

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
August 17, 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 (8:29 pm), Wing, and Zabel. Also present: Administrator Kreklow, Clerk Braunschweig, Attorney Sajdak, Director Retzlaff, Manager Tucker, Associate Planner Zandt, Director Ratyacki. Clerk's Note: This was a partial Virtual Webex Meeting.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

No Report.

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

- A. 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:
- B. Election Update.

Clerk Braunschweig reported on the August 11th election. There were 4,098 ballots counted on election day; 30% voter turnout.

Clerk Braunschweig reported that the Elections Commission and political organizations are mailing absentee and registration forms.

Absentee ballots for the November election will be mailed out Mid-September for those that have a request in place. In person absentee voting will begin at the Village Hall on October 20th.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:

President Wolter read public comments.

William and Carol Schneider of Bayberry Circle submitted comments via email. President Wolter read the comments. The comments were regarding to the protests.

Elizabeth Walkenschmidt came to the podium. She commented on protests and peaceful protests. She spoke in favor of the Police Departments.

Sandy Dobrogowski of Wilson Drive came to the podium. The bridge or the walkway were not changed in storm water pond shape not on the map. She did not see the change in the storm water ponds or the shape of them. The current dumping of the dirt is to be confined to lot number 2 and was questioned.

Jan Miller of Windsong Circle West submitted comments via email. The comments were regarding the claim from the school against the Village and the final purchase price agreement of the

Kinderberg Park land at \$150,000. She commented on and questioned the status of the notice of claim and development agreement date typos. She commented on concern of children and ATVs in the dirt. The plat map that did not change from previous meeting. She commented to hold Veridian Homes accountable for the dates and updated plat. She is monitoring the Village Board, Plan Commission, and Park & Rec Commission.

CONSENT AGENDA:

- A. Approval of Minutes August 3, 2020 Regular Village Board Meeting, and August 10, 2020, Special Village Board Meeting.
- B. Accounts payable/payroll
 - 1. August 4, 2020 Payroll (Hourly) \$ 260,369.32
 - 2. August 10, 2020 Accounts Payable \$ 1,736,017.96
 - 3. August 15, 2020 Payroll (Salary) \$ 108,326.99

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

- C. Change over two 2020 New Squads – Police Department.

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

UNFINISHED BUSINESS:

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

Administrator Kreklow gave a presentation on the current status. The number of cases continue to grow. There were eleven Village employees with Covid-19. They have recovered and are back at work.

The 2nd quarter Hotel / Motel Tax was received. Expecting a loss in inspection fees and recreation program fees. The Village did receive \$334,700 from the Cares Grant.

Overall revenue gap is currently less than \$190,000.

Equipment and maintenance items are on hold and may carry forward to make purchases over the winter. The seal coating could carry over to next year. The Village may not need to dip into the rainy-day fund.

PUBLIC HEARING:

- A. None.

NEW BUSINESS:

- A. Dheinsville Historical Society, Picnic License, Temporary Class “B” Fermented Malt Beverage and Wine License, for Annual Hunsrucker Oktoberfest, September 25 - 27, Dheinsville Historical Park.

Motion (Myers/Baum) to approve Dheinsville Historical Society, Picnic License, Temporary Class “B” Fermented Malt Beverage and Wine License, for Annual Hunsrucker Oktoberfest, September 25 - 27, Dheinsville Historical Park. Motion carried unanimously.

B Village of Richfield Utility Extension Discussion.

The Village of Richfield Administrator Jim Healy and Washington County Executive Josh Schoeman were in attendance. Village of Richfield Supervisor John Jeffords was also in attendance. Administrator Kreklow gave history to the item. The Village of Richfield is requesting water from the Village of Germantown.

Jim Healy commented on upcoming development in the Village of Richfield. A map showing the interchange area of Holy Hill 41/45 was shown. The Village of Richfield has been communicating with the Village of Richfield residents. Discussion ensued of possible TIF District. The Village of Richfield master plan was commented on. The Village of Richfield is looking to develop as office and light industrial, not retail and they do not want to compete for land use. The Village of Richfield has engaged with Ehlers.

County Executive Josh Schoeman came to the podium. He commented on community of the whole. There is anticipation of businesses coming back from overseas because of the supply chain. He commented on initiatives for County Hwy Q to Hwy 60 and that corridor. Economic growth will adjust and to manage it.

County Executive Schoeman commented on TIF districts. The development will happen whether the Village of Germantown partners. The Village would have leverage in the development and with members of the community.

The Village of Richfield looked at the cost of developing their own system at just over \$40,000,000.

Administrator Kreklow commented that there have been questions of the impact on wells. The Public Works Director and Administrator are working with a consultant.

C. Resolution 50-2020, Safebuilt Professional Services Agreement for Building Permitting & Inspection Services.

Motion (Zabel/Kaminski) to approve Resolution 50-2020, Safebuilt Professional Services Agreement for Building Permitting & Inspection Services including subject to technical language changes by the Village Attorney.

Dave Hendricks of Safebuilt came to the podium. He commented on the plan review processes to be tracked electronically. The commercial plans do not have to go to Safebuilt. The plans can go through the state if the customer so chooses. The Village does receive 10% from the fee schedule. Safebuilt utilizes an electronic portal to see the status of the plans. Roll Call Vote Carried Unanimously.

D. Resolution 51-2020, Adoption of WI DSPS Commercial Plan Review Fee Schedule.

Motion (Kaminski/Baum) to approve Resolution 51-2020, Adoption of WI DSPS Commercial Plan Review Fee Schedule. Roll Call Vote Carried Unanimously.

Trustee Pieper arrived at 8:29 p.m.

- E. Resolution 52-2020, Veridian Development Agreement for Veridian Homes, LLC, Agent for VHKE LLC, Property Owner - N104 W14942 Donges Bay Road.

Motion (Miller/Myers) to approve Resolution 52-2020, Veridian Development Agreement for Veridian Homes, LLC, Agent for VHKE LLC, Property Owner - N104 W14942 Donges Bay Road subject to technical language changes by the Village Attorney.

Attorney Sajdak addressed questioned items from public comments.

He defined the difference between public and private improvements. The public improvements include water, sewer, and road improvements.

Once the developer's agreement and financial guarantees are in place then the construction is locked in. Discussion ensued of the standard dates. Public Improvements are to be completed one year from development agreement approval.

The claim in question was denied in October of 2019. The time frame has past to take any action on the claim.

If the development agreement and financial guarantee is not in place by April 6, 2021, the property zoning would revert back.

The outstanding items are outlined in the development agreement in section 1.08. The final plat will show the items called for in the development agreement. The final plat will require Village Board approval prior to recording.

Discussion ensued of the on-going fill to the area and permits. Director Ratayczak commented on the fill permit. They are within the permit. Discussion ensued that they are in the Northwest quadrant of the area. Attorney Sajdak clarified that the original legal description was lot 2 prior to split of lots. This is not the designation of a single lot 2 as it is split today.

The safety of the children playing in the dirt and ATVs in the dirt were addressed. Chief Snow commented that he is unaware of calls in regard to that area. Residents can call if they have a complaint and a squad will be sent to investigate.

Discussion ensued that the lots cannot be sold until final plat approval.

Roll Call Vote Carried. Hudson, Pieper, Wing, Zabel voted no.

- F. Police Response to Protests.

Chief Snow reported on the Police Response to Protests. On August 7th, a compliant was received stating there was a vehicle driving on their lawn. There were approximately 40 vehicles and 60-80 people in the area for a protest.

The protest developed at 10 pm which is also a shift change officers. Twelve officers responded, three were from the Sheriff's Department. There was a music band in the street with spot lights. People were littering and urinating in yards.

There were two different groups that become confrontational. At 11 pm one part of the group started leaving on their own. Discussion ensued of the ordinance violations. The officers did much of the cleanup.

The goal was to monitor as long as the protest was not violent and ask protestors to leave peacefully. Not prepared for the protest. There were protestors with weapons / open carry. Discussion ensued of future protests and the plan to barricade areas off.

Village Administrator commented that he has observed a number of the protests. Protests are a nuisance.

Discussion of Hildebrand Claim. The Village Board may convene into closed session per Wis. Stats. §19.85(1)(g) for the purpose of conferring with Legal Counsel who is rendering advice concerning strategy to be adopted by the Village with respect to litigation in which it is involved or is likely to become involved and then may reconvene into open session to take such action as it deems appropriate; and,

**Motion (Baum/Zabel) to convene into closed session at 8:40 pm and to include the Village Board, Village Attorney, Village Administrator, and Library Director Smith.
Roll Call Vote Carried Unanimously.**

The Village Board convened into Open Session at 9:40 p.m.

Motion (Baum/Kaminski) for Village Administrator to take actions as directed in Closed Session. Motion Carried. Pieper voted no.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 9:40 p.m.

The next regular meeting of the Village Board will be on Monday, September 21, 2020 at 7:00 p.m.

Respectfully Submitted,

Deanna Braunschweig

Deanna B. Braunschweig, WCMC/CMC
Village Clerk