

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, MAY 20, 2013 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 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 and Village Clerk.
- 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. **ACCOUNTS PAYABLE/PAYROLL**

1.	April 2013	Accounts Payable	\$	93,269.28
2.	May 7, 2013	Payroll (hourly)	\$	213,979.66
3.	May 10, 2013	Accounts Payable	\$	948,893.81
4.	May 15, 2013	Payroll (salary)	\$	76,955.57

The following items were forwarded from the Public Safety Committee with a unanimous recommendation:
 - B. **APPROVE SERVER REPLACEMENT PURCHASE, POLICE DEPARTMENT, INCLUDING ALL HARDWARE, SOFTWARE, ADDITIONAL COMPONENTS, INSTALLATION AND CONFIGURATION FOR A TOTAL COST OF \$17,168.00 FROM SCHULTZ-BERNSTEIN AND ASSOCIATES AND AN ADDITIONAL \$2,500 FOR PRO-PHOENIX TO MOVE ALL THEIR PROPRIETARY SOFTWARE AND ITS CONFIGURATION.**

VII. CONSENT AGENDA - continued:

C. AMUSEMENT ARCADE LICENSE RENEWALS:

1. Barley Pop Brew Haus LLC, d/b/a Barley Pop Pub & Restaurant, N116 W16137 Main Street, 16 devices
2. Bubs on Main LLC, d/b/a Bubs Irish Pub, N116 W16218 Main Street, 15 devices
3. Maple Road, LLC, d/b/a Buzdum's Pub, W188 N10515 Maple Road, 10 devices
4. Eastern Kettle Moraine Moose Lodge, d/b/a E.K.M. Moose Lodge #1238, W198 N10217 Appleton Avenue, 13 devices
5. JK GAM, LLC, d/b/a Gamroth's Kuhburg Junction, W140 N10385 Fond du Lac Avenue, 8 devices
6. Northridge Automotive Enterprises, Inc., d/b/a Ivey's at Main, W157 N11618 Fond du Lac Avenue, 8 devices
7. Robin Bird LLC, d/b/a Sports Corner Bar & Grill, W187 N12793 Fond du Lac Avenue, 14 devices

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

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

1. Aldo's Pizza & Pub, LLC, Dwayne Ketterer, Agent, 584 Jordan Circle, Colgate, WI, 53017, d/b/a **Aldo's Pizza & Pub**, W156 N11058 Pilgrim Road, Germantown, WI, 53022. (includes an outside dining area of approximately 30 feet in front of building to be open until 10:00 p.m.; an outside extension into the parking lot for a Classic Car Cruise Night on Tuesdays from 5:00 p.m. to 9:00 p.m. from May 30, 2013 through September 30, 2013 and from May 30, 2014 through June 30, 2014; and a tailgate party prior to a Green Bay Packer Sunday game in the parking lot from 10:00 a.m. to 7:00 p.m.).
2. Barley Pop Brew Haus, LLC, Deborah Reinbold, Agent, 1388 Parkview Drive, Hubertus, WI, 53033, d/b/a **Barley Pop Pub & Restaurant**, N116 W16137 Main Street, Germantown, WI, 53022. (includes Brew Haus and fenced outside extension on north side of building to be open until 10:00 p.m. and outside extension July 4, 2013 from the east end of the building to the western end, all the way to the sidewalk, during the July 4th parade beginning at noon)
3. Blackstone Creek Golf Club Ltd., Troy D. Schmidt, Agent, N105 W14467 Wilson Circle, Germantown, WI 53022, d/b/a **Blackstone Creek Golf Club**, N112 W17300 Mequon Road, Germantown, WI 53022. (includes golf course property of 180 acres)
4. Bubs on Main, LLC, Scott H. Pecor, Agent, 306 W. Ravine Baye, Bayside, WI, 53217, d/b/a **Bubs Irish Pub**, N116 W16218 Main Street, Germantown, WI, 53022.
5. Blazin Wings, Inc., Daniel T. Collicott, Agent, 2607 Olive Street, Racine, WI 53403. d/b/a **Buffalo Wild Wings**, N96 W17960 County Line Road, Germantown, WI 53022 (includes attached patio with hours restricted between 10:00 p.m. and 8:00 a.m.)
6. Maple Road, LLC, Radomir Buzdum, Agent, 1004 Labaree Street, Watertown, WI, 53098, d/b/a **Buzdum's Pub**, W188 N10515 Maple Road,

VII. CONSENT AGENDA - continued:

- Germantown, WI, 53022. (Includes an outdoor patio area)
7. EJRB Dining III, Inc., Paul S. Thompson, Agent, 6812 W. Grayhawk Court, Franklin, WI 53132, d/b/a **Chili's Grill & Bar**, N96 W18640 County Line Road, Germantown, WI 53022.
 8. Eastern Kettle Moraine Moose Lodge #1238, Charles A. Jewell, Agent, W167 N11544 Bishop Drive, Germantown, WI 53022, d/b/a **E.K.M. Moose Lodge #1238**, W198 N10217 Appleton Avenue, Germantown, WI 53022. (includes outside extension not fenced (480' x 525') open area for Lodge picnics including buildings to be open until 10:00 p.m.)
 9. JK GAM, LLC, Jon R. Gamroth, Agent, N104 W15303 Donges Bay Road, Germantown, WI 53022, d/b/a **Gamroth's Kuhburg Junction**, W140 N10385 Fond du Lac Avenue, Germantown, WI 53022. (Includes outdoor premise extension in a 20' x 30' tent on Saturday, July 13, 2013 from 2:00 p.m. to 10:00 p.m.)
 10. Germantown American Legion Post #1, Inc., James A. Heiman, Agent, 2584 Country Aire, Cedarburg, WI 53012, d/b/a **Germantown American Legion Post #1**, N120 W15932 Freistadt Road, Germantown, WI 53022.
 11. Northridge Automotive Enterprises, Inc., David L. Iverson, Agent, N166 W19523 Ravens Way, Jackson, WI 53037, d/b/a **Ivee's at Main**, W157 N11618 Fond du Lac Avenue, Germantown, WI 53022. (includes 6' x 40' concrete outside patio in front of building).

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

1. WI Piggy LLC, Charles B. Hastings, Agent, 11310 W. Silver Spring Road, Milwaukee, WI, 53225, d/b/a **Jerry's Old Town**, N116 W15841 Main Street, Germantown, WI, 53022. (Includes outdoor 28' x 12' deck, open until 10:00 p.m.)
2. Kim and Jon LLC, Kim A. Gamroth, Agent, N104 W15303 Donges Bay Road, Germantown, WI 53022, d/b/a **KJ's Bar and Grill**, N112 W21209 Mequon Road, Germantown, WI, 53022. (Includes outside 15' x 25' deck and 8' x 28' side patio to be open until 10:00 p.m., and outside parties in a 20' x 30' tent on the west end of building, east end of parking lot on Saturday, August 24, 2013 and Saturday, September 14, 2013 from 2:00 p.m. to 10:00 p.m.)
3. Lone Star, LLC, Karen Ann Pritzlaff, Agent, W204 N11912 Goldendale Road, Germantown, WI 53022, d/b/a **Lone Star**, W204 N11912 Goldendale Road, Germantown, WI 53022. (includes horseshoe courts, path, outside fenced area to be open until 10:00 p.m., and outside front porch area)
4. Metro Cigars, LLC, Jennifer Lynn Groh, Agent, 1671 Holy Hill Lane, Hubertus, WI 53033, d/b/a **Metro Cigars, LLC**, W182 N9606 Appleton Avenue #104, Germantown, WI 53022.
5. Nardo's, Inc., Christopher R. Mastronardo, Agent, 445 Wildwood Ridge, Colgate, WI, 53017, d/b/a **Nardo's Passport Inn**, W204 N11498 Goldendale Rd., Germantown, WI 53022. (includes 8' x 55' outside area to be open until 10:00 p.m.)
6. GTown Pub, LLC, Craig Braidigan, Agent, 2385 Scenic Hill Trail, Richfield, WI, 53076, d/b/a **The Public House**, W201 N10466 Appleton Avenue,

VII. CONSENT AGENDA - continued:

- Germantown, WI, 53022.
7. Riversbend Country Club, Inc., Charles L. Schmit, agent, N132 W18021 Rockfield Road, Germantown, WI, 53022, d/b/a **Riversbend Golf Club**, N96 W18034 County Line Road, Germantown, WI 53022. (includes outside deck, picnic shelter and screen porch to be open until 10:00 p.m.).
 8. Robin L. Bird, LLC, Robin L. Bird, Agent, W188 N13367 Maple Road, Richfield, WI 53076, d/b/a **Sports Corner Bar & Grill**, W187 N12793 Fond du Lac Avenue, Germantown, WI 53022. (includes outside fenced beer garden and smoking room to be open until 10:00 p.m.)
 9. Christine A. Brockman, W157 N11638 Fond du Lac Avenue, Germantown, WI 53022, d/b/a **Tiny T's**, W157 N11638 Fond du Lac Avenue, Germantown, WI 53022. (includes fenced outside premise on July 4, 2013).
- D-c. **"Class B" Fermented Malt Beverage and Intoxicating Liquor Licenses**
1. WI Piggy LLC, Charles B. Hastings, Agent, 11310 W. Silver Spring Road, Milwaukee, WI, 53225, d/b/a **Von Rothenburg Bier Stube**, N116 W15868 Main Street, Germantown, WI, 53022. (includes outside fenced beer garden extended to parking lot open until 10:00 p.m.)
- D-d. **Class "B" Fermented Malt Beverage and "Class C" Wine Licenses**
1. Zhengren Zheng, N111 W16424 Esquire Ct., Germantown, WI 53022, d/b/a **China Kitchen**, N112 W16560 Mequon Road, Germantown, WI 53022.
 2. Hung Hao LLC, Hung D. Lu, Agent, N109 W12628 Coneflower Cir., Germantown, WI 53022, d/b/a **Hung Hao Restaurant**, N112 W15800 Mequon Road, Germantown, WI 53022.
- D-e. **Class "B" Fermented Malt Beverage Licenses**
1. Marko's Pizza of Germantown, Inc., Mark Caldwell, Agent, W145 N7149 Northwood Dr., Menomonee Falls, WI 53051, d/b/a **Marko's Pizza**, W156 N9664 Pilgrim Road, Germantown, WI 53022.
 2. PH Germantown, LLC, Richard Tomczek, Agent, 11514 N. Buntrock Avenue, Mequon, WI 53092, d/b/a **Pizza Hut**, N112 W15800 Mequon Road, Germantown WI 53022.
- D-f. **"Class A" Fermented Malt Beverage and Intoxicating Liquor Licenses**
1. Aldi Inc., Lucy E. Scharrer, Agent, 6152 St. Anthony Road, Allenton, WI, 53002, d/b/a **Aldi #67**, N96 W18838 County Line Road, Germantown, WI, 53022.
 2. Cost Plus, Inc., Dean M. Zachman, Agent, 2627 N. 94th Street, Wauwatosa, WI, 53226, d/b/a **Cost Plus World Market**, N96 W18970 County Line Road, Germantown, WI 53022.
 3. Colgate Gas, Inc., Didar Singh, Agent, W150 N7248 Paseo Lane, Menomonee Falls, WI 53051, d/b/a **County Line BP**, N96 W21962 County Line Road, Germantown, WI 53022.
 4. Ultra Mart Foods, LLC., Patricia L. Chastain, Agent, W63 N238 Fairfield Street, Cedarburg, WI 53012, d/b/a **Pick 'n Save #6357**, N112 W16200 Mequon Road, Germantown, WI 53022.
 5. Sendik's Germantown LLC, Theodore Balistreri, Agent, 5566 N. Diversey Blvd., Whitefish Bay, WI 53217, d/b/a **Sendik's Food Market**, N112 W15800 Mequon Road, Germantown, WI 53022.

VII. CONSENT AGENDA - continued:

D-g. "Class A" Fermented Malt Beverage and Intoxicating Liquor Licenses

1. Wal-Mart Stores East, LP, Travis J. Schmidt, Agent, 5500 – 70th Court, Kenosha, WI 53144, d/b/a **Wal-Mart Supercenter #1515**, W190 N9855 Appleton Avenue, Germantown, WI 53022.
2. Kalim Beg, 2715 W. Country Club Drive, Mequon, WI 53092, d/b/a **KAL Service Willow Creek BP**, W201 N10451 Appleton Avenue, Germantown, WI 53022.

D-h. Class "A" Fermented Malt Beverage Licenses

1. Kwik Trip, Inc., Bethany A. Ohde, Agent, 6639 W. Bonniwell Road, Mequon, WI 53097, d/b/a **Kwik Trip #631**, W188 N10963 Maple Road, Germantown, WI 53022.
2. B & B, Inc. of Milwaukee, Asif Vadsaria, Agent, W151 N11492 Potomac Cir., Germantown, WI 53022, d/b/a **Quick Pick Food Mart**, N128 W21760 Holy Hill Road, Germantown, WI 53022.
3. Speedway, LLC, Mary Jo Griggs, Agent, 623 S. Main Street, West Bend, WI 53095, d/b/a **Speedway #4465**, W178 N9653 Riversbend Lane, Germantown, WI 53022.

VIII. UNFINISHED BUSINESS:

- A. RECOMMENDATION BY STATEWIDE SERVICES, INC. REGARDING CLAIM OF 2/23/13, DONNA PETER, W107N10524 BRIDLE PATH. THE VILLAGE BOARD MAY ENTER INTO CLOSED SESSION AS PER WI. §19.85(g) CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED AND THEN RE-ENTER OPEN SESSION TO TAKE SUCH ACTION AS IT DEEMS APPROPRIATE.**

IX. PUBLIC HEARINGS – 7:00 P.M. OR LATER

The purpose of said hearing(s) is to hear any and all parties, their attorneys or agents, for or against the application(s) filed by the petitioner(s).

- A. VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, PROPERTY OWNER: (1) A REZONING APPLICATION TO REZONE THE FOLLOWING DESCRIBED PROPERTY IN THE GERMANTOWN BUSINESS PARK FROM THE I: INSTITUTIONAL AND B-4: PROFESSIONAL OFFICE DISTRICTS TO THE M-1: LIMITED INDUSTRIAL DISTRICT PURSUANT TO SECTION 17.33 OF THE MUNICIPAL CODE: TAX KEY NO. 251-969 & 251-970 (24+ ACRES SOUTH OF MEQUON ROAD AND EAST OF EISENHOWER DRIVE**

X. NEW BUSINESS:

- A. ACTION ON REZONING ORDINANCE – VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, PROPERTY OWNER: (1) A REZONING APPLICATION TO REZONE THE FOLLOWING DESCRIBED PROPERTY IN THE GERMANTOWN BUSINESS PARK FROM THE I: INSTITUTIONAL AND B-4: PROFESSIONAL OFFICE DISTRICTS TO THE M-1: LIMITED INDUSTRIAL DISTRICT. TAX KEY NO. 251-969 & 251-970 (24+ ACRES SOUTH OF MEQUON ROAD AND EAST OF EISENHOWER DRIVE**

X. NEW BUSINESS - continued:

- B. JUNK DEALER/AUTO SALVAGE ESTABLISHMENT LICENSE, JULY 1, 2013 – JUNE 30, 2014, WM RECYCLE AMERICA LLC, W132 N10487 GRANT DRIVE, GERMANTOWN WI
- C. RECOMMENDATION BY STATEWIDE SERVICES, INC. REGARDING CLAIM OF 4/10/2013, ABB HALL, MILWAUKEE, WI
- D. RECOMMENDATION BY STATEWIDE SERVICES, INC. REGARDING CLAIM OF 3/19/2013, MICHAEL HUGG, 4061 SUNSET HILL RD, GLENBEULAH, WI
- E. MOBILE COMPUTER UPGRADES/ADDITIONS – FIRE DEPARTMENT
- F. AWARD OF CONTRACT – GEOTECHNICAL SERVICES FOR LANNON-APPLETON WATERMAIN EXTENSION
- G. POTENTIAL LAND ACQUISITION OF 24+/- ACRES OF TAX KEY NO. 211-985. THE VILLAGE BOARD MAY ENTER INTO CLOSED SESSION AS PER WI. §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
- H. GERMANTOWN MUNICIPAL EMPLOYEES UNION LOCAL 730 NEGOTIATIONS; AND GERMANTOWN TECHNICAL/CLERICAL EMPLOYEES UNION LOCAL 820 NEGOTIATIONS. THE VILLAGE BOARD MAY ENTER INTO CLOSED SESSION PER WI. §19.85(1)(e) FOR THE PURPOSE OF DELIBERATING OR NEGOTIATING THE PURCHASE OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHEN COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION AND THEN RE-ENTER OPEN SESSION TO TAKE SUCH ACTION AS IT DEEMS APPROPRIATE.
- I. VILLAGE LEGAL SERVICES. THE VILLAGE BOARD MAY ENTER INTO CLOSED SESSION PER WI. §19.85 (1)(c) FOR THE PURPOSE OF CONSIDERING THE EMPLOYMENT PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF THE VILLAGE LEGAL COUNSEL FOR GENERAL LEGAL SERVICES AND FOR THE VILLAGE LEGAL COUNSEL FOR MUNICIPAL COURT SERVICES, OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION AND EXERCISES RESPONSIBILITY, AND THEN MAY RE-ENTER OPEN SESSION TO TAKE ACTION UPON SUCH MATTERS AS IT DEEMS APPROPRIATE

XI. ADJOURNMENT

THE NEXT VILLAGE BOARD MEETING WILL BE ON JUNE 3, 2013 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.