

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
December 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, and Zabel. Also present: Administrator Kreklow, Director Rath, Clerk Braunschweig, Attorney Sajdak, and Deputy Clerk Tucker.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

President Wolter wished everyone a Merry Christmas.

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:

Tonya Kapp of Appleton Avenue came to the podium. She commented on a concern / nuisance with a business on W210N10738 Appleton Avenue. The business is a lawn care / nursery. They have been more of a construction operation for about 14 hours a day. Non-stop trucks and beeps and rattling of the ground.

President Wolter commented that the Village is aware of the complaint and some ordinance violations have been issued to the property owner. There are some misunderstandings in regards to what is required. There is concern regarding the Creek in the back. He will be meeting with neighbors in the area.

CONSENT AGENDA:

A. Approval of Minutes: December 3, 2018 Regular Village Board Meeting.

B. Accounts payable/payroll

1.	November 30, 2018	Accounts Payable	\$ 371,702.33
2.	December 10, 2018	Accounts Payable	\$ 917,090.98
3.	December 11, 2018	Payroll (Hourly)	\$ 264,324.14

C. Operator's Licenses: Sydney Miller, Angelina Munoz Garcia.

[Recommended]

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

D. Resolution 89-2018, Contract with Axon for the Lease of Body Worn Cameras.

E. Resolution 90-2018, Contract with Axon for the Lease of Squad Cameras.

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

F. Resolution 91-2018, Agreement with TADI, Traffic Analysis & Design Inc. for the Analysis of the Intersection of Maple Road and Freistadt Road in an amount not to exceed \$27,542.

G. Resolution 92-2018, Contract with Clean Power, Janitorial Cleaning Services of Village Buildings, in an amount not to exceed \$9,170.53 per month for a term of two years.

MOTION (Baum/Myers) to approve Consent Agenda Items A-G, except for item C. Operator's Licenses. Miller requested item C, Operator's Licenses to be separate. Roll Call Vote Carried Unanimously.

MOTION (Baum/Warren) to approve Item C. Operator's Licenses: Sydney Miller, Angelina Munoz Garcia. Motion Carried. Miller Abstained.

OLD BUSINESS:

None.

PUBLIC HEARING:

Village of Germantown, agent for James D. Stout, property owner – W204 N12300 Goldendale Road (approximate) .2838 acres, Tax Key GTNV 184-988 to (1) amend the 2020 Land Use Plan Map to change the classification from “Agricultural/Conservation Residential” to “Institutional/Governmental” and (2) Rezone the property from the A-1: Agricultural Zoning District to the I: Institutional Zoning District for public utility purposes (water system booster/reducer station installation).

President Wolter Read the Item. Director Retzlaff gave a presentation and background of the requests. This is for .28 acres to the Village for the installation of a water pressure booster/ reducer station. A map of the area was shown. The Plan Commission recommended approval of the amendment to the Land Use Map and Rezoning.

Pres. Wolter read the Public Hearing Notice and opened the Public Hearing at 7:23 p.m. He explained the public hearing process and that individuals will have to come up front to the podium and state their name and address.

No One Spoke.

President Wolter closed the Public Hearing at 7:24 p.m.

Veridian Homes, LLC, Agent for the Germantown School District, Property Owner – N104 W14942 Donges Bay Road (approximate) 15.39 acres to (1) Amend the 2020 Land Use Plan Map to change the classification from “Park/Recreation Area” to “Low Density Residential” and (2) Rezone the property from the A-2: Agricultural Zoning District to the Rs-6: Single-Family Residential Zoning District for purposes of developing a 30-lot single family residential subdivision.

President Wolter Read the Item. Director Retzlaff gave a presentation and background of the requests. Director Retzlaff gave history to the property dating back to 1993. In 1993 the Village of Germantown acquired approximately 50 acres, north of Donges Bay road known as the Keller Park property. This was done for the purposes of a park, Kinderburg Park and an Elementary School. In 1995 the school acquired the 15 acres south of Kinderburg Park. In 2008 the district presented plans for a potential elementary school, the referendum for this failed. No other development plans have been submitted for the property since that time. The plans submitted are for a 30 lot sub-division by Veridian Homes. A map of the area was shown with wetlands. The Plan Commission recommended approval of the amendment to the Land Use Map and Rezoning.

Pres. Wolter read the Public Hearing Notice and opened the Public Hearing at 7:29 p.m. He explained the public hearing process and that individuals will have to come up front to the podium and state their name and address.

Terry Tschetter of Wilson Drive commented against the rezoning. He does not understand why there are so many residential in a space. There should be a better place to build the homes.

No One else spoke.

President Wolter closed the Public Hearing at 7:32 p.m.

NEW BUSINESS:

MOTION (Hughes/Warren) to take New Business Items out of order, to Item G. Motion carried unanimously.

Animal Fancier License for January 1, 2019 – December 31, 2019.

1. Tim Truckenmiller, N103W17294 Woodbridge Court.
2. Phil Secker, W167 N10532 Bridle Path.

MOTION (Baum/Wing) to Approve the Animal Fancier's Licenses as presented.

Tr. Baum questioned that if animals were to pass away the owners are not allowed to bring in additional. Mr. Secker is a renewal. Mr. Truckenmiller is a new applicant. Mr. Truckenmiller's dogs are rescue dogs and Mr. Truckenmiller is not looking to replace the dogs. AMENDMENT MOTION (Baum/Warren) Mr. Truckenmiller will not replace dogs with this application. Amendment motion carried unanimously.

Tr. Zabel questioned the noise comments. Truckenmiller commented that no one has stated noise problems to him and his dogs are kept inside.

Motion as amended carried. Hughes and Zabel Opposed.

Ordinance 20-2018, to Amend the 2020 Land Use Plan classification from Agricultural/Conservation Residential to Institutional/Governmental; and **Ordinance 21-2018** to Rezone from the A-1: Agricultural Zoning District to the I: Institutional Zoning District; and 2-Lot **Certified Survey Map** - Village of Germantown, agent for James Stout, property owner – W204 N12300 Goldendale Road (approximate) .2838 acres, Tax Key GTNV 184-988.

MOTION (Baum/Myers) to approve Ordinance 20-2018, to Amend the 2020 Land Use Plan classification from Agricultural/Conservation Residential to Institutional/Governmental; and Ordinance 21-2018 to Rezone from the A-1: Agricultural Zoning District to the I: Institutional Zoning District; and 2-Lot Certified Survey Map - Village of Germantown, agent for James Stout, property owner – W204 N12300 Goldendale Road (approximate) .2838 acres, Tax Key GTNV 184-988. Motion Carried. Zabel opposed.

Ordinance 22-2018, to Amend the 2020 Land Use Plan map classification from Park/Recreation Area to Low Density Residential; and **Ordinance 23-2018** to Rezone from the A-2: Agricultural Zoning District to the Rs-6: Single-Family Residential Zoning District to develop a 30-lot single family residential subdivision – Veridian Homes, Agent for the Germantown School District, N104 W14942 Donges Bay Road (approximate) 15.39 Acres, Tax Key GTNV 263-988.

MOTION (Baum/Miller) to approve Ordinance 22-2018, to Amend the 2020 Land Use Plan map classification from Park/Recreation Area to Low Density Residential; and Ordinance 23-2018 to Rezone from the A-2: Agricultural Zoning District to the Rs-6: Single-Family Residential Zoning District to develop a 30-lot single family residential subdivision – Veridian Homes, Agent for the Germantown School District, N104 W14942 Donges Bay Road (approximate) 15.39 Acres, Tax Key GTNV 263-988.

Discussion ensued of the zoning and lot sizes of surrounding properties. Discussion further ensued of lot sizes in regards to each zoning classification and surrounding subdivisions. Tr. Wing commented on densities and zoning. Tr. Zabel commented on the frontage differences. Matt Cudney of Veridian Homes came to the podium. He spoke of the proposal and differences in lot sizes. A neighborhood meeting was held by the applicants.

Discussion ensued of the lot size difference of Rs-5 and Rs-6.

AMENDMENT Motion (Zabel/Wing) to Rezone from A-2 Agricultural Zoning District to Rs-5: Single-Family Residential Zoning District rather than Rs-6. Discussion ensued of the lot size differences between Rs-6 to Rs-5. Matt Cudney came to the podium and commented on the lot

sizes as proposed.

Discussion further ensued in regards to the density. Pres. Wolter offered procedural alternatives as it could go back to Plan Commission.

Amendment motion failed.

Original Motion Carried. Wing and Zabel opposed.

Myers left the Board Room.

Certified Survey Map – Glen D. & Deborah L. Wilson, W218 N9780 Happy Hollow Lane. 2-Lot CSM to create a residential lot.

MOTION (Baum/Hughes) Certified Survey Map – Glen D. & Deborah L. Wilson, W218 N9780 Happy Hollow Lane. 2-Lot CSM to create a residential lot. Motion Carried Unanimously.

Resolution 93-2018 to Amend the Copperwood East-LaChimenea Planned Development District (PDD) to allow general office use – 5G Investments, LLC, Property Owner, N112 W15297 Mequon Road.

MOTION (Baum/Warren) Resolution 93-2018 to Amend the Copperwood East-LaChimenea Planned Development District (PDD) to allow general office use – 5G Investments, LLC, Property Owner, N112 W15297 Mequon Road. Motion Carried Unanimously.

Community Development Department – Accept Plan Commission recommendation to Approve GREAF and authorize staff to enter into a contract for consultant services for the Village of Germantown 2050 Comprehensive Plan Project.

MOTION (Baum/Miller) to Approve GREAF and authorize staff to enter into a contract for consultant services for the Village of Germantown 2050 Comprehensive Plan Project.

AMENDMENT MOTION (Zabel/Kaminski) Authorize staff to negotiate a contract not to exceed \$90,000. If the contract is more than \$90,000, than it will return to the Board for approval. Roll call vote carried. Tr. Baum Opposed.

Original Motion as Amended Roll Call Vote Carried. Warren Abstained.

Myers returned to the Board Room

Resolution 94-2018, Resolution Authorizing the Borrowing of not to exceed \$8,480,000; And Providing for the Issuance and Sale of General Obligation Community Development Bonds Therefor.

Phil Cosson of Ehlers came to the podium and reviewed the borrowing. This is for TID #8.

The project costs related to the sewer / water are tax exempt which will save the Village approximately one million dollars. There will be a rating call on or around January 14th and the bond sale will take place on January 22nd. The Village Board will have a meeting on that same date.

MOTION (Baum/Myers) to Approve Resolution 94-2018, Resolution Authorizing the Borrowing of not to exceed \$8,480,000; And Providing for the Issuance and Sale of General Obligation Community Development Bonds Therefor. Roll Call Vote Carried. Baum and Zabel voted no.

Resolution 88-2018, Adoption of the Comprehensive Hiring Policy, General Hiring Process for Non-Represented Positions.

MOTION (Baum/Hughes) to Approve Resolution 88-2018, Adoption of the Comprehensive Hiring Policy, General Hiring Process for Non-Represented Positions.

AMENDMENT MOTION (Zabel/Miller) Postpone to January 7, 2019 meeting to allow the Attorney to review the Policy. Motion Carried Unanimously.

Ordinance 24-2018, An Ordinance to Amend SubChapter IV of Chapter 1 of the Germantown Municipal Code Relating to Retention, Access To, and Destruction of Public Records.

MOTION (Baum/Myers) Ordinance 24-2018, An Ordinance to Amend SubChapter IV of Chapter 1 of the Germantown Municipal Code Relating to Retention, Access To, and Destruction of Public Records. Motion Carried Unanimously.

Traffic Impact Analysis – Holy Hill Road / Goldendale Road / Freistadt Road / Maple Road.

MOTION (Baum/Miller) to approve the Traffic Impact Analysis – Holy Hill Road / Goldendale Road / Freistadt Road / Maple Road.

Zabel commented that this is for a lump sum of \$24,690, the additional hourly rate is not in the contract. Eric Nitschke commented that he did reach out to TADI for hourly rate. Their response is the hourly is not part of their business model. TADI would write a proposal if there were additional requested work. Anything above and beyond the initial scope of the contract would require approval. Roll Call Vote Carried Unanimously.

Intergovernmental Agreement with the Germantown School District and Village Park and Recreation. The Village Board may Convene into closed session per Wis. Stats. §19.85 (1) (e) For the Purpose of deliberating or negotiating the agreement, where competitive or bargaining reasons require a closed session and may convene into open session to take such action as it deems appropriate; and,

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

Motion by (Myers/Baum) to Convene into closed session at 8:40 p.m. The Village Board and Administrator Kreklow was included in the entire closed session. Director Schroeder and Attorney Sajdak was included for Item K. Roll Call Vote Carried Unanimously.

The Board convened into open session at 9:50 p.m.

XI. ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 9:50 p.m.

The next regular meeting of the Village Board will be on January 7, 2019 at 7:00 p.m.

Respectfully Submitted,

Deanna B. Braunschweig

Deanna B. Braunschweig, WCMC/CMC
Village Clerk