VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING
MINUTES
JUNE 17, 2013

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

ROLL CALL: President Wolter, Trustees Baum, Daniels, Ewert, Hughes, Kaminski, Vanderheiden, Werderman (arrived after Historical meeting) and Zabel. Trustee Vanderheiden was absent Excused. Also present: Administrator Schornack, Attorney Sajdak, Chief Pollpeter, Jay Olszewski and Clerk Goeckner.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: None.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS: Upcoming meetings were announced.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing: None.

CONSENT AGENDA:

A. **MINUTES -** May 20, 2013 and June 3, 2013

B. **ACCOUNTS PAYABLE/PAYROLL**

1.	April 2013	Accounts Payable	$	26,387.03
2.	May 4, 2013	Payroll (hourly)	$	209,378.69
3.	May 10, 2013	Accounts Payable	$	521,050.05
4.	May 14, 2013	Payroll (salary)	$	76,919.08

C. OPERATOR LICENSES: JULY 1, 2013 – JUNE 30, 2014

1. **NEW APPLICANTS:** Stephanie M. Pfeiffer, Kevin M. Schodron, Everett R. Wood, Natalie M. Hansen and Julie A. Schmitt
2. **RENEWAL APPLICANTS:** Kalpana K. Adhikari, Julie M. Bowe, Nicole M. Brandt, Syretta C. Brown, Max S. Buda, Donna L. Bungert, Tara-Joanne L. Caldwell, Margaret A. Casey, Krysta G. Davis, Alycia L. Dolan-Manna, Susan M. Drexler, Lynette M. Dugan, Carolyn A. English, Cassandra L. Feuerstahler, Bobbi Jo Gabrielsen, Clayton R. Geller, Sumanpreet K. Ghuman, Carrie L. Gilbert, Alexander J. Gintner, Jitendra B. Gondaliya, Cindy S. Greenblatt, Mary Jo Griggs, Pamela A. Halverson, Kathryn M. Hanson, Dawn M. Hardy-Reith, Angela E. Heilgendorf, Bret R. Hertzberg, Samantha S. Holzberger, David L. Iverson II, Mark K. Janeshek, Nirlap Kaur, John J. Kneifl, Heather L. Lazar, Kathleen J. Lofchie, Tina L. Medley, Jessica A. Merkel, Joseph E. Morgan, Casey A. Mortl, Kayla T. Mulhern, Jennifer E. Murray, Cynthia C. Nelson, Nicole R. Nusberger, Jason W. Ohm, Renata H. Oswald, Amber N. Pintar, David C. Prokseh, Donna E. Rachac, Darla K. Radtke, Md S. Rahman, Annette C. Robenhorst, Donna L. Rozich, Dona Schneidervin, Heather L. Smith, Patrick A. Sobcinski, Mehul B. Soni, Paresh B. Soni, Carey L. Stark, Shelley A. Steeger, Kathleen M. Sudik, Dana A. Tally, April M. Tesch, Jerry E. Truchan, Sara M. Turner, Asif A. Vadsaria, Rebekah J. Vagenius, Gary L. Vilar, Patricia M. Voss, Sara Jane M. Wallingford, Veronica J. Wetzel, Shannon M. Wilder, Kristen K. Wolf

CONSENT AGENDA - continued

The following items were forwarded from the Public Safety Committee with a unanimous recommendation:

D. **LIQUOR LICENSE RENEWALS (INCLUDES ALL OUTSIDE PREMISES EXTENSIONS):**

D-a **"Class B" Fermented Malt Beverage and Intoxicating Liquor Licenses**

1. La Chimenea LLC, Ricardo Jimenez, Agent, 3625 W. Orchard Street, Milwaukee, WI 53215, d/b/a **La Chimenea**, N112 W15251 Mequon Road, Germantown, WI 53022. (includes 1100 sq. ft. outside patio to be open until 10:00 p.m.)
2. The Bear, Inc. Dean M. Kohnke, Agent, 6900 Weatherstone, West Bend, WI 53090**,** d/b/a **The Quilted Bear,** N111 W18611 Mequon Road, Germantown, WI 53022. (includes outside porch, gazebo, grass and path approximately 275 ft. x 4 1ft. around the pond to be open until 10:00 p.m.)
3. K&K Acquisitions, LLC, Kristine M. Gintner, Agent, W163 N10564 Ridgeview Lane, Germantown , WI 53022, d/b/a **Sheer Lounge,** N112 W16560 Mequon Road, Germantown, WI 53022. (includes an outside premises extension into the parking lot for July 20, 2013 12:00 p.m. – 9:00 p.m.)

D-b **"Class A" Fermented Malt Beverage and Intoxicating Liquor Licenses**

1. Walgreen Co., Vickie Matt, Agent, 1411 Deer Trail Court, Hubertus, WI 53033, d/b/a **Walgreens #05427**, W156 N11261 Pilgrim Road, Germantown, WI 53022.

D-c. **Class "A" Fermented Malt Beverage Licenses**

1. Speedway, LLC, David C. Proksch, Agent, N168 W21169 Main Street, Jackson, WI 53037, d/b/a **Speedway #4495**, W164 N11233 Squire Drive, Germantown, WI 53022.

E. OUTSIDE PREMISES EXTENSION AMENDMENT FOR THE "CLASS B" LICENSE FOR MAPLE ROAD LLC, d/b/a BUZDUM'S PUB, W188 N10515 MAPLE RD.

F. DANCE LICENSE, BUZDUM'S PUB & GRILL, W188 N10515 MAPLE RD, JUNE 22 & 23, 2013 11 A.M. – 12 A.M.

G. DANCE LICENSE, BUZDUM'S PUB & GRILL, W188 N10515 MAPLE RD, ALL YEAR, FRIDAYS & SATURDAYS, 9 P.M. – 1 A.M.

H. DANCE LICENSE, SHEER LOUNGE, N112 W16560 MEQUON RD, JULY 20, 2012 3 P.M. – 9 P.M.

I. OUTSIDE PREMISES EXTENSION AMENDMENT FOR THE "CLASS B" LICENSE FOR K & K ACQUISITIONS LLC d/b/a SHEER LOUNGE, N112W16560 MEQUON RD, (on Liquor License renewal application)

J. APPROVAL OF SMART BOARD PURCHASE – FIRE DEPT – FOR A COST OF $9,052.50. THIS IS AN UNBUDGETED ITEM. $8,000 WILL BE USED FROM THE FUNDS BUDGETED FOR THE FORCIBLE ENTRY TRAINER AND $1,052.50 WILL BE COVERED BY ACT 102 FUNDS.

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

K. **AWARD CHANGE ORDER FROM ACCOUNT #44-574-530-4300 TO R.A. SMITH NATIONAL NOT TO EXCEED $6,000 FOR MEQUON ROAD/EISENHOWER DRIVE INTERSECTION SIGNAL DESIGN**

L. RESOLUTION NO. 20-13 ADOPTING THE 2012 COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR)

M. **AUTHORIZATION TO PURCHASE THE WACKER RD27-120 ASPHALT ROLLER FROM KELBE BROS FOR A NET PRICE NOT TO EXCEED $24,027**

<u>CONSENT AGENDA - continued</u>

WITH $20,000 FROM CAPITAL ACCOUNT 40-542-570-8450 AND BALANCE FROM 40-553-570-8530

Attorney Sajdak requested to pull Item 'D-a 2'. President Wolter requested to pull Item 'J'. **MOTION (Baum/Ewert) to approve Consent Agenda items A-M excluding Items D-a 2 and J, roll call vote, carried unanimously.**

Item Da-2 – The Bear, Inc. Dean M. Kohnke, Agent, 6900 Weatherstone, West Bend, WI 53090**,** d/b/a **The Quilted Bear,** N111 W18611 Mequon Road, Germantown, WI 53022. (includes outside porch, gazebo, grass and path approximately 275 ft. x 4 1ft. around the pond to be open until 10:00 p.m.)

Attorney Sajdak pulled item as they are not presently in business and Village Code provides if you are not open 180 days the Village could revoke the license. If license is granted today there is a possibility of the argument that it would start the 180 days today, rather than going back to the time the business closed. Discussion of regular licenses available, desire of closed business to keep a license when trying to sell the establishment, cost of $10,000 for a reserve license, possible options for renewal/non-renewal of license etc. **MOTION (Kaminski/Daniels) to pull the license for The Quilted Bear and proceed to schedule for a hearing.** President Wolter questioned the need for consideration of revocation and how it transpired. Village Clerk explained item discussion at Public Safety after reviewing licensing ordinances. **5 in favor, 3 opposed (Baum, Ewert, Wolter), motion carried.**

Item J – APPROVAL OF SMART BOARD PURCHASE – FIRE DEPT – FOR A COST OF $9,052.50. THIS IS AN UNBUDGETED ITEM. $8,000 WILL BE USED FROM THE FUNDS BUDGETED FOR THE FORCIBLE ENTRY TRAINER AND $1,052.50 WILL BE COVERED BY ACT 102 FUNDS.

President Wolter pulled this item for more information. Trustee Werderman explained item came before Public Safety and Fire Department had a change of heart on budgeting items ranked by importance last year and feel they could get more use from the Smart Board than the Forcible Entry Trainer originally budgeted for. Entry trainer a good training tool. Matt Karpinski of the Fire Department stated later discussion of ranking of items put Smart Board higher, door trainer would have been helpful but Smart Board best bang for the buck. **MOTION (Werderman/Hughes) to approve the purchase of the Smart Board.** Question of the type of public education events it would be used for. First aid for kids, interactive solution for kids at public education events, CPR classes. Makes training available for more people similar to a Web-ex session where they can be at home and train remotely. Trustee Kaminski - Big price tag and would rather revisit next year. Take those funds and apply to salaries or to get more volunteers. Discussion of funding. Smart Board overkill for right now. Trainer can be used over and over again for years of life. Is it the right time when we are struggling with staffing needs. Trainer for door entry makes more sense. Door trainer is something that saves lives. Trustee Ewert – we had it in budget and voted on it and at last minute are saying no – not spending any more money than budgeted for so should be willing to spend it. President Wolter – since discussing last year had the call for the need for help in January/February this year for additional support for staffing. Has become a staffing first issue for me. Trustee Ewert – probably won't get the staffing but can still use the Smart Board. Trustee Zabel – actually budgeted for the forcible entry trainer – not the Smart Board. Trustee Daniels – They were put on the spot at budgeting and had to give an answer on what they wanted. Afterward discussed it and chose the Smart Board instead, they know best

CONSENT AGENDA - continued

how to spend their money. Karpinski – did more research after meeting and shared with staff. Expected it to come up at next budget meeting but it didn't. **Roll call vote, 4 in favor, 4 opposed (Baum, Kaminski, Zabel, Wolter) motion fails.** To reconsider, someone who voted in the negative would have to bring it forward.

NEW BUSINESS:

A. **PURCHASE OF RECORD MANAGEMENT COMPUTER SOFTWARE – FIRE DEPT.** Matt Karpinski of Fire Department presented information on new record management computer software. Had budgeted items to supplement and update current Firehouse software. After preparing to move forward found there is a new version of Pro-Phoenix available which will allow for more and better communication between Fire Dept. and Police Dept. programs and documentation. Discussion: Cost difference between upgrades budgeted for ($31,000) and new software without discounts ($76,000). Discounts to be given for assisting them with testing new program. Significant upfront cost due to need to convert current data and sharing servers. Benefits outweigh the cost. Are there any budgeted funds for this? Possible consideration of using $63,000 budgeted in capital for heart monitors upgrade which was put off due to wanting to replace them with new monitors next year. Unforeseen costs due to unchartered waters and possible need to upgrade the Fire Dept. internet connections. Trustee Kaminski asked they bring back costs on unchartered items. Postpone until next budget period. Replacement of heart monitors next year will cost $110,000 instead of the $63,000 budgeted for upgrade this year. Costs for software will increase in 2014. Karpinski - Can't share information currently and will pay for a patch to do some sharing. Current patient care software no longer supported leaving us vulnerable. Can still call for technical advice but they are no longer making fixes for problems encountered. Downside of just upgrading is lack of communication with Police programming. Inspections and updates done by Fire Dept. will not transfer to Police Dept. files. $31,000 for this year is just for one year. Discussion of support and costs. **MOTION (Zabel/Werderman) to direct staff to go ahead with plan and come back to July 1 meeting with plan on where funds will come from to move monies within their budget to cover costs.** President Wolter clarified this would approve purchase and then come back to find funds and amend budget. Trustee Werderman – would like to have Chief of Police here to give us his take on having one set of software. Administrator Schornack expressed prior discussion with Chief Hoell and his being for the switch to the new program for better communication. Trustee Kaminski would like to have all the answers to the unanswered questions. Wants Chief's input and worse case scenarios to prepare for. Don't have the money but have to do it in the right timeframe. My neighbors and residents would want heart monitors upgraded. Discussion of difference between Police and Fire modules of Pro-Phoenix use of each server, upgrading servers, licenses needed, any redundancy, privacy items for each department, connectivity issues, latest release of software and next update scheduled, licenses shared, unanswered questions. Need of additional $5,000 to buy extra 25 licenses. Storage and backup of information concerns. Attorney Sajdak stated similar software upgrade in other community he is familiar with, concern he has with Pro-Phoenix is, it is exclusively Internet Explorer based and cannot be used with Mozilla Firefox etc., a limiting factor. Item not mentioned is what if records management on patient side just doesn't work out – do we go back to $31,000 upgrade after spending $76,000? Trustee Kaminski asked about replacing some heart monitors this year and

NEW BUSINESS - continued

some next year. Karpinski – current monitors 8 years old and level of care is changing for national standards. Looking to upgrade and change to add technologies to them. Certain design changes couldn't be upgraded so chose new monitors. Trustee Kaminski – So you are looking to go with 5 new monitors for $110,000 and carry over $63,000 unless used for new software? Which is more important? Karpinski – Maintaining information and records management software. Trustee Kaminski – One saves lives, one helps you with bookkeeping. Discussion: EMS side and Fire side of software. President Wolter – authorizing purchase then asking them to clarify where funds are coming from. Fire Department to sit down with Finance and determine where the funds are and what will be used. **MOTION (Hughes/Kaminski) to amend the motion to not approve the purchase until the Fire Department explores the funding with Village Administration/Finance Director and bring it back to the Village Board on July 1st, motion carried unanimously.**

Motion as amended. Karpinski – Pro-Phoenix is willing to stretch the expense out over two budget cycles as an option to consider. President Wolter – Consider this possibility when discussing with Finance Director and request break down from Pro-Phoenix for application over two budget cycles. **Roll call vote, 6 in favor, 2 opposed (Baum, Kaminski), motion carried.**

B. **MOTION (Kaminski/Zabel) to go into closed session per Wis. Stats. §19.85(c) at 8:45 p.m. for the purpose of considering the employment promotion, compensation or performance evaluation data of the Village legal counsel for municipal court services, over which the governmental body has jurisdiction and exercises responsibility, and excusing the Village Attorney, roll call vote, carried unanimously.**

MOTION (Werderman/Kaminski) to re-enter into open session, 9:05 p.m., carried unanimously.

MOTION (Hughes/Kaminski) to keep Nick DeStefanis as Municipal Court Attorney at the hourly rate of our current Village Attorney Brian Sajdak, roll call vote, carried unanimously.

There being no further business, the meeting adjourned at 9:07 p.m.

Barbara K. D. Goeckner, MMC/WCPC
Village Clerk