

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, February 4, 2019 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. **CONSENT AGENDA:**
- A. Approval of Minutes: January 22, 2019 Regular Village Board Meeting.
- B. Accounts payable/payroll
1. January 25, 2019 Accounts Payable \$1,299,616.86
2. January 22, 2019 Payroll (Hourly) \$ 222,299.98
3. January 31, 2019 Payroll (Salary) \$ 101,178.85
- C. Operator’s Licenses: Kristina Busniewski, Lindsay Dulek, Areil Emery, Joel Efanga, Bennet Gilsinger. [Recommendation Forthcoming]
- The following items were forwarded from **General Government and Finance** with a unanimous recommendation.
- D. Resolution 09-2019, Establishing 2019 Weights & Measures Device Fee Schedule.
- VIII. **OLD BUSINESS:**
- A. None.

IX. PUBLIC HEARING:

- A. None.

X. NEW BUSINESS:

- A. Class “B” Fermented Malt Beverage and “Class B” Liquor License, April 1, 2019 – June 30, 2019, for Metro Cigars LLC N102W19455 Willow Creek Parkway, Jennifer Groh Agent.
- B. Resolution 11-2019, 2019-2020 Crusherz Softball Field Usage Agreement.
- C. 2019 Capital Project Listing.
- D. Resolution 12-2019, Benefits of Joint School District and Village Board Meeting to be held on the Fifth Monday’s.
- E. Discussion of Specific Personnel Problem relating to a Library Employee. The Village Board may convene into closed session per Wis. Stats. §19.85 (1) (f) Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations and may convene into open session to take such action as it deems appropriate.

XI. ADJOURNMENT.

The next regular meeting of the Village Board will be on Monday, February 18, 2019 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
January 22, 2019**

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 Retzlaff, Clerk Braunschweig, Attorney Sajdak, Director Schroeder, Director Ratayczak, Police Chief Hoell and Maureen Holsen.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

President Wolter reminded residents about the Public Open House to be held on January 23rd from 4-6 p.m. at the Washington County Government Center in West Bend. The Open House is in regards to the Washington County 2050 Land Use Comprehensive Plan.

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:

None.

CONSENT AGENDA:

A. Approval of Minutes: January 7, 2019 Regular Village Board Meeting.

B. Accounts payable/payroll

1. January 8, 2019	Payroll (Hourly)	\$ 223,205.07
2. January 10, 2019	Accounts Payable	\$ 796,021.51
3. January 15, 2019	Payroll (Salary)	\$ 103,267.12

C. Operator's Licenses: Jazmin Dickerson, Steven Hanks.

[Recommended]

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

D. Purchase of Street Sweeper from Johnston Pure Vac Sweeper, in an amount not to exceed \$284,260.

E. Purchase of 2020 Western Star 4700 SF Patrol Truck from Truck Country of Wisconsin, in an amount not to exceed \$188,428.

F. Resolution 04-2019, Contract with MACORP for the Interior Painting of the Senior Center in an amount not to exceed \$17,289.

G. Resolution 05-2019, Contract with Premier Flooring for the Replacement of Flooring of the Senior Center in an amount not to exceed \$29,230.

MOTION (Baum/Myers) to approve Consent Agenda Items A-G. Roll Call Vote Carried Unanimously.

OLD BUSINESS:

None.

PUBLIC HEARING:

None.

NEW BUSINESS:

Maureen Holsen of Ehlers distributed sale reports and updated resolutions from the bond sale. She presented for both resolutions 06-2019 and 07-2019. Maureen reviewed the sale reports for both. The Developer Incentive is taxable and is broken out separately. The taxable bond portion came in at \$45,000 less than estimated. Both are for TID #8. The Village of Germantown Moody's Credit Rating Opinion is Aa2.

Resolution 06-2019, Awarding the Sale of \$6,725,000** General Obligation Community Development Bonds, Series 2019A, Providing the Form of the Bonds; and Levying a Tax In Connection Therewith. **Dollar Amount is Preliminary and Subject to Change at the Meeting. Maureen Holsen of Ehlers reviewed

MOTION (Baum/Myers) to Approve Resolution 06-2019, Awarding the Sale of \$6,725,000 General Obligation Community Development Bonds, Series 2019A, Providing the Form of the Bonds; and Levying a Tax In Connection Therewith. Roll Call Vote Carried Unanimously.

Resolution 07-2019, Awarding the Sale of \$1,755,000** Taxable General Obligation Community Development Bonds, Series 2019B, Providing the Form of the Bonds; and Levying a Tax In Connection Therewith. **Dollar Amount is Preliminary and Subject to Change at the Meeting.

MOTION (Baum/Meyers) to Approve Resolution 07-2019, Awarding the Sale of \$1,710,000 Taxable General Obligation Community Development Bonds, Series 2019B, Providing the Form of the Bonds; and Levying a Tax In Connection Therewith. Roll Call Vote Carried. Zabel voted no.

Resolution 08-2019, Authorizing the Execution of a Purchase Agreement with Ellsworth Corporation. For the Sale of .02-acres of Land from the Village of Germantown on Maple Road in the Germantown Industrial Park.

MOTION (Zabel/Baum) to Approve Resolution 08-2019, Authorizing the Execution of a Purchase Agreement with Ellsworth Corporation. For the Sale of .02-acres of Land from the Village of Germantown on Maple Road in the Germantown Industrial Park. Motion carried unanimously.

Conditional Use Permit for a Dog Training Facility, D. Lynne Luckow, Redline Training Center and Behavioral Consultation, LLC, Agent For Ozaukee Development Corporation, Property Owner – W188 N11786 Maple Road, Suites 2,3,4.

Plan Commission recommended approval of the Conditional Use Permit after a Public Hearing that was held on January 14, 2019. Director Retzlaff gave presentation and background of the application.

MOTION (Baum/Warren) to Approve Conditional Use Permit for a Dog Training Facility, D. Lynne Luckow, Redline Training Center and Behavioral Consultation, LLC, Agent For Ozaukee Development Corporation, Property Owner – W188 N11786 Maple Road, Suites 2,3,4. Motion carried unanimously.

Conditional Use Permit to Operate a Habitat for Humanity Store. Habitat for Humanity of Washington and Dodge Counties, Wis., Inc., Property Owner W190 N10768 Commerce Circle. **Plan Commission recommended approval of the Conditional Use Permit after a Public Hearing that was held on January 14, 2019. Director Retzlaff gave presentation and background of the application.**

MOTION (Myers/Baum) to Approve Conditional Use Permit to Operate a Habitat for Humanity Store. Habitat for Humanity of Washington and Dodge Counties, Wis., Inc., Property Owner W190 N10768 Commerce Circle. The question from the Public Hearing was the possibility of a tax exemption from the tax roll. Discussion ensued of possible payment in place of taxes. Discussion ensued of construction items and debris dropped off after hours and setting outside. Motion carried. Baum voted no.

Resolution 10-2019, Contract with GRaEF for Assistance and Consultation in regards to the 2050 Comprehensive Land Use Plan Project in an amount not to exceed \$115,000.

Trustee Warren recused himself from the item as he is an employee of GRaEF.

Director Retzlaff reported on the item. The Village Board approved staff to work out a contract of no more than \$90,000. Since then Staff has had two meetings with GRaEF. There will be media presence such as a website with social media, steering committee, community survey, GIS data collection, and an Open House. This will span over two budget cycles. February 25, is a possible kick off date.

MOTION (Baum/Miller) to Approve Resolution 10-2019, Contract with GRaEF for Assistance and Consultation in regards to the 2050 Comprehensive Land Use Plan Project in an amount not to exceed \$115,000. Roll Call Vote Carried. Zabel voted no. Trustee Warren recused himself from the item as he is an employee of GRaEF.

Purchase of Monitor Simplex Booster Water Pump Station for the installation along Goldendale Road in an amount not to exceed \$135,000.

MOTION (Myers/Miller) to Approve the Purchase of Monitor Simplex Booster Water Pump Station for the installation along Goldendale Road in an amount not to exceed \$135,000.

Director Ratayczak gave a brief synopsis. Roll Call Vote Carried. Zabel voted no.

Police Chief Succession Plan.

Police Chief Peter Hoell came to the podium. He presented his succession plan as presented to and approved by the Police and Fire Commission. Chief Hoell gave history of his career with the Germantown Police Department. In 1989 he was hired to work in a very strict undercover assignment. After the undercover assignment was completed, he was hired as a patrol officer and drug investigator. In 1994 he was promoted to Sergeant. In 1995 he was promoted to Administrative Sergeant. In 1997 there was a restructuring of the department. Chief Hoell was promoted to Lieutenant in 1997. In 2004 Chief Hoell was appointed to Chief of Police. At that time he had a succession plan in place. Captain Snow was hired 25 years ago and 14 years ago promoted to second in command.

Chief Hoell would like to retire on January 2nd as this will mark his 16 year anniversary as Chief of Police. The Plan is to promote Captain Snow and get the process in motion now. That would then make a vacancy in the Captain's position. The Police and Fire Commission could then fill positions accordingly. Chief Hoell wants to make sure the training is in place. The plan would allow Captain Snow to make the decisions for future years.

The Police and Fire Commission voted to make Captain Snow the Chief of Police effective January 3, 2020. The Captain's Position and other positions will be filled accordingly. These are the Police and Fire Commission appointments.

Administrator 2019 Goals and Objectives. 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 (Baum/Miller) to Convene into closed session at 8:04 p.m. with the Village Board and Village Administrator. Roll Call Vote Carried Unanimously.

The Board convened into open session at 8:45 p.m.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 8:45 p.m.

The next regular meeting of the Village Board will be on Monday, February 4, 2019 at 7:00 p.m.

Deanna B. Braunschweig

Deanna B. Braunschweig, WCMC/CMC
Village Clerk

BUSINESS OF THE GENERAL GOVERNMENT & FINANCE COMMITTEE GERMANTOWN, WI

MEETING DATE: January 22, 2019

AGENDA ITEM: New Business Item

ITEM TITLE: 2019 Weights & Measures Resolution

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

SUMMARY EXPLANATION:

Pursuant to a Memorandum of Agreement (MOA) between the Village and the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) regarding DATCP's duties as the "sealer" of weights & measures devices, the Village Board is required to establish an annual fee schedule for all types of weights & measures devices used within the Village.

The original July 1, 2010 MOA is an annual, self-renewing agreement wherein DATCP informs the Village what their costs will be for their services. For 2019, DATCP's cost will be \$5,600 (no change from 2018). The Village is obligated to pay this cost pursuant to the Agreement. In turn, the Village charges license fees for each device plus a small administrative charge to recover all the DATCP costs and the Village's administrative cost. As in past years, an additional \$1,000 in administrative costs are reflected in the 2019 budget. DATCP's total cost of \$5,600 plus the Village's administration costs of \$1,000 (for a total of \$6,600) is then divided by the number and type of devices for which a license was issued last year to determine the specific license fee that will be charged in the coming year. As noted in the license fee schedule attached to the resolution, different devices require a greater amount of inspection time as determined by DATCP and, in turn, are charged a higher fee.

Approval of this resolution is required every year. The proposed license fees for 2019 are nearly the same as those charged in 2018 because the number and type of devices used by businesses in the Village changes very little from year to year, and, the Village's total cost has not changed from previous years.

A resolution establishing the "Weights & Measures Device 2019 Fee Schedule" has been prepared and is required to be adopted by the Board.

ATTACHMENTS:

- ◆ Draft Resolution w/ the 2019 Weights & Measures Device Fee Schedule

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 09-2019

**ESTABLISHING 2019 FEE SCHEDULE FOR WEIGHTS & MEASURES DEVICES
REQUIRED UNDER SECTION 12.26 OF THE MUNICIPAL CODE**

WHEREAS, The Village of Germantown and the Wisconsin Department of Agriculture, trade and Consumer Protection (DATCP) entered into a self-renewing Memorandum of Agreement (originally adopted July 1, 2010) where both agencies agree that DATCP will furnish the services and perform the duties of sealers of weights and measures on an annual basis from July 1 to June 30 required under Chapter 98.04, and, that the Village will pay DATCP an amount necessary to cover the cost of such services no later than May 1 of the current fiscal year; and

WHEREAS, the amount of such services agreed to as set forth in the Memorandum of Agreement for the Year 2019 is \$5,600; and

WHEREAS, the Village of Germantown charges administrative fees totaling \$1,000 per year that are prorated per device to cover costs incurred by the Village's Community Development Department associated with the processing, review and administration of the Village's weights & measures license regulations set forth in Section 12.26; and

WHEREAS, it is required under Section 12.26(7) that the Village Board establish a schedule of fees for each type of weighing and measuring device used for the purpose of computing a charge or payment for service rendered on the basis of weight or measure within the Village of Germantown; and

WHEREAS, on January 22, 2019, the Village's General Government & Finance Committee did review and recommend approval of the proposed Weights & Measures Fee Table set forth in Exhibit 1 attached hereto; and

NOW, THEREFORE, BE IT RESOLVED that the Weights & Measures Device Fee Schedule attached hereto as Exhibit 1 is hereby established for licenses issued in 2019.

Resolution No. 09-2019

Introduced by: _____

Adopted: _____

Vote: Ayes: ____ Nays: ____

Dean Wolter
Village President

ATTEST:

Deanna B. Braunschweig, WCMC/CMC, Village Clerk

EXHIBIT 1.**WEIGHTS & MEASURES DEVICE
2019 LICENSE FEE SCHEDULE**

Device Type	Inspection Time (hrs) Per Device	# of Devices	Total Time (hrs)	% of Time	Total Cost	Fee (\$) Per Device
Vehicle Scales	1.5	4	6	4.66%	\$ 307.45	\$ 76.86
Small Capacity Scales 0-30#	0.3	42	12.6	9.78%	\$ 645.65	\$ 15.37
Large Capacity Scales 31-1000 #	0.7	5	3.5	2.72%	\$ 179.35	\$ 35.87
Point of Sale Scanner Combos	0.4	59	23.6	18.32%	\$ 1,209.32	\$ 20.50
Liquid Measuring Devices (LMDs)	0.3	277	83.1	64.52%	\$ 4,258.23	\$ 15.37
Totals		387	128.8	100.00%	\$ 6,600.00	
Late Fee (per license)	\$100.00					

**VILLAGE OF GERMANTOWN
GENERAL GOVERNMENT & FINANCE COMMITTEE
MEETING MINUTES
January 22, 2019**

CALL TO ORDER: The meeting was called to order at 6:00 p.m. by Chairperson Zabel.

ROLL CALL: Present: Chairperson Zabel, Trustee Members: Kaminski, Miller, and Baum. Also present: Administrator Kreklow, Clerk Braunschweig, Finance Director Rath, and Director Schroeder.

APPROVAL OF MINUTES: December 17, 2018 – **MOTION (Baum/Miller) to approve. Motion carried unanimously.**

PUBLIC COMMENT: No public comment.

NEW BUSINESS:

A. Resolution 09-2019, Establishing 2019 Weights & Measures Device Fee Schedule.

MOTION (Kaminski/Baum) to Recommend Approval of Resolution 09-2019, Establishing 2019 Weights & Measures Device Fee Schedule. Motion carried unanimously.

B. 2019 Capital Project Listing.

Discussion of the 2019 Capital Projects ensued. The Central Exchange Server, Police Department Body Cameras, and Brush Bucket will not be borrowed for. The Patrol Truck, Street Sweeper, and Asphalt Paving are listed. The Fireman's Park Shelter, Park Pathways, and Playground are listed.

Discussion in regards to the Fireman's Park Shelter ensued. Director Schroeder distributed documents in regards to Fireman's Park Phase 1 with a map. He reported on phase one and then the building would be phase two. There has been public input and assistance by Ayers and Associates. \$75,000 for the project has been carried over from 2017. Phase I design plans are included. Discussion ensued of Festhalle. Miller distributed a flyer on Festhalle. Mr. Jeff Dhein commented that they may have matching funds. Tentatively he has received the okay for half of the funding to be covered by donors. The Tourism and Betterment committee has not made a commitment. The total for Festhalle is \$300,000. The building is no kitchen and no restrooms. Fireman's Park Shelter is designed with a kitchen and public restrooms. The building could be used for park and recreation programs. It would be available to support Taste of Germantown. Discussion ensued that other community buildings need attention as well. Such as the Public Works Building and Police Department Building.

The Fireman's Park building comes from a previous report of a three year plan from 2016. A shelter was included. It has been on the radar screen. Ayers was hired in June and then the process was worked on. Initially discussed as a replacement of the shelter. Started with the old shelter deterioration.

Rental revenues are estimated at \$8,000 to \$10,000 annually.

Administrator Kreklow commented on phase one that includes \$300,000 related to asphalt paths, lighting, basketball court before the actual structure is built. There are growing events of popularity. The running water is needed.

Discussion ensued in regards to Tourism and Better Commission funding.

The \$75,000 from 2017 needs to be used within two or three years. It is earmarked for the path and lighting.

Discussion ensued that the basketball court will need to be moved. The rims have been removed. Motion (Miller/Kaminski) to amend the Firemen's Park Shelter amount to \$400,000. \$300,000 for the Firemen's Park Shelter and \$100,000 for the Festhalle. Motion failed at a tie vote.

MOTION (Kaminski/Miller) to Forward 2019 Capital Project Listing to the Village Board as presented. Motion Carried Unanimously. This item will not go on Consent Agenda.

- C. 2019 Employee Engagement Plan and Survey.
Administrator Kreklow reported this is part of the performance appraisal system. This is as a measurement of accountability. Engage employees and communicate with them. Need to have dialogue. Employee engagement survey for a baseline. This is based on Gallops by the ICMA that public employers ask employees. Good response rate. Looking for good feedback. This is for all employees.

OLD BUSINESS:

- A. Update on Fire Station 1.
Administrator Kreklow reported on the potential to utilize the fire station for a portion of the park and recreation activities for this summer. Looking at the safety.

REPORTS:

- A. **Monthly Year to Date Financials:**
1. Revenue and Expense Report All Funds: Finance Director Rath reviewed the reports. This is not the year-end final reports. The bottom line is deceiving as there are carry overs such as planning and asphalt items. There will be some for reserves.
 2. Health and Dental Plans: Director Rath reviewed the reports. Still captioning 2018 costs. Will be over but it was expected.
 3. TIF 6 Summary: Director Rath reported that there is not anything new to report. There is a larger tax increment. Hope to see TIF 6 growth. Zabel requested the Joint Review Board TIF reports to be on-line.
- B. **Impact Fees Financial Reports:** The report was reviewed. There is a healthy balance for projects. The impact fee also covers loans and will cover a portion of the water tower.
- C. **Accounts Payable:** December 25, 2018 and January 10, 2019 payables were reviewed.
- D. **Code Violation Reports:** The reports were reviewed.
1. Building Inspection Department.
 2. Planning Department.
- E. **C.I.P. PROJECTS:** The reports were reviewed.
- F. **Letter of Credit Summaries:** The Letter of Credit Summaries were reviewed. It was commented on to check on Prairie Glen. There needs to be follow up on sidewalk.
1. Building Inspection Department – Reviewed.
 2. Public Works Department– Reviewed.
 3. Planning Department – None.
- G. **Summary of all Village Contracts:** The report was reviewed. A few updates have been highlighted in yellow. Summary given by Kreklow.

SCHEDULE NEXT MEETING: The next meeting will be on February 18, 2019 at 6 pm.

ADJOURNMENT: Chairman Zabel adjourned the meeting at 7: p.m.

Respectfully Submitted,

Deanna Braunschweig
Village Clerk

DRAFT

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 11-2019

2019-2020 CRUSHERZ SOFTBALL FIELD USAGE AGREEMENT

WHEREAS, the Village of Germantown and the Germantown Crusherz Softball held a two-year agreement that expired on December 31, 2018; and,

WHEREAS, Staff has met with representatives of the Germantown Crusherz Softball Organization to discuss renewal of the agreement. A per participant fee of \$15 has been incorporated to address deficiencies in field maintenance. The fees paid are deposited in the Park and Recreation Non-Reverting, Non-Lapsing Facility Fund designated for use by the Village to help maintain the fields used by the Germantown Crusherz Softball Organization. The organization is required to provide a liability insurance policy, and relinquish usage if the Village declares a need; and,

WHEREAS, On January 16, 2019, the Park and Recreation Commission met and recommended the attached agreement; and,

NOW THEREFORE BE IT RESOLVED, that the attached Agreement for 2019-2020 Between the Village of Germantown and the Germantown Crusherz Softball Organization is hereby approved.

Introduced by: _____

Adopted: February 4, 2019

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna B. Braunschweig, WCMC/CMC
Village Clerk

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: Monday, February 4, 2019

AGENDA ITEM: New Business

ITEM TITLE: Germantown Crusherz Softball - Field Usage Agreement 2019-2020

SUBMITTED BY: Mark Schroeder, Park & Recreation Director

SUMMARY EXPLANATION:

Attached for your review and approval is a 2-year agreement with Germantown Crusherz Softball for 2019-2020. This independent organization was started by resident Robb Wilson in 2016. The only change to the 2017-2018 version of the agreement is the change in dates.

A per participant fee of \$15 is incorporated to address deficiencies in field maintenance. The fees paid are deposited in the Park and Recreation Non-Reverting, Non-Lapsing Facility Fund designated for use by the Village to help maintain the fields used by Germantown Crusherz softball. The organization is required to provide a liability insurance policy, and relinquish usage if the Village declares a need.

ATTACHMENT: ORDINANCE____ RESOLUTION____ OTHER X

Attachment: 2019-2020 Field Usage Agreement

RECOMMENDATION:

At the January 16, 2019 Park and Recreation Commission meeting, a motion was made by Commissioner Miller, seconded by Commissioner Stapelman to recommend to the Village Board to approve the Germantown Crusherz Field Usage Agreement for 2019-2020. Motion unanimously carried.

FACILITY USAGE AGREEMENT

This Agreement entered into as of the date specified below by and between the **VILLAGE OF GERMANTOWN**, Washington County, Wisconsin (the “Village”) and **GERMANTOWN CRUSHERZ SOFTBALL**, Germantown, Wisconsin (the “User”).

In consideration of the mutual obligations, undertakings, promises and covenants set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **USAGE OF FIELD:** The Village hereby agrees to allow the User to utilize one (1) field at Firemen’s Park (Freistadt Field), one (1) field at Kinderberg Park, and one (1) field at Haupt Strasse Park (see appendix A) for games and practices (the “Premises”).
2. **RIGHT OF USAGE:** The Village’s Parks and Recreation Department shall be responsible of scheduling the various sport fields located at Freistadt Field, Kinderberg Park, and Haupt Strasse Park and will have priority in usage of the fields. The User will be allowed non-exclusive use of the fields for softball games and practices during their season (April – July). The Village reserves the right to close the fields at any time for routine or preventative maintenance, poor or unsafe conditions and/or at other times when deemed in the best interest of the Village. The fields may be utilized by the Village, in its sole discretion, for baseball or softball practices as well as other recreational uses, including without limitation, use by other applicants, associations, or teams.
3. **REPAIRS:** User agrees that any repairs that need to be completed to the Premises resulting from User’s use thereof shall be the sole responsibility of the User, provided that Village may, in its sole discretion, choose to complete any repair work on its own and invoice User for the cost thereof. Such invoice shall be paid within 60 days of its issuance.
4. **TERMS:** The term of this agreement is two (2) years and shall commence on March 1, 2019 and terminate on December 31, 2020 unless terminated or renewed in accordance with this agreement.
5. **IMPROVEMENTS:** It is understood and agreed that the Premises will be used by the User for games, practices, storage, and related lawful uses. The User may, at its own expense, construct and install improvements and equipment on the Premises to carry out its purposes and use thereof, provided that such work and equipment shall first be approved by the Village. Approvals are required by the Park and Recreation Director, Park and Recreation Commission, Building Inspection and possibly Planning Commission and Village Board depending on project and improvements. Any permanent structures or improvements installed by User shall become property of the Village, while any non-permanent improvements shall remain property of the User.
6. **FEES:** User will assess a \$15.00 fee for each participant playing in their Club. The fee will be deposited in a non-reverting and non-lapsing fund to be used for preventative and routine maintenance and/or improvements at the Village’s discretion. The Village will charge the User for products (i.e. chalk, diamond dry, turf, etc) used for their activity. Routine maintenance shall be performed according to the schedule outlined in Appendix B.

7. **SPONSORSHIP:** The Village reserves and retains all naming rights and all rights and privileges for sponsorships, advertising and promotions. In the event that this agreement relates to the scheduling of a tournament, camp or clinic, the User shall provide the Village with written notice of any event sponsors, including the name of the sponsors and other information that may be requested by the Village. Event sponsorships will be permitted unless such sponsorship conflicts with any other Village sponsorships.
8. **ASSIGNMENT AND SUBLETTING:** User may not assign this agreement or the usage of the Premises, or any part thereof, to any other organization.
9. **COMPLIANCE WITH LAW:** User shall maintain the playing facility and comply with the highest safety standards set forth by the User's governing body. Except as otherwise provided for within this Agreement and those changes undertaken at User's discretion subject to the terms herein, User shall not be required to make any alterations, additions or improvements to the premises.
10. **LIABILITY:** User, on behalf of itself and its affiliates, successors, heirs and assigns, hereby releases and holds the Village and its officers, employees, representatives and agents harmless from any and all liability of any kind or nature occasioned by any act or omission within or on the Premises. User further agrees to keep in full force and effect during the term of this agreement, a public liability insurance policy, written and issued by a responsible insurance company acceptable to the Village, insuring itself and the Village against injury to property, person, or loss of life arising out of the use and occupancy of the demised premises, with limits of at least \$100,000 property damage, \$500,000 for one person, and \$1,000,000 for any number of persons injured or killed in any one accident, and shall furnish the Village adequate and written evidence of such coverage annually.
11. **AMENDMENT AND DEFAULT:** This Agreement may be amended at any time upon the mutual written agreement of the parties. This Agreement may be terminated in the event of the default of any of the terms and conditions set forth herein provided that User has failed to correct such default following 30 days written notice by the Village to User.

Entered into this ____ day of ____, 2019

VILLAGE OF GERMANTOWN

GERMANTOWN CRUSHERZ SOFTBALL

Village President

President

Village Clerk

Secretary

Park & Recreation Director

Treasurer

APPENDIX A

Firemen's Park – Freistadt Field



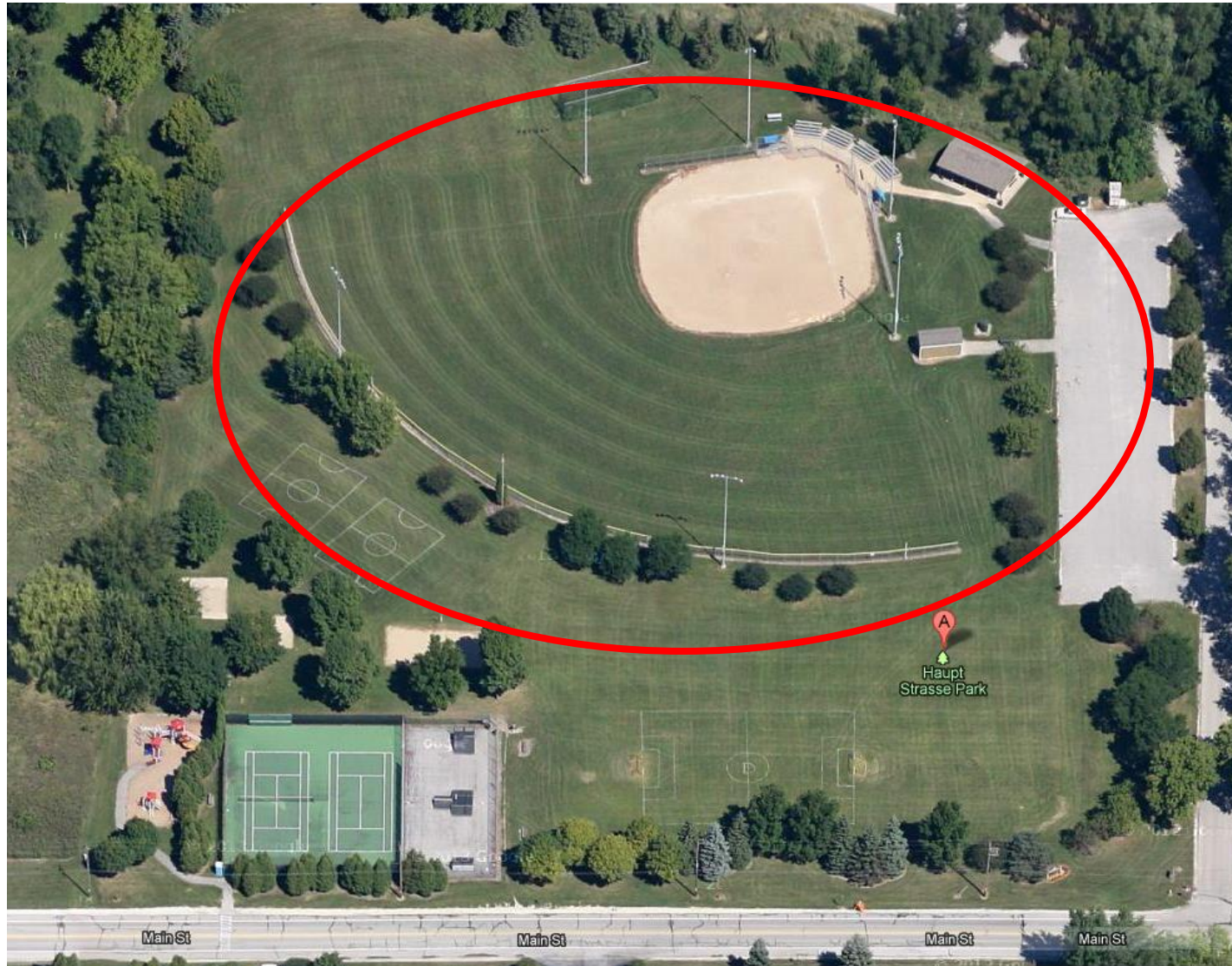
APPENDIX A

Kinderberg Park



APPENDIX A

Haupt Strasse Park



**Business of the Village of Germantown
The Government & Finance Committee &
Village Board**

MEETING DATE:

GGF – January 22, 2019
Village Board - February 4, 2019

PLACEMENT:

New Business

ITEM TITLE:

2019 Capital Projects Review

SUBMITTED BY:

Kim Rath, Finance Director

SUMMARY EXPLANATION:

Review the list of potential 2019 Capital Projects Requests and forward approval to Village Board

ATTACHED : ORDINANCE____ RESOLUTION ____ OTHER _X_

Listing of 2019 Capital Projects/Equipment Request as approved during 2019 Budget Process

RECOMMENDATION

COMMITTEE ACTION

VILLAGE OF GERMANTOWN
2019 CAPITAL PURCHASES FUND 40 ITEMS -

ITEM DESCRIPTION	PROJECT/ EQUIPMENT	FUNDING SOURCE				ITEMS TO BE BORROWED FOR
		CAPITAL/GENERAL RESERVE	GRANTS	REVENUE FROM FIXED ASSET SALES	IMPACT FEE SPECIAL REVENUE	

DATA PROCESSING

Central Exchange Server	50,000	50,000 *				0
TOTAL DATA PROCESSING	50,000	50,000	0	0	0	0

POLICE DEPARTMENT

Replace Squad Cameras and add Bodycam \$252000	71,000	71,000				0
Reduce to \$71,000 - First Year of Lease						0
TOTAL POLICE DEPARTMENT	71,000	71,000	0	0	0	0

FIRE DEPARTMENT

						0
TOTAL FIRE DEPARTMENT	0	0	0	0	0	0

DPW ADMINISTRATION AND ENGINEERING

Vehicle - Remove \$32,000 will use 2011 FD Tahoe	0					0
						0
TOTAL DPW ADMINISTRATION AND ENGINEERING	0	0	0	0	0	0

HIGHWAY DEPARTMENT

Patrol Truck	195,000					195,000
Street Sweeper	280,000					280,000
Asphalt Paving	1,675,000					1,675,000
						0
TOTAL HIGHWAY DEPARTMENT	2,150,000	0	0	0	0	2,150,000

RECYCLING

Brush Bucket for Loader	18,400	18,400				0
	0					0
TOTAL RECYCLING	18,400	18,400	0	0	0	0

RECREATION

Fireman's Park Shelter/Restroom (w/ Design)	750,000					750,000
Freidenfeld Park Pathways	50,000					50,000
Weidenbach Park Playground	60,000					60,000
						0
TOTAL RECREATION	860,000	0	0	0	0	860,000

GRAND TOTAL	3,149,400	139,400	0	0	0	3,010,000
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Estimated Borrowing Costs	55,000					<u>55,000</u>
						3,065,000
					approx borrowing	3,065,000

* 2017 & 2018 Patrol Trucks @ \$185,000, budget \$200,000, plus interest accruals

FIREMANS PARK - Phase I

	Item	Qty.	Unit	Unit cost	Item Total	Comments
1	MOBILIZATION	1	LS	\$10,000.00	\$10,000.00	
2	EROSION CONTROL	1	LS	\$5,000.00	\$5,000.00	
3	DEMOLITION	1	LS	\$15,000.00	\$15,000.00	basketball court, shed, volleyball
4	EARTHWORK	1	LS	\$10,000.00	\$10,000.00	general grading
5	SANITARY SERVICE	280	LF	\$60.00 150	\$16,800.00	assumed 6" \$42,000
6	WATER SERVICE	280	LF	\$45.00 100	\$12,600.00	assumed 2'-3" \$28,000
7	BASE AGGREGATE DENSE	459	TN	\$20.00	\$9,180.00	8"
8	ASPHALT PAVEMENT	140	TN	\$100.00	\$14,000.00	3' depth, 8' wide
9	LIGHT TYPE A - Post-top Area	13	EA	\$5,000.00	\$65,000.00	
10	LIGHT TYPE B - Bollard	11	EA	\$3,000.00	\$33,000.00	
11	ELECTRICAL SYSTEM	1	LS	\$30,000.00	\$30,000.00	
12	RESTORATION	2,500	SY	\$5.00	\$12,500.00	
13	RELOCATE BASKETBALL COURT	1	LS	\$40,000.00	\$40,000.00	base, asphalt, surfacing, equipment
				Total	\$273,080.00	\$313,680
				12% Contingency	\$32,769.60	12% \$37,641
					\$305,849.60	

\$351,321
Phase I Design Plans **\$20,000**

\$371,321

w/2018 CIP
Carryover offset **\$300,000 — \$325,000**
of \$75,000

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 12-2019

**JOINT SCHOOL DISTRICT AND VILLAGE BOARD MEETINGS TO BE HELD ON
THE FIFTH MONDAY'S AND THE BENEFIT THEREOF**

WHEREAS, the Village Board and School District Board need to maintain a cooperative, harmonious relationship to benefit all Germantown Community Residents; and,

WHEREAS, a cooperative, harmonious relationship will foster communication with the boards and community; and,

WHEREAS, hosting joint Village Board and School District Board meetings will cultivate communication and cooperation for the boards, organizations, and community; and,

WHEREAS, The Village would like to host Joint Meetings on the Month's with Fifth Mondays. The logistics of the meeting will be posted on the agenda prior to the meetings; and,

WHEREAS, The Village, HEREBY, extends an invitation to the Germantown School District Board for a meeting to be held on Monday, April 29th, at 7 p.m. at the Germantown Community Library; and,

NOW THEREFORE BE IT RESOLVED, that the Village Board will harbor a cooperative, communicative relationship with the School District Board and will host the next Joint Village Board and School District Board meeting at the Germantown Community Library on April 29th at 7 p.m. with the intent to continue meetings on the Month's with Fifth Mondays.

Introduced by: _____

Adopted: February 4, 2019

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna B. Braunschweig, WCMC/CMC
Village Clerk