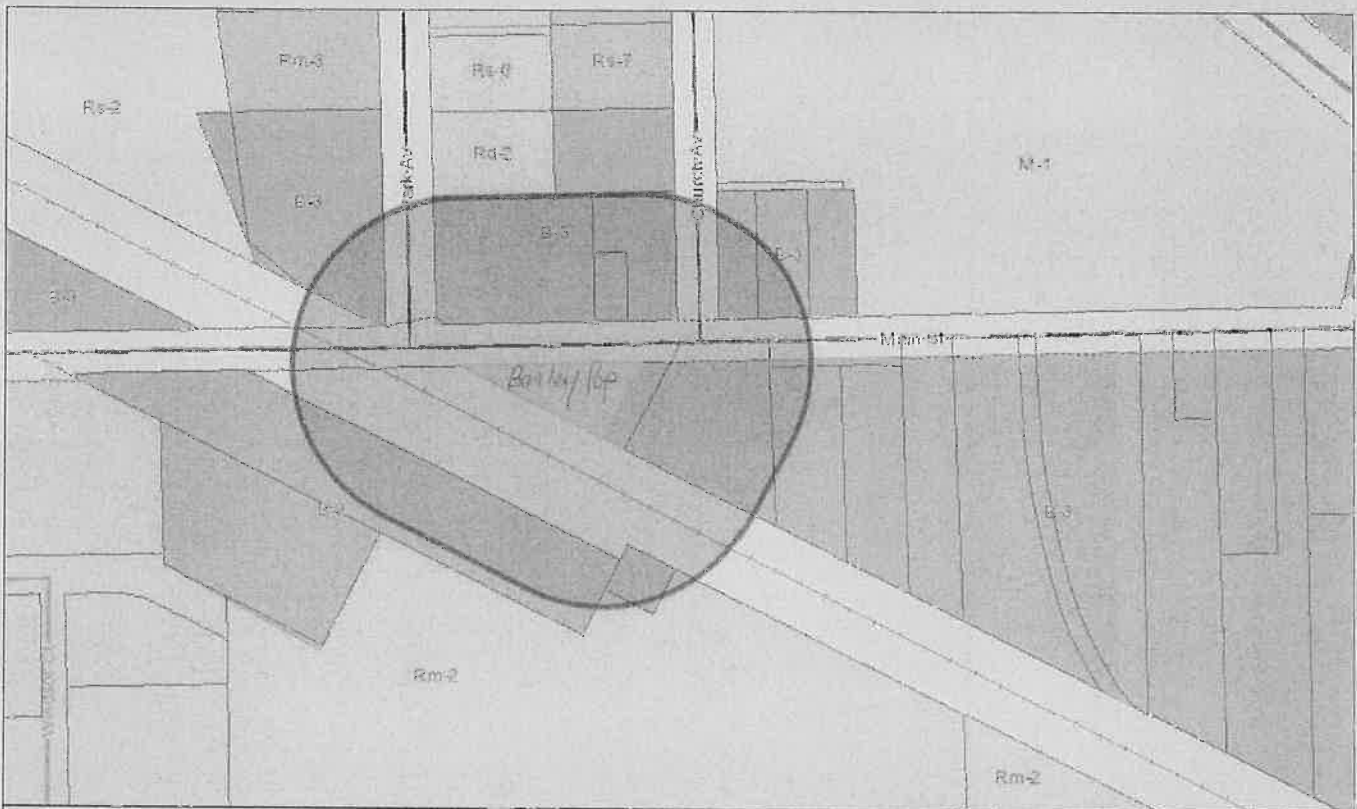
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SCALE: 1" = 130'

Print Date: 1/17/2017



Village of Germantown

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Village of



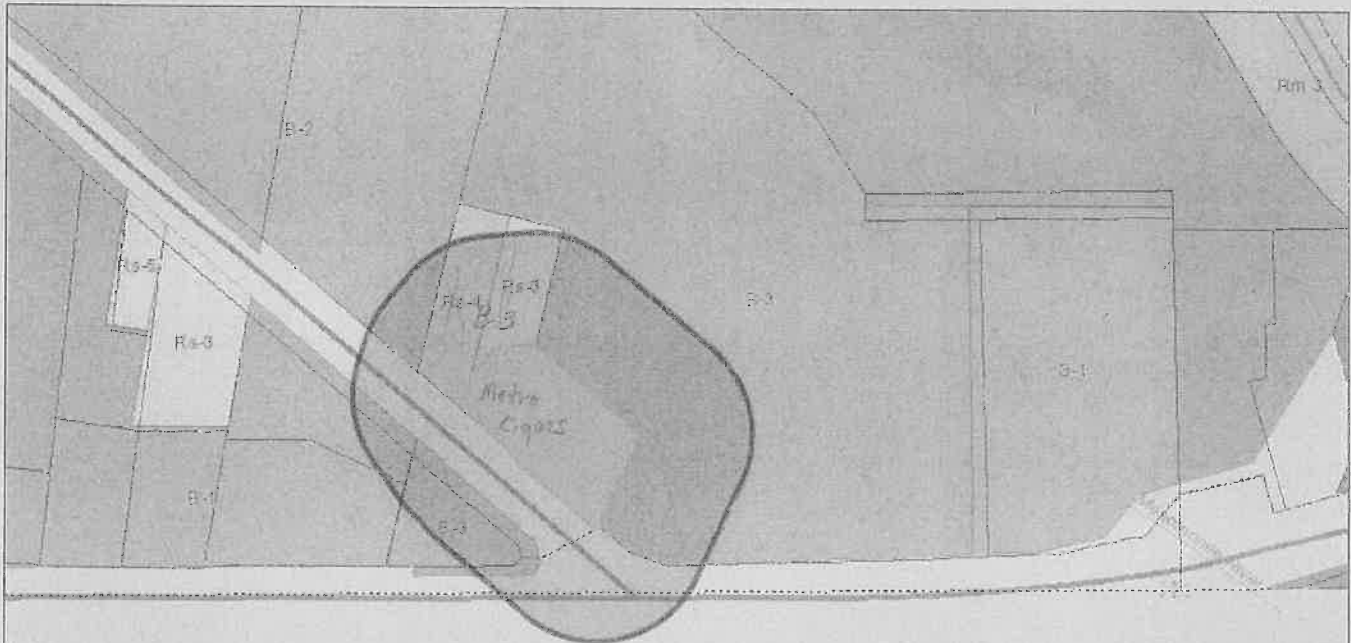
Village Of Germantown

N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700



SCALE: 1" = 161'

Print Date: 1/17/2017



Village of Germantown

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Village of
Germantown

Village Of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4700



SCALE: 1" = 241'

Print Date: 1/17/2017

X A.

**VILLAGE OF GERMANTOWN
2017 CAPITAL PURCHASES FUND 40 ITEMS -**

ITEM DESCRIPTION	PROJECT/ EQUIPMENT	AMOUNT TO BE BORROWED
---------------------	-----------------------	-----------------------------

POLICE DEPARTMENT

Radio Console Update	194,000	194,000
Portable Radios (42)	168,000	168,000
		0
TOTAL POLICE DEPARTMENT	362,000	362,000

FIRE DEPARTMENT

Communication Equipment - Portable Radios (25)	96,125	96,125
		0
TOTAL FIRE DEPARTMENT	96,125	96,125

DPW ADMINISTRATION AND ENGINEERING

Main St/Sth 145 Area Storm Drainage Study & Project	250,000	250,000
MS4 Prgram Evaluation & Improvements	50,000	50,000
Flooding Mitigation	50,000	50,000
		0
TOTAL DPW ADMINISTRATION AND ENGINEERING	350,000	350,000

HIGHWAY DEPARTMENT

Patrol Truck w/ Plow	200,000	200,000
Asphalt Paving	1,500,000	1,500,000
Street Improvement - Video Detection - Appleton/County Line	40,000	40,000
		0
TOTAL HIGHWAY DEPARTMENT	1,740,000	1,740,000

PARKS & BLD & GROUNDS

Police Impound Garage / Evidence Storage Bldg - partial impact fee	180,000	120,000
		0
TOTAL PARKS & Bld & GROUNDS	180,000	120,000

RECREATION

Fireman's Park Pathway Lighting \$45,000 - Remove per COW		0
Haupt Strasse - replace playground (1994)	95,000	95,000
		0
TOTAL RECREATION	95,000	95,000

GRAND TOTAL	2,823,125	2,763,125
Estimated Borrowing Costs		40,000
		2,803,125
		2,805,000

RESOLUTION NO. 02-17

RESOLUTION AUTHORIZING THE BORROWING
OF NOT TO EXCEED \$3,140,000; AND
PROVIDING FOR THE ISSUANCE AND SALE OF
GENERAL OBLIGATION PROMISSORY NOTES THEREFOR

WHEREAS, it is necessary that funds be raised by the Village of Germantown, Washington County, Wisconsin (the "Village") for the purpose of paying the costs of 2017 capital improvements including road improvements; storm drainage and flooding mitigation; public building and grounds improvements including construction of a police impound garage and evidence storage building; and equipment acquisition (the "Project") and refunding the callable portion of the Village's \$520,000 General Obligation Street Improvement Bonds dated May 1, 2007 (the "2007 Bonds") (hereinafter the refinancing of the 2007 Bonds shall be referred to as the "Refunding"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the Village hereby finds and determines that the Project is within the Village's power to undertake and serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, villages are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes;

WHEREAS, the Village Board deems it to be necessary, desirable and in the best interest of the Village to refund the 2007 Bonds for the purpose of obtaining interest cost savings; and

WHEREAS, villages are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes to refund outstanding municipal obligations.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village that:

Section 1. Authorization of the Notes. For the purpose of paying the costs of the Project and the Refunding, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of not to exceed THREE MILLION ONE HUNDRED FORTY THOUSAND DOLLARS (\$3,140,000) from a purchaser to be determined by subsequent resolution of this Village Board (the "Purchaser").

Section 2. Sale of the Notes. To evidence such indebtedness, the Village President and Village Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the Village, general obligation promissory notes aggregating the principal amount of not to exceed THREE MILLION ONE HUNDRED FORTY THOUSAND DOLLARS (\$3,140,000)(the "Notes").

Section 3. Award of the Notes. The Finance Director (in consultation with the Village's financial advisor, Ehlers & Associates, Inc.) shall prepare or cause to be prepared an Official Notice of Sale and an Official Statement and take other actions necessary for the sale and award of the Notes on March 6, 2017.

Section 4. Prior Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Village or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded this 6th day of February, 2017.

Dean M. Wolter
Village President

(SEAL)

ATTEST:

Barbara K.D. Goeckner
Village Clerk

X C.

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: 02-06-2017

AGENDA ITEM: New Business

ITEM TITLE: Squad Purchase (from insurance)

SUBMITTED BY: Capt. Mike Snow

SUMMARY EXPLANATION:

On Wednesday, November 9th, squad 16 was involved in a squad vs. deer accident. The damage to the squad was significant and it was deemed a total loss. We were recently informed by our insurance that we would receive \$39,000 (minus the \$2,000 deductible) for the replacement of the squad and squad equipment.

We have checked with Ewald Ford and they do have a 2017 SUV Police Interceptor on the lot. The quoted price is \$27,571. The remaining \$11,429 would be used for the squad change over and purchase of equipment. The estimate from General Fire for the change over and equipment is \$12,342.06. The remaining \$2913.06 will come from our squad maintenance budget and from funds from equipment purchased by the Fire Department for squad #20.

2017 Ford SUV Interceptor	\$27,571
Change over and equipment	\$12,342.06
Total	\$39,913.06

ATTACHMENT: ORDINANCE____ RESOLUTION____ OTHER____

RECOMMENDATION:

BOARD ACTION:

Prepared For:

STOCK UNITS

Village of Germantown

N112 W16877 Mequon Rd.

Germantown, WI 53022

Phone: (262) 253-7780

Fax: (262) 253-7787

Email: rborden@germantownpo
lice.org**Prepared By:**

Chrissy Gensch

Ewald Automotive Group

2570 E. Sumner St

Hartford, WI 53027

Phone: (262) 673-9400

Fax: (262) 673-0575

Email: cgensch@ewaldauto.com

2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A**QUOTE WORKSHEET****QUOTE WORKSHEET - 2017 Fleet/Non-Retail K8A AWD 4dr**

MSRP	\$31,995.00
Destination Charge	\$945.00
Optional Equipment	\$945.00
Dealer Advertising	\$0.00
PRE-TAX ADJUSTMENTS:	
STATE OF WISCONSIN MUNICIPAL DISCOUNT	(\$6,314.00)
Total Pre-Tax Adjustments	(\$6,314.00)
Taxable Price	\$27,571.00
 TOTAL	 \$27,571.00

Customer Signature / Date

Dealer Signature / Date

STOCK HFS16755 and HFS16748 2017 AWD Ford Utility Interceptor to the specifications as detailed. Registration fees are not included. Payment terms are net 10 days.

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

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Customer File:

January 26, 2017 3:48:10 PM

Page 1

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2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2017 Fleet/Non-Retail K8A AWD 4dr

ENTERTAINMENT

- Radio: MyFord AM/FM/CD/MP3 Capable -inc: clock, 6 speakers and 4.2" color LCD screen center-stack Smart Display
- Radio w/Speed Compensated Volume Control and Steering Wheel Controls
- Integrated Roof Antenna

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2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2017 Fleet/Non-Retail K8A AWD 4dr

EXTERIOR

- Wheels: 18" x 8" 5-Spoke Painted Black Steel -inc: center caps and full size spare
- Tires: P245/55R18 AS BSW
- Steel Spare Wheel
- Spare Tire Mounted Inside Under Cargo
- Clearcoat Paint
- Body-Colored Front Bumper w/Black Rub Strip/Fascia Accent
- Body-Colored Rear Bumper w/Black Rub Strip/Fascia Accent
- Black Bodyside Cladding and Black Wheel Well Trim
- Black Side Windows Trim and Black Front Windshield Trim
- Black Door Handles
- Black Power Side Mirrors w/Convex Spotter and Manual Folding
- Fixed Rear Window w/Fixed Interval Wiper, Heated Wiper Park and Defroster
- Deep Tinted Glass
- Speed Sensitive Variable Intermittent Wipers
- Front Windshield -inc: Sun Visor Strip
- Galvanized Steel/Aluminum Panels
- Lip Spoiler
- Black Grille
- Liftgate Rear Cargo Access
- Tailgate/Rear Door Lock Included w/Power Door Locks
- Aero-Composite Led Low Beam Headlamps
- LED Brakelights

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2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2017 Fleet/Non-Retail K8A AWD 4dr

INTERIOR

- 60-40 Folding Split-Bench Front Facing Fold Forward Seatback Rear Seat
- Manual Tilt Steering Column
- Gauges -inc: Speedometer, Odometer, Engine Coolant Temp, Tachometer, Engine Hour Meter, Trip Odometer and Trip Computer
- Power Rear Windows and Fixed 3rd Row Windows
- Remote Releases -Inc: Power Cargo Access
- Cruise Control w/Steering Wheel Controls
- Manual Air Conditioning
- HVAC -inc: Underseat Ducts
- Locking Glove Box
- Driver Foot Rest
- Unique HD Cloth Front Bucket Seats w/Vinyl Rear -inc: driver 6-way power track (fore/aft.up/down, tilt w/manual recline, 2-way manual lumbar, passenger 2-way manual track (fore/aft, w/manual recline) and built-in steel intrusion plates in both front seatbacks
- Interior Trim -inc: Metal-Look Instrument Panel Insert, Metal-Look Door Panel Insert and Metal-Look Interior Accents
- Full Cloth Headliner
- Urethane Gear Shift Knob
- Day-Night Rearview Mirror
- Driver And Passenger Visor Vanity Mirrors
- Mini Overhead Console w/Storage and 2 12V DC Power Outlets
- Front And Rear Map Lights
- Fade-To-Off Interior Lighting
- Full Vinyl/Rubber Floor Covering
- Carpet Floor Trim
- Cargo Features -inc: Cargo Tray/Organizer

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2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2017 Fleet/Non-Retail K8A AWD 4dr

- Cargo Space Lights
- Dashboard Storage, Driver And Passenger Door Bins
- Power Adjustable Pedals
- Power 1st Row Windows w/Driver And Passenger 1-Touch Up/Down
- Delayed Accessory Power
- Power Door Locks
- Systems Monitor
- Redundant Digital Speedometer
- Trip Computer
- Analog Display
- Seats w/Vinyl Back Material
- Manual Adjustable Front Head Restraints
- 2 12V DC Power Outlets
- Air Filtration

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2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2017 Fleet/Non-Retail K8A AWD 4dr

MECHANICAL

- Engine: 3.7L V6 Ti-VCT FFV
- Transmission: 6-Speed Automatic
- 3.65 Axle Ratio
- GVWR: 6,300 lbs
- Transmission w/Oil Cooler
- Automatic Full-Time All-Wheel Drive
- Engine Oil Cooler
- 78-Amp/Hr 750CCA Maintenance-Free Battery
- HD 220 Amp Alternator
- Police/Fire
- Gas-Pressurized Shock Absorbers
- Front And Rear Anti-Roll Bars
- Electric Power-Assist Steering
- 18.6 Gal. Fuel Tank
- Dual Stainless Steel Exhaust
- Permanent Locking Hubs
- Strut Front Suspension w/Coil Springs
- Multi-Link Rear Suspension w/Coil Springs
- 4-Wheel Disc Brakes w/4-Wheel ABS, Front Vented Discs, Brake Assist and Hill Hold Control

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2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2017 Fleet/Non-Retail K8A AWD 4dr

SAFETY

- Advancetrac w/Roll Stability Control Electronic Stability Control (ESC) And Roll Stability Control (RSC)
- ABS And Driveline Traction Control
- Side Impact Beams
- Dual Stage Driver And Passenger Seat-Mounted Side Airbags
- Tire Specific Low Tire Pressure Warning
- Dual Stage Driver And Passenger Front Airbags
- Safety Canopy System Curtain 1st And 2nd Row Airbags
- Airbag Occupancy Sensor
- Rear Child Safety Locks
- Outboard Front Lap And Shoulder Safety Belts -inc: Rear Center 3 Point, Height Adjusters and Pretensioners
- Back-Up Camera w/Washer

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2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A

SELECTED MODEL & OPTIONS

SELECTED MODEL - 2017 Fleet/Non-Retail K8A AWD 4dr

<u>Code</u>	<u>Description</u>	<u>MSRP</u>
K8A	2017 Ford Police Interceptor Utility AWD 4dr	\$31,995.00

SELECTED VEHICLE COLORS - 2017 Fleet/Non-Retail K8A AWD 4dr

<u>Code</u>	<u>Description</u>
-	Interior: No color has been selected.
-	Exterior 1: No color has been selected.
-	Exterior 2: No color has been selected.

SELECTED OPTIONS - 2017 Fleet/Non-Retail K8A AWD 4dr

CATEGORY

<u>Code</u>	<u>Description</u>	<u>MSRP</u>
ENGINE		
99R	ENGINE: 3.7L V6 TI-VCT FFV (STD)	INC
TRANSMISSION		
44C	TRANSMISSION: 6-SPEED AUTOMATIC (STD)	\$0.00
OPTION PACKAGE		
500A	ORDER CODE 500A	\$0.00
AXLE RATIO		
—	3.65 AXLE RATIO (STD)	\$0.00
PRIMARY PAINT		
BU	MEDIUM BROWN METALLIC	\$0.00
PAINT SCHEME		
—	STANDARD PAINT	\$0.00
SEAT TYPE		

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2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2017 Fleet/Non-Retail K8A AWD 4dr

CATEGORY

<u>Code</u>	<u>Description</u>	<u>MSRP</u>
SEAT TYPE		
9W	CHARCOAL BLACK, UNIQUE HD CLOTH FRONT BUCKET SEATS W/VINYL REAR -inc: driver 6-way power track (fore/aft.up/down, tilt w/manual recline, 2-way manual lumbar, passenger 2-way manual track (fore/aft, w/manual recline) and built-in steel intrusion plates in both front seatbacks	\$0.00
ADDITIONAL EQUIPMENT		
549	HEATED SIDEVIEW MIRRORS	\$60.00
51Y	DRIVER ONLY INCANDESCENT SPOT LAMP	\$215.00
86P	FRONT HEADLAMP/POLICE INTERCEPTOR HOUSING ONLY -inc: pre- drilled hole for side marker police use, does not include LED installed lights (eliminates need to drill housing assemblies) and pre-molded side warning LED holes w/standard sealed capability (does not include LED installed lights)	\$125.00
59B	KEYED ALIKE - 1284X	\$50.00
18D	GLOBAL LOCK / UNLOCK FEATURE -inc: Door-panel switches will lock/unlock all doors and rear liftgate, Eliminates overhead console liftgate unlock switch and 45-second timer, Also eliminates the blue liftgate release button if ordered w/Remote Keyless	\$0.00
43D	DARK CAR FEATURE -inc: Courtesy lamps disabled when any door is opened	\$20.00
17T	RED/WHITE DOME LAMP IN CARGO AREA	\$50.00
60R	NOISE SUPPRESSION BONDS (GROUND STRAPS)	\$100.00
DEALER INSTALLED / PROCESSING OPTIONS		
.DI-1	INSTALL KEYLESS ENTRY	\$325.00

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2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2017 Fleet/Non-Retail K8A AWD 4dr

CATEGORY

<u>Code</u>	<u>Description</u>	<u>MSRP</u>
OPTIONS TOTAL		\$945.00

An underlined code indicates that the options have been applied by the dealer. All sales prices established solely by dealer.

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2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A

WARRANTY INFORMATION

WARRANTY INFORMATION - 2017 Fleet/Non-Retail K8A AWD 4dr

WARRANTY**Basic:**

3 Years/36,000 Miles

Drivetrain:

5 Years/100,000 Miles

Corrosion:

5 Years/Unlimited Miles

Roadside Assistance:

5 Years/60,000 Miles

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Customer File:



General Fire Equipment Co., Inc

975 North Hawley Rd
Milwaukee, WI 53213

Phone: 414/475-0959

Order Number B14008

Order Date 11/15/16

Bid Expiration Date 01/31/17

Required Date 11/15/16

Bill To:

Germantown Police Department
P.O. Box 96
N112 W16877 Mequon Road
Germantown, WI 53022

Ship To:

Germantown Police Department
P.O. Box 96
N112 W16877 Mequon Road
Germantown, WI 53022

THIS IS A BID/ESTIMATE

Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
GERM02	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price		Extended Price
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
1	0	SQD Squad 2017 Ford PI Utility		0.00	N	0.00
1	0	INS-MISC Rear Radar Head Cable complete		95.00	N	95.00
1	0	INS-MISC Front Camera Cables, extension and adapter		192.56	N	192.56
1	0	SOUPSRNMC1 Microphone replacement complete		39.00	N	39.00
1	0	SOUEPL9000-54 Sound-Off Pinnacle 54" Lightbar w/options		1700.00	N	1700.00
		6-Front Modules w/ Hi-Powered 6 Button LED's 3/R 3/B				
		7-Rear Modules w/ Hi-Powered 6 Button LED's 4/R 3/B				
		4-Corner Modules w/ Hi-Powered 12 Button LED's				
		1-Hi-Powered 6 button LED Takedown Modules(Center)				
		2-Hi-Powered LED Alley Light Modules				
		Break-out box for quick connect installation				
		Colored lens w/ Built-in Selectable Flash Patterns				
		Fixed height mounting brackets and vehicle specific hook kit				
		Hook-On Mount (2017 PI Utility)				
1	0	SET-PB450L2 Setina Alum. Contour Push Bumper w/ 2-Sound-Off nFORCE		595.00	N	595.00
		Led's				
		Driver's Side Red + White				
		Passenger's Side Blue + White				



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Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
GERM02	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price	Extended Price	
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
		Lights can alternate (either just red + blue or add white to the warning pattern for additional attention getting power) This set-up allows for the ability to turn on white portion of lights to steady burn to activate with the takedowns for additional area blanket coverage to help insure a safer environment for your officer's.				
2	0	SOUEENT3B3- Sound-Off Surface Mount LED Intersection Module, Each (R/W + B/W PUSH BUMPE)		160.00 N		320.00
2	0	SOUEENT2B3- Sound-Off Under Mirror LED Intersection Module, Each (R/W B/W UNDER MIRRO)		160.00 N		320.00
1	0	SOUPNT1CRV05 Sound-Off Intersector Adapter for Ford PI Utility Mirror		10.00 N		10.00
1	0	SOUEETHFSS-FV Sound-Off Select-A-Pattern SS Headlight Flasher, PI Utility		81.00 N		81.00
2	0	SOUEENFSGS2- Sound-Off nForce Single Deck/Grill Mount 10-16v, 9 LED (SIDE REAR WINDOWS)		139.50 N		279.00
1	0	SOUEEL3H08A00- Sound-Off 8 Module LED Interior Directional/Warning Bar		476.50 N		476.50



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Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
GERM02	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped Back Ordered	Item Number	Unit of Measure	Unit Price	Discount %	Tax
		Item Description (Customer Part No.)				Extended Price
2	0	SOUELUC2S010- Sound-Off Undercover Head LED Insert w/ Extreme Angle Lens (1/RED 1/BLUE RUCS)		91.50 N		183.00
2	0	EIG-E106 6 lamp Hi-Output Surface Mount LED Light w/ Flasher (TURD)		85.50 N		171.00
2	0	EIG-E106 6 lamp Hi-Output Surface Mount LED Light w/ Flasher (LICENSE PLATE)		85.50 N		171.00
1	0	INS-MISC License Plate Bracket		35.00 N		35.00
2	0	TECE20-WCOR-1 Orion Surface Mt. 6" Round Red/White LED Light w/Chrome Trim		90.00 N		180.00
2	0	DEL-SLRR Lighted Round Rocker Switch		5.00 N		10.00
1	0	SOUETSA482RSP Sound-Off 200 Watt Dual Speaker Remote Siren/Light Control		674.25 N		674.25
1	0	JOTC-6193 Jottodesk 12"+4" Contour Console for 2013+ Ford PI UTV		420.00 N		420.00
1	0	JOT-6533 Face Plate 4", Arbitrator 360		39.00 100.000 N		0.00



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GERM02	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price	Extended Price	
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
1	0	PTS-PX02 Prisoner Transport Seat Sys. w/Screen & OS Belt, PI Utility		1080.00	N	1080.00
1	0	SET-WBSUV Setina Window Barrier, SUV Style		209.00	N	209.00
1	0	MOB-EB Electronic SUV Equipment Storage Box w/ Cover		344.00	N	344.00
1	0	WIRCB-150-R 150Amp Manual Reset Circuit Breaker		49.99	N	49.99
1	0	EIG-SSTX5 20" Waterproof White Utility Light w/ Switch		26.60	N	26.60
5	0	DEL-6FB 6 Gang Fuse Block W/Wire & Cover		29.95	N	149.75
4	0	TST140-0377 Bosch SPDT 40/30 Amp Relay		12.50	N	50.00
1	0	MOT-BMFFME 17' Antenna Cable assy, NMO mount & FME (FM)		30.00	N	30.00
1	0	MOT-RFE-6108 FME (M) x TNC(M) Adapter		15.00	N	15.00
1	0	MOT-MMGSK Antenna Base Gasket		1.75	N	1.75
2	0	INS-LVR SPDT Low Voltage Specialty PC Relay		50.75	N	101.50



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N112 W16877 Mequon Road
Germantown, WI 53022

Ship To:

Germantown Police Department
P.O. Box 96
N112 W16877 Mequon Road
Germantown, WI 53022

THIS IS A BID/ESTIMATE

Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
GERM02	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price	Extended Price	
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
1	0	INS-MAGS Magnetic Door Switch Assy.		10.00	N	10.00
1	0	INS-TS16 16 Position Terminal Strip		8.50	N	8.50
1	0	INS-TS20 20 Position Terminal Strip		9.00	N	9.00
1	0	INS-GS 1/4"-20 Black surface Mount Ground Stud		14.95	N	14.95
1	0	INS-BATTERY High amperage battery		115.00	N	115.00
1	0	KUS091-139-C12 Kussmaul Auto Isolator I Dual Battery Smart Controller		95.00	N	95.00
1	0	INS-R75A 75 amp Heavy Duty Relay		62.98	N	62.98
1	0	MISC Customer requests the following: tri-block on PS console facing sideways for flashlight & radar PA mic on magnetic holder on side of console between seat and laptop pole Radar wires Power and remote, Loomed and run down PS of dash exposed. Radar heads go to the DS of console by windshield No LED indicator for Camera DVR up front 1" filler above for Lind box clearance Flashlight on vertical bracket mounted to angle bracket on laptop mount		0.00	N	0.00



General Fire Equipment Co., Inc

975 North Hawley Rd
Milwaukee, WI 53213

Phone: 414/475-0959

Order Number B14008

Order Date 11/15/16

Bid Expiration Date 01/31/17

Required Date 11/15/16

Bill To:

Germantown Police Department
P.O. Box 96
N112 W16877 Mequon Road
Germantown, WI 53022

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Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
GERM02	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price	Extended Price	
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
1	0	001 Labor Charges For Installation Of Equipment Into Squad		2600.00 N		2600.00
Shipping Subtotal						300.00
Non Taxable Subtotal						12042.06
Taxable Subtotal						0.00
Tax						0.00
Total Order						12342.06

X D.

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: February 6, 2017

AGENDA ITEM: New Business (CERTIFIED SURVEY MAP)

ITEM TITLE: MLG Development, Agent for MLG Germantown Investment LLC, Property Owner of 118.7 acres located in TID#6 east of Appleton Avenue and south of Lannon Road (Parcel GTNV#294-998, 321-981, 321-984, 321-985, 321-991 & 321-999); 2-Lot Certified Survey Map (CSM)

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department

SUMMARY EXPLANATION:

MLG Germantown Investment LLC, has submitted a 2-lot certified survey map (CSM) to create the 118.7-acre Willow Creek Business Park located within TID#6, along with the dedication of right-of-way for the public cul-de-sac, dedicate outlots to the Village, and establish necessary utility, landscape, drainage and storm water basin access easements. The further division of Lot 2 is anticipated as additional business park land owners and their specific land area needs are made known in the future.

The Plan Commission is recommending APPROVAL of the CSM with two conditions. The PC is also recommending that the proposed street name be changed from "Nimitz Court" to "Willow Creek Way".

ATTACHMENTS:

- ◆ 1/9/17 Staff Report
- ◆ 1/9/17 Plan Commission Meeting Minutes
- ◆ Preliminary CSM

PLAN COMMISSION RECOMMENDATIONS:

APPROVE the 2-lot Certified Survey Map land division for the 118.7-acre Willow Creek Business Park property located north of Appleton Avenue west of Maple Road in the Village of Germantown's Tax Incremental District (TID) #6 subject to the following conditions:

1. All technical corrections identified by the Village Surveyor as summarized in the January 4, 2017 memo shall be made prior to recording the CSM.
2. MLG Germantown Investments LLC shall work with the Village Park & Recreation Commission to discuss and possibly identify a mutually acceptable location for a 20' wide pedestrian access easement across Lot 2 for a future pedestrian trail to be developed and maintained by the Village at such time if and when the Village develops additional connecting trail sections across Outlot 1 and/or Outlot 2.

MOTION to change the street name from "Nimitz Court" to "Willow Creek Way".

CERTIFIED SURVEY MAP (CSM) APPLICATION

1/9/17 Plan Commission Meeting

MLG Germantown Investments LLC / Willow Creek Business Park

Village Planner Report

Germantown, Wisconsin

Summary

MLG Development, agent for MLG Germantown Investments LLC, property owner, has submitted a 2-Lot Certified Survey Map (CSM) for the 118.7 acre Willow Creek Business Park located north of Appleton Avenue west of Maple Road in the Village of Germantown's Tax Incremental District (TID) #6.

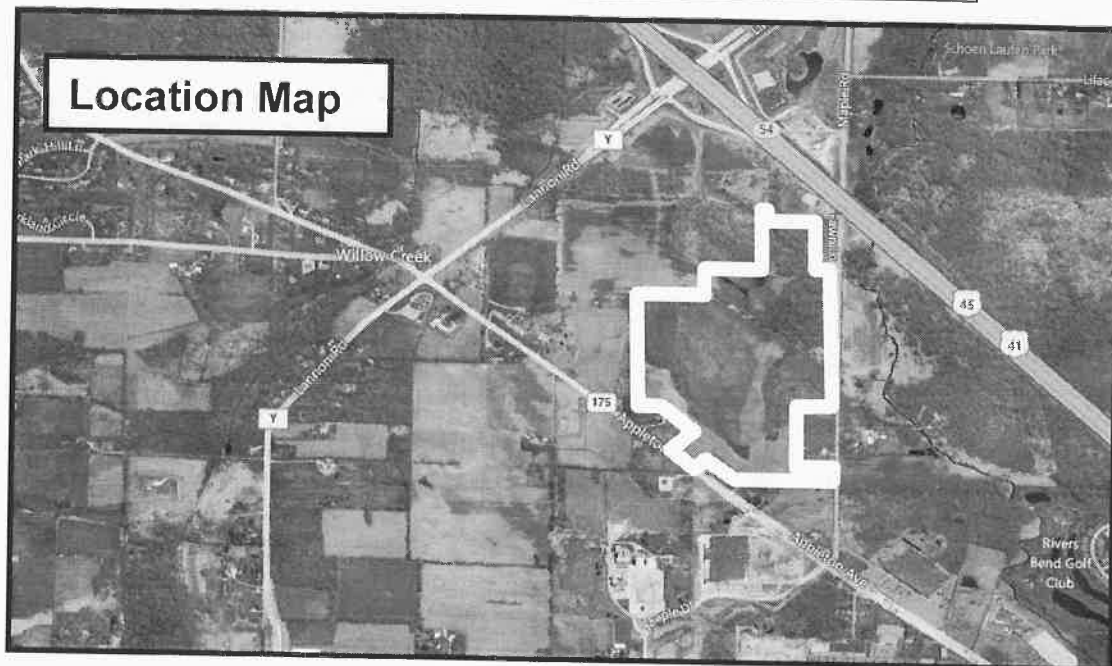
Location: Appleton Avenue (west of Maple Road)

Agent/

Property Owner: MLG Germantown Investments LLC
13400 Bishop's Woods Suite 270
Brookfield, WI

Existing Zoning: M-1: Limited Industrial

Adjacent Land Uses		Zoning
North	Agricultural/Institutional	A-1/I
South	Residential	Rs-1/Rs-3
East	Residential/Agricultural	Rs-3/A-2
West	Institutional/Agricultural	I/A-1



Background

MLG Germantown Investments LLC, owns approximately 118 acres of land north of Appleton Avenue and west of Maple Road, most of which is located within the Village of Germantown's Tax Incremental District (TID) #6. TID #6 contains a total of approximately 192.5 acres of land that was established in June, 2014 for the development of both industrial and commercial development (*NOTE: approximately 9.5 acres in the far northeast corner of the total 118 acres owned by MLG was not included in TID#6 because it is undevelopable wetland and floodplain; see attached graphic depicting the TID#6 boundary and 118-acre CSM boundary*).

Proposal

As shown in the preliminary CSM, the 118-acres currently owned by MLG is being divided into two parcels containing all of the developable land (Lot 1 and Lot 2), and two outlots containing the four (4) storm water basins and remaining wetlands and floodplain that surrounds the 118 acre area known as the "Willow Creek Business Park".

The further division of Lot 2 is anticipated as additional business park land owners and their specific land area needs are made known in the future.

Staff Comments

While further division of proposed Lot 2 is expected to accommodate the needs of future industrial land owners & businesses that develop in the business park, this CSM is necessary to establish the public road right-of-way for the construction of Nimitz Court, the outlots within which the storm water basins have been constructed, and the various utility, drainage and landscape easements across the property. Lot 1 is proposed as a 7-acre parcel and is expected to be the first site developed.

As noted on the CSM, Outlot 1 (37.9 acres) and Outlot 2 (5.4 acres) are to be dedicated to the Village of Germantown along with the public road "Nimitz Court" for ongoing maintenance responsibility. There are three separate storm water basins constructed in Outlot 1 and a forth basin in Outlot 2; all of which to be maintained by the Village.

The Village's Park & Recreation Commission has reviewed and considered the proposal to dedicate the outlots to the Village. As indicated in a November 21, 2016 memorandum (copy attached), the Commission supports the dedication as it furthers the Village's goals of preserving environmental corridor within the Menomonee River watershed and provides an opportunity for the possible future use/development of the area as a passive park/conservation area for activities such as hiking, cross country skiing, etc. The Commission recommends additional easements be provided within the business park to further accommodate such uses.

Utility installation and road construction within the business park are nearly complete.

The Engineering Department (Village Surveyor) has identified a number of technical corrections in a January 4, 2017 memo (copy attached) that will have to be corrected prior to recording of the CSM.

Finally, approval and subsequent recording of the CSM would be the official act to accept and establish the proposed "Nimitz Court" street name.

Early in the process of laying out potential streets within the business park, staff picked the names "Nimitz" and "Halsey" as potential street names (the Halsey Court cul-de-sac has since been deleted) as place-keepers until a formal decision was made about street names. The names of famous U.S. Navy Admirals were picked as bookends to the U.S. Army General names that were picked for streets in the Germantown Business Park on east Mequon Road (i.e. Eisenhower Drive, Patton Court, Bradley Way, Grant Drive and Washington Drive). If there's a need or desire to change the name to something else, possibly something more in line with or complimentary to the "Willow Creek Business Park" name... now would be the time to discuss this minor issue and make a street name recommendation.

Village Planner Recommendation

APPROVE the 2-lot Certified Survey Map land division for the 118.7-acre Willow Creek Business Park property located north of Appleton Avenue west of Maple Road in the Village of Germantown's Tax Incremental District (TID) #6 subject to the following conditions:

1. All technical corrections identified by the Village Surveyor as summarized in the January 4, 2017 memo shall be made prior to recording the CSM.
2. MLG Germantown Investments LLC shall work with the Village Park & Recreation Commission to discuss and possibly identify a mutually acceptable location for a 20' wide pedestrian access easement across Lot 2 for a future pedestrian trail to be developed and maintained by the Village at such time if and when the Village develops additional connecting trail sections across Outlot 1 and/or Outlot 2.

PLAN COMMISSION MINUTES
January 9, 2017

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 p.m.

ROLL CALL: Chairman Dean Wolter, Trustee Representative David Baum, Commissioners Bill Shadid, Peter Nilles, Tony Laszewski, Mary Ellen Gray and Ben Goetter were present. Also present were Community Development Director/Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

APPROVAL OF MINUTES: ***MOTION Baum second Shadid to Approve the minutes from 12-12-16.***

Sports Specialists of Milwaukee – N104 W13885 Donges Bay Road. Skyline Development, agent for Sports Specialists, is seeking approval of revisions to the approved site plan for a 32,000 sqft warehouse distribution and office building on the 4.7 acre parcel. Planner Retzlaff summarized the proposal.

Mike Krenz, Skyline Development, explained the enclosure would have wood boards on all four sides. Trustee Baum was concerned the dumpsters may pop the boards off the back side. Mr. Krenz said the enclosure was constructed in a way that the dumpsters cannot hit the enclosure.

MOTION Baum second Gray to Approve the revisions to the dumpster enclosure material as proposed.

MOTION carried unanimously.

MLG Development – Willow Creek Business Park, North of Appleton Avenue & West of Maple Road. MLG Development has submitted a 2-Lot Certified Survey Map for the 118.7 acre Willow Creek Business Park located north of Appleton Avenue west of Maple Road in TID #6. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the 2-lot Certified Survey Map land division for the 118.7 acre Willow Creek Business Park property located north of Appleton Avenue west of Maple Road in the Village of Germantown's Tax Incremental District (TID)#6 subject to the following conditions:

- 1. All technical corrections identified by the Village Surveyor as summarized in the January 4, 2017 memo shall be made prior to recording the CSM.***
- 2. MLG Germantown Investments LLC shall work with the Village Park & Recreation Commission to discuss and possibly identify a mutually acceptable location for a 20' wide pedestrian access easement across Lot 2 for a future pedestrian trail to be developed and maintained by the Village at such time if and when the Village develops additional connecting trail sections across Outlot 1 and/or Outlot 2.***

Commissioner Gray said she was not in favor of Nimitz Drive as a street name thought it should relate more to Germantown. Chairman Wolter Nimitz has always been the name but he is open to suggestions. Discussion continued.

Motion Baum second Laszewski to change the name of the street from Nimitz to Willow Creek Way. Motion withdrawn.

MOTION to Approve the CSM carried unanimously.

MOTION Baum second Gray to change the street name from Nimitz Way to Willow Creek Way.

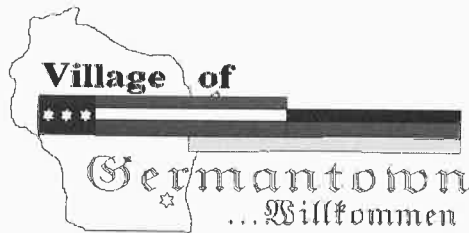
MOTION carried unanimously.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner

CC:

From: Bob Beilfuss, PLS, Village Surveyor

Date: August 8, 2016

Revised November 7, 2016

Revised January 4, 2017

Re: Willow Creek-TIF6 CSM

Jeff,

Here are my review comments for the CSM received 7-27-2016 and 10/24/2016 and 12/21/2016.

Certified Survey Map

Applicant or Owner: MLG-Barry Chavin

Land Surveyor/Firm: Don Chaput, PLS, Chaput Land Surveys

1. The angular and distance accuracy statement is missing and needs to be added.
This item has been addressed.
2. There are four (4) adjoining unplatted parcels common to the east line of proposed Lot 2 and Outlot 2 that are not shown on pages 1, and 4 thru 6. That is not one large lot.
This item has been addressed.
3. Building setback lines and widths are missing on Lot 1 and Lot 2.
There are still building setback lines and dimension missing on Lot 2. See attached PDF page (2)
4. The exterior line along Appleton Avenue from Nimitz Court NW and SE needs to follow the road centerline and a 60' strip northeasterly from the centerline dedicated to the Village for public road purposes. The associated sideline dimensions will need to be recomputed and corrected for the RW dedication.
This item has been addressed.
5. The north line of Lot 1 and Lot 2 need to be moved to the south as they currently run thru the detention ponds the village will be acquiring title to. The lot lines need to be located at the bottom of the berm or toe of slope to the berms.
This item has been addressed.
6. There are no public access easements to get to any of the 4 detention ponds.
This item has been addressed with conversations with the owner. Access and electric easements will be provided to each of the four (4) detention ponds when the individual buildings plans are submitted or subsequent certified survey maps are submitted that would further divide Lot 1 and Lot 2

7. To power the aerators located in each pond, the village needs to have private electric utility easements for each of the four ponds.
This item has been addressed. See No. 6
8. There is a 10' wide x 73.27' long sanitary sewer easement needed around MH-9. This easement is located adjacent to the north R/W of Nimitz Court between Curve 1 and Curve 2.
This item has been addressed in that the 10' easement is located on the map, (sheet 3 of 9) but there are dimensions missing that would tie this strip to a corner of Lot 1 or a point of curvature or tangency of the road R/W.
9. The "variable width drainage easement shown on Lot 1 on sheet 3 of 9 does not encompass all of the two drainage ditches and needs to be redone. This drainage easement is to be shown as a private drainage easement
This item has been addressed.
10. In addition to the drainage easement mentioned in No. 12, there are 5 other major drainage ditches that need to be shown as private drainage easements of a variable width as well.
This item has been addressed.
11. On sheet 3 of 9, there is a 30' drainage easement stub located on the NW side of the cul de sac bulb. As there is a storm sewer discharge and drainage ditch located in the same general area, this stub easement needs to be relocated over the new pipe alignment. The alignment shown was changed in 2015.
This item has been addressed.
12. On sheet 3 of 9, there is a 15' general utility easement shown on Lot 1 and Lot 2 and adjacent to the road R/W. The Village is only going to install light poles on the north side of Nimitz Court, from Appleton Ave. to the midpoint of the cul de sac bulb.
This item has been addressed.
13. A sign easement for the future monument sign will be needed once the sign location has been determined. This sign easement will not be located within the vision corners and the sign will not be located within Village Road R/W.
This item has not been addressed.
14. On sheet 4 of 9 there is a small 20' x 28.69 bump out in the public sanitary and watermain easement which was intended for a vehicle turnaround.

The vehicle turnaround has been relocated. This bump out in the easement can be removed and the adjacent easement line that bears North 47°58'02" West (312.54') can be extended to the southeast and intersect with the development south exterior boundary line.
This item has not been addressed. See PDF Page 1
15. The wetland delineation line and 25' wetland offset line need to be defined on sheet 6 of 9. Which line is defining the actual wetland and which one is the setback?
This item has been addressed.

16. Building setback lines appear to vanish on sheet 1 of 9 as they run into wetland setback lines which would dictate the building setback in those areas. While the wetland line and setback line information are shown on sheet 6 of 9, the wetland setback line should also be shown and noted as such on sheet 1 of 9.

Right now, it appears the building setback lines appear to be incomplete.

17. Future westerly extension of the sanitary sewer across Lot 1 requires a 20' public sanitary sewer easement. The attached CADD file has the proposed pipe and easement alignment.
18. Change all dates in the document to 2017.

No further review comments.

Document Submittals and Data Conversion

As of October, 2005, the Village of Germantown requires a digital copy of all Certified Survey Maps, Condominium Plats and Subdivision Plats in addition to the documents as required by Wisconsin Statute and Village Ordinances as part of the land division approval.

Prior to Recording the Certified Survey Map, the professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2007 on compact disk (CD) or via email to the Village Surveyor.

All digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

The model space of the drawing will be done in Wisconsin State Plane Coordinate System, South Zone (NAD 1927 datum) and the Grid Bearing basis.

Prior to Recording the Certified Survey Map, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map. All boundary corners are to be clearly marked in the field with lath and flags by the professional land surveyor of record.



Germantown Park and Recreation Department
N112 W17001 Mequon Road
P.O. Box 337
Germantown, Wisconsin 53022-0337

(262) 250-4710 Fax (262) 255-2920
Information Line (262) 250-4711

Date: November 21, 2016
To: Jeff Retzlaff, Director of Community Development
From: Mark Schroeder, Park & Recreation Director
Re: TIF #6 Business Park – Open Space Land

At the November Park & Recreation Commission meeting, discussion was held regarding the open space lands in the TIF # 6 Business Park that are proposed to be dedicated to the Village by MLG Development. Per the CSM, this would-be Outlot 1 (37.9 acres) and Outlot 2 (5.39 acres).

It was the consensus of the Park & Recreation Commission that the Village accept these lands for potential use as a park/conservation area. Per the village's Comprehensive Outdoor Recreation Plan (CORP), this land acquisition would meet the identified goal of preservation of environmental corridor within the Menomonee River watershed. In addition, this land could provide the opportunity for future passive use recreation activities such as hiking, cross country skiing, snow shoeing, etc.

With the only access point off Maple Road on the eastern side of the property, the commission recommends that the Village work with the developer/future business park tenants to create a second point of access through the business park that would serve not only the future maintenance of the storm water ponds, but also provide public access to this future park/open space/conservation area. In addition to this, the commission requests that MLG Development dedicate a 20' easement through the unbuildable portions of Lot 2 for public trail purposes that would allow for a future pedestrian trail connecting Outlot 2 to Outlot 1. Staff has walked the site, and would be excited to work with MLG Development on depicting the location of the easement and enhancing the development for future businesses.

It is the understanding of the Park & Recreation Commission that the dedication and future maintenance of these storm water ponds is the responsibility of the Village of Germantown. The Park & Recreation Commission would like to go on record that no park and recreation funds should be utilized for the maintenance of these storm water facilities.

If you have any questions, or need any further information to forward to the Plan Commission or Village Board, please let us know. Thank you.

*Cc: Scott Coulthurst, Chairman, Park & Recreation Commission
Brian Depies, Park & Recreation Commissioner*



Village of



Germantown

Willkommen

Fee must accompany application

☐ \$2,900 with public improvements

☐ \$1,960 no public improvements

Paid _____ Date _____

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1 APPLICANT OR AGENT

Joe Bukovich

MLG Development

13400 Bishop's Lane, Suite 270

Brookfield, WI 53005

Phone (262) 424-5997

Fax (414) 908-9157

E-Mail jbukovich@mlgdevelopment.com

PROPERTY OWNER

MLG Germantown Investment LLC

c/o Andrew C. Teske

13400 Bishop's Lane, Suite 270

Brookfield, WI 53005

Phone (262) 797-9400

ateske@mlgcompanies.com

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

2 Willow Creek Business Park, Appleton Avenue

GTNV 321999, GTNV 321984

GTNV 321991, GTNV 321985
GTNV 321981

3 PURPOSE OF LAND SPLIT

Development of property into a business park. Dedicate roads and easements and create lot 1 for third party development.

Will the land split require rezoning?

No

From

To

4 READ AND INITIAL THE FOLLOWING:

JAB I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.

JAB I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.

JAB I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

JAB I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

5 SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Joseph A. Bukovich 7/26/16
Applicant Date

By: Andrew C. Teske, VP 7/26/2016
Owner Date



CERTIFIED SURVEY MAP NO. _____

Part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 32, and part of the Southeast 1/4 of the Southeast 1/4 of Section 29 all in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

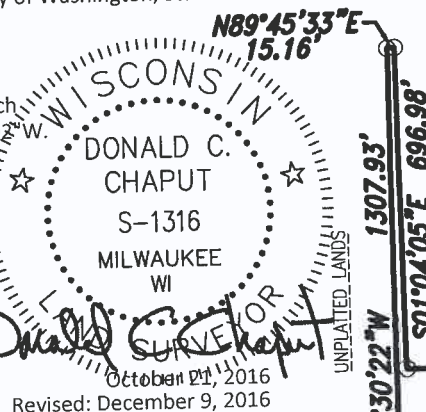
All dimensions shown are measured to the nearest hundredth of a foot.

Bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone (NAD 1927 datum) in which the South line of the NE 1/4 of Section 32 bears N89°56'02"W.

Owner/Subdivider:
MLG Germantown Investment LLC
13400 Bishops Lane
Suite 270
Brookfield, WI 53005

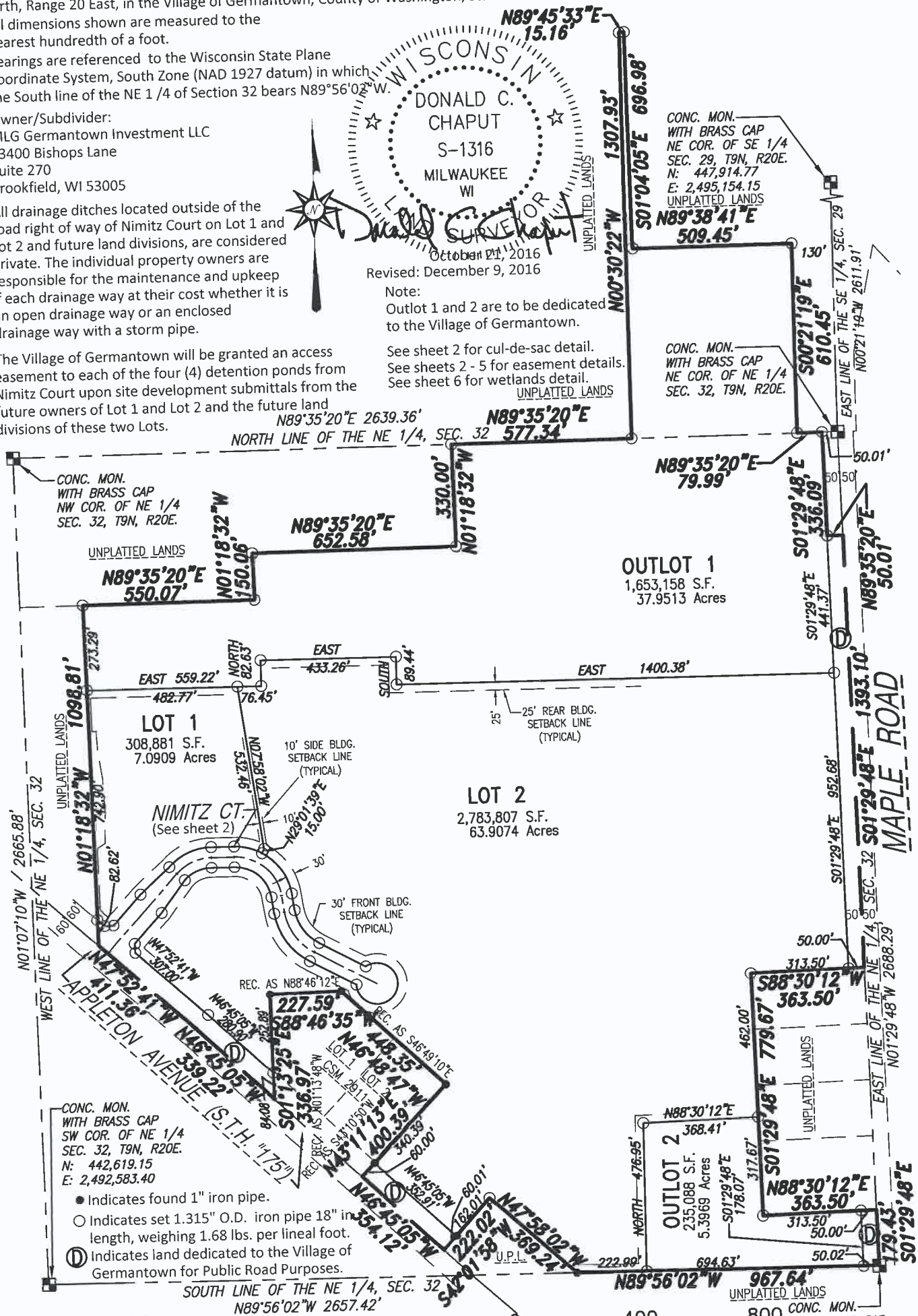
All drainage ditches located outside of the road right of way of Nimitz Court on Lot 1 and Lot 2 and future land divisions, are considered private. The individual property owners are responsible for the maintenance and upkeep of each drainage way at their cost whether it is an open drainage way or an enclosed drainage way with a storm pipe.

The Village of Germantown will be granted an access easement to each of the four (4) detention ponds from Nimitz Court upon site development submittals from the future owners of Lot 1 and Lot 2 and the future land divisions of these two Lots.



Revised: December 9, 2016

Note:
Outlot 1 and 2 are to be dedicated to the Village of Germantown.
See sheet 2 for cul-de-sac detail.
See sheets 2 - 5 for easement details.
See sheet 6 for wetlands detail.



CHAPUT LAND SURVEYS LLC

234 W. FLORIDA STREET
MILWAUKEE, WI 53204
414-224-8068
www.chaputlandsurveys.com

Drawing No. 1665-grb

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316



Sheet 1 of 9 Sheets

CONC. MON. WITH BRASS CAP
SE COR. OF NE 1/4
SEC. 32, T9N, R20E.
N: 442,616.08
E: 2,495,240.55
(POINT OF BEGINNING)

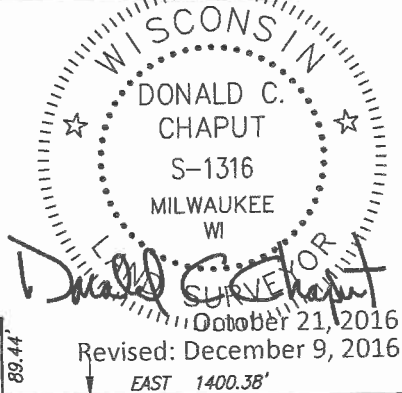
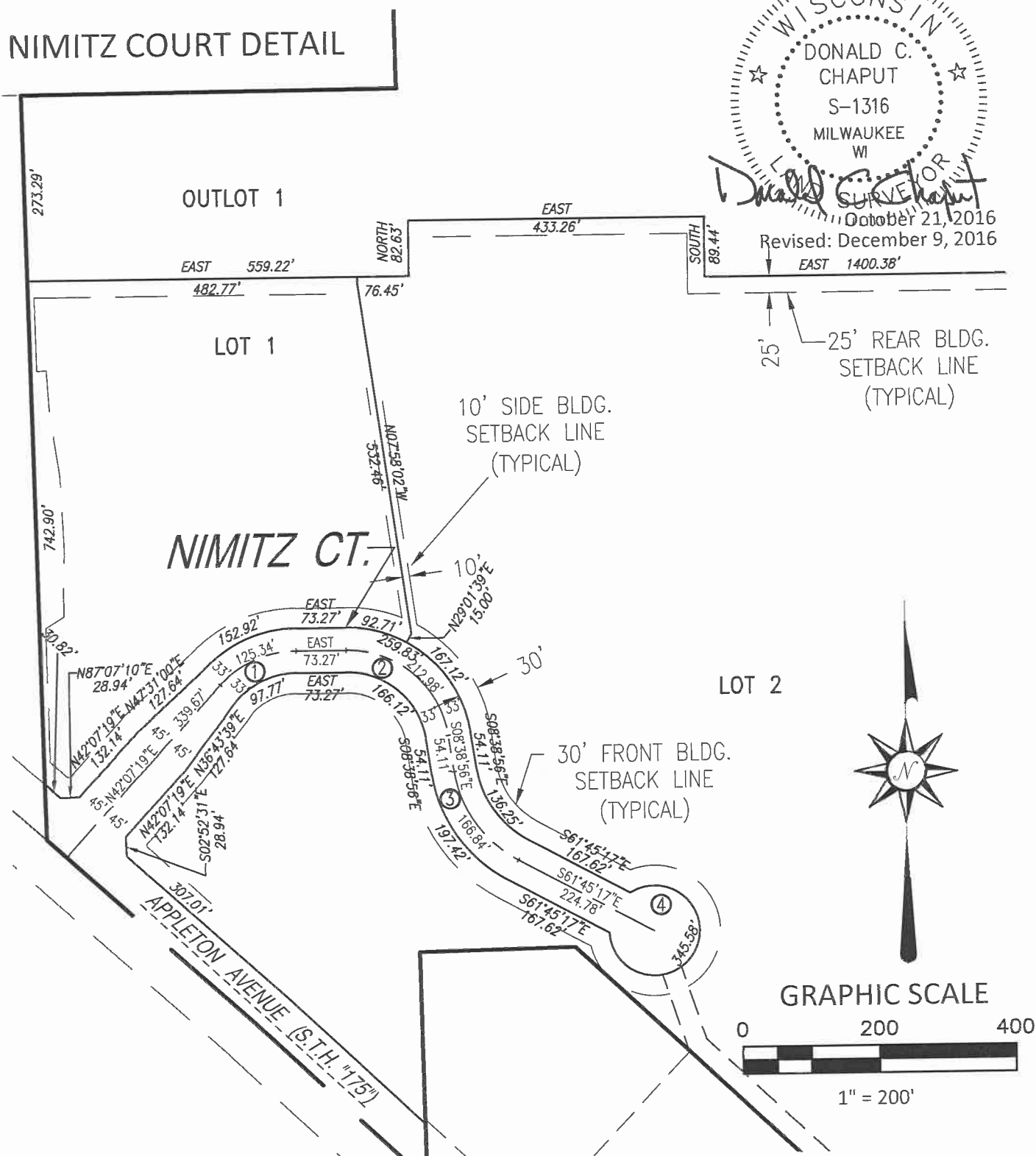
CERTIFIED SURVEY MAP NO. _____

Part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 32, and part of the Southeast 1/4 of the Southeast 1/4 of Section 29 all in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

CURVE DATA

CURVE	LOT	ARC	RADIUS	CHORD BEARING	CHORD	DELTA	TANGENT BEARING	TANGENT BEARING
1	1	152.92'	183.00'	N66°03'39.5"E	148.51'	47°52'41"	N42°07'19"E	EAST
1	CL	125.34'	150.00'	N66°03'39.5"E	121.73'	47°52'41"	N42°07'19"E	EAST
1	2	97.77'	117.00'	N66°03'39.5"E	94.95'	47°52'41"	N42°07'19"E	EAST
2	TOTAL	259.83'	183.00'	S49°19'28"E	238.55'	81°21'04"	EAST	S08°38'56"E
2	1	92.71'	183.00'	S75°29'10.5"E	91.72'	29°01'39"	EAST	S60°58'21"E
2	2	167.12'	183.00'	S34°48'38.5"E	161.37'	52°19'25"	S60°58'21"E	S08°38'56"E
2	CL	212.98'	150.00'	S49°19'28"E	195.53'	81°21'04"	EAST	S08°38'56"E
2	2	166.12'	117.00'	S49°19'28"E	152.52'	81°21'04"	EAST	S08°38'56"E
3	2	136.25'	147.00'	S35°12'06.5"E	131.43'	53°06'21"	S08°38'56"E	S61°45'17"E
3	CL	166.84'	180.00'	S35°12'06.5"E	160.93'	53°06'21"	S08°38'56"E	S61°45'17"E
3	2	197.42'	213.00'	S35°12'06.5"E	190.43'	53°06'21"	S08°38'56"E	S61°45'17"E
4	2	345.58'	66.00'	N28°14'43"E	66.00'	300°00'00"	N58°14'43"E	S01°45'17"E

NIMITZ COURT DETAIL



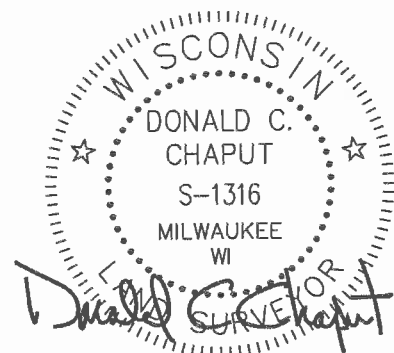
This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

Drawing No. 1665-grb
Sheet 2 of 9 Sheets

CERTIFIED SURVEY MAP NO. _____

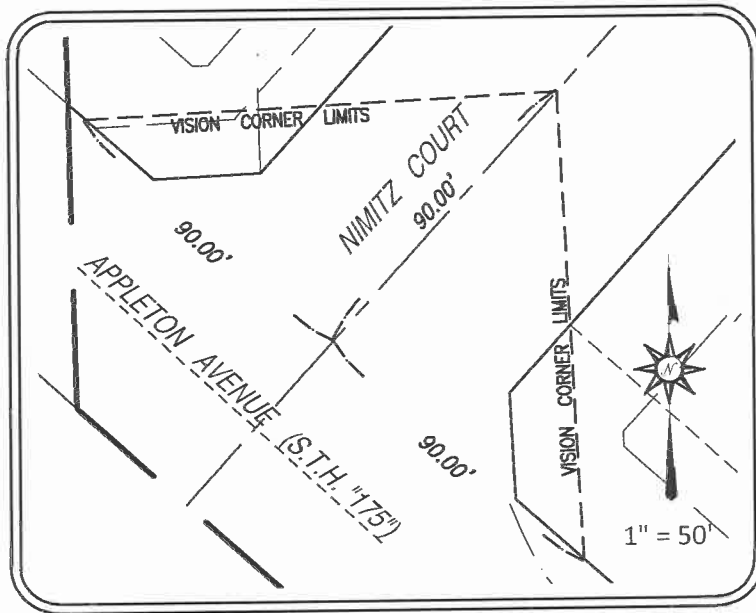
Part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 32, and part of the Southeast 1/4 of the Southeast 1/4 of Section 29 all in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

VISION CORNER RESTRICTION BY THE
VILLAGE OF GERMANTOWN ZONING CODE

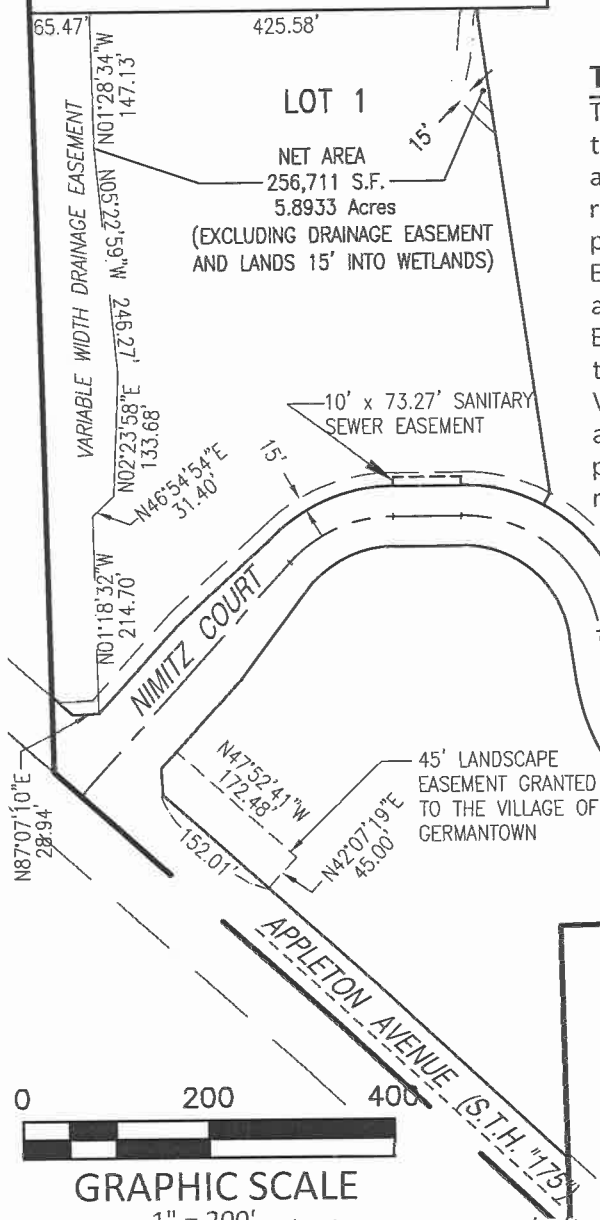


October 21, 2016
Revised: December 9, 2016

EASEMENT DETAILS



OUTLOT 1



Temporary Access Easement

The Village of Germantown ("Village") is hereby granted a temporary access easement over, across and through Lots 1 and 2 for the purposes of ingress and egress to maintain, repair, replace and reconstruct as necessary the stormwater ponds owned by the Village on Outlots 1 and 2 ("Access Easement"). The Village shall repair all damage caused by activities associated with exercising rights under this Access Easement at its sole cost and to the condition that existed prior to exercising the Village's rights. The rights conveyed to the Village under this Access Easement shall terminate upon approval of a development plan for each lot and when a permanent stormwater access easement for each pond is recorded by the Village.

LOT 2

Drawing No. 1665-grb
Sheet 3 of 9 Sheets

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

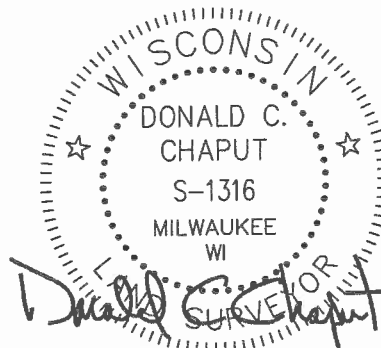
CERTIFIED SURVEY MAP NO. _____

Part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 32, and part of the Southeast 1/4 of the Southeast 1/4 of Section 29 all in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

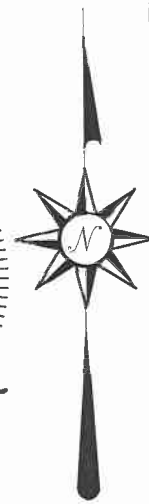
EASEMENT DETAIL

OUTLOT 1

LOT 2



October 21, 2016
Revised: December 9, 2016



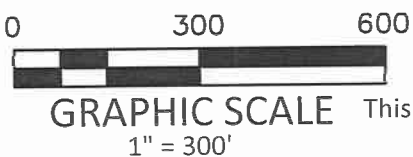
MAPLE ROAD

EAST LINE OF THE NE 1/4, SEC. 32

OUTLOT 2

PUBLIC SANITARY &
WATERMAIN EASEMENT

CONC. MON.
WITH BRASS CAP
SE COR. OF NE 1/4
SEC. 32, T9N, R20E.
N: 442,616.08
E: 2,495,240.55
(POINT OF BEGINNING)



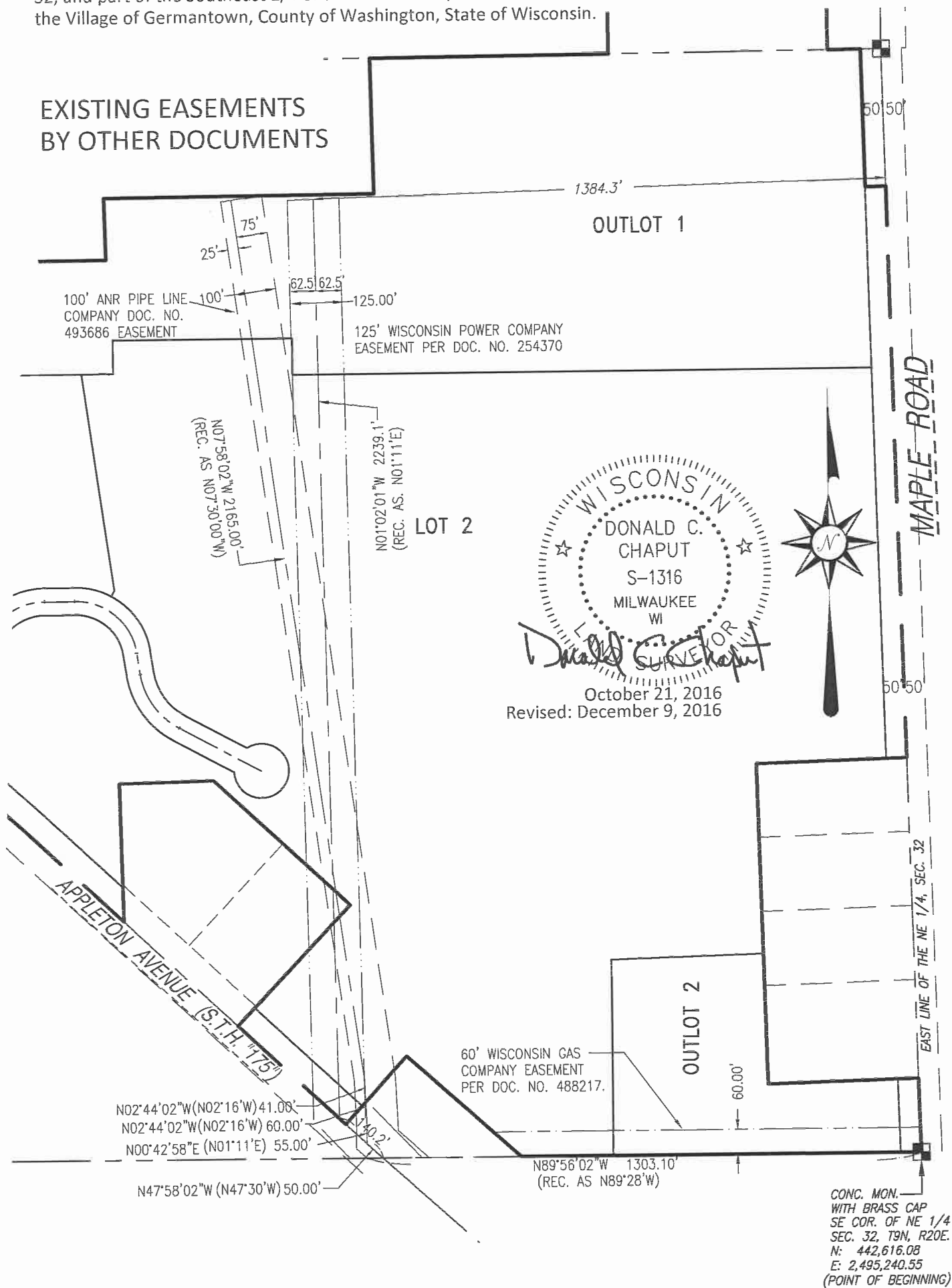
This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

Drawing No. 1665-grb
Sheet 4 of 9 Sheets

CERTIFIED SURVEY MAP NO. _____

Part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 32, and part of the Southeast 1/4 of the Southeast 1/4 of Section 29 all in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

EXISTING EASEMENTS BY OTHER DOCUMENTS



GRAPHIC SCALE
1" = 300'

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

Drawing No. 1665-grb
Sheet 5 of 9 Sheets

CERTIFIED SURVEY MAP NO. _____

Part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 32, and part of the Southeast 1/4 of the Southeast 1/4 of Section 29 all in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

WETLANDS DETAIL

Wetlands delineated by Wetland & Waterway Consulting, LLC,
Dated: May 14, 2014

WISCONSIN

DONALD C. CHAPUT

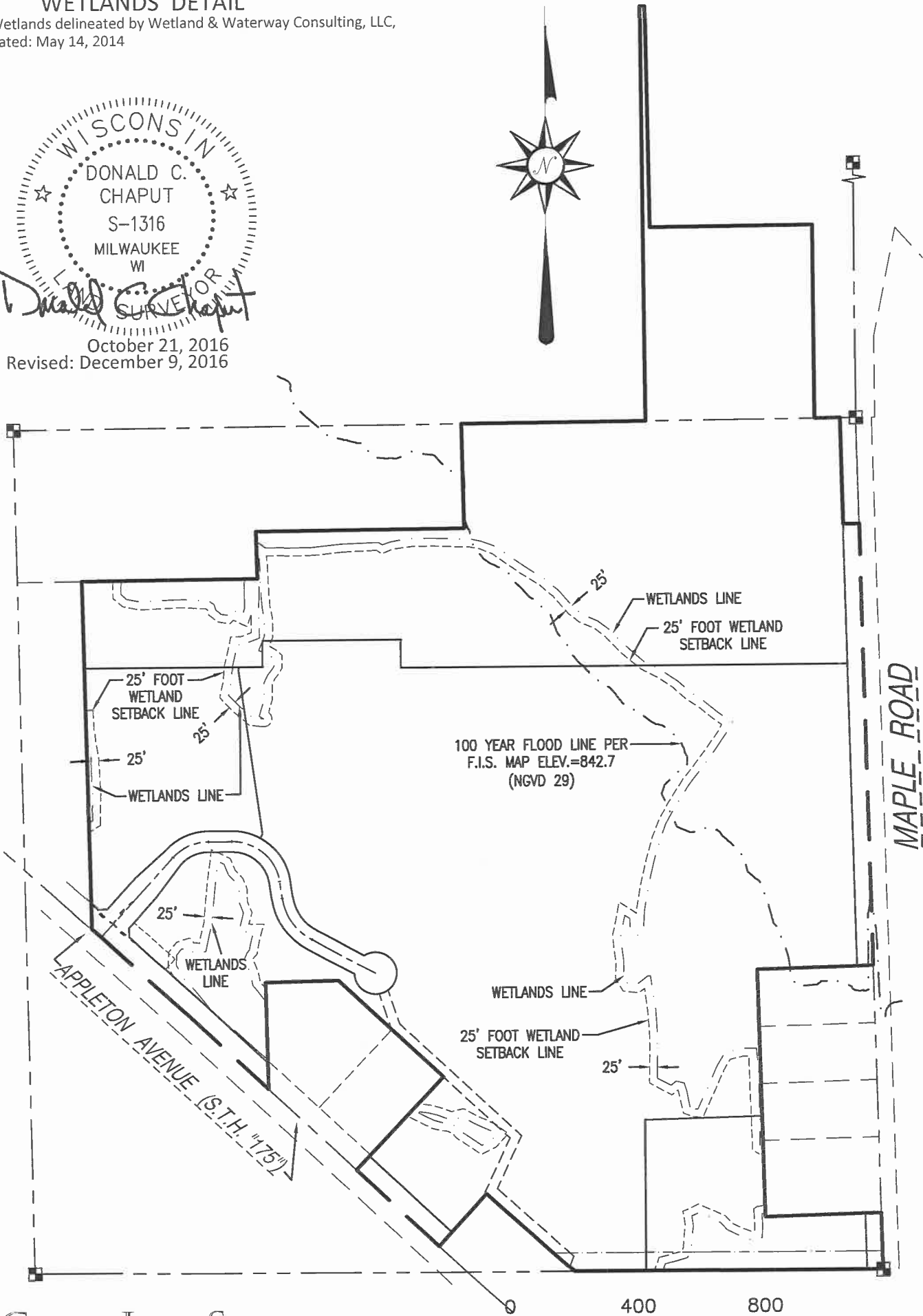
S-1316

MILWAUKEE WI

Surveyor

October 21, 2016

Revised: December 9, 2016



CHAPUT LAND SURVEYS LLC
234 W. FLORIDA STREET
MILWAUKEE, WI 53204
414-224-8068
www.chaputlandsurveys.com

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

Drawing No. 1665-grb
Sheet 6 of 9 Sheets

CERTIFIED SURVEY MAP NO. _____

Part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 32, and part of the Southeast 1/4 of the Southeast 1/4 of Section 29 all in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

I, DONALD C. CHAPUT, a professional land surveyor, do hereby certify:

THAT I have survey, divided and mapped a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 32, and part of the Southeast 1/4 of the Southeast 1/4 of Section 29 all in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin, , bounded and described as follows:

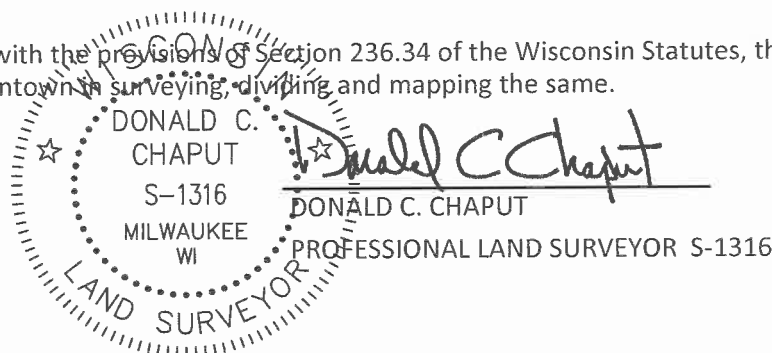
BEGINNING at the Southeast corner of said Northeast 1/4 Section, thence North 89°56'02" West along the South line of said Northeast 1/4 Section 967.64 feet to a point; thence North 47°58'02" West 369.24 feet to a point; thence South 42°01'58" West 222.02 feet to a point on the centerline of Appleton Avenue (S.T.H. " 175"); thence North 46°45'05" West along said centerline 354.12 feet to a point; thence North 43°11'13" East along the Southeasterly line of Certified Survey Map No. 2911 and its extension 400.39 feet to a point; thence North 46°48'47" West along the Northeasterly line of said Certified Survey Map 448.35 feet to a point; thence South 88°46'35" West along the Northerly line of said Certified Survey Map 227.59 feet to a point; thence South 01°13'25" East 336.97 feet to a point on the centerline of Appleton Avenue (S.T.H. " 175"); thence North 46°45'05" West along said centerline 339.22 feet to a point; thence North 47°52'41" West along said centerline 411.36 feet to a point; thence North 01°18'32" West 1098.81 feet to a point; thence North 89°35'20" East 550.07 feet to a point on the West line of the East 35 acres of the West 1/2 of the Northeast 1/4 of Section 32; thence North 01°18'32" West along said West line 150.06 feet to a point; thence North 89°35'20" East 652.58 feet to a point; thence North 01°18'32" West 330.00 feet to a point on the North line of the Northeast 1/4 of Section 32; thence North 89°35'20" East along said North line 577.34 feet to a point; thence North 00°30'22" West 1307.93 feet to a point; thence North 89°45'33" East 15.16 feet to a point; thence South 01°04'05" East 696.98 feet to a point; thence North 89°38'41" East 509.45 feet to a point on the West line of Maple Road; thence South 00°21'19" East along said West line 610.45 feet to a point on the North line of the Northeast 1/4 of Section 32; thence North 89°35'20" East along said North line 79.99 feet to a point on the West line of Maple Road; thence South 01°29'48" East along said West line 336.09 feet to a point; thence North 89°35'20" East 50.01 feet to a point on the East line of the Northeast 1/4 of Section 3; thence South 01°29'48" East along said East line 1393.10 feet to a point; thence South 88°30'12" West 363.50 feet to a point; thence South 01°29'48" East 779.67 feet to a point; thence North 88°30'12" East 363.50 feet to a point on the East line of the Northeast 1/4 of Section 32; thence South 01°29'48" East along said East line 179.43 feet to the point of beginning. Containing 5,215,935 or 119.7414 acres of land.

THAT I have made this survey, land division and map by the direction of MLG Germantown Investment LLC, owner of said land.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes, the Land Division Ordinance of the Village of Germantown in surveying, dividing and mapping the same.

DATE: October 21, 2016
Revised: December 9, 2016



This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

CHAPUT LAND SURVEYS LLC
234 W. FLORIDA STREET
MILWAUKEE, WI 53204
414-224-8068
www.chaputlandsurveys.com

Drawing No. 1665-grb
Sheet 7 of 9 Sheets

CERTIFIED SURVEY MAP NO. _____

Part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 32, and part of the Southeast 1/4 of the Southeast 1/4 of Section 29 all in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

OWNER'S CERTIFICATE

MLG Germantown Investment LLC, a Wisconsin limited liability company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said limited liability company caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of the Village of Germantown.

MLG Germantown Investment LLC, as owner, does further certify that this map is required by S.236.20 or 236.12 to be submitted to the following for approval or objection: Village of Germantown.

MLG Germantown Investment LLC, as owner, hereby dedicate that part of Maple Road and Appleton Avenue (S.T.H. "175") to the Village of Germantown for public road purposes as represented on Sheet 1 of 9 of this Certified Survey Map.

IN WITNESS WHEREOF, MLG Germantown Investment LLC, has caused these presents to be signed by the hand of ANDREW C. TESKE, Vice President, on this ____ day of _____, 2016

In the presence of:

(Witness)

ANDREW C. TESKE, Vice President

STATE OF WISCONSIN}
:SS
WASHINGTON COUNTY}

Personally came before me this ____ day of _____, 2016, ANDREW C. TESKE, Vice President of MLG Germantown Investment LLC, to me known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Notary Public
State of Wisconsin
My commission expires. _____
My commission is permanent.

CONSENT OF CORPORATE MORTGAGEE

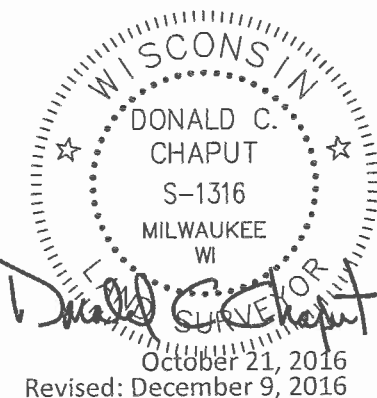
Gloria A. Neu Revocable Living Trust, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping the land described on this map and does hereby consent to the above certificate of MLG Germantown Investment LLC, OWNER.

By: _____
Gloria A. Neu, Trustee

STATE OF WISCONSIN}
:SS
_____ COUNTY}

Personally came before me this ____ day of _____, 2016, _____ of _____, to me known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Notary Public
State of Wisconsin
My commission expires. _____
My commission is permanent.



This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

CHAPUT LAND SURVEYS LLC
234 W. FLORIDA STREET
MILWAUKEE, WI 53204
414-224-8068
www.chaputlandsurveys.com
Drawing No. 1665-grb
Sheet 8 of 9 Sheets

CERTIFIED SURVEY MAP NO. _____

Part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 32, and part of the Southeast 1/4 of the Southeast 1/4 of Section 29 all in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

CONSENT OF CORPORATE MORTGAGEE

NMMR & Associates, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping the land described on this map and does hereby consent to the above certificate of MLG Germantown Investment LLC, OWNER.

By: _____

Name: _____

Title: _____

STATE OF WISCONSIN}
:SS
_____ COUNTY}

Personally came before me this ____ day of _____, 2016, _____ of _____, to me known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Notary Public
State of Wisconsin
My commission expires. _____
My commission is permanent.

VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown this ____ day of _____, 2016.

Dean Wolter, Chairperson

Date

Laura A. Johnson, Secretary

Date

VILLAGE OF GERMANTOWN BOARD APPROVAL

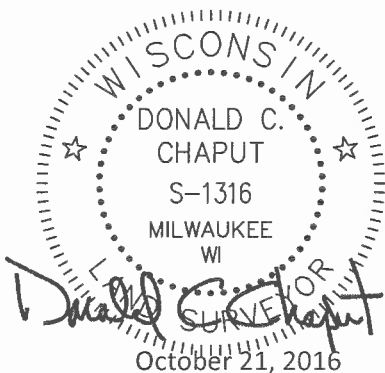
This Certified Survey Map being a division of part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 32, and part of the Southeast 1/4 of the Southeast 1/4 of Section 29 all in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin. having been approved by the Planning Commission being the same, is hereby approved and the dedication of part of Maple Road and Appleton Avenue (S.T.H. "175") for public road purposes as shown on Sheet 1 of 9 is hereby accepted by the Village Board of Trustees of the Village of Germantown on this ____ day of _____, 2016.

Dean Wolter, Village President

Date

Barbara K. D. Goeckner, Village Clerk

Date



Revised: December 9, 2016

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

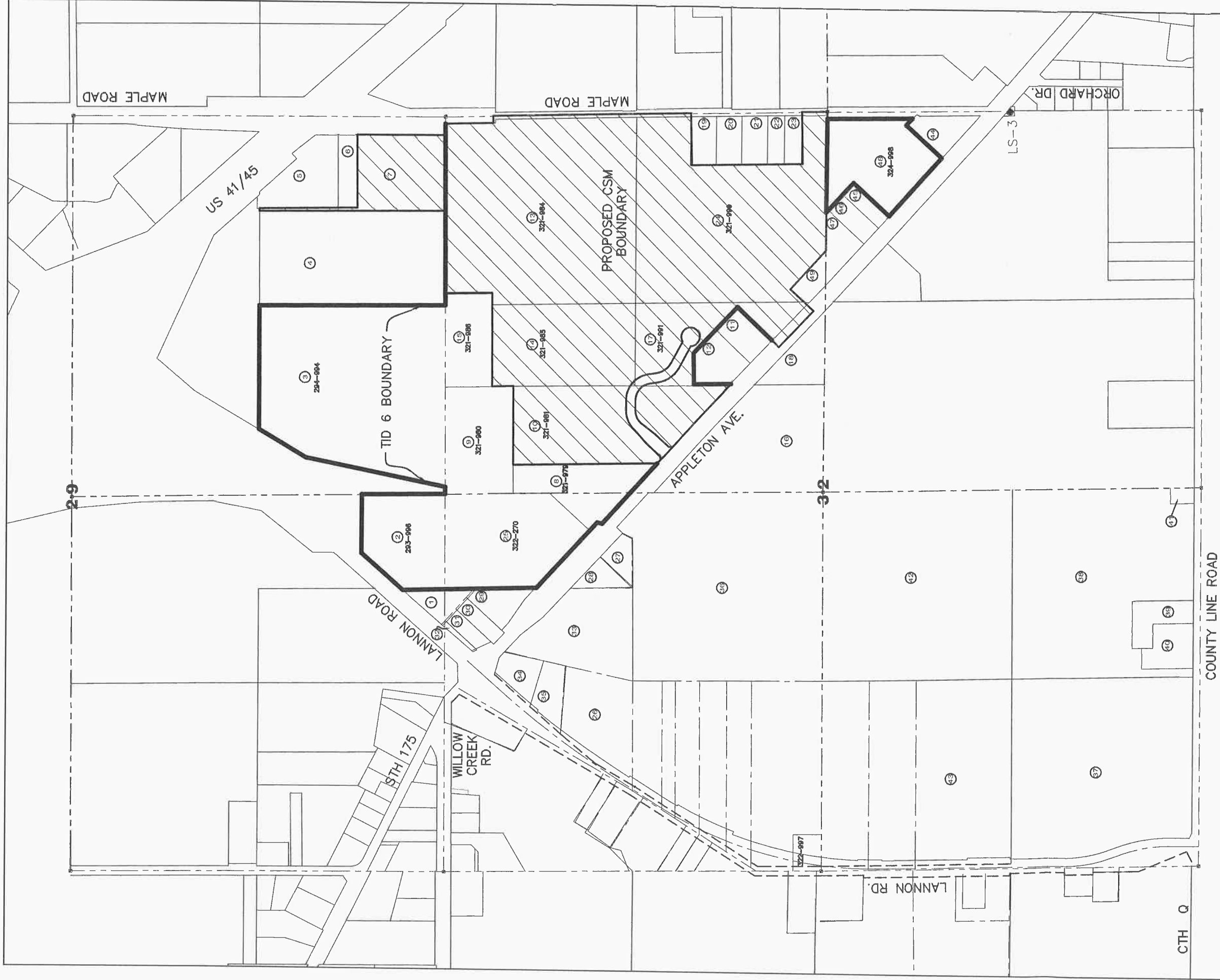
CHAPUT LAND SURVEYS LLC
234 W. FLORIDA STREET
MILWAUKEE, WI 53204
414-224-8068
www.chaputlandsurveys.com

Drawing No. 1665-grb
Sheet 9 of 9 Sheets

N 112 W 17001 MEQUON ROAD
GERMANTOWN, WISCONSIN 53022

VILLAGE OF GERMANTOWN
ENGINEERING DEPARTMENT

PHONE: 1-262-250-4720
FAX: 1-262-253-8255



DISCLAIMER OF LIABILITY - LAND RECORDS INFORMATION IS PROVIDED ON THIS MAP AS A CONVENIENCE AND IS FOR INFORMATIONAL USE ONLY. ALTHOUGH THE VILLAGE OF GERMANTOWN MAKES EVERY EFFORT TO PROVIDE COMPLETE, ACCURATE, AND CURRENT INFORMATION IN THIS APPLICATION, THE VILLAGE CANNOT GUARANTEE THE QUALITY OR COMPLETENESS OF THE INCLUDED INFORMATION. THE VILLAGE OF GERMANTOWN, ITS EMPLOYEES, AGENTS AND ASSIGNS MAKE NO WARRANTIES, EXPRESSED OR IMPLIED, FOR THE CONTENTS OF THIS MAP. IF YOU FIND ANY ERRORS OR OMISSIONS, YOU ARE ENCOURAGED TO REPORT THEM TO THE VILLAGE ENGINEERING DEPARTMENT. THE VILLAGE ENGINEERING DEPARTMENT IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING ATTORNEY'S FEES, ARISING FROM THE USE OF THIS MAP. ALWAYS USE THE ORIGINAL RECORDED DOCUMENTS, SURVEYS, PLATS, PLATS, RECORDS, SURVEYS, OR OTHER OFFICIAL RECORDS. THE VILLAGE OF GERMANTOWN SPECIFICALLY DISCLAIMS LIABILITY FOR DAMAGES OF ANY KIND RESULTING FROM THE USE OF OR MISREPRESENTATION OF ANY INFORMATION OBTAINED HEREIN. THE INFORMATION INCLUDED IN THIS APPLICATION IS PUBLIC RECORD.

SCALE IN FEET
300' 0 300'

REVISION	DESCRIPTION	DATE	BY	SURVEY BY	DATE	NA
2	ADDED PROPOSED PARCELS			NA		NA
1	UPDATED TAX KEY NUMBERS	5/15/14	RCB	RCB	2/21/2014	2/21/2014
	© 2014 VILLAGE OF GERMANTOWN ENGINEERING	2/23/14	RCB	BRB	2/21/2014	2/21/2014

TID NO. 6
PARCEL MAP
SECTION 29 AND 32
VILLAGE OF GERMANTOWN, WIS.



PROJECT NUMBER

SHEET NUMBER
1

5' map, 100' x 100' grid. See map for details.

X.E.

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: February 6, 2017

AGENDA ITEM: New Business

ITEM TITLE: Memorandum of Understanding (MOU) between the Washington County Geographic Information Services (GIS) Division & the Village of Germantown Community Development Department: Zoning Data & Mapping Maintenance Services

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department

SUMMARY EXPLANATION:

To complete the initial setup of the Community Development Department's new ZoningHub internet portal, we need assemble complete and up-to-date zoning, parcel mapping, and property ownership data now and on an ongoing basis. While the Village's current GIS system contains property ownership data and some general zoning information, it is not complete nor is it up-to-date. There are number of tasks that need to be accomplished, including the creation of separate zoning layers for all of our overlay, special district and PDD zoning districts.

To accomplish these tasks, we need the services of a GIS and software mapping professional that are not available in-house. The Washington County GIS Services Division is available to provide the services required at a flat rate cost of \$75/hour; significantly less than the \$120-165/hour cost typically charged by other consultants, including our GIS provider Ruekert-Mielke. In addition to lower hourly costs, another benefit from utilizing the services of Washington County is that all of the parcel and property ownership data that our GIS system uses (and the same data needed for the ZoningHub portal) is already prepared and maintained by the Washington County GIS Services Division. Obtaining this data directly from Washington County will save the Village additional time and money.

The Washington County GIS Services Division has indicated that they are looking to expand the services they provide to other municipalities within the County in a cost-effective and efficient manner. This MOU establishes a basic set of terms and responsibilities that will govern the preparation, maintenance and delivery of the zoning and mapping data required for our ZoningHub portal.

At their January 17 meeting, the GGF Committee discussed the MOU and its benefits prior to recommending unanimous **APPROVAL** to the Village Board.

ATTACHMENTS:

- ◆ Draft Memorandum of Understanding (MOU)
- ◆ January 17 GGF Meeting Staff Report



**Memorandum of Understanding
between the
Village of Germantown
and Washington County, specifically, the
Washington County Geographic Information Systems Division
for
The Maintenance of General Zoning Data and Related Mapping Tasks**

Parties

The parties to this memorandum of understanding (MOU) are:

Village of Germantown Community Development Department (Village), acting through its Community Development Director

And

Washington County, specifically, the Washington County Geographic Information Systems Division (County), acting through its Information Services Manager/Land Information Officer.

County Responsibilities:

- Maintain Village zoning data including general zoning districts, planned development districts, wetlands if different from the Wisconsin Wetland Inventory, floodplains if different from FEMA DFIRM data, and if required, other overlay districts. Where appropriate districts will have proper topological relationship to the parcel data that is already maintained by the County.
- Provide developed zoning data to the Village in standard Esri and/or AutoCAD formats.
- If requested, combine zoning data with other existing data (i.e. parcels, orthophotography, address points, etc.) to create and keep current Village zoning maps. Zoning maps to be delivered as hardcopy and/or .pdf format.
- If requested and to the extent practical, assist the Village in providing digital zoning data to the Village's consultants. This includes Civitek Consulting for use in the Village's "ZoningHub" interactive online zoning map portal.
- If requested and to the extent practical, make the zoning data available as a web enabled map service, include the zoning data on the County's mapping website, or create a simple, stand-alone, on-line viewer that combines Village zoning data with other County maintained GIS data.

Village Responsibilities:

- Provide the County a copy of the most current available digital and/or hard copy zoning maps.

- Provide the County information on any updates to zoning that are not included in the most current available digital and/or hard copy zoning maps.
- Provide any future resolutions or ordinances that change zoning districts. A possible exception is annexations where the new zoning classification is included on the annexation order and that annexation order is recorded with the Washington County Register of Deeds.
- Perform quality control to ensure the zoning layers maintained by the County are complete and consistent with the Village's zoning ordinance.
- Help coordinate data format and delivery requirements of Village consultants including, but not limited to, Civitek Consulting.

Timing: The County will make every effort to meet the deadline expectations of the Village, so long as the primary duties of Washington County GIS Division do not suffer. It is expected that all zoning changes will be incorporated into the digital map within 60 days after the information is recorded or otherwise provided to the County.

Data Ownership: The data created and maintained under this MOU will be considered public record. Either party may use and distribute the data for any purpose they see fit.

The Village acknowledges that if the County maintains Village zoning data, the County may be obligated to provide the data to the State of Wisconsin Department of Administration where it will be aggregated into statewide layers and further distributed.

Contact Persons:

For the Village, the contact person is:

Jeffrey W. Retzlaff, AICP
Community Development Director
Zoning Administrator
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4735
jretzlaff@village.germantown.wi.us

For the County, the contact person is:

Eric Damkot
IS Manager/LIO
Information Systems
432 E. Washington St.
West Bend, WI 53095
262 -306-2218
eric.damkot@co.washington.wi.us

Modifying this MOU: The parties may modify this MOU only by a written amendment signed by all of Parties.

Severability: If a court finds any part of this MOU unenforceable, then the remainder of this MOU continues in effect.

Applicable Law: The laws of the State of Wisconsin apply to this MOU.

Term and Termination: This MOU shall commence on the date of the last signature and will automatically renew unless terminated as provided herein. Either party may terminate this MOU at any time and for any reason with 30 days written advance notice to the other party.

Independence of the Parties: This MOU does not create a partnership. Neither party may enter into contracts on behalf of the other party.

Indemnification: The County will prepare zoning data according to the information provided by the Village. The Village is responsible for all Quality Assurance/Quality Control and assumes responsibility for the accuracy of the County created zoning data.

Payment and Billing: The County will invoice the Village time and materials for any of the tasks covered under this MOU. An invoice will be sent to the Village at the end of each quarter in which work is completed.

- Staff time will be billed at \$75.00 per hour (with a minimum of 1/2 hour billed). This rate will remain in effect through 12/31/2017. The hourly rate will be adjusted annually with written notice provided from the County to the Village of any change.
- Hardcopy maps will be charged \$3/linear foot. This rate will remain consistent with the Washington County GIS data price list for hard copy maps.

If requested, the County will provide a cost estimate for any identified task and will wait for authorization before proceeding.

Authority of Signatories: Each person signing this MOU certifies that the person is properly authorized by the party's governing body to execute this MOU.

Washington County

By: _____

Richard P. Gundrum

County Board Chair

Date: _____

By: _____

Brenda J. Jaszewski

County Clerk

Date: _____

Village of Germantown

By: _____

Name: _____

Title: _____

Date: _____

**BUSINESS OF THE GENERAL GOVERNMENT & FINANCE COMMITTEE
GERMANTOWN, WI**

MEETING DATE: January 17, 2017

AGENDA ITEM: New Business Item

COPY

ITEM TITLE: Germantown Zoning Data & Mapping Maintenance;
Memorandum of Understanding (MOU) between the Washington
County Geographic Information Services Division & the Village of
Germantown Community Development Department

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department

SUMMARY EXPLANATION:

In order to improve the availability and delivery of zoning information and enhance our web-based zoning code & mapping capabilities, the Community Development Department will employ a new online, interactive zoning information tool called "ZoningHub". Carolyn Esswein with Ce Planning Studio, and Tim Schweke, with ZoningHub, are currently helping us set up our own ZoningHub site with the goal of having it up and running early this spring.

The site is actually a standalone website that resides on the ZoningHub server that will be accessible from various web links on the Village's website. Once operational, the Village's ZoningHub site will provide a variety of services, including but not limited to:

1. interactive zoning map and integrated zoning code
2. ability to download (and eventually fill-in) online application forms
3. up-to-date status reporting features for current development projects and other proposals
4. ability for residents to sign up and receive "e-Alerts" concerning development proposals within a prescribed distance from their property
5. ability for residents to provide online comments regarding development proposals and other projects

You can visit the ZoningHub website for more information at www.zoninghub.com.

To carry out the initial "build" and to maintain our ZoningHub internet portal on an ongoing basis, we need to provide up-to-date zoning data, parcel mapping, and property ownership data to the consultant now and on an "as needed" basis. While the Village's current GIS system contains property ownership data and some general zoning information, it is not complete nor is it up-to-date. There are number of small tasks that need to be accomplished, including creating separate and compatible zoning layers for all of our overlay districts and PDD's.

Memorandum of Understanding (MOU)
Washington County GIS Services Division &
Germantown Community Development Department
January 17, 2017
Page 2

To accomplish these tasks, we need to retain the services of a GIS professional. The alternatives we have at our disposal include: (1) using our existing GIS system provider and internet "host" Ruekert-Mielke; (2) retaining the services of a different private-sector consultant with GIS-based experience and services; or (3) retaining the services of the Washington County GIS Services Division.

In terms of cost, "GIS enhancement" and other special projects conducted by Ruekert-Mielke would likely be charged under their normal hourly rates that we currently pay within a range of \$120 - \$165 per hour depending on which professional staff person is working on the project:

- \$120 IT/GIS Analyst 2
- \$126 Senior Engineer Technician
- \$145 IT/GIS Analyst 4
- \$165 Senior SCADA Analyst

As noted in the draft MOU (copy attached), Washington County will invoice the Village with staff time billed at a flat \$75 hourly rate.

In addition to lower costs, another reason for utilizing the services of Washington County is that all of the parcel and property ownership data that Ruekert-Mielke currently uses in the Village's GIS system (and the same data needed for the ZoningHub portal) is already prepared and maintained by the Washington County GIS Services Division. Getting this data directly from the County and at a lower cost will save additional time and money.

Fortunately, the Washington County GIS Services Division indicated to us that they are looking to expand the services they can provide to municipalities within the County in a cost-effective and efficient manner.

The draft MOU establishes a basic set of terms and responsibilities that will govern the preparation, maintenance and delivery of the zoning and mapping data required for our interactive, online ZoningHub portal.

At the recommendation of Village Attorney Sajdak, the MOU is being presented to the GGF Committee for recommendation to and final action by the Village Board.

ATTACHMENTS:

- ♦ Draft Memorandum of Understanding (MOU)

X F.

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: February 6, 2017

AGENDA ITEM: New Business (Conditional Use Permit)

ITEM TITLE: Scott Bence, Agent for Heritage Place Joint Venture, Property Owners and Developer of Saxony Village (GTNV#224-992); Request to Extend Deadline to Commence Use/Activity Granted under CUP #01-16 (Wetland Alterations & Development within 25' Wetland Setback)

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department 

SUMMARY EXPLANATION:

Scott Bence, agent for Heritage Place Joint Venture and the Saxony Village multi-family residential development proposal, is seeking a twelve (12) month extension of CUP #01-16.

CUP #01-16 was originally granted by the Village Board on February 1, 2016. Pursuant to Section 17.43 (Conditional Use Permits) of the Zoning Code, if a use and/or activity authorized under a CUP does not commence within 12 months after it has been granted, the CUP is deemed to have lapsed unless an extension is granted by the Village Board (unless other project-specific deadlines were established as a condition of the CUP).

It's important to note that, since the entire project was put "on hold" pending the outcome of the Board of Zoning Appeals (BZA) decision regarding the developer's appeal of the Plan Commission's initial denial of the Site Plan (which by itself rendered the project unable to move forward with any development including that authorized under the CUP), the effective expiration date for the CUP and Site Plan was effectively changed to the April 13, 2016 date when the BZA overturned the PC Site Plan denial.

Despite the "new" CUP expiration date of April 13, 2017, the developer is requesting a 12 month extension. Further explanation and a project status summary are provided in the developer's January 26 request letter.

ATTACHMENTS:

- ◆ 1/26/17 Developer Request Letter
- ◆ CUP #01-16



J.B.J. Development
A division of J.B.J. Companies, Inc.

W178 N9912 Rivercrest Drive, Suite 101
Germantown, WI 53022-4645
Phone: 262-255-1800
Fax: 262-255-2234
www.jbjcompanies.com

January 26, 2017

Village of Germantown
Attn: Jeff Retzlaff, Village Planner
N112 W17001 Mequon Road
Germantown, WI 53022



RE: Extension Request:
Conditional Use Zoning Permit #01-16
Saxony Village Site Plan Approval

Dear Mr. Retzlaff:

On behalf of Heritage Place JV, I am requesting an extension of the Conditional Use Zoning Permit #01-16 that is scheduled to expire on April 13, 2017, and for the site plan approval for Saxony Village which I believe is set to expire on April 22, 2017 (Tax Parcel #GTNV 224-992).

This project has faced many hurdles. One of the largest was working the Economic Development Washington County (EDWC) and the Wisconsin Economic Development Corporation (WEDC). For the past fifteen months we have worked to secure an EDWC Redevelopment Grant and WEDC Brownfield Grant to assist with the cost involved in redevelopment of a Brownfield site. The final grant was recently approved on January 10, 2017. Now that the grants are in place we are able to finalize the project financing and other related contracts. We are currently on track for a spring ground breaking with occupancy of the first building estimated in spring of 2018.

Below is a summary of our project status:

Site Erosion Permit	Ready for pickup at building inspection
Site Topsoil Permit	Ready for pickup at building inspection
Grading and utilities	All permits received (DNR, Army Core, etc.)
Brownfield Grant	Issued January 2017
Building 4 & 5	State review date in February 13 th
Building 4 & 5	Local permit will be applied for after state approval
Developer's Agreement	Need to be finalized and execute, (waiting on financing)
Prestart Meeting	Need to schedule

We are asking that the Village grant a twelve (12) month extension on both the Conditional Use Permit and the Site Plan approval.

If you have any questions regarding our timeline for this project or need for an extension please feel free to contact me at 262-255-1800 ext. 17.

Sincerely,

Scott J. Bence, Agent
Heritage Place Joint Venture

CUP # 01 - 16

Document No.

CONDITIONAL USE PERMIT

Document Title

1403286**VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN
CONDITIONAL USE ZONING PERMIT**

Whereas the Applicant:

Heritage Place Joint Venture, Property Owner

agrees to comply with applicable Codes and Ordinances of the Village of Germantown, Wisconsin, and further agrees that all work done pursuant to the permission granted herewith will conform with the applications and drawings filed with and approvals granted by officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to the Applicant to permit wetland alterations and development within a 25' wetland and 75' navigable water setback area as presented in the Wetland Buffer Mitigation Plan dated January 7, 2016, and exhibits contained in the application pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code.

RECORDED
April 21, 2016 9:50 AMSHARON A MARTIN
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Recording Fee Paid: \$30.00

Name & Return Address:

**Village of Germantown
P.O. Box 337
Germantown, WI 53022**

Parcel Identification No:

GTNV 224-992

5

On the following described property located in the Village of Germantown, Washington County, Wisconsin:

Tax Key No. 224-992

Outlot Three (3) in Assessor's Plat of the Village of Germantown, Northwest 1/4 of the Southeast 1/4 of Section 22, Town 9 North of Range 20 East, Washington County, Wisconsin, described as follows:

Commencing at the center of said Section 22; thence South 88°33'42" West along the North line of the Southwest 1/4 of said Section, 135.00 feet to a point; thence South 01°58'28" East along the East line of Squire Drive, 240.00 feet to the point of beginning of the land to be described; thence North 88°33'14" East, 135.00 feet to a point on the North-South 1/4 line of said Section; thence North 88°37'44" East, 371.13 feet to a point, said point being the Southeast corner of Certified Survey Map No. 2386; thence South 01°24'56" East, 12.49 feet to a point; thence South 63°30'56" East, 213.52 feet to a point; thence North 26°29'04" East, 150.00 feet to a point; thence South 63°30'56" East 274.54 feet to a point; thence North 26°29'04" East, 60.00 feet to a point; thence South 63°30'56" East, 60.00 feet to a point; thence North 26°29'04" East, 60.00 feet to a point in the Southwesterly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 63°30'56" East along said right of way line, 383.50 feet to a point; thence South 01°56'58" East, 878.04 feet to the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 22; thence South 88°35'23" West, 1208.33 feet to a point on the East line of Squire Drive, said point being 110.00 feet North 88°35'23" East of the Southwest corner of the Northwest 1/4 of the Southeast 1/4 of said Section 22; thence North 01°58'28" West, 113.97 feet to a point; thence Northwesterly, 384.07 feet along the arc of a curve whose center lies to the West whose radius is 1186.28 and whose chord bears North 11°14'58" West, 382.39 feet to a point; thence North 20°31'28" West, 458.55 feet to a point; thence North 14°49'57" West, 168.40 feet to the point of beginning.

Excepting therefrom the following described land:

Commencing at the Northwest corner of said Southeast 1/4 Section; thence South 01°58'28" East along the West line of said Southeast 1/4 Section, 240.00 feet to the point of beginning of the land to be described; thence North 88°37'44" East along the South line of Certified Survey Map No. 2386 and parallel with the North line of said 1/4 Section, 371.13 feet to a point; thence South 01°24'56" East, 12.49 feet to a point; thence South 63°30'56" East, 85.00 feet to a point; thence South 00°54'18" East, 880.31 feet to a point; thence North 89°09'27" West 320.90 feet to a point in the East line of Squire Drive; thence Northerly along said East line, 330.28 feet on the arc of a curve whose center lies to the Southwest whose radius is 1186.28 and whose chord bears North 12°31'24" West, 329.22 feet to a point; thence North 20°31'28" West along said East line, 458.55 feet to a point; thence North 14°49'57" West along said East line and parallel with the North line of said Southwest 1/4 Section, 135.00 feet to the point of beginning. Note: The above excepted parcel is also known as Buildings 24, 26, 27, 28, 29 and 31 in Lake Park Extension, a recorded condominium; and Parcel 1 of Certified Survey Map No. 3501, recorded in the Washington County Registry on January 25, 1990 in Volume 21 of Certified Surveys on pages 168-172, as Document No. 554789.

TOGETHER WITH:

That part of Outlot Five in Assessors Plat of the Village of Germantown, Northwest 1/4 of the Southeast 1/4 of Section 22, Town 9 North, Range 20 East, Washington County, Wisconsin, described as follows:

Commencing at the center of said Section 22, said point being South 88°37'57" West 2638.00 feet from the Northeast corner of said 1/4 Section; thence North 88°37'57" East along said North line 216.98 feet to a point; thence South 63°30'53" East along the Southwesterly line of said Outlot 5 a distance 389.49 feet to the point of beginning of lands hereinafter described; thence North 26°29'07" East 100.15 feet to a point on the Southwesterly line of lands described in Document No. 465242; thence South 63°30'53" East along said Southwesterly line 351.38 feet to a point; thence North 26°29'07" East along said Southwesterly line 20.00 feet to a point on the Southwesterly line of the Wisconsin & Southern Railroad lands; thence South 63°30'53" East along said Southwesterly line 3.62 feet to a point on the Southeasterly line of said Outlot 5; thence South 26°29'07" West along said Southeasterly line 120.15 feet to a point on the Southwesterly line of said Outlot 5; thence North 63°30'53" West along said Southwesterly line 355.00 feet to the point of beginning.

ALSO TOGETHER WITH:

That part of Outlot Three and Outlot Four in Assessor's Plat of the Village of Germantown, Northwest 1/4 of the Southeast 1/4 of Section 22, Town 9 North, Range 20 East, Washington County, Wisconsin, bounded and described as follows:

Commencing at the center of said Section 22, said point being South 88°37'57" West 2638.00 feet from the Northeast corner of said 1/4 Section; thence North 88°37'57" East along said North line 216.98 feet to a point; thence South 63°30'53" East along the Southwesterly line of Outlot 5 in said Assessors Plat 370.02 feet to the point of beginning of lands hereinafter described; thence continuing South 63°30'53" East along said Southwesterly line 100.00 feet to a point; thence South 26°29'07" West 150.00 feet to a point; thence North 63°30'53" West 100.00 feet to a point; thence North 26°29'07" East 150.00 feet to the point of beginning.

Pursuant to the following condition(s):

1. As part of the site development and building plan review process, the Developer shall: (1) make every attempt to further limit development within the 25' wetland and 75' stream setback areas; (2) update the calculations and presentation of the impacted wetland, wetland setback and stream setback areas on the final site plan approved by the Plan Commission; and (3) update the Mitigation Plan prior to final consideration of the CUP application by the Village Board and as necessary to accommodate revisions made to the final site plan.
2. CUP approval shall be contingent upon the Developer obtaining any/all permits or approval required by the WI DNR and ACOE. In the event that DNR and/or ACOE permits/approvals are not issued, Village CUP approval shall become null and void.
3. The applicant shall prepare and submit an annual monitoring report to Village staff concerning the various management activities proposed in the mitigation plan, including the installation of native grasses and plantings within disturbed setback areas. Said report shall, at a minimum, detail the type and amount of plantings and all activities carried out in the previous year, the observed success of previous activities, recommendations for new or different activities needed to ensure success of the mitigation measures and management activities carried out, and the planned activities for the coming year. Said report shall be submitted annually at the end of each year beginning with the calendar year following the year during which construction activities have commenced, and, continuing annually thereafter for three (3) years.
4. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional use which causes special problems or harmful effects otherwise associated with the use to be no longer ameliorated or eliminated, or where conditions imposed were anticipated to ameliorate or eliminate harmful effects associated with the use but are insufficient to do so, or for similar cause based upon consideration for the public comfort, safety, and welfare, the conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin
on the 1st day of February, 2016.

ATTEST:

Barbara K. D. Goeckner
Barbara K. D. Goeckner, Village Clerk

Dean Wolter
Dean Wolter, Village President

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this 22nd day of March, 2016, the above
named Dean Wolter, Village President, and Barbara K. D. Goeckner, Village Clerk, to me
known to be the persons who executed the foregoing instrument and acknowledged the same.

Timmerly Tamborino
{type or print name of Notary on this line}
Timmerly Tamborino
{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: 3.20.20

ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER

The following named person, who is authorized to represent Heritage Place Joint Venture, hereby accepts the terms and conditions set forth in this Permit, and realize that non-adherence to the terms and conditions as stated hereon may result in the revocation of this Permit by the Village of Germantown.

Dated this 12 day of April, 2016

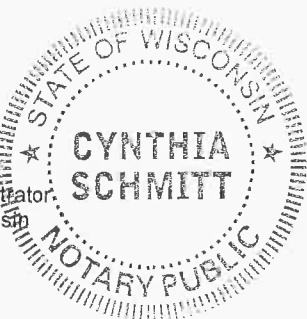
Scott Bence
(type or print name on this line)

[Signature]
(signature on this line)
Agent for Heritage Place Joint Venture

STATE OF WISCONSIN) SS
Washington COUNTY)

Personally came before me this 12 day of April, 2016, being the above named Scott Bence, to me known to be the person who executed the foregoing instrument and acknowledged the same.

This instrument was drafted by
Jeffrey W. Retzlaff, AICP
Village Planner/Zoning Administrator
Village of Germantown, Wisconsin



Cynthia Schmitt
(type or print name of Notary on this line)
[Signature]
(signature of Notary on this line)

Notary Public, State of Wisconsin
My Commission Expires: 4/2/2017

**BUSINESS OF
THE VILLAGE BOARD, GERMANTOWN, WI**

MEETING DATE: February 6, 2017

PLACEMENT NEW BUSINESS

ITEM TITLE: Request to Fill Vacancy of Deputy Clerk Position

SUBMITTED BY: Barbara K. D. Goeckner, Village Clerk

SUMMARY EXPLANATION:

Jilline Dobratz has resigned her position. Her last in office day is February 10, 2017.

I respectfully request and recommend refilling this position as soon as possible with another fulltime Deputy Clerk.

Attached is the job description for this position.

We are in the middle of election work for the Spring Primary Election to be held on February 21st and due to other issues within our office, it is imperative that we hire someone as soon as possible to fill this vacancy and continue seamlessly with the Election process. We also continue working on all other items and duties of the office as well and overtime will be required during the time this position is vacant and possibly for a time after it is filled, to catch up on anything not completed.

By approving to fill this vacancy as soon as possible it will allow the Village Clerk's office to hire someone and if they are not already trained we can start their training as well as have them get on the job experience with all election details as well as other office requirements, to prepare them for the April 2017 elections as well as all licensing renewals during March thru May.

ATTACHMENTS:

1. Deputy Village Clerk Job Description
2. Employee Vacancy Justification worksheet
3. Village Clerk's Dept. Organizational Chart

RECOMMENDATION:

Motion to unanimously approve the Employee Vacancy Justification for the current Deputy Village Clerk position approve the Clerk's request to fill the Clerk's Office vacancy with a fulltime Deputy Village Clerk.

ACTION BY Committee

EMPLOYEE VACANCY JUSTIFICATION WORKSHEET

All positions left vacant by retirement, quitting, or termination need to complete the following worksheet before the vacant position may be advertised or filled. This worksheet shall not pertain to temporary, seasonal, and sworn public safety employees.

Vacancy Justification Worksheet

Position to be filled: DEPUTY CLERK

Department: CLERK'S OFFICE

Pay:	Deputy Clerk Scale – Minimum	\$39,938
	Mid-Range	\$45,169
	Maximum	\$49,132

How long was the previous personnel in position: 2 years and 7 months

Can the Position be: Deferred for a period of time? Yes No: X

Why: The Spring Primary Election is on February 21st and the Spring Election is on April 4th. We are in full swing of preparing for the election coming in 2 ½ weeks and the current Deputy will leave 1 ½ weeks prior to the election. We are also working on the liquor licensing renewal process as well as applications/renewals for several other types of licenses. This is also the time that we solicit applications for Committee/Commission and Board appointments so we can hold a gathering in March for information to provide to those applying as well as those already on committees, etc., The reorganizational meeting will take place in April so the remaining tasks with appointments must be completed after the meet and greet date. The day to day tasks regarding agendas, minutes, other licensing and record keeping continue in addition to the election and liquor license requirements. We need to go through the hiring process and training and preparing the individual hired, for this election and the April election, as well as all other processes of the Village Clerk's Office as soon as possible.

Transferred or shared with existing staff: Yes No: X

Why: With even 3 office staff, including myself, we are having difficulty keeping up with the work load due to the continually increasing demands of the election duties and requirements. The remaining Deputy Clerk has been here less than one year and did not have prior experience in a Municipal Clerk's office. She is still learning the election work as well as other processes in our office, with a number of those only occurring at this time of year during their annual renewal/appointment period. As has been evidenced during past breaks in staffing in the Clerk's office, other work gets pushed to the back burner during these office shortages and we must work even more overtime just to keep up with the day to day items and later to catch up on all items which were pushed back and still need completion.

Consolidated with another position? Yes No: X

Why: The office is already limited to just one other Deputy Clerk who is handling a large share of her own duties.

Privatized/Contractual?: Yes No: X

Why: Not feasible for this type of position.

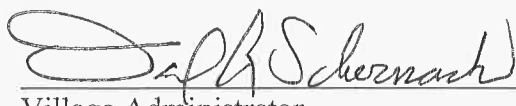
** Attach current job description and department organizational chart and submit to General Government and Finance Committee.



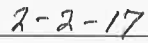
Department Director
Signature/approval



Date



Village Administrator
Signature/Approval



Date

Village of Germantown Position Description

Job Title: Deputy Clerk

Department: Village Clerk's Office

Reports To: Village Clerk

Compensation Plan: Union: Office Technical/Clerical

FLSA Status: Non-Exempt

Dates Modified: October 1995, 2006, November 2013

Selection: Village Clerk

GENERAL STATEMENT OF DUTIES:

Provides a variety of routine and complex clerical and administrative tasks associated with the administration of the Village, performing all required duties of the Village Clerk in her/his absence and assisting in the overall operating of the office.

DISTINGUISHING FEATURES OF THE CLASS:

The employee in this class must execute office functions and procedures in the Village Clerk's office as governed by State Statutes and local ordinances. The work involves contact with other municipal officials and the general public. The employee in this position works under the general direction of the Village Clerk but is expected to initiate and follow through on routine projects. The employee in this position must be able to coordinate work on several projects and at times work under pressure. The Village Clerk is available for guidance on difficult and non-recurring problems.

This employee performs a variety of responsible clerical tasks that requires strict accuracy, organization skills and attention to detail. Exceptional customer service traits are highly desired.

SUPERVISION RECEIVED:

Works under the general supervision of the Village Clerk

SUPERVISION EXERCISED:

None.

EXAMPLES OF DUTIES PERFORMED:

Performs all required duties of the Village Clerk in her/his absence.

Assists the Village Clerk in her/his duties and in the operation of the office.

Assembles and distributes Village Board and other Board/Commissions/Committee packets, including the photocopying and assembly of all supporting documents and accompanying materials, to the appropriate people, in a timely manner and in compliance with the Open Meetings Law.

Assures proper set up of meeting rooms before and after meetings.

Attends regular and special Village Board, Committee of the Whole, and other meetings as required; performs an accurate recording of the proceedings, drafts preliminary minutes for review by the Village Clerk, types and distributes final minutes.

Types and distributes calendar of meetings in Village Hall, provides meeting information to outside organizations.

Posts notices of Village meetings at official bulletin boards, on Village website and on cable access channel in accordance with statutory and Village posting requirements.

Reviews publication invoices and verifies affidavits of publication of legal notices.

Sends renewal information. Accepts applications, obtains approvals, prepares documents, collects fees and maintains all files and records for all licenses and permits, including but not limited to: intoxicating liquor, fermented malt beverages, direct sellers, cigarette, coin-operating machines, fireworks, animal fanciers, kennels, dances, entertainment, in accordance with applicable Village ordinances and regulations.

Prepares required reports for Department of Revenue.

Assists the Village Clerk with all election duties, including but not limited to: registration of voters, updating and maintaining of registration records, assisting voters with and processing of absentee ballots, setting up polling places, attending to the needs of poll workers, tracks required training for all poll workers, compose training materials for poll workers, forms, reports, letters, memos and other documents as required, maintains and provides statistical data related to elections.

Coordinates Nursing Home and other absentee voting. Perform all post-election follow-up including completion of all Government Accountability Board election reports.

Perform and oversee all Statewide Voter Registration System (SVRS) record maintenances as directed by the Government Accountability Board.

Provides public records/information to citizens, civic groups, the media and other agencies as requested.

Deputy Clerk Position Description

Answers questions from the general public regarding government officials, procedures, municipal regulations, meeting schedules, licenses, etc.

Notarizes licenses and other official documents.

Types correspondence and reports for Village Clerk and Village Administrator, as required.

Coordinates outside services for technology.

Attends seminars and workshops related to Deputy Village Clerk's duties and responsibilities.

Performs related duties as directed by the Village Clerk.

ESSENTIAL KNOWLEDGE, SKILLS AND ABILITIES:

Working knowledge of the clerical and business office procedures, terminology, and equipment; working knowledge of state and municipal regulations and procedures.

Skill in operation of listed tools and equipment, skill in minute taking by shorthand or other applicable method.

Skill in diplomacy and interpersonal communications. Ability to follow complex oral and written directions and to work independently without supervision; ability to display initiative; ability to comprehend and accurately record the proceedings of meetings; ability to deal with confidential matters and maintain confidentiality; ability to establish and maintain effective working relations with employees, other departments, officials, agencies and the public; ability to handle stressful situations and/or with frequent interruptions; and ability to make mature and sound judgments.

DESIRED EXPERIENCE AND TRAINING:

High School graduation or GED equivalent, supplemented by vocational/technical courses in office practices or secretarial science.

At least five years' experience working in an office environment.

SPECIAL REQUIREMENTS:

U. S. Citizen.

Eighteen (18) years of age or older at date of appointment.

Wisconsin Driver's License, valid without record of suspension or revocation in any state – possess, or ability to obtain by date of appointment, and maintain throughout employment.

Deputy Clerk Position Description

Notary public certification – possess, or ability to obtain within six (6) months of date of appointment.

Must be bondable.

Wisconsin Certified Municipal Clerk (WCMC) designation – possess, or ability to obtain within 5 years of date of appointment.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this position, the employee is routinely required to walk, stand and sit as needed. The employee may on occasion be required to lift and/or move objects weighing up to 30 pounds and is required to stoop, bend or crouch. The employee is routinely required to give verbal instructions, speak on the phone, hear and understand conversation in an office environment, and perform work at a computer terminal. The employee is required to operate a motor vehicle. Specific vision abilities required by this job include close vision and the ability to adjust focus.

TOOLS AND EQUIPMENT USED:

Including but not limited to: typewriter; personal computer including word processing and database software, such as Microsoft Office products; 10 key calculator; copy machine; fax machine; Dictaphone; overhead projector; mark sense voting equipment; tape recorder.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

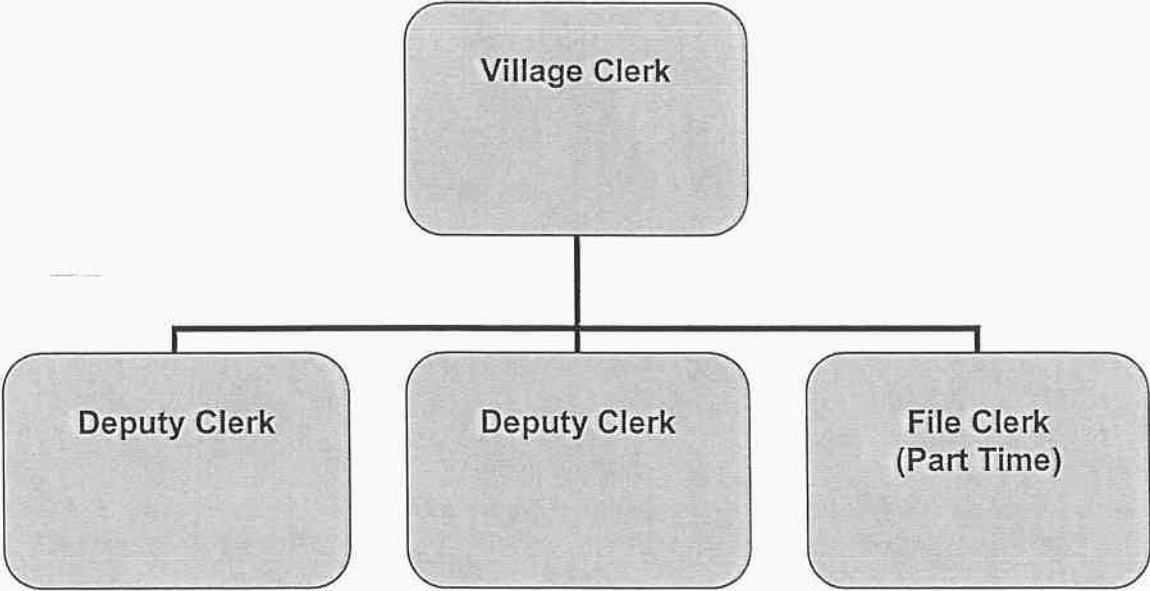
The employee has contact with the public. The employee is routinely required to work with others to accomplish joint projects and to work alone on his/her own tasks. The incumbent must maintain a level of alertness commensurate with being responsible for the health and welfare of others.

This work environment has a moderate noise level.

Prepared by the Village Clerk: November 2013

Reviewed and Approved by General Government & Finance Committee: November 19, 2013

Reviewed and Approved by the Village Board:



**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: February 6, 2017

AGENDA ITEM: New Business

ITEM TITLE: Award of Contract – Windsor-Castle-Squire Water Main Relay

SUBMITTED BY: Lawrence Ratayczak, P.E., Director of Public Works
John Laning, P.E., Village Engineer

SUMMARY EXPLANATION:

Rationale:

This project consists of the abandonment of a section of existing water main and replacement of approximately 1800 L.F. of water main including appurtenances and water services. This project was approved in the 2016 budget.

Summary of Bids:

1)	American Sewer Services	\$ 256,177.40
2)	UPI	\$ 289,736.50
3)	Musson Brothers	\$ 302,936.10
4)	PTS Contractors	\$ 311,632.30
5)	Globe Contractors	\$ 318,351.80
6)	D.F. Tomasini	\$ 329,941.50
7)	MJ Construction	\$ 358,039.00
8)	Dorner, Inc	\$ 445,956.00

Fiscal Impact:

Construction Contract:	\$ 256,177.40
Contingency (10%):	<u>\$ 25,618.00</u>

TOTAL: \$ 281,795.40

Source of Funds:

Water Utility Account No. 50-180-183-3430

Award of Contract:

The apparent low bidder for this project is American Sewer Services, whose bid was \$ 256,177.40 which falls within the approved budgeted amount of \$ 307,000.00

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

RECOMMENDATION:

Recommend to Village Board to award a contract to American Sewer Services, who was the lowest responsible bidder, in the amount of \$ 256,177.40

COMMITTEE ACTION:

During its February 1, 2017 meeting, the Public Works & Highway Committee advanced this project to the Village Board with a recommendation to award the Windsor-Castle-Squire Water Main Relay project to American Sewer Services for a total bid amount of \$ 256,177.40 and to include staff recommendation of a 10% contingency on the project, for a total project amount of \$ 281,795.40 Funds to be allocated from account No. 50-180-183-3430

Motion at Committee : Aye – 2, Nay – 2