

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, MAY 15, 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. **APPOINTMENTS – Correction to Terms for the Following:**
 - A. **1. Board of Zoning Appeals**

Member	Jeff Schleif	05/01/2017 – 04/30/2020
Alternate Member	Jeff Knop	05/01/2016 – 04/30/2019
- VI. **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.
- VII. **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)
- VIII. **CONSENT AGENDA:**
 - A. Approval of Minutes: May 1, 2017, Regular Village Board Meetings
 - B. Accounts payable/payroll
 1. April 2017 Accounts Payable \$ 37,599.94
 2. May 2, 2017 Payroll (hourly) \$ 208,809.38
 3. May 10, 2017 Accounts Payable \$ 416,141.39
 4. May 15, 2017 Payroll (salary) \$ 87,453.74
 - C. Operator Licenses: July 1, 2017 to June 30, 2018:
NEW: Jovie Y Belisle, Danielle A Boppre, Stephanie M Cresci, Miranda E Frigerio, Traci L Kaebisch, Amber N Pintar, Justin W. Pischke, Steven A Schwendtner, Jennifer L Woppert

VIII. CONSENT AGENDA continued:

RENEWAL:

Kalpana K Adhikari, Therese M Bach, Kody E Bartel, , Jamie E Bellow, Jeff M Bird, Aryeonna E Bowyer, Sequora K Brent, Heidi S Casetta, Samatha E Cloyd, , Jewelia A Cook, Mellissa A Czerwinski, Ann L Davis, Bridget R DeLeon, Susan M Drexler, Denise J Eineichner, Mary K Erickson, Christine M Feuerstahler, Janyce J Fossum, Dawn M Fouche', Kimberley S Fraser, Erin M Fritch, Adam L Gauthier, Paul M Groh, Yvonne C Hall, Pamela A Halverson, Kathryn M Hanson, Susan M Hanson, Anita M Hauner, Eric M Hoffman, James A Heiman, Jeanine M Isaacson, David L Iverson, Jeffrey A Jacobs, Katelyn M Kaad, Amy S Keller, Kimberly K Kohler, Ronald A Kohls, Wayne D Kohls-Guenther, Andrew P Krueger, Heather L Lazar, Katawna E Lowe, Vickie L Matt, Michelle R McGrath, Paul E McLeod, James H Milkie, Michael F Nardelli, Ruth A Numrich, William F Numrich, Susan M Oechsner, Cameron V Ottoson, Thomas J Provost, Melissa S Recore, Wendy S Sarwas, James L Schramm, Dona M Schneidervin, Heather, L Smith, Paresh B Soni, Veronica L Strassburg, Eileen R Stroud, Randy P Strumberger, Carlton N Tatreau, Roberta G Von Asten, Tamara L Waterhouse, Jessica L Wilson, Lisa K Zamiatowski [Recommended Approval]

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

- D. Request Approval to Purchase a New Police K-9 from Steinig Tal Kennel for \$13,000 with Funds Allocated from the K-9 Account of Donated Money
[Recommended Approval]

All license approvals to be conditional upon completion of all documentation, compliance of all code violations/requirements and monies owed to the village paid prior to issuance of licenses in addition to any other conditions noted.

- E. **RENEWAL** of a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for the period commencing July 1, 2017 and ending June 30, 2018:
1. Aldo's Pizza & Pub, LLC, Dwayne Ketterer, Agent, 584 Jordan Circle, Colgate, WI, 53017, d/b/a **Aldo's Pizza & Pub**, W156 N11058 Pilgrim Road, Germantown, WI, 53022. (includes an outside dining area of approximately 30 feet in front of building to be open until 10:00 p.m.; an outside extension into the parking lot for a Classic Car Cruise Night on Tuesdays from 5:00 p.m. to 9:00 p.m. from July 1, 2017 through September 30, 2017 and from May 15, 2018 through June 30, 2018.
 2. Barley Pop Brew Haus, LLC, Deborah Reinbold, Agent, 1388 Parkview Drive, Hubertus, WI, 53033, d/b/a **Barley Pop Pub & Restaurant**, N116 W16137 Main Street, Germantown, WI, 53022. (includes Brew Haus and fenced outside extension on north side of building to be open until 10:00 p.m. and outside extension July 4, 2016 from the east end of the building to the western end, all the way to the sidewalk, during the July 4th parade beginning at 11:00 a.m.).
 3. BSC LLC, Eric D Schroeder, Agent, 4619 W Bluemound Ct, Milwaukee, WI, 53208, d/b/a **Big Sky Country Bar & Grill**, W204 N11498 Goldendale Rd., Germantown, WI 53022. (includes 8' x 55' outside patio on side open until 10:00 p.m.)

VIII. CONSENT AGENDA continued:

4. Blackstone Creek Golf Club Ltd., Troy D. Schmidt, Agent, N105 W14467 Wilson Circle, Germantown, WI 53022, d/b/a **Blackstone Creek Golf Club**, N112 W17300 Mequon Road, Germantown, WI 53022. (includes golf course property of 187 acres)
5. Bubs on Main, LLC, Scott H. Pecor, Agent, 306 W. Ravine Baye, Bayside, WI 53217, d/b/a **Bubs Irish Pub**, N116 W16218 Main Street, Germantown, WI 53022.
6. Blazin Wings, Inc., Jillian Cabanatuan, Agent, N96 W20309 County Line Rd., Germantown, WI 53022, d/b/a **Buffalo Wild Wings**, N96 W17990 County Line Road, Germantown, WI 53022 (includes attached patio with hours restricted between 10:00 p.m. and 8:00 a.m.)
7. Maple Road, LLC, Radomir Buzdum, Agent, 1027 N. 4th Street, Watertown, WI, 53098, d/b/a **Buzdum's Pub & Grill**, W188 N10515 Maple Road, Germantown, WI, 53022. (Includes an outdoor patio area).
8. ERJ Dining III, LLC, Paul S. Thompson, Agent, 6812 W. Greyhawk Court, Franklin, WI 53132, d/b/a **Chili's Grill & Bar**, N96 W18640 County Line Road, Germantown, WI 53022.
9. Eastern Kettle Moraine Moose Lodge #1238, Dan Frailing, Agent, 621 Barrington Ct, Apt. A, West Bend, WI 53095, d/b/a **E.K.M. Moose Lodge #1238**, W198 N10217 Appleton Avenue, Germantown, WI 53022. (includes outside pavilion 22' x 20', and open area for Lodge picnics including buildings to be open until 10:00 p.m., 480' x 525' grounds area).
10. Florian Park, Inc., Ryan Rahl, Agent, 311 Preserve Way, Colgate, WI 53017, d/b/a **Florian Park Conference & Event Center**, N111 W18611 Mequon Road, Germantown, WI 53022. (includes outside premise Willow Path, Willow Gardens, and Willow Point on south end of Willow Pond to be open until 10:00 p.m. and outdoor designated smoking area to the north of property).
11. JK GAM, LLC, Jon R. Gamroth, Agent, N104 W15303 Donges Bay Road, Germantown, WI 53022, d/b/a **Gamroth's Kuhburg Junction**, W140 N10385 Fond du Lac Avenue, Germantown, WI 53022.
12. Germantown American Legion Post #1, Inc., James A. Heimann, Agent, 2584 Country Aire, Cedarburg, WI 53012, d/b/a **Germantown American Legion Post #1**, N120 W15932 Freistadt Road, Germantown, WI 53022.
13. Northridge Automotive Enterprises, Inc., David L. Iverson, Agent, N166 W19523 Ravens Way, Jackson, WI 53037, d/b/a **Ivee's at Main**, W157 N11618 Fond du Lac Avenue, Germantown, WI 53022. (includes outside patio in front of building until 10:00 p.m.)
14. La Chimenea LLC, Ricardo Jimenez, Agent, 3625 W. Orchard Street, Milwaukee, WI 53215, d/b/a **La Chimenea**, N112 W15251 Mequon Road, Germantown, WI 53022. (includes 1100 sq. ft. outside patio to be open until 10:00 p.m.)
15. Lone Star, LLC, Karen Ann Pritzlaff, Agent, W204 N11912 Goldendale Road, Germantown, WI 53022, d/b/a **Lone Star**, W204 N11912 Goldendale Road, Germantown, WI 53022. (includes horseshoe courts, path, outside fenced area to be open until 10:00 p.m., and outside front porch area)

VIII. CONSENT AGENDA continued:

16. Metro Cigars, LLC, Jennifer Lynn Groh, Agent, 1671 Holy Hill Lane, Hubertus, WI 53033, d/b/a **Metro Cigars, LLC**, W182 N9606 Appleton Avenue #104, Germantown, WI 53022.
17. Old Town WI, LLC, Charles B. Hastings, Agent, 644 Hwy. K, Erin, WI, 53027, d/b/a **Old Town Beer Hall**, N116 W15841 Main Street, Germantown, WI, 53022. (includes outdoor deck open until 10:00 p.m.)
18. G-town Pub, LLC, Craig Braidigan, Agent, 2385 Scenic Hill Trail, Richfield, WI 53076, d/b/a **The Public House**, W207 W10466 Appleton Ave, Germantown, WI 53022.
19. Robin L. Bird, LLC, Robin L. Bird, Agent, W188 N13367 Maple Road, Richfield, WI 53076, d/b/a **Sports Corner Bar & Grill**, W187 N12793 Fond du Lac Avenue, Germantown, WI 53022. (includes outside volleyball courts and smoking room to be open until 10:00 p.m.)
20. Christine A. Brockman, W157 N11638 Fond du Lac Avenue, Germantown, WI 53022, d/b/a **Tiny T's**, W157 N11638 Fond du Lac Avenue, Germantown, WI 53022. (includes fenced outside premise on July 4, 2017)
21. WI Bier Stube LLC, Charles B. Hastings, Agent, 644 Hwy. K, Erin, WI, 53027, d/b/a **Von Rothenburg Bier Stube**, N116 W15863 Main Street, Germantown, WI, 53022. (includes outside fenced beer garden extended to parking lot open until 10:00 p.m.) [Recommended Approval]
- F. **RENEWAL** of a Class "B" Fermented Malt Beverage License and "Class C" Wine License for the period commencing July 1, 2017 and ending June 30, 2018:
 1. Zhengren Zheng, N111 W16424 Esquire Ct., Germantown, WI 53022, d/b/a **China Kitchen**, N112 W16560 Mequon Road, Germantown, WI 53022.
 2. Hung Hao LLC, Hung D. Lu, Agent, N109 W12628 Coneflower Cir., Germantown, WI 53022, d/b/a **Hung Hao Restaurant**, N112 W15800 Mequon Road, Germantown, WI 53022. [Recommended Approval]
- G. **RENEWAL** of a "Class B" (wine only) Winery License for the period commencing July 1, 2017 and ending June 30, 2018:
 1. Apple Works Winery LLC, Kevin H. Behnke, Agent, W179 N12536 Fond Du Lac Ave., Germantown, WI 53022 d/b/a **Apple Works Winery/Behnke Estates**, W179 N12536 Fond Du Lac Ave., Germantown, WI 53022 (Includes an Outside Premise Extension which includes an outdoor patio area and tent.) [Recommended Approval]
- H. **RENEWAL** of a Class "B" Fermented Malt Beverage License for the period commencing July 1, 2017 and ending June 30, 2018:
 1. Marko's Pizza of Germantown, Inc., Mark Caldwell, Agent, 3041 Nostalgic Ct., Hubertus, WI 53033, d/b/a **Marko's Pizza**, W156 N9664 Pilgrim Road, Germantown, WI 53022. [Recommended Approval]
- I. **RENEWAL** of a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for the period commencing July 1, 2017 and ending June 30, 2018:
 1. Cost Plus, Inc., Michelle A. Pawkekienicz, Agent, 2627 N. 94th Street, Wauwatosa, WI, 53226, d/b/a **Cost Plus World Market**, N96 W18970 County Line Road, Germantown, WI 53022.
 2. Colgate Gas, Inc., Didar Singh, Agent, W150 N7248 Paseo Lane, Menomonee Falls, WI 53051, d/b/a **County Line BP**, N96 W21962 County Line Road, Germantown, WI 53022.

VIII. CONSENT AGENDA continued:

3. Kwik Trip, Inc., Bethany A. Ohde, Agent, 6639 W. Bonniwell Road, Mequon, WI 53097, d/b/a **Kwik Trip #631**, W188 N10963 Maple Road, Germantown, WI 53022.
4. Ultra Mart Foods, LLC., Patricia L. Chastain, Agent, W63 N238 Fairfield Street, Cedarburg, WI 53012, d/b/a **Pick 'n Save #6357**, N112 W16200 Mequon Road, Germantown, WI 53022.
5. Speedway, LLC, Richard Eastham, Agent, 2958 S. 90th Street, West Allis, WI 53227 d/b/a **Speedway #4465**, W178 N9653 Riversbend Lane, Germantown, WI 53022
6. Speedway, LLC, Kimberly McCambridge, Agent, N108 W16526 Carriage Ave, Germantown, WI 53022, d/b/a **Speedway #4495**, W164 N11233 Squire Drive, Germantown, WI 53022
7. Wal-Mart Stores East, LP, Shante T. Travis, Agent, N165 W20166 Hickory Lane #2, Jackson, WI 53037 d/b/a **Wal-Mart #1515**, W190 N9855 Appleton Avenue, Germantown, WI 53022.
8. NSM Enterprises LLC, Naseem Abbas, agent, N114 W15775 Sylvain Ct, #20, Germantown, WI 53022, d/b/a **Willow Creek BP**, W201 N10451 Appleton Avenue, Germantown, WI 53022. [Recommended Approval]
- J. Request Approval of **ORDINANCE NO. XX-17** An Ordinance To Prohibit Heavy Traffic On Country Aire Drive Between STH 145 (Fond Du Lac Ave) And STH 167 (Mequon Road) And To Amend The Official Traffic Map To Reflect The Same [Recommended Approval]
- K. Request Approval for Fire Department to Contract with Brycer LLC for The Compliance Engine Program for Web-based Service Involving Third Party Inspection Reporting, with Memorandum of Understanding Signed by the Village Board President [Recommended Approval]
- L. Request Approval of **ORDINANCE NO. XX-17** Amending Section 5.07 of the Municipal Code Relating to the Filing of Fire Inspection Records [Recommended Approval]
- M. Request Approval for Fire Department to Purchase Lexipol Subscription for Policy Management at a cost of \$3,836 Annually (1 year agreement) with Funding Allocated from Budget Training Funds, [Recommended Approval]
- N. Request Approval for Police Department to Purchase 21 Ballistic Helmets at a Cost of \$323.00 per Helmet for a Total Purchase of \$6,783.00 From Advantage Police Supply with Funds Allocated from Acct.#10-521-570-8100 Budgeted Funds [Recommended Approval]

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

- O. Request Approval for Staff to Contract with Century Landscaping for Replacement of 60 Village Trees in the Amount of \$41,947.50. WE Energies Reimbursed \$20,000 Toward Replacement and Balance of \$21,947.50 Will be Allocated from Acct.#10-553-530-5290 [Recommended Approval]

VIII. CONSENT AGENDA continued:

- P. Request Authorization to Purchase One Kubota SVL75-2 Skid Loader from J.P. Lochen in an Amount not to Exceed \$43,735.00 and Additional Attachments from Various Vendors in an Amount not to Exceed \$31,350.00 with Total Cost not to Exceed \$75,085.00 with Funds to be Allocated from Acct.#10-542-570-8450 [Recommended Approval]
- Q. **ORDINANCE NO. xx-17** Amendment to Section 8.10 of the Municipal Code Depositing Snow on Village Streets Prohibited [Recommended Approval]

IX. UNFINISHED BUSINESS: None

X. 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

XI. NEW BUSINESS: None

XII. ADJOURNMENT

The next Village Board meeting will be on June 5, 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.

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
May 1, 2017**

CALL TO ORDER: The meeting was called to order at 7:10 p.m. by Village Board President Wolter.

ROLL CALL: President Wolter, Trustees Baum, Campbell, Hughes, Kaminski, Miller, and Zabel. Trustees Myers and Warren were absent and excused. Also present: Administrator Schornack, Attorney Sajdak, Park & Rec Director Schroeder, Fire Chief Weiss, and Clerk Goeckner

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: Presented a Proclamation to the Village Clerk in honor of Municipal Clerk's week May 7-13, 2017.

APPOINTMENTS

- A. 1. *Board of Review***
Member Kim Leukert 05/01/2017 – 04/30/2022
Alternate Member Vacant 05/01/2017 – 04/30/2022
- 2. *Board of Zoning Appeals***
Alternate Member Jeff Knop 05/01/2016 – 04/30/2021
- 3. *Economic Development Committee***
Member Deborah Reinbold 05/01/2017 – 04/30/2020
- 4. *Ethics Board***
Member Vacant 05/01/2017 – 04/30/2020
Alternate member Vacant 05/01/2016 – 04/30/2019
Alternate Member Vacant 05/01/2015 – 04/30/2018
- 5. *Historic Preservation Commission***
Citizen Member Phillip Fritsche 05/01/2017 – 04/30/2020
Citizen Member Vacant 05/01/2017 – 04/30/2020

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

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:

Steven Wesolowski W169N10427 Pheasant Run, Germantown – Concerns with policies and procedures at the recycling center

CONSENT AGENDA:

- A. Approval of Minutes: February 6, 2017, March 20, 2017 and April 17, 2017, Regular Village Board Meetings
- B. Accounts payable/payroll
- | | | |
|-------------------|------------------|---------------|
| 1. April 18, 2017 | Payroll (hourly) | \$ 206,265.80 |
| 2. April 25, 2017 | Accounts Payable | \$ 222,607.85 |
| 3. April 28, 2017 | Payroll (salary) | \$ 84,238.62 |
- C. Operator Licenses: May 1, 2017 to June 30, 2017: Amber Pintar
[Recommended Approval]

CONSENT AGENDA continued:

MOTION (Baum/Kaminski) to approve Consent Agenda Items A-C, by roll call vote, carried.

UNFINISHED BUSINESS: None

PUBLIC HEARINGS – 7:00 P.M. OR LATER: None

NEW BUSINESS:

- A. Consideration and Decision to Keep, Change Date or Cancel the July 3, 2017 and/or September 4, 2017 Village Board Meetings Due To Related Holidays
MOTION (Baum/Miller) to cancel the July 3rd and September 4, 2017 meetings.
Discussion. **Carried. 1 opposed (Zabel)**
- B. Haupt Strasse Park Pickleball Court Resurfacing Project Approval
MOTION (Kaminski/Baum) to approve as requested, roll call vote, carried.
- C. Request Approval of 2017 Firework's Contract with Wolverine Firework's Company
MOTION (Baum/Miller) to approve the 2017 Firework's Contract with Wolverine Firework's Company in the amount of \$14,862.50 which includes the 2.5% handling fee and also approve the expenditure of \$7,431 for July 2017, contingent upon Attorney Sajdak's review and approval, by roll call vote, carried.
- D. Waiver of Conflict of Interest-Accurate Appraisal LLC
Administrator Schornack presented information regarding requested waiver of conflict of interest from law firm of VonBriesen & Roper, who represents Accurate Appraisal. The Village's Labor Attorney is also part of this law firm and for this reason have requested we sign this waiver. Discussion: Concerns of signing waiver, having same law firm represent both us and Accurate even though two different areas of law, they have represented Accurate for some time. **MOTION (Baum/Campbell) to advise staff not to sign the waiver.** Further discussion: Advantages vs. disadvantages of signing waiver, Attorneys are covering themselves as required, negative motion. **2 in favor (Baum, Kaminski) 5 opposed, motion fails.**
MOTION (Miller/Zabel) to approve the waiver, carried. 4 in favor, 3 opposed (Baum, Campbell, Kaminski).

ADJOURNMENT

There being no further business, the meeting adjourned at 7:42 p.m.

Barbara K. D. Goeckner MMC/WCPC
Village Clerk

STATE OF WISCONSIN VILLAGE OF GERMANTOWN WASHINGTON COUNTY

ORDINANCE NO. ____-17

AN ORDINANCE TO PROHIBIT HEAVY TRAFFIC ON COUNTRY AIRE DRIVE
BETWEEN STH 145 (FOND DU LAC AVE) AND STH 167 (MEQUON ROAD)
AND TO AMEND THE OFFICIAL TRAFFIC MAP TO REFLECT THE SAME

WHEREAS, Wis. Stat. § 349.17(1) authorizes municipalities to regulate heavy traffic upon streets and highways within their corporate limits; and

WHEREAS, the Village Board, having previously adopted § 7.06 of the Municipal Code of Germantown, regulates travel of heavy vehicles upon the streets and highways within the Village; and

WHEREAS, the Village Board previously adopted an Official Traffic Map dated November 1, 1988 which identifies, among other things, locations of heavy traffic routes within the Village; and

WHEREAS, at its May 1, 2017 meeting, the Village's Public Safety Committee unanimously recommended that heavy traffic be prohibited on Country Aire Drive between State Trunk Highway 145 (Fond du Lac Avenue) and State Trunk Highway 167 (Mequon Road); and

WHEREAS, the regulation of heavy traffic routes 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 7.06(1)(a)3. of the Germantown Village Code, is amended to read as follows (Note: Additions are underlined; Deleted text is ~~struck through~~):

i. Country Aire Drive (S.T.H. ~~145~~167 to Freistadt Road [C.T.H. F]).

~~m. County Aire Drive (S.T.H. 145 to Freistadt Road)~~

SECTION II:

The Official Traffic Map of the Village of Germantown, as kept by the Chief of Police pursuant to § 7.02 of the Municipal Code of Germantown, is hereby amended to reflect the change specified in Section I.

SECTION III:

The Director of Public Works is hereby directed and shall erect appropriate traffic signals reflecting the prohibition specified in Section I.

SECTION IV:

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 V:

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

SECTION VI:

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

Introduced by Trustee:

Adopted: May 15, 2017 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

Published: _____



Business of the Village Board of Trustees

Germantown, WI

Fire Department

Meeting Date: May 15, 2017

Agenda item: Consent Agenda Item

Item Title: Amending Section 5.07 of the Municipal Code Related to Filing of Fire inspection Records.

Submitted By: Gary L. Weiss, Fire Chief

Summary Explanation:

The Compliance Engine is a web-based application from a firm called Brycer LLC that will streamlines the communication between the fire protection testing companies and the Department. It allows the Department to better aggregate, track and drive code compliance. The goal of this solution is to allow the GFD to manage all of the fire protection systems installed at buildings within the Village. These systems are tested annually by multiple third part contractor, for example Ahern's. Utilizing technology to streamline the process is a need that I identified in order to sustain the fire protection systems testing program and ensure the systems are working properly.

This has received unanimous support of the Public Safety Committee.

Attachment: Ordinance X Resolution Other

Requested Action:

Approval of the Ordinance amendment

ORDINANCE NO. -17

AN ORDINANCE AMENDING SECTION 5.07 OF THE MUNICIPAL CODE
RELATING TO THE FILING OF FIRE INSPECTION RECORDS

WHEREAS, the Village Board previously adopted Section 5.07 of the Municipal Code which establishes responsibility for provisions of the Fire Code; and

WHEREAS, the Village Board, upon the recommendation of the Fire Chief wishes to include responsibility for fire inspection reporting within the Municipal Code; and

WHEREAS, the regulation of the reporting of fire inspection records 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 5.07 of the Germantown Village Code, is amended to read as follows (Note: Additions are underlined; Deleted text is ~~struck through~~):

5.07 RESPONSIBILITY.

- (1) The responsible party for every new and existing building, structure or premises shall construct, arrange, equip, maintain and operate in accordance with this chapter to provide a reasonable level of life safety, property protection, and public welfare from the actual and potential hazards created by fire, explosion and other hazardous conditions. Compliance with this chapter does not relieve the responsible party from compliance with other ordinances or Wisconsin Statutes and Administrative Rules.
- (2) The responsible party for all buildings for which fire inspections are required under Wis. Stat. Chap. 101 shall file with the Fire Department records of all inspections, tests, and maintenance reports required by law within thirty (30) days of completion by the service provider performing the inspection, test or maintenance, and shall be retained on the premises for a minimum of three (3) years thereafter. The Fire Chief may determine the method of delivery and format, including the use of an electronic reporting system, that the service provider shall use in the filing of all required records.

SECTION II:

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 III:

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

SECTION IV:

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: 0 Absent:

Dean Wolter, Village President

ATTEST:

Barbara K.D. Goeckner, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

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

MEETING DATE: May 17, 2017

AGENDA ITEM: Consent Agenda

ITEM TITLE: Amend Ordinance 8.10_ DEPOSITING SNOW ON VILLAGE
STREETS PROHIBITED

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

SUMMARY EXPLANATION:

The amendment to Ordinance 8.10 is intended to clarify where snow moved by non-municipal forces can be deposited. An example would be that a resident could not plow snow from their driveway and deposit across the street on another resident's terrace area or the street. Snow is intended to remain on the parcel on which it fell.

ATTACHMENT: ORDINANCE__X__ RESOLUTION____ OTHER__

RECOMMENDATION:

The Director of Public Works and the Public Works and Highway Committee recommend the Village Board approve the Ordinance.

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.

ORDINANCE NO. ____-17

AN ORDINANCE AMENDING § 8.10 OF THE MUNICIPAL CODE OF
GERMANTOWN AS IT RELATES TO DEPOSITING SNOW ON VILLAGE STREETS
PROHIBITED

WHEREAS, the Village Board previously enacted § 8.10 of the Municipal Code of Germantown which made it unlawful for any person to plow, shovel or otherwise place snow on any public street within the Village; and

WHEREAS, it is in the interests of the public's health, safety and welfare that the Village Board regulate the depositing of Snow on Village Streets and;

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

SECTION I:

Section 8.10 of the Municipal Code of Germantown is hereby amended to read as follows (NOTE: Insertions are underlined; Deleted text is ~~struck through~~):

8.10 DEPOSITING SNOW ON VILLAGE STREETS PROHIBITED. It shall be unlawful for any person to plow, shovel or otherwise deposit ~~dump~~ or place snow on or across the maintained portion of any public road and terrace area within the Village or to permit such depositing of snow from property occupied by him or her.

SECTION II:

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 III:

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

SECTION IV:

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

Introduced by _____ on _____, 2017.

Adopted: _____, 2017 Vote: Ayes: Nays: Absent:

Dean Wolter, Village President

ATTEST:

Approved as to form:

Barbara Goeckner, Village Clerk

Brian C. Sajdak, Village Attorney

Published: _____