VILLAGE OF GERMANTOWN
VILLAGE BOARD
MEETING MINUTES
July 16, 2012

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

ROLL CALL: President Wolter, Trustees Ewert, Hughes, Kaminski, Vanderheiden, Werderman and Zabel. Also present Administrator Schornack, Attorney Sajdak, Planner/Zoning Administrator Retzlaff, DPW Ludwig, Engineer Bischke, and Acting Clerk Micka. Absent and excused: Trustee Baum.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: President Wolter reviewed the voluntary water ban issued by the Village due to the lack of rain, noting that the aquifer is dropping and the pumps are working eighteen hours a day. He asked for all residents cooperation during the water ban.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST / COMMITTEE REPORTS: Trustee Zabel reported that the General Government and Finance Committee will meet tomorrow at 5:00 p.m. and will review the audits; Trustee Ewert reported that the Public Works and Highways Committee will meet on August 7th at 5:00 p.m.; and Trustee Werderman reported that Public Safety Committee will meet on August 6th at 5:30 p.m. and the Historic Preservation Commission will meet on August 20th at 6:00 p.m.

CITIZEN INPUT / PUBLIC APPEARANCE on items not subject to a public hearing: William Wetterau, W204 N12660 Goldendale Road, spoke regarding his recent purchase with a partner of the former Miracle Homes property. He stated that the property has been an eyesore for seven years and they will be converting the site to a useful property. Mr. Wetterau praised staff in the Planning Department, Building Inspection, DPW, and Engineering for their help and input in moving this project forward. He stated that permits have been approved, restoration work is underway, and he is looking forward to completing the project.

CONSENT AGENDA:

A. Minutes: July 2, 2012

B. Accounts Payable / Payroll:

June, 2012	Accounts Payable	$ 25,494.27
July 3, 2012	Payroll – Hourly	$234,586.09
July 10, 2012	Accounts Payable	$542,973.38

C. Operator (Bartender) Licenses:

Renewals for the period ending June 30, 2013: Lori A. Bottoni, Margaret A. Casey, Ashley A. Dorshak, Bradley R. Glapa, Jessice M. Koepp, and Marissa A. Macejk.

New for the period ending June 30, 2013: Burton N. Brody, Jessica E. Didur, Russell W. Hamann, and Junella Worzalla.

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

D. Acceptance of Easement – Maple Road Reconstruction Project
E. Approval of Change Order 2012 Roads
F. Approval of RA Smith for a Traffic Study – Mequon Road and Eisenhower Drive Intersection.

The following item was forwarded from the Public Safety Committee with a unanimous recommendation:

G. Ordinance #17-12 - Prohibiting Parking on Riversbend Lane Between County Line Road and Riversbend Circle and to Amend the Official Traffic Map to Reflect the Same.

Motion Vanderheiden, second Ewert, to approve the Consent Agenda Items A through G.

Roll call vote:
Ayes: Ewert, Hughes, Kaminski, Vanderheiden, Werderman, Zabel, Wolter.
Nays: None.
Absent: Baum.
Motion carried. Ayes: 7. Nays: 0. Absent: 1.

AMENDMENT TO AGREEMENT FOR SPECIAL ASSESSMENTS FOR ROAD IMPROVEMENTS – River Lane Holdings, LLC: ***Motion Zabel, second Hughes, to approve the amendment to agreement for special assessments for road improvements for River Land Holdings, LLC.***

Attorney Sajdak summarized the amendments to the agreement. He noted the most significant change is in paragraph 4 - the interest rate was 4.625%, and it is now 4.5%. An adjustment was made for the village's actual costs and ¼%.

Roll call vote:
Ayes: Ewert, Hughes, Kaminski, Vanderheiden, Werderman, Zabel, Wolter.
Nays: None.
Absent: Baum.
Motion carried. Ayes: 7. Nays: 0. Absent: 1.

AGREEMENT REGARDING SEWER CREDITS – River Lane Holdings, LLC: ***Motion Werderman, second Kaminski, to approve the agreement regarding sewer credits for River Lane Holdings, LLC.***

Attorney Sajdak reviewed the agreement with the Board. The original agreement provided for credits for sewer connection fees, was not in sufficient form, and is being replaced with this agreement.

Roll call vote:
Ayes: Ewert, Hughes, Kaminski, Vanderheiden, Werderman, Zabel, Wolter.
Nays: None.
Absent: Baum.
Motion carried. Ayes: 7. Nays: 0. Absent: 1.

APPOINTMENTS: *COMMISSIONS/BOARDS/COMMITTEES:*

President Wolter made recommendations for several appointments for the Board to approve:

1. ***Public Safety Committee:*** Trustee Appointment (no appointment).
2. ***Tourism/Community Betterment Committee:*** Trustee Appointment (Trustee Vanderheiden). ***Motion Zabel, second Ewert, to approve the appointment of Trustee Vanderheiden to the Public Safety Committee. Motion carried without negative vote.***
3. ***Board of Zoning Appeals:*** 1 Citizen Alternate – 1 Year Term (Henry C. Ehler). ***Motion Zabel, second Kaminski, to approve the appointment of Henry C. Ehler as an alternate on the Board of Zoning Appeals. Motion carried without negative vote.***
4. ***Board of Review:*** 2 Citizen Alternates – 5 Year Term (no appointment).
5. ***Ethics Board:*** 1 Citizen Alternate – 3 Year Term (no appointment).
6. ***Utility Advisory Committee:*** (no appointments).
   1 Citizen Financial/Accounting Appointee – 3 Year Term
   1 Citizen Engineer/Mechanical Appointee – 3 Year Term
7. ***Economic Development Committee:*** 1 Citizen Member – 2 Year Term (no appointment).
8. ***Plan Commission:*** 1 Citizen Member – 1 Year Term (Tim Yokes). ***Motion Kaminski, second Zabel, to approve the appointment of Tim Yokes to the Plan Commission. Motion carried without negative vote.***

REQUEST FOR REFUND OF THE $560.00 FEE FROM THE BOARD OF ZONING APPEALS MARCH 21, 2012 HEARING – Arthur and Karen Derepkowski, N97 W15805 Burr Oak Road: ***Motion Vanderheiden, second Ewert, to approve the refund of the $560.00 fee from the Board of Zoning Appeals March 21, 2012 hearing to Arthur and Karen Derepkowski.***

Roll call vote:
Ayes: Ewert, Hughes, Kaminski, Vanderheiden, Werderman, Zabel, Wolter.
Nays: None.
Absent: Baum.
Motion carried. Ayes: 7. Nays: 0. Absent: 1.

AWARD FOR CONTRACT FOR ENGINERING SERVICES – Donges Bay Road:
Engineer Bischke reviewed the contract for engineering services with the Board.

- At the April 16 Village Board meeting, R.A. Smith National was approved as the selected proposer;
- The selection was based on qualifications, not on cost;
- Village Staff, under the lead of WisDOT's Management Consultant DAAR Engineering, conducted three meetings to develop the contract;
- Through negotiations, the contract was reduced from $579,000 to $444,507.83;
- The contract is for rehabilitation of Donges Bay Road from Division Road to STH 145; and
- The Governor has thirty days to sign after the Village President has signed the contract.

Engineer Bischke answered questions from the Board.

Motion Zabel, second Kaminski, to approve the contract for engineering services for Donges Bay Road as presented.

Roll call vote:
Ayes: Ewert, Hughes, Kaminski, Vanderheiden, Werderman, Zabel, Wolter.
Nays: None.
Absent: Baum.
Motion carried. Ayes: 7. Nays: 0. Absent: 1.

INITIAL RESOLUTION #17-12 RELATING TO INDUSTRIAL DEVELOPMENT REVENUE BOND FINANCING ON BEHLAF OF ELLSWORTH CORPORATION:
Motion Zabel, second Ewert, to adopt Resolution #17-12.

Roll call vote:
Ayes: Ewert, Hughes, Kaminski, Vanderheiden, Werderman, Zabel, Wolter.
Nays: None.
Absent: Baum.
Motion carried. Ayes: 7. Nays: 0. Absent: 1.

RESOLUTION #18-12 RELATING TO WAIVER OF SECTION 66.1103(11)(B) IN CONNECTION WITH AN INDUSTRIAL DEVELOPMENT REVENUE BOND FINANCING ON BEHALF OF ELLSWORTH CORPORATION: ***Motion Zabel, second Ewert, to adopt Resolution #18-12.***

Roll call vote:
Ayes: Ewert, Hughes, Kaminski, Vanderheiden, Werderman, Zabel, Wolter.
Nays: None.
Absent: Baum.
Motion carried. Ayes: 7. Nays: 0. Absent: 1.

VJS DEVELOPMENT FOR RIVER LANE HOLDINGS, LLC: Planner and Zoning Administrator Retzlaff was present to review the three items on the agenda for River Lane Holdings, LLC. The preliminary plat was approved at the March 19th Plan Commission meeting, and the final plat was approved at the June 11th Plan Commission meeting. Mr. Retzlaff stated that both documents have been revised.

A response from the state has not been received for the final subdivision plat for The Glen at Blackstone Creek. On July 10th a letter was received from Mr. Sedgwick requesting changes in the width for lots 32 and 33; the covenants have been revised by the Village Attorney on July 12th; a draft resolution is before the Board on the restrictions; and staff recommends approval of the final plat subject to the conditions from the Plan Commission, state approval, and final review by the attorney.

Final Subdivision Plat for "The Glen at Blackstone Creek" (74 Lot, Single Family Residential Subdivision): ***Motion Zabel, second Hughes, to approve the final plat for The Glen at Blackstone Creek as presented per the Village Planner's recommendation and final approval by the state.***

Planner Retzlaff noted that all items from the Plan Commission were addressed and all six conditions are reflected in the current document.

Motion Zabel to limit access to the 20 ft. easement.

It was noted the access is reflected on the plat. ***Motion was withdrawn.***

Mr. Neumann, the developer, was present to discuss the easement and answer questions.

Motion Hughes, second Kaminski, to amend the motion to change the language from easement to reservation. Motion carried. Ayes: 6. Nays: 1 (Wolter).

Motion Werderman, second Zabel, to amend the motion to state that the reservation apply only to the southerly portion of parcel 32. Motion carried. Ayes: 6. Nays: 1 (Zabel).

Motion as amended carried without negative vote.

Declaration of Subdivision Covenants, Conditions and Restrictions: Attorney Sajdak reviewed the two changes in the declaration: 1) unit owners are to pay for garbage collection; and 2) assure that the two associations are responsible for maintaining the roads.

Motion Zabel, second Vanderheiden, to approve the declaration of subdivision covenants, conditions and restrictions for The Glen at Blackstone Creek and to include #15 and #16 to the covenants as in the restrictions to specify snow removal. Motion carried without negative vote.

Revisions to the Blackstone Creek Planned Development District (PDD) Conditions and Restrictions Resolution #19-12: ***Motion Vanderheiden, second Ewert, to adopt Resolution #19-12.***

Discussion followed on the pedestrian walkway to the golf course clubhouse.

Motion Zabel, second Vanderheiden, to amend the motion to authorize the Village President to sign the resolution after review and approval by the Attorney.

Motion to amend carried without negative vote.

Motion as amended carried without negative vote.

There being no further business, the meeting was adjourned at 8:21 p.m.

Respectfully Submitted,

Christine M. Micka, CMC/WCMC
Acting Village Clerk