

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, January 15, 2018 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. Certificate of Appreciation from SERTAC for Work in Presidential Policy Directive #8 for National Preparedness.
- V. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST**
COMMITTEE AND DEPARTMENT 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, Village Clerk, And Department Heads.
- A. Heart-Safe Wisconsin Awarding the Designation of a Heart-Safe Community to the Village of Germantown. (This award represents the work of Fire Chief Weiss and the Germantown Fire Department working diligently over the past year to meet the requirements to earn this designation for the community.)
- 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: December 18, 2017 Regular Village Board Meeting
- B. Accounts payable/payroll
1. January 10, 2018 Payroll (hourly) \$ 202,442.41
2. January 10, 2018 Accounts Payable \$ 572,701.53
3. January 13, 2018 Payroll (salary) \$ 88,585.09

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

- C. Operator Licenses: Jordan Hottinger, Lisa Grad, Daniel Hughes, Ryan Hughes, Susan Jesmok, Emily Lazaris, Suzanne Peyer. Forthcoming Recommendation
- D. Approve Secondhand Article Dealer & Secondhand Jewelry Dealer License Renewal for 01-01-18 to 12-31-18, Kessler's Diamond Center [Recommended Approval]
- E. Approve Secondhand Article Dealer License Renewal for 01-01-18 to 12-31-18, White House of Music [Recommended Approval]
- F. ECO ATM Inc. Hunter Bjorkman Agent Renewal for 01-01-2018 to 12-31-2018. [Recommended Approval]

The following items were forwarded from **Public Works & Highways Committee** with a unanimous recommendation:

- G. Authorization to Purchase – Service Truck – Water Utility.
- H. Authorization to Pay Invoice – D.F. Tomasini (Wilson Drive).
- I. Authorization to Pave Access Drive – Well #11.
- J. Authorization for Blanket Purchase Order – Hydrant Replacements.
- K. Consideration to Update Water Hydraulic Model.
- L. Authorization to Replace & Install New Altitude Valves & Piping – Tower #1.
- M. Authorization to Replace Well House & Water Tower Doors.
- N. Authorization to Clean & Oversee Replacement of Mud Valve – Tower #1.
- O. Authorization to Upgrade Meter Reading Hardware – Water Utility.
- P. Resolution 5-2018, Authorization to Contract – Painting Library Interior.
- Q. Authorization to Purchase Patrol Trucks – Highway Dept.
- R. Authorization to Purchase ¼ Ton Pickups - Parks & Highway Dept.
- S. Resolution 6-2018, Authorization to Contract Forestry Services – Wachtel Tree Science.
- T. Resolution 7-2018, Consideration of Contract – TAPCO Preventative Maintenance.
- U. Resolution 8-2018, Consideration of Maintenance Agreement – Johnson Controls.
- V. Resolution 9-2018, Authorization to Contract – Flooring for Police Dept. and Library.
- W. Authorization to Purchase – Used Compost Screener – Recycling Center.

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

- X. Resolution 27-2017, Budget Amendment for TID 7 Chart of Accounts. [Recommended Approval]

VIII. UNFINISHED BUSINESS:

- A. Resolution 4-2018, Washington County Aging & Disability Resource Center Agreement.

IX. PUBLIC HEARING:

- A. Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners – 107 Acres South of Freistadt Road, North of Elm Lane and West of Wasaukee Road (including N120 W12851 Freistadt Road). Rezoning Application from A-1: Agricultural to Rs-3: Residential Single-Family Zoning District and a Concept Plan for a 47-lot Single-Family Residential Subdivision. (Tax Key: GTNV 241-997; GTNV 241-998; GTNV 242-999)
- B. Amendments to the Zoning Code (Chapter 17) of the Village of Germantown Municipal Code: 17.41 (Residential Accessory, Use, Building and Structures); and 17.49 (Architectural Control) affecting the size, location and exterior materials of residential accessory structures.

X. NEW BUSINESS:

- A. Ordinance 01-2018, Rezoning from A-1: Agricultural to Rs-3: Residential Single-Family Zoning District. Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners – 107 Acres South of Freistadt Road, North of Elm Lane and West of Wasaukee Road (including N120 W12851 Freistadt Road). (Tax Key: GTNV 241-997; GTNV 241-998; GTNV 242-999)
- B. Ordinance 02-2018, Amendments to the Zoning Code (Chapter 17) of the Village of Germantown Municipal Code: 17.41 (Residential Accessory, Use, Building and Structures); and 17.49 (Architectural Control) affecting the size, location and exterior materials of residential accessory structures.
- C. Resolution 01-2018, Approving the Salaries and Compensation for Exempt Employee's and Other Non-Represented Support Staff.
- D. Resolution 02-2018, Associated Appraisal Revaluation Assessment Services Agreement.
- E. Associated Appraisal – Discussion and Approval of \$30,000 Charge for Electronic Property Records Compliance/Data Conversion.
- F. Phil Secker, Animal Fancier License 01-01-18 to 12-31-18.

XI. ADJOURNMENT:

The next regular meeting of the Village Board will be on February 5, 2018 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
December 18, 2017**

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

ROLL CALL: Present: President Wolter, Trustees Baum, Campbell, Kaminski, Hughes, Miller, Myers, Warren and Zabel. Also present: Administrator Kreklow and Clerk Boldrey.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

President Wolter introduced Deanna Boldrey, Village Clerk. Also, offers have also been made to two Deputy Clerks. The Clerk's Office will be fully staffed very soon.

President Wolter thanked the audio visual team Don and Ingrid Filipiak. Don and Ingrid have been with the Village for a long time and this is their last meeting. Thank you to Don and Ingrid Filipiak for their service and dedication.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC

INTEREST/DEPARTMENT AND COMMITTEE REPORTS: Trustees provided information on upcoming meeting dates and times.

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

No One Spoke.

CONSENT AGENDA:

- A. Approval of Minutes: December 4, 2017 Regular Village Board Meeting.
- B. Accounts Payable / Payroll.

1.	December 10, 2017	Accounts Payable	\$ 1,577,486.05
2.	December 13, 2017	Payroll (hourly)	\$ 230,142.19
3.	December 15, 2017	Payroll (salary)	\$ 94,234.62

- C. Operator Licenses: November 21, 207 – June 30, 2018.

NEW: Samantha Landry, John Miller, Brandon Medved, Mark Plato, Ben Schroeder, Ramalakshmi Vootkur, William Tait. [Recommendation by the Public Safety Committee]

Ryan Treiber [Denial Recommended by the Public Safety Committee]

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

- D. Pay Invoice – D.F. Tomasini in an amount not to exceed \$8,920.56 with funds allocated from Acct. #50-742-530-6730. [Recommended Approval]
- E. Purchase of Two New Chlorine & Fluoride Drum Scales from William /Reid at a cost not to exceed \$8,025 with funds allocated from Acct. #50-180-184-3320. [Recommended Approval]
- F. Two Year Cross Connection Control Contract with Hydro Corporation for a monthly cross connection control inspection for commercial properties in an amount not to exceed

\$22,992 bill at \$958 per month, funds to be allocated from Acct. #50-741-530-6640.
[Recommended Approval]

MOTION (Baum / Warren) to approve Consent Agenda Items A – F which includes the denial of an operator’s license. Roll call vote carried.

UNFINISHED BUSINESS:

- A. Development Agreement with the Germantown Kiwanis for the construction of a Performing Arts Pavilion within Fireman’s Park.

MOTION (Zabel/Baum) to approve Item A as presented. Roll call vote carried.

PUBLIC HEARING:

- A. Speaker Properties LLC c/o J.W. Speaker Corporation, Agent for Francis & Dolores Mayer, et al., 39.7 acres of land east of Goldendale Road and north of Freistadt Road (Tax Key Nos. GTNV 173-992 & 173-993); a 2020 LAND USE PLAN MAP AMENDMENT to reclassify said property from “Agricultural/Conservation Residential” and “Low Density Residential” to “Industrial/Office”, and, to include said property in the 2020 Sanitary Sewer Service Area Boundary.
- B. Speaker Properties LLC c/o J.W. Speaker Corporation, Agent for Phylmack LLC, Francis & Dolores Mayer et al. and Thomas & Joan Roskopf, Property Owners – N120 W19434 Freistadt Road and 144 acres of land east of Goldendale Road and north of Freistadt Road (Tax Key Nos. GTNV 173-992, 173-993, 173-987 & 173-985); a REZONING application to create an M-1: Limited Industrial Planned Development District (M-1/PDD) and rezone said properties from the A-1: Agricultural and M-1: Limited Industrial Districts into the M-1/PDD Zoning District.

President Wolter read the notice for both public hearings. The public hearings will be held together. The Village Community Development Director, Jeff Retzlaff reported on the items. Jeff reported on the site location and history. Previously, there was a valid petition and the board denied the rezoning. The items are back from Plan Commission with amendment items. The applications were reported on with a special zoning overlay district with zoning for Mayer / Neu / and Roskopf properties. The Plan Commission recommendations of conditions and restrictions were detailed in the resolution.

Pres. Wolter opened the public hearings at 7:36 p.m. No one spoke.
The public hearings were closed at 7:40 p.m.

NEW BUSINESS:

- A. Speaker Properties LLC c/o J.W. Speaker Corporation, Agent for Francis & Dolores Mayer, et al., 39.7 acres of land east of Goldendale Road and north of Freistadt Road (Tax Key Nos. GTNV 173-992 & 173-993); consideration and action on a 2020 LAND USE PLAN MAP AMENDMENT ORDINANCE 18-17 to reclassify said property from “Agricultural/Conservation Residential” and “Low Density Residential” to “Industrial/Office”, and, to include said property in the 2020 Sanitary Sewer Service Area Boundary.
- MOTION (Baum/Kaminski) to approve Ordinance 18-17 as presented. Roll call vote carried 5-4. Baum, Kaminski, Miller, Hughes, Wolter vote aye. Campbell,**

Warren, Meyers, Zabel voted no.

- B. Speaker Properties LLC c/o J.W. Speaker Corporation, Agent for Phylmack LLC, Francis & Dolores Mayer et al. and Thomas & Joan Roskopf, Property Owners – N120 W19434 Freistadt Road and 144 acres of land east of Goldendale Road and north of Freistadt Road (Tax Key Nos. GTNV 173-992, 173-993, 173-987 & 173-985); consideration and action on a REZONING ORDINANCE 19-17 to create an M-1: Limited Industrial Planned Development District (M-1/PDD) and rezone said properties from the A-1: Agricultural and M-1: Limited Industrial Districts into the M-1/PDD Zoning District, and, RESOLUTION 26-17 containing specific conditions and restrictions for the M-1/PDD.

The attorney reported that two petitions were received in the clerk's office today. The petition protest is against the rezoning of the properties as a whole. The petitioner does not own 20% of the land so a super majority vote is not required. MOTION (Baum/Kaminski) to approve Ordinance 19-17 and Resolution 26-17 as presented. Amendment Motion by (Zabel/Campbell) to require a 3/4 supermajority vote by the Village Board on major changes. Amendment motion failed 6-3. Original motion carried 5-4. Baum, Kaminski, Miller, Hughes, Wolter voted aye. Campbell, Warren, Myers, and Zabel voted nay.

- C. Resolution 24-17, Consideration of "Resolution Approving the Project Plan and Establishing the Boundaries for and the Creation of Tax Incremental District No. 7, Village of Germantown, Wisconsin. Maureen Holson of Ehlers presented detail on TID No. 7. **MOTION (Baum/Kaminski) to approve Resolution 24-17 as presented. Baum, Kaminski, Miller, Hughes, Wolter voted aye. Campbell, Warren, Myers, and Zabel voted nay. Roll call vote carried.**
- D. Resolution 25-2017, The Appointment of Election Inspectors for the term January 1, 2018 – December 31, 2019.
MOTION (Baum/Myers) to approve Resolution 25-17 as presented. Roll call vote carried.
- E. 2018 Firework's Contract with Wolverine Firework's Company in the amount of \$14,862.50 with the Contribution of \$7,431 from the Germantown Kiwanis.
MOTION (Baum/Warren) to approve Item E as presented. Roll call vote carried.
- F. Authorization for a Blanket Purchase Order – Water Meters in an amount not to exceed \$150,000 for continuing the purchase of water meters on a time and need basis, funds to be allocated from Acct. #50-180-183-3460.
MOTION (Kaminski/Baum) to approve Item F as presented. Roll call vote carried. Zabel voted no.

- G. Contract with Wisconsin Testing Laboratories, LLC, Soil Boring & Analysis – Goldendale Road, in an amount not to exceed \$6,860 for the proposed sanitary sewer and water main extension.

MOTION (Baum/Warren) to table the item. Roll call vote carried.

- H. Washington County Aging & Disability Resource Center Agreement.

MOTION to approve by Miller/Baum. Mark Schroeder distributed a new agreement from the County. Previous motions were withdrawn. MOTION to Postpone until next month (Kaminski/Baum) Motion carried.

ADJOURNMENT: There being no further business, meeting adjourned at 9:30 p.m.

Next regular Village Board meeting, Monday, January 15th at 7:00 p.m.

Deanna L. Boldrey, WCMC/CMC
Village Clerk

**MEETING MINUTES
SPECIAL PUBLIC SAFETY COMMITTEE MEETING
DECEMBER 18, 2017
GERMANTOWN VILLAGE HALL BOARD ROOM**

CALL: The meeting was called to order at 5:30 p.m. by Chairman Hughes.

ROLL CALL: Chairman Hughes, Trustees Campbell, Myers and Warren.

Also present were Police Chief Hoell and Fire Chief Weiss.

PUBLIC COMMENT: No discussion.

NEW BUSINESS:

SECONDHAND ARTICLE DEALER AND SECONDHAND JEWELRY DEALER
LICENSE RENEWAL, JANUARY 1, 2018 – DECEMBER 31, 2018:

1. KESSLER'S DIAMOND CENTER, N96 W16920 COUNTY LINE ROAD - a motion was made by Myers, seconded by Warren, to forward this license renewal for Kessler's Diamond Center to Village Board with a recommendation of approval. Hoell and Weiss advised there were no objections from the police and fire department. Motion carried unanimously.

SECONDHAND ARTICLE DEALER LICENSE RENEWAL FOR JANUARY 1, 2018 –
DECEMBER 31, 2018:

1. WHITE HOUSE OF MUSIC, N112 W16290 MEQUON ROAD – a motion was made by Myers, seconded by Warren, to forward this license renewal for White House of Music to Village Board with a recommendation of approval. Hoell and Weiss advised there were no objections from the police and fire department. Motion carried unanimously.
2. ECO ATM INC., HUNTER BJORKMAN AGENT, W190 N9855 APPLETON AVE. – a motion was made by Warren, seconded by Campbell, to forward this license application for ECO ATM Inc. to Village Board with a recommendation of approval. Hoell and Weiss advised there were no objections from the police and fire department. Motion carried unanimously.

ANIMAL FANCIER LICENSE FOR JANUARY 1, 2018 – DECEMBER 31, 2018:

1. PHIL SECKER, W167 N10532 BRIDLE PATH - Chairman Hughes read into the minutes a letter from John and Mary Stauder of W166 N10563 Surrey Drive who stated they were opposed to the issuance of an Animal Fancier's License to Mr. Secker, and that the number of dogs allowed on the Secker property constituted a nuisance to the neighborhood, with dogs getting loose and running through the neighborhood on more than one occasion. Chief Hoell was asked if there were any complaints filed with the police department regarding Mr. Secker's dogs, Hoell responded there were none.

Mr. Secker was present and advised his kennels were fenced in compliance with the recommendations of the Village Board from last year and his dogs were not running loose through the neighborhood.

A motion was made by Warren, seconded by Campbell, to forward this Animal Fancier License application to Village Board with a recommendation of approval. Motion carried 3-1, with Campbell, Myers and Warren voting aye, and with Hughes voting nay.

2. MARK WALLACE & MELANIE SMYTHE, N140 W17930 CEDAR LANE – a motion was made by Myers, seconded by Warren, to approve the Animal Fancier License application submitted by Mark Wallace and Melanie Smythe. Hoell advised the police department had no objection to this application. Motion carried unanimously.
3. CLINT AND LISA MURRAY, N63 W15022 WINDSONG CIRCLE EAST - a motion was made by Myers, seconded by Warren, to approve the Animal Fancier License application submitted by Clint and Lisa Murray. Hoell advised the police department had no objection to this application. Motion carried unanimously.
4. KATHLEEN AND ARNOLD HENNING, N116 W12899 ELM LANE - a motion was made by Myers, seconded by Warren, to approve the Animal Fancier License application submitted by Kathleen and Arnold Henning. Hoell advised the police department had no objection to this application. Motion carried unanimously.
5. BECKY RAO, RAO FARMS LLC, W204 N13781 GOLDENDALE ROAD - a motion was made by Myers, seconded by Campbell, to approve the Animal Fancier License application submitted by Becky Rao. Hoell advised the police department had no objection to this application. Motion carried unanimously.

OPERATOR LICENSES, NOVEMBER 21, 2017 TO JUNE 30, 2018

NEW: Samantha Landry, John Miller, Brandon Medved, Mark Plato, Ben Schroeder, Ramalakshmi Vootkur, William Tait. [Recommended Approval]
Ryan Treiber [Recommended Denial]

A motion was made by Myers, seconded by Warren, to forward the applications for Landry, Miller, Medved, Plato, Schroeder, Vootkur and Tait to Village Board with a recommendation of approval. Motion carried unanimously.

Hoell advised applicant Treiber had a felony warrant on record and his arrest history was not disclosed on his application. A motion was made by Myers, seconded by Campbell, to forward the application for Treiber to Village Board with a recommendation of denial. Motion carried unanimously.

NEXT MEETING: Hughes advised the next Public Safety Committee Meeting would be held on Monday, January 15, 2018 at 5:30 p.m. at the Village Hall Boardroom.

ADJOURNMENT: There being no further business, the meeting was adjourned at 5:44 p.m.

Recorded by,

Julie L. Barth
Secretary

CONSENT AGENDA ITEMS:
VILLAGE BOARD -JAN. 15, 2018

AUTHORIZATION TO PURCHASE – SERVICE TRUCK – WATER UTILITY:

MOTION made by Warren, seconded by Campbell to forward to the Village Board with a positive recommendation authorizing the purchase of a Chevy 2500 Chevy Pickup Truck w/Diesel engine, aluminum service body, lift gate, and plow from Holz Motors for an amount not to exceed \$59,636.66.

Motion carried unanimously.

AUTHORIZATION TO PAY INVOICE – D.F. TOMASINI (Wilson Drive):

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation authorizing the payment of \$17,065.29 to D.F. Tomasini for the emergency repair of the water line and curb stop failure to a home at N105 W114683 Wilson Drive. Funds to be allocated from Acct. #50-742-530-6750.

Motion carried unanimously.

AUTHORIZATION TO PAVE ACCESS DRIVE – WELL #11:

MOTION made by Warren, seconded by Campbell to forward to the Village Board with a positive recommendation authorizing the services of Munson, Inc. to pave the crane access drive and re-pave access to the storage delivery area at Well #11 for a cost not to exceed \$6,205.00.

Motion carried unanimously.

AUTHORIZATION FOR A BLANKET PURCHASE ORDER – HYDRANT REPLACEMENTS:

MOTION made by Campbell, seconded by Warren to forward to the Village Board with a positive recommendation to approve the allocation of \$30,000 in the form of a blanket purchase order for the continuing replacement of hydrants, lead and valve assemblies by a qualified contract service who would provide labor and equipment for the repairs with the Village providing the materials.

Motion carried unanimously

CONSIDERATION TO UPDATE WATER HYDRAULIC MODEL:

MOTION made by Kaminski, seconded by Zabel to forward to the Village Board with a positive recommendation authorizing the allocation of \$26,000 to Ruekert & Mielke to update the Water Hydraulic Model incorporated with the Village's GIS system contingent on taking into consideration that the update is inclusive of the best possible data to unfinished major projects coming on line before finalizing the model. Funds to be allocated from Acct. #50-742-530-6710.

Motion carried unanimously.

AUTHORIZATION TO REPLACE & INSTALL NEW ALTITUDE VALVES & PIPING – TOWER #1:

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation authorizing the replacement and installation of a new altitude valve, piping, and associated valves at Tower #1 by Dorner Company for a cost of \$28,057.00 plus a \$500.00 contingency not to exceed \$28,557.00. Funds to be allocated from Acct. #50-741-530-6610. Motion carried unanimously.

AUTHORIZATION TO REPLACE WELL HOUSE & WATER TOWER DOORS:

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation authorizing the services of Block Iron & Steel Supply Company Inc. to replace three doors at Well #3, one double door at Well #7 and misc. repairs at Wells #3, #7 and #11 for a cost of \$33,751.00 plus a \$1,000.00 contingency not to exceed \$34,751.00. Funds to be allocated from Acct. #50-712-530-6110. Motion carried unanimously.

AUTHORIZATION TO CLEAN & OVERSEE REPLACEMENT OF MUD VALVE – TOWER #1:

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation authorizing the services of Strand Associates at a cost not to exceed \$8,450.00 for monitoring, cleaning, replacement and installation of a new mud valve on Tower #1. Funds to be allocated from Acct. #50-741-530-6610. Motion carried unanimously.

AUTHORIZATION TO UPGRADE METER READING HARDWARE/SOFTWARE – WATER UTILITY:

MOTION made by Warren, seconded by Campbell to forward to the Village Board with a positive recommendation authorizing the purchase of new meter reading hardware/software from Honeywell/Smart Energy for a cost not to exceed \$18,695.00. Funds to be allocated from Acct. #50-180-183-3460. Motion carried unanimously.

AUTHORIZATION TO CONTRACT – PAINTING LIBRARY INTERIOR:

MOTION made by Campbell, seconded by Warren to forward to the Village Board with a positive recommendation authorizing MACORP to paint the entire library over a 2 -3 year span for a total cost not to exceed \$53,056.00. Motion carried unanimously.

AUTHORIZATION TO PURCHASE PATROL TRUCKS – HIGHWAY DEPT.:

MOTION made by Warren, seconded by Kaminski to forward to the Village Board with a positive recommendation to authorize the purchase of two Western Star Patrol Trucks from Quality Truck for a total amount not to exceed \$370,023.40 and contingent upon borrowing approval. Funds to be allocated from Acct. #40-542-570-8520.

Motion carried unanimously.

AUTHORIZATION TO PURCHASE ¼ TON PICKUPS – PARKS & HIGHWAY DEPT.

MOTION made by Warren, seconded by Kaminski to forward to the Village Board with a positive recommendation authorizing the purchase of two ¼ ton pickup trucks from Holtz Motors, one for the Parks Department at a cost of \$41,496.86 and one for the Highway Department at a cost of \$37,121.86. The purchase shall be contingent upon borrowing approval. Funds to be allocated from Acct. #'s 40-553-570-8520 and #40-542-570-8520.

Motion carried unanimously.

AUTHORIZATION TO CONTRACT FORESTRY SERVICES – WACHTEL TREE SCIENCE:

MOTION made by Warren, seconded by Campbell to forward to the Village Board with a positive recommendation to contract Wachtel Tree Science to provide specific consultation services as it relates to the handling of the Emerald Ash Borer (EAB) at a cost not to exceed \$15,000. Funds to be allocated from Acct. #10-553-530-5290.

Motion carried unanimously.

CONSIDERATION OF CONTRACT – TAPCO PREVENTATIVE MAINTENANCE:

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation to enter into a one year contract with TAPCO to provide maintenance of 15 controlled intersections under Village jurisdiction at a cost of \$2,445.00. Funds to be allocated from Acct. #10-542-530-3540.

Motion carried unanimously.

CONSIDERATION OF MAINTENANCE AGREEMENT – JOHNSON CONTROLS:

MOTION made by Campbell, seconded by Warren to forward to the Village Board with a positive recommendation approving a three year contract with Johnson Controls for a total amount of \$9,210.00 as part of a Planned Service Agreement to cover the heating and cooling system for the Library. Funds to be allocated from Acct. #10-519-530-5251.

Motion carried unanimously.

AUTHORIZATION TO CONTRACT – FLOORING FOR POLICE DEPT. AND LIBRARY:

MOTION made by Warren, seconded by Campbell to forward to the Village Board with positive recommendation to contract Premier Flooring to install flooring at the Police Department and Library for a total cost not to exceed \$13,000 which includes a 10% contingency for any unforeseen circumstances. Funds to be allocated from Accts. #10-519-570-8221 and #10-519-570-8251.

Motion carried unanimously.

AUTHORIZATION TO PURCHASE – USED COMPOST SCREENER – RECYCLING CENTER:

MOTION made by Kaminski, seconded by Warren to forward to the Village Board with a positive recommendation authorizing the purchase of one used compost screener for the Recycling Center at a cost not to exceed \$60,000. The purchase shall be contingent upon borrowing approval. Funds to be allocated from Acct. #40-567-570-8400.

Motion carried unanimously.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 05-2018

AUTHORIZATION TO CONTRACT – PAINTING LIBRARY INTERIOR

WHEREAS, the Village of Germantown Library is in need of interior painting, and the 2018 budget includes funding for a portion of the work, \$21,250. Staff is requesting the entire project be awarded at this time. The first half of the project will be completed in 2018, and the balance will be in the 2019 budget; and,

WHEREAS, the Public Works Committee met on January 9, 2018, and recommended authorization to contract with MACORP for the project over a 2-3 year span for a total cost not to exceed \$53,056; and,

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Germantown does approve the contract with MACORP for painting of the Library Interior for a cost not to exceed \$53,056 over a 2-3 year span which includes an amount not to exceed of \$20,410 in 2018.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: Tuesday January 9th, 2018

AGENDA ITEM: New Business

ITEM TITLE: Authorization to Contract- Painting Library Interior

SUBMITTED BY: Jay Olszewski, Highway Superintendent

SUMMARY EXPLANATION:

The 2018 major repairs budget for the Library includes \$21,250 for interior painting. This reflects a portion of the overall work that needs to be completed. The project is expected/planned to be a phased over a 2-3 year span. Building staff divided the Library into 8 sections. We then met with the Library Director to determine a priority schedule of those areas. The 2018 project includes the main desk and study rooms, the Children's area, and west section of the Library.

When meeting with painting contractors Staff requested that they quote ALL 8 sections individually. The scope of the work includes two coats of paint, patching, and prepping. It also includes a labor rate that requires the work be performed when the Library is not open to the public.

While the 2018 budget only includes funding for a portion of the work, staff is requesting the entire project be awarded at this time. The first half of the project will be performed in 2018 and completed under the \$21,250 budgeted. The balance of the work and funding would be included in the 2019 budget. This process was presented to all contractors that bid the project as a POTENTIAL option IF agreed to by Committee and Board. By awarding the entire project at this time it helps with the continuity over the two year process and insures the workmanship and product will be as consistent as possible. This is the OPTION preferred by staff, but is NOT a requirement if Committee and Board do not feel this is an appropriate direction. Below are the bids obtained by Staff: First figure 2018 portion second figure entire project.

MACORP	\$20,410	\$53,056
STATE	\$22,670	\$62,890
PRECISE PAINTING	\$21,250	\$73,832

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER x

RECOMMENDATION:

Staff recommends contracting with MACORP for the painting of the ENTIRE library. The 2018 portion in the amount not to exceed \$20,410. The balance of the work to be performed in 2019.

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.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 06-2018

AUTHORIZATION TO CONTRACT – FORESTRY SERVICES

WHEREAS, the Village of Germantown is in need of forestry services as it relates to the handling of the Emerald Ash Borer (EAB). Wachtel has worked with the Village of Germantown in the past, has drafted an initial EAB plan, and is very familiar with the tree inventory; and,

WHEREAS, the Public Works Committee met on January 9, 2018, and recommended authorization to contract with Wachtel Tree Service Inc., as it relates to the Emerald Ash Borer at a cost not to exceed \$15,000; and,

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Germantown does approve the contract with Wachtel Tree Service Inc., as it relates to the Emerald Ash Borer in an amount not to exceed \$15,000.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: Tuesday January 9th, 2018

AGENDA ITEM: New Business

ITEM TITLE: Authorization to Contract-Forestry Services- Wactel Tree Science

SUBMITTED BY: Jay Olszewski, Highway Superintendent

SUMMARY EXPLANATION:

Staff is requesting permission to contract with Wactel Tree Service to provide specific consultation services as it relates to the handling of Emerald Ash Borer (EAB). Wactel has worked with the Village in the past and is very familiar with our tree inventory. Wactel drafted the initial EAB plan for the Village a number of years ago as well as inventoried all of Village's street trees. Staff believes that the best course of action is to continue with the assistance of experts who are familiar with our specific situation. Staff fully expects to use Village forces as much as possible in this process. Other communities such as Elm Grove and Whitefish Bay are working with Wactel and having success with their EAB plan. The cost of the service will be on a time and material basis in the amount not to exceed \$15,000 (\$140/hr. Project Manager, \$110/hr. Certified Arborist).

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER x

RECOMMENDATION:

Staff recommends contracting with Wactel Tree Service. If approved funds shall be allocated from Parks Line Item account 10-553-530-5290.

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.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 07-2018

CONSIDERATION OF CONTRACT – TAPCO PREVENTATIVE MAINTENANCE

WHEREAS, the Village of Germantown is in need of preventative maintenance for 15 controlled intersections; and,

WHEREAS, the Public Works Committee met on January 9, 2018, and recommended authorization of a one year contract with TAPCO to provide maintenance of 15 controlled intersections at a cost not to exceed \$2,445; and,

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Germantown does approve the one year contract with TAPCO to provide maintenance of 15 controlled intersections at a cost not to exceed \$2,445.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: Wednesday January 9th, 2018

AGENDA ITEM: New Business

ITEM TITLE: Consideration of Contract- TAPCO Preventative Maintenance

SUBMITTED BY: Jay Olszewski, Highway Superintendent

SUMMARY EXPLANATION:

Staff is presenting for Committee review the "Traffic Signal Preventative Maintenance Contract" between the Village and TAPCO. This contract covers the 15 current controlled intersections under Village jurisdiction. Some highlights of the contract include verifying proper operation of control equipment, maintaining signal plan charts, cabinet blueprints and timing plan charts, verifying proper operation of the NEMA Conflict monitor units, AC power feeds, signal head alignment, proper operation of all loop detectors, correct "flash" operation, and lastly that TAPCO will respond for maintenance and/or design modifications as requested by the Village. The hourly rate for TAPCO is \$105/hr standard, \$157.50/hr. non business, and \$210/hr Sunday and holiday. The total cost for PM portion of the contract is \$2,445. The village will pay that full amount and invoice Fleet Farm \$163 (1/15th) for their portion of the agreement.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER x

RECOMMENDATION:

Staff recommends entering into this contract with TAPCO. Funds for the cost shall be allocated from Highway Line Item account 10-542-530-3540.

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.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 08-2018

CONSIDERATION OF MAINTENANCE AGREEMENT – JOHNSON CONTROLS

WHEREAS, the Village of Germantown is in need of a maintenance agreement for the library heating and cooling system. The current agreement expires on February 28, 2018 and ends a three year maintenance commitment that includes the heating and cooling system and alarms that monitor the boiler system; and,

WHEREAS, the Public Works Committee met on January 9, 2018, and recommended authorization of a three year agreement in an amount not to exceed \$9,210 as part of the Planned Service Agreement to cover the heating and cooling system for the library; and,

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Germantown does approve the three year contract with Johnson Controls for a total amount not to exceed \$9,210 as part of the Planned Service Agreement to cover the heating and cooling system for the library.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: Tuesday January 9th, 2018

AGENDA ITEM: New Business

ITEM TITLE: Maintenance Agreement—Johnson Controls

SUBMITTED BY: Jay Olszewski, Highway Superintendent

SUMMARY EXPLANATION:

Staff is presenting for Committee review the maintenance agreement between Johnson Controls and the Village. This agreement covers the heating and cooling system for the library. The current agreement expires 2/28/2018 and ends a 3 year commitment.

JCI maintains the software that “controls” the heating and cooling system as well as the alarms that monitor the boiler system. The \$2,980 cost for the 1st year of the agreement includes 16 hours of consultative service. The 16 hours is directed at the discretion of the Village. Staff is recommending a 3 year service agreement as in the past. A multiyear agreement comes with a 15% savings on the hourly rate if work is needed in excess of the 16 hour “prepaid” contract amount. Year 2 of contract is \$3,069 and Year 3 would be \$3,161.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER x

RECOMMENDATION:

Staff recommends contracting with Johnson Controls as part of a 3 year planned service agreement. Funds shall be allocated form Building line item 10-519-530-5251.

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.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 09-2018

**AUTHORIZATION TO CONTRACT – FLOORING FOR
POLICE DEPARTMENT AND LIBRARY**

WHEREAS, the Village of Germantown Library and Police Department is in need of new flooring; and,

WHEREAS, the Public Works Committee met on January 9, 2018, and recommended authorization of a contract with Premier Flooring to install flooring at the Police Department and Library for a total cost not to exceed \$13,000 which includes a 10% contingency for any unforeseen circumstances; and,

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Germantown does approve the contract with Premier Flooring to install flooring at the Police Department and Library for a total cost not to exceed \$13,000 which includes a 10% contingency for any unforeseen circumstances.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

ATTEST:

Dean M. Wolter, Village President

Deanna L. Boldrey, WCMC/CMC
Village Clerk

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: Tuesday January 9th, 2018

AGENDA ITEM: New Business

ITEM TITLE: Authorization to Contract Flooring PD and Library

SUBMITTED BY: Jay Olszewski, Highway Superintendent

SUMMARY EXPLANATION:

The 2018 Major Repairs Buildings Budget includes \$14,000 (\$11,000 PD, \$3,000 Library) for the installation of flooring. This year the project includes the lower hallway and locker room at the PD, as well as the kitchen area at the Annex. At the Library the flooring in the immediate entrance way will be replace. Staff is presenting for Committee review the quotes provided by local contractors.

Premier Flooring	\$11,965
Carpet City	\$12,240.35
Carpetland	\$16,040

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER __x__

RECOMMENDATION:

Staff recommends contracting with Premier Flooring in the amount not to exceed \$13,000. This includes an approximate 10% contingency that most likely will NOT be needed, but does provide some money IF there are any unforeseen circumstances. If approved funds should be allocated from 10-519-570-8221 PD and 10-519-570-8251 Library.

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.

BUSINESS OF THE VILLAGE BOARD
VILLAGE OF GERMANTOWN, WI

MEETING DATE: Monday, December 18, 2017

AGENDA ITEM: New Business

ITEM TITLE: Agreement between the Village of Germantown and the Aging & Disability Resource Center of Washington County for Year 2018

SUBMITTED BY: Mark Schroeder, Park & Recreation Director

SUMMARY EXPLANATION:

For many years, a cooperative relationship has existed between the Village of Germantown and Washington County for the use of the Village's Senior Center. Specifically, the village had two agreements with the county; 1) a \$600/year rental agreement for use of the senior center for the county nutrition program, and 2) a \$6,000 county grant to help provide senior programs to the community.

On November 27th, village staff meet with the county to discuss the 2018 agreement. For 2018, due to budget cuts, the village was informed that the county will be going to one agreement whereby the county would no longer pay the \$600/yr. rental, and the village could realize up to \$6,000 in grant monies for the year, not as an annual payment, but on a reimbursable basis, based on the list of approved programs/activities noted in the agreement. The agreement also noted that the village may only charge a maximum of \$10 per participant for these eligible programs to qualify for expense reimbursement.

Monies associated with the facility rental and county grant had already been earmarked in the Village budget as a revenue. Staff is currently reviewing a list of current senior programs and activities that may qualify for grant program reimbursement and potential revenue for the village. Staff last contacted county staff on December 7th requesting the most recent version of the agreement.

ATTACHMENT: ORDINANCE____ RESOLUTION____ OTHER____

RECOMMENDATION:

The village and the county have enjoyed a cooperative relationship for many years. The county serves over 14,000 senior center and home delivered meals through the nutrition program each year, in addition to providing programs to the seniors of the community.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 04-2018

WASHINGTON COUNTY AGING & DISABILITY RESOURCE CENTER AGREEMENT

WHEREAS, the Village of Germantown Senior center has been providing services to area seniors for several years with budgeted support from Washington County, and,

WHEREAS, In December of 2017, Washington County presented an agreement to the Village outlining grant opportunities with a list of approved activities for the grant dollars, and,

WHEREAS, the Village Board met on January 15, 2018, and reviewed the Agreement.

NOW THEREFORE BE IT RESOLVED, that the attached Agreement Between the Village of Germantown and the Aging & Disability Resource Center of Washington County is hereby approved.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

**AGREEMENT BETWEEN
VILLAGE OF GERMANTOWN
AND
AGING & DISABILITY RESOURCE CENTER
OF WASHINGTON COUNTY**

In consideration for the mutual covenants herein, the Aging & Disability Resource Center of Washington County, State of Wisconsin, hereinafter known as the "PROGRAM", having offices at 333 East Washington Street, Suite 1000, West Bend, WI 53095, and the Village of Germantown, for the Germantown Senior's Activity Center, hereinafter known as the "FACILITY", located at W162 N11960 Park Avenue, Germantown, WI 53022, agree as follows:

1. The FACILITY shall provide:

- A. Use of their facility including meeting rooms, kitchen facilities and furnishings to be used for prescheduled activities Monday-Friday between 8:00 am and 4:30 pm as agreed upon by both parties.
- B. Payment of all utility charges.
- C. Provisions of garbage removal.
- D. Storage facilities for equipment and utensils.
- E. General liability insurance coverage \$1,000,000 per occurrence.
- F. A Certificate of Insurance acceptable to the County that shall contain a provision that coverage afforded under the policy will not be cancelled unless at least 30 (thirty) days prior written notice has been given to the County.
- G. Germantown Senior's Activity Center is responsible for providing a quarterly report of activities held at the Germantown Senior's Activity Center to the County. These reports along with an invoice reflecting the cost of eligible expenses should be sent to the County by the 15th of the following month. The reports shall include:
 - 1) Type of program, equipment or supplies
 - 2) Number of participants (include attendance log)
 - 3) Cost of program, equipment or supplies with supporting documentation for eligible programs (Exhibit A)
 - 4) Evidence Based Health Promotion Program Demographic Questionnaire for each participant (Exhibit B)

2. The PROGRAM shall provide:

- A. Meals which shall be delivered and shall contain 1/3 (one-third) minimum daily requirements for an adult.
- B. Recruiting, training, and scheduling of volunteers who shall be responsible for hosting, serving, cleanup, record keeping, and shall follow health and sanitation procedures.

- C. Planning and coordinating of various social and recreational activities preceding meal service, as agreed, with the approval of the Facility.
 - D. Services that are for the benefit of older adults of Washington County.
3. The FACILITY and the PROGRAM agree as follows:
- A. Meal service shall be open to all residents of the United States 60 (sixty) years of age or older, or married to a citizen 60 (sixty) years of age or older.
 - B. The PROGRAM shall not be held responsible for unclean conditions caused by individuals or groups who use the Facility outside of contract hours.
 - C. The PROGRAM may establish various rules and regulations regarding walk-ins as necessary in cooperation with the FACILITY.
 - D. The PROGRAM will not operate on a day when:
 - 1) There is a community emergency. Each party will make reasonable efforts to notify the other if such emergency exists.
 - 2) All Washington County holidays including the day after Thanksgiving.
 - 3) Agreed upon by both parties.
4. Payment. PROGRAM will provide up to \$6,000 per year to FACILITY for planning and coordinating eligible programs listed in Exhibit A. Invoices submitted pursuant to paragraph 1.G. shall be reviewed and approved by the ADRC Director or her designee prior to payment to Facility. Prior approval for reimbursement of cost for programs not listed in Exhibit A must be obtained from Tammy Anderson, Director.
5. FACILITY may charge a maximum of \$10.00 per participant, per full course for eligible programs. All participants must be charged the same registration fee. Facility may retain this fee for cost of their operation.
6. Term and Termination:
- A. Term. This Agreement shall be effective as of January 1, 2018, and ending December 31, 2018. This Agreement shall automatically renew for subsequent one (1) year periods under the same terms and conditions as outlined herein, unless modified by mutual consent of the parties, which such modification shall be reduced to writing, signed by the parties and attached as an Addendum to this Agreement. This is subject to the termination provision of 6.B. below.
 - B. Termination. Either party may terminate this Agreement at any time during the life of this Agreement, or subsequent renewal periods, for any or no reason by giving 30 (thirty) days prior written notice in writing to the other party of the intention to do so. Said written notice for the PROGRAM shall be sent to:

Tammy Anderson, Director
AGING & DISABILITY RESOURCE CENTER OF WASHINGTON COUNTY
333 E Washington Street, Suite 1000
West Bend, WI 53095

And said written notice for the FACILITY shall be sent to:

Dean Wolter, President
Village of Germantown
N112W17001 Mequon Road, PO Box 337
Germantown, WI 53022

7. Insurance. PROGRAM shall not provide any insurance coverage of any kind for FACILITY or FACILITY'S employees. FACILITY shall provide the following general liability coverage: General liability (\$1,000,000 per occurrence). A Certificate of Insurance acceptable to PROGRAM shall be submitted prior to the commencement of this Agreement. The Certificate shall contain a provision that coverage afforded under the policy will not be cancelled unless at least 30 (thirty) days prior written notice has been given to PROGRAM.

8. Entire Agreement and Severability. This Agreement constitutes the entire agreement between the PROGRAM and the FACILITY. If any provision of this Agreement is held to be void, invalid or otherwise unenforceable, in whole or in part, the other provisions shall remain in force and effect.

In Witness Whereof, the parties hereto affix their hands and seals.

FOR THE FACILITY:
Germantown Senior's Activity Center

FOR THE PROGRAM:
Washington County

Dean Wolter
President, Village of Germantown

Richard P. Gundrum
County Board Chairman

Date: _____

Date: _____

Ashley A. Reichert
County Clerk

Date: _____

Exhibit A

List of Approved Activities for ADRC Grant Money

- Blood Pressure checks (not Nancy Gloede)
- Chair exercises
- Dental Health screenings or presentations
- Drivers safety education
- Exercise equipment (senior friendly)
- Exercise/Fitness class
- Falls prevention
- Flu shots
- Foot care clinics
- Gentle fitness
- Health discussions
- Health screenings (not Nancy Gloede)
- Nutrition presentations
- Medication Management/Pharmacist presentations
- Med wise Program
- Memory loss seminar/Alzheimer's association presentation
- Stress management
- Tai Chi
- Wii exercise activities
- Yoga
- Zumba
- Other organized physical fitness activities
- Other Workshops or presentations that promote health and wellness (please obtain prior approval)
- Recreation/Socialization
- Activities that promote socialization and mental enrichment
- Bingo
- Book club
- Crafts
- Ceramics
- Games
- Gardening
- Intergenerational activities
- Music
- Movies
- Senior trips

For anything not listed here please contact Director Tammy Anderson to obtain approval.

Exhibit B

Washington County ADRC
Older Americans Act Title IIID Evidence-Based Health Promotion Program
Demographic Questionnaire

The information we are asking you to provide is needed to comply with federal reporting requirements. We also need it to help us analyze and evaluate programs and offer additional healthy aging opportunities to participants. We will store this information in a secure electronic database. We will not share your information with another agency without your permission and will not sell this information to anyone. You have the right to review your electronic record and request changes to assure accuracy. You will not be denied access to this program if you refuse to provide this information. If you have questions regarding this questionnaire, please ask the *Program Leader*.

Name: _____

Address: _____

City, State: _____ ZIP: _____

Telephone: _____

County: _____

E-mail: _____ Date: _____

Background

1. What is your date of birth? _____
(month) (day) (year)

2. What is your sex?

- ☐ Male
☐ Female

3. Are you Hispanic, Latino, or Spanish origin?

- ☐ Yes
☐ No
☐ Unknown

Exhibit B continued

4. What is your race? (Check ✓ all that apply.)

- ☐ American Indian or Alaska Native
- ☐ Asian or Asian-American
- ☐ Black or African-American
- ☐ Hawaiian Native or Pacific Islander
- ☐ White or Caucasian
- ☐ Other: _____

5. Today, how many people live in your household (including yourself)?
Number of people: _____

6. If you are in a one-person household, please check your income level
(skip if it does not apply to you):

- ☐ Over \$11,880
- ☐ Under \$11,880

7. If you are in a two-person household, please check your income level
(skip if it does not apply to you):

- ☐ Over \$16,020
- ☐ Under \$16,020

8. Has a health care provider ever told you that you have any of the following chronic conditions?
(Check ✓ all that apply.)

- | | |
|--|---|
| ☐ Alzheimer's or related Dementia | ☐ High Cholesterol |
| ☐ Arthritis/Rheumatic Disease | ☐ Hypertension (High Blood Pressure) |
| ☐ Breathing/Lung Disease (<i>Asthma, Emphysema, Bronchitis</i>) | ☐ Multiple Sclerosis |
| ☐ Cancer or Cancer Survivor | ☐ Osteoporosis (Low Bone Density) |
| ☐ Chronic Pain | ☐ Stroke |
| ☐ Depression or Anxiety Disorders | ☐ Other Chronic Condition: _____ |
| ☐ Diabetes | _____ |
| ☐ Heart Disease | ☐ None (No Chronic Condition) |

Thank you for your assistance!

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 27-2017

**ESTABLISHING A CHART OF ACCOUNTS FOR
TAX INCREMENTAL DISTRICT NO. 7**

WHEREAS, the Village Board of the Village of Germantown has adopted the 2017 Budget on November 21, 2017, and,

WHEREAS, the Village Board includes Tax Incremental Districts in the Budget, and,

WHEREAS, Tax Incremental District No. 7 has been created, and needs a chart of accounts established to account for any revenues or expenditures in 2017 and future years, and,

NOW THEREFORE BE IT RESOLVED, that the attached Chart of Accounts for a Tax Incremental District No. 7 be established and included in the Village of Germantown Budget.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

DATE: 12/13/2017
TIME: 11:34:25
ID: GL410000.WOW

VILLAGE OF GERMANTOWN
GENERAL LEDGER CHART OF ACCOUNTS

PAGE: 1
F-YR: 17

FUND: T.I.F. #7 CAPITAL PROJECT FUND

ACCOUNT #	DESCRIPTION	TYPE	DR/CR BALANCE
CASH & INVESTMENTS			
CASH & INVESTMENTS			
47-100-110-3000	TIF #7 TEMP INVEST - POOL	A	D
ACCOUNTS RECEIVABLE			
47-100-130-1000	ACCOUNTS RECEIVABLE - CURRENT	A	D
DUE FROM OTHER FUNDS			
47-100-150-1000	DUE FROM/TO GENERAL FUND	A	D
47-100-150-3000	DUE TO/FROM DEBT SERVICE	A	D
47-100-150-8000	DUE FROM TAX AGENCY FUND	A	D
LIABILITIES			
ACCOUNTS PAYABLE & ACCRUALS			
47-200-210-1000	ACCOUNTS PAYABLE	L	C
47-200-210-1100	RETAINAGES PAYABLE	L	C
DEFERRED REVENUES			
47-200-260-1000	DEFERRED TAXES	L	C
FUND EQUITY			
DESIGNATED			
47-340-342-2300	DESIGNATED CAPITAL PROJECTS	C	C
TAXES			
TAXES			
47-410-411-1150	TAXES - T.I.F. #7 INCREMENT	R	C
47-410-411-3400	AGRICULTURAL USE VALUE PENALTY	R	C
MISCELLANEOUS REVENUES			
INTEREST REVENUE			
47-480-481-1100	INTEREST ON INVESTMENTS	R	C
OTHER REVENUE			
47-480-489-9800	MISCELLANEOUS REVENUE	R	C
OTHER FINANCING SOURCES			
PROCEEDS OF LONG TERM DEBT			
47-490-491-1200	GENERAL OBLIGATION NOTES	R	C
47-490-491-1300	PREMIUM ON ISSUANCE	R	C
PROJECT ADMIN & GENERAL EXP			
SALARIES & WAGES			
47-571-510-1100	SALARIES & WAGES	E	D
FRINGE BENEFITS			
47-571-520-2100	SOCIAL SECURITY	E	D
47-571-520-2200	STATE RETIREMENT	E	D

DATE: 12/13/2017
TIME: 11:34:25
ID: GL410000.WOW

VILLAGE OF GERMANTOWN
GENERAL LEDGER CHART OF ACCOUNTS

PAGE: 2
F-YR: 17

FUND: T.I.F. #7 CAPITAL PROJECT FUND

ACCOUNT #	DESCRIPTION	TYPE	DR/CR BALANCE
PROJECT ADMIN & GENERAL EXP			
FRINGE BENEFITS			
47-571-520-2300	HEALTH INSURANCE	E	D
47-571-520-2400	DENTAL INSURANCE	E	D
OPERATING SUPPLIES & EXPENSES			
47-571-530-3100	GENERAL EXPENSES	E	D
47-571-530-4100	LEGAL EXPENSE	E	D
47-571-530-4200	CONTRACTED SERVICES - AUDITING	E	D
47-571-530-4300	CONTRACTED SERVICE-ENGINEERING	E	D
47-571-530-4950	BOND ISSUANCE COSTS	E	D
STREET IMPROVEMENTS			
OPERATING SUPPLIES & EXPENSES			
47-574-530-3100	GENERAL EXPENSES	E	D
47-574-530-4300	CONTRACTED SERVICE-ENGINEERING	E	D
47-574-530-4500	CONTRACTED SERVICE-CONSTRUCTN	E	D
WATER MAINS & IMPROVEMENTS			
OPERATING SUPPLIES & EXPENSES			
47-576-530-3100	GENERAL EXPENSES	E	D
47-576-530-4300	CONTRACTED SERVICE-ENGINEERING	E	D
47-576-530-4500	CONTRACTED SERVICE-CONSTRUCTN	E	D
47-576-530-4900	CONTRACTED SERVICES - OTHER	E	D
SANITARY SEWER MAINS & IMPRV			
OPERATING SUPPLIES & EXPENSES			
47-578-530-3100	GENERAL EXPENSES	E	D
47-578-530-4300	CONTRACTED SERV-ENGINEERING	E	D
47-578-530-4500	CONTRACTED SERV-CONSTRUCTN	E	D
47-578-530-4900	CONTRACTED SERV - OTHER	E	D
OTHER FINANCING USES			
FISCAL AGENT FEES			
47-590-591-6200	PAYMENT TO ESCROW AGENT	E	D
TRANSFERS TO OTHER FUNDS			
47-590-592-9310	TRANSFER TO DEBT SERV-PRIN	E	D
47-590-592-9320	TRANSFER TO DEBT SERV-INTEREST	E	D
47-590-592-9330	TRANSFER TO DEBT SERV-FEES	E	D

TOTAL NUMBER OF ACCOUNTS: 40

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: January 15, 2018

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

ITEM TITLE: Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners of 107.9 acres located at N120 W12851 Freistadt Road (Tax Key# GTNV 241-997) and Parcel 1 of CSM 3641 (Tax Key# GTNV 242-999 & GTNV 241-998); A-1: Agricultural to Rs-3: Single-Family District Rezoning Application

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

SUMMARY EXPLANATION:

Pete Hurth, Baudhuin Surveying, and Shari Waggoner, Top Leaf Development LLC, agents for the property owners Alan & Lynda Luther, have submitted a rezoning application to rezone the 107.9 acres of land from A-1: Agricultural to Rs-3: Single-Family in order to accommodate the development of a 47-lot residential subdivision. The proposed rezoning is consistent with the Village's 2020 Land Use Plan.

The Plan Commission is recommending approval of the rezoning, but has not granted approval of the concept plan lot and road layout. The PC has met to discuss this proposal at five meetings dating back to September 11, 2017, and has reviewed five variations of a concept plan. Topography and the relative location and amount of both wetlands and suitable soils for on-site septic systems across the property is affecting the developer's ability to locate lots and streets in a manner that is cost-effective, code-compliant and, more importantly, sensitive to the environmental features and adjacent property owners. The latest concept plan requires further revision to adjust lot lines and/or reduce the number of lots so that all wetlands and associated 25' wetland setback areas are contained in open space outlots (vs. within platted lots).

At their January 8 meeting, the PC and developer discussed the apparent need to make significant changes to the lot and road layout, e.g. possibly fewer lots, less road construction by way of fewer connections to existing streets, and/or larger lots on the west side of the property. However, before any further discussion or decisions regarding the concept plan, the PC felt it would be worthwhile to obtain additional feedback from the surrounding property owners through the public hearing process.

Consequently, while the PC has recommended approval of the rezoning, the PC expects that the VB will defer action on the concept plan and send it back to the PC for further consideration after the public hearing.

-- continued --

ATTACHMENTS:

- ◆ Staff Reports
- ◆ Plan Commission Meeting Minutes
- ◆ Concept Plans
- ◆ Draft Ordinance

PLAN COMMISSION RECOMMENDATION:

APPROVE rezoning of the 107.9-acre property from the A-1: Agricultural District to the Rs-3: Single-Family District 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, January 15, 2018
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 the following described properties from the A-1: Agricultural Zoning District to the Rs-3: Residential Single-Family Zoning District pursuant to Section 17.33 of the Municipal Code on the following described property:

Applicant: Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners

Properties: N120 W12851 Freistadt Road (Tax Key: GTNV 241-997)
Parcel 1 of CSM 3641 (GTVN 242-999) & (GTVN 241-998)

A parcel of land being Parcel1 of C.S.M. No. 3641, Washington County Records, and the SW 1/4 of the NE 1/4, and part of the NW 1/4 of the NE 1/4, all in Section 24, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin. More particularly described as follows:

Commencing at the SE corner of said Parcel1 of C.S.M. No. 3641, said corner being at the intersection of the east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 and the northerly right of way line of Elm Lane, and the point of beginning of lands to be described; thence S. 87°58'17" W., along the southerly line of said Parcel1 (northerly right of way line of Elm Lane) to the SE corner of Parcel 2 of said C.S.M. No. 3641; thence around the perimeter of said Parcel2 as follows: N. 01°51'37" W., 433.00 feet to the NE corner of said Parcel 2; thence S. 87°58'17" W., 372.19 feet to the NW corner of said Parcel 2; thence S. 01°51'37" E., 433.00 feet to the SW corner of said Parcel2; thence leaving said perimeter, S. 87°58'17" W., 290.04 feet along the aforementioned southerly line of said Parcel1 to the SW corner of said cel1, said corner being on the west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°55'59" W., 1286.04 feet along the westerly line of said Parcel 1, said line also being the aforementioned west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the NW corner of said Parcel1, said corner also being the NW corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 88°11'13" E., 1327.99 feet along the northerly line of said Parcel1, said line also being the north line of the BSE 1/4 of the NW 1/4 of said Section 24-9-20 to the NE corner of said Parcel1, said corner also being the NE corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°46'35" W., 786.06 feet along the west line of the NW 1/4 of the NE 1/4 of said Section 24-9-20 to the SW corner of Parcel1 of C.S.M. No. 386, Washington County Records; thence N. 88°13'31" E., 663.08 feet along the southerly line of said C.S.M. No. 386 to the SE corner of Parcel 3 of said C.S.M. No. 386; thence N. 02°06'39" W., 528.00 feet along the easterly line of said Parcel3 to the north line of the NW 1/4 of the NE 1/4 of said Section 24-9-20, said line also being the centerline of C.T.H. 'F'; thence N. 88°13'31" E., 676.98 feet along said north line (centerline) to the NE corner of the NW 1/4 of the NE 1/4 of said Section 24-9-20; thence S. 01°39'58" E., 2630.97 feet along the east line of the West 112 of the NE 1/4 of said Section 24-9-20 to the SE corner of the SW 1/4 of the NE 1/4 of said Section 24-9-20, said corner also being on the centerline of Elm Lane; thence S. 88°20'55" W., 1331.92 feet along the south line of the SW 1/4 of the NE 1/4 of said Section 24-9-20 (centerline of Elm Lane) to the Center of said Section 24-9-20; thence N. 01°46'35" W., 33.00 feet along the aforementioned east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the point of beginning. Said parcel contains 107.92 acres and is subject to the rights of the public over those portions previously dedicated for the rights of way of Elm Lane and C.T.H. 'F'.

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 15th day of December 2017
Deanna Boldrey, Village Clerk

To Be Published On: December 27, 2017 and January 3, 2018

ORDINANCE NO. 01-2018

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN ZONING CODE
(Alan & Lynda Luther , Property Owner s)

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 Rs-3: Single-family Residential District the following described property:

A parcel of land being Parcel 1 of CSM No. 3641, Washington County Records, and the SW 1/4 of the NE 1/4, and part of the NW 1/4 of the NE 1/4, all in Section 24, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin. More particularly described as follows:

Commencing at the SE corner of said Parcel 1 of CSM No. 3641, said corner being at the intersection of the east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 and the northerly right of way line of Elm Lane, and the point of beginning of lands to be described; thence S. 87°58'17" W., along the southerly line of said Parcel 1 (northerly right of way line of Elm Lane) to the SE corner of Parcel 2 of said CSM No. 3641; thence around the perimeter of said Parcel 2 as follows: N. 01°51'37" W., 433.00 feet to the NE corner of said Parcel 2; thence S. 87°58'17" W., 372.19 feet to the NW corner of said Parcel 2; thence S. 01°51'37" E., 433.00 feet to the SW corner of said Parcel 2; thence leaving said perimeter, S. 87°58'17" W., 290.04 feet along the aforementioned southerly line of said Parcel 1 to the SW corner of said Parcel 1, said corner being on the west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°55'59" W., 1286.04 feet along the westerly line of said Parcel 1, said line also being the aforementioned west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the NW corner of said Parcel 1, said corner also being the NW corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 88°11'13" E., 1327.99 feet along the northerly line of said Parcel 1, said line also being the north line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the NE corner of said Parcel 1, said corner also being the NE corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°46'35" W., 786.06 feet along the west line of the NW 1/4 of the NE 1/4 of said Section 24-9-20 to the SW corner of Parcel 1 of CSM No. 386, Washington County Records; thence N. 88°13'31" E., 663.08 feet along the southerly line of said CSM No. 386 to the SE corner of Parcel 3 of said CSM No. 386; thence N. 02°06'39" W., 528.00 feet along the easterly line of said Parcel 3 to the north line of the NW 1/4 of the NE 1/4 of said Section 24-9-20, said line also being the centerline of CTH "F"; thence N. 88°13'31" E., 676.98 feet along said north line (centerline) to the NE corner of the NW 1/4 of the NE 1/4 of said Section 24-9-20; thence S. 01°39'58" E., 2630.97 feet along the east line of the West 112 of the NE 1/4 of said Section 24-9-20 to the SE corner of the SW 1/4 of the NE 1/4 of said Section 24-9-20, said corner also being on the centerline of Elm Lane; thence S. 88°20'55" W., 1331.92 feet along the south line of the SW 1/4 of the NE 1/4 of said Section 24-9-20 (centerline of Elm Lane) to the Center of said Section 24-9-20; thence N. 01°46'35" W., 33.00 feet along the aforementioned

east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the point of beginning. Said parcel contains 107.92 acres and is subject to the rights of the public over those portions previously dedicated for the rights of way of Elm Lane and CTH "F".

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: _____, 2018

Vote: Ayes: _____
 Nays: _____

Dean Wolter, Village President

ATTEST:

Deanna Boldrey, Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

REVISED REZONING CONCEPT PLAN

1/8/18 Plan Commission Meeting

Baudhuin Surveying & Engineering / Top Leaf Development LLC

Village Planner Report

Germantown, Wisconsin

Summary

Pete Hurth, Baudhuin Surveying & Engineering, and Top Leaf Development LLC and Alan & Lynda Luther, property owners, are requesting approval of a REVISED rezoning application concept plan for a 107-acre residential subdivision with 47 single-family lots south of Freistadt Road, north of Elm Lane and west of Wasaukee Road.

Property Location: Freistadt Road, Elm Lane and Wasaukee Road

Applicant/

Property Owner:

Pete Hurth
Baudhuin Survey & Eng
312 N 5th Ave
Sturgeon Bay, WI

Shari Waggoner
Alan & Lynda Luther
Top Leaf Development LLC
Colgate, WI

Current Zoning: A-1: Agricultural

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

Location Map



Background/Proposal

Pete Hurth, Baudhuin Surveying & Engineering, and Top Leaf Development LLC and Alan & Lynda Luther, property owners, are requesting approval of a REVISED rezoning application concept plan for a 107-acre residential subdivision with 47 single-family lots south of Freistadt Road, north of Elm Lane and west of Wasaukee Road.

At the December 11, 2017 meeting, the Plan Commission recommended approval of a rezoning application and concept plan for the 47-lot subdivision proposal subject to making a change to the north-south roadway alignment at the intersection with Elm Lane. That change has been made and presented in the latest revised concept plan (see enclosed).

At the December 11 meeting, Staff raised the issue that the Village's 25' wetland setback requirement around all wetland areas needs to be met and, more importantly, that all wetlands and associated wetland setbacks are required to be contained in open space outlots vs. being located on or across platted lots. The Owner/Developer indicated that while all of the wetland areas have been placed in open space outlots, they did not account for the 25' wetland setbacks. As a result, 15 of the proposed 47 lots would have wetland setback areas located on/within the lot boundaries. Consequently, the Owner/Developer indicated that they would request a waiver from the 25' wetland setback requirement.

Since the December 11 meeting, the Owner/Developer has revised some of the lot boundaries to account for the 25' wetland setback such that only 7 lots in the latest revised concept plan would have wetland setback areas on/within the lot boundaries (see enclosed annotated concept plan). As detailed in their January 2 letter (copy enclosed), the Owner/Developer is requesting a waiver from the 25' wetland setback "outlot" requirement for the remaining 7 lots.

Since the December 11 meeting, Staff obtained further clarification of the wetland and wetland setback requirements under 18.02, as well as, the variance provisions in the Subdivision Code. The Village Attorney agrees that the terms "generally" and "should" as used in Section 18.02(6) provide the Plan Commission some latitude in terms of enforcement. By comparison, where "shall" is typically taken to mean something is compulsory or mandatory, words such as "may" or "should" are typically taken to mean something is permissive or recommended, but not necessarily required.

With that in mind, it appears that the Plan Commission could allow the proposed lot layout to move forward "as is" without a waiver from the terms of 18.02(6)(a)... repeated below for reference:

(6) **LAND SUITABILITY.** No land shall be subdivided or developed which is determined to be unsuitable for its proposed use by the Plan Commission for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other feature likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the Village. In addition:

(a) **No lot or parcel 2 acres or less in area shall include floodplain or wetlands**, and all lots or parcels more than 2 acres in size shall contain not less than one acre of land which is at an elevation at least 2 feet above the elevation of the 100-year floodplain or, where such data is not available, 5 feet above the maximum flood of record. **Generally, floodplain and wetlands within a parcel of land subject of a subdivision plat or certified survey map "minor" land division and the area within any required setbacks extending outward from any such floodplain or wetlands should be platted so as to be included in open space or other outlots and not within or part of a developable lot or parcel.** (Cr. Ord. #09-08)

Notwithstanding, the Plan Commission's authority to grant a waiver or variance is limited to other sections of the Subdivision Code... and not Section 18.02(6). A more careful reading and accurate interpretation of 18.02(5) of the Subdivision Code indicates that the Plan Commission can only grant variances from Section 18.07 (Design Standards) and 18.08 (Required Improvements) and then only after making specific findings based on documented evidence that the rigid "exceptional circumstances" and "severe hardship" criteria are proven to exist (and not just for personal financial reasons or ignorance of the law type excuses).

Since the 25' wetland setback requirement is an actual requirement found in the Village's Shoreland-Wetland Zoning Code, if the Owner/Developer (or even a subsequent lot owner of one of the 7 lots) wants to seek a variance from the 25' wetland setback requirement, they would have to submit a variance petition to the Village's Board of Zoning Appeals and go through that process separately, and, make the necessary legal arguments proving that "exceptional circumstances" or a "severe hardship" exists.

Under the category of "better late than never" ...the reasoning behind the requirement under 18.02(6)(a) that all wetlands and wetland setbacks be contained in open space outlots comes down to enforcement issue. Generally speaking, the Village determined long ago that the protection of wetlands is important, and, that the "standard" protections available through DNR regulations are not sufficient. Consequently, the Village adopted its own 25' wetland setback requirement in the Shoreland-Wetland Zoning Code to effectively prohibit any land development activity (e.g. from grading and filling to building construction) within 25 feet of a delineated wetland. While there is a provision in the Shoreland-Wetland Code that allows development within a 25' setback area with a conditional use permit (along with a specific compensation plan), the 25' wetland setback requirement has been an effective "no development zone" protecting wetlands throughout the Village.

However, with respect to enforcement, it is/would be extremely difficult and cost-prohibitive to monitor any and all development activity within the multitude of wetlands and wetland setback areas throughout the Village, particularly if those wetland setback areas encroach into or across thousands of parcels in the Village.

As a result, in an effort to limit the extent or number of parcels subject to the development restrictions associated with a 25' wetland setback, the Village added the provisions in 18.02(6)(a) that prohibit the creation of lots 2 acres or less in area with any wetlands or floodplains within its boundaries, and, to "require" wetlands, floodplains and any required setback areas to be located within open space outlots and NOT part of a developable lot.

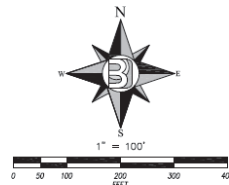
With that said, Staff recommends that the Plan Commission NOT approve the revised concept plan that results in wetland setback encroachments on the 7 lots as shown, and, direct the Owner/Developer to revise the plan such that all wetlands and wetland setback areas be contained in open space outlots.

However, if the Plan Commission decides to take advantage of the "latitude" created in the Code through the use of the permissive terms "generally" and "should", and approve the revised concept plan with the wetland setback encroachments affecting the 7 lots, Staff recommends the following:

1. The side yard building setback lines for each of the 7 lots affected by and adjacent to a 25' wetland setback (Lots #2, #13, #14, #15, #38, #41 & #47) be set at a minimum of 25 feet (vs. the standard 20 feet); and
2. that the subdivision plat present with lines and/or shading the location and extent of the 25' wetland setback areas extending outward from the wetlands and across the 7 lots affected by a 25' wetland setback (Lots #2, #13, #14, #15, #38, #41 & #47); and
3. that the subdivision plat contain a restriction by way of a note on the face of the plat indicating that development within the wetland setback boundaries across the 7 lots affected by a 25' wetland setback (Lots #2, #13, #14, #15, #38, #41 & #47) is subject to the restrictions and limitations contained in the Village's Shoreland-Wetland Code.

SITE PLAN

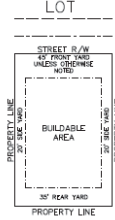
LOCATED IN:
THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
ALL IN:
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
TOWN OF CERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



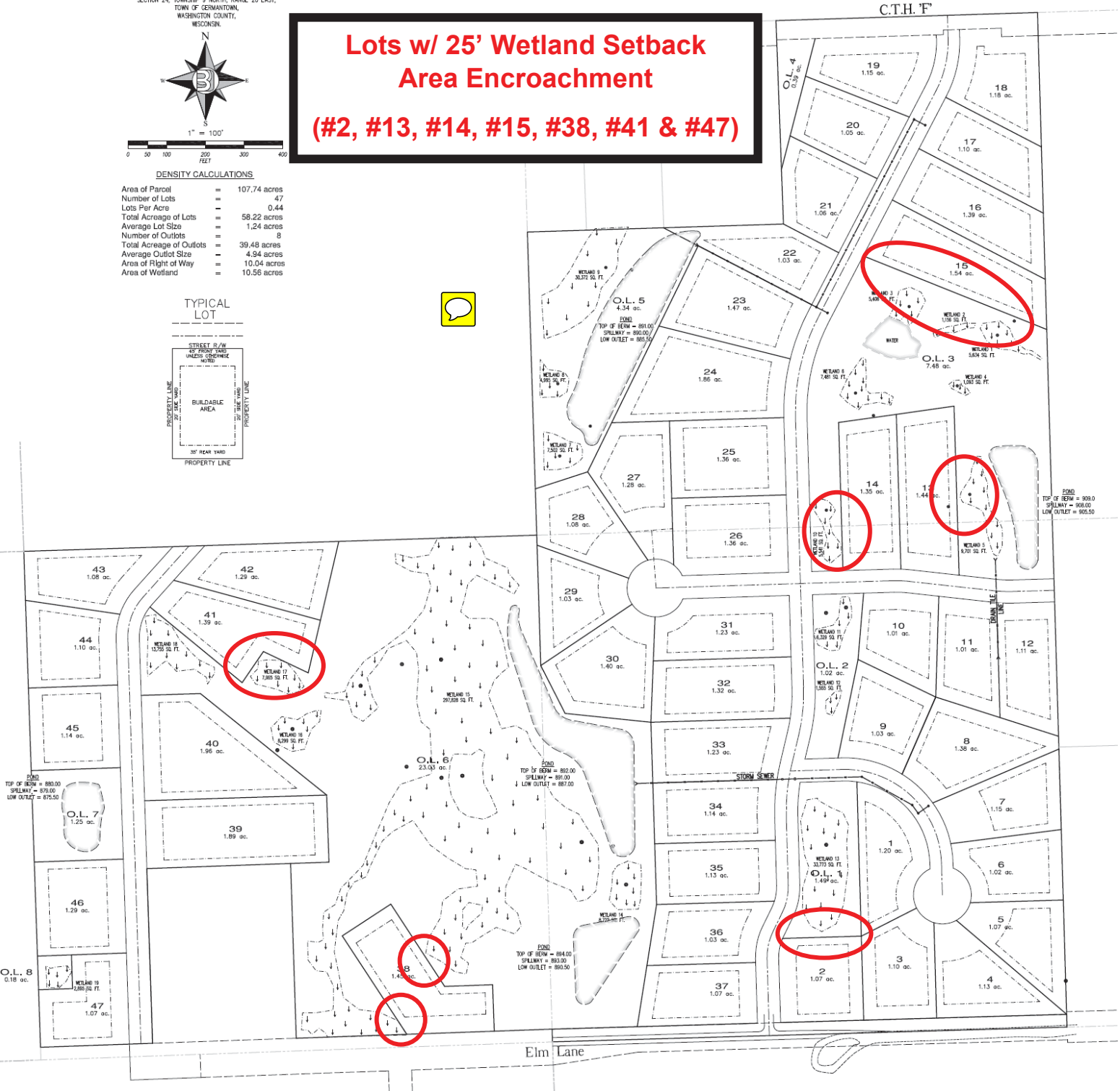
DENSITY CALCULATIONS

Area of Parcel	=	107.74 acres
Number of Lots	=	47
Lots Per Acre	=	0.44
Total Acreage of Lots	=	58.22 acres
Average Lot Size	=	1.24 acres
Number of Outlots	=	8
Total Acreage of Outlots	=	39.48 acres
Average Outlot Size	=	4.94 acres
Area of Right of Way	=	10.04 acres
Area of Wetland	=	10.56 acres

TYPICAL LOT



**Lots w/ 25' Wetland Setback
Area Encroachment
(#2, #13, #14, #15, #38, #41 & #47)**



January 2, 2018

Germantown Plan Commission,

Attached is the updated concept plan showing the two changes per the December 11 Plan Commission meeting. We shifted the South connection to Elm Lane so it is not directly in line with the house to the South and we eliminated the "S" curve where the road meets the North property line on the West section. We also adjusted multiple lots to meet the 25' wetland setback wherever possible. Originally fifteen lots did not meet the requirement, but we reduced the number to seven lots.

We are requesting a waiver from Section 18.02 of the Subdivision Code, which states "Generally, floodplain and wetlands within a parcel of land subject of a subdivision plat or certified survey map "minor" land division and the area within any required setbacks extending outward from any such floodplain or wetlands should be platted so as to be included in open space or other outlots and not within or part of developable lot or parcel". This section generally requires a 25' setback from wetlands to be included in outlot areas.

Under Section 18.02, the Plan Commission may waive or modify any requirements to the extent deemed just and proper. "The Plan Commission makes a specific finding based on documented evidence that all of the following facts and conditions exist:

- (a) Exceptional, extraordinary or unusual circumstances or conditions exist where a literal enforcement of the requirements of this chapter would result in severe hardship. Such hardships should not apply generally to other properties or be of such a recurrent nature as to suggest that this chapter should be changed.
- (b) Preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity will not be adversely affected.
- (c) Detriment to adjacent property will not be created and the variance will not materially impair or be contrary to the purpose and spirit of this chapter or the public interest."

We are requesting the waiver due to the hardship the 25' wetland setback poses on the development of the parcel of land. The unusual circumstance is that there are 19 different wetland areas spread throughout the entire property. This poses a great challenge to effectively subdivide the land to make the project financially feasible. We've looked at the layout countless ways to meet the 25' setback requirement, but we cannot do this without losing multiple lots. Losing additional lots creates a significant hardship due to the amount of internal road length and the additional new construction of two sections of Elm Lane.

The inefficiencies can be seen looking at this concept plan. Over half of the main internal road running North and South does not have lots on one side and the road running North and South on the West side of the parcel has a similar situation. In addition to these inefficiencies, the amount of Elm Lane being constructed became more substantial after the wetland delineation and updated concept plan. Before the wetland delineation, we had 49 lots with about 400' of Elm Lane to construct. After the wetland delineation was completed, we lost 2 lots and added an additional 700' of Elm Lane, totaling 1,100' to construct. That is a significant financial impact.

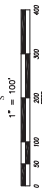
Waiving this requirement should not pose to be detrimental to any other properties or the public interest.

Thank you for your time and consideration,

Shari Waggoner
Top Leaf Development LLC

SITE PLAN

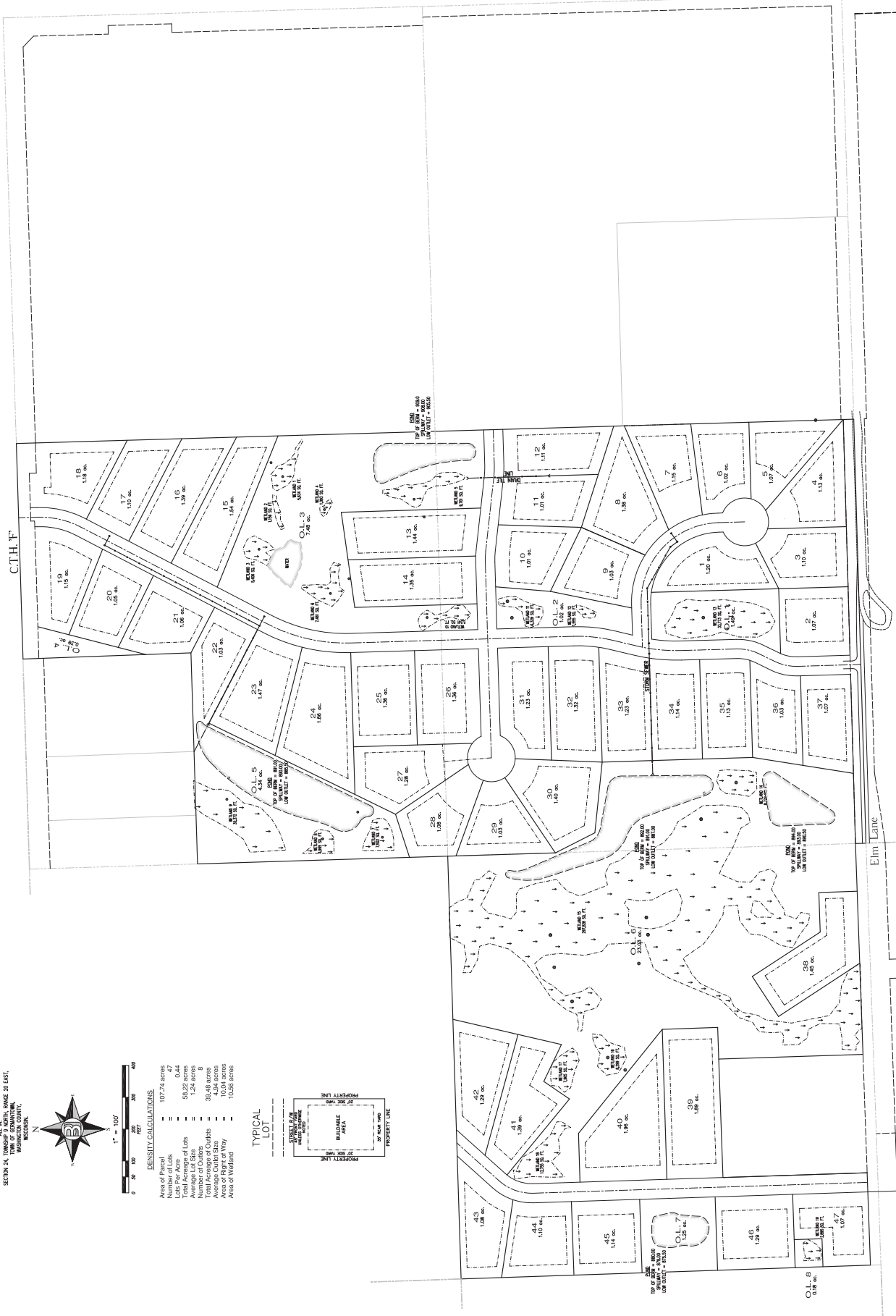
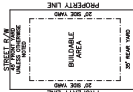
THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
SECTION 24, TOWNSHIP 2 NORTH, RANGE 20 EAST,
WASHINGTON COUNTY,
MINNESOTA.



DENSITY CALCULATIONS

Area of Parcel	=	107.74 acres
Number of Lots	=	0.47
Total Area of Lots	=	50.22 acres
Average Lot Size	=	1.24 acres
Total Area of Outlots	=	35.48 acres
Average Outlot Size	=	4.84 acres
Total Area of Property	=	85.70 acres
Area of Wetland	=	10.56 acres

TYPICAL LOT



DECEMBER 11, 2017

SITE PLAN - OPTION 'B' - 47 LOTS

BE FOR THE LOTS
AND THE S.W. 1/4 OF THE S.W. 1/4
SECTION 24, TOWNSHIP 5 NORTH, RANGE 25 EAST,
COUNTY OF HARRIS, TEXAS.



REZONING APPLICATION

12/11/17 Plan Commission Meeting

Baudhuin Surveying & Engineering / Top Leaf Development LLC
Village Planner Report **Germantown, Wisconsin**

Summary

Pete Hurth, Baudhuin Surveying & Engineering, and Top Leaf Development LLC and Alan & Lynda Luther, property owners, are requesting approval of a rezoning application and concept plan for a 107-acre residential subdivision with 47 single-family lots south of Freistadt Road, north of Elm Lane and west of Wasaukee Road.

Property Location: Freistadt Road, Elm Lane and Wasaukee Road

Applicant/

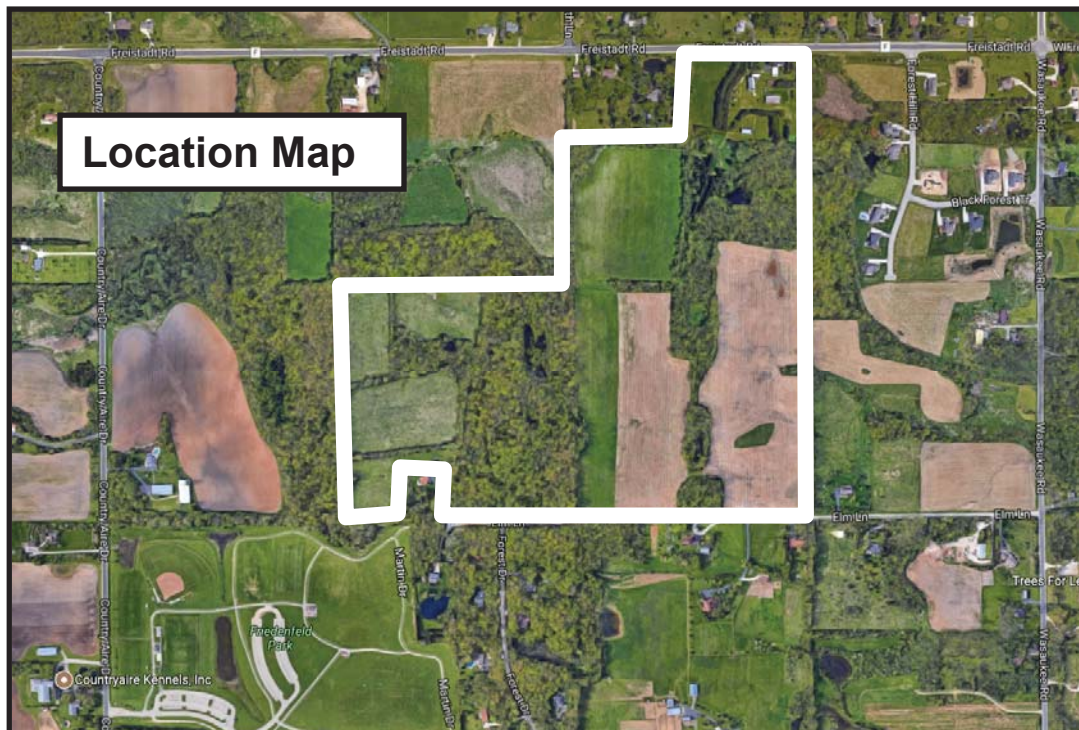
Property Owner: Pete Hurth
Baudhuin Survey & Eng
312 N 5th Ave
Sturgeon Bay, WI

Shari Waggoner
Alan & Lynda Luther
Top Leaf Development LLC
Colgate, WI

Current Zoning: A-1: Agricultural

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

Location Map



Background/Proposal

Baudhuin Engineering and Top Leaf Development presented their initial development proposal to the Plan Commission for discussion on September 11 with two (2) alternative road and lot layouts (see attached “Option 1” and “Option 2” concept plans dated September 11, 2017). Because of direction given at the September 11 meeting, the concept plan was revised and presented to the Plan Commission on October 9.

The October 9 concept plan (see attached “Plan Commission Option” dated October 9, 2017) included the following revisions:

- A roadway connection to the “west” segment of Elm Lane with a direct connection to Forest Drive (and NO connection to the “east” segment of Elm Lane and Wasaukee Road);
- The extension of the “west” segment of Elm Lane further west to serve the southwest portion of the property and possibly the northeast corner of the Village’s Friedenfeld Park (for possible future parking and enhanced access to the Village park);
- Additional lots created in the southwest portion of the property w/ approximately nine (9) 1-acre lots vs. four (4) 5+ acre lots w/ shared driveways;
- Additional storm water management pond locations;
- An overall increase in single-family lots from 43 to 49 total lots.

At the October 9 meeting, the PC discussed the revised concept plan without recommending any changes, but deferred further comment or action pending the outcome of further discussion of the possibility that the Village may extend sanitary sewer to serve this area on October 23. That discussion concluded with a general sense that future sanitary sewer service extending into this area would be years away, the current 2020 Land Use Plan provides for unsewered single-family development, and that Top Leaf Development should move ahead with the proposal.

At this time, Baudhuin Engineering and Top Leaf Development are requesting approval of a rezoning application to change the zoning from A-1: Agricultural to Rs-3: Single-family for 107-acres and for a concept plan for a 47-lot, single-family residential subdivision.

As summarized in Table 1 and detailed in the project description and concept plan (dated December 11, 2017), development is proposed with the following characteristics:

Table 1.	
Luther Property Concept Plan	
Gross Area (ac)	107.92
Wetland Area (ac)	10.56
Right-of-Way (ac)	8.29
Open Space (ac)	39.41
Net Density Area (ac)	89.07
Single-Family Lots/Dwelling Units (DU)	47
Density (DU/net acre)	0.53
Avg Lot Size (ac)	1.28

When comparing the currently proposed concept plan to the most recently reviewed “Plan Commission Option” plan dated October 9, there are a few notable differences, including:

1. The number of lots has been reduced from 49 to 47 lots;
2. Wetland boundaries are now included on the plan and shown relative to the proposed lot lines and streets;
3. Lot dimensions have been removed;
4. The nine (9) lots proposed on the west side of the site have been reconfigured and the road slightly curved at the north end;
5. The main north-south roadway has been shifted to the east approximately 200-650 feet from a point south of Lot 21 the entire length south to the intersection with Elm Lane (with the intersection approximately 650 feet further east);
6. Because of the road shifting, a new cul-de-sac has been added in the middle portion of the site to serve Lots 27-30, and, the cul-de-sac in the southeast has been reduced in length;
7. Because of the wetlands being delineated and located within the site, as well as the road realignments, lot sizes and shapes have been adjusted accordingly.

Staff Comments

The entire property lies north of and adjacent (but outside) of the Village’s Sanitary Sewer Area (SSA) and in an area designated on the 2020 Land Use Plan as “Rural Residential”. For those currently undeveloped areas designated as “Rural Residential”, the Village intended such areas to develop at a density of one (1) dwelling unit per acre with a minimum 1-acre lot size. The land is currently zoned A-1: Agricultural and is proposed to be rezoned into the Rs-3: Single-family District. The proposed rezoning is consistent with the 2020 Land Use Plan map.

Soil evaluation reports for all lots will be required prior to or concurrent with the submittal of a preliminary plat to ensure all proposed lots are deemed suitable for installation of an on-site sanitary system.

As presented on the December 11 concept plan, a significant amount of wetland (10.56 acres or approximately 10% of the site) in numerous isolated areas lie across the property. As noted above, the lot and road layout has changed in part due to the wetlands on the property. Despite the amount of wetland, the required “net area” density calculation (gross area less wetlands and right-of-way) does not increase the proposed development density (.53 DU’s per net acre) above the maximum density allowed in the Rs-3 District (not to exceed 1.0 DU’s per net acre).

Although the road and lot layouts are similar to that which was proposed in the October 9 “Plan Commission Option” plan, the changes summarized above are significant enough to consider further before approving as discussed below:

- As a result of the wetlands being delineated and presented on the concept plan, it's clear that not all of the wetland areas and the Village-enforced 25' wetland setback area will be located entirely within an open space outlot as required under Section 18.02 of the Subdivision Code. Further revisions to lot lines (albeit slight) will need to be made and reflected in the preliminary subdivision plat.
- The reconfigured road on the west side of the site includes a reverse or “S-curve” that is not code-compliant. Moreover, as staff commented about at previous meetings, the location of this road is based strictly on the concept of maximizing the number of developable lots that can be created in this portion of the site and does not consider the topography and/or existing wooded, environmental corridor that lies immediately north into which this roadway would be required to extend into in order to serve future development to the north (vs. taking such factors into account first before establishing the alignment).
- As discussed in the Applicant's “Rezoning Plan” project description, realignment of the main north-south roadway 200-650 feet to the east shifts the Elm Lane intersection 650 feet to the east from the previously proposed point. In so doing, Elm Lane will be improved in both directions from the proposed intersection, i.e. toward Forest Drive to the west and toward Wasaukee Road to the east. If Elm Lane is improved in both directions and, as a result, provides a continuous means of access from Wasaukee Road all the way to Friedenfeld Park, the type and amount of traffic that may eventually travel on Elm Lane may justify requiring the entire length of Elm Lane to be improved to current Village road standards. This raises a number of issues, including:
 - o How much of Elm Lane will need to be constructed and who will pay for the improvements?
 - o Is the existing right-of-way and existing geometric and road surface conditions adequate along the entire length of Elm Lane?
 - o Who will be responsible for making any required “off-site” improvements?
 - o The relocated road and intersection will cut through a wooded area and be positioned such that all southbound traffic will be effectively pointed directly at one of the relatively few existing homes along Elm Lane.
 - o Is the PC receptive to the idea of now allowing a southerly access connection to both the east and the west after having directed the Applicant to only provide southerly access to the west segment of Elm Lane?

- The main roadway realignment also creates a straighter and, as a result, relatively less appealing “soldiers row” configuration of lots on the west side of the roadway.
- Some of the revised lot lines create multi-sided and/or less than ideal lot shapes (e.g. Lot 2, Lot 3, Lot 28, Lot 47), and, front yard-to-back yard “conflicts” (e.g. Lot 27 front yard up against back yards for Lots 25 & 26; Lot 30 front yard up against back yards for Lots 31 & 32).

While staff generally supports a subdivision lot and road layout that provides multiple means of access to/from the development to enhance accessibility, there are several issues that need to be addressed before accepting the currently proposed road alignment and traffic circulation patterns that will result.

Staff supports the proposed rezoning; however, for the reasons discussed above, Staff recommends that action to approve the concept plan be tabled pending further discussion of and possible changes to the December 11 concept plan.

Village Planner Recommendation

APPROVE the proposed rezoning of approximately 107 acres from the A-1: Agricultural District to the Rs-3: Residential Single-Family district subject to the following condition:

1. The rezoning application and Plan Commission recommendation should not be forwarded to the Village Board for review and consideration until the Plan Commission can recommend approval of a development concept plan.

TABLE the review and action on the proposed concept plan dated December 11, 2017 pending revisions necessary to address the issues raised in the December 11 Staff Report and Recommendation to the satisfaction of the Plan Commission.



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: _____ Received by: _____

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 <u>PETE HURTH, P.E.</u> <u>BAUDHUIN SURVEYING & ENGINEERING</u> <u>312 N. 5TH AVE</u> <u>STURGEON BAY, WI 54235</u> <u>Phone (920) 743-8211</u> <u>Cell (920) 495-9101</u> <u>E-Mail phurthebaudhuin.com</u>	PROPERTY OWNER <u>SHARI WAGGONER OF TOP LEAF DEVELOPMENT, LLC</u> <u>FOR ALAN & LYNDIA LUTHER</u> <u>342 HILLSIDE RD</u> <u>COLGATE, WI 53033</u> <u>Phone (262) 923-0469</u> <u>topleafdevelopment@gmail.com</u>		
2	PROPERTY ADDRESS OR GENERAL LOCATION <u>107 ACRES SOUTH OF CTH F, NORTH OF ELM LAKE,</u> <u>1/4 MILE WEST OF WAUSAUKEE RD</u>	TAX KEY NUMBER <u>241997, 241998</u> <u>242999</u>		
3	REZONING REQUEST <table border="1" style="margin-left: auto; margin-right: auto;"><tr><td style="padding: 5px;">FROM <u>A-1</u></td><td style="padding: 5px;">TO <u>RS-3</u></td></tr></table>		FROM <u>A-1</u>	TO <u>RS-3</u>
FROM <u>A-1</u>	TO <u>RS-3</u>			
4	METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY - REQUIRED Attach pages as necessary <u>NW & SW 1/4 OF NE 1/4, SECTION 24 AND SE 1/4 OF NW 1/4</u> <u>SECTION 24, VILLAGE OF GERMANTOWN</u> <u>REFER TO REZONING MAP FOR LEGAL DESCRIPTION.</u>			

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.

REZONING TO CREATE A RURAL RESIDENTIAL SUBDIVISION
WITH LOTS 1 ACRE OR GREATER IN SIZE. ALL LOTS
TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
WETLANDS TO BE PRESERVED BY PLACEMENT IN OUTLOTS.

6 SUPPORTING DOCUMENTATION:

- ☐ Plat of Survey (1:100)
- ☐ Site Plan and elevations for new construction (can be conceptual)
- ☒ CONCEPT PLAN
- ☒ NARRATIVE

7 READ AND INITIAL THE FOLLOWING:

PH 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.

PH 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.

PH 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!

[Signature] 11/7/17
Applicant Date

Owner Date

LUTHER PARCEL

REZONING PLAN - November 2017

Location:

The 107 acre farm is located north of Elm Lane and south of Freistadt Road(CTH F) approximately ¼ west of Wausaukee Road (CTH M). The parcel is bordered to the east by Woodland Ponds which is an 18 lot residential subdivision with lot sizes between 1 and 2 acres. Elm Lane to the south is not a through road. There is a 700 foot gap between the completed road sections. The lots south of the parcel along the east leg of Elm Lane are larger in the 6 to 15 acre range. The lots to the south along the west leg of Elm Lane are in the Forest Heights subdivision and in the 1 to 5 acre range. The east leg of Elm Lane connects to Wausaukee Road , while the west leg Connects to Forest Drive which is a half mile long road which leads to a signalized intersection at Mequon Road. The remaining surrounding parcels are currently farmed with the exception of the south west corner which borders Freidenfeld Park.

Site Constraints:

The upland portions of the site are primarily used for cropland with some wooded tree lines and small patches of woods. There are wetlands present on the parcel. The wetlands are primarily wooded. The site was analyzed by a soil scientist to establish areas suitable to support septic systems. A wetland delineation was completed in October 2017. The majority of the upland tilled portion is suitable for septic systems.

Utilities (Sewer and Water):

Preliminary research has indicated sewer and water is not available anywhere near this parcel. This parcel is not included in the 2020 sewer service area boundary. The large lot sizes located between the development and the sewer connection point would make it unrealistic to provide sewer to this site from a cost and timing standpoint. The fact that we had the preliminary soils investigation completed allows us certainty that each lot can support the septic drain field. This development is slated for construction in 2018.

Zoning and Land Use:

The parcel is zoned agricultural but is slated on the Villages 2020 Smart Growth Plan for rural residential designation which is an exact fit to the proposed RS-3 one-acre zoning district being pursued.

Luther Concept Plan(s):

The concept plan has been submitted and discussed at two Village Plan Commission meetings. The rezoning plan submitted for review consist of 47 lots on 107 acres equaling 2.28-acre density. Road connections are planned to Freistadt Road as well as Elm Lane. Road stubs with hammerhead turn arounds will allow the vacant parcel to the east and west to be developed by others in the future.

The ultimate connection of the gap in Elm Lane differs slightly from the discussions at the plan commission meetings. The field delineated wetlands dictated this change to assure no roads or lots will

need to impact the wetlands. The Friestadt Road connection will act as the primary point of ingress and egress. The west leg of Elm Lane will be the secondary outlet and the east leg of Elm Lane the third point of available access.

The entire parcel will be developed into 1 to 2 acre residential lots. The lots have been sited to accommodate an individual septic system on each lot. The lots were also placed to avoid wetlands on the lots. Large outlots will encompass the wetlands and protect them from impact.

Outlots have been placed in areas where wetlands are present as well as in areas where storm ponds will be constructed.

REZONING MAP

BEING:
PARCEL 1 OF C.S.M. NO. 3641,
WASHINGTON COUNTY RECORDS
AND:
THE SW 1/4 OF THE NE 1/4
AND PART OF:
THE NW 1/4 OF THE NE 1/4
ALL IN:
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
VILLAGE OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



SCALE
1" = 200'



Description:

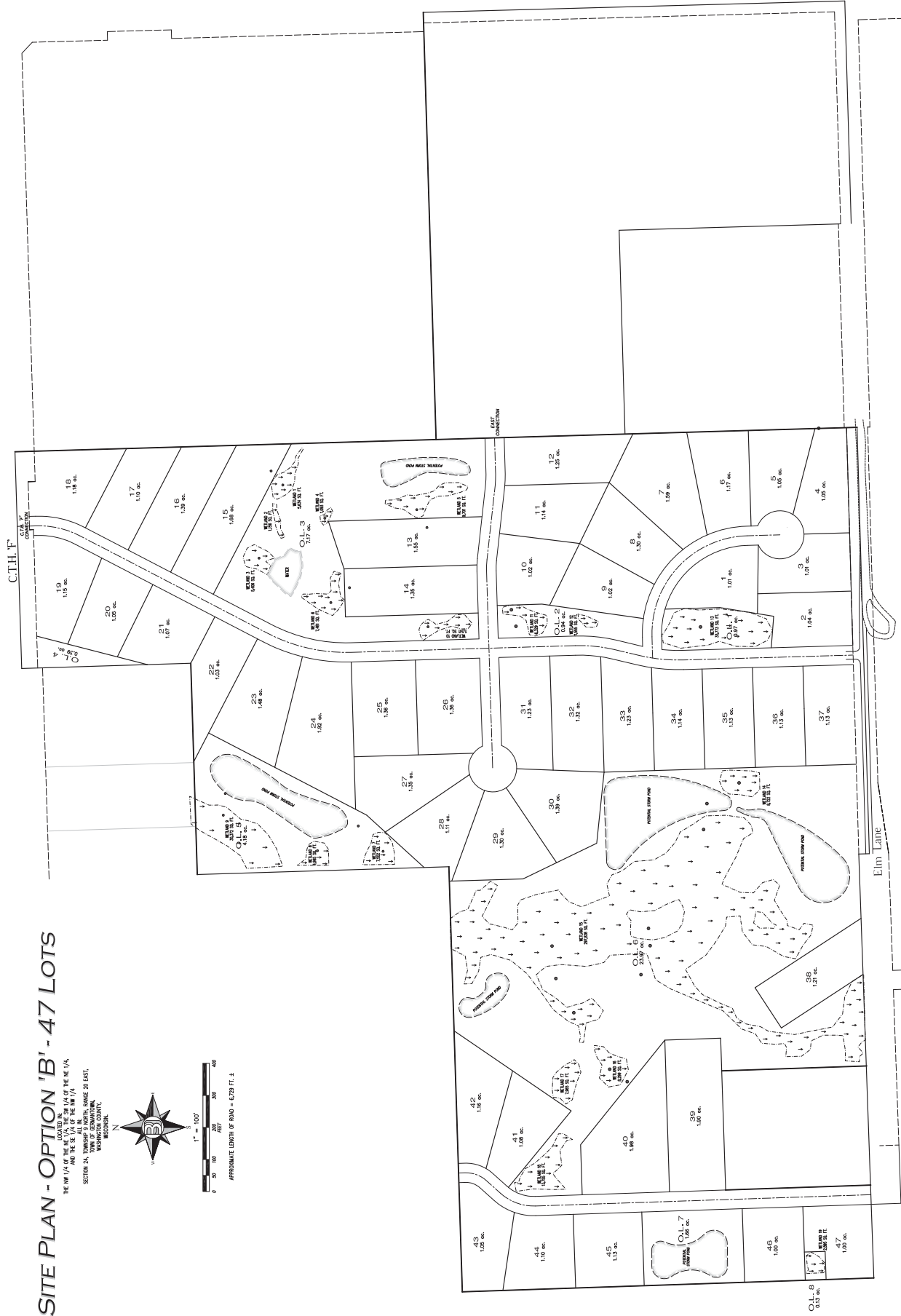
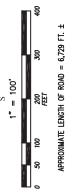
A parcel of land being Parcel 1 of C.S.M. No. 3641, Washington County Records, and the SW 1/4 of the NE 1/4, and part of the NW 1/4 of the NE 1/4, all in Section 24, Township 9 North, Range 20 East, Village of German Town, Washington County, Wisconsin. More particularly described as follows:

Commencing at the SE corner of said Parcel 1 of C.S.M. No. 3641, said corner being at the intersection of the east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 and the northerly right of way line of Elm Lane, and the point of beginning of lands to be described; thence S. 87°58'17" W., along the southerly line of said Parcel 1 (northerly right of way line of Elm Lane) to the SE corner of Parcel 2 of said C.S.M. No. 3641; thence S. 87°58'17" W., 372.19 feet to the NW corner of said Parcel 2; thence S. 01°51'37" W., 433.00 feet to the NE corner of said Parcel 2; thence S. 87°58'17" W., 372.19 feet to the perimeter S. 87°58'17" W., 290.04 feet along the aforementioned southerly line of said Parcel 1 to the SW corner of said Parcel 1, said corner being on the west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°55'59" W., 1286.04 feet along the westerly line of said Parcel 1, said line also being the aforementioned west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the NW corner of said Parcel 1, said corner also being the NW corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 88°13'31" E., 130.99 feet along the northerly line of said Parcel 1, said line also being the NE line of the NW 1/4 of the NW 1/4 of said Section 24-9-20 to the NE corner of said Parcel 1, said corner also being the NE corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°46'35" W., 786.06 feet along the west line of the NW 1/4 of the NW 1/4 of said Section 24-9-20 to the SW corner of Parcel 1 of C.S.M. No. 3641, Washington County Records; thence N. 88°13'31" E., 663.08 feet along the southerly line of said Parcel 1, said line also being the north line of the NW 1/4 of the NW 1/4 of said Section 24-9-20, said line also being the easterly line of said Parcel 3 to the north line of the NW 1/4 of the NE 1/4 of said Section 24-9-20, said line also being the centerline of C.T.H. F.; thence N. 88°13'31" E., 676.98 feet along said north line (centerline) to the NE corner of the NW 1/4 of the NE 1/4 of said Section 24-9-20; thence S. 01°39'58" E., 2630.97 feet along the east line of the West 1/2 of the NE 1/4 of said Section 24-9-20 to the SE corner of the SW 1/4 of the NE 1/4 of said Section 24-9-20, said corner also being on the centerline of Elm Lane; thence S. 88°20'55" W., 1331.92 feet along the south line of the SW 1/4 of the NE 1/4 of said Section 24-9-20 (centerline of Elm Lane) to the Center of said Section 24-9-20; thence N. 01°46'35" W., 33.00 feet along the aforementioned east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the point of beginning.

Said parcel contains 107.92 acres and is subject to the rights of the public over those portions previously dedicated for the rights of way of Elm Lane and C.T.H. F.

SITE PLAN - OPTION 'B' - 47 LOTS

THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
SECTION 24, TOWNSHIP 3 NORTH, RANGE 20 EAST,
COUNTY OF WASHINGTON,
WASHINGTON COUNTY,
MINNESOTA.



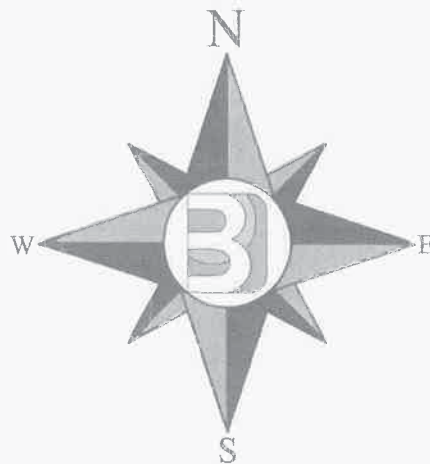
SITE PLAN

LOCATED IN:

THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4

ALL IN:

SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
TOWN OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



1" = 100'



DENSITY CALCULATIONS

Area of Parcel	=	107.92 acres
Number of Lots	=	47
Lots Per Acre	=	0.44
Total Acreage of Lots	=	58.39 acres
Average Lot Size	=	1.24 acres
Number of Outlots	=	8
Total Acreage of Outlots	=	39.41 acres
Average Outlot Size	=	4.93 acres
Area of Right of Way	=	8.29 acres
Area of Wetland	=	10.56 acres

DECEMBER 11, 2017

SITE PLAN - OPTION 'B' - 47 LOTS

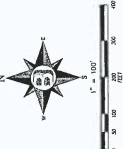
THE 1/4 SECTION 34, TOWNSHIP 5 NORTH, RANGE 20 EAST,
AND THE 1/4 SECTION 35, TOWNSHIP 5 NORTH, RANGE 20 EAST,
COUNTY OF WISCONSIN.



OCTOBER 9, 2017

OCTOBER PLAN COMMISSION OPTION

THE 1/4 OF THE S 1/4, T 25 N, R 10 E, S 10 E 1/4
 SECTION 21, TOWNSHIP 25 N, RANGE 10 E, DISTRICT 3, S.D.C.
 TOWN OF DAVENPORT,
 WISCONSIN.



SEPTEMBER 11, 2017

OPTION 2

THE HWY 14 OF THE SEC 1/4, THE SEC 2/4 OF THE NE 1/4,
THE SEC 3/4 OF THE NE 1/4, THE SEC 4/4 OF THE NE 1/4,
SECTION 14, TOWNSHIP 36 N, RANGE 10 E, DISTRICT 1,
COUNTY OF SHERBORN, MINNESOTA.



it is important to the business. Discussion continued. Chairman Wolter explained the use needs to be in addition to the Speaker Corporation in its daily operation and cannot be a separate large warehouse and distribution facility.

MOTION to Amend carried (5-2 Williams, Gray)
MOTION to Approve as Amended carried unanimously.

Top Leaf Development LLC – 107 Acres South of Freistadt Road, North of Elm Lane and West of Wasaukee Road. Alan & Lynda Luther, property owners, are requesting approval of a rezoning application and concept plan for a 107-acre residential subdivision with 47 single family lots. Planner Retzlaff summarized the proposal. Pete Hurth, Baudhuin Surveying and Shari Waggoner, Top Leaf Development spoke on the project. Mr. Hurth said the wetland and soil work has been completed. He said all the wetland areas have been placed on separate lots, but they did not account for the 25-foot setback requirement and asked that the additional 25 feet not be required.

Discussion followed. Bruce Bernarde, commented on the plan and was concerned how and where water will drain. Mr. Hurth said they will modify the storm water plan to address those concerns. Discussion continued the road connections in both directions being beneficial for emergency access, traffic purposes and all development in the area. Mr. Hurth agreed to curve the north/south road to avoid headlights pointing directly at the existing house. Ms. Waggoner discussed the connection and upgrading of Elm Lane. She said adding 700 feet has a significant financial impact to the project and she doesn't want to foot the bill for all of Elm Lane. Trustee Baum wants the developer to fill the gap and leave the rest of the road improvements as part of the Village plan. He asked that the Public Works Department determine the suitability of the road and bring a recommendation to the Village Board. Chairman Wolter is appreciative of the contiguous roadway and feels any improvements beyond the reach of the subdivision falls on the Village.

MOTION Baum second Gray to Approve the proposed concept plan.

MOTION to Amend Baum second Shadid to slide the last 2 lots (#36 & #37) over to move the north/south road to the west slightly and to provide the Elm Street access east and west and the western new road can just go off at a straight tangent as opposed to curving back.

MOTION to Amend carried unanimously.

Planner Retzlaff commented on the 25-foot wetland setback requirement. He said this concept plan reflects the wetland delineation and boundaries and the subdivision code requirement that there is a wetland setback that the Village enforces needs to be dealt with. He said the Plan Commission doesn't have the authority to waive the requirement, but Village Board may grant a waiver to the subdivision regulations.

MOTION carried.

MOTION Baum second Shadid to Approve the proposed rezoning of approximately 107 acres from the A-1: Agricultural District to the Rs-3: Residential Single-Family district.

MOTION to Approve carried.

Ms. Waggoner asked when to request a waiver for the 25-foot wetland setback because it would significantly impact the plan and they would lose lots. Planner Retzlaff reviewed the code and said

the Plan Commission may grant a waiver to the wetland setback requirement under extraordinary circumstances or hardship conditions exist. He said he would not recommend waiving the requirement simply because they didn't know about it. Chairman Wolter suggested bringing forward the waiver request at the time the preliminary plat is brought forward. Mr. Hurth said maintaining the setback requirement would change the design of the plat. Chairman Wolter offered bringing the item back to the Plan Commission at the January 8th meeting for consideration. Planner Retzlaff advised them to submit a letter asking for the waiver for Plan Commission to consider.

Scott & Georgene Sommer – W148 N12696 Pleasant View Drive. The property owners of a 120-acre farm presented a proposal to operate a farm kitchen, brewery and sausage production facility on their property in the A-1 Agricultural Zoning District. Planner Retzlaff summarized their proposal.

Scott Sommer addressed questions. Plan Commission had the following comments and concerns.

- The use could be allowed with a Conditional Use Permit
- No livestock will be raised on property
- Commission members like the idea
- There are no current plans for weddings or corporate or special events. Plans are to be open for breakfast and lunch. Intend to work with other groups including the Sons of Norway, the Park & Recreation Department for classes and other organizations to use the facility for breakfast
- Likes the idea of going back to Germantown heritage and selling farm goods. It's not competitive against other businesses and the area is perfect for this type of operation.
- Mr. Sommer explained the sausage will be produced in their kitchen, in a way that is packaged and distributed through wholesale markets. He said they acquired an existing sausage shop a year ago and will be selling to those existing customers as well as in their store and will also promote the products on line. They are required to meet certain standards with state.
- Mr. Sommer said the business will need 3 phase power installed, a separate well and a 4,000 to 6,000 gallon holding tank. He estimates using approximately 400 gallons of water for beer production and another 30 gallons for cleanup, sanitary uses, kitchen and toilet facilities per week. Planner Retzlaff said more details will be needed on water consumption and water demand and may require an assessment on surrounding wells. A co-mingling variance from the County will be needed for the holding tank because of animal product and yeast going into the tank.
- Mr. Sommer looked at comparable business to study how much traffic will be generated. He estimates Saturday will be their peak time from 1:00 pm to 6:00 pm. Deliveries will be once a week for meat, but other products will be brought home.

This item was for discussion. No action was taken.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:58 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: January 15, 2018

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

ITEM TITLE: Ordinance Amending Sections 17.41 (Residential Accessory, Use, Building and Structures) and 17.49 (Architectural Control) affecting the size, location and exterior materials of residential accessory structures

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

SUMMARY EXPLANATION:

The code amendments proposed by staff are intended to address recent actions and/or policy decisions by the Village, to address shortcomings in our current regulations that don't adequately address the issue(s) at hand, or to clarify and otherwise improve staff's ability to administer and enforce these regulations in light of changing technological, socio-economic and general land use conditions and trends. As noted in the staff reports attached hereto, the amendments address issues that in some cases have been the subject of property owner variance requests taken to the Board of Zoning Appeals on multiple occasions. Generally, items or issues that are the subject of multiple variance appeals are an indicator that the regulations from which said appeals are filed are worthy of review and possible amendment to better meet the needs of the community and reflect changes in technological, socio-economic and/or land use trends.

The Plan Commission has forwarded a recommendation to approve the proposed amendments as revised and presented in the draft ordinance.

ATTACHMENTS:

- ◆ 11/13/17 & 1/8/18 Plan Commission Meeting Minutes
- ◆ 11/13/17 & 1/8/18 Staff Reports
- ◆ Draft Ordinance

PLAN COMMISSION RECOMMENDATION:

APPROVE the proposed code amendments to Sections 17.41 and 17.49.

[NOTE: See enclosed Staff reports for a detailed explanation and justification for the proposed code amendments.]

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, January 15, 2018

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 sections of the Zoning Code (Chapter 17) of the Village of Germantown Municipal Code: 17.41 (Residential Accessory, Use, Building and Structures); and 17.49 (Architectural Control) affecting the size, location and exterior materials of residential accessory structures.

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 December 2017

Deanna Boldrey, Village Clerk

To Be Published On: December 27th, 2017 and January 3rd, 2018

ZONING CODE AMENDMENTS

11/13/17 Plan Commission Meeting

Germantown Community Development Department

Village Planner Report

Germantown, Wisconsin

Summary

The Community Development Department is proposing amendments to the allowances, limitations and restrictions for residential accessory buildings. The amendments are proposed in order to reflect recent actions and/or policy decisions by the Village, and, to clarify or otherwise improve staff's ability to administer and enforce these regulations in light of changing technological, socio-economic and general land use conditions and trends.

Amendment Group #1

Section 1 and Section 2 below address the size of detached accessory buildings allowed in the Village's single-family (Rs-1 through Rs-7) and two-family zoning districts (Rd-2). In 2008, the Village made a significant revision to these regulations by increasing the size of accessory buildings allowed in all the residential zoning districts. The Village replaced the previous "flat rate" building size allowance and replaced it with a "sliding scale" that allows larger residential parcels larger-sized accessory buildings based on a 1 percent formula (the maximum accessory building size equals 1% of the total parcel size in square feet).

Since 2008, the Village has received feedback from residents, as well as variance appeals, who own property in the Rs-1 (5-acre min lot size), Rs-2 (2-acre minimum lot size) and the Rs-3 (1-acre minimum lot size) zoning districts, seeking larger accessory buildings than what the current 1% formula would allow. While not a general rule, it's not difficult to understand that, the larger the property the more vehicles, property maintenance and other equipment, and "toys" an owner might have to keep safe and secure.

Regarding those property owners who have petitioned the Board of Zoning Appeals (BOZA) for a variance in order to construct a larger-than-allowed accessory building under the 1% formula, the BOZA denied those variance requests given strict criteria that the BOZA is charged to uphold. These criteria prohibit the granting of a variance based on cost and convenience factors that might apply to a property owner and only allow consideration of hardships created by physical characteristics of the property.

Consequently, Staff is recommending that the maximum accessory building area allowed in the Rs-1, Rs-2 and Rs-3 Districts be increased by increasing the 1% formula to 1.5% in the Rs-3 District, to 1.75% in the Rs-2 District and to 2% in the Rs-1 District. These changes are made in Table 1 under Section 17.41 of the Zoning Code. Minor text changes are also recommended as highlighted (underline & strikeout) in Section 1 and Section 2 below.

#

SECTION 1. That Section 17.41 (Residential Accessory Use, Building and Structure Restrictions) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.41(1) SIZE AND NUMBER LIMITATIONS.

- (a) In the single-family and 2-family zoning districts (Rs-1 through Rs-7 and Rd-2), each residential dwelling shall be constructed to include an attached garage and/or a detached garage (i.e. detached accessory building). Where a dwelling contains a single attached garage, subject to the maximum lot coverage, building height, building setback or other applicable allowances and limitations, there is no specific size (area) limit for an attached garage. A dwelling within the Rs-1 or Rs-2 District may include a second attached garage provided that such garage complies with the area standards in (b), ~~and, obtains site plan approval from the Plan Commission.~~
- (b) The maximum size of a second attached garage and the maximum size and number of detached accessory buildings allowed per lot or parcel in each residential zoning district shall be as set forth in Table 1 below.

#

SECTION 2. That Table 1 under Section 17.41(1)(b) (Residential Accessory Use, Building and Structure Restrictions) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

TABLE 1.

Zoning District	Attached Garages		Detached Accessory Building		
	Max. Number	Max. Floor Area ⁽⁵⁾ (sqft)	Max. Number	Maximum Floor Area ⁽⁵⁾ (sqft) (cumulative total for all accessory buildings)	
				Attached Garage Included	Attached Garage NOT Included
Rs-1	2; Second requires Site Plan approval	No limit on First; Second may not exceed <u>2 1%</u> of lot area or 192 sqft ⁽¹⁾⁽²⁾	2; Except that only one is allowed if there is more than one attached garage	<u>2 1%</u> of lot area or 192 sqft ⁽²⁾	<u>2 1%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-2	2; Second requires Site Plan approval	No limit on First; Second may not exceed <u>1.75 1%</u> of lot area or 192 sqft ⁽¹⁾⁽²⁾	2; Except that only one is allowed if there is more than one attached garage	<u>1.75 1%</u> of lot area or 192 sqft ⁽²⁾	<u>1.75 1%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-3	1	No limit ⁽¹⁾	1	<u>1.5 1%</u> of lot area or 192 sqft ⁽²⁾	<u>1.5 1%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-4	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-5	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-6	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-7	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rd-2	2	No limit ⁽¹⁾	2	1% of lot area or 192 sqft ⁽²⁾⁽³⁾	1% of lot area or 864 sqft ⁽⁴⁾

Notes:

1. Subject to the maximum lot coverage, building height, building setback or other applicable allowances and limitations, there is no maximum size (area) for an attached garage.
2. If an existing dwelling unit includes an attached garage, then the maximum floor area allowed for all detached accessory buildings (cumulative total per lot or parcel) up to the percentage noted is 1% of the net lot or parcel area (in square feet) or 192 square feet, whichever is greater.
3. The 1 percent maximum floor area allowance applies to each dwelling unit on a lot or parcel in the Rd-2 2-family zoning district.
4. Many residential lots in the older established areas of the Village do not have (or may not be capable of having) an attached garage due to lot width, building setback, septic system

#

location, or other limitations associated with substandard lots. In these cases, the maximum floor area allowed for all detached accessory buildings (cumulative total per lot or parcel) is 1% of the net lot or parcel area (in square feet) or 864 square feet, whichever is greater.

5. The calculation of "maximum floor area" for detached accessory building shall include:
 - a. All floor area (including second or higher floors) where the ceiling height above the floor is 6 feet or higher; and
 - b. If in the Rs-1 or Rs-2 District, any additional area under cover by an overhang that is greater than 2 feet from the exterior wall on three sides of a building, plus the area under cover by an overhang that is greater than 6 feet on the remaining side(s).

Amendment Group #2

Section 3 and Section 4 below address architectural and exterior material requirements for detached accessory buildings in the residential zoning districts. The amendments below reduce the threshold for needing to meet the current architecture and material "consistency" requirement from 200 to 160 sqft, and, moves this requirement from the ARCHITECTURAL REVIEW BOARD section in the Zoning Code to the RESIDENTIAL ACCESSORY STRUCTURE section with a link between the two sections by reference. From an administrative perspective, this amendment puts an important requirement that property owners need to be aware of in that section of the code where they are more likely to look when researching what the Village's requirements are for accessory buildings.

SECTION 3. That Section 17.41(2a) (ARCHITECTURAL APPEARANCE AND MATERIALS) is created as follows:

17.41(2a) ARCHITECTURAL APPEARANCE AND MATERIALS.

In single-family and 2-family zoning districts (Rs-1 through Rs-7 and Rd-2), accessory buildings which exceed 160 square feet in area shall be of a similar architectural appearance and exterior material as the dwelling on the property. For accessory buildings greater than 160 square feet in area, the Plan Commission may, in circumstances which it deems appropriate, grant a variance to this requirement and approve different architecture and/or exterior materials with a Zoning Permit. See also Section 17.49 (ARCHITECTURAL CONTROL).

SECTION 4. That Section 17.49 (ARCHITECTURAL CONTROL) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.49(3) PRINCIPLES.

- (e) See Section 17.41(2a). ~~Accessory structures for single-family and 2-family buildings, which exceed 200 square feet in footprint shall be of a similar architectural appearance and material as the primary building on the property. For those buildings greater than 200 square feet the Plan Commission may, in circumstances which it deems appropriate, grant a variance to the requirements to structures up to 400 square feet in size.~~

Amendment Group #3

Section 5 and Section 6 below address the location requirements for accessory buildings. Currently, accessory buildings in all residential districts are required to be located in either a side or rear yard.

Over the years, the Village has received feedback from residents, as well as variance appeals, who own property in the Rs-1 District (5-acre min lot size), seeking permission to locate accessory buildings in a front/street yard of their property. While not a general rule, it's not difficult to understand that, the larger the property the more "flexibility" those property owners expect to have over the use and location of buildings allowed on their property. Like the issue of accessory building size, those property owners who have petitioned the Board of Zoning Appeals (BOZA) for a variance in order to locate an accessory building in a front yard, have had their variance requests denied because of the strict criteria that the BOZA is charged to uphold. Again, these criteria prohibit the granting of a variance based on cost and convenience factors and only allow consideration of hardships created by physical characteristics of the property. Recently, and in reaction to the number of Rs-1 District yard variances the BOZA has denied over the years, the BOZA has asked Staff to consider making changes to the accessory building yard requirement as it applies to the Rs-1 District.

Consequently, Staff is recommending that the yard requirement for accessory buildings be clarified for all residential zoning districts, and in so doing, add language to allow accessory buildings in a front yard of property in an Rs-1 District subject to certain limitations that are intended to off-set or mitigate potential impacts of allowing accessory buildings in a front yard as detailed below.

SECTION 5. That Section 17.41(3) (Location Requirements) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.41(3) LOCATION REQUIREMENTS.

- (a) In all single-family and 2-family zoning districts except for the Rs-1 District (Rs-2 through Rs-7 and Rd-2), accessory buildings shall be located in a side or rear yard.
- (b) In the Rs-1 District, accessory buildings may be located in a front/street yard provided that:
 - 1. The minimum street yard building setback distance for the accessory building is equal to 50 percent of the actual building setback distance for the principal dwelling, or, 45 feet, whichever is greater; and
 - 2. A visual buffer of the accessory building shall be provided in the form of natural and/or planted vegetation, berms, fencing or a combination thereof as necessary to achieve a height of at least six (6) feet and a minimum twenty-five (25) percent visual opacity within two (2) years of installation from any adjacent public right-of-way and residential dwelling.

#

- (c) Except for accessory buildings located entirely in the rear yard, all accessory buildings and attached garages shall be subject to side yard building setback requirements of the principal building.

SECTION 6. That Section 17.50 (MODIFICATIONS) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.50(2) YARDS.

- ~~(b) Accessory uses and detached accessory structures are permitted in the rear yard only; they shall not be closer than 10 feet to the principal structure; and shall not exceed 15 feet in height.~~

Amendment Group #4

Section 7 below is intended to address a “gap” in the current regulations for certain types of accessory buildings that is becoming more and more commonplace and, in some cases, necessary... temporary storage containers and structures such as “PODS” and metal-framed “hoop” structures used for carports and equipment storage. The amendment below creates a new section in the Code that establishes some basic restrictions on the use, duration and location of these types of structures on residential property.

SECTION 7. That Section 17.41(7) (TEMPORARY ACCESSORY STORAGE STRUCTURES) is created as follows:

17.41(7) TEMPORARY STORAGE STRUCTURES.

Temporary storage buildings and structures intended for short or long-term storage of vehicles, equipment, materials and/or household items, including but not limited to: portable storage containers such as “UNITS” and “PODS”, shipping containers, metal-frame and/or fabric-covered canopies, vehicle shelters or carports, and “hoop” buildings, may be permitted in any single-family and 2-family district (Rs-1 through Rs-7 and Rd-2), provided that:

- (a) the owner/installer of any temporary storage structure has obtained a Temporary Use Permit from the Village for the installation and use of said structure;
- (b) said structure shall be located in a side or rear yard of the property except as provided below:
 1. temporary storage structures may be located in a front yard for a period not to exceed forty-five (45) days if said structure is used for storing or moving equipment and household items while the property owner is moving to/from the property, the property is being renovated, or for any emergency or other reasonable purpose deemed acceptable by the Zoning Administrator.

ZONING CODE AMENDMENTS

1/8/18 Plan Commission Meeting

Germantown Community Development Department

Village Planner Report

Germantown, Wisconsin

Summary

The Community Development Department is proposing amendments to the allowances, limitations and restrictions for residential accessory buildings. The amendments are proposed in order to reflect recent actions and/or policy decisions by the Village, and, to clarify or otherwise improve staff's ability to administer and enforce these regulations in light of changing technological, socio-economic and general land use conditions and trends.

At their November 13, 2017 meeting, the Plan Commission recommended approval of three sets of related amendments, but tabled action on a fourth set pending the submittal of optional language for the Commission to consider regarding "temporary storage structures" as presented herein.

Section 7 below is intended to address a "gap" in the current regulations for certain types of accessory buildings that is becoming more and more commonplace and, in some cases, necessary... temporary storage containers and structures such as "PODS" and metal-framed "hoop" structures used for carports and equipment storage. The amendment below creates a new section in the Code that establishes some basic restrictions on the use, duration and location of these types of structures on residential property.

SECTION 7. That Section 17.41(7) (TEMPORARY STORAGE STRUCTURES) is created as follows:

17.41(7) TEMPORARY STORAGE STRUCTURES.

- (a) For purposes of this section, a "temporary storage structure" is defined as a building or other enclosed or covered structure intended for the shelter, storage and/or conveyance of vehicles, equipment, building materials, household or personal items, junk and trash, etc. on a short-term or long-term basis. Examples of "temporary storage structures" include, but are not limited to, portable storage containers sold or rented under the business name "UNITS" and "PODS" and all other similar structures, freight-type shipping containers, metal-frame and/or fabric-covered canopies, vehicle shelters or carports, "hoop" buildings, and dumpsters.
- (b) Temporary storage structures intended for may be permitted in any Single-family or Two-family Zoning District (including the Rs-1 through Rs-7 and Rd-2 Districts), provided that:
 - 1. temporary storage structures may be installed on a property for a period not to exceed thirty (30) consecutive or cumulative days without a permit or approval from the Village if said structure is used for storing or moving vehicles, equipment, building materials, household or personal items while

the property owner is moving to/from the property, the property is being renovated, or for any emergency or other reasonable purpose deemed acceptable by the Zoning Administrator. Temporary storage structures allowed under this provision may be located in a front, side or rear yard of a property;

2. temporary storage structures installed on a property for a period greater than thirty (30) but less than ninety (90) consecutive or cumulative days may be allowed with a "Temporary Storage Structure-Zoning Permit" issued by the Village. Temporary storage structures allowed under this provision may be located only in a side or rear yard of a property;
3. temporary storage structures installed on a property for a period greater than ninety (90) but less than (180) consecutive or cumulative days may be allowed as a "temporary use" subject to the Temporary Use Permit requirements under Section 17.07(2a). Temporary storage structures allowed under this provision may be located only in a side or rear yard of a property and meet applicable building setback requirements;
4. Property owners/tenants who want to install a temporary storage structure on a property for a period greater than (180) consecutive or cumulative days can only do so if more than one Temporary Use Permit is issued by the Village pursuant to section 3. above.

With respect to section 2. Above, it is intended that a new category of Zoning Permit be created with an application fee of fifty (50) dollars (vs. the current Zoning Permit fee of \$175 or the current Temporary Use Permit fee of \$210).

ORIGINAL LANGUAGE PROPOSED BY STAFF AND REVIEWED BY THE PLAN COMMISSION AT THE NOVEMBER 13, 2017 MEETING:**17.41(7) TEMPORARY STORAGE STRUCTURES.**

Temporary storage structures intended for short or long-term storage of vehicles, equipment, materials and/or household items, including but not limited to: portable storage containers such as “UNITS” and “PODS”, shipping containers, metal-frame and/or fabric-covered canopies, vehicle shelters or carports, “hoop” buildings may be permitted in any single-family and 2-family district (Rs-1 through Rs-7 and Rd-2), provided that:

- (a) the owner/installer of any temporary storage structure has obtained a Temporary Use Permit from the Village for the installation and use of said structure;
- (b) said structure shall be located in a side or rear yard of the property except as provided below:
 - 1. temporary storage structures may be located in a front yard for a period not to exceed forty-five (45) days if said structure is used for storing or moving equipment and household items while the property owner is moving to/from the property, the property is being renovated, or for any emergency or other reasonable purpose deemed acceptable by the Zoning Administrator.

shop and restaurant that will include a covered portico between the two buildings, interior and exterior renovations and expansion of the parking lot. Planner Retzlaff summarized the proposal. Greg Nagel, Virtus Development, answered questions.

Plan Commission members had the following comments and concerns:

- What are the plans for the outside of the building and how will the two buildings be linked together.
- Will one parking lot serve both businesses and is the parking adequate.
- The round-about makes it easier to access this development
- Could there be other development proposals in this area.
- What height will the privacy fence be – the neighbors are happy with the fence proposal
- Are there any traffic projections? Plan Commission could recommend if necessary.
- The second floor would be part of the restaurant and not a residence. Will Fire Department approve of restaurant on the second floor?
- The commercial building and fire code will need to be met
- Entry to the development is right turn only
- What is the purpose of the portico
- The design looks cobbled together
- Likes the use and proposal. Brings interest and revitalization to the area. Applauds someone who wants to take on the historical aspect of the project
- The code requires any reconstructed parking lot abide by the 50-foot setback from residential. Building setback for the porch encroaches into the road right-of-way and needs to be resolved and if reconstructed needs to meet compliance.
- The building is non-conforming and the improvements to the building may exceed 50 percent of the value of the building where the non-conforming use and structure provisions kick in and necessitate compliance with the code. A PDD overlay will likely be needed to address issues with parking, setbacks and code compliance.
- The hours of operation for the coffee shop and restaurant will be shorter than the current hours of operation.
- Concern there won't be enough parking available. It was suggested contacting the owner across the street to possibly make arrangements for staff to park on the vacant site.

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

Community Development Department – Proposed Zoning Code Amendments to the allowances, limitations and restrictions for residential accessory buildings. Planner Retzlaff summarized the proposed amendments. The amendments are proposed to reflect recent actions and/or policy decisions by the Village, and, to clarify or otherwise improve staff's ability to administer and enforce these regulations in light of changing technological, socio-economic and general land use conditions and trends.

MOTION Gray second Shadid to Approve Amendment Group #1 to Section 17.41 (Residential Accessory Use, Building and Structure Restrictions) as follows where words that are stricken are deleted and words that are underlined are to be added:

SECTION 1. 17.41(1) SIZE AND NUMBER LIMITATIONS.

- (a) In the single-family and 2-family zoning districts (Rs-1 through Rs-7 and Rd-2), each residential dwelling shall be constructed to include an attached garage and/or a detached garage (i.e. detached accessory building). Where a dwelling contains a single attached

garage, subject to the maximum lot coverage, building height, building setback or other applicable allowances and limitations, there is no specific size (area) limit for an attached garage. A dwelling within the Rs-1 or Rs-2 District may include a second attached garage provided that such garage complies with the area standards in (b), ~~and, obtains site plan approval from the Plan Commission.~~

- (b) The maximum size of a second attached garage and the maximum size and number of detached accessory buildings allowed per lot or parcel in each residential zoning district shall be as set forth in Table 1 below.

SECTION 2. That Table 1 under Section 17.41(1)(b) (Residential Accessory Use, Building and Structure Restrictions) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

TABLE 1.

Zoning District	Attached Garages		Detached Accessory Building		
	Max. Number	Max. Floor Area ⁽⁵⁾ (sqft)	Max. Number	Maximum Floor Area ⁽⁵⁾ (sqft) (cumulative total for all accessory buildings)	
				Attached Garage Included	Attached Garage NOT Included
Rs-1	2; Second requires Site Plan approval	No limit on First; Second may not exceed 2 1% of lot area or 192 sqft ⁽¹⁾⁽²⁾	2; Except that only one is allowed if there is more than one attached garage	2 1% of lot area or 192 sqft ⁽²⁾	2 1% of lot area or 864 sqft ⁽⁴⁾
Rs-2	2; Second requires Site Plan approval	No limit on First; Second may not exceed <u>1.75 1%</u> of lot area or 192 sqft ⁽¹⁾⁽²⁾	2; Except that only one is allowed if there is more than one attached garage	<u>1.75 1%</u> of lot area or 192 sqft ⁽²⁾	<u>1.75 1%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-3	1	No limit ⁽¹⁾	1	<u>1.5 1%</u> of lot area or 192 sqft ⁽²⁾	<u>1.5 1%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-4	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-5	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-6	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-7	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rd-2	2	No limit ⁽¹⁾	2	1% of lot area or 192 sqft ⁽²⁾⁽³⁾	1% of lot area or 864 sqft ⁽⁴⁾

Notes:

- Subject to the maximum lot coverage, building height, building setback or other applicable allowances and limitations, there is no maximum size (area) for an attached garage.
- If an existing dwelling unit includes an attached garage, then the maximum floor area allowed for all detached accessory buildings (cumulative total per lot or parcel) up to the percentage noted is ~~1%~~ of the net lot or parcel area (in square feet) or 192 square feet, whichever is greater.
- The 1 percent maximum floor area allowance applies to each dwelling unit on a lot or parcel in the Rd-2 2-family zoning district.
- Many residential lots in the older established areas of the Village do not have (or may not be capable of having) an attached garage due to lot width, building setback, septic system location, or other limitations associated with substandard lots. In these cases, the maximum floor area allowed for all detached accessory buildings (cumulative total per lot or parcel) is 1% of the net lot or parcel area (in square feet) or 864 square

feet, whichever is greater.

5. The calculation of "maximum floor area" for detached accessory building shall include:
 - a. All floor area (including second or higher floors) where the ceiling height above the floor is 6 feet or higher; and
 - b. If in the Rs-1 or Rs-2 District, any additional area under cover by an overhang that is greater than 2 feet from the exterior wall on three sides of a building, plus the area under cover by an overhang that is greater than 6 feet on the remaining side(s).

MOTION carried unanimously.

MOTION Shadid second Gray to Approve Amendment Group 2 to Section 17.41 (Architectural appearance and materials) and 17.49 (Principles) as follows where words that are stricken are deleted and words that are underlined are to be added:

SECTION 3. That Section 17.41(2a) (ARCHITECTURAL APPEARANCE AND MATERIALS) is created as follows:

17.41(2a) ARCHITECTURAL APPEARANCE AND MATERIALS.

In single-family and 2-family zoning districts (Rs-1 through Rs-7 and Rd-2), accessory buildings which exceed 160 square feet in area shall be of a similar architectural appearance and exterior material as the dwelling on the property. For accessory buildings greater than 160 square feet in area, the Plan Commission may, in circumstances which it deems appropriate, grant a variance to this requirement and approve different architecture and/or exterior materials with a Zoning Permit. See also Section 17.49 (ARCHITECTURAL CONTROL).

SECTION 4. That Section 17.49 (ARCHITECTURAL CONTROL) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.49(3) PRINCIPLES.

- (e) See Section 17.41(2a). ~~Accessory structures for single-family and 2-family buildings, which exceed 200 square feet in footprint shall be of a similar architectural appearance and material as the primary building on the property. For those buildings greater than 200 square feet the Plan Commission may, in circumstances which it deems appropriate, grant a variance to the requirements to structures up to 400 square feet in size.~~

Planner Retzlaff explained the reason for changing from 200 square feet to 160 square feet was because 160 square feet is more attuned to standard building sizes.

MOTION carried unanimously.

MOTION Shadid second Gray to Approve Amendment Group #3 to Section 17.41 (Location Requirements) and 17.50 (Modifications) as follows where words that are stricken are deleted and words that are underlined are to be added:

SECTION 5. That Section 17.41(3) (Location Requirements) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.41(3) LOCATION REQUIREMENTS.

- (a) In all single-family and 2-family zoning districts except for the Rs-1 District (Rs-2 through Rs-7 and Rd-2), accessory buildings shall be located in a side or rear yard.
- (b) In the Rs-1 District, accessory buildings may be located in a front/street yard provided that:

1. The minimum street yard building setback distance for the accessory building is equal to 50 percent of the actual building setback distance for the principal dwelling, or, 45 feet, whichever is greater; and
2. A visual buffer of the accessory building shall be provided in the form of natural and/or planted vegetation, berms, fencing or a combination thereof as necessary to achieve a height of at least six (6) feet and a minimum twenty-five (25) percent visual opacity within two (2) years of installation from any adjacent public right-of-way and residential dwelling.

- (c) Except for accessory buildings located entirely in the rear yard, all accessory buildings and attached garages shall be subject to side yard building setback requirements of the principal building.

SECTION 6. That Section 17.50 (MODIFICATIONS) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.50(2) YARDS.

- ~~(b) Accessory uses and detached accessory structures are permitted in the rear yard only; they shall not be closer than 10 feet to the principal structure; and shall not exceed 15 feet in height.~~

Planner Retzlaff explained the front yard building setback in the Rs-1 zoning district is 45 feet but homeowners can place their house in different places beyond the 45 foot setback. By establishing a setback of 50 percent of the actual building setback distance, or 45 feet, whichever is greater, provides some flexibility for accessory structures to be placed in the front yard. He said there have been a lot of requests from property owners over the years who ask to put an accessory structure in their front yard. These requests require a variance from the Board of Zoning Appeals but the variance cannot be met. The Board of Zoning Appeals has asked staff to consider looking into changing the code.

MOTION carried 4-2 (Wolter, Williams)

MOTION Shadid second Laszewski to Approve Amendment Group #4 to Section 17.41 (Temporary Accessory Storage Structures) as follows where words that are stricken are deleted and words that are underlined are to be added:

SECTION 7. That Section 17.41(7) (TEMPORARY ACCESSORY STORAGE STRUCTURES) is created as follows:

17.41(7) TEMPORARY STORAGE STRUCTURES.

Temporary storage buildings and structures intended for short or long-term storage of vehicles,

equipment, materials and/or household items, including but not limited to: portable storage containers such as “UNITS” and “PODS”, shipping containers, metal-frame and/or fabric-covered canopies,

vehicle shelters or carports, and “hoop” buildings, may be permitted in any single-family and 2-family district (Rs-1 through Rs-7 and Rd-2), provided that:

- (a) the owner/installer of any temporary storage structure has obtained a Temporary Use Permit from the Village for the installation and use of said structure;
- (b) said structure shall be located in a side or rear yard of the property except as provided below:

1. temporary storage structures may be located in a front yard for a period not to exceed forty-five (45) days if said structure is used for storing or moving equipment and household items while the property owner is moving to/from the property, the property is being renovated, or for any emergency or other reasonable purpose deemed acceptable by the Zoning Administrator.

Planner Retzlaff explained temporary storage structures are not currently regulated by the code. However, neighbors have complained and citations have been issued because of the length of time a storage structure has remained on a property and not on a temporary basis. The Village Attorney has suggested staff come up with some rules and language that will define when, where, and how long structures can be used to establish a policy. Discussion continued. Planner Retzlaff explained a temporary use permit is good for 6 months but a consecutive permit could be granted. The Plan Commission thought the \$210 permit fee was costly for a short period of time and discussed a 30 day no permit time period. Chairman Wolter said there should be a separation of units and pods versus structures for long term storage for boats and campers. He said there is a difference between storage for someone looking to move and needing something for short term use.

Commissioner Gray asked that the amendment be brought back after its revised. Planner Retzlaff said he could create language defining pods, units and waste dumpsters, include a 30-day exemption for a permit and after 30 days a temporary use permit would be required. Chairman Wolter agreed language should be created that separates pods from other temporary structures, allowing them in the front yard for 30 days with no permit. Long term storage including hoop buildings or temporary cloth structures should be permitted. Planner Retzlaff said it would be easier to deal with days and not the definition of a structure.

MOTION to Amend Shadid second Gray to TABLE until the Village Planner comes back with further options.

MOTION carried unanimously.

ANNOUNCEMENTS: Planner Retzlaff said a listening session has been scheduled for November 27th regarding the J.W. Speaker expansion and PDD proposal and a Joint Review Board meeting and Plan Commission meeting is scheduled for November 29th to discuss the J.W. Speaker expansion and PDD. The next regular Plan Commission meeting is December 11, 2017.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

**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 17.41 (Residential Accessory Use, Building and Structure Restrictions) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.41(1) **SIZE AND NUMBER LIMITATIONS.**

- (a) In the single-family and 2-family zoning districts (Rs-1 through Rs-7 and Rd-2), each residential dwelling shall be constructed to include an attached garage and/or a detached garage (i.e. detached accessory building). Where a dwelling contains a single attached garage, subject to the maximum lot coverage, building height, building setback or other applicable allowances and limitations, there is no specific size (area) limit for an attached garage. A dwelling within the Rs-1 or Rs-2 District may include a second attached garage provided that such garage complies with the area standards in (b), ~~and, obtains site plan approval from the Plan Commission.~~
- (b) The maximum size of a second attached garage and the maximum size and number of detached accessory buildings allowed per lot or parcel in each residential zoning district shall be as set forth in Table 1 below.

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

SECTION 2. That Table 1 under Section 17.41(1)(b) (Residential Accessory Use, Building and Structure Restrictions) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

TABLE 1.

Zoning District	Attached Garages		Detached Accessory Building		
	Max. Number	Max. Floor Area ⁽⁵⁾ (sqft)	Max. Number	Maximum Floor Area ⁽⁵⁾ (sqft) (cumulative total for all accessory buildings)	
				Attached Garage Included	Attached Garage NOT Included
Rs-1	2; Second requires <u>Zoning Permit Site Plan</u> approval	No limit on First; Second may not exceed <u>2 1%</u> of lot area or 192 sqft ⁽¹⁾⁽²⁾	2; Except that only one is allowed if there is more than one attached garage	<u>2 1%</u> of lot area or 192 sqft ⁽²⁾	<u>2 1%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-2	2; Second requires <u>Zoning Permit Site Plan</u> approval	No limit on First; Second may not exceed <u>1.75 1%</u> of lot area or 192 sqft ⁽¹⁾⁽²⁾	2; Except that only one is allowed if there is more than one attached garage	<u>1.75 1%</u> of lot area or 192 sqft ⁽²⁾	<u>1.75 1%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-3	1	No limit ⁽¹⁾	1	<u>1.5 1%</u> of lot area or 192 sqft ⁽²⁾	<u>1.5 1%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-4	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-5	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-6	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-7	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rd-2	2	No limit ⁽¹⁾	2	1% of lot area or 192 sqft ⁽²⁾⁽³⁾	1% of lot area or 864 sqft ⁽⁴⁾

Notes:

1. Subject to the maximum lot coverage, building height, building setback or other applicable allowances and limitations, there is no maximum size (area) for an attached garage.
2. If an existing dwelling unit includes an attached garage, then the maximum floor area allowed for all detached accessory buildings (cumulative total per lot or parcel) up to the percentage noted is 1% of the net lot or parcel area (in square feet) or 192 square feet, whichever is greater.
3. The 1 percent maximum floor area allowance applies to each dwelling unit on a lot or parcel in the Rd-2 2-family zoning district.

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

SECTION 3. That Section 17.41(2a) (ARCHITECTURAL APPEARANCE AND MATERIALS) is created as follows:

17.41(2a) ARCHITECTURAL APPEARANCE AND MATERIALS.

In single-family and 2-family zoning districts (Rs-1 through Rs-7 and Rd-2), accessory buildings which exceed 160 square feet in area shall be of a similar architectural appearance and exterior material as the dwelling on the property. For accessory buildings greater than 160 square feet in area, the Plan Commission may, in circumstances which it deems appropriate, grant a variance to this requirement and approve different architecture and/or exterior materials with a Zoning Permit. See also Section 17.49 (ARCHITECTURAL CONTROL).

SECTION 4. That Section 17.49 (ARCHITECTURAL CONTROL) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.49(3) PRINCIPLES.

- (e) ~~See Section 17.41(2a). Accessory structures for single-family and 2-family buildings, which exceed 200 square feet in footprint shall be of a similar architectural appearance and material as the primary building on the property. For those buildings greater than 200 square feet the Plan Commission may, in circumstances which it deems appropriate, grant a variance to the requirements to structures up to 400 square feet in size.~~

SECTION 5. That Section 17.41(3) (Location Requirements) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.41(3) LOCATION REQUIREMENTS.

- (a) In all single-family and 2-family zoning districts except for the Rs-1 District (Rs-2 through Rs-7 and Rd-2), accessory buildings shall be located in a side or rear yard.
- (b) In the Rs-1 District, accessory buildings may be located in a front/street yard provided that:
1. The minimum street yard building setback distance for the accessory building is equal to 50 percent of the actual building setback distance for the principal dwelling, or, 45 feet, whichever is greater; and
 2. A visual buffer of the accessory building shall be provided in the form of natural and/or planted vegetation, berms, fencing or a combination thereof as necessary to achieve a height of at least six (6) feet and a minimum twenty-five (25) percent visual opacity within two (2) years of installation from any adjacent public right-of-way and residential dwelling.
- (c) Except for accessory buildings located entirely in the rear yard, all accessory buildings and attached garages shall be subject to side yard building setback requirements of the principal building.

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

SECTION 6. That Section 17.50 (MODIFICATIONS) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.50(2) YARDS.

~~(b) Accessory uses and detached accessory structures are permitted in the rear yard only; they shall not be closer than 10 feet to the principal structure; and shall not exceed 15 feet in height.~~

SECTION 7. That Section 17.41(7) (TEMPORARY STORAGE STRUCTURES) is created as follows:

17.41(7) TEMPORARY STORAGE STRUCTURES.

- (a) For purposes of this section, a "temporary storage structure" is defined as a building or other enclosed or covered structure intended for the shelter, storage and/or conveyance of vehicles, equipment, building materials, household or personal items, junk and trash, etc. on a short-term or long-term basis. Examples of "temporary storage structures" include, but are not limited to, portable storage containers sold or rented under the business name "UNITS" and "PODS" and all other similar structures, freight-type shipping containers, metal-frame and/or fabric-covered canopies, vehicle shelters or carports, "hoop" buildings, and dumpsters.
- (b) Temporary storage structures intended for may be permitted in any Single-family or Two-family Zoning District (including the Rs-1 through Rs-7 and Rd-2 Districts), provided that:
1. temporary storage structures may be installed on a property for a period not to exceed thirty (30) consecutive or cumulative days without a permit or approval from the Village if said structure is used for storing or moving vehicles, equipment, building materials, household or personal items while the property owner is moving to/from the property, the property is being renovated, or for any emergency or other reasonable purpose deemed acceptable by the Zoning Administrator. Temporary storage structures allowed under this provision may be located in a front, side or rear yard of a property;
 2. temporary storage structures installed on a property for a period greater than thirty (30) but less than ninety (90) consecutive or cumulative days may be allowed with a "Temporary Storage Structure-Zoning Permit" issued by the Village. Temporary storage structures allowed under this provision may be located only in a side or rear yard of a property;
 3. temporary storage structures installed on a property for a period greater than ninety (90) but less than (180) consecutive or cumulative days may be allowed as a "temporary use" subject to the Temporary Use Permit requirements under Section 17.07(2a). Temporary storage structures allowed under this provision may be located only in a side or rear yard of a property and meet applicable building setback requirements;
 4. Property owners/tenants who want to install a temporary storage structure on a property for a period greater than (180) consecutive or cumulative days can only do so if more than one Temporary Use Permit is issued by the Village pursuant to section 3. above.

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

SECTION 8. 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:

_____, Village Clerk

Brian C. Sajdak, Village Attorney

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 01-2018

**APPROVING THE SALARIES AND COMPENSATION FOR EXEMPT EMPLOYEES AND
OTHER NON-REPRESENTED SUPPORT STAFF – CALENDAR YEAR 2018**

WHEREAS, the Village of Germantown employs both union and non-union personnel;
and,

WHEREAS, it is necessary that the Village Board establish or approve compensation
levels for exempt and non-union support staff personnel, and,

WHEREAS, the Village Board of the Village of Germantown has adopted the 2018
Budget on November 20, 2017 which included funding to cover 2018 salaries, and,

WHEREAS, the Village Board has authorized a 1.5% increase to some non-
represented positions on January 15, 2018 to be effective January 1, 2018, and,

WHEREAS, the budget process allowed a \$3,000 flat rate increase to the Police
Department Command Staff, other than the position of Police Chief, to also be effective on
January 1, 2018, and

NOW THEREFORE BE IT RESOLVED that the attached salary and Compensation
Schedule for fiscal year January 1 through December 31, 2018 is approved.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

1.50%**2018 SALARY AND COMPENSATION SCHEDULE**

	2017	2018	
1. Legislative			
a. Village President	\$8,000	\$8,000	annually
b. Village Trustees	5,500	5,500	annually
2. Village Offices - General			
a. Public Works Secretary	\$22.80	\$23.14	per hour
b. Deputy Treasurer	24.44	\$24.81	per hour
c. Deputy Clerk	\$19.91 - 23.91	\$20.21 - \$24.10	per hour
d. Accounts Payable Clerk	19.26	\$19.55	per hour
e. Utility Accounts Clerk	20.89	\$21.20	per hour
3. Administrative & Related			
a. Village Administrator - Eff 9/29/18	\$117,000	\$118,755	annually
b. Village Clerk - New Hire 12/08/17	\$68,000 - \$69,000	\$68,000 - \$70,000	annually
c. Village Finance Director -	78,412	\$79,588	annually
4. Public Works			
a. Director of Public Works	\$93,228	\$94,626	annually
b. Village Engineer -	87,720	\$89,036	annually
c. Superintendent Highways, Parks & Bld.Grounc	67,068	\$68,074	annually
c.1 Supt. Highways, Parks & Bld.Grnds w/o Vehicl	71,398	\$72,469	annually
d. Superintendent Water	67,068	\$68,074	annually
d.1 Superintendent Water -w/o Vehicle eff 3/24/18	70,000	\$71,050	annually
e. Foreman - Hwy, Parks, Bldg., Grds	65,648	\$66,633	annually
f. Superintendent Wastewater	67,068	\$68,074	annually
f.1 Superintendent Wastewater w/o vehicle	71,398	\$72,469	annually
g. Part-time Public Works Dept			
Range - low	9.00	\$9.14	per hour
Range - high	12.55	\$12.74	per hour
5th Year -- Recycling Aids	11.57	\$11.74	per hour
h. Summer Intern - Engineering	12.00	\$12.18	per hour
Summer Intern - Engineering - Returning	13.00	\$13.20	
i. Land Surveyor	\$26.72 - \$31.73	\$27.12 - \$32.21	per hour
j. Engineering Assistant	\$23.95 - \$28.43	\$24.31 - \$28.86	per hour
k. Civil Engineer - New Hire & Pay Grade	\$26.34 - \$32.40	\$26.74 - \$32.87	per hour
l. Community Development Director	79,663	\$80,858	annually
m. Building / Residential Electrical Inspector II	28.52	\$28.95	per hour
n. Building / Residential Electrical Inspector I	TBD	TBD	per hour
o. Commercial Electric		1/2 Inspection Fee	
p. Building Inspection Secretary	21.50	\$21.82	per hour
q. Planning/Zoning Assistant	21.49	\$21.81	per hour
5. Public Safety			
a. Police Chief	\$100,144	\$101,646	annually
b. Police Captain	92,094	\$96,475	annually
c. Police Lieutenant	\$87,985 - \$88,189	\$92,305 - \$92,512	annually
d. Police Detective Sergeant	41.11	\$42.34	per hour
e. Communications Supervisor	58,219	\$59,092	annually

2018 SALARY AND COMPENSATION SCHEDULE (cont)

	2017	2018	
		1.50%	
5 Public Safety (cont)			
f. Police Secretary	23.40	\$23.75	per hour
g. Police Dept Clerk	18.32	\$18.59	per hour
h. Fire Chief	89,699	\$91,044	annually
i.1 Deputy Fire Chief -	69,698	\$70,743	annually
j.1 P.T. Deputy Fire Chief	3,904	\$4,200	annually
j.2 During Weekend Staffing	7,800	\$0.00	annually
k. FD Part Time Secretarial - EFF 10/16/18	13.50	\$13.70	hourly
			annually
5a Telecommunicators			
a. Start	\$18.54	\$18.82	per hour
b. One Year	19.39	\$19.68	per hour
c. Two Year	20.27	\$20.57	per hour
d. Three Year	\$21.14 - \$21.24	\$21.46 - \$21.56	per hour
e. Four Year	\$21.98 - \$22.25	\$22.31 - \$22.58	per hour
f. Five Year/Six Year	\$22.84 - \$23.11	\$23.18 - \$23.46	per hour
g. Seven Year	\$23.71 - \$24.02	\$24.07 - \$24.38	per hour
6. Parks, Recreation & Senior Center			
a. Recreation Director	\$70,871	\$71,934	annually
b. Recreation Supervisor - 2	51,102	\$51,869	annually
c. Recreation Supervisor - 1	46,495	\$47,192	annually
d. Senior Program Coordinator -	39,645	\$40,240	annually
e. Senior Center Assistant PT	11.30	\$11.47	per hour
f. Recreation Secretary 1	15.20	\$15.43	per hour
g. Recreation Secretary 2	19.18	\$19.47	per hour
7 Board, Commissions & Election Workers			
a. Plan Commission (limit 2 mtgs./month)	\$20.00	\$20.00	per mtg.
b. Police & Fire Commission Member	20.00	\$20.00	per mtg.
c. Police & Fire Commission Chairperson	25.00	\$25.00	per mtg.
d. Police & Fire Commission Secretary (paid for max of 12 mtgs./year)	22.00	\$22.00	per mtg.
e. Board of Zoning Appeals	20.00	\$20.00	per mtg.
f. Board of Zoning Appeals - Chairman (paid for max of 12 mtgs./year)	25.00	\$25.00	per mtg.
g. Park & Recreation Commission Member	20.00	\$20.00	per mtg.
h. Park & Recreation Commission Chairperson (paid for max of 12 mtgs./year)	25.00	\$25.00	per mtg.
i. Library Board Member	20.00	\$20.00	per mtg.
j. Library Board Chairperson (paid for max of 12 mtgs./year)	25.00	\$25.00	per mtg.
k. Election Inspectors	9.75	\$9.75	per hour
l. Chief Election Inspector	12.00	\$12.00	per hour
m. Alternate Chief Election Inspector	11.00	\$11.00	per hour
n. Board of Review	50.00	\$50.00	per day
o. Historic Preservation Commission	20.00	\$20.00	per mtg.
9. Mileage - Expense			
Per IRS Schedule for official approved use of private auto			

See attached Park & Recreation Seasonal Salary Schedule

GERMANTOWN PARK & RECREATION DEPARTMENT
Seasonal Employee Pay Range Plan

JOB POSITION	SALARY RANGE
ART PROGRAM COORDINATOR ART PROGRAM INSTRUCTOR (PRESCHOOL/YOUTH)	\$12.00 - \$23.00/HR. \$9.00 - \$18.25/HR.
BASEBALL COORDINATOR BASEBALL INSTRUCTOR	\$9.00 - \$18.25/HR. \$7.25 - \$10.00/HR.
BASKETBALL COORDINATOR BASKETBALL INSTRUCTOR BASKETBALL - MEN'S LEAGUE SUPERVISOR BUCKETEER BASKETBALL COORDINATOR BUCKETEER BASKETBALL SITE SUPERVISOR 1ST/2ND GRADE BUCKETS SITE SUPERVISOR	\$12.00 - \$23.00/HR. \$7.25 - \$10.00/HR. \$9.00 - \$17.50/HR. \$9.00 - \$18.25/HR. \$9.00 - \$18.25/HR. \$7.75 - \$14.00/HR.
BASKETBALL OFFICIAL - ADULT NON-CERTIFIED BASKETBALL OFFICIAL - ADULT CERTIFIED BASKETBALL - ADULT SCORER/TIMER	\$9.00 - \$25.00/GAME \$18.50 - \$30.00/GAME \$7.25 - \$10.00/GAME
BASKETBALL OFFICIAL (GRADES 3-8) BASKETBALL SCORER/TIMER (GRADES 3-8)	\$7.25 - \$18.25/GAME \$7.25 - \$14.00/GAME
CARE PROGRAM: KIDS KLUB, TYKE SITE COORDINATOR SITE SUPERVISOR ASSISTANT SUPERVISOR LEADER	\$12.75 - \$20.00/HR. \$11.50 - \$18.50/HR. \$10.25 - \$15.00/HR. \$8.25 - \$13.50/HR.
DANCE PROGRAM COORDINATOR DANCE ASSISTANT	\$12.00 - \$23.00/HR. \$7.25 - \$8.75/HR.
DODGEBALL PROGRAM COORDINATOR DODGEBALL ASSISTANT	\$9.00 - \$18.25/HR. \$7.25 - \$10.00/HR.
FLAG/GRIDDERS FOOTBALL COORDINATOR FLAG FOOTBALL FIELD MAINTENANCE SUPERVISOR FLAG FOOTBALL OFFICIAL (GRADES 1-8)	\$12.00 - \$23.00/HR. \$7.25 - \$10.00/HR. \$7.25 - \$18.25/GAME
GOLF INSTRUCTOR (PEE WEE)	\$7.25 - \$18.25/HR.
GYMNASTICS COORDINATOR GYMNASTICS ASSISTANT COORDINATOR GYMNASTICS INSTRUCTOR	\$12.00 - \$23.00/HR. \$8.00 - \$13.75/HR. \$7.25 - \$10.00/HR.
OFFICE ASSISTANT OPEN GYM SUPERVISORS - WINTER OPEN GYM SUPERVISORS - SUMMER	\$7.25 - \$13.75/HR. \$7.25 - \$12.00/HR. \$7.25 - \$12.00/HR.
POMS ASSISTANTS	\$7.25 - \$16.25/HR.
PRESCHOOL PROGRAM INSTRUCTOR	\$9.00 - \$18.25/HR.
SOCCER PROGRAM COORDINATOR	\$9.00 - \$18.25/HR.
SOCCER REFEREE - NON-CERTIFIED SOCCER REFEREE - CERTIFIED	\$7.25 - \$10.00/GAME \$7.25 - \$18.25/GAME
SOFTBALL UMPIRE - ADULT NON-CERTIFIED (ONE/GAME) SOFTBALL UMPIRE - ADULT CERTIFIED (ONE/GAME) SOFTBALL SCOREKEEPER - ADULT	\$9.00 - \$25.00/GAME \$14.00 - \$30.00/GAME \$7.25 - \$10.00/GAME
SPORTIES FOR SHORTIES COORDINATOR SPORTIES FOR SHORTIES ASSISTANT	\$9.00 - \$18.25/HR. \$7.25 - \$10.00/HR.
TENNIS COORDINATOR TENNIS SITE MANAGER TENNIS INSTRUCTOR	\$12.00 - \$23.00/HR. \$7.75 - \$12.50/HR. \$7.25 - \$10.00/HR.
THEATER DIRECTOR THEATER ASST. DIRECTOR THEATER ASSISTANT	\$9.00 - \$23.00/HR. \$9.00 - \$20.00/HR. \$7.25 - \$10.00/HR.
TRACK COORDINATOR TRACK INSTRUCTORS	\$9.00 - \$23.00/HR. \$7.25 - \$10.00/HR.
VOLLEYBALL OFFICIAL - ADULT NON-CERTIFIED VOLLEYBALL OFFICIAL - ADULT CERTIFIED VOLLEYBALL OFFICIAL - TEEN LEAGUE VOLLEYBALL COORDINATOR (YOUTH LG.) VOLLEYBALL INSTRUCTOR	\$9.00 - \$25.00/MATCH \$18.50 - \$30.00/MATCH \$7.25 - \$11.25/MATCH \$12.00 - \$23.00/HR. \$7.25 - \$18.25/HR.

* This list may not be all inclusive of new programs, but they will be placed appropriately.

The following criteria shall be used in determining the salaries of seasonal, part-time staff.

- o Budget Restrictions
- o Job Responsibilities
- o Previous Experience
- o Education
- o Past Job Performance
- o Training/Certification

The Park and Recreation Commission may approve individual arrangements for any employee not covered by the position classifications. In these special situations, all expenses must be covered by program revenue.

Included in this category are the following positions that are paid on commission or contract basis:

- o Adaptive Programming for adult/youth with disabilities
- o Adult/Child Workshop Instructor
- o Aerobic Dance Instructors
- o Aqua-Fit Water Aerobics Instructors
- o Art Programs Instructor (ceramics, afterschool)
- o Community Band Instructors
- o Basement Rec. Room Workshop Instructor
- o Basketball Camp Director/Coaches
- o Basketball Clinic Directors
- o Belly Dancing Instructor
- o Cake Decorating Instructor
- o Cheerleading/Hip Hop Funk Instructor
- o Computer Instructors (Adults, Youth)
- o Crafts Instructor
- o Cross Country Ski Instructor
- o Dance (Adult/Youth)
- o Deck Construction Workshop Instructor
- o Disc Golf Instructor
- o Enrichment programming (languages, clutter, magic, book published, landscape)
- o Family Activities Instructors
- o Financial Planning Workshop Instructors
- o Fitness Instructor (NIA, Pilates, Zumba, Group Fitness)
- o Flag Football Camp Director/Coaches
- o Football Camp Director/Coaches
- o Golf Instructor (Adult/Pee Wee)
- o Gymnastics Instructors
- o Ice skating Instructors
- o In-Line Skating Instructor/Roller Hockey Instructor
- o Judo/Tae Kwon Do/Karate Instructor
- o Knitting Instructor
- o Learn Not To Burn Coordinator
- o Lego Program Instructor
- o Mad Science Classes
- o Modeling Instructor
- o Nature Camp Directors (Winter Exploration, Nature Exploration)
- o Photography Instructor
- o Pickleball Instructor
- o Pom Pon Coordinator
- o Rock Climbing Instructors
- o Self Defense Instructors
- o Softball Clinic Director/Coaches/Umpires
- o Taekwondo Instructor
- o Track & Field Program/Camp Directors/Coaches
- o Volleyball Camp Directors/Coaches/Officials
- o Woodworking/Wood carving Instructor
- o Wrestling Camp Directors/Coaches
- o Yard Maintenance & Pruning Instructor (Landscape)
- o Yoga Instructor

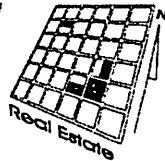
11/16/2016 – Reviewed & Approved by the Park & Recreation Commission

11/15/2017 – Reviewed & Approval by the Park & Recreation Commission

Pos.	Department and Title	Phase 1	Phase 2	Phase 3
	Police Department			
1	Police Chief	\$ -	\$ 1,000	
1	Captain	\$ 3,000	\$ -	
6	Lieutenant	\$ 18,000	\$ -	
	Communications Manager			TBD
	Total Police Department	\$ 21,000		
	Fire Department			
1	Fire Chief	\$ 6,000	\$ 1,000	
1	Dept Fire Chief	\$ 4,500	\$ 1,500	
	Public Works			
1	Public Works Director	\$ -	\$ 3,000	
1	Village Engineer	\$ 1,250	\$ 1,500	
1	Sewer Superintendent	\$ 1,250	\$ 1,500	
1	Water Superintendent	\$ 1,250	\$ 1,500	
1	Buildings & Grounds Supt.	\$ 1,250	\$ 1,500	
1	Foreman	\$ 1,000	\$ 1,000	TBD
	Community Development			
1	Comm. Dev. Dir	\$ 1,500	\$ 3,000	
	Finance			
1	Finance Director	\$ 1,500	\$ 3,000	
	Parks & Recreation Director			
	Parks & Recreation Director	\$ -	\$ 1,500	
	Other Positions			TBD
	Total	\$ 19,500	\$ 21,000	
	Less Sewer & Water	\$ (4,250)	\$ (5,000)	
	Funds Required	\$ 15,250	\$ 16,000	

**Associated Appraisal
Consultants, Inc.**

Appleton ■ Hurley ■ Lake Geneva



1314 West College Avenue
Appleton, WI 54912

Invoice

Billing Date	Invoice #
11/1/2017	130575

Bill To
Village of Germantown N112W17001 Mequon Road Germantown, WI 53022



Terms
Due upon receipt

Professional services per agreement which include filing reports with the Wisconsin Department of Revenue, filing Real Estate Transfer Returns, preparing and mailing personal property assessment blotters, reviewing land splits, reviewing assessments of newly constructed buildings or remodeling where building permits have been taken out, demolitions of property, holding informational meetings with taxpayers prior to Board of Review, assisting in entering and preparing an assessment of roll for the Board of Review, and attending the Board of Review.	
1. Professional Services - November 2017	7,083.33
2. Data Conversion - Electronic Compliance (See additional description letter with invoice)	30,000.00
VENDOR # <u>01717</u> ACCT. # _____ DISC. \$ <u>105155304400</u> APPROVAL _____ Please include your Invoice Number with your payment to ensure proper credit.	

Total

\$37,083.33

Phone #	Fax #	Web Site
(920) 749-1995		www.apraz.com

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 02-2018

**AGREEMENT WITH ASSOCIATED APPRAISAL CONSULTANTS INC.,
FOR REVALUATION ASSESSMENT SERVICES**

WHEREAS, it has become known that the Village of Germantown needs reassessment services, and,

WHEREAS, the General Government & Finance Committee met on Tuesday, December 19, 2017, and reviewed and recommended the approval of Revaluation Assessment Services with Associated Appraisal Consultants, Inc., and,

WHEREAS, the Village Board met on January 15, 2018, and reviewed the Agreement for Revaluation Assessment Services.

NOW THEREFORE BE IT RESOLVED, that the attached Agreement for Revaluation Assessment Services with Associated Appraisal Consultants is hereby approved.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

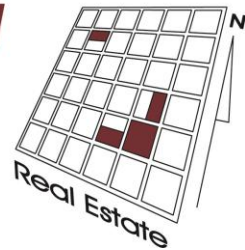
AGREEMENT FOR REVALUATION ASSESSMENT SERVICES

Prepared for the
Village of Germantown
Washington County

By

***Associated Appraisal
Consultants, Inc.***

Appleton ■ Hurley ■ Lake Geneva



**1314 W. College Avenue | P.O. Box 2111
Appleton, WI 54912-2111
Phone (920) 749-1995/Fax (920) 731-4158**

Lake Geneva Office
Walworth County
P.O. Box 1114
Lake Geneva, WI 53147-1114

Ironwood, Michigan Office
N10257 Lake Road
Ironwood, MI 49938

Hurley Office
Iron County
P.O. Box 342
Hurley, WI 54534-0342

SECTION I

GENERAL AGREEMENTS

This agreement is by and between the VILLAGE OF GERMANTOWN, Washington County, State of Wisconsin, a Wisconsin municipal corporation with its principal office located at N112 W17001 Mequon Road, Germantown, WI 53022, hereinafter referred to as "Municipality."

AND

ASSOCIATED APPRAISAL CONSULTANTS, INC., a Wisconsin Corporation with its principal office located at 1314 W. College Avenue, Appleton, WI 54914, hereinafter referred to as "Assessor."

In consideration of the promises and agreements hereinafter set forth, and in consideration of the execution of those promises, both parties agree to the following:

1. SCOPE OF SERVICE:

Assessor shall perform a revaluation of all taxable real estate in the Municipality, pursuant to Wisconsin Statutes 70.05(5), for the assessment year of **2019**, for which service the Municipality agrees to pay Assessor the sum of compensation outlined in Section V of this agreement. All services rendered shall be completed in full accordance and compliance with Wisconsin Statutes, the Wisconsin Property Assessment Manual and all rules and regulations officially adopted and promulgated by the Wisconsin Department of Revenue as of the date of this agreement.

2. ASSIGNMENT OF CONTRACT:

Assessor will not assign, subcontract or transfer this agreement or any part of this agreement without written approval from the Municipality.

3. PERSONNEL:

Assessor shall provide certified, experienced and competent employees of good character to perform all work necessary during the various phases of the revaluation program. All field staff members shall carry a photo identification tag and drive a vehicle clearly marked with our company name. If the Municipality shall at any time during the program consider the services of any employee to be unsatisfactory, Assessor shall immediately remove such employee upon written request.

4. INSURANCE AND INDEMNITY:

Assessor shall maintain during the term of this contract full insurance coverage to protect and hold harmless the Municipality. Insurance shall include: (a) worker's compensation in compliance with state laws, (b) comprehensive general and public liability covering operation, (c) comprehensive automobile liability and property damage with coverage to include owned, hired, and non-hired motor vehicles used by Assessor, and (d) proper and sufficient insurance to cover loss of records withdrawn from the Municipality by Assessor for its use as well as records in process under this agreement. Assessor shall not be responsible for loss of records destroyed by fire, theft, or Act of God while kept in the office supplied by the Municipality.

Limits of liability shall not be less than:

General Liability:

General Aggregate	\$ 2,000,000
Products/Completed Operations	\$ 1,000,000
Each Occurrence	\$ 1,000,000

Personal & Advertising	\$ 1,000,000
Fire Damage	\$ 100,000
Medical Expense	\$ 10,000
Worker's Compensation:	
Bodily Injury by Disease-Each Employee	\$ 100,000
Bodily Injury by Disease-Policy Limit	\$ 500,000
Bodily Injury by Accident-Each Accident	\$ 100,000
Comprehensive Auto Liability:	
Combined Single Limit of Liability:	\$ 1,000,000

A certificate from the insurance carrier attesting to coverage shall be provided to the Municipality. The insurance provider will be authorized to transact business in the State of Wisconsin.

Liability for bodily injury, disability, and/or death of employees or any person or for damage to property caused in any way, directly or indirectly, by the operations of the Assessor within the Municipality shall be assumed by that Assessor and the Assessor shall indemnify and hold harmless the Municipality against all claims, actions, proceedings, damages, and liabilities, including reasonable attorney's fees, arising from or connected with the Assessor's activities in connection with the services provided to the Municipality, including but not limited to, any acts or omissions of the Assessor, the Assessor's employees, agents, representatives and any other person doing business with Assessor. This paragraph is not to conflict with Sec. 893.89(4), Wis. Stats.

The Municipality agrees to defend and indemnify and save harmless the Assessor, its officers, agents and employees against all claims, demands, payments, suits, actions, recovery and judgments of every kind and description arising out of any valuation disputes, brought or recovered against, whether based in contract, negligence or otherwise. Neither party shall be liable to the other for consequential, indirect or incidental damages, including but not limited to, loss of tax revenue or claims related to valuation of property, whether based in contract, negligence, strict liability or otherwise.

5. ROLE OF ASSESSOR:

As Assessor is a corporation, the person designated as responsible for the assessment shall take and subscribe to an oath or affirmation supporting the Constitution of the United States and to the State of Wisconsin and to faithfully perform the duties of Assessor. The oath shall conform to Section 19.01, Wis. Stats. and be filed with the Municipal Clerk prior to commencing duties. Assessor shall assume the appointed office of Village Assessor as per Wisconsin Statutes 70.05(1) for the duration of this contract and shall perform all statutory duties appertaining to such office. As such, and except for those claims and liabilities based upon intentional or grossly negligent acts of Assessor, Municipality shall hold harmless Assessor from all claims and liabilities relating to the assessment or taxation of property, including but not limited to claims made under Statutes 74.35, 74.37 and circuit court claims, unless otherwise specified in this agreement.

6. PUBLIC RELATIONS:

During the revaluation, Assessor shall carry on a suitable program of public information in a manner dictated by experience to be most effective and productive, and of such nature that will allow the Municipality to actively participate. This program shall include a general mailing to all property owners with information regarding the revaluation process. If necessary, the program shall include the furnishing of speakers, holding press conferences and preparing press releases.

Upon written request, Assessor agrees to meet with the governing body of the Municipality to discuss areas of work such as public relations, procedures, progress, valuations and concerns.

7. DURATION:

Assessor shall complete all work on or before October 30th of the year in which the revaluation services are contracted for. If unforeseen circumstances delay the completion of work, an extension will be granted upon agreement.

8. PUBLIC REQUESTS:

Assessor shall timely respond to all open records requests received by Assessor. In so doing, Assessor shall comply with the confidentiality provisions of the Wisconsin Statutes, including but not limited to Wis. Stat. § 70.35(3) regarding the personal property return, Wis. Stat. § 70.47(7)(af) regarding income and expense information, and Wis. Stat. § 77.265 regarding the real estate transfer return. Assessor shall timely communicate to Municipality any open records inquiries or issues raised by a property owner directly to Assessor which may require additional follow-up by the Municipality. Assessors shall also otherwise cooperate with Municipality in responding to open records requests.

9. AVAILABILITY:

Assessor shall maintain a local or toll-free telephone service to receive calls from the Municipality or property owners five days a week from 8:00 a.m. to 4:30 p.m. excluding holidays. The Assessor shall maintain an internet option for communication that is available twenty-four hours per day. The Assessor shall timely respond to all inquiries within four working days or sooner. The Assessor shall copy the municipal clerk on those issues that have been raised to the clerk or board and subsequently passed on to the Assessor.

10. COMPLETION OF ASSESSMENT ROLL AND REPORTS. Assessor shall be responsible for the proper completion of the assessment roll in accordance with current statutes and the *Wisconsin Property Assessment Manual*. Roll transmittal and reception must be made and maintained in accordance with Chapter 5 of the Wisconsin Property Assessment Manual, as amended each year, and follow any County or Municipality prescribed business formats as provided under Wis. Stat. § 70.09(3)(c). Assessor shall provide final assessment figures for each property to Municipality, and the roll shall be totaled to exact balance. Assessor shall timely prepare and submit all reports required of the Assessor by the Wisconsin Department of Revenue including: Municipal Assessment Report (MAR), the Tax Incremental District Assessment Report (TAR), The Annual Assessment Report (AAR) and the Exempt Computer Report (ECR). Assessor shall follow the Uniform Standards of Professional Appraisal Practice (USPAP) as required by the Wisconsin Property Assessment Manual. Assessor shall prepare and submit the Agricultural Land Conversion Charge form to the County as required. Postage is at the Municipality's expense.

SECTION II DATA COLLECTION & APPRAISAL

1. FIELD APPRAISAL:

Assessor shall physically visit and inspect 100% of the taxable improved properties. Assessor shall make a careful inspection of all buildings and improvements located on such properties and shall carefully measure, list and compute the full market value for all improvements using professionally acceptable appraisal practices. All inspections will be conducted between the hours of 8:00 AM and 7:00 PM, Monday through Friday, Saturday if necessary, excluding legal holidays. Assessor and Municipality will work with the building inspector to obtain PDF's of the

floor plan or blue prints for all new residential and commercial structures. Assessor will make a reasonable attempt to inspect the interiors of all dwellings and primary commercial buildings. Assessor will mail letters asking property owners to schedule appointments for interior inspections.

2. PROPERTY RECORDS:

(a) Assessor shall create a complete digital database of all parcels within the municipality, including information on each property's ownership, class, land size and use, and improvement information. The database shall be created using CAMA software and shall include digital photographs and sketches of primary improvements.

(b) Property records shall be updated utilizing CAMA software, showing the property information used as a basis for the revaluation, including the measurements of all primary building improvements. Assessment records shall include all data and material obtained and/or used for the valuation of properties.

(c) All records prepared or maintained about assessments in the Municipality shall always be and remain the sole property of the Municipality.

(d) Within 30 days after completion of the revaluation program, Assessor shall turn over all assessment records to the Municipality, including property record cards, maps, and a computer file back-up of the electronic database.

(e) If the municipality requires a conversion of the electronic assessment records to a neutral file format, such as a text file format or a tab delimited format, the municipality agrees to pay the actual cost of such conversion.

3. DWELLING DATA:

When appraising single-family and multi-family dwellings, Assessor shall document and consider the physical characteristics and condition of the dwelling. Such characteristics shall include the type of dwelling, story height, square footage, basement area, wall construction, siding type, roof, floors, interior finish, heating system, fireplaces, plumbing fixtures, number of rooms, age, physical condition, general quality of construction, and attachments such as garages, decks and porches. Sales data and rental information will be documented and considered when applicable. All information collected will be recorded as a permanent part of the property records.

4. VACANT LANDS:

Assessor shall inspect all vacant parcels of land where access may be practicably obtained. Any vacant lands not physically inspected will be viewed by way of recent aerial photography. Sales data for vacant lands will be collected and compiled based on neighborhoods or geographic locations within the municipality. Land values will be derived from vacant and improved sales and will consider all factors that may affect resale value, such as location, size, shape, topography, zoning, utilities, current use and other factors. In developing land values, all forms, maps and land valuation tables shall be left with the Municipality. All maps such as plat maps, zoning maps or other maps needed to accurately value land will be supplied by Municipality or obtained at the Municipality's expense.

5. APPROACH TO VALUE:

Assessor shall assess all taxable real estate per market value, as established by professionally acceptable appraisal practices, except where otherwise provided by law. Assessor shall consider the sales comparison approach, the cost approach and the income approach in the valuation of all property.

(a) **Sales Comparison Approach.** Assessor will collect, compile and analyze all available sales data for the municipality to become familiar with the prevailing market conditions and activity. A detailed analysis of sales data will be prepared, including a picture book of recent residential and agricultural sales. Vacant land sales will also be compiled and analyzed. In valuing property by the sales comparison approach, subject properties will be appraised through a detailed comparison to similar properties that have recently sold, making careful consideration of similarities and differences between the subject and comparable sale properties.

(b) **Cost Approach.** The cost approach to value will be considered for all taxable improved property. Replacement costs for residential and agricultural improvements will be calculated per Volume II of the *Wisconsin Property Assessment Manual*. Replacement costs for commercial improvements will be calculated using Marshall & Swift valuation service. All accrued depreciation, including physical deterioration, functional obsolescence, and economic obsolescence will be accurately documented and deducted from current replacement costs.

(c) **Income Approach.** Consideration of the income approach to value will be made when the income or potential income generated by the real estate is deemed likely to affect the property's resale value. Data to be analyzed will include economic rents, typical vacancy rates and typical operation expense ratios. In the valuation of property by the income approach, adequate records will be prepared, showing a reconstruction of income and expenses, as well as all calculations used to arrive at market value, including formulas and capitalization rates as appropriate to the type of property being appraised.

6. PERSONAL PROPERTY ASSESSMENTS. Assessor shall prepare and distribute annual personal property statements to all businesses; postage is at Municipality's expense. By May 1st Assessor shall review statements and follow up with unfiled or incorrect statements. Assessor shall determine the appropriate assessment. The Assessor shall exercise particular care so that personal property as a class on the assessment roll bears the same relation to statutory value as real property as a class. Assessor shall maintain the Personal Property Roll in a format compliant with Chapter 5 of the *Wisconsin Property Assessment Manual*, as amended each year, and adhere to any county or Municipality business requirements as prescribed under Wis. Stat. §70.09(3)(c).

SECTION III NOTIFICATION & DEFENSE OF ASSESSMENTS

1. ASSESSMENT NOTICES:

A notice of assessment shall be mailed for each taxable parcel of property whose assessed value has changed from the previous year. Assessor shall be responsible for the preparation and timely mailing of all assessment notices by First Class Mail. The cost of postage shall be borne by the Municipality. If Municipality requires Assessor to send letters by certified mail, Municipality shall be responsible for the postage costs of certified mail.

2. OPEN BOOK:

At the completion of the revaluation work and following statutory requirements, the Assessor shall hold informal hearings referred to as the Open Book, prior to the Board of Review. During the Open Book, interested property owners may view the assessment roll and discuss their individual appraisals. Assessor shall take the phone calls to schedule appointments for the open book conference. Assessor shall provide necessary staff to accommodate the projected attendance. Assessor shall work with the Municipality to determine the date when the Open Book will take place. The Municipality will provide an appropriate area to conduct the Open

Book. Unless otherwise specified in this agreement, the informal hearings will be held for as many days as needed.

3. BOARD OF REVIEW:

Assessor shall furnish a representative for as many days as needed to provide sworn oral testimony at the Board of Review in support of all assessed values being formally challenged. Municipality shall comply with state statutes and Department of Revenue training requirements about Board of Review hearings. Municipality agrees that all Board of Review appeals must be made in a formal manner, by filing a completed Form of Objection with the Clerk at least 48 hours before the opening of the Board of Review. In the event of any appeal beyond the Board of Review to the Department of Revenue or to the Courts, Assessor shall provide a representative to furnish testimony in defense of the values established by the revaluation for all such cases within the first 90 days after adjournment of the Board of Review for up to eight employee hours.

SECTION IV ITEMS TO BE PROVIDED BY MUNICIPALITY

1. MEETING SPACE:

Municipality shall furnish a suitable space in which to hold the Open Book conference and the Board of Review at no cost to Assessor.

2. ACCESS TO RECORDS:

Municipality shall allow access and make available to Assessor municipal records such as, but not limited to, previous assessment records and rolls, sewer and water layouts, building permits, tax records, zoning ordinances, condominium declarations and documentation pertaining to future land use planning.

3. MAPS:

Municipality shall provide at no cost to Assessor any plat maps, zoning maps, cadastral maps, or other maps currently in the possession of the municipality. If such maps necessary for our work are not in the possession of the municipality, Assessor shall obtain them from the County surveyor, Register of Deeds, or other sources at the Municipality's expense.

4. POSTAGE COSTS:

Municipality shall be responsible for the cost of postal services associated with the revaluation program. This cost includes, but is not limited to, a general informational mailing, written requests to view property, notices of assessment, and mailing of documents such as maps and assessment rolls. If Municipality requires Assessor to send letters by certified mail, Municipality shall be responsible for the postage costs of certified mail.

SECTION V COMPENSATION & TERMS OF PAYMENT

1. COMPENSATION:

Payment shall be made monthly for services and expenses incurred during the previous month. Monthly invoices shall reflect the percentage of work completed, less 5 percent retained by the Municipality until completion of the revaluation and final adjournment of the Board of Review. All payments shall be made to: Associated Appraisal Consultants, Inc., P.O. Box 2111, Appleton, Wisconsin, 54912-2111, within thirty (30) days from the date of billing. Additional

terms and conditions apply as described in Appendix A that is attached hereto and incorporated herein by reference.

2. COST OF SERVICES:

Assessor shall perform all the services stated in the above agreement for the assessment year of **2019**, per to the terms specified herein for the sum of: **Two Hundred Eighty-Five Thousand Dollars (\$285,000.00)**. Payment terms are further described in Appendix A.

- (a) This agreement runs simultaneous with the 2017-2019 Agreement for Maintenance Assessment Services dated and signed by the Assessor on January 27, 2017 and the Municipality on February 2, 2017. The Municipality shall continue to pay the Assessor **Eighty-Five Thousand Dollars (\$85,000.00)** for each of the 2018 and 2019 assessment years. Compensation will continue to be paid in monthly installments throughout the 2018 and 2019 assessment years.
- (b) Municipality shall not be billed for supplies, mileage or any other additional travel expenses, unless otherwise specified in this agreement and/or addenda.
- (c) Additional compensation that may be due to the Assessor as a result of services requested by the Municipality that are beyond the scope of this agreement will be invoiced in the month subsequent to the month in which the services were provided.

3. SIGNATURES:



Mark Brown
President
Associated Appraisal Consultants, Inc.

November 15th, 2017

Date

Dean M. Wolter, Village President
Village of Germantown – Washington County

Date

APPENDIX A
2019 REVALUATION PAYMENT AGREEMENT

This Appendix A is attached to and incorporated into the agreement for revaluation assessment services made by the **Village of Germantown, Washington County, State of Wisconsin**, hereinafter referred to as "Municipality."

AND

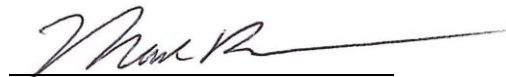
ASSOCIATED APPRAISAL CONSULTANTS, INC., a Wisconsin Corporation with its principal office located at 1314 W. College Avenue, Appleton, WI 54914, hereinafter referred to as "Assessor."

In consideration of the promises and agreements hereinafter set forth, and in consideration of the execution of those promises, both parties agree to the following:

1. 2019 REVALUATION:

- a. Assessor shall begin the 2019 Revaluation work no earlier than July 31, 2018 invoicing up to a not to exceed amount of One hundred thirty-seven thousand five hundred dollars (**\$137,500.00**) for the calendar year of 2018. Monthly invoices shall reflect the percentage of work completed, less 5 percent retained by the Municipality until completion of the revaluation and final adjournment of the 2019 Board of Review.
- b. The remaining balance of the 2019 Revaluation in the amount of One hundred forty-seven thousand five hundred dollars (**\$147,500.00**) or more shall be paid in full during the calendar year of 2019. Monthly invoices shall reflect the percentage of work completed, less 5 percent retained by the Municipality until completion of the revaluation and final adjournment of the 2019 Board of Review.

2. SIGNATURES:



Mark Brown
President
Associated Appraisal Consultants, Inc.

November 15th, 2017

Date

Dean M. Wolter, Village President
Village of Germantown – Washington County

Date

**MEETING MINUTES
SPECIAL PUBLIC SAFETY COMMITTEE MEETING
DECEMBER 18, 2017
GERMANTOWN VILLAGE HALL BOARD ROOM**

CALL: The meeting was called to order at 5:30 p.m. by Chairman Hughes.

ROLL CALL: Chairman Hughes, Trustees Campbell, Myers and Warren.

Also present were Police Chief Hoell and Fire Chief Weiss.

PUBLIC COMMENT: No discussion.

NEW BUSINESS:

SECONDHAND ARTICLE DEALER AND SECONDHAND JEWELRY DEALER
LICENSE RENEWAL, JANUARY 1, 2018 – DECEMBER 31, 2018:

1. KESSLER'S DIAMOND CENTER, N96 W16920 COUNTY LINE ROAD - a motion was made by Myers, seconded by Warren, to forward this license renewal for Kessler's Diamond Center to Village Board with a recommendation of approval. Hoell and Weiss advised there were no objections from the police and fire department. Motion carried unanimously.

SECONDHAND ARTICLE DEALER LICENSE RENEWAL FOR JANUARY 1, 2018 –
DECEMBER 31, 2018:

1. WHITE HOUSE OF MUSIC, N112 W16290 MEQUON ROAD – a motion was made by Myers, seconded by Warren, to forward this license renewal for White House of Music to Village Board with a recommendation of approval. Hoell and Weiss advised there were no objections from the police and fire department. Motion carried unanimously.
2. ECO ATM INC., HUNTER BJORKMAN AGENT, W190 N9855 APPLETON AVE. – a motion was made by Warren, seconded by Campbell, to forward this license application for ECO ATM Inc. to Village Board with a recommendation of approval. Hoell and Weiss advised there were no objections from the police and fire department. Motion carried unanimously.

ANIMAL FANCIER LICENSE FOR JANUARY 1, 2018 – DECEMBER 31, 2018:

1. PHIL SECKER, W167 N10532 BRIDLE PATH - Chairman Hughes read into the minutes a letter from John and Mary Stauder of W166 N10563 Surrey Drive who stated they were opposed to the issuance of an Animal Fancier's License to Mr. Secker, and that the number of dogs allowed on the Secker property constituted a nuisance to the neighborhood, with dogs getting loose and running through the neighborhood on more than one occasion. Chief Hoell was asked if there were any complaints filed with the police department regarding Mr. Secker's dogs, Hoell responded there were none.

Mr. Secker was present and advised his kennels were fenced in compliance with the recommendations of the Village Board from last year and his dogs were not running loose through the neighborhood.

A motion was made by Warren, seconded by Campbell, to forward this Animal Fancier License application to Village Board with a recommendation of approval. Motion carried 3-1, with Campbell, Myers and Warren voting aye, and with Hughes voting nay.

2. MARK WALLACE & MELANIE SMYTHE, N140 W17930 CEDAR LANE – a motion was made by Myers, seconded by Warren, to approve the Animal Fancier License application submitted by Mark Wallace and Melanie Smythe. Hoell advised the police department had no objection to this application. Motion carried unanimously.
3. CLINT AND LISA MURRAY, N63 W15022 WINDSONG CIRCLE EAST - a motion was made by Myers, seconded by Warren, to approve the Animal Fancier License application submitted by Clint and Lisa Murray. Hoell advised the police department had no objection to this application. Motion carried unanimously.
4. KATHLEEN AND ARNOLD HENNING, N116 W12899 ELM LANE - a motion was made by Myers, seconded by Warren, to approve the Animal Fancier License application submitted by Kathleen and Arnold Henning. Hoell advised the police department had no objection to this application. Motion carried unanimously.
5. BECKY RAO, RAO FARMS LLC, W204 N13781 GOLDENDALE ROAD - a motion was made by Myers, seconded by Campbell, to approve the Animal Fancier License application submitted by Becky Rao. Hoell advised the police department had no objection to this application. Motion carried unanimously.

OPERATOR LICENSES, NOVEMBER 21, 2017 TO JUNE 30, 2018

NEW: Samantha Landry, John Miller, Brandon Medved, Mark Plato, Ben Schroeder, Ramalakshmi Vootkur, William Tait. [Recommended Approval]
Ryan Treiber [Recommended Denial]

A motion was made by Myers, seconded by Warren, to forward the applications for Landry, Miller, Medved, Plato, Schroeder, Vootkur and Tait to Village Board with a recommendation of approval. Motion carried unanimously.

Hoell advised applicant Treiber had a felony warrant on record and his arrest history was not disclosed on his application. A motion was made by Myers, seconded by Campbell, to forward the application for Treiber to Village Board with a recommendation of denial. Motion carried unanimously.

NEXT MEETING: Hughes advised the next Public Safety Committee Meeting would be held on Monday, January 15, 2018 at 5:30 p.m. at the Village Hall Boardroom.

ADJOURNMENT: There being no further business, the meeting was adjourned at 5:44 p.m.

Recorded by,

Julie L. Barth
Secretary