

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

MEETING:	SPECIAL MEETING OF THE VILLAGE BOARD		
DATE AND TIME:	<u>WEDNESDAY, AUGUST 26, 2020</u>	<u>5:45 p.m.</u>	
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 #: 126 605 1280 Password: S3qmpXRuT74 which can be accessed by phone at 408-418-9388 or by logging on at <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=m5ccf2d95e9abcb0f7117499eb3d2c025>. 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. **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, August 26.
- IV. **NEW BUSINESS:**
 - A. Resolution 53-2020, An Initial Resolution for the Discontinuance of Moldmaker Way and the 66' Dedicated Public Street Right of Way Shown on CSM No. 4408.
- V. **ADJOURNMENT.**

The next regular meeting of the Village Board will be on Monday, September 21, 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.

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: August 26, 2020

AGENDA ITEM: New Business **(RESOLUTION 53-2020)**

ITEM TITLE: Mgs Mfg. and Moldmaker Leasing & Investments LLP, Property Owner, W190N11701 Moldmaker Way; Request to Discontinue and Vacate Moldmaker Way Right-of-Way

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department

SUMMARY EXPLANATION:

MGS Mfg., agent for Moldmaker Leasing & Investments LLP, property owners, is requesting that the Village discontinue and vacate the entire Moldmaker Way public street right-of-way in order to provide the area needed to construct a building and parking lot expansion (see attached). MGS wants to consolidate their operations in Germantown (by moving a component of their operation here from Franklin) and expand their production & shipping/warehouse facility over the next 1-3 years in two phases: Phase 1 will include a 121,000 sqft addition and Phase 2 another 118,000 sqft expansion. In order to accommodate the Phase 1 building and parking lot expansion, MGS is requesting that the Village vacate Moldmaker Way.

In order to help MGS achieve their goal (and maintain their aggressive schedule), the Village Board is being asked to initiate the street vacation process by passing Resolution No. 53-2020 so that the street vacation request, a certified survey map (CSM) and a Site Plan application for the 121,000 sqft expansion can be presented to the Plan Commission for consideration and approval at the September 14 meeting. Assuming those items are approved, a public hearing of and final resolution for the street vacation request will be presented to the Village Board at the October 5 Village Board meeting.

(NOTE: The requirements under Wis. Stats. Chapter 66.1003 (discontinuing and vacating public right-of-way) include a minimum 40-day period between the passing of the initial or authorizing resolution (proposed Res. No. 53-2020) and a public hearing of the final resolution).

PLAN COMMISSION RECOMMENDATION:

The Plan Commission recommendation will be adopted at the September 14 PC meeting and forwarded to the Village Board at the October 5 Village Board meeting.



Design Build
Since 1957

July 28, 2020

TO: Larry Ratayczak, Director of Public Works

Jeff Retzlaff, Village Planner

Village of Germantown

RE: Request for Vacation of Moldmakers Way, Germantown, WI

Larry,

MSI General Corporation, on behalf of MGS Mfg. and Moldmakers Leasing, submits this formal request to vacate Moldmakers Way in Germantown, WI. All three of the adjoining lots are currently owned by Moldmakers Leasing and there is a submittal in process with the Village of Germantown to combine those three lots into one CSM. There is also a submittal currently in process for a substantial addition to the existing building on the west side of the site, and this addition would cover a substantial portion of the existing Moldmakers Way.

We have included three exhibits, one showing the proposed CSM combination, one showing the current aerial view and one showing our proposed site adjustment with the new parking and building.

The road would be vacated back to Fulton Avenue and the subsequent property would be owned by Moldmakers Leasing.

Thank you for your consideration of this request.

Sincerely,

MSI GENERAL CORPORATION

John Kutz

Vice President, Sales and Marketing

MSI General

Corporation

P.O. Box 7

Oconomowoc

Wisconsin

53066

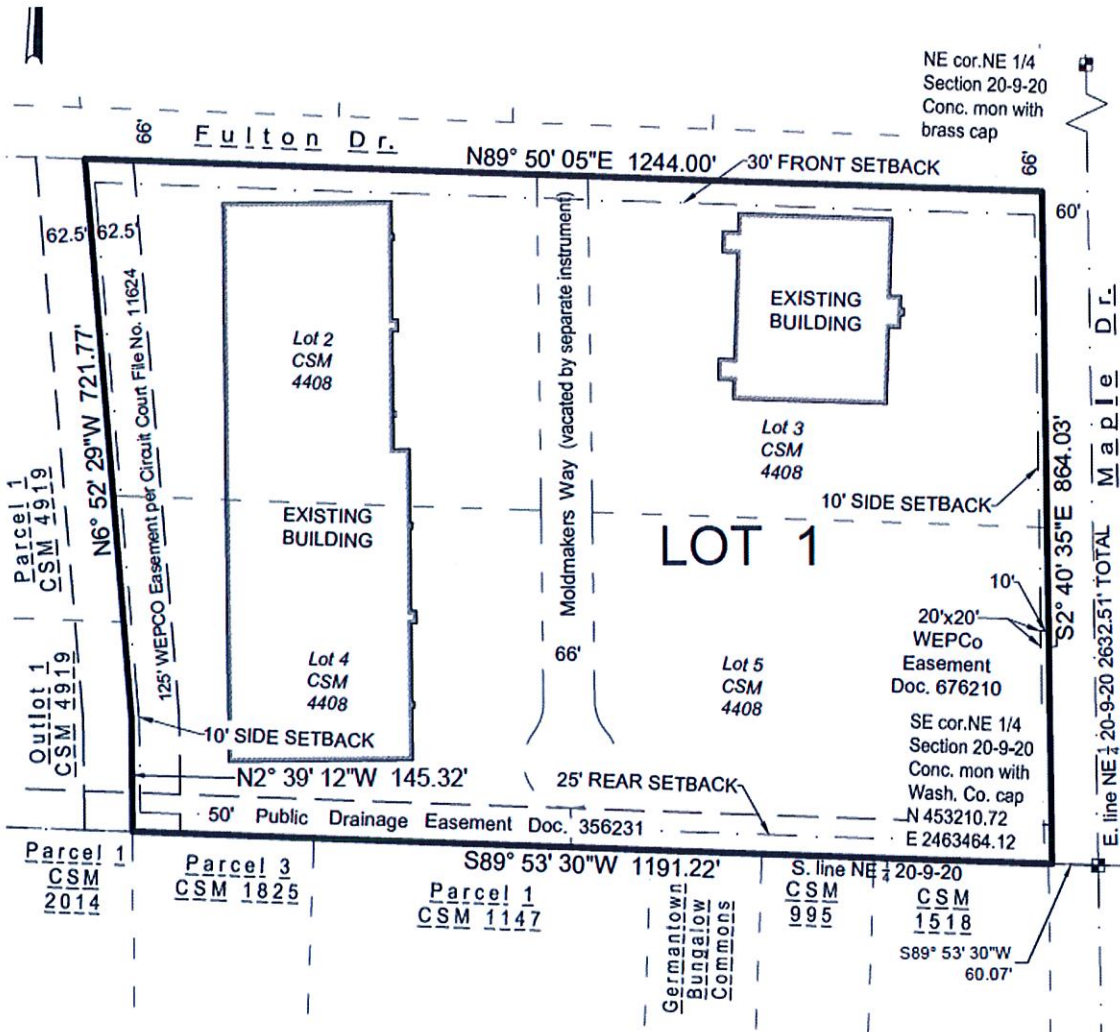
262.367.3661

Fax 262.367.7390

www.msigeneral.com

JDK:kf

Exhibit One – Proposed combined CSM



The map displays two large residential developments in the Village of Germantown. On the left, 'LOT 3' (CSM 4408, 201981, 5.84AC) and 'LOT 4' (CSM 4408, 201980, 11.03AC) are shown. On the right, 'LOT 3' (CSM 4408, 201981, 5.84AC) and 'LOT 4' (CSM 4408, 201983, 5.83AC) are shown. The map includes street names like Fulton Dr and Moldmakers Way, and various acreage and lot numbers.

[illegible]

VILLAGE OF GERMANTOWN

OFFICIAL NOTICE

PROPOSED RESOLUTION VACATING A RIGHT OF WAY

On Monday, October 5, 2020, at 7 p.m. or as soon thereafter, as the matter may be heard, The Village Board of the Village of Germantown, will address a proposed Resolution Discontinuing the 66' Public Road Right of Way Reservation shown on Certified Survey Map (CSM) No. 4408.

The requested discontinuance is requested by MGS Mfg. and Moldmakers Leasing & Investments LLP. The area to be vacated is located adjacent to and between properties owned by Moldmakers Leasing and Investments LLP, with buildings occupied by MGS Mfg. located at W190 N11701 Moldmakers Way and W190 N11708 Moldmakers Way.

At the Village Board meeting all persons will be afforded an opportunity to be heard during the "Citizen Input/ Public Appearance" section of the Village Board Meeting where they can be heard in regard to discontinuing the right of way. Written comments may be delivered to the Village Clerk at the Germantown Village Hall, N112W17001 Mequon Road, Germantown WI or before the Village Board Meeting.

A copy of the map and proposed resolution are on file and available for inspection at the Village Clerk's Office during the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday or on the Village's website under legal notices <http://www.village.germantown.wi.us/>.

Deanna Braunschweig
Village Clerk

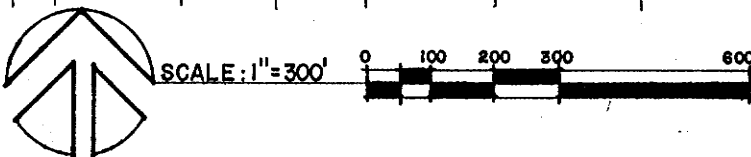
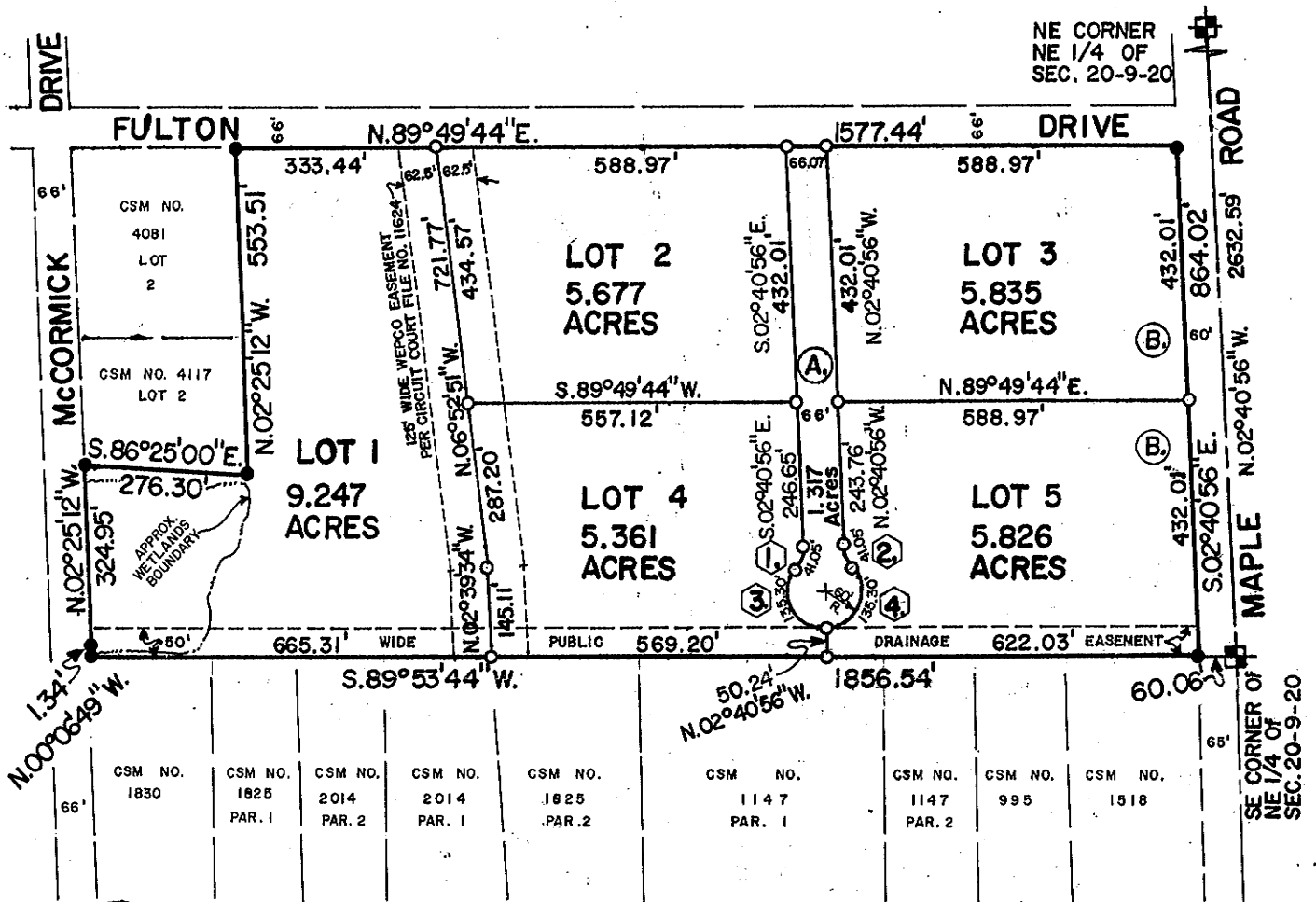
Published on August 26, 2020

September 2, 2020 and September 9, 2020.

Return to:
 VILLAGE OF GERMANTOWN
 N122 W17177 FOND DU LAC AVENUE
 P.O. BOX 337
 GERMANTOWN, WISCONSIN 53022

CERTIFIED SURVEY MAP

BEING A REDIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4018
 & LOT 1 OF CERTIFIED SURVEY MAP NO. 4117, BEING A PART OF THE
 SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, T9N, R20E, IN THE
 VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.



CURVE	ARC	RADIUS	CHORD	CHD. BRG.	Δ
1.	41.05'	60.00'	40.25'	N.16°55'04"E.	39°12'00"
2.	41.05'	60.00'	40.25'	S.22°16'56"E.	39°12'00"
3.	135.30'	60.00'	108.40'	N.28°04'56"W.	129°12'00"
4.	135.30'	60.00'	108.40'	S.22°43'04"W.	129°12'00"

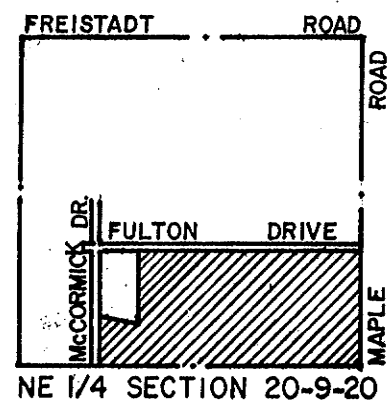
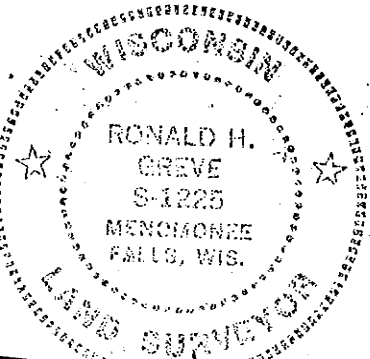
LEGEND :

- ☒ = Concrete Monument W/ Brass Cap
- = 1" x 24" Iron Pipe Found
- = 1" x 24" Iron Pipe Set weighing not less than 1.13 lbs. per lin. ft.

NOTE :

All bearings are referenced to Grid North of the Wisconsin State Plane Coordinate System, South Zone.

- (A) Dedicated to the Public for Street Purposes.
 - (B) No vehicular ingress/egress to Maple Rd.
- This instrument drafted by James A. Hall under the direction of Ronald H. Greve, R.L.S.



SCALE : 1"=1500'
 LOCATION MAP

SURVEYOR - S-1225
 Ronald H. Greve, R.L.S.
 N88 W16752 Main Street
 Menomonee Falls, WI 53051
 (414) 251-8141

Page 1 of 4

FEE
 # 77.25(21)
 EXEMPT

681167

Certified Survey Map #4408 Volume 29 Page 169

CERTIFIED SURVEY MAP

BEING A REDIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4018
& LOT 1 OF CERTIFIED SURVEY MAP NO. 4117, BEING A PART OF THE
SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, T9N, R20E, IN THE
VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
)
WASHINGTON COUNTY)

RECORDED

NOV 17 9 00 AM '94

REGISTER OF DEEDS
OF WASHINGTON COUNTY WI

Booby & Henning

681167

I, Ronald H. Greve, a registered land surveyor, do hereby certify:

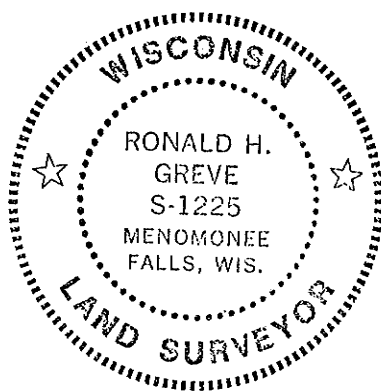
That I have surveyed, divided and mapped a part of the South 1/2 of the NE 1/4 of Section 20, Township 9 North, Range 20 East, in the Village of Germantown, County of Washington, and State of Wisconsin, which is bounded and described as follows, to wit:

Commencing at the Southeast corner of the Northeast 1/4 of Section 20, thence South 89° 53'44" West along the South line of said Northeast 1/4 section 60.06 feet to a point along the Westerly right-of-way line of Maple Road and also the point of beginning; thence continuing South 89°53'44" West, 1856.54 feet along the south line of said 1/4 Section; thence North 00°06'49" West, 1.34 feet; thence North 02°25'12" West, 324.95 feet; thence South 86°25'00" East, 276.30 feet; thence North 02°25'12" West, 553.51 feet; thence North 89°49'44" East, 1577.44 feet to a point along said Westerly right-of-way line of Maple Road; thence South 02°40'56" East along said Maple Road right-of-way line, 864.02 feet to the point of beginning. Said parcel contains 1,449,101 square feet or 33.2668 acres more or less.

That I have made this survey, land division and map by the direction of the Village of Germantown and Skyline Development Corporation, owners of said land.

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and ordinances of the Village of Germantown in surveying, dividing and mapping the same.



Ronald H. Greve

Ronald H. Greve, R.L.S.
N88 W16752 Main Street
Menomonee Falls, WI 53051
(414) 251-8141

Date: 11/3/94

Certified Survey Map #4408 Volume 29 Page 170

CERTIFIED SURVEY MAP

BEING A REDIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4018
& LOT 1 OF CERTIFIED SURVEY MAP NO. 4117, BEING A PART OF THE
SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, T9N, R20E, IN THE
VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

OWNERS CERTIFICATE OF DEDICATION

As owners, we do hereby certify that we have caused the land described above to be surveyed, divided and mapped as presented on this map in accordance with the requirements of the Village of Germantown Subdivision Ordinance.

Village of Germantown

Charles J. Hargan
Charles J. Hargan, Village President

Jane A. Wilms
Jane A. Wilms, Village Clerk

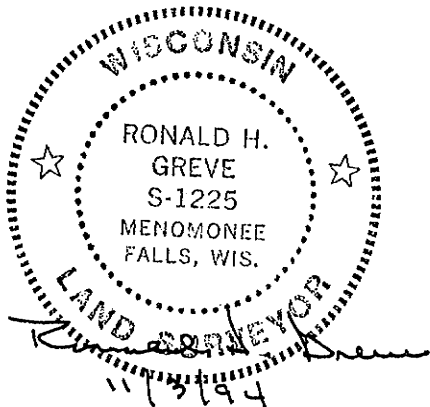
PERSONALLY came before me this 16 day of November, 1994, the above named Charles J. Hargan and Jane A. Wilms, to me known to be the same person who executed the foregoing instrument and acknowledged the same.

Carol A. Brycki

My Commission Expires 3/15/98

OWNERS CERTIFICATE OF DEDICATION

As owners, we do hereby certify that we have caused the land described above to be surveyed, divided and mapped as presented on this map in accordance with the requirements of the Village of Germantown Subdivision Ordinance.



Skyline Development Corporation

Allan W. Retzlaff
Allan W. Retzlaff, President

John Niebler
John Niebler, Secretary

PERSONALLY came before me this 10th day of November, 1994, the above named Allan W. Retzlaff and John Niebler, to me known to be the same person who executed the foregoing instrument and acknowledged the same.

James Babiasz
James Babiasz, Notary

My Commission Expires: 2-19-96
Sheet 3 of 4

This instrument drafted by Ronald H. Greve, R.L.S.

681167

Certified Survey Map #4408 Volume 29 Page 171

CERTIFIED SURVEY MAP

BEING A REDIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4018
& LOT 1 OF CERTIFIED SURVEY MAP NO. 4117, BEING A PART OF THE
SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, T9N, R20E, IN THE
VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

PLANNING COMMISSION APPROVAL:

Approved by the Planning Commission of the Village of Germantown on this 12th day of

September, 1994.

Charles J. Hargan

Chairman - Plan Commission

Barbara A. Grey

Secretary - Plan Commission

VILLAGE BOARD APPROVAL:

Approved by the Village Board of the Village of Germantown on this 19th day of

September, 1994.

Charles J. Hargan

Charles J. Hargan, Village President

Jane A. Wilms

Jane A. Wilms, Village Clerk



Ronald H. Greve

11/3/94

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 53-2020

**RESOLUTION DISCONTINUING MOLDMAKER WAY AND THE 66' DEDICATED
PUBLIC STREET RIGHT-OF-WAY SHOWN ON CSM NO. 4408**

WHEREAS, Certified Survey Map No. 4408 Vol. 29 Page 169 Washington County Records dedicated 1.37-acres 66 feet in width for public street right-of-way purposes as depicted thereon; and,

WHEREAS, MGS Mfg. and Moldmakers Leasing & Investments LLP, the owner of all land abutting said right-of-way and said street known as "Moldmaker Way", has Petitioned for the vacation of said right-of-way; and,

WHEREAS, the Village Board has determined that the public interest requires the discontinuation of the following described public street right-of-way:

Dedicated right-of-way known as Moldmaker Way, being part of Certified Survey Map No. 4408, recorded on November 17, 1994 in Volume 29, on Page 169, as Document No. 681167, in of the Southeast 1/4 of the Northeast 1/4 of Section 20, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Beginning at the northwest corner of Lot 3 of said Certified Survey Map; thence South 2°40'56" East, 675.77 feet along the west lines of said Lot 3 and Lot 5 of said Certified Survey Map to the beginning of a 60.00 foot radius curve to the left whose chord bears South 22°16'56" East, 40.25 feet; thence southeasterly 41.05 feet along the arc of said curve and along the westerly line of said Lot 5 to the beginning of a 60.00 foot radius curve to the right whose chord bears South 22°43'04" West, 108.40 feet; thence southerly 135.30 feet along the arc of said curve and along the westerly line of said Lot 5; continuing along said 60.00 foot radius curve to the right whose chord bears North 28°04'56" West, 108.40 feet; thence northerly 135.30 feet along the arc of said curve and along the easterly line of Lot 4 of said Certified Survey Map to the beginning of a 60.00 foot radius curve to the left whose chord bears North 16°55'04" East, 40.25 feet; thence northerly 41.05 feet along the arc of said curve and along the easterly line of said Lot 4; thence North 2°40'56" West, 678.66 feet along the east lines of said Lot 4 and Lot 2 of said Certified Survey Map to the south line of Fulton Drive; thence North 89°49'44" East, 66.07 feet along said south line to the point of beginning. Said parcel contains 1.317 acres of land, more or less; and,

WHEREAS, the public street right-of-way which is hereby to be discontinued does not lie within one-quarter mile of any state trunk highway or connecting highway and does not contain a railroad crossing within its boundaries.

Resolution 53-2020

Discontinuing Moldmaker Way & 66' Dedicated Public Street Right-of-Way on CSM No. 4408

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Germantown, Wisconsin, do hereby vacate and discontinue the 66' public street right-of-way as shown on CSM 4408 known as "Moldmaker Way" and more specifically shown on the attached Exhibit A.

BE IT FURTHER RESOLVED, that the public street right-of-way so vacated and discontinued shall, upon passage and publication of this Resolution, forever vest in the owner of the lands of the abutting property contained in CSM No. 4408, and shall be annexed thereto, free and clear of any right, title or interest in the public as road right of way pursuant to the provisions of section 66.1003 of the Wisconsin Statutes.

Introduced by Trustee _____, at the Village Board Meeting of the Village of Germantown on August 26, 2020.

Adopted: August 26, 2020 _____

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna B. Braunschweig, WCMC/CMC
Village Clerk