

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, October 16, 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:**
 - A. Proclamation in Recognition and Honor of the Public Service of David R. Schornack.
- V. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/DEPARTMENT AND 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 Minutes: October 2, 2017 Regular Village Board Meeting
 - B. Accounts payable/payroll
 1. September 2017 Accounts Payable \$ 36,701.93
 2. October 3, 2017 Payroll (hourly) \$ 214,907.23
 3. October 13, 2017 Payroll (salary) \$ 87,281.84
 - C. Operator Licenses: October 17, 2017 to June 30, 2018: [Recommended Approval]
 NEW: Glenda Washington

VII. CONSENT AGENDA-continued:

The following items were forwarded from **Public Safety Committee** with a unanimous recommendation.

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.

- D. Class "B" Fermented Malt Beverage and Class "C" Wine License Application for ST1X Golf Entertainment, W164 N11271 Squire Dr., Germantown WI 53022, Daniel Hughes and Ryan Hughes, Owner, N108 W6905 Berkshire St., Cedarburg WI 53012 [Recommended Approval]
- E. NEW "Class B" Fermented Malt Beverage and Intoxicating Liquor License Application for Marko's Pizza II Inc, W156 N9664 Pilgrim Rd, Ken Ubert, Agent. [Recommended Approval]

The following items were forwarded from **Public Works Committee** with a unanimous recommendation.

- F. Payment of \$8,053.64 to D.F. Tomasini for Emergency Repair of 12' Water Main Failure on River Lane at Bunsen Drive; Allocated from Acct. #50-742-530-6750 [Recommended Approval]
- G. Extend Clean Power Cleaning Contract for 3rd Year Knowing Cost will be Based on Consumer Price Index (CPI). [Recommended Approval]
- H. Cease Participation in MMSD Green Infrastructure Program with Billing Credit for Years 2017 and Prior to be Used Toward Village's PP I/I Program. [Recommended Approval]
- I. Approve Blanket Purchase Order, Amount not to Exceed \$10,000 for Continued Purchase and Delivery of ¾" Base Course Stone by Halquist Stone to be Used for Schoen-Lauffen and Alt Bauer Parks Path Restoration Projects; Allocated from Acct. #10-553-570-8100. [Recommended Approval]

VIII. UNFINISHED BUSINESS: None

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

- A. 2020 LAND USE PLAN MAP AMENDMENT from "Agricultural/Conservation Residential" and "Low Density Residential" to "Industrial/Office"; and (2) a REZONING Application from the "A-1: Agricultural District" to the "M-1: Limited Industrial District" for the Following Described Property: Speaker Properties LLC, Agent for Francis & Dolores Mayer, et al., Property Owners; Tax Key #173-992 and Tax Key #173-993
- B. REZONING Application to Rezone from the "A-1: Agricultural District" to the "M-1: Limited Industrial District" for the Following Described Property: Phylmack, LLC, Agent for Thomas & Joan Roskopf, Property Owners; Lot 1 of CSM 6702, Tax Key #173-987
- C. Village of Germantown Community Development Department for Proposed Text Amendments to the Following Section of the Zoning Code (Chapter 17) of the Village of Germantown Municipal Code: 17.30 (B-3: General Business District) Concerning the Conversion of Commercial to Residential Uses.

X. NEW BUSINESS:

- A. 2020 LAND USE PLAN MAP AMENDMENT from “Agricultural/Conservation Residential” and “Low Density Residential” to “Industrial/Office”; and (2) a REZONING Application from the “A-1: Agricultural District” to the “M-1: Limited Industrial District” for the Following Described Property: Speaker Properties LLC, Agent for Francis & Dolores Mayer, et al., Property Owners; Tax Key #173-992 and Tax Key #173-993
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- C. Village of Germantown Community Development Department for Proposed Text Amendments to the Following Section of the Zoning Code (Chapter 17) of the Village of Germantown Municipal Code: 17.30 (B-3: General Business District) Concerning the Conversion of Commercial to Residential Uses.
- D. Discussion/Approval Rehabilitation of Well #3 (Maple Rd).
- E. 2018 Budget Review and Approval for Publication.
- F. Settlement of Perry v. Hoell, et al. The Village Board May Enter into Closed Session per Wis. Stat. § 19.85(1)(g) for the Purpose of Conferring with Legal Counsel for the Village Who is Rendering Advice Concerning Strategy to be Adopted by the Village With Respect to Litigation in Which it is Involved and Then May Reconvene into Open Session to Take Such Action as it Deems Appropriate.

X. ADJOURNMENT:

The next regular meeting of the Village Board will be on November 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.

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
October 2, 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, Miller, Myers, Warren, Kaminski and Zabel. Trustee Hughes was absent and excused. Also present, Attorney Sajdak, Fire Chief Weiss, Public Works Director Ratayczak, CDD Planner Retzlaff, and Deputy Clerk Strebe

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: None

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC

INTEREST/DEPARTMENT AND COMMITTEE REPORTS: Trustees provided information on upcoming meeting dates and times. Chief Weiss noted Saturday October 7th, annual Fire Safety Fair 10:00 a.m. to 3:00 p.m.

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

CONSENT AGENDA:

- A. Approval of Minutes: September 18, 2017 Regular Village Board meeting
- B. Accounts payable/payroll
 - 1. September 25, 2017 Accounts Payable \$ 1,417,624.19
 - 2. September 30, 2017 Payroll (salary) \$ 80,308.47
- C. Operator Licenses: October 3, 2017 to June 30, 2018: [Recommended Approval]
NEW: David J. Burns, Dakota J. Langhammer, Stephanie S. Sayles, Jarrid A. Willoughby

The following items were forwarded from the **General Government and Finance Committee** with a unanimous recommendation:

- D. Resolution 17-17 Approving the Salaries and Compensation for Exempt Employee's and Other Non-Represented Support Staff Merit Adjustment & Administrator Position Amendment of Resolution 12-17 [Recommended Approval]. **MOTION (Baum/Myers) to approve consent items A – D, roll call vote, carried.**

UNFINISHED BUSINESS:

- A. Ordinance No. 14-17, An Ordinance to Amend Certain Sections of Subchapter I of Chapter 1 of the Germantown Municipal Code Relating to the Appointment, Employment and Duties of Certain Village Officials. **MOTION (Zabel/Myers) to approve as presented.** Trustee Zabel noted Ordinance brings Village into compliance with State law as it relates to employment of certain officials. **Carried.**

NEW BUSINESS:

- A. Feasibility Analysis of Possible Tax Increment District (#7) on Vacant Lands North of Freistadt Rd and East of Goldendale Rd.

NEW BUSINESS-continued:

Presented by CDD Retzlaff; presented background information related to JW Speaker Corporation expansion concept plan, acquiring additional property for multiple development sites. Rezoning consideration October 9th Plan Commission and Village Board October 16th. Infrastructure needs to support expansion proposal, funding options for required extension of sanitary sewer, water and road. Financial advisors prepared preliminary investigation into feasibility of creating TID. Ehlers prepared analysis, concludes creation of TID, results in 27 million taxable development, revenue stream to support 2.2 million expenditure, generate surplus tax increment in 2030, 9 years prior to statutory requirement.

James Speaker, Co-President of JW Speaker, presented history of JW Speaker, growth plans/strategic plan/vision, significant investment (50 million dollars), challenges, job creation (200+), commerce generation, preservation of wetlands, increase property value/tax revenue, campus concept-III project phases and timelines.

Jim Strand, Ehlers, analysis on proposed JW Speaker expansion from tax increment prospective; infrastructure cost between 2 – 2.2 million dollars, 44-million-dollar investment, 27 million taxable; cash flow in 10 – 11 years, usual is 15 years. Development value supports necessary infrastructure improvements. Analysis indicates Phase I completion would cover initial investment of infrastructure expansion; security to Village; if all phases occur as proposed, tax obligation met in 10-11 years.

Trustee Zabel questioned what land use is currently and sewer boundary. CDD Planner Retzlaff noted current land use plan amendment and rezoning from Ag to Office Manufacturing-M-1 limited industrial. Phase I facilities proposed falls within existing sewer boundary. Trustee Zabel also asked how did project get to this point, cost of Ehlers analysis and who authorized Ehlers to do study. President Wolter stated he authorized it for consideration and approval of Board, cost of \$5,000. Trustee Zabel noted concerns for manufacturing development between two subdivisions. Trustee Zabel also questioned consideration of financing through special assessment out 20 years, payments back to Village rather than divided with other taxing bodies, rather than creating TID. George Leonard, CFO for JW Speaker noted open to option for alternative financing; looking for support/incentive with 55-million-dollar investment; special assessment shifts cost to JW Speaker, not cash flow equal. Village Attorney noted special assessment of public improvements will be made against all area properties benefiting. Trustee Kaminski indicated support of TID creation; need to expand water/sewer up Goldendale, Holy Hill area future development, concern of residents in area subdivisions, need for buffer of trees. Trustee Baum questioned if allowed to expand further. President Wolter noted TID would encompass area of requested development, not bringing in other properties not involved in development. West of Goldendale would be affected only if special assessment option was applied versus TID creation. Utility extends to property boundary. Trustee Miller asked impact of utility addition on property owners in subdivision; if plan to add subdivision onto utility. CDD Planner Retzlaff noted properties in subdivision have septic systems, not automatic requirement to connect. Need to be sensitive to residential area; provide buffer of trees. Trustee Myers stated

NEW BUSINESS-continued:

farm property sold recently. Trustee Baum asked who establishes architectural requirements for TID. CDD Planner Retzlaff noted could set up covenants and architectural controls. Village Attorney noted desire harmonious consistent development within park, enforce standards or establish covenant. Mr. Speaker noted would like to retain all properties for expansion, but have flexibility to sell. Trustee Warren asked when feasibility study done, looked at as stand-alone or also look at TID 6 and how it affects or benefits TID 6. Jim Strand, Ehlers representative, noted consideration of expanding TID as means provide additional growth and offset some initial investment, but was rejected due to gap between districts. State Law does not allow transfer of positive increments between TIDs. Projections have no value placed on vacant lots, JW Speaker holding onto vacant lots for possible future expansion. President Wolter noted opportunity for Village to step across Freistadt Road, support and grow a long-standing business. JW Speaker expansion plan provides partnership to move water/sewer up towards Holy Hill Road, first step to end goal of Holy Hill Road interchange for future development. Along corridor for most future development; Plan Commission needs to decide to keep properties with current zoning or change for possible future development. JW Speaker plan provides anchor to support initial investment and costs out in half time of normal TID. Discussion of TID draft timeline. Further discussion on plan costs related to project phases, timeline of utility expansion needs and flow, State assessment valuation.

MOTION (Baum/Kaminski) to direct staff to commence the process of creating TID #7 as outlined in schedule attached to feasibility study. Trustee Zabel asked for comparison to be done as special assessment. Discussion on Reserved Capacity Assessment as it relates to property inclusion of utilities and roads, number of payment years, effect on transferred properties and progression of development. Also discussed size/depth of sewer/water lines. **Carried, opposed (Zabel).**

- B. Consideration of an Initial Resolution Regarding Revenue Bond Financing for RafRad, LLC and Wisconsin Stamping & Manufacturing Project an amendment of the Series 2011 Midwest Disaster Area Bonds issued by the Village of Germantown. Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution.

MOTION (Kaminski/Baum) to approve; Roll Call vote, all ayes, carried.

- C. Resolution No. 16-17 Requesting an Annual Equitable Distribution of 25% of the Washington County Sales Tax to All Washington County Municipalities (as amended by GGF).

MOTION (Baum/Warren) to approve. Trustee Zabel provided background information; could be used for roads and debt service. Trustee Myers noted County Executive Board decided not to give back money based on structured set amount. Trustee Miller stated County Administrator said they weren't going to consider it, futile; resolutions submitted to County by surrounding municipalities have incorrect facts. Trustee Kaminski stated it is equitable; need to be on record. **Carried, opposed (Miller).**

- D. Authorization to Purchase Used Vehicle for Community Development Department (Inspection Services).

MOTION (Kaminski/Baum) to approve. Trustee Zabel questioned if vehicles available from Police Department. DPW Director Ratayczak noted that Police

NEW BUSINESS-continued:

Department budget has two vehicles in it, replacing sedans, would not work as required by CDD for inspection services; was in 2017 budget. **Roll call vote, carried, (Zabel opposed).**

ADJOURNMENT: There being no further business, meeting adjourned at 8:19 p.m.

Next regular Village Board meeting, Monday, October 16th at 7:00 p.m.

Kathleen M. Strebe
Deputy Clerk

DRAFT

RECEIVED
SEP 08 2017

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning December 1 20 17 ;
ending June 30 20 18

TO THE GOVERNING BODY of the: ☐ Town of }
☒ Village of } GERMANTOWN
☐ City of }

County of WASHINGTON Aldermanic Dist. No. _____ (if required by ordinance)

Applicant's WI Seller's Permit No. / FEIN Number: <u>456-1029637546 / 82-2366310</u>	
LICENSE REQUESTED	
TYPE	FEE
☐ Class A beer	\$ 100
☒ Class B beer	\$ 100
☒ Class C wine	\$ 100
☐ Class A liquor	\$ 500
☐ Class A liquor (cider only)	\$ N/A
☐ Class B liquor	\$ 500
☐ Reserve Class B liquor	\$ 500
☐ Class B (wine only) winery	\$ 500
Publication fee	\$ 20
TOTAL FEE	\$ 220.00

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☒ LIMITED LIABILITY COMPANY
☐ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Daniel Stafford Hughes, Ryan Christopher Hughes ; Stix Golf Entertainment Bar, LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member <u>owner</u>	<u>Daniel Hughes</u>	<u>1105 W6905 Berkshire St</u>	<u>Cedarburg WI 53012</u>
Vice President/Member <u>owner</u>	<u>Ryan Hughes</u>	<u>1105 W6905 Berkshire St</u>	<u>Cedarburg WI 53012</u>
Secretary/Member			
Treasurer/Member			
Agent <u>▶</u>	<u>Robert Stafford</u>		
Directors/Managers			

3. Trade Name ▶ Stix Business Phone Number 414 630 8743
4. Address of Premises ▶ W164M1271 Squire Dr Germantown WI Post Office & Zip Code ▶ 53022

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 7/6/17 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 4933 sqft building, All Rooms including: storage, office, Bar,
10. Legal description (omit if street address is given above): X Dining area, Kitchen, "open floor plan"

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☐ Yes ☒ No
(b) If yes, under what name was license issued?
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5d) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776]. ☒ Yes ☐ No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 8th day of September, 20 17

Kathleen M. Strobe, Deputy Clerk
(Clerk/Notary Public)

My commission expires _____

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
Ryan Hughes
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>9/8/17</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

**AUXILIARY QUESTIONNAIRE
ALCOHOL BEVERAGE LICENSE APPLICATION**

COPY



Submit to municipal clerk.

BY: _____

Individual's Full Name (please print) (last name) <u>Hughes</u>		(first name) <u>Daniel</u>		(middle name) <u>Stafford</u>	
Home Address (street/route) <u>N104 W6905 Berkshire St</u>		Post Office _____		City <u>Cedarburg</u>	State <u>WI</u> Zip Code <u>53012</u>
Home Phone Number <u>(414) 630-8743</u>		Age <u>23</u>	Date of Birth <u>8/5/1994</u>		Place of Birth <u>Milwaukee</u>

The above named individual provides the following information as a person who is (check one):

☐ Applying for an alcohol beverage license as an individual.

☒ A member of a partnership which is making application for an alcohol beverage license.

☐ Daniel Hughes of STIX Golf Entertainment Bar, LLC
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 23 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☐ Yes ☒ No
If yes, identify. _____
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No
If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>Hidden Glen Golf Club</u>	Employer's Address <u>3300 Hidden Glen Lane Cedarburg</u>	Employed From <u>2012</u>	To <u>2014</u>
Employer's Name _____	Employer's Address <u>WI</u>	Employed From _____	To _____

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 14th day of August, 2017
Kathleen M. Strube Deputy Clerk
(Clerk/Notary Public)

Daniel Hughes
Daniel Hughes
(Signature of Named Individual)

My commission expires _____



Printed on
Recycled Paper

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

RECEIVED
AUG 14 2017

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Hughes</u>		(first name) <u>Ryan</u>		BY: (middle name) <u>Christopher</u>	
Home Address (street/route) <u>1108 W6905 Berkshire St.</u>		Post Office		City <u>Cedarburg</u>	State <u>WI</u> Zip Code <u>53012</u>
Home Phone Number <u>414-640-2218</u>		Age <u>23</u>	Date of Birth <u>8/5/94</u>		Place of Birth <u>Milwaukee</u>

The above named individual provides the following information as a person who is (check one):

☐ Applying for an alcohol beverage license as an individual.

☒ A member of a partnership which is making application for an alcohol beverage license.

☐ Ryan Hughes of STIX GOLF Entertainmen Bar LLC
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 23 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☒ Yes ☒ No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
Open Container - Illinois Cited Ticket - Paid
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☐ Yes ☒ No
If yes, identify.
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No
If yes, identify.
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>Hidden Glen GC</u>	Employer's Address <u>3300 Hidden Glen Lane Cedarburg, WI</u>	Employed From <u>2015</u>	To <u>2016</u>
Employer's Name <u>Hidden Glen GC</u>	Employer's Address <u>3300 Hidden Glen Lane Cedarburg, WI</u>	Employed From <u>2012</u>	To <u>2013</u>

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 14th day of August, 2017

Kathleen M. Strebe, Deputy Clerk
(Clerk/Notary Public)

Ryan Hughes
(Signature of Named Individual)

My commission expires _____



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Recycled Paper

**SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT
ORGANIZATION OR LIMITED LIABILITY COMPANY**

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town
☒ Village of Germantown County of Washington
☐ City

The undersigned duly authorized officer(s)/members/managers of STIX Golf Entertainment Bar, LLC
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

STIX Golf Entertainment
(trade name)

located at W164N11271 Squire Dr Germantown, WI

appoints Robert Stafford
(name of appointed agent)

13985 N. Pine Bluff Rd Mequon, WI 53097
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☐ Yes ☒ No 1978

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? Since 1978

Place of residence last year 13985 N. Pine Bluff Rd Mequon, WI 53097

For: STIX Golf Entertainment Bar, LLC
(name of corporation/organization/limited liability company)

By: _____
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, ROBERT G. STAFFORD, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Robert G. Stafford 9/8/2017 Agent's age 79
(signature of agent) (date)
13985 N. PINE BLUFF RD., MEQUON, WI Date of birth 5/20/1938
(home address of agent) 53097

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(date) (signature of proper local official) (town chair, village president, police chief)

RECEIVED
SEP 21 2017

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning October 17 20 17 ;
ending June 30 20 18

TO THE GOVERNING BODY of the: ☐ Town of }
☒ Village of } GERMANTOWN
☐ City of }

County of WASHINGTON Aldermanic Dist. No. _____ (if required by ordinance)

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☐ LIMITED LIABILITY COMPANY
☒ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Reg. Agent Ken Ubart Markos Pizza II Inc.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>President Ken Ubart</u>	<u>3943 Rosie Ct. Colgate WI</u>	<u>53017</u>
Vice President/Member			
Secretary/Member			
Treasurer/Member			
Agent	<u>Ken Ubart</u>	<u>3943 Rosie Ct. Colgate WI</u>	<u>53017</u>
Directors/Managers			

3. Trade Name Markos Pizza II Inc. Business Phone Number 262-251-1555

4. Address of Premises WISN 9664 Pilgrim Rd Post Office & Zip Code Germantown WI 53022

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☐ Yes ☒ No

6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No

7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No

8. (a) Corporate/limited liability company applicants only: Insert state WI and date 6-22-17 of registration.

- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No

- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) First floor Restaurant Dining Area

10. Legal description (omit if street address is given above):

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No

- (b) If yes, under what name was license issued? Markos Pizza of Germantown

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5d) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No

13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No

14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 21 day of September, 20 17

Pete J. Salza
(Clerk/Notary Public)

My commission expires 6/30/2018

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

[Signature]
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>9/21/17</u>	Date reported to council/board <u>10/16/17</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
UBERT		KEN		A	
Home Address (street/route)		Post Office	City	State	Zip Code
3943 ROSIE CT		COLGATE	COLGATE	WI	53017
Home Phone Number		Age	Date of Birth	Place of Birth	
414-315-7090		48	09/08/1969	Milwaukee	

The **above named individual** provides the following information as a person who is (check one):

- ☐ Applying for an alcohol beverage license as an **individual**.
- ☐ A member of a **partnership** which is making application for an alcohol beverage license.
- ☒ **Ken Ubert** of **Markos Pizza II Inc.**

(Officer/Director/Member/Manager/Agent)

(Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The **above named individual** provides the following information to the licensing authority:

- (a) How long have you continuously resided in Wisconsin prior to this date? 48 years
- (b) Have you resided in the City of Milwaukee continuously for one year immediately prior to this date? ☒ Yes ☐ No
- (a) Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, or laws of any other states? ☐ Yes ☒ No
- (b) Have you ever been convicted of any violations of any county or municipal ordinances? ☒ Yes ☐ No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
Nothing pending. Just minor traffic violation
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☐ Yes ☒ No
If yes, identify. _____
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No
(If yes, identify.) _____
(Name of Wholesale Licensee or Permittee) (Address by City and County)

READ CAREFULLY BEFORE SIGNING: I, The undersigned, shall not willfully refuse to provide those services offered under this license, or refuse to employ or discharge any person otherwise qualified because of race, color, creed, sex, national origin or ancestry; I shall not seek information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion solely on the basis of such information. I also shall not discriminate against any member of the military service dressed in uniform by willfully refusing services offered under this license.

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 21 day of September, 2017
Pete J. Salza
(Clerk/Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires in Permanent

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

MEETING DATE: October 16, 2017

AGENDA ITEM: Public Hearing & New Business **[ORDINANCE]**

ITEM TITLE: Speaker Properties LLC, Agent for Francis & Dolores Mayer, etal.,
Property Owners of a 39.7-acre Parcel located on Goldendale Road
(Parcel GTNV#173-992 & 173-993); 2020 Land Use Plan Map
Amendment & Rezoning Application

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

SUMMARY EXPLANATION:

Speaker Properties LLC, agent for Francis & Dolores Mayer, etal., property owners (and the J.W. Speaker Corp) has submitted applications to: (1) amend the 2020 Land Use Plan map classification for a 39.7-acre area from "Agricultural/Conservation Residential" and "Low Density Residential" to "Industrial/Office"; and (2) to rezone that 39.7-acre area from A-1: Agricultural to M-1: Limited Industrial in order to accommodate the future expansion of the J.W. Speaker Corporation located at N120 W19434 Freistadt Road.

The acquisition and proposed rezoning of this parcel follows a similar acquisition, land division and rezoning of separate 5.6 and 47.4-acre parcels from Roskopf in 2016. (subject of separate applications and public hearing scheduled for the same October 16 VB agenda).

NOTE: Although published separately, the "Mayer/Neu" property proposed Land Use Plan Map amendment and rezoning, along with the proposed "Roskopf" property rezoning, are all necessary to support the J.W. Speaker Corporation expansion concept plan and should be considered concurrently.

ATTACHMENTS:

- ◆ 10/9/17 Staff Report
- ◆ 10/9/17 Plan Commission Meeting Minutes
- ◆ Draft Ordinance

PLAN COMMISSION RECOMMENDATIONS:

APPROVE the proposed 2020 Land Use Plan (LUP) map amendments to change the classification of approximately 39.7 acres as follows:

1. Change approximately 31.1 acres classified as "Agricultural/Conservation Residential" to "Industrial/Office";
2. Change approximately 8.6 acres classified as "Low Density Residential" to "Industrial/Office"
3. Expand the 2020 Sanitary Sewer Service Area (SSA) boundary to include the 39.7 acre Mayer/Neu property (subject to SEWRPC & MMSD approval).

APPROVE rezoning the 39.7-acre area from A-1: Agricultural to M-1: Limited Industrial as proposed.

NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Village Board at the Germantown Village Hall located at N112 W17001 Mequon Road, Germantown, Wisconsin on the following date and at the time noted below (or soon thereafter):

DATE: Monday, October 16, 2017
TIME: 7:00 p.m. or later

The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the application filed by the following applicant for: (1) a 2020 LAND USE PLAN MAP AMENDMENT from "Agricultural/Conservation Residential" and "Low Density Residential" to "Industrial/Office"; and (2) a REZONING application from the "A-1: Agricultural District" to the "M-1: Limited Industrial District" for the following described property:

Applicant: Phylmack, LLC, Agent for Francis & Dolores Mayer, et al., Property Owners
Property: Tax Key #173-992 and Tax Key #173-993

Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said 1/4 Section; thence South 01°14'33" East along the West line of said 1/4 of said Section 123.85 feet to the South line of the Wisconsin & Southern Railroad lands and the point of beginning of the lands hereinafter described; thence: South 77°11'31" East along said South line 1343.65 feet to a point; thence South 01°17'44" East along the West line of Lot 1 of Certified Survey Map No 6215 a distance of 1283.76 feet to a point; thence South 75°00'27" West along the North line the of Neuland Subdivision 403.42 feet to a point, thence North 43°39'33" West along said North line 180.00 feet to a point; thence North 54°19'33" West along said North line 380.00 feet to a point; thence North 38°28'33" West along said North line 49.79 feet to a point; thence South 87°00'27" West along said North line 250.00 feet to a point; thence South 14°59'33" East along said North line 40.00 feet to a point; thence South 82°45'51" West along said North line 218.24 feet to a point on the West line of SW 1/4, Section 17; thence North 01°14'33" West along said West line 1374.37 feet to the point of beginning.

Along with Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said 1/4 Section; thence North 89°53'45" East along the South line of said 1/4 of said Section 1301.98 feet to the point of beginning of the lands hereinafter described; thence North 01°04'33" West 217.16 feet to a point; thence South 89°57'33" West 3.57 feet to the Southeast corner of Lot 6, Block 1 of Neuland Subdivision; thence North 01°02'33" West along the East line of said Lot 392.27 feet to a point on the south line of Dalebrook Drive; thence North 88°57'27" East along said south line 5.05 feet to a point; thence South 01°17'44" East along the West line of Lot 1 of Certified Survey Map No. 6215 a distance of 549.55 feet to a point on aforesaid South line; thence South 89°53'45" West along said South line 3.78 feet to the point of beginning.

A copy of the application is on file in the Village Planning Department office and is available for public inspection during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

Dated this 20th day of September, 2017

Kathy Strebe, Deputy Clerk

To Be Published On: September 27th and October 4th, 2017

2020 LAND USE PLAN MAP AMENDMENT & REZONING APPLICATIONS

10/9/17 Plan Commission Meeting

Speaker Properties LLC / Francis & Dolores Mayer

Village Planner Report

Germantown, Wisconsin

Summary

Speaker Properties LLC, agent for J.W. Speaker Corporation and Francis & Dolores Mayer, etal. property owners, are requesting approval of an amendment to the 2020 Future Land Use Plan Map and a rezoning application for 39.7 acres located east of Goldendale Road, north of the Neuland Subdivision and south of the WisDOT/Wisconsin & Southern (WSOR) Railroad.

Location: East of Goldendale Road, north of the Neuland Subdivision and south of the WisDOT/Wisconsin & Southern (WSOR) Railroad

Agent/

Property Owner: George Lehnerer, CFO
J.W. Speaker Corp
N120 W19434 Freistadt Road
Germantown, WI

Francis & Dolores Mayer, etal.
8700 Boltonville Road
Kewaskum, WI

Current LUP Map: Agricultural/Conservation Residential & Low Density Residential

Proposed LUP Map: Industrial/Office

Current Zoning: A-1: Agricultural

Proposed Zoning: M-1: Limited Industrial

Adjacent Land Uses		Zoning
North	Ag/Residential	A-1/Rs-1
South	Residential	Rs-4
East	Agricultural	A-1
West	Agricultural	A-1



Background

Speaker Properties LLC, agent for J.W. Speaker Corporation and Francis & Dolores Mayer, et al. property owners, are requesting approval of an amendment to the 2020 Future Land Use Plan Map and a rezoning application for 39.7 acres located east of Goldendale Road, north of the Neuland Subdivision and south of the WisDOT-Wisconsin & Southern (WSOR) Railroad.

(NOTE: the 39.7 acre property is owned by a group of people that includes Francis & Dolores Mayer, Michael & Joan Neu, etc. For convenience, this property will be referred to as the "Mayer/Neu" property in this report).

The following 2020 LUP Map amendments are proposed (see Exhibit 1):

1. Change approximately 31.1 acres classified as "Agricultural/Conservation Residential" to "Industrial/Office";
2. Change approximately 8.6 acres classified as "Low Density Residential" to "Industrial/Office"
3. Expand the 2020 Sanitary Sewer Service Area (SSA) boundary to include the 39.7 acre Mayer/Neu property (subject to SEWRPC & MMSD approval)

The following rezoning is proposed:

- Change approximately 39.7 acres from A-1: Agricultural to M-1: Limited Industrial

As indicated in the LUP Amendment application, the J.W. Speaker Corporation is pursuing acquisition of the 39.7-acre "Mayer/Neu" property to add to the recent acquisition of the 47.3 acre "Roskopf" property as part of their plan to expand their existing 51-acre Freistadt Road facility (see Exhibit 2).

As stated in the application, Speaker intends "...to add another 200+ employees over the next five (5) years that will create capacity constraints in the plant as well as parking and access. The purchase and rezoning of [the Mayer/Neu and Roskopf properties] will allow us to access our facilities from Goldendale Road thereby re-routing much of the traffic away from the Freistadt/Goldendale intersection while not disturbing the wetland area parallel to Freistadt Road and preserving the natural beauty of the wooded area on the property. The wetland area parallel to Freistadt Road currently prohibits us from creating access from Freistadt Road without significant added investment."

As shown in the Expansion Concept Plan, the proposed expansion includes:

- A new east-west roadway parallel to and north of Freistadt Road linking their existing facility on the east to Goldendale Road to the west;
- Six (6) parcels ranging from 7 to 18 acres in area w/ three parcels to be developed by J.W. Speaker and the other three parcels available for development by other owners but with similar office/light industrial uses (a 12-acre "remnant" parcel between the navigable stream/wetland complex and Freistadt Road will also be created);
- Installation of a minimum 60' wide landscaped buffer area adjacent to the existing Neuland residential subdivision to the south;

Staff Comments

As shown on the current 2020 Land Use Plan (LUP) map, the Mayer/Neu property is the only remaining land located south of the railroad, east of Goldendale Road and north of Freistadt Road that isn't already included in the Village's Sanitary Sewer Service Area (SSA). Further, other than the existing residential area (Neuland Subdivision) to the south, the Mayer/Neu land is the only land in this area not already developed or planned for industrial/office development.

Prior to 2003, the Village's SSA boundary extended as far north as Freistadt Road in this vicinity. As a result of requests from existing businesses located in the Village that were significant contributors to the Village's economic and employment base, the Village expanded the SSA north of Freistadt Road to include this area (except for the Mayer/Neu property). While intended to accommodate foster industrial development and expansion of the Germantown Industrial Park north of Freistadt Road, the primary and short-term purpose for expanding the SSA north of Freistadt Road was to accommodate the pending expansion of Gehl Foods onto land near the Freistadt/Maple Road intersection, and, the F. Dohmen (a pharmaceutical logistics and supply company) onto the land that is now occupied by the Speaker Corporation. When the 2020 LUP map was adopted in 2004, the Villages intent was to accommodate the expansion of the existing Germantown Industrial Park in this area.

At this time, J.W. Speaker is proposing the LUP map amendments summarized above to accommodate essentially the same thing that Gehl Foods and the F. Dohmen Company sought to do back in the early 2000's... to add expand the industrial/office area in this vicinity to accommodate the short and long-term expansion of the Speaker Corporation; another significant contributor to the Village's economic and employment base.

While the expansion of the industrial area north of Freistadt Road to the west to Goldendale Road appears to be logical given the railroad barrier to the north, the obvious concern is the potential impact on the existing Neuland residential area south of the Mayer/Neu property. The Neuland subdivision was originally platted and developed in 1956, a time when the Village of Germantown was still a sleepy little village with an estimated population of less than 500 persons and the major north-south interstate roadway was State Road 175 (Appleton Ave). Not until after the Federal Aid Highway Act of 1956, which authorized the construction of 41,000 miles of federal highways over 1 10-year period including what is now US41 through the Village of Germantown, and into the 1960's did the Village grow in such significant proportions did the notion of land use development and planning become an issue for communities like Germantown to pay attention. Although the Neuland subdivision was not a pre-planned residential area in the sense that it was allowed to develop as a result of a collective and conscious decision by the Village to develop as such and in that location as part of a comprehensive plan for all land uses throughout the Village, it is an area that needs to be considered and protected from potential land use conflicts as the Village continues to grow in and around this area.

As discussed in the J.W. Speaker application, the expansion of industrial development onto the Mayer/Neu property in the manner proposed, will have a positive impact on the area in terms of traffic and environmental impacts. With a large portion of existing and future traffic going through the Freistadt/Goldendale Road intersection on the way to/from the Industrial Park, the new east-west roadway parallel to Freistadt Road will provide relief to such traffic generated by new development in this area. Also, as pointed out by Speaker, there's a significant navigable stream and wetland area that traverse the southern portion of the Roskopf property that will be preserved under the proposed concept plan.

For these reasons, Staff supports the proposed 2020 LUP map amendments, proposed rezoning and the proposed J.W. Speaker and other industrial/office development that will result, provided that adequate protection in the form of building separation/setbacks and landscaped buffer yards are provided away from and along the edge of the existing residential area. While the Speaker Corp Expansion Concept Plan includes a 60' wide landscaped buffer "corridor" along the residential area, the details of what that area includes, e.g. plantings, berms, fencing, needs to be designed and discussed further.

VILLAGE PLANNER RECOMMENDATION:
2020 LUP Map Amendments

APPROVE the proposed 2020 Land Use Plan (LUP) map amendments to change the classification of approximately 39.7 acres as follows:

1. Change approximately 31.1 acres classified as "Agricultural/Conservation Residential" to "Industrial/Office";
2. Change approximately 8.6 acres classified as "Low Density Residential" to "Industrial/Office"
3. Expand the 2020 Sanitary Sewer Service Area (SSA) boundary to include the 39.7 acre Mayer/Neu property (subject to SEWRPC & MMSD approval).

Village Planner Recommendation:

Rezoning

APPROVE the proposed rezoning of approximately 39.7 acres from A-1: Agricultural to M-1: Limited Industrial subject to the following:

1. Adequate protection in the form of building separation/setbacks and landscaped buffer yards are provided away from and along the edge of the existing Neuland Subdivision residential area. An overall landscape/buffer plan and agreement with the Village should be prepared, adopted and implemented apart from and in addition to any specific site development plan for individual parcels proposed for development. Said landscape/buffer plan shall include a minimum 60' wide "corridor" or other width deemed appropriate by the Village located along the residential area with land scaping and other features, e.g. plantings, berms, fencing, deemed necessary to adequately protect the residential area from potential impacts associated with future development of the surrounding lands to the north and east (referred to as the "Mayer/Neu", "Roskopf" and "J.W. Speaker" parcels north of Freistadt Road).

PLAN COMMISSION MINUTES
October 9, 2017

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

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

PUBLIC INPUT: None

APPROVAL OF MINUTES: *MOTION Nilles second Laszewski to Approve the minutes from 9-11-17 with typo corrections as stated by Commissioner Laszewski on page 4 paragraph 2. MOTION carried unanimously.*

JW Speaker Corporation and Francis & Dolores Mayer, etal – 39.7 acres east of Goldendale Road, north of the Neuland Subdivision and south of the WisDOT/Wisconsin & Southern Railroad. The property owners are requesting approval of an amendment to the 2020 Future Land Use Plan Map and a rezoning application for 39.7 acres to expand their existing 51-acre Freistadt Road facility. Planner Retzlaff summarized the proposal which includes the following amendments:

1. Change approximately 31.1 acres classified as "Agricultural/Conservation Residential" to "Industrial/Office"
2. Change approximately 8.6 acres classified as "Low Density Residential" to "Industrial/Office"
3. Expand the 2020 Sanitary Sewer Service Area (SSA) boundary to include the 39.7 acre Mayer/Neu property (subject to SEWRPC & MMSD approval).
4. Change approximately 39.7 acres from A-1: Agricultural to M-1: Limited Industrial Zoning District

George Lehnerer, J.W. Speaker, explained the properties are for future use by the J.W. Speaker Corporation and there's no plan to sell or create lots at this time.

MOTION Gray second Nilles to Approve the proposed 2020 Land Use Plan (LUP) map amendments to change the classification of approximately 39.7 acres as follows:

1. ***Change approximately 31.1 acres classified as "Agricultural/Conservation Residential" to Industrial/Office";***
2. ***Change approximately 8.6 acres classified as "Low Density Residential" to "Industrial/Office"***
3. ***Expand the 2020 Sanitary Sewer Service Area (SSA) boundary to include the 39.7 acre Mayer/Neu property (subject to SEWRPC & MMSD approval).***

Mark Russell, W200 N12526 Meadow Brook Court, Matt Kimmler, N125 W20314 Isabelle Farms Drive and Mike Purtell, N120 W20169 Dalebrook Drive, spoke against the proposal. They want the area to remain rural and agricultural as the 2020 Land Use Plan shows. Jamie Speaker said he is well aware of the residents that are near his facility and he intends to preserve the natural setting that exists there and this property provides the company the opportunity to expand and stay in Germantown. Chairman Wolter explained J.W. Speaker is expanding their industrial area by creating a campus. Sewer and water is proposed to be expanded up Goldendale Road and will be paid for by the TIF district. Neuland subdivision is not part of the sewer expansion. However, Trustee Zabel has asked for an assessment to be looked as a comparison to the TIF and it may be included at that point.

Commissioner Laszewski said he understands the residents concern with such an extreme change from the Land Use Plan to Industrial/Office buffered by a 60 foot wall of trees. Commissioner Gray said it's not reasonable for the land to stay as agricultural and not be developed and sold to become something else. Chairman Wolter commented when Speaker first came forward, there was a concern with the neighboring subdivisions. But there was also a business looking to invest 28 to 50 million dollars within our community. He said we needed to see how it could be done in a strategic way to protect the homeowners to the south and the north but also help to grow a business that's been successful in Germantown and will bring 200 more jobs to the area. And by extending sewer and water and making an investment of 2 million dollars for something that will return back in less than 10 years and come back to the tax rolls and help move utilities toward Holy Hill Road as a first step process, needs to be considered.

MOTION carried unanimously.

MOTION Laszewski second Gray to Approve the proposed rezoning of approximately 39.7 acres from A-1: Agricultural to M-1: Limited Industrial subject to the following:

- 1. Adequate protection in the form of building separation/setbacks and landscaped buffer yards are provided away from and along the edge of the existing Neuland Subdivision residential area. An overall landscape/buffer plan and agreement with the Village should be prepared, adopted and implemented apart from and in addition to any specific site development plan for individual parcels proposed for development. Said landscape/buffer plan shall include a minimum 60' wide "corridor" or other width deemed appropriate by the Village located along the residential area with landscaping and other features, e.g. plantings, berms, fencing, deemed necessary to adequately protect the residential area from potential impacts associated with future development of the surrounding lands to the north and east (referred to as the "Mayer/Neu", "Roskopf" and "J.W. Speaker" parcels north of Freistadt Road).***

Planner Retzlaff said if there's a concern that a 60 foot wide buffer isn't a good starting point, then a recommendation from Plan Commission would be in order. He explained the condition is in the motion as a requirement to look into a buffer apart from development of the lots and installed immediately before any development occurs so it is well established. Discussion followed with Planner Retzlaff explaining which areas will be rezoned and what will remain undeveloped and agricultural. The proximity of development is much closer to the Neuland Subdivision and is where he feels the buffer should be located.

Motion to amend Laszewski to change the buffer from 60 feet to 100 feet on the south side. Motion fails for lack of a second.

Discussion continued on the size of the buffer, if it's appropriate and what it will include.

Commissioner Laszewski said given the change from residential to industrial, some horizontal space is needed and 60 feet is not enough separation. He said his vision would include 100 feet of a barrier or berm with some evergreens or deciduous trees, prairie grass and a mix of things. Commissioner Gray said the plan would need to come back to us for review and feels 100 feet of plantings requires a lot of maintenance. She would rather leave the 60 foot buffer for now and when a building comes in for review, the plan may need to be supplemented at that time. Paul Rushing, Kubala Washatcko

Archcitects, suggested the Commission view the Division Road corridor where a heavy landscape barrier was created by using staggered pine trees and works well only using about 40 to 50 feet. Discussion continued.

MOTION carried unanimously.

ANNOUNCEMENTS: The next Plan Commission meeting is October 23, 2017.

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:16 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

EXHIBIT 1

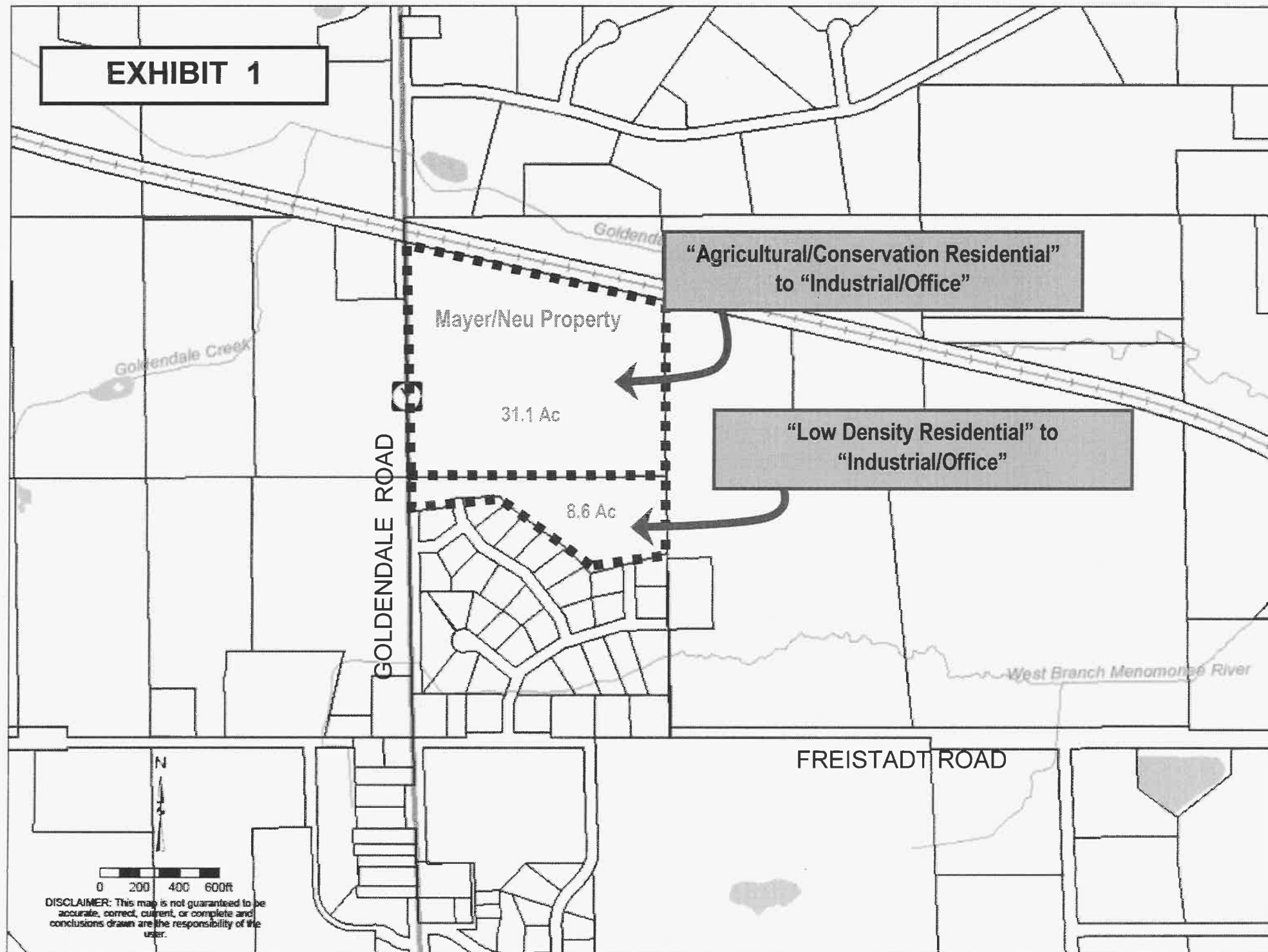
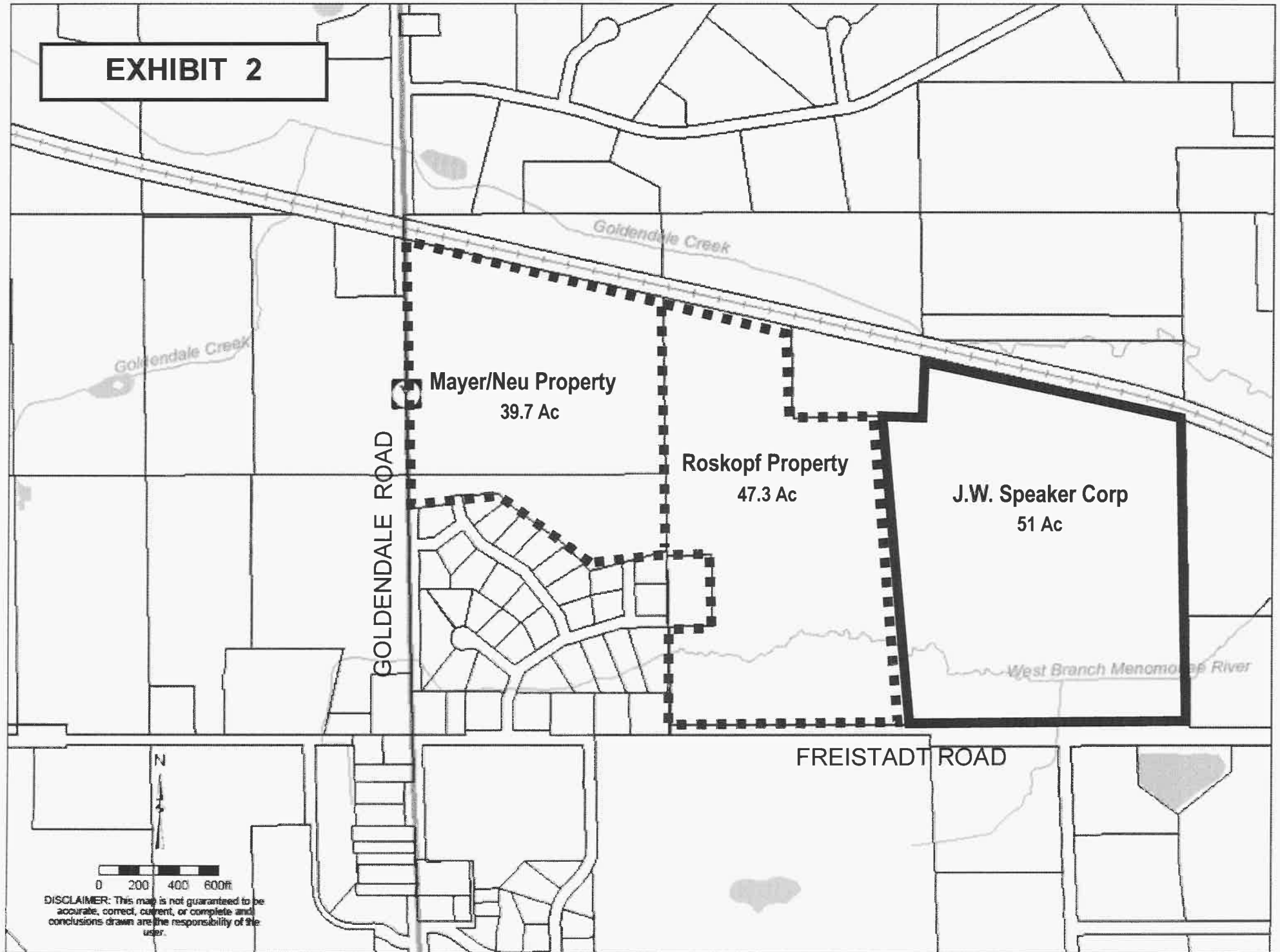


EXHIBIT 2





Village of
Germantown
Willkommen

FEES MUST BE PAID AT TIME OF APPLICATION

- ☐ \$200 Plan Commission Consultation
- ☒ \$1,085 Rezoning
- ☐ \$1,240 PDD < 5 acres
- ☐ \$2,095 PDD 5-20 acre site
- ☐ \$3,460 PDD > 20 acre site

Date Paid: 9-5-17

Received by: [Signature]

REZONING & PDD APPLICATION

Pursuant to Section 17.51 of the Municipal Code

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

1 APPLICANT OR AGENT

Speaker Properties LLC c/o
J.W. Speaker Corp; George Lehnerer, CFO
N120 W19434 Freistadt Rd.
Germantown, WI 53022

Phone (262) 532-2101

Fax (262) 532-2121

E-Mail lehnererg@jwspeaker.com

PROPERTY OWNER

Francis Mayer

Dolores Mayer Etal

8700 Boltonville Rd.

Kewaskum, WI 53040-9722

Phone ()

2 PROPERTY ADDRESS OR GENERAL LOCATION

Lot 1 per attached CSM

TAX KEY NUMBER

173992 & 173993

3 REZONING REQUEST

FROM
A-1

TO
M-1

4 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

See attached "Rezoning Exhibit"

PURPOSE OF REZONING REQUEST

Briefly describe why the applicant is rezoning the property. Include a description of the proposed use, including any new construction and number of employees, if applicable.

The property will be purchased subject to rezoning approval to add facilities to be occupied by J.W. Speaker Corporation for a circuit board manufacturing, potential move of our Whitney facility to this area to accommodate growth requirements, and future expansion.

6 SUPPORTING DOCUMENTATION:

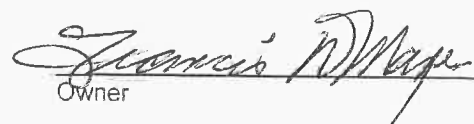
- ☐ Plat of Survey (1:100)
- ☐ Site Plan and elevations for new construction (can be conceptual)
- ☒ "Rezoning Exhibit" _____
- ☐ _____

7 READ AND INITIAL THE FOLLOWING:

- X I understand that the Village is under no obligation to rezone property and that density and lot coverages provided in the Zoning Code are maximums. Actual build out will depend on myriad factors including topography and other natural conditions, surrounding neighborhood context and the detailed design of a project.
- X I understand that Village Staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request and failure to provide such information may in itself be sufficient cause to deny the petition.
- X I am aware that this rezoning shall go into effect immediately upon the final approval of the Village Board and its execution of the rezoning ordinance

8 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

X  8-24-17
Applicant Date

 8-30-17
Owner Date

REZONING EXHIBIT

CLIENT

J.W. Speaker Corporation

LEGAL DESCRIPTION

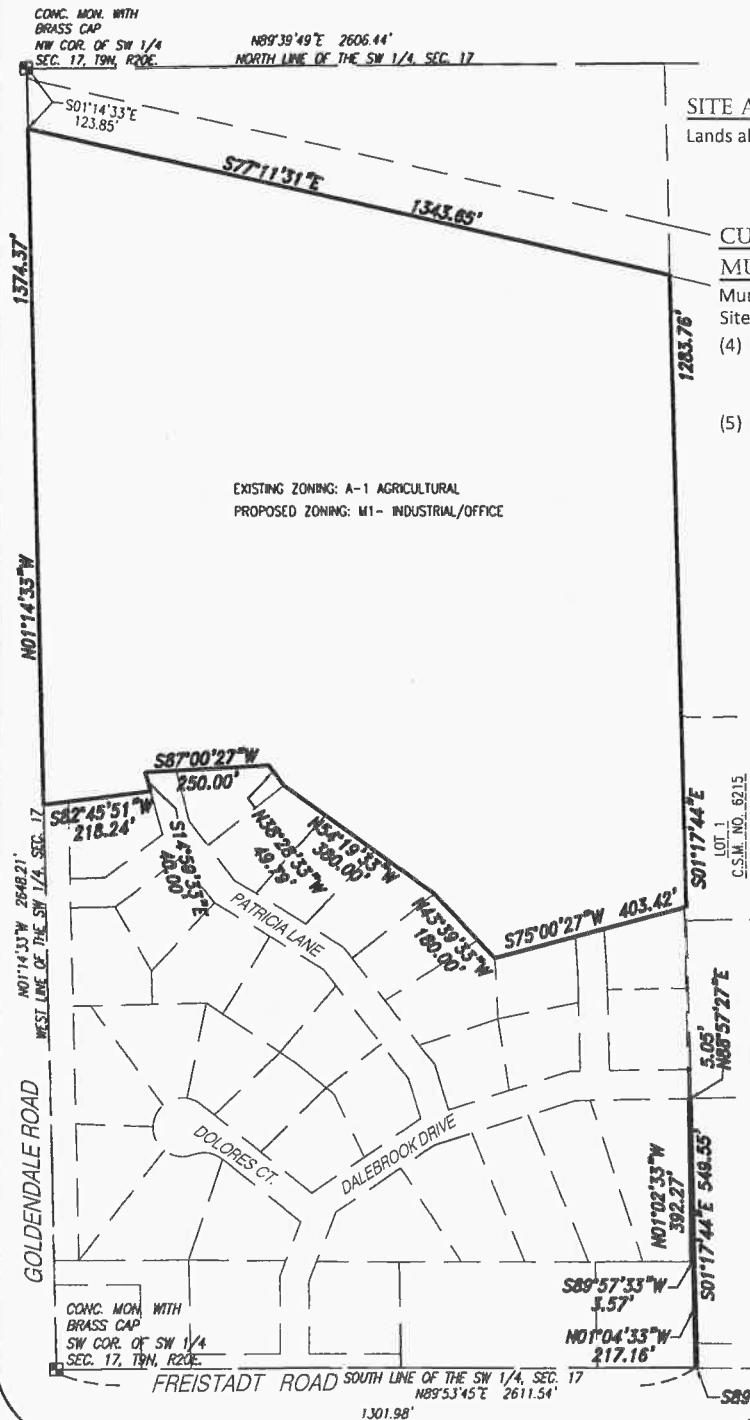
Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said 1/4 Section; thence South 01°14'33" East along the West line of said 1/4 of said Section 123.85 feet to the South line of the Wisconsin & Southern Railroad lands and the point of beginning of the lands hereinafter described; thence South 77°11'31" East along said South line 1343.65 feet to a point; thence South 01°17'44" East along the West line of Lot 1 of Certified Survey Map No. 6215 a distance of 1283.76 feet to a point; thence South 75°00'27" West along the North line the of Neuland Subdivision 403.42 feet to a point; thence North 43°39'33" West along said North line 180.00 feet to a point; thence North 54°19'33" West along said North line 380.00 feet to a point; thence North 38°28'33" West along said North line 49.79 feet to a point; thence South 87°00'27" West along said North line 250.00 feet to a point; thence South 14°59'33" East along said North line 40.00 feet to a point; thence South 82°45'51" West along said North line 218.24 feet to a point on the West line of SW 1/4, Section 17; thence North 01°14'33" West along said West line 1374.37 feet to the point of beginning.

Along with;

Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said 1/4 Section; thence North 89°53'45" East along the South line of said 1/4 of said Section 1301.98 feet to the point of beginning of the lands hereinafter described; thence North 01°04'33" West 217.16 feet to a point; thence South 89°57'33" West 3.57 feet to the Southeast corner of Lot 6, Block 1 of Neuland Subdivision; thence North 01°02'33" West along the East line of said Lot 392.27 feet to a point on the south line of Dalebrook Drive; thence North 88°57'27" East along said south line 5.05 feet to a point; thence South 01°17'44" East along the West line of Lot 1 of Certified Survey Map No. 6215 a distance of 549.55 feet to a point on aforesaid South line; thence South 89°53'45" West along said South line 3.78 feet to the point of beginning.



SITE ADDRESS

Lands along Freistadt Road, Germantown, Wisconsin.

CURRENT MUNICIPAL ZONING

Municipal Code: Sec. 17.12

Site is zoned: A-1 (Agricultural District)

(4) BUILDING HEIGHT. Buildings, except barns, elevators, grain dryers and silos, shall not exceed 45 feet in height.

(5) SETBACK AND YARDS.

(a) Front Setback. 60 feet, minimum.

(b) Side Yards. 25 feet, minimum, except that bee hives and buildings used for keeping livestock and poultry, and all new buildings constructed after the effective date of this Code shall have yards of not less than 50 feet.

(c) Rear Yard. 50 feet, minimum.

LAND AREA

The Land Area of the subject property is 1,731,007 square feet or 39.7385 acres.



GRAPHIC SCALE

0 300 600

1" = 300'

CHAPUT
LAND SURVEYS

234 W. Florida Street Milwaukee, WI 53204 414-224-8068 www.chaputlandsurveys.com

Date: August 24, 2017

Drawing No. 2013-far

CHAPUT LAND SURVEYS LLC

LANDS TO REZONED VILLAGE OF GERMANTOWN

LEGAL DESCRIPTION

Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

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Along with;

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Date: August 24, 2017

Village of

Germantown

Willkommen

Fee Must Accompany Application

☒ \$1,165

Paid 9

Date 9-5-17

☐ \$200

PC Consultation Only

Paid _____ Date _____

COMPREHENSIVE PLAN AMENDMENT APPLICATION

Please read and complete this application carefully. All applications must be signed and dated. Attach additional sheets and/or include supplemental information in support of your application.

APPLICANT OR AGENT:

Speaker Properties, LLC c/o J.W. Speaker Corp.

George Lehnerer, CFO

Address:

N120 W19434 Freistadt Rd.
Germantown, WI 53022

Phone: (262) 532-2101

FAX: (262) 532-2121

E-Mail: lehnererg@jwspeaker.com

PROPERTY OWNER(S):

Francis Mayer

Dolores Mayer Etal _____

Address:

8700 Boltonville Rd; Kewaskum, WI 53040

Phone:

FAX:

E-Mail:

☐ REQUEST TO AMEND LAND USE MAP

Current Land Use Map Designation(s): A1

Proposed Land Use Map Designation: M1

Address of Property, Parcel ID Number(s) or General Location (¼ section ¼

section): 173992 & 173993

Legal Description of Property or Area (metes and bounds description):

See attached "Rezoning Exhibit" and
digital file forwarded to Jeff Retzlaff

Size of Property or Area:

Acres: _____ Square Feet: _____

Comprehensive Plan Amendment Application

Page 2 of 3

Land Use and Zoning of Adjacent Properties (example: residential; Rs-2):

Adjacent Property Land Uses		Zoning
North	Wetland Area north of railroad tracks	A-1
South	South of Freistadt Rd.	A-1
East	Pending application to rezone to M-1	M-1 pending
West	Residential neighborhood	Rs

☐ REQUEST TO AMEND PLAN TEXT

Section(s) of Comprehensive Plan to be Amended:

Land Use Plan - Map Amendment change from
"Agricultural" to "Industrial / Office" per the "Rezoning Exhibit" attached

Proposed Text Amendment:

Attach separate pages as necessary

Detailed Explanation and Justification for Proposed Amendment(s):

Required for both Land Use Amendment and Text
Amendments Attach separate pages as necessary

J.W. Speaker Corporation seeks to purchase this property and rezone it to facilitate the development & expansion of business currently constrained within our current facility. The purchase of this land will not only allow for future growth in sales and employment, but will also provide to improved access to the facilities. J.W. Speaker plans to add another 200+ employees over the next 5 which will create capacity constraints in the plant as well as parking and plant access. The purchase and rezoning of this property will allow us to access our facilities from Goldendale thereby re-routing much of the traffic away from the Freistadt/Goldendale intersection while not disturbing the wetland area parallel to Freistadt Road and preserving the natural beauty of the wooded areas on the property. The wetland area parallel to Freistadt Road currently prohibits us from creating access from Freistadt Road without significant added investment.

Comprehensive Plan Amendment Application

Page 3 of 3

APPLICATION SUBMITTAL REQUIREMENTS (to be submitted at time of application):

All Amendment Applications:

- ☐ Complete Application Form (Affidavit of Understanding and signatures required)
- ☐ Application Fee
- ☐ Additional Sheet(s) for explanation of and justification for proposed amendment(s)

Land Use Plan Map Amendment Only:

- ☐ Legal Description of the land subject of map amendment in electronic/digital file format (e.g. Microsoft Word)
- ☐ Detailed Plat of Survey or Site Plan of the land subject to the map amendment at a scale of 1" = 50' or other suitable scale necessary to accurately present:
 - o Exterior boundary of the land subject of the map amendment
 - o Concept plan showing general size, shape and relative location of existing and future roads, lots, structures, wetlands, floodplain or other natural features, environmental etc. as may be necessary to further explain and/or support the proposed map amendment.

AFFIDAVIT OF UNDERSTANDING

Please read and indicate that you understand and agree to the following (initials in box):

☐

I understand that Village Staff, the Plan Commission and/or the Village Board may request additional information to properly evaluate this application and failure to provide such information may be sufficient justification to deny this application;

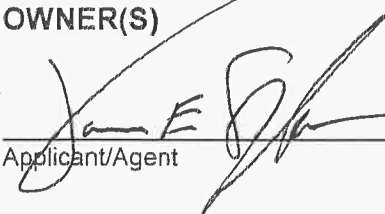
☐

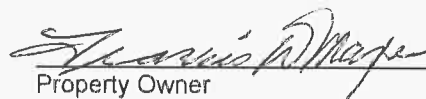
I understand that, regardless of the justification and/or information provided in support of my application, the Village is under no obligation to approve my application nor amend the Comprehensive Plan as requested;

☐

I am aware that the approval of an application to amend the Land Use Plan Map only amends the Land Use Map and does not otherwise revise or change the zoning of the land affected by the Map amendment, and, if I am applying for a Map amendment in order to pursue actual development of the land affected by the amendment, I may be required to obtain separate permits and/or approvals (e.g. rezoning, land division, site plan, etc.) from the Village or other agencies as a prerequisite to the development of such land.

ALL APPLICATIONS MUST BE SIGNED BY THE APPLICANT/AGENT AND PROPERTY OWNER(S)

X  8-24-17
Applicant/Agent Date

 8-30-17
Property Owner Date

Applicant/Agent Date

Property Owner Date

REZONING EXHIBIT

CLIENT

J.W. Speaker Corporation

LEGAL DESCRIPTION

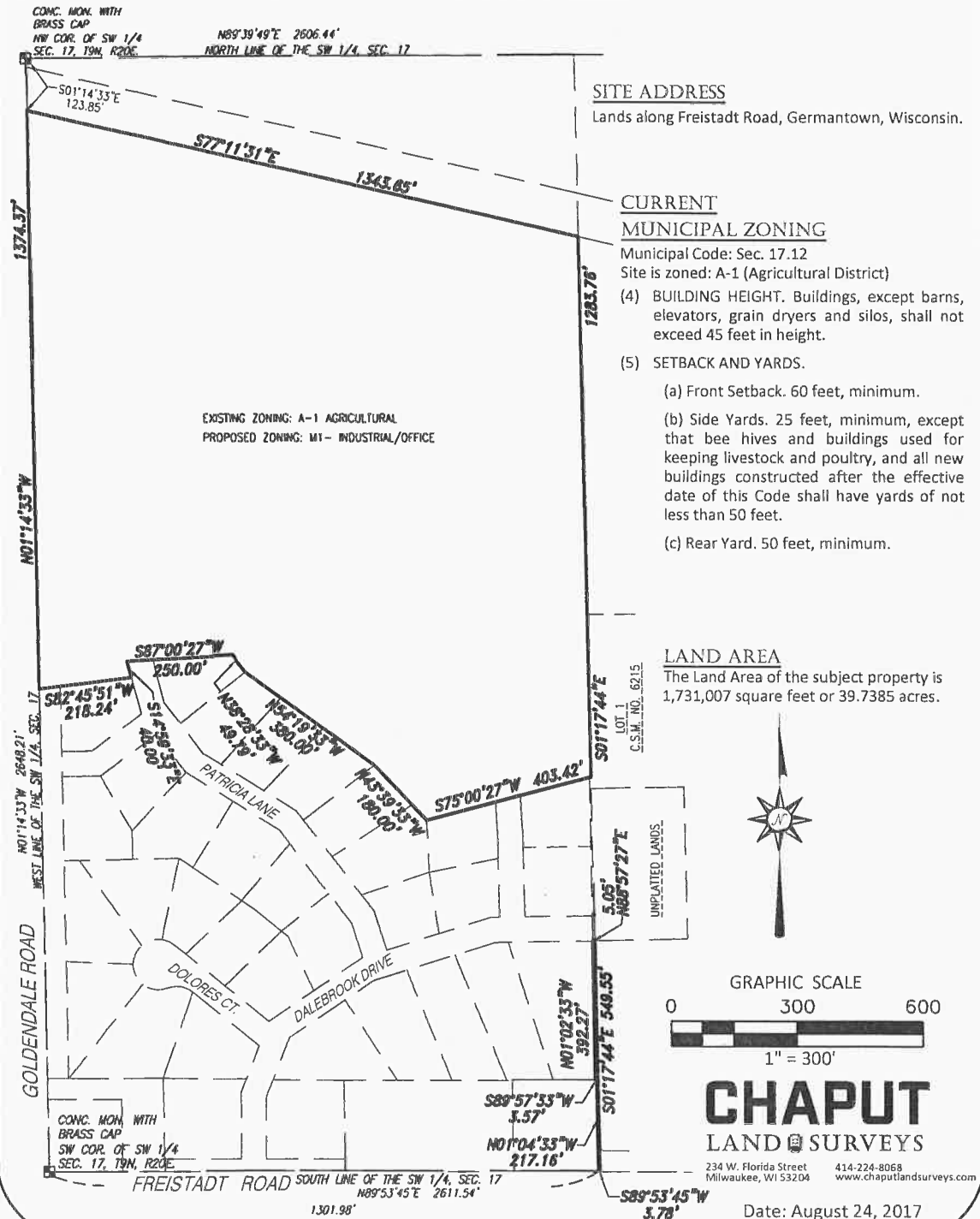
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CHAPUT LAND SURVEYS LLC

LANDS TO REZONED VILLAGE OF GERMANTOWN

LEGAL DESCRIPTION

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Date: August 24, 2017

**AN ORDINANCE TO AMEND THE LAND USE PLAN MAP OF THE VILLAGE OF
GERMANTOWN 2020 "SMART GROWTH" COMPREHENSIVE PLAN
Mayer/Neu Property (Goldendale Road north of Freistadt Road)**

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON
COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That pursuant to Sections 60.22(3), 62.23(2) and (3), and 66.1001(4)(c), Wisconsin Statutes, the Village Board of the Village of Germantown did, on October 4, 2004, enact Ordinance No. 30-04 formally adopting the "Village of Germantown Year 2020 Smart Growth Plan" to guide the use of land and future development in the Village;

SECTION 2. That pursuant to the consistency requirement of the comprehensive planning requirements established in Sections 66.1001(1)(a) and 66.1001(2), Wisconsin Statutes, the "Village of Germantown Year 2020 Smart Growth Plan" contains specific policies that require development proposals and decisions regarding rezoning and subdivision to be consistent with the Land Use element of the Plan;

SECTION 3. That Speaker Properties LLC, agent for the property owners, Francis & Dolores Mayer, et al., and the J.W. Speaker Corporation, has submitted an application to amend the Land Use Plan map of the Village of Germantown Year 2020 Smart Growth Plan for approximately 39.7 acres of land located in the northeast quadrant of the Goldendale Road @ Freistadt Road intersection (Tax Parcels #172-992 & 173-993) by changing the land use classification from "Agricultural/Conservation Residential" and "Low Density Residential" to "Industrial/Office" as a prerequisite for an application to rezone the property from the A-1: Agricultural District to the M-1: Limited Industrial District (as presented in Exhibit 1 attached hereto);

SECTION 4. That the Village Board conducted a public hearing of the application on October 16, 2017 following publication and notification of said hearing and receipt of a recommendation from the Plan Commission made on October 9, 2017;

SECTION 5. That, after consideration of the application, supporting documentation, Plan Commission recommendation and public hearing testimony received, the Village Board does by enactment of this ordinance formally change the land use classification of the following described property to "Industrial/Office":

Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said 1/4 Section; thence South 01°14'33" East along the West line of said 1/4 of said Section 123.85 feet to the South line of the Wisconsin & Southern Railroad lands and the point of beginning of the lands hereinafter described; thence: South 77°11'31" East along said South line 1343.65 feet to a point; thence South 01°17'44" East along the West line of Lot 1 of Certified Survey Map No 6215

a distance of 1283.76 feet to a point; thence South 75°00'27" West along the North line the of Neuland Subdivision 403.42 feet to a point, thence North 43°39'33" West along said North line 180.00 feet to a point; thence North 54°19'33" West along said North line 380.00 feet to a point; thence North 38°28'33" West along said North line 49.79 feet to a point; thence South 87°00'27" West along said North line 250.00 feet to a point; thence South 14°59'33" East along said North line 40.00 feet to a point; thence South 82°45'51" West along said North line 218.24 feet to a point on the West line of SW 1/4, Section 17; thence North 01°14'33" West along said West line 1374.37 feet to the point of beginning.

Along with Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

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Tax Key No. GTNV 173-992 & 173-993

SECTION 6. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee: _____

Adopted: _____, 2017

Vote: Ayes: _____
 Nays: _____

Dean Wolter
Village President

ATTEST:

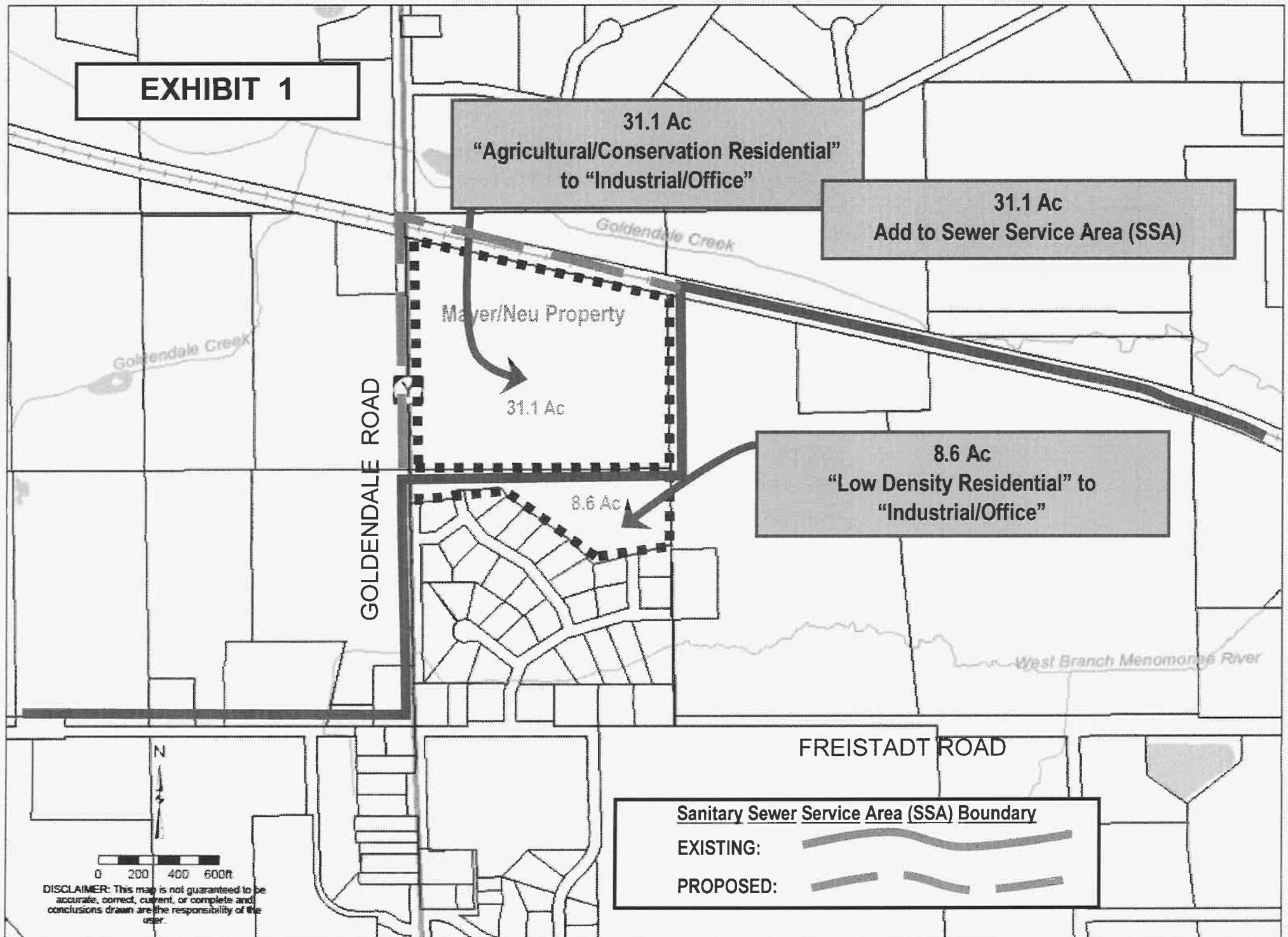
_____, Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

EXHIBIT 1



ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN ZONING CODE
(Francis & Dolores Mayer, Neu et al., Property Owners)

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON
COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That the zoning map of the Village of Germantown is amended by rezoning from the A-1: Agricultural District to the M-1: Limited Industrial District the following described property:

Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said 1/4 Section; thence South 01°14'33" East along the West line of said 1/4 of said Section 123.85 feet to the South line of the Wisconsin & Southern Railroad lands and the point of beginning of the lands hereinafter described; thence: South 77°11'31" East along said South line 1343.65 feet to a point; thence South 01°17'44" East along the West line of Lot 1 of Certified Survey Map No 6215 a distance of 1283.76 feet to a point; thence South 75°00'27" West along the North line the of Neuland Subdivision 403.42 feet to a point, thence North 43°39'33" West along said North line 180.00 feet to a point; thence North 54°19'33" West along said North line 380.00 feet to a point; thence North 38°28'33" West along said North line 49.79 feet to a point; thence South 87°00'27" West along said North line 250.00 feet to a point; thence South 14°59'33" East along said North line 40.00 feet to a point; thence South 82°45'51" West along said North line 218.24 feet to a point on the West line of SW 1/4, Section 17; thence North 01°14'33" West along said West line 1374.37 feet to the point of beginning.

Along with Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said 1/4 Section; thence North 89°53'45" East along the South line of said 1/4 of said Section 1301.98 feet to the point of beginning of the lands hereinafter described; thence North 01°04'33" West 217.16 feet to a point; thence South 89°57'33" West 3.57 feet to the Southeast corner of Lot 6, Block 1 of Neuland Subdivision; thence North 01°02'33" West along the East line of said Lot 392.27 feet to a point on the south line of Dalebrook Drive; thence North 88°57'27" East along said south line 5.05 feet to a point; thence South 01°17'44" East along the West line of Lot 1 of Certified Survey Map No. 6215 a distance of 549.55 feet to a point on aforesaid South line; thence South 89°53'45" West along said South line 3.78 feet to the point of beginning.

SECTION 2. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee: _____
Adopted: _____, 2017

Vote: Ayes: _____
 Nays: _____

Dean Wolter, Village President

ATTEST:

_____, Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

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

MEETING DATE: October 16, 2017

AGENDA ITEM: Public Hearing & New Business **[ORDINANCE]**

ITEM TITLE: Phylmack LLC, Agent for Thomas & Joan Roskopf, Property Owners of a 47.4-acre Parcel located on Freistadt Road (Parcel GTNV#173-987); A-1 to M-1 Rezoning Application

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

SUMMARY EXPLANATION:

Phylmack LLC, agent for Thomas & Joan Roskopf, property owners (and the J.W. Speaker Corp) has submitted a rezoning application to rezone the 47.4-acre parcel from A-1: Agricultural to M-1: Limited Industrial in order to accommodate the future expansion of the J.W. Speaker Corporation located at N120 W19434 Freistadt Road.

The acquisition and rezoning of this parcel follows a similar acquisition, land division and rezoning of a 5.6-acre parcel from Roskopf in 2016, and, the planned acquisition of 39.7 acres of land from Francis & Dolores Mayer, Neu, etal. Along Goldendale Road (subject of separate applications and public hearing scheduled for the same October 16 VB agenda).

NOTE: Although published separately, the proposed "Roskopf" property rezoning and the proposed "Mayer/Neu" Land Use Plan Map amendment and rezoning are all necessary to support the J.W. Speaker Corporation expansion concept plan and should be considered concurrently.

ATTACHMENTS:

- ◆ 7/10/17 Staff Report
- ◆ 7/10/17 Plan Commission Meeting Minutes
- ◆ Draft Ordinance

PLAN COMMISSION RECOMMENDATIONS:

APPROVE rezoning of the 47.4-acre parcel from A-1: Agricultural to M-1: Limited Industrial as proposed.

NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Village Board at the Germantown Village Hall located at N112 W17001 Mequon Road, Germantown, Wisconsin on the following date and at the time noted below (or soon thereafter):

DATE: Monday, October 16, 2017
TIME: 7:00 p.m. or later

The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the application filed by the following applicant for a REZONING application to rezone from the "A-1: Agricultural District" to the "M-1: Limited Industrial District" FOR the following described property:

Applicant: Phylmack, LLC, Agent for Thomas & Joan Roskopf, Property Owners
Property: Lot 1 of CSM 6702, Tax Key #173-987

Parcel 1 of Certified Survey Map #6702 as recorded in Volume 51 on Page 221 of Certified Survey Maps of Washington County, Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin. 47.43 Acres, GTNV 173-987.

A copy of the application is on file in the Village Planning Department office and is available for public inspection during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

Dated this 20th day of September, 2017

Kathy Strebe, Deputy Clerk

To Be Published On: September 27th and October 4th, 2017

REZONING APPLICATION

7/10/17 Plan Commission Meeting

Thomas & Joan Roskopf / Phylmack LLC / J.W. Speaker Corporation
Village Planner Report **Germantown, Wisconsin**

Summary

Phylmack LLC, property owner and agent for Thomas & Joan Roskopf, property owner, and the J.W. Speaker Corporation, has submitted an application to rezone 47.43 acres from A-1: Agricultural to M-1: Limited Industrial for possible future expansion of the J.W. Speaker manufacturing facility located at N120 W19434 Freistadt Road.

Property Location: N120 W19434 Freistadt Road

Applicant/

Property Owners: Phylmack LLC
c/o George Lehnerer, CFO
N120 W19434 Freistadt Rd
Germantown, WI

Thomas & Joan Roskopf
W200 N12107 Josephine Dr
Richfield, WI

Current Zoning: A-1: Agricultural **Proposed Zoning:** M-1: Limited Industrial

Adjacent Land Uses		Zoning
North	Agricultural	A-1
South	Industrial	M-1
East	Industrial	M-1
West	Agricultural/Residential	A-1/Rs-3



Proposal/Background

Phylmack LLC, property owner and agent for Thomas & Joan Roskopf, property owners, has submitted an application to rezone 47.43 acres from A-1: Agricultural to M-1: Limited Industrial to accommodate the possible future expansion of the J.W. Speaker manufacturing facility located at N120 W19434 Freistadt Road.

In June 2016, Phylmack LLC and the Roskopf's created a 5.57-acre parcel on the west side of the J.W. Speaker property (east side of the Roskopf property), rezoned it from A-1 to M-1, and attached it to the J.W. Speaker property with a CSM. Now, Phylmack has acquired the remaining land area south of the railroad track, 47.43 acres (see Lot 1 of CSM #6702 attached), for future development and use as part of the J.W. Speaker complex. At this time, however, the additional land area will not be attached to the 57.1 acre J.W. Speaker property; only rezoning is proposed.

Founded in 1935, the J.W. Speaker Corporation designs, manufactures and assembles innovative, high-performance vehicular lighting products for OEM and aftermarket customers around the world. Speaker specializes in LED & other lighting technologies. The existing 162,000 sqft Freistadt Road facility was constructed in 2007-08 with plans for future expansion on the west side of the building.

Staff CommentsConsistency with Village's Land Use Plan.

The 2020 Land Use Plan map classifies both the Roskopf and Phylmack LLC properties as "Industrial/Office". The proposed M-1 rezoning for the 47.43-acre area is consistent with the 2020 Land Use Plan. The 14.3-acre Roskopf property (Outlot 1 as shown in CSM #6702) will remain in the A-1: Agricultural Zoning District unless/until subsequent rezoning and development plans are submitted to the Village.

Village Planner Recommendation

APPROVE the proposed rezoning of the 47.43-acre area from A-1: Agricultural to M-1: Limited Industrial as proposed.

MLG Development – Willow Creek Business Park located north of Appleton Avenue west of Maple Road in TID #6. The property owner, MLG Germantown Investments LLC, has submitted a 5-lot Certified Survey Map (CSM) for the 118.7-acre Willow Creek Business Park. Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the 5-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 July 6, 2017 memo shall be made prior to recording the CSM.***
- 2. Once approved by the Village Board, the CSM shall be submitted to the WI Dept. of Administration (WisDOA) and Dept. of Transportation (WisDOT) for review and certification by the State as required under Chapter 236.34 for CSM's creating more than five (5) lots.***

Trustee Baum asked why the land needs to be divided now because as buyers come in the lot lines end up changing to satisfy the needs of the developer. Planner Retzlaff explained there are a number of constraints due to the wetlands, road configurations and layout that the other sites just naturally fell out through the design process. Joe Bukovich, MLG Development, explained that due to some large WE Energies gas/electric easements and wetlands on the site the lots fell together due to site constraints. Trustee Baum asked why define the lots if someone else may come in and change them. Chairman Wolter said it is understood that there is some movement within the lot lines without taking too much from another lot. Mr. Bukovich said the lots allow for enough room for docks and loading docks. Discussion continued.

Commissioner Gray asked why the developer doesn't keep the outlots and pay taxes on them. Planner Retzlaff said the agreement was to dedicate to them to the Village and then the Village would possibly use them as part of an open space recreation system with trails and a potential well site. Chairman Wolter asked if they could be used for any mitigation. Planner Retzlaff said we could propose that but the wetland banks for mitigation purposes are specifically developed and closely monitored. He said we don't have the capabilities to maintain the wetland areas to the DNR's satisfaction. Chairman Wolter said we could enhance what's there for mitigation.

MOTION carried unanimously.

Thomas & Joan Roskopf – Lot 1 of CSM 6702 and J.W. Speaker Corporation – N120 W19434 Freistadt Road. Phylmack LLC, property owner and agent for the Roskopf's and J.W. Speaker, has submitted an application to rezone 47.43 acres from A-1: Agricultural to M-1: Limited Industrial for possible future expansion of the J.W. Speaker manufacturing facility. Planner Retzlaff summarized the proposal.

Trustee Baum said he received complaints when this property went for sale because residents would rather see residential than industrial zoning. Planner Retzlaff said the Village's plan for this area is for industrial development. Trustee Baum said he is OK with the rezoning if J.W. Speaker is going to expand. Discussion continued. Tom Roskopf, property owner, said the land next to the subdivision on the west is not buildable due to wetlands. Chairman Wolter said the land to the north off Goldendale Road could be used for residential. George Lehnerer, J.W. Speaker Corp., explained

they are looking to expand some type of facility on the property and are working with an architect exploring different options.

MOTION Baum second Gray to Approve the proposed rezoning of the 47.43-acre area from A-1: Agricultural to M-1: Limited Industrial as proposed.

MOTION carried unanimously.

ANNOUNCEMENTS: Planner Retzlaff said we had received 8 applications for the August meeting. A second Plan Commission meeting was planned for August 28th if needed.

The next Plan Commission meeting is August 14, 2017.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant



Village of
Germantown
Willkommen

FEES MUST BE PAID AT TIME OF APPLICATION

- ☐ \$200 Plan Commission Consultation
- ☒ \$1,085 Rezoning
- ☐ \$1,240 PDD < 5 acres
- ☐ \$2,095 PDD 5-20 acre site
- ☐ \$3,460 PDD > 20 acre site

Date Paid: 7-5-17 Received by: [Signature]

REZONING & PDD APPLICATION

Pursuant to Section 17.51 of the Municipal Code

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

1 APPLICANT OR AGENT

Phylmack, LLC c/o J.W. Speaker Corp.
George Lehnerer, CFO
N120 W19434 Freistadt Rd.
Germantown, WI 53022

Phone (262) 532-2101

Fax (262) 532-2121

E-Mail lehnererg@jwspeaker.com

PROPERTY OWNER
Thomas Roskopf

Jane Roskopf

W200N12107 Josephine Drive

Richfield, WI 53076

Phone ()

2 PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

Lot 1 per attached CSM

173999

3 REZONING REQUEST

FROM
A-1

TO
M-1

4 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY - REQUIRED

Attach pages as necessary

See attached CSM

PURPOSE OF REZONING REQUEST

Briefly describe why the applicant is rezoning the property. Include a description of the proposed use, including any new construction and number of employees, if applicable.

The property will be purchased subject to rezoning approval to add facilities to be occupied by J.W. Speaker Corporation for additional offices, manufacturing capabilities, meeting space, and design facilities.

6 SUPPORTING DOCUMENTATION:

- ☐ Plat of Survey (1:100)
- ☐ Site Plan and elevations for new construction (can be conceptual)
- ☒ Previously submitted CSM
- ☐

7 READ AND INITIAL THE FOLLOWING:

- ☒ I understand that the Village is under no obligation to rezone property and that density and lot coverages provided in the Zoning Code are maximums. Actual build out will depend on myriad factors including topography and other natural conditions, surrounding neighborhood context and the detailed design of a project.
- ☒ I understand that Village Staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request and failure to provide such information may in itself be sufficient cause to deny the petition.
- ☒ I am aware that this rezoning shall go into effect immediately upon the final approval of the Village Board and its execution of the rezoning ordinance

8 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Anthony J. Speaker 6/30/17
Applicant Date

Thomas J. Resnick
Owner Date

1410738

RECORDED
August 05, 2016 10:45 AM
SHARON A MARTIN
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Recording Fee Paid: \$30.00
Exemption: 77.25(2R)

CERTIFIED SURVEY MAP NO.

A redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

- Indicates found 1/2" rebar.
- Indicates found 1" iron pipe.
- Indicates set 1.315" O.D. iron pipe 18" in length, weighing 1.68 lbs. per lineal foot.
- Ⓛ Indicates land dedicated to the Village of Germantown for Public Road Purposes.

Note: See sheet 2 for Wetlands Boundary & Zoning Setback lines.

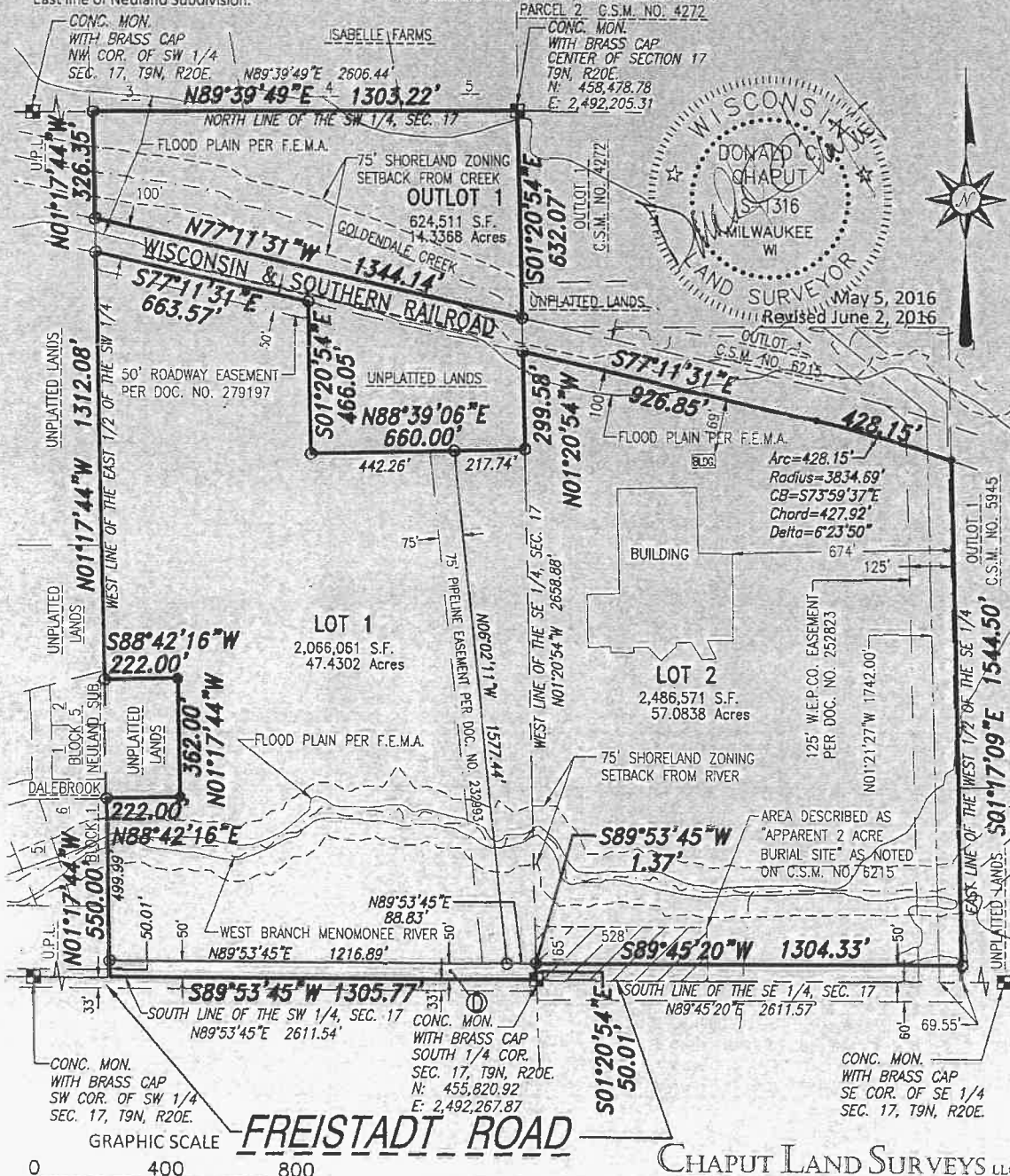
Note: There is a gap in legal descriptions between the West line of this map and the East line of Neuland Subdivision.

Subdivider: (Lot 2)
Phylmack LLC
P.O. Box 1011
Germantown, WI 53022

Subdivider: (Lot 1 & Outlot 1)
Thomas Roskopf
Joan F. Roskopf
W200N12107 Josephine Dr.
Richfield, WI 53076

Note: Outlot 1 ownership must remain with the owner of Lot 1 or an adjacent property until such time that access is provided.

Bearings are referenced to grid North of the Wisconsin State Plane Coordinate System (South Zone) NAD 27, in which the West line of the Southeast 1/4 of Section 17, bears N01°20'54"W.



GRAPHIC SCALE 0 400 800

1" = 400'

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

CHAPUT LAND SURVEYS LLC

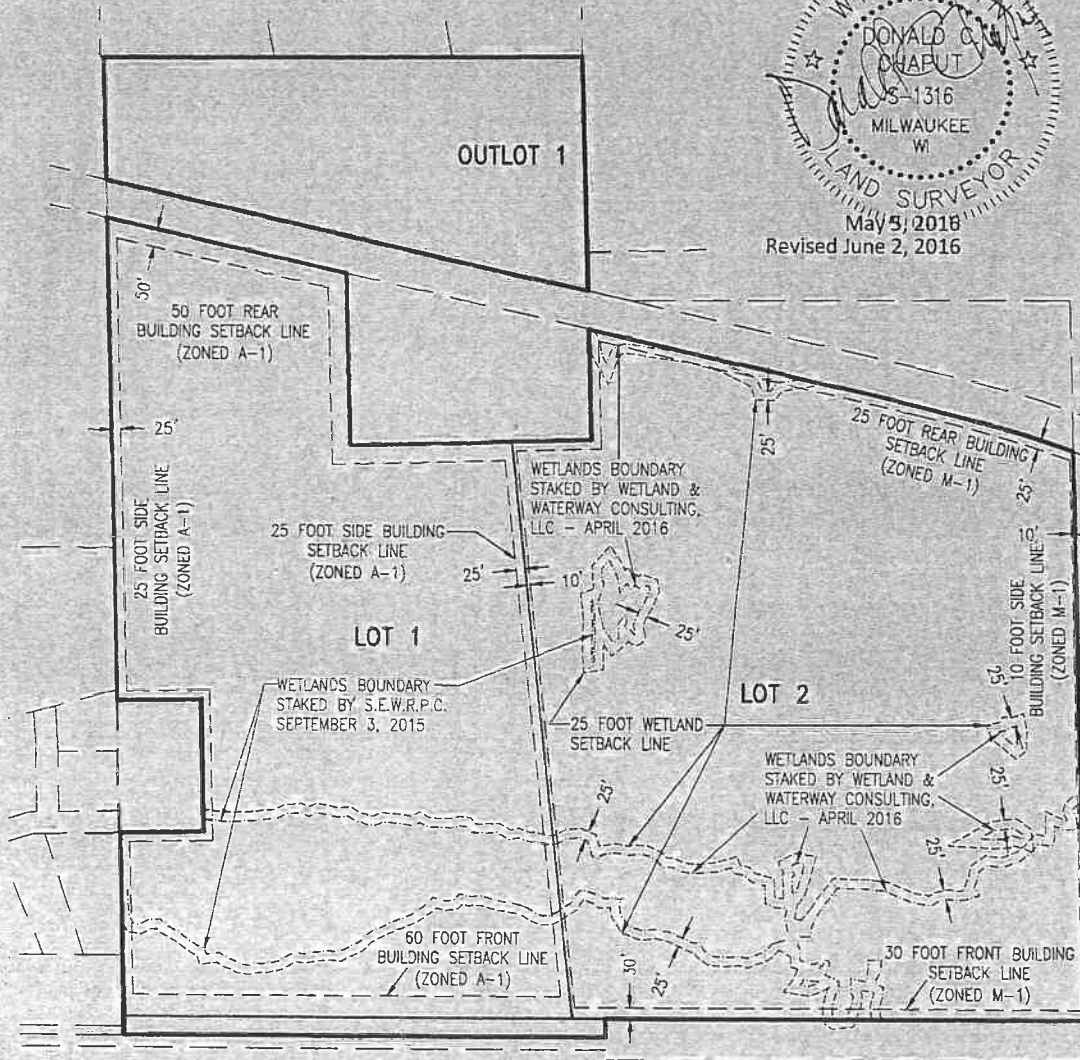
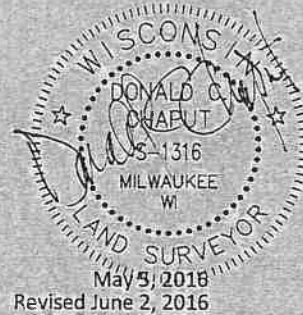
234 W. FLORIDA STREET
MILWAUKEE, WI 53204
414-224-8068
www.chaputlandsurveys.com

Drawing No. 2013-grb
Sheet 1 of 5 Sheets

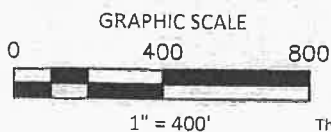
Map No. 6702 Vol 51 Page 221

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.



Map No 6202 Vol 51 Page 222



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

Drawing No. 2013-grb
Sheet 2 of 5 Sheets



DOC# 1410738

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)

:SS

MILWAUKEE COUNTY)

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

THAT I have surveyed, divided and mapped a redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

BEGINNING at the South 1/4 corner of said Section; thence South 89°53'45" West along the South line of the Southwest 1/4 of said Section 1305.77 feet to a point on the West line of the East 1/2 of the Southwest 1/4 of Section 17; thence North 01°17'44" West along said West line 550.00 feet to a point; thence North 88°42'16" East 222.00 feet to a point; thence North 01°17'44" West 362.00 feet to a point; thence South 88°42'16" West 222.00 feet to a point on the West line of the East 1/2 of the Southwest 1/4 of Section 17; thence North 01°17'44" West along said West line 1312.08 feet to a point on the South line of the Wisconsin & Southern Railroad lands; thence South 77°11'31" East along said South line 663.57 feet to a point; thence South 01°20'54" East 466.05 feet to a point; thence North 88°39'06" East 660.00 feet to a point on the West line of the Southeast 1/4; thence North 01°20'54" West along said West line 299.58 feet to a point on the South line of the Wisconsin & Southern Railroad lands; thence South 77°11'31" East along said South line 926.85 feet to a point; thence Southeasterly 428.15 feet along said South line and arc of a curve, whose center lies to the Southwest, whose radius is 3834.69 feet and whose chord bears South 73°59'37" East 427.92 feet to a point on the East line of the West 1/2 of the Southeast 1/4 of Section 17; thence South 01°17'09" East along said East line 1544.50 feet to a point on the North line of Freistadt Road; thence South 89°45'20" West along said North line 1304.33 feet to a point; thence South 89°53'45" West along said North line 1.37 feet to a point on the West line of the Southeast 1/4 of Section 17; thence South 01°20'54" East along said West line 50.01 feet to the point of beginning.

TOGETHER WITH:

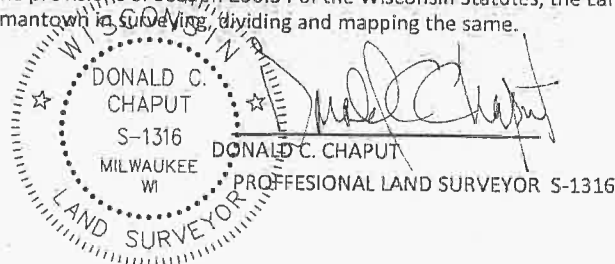
COMMENCING at the South 1/4 corner of said Section; thence North 01°20'54" West along the West line of the Southeast 1/4 of Section 17 a distance of 2658.88 feet to a point marking the Center of Section 17 and the point of beginning of the lands herein to be described; thence South 01°20'54" East along said West line 632.07 feet to a point on the North line of the Wisconsin & Southern Railroad lands; thence North 77°11'31" West along said North line 1344.14 feet to a point on the West line of the East 1/2 of the Southwest 1/4 of Section 17; thence North 01°17'44" West along said West line 326.35 feet to a point on the North line of the Southwest 1/4 of Section 17; thence North 89°39'49" East along said North line 1303.22 feet to the point of beginning.

Containing 5,242,430 square feet or 120.3496 acres of 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: May 5, 2016
Revised June 2, 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. 2013-grb
Sheet 3 of 5 Sheets

Map No 6702 Vol 51 Page 223

DOC# 1410738

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

OWNER'S CERTIFICATE

Thomas Roskopf and Joan F. Roskopf, as owner of Lot 1 and Outlot 1, hereby certify that we caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance 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. As owners, we hereby dedicate that part of Freistadt Road to the Village of Germantown for public road purposes as represented on Sheet 1 of 4 of this Certified Survey Map.

Thomas Roskopf
Thomas Roskopf

Joan F. Roskopf
Joan F. Roskopf

STATE OF WISCONSIN)
:SS

Washington COUNTY)

Personally came before me this 26 day of July, 2016, the above named Thomas Roskopf and Joan F. Roskopf to me known as the person who executed the foregoing instrument and acknowledged the same.

Laura Y. Baranowski
Notary Public, State of Wisconsin
My commission expires 07-07-2017
My commission is permanent.

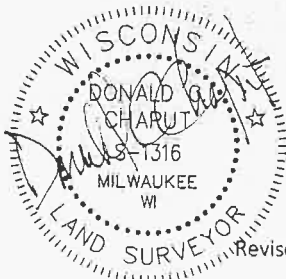
OWNER'S CERTIFICATE

Phylmack LLC, as owner of Lot 2, hereby certify that we caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance 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.

James E. Spahr
Member

STATE OF WISCONSIN)
:SS
COUNTY)

Personally came before me this 19 day of July, 2016, the above named James E. Spahr, to me known as the person who executed the foregoing instrument and acknowledged the same.



Anne Baizley
Notary Public, State of Wisconsin
My commission expires 7/6/2020
My commission is permanent.

May 5, 2016

Revised June 2, 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. 2013-grb
Sheet 4 of 5 Sheets

map no 6702 Vol 51 Page 224

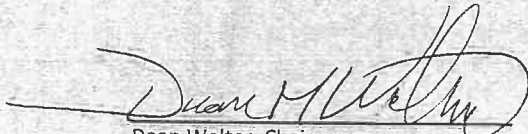
DOC# 1410738

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

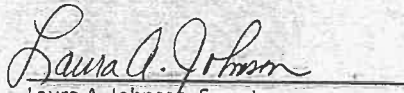
VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this 13th day of JUNE, 2016.


Dean Wolter, Chairperson

8-1-16

Date

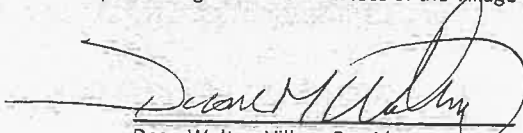

Laura A. Johnson, Secretary

8-2-16

Date

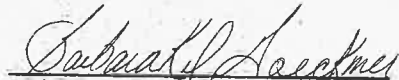
VILLAGE BOARD APPROVAL

This Certified Survey Map, being a division of part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin is approved and the dedication of that part of Freistadt Road for public road purposes as shown on sheet 1 of 4 hereby accepted by the Village Board of Trustees of the Village of Germantown on this 1st day of August, 2016.


Dean Wolter, Village President

8-1-16

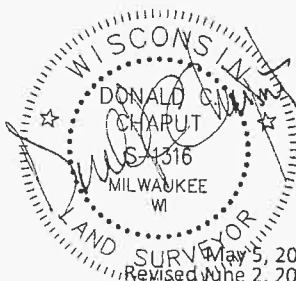
Date


Barbara K. D. Goekner, Village Clerk

8-1-16

Date

Map No 6702 Vol 51 Page 225



May 5, 2016
Revised June 2, 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. 2013-grb
Sheet 5 of 5 Sheets

DOC# 1410738

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN ZONING CODE**
(Thomas & Joan Roskopf, Property Owners)

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON
COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That the zoning map of the Village of Germantown is amended by rezoning from the A-1: Agricultural District to the M-1: Limited Industrial District the following described property:

Parcel 1 of Certified Survey Map #6702 as recorded in Volume 51 on Page 221 of Certified Survey Maps of Washington County, Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin. 47.43 Acres.

SECTION 2. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee: _____
Adopted: _____, 2017

Vote: Ayes: _____
 Nays: _____

Dean Wolter, Village President

ATTEST:

_____, Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: October 16, 2017

AGENDA ITEM: Public Hearings & New Business **[ORDINANCE]**

ITEM TITLE: Ordinance Amending Section 17.30 (B-3: General Business District) of the Zoning Code to Clarify the Intent Section and Revise the Permitted Use Provisions Regarding the Conversion of Commercial to Residential Uses in the Main Street Mixed Use District

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

SUMMARY EXPLANATION:

The B-3: General Business District is intended to provide for the continuation and revitalization of the Main Street area of the Village where uses are mixed and include retail sales shops, wholesale and warehousing outlets, institutional, recreational and residential uses. The B-3 District provides the minimum requirements for all new uses of land within the district and guide redevelopment of existing uses.

However, there are no provisions in the B-3 District that specifically address the conversion of commercial use properties back to residential use. The only zoning regulations that address residential uses in the B-3 District are the non-conforming use regulations...which allow for the continued use of a building for residential purposes if such use was in place at the time the B-3 District regulations were adopted (November 1978). Consequently, if an existing residential use of a property in a B-3 District has ceased for a period of 12 consecutive months, or, if the building was converted for use as a business or other non-residential use, the non-conforming use regulations don't allow the owner to revert that property back to a residential use.

The issue has come up because as many as three properties along Main Street are in the process of being sold (or already have been) with the expressed purpose of converting or reverting the use of those properties from what was most recently a business use to a residential use by the new owners.

Two (2) code amendment "options" to address this situation were developed by staff and considered by the Plan Commission. The Plan Commission directed staff to present both Option 1 (which would allow the conversion of commercial to residential uses "by right" with no permit or approval required) and Option 2 (which would allow the conversion with a conditional use permit) for public hearing. The Plan Commission recommends adoption of Option 1.

ATTACHMENTS:

- ◆ 8/28 & 9/11/2017 Plan Commission Meeting Minutes
- ◆ 8/28/17 & 9/11 Staff Reports
- ◆ Draft Ordinance

PLAN COMMISSION RECOMMENDATION:

Present both options of the proposed code amendments to Section 17.30 to the Village Board with preference for Option 1.

[NOTE: See the 9/11/17 Staff Report for a detailed explanation of both options.]

NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Village Board at the Germantown Village Hall located at N112 W17001 Mequon Road, Germantown, Wisconsin on the following date and at the time noted below (or soon thereafter):

DATE: Monday, October 16, 2017
TIME: 7:00 p.m. or later

The purpose of said hearing will be to hear any and all parties, their attorneys or agents, for or against the petition filed by the Village of Germantown Community Development Department for proposed text amendments to the following section of the Zoning Code (Chapter 17) of the Village of Germantown Municipal Code: 17.30 (B-3: General Business District) concerning the conversion of commercial to residential uses.

A copy of the application is on file in the Village of Germantown Community Development Department (Planning & Zoning office) and is available for public inspection during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

Dated this 20th day of September 2017

Kathy Strebe, Deputy Clerk

To Be Published On: September 27th and October 4th, 2017

ZONING CODE AMENDMENTS

9/11/17 Plan Commission Meeting

Germantown Community Development Department

Village Planner Report

Germantown, Wisconsin

Summary

The Community Development Department is proposing an amendment to the B-3: General Business Zoning District regulations (Zoning Code Section 17.30). The purpose for the amendment is to clarify the intent and permitted use sections of the B-3 District regulations regarding residential uses.

Update

At the August 28 meeting, the PC directed staff to prepare alternative language for a potential code amendment that would enable the "reversion" of commercially-used properties (that were initially constructed as residential dwellings) back to residential uses as either a "conditional use" or as a "permitted/principal use". Beginning on page 4 below, alternative language has been drafted to create two (2) options: Option 1 allows commercial use properties to revert back to residential "by right" with no approval or permit required; and Option 2 allows commercial use properties to revert back to residential uses only with a conditional use permit (CUP).

Background (same as presented in Staff Report from August 28)

The area along the Main Street corridor, from Western Avenue east to STH 145/Fond du Lac Avenue, is shown on the Village's Land Use Plan map as "Village Mixed Use". The intent of this category of generalized land uses is very specific as paraphrased below (the full intent statement is presented in Exhibit 1):

"The Village Mixed Use category is focused on the land uses on and surrounding the historic Main Street area...is already being transformed into a compact pedestrian-oriented specialty retail and entertainment district...with continued growth and improvement the Village Mixed Use area can be completely transformed into a destination entertainment district and pedestrian-oriented neighborhood. Improvements to Main Street should emphasize conversion of existing buildings to entertainment and retail uses...historic and architecturally significant buildings should be preserved..."

Implementation of this policy statement to further the continued "transformation" and redevelopment of the historic Main Street area is to be accomplished, in part, through administration and enforcement of the Village's Zoning Code.

As shown on Exhibit 2, much of the Main Street area from STH 145 west to the railroad tracks is located in a B-3: General Business Zoning District. The following is the "intent" section of the B-3 District that speaks directly to the intended transformation of the Main Street area:

*"The B-3 District is intended to provide for the orderly continuation and revitalization of the older established "central business district" area of the Village where uses are not exclusively of one type but, rather, mixed and include retail sales shops, wholesale and warehousing outlets, and institutional, recreational and residential uses. Many of the existing businesses in this district may not meet the requirements of the B-1 or B-2 Districts. It is the intent of this district to provide minimum requirements for all new uses of land within the district **and a guide for the redevelopment or revitalization of existing uses of land within the district.**"*

What's the issue? The issue is... what to do about the older, original residential buildings that were converted to and have operated as a business, in whole or in part, that the owners of those buildings now want to "revert" back to a residential use.

Why is this an issue? Simply stated, the B-3 District regulations do NOT specifically provide for ANY residential uses in the B-3 District (other than a conditional use permit allowance for a residential "caretaker quarters" on the 2nd floor of a dwelling with a business on the 1st floor). There's nothing in the B-3 District regulations that provides for the reversion of a building once used for business purposes back to a building to be used for residential purposes even though that building was originally constructed as (and may still look like) a residential building.

The only zoning regulations that address residential uses in the B-3 District are the non-conforming use regulations...which allow for the continued use of a building for residential purposes if such use was in place at the time the B-3 District regulations were adopted in the Zoning Code (November, 1978), and, more importantly, that residential use has continued uninterrupted ever since. If a residential use of a building in a B-3 District has either ceased for a period of 12 consecutive months, or, if the building was converted (in whole or in part) to a business or other non-residential use, such as a dog grooming service business or a specialty retail shop, the non-conforming use regulations don't allow the owner of that building to revert back to a residential use.

While the Plan Commission and Village Board have discussed issues affecting the preservation and protection of the original residential buildings along Main Street, it might be surprising to know that our B-3 District regulations and our "Village Mixed Use" land use policy really only address the notion of preserving historic and architecturally significant buildings and not necessarily the residential use of such buildings.

The issue has come up now because it has been brought to our attention that as many as three properties along Main Street are in the process of being sold (or already have been) with the expressed purpose of reverting the use of the buildings from a previous business use to an exclusive residential use by the new owners.

Arguably, if the Village enforces the B-3 District regulations and non-conforming use regulations as written, none of these three buildings should be allowed to revert back to a residential use. However, to not allow them to revert back to what was their intended use from the time they were constructed might contradict what some would argue is

and has been the Village's position all along, i.e. to provide for and accommodate the preservation and continuation of the older residential buildings on Main Street for residential purposes. The counter argument to that, however, is that the Village's policy statement through the "Village Mixed Use" concept is that the Village wants to preserve the appearance and character of the historic Main Street area (and existing historic and architecturally significant buildings) but not necessarily the use of said buildings for exclusively residential purposes. To do otherwise, one might argue, would only perpetuate the ongoing conflicts between residential and non-residential uses and property owners along Main Street, as well as, delay or impede the intended transformation of the area into a pedestrian-oriented retail and entertainment area. If the Village wants to hasten the process of "... *redevelopment or revitalization of existing uses of land within the district...*" as is the stated intent of B-3 District, then the business-back to-residential reversion process of the remaining residential buildings along Main Street should not be allowed to continue and the Zoning Code enforced.

In order to initiate discussion about how best to resolve the issue in a manner that clarifies the Village's policy perspective and to give guidance to staff with regard to the administration and enforcement of the Zoning Code, Staff is recommending the following amendments to Section 17.30 in the Municipal Code:

SECTION 1. That Section 17.30 (B-3: General Business District) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.30 GENERAL BUSINESS DISTRICT.

The B-3 District is intended to provide for the orderly continuation and revitalization of the older established Main Street "central business district" (including the area designated as "Village Mixed Use" on the Future Land Use Plan) area of the Village where uses are not exclusively of one type but, rather, mixed and include retail sales shops, wholesale and warehousing outlets, and institutional, recreational and residential uses. Many of the existing businesses in this district may not meet the requirements of the B-1 or B-2 Districts. It is the intent of this district to provide minimum requirements for all new uses of land within the district and a guide for the redevelopment or revitalization of existing uses of land within the district. Further, it is intended that the conversion of buildings located in the historic Main Street area and categorized as "Village Mixed Use" on the Village's Land Use Plan map from a residential use to a business use or from a business use to a residential use can occur provided that such conversion does not create conflicts with other nearby land uses, or, that impede the intended transformation of the Main Street area into a pedestrian-oriented retail and entertainment area.

OPTION 1: ALLOWS COMMERCIAL USE PROPERTIES TO “REVERT” BACK TO A RESIDENTIAL USE “BY RIGHT” (NO APPROVAL OR PERMIT REQUIRED)

SECTION 2. That Section 17.30(1) (Permitted Principal Uses) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.30(1)(iii) Single-family residential uses in a building originally constructed for residential use that was subsequently converted into a business use, in whole or in part, that the owner wants to revert back to a residential use, in whole or in part, subject to all applicable REQUIREMENTS, restrictions and allowances of the Village's Zoning and Building Codes.

OPTION 2: ALLOWS COMMERCIAL USE PROPERTIES TO “REVERT” BACK TO A RESIDENTIAL USE WITH A CONDITIONAL USE PERMIT (CUP)

SECTION 2. That Section 17.30(3) (Conditional Uses) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.30(3)(oo) Single-family residential uses in a building originally constructed for residential use that was subsequently converted into a business use, in whole or in part, that the owner wants to revert back to a residential use, in whole or in part, subject to the following requirements:

1. Said reversion shall abide by all applicable requirements, restrictions and allowances of the Village's Zoning and Building Codes;
2. The owner shall provide sufficient evidence that such conversion will not create a situation where potential negative impacts (e.g. traffic, noise, odor, etc.) associated with or caused by the operation of an existing non-residential land would affect the owners and occupants of said property proposed to revert back to a residential use; or
3. The owner of said residential property shall sign a statement acknowledging and accepting the following:
 - a. The property is located within an area designated by the Village as “Village Mixed Use” wherein a variety of residential and non-residential land uses are allowed to occur;
 - b. The “Village Mixed Use” area is expected and encouraged to re-develop over time into a pedestrian-oriented retail and entertainment area;
 - c. The potential exists for negative impacts (e.g. traffic, noise, odor, etc.) associated with or caused by the operation of both existing and newly developed non-residential land uses to adversely affect the owners and/or occupants of said property on a regular basis.

Top Leaf Development for Alan & Lynda Luther – 107 acres South of Freistadt Road, North of Elm Lane and West of Wasaukee Road. Top Leaf Development and Alan & Lynda Luther, property owners, are requesting feedback on a 107-acre residential development proposal with 43 single-family lots. Planner Retzlaff summarized the proposal. Pete Hurth, Baudhuin Survey & Engineering and Shari Waggoner, Top Leaf Development, spoke on the project. Mr. Hurth said the soil borings were done and the lot layout is suitable to support a mount system. A wetland delineation will be ordered and the outlots will be put in to reflect the wetlands on the property. They would like to determine which access is best and discussed the different options.

Plan Commissioner had the following comments and concerns:

- Improve remaining 700 feet of Elm Lane, prefers option 2 connecting with Elm Lane
- Don't like the 5 and 8 acres sites. Not a good use of the land. Like the 1.5 and 2 acre lots on the east side. Larger lots will take longer to sell. Keep the same plan all the way through. Ms. Waggoner said there wasn't a good way to get back there and there is a cost effectiveness for a few lots or extending Elm Lane.
- Would like this development to connect to the park
- Access to another parking lot would be beneficial to the area.
- Connect cul-de-sac in option 2 to Elm Lane
- Would like to see a more finished look to the southwest corner
- Re-design the southwest corner; leave center area green and put lots on the west
- Elm Lane was intended to be connected in the future
- Show us different options for access

Discussion continued regarding different access options. Shari Waggoner, Top Leave Development said their intention is to get lots on the market as soon as next year. Pete Hurth, Baudhuin Survey & Engineering, asked if there was any leeway to include wetlands on a lot. Planner Retzlaff explained that for lots this size, wetlands and floodplain are required to be in an open space outlot and not part of a developed lot, in order to preserve them. Ms. Waggoner asked if they could use a PDD overlay to get some flexibility. Planner Retzlaff said it's possible to get some flexibility in exchange for some other amenity.

Trustee Baum said he'd like to see what they come up with and then decide which way to achieve it. He'd rather see smaller lots and a PDD may be a way to achieve that. Planner Retzlaff said the connection from Forest Drive to Freistadt Road is needed and right-of-way needs to be dedicated along Elm Lane.

This item was for discussion only. No action was taken.

Community Development Department – Proposed Zoning Code Amendment: Section 17.30: B-3 General Business District (Residential Uses). The purpose for the amendment is to clarify the intent and permitted use sections of the B-3 District regulations regarding residential uses. Some of the older, original residential buildings on Main Street, that were converted to and operated as a business, now want to revert back to a residential use. The B-3 District regulations do not specifically provide for residential uses or provide for the reversion of a building once used for business purposes to go back to a residential use. The amendment language would make it clear that converting these uses would be allowed. Planner Retzlaff reviewed the proposed language changes to the code that would allow a property to revert back to a residential use. He said he prefers option 2 which requires a conditional use permit, but realizes there is a hurdle with the cost of the permit.

Discussion followed. Trustee Baum asked if there was a way to expedite a CUP at lower cost with one public hearing for all the properties at one time. He suggested using a special form that would include rules to abide by. Planner Retzlaff said a public hearing would be required for the code amendment and all property owners affected could be notified at that time. He also discussed the possibility of creating an overlay zoning district that is recorded at the time of sale that would include our concerns. Chairman Wolter said he understands the need to provide a way to accommodate the reverting and agrees with trying to transition the area, but also believes in property rights. He asked if this is something we want to allow.

Commissioner Laszewski preferred option 1. Chairman Wolter and Trustee Baum also preferred option 1 saying option 2 was too costly and overbearing. Planner Retzlaff suggested requiring a zoning permit where we could attach a "code of Main Street living" outlining expectations and what is planned for the area. It would make the process clear what is required to revert. Chairman Wolter said we can hold the code as is or we do something that will allow a property to revert. He doesn't think there is a way to add an entertainment district clause in the code for the buyer to beware of, without the need for a conditional use. If the board chooses to add an additional provision or permit, then they can choose to do that with the public hearing involvement as part of that board meeting.

MOTION Baum second Shadid to present both options of the amendments to Section 17.30 of the Municipal Code to the Village Board, with a preference for Option 1.

SECTION 1. That Section 17.30 (B-3: General Business District) is revised as follows where words that are stricken are deleted and words that are underlined are to be added:

17.30

GENERAL BUSINESS DISTRICT.

The B-3 District is intended to provide for the orderly continuation and revitalization of the older established Main Street "central business district" (including the area designated as "Village Mixed Use" on the Future Land Use Plan) area of the Village where uses are not exclusively of one type but, rather, mixed and include retail sales shops, wholesale and warehousing outlets, and institutional, recreational and residential uses. Many of the existing businesses in this district may not meet the requirements of the B-1 or B-2 Districts. It is the intent of this district to provide minimum requirements for all new uses of land within the district and a guide for the redevelopment or revitalization of existing uses of land within the district. Further, it is intended that the conversion of buildings located in the historic Main Street area and categorized as "Village Mixed Use" on the Village's Land Use Plan map from a residential use to a business use or from a business use to a residential use can occur provided that such conversion does not create conflicts with other nearby land uses, or, that impede the intended transformation of the Main Street area into a pedestrian-oriented retail and entertainment area.

OPTION 1: ALLOWS COMMERCIAL USE PROPERTIES TO "REVERT" BACK TO A RESIDENTIAL USE "BY RIGHT" (NO APPROVAL OR PERMIT REQUIRED)

SECTION 2. That Section 17.30(1) (Permitted Principal Uses) is revised as follows where words that are stricken are deleted and words that are underlined are to be added:

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SECTION 2. That Section 17.30(3) (Conditional Uses) is revised as follows where words that are stricken are deleted and words that are underlined are to be added:

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- 1. Said reversion shall abide by all applicable requirements, restrictions and allowances of the Village's Zoning and Building Codes;**
- 2. The owner shall provide sufficient evidence that such conversion will not create a situation where potential negative impacts (e.g. traffic, noise, odor, etc.) associated with or caused by the operation of an existing non-residential land would affect the owners and occupants of said property proposed to revert back to a residential use; or**
- 3. The owner of said residential property shall sign a statement acknowledging and accepting the following:**
 - a. The property is located within an area designated by the Village as "Village Mixed Use" wherein a variety of residential and non-residential land uses are allowed to occur;**
 - b. The "Village Mixed Use" area is expected and encouraged to re-develop over time into a pedestrian-oriented retail and entertainment area;**
 - c. The potential exists for negative impacts (e.g. traffic, noise, odor, etc.) associated with or caused by the operation of both existing and newly developed non-residential land uses to adversely affect the owners and/or occupants of said property on a regular basis.**

MOTION carried unanimously.

ANNOUNCEMENTS: None

The next Plan Commission meeting is October 9, 2017.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:52 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

ZONING CODE AMENDMENTS

8/28/17 Plan Commission Meeting

Germantown Community Development Department

Village Planner Report

Germantown, Wisconsin

Summary

The Community Development Department is proposing an amendment to the B-3: General Business Zoning District regulations (Zoning Code Section 17.30). The purpose for the amendment is to clarify the intent and permitted use sections of the B-3 District regulations regarding residential uses.

The area along the Main Street corridor, from Western Avenue east to STH 145/Fond du Lac Avenue, is shown on the Village's Land Use Plan map as "Village Mixed Use". The intent of this category of generalized land uses is very specific as paraphrased below (the full intent statement is presented in Exhibit 1):

"The Village Mixed Use category is focused on the land uses on and surrounding the historic Main Street area...is already being transformed into a compact pedestrian-oriented specialty retail and entertainment district...with continued growth and improvement the Village Mixed Use area can be completely transformed into a destination entertainment district and pedestrian-oriented neighborhood. Improvements to Main Street should emphasize conversion of existing buildings to entertainment and retail uses...historic and architecturally significant buildings should be preserved..."

Implementation of this policy statement to further the continued "transformation" and redevelopment of the historic Main Street area is to be accomplished, in part, through administration and enforcement of the Village's Zoning Code.

As shown on Exhibit 2, much of the Main Street area from STH 145 west to the railroad tracks is located in a B-3: General Business Zoning District. The following is the "intent" section of the B-3 District that speaks directly to the intended transformation of the Main Street area:

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What's the issue? The issue is... what to do about the older, original residential buildings that were converted to and have operated as a business, in whole or in part, that the owners of those buildings now want to "revert" back to a residential use.

Why is this an issue? Simply stated, the B-3 District regulations do NOT specifically provide for ANY residential uses in the B-3 District (other than a conditional use permit allowance for a residential "caretaker quarters" on the 2nd floor of a dwelling with a business on the 1st floor). There's nothing in the B-3 District regulations that provides for the reversion of a building once used for business purposes back to a building to be used for residential purposes even though that building was originally constructed as (and may still look like) a residential building.

The only zoning regulations that address residential uses in the B-3 District are the non-conforming use regulations...which allow for the continued use of a building for residential purposes if such use was in place at the time the B-3 District regulations were adopted in the Zoning Code (November, 1978), and, more importantly, that residential use has continued uninterrupted ever since. If a residential use of a building in a B-3 District has either ceased for a period of 12 consecutive months, or, if the building was converted (in whole or in part) to a business or other non-residential use, such as a dog grooming service business or a specialty retail shop, the non-conforming use regulations don't allow the owner of that building to revert the use of that building back to a residential use.

While the Plan Commission and Village Board have discussed issues affecting the preservation and protection of the original residential buildings along Main Street, it might be surprising to know that our B-3 District regulations and our "Village Mixed Use" land use policy really only address the notion of preserving historic and architecturally significant buildings and not necessarily the residential use of such buildings.

The issue has come up now because it has been brought to our attention that three (3) properties along Main Street are in the process of being sold (or already have been) with the expressed purpose of reverting the use of the buildings from a previous business use to an exclusive residential use by the new owners.

The building located at N116 W15909 Main Street (formerly the "Sinter Klausen" Christmas shop), owned by Iren Blau is going to be sold to a relative who wants to use the building exclusively as a residence. The second property is the property located at N116 W16009 Main Street that is currently occupied by the Labor Union Association office with a separate rental apartment upstairs. Inquiries from a prospective purchaser for this property have asked asking if the building can be reverted back for exclusive use as a residence (with the downstairs reverted back to a residential dwelling and the upstairs for continued use as a separate apartment). The third property is located at N116 W15925 Main Street (formerly "Nancy's Groom Room" dog grooming business). That property was recently sold and is currently being using exclusively for residential uses.

Arguably, if the Village enforces the B-3 District regulations and non-conforming use regulations as written, none of these three buildings should be allowed to revert back to a residential use. However, to not allow them to revert back to what was their intended use from the time they were constructed might contradict what some would argue is and has been the Village's position all along, i.e. to provide for and accommodate the preservation and continuation of the older residential buildings on Main Street for residential purposes. The counter argument to that, however, is that the Village's policy statement through the "Village Mixed Use" concept is that the Village wants to preserve the appearance and character of the historic Main Street area (and existing historic and architecturally significant buildings) but not necessarily the use of said buildings for exclusively residential purposes. To do otherwise, one might argue, would only perpetuate the ongoing conflicts between residential and non-residential uses and property owners along Main Street, as well as, delay or impede the intended transformation of the area into a pedestrian-oriented retail and entertainment area. If the Village wants to hasten the process of "... *redevelopment or revitalization of existing uses of land within the district...*" as is the stated intent of B-3 District, then the business-back-to-residential reversion process of the remaining residential buildings along Main Street should not be allowed to continue and the Zoning Code enforced.

In order to initiate discussion about how best to resolve the issue in a manner that clarifies the Village's policy perspective and to give guidance to staff with regard to the administration and enforcement of the Zoning Code, Staff is recommending the following amendments to Section 17.30 in the Municipal Code:

SECTION 1. That Section 17.30 (B-3: General Business District) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.30

GENERAL BUSINESS DISTRICT.

The B-3 District is intended to provide for the orderly continuation and revitalization of the older established Main Street "central business district" area of the Village where uses are not exclusively of one type but, rather, mixed and include retail sales shops, wholesale and warehousing outlets, and institutional, recreational and residential uses. Many of the existing businesses in this district may not meet the requirements of the B-1 or B-2 Districts. It is the intent of this district to provide minimum requirements for all new uses of land within the district and a guide for the redevelopment or revitalization of existing uses of land within the district. Further, it is intended that the conversion of buildings located in the historic Main Street area and categorized as "Village Mixed Use" on the Village's Land Use Plan map from a residential use to a business use or from a business use to a residential use can occur provided that such conversion does not create conflicts with other nearby land uses, or, that impede the intended transformation of the Main Street area into a pedestrian-oriented retail and entertainment area.

SECTION 2. That Section 17.30(1) (Permitted Principal Uses) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.30(1)(iii) Single-family residential uses in a building originally constructed for residential use that was subsequently converted into a business use, in whole or in part, that the owner wants to revert back to a residential use, in whole or in part, subject to all applicable restrictions and allowances of the Village's Zoning and Building Codes.

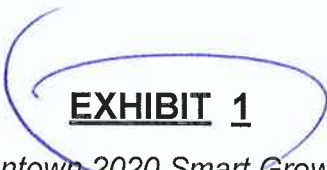


EXHIBIT 1

(Excerpt from Village of Germantown 2020 Smart Growth Plan; Element 8: Land Use)

Future Land Use Categories

The Future Land Use Plan is comprised of fifteen land use categories which delineate areas of the Villages for particular types of land uses. The following section describes the characteristics and examples of development expected within the future land use categories of Germantown:

Village Mixed Use

For the year 2010, the Village Mixed Use category is focused on the land uses on and surrounding the historic Main Street area, west of Pilgrim Road. Main Street is already being transformed into a compact, pedestrian-oriented specialty retail and entertainment district with restaurants, bars, antique stores, etc. Surrounding Main Street are neighborhoods with gridded streets and compact development including well-maintained single-family structures, parks, and institutions such as a schools, a fire station and senior center. To the west and south is higher density, more contemporary multi-family housing.

With continued growth and improvement, the Village Mixed Use area can be completely transformed into a destination entertainment district and pedestrian oriented neighborhood. Improvements to Main Street and a small portion of Pilgrim Road should continue to emphasize conversion of existing buildings to entertainment and retail uses that would serve existing residents as well as draw people from the region. Historic and architecturally significant buildings should be preserved and curb cuts and off-street parking areas minimized and placed in the rear of properties.

Larger vacant and underutilized properties should be redeveloped with high quality, higher density housing that would lend further support to the commercial district. Buildings should be designed to be consistent with the architectural context of the neighborhood and sited close to the streets to enhance the pedestrian orientation of the area.

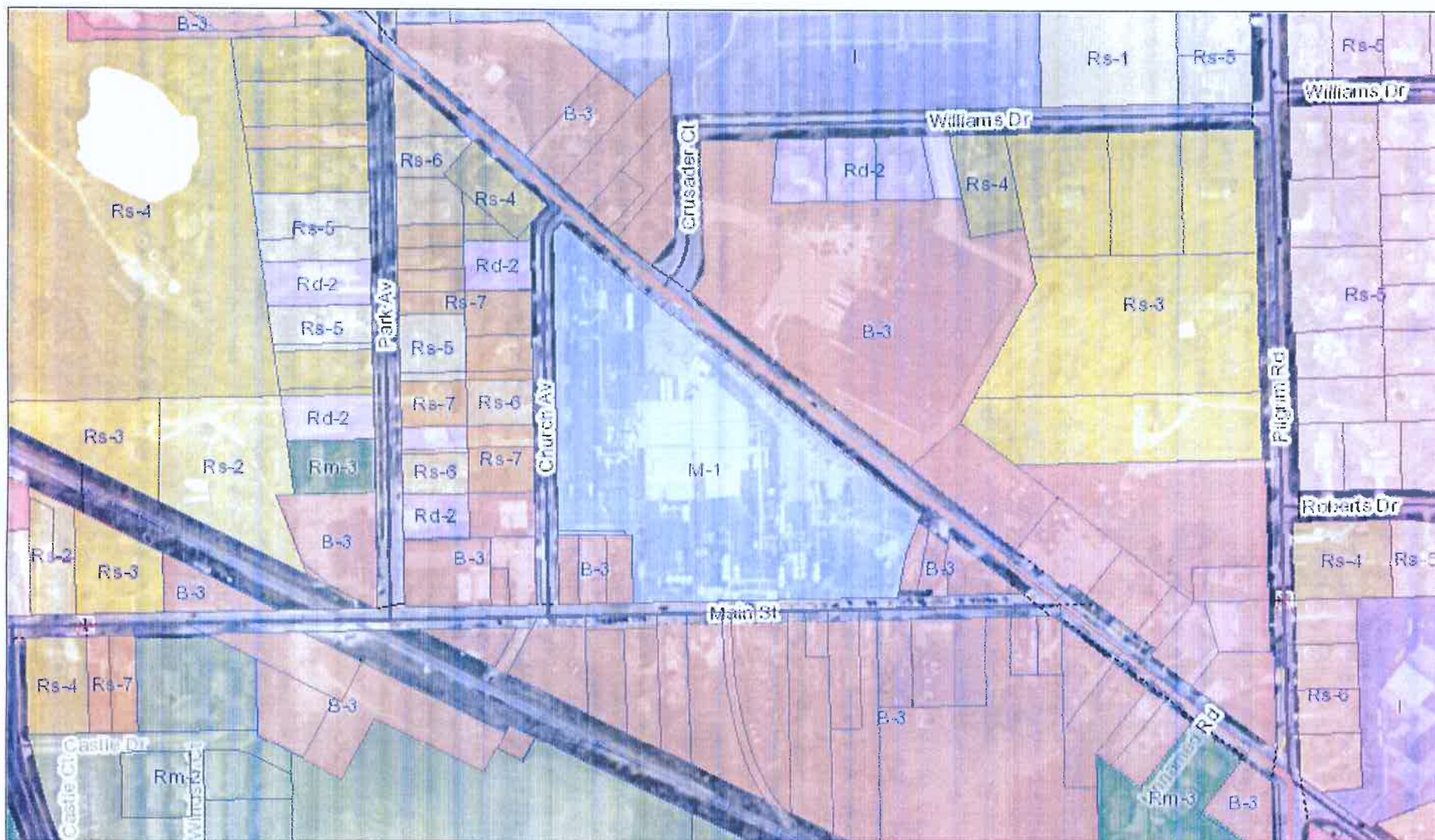


EXHIBIT 2 - MAIN STREET ZONING

DISCLAIMER:

This map is not a survey of the actual boundary of any property this map depicts.

The Village of Germantown Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



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



SCALE: 1 = 315'

Print Date: 8/23/2017

MOTION to Baum second Shadid to Amend Condition #2 that should the Police Department establish a problem in that area the school district will be required to put a fence in at a later date.

Commissioner Williams asked why the business couldn't put the fence in. Jeff Holmes, Superintendent, Germantown School District, said the district has been in conversation with the land owner. He said once things are more finalized, he believes they will work it out to where it will be beneficial. Richard Ericksen, Business Manager, Germantown School District said the tree line is very thick in this area and that the wall on the building is a solid concrete wall.

MOTION to Amend carried unanimously.

MOTION to Amend Baum second Shadid to make changes to Condition #4 (a) to install four (4) deciduous trees and Eliminate 4(c) and 4(d).

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Community Development Department – Proposed Zoning Code Amendment: Section 17.30: B-3 General Business District (Residential Uses). The purpose for the amendment is to clarify the intent and permitted use sections of the B-3 District regulations regarding residential uses. Planner Retzlaff summarized the amendment. He explained that some of the older, original residential buildings on Main Street, that were converted to and operated as a business, now want to revert back to a residential use. The B-3 District regulations do not specifically provide for residential uses or provide for the reversion of a building once used for business purposes to go back to a residential use. The amendment language would make it clear that converting these uses would be allowed.

Discussion followed. Trustee Baum did not have a problem with properties converting back and forth from commercial to residential as long as the residents understand they are moving into a retail and entertainment district. Planner Retzlaff suggested attaching a stipulation or record to a property so when it converts to residential, the property owner cannot complain about the business activities in the area. Chairman Wolter said the amendment is a good way to bring the issue to the forefront and when it goes to a public hearing the board can decide how they want it everyone that is involved can understand the process. Planner Retzlaff stated there are 9 properties on Fond du Lac Avenue and 10 or 11 on Main Street that could possibly go back forth between commercial and residential, so a policy should be made. He said an alternative would be the possibility of requiring a conditional use permit to convert to build in safeguards. Trustee Baum said a conditional use could make it clear the area is an entertainment district where there is noise, traffic and smells. He said he would like to see an amendment written up both ways before making a decision. Chairman Wolter agreed. The proposed language changes will be brought back to Plan Commission for review.

ANNOUNCEMENTS: None

The next Plan Commission meeting is September 11, 2017.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Lori Johnson, Planning Assistant

Page 1 of 1

**AN ORDINANCE AMENDING CHAPTER 17 (ZONING CODE)
OF THE VILLAGE OF GERMANTOWN MUNICIPAL CODE**

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That Section 17.30 (B-3: General Business District) is to be revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.30 GENERAL BUSINESS DISTRICT.

The B-3 District is intended to provide for the orderly continuation and revitalization of the older established Main Street "central business district" (including the area designated as "Village Mixed Use" on the Future Land Use Plan) area of the Village where uses are not exclusively of one type but, rather, mixed and include retail sales shops, wholesale and warehousing outlets, and institutional, recreational and residential uses. Many of the existing businesses in this district may not meet the requirements of the B-1 or B-2 Districts. It is the intent of this district to provide minimum requirements for all new uses of land within the district and a guide for the redevelopment or revitalization of existing uses of land within the district. Further, it is intended that the conversion of buildings located in the historic Main Street area and categorized as "Village Mixed Use" on the Village's Land Use Plan map from a residential use to a business use or from a business use to a residential use can occur provided that such conversion does not create conflicts with other nearby land uses, or, that impede the intended transformation of the Main Street area into a pedestrian-oriented retail and entertainment area.

SECTION 2. That Section 17.30(3) (Conditional Uses) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.30(3)(oo) Single-family residential uses in a building originally constructed for residential use that was subsequently converted into a business use, in whole or in part, that the owner wants to revert back to a residential use, in whole or in part, subject to the following requirements:

1. Said reversion shall abide by all applicable requirements, restrictions and allowances of the Village's Zoning and Building Codes;
2. The owner shall provide sufficient evidence that such conversion will not create a situation where potential negative impacts (e.g. traffic, noise, odor, etc.) associated with or caused by the operation of an existing non-residential land would affect the owners and occupants of said property proposed to revert back to a residential use;
or
3. The owner of said residential property shall sign a statement acknowledging and accepting the following:
 - a. The property is located within an area designated by the Village as "Village Mixed Use" wherein a variety of residential and non-residential land uses are allowed to occur;

**AN ORDINANCE AMENDING CHAPTER 17 (ZONING CODE)
OF THE VILLAGE OF GERMANTOWN MUNICIPAL CODE**

- b. The "Village Mixed Use" area is expected and encouraged to re-develop over time into a pedestrian-oriented retail and entertainment area;
- c. The potential exists for negative impacts (e.g. traffic, noise, odor, etc.) associated with or caused by the operation of both existing and newly developed non-residential land uses to adversely affect the owners and/or occupants of said property on a regular basis.

SECTION 3. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee:

Adopted:

Vote: Ayes: Nays:

Dean Wolter, Village President

APPROVED AS TO FORM:

ATTEST:

Brian C. Sajdak, Village Attorney

_____, Village Clerk

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

MEETING DATE: October 16, 2017

AGENDA ITEM: New Business

ITEM TITLE: Discussion/Approval Rehabilitation of Well #3 (Maple Rd)

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

SUMMARY EXPLANATION:

Well #3 was constructed in 2006 and since then very little maintenance and rehabilitation work has been performed. Well #3 is one of the two deep Village wells that has a radium removal system. Testing completed this summer indicates the well is in need of cleaning to remove the growth of biofilm and replacement of filter media. This work has been in the planning stages for a couple of years. In addition, the pumping equipment is at the service life (10-12 years) that is recommended to be inspected and replaced as necessary.

The Water Utility has been working with Foth Infrastructure & Environmental to evaluate the condition of the Well and has obtained a proposal to perform the well rehabilitation project. Their proposal is attached with various items outlined with a total estimated cost of \$180,700.00. This includes engineering fees of \$26,900.00, estimated contractor cost of \$120,000.00 and filter media replacement and training at \$33,800.00.

Currently, Well #3 has been taken out of service due to the inability of the well and filter equipment to produce water that is acceptable.

The Public Works and Highway Committee has unanimously approved the work but directed this item be brought to the Village Board as New Business.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER X

 Proposal from Foth Infrastructure & Environmental, LLC

RECOMMENDATION:

Staff recommends the Village Board to follow the positive recommendation of the Public Works and Highway Committee and approve the rehabilitation of Well #3 in the estimated amount of \$180,700.00.

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.



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www.foth.com

September 27, 2017

Mr. Larry Ratayczak, P. E.
Director of Public Works
Village of Germantown
P. O. Box 337
Germantown, WI 53022-0337

Dear Larry:

RE: Engineering Services Proposal – Well No. 3 Rehabilitation

This is to summarize our previous meetings and investigations regarding Well No. 3, and to provide a proposal for engineering services for rehabilitation of the well, pump and treatment system.

Well No. 3 pumping station was constructed in 2006. The station includes a filtration treatment system to remove naturally occurring radium in the well water. Several weeks ago, we met to discuss the need to replace the pump in Well No.3. This pump is the original unit and it has not been replaced or work on since it was installed in 2006. At the meeting, Foth recommended that as a first step, the well be investigated for the extent of microbiological activity, and for the presence of biofilms. A well borehole environment is not pristine. Certain conditions in the well can cause an excessive presence of common non-pathogenic soil bacteria. The presence of soil microorganisms in wells is generally expected and inevitable. It is the excess presence of microbes which can cause problems, such as:

1. Development of biofilm, which is a microbial byproduct used by the bacteria to adhere to surfaces, entrap nutrients, and act as a protective coating. Biofilms can plug and clog the well borehole, thereby reducing its production. Biofilms also act to protect the microbes from disinfection by chlorination.
2. Introduction of microbes, biofilms, and nutrients into the pump station piping, treatment equipment and distribution system. This can degrade distribution system water quality and reduce the effectiveness of the filtration process at Well No.3.
3. A loss or reduction of chlorine residual at the well discharge and in the treatment system. This can adversely affect the treated water quality.

Mr. Larry Ratayczak, P. E.
Director of Public Works
September 27, 2017
Page 2

Foth arranged for and collected representative water samples from Well No. 3 on July 18, 2017. The samples were submitted to a laboratory for analyses and interpretation of results. The lab analysis of the samples indicate the following:

1. Microbial nutrient conditions are present in the water which are selective for biofilm development in the well and in the downstream piping and treatment system.
2. Biofilms are present on the surfaces where samples were obtained, specifically the well casing, the open borehole below the casing, and on the filter media.
3. Direct indicators of active biofilm are similar between the well samples and the filtered water sample. This indicates there is a biofilm accumulation on the filter media.
4. Biofilm accumulations on the filter media are almost certainly interfering with the filtration treatment process for radium removal.

From the above, biofilms are present on the surfaces of the well casing and open borehole, and on the filtration system media. They are likely also present on the inside surfaces of the station piping and detention tank. The well, station piping, and filtration system should be cleaned and treated to remove the biofilms. The filter media should be removed and replaced with new media.

We discussed that the existing well pump is about 12 years old. The life expectancy of a well pump can vary considerably based on numerous factors. It is common to use 10 years as a "benchmark" age for considering pump replacement due to normal wear and tear. Since the pump needs to be removed from the well to perform the biofilm treatment, we recommend including a new well pump as part of the rehabilitation project.

Foth is prepared to immediately assist the village with this rehabilitation work. From our experience, the work can be performed under a single contract by a competent well/pump contractor. Foth proposes the following scope of services:

1. Prepare technical specifications for treatment and cleaning of the well, station piping, detention tank and filtration tank. Specifications would include types and quantities of chemical solutions, procedures for agitation, pump out, and waste disposal, test pumping and sampling of the treated well, piping, and filter tank.
2. Prepare technical specifications for the well pump replacement. The specifications would include hydraulic and energy efficiency performance criteria.
3. Prepare bidding documents, contract documents and bid schedules for the work. Bid schedules would include quantities and unit pricing.

4. Prepare and submit documentation to WDNR for approval of the well cleaning and treatment. DNR approval is required under NR 811.12 (12), Wisconsin Administrative Code.
5. Provide bidding documents and schedules to qualified contractors to provide bid pricing. Review bid proposals and recommend award to the village. Prepare contract documents for execution by the successful bidder.
6. Coordinate and conduct a preconstruction conference with the contractor and village. Prepare and distribute meeting minutes.
7. Review shop drawing submittals for equipment and materials included with the project.
8. Monitor the progress of the contractor's work for conformance with specifications. Visit the site at appropriate times during the work to observe progress. Provide memoranda to the village describing the results and recommendations of the site visits. Test the new well pump installation for hydraulic performance and energy efficiency. Our engineering fee includes three site visits during the work, plus the visit for starting up the system.
9. Arrange for and coordinate the filter equipment manufacturer to visit the site twice during the project. One visit would be after the granular filter media is removed and the filter tank is empty. The filter manufacturer would observe the condition of the tank interior and verify its acceptable condition. The second visit by the filter manufacturer would be at system startup. The manufacturer's representative would provide assistance and verify proper operation of the rehabilitated filtration system. He would verify proper settings/ adjustments of equipment associated with the treatment system. He would provide operation and maintenance training for water utility staff.

Foth's fee for the above scope of services is \$26,900.

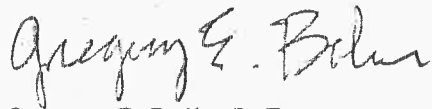
Our estimate of contractor costs for this project is \$120,000. Additionally, the cost of materials and services to be provided by the treatment system manufacturer is estimated at \$33,800. This cost includes: (1) furnishing and installing new filter media and internal components; (2) inspection trip to observe the condition of the filter tank after the old media has been removed (one day on site); (3) one start-up trip, plant review, and utility staff training (three days on site).

Mr. Larry Ratayczak, P. E.
Director of Public Works
September 27, 2017
Page 4

Thank you for the opportunity to provide this proposal. We look forward to assisting the village with this project. Please contact me with questions.

Sincerely,

Foth Infrastructure & Environment, LLC

A handwritten signature in black ink, reading "Gregory E. Bolin". The signature is written in a cursive style with a large, stylized 'G' and 'B'.

Gregory E. Bolin, P. E.
Senior Project Manager/WI Water Supply Manager

Cc: Paul Haugen, Water Utility Superintendent
Tom Ludwig, P.E., Foth
Andy Schultz, P.E., Foth

**Village of Germantown
Business of the Village Board**

MEETING DATE:

October 16, 2017

PLACEMENT:

New Business

ITEM TITLE:

2018 Budget Review and Approval for
Publication

SUBMITTED BY:

Kim Rath, Finance Director

SUMMARY EXPLANATION:

Review of the 2018 Preliminary Budget and Approval for Publication, Public Hearing
scheduled November 20, 2017

ATTACHED: ORDINANCE____ RESOLUTION ____ OTHER _X_

Budget Summary – All Funds
Changes to the Original Budget
Capital Projects Listing – Borrowing
Capital Items – Tax Based

RECOMMENDATION

COMMITTEE ACTION

VILLAGE OF GERMANTOWN

2018 PROPOSED BUDGET SUMMARY ALL FUNDS

Following are the proposed budgets for all funds of the Village for Budget Year 2018, Tax Bill 2017

Fund	Revenue	Expenditure	Capital	Excess/Deficit
General Fund	15,794,805	15,694,805		100,000
General Property Tax	9,496,539			
Other Taxes	930,685			
Intergovernmental	2,423,405			
Licenses & Permits	857,034			
Fines, Forfeitures, Penalties	179,000			
Public Charges for Service	1,691,905			
Interest	51,637			
Other Revenue	164,600			
General Administration		1,294,395	35,000	
Public Safety		7,611,390	307,576	
Public Works		3,771,506	2,245,000	
Recreation & Education		2,715,738	310,000	
Conservation & Development		301,772		
Honor Guard	3,050	2,000		
Recreation Facility Fee	35,600	33,000		
Historic Preservation	8	100		
Police Canine	10,500	4,000		
Police Asset Forfeiture	10,150	4,000		
Police Impact Fee	8,634	3,000		
Fire Impact Fee	9,918	3,000		
Library Impact Fee	16,298	30,000		
Recreation Impact Fee	20,608	0		
Senior Van Replacement Fund	3,225	29,000		
Debt Service Fund	4,437,033	4,482,632		
Capital Projects Fund	2,920,587	2,943,576		
TIF #4	1,844,159	1,676,125		
TIF #6	3,486	309,552		
Water Utility	2,308,629	3,075,308	1,841,230	
Wastewater Utility	6,989,015	6,552,721	2,380,500	
Village Health Fund	1,543,885	1,602,000		
Village Dental Fund	96,974	99,000		
Library Board Accounts	0	0		
Total	51,851,369	52,238,620	7,119,306	100,000

The Village's outstanding debt on December 31, 2017 is projected to be:

General Obligation Notes & Bonds	\$24,080,000
Less TIF 4	-\$4,126,226
Less TIF 6	-\$7,347,706
	\$12,606,068
Water Utility	\$1,322,225

**2018 BUDGET PROCESS
GENERAL FUND REVENUES
REQUESTED VS. PROPOSED**

ITEM	DEPT.	BUDGET REVISIONS	REVISION DATE	NOTES	REVISED BUDGET
Property Taxes	9,496,539				9,496,539
Other Taxes	926,000	1,350	09/01/2017	Exempt Computer aid .0147 higher	927,350
Special Assmt	4,685				4,685
					0
Intergovernmental	2,300,214	121,841	10/10/2017	DOT Transportation Aid Increase	2,422,055
					0
Licenses	54,249				54,249
					0
Building Inspection Fees	448,400				448,400
Regulatory Permits/Fees	354,385				354,385
Fines, Forfeitures & Penalties	179,000				179,000
Charges - General Government	48,800				48,800
					0
Charges - Public Safety	571,640				571,640
					0
Charges - Public Works	42,400				42,400
					0
Charges - Education & Recreation	1,029,065				1,029,065
					0
Interest Revenue	51,637				51,637
Property Sales	2,600				2,600
Donations & Contributions	22,000				22,000
Other Revenue	2,500				2,500
					0
Pull from Reserve		137,500		use from reserve for revaluation	137,500
TOTAL GENERAL FUND	15,534,114	260,691			15,794,805

15,794,805

Per WI DOR Levy must equal - \$ 12,203,489
 Debt Service 2,706,950
 General Fund Maximum Levy 9,496,539

Expense Budget 15,694,805
 Revenue Budget 15,794,805

(Over) Under 100,000

Current Levy	9,396,539
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Suggested use of balance

add to Highway Asphalt Paving
 Add to Fire Department - staff
 offset for Revaluation
 Add a portion to general salaries for adjustment / equity pay

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**2018 BUDGET PROCESS
GENERAL FUND EXPENDITURES
REQUESTED VS. PROPOSED**

ITEM	DEPT. REQUEST	BUDGET REVISIONS	REVISION DATE	NOTES	REVISED BUDGET
Village Board	122,955				122,955
					0
Administrator	120,195				120,195
					0
Clerk	310,869				310,869
					0
Treasurer and Accounting	193,089				193,089
					0
Assessor	102,797	137,500	10/04/2017	Increase for Revaluation	240,297
					0
Data Processing	82,554				82,554
					0
General Government	167,287	40,000	10/11/2017	for Fire Dept Use - cover new FF/EMT wage if needed	207,287
		17,152	10/11/2017	For Adm Use - wage compression (\$15,000 + FICA/WRS)	224,439
					0
Building & Grounds Maintenance	616,098				616,098
					0
Law Enforcement	4,795,872				4,795,872
					0
Fire Protection	1,878,078				1,878,078
					0
Emergency Government	16,911				16,911
					0
Inspection	304,432				304,432
					0
DPW Adm & Engineering	239,831	(10,000)	10/11/2017	Remove Well Abandonment Fireman's Park	229,831
					0
Highway Department	3,131,726				3,131,726
					0
Solid Waste Recycling	409,949				409,949
					0
Library	814,524				814,524
					0
Recreation	1,246,543				1,246,543
					0
Parks	540,249	(10,000)	10/11/2017	Remove Roof from Friedenfeld Shelter	530,249
					0
Senior Center	124,422				124,422
					0
Planning and Zoning	174,404				174,404
					0
Municipal Development	127,368				127,368
					0
Transfers to Other Funds					0
					0
TOTAL GENERAL FUND	15,520,153	174,652			15,694,805

15,694,805

2018 BUDGET PROCESS
CAPITAL PROJECTS FUND REVENUES
REQUESTED VS. PROPOSED

ITEM	DEPT. REQUEST	BUDGET REVISIONS	REVISION DATE	NOTES	REVISED BUDGET
Property Tax	0				0
Special assessments	0				0
Intergovernmental	46,587				46,587
Interest Revenue	15,000				15,000
Property Sales	0				0
Donations/Misc	0				0
General Obligation Notes	2,800,000				2,800,000
Transfer In	59,000				59,000
TOTAL CAPITAL FUND	2,920,587				2,920,587

2018 BUDGET PROCESS
CAPITAL PROJECTS FUND EXPENDITURES
REQUESTED VS. PROPOSED

ITEM	DEPT. REQUEST	BUDGET REVISIONS	REVISION DATE	NOTES	REVISED BUDGET
Village Board					
Administrator					
Clerk					
Treasurer and Accounting					
Assessor					
Data Processing					
General Government					
Building & Grounds Maintenance	35,000				35,000
Law Enforcement	107,576				107,576
Fire Protection	200,000				200,000
Emergency Government					
Inspection					
DPW Administration/Engineering	230,000				230,000
Highway Department	1,955,000				1,955,000
Recycling	60,000				60,000
Library					
Recreation	215,000				215,000
Parks	40,000				40,000
Senior Center	55,000				55,000
Planning and Zoning					
Municipal Development					
Debt Issuance	46,000				46,000
TOTAL CAPITAL FUND	2,943,576	0			2,943,576

Offsets

2,943,576

Estimated addition to 2019 Debt Service Levy - \$330,000

Existing Debt Service

		reduction prior year	
2019 w/ o new debt	2,557,874	-212,076	117,924 Impact
2018	2,769,950		
2017	2,509,010		
2016	2,542,457		
2015	2,380,162		
2014	2,198,868		
2013	1,869,280		

VILLAGE OF GERMANTOWN
2018 CAPITAL PURCHASES FUND 40 ITEMS -

ITEM DESCRIPTION	PROJECT/ EQUIPMENT	FUNDING SOURCE				ITEMS TO BE BORROWED FOR
		CAPITAL/GENERAL RESERVE	GRANTS	REVENUE FROM FIXED ASSET SALES	IMPACT FEE SPECIAL REVENUE	
POLICE DEPARTMENT						
Evidence Storage Lockers	25,000	25,000				0
Computer Hardware - Desktops & Servers	59,576					59,576
Fingerprint Imager	23,000	23,000				0
TOTAL POLICE DEPARTMENT	107,576	48,000	0	0	0	59,576
FIRE DEPARTMENT						
Refurbish Ladder Truck	200,000					200,000
TOTAL FIRE DEPARTMENT	200,000	0	0	0	0	200,000
DPW ADMINISTRATION AND ENGINEERING						
New Plotter	20,000	20,000				0
Storm Drainage Improvements	150,000					150,000
Sidewalk Inspection & Repair	10,000	10,000				0
MS4	50,000					50,000
TOTAL DPW ADMINISTRATION AND ENGINEERING	230,000	30,000	0	0	0	200,000
HIGHWAY DEPARTMENT						
Patrol Truck	200,000					200,000
Patrol Truck	200,000					200,000
3/4 Ton Pickup	40,000					40,000
Asphalt Paving	1,500,000					1,500,000
1/3 Cost Utility Locate Van	15,000	15,000				0
						0
TOTAL HIGHWAY DEPARTMENT	1,955,000	15,000	0	0	0	1,940,000
PARKS & BLD & GROUNDS, & RECYCLING						
Truck - 3/4 Ton Pickup	40,000					40,000
Compost Screener	60,000					60,000
Electronic Sign	35,000	20,000				15,000
TOTAL PARKS & Bld & GROUNDS	135,000	20,000	0	0	0	115,000
RECREATION & SENIOR CENTER						
Fireman's Park Design & Pathways	95,000					95,000
Spassland Park Basketball Court Standards	30,000					30,000
Spassland Park Playground	90,000					90,000
Ford Para-Transit 350 8-passenger van	55,000				29,000	26,000
TOTAL RECREATION	270,000	0	0	0	29,000	241,000
GRAND TOTAL						
	2,897,576	113,000	0	0	29,000	2,755,576

Estimated Borrowing Costs	46,000				46,000
	2,943,576				2,801,576
				approx borrowing	2,800,000

2018 VILLAGE OF GERMANTOWN GENERAL LEVY MISC EQUIPMENT

ITEM DESCRIPTION	AMOUNT
PARKS & BUILDING & GROUNDS	
Village Hall - Furnances	21,000
- Siding Dormers	10,000
-Fire Supression Piping Replacement	40,000
Police Dept - Flooring	11,000
- Roof Repair	26,000
Fire Dept - Nitrogen Generation System	20,000
DPW Office - Replace Service Doors (4)	15,000
Library - Paint Interior	21,250
- Nitrogen Generation System	20,000
- Flooring	3,000
Parks - Replace Roof Friedenfeld	
- Replace Roof Schoen Laufen	15,000
- Alt Bauer Stone Path	5,000
TOTAL PARKS & BUILDING & GROUNDS	207,250
POLICE DEPARTMENT	
Replace 20 Ballistic Armor Plates	2,680
Rapid Response Bag Equipment	2,000
Replace (3) Squads	86,000
Replace Training Room Chairs	6,000
Training Laptop Computers	1,000
TOTAL POLICE DEPARTMENT	97,680
FIRE DEPARTMENT	
Door Open Light System for all bay doors	10,000
Station Paging System	10,000
TOTAL FIRE DEPARTMENT	20,000
HIGHWAY DEPARTMENT	
Signal Cabinet Appleton & Hwy Q	12,000
(2) Lift Gates @ \$4000 each	8,000
Locator	2,500
TOTAL HIGHWAY DEPARTMENT	22,500
DPW ADMIN & ENGINEERING	
Bridge Repairs	10,000
GPS Controller	6,600
Well Abandonment	
TOTAL DPW AMIN & ENGINEERING	16,600
RECREATION	
Haupt Strasse Skatepark repair	7,500
Spassland Park Tennis Court Repair	15,000
TOTAL RECREATION	22,500
GRAND TOTAL	386,530