

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING
MINUTES
JULY 1, 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, and Zabel. Trustee Werderman was absent and excused. Also present: Administrator Schornack, Attorney Sajdak, Finance Director Rath, DPW Director Dan Ludwig, Chief Pollpeter, Deputy Chiefs Mike Maury & Dale Stark, Captain Matt Karpinski, Chief Hoell, Lynn Schmidt, Jay Olszewski, and Clerk Goeckner.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: Thursday annual 4th of July parade with festivities to follow at Firemen's Park. Fire department will have a *Wet Zone* at intersection of Main Street and Park Avenue by Bub's Irish Pub. Those in the roped off area will get wet. Congratulations to Administrator Dave Schornack for 7 years of service as of June 19th.

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** - June 17, 2013

B. **ACCOUNTS PAYABLE/PAYROLL**

1.	June 18, 2013	Payroll (hourly)	\$	210,762.86
2.	June 25, 2013	Accounts Payable	\$	350,543.08
3.	June 28, 2013	Payroll (salary)	\$	76,155.54

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

RENEWAL APPLICANTS:

Daniel J. Doedens, Nicholas G. Doedens, Jessica M. Koepp, Joshua T. March, Debra A. Nelson, Wendy S. Sarwas Julie L. Gagnon, Simon R. Bouwman, Anthony R. Streng, Junella Worzalla and Thomas F. Wood

NEW APPLICANTS:

Brooke A. Billingsley, Megan A. Jacobs, Timothy G. Jacobs, Jennifer M. Knox, Tara L. Peterson, Porsha E. Roy, Kaile M. Langerman, Jaelle R. Denniston, Jill D. Peters, Ashley M. Kiel, Matthew P. Mikulecky and Randi Schmidt

D. **DENIAL OF OPERATOR LICENSE AS RECOMMENDED BY POLICE CHIEF MEGAN A. HARRIS**

The following items were forwarded from the General Government & Finance Committee with a unanimous recommendation:

E. **APPROVE PURCHASE OF (4) MICROPHONES, (2) AUDIO MIXERS, VIDEO MIXER AND LABOR TO INSTALL FOR VILLAGE BOARD ROOM FROM MILES PRO AUDIO NOT TO EXCEED \$8,414.**

F. **RESOLUTION APPROVING AMENDMENTS TO THE 2013 BUDGET – VILLAGE BOARD ROOM VIDEO & AUDIO EQUIPMENT**

CONSENT AGENDA - continued

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

- G. APPROVE PAYMENT TO STARNET TECHNOLOGIES IN THE AMOUNT OF \$9,870.58 FOR THE REPLACEMENT OF VARIABLE FREQUENCY DRIVE AT WELL #3**
 - H. AWARD CONTRACT FOR 2013 SEAL COATING AND PATCHING TO SCOTT CONSTRUCTION FOR ALL ASPHALT TREATMENTS IN THE AMOUNT OF \$94,064.90, ALLOCATED FROM HIGHWAY ACCOUNT 10-542-530-3505**
 - I. ACCEPT 'RURAL' CONCEPT TEMPLATE FOR DONGES BAY ROAD PROJECT**
- MOTION (Vanderheiden/Ewert) approve Consent Agenda Items A-I, roll call vote, carried unanimously.**

UNFINISHED BUSINESS:

- A. PURCHASE OF RECORD MANAGEMENT COMPUTER SOFTWARE – FIRE DEPT.**

Captain Matt Karpinski presented information on ProPhoenix record management computer software for funding of purchase. ProPhoenix has offered to waive the first year maintenance fee of \$7,924.70. New total cost is \$62,830.25 and can be divided over 2 payments, one at time of contract signing and the other in January 2014. Finance Director Rath worked with the Fire Department to locate additional funds for purchase. Police Chief Hoell spoke on behalf of the ProPhoenix modules they use and the benefits of the two systems communicating. Karpinski – Current files will be converted and new software change over estimated by January 2014. Discussion of list of funding sources within Fire Department budget, including Contracted Services, Length of Service Award, Miscellaneous Equipment and Training Tower upgrade. Reduced cost will now allow for use of 2013 budgeted amount of \$31,000. Discussion of forcible entry trainer. **MOTION (Zabel/Vanderheiden) to use funds from 10-522-570-8100 - \$19,912, 10-522-530-7910 - \$11,000 & 10-522-530-7900 \$3,300 to cover half of the cost of the ProPhoenix Software purchase for 2013 and look to budget for 2014 for remaining funds to cover cost.** Discussion of covering cost in 2013. Item should have been budgeted, funds used from other items should go back to being budgeted for next year. Discussion of unknown infrastructure, cabling. Current cost \$250/month per connection/station. Estimated cost of fiber connection per station is between \$450 to \$600/month for 5 year contract. Trustee Zabel verified this change would only be if after it is up and running it runs too slow and needs an upgrade. Karpinski stated it would be tested in time for budgeting time. Police Chief Hoell indicated they had no problem with connectivity as it is. Lynn Schmidt of Police Department reconfirmed she doesn't foresee a problem with the connection they have and the discussion of putting in fiber is relevant right now. Discussion of training on new system and support. Schmidt felt the advantages of system are to get time and information input and put their squads enroute instead of waiting for air time with dispatch. Premise history will update with any information anyone knows about the premises. **Roll call vote, carried unanimously.**

NEW BUSINESS:

- A. APPROVAL OF AT&T LONG DISTANCE CONTRACT**

Finance Director Kim Rath presented information on the AT &T Long Distance Contract. Discussion of options, costs and contract length. **MOTION (Zabel/Ewert) to approve**

NEW BUSINESS - continued

contract for 3 years with AT & T. Discussion of consultant recommendations. **Roll call vote, carried unanimously.**

- B. **WEBER HOMES, INC., PROPERTY OWNER; CONDITIONAL USE PERMIT EXTENSION REQUEST; GREENBRIAR ON THE POND (CUP #09-11)**
Roman Berendt representing Weber Homes presented information on request to extend CUP #09-11. **MOTION (Zabel/Kaminski) to grant 1 year extension for CUP #09-11 to September 19, 2014, carried unanimously.**
- C. **SECOND HAND ARTICLE DEALER AND SECOND HAND JEWELRY DEALER LICENSE FOR ANGELA M. NICHOLAS, FOUR SEASONS PROPERTY MANAGEMENT d/b/a FOUR SEASONS CONSIGNMENT, W164 N11269 SQUIRE DRIVE, GERMANTOWN, JULY 2013 – DECEMBER 31, 2013**
MOTION (Vanderheiden/Hughes) to approve Second Hand Article Dealer and Second Hand Jewelry Dealer license for Angela M. Nicholas, carried unanimously.
- D. **APPROVAL OF NEW AGENT FOR LIQUOR LICENSE OF BUFFALO WILD WINGS N96 W18034 COUNTY LINE ROAD, MARY SUSENS 3745 S RIVERSHIRE DR #1, GREENFIELD WI 53228**
MOTION (Baum/Vanderheiden) approve Change of Agent for Buffalo Wild Wings to Mary Susens, carried unanimously.
- E. **APPROVAL OF NEW AGENT FOR LIQUOR LICENSE OF THE BEAR d/b/a THE QUILTED BEAR N111 W18611 MEQUON ROAD, MICHAEL W. ROHR 975 SATINWOOD COURT, BROOKFIELD WI 53005**
MOTION (Hughes/Baum) to approve Change of Agent for The Quilted Bear to Attorney Michael Rohr. Discussion: this request is outside of hearing of possible revocation which will come before board on July 15th. They still hold license and it is still appropriate to change the agent. **Carried unanimously.**
- F. **APPROVAL TO CONTRACT FOR FULL WATER RATE STUDY**
DPW Director Dan Ludwig presented information on request for approval to contract for full water rate study. Client in town has upgraded their meter and lateral and has demonstrated a need to use as much as one million gallons of water per day. With this new usage we are near our threshold of five million gallons and puts us in dilemma of need for additional water supply. Shallow wells are costly and deep wells are extremely costly. Discussion at Public Works committee meeting on June 25th of full water rate study. A full water rate study was done in 2010 and is good for 5 years. Could do two simplified rate increases at virtually no cost for a 3% rate increase each of the next two years and then do the full rate study, a cost of about \$16-\$17,000. Obligated committee and talked to group for full study who gave a quote of \$10,000. PSC will review their product and two meetings a value of \$17,000. PSC would cost \$16,813 and they will not attend meetings. Get a little more value from a consultant who will modify rate structure and will attend meetings and represent that document and explain it to both committee and Board or \$17,442. We did not budget for a full rate study and a simplified study will cost \$200 for an ad in the paper. Committee wants to go to conservation rates and stressed having another rate class for multifamily. Those two adjustments will shift

NEW BUSINESS - continued

revenue between classes rather than raising more revenue and we need money for upgrading our utility. **MOTION (Zabel/Kaminski) to send this back to Public Works Committee for more discussion.** Discussion: Trustees Zabel & Kaminski had understood it was to go back to Public Works and bigger discussion at Committee was a feeling of overreaction to spike in use by Gehl's and if we would see another spike. Gehl's CEO indicated this was an unusual spike and feeling was rates for everyone in Germantown shouldn't be raised based on that. Trustee Vanderheiden doesn't feel an increase of 3% each of two years is a simple thing. Trustee Zabel stated if intent is to raise money to build a new well for future development then should be looking at an impact fee to cover the cost. Discussion of peak flow and number of wells on-line and which wells are currently down. President Wolter asked if this would go to Utility Advisory committee as well and Trustee Zabel stated just Public Works. Discussion of impact fees and effect on new businesses. DPW Director Ludwig stated last rate increase in 2010 was 5.4% and none since. 3% would be \$6.91 per quarter per house and would raise about \$45,000 in revenue annually. Last year utility lost \$15,000 and even though this rate increase isn't enough to build a well, it would at least cover our loss. Felt a simplified rate increase would give time for further study. Question at committee seemed to be if we should go to PSC or hire a consultant and proposal presented contains information on both. We could exceed our capacity. The Fire Department should know that during a drought, with high capacity industrial use, and Gehl's using Village water, they need to be aware of it for their need of fighting a fire. **Motion carried unanimously.**

G. **INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 3879, 2013 SIDE LETTER – POC WEEKEND SHIFTS**

Administrator Schornack presented the IAFF side letter of agreement that has been signed by their officers, with no contingency on any other agreement or policy. President Wolter explained this works with \$200,000 we set aside for weekend staffing of Fire Department. **MOTION (Ewert/Kaminski) to sign side letter agreement and go with paid on call weekend shifts as presented.** Discussion of budget amendment for year end to know exactly what cost is going to be for weekend staffing. Funds already approved - \$200,000 from additional revenues not projected for. President Wolter explained the process started with Fire Department coming forward in January stating their members were being stressed and not getting the ability to make a shift. We responded with finding funds and changing Village Code to remove residency requirement to assist with recruitment. Meetings between department and Committee of the Whole are still ongoing and we are working to solve the issue and this is a stop gap for the need right now. Next budget period discussed and accelerated recruitment program with various items to draw attention to department for recruits. We are in negotiations and we didn't want this letter to be contingent on that, this is temporary fix for this situation and does not set precedent for contract or future years. Just so everyone understands where we are today. **All in favor, carried unanimously.**

H. Trustee Vanderheiden requested each closed session be a separate motion. **MOTION (Vanderheiden/Zabel) to go into closed session at 8:40 p.m. for Potential Land Sale Agreement(s) in and related to the Germantown Business Park, and include Deb Reinbold, as per Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating, when competitive or bargaining reasons require a closed session**

NEW BUSINESS - continued

and then may re-enter open session to take such action as it deems appropriate
roll call vote, carried unanimously.

Deb Reinbold left at 9:10 p.m.

**MOTION (Zabel/Baum) to go back into open session at 9:40 p.m., carried
unanimously.**

**MOTION (Zabel/Kaminski) to direct Village Attorney to take the directed action
discussed in relation to the TCI parcel in closed session, roll call vote, carried
unanimously.**

**MOTION (Zabel/Kaminski) to direct Village Board President to further negotiations
as directed in closed session, carried unanimously.**

- I. **MOTION (Baum/Hughes) to go into closed session at 9:43 p.m. for Potential Land
Acquisition of a Portion of Tax Key No. 211-985 as per Wis. Stat. §19.85(1)(e) for
the purpose of deliberating or negotiating, when competitive or bargaining
reasons require a closed session and then re-enter open session to take such
action as it deems appropriate, by roll call vote, 5 in favor, 3 opposed (Ewert,
Vanderheiden, Zabel), carried.**

MOTION (Baum/Hughes) to adjourn at 10:03 p.m., motion carried unanimously.

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