

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, October 1, 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:**
- 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.
- 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. **APPOINTMENTS:**
- A. Commissions/Boards/Committees
1. Tourism / Betterment Commission
 Member Ryan Rahl 10/01/2018 – 05/20/2019.
- VIII. **CONSENT AGENDA:**
- A. Approval of Minutes: September 17, 2018 Regular Village Board Meeting.
- B. Accounts payable/payroll
1. September 15, 2018 Payroll (Salary) \$ 90,703.19
2. September 19, 2018 Payroll (Hourly) \$230,833.62
3. September 25, 2018 Accounts Payable \$344,712.21
4. September 30, 2018 Payroll (Salary) \$ 89,936.58

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

- C. Operator's Licenses: Marie Chilicki, Peggy Olson, Taylor Rappold
[Recommendation Forthcoming]

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

- D. Resolution 75-2018, Approval of Village Vision and Mission Statement.

IX. OLD BUSINESS:

- A. Resolution 64-2018 Approval to Hire One Full-Time Firefighter / Paramedic.

X. PUBLIC HEARING:

- A. None.

XI. NEW BUSINESS:

- A. Certified Survey Map – DRGT LLC, Property Owner of Discount Ramps, N102 W19400 Willow Creek Way. Two Lot Certified Survey Map (CSM) Lot Combination.
- B. New Class “B” Fermented Malt Beverage and “Class B” Liquor License for JP WI LLC, Jay & Pete’s dba, Jason Otto, Agent, W207 W10466 Appleton Ave.
- C. Resolution 76-2018 – Approving the Sale of Certain Fire Department Equipment.
- D. Resolution 77-2018, Approving the Contract for Command Fire Apparatus - to Purchase the Fire Department’s 2007 Pierce Pumper.
- E. Fire Chief Position Update. The Village Board may Convene into closed session per Wis. Stats. §19.85 (1) (c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and may reconvene into open session to take such action as it deems appropriate; and,
- F. Resolution 78-2018, Approval of the International Association of Firefighters Union Local 4854 Contract. The Village Board may Convene into closed session per Wis. Stats. §19.85 (1) (e) For the Purpose of Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and may convene into open session to take such action as it deems appropriate.

XII. ADJOURNMENT.

The next regular meeting of the Village Board will be on October 15, 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
September 17, 2018**

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

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

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

Pres. Wolter gave an update on Mequon Road and Country Aire Intersection. The new schedule projects that the asphalt paving will be around September 24th and extend until October. The project will be completed late October.

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:

Charlie Hargan of Biscayne Drive came to the podium. He commented on the Fire Department Station 1 and commented not to sell the Village Fire Equipment. He reminded citizens that Oktoberfest is the last weekend of the month.

CONSENT AGENDA:

A. Approval of Minutes: August 20, 2018 Regular Village Board Meeting and September 10, 2018, Special Village Board Meeting.

B. Accounts payable/payroll

1.	August 21, 2018	Payroll (Hourly)	\$244,462.66
2.	August 25, 2018	Accounts Payable	\$787,950.64
3.	August 31, 2018	Payroll (Salary)	\$ 90,615.87
4.	August 31, 2018	Accounts Payable	\$ 24,971.76
5.	September 4, 2018	Payroll (Hourly)	\$247,893.34
6.	September 10, 2018	Accounts Payable	\$527,013.67

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

C. Operator's Licenses: Dawn Eberhardt, Drew Fahrendorf, Alyssa Kane, Samantha Mages, Craig Peterburs, Abigail Roadhouse, Gina Roadhouse, Heather Spilger, Brittany Thomas, James Weggen. [Recommendation Forthcoming]

D. Resolution 70-2018, Approving the Second Amendment to Intergovernmental Agreement By and Between the Village and the School District Regarding the School Resource Officer Program.

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

E. Purchase of Engineering Dept. Plotter/Scanner in an amount not to exceed \$19,750.

F. Hydrants & Gate Valves Purchase in an amount not to exceed \$27,895.11.

G. Resolution 71-2018, Awarding the Contract for Fire Sprinkler Replacement – Piping in Village Hall to Ahern in an amount not to exceed \$37,750.

H. Awarding a Contract to GRAEF-USA Ruekett Mielke for Stormwater Quality Management Plan Update in an amount not to exceed \$120,500.

I. Resolution 72-2018, Approving a Developers Agreement for Discount Ramps.

MOTION (Baum/Myers) to approve Consent Agenda Items A-I. Trustee Warren requested item H to be removed from the Consent Agenda. Roll Call Vote Carried Unanimously.

MOTION (Baum/Myers) to approve Consent Agenda Item H. Roll Call Vote Carried, Trustee Warren recused himself.

OLD BUSINESS:

A. None.

PUBLIC HEARING:

A. None.

NEW BUSINESS:

A. Blazin Wings, Inc. N96W18034 County Line Road, Change of Agent to Frank Arena.

MOTION (Baum/Zabel) to approve Blazin Wings, Inc. N96W18034 County Line Road, Change of Agent to Frank Arena. Motion Carried Unanimously.

B. Budget Process Discussion- Set Committee of the Whole Dates for 2019 Budget.

Discussion ensued of dates available. The dates set were September 25th at 6 p.m., October 2nd at 6 p.m., October 9th immediately following the Public Works Meeting, and October 16th if needed.

C. Resolution 73-2018, Accepting the Dedication of the Gehl Performing Arts Pavilion From Germantown Community Kiwanis Foundation, Inc.

MOTION (Myers/Baum) to approve Resolution 73-2018, Accepting the Dedication of the Gehl Performing Arts Pavilion From Germantown Community Kiwanis Foundation, Inc. The punchlist is complete. Motion Carried Unanimously.

D. Daniel & Cheryl Stephan, Property Owners of W188 N13488 Maple Road, and Richard & Mary Stephan, Property Owners of a 32-acre Property (Parcel 1 of CSM #4918). 2-Lot Certified Survey Map (CSM) to Adjust a Lot Line.

MOTION (Baum/Miller) to approve the Certified Survey Map for Daniel & Cheryl Stephan, Property Owners of W188 N13488 Maple Road, and Richard & Mary Stephan, Property Owners of a 32-acre Property (Parcel 1 of CSM #4918). 2-Lot Certified Survey Map (CSM) to Adjust a Lot Line. Motion Carried Unanimously.

- E. Resolution 74-2018, Award of Contract to Advanced Construction Inc., for the Goldendale Road Water & Sanitary Sewer Extension Phase I - (TID #7) in an amount not to exceed \$3,064.982.80.

MOTION (Baum/Myers) to approve the Resolution 74-2018, Award of Contract to Advanced Construction Inc., for the Goldendale Road Water & Sanitary Sewer Extension Phase I - (TID #7) in an amount not to exceed \$3,064.982.80. Roll Call Vote Carried, Zabel voted no.

- F. Northeast Sanitary Sewer Expansion – Wrenwood Development Cost Share.

Director Ratayczak came to the podium. He reviewed a map showing Mequon Road, Country Aire and Wrenwood Development in relation to the areas of existing sanitary sewer service. He outlined the gravity sanitary sewer area. Lift station 1 will be abandoned which is the oldest lift station in the Village. There will be a new lift station forced main and additional gravity sanitary sewer. The north portion is serviced by gravity sewer. Director Ratayczak distributed and reviewed a handout in regards to the cost detail. Discussion ensued of the percentages and the developer maximum of \$992,750 for the forced main and lift station. The gravity sewer will be the Village's responsibility.

MOTION (Baum/Myers) to approve the Northeast Sanitary Sewer Expansion – Wrenwood Development Cost Share, the developer paying an amount not to exceed \$992,750 (developer's maximum amount) for the forced main and the lift station. The cost of the gravity sewer will be borne by the Village. Administrator Kreklow reviewed funding options as outlined on the handout. Roll Call Vote Carried, Zabel voted no.

- G. Discussion – Sanitary Sewer and Water Service Area – Holy Hill & Goldendale Roads.

Director Ratayczak reviewed the development in the Holy Hill area and the water and sanitary sewer. He reviewed a map showing the sanitary sewer service on Freistadt, Holy Hill, and Goldendale Roads. Sewer will be extended from the Northside of the Railroad tracks and Holy Hill. Eventually the Sewer will go up to Rockfield Road. Director Ratayczak reviewed the areas that may be served by gravity sanitary sewer in the future. The item was informational only.

- H. Easement for Underground Electric Cable – Police Department Evidence Garage.

MOTION (Zabel/Myers) to approve Easement for Underground Electric Cable – Police Department Evidence Garage. Motion Carried Unanimously.

MOTION (Myers/Baum) to convene into closed session at 8:36 p.m. in regards to Administrator Performance Review. The Village Board may convene into closed session per Wis. Stats. §19.85 (1) (c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, and may convene into open session to take such action as it deems appropriate. The Village Board and Administrator Kreklow were included in closed session. Roll Call Vote Carried Unanimously.

ADJOURNMENT: There being no further business, the meeting adjourned at 8:50 p.m.

Deanna L. Boldrey, WCMC/CMC
Village Clerk

DRAFT

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 75-2018

**APPROVAL OF THE VILLAGE OF GERMANTOWN MISSION AND VISION
STATEMENTS**

WHEREAS, the Village Board does have Mission and Vision Statements. The statements were reviewed and modified by Department Directors; and,

WHEREAS, the General Government and Finance Committee met and recommended the Village of Germantown's Mission and Vision Statement as:

Mission Statement: *The Village of Germantown is responsive to our citizens and businesses, embracing our heritage while working together to provide quality services in a fiscally responsible manner that will enhance the quality of life in our community.*

Vision Statement: *Germantown's ethnic heritage, high quality of life based on its rural and suburban character, and desirable location in the greater metropolitan area create our competitive advantage. We will work together, with respect for each other, maintain that character and ensure Germantown's future as a neighborly and safe place to live, work and play.*

NOW, THEREFORE BE IT RESOLVED, by the Village Board of the Village of Germantown, that the Mission and Vision Statements are HEREBY Approved.

Introduced by: _____

Adopted: _____

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 64-2018

APPROVAL TO HIRE ONE FULL-TIME FIREFIGHTER / PARAMEDIC

WHEREAS, The Village of Germantown has retained the consulting firm of RW Management to assess the needs of the Germantown Fire Department; and,

WHEREAS, RW Management has identified deficiencies with the Germantown Fire Department's level of staffing; and,

WHEREAS, RW Management is recommending the hiring of one Full-time Firefighter / Paramedic funded from the current Fire Department budget.

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Germantown, does hereby approve the hiring of one Full-time Firefighter / Paramedic from the current Fire Department Budget.

Introduced by: _____

Adopted: _____

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

The Business of the Germantown Public Safety Committee

Submitted by: Chief John Delain

Agenda Item: Old Business

Meeting Date: 9/17/2018

Item Name: Hiring of Fulltime FF/Paramedic

Agenda item description:

GFD is requesting to hire (1) Fulltime FF/Paramedic per past discussions with the Village Board. The cost of this position will be absorbed within our current budget. The cost for the remainder of this year will be estimated at \$16,925.00 and the yearly salary is \$51,000.00, with benefits is \$67,700.00

Back up included: ____ yes No ____

#

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: October 1, 2018

AGENDA ITEM: New Business (CERTIFIED SURVEY MAP)

ITEM TITLE: Doug Weas, Weas Development Co., Agent for DRGT LLC/Discount Ramps Property Owner, N102 W19400 Willow Creek Way; 2-Lot Certified Survey Map (CSM) to combine parcels.

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

SUMMARY EXPLANATION:

Doug Weas, Weas Development Co., agent for DRGT LLC/Discount Ramps, property owner, is seeking approval of a Certified Survey Map (CSM) to combine two existing parcels that comprise the Discount Ramps property totaling 17.43 acres located at N102 W19400 Willow Creek Way.

The Discount Ramps facility was developed on two parcels in the Willow Creek Business Park (Lot 1 and Lot 2 of CSM# 6782). A Certified Survey Map (CSM) land combination is required to legally combine the parcels into one and, consequently, was required by the Plan Commission as a condition of approving the site development plans back in November 2017.

ATTACHMENTS:

- ◆ 9/24/18 Staff Report
- ◆ 9/24/18 Plan Commission Meeting Minutes
- ◆ Preliminary CSM

PLAN COMMISSION RECOMMENDATIONS:

APPROVE the 2-lot Certified Survey Map (CSM) as proposed.

PLAN COMMISSION MINUTES
September 24, 2018

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

ROLL CALL: Chairman Dean Wolter, Trustee Rep David Baum, Commissioners Tony Laszewski, Bob Williams, Peter Nilles and Matt Kimmler were present. Also present were Community Development Director/Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

APPROVAL OF MINUTES: *MOTION Baum second Laszewski to Approve the minutes from 9-10-18. MOTION carried unanimously.*

Discount Ramps – N102 W19400 Willow Creek Way. Certified Survey Map (CSM) to combine two existing parcels that comprise the Discount Ramps property totaling 17.43 acres. Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the Certified Survey Map land combination for the two parcels owned by DRGT LLC for the Discount Ramps distribution/warehouse facility located at N102 W19400 Willow Creek Way subject to the following conditions:

- 1. All technical corrections and issues raised by the Village Surveyor in the September 20, 2018 memo shall be addressed and/or corrected prior to recording the CSM.***

MOTION carried unanimously.

ANNOUNCEMENTS: Chairman Wolter said Octoberfest is scheduled for September 29th through September 31st at Dheinsville Park.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

CERTIFIED SURVEY MAP (CSM) APPLICATION

9/24/18 Plan Commission Meeting

Discount Ramps / Weas Development /Co.

Village Staff Report & Recommendation

Germantown, Wisconsin

Summary

Doug Weas, Weas Development Co., agent for DRGT LLC/Discount Ramps, property owner, is seeking approval of a Certified Survey Map (CSM) to combine two existing parcels that comprise the Discount Ramps property totaling 17.43 acres located at N102 W19400 Willow Creek Way.

Location: N102 W19400 Willow Creek Way

Applicant/

Property Owner: Doug Weas DRGT LLC
Weas Development 172 N. Broadway Ste 300
172 N. Broadway Ste 300 Milwaukee, WI 53202
Milwaukee, WI 53202

Current Zoning: M-1: Limited Industrial

Adjacent Land Uses		Zoning
North	Agricultural	A-1
South	Industrial	M-1
East	Industrial	M-1
West	Agricultural	B-1



Proposal

Doug Weas, Weas Development Co., agent for DRGT LLC/Discount Ramps, property owner, is seeking approval of a Certified Survey Map (CSM) to combine two existing parcels that comprise the Discount Ramps property totaling 17.43 acres located at N102 W19400 Willow Creek Way.

As discussed when the site development and building plans were approved by the Plan Commission in November 2017, the Discount Ramps facility is located on two separate parcels (Lot 1 and Lot 2 of CSM# 6782; see attached). A Certified Survey Map (CSM) land combination is required to legally combine the parcels into one and, consequently, CSM approval was required as a condition of approving the site plans.

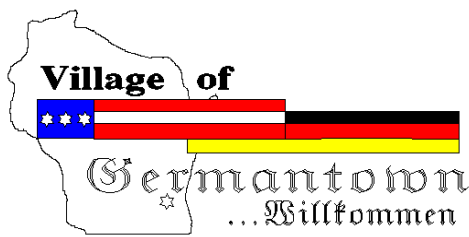
Staff CommentPublic Works/Engineering Department

The Village Surveyor has also identified a few technical corrections and driveway design requirements in a September 20, 2018 memo (copy attached) that will have to be addressed and/or corrected prior to recording the CSM.

Village Planner Recommendation

APPROVE the Certified Survey Map land combination for the two parcels owned by DRGT LLC for the Discount Ramps distribution/warehouse facility located at N102 W19400 Willow Creek Way subject to the following conditions:

1. All technical corrections and issues raised by the Village Surveyor in the September 20, 2018 memo shall be addressed and/or corrected prior to recording the CSM.



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner

CC:

From: Bob Beilfuss, PLS, Village Surveyor

Date: September 20, 2018

Re: Discount Ramps Land Division

Jeff,

Here are my review comments for the CSM received September 18, 2018.

Certified Survey Map

Applicant or Owner Doug Weas

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

1. The Village Clerk's name needs to be revised to Deanna L. Boldrey, WCMC/CMC on Sheet 5
2. This document is combining Lot 1 and Lot 2 into a new Lot 1 and not a further redivision of those two lots. Remove "A division of" from the header of each sheet, in the Surveyor's Certificate and in the first line of the Village of Germantown Board Approval certificate and replace with "a combination of Lot 1 and Lot 2 of Certified Survey Map No....."
3. Revise the Surveyor's Certificate to include the following statement:

"That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing and mapping the same."
4. On sheet 2 of 5, please add the missing easement dimensions and bearings (or use a line table if space is an issue) for the drainage easement that is located on the west side of the property. The dimensions are on the south end of the easement.
5. On sheet 2 of 5, either continue the building setback lines along the north and east side of proposed Lot 1, parallel with the proposed boundary exhibit or add the existing TransCanada and ATC utility easement lines and widths and a note stating that no buildings are allowed within the existing utility easement area.
6. On sheet 2, there is a small wetland area shown. There needs to be a note added stating who did the wetland delineation and who mapped the wetland lines. This area is also missing the 25' buffer line that is offset from the delineation line.
7. There is an existing building on proposed Lot 1 that needs to be added to sheet 1 with offset dimensions to the exterior boundary on the front and closest sideyard offset.

No further review comments.

Document Submittals and Data Conversion

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

Prior to Recording the Certified Survey Map, the professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2018 on compact disk (CD) or via email to the Village Surveyor.

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

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

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



Village of



Germantown

...Willkommen

Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid \$

Date 9-19-18

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

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

1 APPLICANT OR AGENT

Phone () _____

Fax () _____

E-Mail _____

PROPERTY OWNER

DRGT, LLC
172 N BROADWAY, SUITE 300
MILWAUKEE, WI 53202

Phone (414) 276-5555

djw@weasdevelopment.com

2

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

N102 W19400 WILLOW CREEK WAY

321-981-985-991

3

PURPOSE OF LAND SPLIT

	Will the land split require rezoning?	
	From	To

4

READ AND INITIAL THE FOLLOWING:

- ☒ I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.
- ☒ I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.
- ☒ I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.
- ☒ I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

5

SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Applicant _____

Date _____

Owner DJW

Date 9-18-18

CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 and Lot 2 of Certified Survey Map No. 6782 being part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 32 in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

FOUND CONC. MON.
WITH BRASS CAP
NW COR. OF NE 1/4
SEC. 32, T9N, R20E.
(POINT OF COMMENCEMENT)

Owner/Subdivider:
DRGT, LLC
172 N. Broadway, Suite #300
Milwaukee, WI 53202

● Indicates found 1" iron pipe.

See sheets 2 - 3 for easement and wetland details.

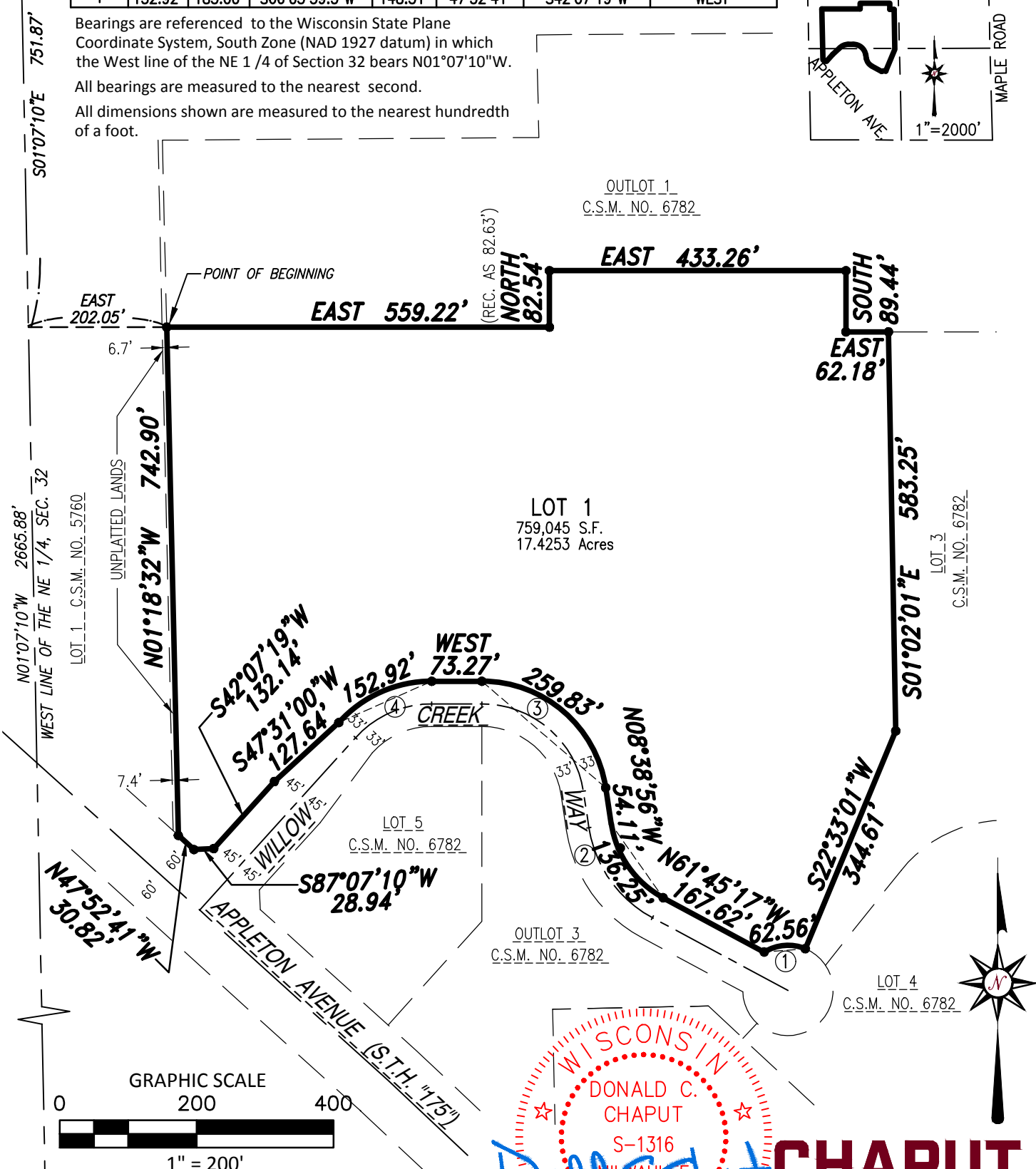
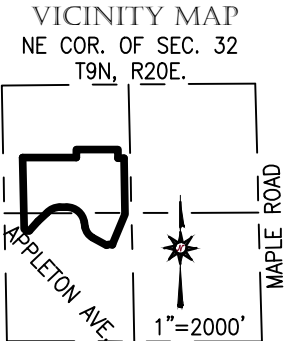
CURVE DATA

CURVE	ARC	RADIUS	CHORD BEARING	CHORD	DELTA	TANGENT BEARING	TANGENT BEARING
1	62.56'	66.00'	S85°23'52"W	60.24'	54°18'18"	S58°14'43"W	N67°26'59"W
2	136.25'	147.00'	N35°12'06.5"W	131.43'	53°06'21"	N08°38'56"W	N61°45'17"W
3	259.83'	183.00'	N49°19'28"W	238.55'	81°21'04"	WEST	N08°38'56"W
4	152.92'	183.00'	S66°03'39.5"W	148.51'	47°52'41"	S42°07'19"W	WEST

Bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone (NAD 1927 datum) in which the West line of the NE 1 /4 of Section 32 bears N01°07'10"W.

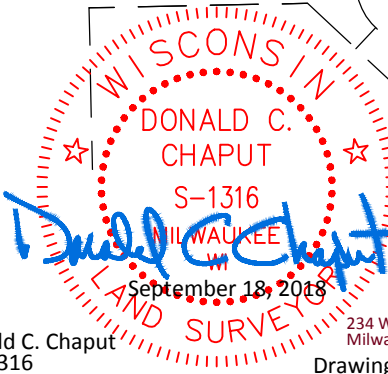
All bearings are measured to the nearest second.

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



FOUND CONC. MON.
WITH BRASS CAP
SW COR. OF NE 1/4
SEC. 32, T9N, R20E.
N: 442,619.15
E: 2,492,583.40

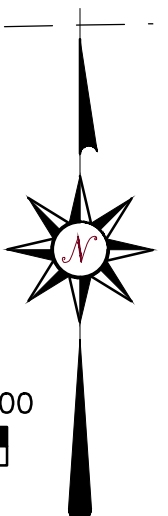
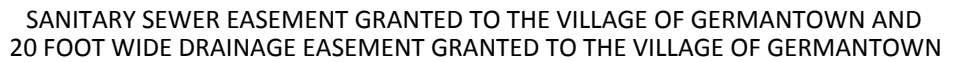
This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316



CHAPUT
LAND SURVEYS

A division of Lot 1 and Lot 2 of Certified Survey Map No. 6782 being part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 32 in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

VISION CORNER RESTRICTION BY THE VILLAGE OF GERMANTOWN ZONING CODE



Food Item	Number of people
Pizza	350
Pasta	250
Sandwich	150
Salad	100

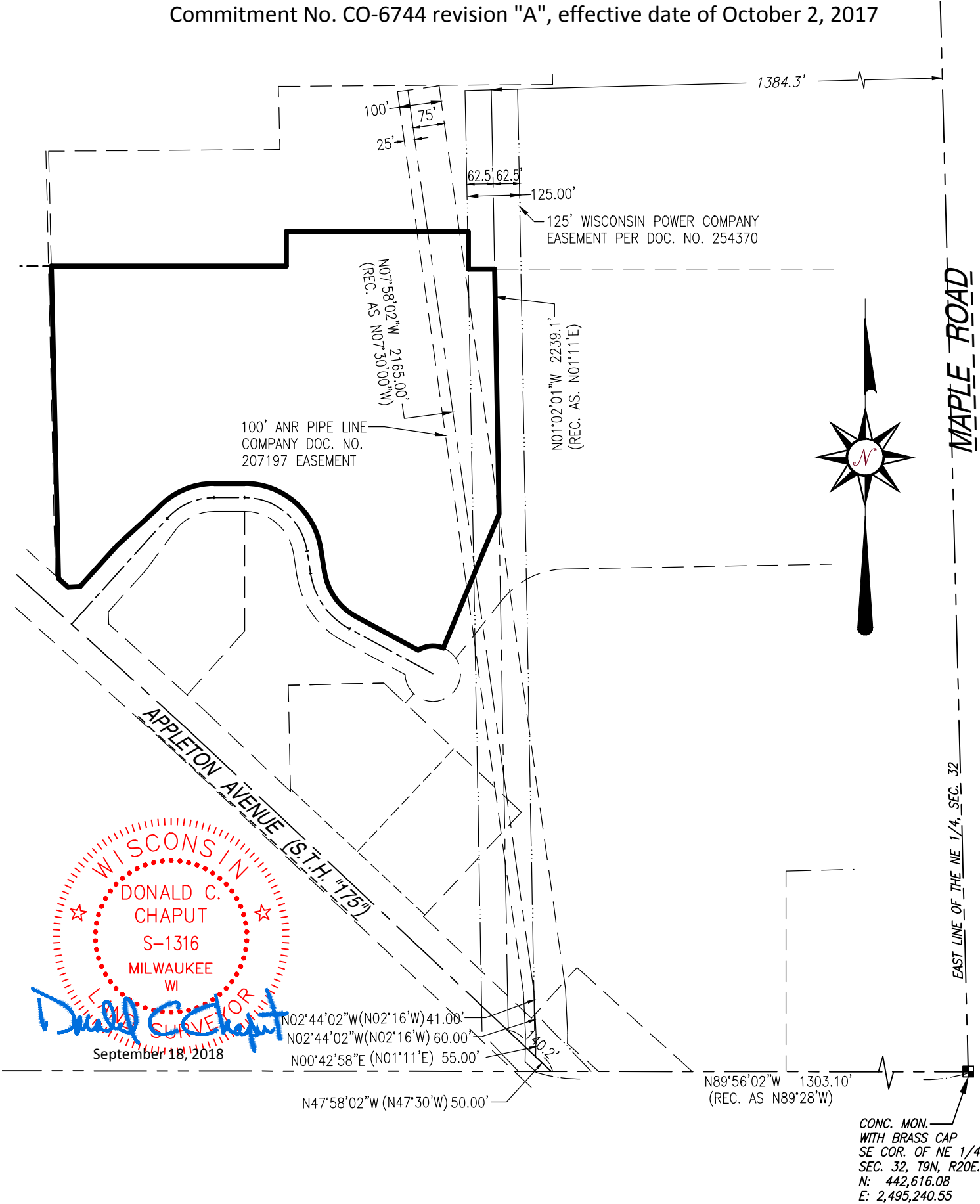
$$1'' = 200'$$

Sheet 2 of 5 Sheets

CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 and Lot 2 of Certified Survey Map No. 6782 being part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 32 in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

EXISTING EASEMENTS - (FOR REFERENCE ONLY)
Existing easements shown per Chicago Title Insurance Company
Commitment No. CO-6744 revision "A", effective date of October 2, 2017



GRAPHIC SCALE



1" = 300'

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

Drawing No. 1665-grb
Sheet 3 of 5 Sheets

CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 and Lot 2 of Certified Survey Map No. 6782 being part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 32 in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

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

THAT I have surveyed, divided and mapped a division of Lot 1 and Lot 2 of Certified Survey Map No. 6782 being part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 32 in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin, bounded and described as follows:

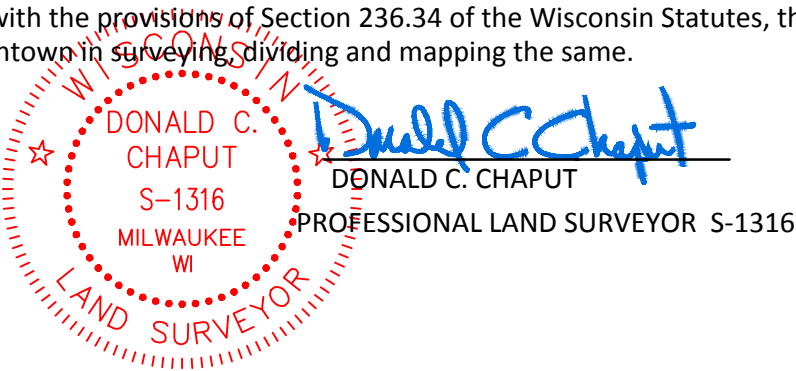
COMMENCING at the Northwest corner of said Northeast 1/4 Section, thence South 01°07'10" East along the West line of said Northeast 1/4 Section 751.87 feet to a point; thence East 202.05 feet to the Northwest corner of Lot 1 in Certified Survey Map No. 6782 and the point of beginning of the lands hereinafter described; thence continuing East along the North line of Lots 1 and 2 a distance of 559.22 feet to a point on the West line of Lot 2; thence North along said West line 82.54 feet to a point on the North line of Lot 2; thence East along said North line 433.26 feet to a point; thence South along said North line 89.44 feet to a point; thence East along said North line 62.18 feet to a point on the East line of said Lot; thence South 01°02'01" East along said East line 583.25 feet to a point; thence South 22°33'01" West along said East line 344.61 feet to a point on the North line of Willow Creek Way; thence Southwesterly 62.56 feet along said North line and arc of a curve, whose center lies to the South, whose radius is 66.00 feet and whose chord bears South 85°23'52" West 60.24 feet to a point; thence North 61°45'17" West along said North line 167.62 feet to a point; thence Northwesterly 136.25 feet along said North line and arc of a curve, whose center lies to the Northeast, whose radius is 147.00 feet and whose chord bears North 35°12'06.5" West 131.43 feet to a point; thence North 08°38'56" West along said North line 54.11 feet to a point; thence Northwesterly 259.83 feet along said North line and arc of a curve, whose center lies to the Southwest, whose radius is 183.00 feet and whose chord bears North 49°19'28" West 238.55 feet to a point; thence West along said North line 73.27 feet to a point; thence Southwesterly 152.92 feet along said North line and arc of a curve, whose center lies to the Southeast, whose radius is 183.00 feet and whose chord bears South 66°03'39.5" West 148.51 feet to a point; thence South 47°31'00" West along said North line 127.64 feet to a point; thence South 42°07'19" West along said North line 132.14 feet to a point; thence South 87°07'10" West along said North line 28.94 feet to a point on the Northerly line of Appleton Avenue (S.T.H. "175"); thence North 47°52'41" West along said North line 30.82 feet to a point marking the Southwest corner of Lot 1 in Certified Survey Map No. 6782; thence North 01°18'32" West along the West line of said Lot 1 a distance of 742.90 feet to the point of beginning. Containing 759,045 or 17.4253 acres of land.

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

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

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

DATE: September 18, 2018



CERTIFIED SURVEY MAP NO. _____

A division of Lot 1 and Lot 2 of Certified Survey Map No. 6782 being part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 32 in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin.

OWNER'S CERTIFICATE

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

DRGT, LLC, as owner, does further certify that this map is required to be submitted to the following for approval: Village of Germantown.

IN WITNESS WHEREOF, DRGT, LLC, has caused these presents to be signed by the hand of DOUGLAS J. WEAS, Manager, on this ____ day of _____, 2018

In the presence of:

(Witness)

DOUGLAS J. WEAS, Manager

STATE OF WISCONSIN}
:SS
WASHINGTON COUNTY}

Personally came before me this ____ day of _____, 2018, DOUGLAS J. WEAS, Manager of DRGT, LLC, to me known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

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

VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown this ____ day of _____, 2018.

Dean Wolter, Chairperson

Date

Laura A. Johnson, Secretary

Date

VILLAGE OF GERMANTOWN BOARD APPROVAL

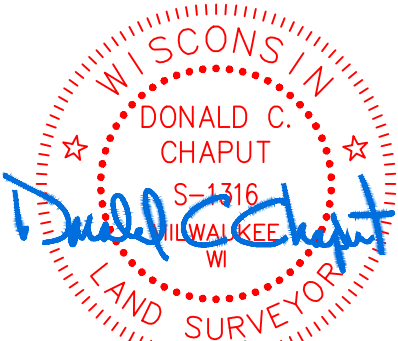
This Certified Survey Map being a division of Lot 1 and Lot 2 of Certified Survey Map No. 6782 being part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 32 in Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin, having been approved by the Planning Commission being the same, is hereby approved by the Village Board of Trustees of the Village of Germantown on this ____ day of _____, 2018.

Dean Wolter, Village President

Date

Barbara K. D. Goeckner, Village Clerk

Date



Dated: September 18, 2018

1438853



RECORDED

September 28, 2017 10:13 AM

SHARON A MARTIN

REGISTER OF DEEDS

WASHINGTON COUNTY, WI

Recording Fee Paid: \$30.00

Exemption: 77.25(2R)

CERTIFIED SURVEY MAP NO.

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

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

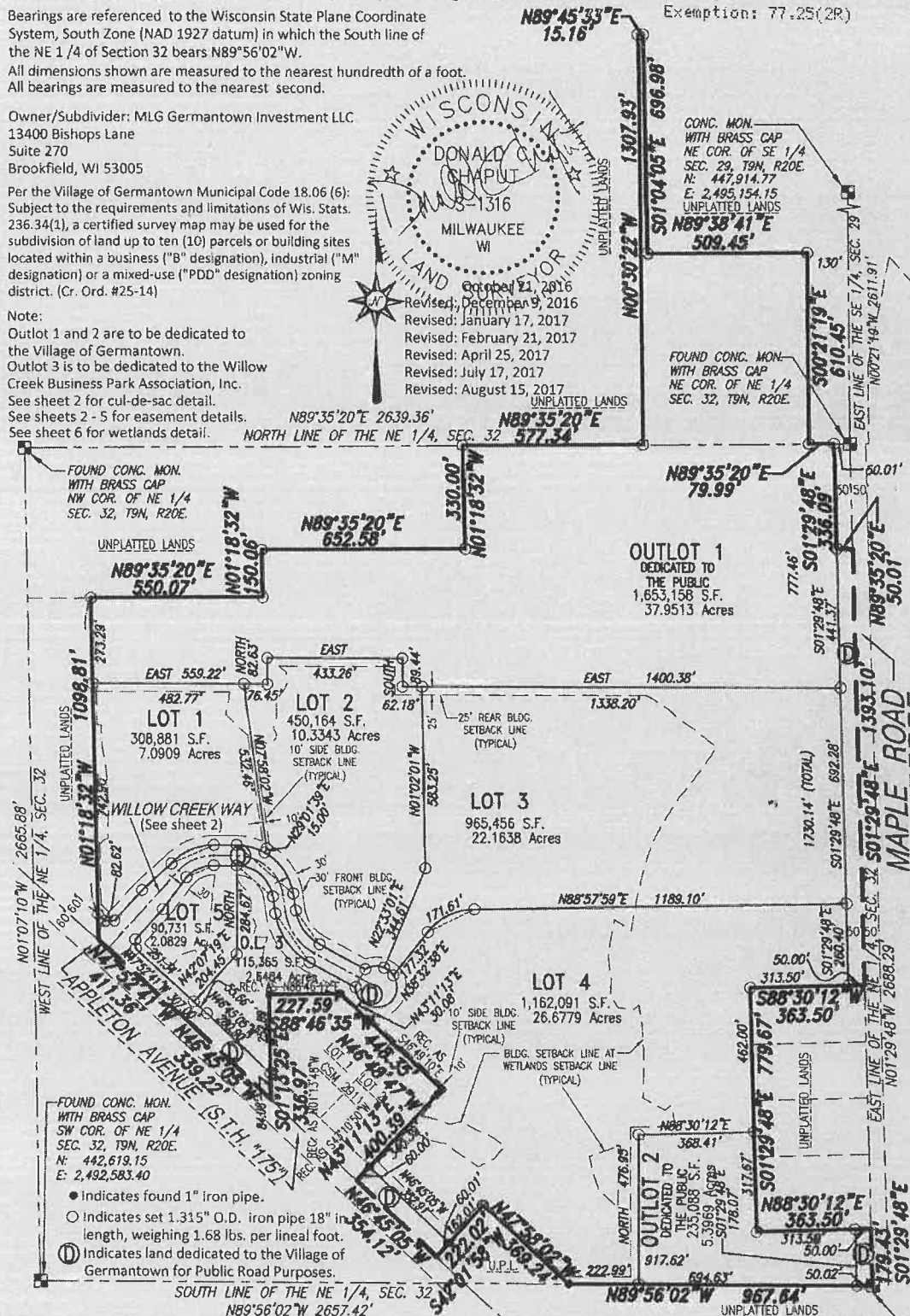
All dimensions shown are measured to the nearest hundredth of a foot. All bearings are measured to the nearest second.

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

Per the Village of Germantown Municipal Code 18.06 (6): Subject to the requirements and limitations of Wis. Stats. 236.34(1), a certified survey map may be used for the subdivision of land up to ten (10) parcels or building sites located within a business ("B" designation), industrial ("I" designation) or a mixed-use ("PDD" designation) zoning district. (Cr. Ord. #25-14)

Note:

Outlot 1 and 2 are to be dedicated to the Village of Germantown.
Outlot 3 is to be dedicated to the Willow Creek Business Park Association, Inc.
See sheet 2 for cul-de-sac detail.
See sheets 2 - 5 for easement details.
See sheet 6 for wetlands detail.



CHAPUT LAND SURVEYS LLC

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

Drawing No. 1665-grb

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

Sheet 1 of 12 Sheets

Map 720. 6782 Vol 53 Page 160



Village of
Germantown
Willkommen

ZONING COMPLIANCE/ OCCUPANCY PERMIT

Date of Application: Text 9-12-18

\$175 Application Fee Received By: Clerk

Please read and print legibly. List name of actual contact person (NOT just business name).

APPLICANT OR AGENT:

Name: Jason Otto
Address: 101 W. Zedler Ln Mequon WI 53092
Phone: 262-227-9373
Fax: _____
E-Mail: jason@globalsightandsound.com

PROPERTY or Business OWNER:

Name: JP WI LLC
Address: 8655 N. Deerwood Dr Brown Deer WI 53209
Phone: 2622279373
Fax: _____
E-Mail: jason@globalsightandsound.com

PROPERTY ADDRESS OR Tax Parcel ID#:

W210N10466 Appleton Ave, Germantown WI 53022

DESCRIPTION OF PROPOSED USE (Describe improvements, structures, uses and activities conducted, services provided, products made or sold, # of employees, hours of operation, etc. that will enable Zoning Administrator to determine if the proposed use or operation complies with the applicable zoning district and/or other use restrictions that may apply to the subject property. Use back side or additional sheets as needed):

We will be using the current structure to have a bar that serves a very limited amount of food. We will have no more than 15 employees and plan on being open from 11am till bar time 7 days a week. We are not looking to make any structural changes at this time. All improvements will be purely cosmetic.

READ AND INITIAL THE FOLLOWING:

- ☒ I understand that Village Staff may request additional information to properly evaluate this request and failure to provide such information may in itself be sufficient cause to deny the petition.
- ☒ I understand that Village Staff can impose conditions or other requirements necessary in order to meet and/or remain in compliance with the Village's Zoning Codes and/or other Village requirements that may apply to the subject property.

INCLUDE THE FOLLOWING WITH YOUR APPLICATION:

- ☐ A scaled site plan showing location of proposed use on the property (not required if within building).
- ☐ \$175 Application Fee
- ☐ Other Information required by Zoning Administrator

SIGNATURES: ALL APPLICATIONS MUST BE SIGNED

[Signature]
Applicant

[Signature]
Property Owner

9-10-18

Date

9-10-18

Date

APPROVED
VILLAGE USE ONLY

☒ Building/Arch Plan	☐ Site Plan
☒ Landscaping Plan	☐ Sign Plan
☒ Lighting Plan	☒ Zoning Permit

[Signature]
Village Planner/Zoning Administrator

9-26-18
Date Approved

☒ Approval Conditions apply as noted below:
SEE CONDITIONS OF APPROVAL IN LETTER
SEPTEMBER 26, 2018



Community Development Department

Jeffrey W. Retzlaff, AICP, Director

Village Planner & Zoning Administrator

N112 W17001 Mequon Road P.O. Box 337

Germantown, WI 53022-0337

Telephone: (262) 250-4735

Website: www.village.germantown.wi.us

FAX: (262) 253-8255

E-mail: jretzlaff@village.germantown.wi.us

September 26, 2018

Jason Otto
101 W. Zedler Lane
Mequon, WI 53092

RE: W210 N10466 Appleton Ave; Zoning Permit for Jay & Pete's Bar/Restaurant

The zoning permit application for a new bar operation at the above cited property (formerly the Public House & Doctors Pub) has been approved subject to the conditions listed below. Subject to compliance with the conditions below, the proposed use would comply with the zoning district regulations applicable to the subject property.

CONDITIONS OF APPROVAL:

1. Village building permits are required for all interior and exterior improvements and renovations (construction, electrical and/or plumbing). Contact Mike Guttman, Building Inspector, to discuss any proposed improvements, permit & inspection requirements, and state-approved plan requirements (if required). Contact Holly in Inspection Services for information about permit applications. Both can be reached at 262-250-4760.
2. Prior to occupancy or commencement of use, an occupancy inspection shall be conducted in coordination with the Village Fire Department and Inspection Services. Please contact the Fire Department and Inspection Services to arrange an inspection at 262-502-4701.
3. If required by the Fire Department or Inspection Services as part of the initial or future occupancy inspections, the owner/operator shall install and/or update necessary fire safety measures, emergency management and/or other improvements to ensure fire and building code compliance for the type of occupancy/use proposed.
4. All exterior signs, temporary and permanent, requires a sign permit. Contact Lori Johnson regarding proposed signs, and the Village's sign regulations and permit requirements at 262-250-4735.
5. No parking is allowed on the adjacent property south of the building at W210 N10466 Appleton Ave. As discussed in a May 29, 2013 letter to the former operator, use of the paved area south of the building for parking is not allowed under the Village's Zoning Code unless and until the property owner completes one of the alternatives discussed therein (e.g. combine the two parcels, obtain a conditional use permit for off-site parking, etc).

If you have any questions or concerns regarding this matter, feel free to contact me at (262) 250-4735 or Inspection Services at (262) 250-4760.

Respectfully,
Jeffrey W. Retzlaff, AICP
Zoning Administrator

Copy: Inspection Services
Renee Martin, Property Owner

Village of

★★★

Germantown

Community Development Department

Jeffrey W. Retzlaff, AICP, Director

Village Planner & Zoning Administrator

N112 W17001 Mequon Road P.O. Box 337

Germantown, WI 53022-0337

Telephone: (262) 250-4735

Website: www.village.germantown.wi.us

FAX: (262) 253-8255

E-mail: jretzlaff@village.germantown.wi.us

May 29, 2013

COPY

Craig Braidigan
W201N10466 Appleton Ave
Germantown, WI 53022

RE: The Public House (formerly "Doctor's Pub"); Building Permit (Deck Addition)

Dear Mr. Braidigan:

Notwithstanding the provisions of Section 17.43(9) and the affect on your ability to obtain a building permit with or without site plan approval from the Village, my primary concern with the property and hesitancy to issue a building permit for the deck addition without said site plan approval is the continued use of the existing and non-compliant parking lot located at the front of the building that straddles the two parcels. This same issue was of sufficient concern to the Plan Commission back in 2008 that they approved a similar deck addition proposal with a series of conditions; including one that required the property owner to "fix" the non-compliant parking lot issue by combining the two parcels.

However, based on input and advice from the Village Attorney, in an effort to avoid further delay to your proposal to construct the deck addition, and, to also address the non-compliant parking lot issue, I am prepared to approve the building permit for your deck addition (for zoning code compliance) with a condition that the non-compliant parking lot issue be resolved within the next three (3) months. This would enable you to proceed with construction of your deck, subject to meeting the necessary building code and fire safety requirements, while you and/or the property owner decide how best to resolve the parking lot issue and pursue that course of action.

The reason why the parking lot issue needs to be resolved is that, despite its existence for some time, the existing parking lot located at the front of the building straddles the common property line with the 2.85-acre parcel to the east and, as a result, does not meet the minimum 8' parking lot setback required under Section 17.45(1)(c). Moreover, the existence of this parking lot does not "qualify" as a legal nonconforming use of the property because one cannot obtain legal nonconforming status for an accessory use such as parking (see City of Lake Geneva v. Smuda, 75 Wis. 2d 532, 537, 249 N.W.2d 783, 786-87, 1977).

Therefore, because there is no legal nonconforming status associated with the parking lot, any alterations to the building require compliance with the current parking setback/buffer regulations. Fortunately, you have a number of alternatives available to you (or the property owner) to fix the non-compliant parking lot issue, including:

1. To address the setbacks requirement, you could remove the existing parking stall(s) that encroach over the common property line and create a minimum 8' setback

"buffer" from the property line to the nearest paved parking stall. This alternative should include a greenbelt between the parking lot and the property line. As this property was subject to a prior plan commission approval, this change could be approved by me as the Zoning Administrator provided that the proposed changes do not constitute a major improvement.

2. Combine the two adjoining parcels into one using a procedure used by the Washington County Real Property Lister (and typically allowed by the Village of Germantown) that requires Village staff approval and only the recording of a Quit Claim Deed (contact Brian Braithwaite, Washington County Real Property Lister, 432 E. Washington Street, West Bend, for the necessary form and procedures). This combination would result in a sufficient setback such that the parking lot regulations would be met unless changes to the parking lot are made. A subsequent rezoning application would be required given the different zoning districts on the two parcels.
3. Obtain a Conditional Use Permit from the Village pursuant to Section 17.45(5) of the Zoning Code for an "off-site parking area". As we have already discussed, this provision was adopted in order to address situations just like yours where parking for a particular business is occurring on an adjacent (or non-adjacent) property that is non-compliant with the Zoning Code, and, to allow the business the ability to expand without having to actually combine the separate parcels as in the case of the two alternatives discussed above (this alternative was not available to the owner back in 2008 having only been added to the Zoning Code in 2010). This alternative requires Plan Commission and Village Board approval of a CUP Application.
4. Submit an application for a two-lot Certified Survey Map to redivide the two parcels so that the parking area is combined with the current "bar" parcel, leaving the remainder to the adjoining parcel. This alternative is/was one of the conditions of approval required by the Plan Commission as part of approving the previous deck addition in 2008. This alternative requires Plan Commission and Village Board approval of a CSM Application.
5. File an appeal with the Board of Zoning Appeals regarding the applicable sections of the Zoning Code and my application of those code sections to your particular situation and proposal. The Board of Zoning Appeals is the body of Village government that has the authority to hear allegations and make decisions regarding potential errors made by the Zoning Administrator in the application of and determinations under the Zoning Code.

Alternatives #1 and #3 give you the most flexibility in terms of being able to continue using the existing parking area located nearest to the front entrance of the bar while also offering the property owner the most flexibility in terms of being able to use or sell for future development purposes (the reason given to us back in 2008 as to why the previous deck addition wasn't completed and the parcels combined). Alternative #1 may result in continued code compliance issues (and possible municipal citations) for the owner of the 2.85-acre parcel if that area continues to be used for parking by patrons of the bar. Alternative #4 offers the best fix for the situation now in that it addresses the concerns of all of the parties

Craig Braidigan
W201N10466 Appleton Ave
The Public House; Building Permit (Deck Addition)
Page 3

involved. Alternative #2 simply pushes Alternative #4 to a date in the future, when the CSM would be required to redivide the properties.

Please contact me to discuss what alternative course of action you and/or the property owner want to pursue and we can discuss the necessary procedures, forms, fees, etc. In the event that you want to pursue Alternative #5, i.e. filing an appeal to the Board of Zoning Appeals, please contact the Village Clerk's Office to obtain the necessary forms and discuss those procedures.

Please proceed with filing the necessary plans and supporting information along with your building permit application. I will attach a letter of approval containing the conditional approval outlined above to that permit.

In the meantime, if you have any questions or concerns regarding this matter, feel free to contact me at (262) 250-4735.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jeffrey W. Retzlaff', is written over the printed name and title.

Jeffrey W. Retzlaff, AICP
Village Planner & Zoning Administrator

Copies: Village Attorney
 Village President
 Village Administrator

From: [Jeff Retzlaff](#)
To: [Jason Otto](#)
Cc: [Deanna Boldrey](#); [Lori Johnson](#)
Subject: RE: W210 N10466 Appleton Ave; Jay & Pete's (formerly Public House)
Date: Wednesday, September 26, 2018 12:02:16 PM
Attachments: [JP WI LLC-Doctors Pub-Zoning Permit-APPROVAL-9-26-18.pdf](#)

Zoning Permit approval is attached.

Please forward a copy to the property owner, Renee Martin.

Thanks.

Jeff

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

From: Jason Otto <jason@globalsightandsound.com>
Sent: Tuesday, September 25, 2018 1:05 PM
To: Jeff Retzlaff <jretzlaff@village.germantown.wi.us>
Cc: Deanna Boldrey <dboldrey@village.germantown.wi.us>; Lori Johnson <ljohnson@village.germantown.wi.us>
Subject: Re: W210 N10466 Appleton Ave; Jay & Pete's (formerly Public House)

I wanted to thank everyone for their help so far in this process. I promise that once we get settled I will get everything you guys need rectified at this property. I know we are on the agenda for October 1st meeting did you need me to bring in the zoning permit with renee's signature on it before than or just that night. I appreciate everything again and please let me know at anytime if there is anything you guys need me to do and I will make sure it happens asap.

Jason Otto
Global Sight and Sound
262-227-9373 Cell
262-820-0600 Office
Jason@globalsightandsound.com

From: Jeff Retzlaff <jretzlaff@village.germantown.wi.us>
Date: Monday, September 17, 2018 at 12:44 PM

To: Jason Otto <jason@globalsightandsound.com>

Cc: Deanna Boldrey <dboldrey@village.germantown.wi.us>, Lori Johnson
<ljohnson@village.germantown.wi.us>

Subject: FW: W210 N10466 Appleton Ave; Jay & Pete's (formerly Public House)

Jason:

I have reviewed your Zoning Permit application for the property located at W210 N10466 Appleton Ave. As discussed in the attached email sent to the Village Clerk today, I will not approve the Zoning Permit application until outstanding zoning issues surrounding the property are resolved. A separate issue not mentioned in the letter concerns a fence permit application from 2015 that was submitted by the former operator but never issued; likely due to lack of payment and/or scheduling the final inspection.

Since I understand that you are not the owner of the property, we will need you to contact the owner, Renee Martin d/b/a Doctors Pub LLC, and have her sign the Zoning Permit application, too. You can work with Lori Johnson as far as getting Martin to sign the application.

I would appreciate it if you could also forward this message to her since we currently do not have up-to-date contact information for her.

Thank you.

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

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 76-2018

APPROVING THE SALE OF CERTAIN FIRE DEPARTMENT EQUIPMENT

WHEREAS, the Public Safety Committee met on September 17, 2018, and recommended the sale of certain Fire Department Equipment; and,

WHEREAS, this equipment includes:

2001 Ford E350 Ambulance

2011 Chevrolet Tahoe Staff Vehicle

1979 GMC 3500 Grass Truck

Firefighting Appliances include –

Hoses, Couplings, Nozzles, Generators, and Hand Tools.

NOW, THEREFORE BE IT RESOLVED, that the Village Board HEREBY approves of the sale of such equipment.

Introduced by: _____

Adopted: _____

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk

Deanna Boldrey

From: Steve Kreklow
Sent: Tuesday, September 25, 2018 3:44 PM
To: Dean Wolter; David Baum; Terri Kaminski; Dan Wing; Rick Miller; Robert Warren; Dennis Myers; Jeffrey Hughes; Art Zabel
Cc: John Delain; Kim Rath; Deanna Boldrey; Jeffrey JR. Roemer
Subject: Proposed Sale of Fire Engine

Hello Trustees,

At their meeting last week, the Public Safety Committee considered the sale of one of the Village's three fire engines that the Fire Department has indicated cannot be staffed with current staffing levels and is no longer needed due to consolidation of fire operations at Station 2. The \$146,000 in revenue from the sale of the fire engine is currently included in the 2019 Budget to support the cost of additional staff in the Fire Department. The Public Safety Committee expressed concerns about the sale of the fire engine, voted unanimously against the sale of the fire engine and directed staff to provide alternative methods for funding the additional fire department staff in the 2019 budget. The item will be on agenda for the next Village Board meeting to be considered by the entire Board and may be the topic of budget discussions in upcoming Committee of the Whole meetings.

Background

Like many other similar communities, the Village of Germantown has struggled to maintain levels of emergency service response time in the face of rapidly increasing calls for service, while relying on a part-time paid on call staffing model. In order to address this challenge, the Village added full-time positions in the 2018 budget and is considering adding another position in October. The Fire Department included the full cost of this position and other staffing resources their 2019 budget to reach full staffing at Fire Station 2. The cost of the additional staffing in the Fire Department is \$378,059. We have offset that increase by making \$141,364 in budget reductions to other departments and bringing the net cost to \$236,695. The Village Board could use the \$146,000 revenue from the sale of the vehicle to further offset the 2019 cost of the additional Fire Department staffing. We believe that in 2020 additional property tax levy from the closure of TID 4, mid-year 2019, will provide adequate funding in future years.

The fire engine is no longer needed because fire department operations have been consolidated into a single fire station in order to increase staff available to adequately staff equipment when responding to emergency calls. Fire Station 2 is equipped with 1 ladder truck, 2 fire engines, 3 ambulances, 1 tender and other support equipment.

If the Village chooses not to sell the third fire engine, it will be mothballed in Fire Station 1, until a future decision to sell the engine or until such time as the Village adds enough additional staff to operate a third fire engine. The cost for basic maintenance to the engine needed to keep the engine in operating condition will be in the range of \$8,000 - \$10,000 annually.

The engine proposed to be sold is currently 11 years old. The National Fire Protection Association (NFPA) standards indicate that fire engines should be fully refurbished after 15 years of service and retired after 20 years of service. The standards are not laws, or regulations that the Village is required to follow, but are guidelines that fire service professionals and analysts develop to help ensure the safety of fire department staff and the public. A decision not to follow NFPA standards could increase the risk to the Village. Given the difficulty the Village has had in coming up with funds to fully staff two fire engines and one station, it seems unlikely that the Village will be able to staff a third fire engine in the next 3-5 years.

2019 Budget Alternatives

Additional Fire Department staff in the 2019 budget request cost \$236,695. My recommendation to the Village Board is move forward with the sale of the fire engine as proposed and use the \$146,000 proceeds from the sale to fund a portion of the 2019 costs of the additional staff. We expect that closure of TID 4 during 2019 will generate enough additional property tax levy revenue in 2020 and future years to provide a sustainable replacement to the one-time revenues from the sale of the engine. The Village Board can consider other alternatives:

1. **Increase Property Tax Levy** – The budget presented to the Village Board assumes a property tax levy increase of \$193,788 based on net new construction in the Village. *State statute does not allow additional increases* in the property tax levy.
2. **Reductions to Other Expenses** – The Village Board could choose to reduce budgets in other departments to offset increases in the Fire Department.
 - a. New positions in the 2019 budget could be denied. However all but one (Associate Planner) of the new positions are largely offset by additional revenue or reductions in other expenses. Denial of the Associate Planner position would save \$81,589.
 - b. The 2019 budget presented to the Village Board includes funding for a 2% increase for Village employees. Eliminating this increase for non-bargain unit employees would save \$86,000.
 - c. The 2019 budget presented to the Village Board includes \$330,800 in cash for equipment replacement. One option for reducing this amount would be to skip a year of replacing police squads, saving \$87,000.
3. **Use of Reserves** – Another option open to the Village Board would be to use general fund reserves to fund the additional Fire Department positions. Reserve levels are currently above the 25% stated goal for reserves and could be used for this purpose knowing that additional revenue from the closure of TID 4 will be available in future budgets. If the Village Board used reserves in this manner, you could revisit the sale of the fire engine during 2019 and use any proceeds to replenish General Fund reserves.

If you have any questions or would like any additional information on the alternatives listed above or would like to discuss other potential alternatives, please let me know.

Thanks.

Steve

Steven R. Kreklow
Village Administrator
Germantown, WI

Phone: 262.250.4775
Cell: 262.423.5011
e-mail: skreklow@village.germantown.wi.us



**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 77-2018

**APPROVING A CONTRACT FOR COMMAND FIRE APPARATUS
TO PURCHASE THE FIRE DEPARTMENT'S 2007 PIERCE PUMPER**

WHEREAS, the Germantown Fire Department received an Offer to Purchase from Command Fire Apparatus for the 2007 Pierce Pumper in the amount of \$146,500; and,

WHEREAS, the sale terms and conditions are outlined on the attached contract; and,

NOW, THEREFORE BE IT RESOLVED, that the Village Board HEREBY approves of the Sale of the 2007 Pierce Pumper to Command Fire Apparatus in the amount of \$146,500.

Introduced by: _____

Adopted: _____

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk



Lancaster County PA
~ A FIREFIGHTER OWNED
& OPERATED COMPANY ~

20 Wildflower Lane ■ Lancaster, PA 17603
www.sellfiretrucks.com ■ email: glenn@sellfiretrucks.com
1.866.238.6688 ■ Fax: 717.735.0228

August 16, 2018

Germantown Fire Dept.
N115 W18752 Edison Drive
Germantown, WI 53022

Dear Sir:

Our firm agrees to purchase the surplus 2007 Pierce 1500/1000 pumper and associated equipment from your fire department. Our offer is based upon acceptance of these terms within 30 days from today and availability of the unit at the time mutually agreed date.

Our terms and conditions for this are as follows:

The fire pump will pass a standard pump test and the booster tank doesn't leak. The vehicle will be in the same condition as it is today, subject to minor wear and tear from usage by the seller.

The unit has never been involved with a major collision or accident and has not been reconstructed or salvaged.

The undercarriage of the vehicle does not have corrosion or damage that would preclude it from passing a DOT or State inspection.

You will supply a full set of accurate specifications on the unit.

Clear title in the form of a state issued title will be conveyed to the purchaser at the time of sale and payment in full for the vehicle. The seller will also provide all available service manuals and maintenance and service records at the time of sale.

All of the basic and fixed equipment you described will be upon the vehicle at the time of sale including deck gun with tips, warning lights and siren, ground ladders, caps on intakes and discharges, SCBA brackets, and any other fixed items.

The purchaser agrees to purchase this unit for \$ 146,500. Upon acceptance of this offer, the purchaser shall provide the seller a \$ 10,000 deposit and pay the balance at the time of sale.

Regards,

Glenn D. Usdin (signed)

Glenn D. Usdin, President

Accepted this ____ day of August 2018 by _____

On behalf of the Germantown Fire Department.

Please sign and fax this agreement back to us at 717 735-0228.

The Business of the Germantown Public Safety Committee

Submitted by: Chief John Delain

Agenda Item: Old Business

Meeting Date: 9/17/2018

Item Name: Liquidation of assets

Agenda item description:

GFD is requesting to sell one engine, one grass truck, one ambulance, one staff vehicle, and a surplus of firefighting appliances. I have received to offers from fire apparatus resellers that are included. GFD is requesting approval to sell the engine to Command Fire Apparatus for \$146,500.00. GFD is also requesting approval to sell the remaining items via Wisconsin Surplus Auction or another outlet as directed by the committee.

Back up included: ☒ yes No ☐

MEETING MINUTES
PUBLIC SAFETY COMMITTEE MEETING
SEPTEMBER 17, 2018
GERMANTOWN VILLAGE HALL BOARD ROOM

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

ROLL CALL: Chairman Hughes, Trustee Myers, Trustee Warren and Trustee Wing were present.

Also present were Chief Hoell, Interim Fire Chief Delain, Clerk Boldrey, Administrator Kreklow, Village President Wolter, Engineer Nitschke.

PUBLIC COMMENT: Charlie Hargan of W169 N11504 Biscayne Drive advised he had concerns regarding the closing of Fire Station 1 and noted the following:

- Village continues to grow, there is a need for 2 fire stations
- The location of station 1 was said to be a good area for the fire station as it related to the location of station 2 when it was built
- Does not want to see fire trucks and fire vehicles sold, concerned that this will result in asking for new vehicles in the future
- Understands that staffing concerns may justify working out of one station but doesn't want to see the older station eliminated when there may be a use for it and additional staff in the future
- Does not want to see department assets liquidated

APPROVAL OF MINUTES: a motion was made by Myers, seconded by Warren, to approve the minutes of the August 6, 2018 Public Safety Meeting. Motion carried unanimously.

POLICE DEPARTMENT MONTHLY REPORT: Hoell reported on the following:

- The department's first Youth Police Academy Class had its graduation with 42 youths attending; it received very good reviews, the department plans to hold another one next year
- Crime alert for the area of School Road and Pilgrim Road was issued due to multiple vehicles vandalized by deflating tires with punctures
- Police department partnered with Kiwanis to purchase Green Bay Packer cards which are available at the department and will be distributed by officers
- K9 fundraiser committee held a brat fry at Pick n Save and raised nearly \$800
- Monthly report numbers are tracking close to normal with increases in extra patrol and community policing numbers

FIRE DEPARTMENT MONTHLY REPORT: Delain reported on the following:

- Virginia Highlands held a brat fry fundraiser for the department and collected over \$300
- Muscular Dystrophy Association funds were collected with the Fill the Boot fundraiser during the July 4th parade totaling over \$2400
- Calls for service have increased from last year
- Staff is finalizing details for the Fire Department Safety Fair event on October 6th

- Hughes questioned the difference in numbers for fire calls vs EMS calls, Delain advised the numbers are combined on the report for an overall total

OVERTIME REPORTS:

Police Department – Hoell advised the department overtime numbers are tracking as expected.

Fire Department – Delain advised the department overtime numbers are good with some fluctuations due to staffing levels, overall numbers are about \$15,000 less than last year.

POLICY UPDATES FOR POLICE & FIRE DEPARTMENT:

Police Department - none

Fire Department - none

UNFINISHED BUSINESS

RESOLUTION 64-2018, APPROVAL TO HIRE ONE FULLTIME FIREFIGHTER/ PARAMEDIC: Delain advised that the cost for this position would be absorbed within their current budget from surplus funds due to the open fire chief position. He added he had also emailed out information regarding response time questions.

Discussion followed with Delain explaining staffing with this new position, stating it would give them 3 staff members on shift 24 hours/day.

A motion was made by Wing, seconded by Myers, to forward this item to Village Board with a recommendation of approval. In further discussion, Warren noted that the costs for this position were covered in this year's budget but wondered if next year's budget included these costs. Delain advised that he has been in budget meetings with the Administrator and Finance Director and is working on it and deferred the question to Administrator Kreklow.

Kreklow advised that this position and other position changes that were recommended to the Village Board are included in the Fire Department's budget request and are included in the numbers that were sent out by Finance Director. He added that the positions are funded in part through the revenue from the sale of the equipment from this year to bridge a gap between the funding available in 2019 for these position changes and what is expected to be available in property tax levy in 2020.

Wing noted that his concerns regarding this position were whether the position was needed and whether it would fit within the budget. He stated he was satisfied with the information received. Hughes asked if the union had met yet regarding this position, Delain advised that discussions had been started and additional meetings would be scheduled soon.

Motion carried with Myers and Warren voting aye, Wing abstaining, Hughes voting nay.

NEW BUSINESS

OPERATOR'S LICENSES: Dawn Eberhardt, Drew Fahrendorf, Alyssa Kane, Samantha Mages, Craig Peterburs, Abigail Roadhouse, Gina Roadhouse, Heather Spilger, Brittany Thomas, James Weggen [Recommended Approval]: a motion was made by Myers, seconded by Warren, to forward the applications for Operator Licenses as presented to Village Board with a recommendation of

approval. Hoell and Delain advised there were no objections from the police and fire department. Motion carried unanimously.

BLAZIN WINGS INC. N96 W18034 COUNTY LINE RD., CHANGE OF AGENT TO FRANK ARENA: a motion was made by Myers, seconded by Warren, to forward this application to Village Board with a recommendation of approval. Hoell and Delain advised there were no objections from the police and fire department. Motion carried unanimously.

FIRE DEPARTMENT – ASSET LIQUIDATION: Delain advised the department is requesting to sell 1 grass truck which is 40 years old, 1 ambulance which is 18 years old, 1 staff vehicle which is 7 years old, 1 engine that is 11 years old, and miscellaneous hose appliances. They did receive two bids for the engine from fire apparatus resellers for \$146,500 and \$100,000 and Menomonee Falls FD has also expressed interest in purchasing the engine. Delain requested that the committee consider approving the sale of the engine to either MFFD or Command Fire Apparatus, and then for the remaining items to be placed on the Wisconsin Surplus Auction Site.

A motion was made by Myers, seconded by Warren, to forward this request to liquidate the listed items to Village Board with a recommendation of approval. Discussion followed with Warren asking if the ambulance was one that had been recently rehabbed, Delain stated it was not, the ambulance they want to sell is the oldest one. Warren also addressed the concerns expressed by Mr. Hargan regarding the fire department selling these items and then finding themselves with a shortage of equipment as the community grows. He wondered if that was taken into consideration with the proposed sale of these items. Delain responded that they have more spots open on their apparatus than personnel to staff them. He went on to explain other options they have available, i.e. assistance from neighboring communities. He also stated the grass truck is rarely used and talked to Jackson regarding assistance from their department for grass fires and would like to look further into sharing resources with neighboring communities. Delain also advised that the engine they want to sell is their reserve engine, the ambulance is old and is last one out if needed and if it can be staffed. The staff vehicle can be released since they have two additional staff vehicle and grass truck is rarely used. He considers those vehicles to be surplus apparatus which are not used on a regular basis, but still cost money to maintain. Wing questioned the mileage on these vehicles, Delain responded that the ambulance has 68,000 miles, engine has 28,000 miles, grass truck has 5,000 miles (on its 3rd engine), staff vehicle has 78,000 miles, these are actual miles without the hours-to-miles calculated in.

Discussion continued with Wing stating that he was not averse to the sale of the staff vehicle and ambulance but had concerns with the sale of the engine which has low mileage. He added that Delain's comments that there are not enough personnel to staff the vehicles contrasts with his requests for additional personnel. Delain responded that the funds obtained from the sale of these items was in part how the new positions would be funded. Hughes referred to new village growth and asked if the engine might be an asset to the department. Delain agreed that extra equipment would be beneficial, but they need people to staff them. Hughes noted that the grass truck had recently been rehabbed and asked what the cost would be to keep that truck and where it could be parked, Delain stated it would cost nothing except for routine maintenance and could be parked at Station 1 for now. Warren asked how the funds from the sale of these items would affect the hiring of a new fulltime position, Delain stated those numbers were included in the budget for the new position. Kreklow advised the answer depends on other budget decisions the board makes which could include reducing budgets in other departments, further increase the property tax levy, reserves could be used, there are other options that could be utilized. Kreklow also addressed the concerns raised regarding village growth and

equipment needs and said it may be awhile before staffing is available to use the extra apparatus on a regular basis.

Wing stated he would like to amend the motion to split this agenda item into two with the liquidation of the engine voted on separately from the grass truck, ambulance and staff vehicle, and said he hopes the Board can find funds for the staffing request without selling the engine. Amended motion seconded by Myers and carried unanimously.

Original motion as amended then voted on. Hughes advised they would first vote on the three vehicles – the grass truck, ambulance and staff vehicle, to be forwarded to Village Board with a recommendation of approval. Motion carried 3 - 1 with Myers, Warren and Wing voting aye and Hughes voting nay. Hughes advised they would next vote on the engine to be forwarded to Village Board with a recommendation of approval. Motion failed 0 - 4 with all members voting nay.

FIRE DEPARTMENT APPARTUS PURCHASE CONTRACT: Hughes advised this item would no longer be discussed due to the previous motion against liquidation of the fire engine.

STOP SIGN REQUEST AT INTERSECTION OF CATSKILL LANE, MEADOW DRIVE AND MEADOW COURT: Myers advised this item was placed on the agenda on behalf of a citizen who forwarded his concerns with this intersection. Myers advised that there are view obstructions with large trees and greenery, line of sight to the east of Meadow is obstructed by a vehicle which parks on the side of the street on a regular basis, and speeding traffic on Catskill was also a concern. He was therefore requesting consideration of a 4-way stop at the intersection of Catskill Lane, Meadow Drive and Meadow Court. Myers added he had already discussed the speeding concerns with Chief Hoell.

Discussion followed with Hoell advising there was no objection from the police department to the request for a 4-way stop at that intersection. Warren advised the vision triangle should be reviewed at that location prior to putting up stop signs. He added that traffic and crashes warrant stop signs, but if that is not the case at this intersection, then trees/greenery can be trimmed or cut to improve sight distance, and "No Parking" signs could be put up where parking causes view obstructions.

A motion was made by Myers, seconded by Wing, to table this item until the vision triangle at the intersection can be reviewed. Motion carried unanimously.

STOP SIGN REQUEST AT INTERSECTION OF MAPLE ROAD AND FREISTADT ROAD: Hughes advised this item was placed on the agenda due to concerns from residents in the area who feel this intersection warrants a 4-way stop. Wing recalled that a study had been done on this intersection and questioned what the results were. Warren noted that when the study was done, there were concerns with sight distance issues due to the curves which are correct for the current posted speed limit, but speeding vehicles reduce sight distances which creates problems. To correct the problem the road profile would need to be changed by cutting it to lower and flatten it which would be cost prohibitive, so the turning lanes were created.

Crash history at that intersection was discussed, Hoell advised the majority of the crashes were due to failure to yield.

Warren stated he could not see putting a stop sign on Freistadt Road which is a collector road, drivers would not expect the sign there which could create more problems and recommended that the study be pulled out and reviewed for what was said about putting a 4-way stop at that intersection.

Village Engineer Eric Nitschke was present and stated he was unaware of the study done which was before he worked for the village, he said he and Larry would check the files and review it. He advised he looked at the intersection and agrees that the line of sight is an issue, accident history shows failure to yield is an issue and he agrees with Trustee Warren's comments on signing. Nitschke stated that there are ways to upgrade the safety of the intersection itself, such as rumble strips, high-resolution signage, ways to make the traffic on Maple more aware of the intersection. He added before committing to any new ideas, he would like to see what the recommendations were on the study. He also stated that if a 4-way stop is going to be looked at, he would recommend hurricane poles to make sure the stop signs are located over the lanes that vehicles are traveling in, and there would need to be significant upgrades to the intersection. Nitschke advised that there are many steps between what is currently in place at that intersection and creating a 4-way stop there, he would recommend looking at those steps before committing to a 4-way stop.

Resident Jim Siebers of N140 W18170 Cedar Lane was present and presented his concerns with this intersection to the committee. He advised he travels that area daily and is very aware of its faults. He has witnessed crashes, experienced problems with the sun angle causing sight problems, has talked with JW Speaker, Gehls, high school and found that numerous people would support a 4-way stop at Maple and Freistadt. He also questioned the 2 northbound and southbound lanes on Maple at the intersection and why the left lanes can't be designated as left turn only, Siebers went on to say that the intersection is frequently used by high school students and asked for quick action on improving the safety of the intersection. He also asked if the police chief had accident numbers for that intersection.

Hoell stated that 19 accidents were recorded there during the past 2 years and the accident summaries were given to committee members.

Wing stated he was in agreement that something should be done and stopping traffic on Freistadt Road would create a safer intersection. He did not agree that a study was necessary to offer options of what could be done, he felt everyone was familiar enough with that area and could make some commonsense suggestions.

President Wolter stated that he also was in agreement that improvements and some type of control need to be made at that intersection and due to his history with the Village, has seen previous discussions and ideas presented. He advised that a study was recommended for its professional input and the intent was not to delay any action. Wolter added that he would also like to review the study to refresh his memory, he recalled that one suggestion was to reduce the speed limit on Freistadt due to the industrial park growth and increased traffic on the road. He felt that there were definite steps that could be taken to slow traffic, such as reduced speed limits and rumble strips, but ultimately the intersection needs some type of control.

Hughes acknowledged that to fix this problem would be costly and the budget is currently being worked on, so he would agree that the engineer should be given an opportunity to review the study that was done and come back to the committee with realistic solution(s). Wing indicated he felt stop signs would create a much safer intersection and did not see a need for consulting or doing any further studies. Warren disagreed, stating that the study was done by professional traffic engineers who did

provide options ranging from less expensive to very expensive, including signalization of the intersection. The village chose to change the pavement markings with dedicated left turn lanes on Freistadt. Hughes asked if Engineer Nitschke could have a report prepared for next month's meeting, Nitschke agreed. Hughes stated discussion of this item would be continued at next month's meeting.

NEXT MEETING: Hughes advised the October meeting would be held on Monday, October 1, 2018 at the Village Hall Boardroom at 5:30 p.m.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:37 p.m.

Recorded by,

Julie L. Barth
Secretary

DRAFT

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 78-2018

**APPROVAL OF THE INTERNATIONAL ASSOCIATION OF
FIREFIGHTERS UNION LOCAL 4854 CONTRACT**

WHEREAS, the International Association of Firefighters Union Local 4854 Contract expired on December 31, 2017. The Village Administrator, Village Interim Fire Chief, and Attorney have negotiated with the International Association of Firefighters Union Contract Representatives on the new union contract. The new contract will expire on December 31, 2020; and,

WHEREAS, The new negotiated contract was presented to the Village Board on October 1, 2018; and,

NOW, THEREFORE BE IT RESOLVED, that the Village Board HEREBY approves the attached Contract for the International Association of Firefighters Union Local 4854.

Introduced by: _____

Adopted: _____

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey, WCMC/CMC
Village Clerk