

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, July 20, 2020 7:00 p.m.

**LOCATION: Germantown Village Hall Board Room
N112 W17001 Mequon Road**

NOTICE: Pursuant to the current recommendation of the Centers for Disease Control and Prevention limiting the size of public gatherings, capacity within the Board Room will be limited. Members of the body and citizens may also attend the meeting virtually through the WebEx platform, Meeting #: 126 819 4153 Password: B9kE8bdJ5pS which can be accessed by phone at 408-418-9388 or by logging on <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=m9b08392cd635c9ad478b1e75a5717365>

Citizens wishing to view the meeting are encouraged to watch the live broadcast of the meeting through Channel 25 on Spectrum cable, or the livestream on the Village's website. Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@village.germantown.wi.us by 4 p.m. on the day of the meeting so that it can be provided to the members of the body for their consideration.

AGENDA

- 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, to include:
- 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) Written Public Comments should be directed to comments@village.germantown.wi.us, by 4 p.m. on Monday, July 20.

VII. CONSENT AGENDA:

- A. Approval of Minutes July 6, 2020 Regular Village Board Meeting.
- B. Accounts payable/payroll
 - 1. July 7, 2020 Payroll (Hourly) \$ 265,672.80
 - 2. July 10, 2020 Accounts Payable \$ 567,077.27
 - 3. July 15, 2020 Payroll (Salary) \$ 108,343.97

VIII. OLD BUSINESS:

- A. Status of 2020 Budget Savings Plan, Resolution 41-2020, Directing the Village Administrator to Implement 2020 Budget Savings Plan.

IX. PUBLIC HEARINGS:

- A. None.

X. NEW BUSINESS:

- A. Resolution 45-2020, Appreciation of Service to Holly Madson.
- B. Resolution 46-2020 to Rescind a Portion of 2019 Real Property Taxes GTV 332986.
- C. Firemen's Park Shelter Project Design – Review of Preliminary Budget & Project Alternatives.
- D. Ordinance 12-2020, An Ordinance Annexing Village Owned Right-of-Way on Goldendale Road from State Truck Highway 145 to Approximately .12 Miles South of the Centerline of Bonniwell Road.

XI. ADJOURNMENT.

The next regular meeting of the Village Board will be on Monday, August 3, 2020 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
July 6, 2020**

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

ROLL CALL: Present: President Wolter, Trustees Baum, Hudson, Kaminski, Miller, Myers, Pieper, Wing, and Zabel. Also present: Administrator Kreklow, Clerk Braunschweig, Attorney Sajdak, Director Retzlaff, Assistant Planner Zandt, and Manager Tucker. Clerk's Note: This was a partial Virtual Webex Meeting.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

Pres. Wolter thanked those that organized the parade and those that participated in the virtual traveling parade for the 4th of July, Independence Day Remembrance to celebrate the anniversary of our country.

**ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC
INTEREST/DEPARTMENT AND COMMITTEE REPORTS:**

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

CONSENT AGENDA:

- A. Approval of Minutes June 15, 2020 Regular Village Board Meeting.
- B. Accounts payable/payroll
 - 1. June 15, 2020 Payroll (Salary) \$ 108,238.79
 - 2. June 23, 2020 Payroll (Hourly) \$ 242,276.14
 - 3. June 25, 2020 Accounts Payable \$ 744,630.40
 - 4. June 28, 2020 Payroll (Salary) \$ 107,576.98
 - 5. June 30, 2020 Accounts Payable \$ 1,721.20

The following items were forwarded from **General Government and Finance** with a unanimous recommendation.

- C. Revisions to Job Description and Pay Grade for Community Development/Inspection Services "Clerk/Typist II" Position.

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

- D. Resolution 43-2020 - Adopting 2019 CMAR (Compliance Maintenance Annual Report).
- E. Replacement of Fire Suppression at Fire Station #2 by USA Fire Protection in an amount not to exceed \$52,000.
- F. Replacement of Village Hall Roof and Library Roof by Integrity Roofing in an amount not to exceed \$245,000.
- G. Award of Contract-Holy Hill Road (Maple Rd. to Goldendale Rd.)-LRIP Project to Payne & Dolan, Inc. in an amount not to exceed \$421,940 plus a contingency of 2% or \$8,440 for a total approved project amount not to exceed \$430,380.

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

OLD BUSINESS:

- A. None.

PUBLIC HEARING:

- A. None.

NEW BUSINESS:

- A. Resolution 44-2020, Appreciation of Service - Sharon Kaddatz.

Motion (Myers/Baum) to approve Resolution 44-2020, Appreciation of Service – Sharon Kaddatz. President Wolter read the resolution. Motion carried unanimously.

- B. Ordinance 09-2020, Land Use Plan Map Amendment from Agricultural/Conservation Residential to Commercial, Ordinance 10-2020, Rezoning from A-2: Agricultural to B-3: General Business District and Rs-1: Single-Family Residential, Conditional Use Permit Amendment for CUP#1-76 for an Expansion of the Auto Sales Operation and 2-Lot Certified Survey Map (CSM). James & Maureen Dragich, Property Owners of W172 N13186 Division Road and N132 17073 Rockfield Road, Dragich Auto Sales & Service.

Assistant Planner Zandt gave a presentation of the items. The site location, zoning, land use plan, and existing and proposed CSM were shown and reviewed. The Conditional Use Permit amendment was reviewed and shown. The original Conditional Use Permit was dated 1976. The items were recommended by Plan Commission. Discussion ensued of compliance with storage of cars for sale. The property owner does have a dealer license for the sale of used cars.

Motion (Baum/Myers) to approve Ordinance 09-2020, Land Use Plan Map Amendment from Agricultural/Conservation Residential to Commercial, Ordinance 10-2020, Rezoning from A-2: Agricultural to B-3: General Business District and Rs-1: Single-Family Residential, Conditional Use Permit Amendment for CUP#1-76 for an Expansion of the Auto Sales Operation and 2-Lot Certified Survey Map (CSM). James & Maureen Dragich, Property Owners of W172 N13186 Division Road and N132 17073 Rockfield Road, Dragich Auto Sales & Service. Motion carried unanimously.

- C. Conditional Use Permit, MSI General Corp., Agent for Redstone Land Holdings LLC, Property Owner of Hampel Corporation - W194 N11551 McCormick Drive. Conditional Use Permit (CUP) for 52' High Storage Silos.

Director Retzlaff presented the Conditional Use Permit. The site location was shown. Filling of the silos noise level will not go over 90 decibels. There was one comment at the public hearing and Mr. Hampel has addressed the issues. Discussion ensued of the legal notice to the public. Discussion ensued of the placement of the silos as far away from the subdivisions as possible. Motion (Baum/Miller) to approve Conditional Use Permit, MSI General Corp., Agent for Redstone Land Holdings LLC, Property Owner of Hampel Corporation - W194 N11551 McCormick Drive. Conditional Use Permit (CUP) for 52' High Storage Silos. Motion carried unanimously.

- D. RENEWAL: Class "B" Fermented Malt Beverage and Class C Wine:
1. Kai Yong Inc, DBA China Kitchen, N112W16560 Mequon Road, Ma Gong Kai Agent, 18 N Main Street Fond du Lac.

Motion (Myers/Baum) to approve Kai Yong Inc, DBA China Kitchen, N112W16560 Mequon Road, Ma Gong Kai Agent, 18 N Main Street Fond du Lac. Motion carried unanimously.

- E. RENEWAL: Class C Wine:
1. Old Germantown LLC, W148 N12696 Pleasant View Dr., Scott and Georgene Sommer.

Motion (Myers/Miller) to approve Class C Wine Old Germantown LLC, W148 N12696 Pleasant View Dr., Scott and Georgene Sommer. Motion carried unanimously.

- F. Ordinance 11-2020, Set the Speed Limit on Goldendale Road.

Motion (Myers/Kaminski) to approve Ordinance 11-2020, Set the Speed Limit on Goldendale Road. Motion carried unanimously.

- G. Cancellation or Rescheduling of September 7th Village Board Meeting.

Motion (Baum/Myers) to cancel the September 7th Village Board Meeting. Motion carried unanimously.

- H. Update on Negotiation with the Village of Richfield in regards to Water / Sewer Utilities. The Village Board may Convene into closed session per Wis. Stats. §19.85 (1) (e) For the Purpose of Deliberating or negotiating the contract, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and may convene into open session to take such action as it deems appropriate.

Motion (Baum/Myers) Convene into Closed Session at 7:39 p.m. and to include the Village Board, Administrator Kreklow, Attorney Sajdak, Manager Tucker, Director Retzlaff, Assistant Planner Zandt, and Clerk Braunschweig. Roll Call Vote carried unanimously.

The Village Board reconvened into open session at 8:26 p.m.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 8:26 p.m.

The next regular meeting of the Village Board will be on Monday, July 20, 2020 at 7:00 p.m.

Respectfully Submitted,

Deanna Braunschweig

Deanna B. Braunschweig, WCMC/CMC
Village Clerk

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 45-2020

APPRECIATION OF SERVICE TO HOLLY MADSON

In recognition of long-term, faithful and dedicated service to the Village of Germantown, the Village Board Members, Village Employees, and the Residents would like to express their appreciation and gratitude to Holly Madson for her public service, contributions and dedication; and,

WHEREAS, Holly Madson has served as Building Inspection Secretary for the Village of Germantown for the past thirty-four (34) years from November 3, 1986 through July 17, 2020; and,

WHEREAS, over those 34 years, Holly Madson has been the primary person assisting and guiding residents, property owners and building contractors through the Village's building permit and inspection process, and, coordinating the review and processing of more than 52,000 (yes... fifty-two thousand) building construction, HVAC, plumbing, electrical, erosion control and other miscellaneous permits; and,

WHEREAS, Holly Madson has performed her duties as Building Inspection Secretary with sincerity, honesty and integrity, and, has been a good friend and colleague to many current and past employees in the (former) Building Inspection and (now) Community Development departments in Village Hall; and,

NOW THEREFORE BE IT RECOGNIZED that on behalf of Employees, Residents, and Businesses of the Village of Germantown, the Village Board expresses sincere gratitude and appreciation to Holly Madson for her thirty-four years of loyal and conscientious service to the community and overall contribution to improving the quality of life in the Village of Germantown and commend her dedication and devotion to fellow Employees, Residents, and the Community of Germantown.

Introduced by: _____

Adopted: July 20, 2020

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig, WCMC/CMC
Village Clerk

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY
RESOLUTION NO. 46-2020**

TO RESCIND A PORTION OF 2019 REAL PROPERTY TAXES GTNV 332986

WHEREAS, Real & Personal Property tax bills have been finalized and mailed for the 2019 tax year, and,

WHEREAS, an assessor palpable error was made on parcel 332986 which resulted in an improvement value of \$146,900 rather than \$14,700, and,

WHEREAS, Pursuant to S.70.74 or 75.25(2), Wisconsin Statutes., the Village Board may refund or rescind in whole or in part any general property tax shown on the tax roll if a palpable error has occurred. The 2019 assessment error occurred due to the land classification of parcel 332986 being set to "Forest" class when due to restrictions, access and other factors it should have been assessed as "Undeveloped" class. This change in land classification resulted in the correction to the 2019 land assessment, and,

WHEREAS, the property will be filed with the Wisconsin Department of Revenue, Bureau of Local Financial Assistance as authorized under S.70.73 Correction of Errors by Assessors, and,

NOW THEREFORE the Village Board of the Village of Germantown, Washington County, Wisconsin, resolves as follows:

That the 2019 Real Property roll be rescinded by \$2,149.95 on the above referenced parcel and that said amount be charged back to each taxing jurisdiction pursuant to S. 74.41 WI Stats, and refunded to the homeowner as soon as the taxes are paid in full.

Introduced by: _____

Adopted: July 20, 2020

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig, WCMC/CMC
Village Clerk

From: [Mark Brown](#)
To: [Kim Rath](#)
Cc: [Deanna Braunschweig](#)
Subject: Re: parcel 332-986
Date: Wednesday, July 8, 2020 4:58:21 PM
Attachments: [image001.jpg](#)

Kim,

In looking into this situation further and consulting with the DOR I am asking the Village to correct this as a “palpable error” in accordance with Sec. 74.33, Wis. Stats. and rescind or refund a portion of the 2019 tax bill as a result.

The 2019 assessment error occurred due to the land classification of parcel GTNV-332-986 being set to “Forest” class when due to restrictions, access and other factors it should have been assessed as “Undeveloped” class. This change in land classification resulted in the following correction to the 2019 land assessment:

2019 Assessment:
\$146,900
Tax amount: \$2,389.01

Corrected 2019 Assessment:
\$14,700
Corrected tax amount: \$239.06

The Village would need to rescind or refund the taxes due on this parcel from 2019 and by October 1, 2020 file with the DOR a request for charge back pursuant to Sec. 74.41, Wis. Stats.

I offer my assistance in any way regarding this matter and apologize for any inconvenience it may cause.

Respectfully,

Mark Brown
President
Associated Appraisal Consultants, Inc.
Phone: 920-749-1995
Direct: 920-224-8802
Fax: 920-731-4158
markb.apraz@gmail.com
For Property Search: www.apraz.com

This message is intended for the sole use of the individual and entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended addressee, nor authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, disclose or distribute to anyone the message or any information contained in the message. If you have received this message in error, please immediately advise the sender by reply email and delete the message.

On Tue, Jul 7, 2020 at 8:38 AM Mark Brown <markb.apraz@gmail.com> wrote:

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Monday, July 20, 2020

AGENDA ITEM: New Business

ITEM TITLE: Firemen's Park Shelter Project Design – Review of Preliminary Budget & Project Alternates

SUBMITTED BY: Mark Schroeder, Park & Recreation Director

SUMMARY EXPLANATION:

In 2018, the Park & Recreation Commission completed the conceptual planning process for the future construction of a multi-purpose shelter building and related site improvements for Firemen's Park.

The conceptual planning process included public input from community officials and project stakeholders. Deliverables included site layout plans, schematic design plans, building elevations, and cost estimates/budget that were based on the approved design program for the facility. The project concept plan/summary report was completed in November 2018, with the estimated project cost of \$1,163,000 (includes site work and shelter materials/construction).

The final shelter design was based on the information/input gathered at the public meetings. The desire for a more modern take on German-style architecture was accomplished through brick-inlay patterns that compliment masonry work present on the adjacent Gehl's Performing Arts Pavilion. A standing seam metal roof was recommended to match the pavilion, and for long-term durability. The preferred design also stressed maintenance-friendly materials, and the use of glass overhead doors to maximize usability while maintaining visibility to the pavilion and nearby park amenities.

Monies were approved in the 2019 CIP Budget for Phase 1 Site Work. Phase 1 consisted of materials and labor to install sewer, water, and electrical service, pedestrian lighting, and park pathways. Phase 1 was completed in June 2020.

The Germantown Village Board approved monies in the 2020 CIP Budget for Phase 2 of the project which includes construction of the shelter building. Village staff is currently working with the consulting firm, Parkitecture, on the building design plans. In April and May, the Park & Recreation Commission and Building Construction Oversight Committee reviewed 30% plans with comments/recommendations submitted to the design team.

Included for review is an updated plan exhibit (alternate deduct plan schedule), as well as the estimated construction budget of \$930,000 for the shelter building. The estimated budget also

includes alternates with estimated savings if these deductions were chosen. The Park & Recreation Commission was asked to review the budget and the list of potential alternates, and to make a recommendation for implementation by the project design team. The commission's recommendation would be to bid the project **with** the following alternates:

- Direct Purchase Precast Deduct \$25,000
- Roof Trusses in lieu of I-Joist Framing Deduct \$17,131
- Masonry Front Wall in lieu of Precast Deduct \$13,620
- Painted CMU in lieu of burnished block Deduct \$12,000

The commission **did not** recommend bidding the project with the following alternates:

- Sealed concrete in lieu of Epoxy Deduct \$10,480
- Reduce 3-season area footprint by 200 sf Deduct \$10,000
- Asphalt shingle roof in lieu of metal Deduct \$35,235

The available budget for the shelter building is as follows:

- Phase 1 carryover monies \$150,000
- Phase 2 CIP Monies \$450,000
- 2019 CIP Transfer – Friedenfeld Paving \$ 50,000
- Park Impact Fee Monies \$200,000
- \$850,000

The anticipated schedule is to complete the project design in July/August, with project bidding in August/September. Pending positive bid results, and village review and approval, the project construction would start in Fall 2020 and be completed in Spring/early Summer 2021.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER__X__

RECOMMENDATION:

At the June 24th, 2020 Park & Recreation Commission Meeting, motion made by Commissioner Borden, seconded by Commissioner Hudson to send forth a positive recommendation to the Village Board to approve the project budget of \$850,000 to \$900,000 for the Firemen's Park Multi-Purpose Shelter Project, and to include the following items (Direct Purchase Precast, Roof trusses/framing, Painted Masonry CMU vs. Burnished block, Masonry front wall vs. Precast) as project alternates in the design plans/bid documents. Monies to come from 2020 CIP Budget Account #40-552-570-8310, 2019 CIP monies, as well as use of Park Impact Fee Monies.







BASE ESTIMATE
4 SEASON ROOM



BASE ESTIMATE
3 SEASON ROOM



ORDINANCE NO. 12-2020

AN ORDINANCE ANNEXING VILLAGE OWNED RIGHT-OF-WAY ON
GOLDENDALE ROAD FROM STATE TRUNK HIGHWAY 145 TO APPROXIMATELY
.12 MILES SOUTH OF THE CENTERLINE OF BONNIWELL ROAD

WHEREAS, pursuant to Wis. Stat. § 83.025(1)(a), Washington County removed a portion of County Trunk Highway “Y” from the county trunk highway system between Mequon Road and State Trunk Highway 145 (the “Transferred Roadway”); and

WHEREAS, Washington County, the Village of Germantown and the Town of Germantown entered into an intergovernmental agreement whereby the full responsibility for the ownership and maintenance of all the associated land lying under and adjacent to the Transferred Roadway, including all associated culverts, sidewalks, signage and signals, was transferred to the Village of Germantown on May 1, 2020; and

WHEREAS, a portion of the Transferred Roadway now owned by the Village of Germantown lies within the Town of Germantown, specifically the eastern half of the right-of-way commencing at State Trunk Highway 145 south to approximately .12 miles south of the centerline of Bonniwell Road; and

WHEREAS, Wis. Stat. § 66.0223 specifies the procedure of for the annexation of territory owned by the Village;

NOW, THEREFORE, the Village Board of the Village of Germantown, Wisconsin, do ordain as follows:

SECTION I:

The Village of Germantown hereby annexes that portion of the Transferred Roadway that is within the limits of the Town of Germantown, which is more specifically described in the attached Exhibit A and is shown on the plat attached hereto as Exhibit B (the “Annexed Territory”). Such annexation shall detach the Annexed Territory from the Town of Germantown and attach the same to the Village of Germantown.

SECTION II:

The Village Clerk is hereby directed to file seven (7) certified copies of this ordinance and exhibits with the secretary of administration. The annexation of the Annexed Territory shall be effective upon such filing.

SECTION III:

Upon the attachment of the Annexed Territory to the Village, such lands shall be included in Trustee District 2, Ward 2, and the Village Clerk shall file with the county clerk or board of election commissioners the report required by Wis. Stat. § 5.15(4)(b).

SECTION IV:

Within 10 days of filing the certified copies with the secretary of administration under Section II of this Ordinance, the Village Clerk is directed to mail or deliver a copy of the ordinance and exhibits to the clerk of Washington County.

SECTION V:

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION VI:

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

SECTION VII:

This ordinance shall take effect and be in full force upon its passage and the day after publication.

Introduced by Trustee:

Adopted: July 20, 2020

Vote: Ayes:

Nays:

Absent:

Dean Wolter, Village President

ATTEST:

Deanna Braunschweig, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published: