VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
JULY 2, 2012
VILLAGE HALL BOARD ROOM

CALL TO ORDER
The meeting was called to order at 7:03 p.m.

ROLL CALL
Members present: President Wolter, Trustees Hughes, Kaminski, Vanderheiden, and Zabel. Members absent: Trustees Baum, Ewert and Werderman. Also present were Village Administrator Schornack, Village Attorney Sajdak and Deputy Village Clerk Lofy.

PLEDGE OF ALLEGIANCE:
The Pledge of Allegiance was given.

PRESIDENT'S REPORT:
President Wolter made members aware of the Village Administrator evaluation sheets which he requested they fill out. He also reported on the ribbon cutting at Bradley Corporation which he attended earlier in the day along with Trustee Vanderheiden and Trustee Zabel.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/ COMMITTEE REPORTS:
Police Chief Hoell presented information on the Village's fireworks ordinance. He stated any fireworks besides caps, snakes and sparklers are illegal in the Village. The only permit issued to set off fireworks is for the Village's festivities in Firemen's Park. Any other permits issued by firework dealers are not valid. He also stated that the police department was going to be more critical of this due to the extremely dry conditions. Other meeting dates and times were announced.
President Wolter presented information on the Fourth of July festivities for the Village. A parade at noon will be followed by activities in Firemen's Park. The Village will have fireworks despite the extremely dry conditions. The fire department will continue to water the fields were the fireworks take place to make this possible.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public Hearing: (15 minutes)
None

CONSENT AGENDA:

A. **MINUTES:**
   1. June 18, 2012 and special meeting of June 25, 2012

B. **ACCOUNTS PAYABLE/PAYROLL:**

1.	**Accounts Payable**	June 25, 2012	$ 542,973.38
2.	**Payroll** - Salary	June 29, 2012	$ 77,763.60
3.	**Payroll** – Hourly	June 19, 2012	$ 212,322.44

C. **OPERATOR (BARTENDER) LICENSES:** New and renewals for the period ending June 30, 2013

CONSENT AGENDA (continued):

The following item was forwarded from the General Government and Finance Committee with a unanimous recommendation:

D. **FINAL PAYMENT TO ECONOMIC DEVELOPMENT WASHINGTON COUNTY**

Motion by Vanderheiden second by Kaminski to approve the Consent Agenda through item D. Roll call vote was taken, all present voted aye. Motion carried.

UNFINISHED BUSINESS:

None

PUBLIC HEARINGS – 7:00 P.M. OR LATER:

None

NEW BUSINESS:

SCHOOL DISTRICT FACILITY FUND PURCHASE

Motion by Vanderheiden second by Zabel to approve the installation of doors at Kennedy Middle School to allow continued use of the gold gym and cafeteria for park and recreation activities while securing the academic areas.

Park and Recreation Director Altergott presented a photo of doors similar to the ones proposed and a photo of the proposed location of the doors in the school.

Roll call vote was taken, all present voted aye. Motion carried.

APPOINTMENTS: ***Commissions/Boards/Committees***

1. ***Board of Zoning Appeals*** -
   a. 1 Citizen Alternate – 1 year Term
2. ***Board of Review*** - 5 yr. Term
   b. 2 Citizen Alternates
3. ***Ethics Board - 3 yr. Term***
   c. 1 Citizen Alternate
   Historic Preservation Commission - 2 yr. Term
   d. 1 Citizen Appointee
4. ***Utility Advisory Committee - 3 yr. Terms (Staggered)***
   f. 1 Citizen Financial/Accounting Appointee
   g. 1 Citizen Alternate Member
5. ***Economic Development Committee***
   h. 1 Citizen Member – 2 yr. Term
6. ***Plan Commission***
   i. 1 Citizen Member – 1 year term

APPOINTMENTS: *Commissions/Boards/Committees (cont.)*

President Wolter read the current vacancies. He stated that applications can be picked up at the Clerk's Office. It was also announced that Tony Mazurek has resigned from Plan Commission.

KEN HERDEMAN, EHLERS INVESTMENT PARTNERS CASH FLOW FORECASTING & INVESTMENT SERVICES AGREEMENT

Mr. Herdeman of Ehlers Investment Partners LLC first presented this to the General Government and Finance Committee. His presentation included information on investment returns, keeping investments safe and how to make money on investments. It was stated that Ehlers can only give advice on investment products available to municipalities, they are not selling anything. They can help get the best return in this difficult market.

Mr. Herdeman passed out a handout with an introduction to who Ehlers Investment Partners LLC is and charts that showed investment results. These charts show averages and there is no promise of return on investments. Nothing risky will be invested in. Only investments that are permissible by State Statutes and the Village's investment plan will be made. Ehlers considers the best interest of their clients. They would spend time with the Village staff collecting information to find the best investment matches. Fees for services would be paid to Ehlers Investment Partners LLC.

Finance Director Rath was asked to answer questions on current rates the Village is making on investments and what some of the current investments are. It was stated that currently the Village is not making much on investments.

Motion by Kaminski second by Zabel to allow Ehlers Investment Partners LLC to make a free assessment of cash flow and report back to the Board at a future meeting.

Discussion:

- If the Village does the free assessment and does not go with Ehlers, the hourly fee is owed to Ehlers
- Fee only charged for consulting services

Motion by Zabel second by Kaminski to amend the motion to state that the Village President has the right to sign the agreement as long as legal and finance agrees with the terms of the agreement.

All present voted aye to amend. Motion to amend carried.

Discussion:

- Would be good to have investments/cash flow assessed by someone
- The Village is missing a good monitoring system for their investments
- Better control of cash flow would help to assess long term expense needs

Roll call vote was taken on motion as amended, all present voted aye. Motion carried.

NON-UNION EMPLOYEE COMPENSATION INCREASES

Motion by Zabel second by Kaminski to move this item to the July 17, 2012 meeting of General Government and Finance Committee.

NON-UNION EMPLOYEE COMPENSATION INCREASES (cont.)
Discussion:

- More information is need to make a decision on this
- Need to look at numbers from the private sector
- Look at a possible merit based system for raises

All present voted aye. Motion carried.

OUTSIDE PREMISE EXTENSION – JULY 4, 2012 BEGINNING AT NOON – BARLEY POP PUB & RESTAURANT, N116 W16137 MAIN STREET
Motion by Vanderheiden second by Hughes to approve the outside premise extension with the changes recommended by the Public Safety Committee. Extension will include the area from the eastern most part to the western most part of the building, extending up to the sidewalk. The recommended extension does not include anything across the street.

All present voted aye. Motion carried.

OUTSIDE PREMISE EXTENSION – SATURDAY, JULY 14 FROM 3:00 P.M. TO 9:00 P.M. – ALDO'S PIZZA, W156 N11058 PILGRIM ROAD
Motion by Zabel second by Kaminski to approve the extension as submitted.

All present voted aye. Motion carried.

EXCESSIVE ASSESSMENT CLAIM – W189 KLEINMANN LLC
Village Attorney Sajdak presented information relating to his meeting with W189 Kleinmann LLC's attorney on this issue. During this meeting, Village Attorney Sajdak learned about the history of this issue. This was the next step for them. They would like to see last year's value be the same as this year.
The Village Board directed Finance Director Rath and Village Administrator Schornack to meet with the Village's insurance agent to decide on how to proceed.

ORDINANCE – TO AMEND SECTION 5.11 (4)(C) OF THE MUNICIPAL CODE OF GERMANTOWN TO AUTHORIZE THE FIRE DEPARTMENT TO ISSUE BURNING BANS
Motion by Kaminski second by Zabel to approve the amendment to Section 5.11 (4)(C) of the Municipal Code of Germantown.
Discussion:

- The way the code was written the Village President would recommend issuing of a burning ban
- This change would allow the Fire Chief or someone designated in his absence to issue a burning ban

All present voted aye. Motion carried.

AMENDMENT TO AGREEMENT FOR SPECIAL ASSESSMENTS FOR ROAD IMPROVEMENTS – BLACKSTONE CREEK LAND COMPANY, LLC/RIVER LANE HOLDINGS LLC

Mr. Sedgwick of VGS Development presented his amended agreement to the Village Board as a compromise between what River Lane Holdings LLC wanted and what the Board commented on with the first agreement.

Discussion:

- Staff was directed to work with Mr. Sedgwick to come up with the agreement
- Sounds like Mr. Sedgwick developed the agreement without staff
- Legal and Finance should sit down with Mr. Sedgwick to look at the agreement and bring it back to the Board
- Need to set a date by when properties need to be sold or make payments to the Village, need an end date
- New proposal covers for lack of sales
- Does not appear to be a problem with the concept of the agreement but finance and legal should review it and address certain issues
- Legal needs more time to compare new agreement to existing agreement
- Finance had some concerns on review of the new agreement and the sunset clause
- The Village normally makes special assessments payable on sale, this is not stated as such in the agreement
- Important not to hold taxpayers responsible for non-sale of units
- Cannot expect to get special assessment payment with sale price of condo
- At some point the Village needs its money, need an end date

Motion by Zabel second by Kaminski to have staff work with Mr. Sedgwick to come up with one document they can agree on that covers all needs and protects the Village to be presented at a future meeting on this issue.

Discussion:

- Special Village Board meeting for this issue was set for Monday, July 9, 2012 at 5:30 p.m. (this meeting was later cancelled)
- The Village Planner also has questions that need to be answered

All present voted aye. Motion carried.

AMENDMENT REGARDING SEWER CREDITS – RIVER LANE HOLDINGS, LLC

Motion by Zabel second by Kaminski to follow the same procedure as above, to have staff work with Mr. Sedgwick to come up with one document they can agree on that covers all needs and protects the Village to be presented at a future meeting on this issue.

Discussion:

- Key is not to have taxpayers responsible for this in the future
- Thought staff was directed to do this last time
- Current agreement seems better but has details to be worked out

AMENDMENT REGARDING SEWER CREDITS – RIVER LANE HOLDINGS, LLC (cont.)

All present voted aye. Motion carried.

ADJOURN INTO CLOSED SESSION PER SS. 19.85(1) (C) CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY – REVIEW VILLAGE CLERK APPLICATIONS AND SELECT APPLICANTS TO BE INTERVIEWED - AND TO APPROVE CLOSED SESSION MINUTES OF JUNE 18, 2012

Motion by Zabel second by Kaminski to adjourn into closed session per the above State Statute.
At this time, Deputy Village Clerk Lofy was excused with Village Administrator Schornack appointed to take the closed session minutes. Village Attorney Sajdak was asked to stay for closed session.

Roll call vote was taken, all present voted aye. Motion carried.

The meeting was adjourned into closed session at 8:20 p.m.

Respectfully submitted,

Christa Lofy
Deputy Village Clerk