

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, September 21, 2020 7:00 p.m.

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

The Main Entrance of Village Hall may be temporarily closed due to roof installation. If the Main Entrance is closed the DPW Entrance on the East side of the building will be open.

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 #: 126 171 1008 Password: rR3ZpGV43c2 which can be accessed by phone at 408-418-9388 or by logging on <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=mcdad74a9215659bfc890f03c3dcf6c04> 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:**
 - 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. Congratulations to Paul Haugen, Water Superintendent – Recipient of the Operator Meritorious Award, from the Wisconsin Section of the American Water Works Association.
 - C. Election Update.
- 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, September 21.

VII. CONSENT AGENDA:

A. Approval of Minutes August 17, 2020 Regular Village Board Meeting, and August 26, 2020, Special Village Board Meeting.

B. Accounts payable/payroll

1.	August 18, 2020	Payroll (Hourly)	\$ 254,596.78
2.	August 25, 2020	Accounts Payable	\$ 852,744.94
3.	August 31, 2020	Payroll (Salary)	\$ 117,570.50
4.	August 31, 2020	Accounts Payable	\$ 1,690.00
5.	September 1, 2020	Payroll (Hourly)	\$ 251,303.97
6.	September 10, 2020	Accounts Payable	\$ 510,812.73
7.	September 15, 2020	Payroll (Salary)	\$ 336,305.03

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

C. Ordinance 13-2020, Ordinance to Amend Section 1.376(6) of the Germantown Municipal Code – Utility Advisory Committee Meetings.

D. Resolution 54-2020, Contract with Murphy’s Exterior Construction for the Kinderberg Park Shelter Roof Replacement, in an amount not to exceed \$46,500.

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

E. Resolution 55-2020, Contract Reporting Policy.

VIII. UNFINISHED BUSINESS

A. None.

IX. PUBLIC HEARINGS:

A. None.

X. NEW BUSINESS:

A. 2021 Budget Process Discussion-Set Committee of the Whole Dates.

B. Firemen’s Park Shelter Project – Award of Construction Contract.

C. Agreement with Ruekert-Mielke for Engineering Services Related to Sanitary Sewage Pump Station Capacity and Up-grade Analysis.

D. Retain Legal Counsel for Opioid Litigation. The Village Board may convene into closed session per Wis. Stats. §19.85 (1) (e) for the purpose of deliberating or negotiating the investment of public funds or conducting other specified public business whenever competitive or bargaining reasons require a closed session; and, §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.

E. Administrator Performance Review. The Village Board may convene into closed session per Wis. Stats. §19.85 (1) (c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, and may convene into open session to take such action as it deems appropriate.

XI. ADJOURNMENT.

The next regular meeting of the Village Board will be on Monday, October 5, 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
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

**VILLAGE OF GERMANTOWN
VILLAGE BOARD SPECIAL MEETING MINUTES
August 26, 2020**

CALL TO ORDER: The meeting was called to order at 5:45 p.m. by President Wolter.

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

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

None.

NEW BUSINESS:

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.

Motion (Myer/Miller) to approve 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.

Director Retzlaff presented information. MGS Mfg., Moldmaker Leasing & Investments, LLP is requesting that the Village discontinue and vacate Moldmaker Way, public street right of way to construct a building and parking lot expansion. MGS wants to consolidate their operations in Germantown. The expansion will be 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.

Motion carried unanimously.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 6:00 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

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
AND VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: September 10, 2020 & September 21, 2020

AGENDA ITEM: New Business

ITEM TITLE: Ordinance to Amend Section 1.376(6) of the
Germantown Municipal Code-“Utility Advisory
Committee Meetings”

SUBMITTED BY: Lawrence Ratayczak, P.E.- Director of Public Works

SUMMARY EXPLANATION:

Trustee Art Zabel has submitted a “Committee Agenda Item Request Form” with item described as; “Discuss Municipal Code 1.376- Utility Advisory Committee” and more specifically to update Section 1.376(6) MEETINGS regarding frequency of meetings.

Trustee Zabel is suggesting that the following words be deleted in Section 1.376(6) MEETINGS: “not less frequently than monthly, and additionally” leaving the following as the first sentence: “Meetings of the Utility Advisory Committee shall occur at the call of the chairman, or a majority of the members of the Committee”

ATTACHMENT: ORDINANCE____ RESOLUTION____ OTHER __XX__

- Copy of Committee agenda Item Request Form
- Copy of Section 1.376 Utility Advisory Committee

RECOMMENDATION:

None by Staff

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

COMMITTEE AGENDA ITEM

REQUEST FORM

I, Trustee ART LABEL hereby request that the following item(s) be placed on the next agenda of the PUBLIC WORKS Committee, for consideration and action:

ITEM REQUESTED:

DISCUSS MUNICIPAL CODE 1.376-
UTILITY ADVISORY COMMITTEE

DISCUSSION/REASON:

UPDATE 1.376(6) - MEETINGS

Dated this 19 day of Aug, 20 20

Art Label
Signature of Trustee

Received: _____

By: _____

Revised: 4/25/00

STATE OF WISCONSIN VILLAGE OF GERMANTOWN WASHINGTON COUNTY

ORDINANCE NO. 13-2020

AN ORDINANCE AMENDING SECTION 1.376 OF THE MUNICIPAL CODE OF
GERMANTOWN RELATING TO THE TIMING OF MEETINGS OF
THE UTILITY ADVISORY COMMITTEE

WHEREAS, the Village Board having previously adopted § 1.376 of the Municipal Code of Germantown which created the Utility Advisory Committee; and

WHEREAS, Section 1.376(6) requires monthly meetings of the Utility Advisory Committee; and

WHEREAS, in light of the advisory nature of the committee and certain changes in the law relating to various utilities which has resulted in a diminished need for meetings;

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

SECTION I

Section 1.376(6) of the Municipal Code of Germantown is hereby amended as follows (NOTE: Deleted text is ~~struck through~~; Added text is underlined):

(6) **MEETINGS.** Meetings of the Utility Advisory Committee shall occur ~~not less frequently than monthly, and additionally~~ at the call of the chairman; or a majority of the members of the Committee. All meetings shall comply with the Wisconsin Open Meetings Law, and be open to the public, except in so far as such law permits otherwise.

SECTION II

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 III

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

SECTION IV

ORDINANCE NO. 13-2020, An Ordinance Amending Section 1.376 of the Municipal Code of Germantown Relating to the Timing of the Meetings of the Utility Advisory Committee
Page 2

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

Introduced by Trustee: _____

Adopted: September 21, 2020

Vote:

Ayes: _____

Nays: _____

Dean Wolter, Village President

ATTEST:

Deanna Braunschweig, Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

**BUSINESS OF THE PUBLIC WORKS & HIGHWAYS COMMITTEE
AND VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: September 10th, 2020 & September 21, 2020

AGENDA ITEM: New Business

ITEM TITLE: Kinderberg Park Standing Seam Roof Scott Anderson,

SUBMITTED BY: H, P, B & G Foreman

SUMMARY EXPLANATION:

The 2020 Capital Improvement budget included funds for the replacement of the roof at the Kinderberg Park shelter. This building currently has an asphalt shingle roof. We propose to replace it with a standing seam metal roof, which will remain consistent with several other park building roof projects. This roofing project has come in over budget. The previously approved roofing projects at the Library and Village Hall have come in significantly under budget. Staff solicited bids from area roofing contractors, and the results are listed below.

Murphy's Exterior Construction:	\$44,707.06
Noffke Roofing Company:	\$110,000.00
Integrity Roofing:	No bid provided.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER x

RECOMMENDATION:

Staff recommends Murphy's Exterior Construction in the amount not to exceed \$46,500.00. If approved, funds shall be allocated from buildings capital accounts (Parks Buildings: 40-519-570-8253 \$35,000.00) and remaining monies from (Village Hall: 40-519-570-8210 \$11,500.00).

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 54-2020

**CONTRACT WITH MURPHY'S EXTERIOR CONSTRUCTION FOR THE
KINDERBERG PARK SHELTER
ROOF REPLACEMENT, IN AN AMOUNT NOT TO EXCEED \$46,500**

WHEREAS, the Village of Germantown will contract for the roof replacement services at Kinderberg Park; and,

WHEREAS, the Public Works Committee met on September 10, 2020 and recommended authorization to contract Murphy's Exterior Construction, in the amount not to exceed \$46,500.00 as it relates to the removal of the asphalt shingle roof on the Kinderberg Park shelter and replace it with a standing seam metal roof; and,

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Germantown, does hereby approve the contract with Murphy's Exterior Construction in the amount not to exceed \$46,500 for the Kinderberg Park Shelter roof replacement.

Introduced by: _____

Adopted: September 21, 2020

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig, WCMC/CMC
Village Clerk

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 55-2020

CONTRACT REPORTING POLICY

WHEREAS, historically the Village of Germantown has maintained a Contract Report that details Vendor Contracts. The report is reviewed monthly at the regular General Government and Finance Committee meetings; and,

WHEREAS, the attached policy language defines terms, report make up, and reporting processes; and,

WHEREAS, the General Government and Finance Committee reviewed and recommended the attached process and report. The report will be reviewed at the regularly scheduled General Government and Finance Committee meetings; and,

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of Germantown, does hereby adopt the attached Village Contract Report Policy.

Introduced by: _____

Adopted: _____

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig, WCMC/CMC
Village Clerk

Village Contract Report Policy

Purpose:

To assist the General Government and Finance Committee in the oversight of Village finances and functions and provide insight into Village operations, a Contract Report was created that will include contracts/agreements approved by the Elected Body and the Village Administrator as well as details on those contracts such as expiration dates, the overseeing department, and the cost of the contract. The following Contract Report Policy outlines how this report is to be put together and presented.

Definitions:

To clarify terms used within this policy and report, the following definitions have been provided:

License: A license agreement is a legal contract between the licensor or creator of a product and the product end-user, where the licensor gives the user rights to access and use the product. License agreements typically include details about how the product can be used including any restrictions, time frame for use, and associated fees.

Lease: A lease is a legal contract by which one party conveys an asset to another for a specified time in exchange for periodic payments. The payer has the right to use the asset but does not own it. If the lease is not renewed, the asset is either given back to the provider or purchased from them.

Service Agreement: A service agreement is a contract agreement between a service provider and a customer, stating that the provider will check, repair, and maintain an asset for an agreed upon price and period.

Contract: A contract is a legally enforceable agreement between two or more parties where each assumes a legal obligation that must be completed.

Who Constructs the Report:

The Contract Report shall be put together by the Village Administrator or his/her designee. This person is in charge of collecting the needed information from the

various departments, updating existing data, incorporating new data, and sending the report to the Village Clerk for placement in the agenda packet for General Government and Finance.

Report Make Up:

The Report is made up of four sections: Contracts/Agreements Entered into During the Past Month, Contracts/Agreements That Need Review, Contracts That Will Expire Within Three (3) Months, and List of Contracts/Agreements by Department.

Under each of these sections, the contracts and agreements are split between Board/Committee Approved Contracts/Agreements and Administrator Approved Contracts/Agreements which are contracts and agreements that cost under \$7,500.

For each contract and agreement, the following information will be included: the expiration date, name of the contracting company, the service or product provided, the type of contract (lease, license, service agreement, contract, etc.), cost, the overseeing department, and any additional notes deemed necessary by the committee.

Process:

Items will be added on the Contract Report through the following ways:

- The Administrator or designee will place items that were approved by a committee and/or Village Board on the report along with the relevant information. An email will be sent to the Department Directors on the first Wednesday of the month asking them to confirm the information on the report and submit additions or changes.
- The Administrator or designee will place items that require Administrator approval on the report as they are approved. If a designee is constructing the report, they will send the report to the Administrator to confirm the information on the report and submit additions or changes.

Presentation of the Contract Report:

The Contract Report will be presented once a month at the General Government and Finance Committee's regular meeting as part of the Reports section of the

agenda. The report shall reflect the status of the contracts/agreements as of the Wednesday prior to the Committee meeting.

SUMMARY OF VILLAGE CONTRACTS FOR THE September 21st, 2020 GENERAL GOVERNMENT AND FINANCE COMMITTEE MEETING

CONTRACTS/AGREEMENTS ENTERED INTO DURING THE PAST MONTH:

Board/Committee Approved Contracts/Agreements:

Expiration Date	Name of Company	Service or Product Provided	Type	Cost of Contract	Department Negotiating/ Overseeing Contract	Additional Notes
12/31/2021	Safebuilt Wisconsin LLC	Building Inspection Services	Service Agreement	Variable	Community Development	Approved on 8/17/2020

Administrator Approved Contracts/Agreements (Under \$7,500):

Expiration Date	Name of Company	Service or Product Provided	Type	Cost of Contract	Department Negotiating/ Overseeing Contract	Additional Notes
None						

CONTRACTS/AGREEMENTS THAT NEED REVIEW:

Board/Committee Approved Contracts/Agreements:

Expiration Date	Name of Company	Service or Product Provided	Type	Cost of Contract	Department Negotiating/ Overseeing Contract	Additional Notes
None						

Administrator Approved Contracts/Agreements (Under \$7,500):

Expiration Date	Name of Company	Service or Product Provided	Type	Cost of Contract	Department Negotiating/ Overseeing Contract	Additional Notes
None						

CONTRACTS/AGREEMENTS THAT WILL EXPIRE WITHIN THREE (3) MONTHS:

Board/Committee Approved Contracts/Agreements:

Expiration Date	Name of Company	Service or Product Provided	Type	Cost of Contract	Department Negotiating/ Overseeing Contract	Additional Notes
10/31/20	Aurora Healthcare	employee assistance program	Contract	\$51.60 per employee	Administration	Approved by Administrator 10/21/2019, Annual Contract
10/31/20	Waste Management	solid waste & recycling pickup	Contract	1,000,000.00	DPW	Approved at VB 9/21/15, 5- Year Contract

Administrator Approved Contracts/Agreements (Under \$7,500):

Expiration Date	Name of Company	Service or Product Provided	Type	Cost of Contract	Department Negotiating/ Overseeing Contract	Additional Notes
None						

LIST OF CONTRACTS/AGREEMENTS BY DEPARTMENT:

ADMINISTRATION:						
Expiration Date	Name of Company	Service or Product Provided	Type	Cost of Contract	Department Negotiating/ Overseeing Contract	Additional Notes
10/31/20	Aurora Healthcare	employee assistance program	Contract	\$51.60 per employee	Administration	Approved by Administrator 10/21/2019, Annual Contract
10/30/22	Associated Appraisal Consultants	Assessment Services	Contract	\$85,000 per year	Administration	Approved at VB 6/1/19, 4-year contract
CLERK:						
2/27/22	Text My Gov	Communication with Residents via Text	Contract	3,400	Clerk's Office	Approved by Director February 2020, 2-Year Contract
10/15/22	Xerox Corporation	Village Hall Copiers (3)	Lease	\$8,146 plus click charges	Clerk's Office	Approved by Administrator September, 2018, 4-year contract
11/30/20	Command Central	Extra Balloting Equipment for Nov Election	Lease	4,000	Clerk's Office	Approved by Administrator June 29th, 2020, Temporary Lease
Fire:						
5/31/21	Emergency Services Marketing	I Am Responding	contract	810.00	Fire	Approved May, 2020, Annual Contract
12/31/20	ProPhoenix Corporation	ProPhoenix annual main. & support	Service Contract	11,319.50	Fire	Approved Dec, 2019, Annual Contract
PUBLIC WORKS DEPARTMENT:						

10/31/20	Waste Management	solid waste & recycling pickup	Contract	1,000,000.00	DPW	Approved at VB 9/21/15, 5- Year Contract
12/31/20	Traffic Analysis & Design Inc	Mequon Corridor Signalization Timing	Contract	\$19,144	Engineering	Approved at VB 11/4/2019, 1-Year Contract
12/31/20	Johnson Controls	HVAC-Library	Service Contract	2980/3069/3161	Buildings & Grounds	Approved at VB 1/15/18, 3-Year Contract
12/31/20	Payne & Dolan	Road Improvement	Contract	1,599,520.95	DPW	Approved at VB 4/20/20, 1-Year Contract
12/31/20	Goschey Mechanical	Furnace / Air Conditioner Fire Station 2 and Bell Museum	Contract	37,000	DPW	Approved at VB 4/20/20, 1-Year Contract
12/31/20	Wachtell Tree Science & Service	EAB Activities	Contract	15,000.00	Forestry	Approved at VB 2/17/2020, 1-Year Contract
12/31/2020	TAPCO	Preventative Maintenance for Controlled Intersections	Service Contract	2,550.00	Highway	Approved January 2019 by DPW Director, Annual Contract
12/31/20	General Communications	Service on alarm functions on control stations	Service Contract	\$ 1,440.00	Highway/parks/building	Approved January 2019 by DPW Director, Annual Contract
12/31/20	USA Fire Protection Inc	Fire Station 2-Fire Suppression Replacement	contract	\$52,000	Public Works	
12/31/20	Integrity Roofing LLC	Roof Replacement	contract	\$ 240,000	Public Works	
12/31/20	Payne & Dolan	Holy Hill Road Resurfacing	Contract	\$ 421,940.00	Public Works	
4/1/21	State of Wisconsin Dept of Transportation	Salt Bid	Contract	185,000.00	Director of Public Works	79 per ton, Annual Contract, Approved at VB 4/20/20
4/30/21	Carlson Engineering Software	software maintenance	Service Contract	600.00	Engineering	
9/30/21	ITU-Absorb Tech	towels, floor mats, mop heads	contract	11,369.00	Buildings & Grounds	Approved at Public Works Committee, Sept, 11 2018, 3-year contract
12/31/21	Clean Power	Janitorial Services(2 year/option 3rd yr)	contract	110,046.36	Buildings & Grounds	Approved at VB 12/17/18, Year 2 = 112,247; Year 3 = Adj with CPI,
12/31/21	Hydro Corp.	Commercial Backflow Inspection	contract	\$1,200/month 2yr contract	Water Utility	Approved January 2019 by DPW Director, Annual Contract
12/31/2022	Ruekert & Mielke	GIS (1 Year 100% Upfront)	Contract	27,845.00	Sewer/Water/Engineering	Approved at VB 12/16/2019, Three Year Contract
Life of Copier	Gordon Flesh	Copier Service	Service Agreement	\$26.00/month for each DPW De	Public Works	
FINANCE:						
2/1/21	AT&T	State of Wisconsin Centrex	contract	see pricing list	Finance	Approved by Finance Director
8/15/20	TE Brennan Company	Property & liability insurance consulting	contract	5,000.00	Finance	Approved by Finance Director
12/31/20	Harris	MSI Maintenance	license	21,888.51	Finance	Approved by VB in 2016, 5 year contract
1/29/21	AT&T	long distance	contract	varies	Finance	Approved by Finance Director
LIBRARY:						
10/1/22	GFC Leasing	copiers	Lease	4,384.20	Library	Approved by Library Director,
PARK AND RECREATION:						
12/31/20	Vermont Systems	Rec Trac Maintenance	License	5,289.57	Park & Rec	Approved January 2020 by Director, Annual Contract
POLICE:						
12/31/20	ProPhoenix Corporation	ProPhoenix annual main. & support	Service Contract	34,964.62	Police	
12/31/20	Washington Co. Sheriff's Office	radio console maintenance	Service Contract	4,479.30	Police	
12/31/20	General Communications	maintenance contract on AUX I/O's only	Service Contract	7,866.00	Police	
12/31/20	Washington County Humane Society	Animal Control	contract	4,560.00	Police	
1/1/24	AXON	Body cameras	Lease	29,567.25 year 1, 19,895.25 after	Police	Approved at VB 12/17/18, Five Year Lease
1/1/24	AXON	Squad Car Cameras	Lease	\$42,756 year 1, \$18,576 after	Police	Approved at VB 12/17/, Five Year Lease
Definitions:						
License:	A license agreement is a legal contract between the licensor or creator of a product and the product end-user, where the licensor gives the user rights to access and use the product. License agreements typically include details about how the product can be used including any restrictions, time frame for use, and associated fees.					
Lease:	A lease is a legal contract by which one party conveys an asset to another for a specified time in exchange for periodic payments. The payer has the right to use the asset but does not own it. If the lease is not renewed, the asset is either given back to the provider or purchased from them.					

Service Agreement:	A service agreement is a contract agreement between a service provider and a customer, stating that the provider will check, repair, and maintain an asset for an agreed upon price and period.					
Contract	A contract is a legally enforceable agreement between two or more parties where each assumes a legal obligation that must be completed.					

2021 BUDGET CALENDAR

July 17, 2020	Budget materials distributed to Departments
Monday, August 17, 2020	Budget Materials to be returned to Finance Director Administrator & Finance Director meeting with departments Administrator Final Review
September 16, 2020	Proposed Budget distributed to Village Board
September 21, 2020	Village Board Meeting, Board Sets COW Dates Committee of the Whole Reviews:
TBD	Village Board, Administration, Clerk, Finance, Assessor, Data Processing, General Government, Community Development - Library, Library Board Accounts, Municipal Development, Impact Fees, Historic Preservation, Debt Service, Health & Dental.
TBD	Engineering, Building & Grounds, Highway, Parks, Recycle, Community Development - Building Inspection & Planning/Zoning, Recreation, Recreation Facility Fee, Senior Center, Senior Van, Water Utility, Sewer Utility + Capital for each department
TBD	Police, Emergency Government, Canine Fund, Asset Forfeiture, Honor Guard, Fire Department + Capital for each department, TIF's 6, 7, & 8. - Any other open issues from any other department
TBD	If needed
Monday October 19 th , 2020	Would need to be the final meeting date to ensure enough time to prepare PH Notice Reports
Wed. October 21, 2020	Send Public Hearing Notice to newspaper for publication on October 29, 2020 – at least Fifteen days prior to hearing date
November 16, 2020	Public Hearing

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

MEETING DATE: Monday, September 21, 2020

AGENDA ITEM: New Business

ITEM TITLE: Firemen's Park Shelter Project – Award of Construction Contract

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.

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. At the July 20th meeting, following review of shelter design plans and the alternate deduct plan schedule, the Village Board approved a project budget of \$850,000 - \$900,000 for Phase 2. Project plans and specifications were completed on August 27th with the project sent forth for public bidding.

The project bid opening was held on September 11th, with a total of 7 companies submitting bids. Based on the project budget, the Park & Recreation Commission is recommending to accept the four alternate deduct items, and award the contract to the lowest, responsible bidder, Level Up Construction.

The available budget for the shelter building is as follows:

- | | |
|--|------------------|
| • Phase 1 carryover monies | \$172,000 |
| • Phase 2 CIP Monies | \$450,000 |
| • 2019 CIP Transfer – Friedenfeld Paving
& Spassland Basketball standards | \$ 80,000 |
| • Park Impact Fee Monies | <u>\$200,000</u> |
| | \$902,000 |

Following execution of the contract documents, project construction would start in October and be completed in Spring/early Summer 2021.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER__X__

RECOMMENDATION:

At the September 21st, 2020 Park & Recreation Commission Meeting, motion made by Commissioner Depies, seconded by Commissioner Leukert to send forth a positive recommendation to the Village Board to approve a contract with Level Up Construction, for the Firemen's Park Shelter Project in the amount of \$732,591.44, plus a 7% contingency (\$65,000), and to authorize the village direct purchase the precast panels in the amount of \$205,737. Motion carried by a 4-3 vote. Monies to come from 2020 CIP Budget Account #40-552-570-8310, 2019 CIP monies, as well as use of Park Impact Fee Monies.

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

MEETING DATE: September 21, 2020

AGENDA ITEM: New Business

ITEM TITLE: Engineering Services for: Sanitary Sewage Pump Station Capacity and Up-Grade Analysis

SUBMITTED BY: Lawrence Ratayczak, P.E.- Director of Public Works

SUMMARY EXPLANATION:

The Public Works and Highway Committee Chairperson has agreed to bring this item directly to the Village Board for approval due to the constricted schedule of the project.

Staff advertised and received proposals on August 21, 2020 for engineering consultant services for the analysis of the existing capacity of five (5) lift stations throughout the central and western portions of the Village. In addition, the analysis includes recommendations for improvements to handle additional flow generated by development. The lift stations included in this analysis are the Old Farm, Main Street, Station #6, Station #7 and Station #3. The project timeline intends to have estimated cost for upgrades in the 2021 budget for the Wastewater Utility.

Staff requested and received proposals from five (5) engineering firms with the following proposals received:

- | | |
|------------------------|-------------|
| 1) Ruekert-Mielke; | \$33,030.00 |
| 2) reSmith; | \$38,963.00 |
| 3) GRAEF; | \$42,362.00 |
| 4) Strand Associates; | \$71,000.00 |
| 5) FOTH Environmental; | \$72,400.00 |

Staff has reviewed the bids and recommends the Village award the project to Ruekert-Mielke.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER XX

RECOMMENDATION:

Staff recommends the Village Board award the Sanitary Sewage Pump Station Capacity and Up-Grade Analysis project to Ruekert-Mielke in the amount of \$33,030.00.

Village Administrator: Steven Kreklow
2020 Performance Evaluation Standards

Part 1: Core Competencies (40%):

Competency	Description	Score
Leading Change	Assesses and adjusts to changing situations, identifying and implementing innovative solutions as appropriate. Balances change and continuity; continually strives to improve service delivery; creates a work environment that encourages creative thinking, collaboration and transparency, and maintains focus even in adversity.	
Leading People	Fosters and encourages a proactive, problem solving culture that maximizes creativity and collaboration and adheres to relevant laws, policies and procedures and common sense. Recruits, retains and develops talented employees who reflect the values of the community with the skills needed to accomplish organizational objectives while supporting workforce diversity, inclusion and equal opportunity.	
Communication	Effectively communicates with Village residents, community organizations and businesses, as well as the Board of Trustees and Village employees. Ensures that the Board of Trustees is informed of significant events and issues in a timely manner and is provided with information and analysis needed for key policy decisions. Facilitates a Village work environment that encourages regular communication between managers and staff, and across organizational boundaries.	
Business Acumen	Assesses, analyzes, acquires and administers human, financial, material and information resources in a manner that instills public trust and accomplishes the Village's mission.	

Definition of Scores

Score	Level	Definition
5	Outstanding	Far exceeds performance expectations; overcomes unanticipated barriers and unusual pressures and demands; delivers results of the highest quality.
4	Exceeds Expectations	Demonstrate unusual resourcefulness in dealing with challenges; accomplishments reflect successful completion beyond what is normally expected.
3	Meets Expectations	Solid, dependable performance that complies with established timelines and parameters for quality and quantity of work.
2	Needs Improvement	Shows basic ability necessary to be successful; contributions are acceptable in the short term; occasional lapses that impair operations or cause concern.
1	Unacceptable	Repeated instances where performance deficiencies detract from the Villages mission and objectives and impair operations.

Part 2: Balanced Scorecard Objectives (60%)



Definition of Scores

Score	Level	Definition
5	Outstanding	Objective has been achieved with significant cost or time savings or with benefits well above expectations.
4	Exceeds Expectations	Objective has been achieved in advance of expected timeframes, below cost or with greater than anticipated benefits.
3	Meets Expectations	Objective has been fully achieved within expected timeframe and costs.
2	Needs Improvement	Shows basic ability necessary to be successful; contributions are acceptable in the short term; occasional lapses that impair operations or cause concern.
1	Unacceptable	Repeated instances where performance deficiencies detract from the Villages mission and objectives and impair operations.

Scoring Summary

Objective	Comments	Score
Land use plan and citizen engagement		
Policies and procedures; Customer Service Intake and Tracking		
Customer Service Training		
Five-year capital plan		