

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

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, October 5, 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 #: 126 392 3592 Password: Jrm4JBZhm69 which can be accessed by phone at 408-418-9388 or by logging on <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=m7da61446841ffc33cf1d91fcf8903c42> 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. Police Chief: Presentation of Commendations for Officer Gregory Duckert and Lieutenant Daniel Mikulec.
 - 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, October 5th.

VII. CONSENT AGENDA:

- A. Approval of Minutes September 21, 2020 Regular Village Board Meeting.
- B. Accounts payable/payroll
 - 1. September 25, 2020 Accounts Payable \$ 2,138,236.75
 - 2. September 30, 2020 Payroll (Hourly & Salary) \$ 352,240.61
 - 3. September 30, 2020 Accounts Payable \$ 1,840.00

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

- C. Fire Department Administrative Assistant Job Description and Reclassification of Paygrade to Paygrade 7 with 2021 Budget and Paygrade 10 with 2022 Budget.
- D. Change of Emergency Responder COVID Sick Leave Policy
- E. Resolution 56-2020, Change in Pay Practices of the Employee Policy and Procedural Manual – Overtime / Time Worked Advance Notice Requirement.

VIII. UNFINISHED BUSINESS

- A. None.

IX. PUBLIC HEARINGS:

- A. Discontinuance of a Portion of the 66 Foot Public Road Dedication Shown on CSM No. 4408 Located at W190N11701 Moldmakers Way and W190N11708 Moldmakers Way, adjacent to and between properties owned by Moldmakers Leasing and Investments LLP.

X. NEW BUSINESS:

- A. Resolution 57-2020, Discontinuance of a Portion of the 66 Foot Public Road Dedication Shown on CSM No. 4408 Located at W190N11701 Moldmakers Way and W190N11708 Moldmakers Way, adjacent to and between properties owned by Moldmakers Leasing and Investments LLP, and a Certified Survey Map (CSM) Lot Combination & Street/Right of Way Vacation Request.
- B. Conditional Use Permit for Christopher M. Voss, Property Owner - W168 N12340 Century Lane, Horticultural Services.
- C. Certified Survey Map (CSM) Lot Combination for Chaz Hastings, Agent for WI Piggy LLC, Property Owner of Jerry's Old Town Inn & Von Rothenburg Bier Stube - N116 W15841 & N116 W15863 Main Street.
- D. Resolution 58-2020, Agreement with Ehlers Inc. to analyze the feasibility and alternatives to use tax increment financing to fund improvements necessary for a proposed development south of Holy Hill Road.

XI. ADJOURNMENT.

The next regular meeting of the Village Board will be on Monday, October 19, 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: October 5th, 2020

AGENDA ITEM: New Business

ITEM TITLE: Officer Commendation

SUBMITTED BY: Capt. Mike Snow

SUMMARY EXPLANATION:

Presentation of Commendations for Officer Gregory Duckert and Lt. Dan Mikulec. These commendations are to recognize outstanding work performed during the course of a 20 month investigation beginning in March of 2018, while assigned to the Washington County Metro Drug Unit.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
September 21, 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, Manager Tucker, Associate Planner Zandt, Director Schroeder, and Director Ratayczak. Clerk's Note: This was a partial Virtual Webex Meeting.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

President Wolter reported on the Ribbon Cutting for the Festhalle held on September 16th. Oktoberfest will be held at the new Festhalle in Dheinsville Park, on September 26th and September 27th.

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

The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney, Village Clerk, And Department Heads, to include:

Congratulations to Paul Haugen, Water Superintendent – Recipient of the Operator Meritorious Award, from the Wisconsin Section of the American Water Works Association.

Administrator Kreklow congratulated Paul and commented that each year the Wisconsin Section of the American Water Works Association gives an Operator Meritorious award to a water supply or distribution individual to recognize special performance. This year the WIAWWA board has voted to present this award to Paul Haugen.

Election Update. Clerk Braunschweig reported on the November 3rd election. There were 4,240 ballots mailed on Thursday, September 17th. She thanked the election officials for coming in and processing the absentee requests. Amazing work by the election officials. Thank you to the Germantown Post Office for delivery of the ballots. The post office does enter delivery information that can be looked up on myvote.wi.gov. Germantown Voter Registration is just over 14,000. In person absentee voting will begin at the Village Hall on October 20th. The in person voting schedule is on the Village website, the cable channel and under the Newsflashes and the cable tv.

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

President Wolter read the submitted Public Comments.

Deb Denton of Crabtree Lane submitted comments via email. She commented that the School District annual meeting is the same night as the 2050 plan meeting. She would like one of the meetings to be moved. She requested the status of the Veridian builder's agreement. She complained of children playing in the dirt where the Veridian construction will take place.

Jan Miller of Windsong Circle West submitted comments via email. She commented on the Firemen's Park Shelter Trusses for a Germanic Look.

She commented that the School District annual meeting is the same night as the 2050 plan meeting. She would like one of the meetings to be moved. She requested the status of the Veridian builders agreement. She complained of children playing in the dirt where the Veridian construction will take place.

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.

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

UNFINISHED BUSINESS:

A. None.

PUBLIC HEARING:

A. None.

NEW BUSINESS:

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

Discussion of the Committee of the Whole Dates ensued. The deadline dates and publication were discussed. Discussion ensued of the Public Hearing to land on November 16th.

Motion (Baum/Myers) to set the Committee of the Whole Dates as September 30, October 7, and October 15 at 6 pm. October 19th will be used if needed. Meetings to begin at 6 p.m.

Motion carried unanimously.

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

Director Schroeder came to the podium and gave history and budget information for the project. Director Schroeder reported on the deduct items and history from the Building Oversight Committee and Park and Recreation Commission. The Park & Recreation Commission recommended the 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 authorize the Village direct purchase the precast panels in the amount of \$205,737, with a vote of 4-3. There were seven bidders. There are resources from the impact fee account.

Level Up Construction has not done business with the Village before. Their representative was present.

Trustee Wing commented to wait until Spring and commented on the beautification of downtown. Trustee Wing distributed color illustrations of buildings with "diapering" as brick layer effects. He commented to wait on the project and do something better.

Motion (Pieper/Wing) to postpone the project until Spring and to go back to the drawing board. Discussion ensued of the postponement and increase of costs. The design is due to budget limitations. The design is by Iconica.

Director Schroeder commented on the history of the project from 2018 to present and a series of public input meetings. The first drawing had a German look to it and the project was given direction was to mimic the Gehl's Performing Arts Pavilion.

Discussion ensued on the history and meetings of the project along with the project budget. Discussion ensued of the Building Oversight meeting. Public meetings were held for the design. The public wanted partial indoor and partial outdoor piece. Garage doors added because of the climate for a three-season area. Discussion ensued that if the project is redesigned the budget of the project will change.

Discussion ensued of adding the trusses at \$64,450.

Village Attorney advised and clarified that the project could be postponed until Spring. The suggestion would be to scrape this current item. The Village is in the bid process and the bid will not be held until Spring. The Village Board needs to take action on the issue.

Village Administrator reported on the process. The item on the agenda this evening is the result of a public bid process. The Village is not allowed to go back to contractor and make changes. There are limitations by the public bid law. May need to reject the bids and start over and redesign. Concerns need to be captured before bid documents are prepared.

Discussion ensued of an open concept for a park.

President Wolter reported that the Germanic Corridor is mostly Mequon road. There were meetings and work to come up with what the building should be and to be used as three seasons. There was a lot of work and budget discussions and to start over is not fiscal responsible. There have been two years of planning with the Park and Recreation Commission, Building Oversight Committee and public input. The Sewer and Water infrastructure are in place. There are other building considerations in the future.

Motion to postpone failed 6-3. Baum, Hudson, Kaminski, Miller, Myers, Wolter voted no. Pieper, Wing, and Zabel voted yes.

Motion (Baum/Hudson) to accept and award the construction contract for the Firemen's Park Shelter Project to 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.

Discussion ensued of the \$205,737 for the direct purchase of precast panels.

Amendment Motion (Baum/Myers) to amend and increase the cost and allow the trusses at \$64,450. Discussion ensued of adding the trusses and this would change the low bidder. Attorney Sajdak commented the Village Board should accept the lowest qualified bidder. Amendment motion failed.

Motion to accept and award the contract carried 5-4. Baum, Pieper, Wing, Zabel voted no.

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

Director Ratayczak came to the podium to give information on the item. This did not go through committee prior to Village Board.

Motion (Kaminski/Myers) to approve an Agreement with Ruekert-Mielke for Engineering Services Related to Sanitary Sewage Pump Station Capacity and Up-grade Analysis.

Motion Carried Unanimously.

- 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.

Motion (Baum/Kaiminski) to convene into closed session at 8:17 p.m. and to include the Village Board, Village Attorney , and Village administrator. Village Attorney was not included in the Performance Review. Roll Call Vote Carried Unanimously.

Motion (Zabel/Baum) to convene into open session at 9:05 p.m. Motion unanimously carried.

Motion (Baum/Myers) to Retain Legal Counsel for Opioid Litigation. Motion failed 5-4. (Wolter, Miller, Wing, Pieper, Hudson, opposed)

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 9:10 p.m.

The next regular meeting of the Village Board will be on Monday, October 5, 2020 at 7:00 p.m.

Respectfully Submitted,

Deanna Braunschweig

Deanna B. Braunschweig, WCMC/CMC
Village Clerk

**BUSINESS OF THE GERMANTOWN GENERAL GOVERNMENT
& FINANCE COMMITTEE**

MEETING DATE: September 21, 2020

PLACEMENT New Business

ITEM TITLE: Fire Department Administrative Assistant Job Description Update and
Reclassification of Paygrade

SUBMITTED BY: Michelle Tucker

SUMMARY EXPLANATION:

As the Fire Department has grown and changed over the last few years, the role of the Administrative Assistant has also grown and changed. In light of these changes, staff conducted a position analysis for the position which included a questionnaire about job functions and qualifications, discussion with the current administrative assistant and Fire Chief, and analysis of similar positions. The result of this process is an updated job description, a recommendation for a title change and a recommendation for reclassification of paygrade.

Title Change

Many of the job responsibilities performed by the Administrative Assistant are similar to those of our other administrative assistants including processing invoices, answering phones, assisting with department reports, and updating the Village website and social media. However, as the sole office personnel for the Fire Department, the responsibilities have grown to include assistance with department payroll and timesheets, onboarding of new hires to the department and network administration and department technical support. Because of these varying rules including IT and Human Resources, a broader title seems appropriate. The Office Manager title was modeled off of Wauwatosa's Fire Department because of the comparability of job duties.

Reclassification of Paygrade

For all the reasons a job title change is appropriate, a paygrade reclassification is recommended. When the position was initially approved, no paygrade was assigned to it; based on the current salary, though, the position falls under paygrade 2. This is the lowest paygrade of any full-time employee. The most comparable internal position to the Department's Administrative Assistant would be the Police Department Administrative Assistant which is at paygrade 10. For reference, a few of the paygrades are listed below.

Grade	Minimum	Midpoint	Maximum
2	\$28,508.83	\$32,243.35	\$35,072.27
3	\$29,977.08	\$33,903.27	\$36,876.77
4	\$31,520.43	\$35,648.36	\$38,775.41
5	\$33,142.24	\$37,483.12	\$40,771.57

6	\$34,848.11	\$39,412.03	\$42,870.84
7	\$36,642.52	\$41,441.81	\$45,076.59
8	\$38,528.84	\$43,574.71	\$47,397.78
9	\$40,511.54	\$45,817.44	\$49,837.77
10	\$42,597.36	\$48,176.74	\$52,403.30
11	\$44,790.78	\$50,655.96	\$55,099.96
12	\$47,096.28	\$53,264.08	\$57,936.72

Staff recommendation is to move the position to Paygrade 10.

Change of Pay for Existing Staff

As noted, Amy Lerch's current salary falls far below the suggested paygrade. It is staff's recommendation that in addition to reclassifying the paygrade, we also increase Amy's salary to meet the minimum of the grade, which would be \$42,597.36 (\$20.48/hr).

ATTACHMENT: ORDINANCE ____ RESOLUTION ____ OTHER ☒ Job Description Update

RECOMMENDATION: Forward the change to the Fire Department Administrative Assistant position description, paygrade, and title to the Village Board with a positive recommendation. It is also recommended that the change in pay for the current position holder be sent to the Village Board with a positive recommendation.

ACTION BY Committee: General Government and Finance Committee recommended updating job title and job description. The committee recommended that the paygrade for the position be changed to grade 7, effective January 1, 2021, and then to grade 10, effective January 1, 2022. Current staff salary will be updated accordingly.

**Village of Germantown
Fire Department Office
Manager
Job Description**

Position Title: Office Manager
Reports To: Fire Chief
Employment Category: Full-Time
Department: Fire Department
Pay Grade: 10

Job Summary:

The Fire Department Office Manager provides office support services for the Fire Department, the Fire Chief and residents as a whole. The Office Manager answers all incoming non-emergency calls, answers questions, issues permits, orders supplies, creates reports, and updates social media and web presence.

Essential Duties and Responsibilities:

The following are the fundamental job duties and responsibilities. These are not to be construed as exclusive or all-inclusive; other duties may be required and assigned, as management deems necessary.

- Processes invoices, credit card charges, and purchases orders; updates and maintains monthly department budget totals.
- Processes timecards and time sheets for twice monthly payroll.
- Provides employee support services including HR related updates/
- Conducts new employee on boarding
- Provides network administration and end user computer support for all fire personnel
- Researches, creates and distributes Monthly Report for Chief.
- Updates the Fire Department's website and social media; monitors communications and answers questions.
- Provides resident services through front office coverage, answering phone and emails and monitoring the lobby.
- Orders all supplies for Fire Station.

- Collects, verifies and submits face sheets for 3rd party billing service.
- Executes record request and processes billing when applicable.
- Serves as backup minute keeper for Public Safety Committee Meetings.
- Other duties as assigned.

Required Qualifications, Knowledge, Skills & Abilities:

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

- An associate degree from an accredited school and / or equivalent training/ experience.
- Two or more years of office experience.
- Extensive knowledge of Microsoft Office and Adobe software.

Language Skills

- Ability to communicate with a variety of people with differing interests.
- Ability to effectively communicate and promote both verbally and in writing.
- Ability to compare, count, differentiate, measure, copy, record and transcribe data and information. Ability to classify, compute, tabulate, and categorize data.
- Ability to communicate in a manner to persuade, convince, and/or train others and to advise, interpret and apply policies, procedures and standards to specific situations.
- Ability to utilize and apply a variety of advisory data and information such as code manuals, Village ordinances, directories, policies, State statutes, procedures, guidelines and non-routine correspondence.
- Ability to prepare a variety of documents for the public.
- Ability to establish good working relationships with all levels of staff and citizenry, and provide facilitation skills in sensitive, emotional, or hostile situations.

Mathematical Skills

- Ability to calculate percentages, fractions, decimals, volumes, ratios, present values, and spatial relationships.

- Ability to interpret basic descriptive statistical reports.

Reasoning Ability

- Ability to exercise the judgment required in situations involving the evaluation of information against sensory and/or judgmental criteria.
- Ability to work well under pressure and handle stressful situations, to organize work and set priorities, managing time and resources to meet deadlines and changing demands within the entire operation of administrative services, perform duties with a minimum of supervision.

Other Qualifications

- Ability to effectively meet and communicate with the public.
- Ability to work independently and in a team environment.
- Ability to organize and prioritize a large number of projects at one time.
- Understanding of network administration and office technology.
- Ability to provide customer service to residents, businesses, and fire department personnel.

PHYSICAL REQUIREMENTS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is frequently required to walk; use hands to finger, handle, or operate objects, tools, or controls; and reach with hands and arms.
- Specific vision abilities required by this job include close vision, ability to adjust focus, and the ability to sustain prolonged visual concentration.
- Requires the ability to operate, maneuver and/or provide simple but continuous adjustment on equipment, machinery and tools such as computer and other office machines, and or materials used in performing essential functions.

- Ability to coordinate eyes, hands, feet and limbs in performing slightly skilled movements such as typing and to operate various pieces of office equipment.
- Ability to recognize and identify degrees of similarities and differences between characteristics of colors, shapes and textures associated with job-related objects, materials and tasks.
- In general, this position is sedentary, with a normal workday including 6-7 hours of sitting at a desk; the remainder of the time would be walking or standing, typically in an office setting.

Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- The noise level in the work environment is moderate. Work is typically performed in an office setting; however, the Fire Department may have a high noise level during emergencies and training.
- Ability to work under generally safe and comfortable conditions where exposure to environmental factors such as repetitive computer keyboard use, irate individuals and intimidation may cause discomfort and poses limited risk of injury.
- Hours of this position are normally 8am-4:30pm Monday-Friday.

Selection Guidelines, Reasonable Accommodations, and Receipt:

The selection process may include formal application, rating of qualifications and experience, oral interviews, reference checks, background examination, physicals and drug tests, and/or job-related tests.

The above is intended to describe the general content of and requirements for the performance of this position. It is not to be construed as an exhaustive statement of duties, responsibilities or requirements. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and applicant and is subject to change by the employer as the needs of the employer and requirements of the job change.

The Village of Germantown is an Equal Opportunity Employer. In compliance with state and federal law, the Village will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Applicant Signature

Date

**BUSINESS OF THE GERMANTOWN GENERAL GOVERNMENT
& FINANCE COMMITTEE**

MEETING DATE: September 21, 2020

PLACEMENT New Business

ITEM TITLE: Emergency Responder COVID Sick Leave Policy

SUBMITTED BY: Michelle Tucker

SUMMARY EXPLANATION:

When the pandemic started and we passed our Families First Coronavirus Response Act (FFCRA) policies for emergency FMLA and emergency sick leave, we exempted “emergency responders” from coverage. The following positions were included in that exemption:

- Village Administrator
- Crime Prevention Officer
- Custodian
- Deputy Treasurer
- Designated Operator
- DPW Administrative Assistant
- Finance Director
- Fire Admin Assistant
- Fire Battalion Chief
- Fire Captain
- Fire Chief
- Fire Lieutenant
- Firefighter
- Firefighter/EMT
- Firefighter/Paramedic
- Foreman Highways, Parks, Buildings and Grounds
- Heavy Equipment Operator
- Highway Parks Buildings & Grounds Crew Leader
- Maintenance Operator
- Mechanic I
- Mechanic II
- MPO
- Operator
- Police Captain
- Police Chief

- Police Clerk Typist
- Police Communications Officer
- Police Communications Supervisor
- Police Detectives
- Police Lieutenant
- Police Officer
- Police Secretary
- Public Works Director
- School Resource Officer
- Superintendent of Highways, Parks, Buildings and Grounds
- Superintendent of the Wastewater Utility
- Superintendent of the Water Utility
- Support Services Manager
- Village Clerk

The result of this exemption is that employees who have had COVID or have been quarantined because of potential exposure have had to use their own accrued sick leave and vacation time to cover their absences. In recognition of their continued hard work on the front lines of the epidemic, staff recommends implementing an "Emergency Responder COVID Sick Leave Policy" which would allow these employees up to two weeks of emergency sick leave for COVID illness or health department mandated quarantines. This policy would expire on December 31, 2020 and would be retroactive, so employees who were sick between March and the date the policy passes would have up to 80 hours of their accrued leave returned to them. Staff believes this change will have greatly improve morale among our emergency responders, while also ensuring those who need to take sick leave are able to do so. A draft of the policy language is below.

ATTACHMENT: ORDINANCE ____ RESOLUTION ____ OTHER x Personnel Policy

RECOMMENDATION: Forward the policy for Emergency Responder Covid Sick Leave to the Village Board with a positive recommendation.

ACTION BY Committee

Emergency Responder Sick Leave Policy

For employees who are eligible for paid sick leave under the Village's current personnel policies and who are classified as Emergency Responders exempt from the benefits provided under the FFCRA, including the EPSLA and EFMLEA, the Village will provide up to 80 hours (112 hours for employees who work in the Fire Department and work 24-hour workdays) of additional Emergency Responder Sick Leave to be used during the first fourteen calendar days by those emergency responders who are unable to work due to the following reasons:

1. The employee tests positive for COVID-19.
2. The employee is subject to a federal, state, or local Coronavirus quarantine or isolation order.
3. The employee is advised by a health care provider to self-quarantine for Coronavirus concerns.
4. The employee is experiencing symptoms of Coronavirus and seeking a medical diagnosis.

The Village may follow up with an employee requesting such leave to obtain additional information and to advise the employee of other benefits available including FMLA benefits to run concurrently where permitted. The employee may also use his or her own paid leave. Emergency responders may request this leave in writing, including email to the Support Services Manager. Emergency Responder Sick Leave expires on December 31, 2020. The Emergency Responder Sick Leave benefit does not apply to employees covered by a collective bargaining agreement unless agreed to by the collective bargaining representative and the City. Employees who have taken eligible COVID related leave prior to this policy going into effect may be eligible for reimbursement of the paid time off used during that leave.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 56-2020

**AMENDMENT TO EMPLOYEE POLICY AND PROCEDURE MANUAL –
OVERTIME CALCULATION**

WHEREAS, the Village of Germantown currently has an Employee Policy and Procedure Manual; and,

WHEREAS, the current policy language for overtime calculation follows:

Time paid for those employees earning compensation for a recognized holiday occurring during that workweek will be counted as hours worked for overtime calculation purposes. Additionally, any prescheduled leave including planned vacation, sick time, or compensatory time will count toward time worked for overtime calculation. To be considered “prescheduled”, the time must have been approved by the supervisor at least two weeks in advance. Time taken that is not planned is not considered as time worked.

WHEREAS, the proposed language change follows:

Time paid for those employees earning compensation for a recognized holiday occurring during that workweek will be counted as hours worked for overtime calculation purposes. Additionally, any ~~prescheduled~~ preapproved leave including planned vacation, sick time, or compensatory time will count toward time worked for overtime calculation. ~~To be considered “prescheduled”, the time must have been approved by the supervisor at least two weeks in advance. Time taken that is not planned is not considered as time worked.~~

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of Germantown, does hereby adopt the proposed Overtime Calculation Change in the Employee Policy and Procedure Manual of the Compensatory Time and Overtime Calculation Section.

Introduced by: _____

Adopted: _____

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig, WCMC/CMC
Village Clerk

**BUSINESS OF THE GERMANTOWN GENERAL GOVERNMENT
& FINANCE COMMITTEE**

MEETING DATE: September 21, 2020

PLACEMENT New Business

ITEM TITLE: Change in Pay Practices of the Employee Policy and Procedural Manual– Overtime / time Worked advance Notice Requirement

SUBMITTED BY: Michelle Tucker

SUMMARY EXPLANATION:

One Year Check In:

Last year at the December 2nd board meeting, the Board approved a change to our overtime policy which allowed that sick, vacation and compensatory time requested at least two weeks in advance would be counted as time worked toward earning overtime/compensatory time. When this was passed, staff was asked to bring forward information in a year on how the change had gone financially and logistically. Covid 19 and its impact on our workforce and staffing has made it difficult to compare this year to last year financially; to limit the COVID impact, we focused on January and February and looked at how often overtime was earned (or not) in the same week as paid time off (requested in advance or not). One issue we ran into with this analysis is that in January we implemented a new time clock system that changed how employees track their time, as well as how time off is requested. Because of its size and the business of the season, the Public Works Department had not fully implemented using Time Clock Plus for time off requests. This may play into our findings. During January and February, overtime was earned in the same week as paid time off fourteen times; it was not earned in a week with paid time off four times. The costs of that time are below.

Hours earned as comp time	Cost of time earned as comp time		Hours earned as overtime	Cost of time earned as overtime	Total cost of time earned
34.9	\$1,489.43		29.35	\$1,268.47	\$2,757.90

Hours earned as straight time	Cost of hours earned as straight time	Cost if all hours were counted as overtime
26.5	\$1,122.68	\$3,880.59

Proposal for Change

As discussed, the current policy includes a requirement for two-week advanced notice, and it is staff's recommendation that that requirement be removed from the policy. One of the goals of including sick, vacation and compensatory time as time worked was to provide more flexibility to our departments, particularly those that require work off-hours, on weekends, holidays and in emergencies. Staff has found that the two-week notice requirement does not allow for this flexibility. For example in January of this year, there were three Saturdays in a row that had accumulating snow, so our staff in the Highways, Parks, Buildings and Grounds Department for the most part worked at least 6 days a week, with some of them working 20 days in a row without time off. In situations like this, having the ability to grant a day off mid-week to handle home or life needs without costing them well-earned overtime would be very beneficial to the employee and to the department's overall morale.

The improvement to morale and the flexibility within the department to complete necessary work are essential for us to retain our employees. With the market growing increasingly competitive, and with our ability to increase wages limited, we need every advantage we can get to attract quality candidates and retain the staff we have.

Current Policy Language:

Time paid for those employees earning compensation for a recognized holiday occurring during that workweek will be counted as hours worked for overtime calculation purposes. Additionally, any prescheduled leave including planned vacation, sick time, or compensatory time will count toward time worked for overtime calculation. To be considered "prescheduled", the time must have been approved by the supervisor at least two weeks in advance. Time taken that is not planned is not considered as time worked.

Proposed Policy Language

Time paid for those employees earning compensation for a recognized holiday occurring during that workweek will be counted as hours worked for overtime calculation purposes. Additionally, any ~~prescheduled~~ preapproved leave including planned vacation, sick time, or compensatory time will count toward time worked for overtime calculation. ~~To be considered "prescheduled", the time must have been approved by the supervisor at least two weeks in advance. Time taken that is not planned is not considered as time worked.~~

ATTACHMENT: ORDINANCE ____ RESOLUTION ____ OTHER x Personnel Policy

RECOMMENDATION: Forward the policy for Change in Pay Practices of the Employee Policy and Procedural Manual– Overtime /Time Worked advance Notice Requirement

ACTION BY Committee

**VILLAGE OF GERMANTOWN
GENERAL GOVERNMENT & FINANCE COMMITTEE
MEETING MINUTES
September 21, 2020**

CALL TO ORDER: The meeting was called to order at 6:00 p.m. by Chairperson Zabel.

ROLL CALL: Present: Chairperson Zabel, Trustee Members: Kaminski, Myers, and Wing. Also present: Administrator Kreklow, Manager Tucker, Attorney Sajdak, Clerk Braunschweig, Director Rath, Superintendent Anderson, Superintendent Haugen, and Associate Planner Zandt.

APPROVAL OF MINUTES: August 17, 2020 – MOTION (Myers/Kaminski) to approve the August 17, 2020 minutes. Motion carried unanimously.

PUBLIC COMMENT:

Public Comment by Jay Olszewski was read. He comments were in favor of the overtime procedure change.

NEW BUSINESS:

A. Fire Department Administrative Assistant Job Description Update and Reclassification of Paygrade.

Manager Tucker reported on the item. She reported that Amy Lerch has been in the position for almost a full year. The position has grown. An analysis was done for the position and market review.

The Job Description was distributed to the Board. The Wauwatosa Office Manager is very similar to the position. The position is at a level two, research shows this should be a position ten.

Fire Chief Delain reviewed the position responsibilities.

This position was added as half time at a low pay range and the position has grown. Moved from part-time to full-time last year.

The budget does include the funding for the increase.

Amy is coordinating the processing of payroll. It is very complex. She has taken the lead on that and cleaned up issues causing morale problems. There have been no grievances filed but contacts with the union. She has been coordinating the billing and works with Three Rivers. She follows up on requests for reports from attorney offices. Any also is the IT person for the Fire Department.

Discussion ensued to a step in between. Discussion of the Police Department Administrative Assistant ensued.

Motion (Myers/Kaminski) to recommend Fire Department Administrative Assistant Job Description Update and paygrade to seven effective with the 2021 budget, and then to a paygrade 10 with the 2022 budget. Motion carried unanimously.

B. Change of Emergency Responder COVID Sick Leave Policy.

Manager Tucker reported on the Change of Emergency Responder COVID Sick Leave Policy. She gave history of the FMLA Policy and emergency sick leave.

Motion (Kaminski/Myers) to recommend Change of Emergency Responder COVID Sick Leave Policy. Motion carried unanimously.

C. Resolution 56-2020, Change in Pay Practices of the Employee Policy and Procedural Manual – Overtime / time Worked advance Notice Requirement.

This was a new policy adopted last fall. Prior to time off was not included toward forty hours worked. Last year there was language that changed this and included two weeks advance notice. We were to bring the item back in one year.

An analysis was completed; and there were 14 instances in one month and four in another that this affected overtime. A total of \$2,750 for the two months. Employees appreciated the change and cost for the change is minimal. It will go a long way for employee morale.

Motion (Myers/Kaminski) to recommend Resolution 56-2020, Change in Pay Practices of the Employee Policy and Procedural Manual – Overtime / time Worked advance Notice Requirement. Motion carried unanimously.

OLD BUSINESS:

Water / Sewer Impact Fees for Capri Development.

Attorney Sajdak came to the podium. He talked to the Public Service Commission staffers and their initial response not to get involved with impact fees. Attorney Sajdak is waiting to hear from the division director. Menominee Falls is holding to their position. They did charge impact fees.

REPORTS:

A. Monthly Year to Date Financials:

1. Revenue and Expense Report All Funds: The reports were reviewed. Still hoping to give good news at the end of the year.
2. Health and Dental Plans: The reports were reviewed. Will go thru in a month or so. Renewal information coming in October.

B. Impact Fees Financial Reports: The report was reviewed. Recreation earmarked at 200,00.

C. Accounts Payable: August 25, 2020 and September 10, 2020 payables were reviewed.

D. Code Violation Reports: The report was reviewed.

E. C.I.P. PROJECTS: The reports were reviewed. Holy Hill Road and Old Farm just received final lift.

F. Letter of Credit Summaries: The reports were reviewed.

1. Building Inspection Department – Reviewed.
2. Public Works Department– No Report. Nothing coming due.
3. Planning Department – Reviewed.

G. Summary of all Village Contracts: The summary of contracts were reviewed.

H. SCHEDULE NEXT MEETING: The next meeting will be on October 19, 2020 at 6:00 pm.

ADJOURNMENT: Chairman Zabel adjourned the meeting at 6:58 p.m.

Respectfully Submitted,

Deanna Braunschweig

Deanna Braunschweig
Village Clerk

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: October 5, 2020

AGENDA ITEM: Public Hearing & New Business **(CSM & RES. NO. 57-2020)**

ITEM TITLE: Mgs Mfg. and Moldmaker Leasing & Investments LLP, Property Owner, W190N11701 Moldmaker Way; 1-Lot Certified Survey Map (CSM) to Combine Parcels, and, a 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 approval to combine four existing parcels (Lot Nos. 2, 3 4 and 5 of CSM #4408) into one 24.02-acre parcel, and, 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.

On August 26 the Village Board initiated the street vacation process by passing Resolution No. 53-2020. On September 14 the street vacation request, certified survey map (CSM) and Site Plan applications for the Phase 1 expansion were presented to and conditionally approved by the Plan Commission. The final step in the process is for a public hearing to be held and the final resolution (Res. No. 57-2020) for the street vacation request to be acted on by the Village Board at the October 5 meeting.

NOTE: The requirements under Wis. Stats. Chapter 66.1003 for discontinuing and vacating a public right-of-way require a minimum 40-day period between the passing of the initial authorizing resolution and the public hearing.

PLAN COMMISSION RECOMMENDATION:

APPROVE a Certified Survey Map (CSM) to combine four (4) parcels into one 24.02-acre parcel, and, to approve the necessary resolution [Res. No. 57-2020] to vacate the 1.317-acre right-of-way for Moldmaker Way subject to the following conditions:

1. The CSM shall be revised to reflect the Village Surveyor comments contained in the August 18, 2020 review memo prior to recording the CSM.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 57-2020

A 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, following due notice and publication the Village Board has conducted a public hearing to determine whether it is appropriate to discontinue Moldmaker Way and the 66' dedicated public street right-of-way shown on CSM No. 4408; and,

WHEREAS, based upon the materials on file and the comments received at the public hearing, the Village Board has determined that the public interest requires the vacation of the following described right-of-way which is illustrated in Exhibit A:

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 Village Board finds that the public street right-of-way which is hereby to be discontinued does not lie within one-quarter mile of a state trunk highway or connecting highway and does not contain a railroad crossing within its boundaries; and

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Germantown, Wisconsin, that the public street right-of-way described above and shown on Exhibit A is hereby vacated and discontinued.

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 which immediately abut thereto, and shall be annexed thereto, free and clear of any right, title or interest in the public as road right of way except for the rights of the public to a public purpose easement for utilities within the vacated area pursuant to the provisions of sections 66.1003 and 66.1005 of the Wisconsin Statutes.

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

Adopted: October 5, 2020.

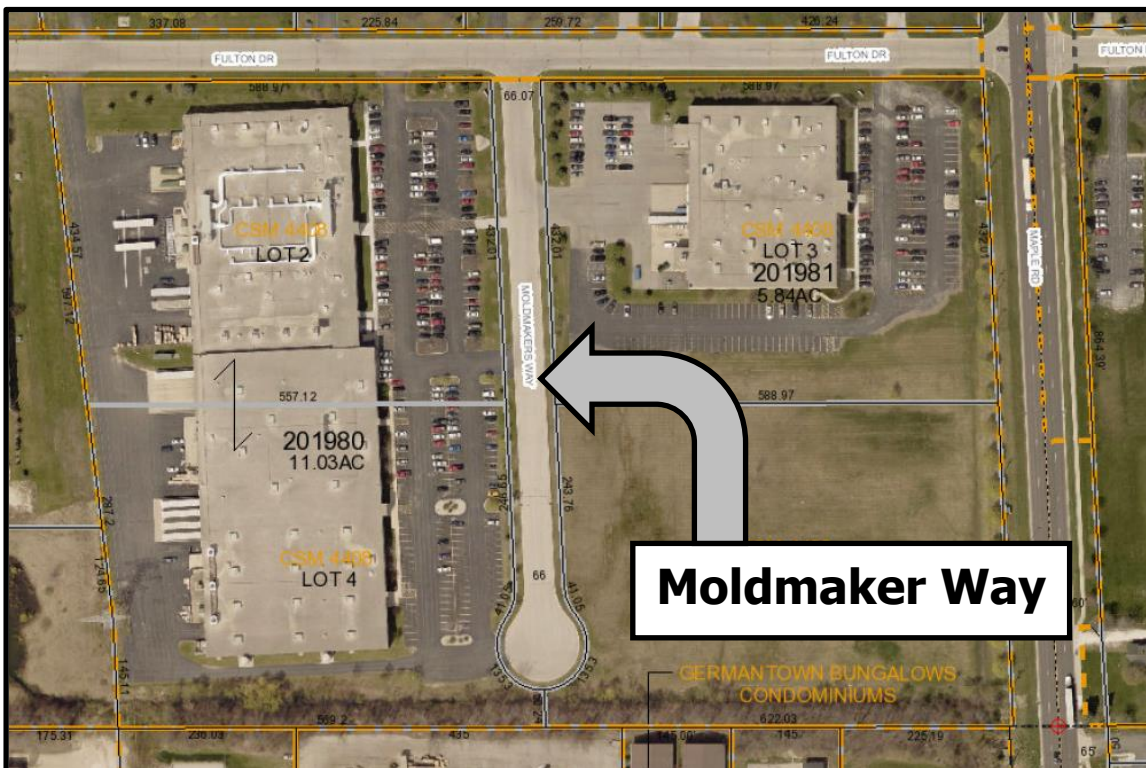
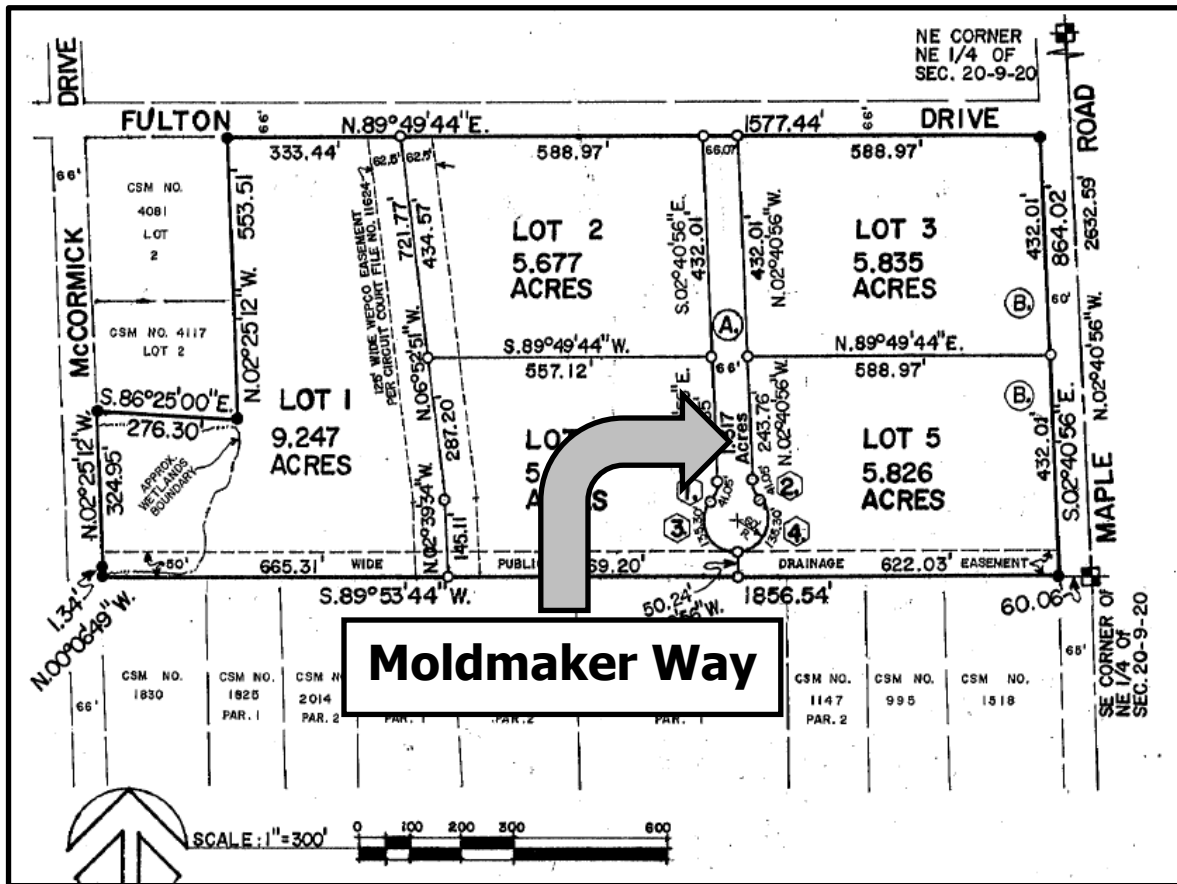
Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig, Village Clerk

EXHIBIT A



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.

MOTION to Amend Baum second Kimmler to add Condition #9 that the business traffic is to be routed south from the residence down Century Lane and not go north and west.

MOTION to Amend carried unanimously.

MOTION to Amend Baum second Kimmler to add to Condition #5 that the use of the tub grinder be limited to 2 times per year with a maximum extent of 5 consecutive days each time during the hours of 8:00 to 5:00 pm, Monday to Friday. Semi-Annual mulching should be removed from Condition #1

Mr. Voss asked if there was a preference where he stores the trees to be chipped. Trustee Baum said his preference would be in the area north of the barn. Mr. Voss asked if wood is stored in the north area and not exposed, will he still need to plant trees to block that area. Associate Planner Zandt stated if storage is moved to the north side of the pole building Condition #4 can be eliminated.

MOTION to Amend carried unanimously.

Trustee Baum explained if material is stored to the north of the barn, then Condition #4 will not be required. But if sometime in the future it spews out of there and goes out of that area then Condition #4 comes into play. If the pile moves to the east, Mr. Voss will need to talk to Planning about a screening plan. He also stated that Mr. Voss can cut and chip his own trees, subject to the noise ordinance after 10 pm.

MOTION to Approve as Amended carried unanimously.

MGS Manufacturing - W190 N11701 Moldmakers Way. Request for approval of a Certified Survey Map (CSM) to combine four parcels into one and vacate the Moldmakers Way right-of-way, and site development and building plans for a 121,191 sqft industrial building expansion and related site improvements for the MGS Manufacturing campus in the Industrial Park. Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the Certified Survey Map (CSM) to combine four (4) parcels into one 24.02-acre parcel, and to approve the necessary resolution to vacate the 1.317-acre right-of-way for Moldmakers Way subject to the following conditions:

- 1. The CSM shall be revised to reflect the Village Surveyor comments contained in the August 18, 2020 review memo prior to recording the CSM.***

MOTION carried unanimously.

MOTION Baum second Kimmler to Approve the site development and building plans for a 121,191 sqft industrial building expansion and related site improvements for the MGS Mfg. campus located on Moldmakers Way in the Germantown Industrial Park subject to the following conditions:

- 1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the following architectural and engineering plans unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:***
 - a. Architectural plans dated September 3, 2020 (revision date);***
 - b. Civil Engineering plans dated September 4, 2020 (revision date);***
 - c. Landscaping plans dated September 1, 2020 (revision date);***

d. Lighting plans dated June 26, 2020

- 2. This approval is subject to final approval of the proposed Moldmaker Way street vacation and issuance of a 25' wetland setback encroachment conditional use permit by the Village Board.**
- 3. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit.**
- 4. All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.**
- 5. All outstanding items and issues identified by Village Staff in the following review memos shall be resolved and reflected in additional information and/or revised plans submitted to Staff for further review, comment and approval prior to commencing construction or issuance of a building permit for the building addition (except that an early start footing & foundation permit may be issued):**
 - a. September 11, 2020 memo from Village Public Works Director**
 - b. August 18, 2020 memo from Village Surveyor**
- 6. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.**
- 7. A final plan and specifications for the proposed silo storage system must be submitted to the Village Planner for review and approval prior to installation and approval of a building permit for this equipment. Additional screening may be required in the vicinity of the silo storage area.**
- 8. In the event roof-top mechanicals are proposed for the building addition, screening may be required with a separate screening plan submitted to the Plan Commission for review and approval prior to installation of any RTU's.**

Commissioner Laszewski commented on the number of parking spaces on site. Planner Retzlaff stated that only 10 additional employees will be added and that the parking proposed is sufficient to accommodate the expansion.

MOTION carried unanimously.

Toolcraft Machining - W194 N11092 Kleinmann Drive. The request is for approval of a ground sign for the property. Associate Planner Zandt summarized the proposal.

MOTION Baum second Laszewski to Approve the proposed ground sign for Toolcraft Machining subject to the following condition:

- 1. Electrical permits shall be obtained from Inspection Services prior to installation of any/all electrical components.**

MOTION carried unanimously.

Teriyaki Madness - W182 N9606 Appleton Avenue. The request is for approval of a wall sign and sign face replacement for the property. Associate Planner Zandt summarized the proposal.

**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

CERTIFIED SURVEY MAP (CSM) & SITE PLAN APPLICATIONS

9/14/19 Plan Commission Meeting

MSI General Corp. / The Sigma Group Inc. / MGS Mfg. Group Inc.
Village Planner Report *Germantown, Wisconsin*

Summary

John Kutz, MSI General, agent for Moldmaker Leasing & Investments LLP, property owner, and MGS Mfg. Group Inc., is requesting approval of a Certified Survey Map (CSM) to combine four parcels into one and vacate the Moldmakers Way right-of-way, and, site development and building plans for a 121,191 sqft industrial building expansion and related site improvements for the MGS Mfg campus located on Moldmakers Way in the Germantown Industrial Park.

Location: W190 N11701 Moldmakers Way & W188 N11707 Maple Road

Applicant/ Property Owner:

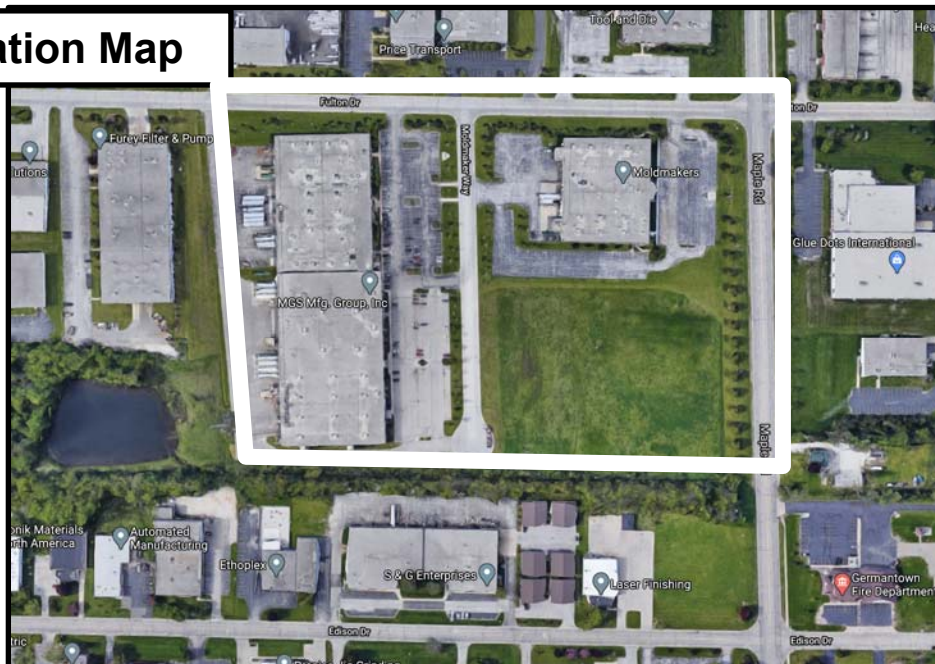
John Kutz
MSI General
W215 East Wisconsin
Nashotah, WI

Paul Manley
MGS Mfg Group Inc.
W190 N11701 Moldmakers Way
Germantown, WI

Current Zoning: M-1: Industrial

Adjacent Land Uses		Zoning
North	Industrial	M-1
South	Industrial	M-1
East	Industrial	M-1
West	Industrial	M-1

Location Map



Background/Proposal

John Kutz, MSI General, agent for Moldmaker Leasing & Investments LLP, property owner, and MGS Mfg. Group Inc., is requesting approval of a Certified Survey Map (CSM) to combine four parcels into one and vacate the Moldmakers Way right-of-way, and, site development and building plans for a 121,191 sqft industrial building expansion and related site improvements for the MGS Mfg campus located on Moldmakers Way in the Germantown Industrial Park.

MGS Mfg. Group Inc. is a world-wide provider of tooling, molding, and equipment technology for the manufacturing of plastic injected molded parts healthcare, automotive and consumer electronics markets. This project will provide additional warehouse space for raw material (plastic resin), finished goods (injected plastic molded parts) and additional distribution facilities that will enable MGS to consolidate operation in SE Wisconsin into one campus. Ten (10) additional employees are expected to be added as a result of the proposed expansion.

Certified Survey Map (CSM)

The proposed CSM combines four existing parcels (Lot Nos. 2, 3 4 and 5 of CSM #4408 from 1995) into one 24.02-acre parcel. In addition, the owner of all four parcels, Moldmaker Leasing & Investments LLP, has submitted a request to the Village to vacate the entire 1.37-acre right-of-way for Moldmaker Way (also shown on the proposed CSM). Both the parcel combination and ROW vacation will enable the existing building on the west side of Moldmaker Way to be expanded to the east as shown on the proposed site plans. At their meeting on August 26, the Village Board passed Resolution No. 53-20 expressing their intent to hold a public hearing of (and act on) the street vacation request at the October 5 Village Board meeting.

Site Development & Building Plans

Detailed site development and building plans have been prepared for the proposed 121,191 sqft addition to the existing 166,400 sqft “molding” building on the west side of the property (for a total area of 287,591 sqft). The plans also show a future 88,000-117,500 sqft addition that would complete a connection between the “molding” building and the existing 49,970 sqft “tooling” building.

This project will include demolition and removal of the existing Moldmaker Way pavement, portions of the existing parking lot, landscaping, and water and sewer laterals (see Sheet C002). As detailed in the plans, the site and building improvements will have the following characteristics:

Site Improvements

- Reconstruction of main parking area with new additional driveway on Fulton Drive (replacing Moldmaker Way access) with 355 proposed parking stalls in addition to existing 204 stalls (for total 559 stalls on-site)
- A new right-turn, exit-only driveway on Maple Road with signage to serve proposed loading dock/distribution facility on south side of building expansion
- Construction of on-site wet detention & infiltration stormwater basins in the southeast corner of site
- New 8” public water main w/ hydrants to be installed around south & west site perimeter to complete loop between Fulton Drive & Maple Road
- Installation of interior parking, building foundation and street tree landscaping
- Exterior silo storage on south side of proposed building addition (no details)

Building Improvements

- 121,191-square foot single-story warehouse addition (w/ 545 sqft mezzanine office area);
- Precast concrete wall panels which corduroy & towel-textured accents to match the existing building pre-cast concrete wall panels w/ painted accent banding (45' max wall height)
- Sixteen (16) elevated shipping docks and overhead doors (south elevation)
- Internal unit heaters will be installed; no roof-mounted mechanicals are proposed

Storm Water Management. A total of 128,024 square feet (2.9 acres) of additional impervious surfaces are proposed to be added to the site as part of the proposed site & building improvements. The total area of impervious surface on the site will be 15.8 acres or 689,109 sqft or 65.9% of the total 24.02 acres leaving 34.1% of the site as open/green space. Wet detention and infiltration basins are proposed in the southeast corner of the site along Maple Road. Storm sewer, catch basins, overflow routes, and outlet control are provided with connections to these basins with off-site drainage to the existing regional stormwater basin west of the property. The submitted Erosion Control Plan includes silt filter fence, erosion control matting in graded areas and swales, and soil stabilization.

Landscaping & Buffering. New or additional landscaping is minimal and limited new foundation plantings along the north side of the proposed building addition, south side near the loading docks, parking lot islands and replacement street trees in the vicinity of the Moldmaker Way intersection on Fulton Drive. To the extent possible existing trees within the reconfigured parking area will be maintained or relocated. Plantings include a variety of deciduous street and shade trees, ornamental trees, evergreen trees, deciduous and evergreen shrubs, perennial plantings and ornamental grasses.

Lighting. Additional exterior lighting of the site and building includes:

- (18) 100w 5000k LED cut-off style pole-mounted fixtures (one double fixture per 9 poles) mounted on a 20' pole with 3' base (total height: 23') for parking lot illumination
- (4) 11w 5000k LED cut-off style wall-pack fixtures illuminating the north and south sides of the building addition
- (3) 100w 5000k LED cut-off style wall-mounted illuminating the loading dock area on the south side of the building addition

Signage. No new signage is proposed. An existing monument sign near the "old" Moldmaker Way intersection may be relocated in the future. A separate sign permit application meeting the requirements of Chapter 17.46 will be required for any proposed signage.

Staff Comments**Community Development: Planning & Zoning**

As explained above, the proposed CSM reflects both combination of parcels and the vacation of the Moldmaker Way right-of-way. The Village Board passed Resolution No. 53-20 expressing their intent to hold a public hearing of (and act on) the street vacation at their October 5 meeting. However, Wis. Stats. currently require that the Plan Commission make a formal recommendation concerning the vacating of any public right-of-way.

As shown in the site plans and detailed in the delineation report, a total of five (5) wetland areas were found on the 24.02-acre property. Four of these wetlands totaling .72 acres are in the vicinity of the proposed building addition (Wetland #2, #3, #4 & #5) with the remaining wetland (Wetland #1) running the length of the south property line associated with the existing drainage ditch (that directs stormwater to the off-site regional basin located due west).

The DNR and Army Corp of Engineers (ACE) have determined that Wetlands #2, #3, #4 & #5 in the vicinity of the building addition and a two small sections of Wetland #1 are, in fact, “artificial wetlands” and not subject to regulation by the DNR, ACE or Village of Germantown (and can be filled). However, the remaining part of Wetland #1 that is not artificial is regulated and subject to the Village’s 25’ wetland setback.

While not clearly shown, portions of the proposed loading dock driveway, a small section of retaining wall and three (3) stormwater discharge pipes encroach into the 25’ wetland setback adjacent to Wetland #1. Consequently, no development activity can take place within the 25’ wetland setback unless/until a conditional use permit (CUP) is issued by the Village. To that end, a separate CUP application with proposed encroachment mitigation/compensation plan is being prepared and will be submitted for Plan Commission review and public hearing at the October 12 meeting. *NOTE: Direct encroachment of the stormwater discharge into wetland #1 will also require DNR approval.*

Current semi-truck traffic per day averages 6 to 8 trucks per day. With the additional loading docks and distribution capacity, truck traffic is expected to increase to a total of 18 to 24 trucks per day over a 24-hour period. As detailed in the site plans, the additional truck traffic will enter the site off Fulton Drive and exit the site to Maple Road via the new one-way “exit only” driveway in the southeast corner of the site.

Final specifications for the proposed silo storage system have not been submitted. This information must be submitted prior to installation and approval of a building permit for this equipment. Currently there is minimal screening proposed for this area just east of the loading docks. Additional screening may be required in the vicinity of the silo storage area.

No roof-top mechanicals are proposed as part of the building addition. If changes and RTU’s are proposed, screening may be required with a separate screening plan submitted for review/approval by the Plan Commission.

Public Works/ Village Engineer/Village Surveyor

Public Works Department and engineering staff have identified several technical issues and plan revisions that need to be resolved or otherwise addressed by the Developer prior to commencing construction activities and issuance of a building permit.

Consequently, Staff is recommending conditional approval of the site development and building plans subject to all of the outstanding items and issues identified in the following review memos being resolved and reflected in additional information and/or revised plans submitted to Staff for further review, comment and approval prior to commencing any site construction and prior to issuance of a building permit for the proposed MGS building expansion (except that an early start permit may be issued):

- August 18, 2020 memo from Village Surveyor
- September 11, 2020 memo from Public Works Director

Fire & Police Departments

All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access.

Community Development: Inspection Services

Inspection Services has indicated that the submission of state-approved plans will be required prior to issuing a building permit along with the required \$20,000 occupancy bond.

VILLAGE PLANNER RECOMMENDATION:*Certified Survey Map (CSM)*

APPROVE the Certified Survey Map (CSM) to combine four (4) parcels into one 24.02-acre parcel, and, to approve the necessary resolution to vacate the 1.317-acre right-of-way for Moldmaker Way subject to the following conditions:

1. The CSM shall be revised to reflect the Village Surveyor comments contained in the August 18, 2020 review memo prior to recording the CSM.

VILLAGE PLANNER RECOMMENDATION:

Site Development & Building Plans

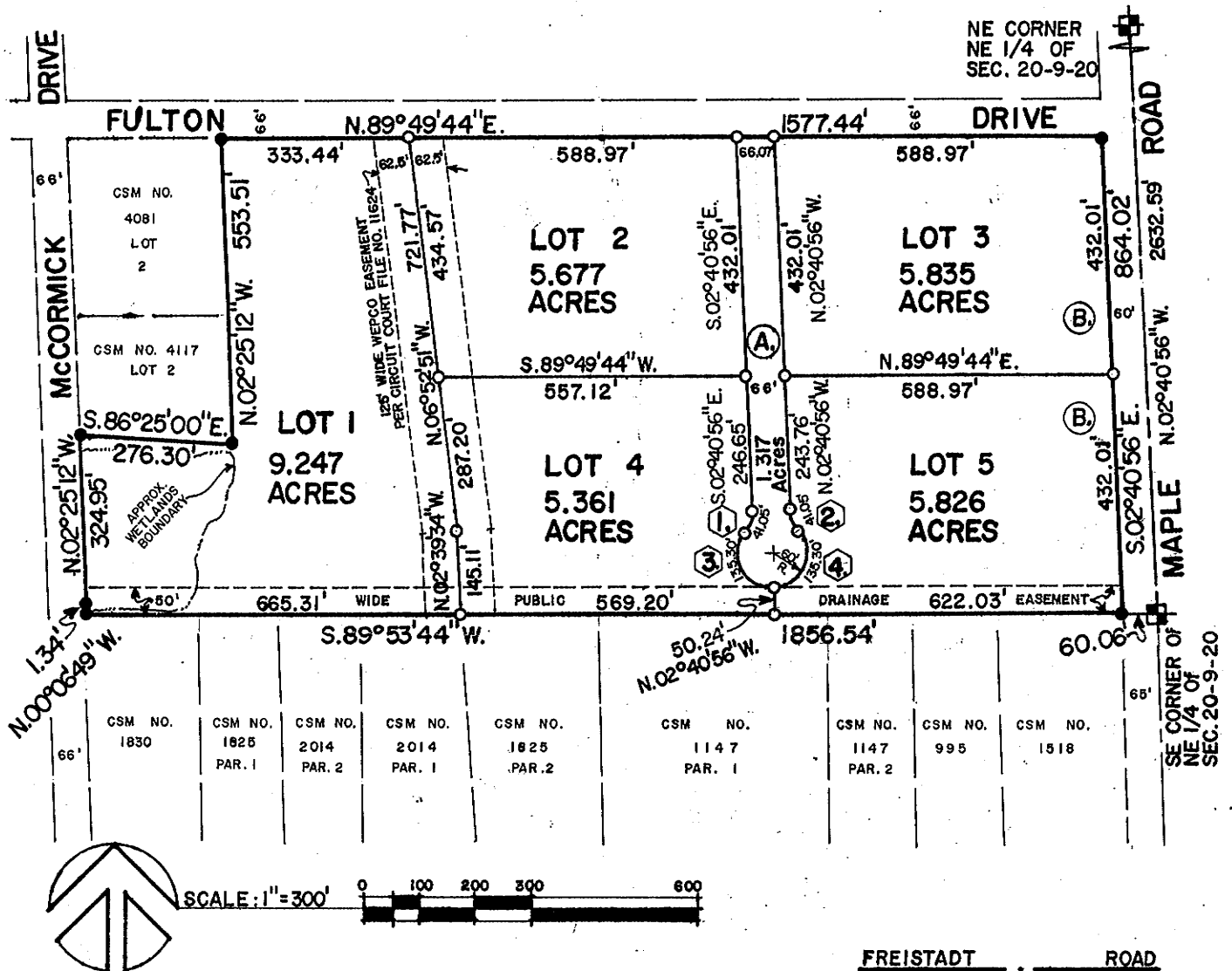
APPROVE the site development and building plans for a 121,191 sqft industrial building expansion and related site improvements for the MGS Mfg. campus located on Moldmakers Way in the Germantown Industrial Park subject to the following conditions:

1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the following architectural and engineering plans unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:
 - a. *Architectural plans dated September 3, 2020 (revision date);*
 - b. *Civil Engineering plans dated September 4, 2020 (revision date);*
 - c. *Landscaping plans dated September 1, 2020 (revision date);*
 - d. *Lighting plans dated June 26, 2020*
2. This approval is subject to final approval of the proposed Moldmaker Way street vacation and issuance of a 25' wetland setback encroachment conditional use permit by the Village Board.
3. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit.
4. All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.
5. All outstanding items and issues identified by Village Staff in the following review memos shall be resolved and reflected in additional information and/or revised plans submitted to Staff for further review, comment and approval prior to commencing construction or issuance of a building permit for the building addition (except that an early start footing & foundation permit may be issued):
 - a. *September 11, 2020 memo from Village Public Works Director*
 - b. *August 18, 2020 memo from Village Surveyor*
6. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.
7. A final plan and specifications for the proposed silo storage system must be submitted to the Village Planner for review and approval prior to installation and approval of a building permit for this equipment. Additional screening may be required in the vicinity of the silo storage area.
8. In the event roof-top mechanicals are proposed for the building addition, screening may be required with a separate screening plan submitted to the Plan Commission for review and approval prior to installation of any RTU's.

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.	△
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"

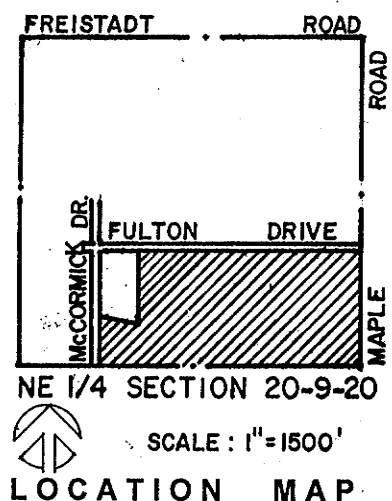
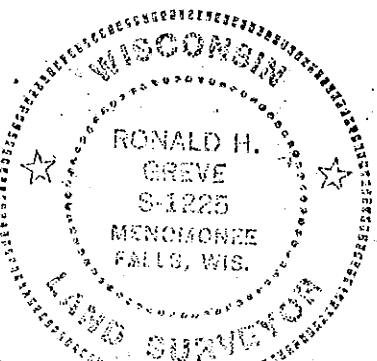
LEGEND :

- ☒ = 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.



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:

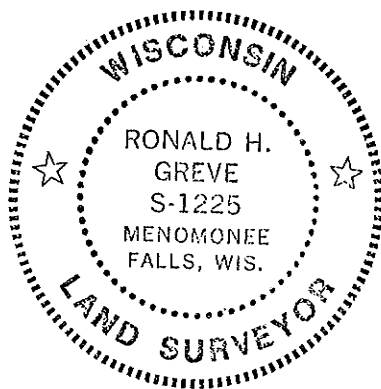
That I have surveyed, divided and mapped a part of the South 1/2 of the NE 1/4 of Section 20, Township 9 North, Range 20 East, in the Village of Germantown, County of Washington, and State of Wisconsin, which is bounded and described as follows, to wit:

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

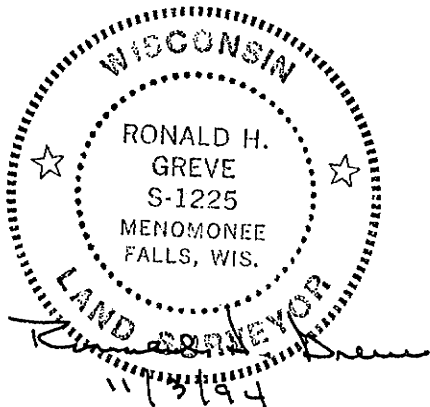
PERSONALLY came before me this 16 day of November, 1994, the above named Charles J. Hargan and Jane A. Wilms, to me known to be the same person who executed the foregoing instrument and acknowledged the same.

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

Willkommen

Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid \$ Date 7-7-20

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1

APPLICANT OR AGENT

John Kutz

MSI General Corporation

PO Box 7

Oconomowoc, WI 53066

Phone (920) 650-5032

Fax ()

E-Mail john@msigeneral.com

PROPERTY OWNER

Paul Manley

MGS Manufacturing

W190 N11701 Moldmakers Way

Germantown, WI 53022

Phone (414) 573-7048

paul.manley@mgsfmfg.com

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

2

W190 N11701 Moldmakers Way

201980

3

PURPOSE OF LAND SPLIT

Combination of lots into one, no split

Will the land split require rezoning?

no

From

To

4

READ AND INITIAL THE FOLLOWING:

JK

I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.

JK

I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.

JK

I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

JK

I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

5

SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

John Kutz

Applicant

7.6.2020

Date

Paul Manley

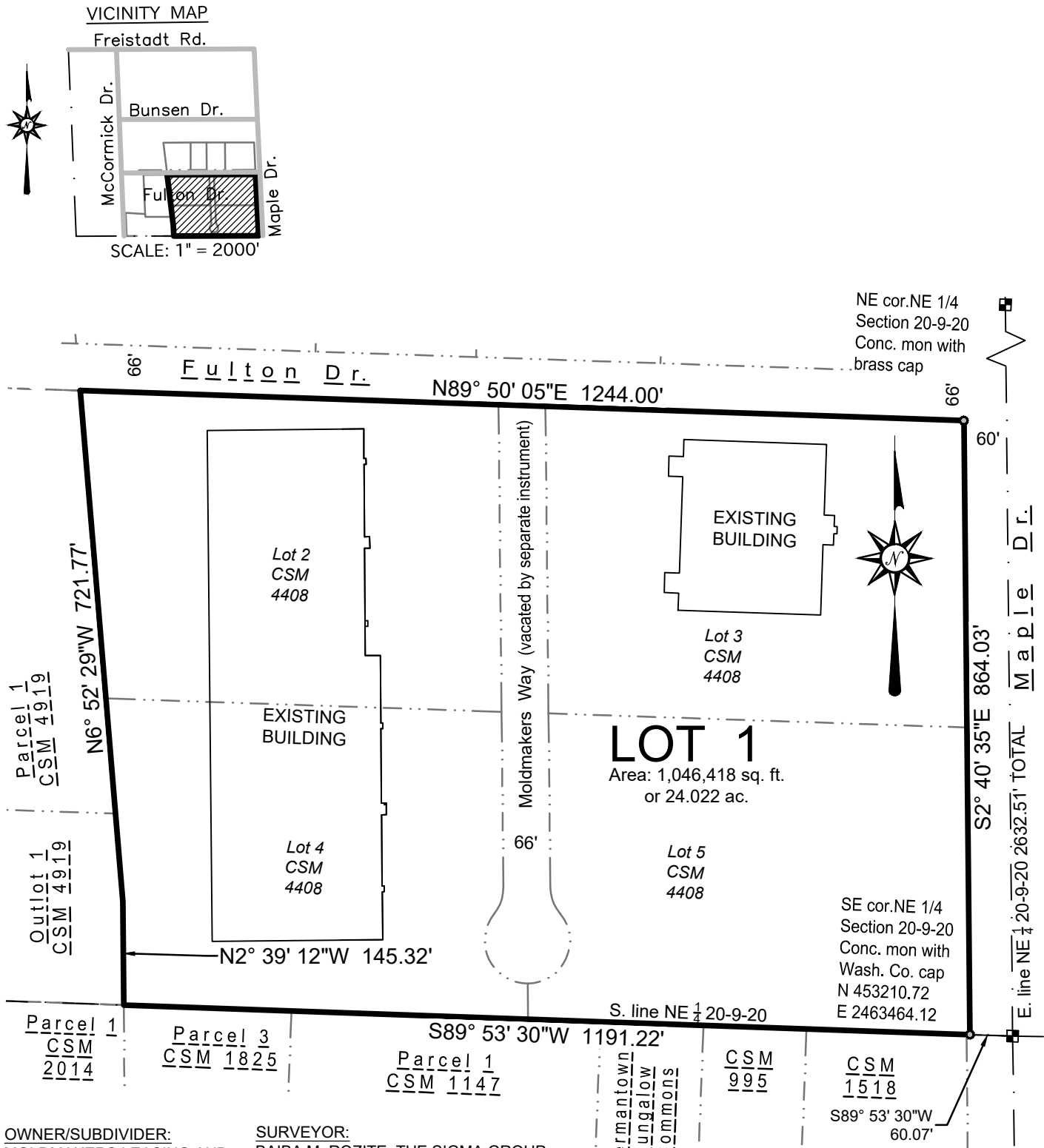
Owner

7.6.2020

Date

CERTIFIED SURVEY MAP NO. _____

Lots 2 through 5 of Certified Survey Map No. 4408, being a part of the SE 1/4 of the NE 1/4 of Section 20, Township 9 North, Range 20 East, Section 20, Village of Germantown, Washington County, Wisconsin.



OWNER/SUBDIVIDER:
MOLDMAKERS LEASING AND INVESTMENTS LLP
W229N1433 WESTWOOD DR., STE. 210
WAUKESHA, WI 53186
262-227-7443

PROPERTY ADDRESSES:
W190N11708 & W190N11701
MOLDMAKERS WAY
W188N11707 & W188N11685
MAPLE ROAD
GERMANTOWN, WI 53022

SURVEYOR:
BAIBA M. ROZITE, THE SIGMA GROUP
1300 W. CANAL ST., MILWAUKEE, WI 53233
414-643-4200

Germantown
Bungalow
Commons

LEGEND & NOTES:

- ⊙ipf INDICATES FOUND 1" DIAM. METAL PIPE
- INDICATES SET 3/4" DIAM. REBAR, 18" LONG WEIGHING 1.50 LBS/LIN. FT.

COORDINATES & BEARINGS REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, NAD 83(11) WITH THE EAST LINE OF THE NE 1/4 SEC. 20-9-20 OF BEARING N 2°40'35" W.

DISTANCES MEASURED TO THE NEAREST 0.01'. ANGLES MEASURED TO THE NEAREST 01".

PARCEL ZONING M-1 (Limited Industrial) as of 6/23/2020

THE SIGMA GROUP
Single Source. Sound Solutions.

www.thesigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210

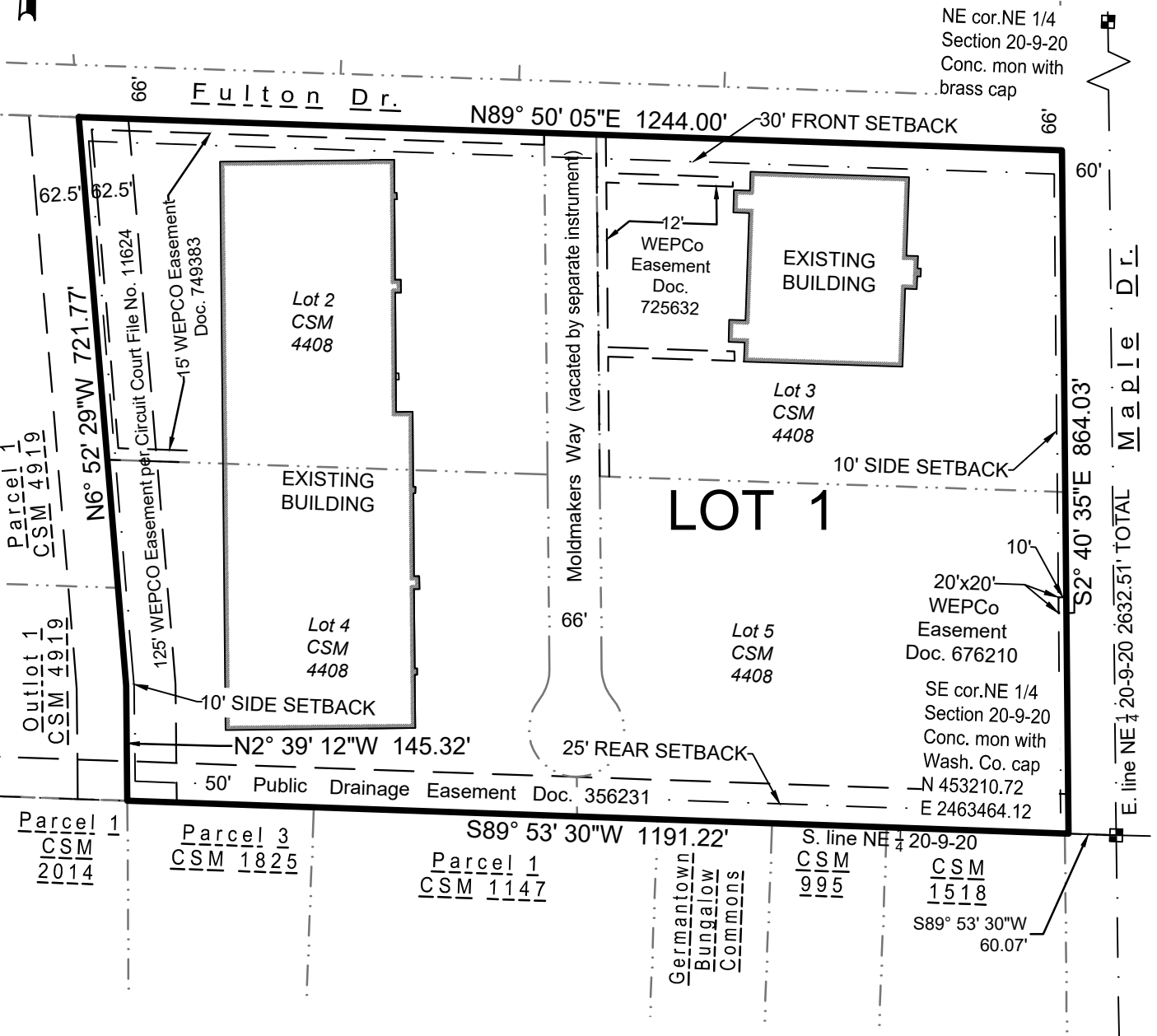
WISCONSIN
BAIBA M. ROZITE
S-2351
MILWAUKEE, WI
LAND SURVEYOR

GRAPHIC SCALE

0 200' 400'

CERTIFIED SURVEY MAP NO. _____

Lots 2 through 5 of Certified Survey Map No. 4408, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 20, Township 9 North, Range 20 East, Section 20, Village of Germantown, Washington County, Wisconsin.



PARCEL ZONING M-1 (Limited Industrial) as of 6/23/2020

SETBACKS FOR ZONE M-1: as of 7/07/2020

FRONT = 30'

SIDE = 10'

REAR = 25'

EASEMENTS & SETBACKS



CERTIFIED SURVEY MAP NO. _____

Lots 2 through 5 of Certified Survey Map No. 4408, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 20, Township 9 North, Range 20 East, Section 20, Village of Germantown, Washington County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN) SS
MILWAUKEE COUNTY)

I, Baiba M. Rozite, Professional Land Surveyor, hereby certify that I have surveyed, divided and mapped Lots 2 through 5 of Certified Survey Map No. 4408, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 20, Township 9 North, Range 20 East, Section 20, Village of Germantown, Washington County, Wisconsin.

Said parcel contains 1,046,418 square feet or 24.022 acres of land, more or less.

That I have made the survey, land division, and map by the direction of the owner of said land. That the 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 s. 236.34 of the Wisconsin Statutes and Chapter 18 of the Village of Germantown Subdivision Control Ordinances in surveying, dividing and mapping the same.

BAIBA M. ROZITE S-2351 DATE



CERTIFIED SURVEY MAP NO. _____

Lots 2 through 5 of Certified Survey Map No. 4408, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 20, Township 9 North, Range 20 East, Section 20, Village of Germantown, Washington County, Wisconsin.

OWNER'S CERTIFICATE OF DEDICATION

MOLDMAKERS LEASING AND INVESTMENTS LLP , A WISCONSIN LIMITED LIABILITY PARTNERSHIP, DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN AS OWNER, CERTIFIES THAT SAID OWNER CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED ON THIS MAP IN ACCORDANCE WITH S. 236.34 WIS. STATS. AND THE VILLAGE OF GERMANTOWN CODE OF ORDINANCES.

SAID OWNER DOES FURTHER CERTIFY THAT THIS MAP IS REQUIRED BY S. 236.10 OR S. 236.12 TO BE SUBMITTED TO THE VILLAGE OF GERMANTOWN FOR APPROVAL OR OBJECTION.

WITNESS THE HAND AND SEAL OF SAID OWNER, THIS ____ DAY OF _____, 20____.

MOLDMAKERS LEASING AND INVESTMENTS LLP

signature

printed name & title

STATE OF WISCONSIN)
_____)SS
_____)COUNTY)

PERSONALLY CAME BEFORE ME THIS ____ DAY OF _____, 20____, _____, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE THE MEMBER OF THE ABOVE-NAMED LIMITED LIABILITY PARTNERSHIP AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT BY ITS AUTHORITY.

(SEAL) NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION EXPIRES _____.



CERTIFIED SURVEY MAP NO. _____

Lots 2 through 5 of Certified Survey Map No. 4408, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 20, Township 9 North, Range 20 East, Section 20, Village of Germantown, Washington County, Wisconsin.

VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this ____ day of _____, 20____.

Dean Wolter, Chairman

Date

Laura A. Johnson, Secretary

Date

VILLAGE OF GERMANTOWN BOARD APPROVAL

This Certified Survey Map, being a division of the SE 1/4 of the NE 1/4 of Section 20, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission is hereby approved by the Planning Commission being the same, is hereby approved and accepted by the Village Board of the Village of Germantown on this ____ day of _____, 20____.

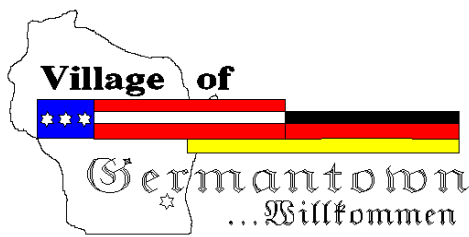
Dean Wolter, Village President

Date

Deanna Braunschweig, Village Clerk

Date





Engineering Department Memorandum

To: Jeff Retzlaff Village Planner

CC:

From: Bob Beilfuss, PLS, Village Surveyor

Date: August 18, 2020

Re: Moldmakers CSM

Jeff,

Here are my review comments for the CSM received 7/6/2020.

Certified Survey Map

Applicant or Owner: Moldmakers Leasing and Investments, LLP

Land Surveyor/Firm: Baiba Rozite, PLS – Sigma Group

1. The header description, on all sheets, should reflect this is document is a *combination of* or a *redivision* of Lots 2 thru 5 of CSM No. 4408.
2. As Moldmakers Way right of way is being vacated for this project, the recording information of the Village resolution, vacating the R/W, should be included on the face of the CSM. This enables tracking the dispersion of lands from public to private lands.
3. A certificate of mortgagee is required in the land is mortgaged with a lender. The certificate of mortgagee requires the following information:
 - Complete statements per Chapter 236.21(2)(a)
 - Lending institution name, signature of bank officer and date.
 - Notary statement, seal, signature and date.

The mortgage certificate requirement is waived if owner can provide written proof of ownership that the property is free of mortgage from the lending institution.

4. Move the text defining the East $\frac{1}{4}$ corner monument to another part of the sheet so the underlining easement lines for the existing 50' drainage easement can be seen extending and terminating at the west R/W line of Maple Road
5. Surveyor's Certificate: Paragraph 1 and 3 should indicate that this is a *combination or redivision* of Lots 2 thru 5
6. Sheet 4: Owners Certificate of Dedication header should be revised to just Owners Certificate as no dedication of public lands is taking place.

7. The proposed 25' public utility easement needs to be increased to 30' with the centerline of the 30' being the split distance between the two existing utility pipe. In areas at hydrants, the easement should go around the hydrant with a 5' minimum clearance from the hydrant.
8. The easement document needs to be submitted for review and approval by the Engineering Department, the Village Attorney and the Village Public Works Committee. Once the easement document has been approved by the Village, the document needs to be recorded at the Washington County Register of Deeds office and the document recording information included on the face of the CSM map sheets
9. The corporate title of the person signing the Owners Certificate needs to be below their printed name.
10. A 3"x 3" square in the upper right-hand corner of Sheet 1 is to be left blank for the County recording information. This reserved area is in addition to the areas needed for sheet borders. (per Washington County Register of Deeds Office)
11. Village of Germantown Board Approval Certificate: The description in the certificate should reflect this is document is a *combination of* or a *redivision* of Lots 2 thru 5 of CSM No. 4408. This document is redividing more than the SE ¼ of the NE ¼ of Section 20-9-20.
12. On Sheet 1 and 2, the exterior boundary line thickness is covering up the monumentation symbols. Either increase the symbol size or decrease the lineweight of the exterior boundary to make the symbols visible.

No further review comments.

Document Approval and Recording

For this CSM to be approved by the Village Board and recorded at the Washington County Register of Deeds, the document must be provided to the Village Clerk's office in a completed format including all original signatures of the owner and lending institution, original seals of the professional land surveyor on the recordable media the Wednesday prior to the scheduled Village Board meeting.

This includes the CADD file.

Any documents or digital files not submitted by the due date or contain outstanding technical review comments that have not be addressed, will be moved to the next scheduled Village Board meeting agenda.

Document Submittals and Data Conversion

As of October 2005, the Village of Germantown requires a digital copy of all Certified Survey Maps, Condominium Plats and Subdivision Plats in addition to the documents as required by Wisconsin Statute and Village Ordinances as part of the land division approval.

August 18, 2020

Prior to Recording the Certified Survey Map or Subdivision Plat, The professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2019 on compact disk (CD) or via email to the Village Surveyor for mapping purposes.

All digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

Note: In 2020, the Village will be upgrading its municipal code to recognize the NAD83 Datum, 2011 adjustment for horizontal control and NAVD88 for vertical control for mapping all land division documents and plan submittals for review.

There are new dossier sheets for all the Public Land Survey System monuments that contain the new coordinate positions and elevations available currently on the State Cartographer's website by using the Survey Control Finder application

Prior to Recording the Certified Survey Map or Final Subdivision Plat, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map. All boundary corners are to be clearly marked in the field by the professional land surveyor of record.

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: October 5, 2020

AGENDA ITEM: New Business (CONDITIONAL USE PERMIT)

ITEM TITLE: Christopher Voss, agent for A New Leaf Tree Services and property owner, is requesting approval of a Conditional Use Permit (CUP) to operate a Horticultural Services business

SUBMITTED BY: Emily Zandt, Associate Planner, Planning & Zoning Services

SUMMARY EXPLANATION:

Christopher Voss, agent for A New Leaf Tree Services and property owner, is requesting approval of a Conditional Use Permit (CUP) to operate a Horticultural Services business on the 16.2-acre property located at W168N12340 Century Lane. This property contains a single-family dwelling, detached garage, and a 75' x 150' pole barn, which is intended to be used for the storage of A New Leaf Tree Services company vehicles.

A New Leaf Tree Service is an off-site tree removal service primarily serving Washington, Waukesha, Milwaukee, & Ozaukee counties. A New Leaf Tree Service currently has a total of 8 employees. Employees will arrive to the site at approximately 7am, Monday through Friday, park their personal vehicles, and take company vehicles to job sites. Employees will return to the site by 7pm to drop off work vehicles and pick up their personal vehicles. All company vehicles will be stored inside the 75' x 150' pole barn. Tree material will be brought to and stored on the site, north of the 75' x 150' pole barn. Tree material will be ground into mulch semi-annually and hauled off site. There are no site/ building improvements planned for the property at this time. No retail or wholesale sales of mulch or other landscaping products from the subject property is proposed.

PLAN COMMISSION RECOMMENDATIONS:

APPROVE a conditional use permit (CUP) for Christopher Voss and A New Leaf Tree Services to allow the operation of a horticultural services business at the 16.2-acre property located at W168N12340 Century Lane subject to nine (9) conditions, modifying Conditions 1, 4, and 5, and adding Condition 9 as shown below:

- 1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations specified in the conditional use permit (CUP) application and supporting documents dated July 2, 2020. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the detailed site plan and description submitted with the supporting documents. Days and hours of operation, ~~including semi-annual mulching,~~ shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Monday through Friday, 7am to 7pm). The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Planner.*

4. *The property owner shall develop a landscape plan for screening the outdoor storage of tree material on the east side of the pole barn. This landscape plan shall be approved by Planning & Zoning staff prior to the recording of the CUP. **Installation may be deferred until such time if/when outdoor storage expands to the east of the barn (or sooner if the owner chooses).***
5. *The operator has indicated that trees and branches brought to the site will eventually be processed into mulch semi-annually. In the event heavy grinding/shredding equipment will be used on-site to process plant material into mulch for an extended period of time (i.e. defined herein as more than 3 consecutive or cumulative hours per day), the operator shall provide all residents living within 500 feet of the subject property a minimum three (3) day written notice indicating the approximate days and times said grinding/shredding equipment will be operating. **Use of any grinding/shredding equipment shall be limited to two (2) occurrences per year for a maximum duration of 5 consecutive days each time and may only operate Monday through Friday during the hours of 8:00am to 5:00pm.** The operator is encouraged to communicate with the surrounding residents on a regular basis regarding activities to be conducted on-site that may create excessive noise and/or dust.*
9. ***Business traffic (including non-resident employee traffic) shall be routed south from the subject property on Century Lane. Business traffic shall not travel north on Century Lane from the subject property or on Lovers Lane.***

APPLICATION, PLANS & RELATED DOCUMENTS:

All relevant documents, including applications, plans, supporting information, the staff report & recommendation, and Plan Commission meeting minutes (when available) are included in the PDF digital file distributed by the Village Clerk.

CUP # 09-20

Document No.

CONDITIONAL USE PERMIT

Document Title

**VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN
CONDITIONAL USE ZONING PERMIT**

Whereas the Applicant:

Christopher Voss, Property Owner/Business Operator

agrees to comply with applicable Codes and Ordinances of the Village of Germantown, Wisconsin, and further agrees that all work done pursuant to the permission granted herewith will conform with the applications and drawings filed with and approvals granted by officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to the Applicant to allow the operation of A New Leaf Tree Services from the property located at W168N12340 Century Lane pursuant to Section 17.13(2)(k) of the Village Zoning Code.

Name & Return Address:

**Village of Germantown
P.O. Box 337
Germantown, WI 53022**

Parcel Identification No:

GTNV 153-997

On the following described property located in the Village of Germantown, Washington County, Wisconsin:

Parcel One (1) of Certified Survey Map No. 4821, recorded in the Washington County Registry on May 28, 1997 in Volume 33 of Certified Survey Maps on pages 14-18, as Document No. 747110 and being in part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and part of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 15, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

W168N12340 Century Lane; Tax Key: GTNV 153-997

Pursuant to the following condition(s):

1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations specified in the conditional use permit (CUP) application and supporting documents dated July 2, 2020. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the detailed site plan and description submitted with the supporting documents. Days and hours of operation shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Monday through Friday, 7am to 7pm). The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Planner.
2. All company vehicles and equipment shall be stored within the existing 75' x 150' pole barn. There shall be no outdoor storage of company vehicles or equipment.
3. Onsite retail sales and/or wholesale of landscaping products or other products from this property is prohibited.

4. The property owner shall develop a landscape plan for screening the outdoor storage of tree material on the east side of the pole barn. This landscape plan shall be approved by Planning & Zoning staff prior to the recording of the CUP. Installation may be deferred until such time if/when outdoor storage expands to the east of the barn (or sooner if the owner chooses).
5. The operator has indicated that trees and branches brought to the site will eventually be processed into mulch semi-annually. In the event heavy grinding/shredding equipment will be used on-site to process plant material into mulch for an extended period of time (i.e. defined herein as more than 3 consecutive or cumulative hours per day), the operator shall provide all residents living within 500 feet of the subject property a minimum three (3) day written notice indicating the approximate days and times said grinding/shredding equipment will be operating. Use of any grinding/shredding equipment shall be limited to two (2) occurrences per year for a maximum duration of 5 consecutive days each time and may only operate Monday through Friday during the hours of 8:00am to 5:00pm. The operator is encouraged to communicate with the surrounding residents on a regular basis regarding activities to be conducted on-site that may create excessive noise and/or dust.
6. In the event the Village receives complaints regarding outdoor storage, noise, dust, odor, vibration or other negative impacts on surrounding neighborhood and properties, the Owner/Operator shall work cooperatively with the Village to mitigate and resolve the issue.
7. Site improvements, buildings, signage, exterior lighting and any other improvements on the property that are necessary for the land uses and activities authorized under this CUP shall be reviewed and approved by the Village through the Zoning Permit or Site Plan application process as determined by the Village Zoning Administrator. If required, Site Plan review and approval will include Plan Commission review and approval.
8. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.
9. Business traffic (including non-resident employee traffic) shall be routed south from the subject property on Century Lane. Business traffic shall not travel north on Century Lane from the subject property or on Lovers Lane.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin
on the _____ day of _____, 2020.

Dean Wolter, Village President

ATTEST:

Deanna B. Braunschweig, WCMC/CMC, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)
Personally came before me this _____ day of _____, 2020, the above
named Dean Wolter, Village President, and Deanna B. Braunschweig, Village Clerk, to me
known to be the persons who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY OPERATOR

As property owner and business operator, Christopher Voss, I hereby accept the terms and conditions set forth herein and realize that non-adherence to the terms and conditions as stated herein may result in the revocation of this Permit by the Village of Germantown.

Dated this ____ day of _____, 2020

(type or print name on this line)

Christopher Voss, Property Owner/Business Operator A New Leaf Tree Service

STATE OF WISCONSIN) SS
_____ COUNTY)

Personally came before me this _____ day of _____, 2020, being the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

PLAN COMMISSION MINUTES

September 14, 2020

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 pm. The meeting was held as a virtual WebEx meeting.

ROLL CALL: Chairman Dean Wolter, Trustee Rep David Baum, Commissioners Tony Laszewski, Matt Kimmler, Bill Shadid and Peter Nilles were in attendance. Commissioner Bob Williams was absent and excused. Also present were Community Development Director Jeff Retzlaff, Associate Planner Emily Zandt and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

APPROVAL OF MINUTES:

MOTION Baum second Laszewski to Approve the minutes from 7/13/20.

MOTION carried unanimously.

Christopher M. Voss - W168 N12340 Century Lane. The property owner of A New Leaf Tree Service is requesting approval of a Conditional Use Permit (CUP) to operate a horticultural services business on the 16.2-acre property. Associate Planner Zandt summarized the proposal.

Chairman Wolter opened the Public Hearing at 6:40 pm.

- Chairman Wolter read an email into the record from Gail Luedtke and Diane Takala, W168 N12350 Century Lane. They cited noise concerns with the business, increased traffic and reduced property value.
- Aaron Diener, W168 N12330 Century Lane was concerned with noise, mainly from the chipper. He was also concerned how much damage the extra traffic will have on the new road.
- Christopher Voss, W168 N12340 Century Lane explained he plans on getting rid of as much wood and brush as he can and will only bring back what is left to turn into mulch. He said they leave in the morning at 7:30-8:00 and get back around 3:00 or 4:00. He does not do snow removal. He said the tub grinding will only happen a couple times a year. He rents the chipper.
- Jim Schwefel, W168 N12438 Century Lane was concerned with noise. He said it's a quiet area and doesn't want to hear a grinder. He's not concerned with the traffic.
- Aaron Diener, W168 N12330 Century Lane asked if the grinding would only be done during the week and not on Saturday. Voss confirmed not on Saturday but said he has a lot of cleanup to do on the property.
- Doug Larson, First Weber Realty, said he has known Chris for 5 years and he is a responsible business owner, follows rules, is hard working, has a well-run business and has been looking for the right property.

Trustee Baum explained he has a landscape company in his district and rules were setup not to do any work on the property. But that property owner has been cleaning up his property cutting trees and the neighbors have been calling him complaining about the noise and what can be done about it. He knows Mr. Voss will be cutting dead elm and box elder on his property and he wants to warn the neighbors about the noise from the chainsaws and chipper. Mr. Voss said the property is overgrown and he will get the tree work done quickly. Planner Retzlaff added that a property owner has a certain amount of maintenance they can do on their property.

Public Hearing was closed at 7:00 pm.

MOTION Baum second Shadid to Approve the Conditional Use Permit (CUP) for Christopher Voss and A New Leaf Tree Service to allow the operation of a horticultural services business

at the 16.2-acre property located at W168 N12340 Century Lane subject to the following conditions:

- 1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations specified in the conditional use permit (CUP) application and supporting documents dated July 2, 2020. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the detailed site plan and description submitted with the supporting documents. Days and hours of operation, including semi-annual mulching, shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Monday through Friday, 7am to 7pm). The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Planner.**
- 2. All company vehicles and equipment shall be stored within the existing 75' x 150' pole barn. There shall be no outdoor storage of company vehicles or equipment.**
- 3. Onsite retail sales and/or wholesale of landscaping products or other products from this property is prohibited.**
- 4. The property owner shall develop a landscape plan for screening the outdoor storage of tree material on the east side of the pole barn. This landscape plan shall be approved by Planning & Zoning staff prior to the recording of the CUP and shall be installed no later than June 1st, 2021.**
- 5. The operator has indicated that trees and branches brought to the site will eventually be processed into mulch semi-annually. In the event heavy grinding/shredding equipment will be used on-site to process plant material into mulch for an extended period of time (i.e. defined herein as more than 3 consecutive or cumulative hours per day), the operator shall provide all residents living within 500 feet of the subject property a minimum three (3) day written notice indicating the approximate days and times said grinding/shredding equipment will be operating. The operator is encouraged to communicate with the surrounding residents on a regular basis regarding activities to be conducted on-site that may create excessive noise and/or dust.**
- 6. In the event the Village receives complaints regarding outdoor storage, noise, dust, odor, vibration or other negative impacts on surrounding neighborhood and properties, the Owner/Operator shall work cooperatively with the Village to mitigate and resolve the issue.**
- 7. Site improvements, buildings, signage, exterior lighting and any other improvements on the property that are necessary for the land uses and activities authorized under this CUP shall be reviewed and approved by the Village through the Zoning Permit or Site Plan application process as determined by the Village Zoning Administrator. If required, Site Plan review and approval will include Plan Commission review and approval.**
- 8. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.**

MOTION to Amend Baum second Kimmler to add Condition #9 that the business traffic is to be routed south from the residence down Century Lane and not go north and west.

MOTION to Amend carried unanimously.

MOTION to Amend Baum second Kimmler to add to Condition #5 that the use of the tub grinder be limited to 2 times per year with a maximum extent of 5 consecutive days each time during the hours of 8:00 to 5:00 pm, Monday to Friday. Semi-Annual mulching should be removed from Condition #1

Mr. Voss asked if there was a preference where he stores the trees to be chipped. Trustee Baum said his preference would be in the area north of the barn. Mr. Voss asked if wood is stored in the north area and not exposed, will he still need to plant trees to block that area. Associate Planner Zandt stated if storage is moved to the north side of the pole building Condition #4 can be eliminated.

MOTION to Amend carried unanimously.

Trustee Baum explained if material is stored to the north of the barn, then Condition #4 will not be required. But if sometime in the future it spews out of there and goes out of that area then Condition #4 comes into play. If the pile moves to the east, Mr. Voss will need to talk to Planning about a screening plan. He also stated that Mr. Voss can cut and chip his own trees, subject to the noise ordinance after 10 pm.

MOTION to Approve as Amended carried unanimously.

MGS Manufacturing - W190 N11701 Moldmakers Way. Request for approval of a Certified Survey Map (CSM) to combine four parcels into one and vacate the Moldmakers Way right-of-way, and site development and building plans for a 121,191 sqft industrial building expansion and related site improvements for the MGS Manufacturing campus in the Industrial Park. Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the Certified Survey Map (CSM) to combine four (4) parcels into one 24.02-acre parcel, and to approve the necessary resolution to vacate the 1.317-acre right-of-way for Moldmakers Way subject to the following conditions:

- 1. The CSM shall be revised to reflect the Village Surveyor comments contained in the August 18, 2020 review memo prior to recording the CSM.***

MOTION carried unanimously.

MOTION Baum second Kimmler to Approve the site development and building plans for a 121,191 sqft industrial building expansion and related site improvements for the MGS Mfg. campus located on Moldmakers Way in the Germantown Industrial Park subject to the following conditions:

- 1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the following architectural and engineering plans unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:***
 - a. Architectural plans dated September 3, 2020 (revision date);***
 - b. Civil Engineering plans dated September 4, 2020 (revision date);***
 - c. Landscaping plans dated September 1, 2020 (revision date);***

CONDITIONAL USE PERMIT (CUP) APPLICATION

9/14/20 Plan Commission Meeting

Christopher Voss / A New Leaf Tree Services

Planning & Zoning Report

Germantown, Wisconsin

Summary

Christopher Voss, agent for A New Leaf Tree Services and property owner, is requesting approval of a Conditional Use Permit (CUP) to operate a Horticultural Services business on the 16.2-acre property located at W168N12340 Century Lane.

Location: W168N12340 Century Lane

Applicant/

Property Owner: Christopher Voss
W168N12340 Century Lane
Germantown, WI 53022

Zoning: A-2: Agricultural

Adjacent Land Uses		Zoning
North	Open Space / Residential	A-1 / Rs-3
South	Residential / Open Space	A-2 / A-1
East	Residential / Open Space	Rs-1 / A-1
West	Residential	Rs-1 / Rs-3



History/Proposal

Christopher Voss, agent for A New Leaf Tree Services and property owner, is requesting approval of a Conditional Use Permit (CUP) to operate a Horticultural Services business on the 16.2-acre property located at W168N12340 Century Lane. This property contains a single-family dwelling, detached garage, and a 75' x 150' pole barn, which is intended to be used for the storage of A New Leaf Tree Services company vehicles.

A New Leaf Tree Service is an off-site tree removal service primarily serving Washington, Waukesha, Milwaukee, & Ozaukee counties. A New Leaf Tree Service currently has a total of 8 employees. Employees will arrive to the site at approximately 7am, Monday through Friday, park their personal vehicles, and take company vehicles to job sites. Employees will return to the site by 7pm to drop off work vehicles and pick up their personal vehicles. All company vehicles will be stored inside the 75' x 150' pole barn. Company vehicles include 2 bucket trucks, 2 chipper trucks, 3 pick-up trucks, 2 stump grinders, 2 chippers, 1 dump trailer and 2 mini-loaders with trailers. The applicant estimates that this equipment will take up about half of the space in the pole building. Tree material will be brought to and stored on the site, east of the 75' x 150' pole barn. Tree material will be ground into mulch semi-annually and hauled off site. There are no site or building improvements planned for the property at this time.

No retail or wholesale sales of mulch or other landscaping products from the subject property is proposed. A condition has been added prohibiting onsite retail or wholesale on the site in the future.

Staff CommentsPlanning and Zoning

Horticultural Services is permitted in the A-2 Agricultural District through an approved Conditional Use Permit. The 2020 Land Use Plan map designates this property as Rural Residential and Agricultural Conservation Residential.

The proposed outdoor storage of tree material, which is proposed to be brought back to the site from off-site jobs, is a concern for staff. Although the area on the east side of the pole building is well screened from the north, west, and east, the property owner to the south may be impacted by the outdoor storage. Staff suggests adding a condition of approval to screen the storage area from view of the neighbor to the south with evergreen trees in line with the existing pole barn. This planting will also help to contain the storage area to the area north and east of the pole barn.

The applicant plans to mulch the tree material stored on site semi-annually. Staff is proposing a condition that this mulching be completed during regular business hours Monday through Friday, 7am to 7pm and that the property owner provide written notice to property owners within 500 feet of the property. The recommended condition requires that if grinding or mulching will take place for three (3) or more consecutive of cumulative hours per day, a minimum three (3) day written notice indicating the

approximate days and times said grinding/shredding equipment will be operating. The operator is encouraged to communicate with the surrounding residents on a regular basis regarding activities to be conducted on-site that may create excessive noise and/or dust.

Staff also has concerns regarding the shared driveway with the property to the south. The proposed horticultural services business will bring additional traffic of large vehicles on the driveway at least twice per day. These vehicles may cause more damage to the driveway than the normal residential traffic anticipated when the driveway agreement was originally signed. Additional feedback from the other property owner may result in the need to further address future maintenance of the shared driveway.

Village Planning & Zoning Staff Recommendation

APPROVE a conditional use permit (CUP) for Christopher Voss and A New Leaf Tree Services to allow the operation of a horticultural services business at the 16.2-acre property located at W168N12340 Century Lane subject to the following conditions:

1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations specified in the conditional use permit (CUP) application and supporting documents dated July 2, 2020. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the detailed site plan and description submitted with the supporting documents. Days and hours of operation, including semi-annual mulching, shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Monday through Friday, 7am to 7pm). The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Planner.
2. All company vehicles and equipment shall be stored within the existing 75' x 150' pole barn. There shall be no outdoor storage of company vehicles or equipment.
3. Onsite retail sales and/or wholesale of landscaping products or other products from this property is prohibited.
4. The property owner shall develop a landscape plan for screening the outdoor storage of tree material on the east side of the pole barn. This landscape plan shall be approved by Planning & Zoning staff prior to the recording of the CUP and shall be installed no later than June 1st, 2021.
5. The operator has indicated that trees and branches brought to the site will eventually be processed into mulch semi-annually. In the event heavy grinding/shredding equipment will be used on-site to process plant material into mulch for an extended period of time (i.e. defined herein as more than 3 consecutive or cumulative hours per day), the operator shall provide all residents living within 500 feet of the subject property a minimum three (3) day written notice indicating the approximate days and times said grinding/shredding equipment will be operating. The operator is encouraged to communicate with the surrounding residents on a regular basis regarding activities to be conducted on-site that may create excessive noise and/or dust.
6. In the event the Village receives complaints regarding outdoor storage, noise, dust, odor, vibration or other negative impacts on surrounding neighborhood and properties, the Owner/Operator shall work cooperatively with the Village to mitigate and resolve the issue.
7. Site improvements, buildings, signage, exterior lighting and any other improvements on the property that are necessary for the land uses and activities authorized under this CUP shall be reviewed and approved by the Village through the Zoning Permit or Site Plan application process as determined by the Village Zoning Administrator. If required, Site Plan review and approval will include Plan Commission review and approval.
8. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or

extent of the permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.



Village of
Germantown
Willkommen

Fee must accompany application

\$1460 Paid \$ Date 7-2-20

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1 APPLICANT OR AGENT

Christopher M Voss

Phone (262) 370-5357
Fax ()
E-Mail anewleaffree@yahoo.com

PROPERTY OWNER

David C Kontz

Phone (414) 750-2714

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

Christopher M Voss

3 PROPERTY ADDRESS

W168N12340 Century Ln
Germantown, WI 53022

TAX KEY NUMBER

GTNV153977

4 DESCRIPTION OF EXISTING OPERATION

Briefly describe the use as it exists today, including use, size, number of employees, hours of operation, etc. If this permit involves new construction, describe the current status of the property, e.g. "vacant." Use additional pages as necessary.

Off-site tree removal service primarily serving Washington, Waukesha, Milwaukee & Ozaukee counties. Currently 8 employees arrive at approximately 7 a.m. M-F, park their vehicles, and take work vehicles to jobsites and return by 7 p.m.. Operations are currently being done out of Wandsniders landscaping in Menomonee Falls on a rental basis. The Landlord charges the tenant a dumping fee for disposing of tree material returned to the site.

5 DESCRIPTION OF PROPOSED OPERATION

Write the name of the proposed conditional use exactly as it appears in the Municipal Code

(k) Horticultural services

Describe the proposed use, including size, number of employees, hours of operation and extent of any new construction/alterations.

Off-site tree removal service primarily serving Washington, Waukesha, Milwaukee & Ozaukee counties. Currently 8 employees arrive at approximately 7 a.m. M-F, park their vehicles, and take work vehicles to job sites and return by 7 p.m.. Tree material returned to the site, stored at the East side of the 75 x150 pole barn, which screens the view from Neighbor to the South as noted on the attached site plan. Tree material will be ground into mulch semi-annually and hauled off site. The vehicles will be stored and maintained inside the pole barn. All vehicles will exit and enter Century Ln to the South to minimize impact to the neighbors. The business owner plans to purchase and close on the property 8/28/20 and is requesting conditional use approval to operate the business as described above at this location.

6 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

Parcel One (1) of CERTIFIED SURVEY MAP No. 4821, recorded in the Washington County Registry on May 28, 1997 in Volume 33 of Certified Survey Maps on pages 14-18, as Document No. 747110 and being in part of the Northeast 1/4 of the Southwest 1/4 and part of the Northwest 1/4 of the Southeast 1/4 of Section 15, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Parcel ID#: GTNV153 977

7 SUPPORTING DOCUMENTATION:

- ☐ Site Plan and elevations for new construction (can be conceptual)
- ☒ Photos of existing use and/or proposed use operating elsewhere
- ☒ Site plan for proposed operations
- ☐ _____

8 READ AND INITIAL THE FOLLOWING:

CMV I understand that the Village is under no obligation to issue a Conditional Use Permit and will do so only if the applicant successfully demonstrates that the proposed use is harmonious with the neighborhood and the long range goals of the Village.

CMV I will notify the Village if any aspects of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.

CMV I understand that a Conditional Use Permit is valid only if the conditions and restrictions of the permit are met. I understand that failure to comply with any aspect of the permit may result in revocation.

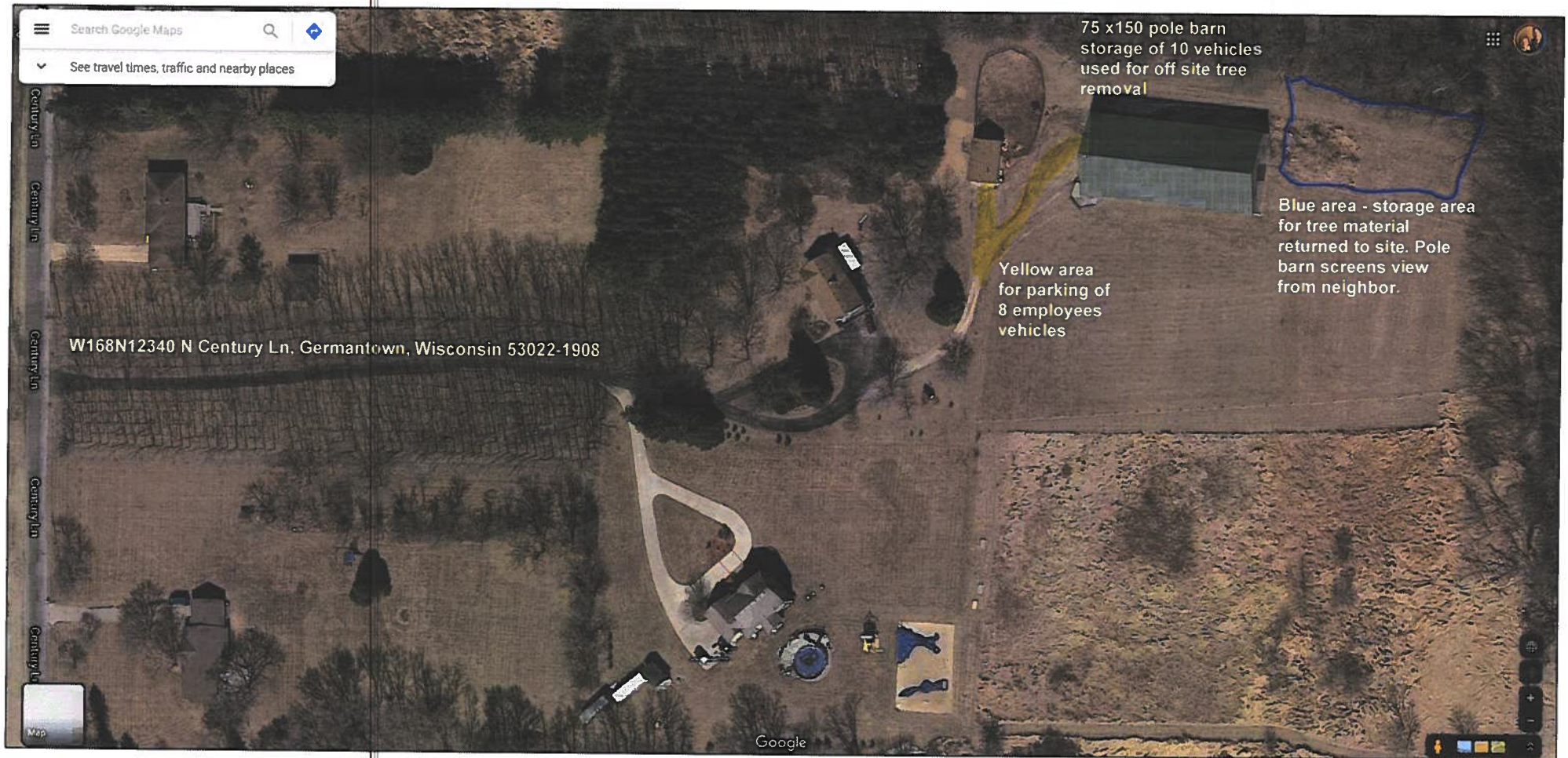
CMV I understand that Village Staff is required to post one or more signs along the street frontage of and/or on the property subject of this application that indicate to nearby property owners and the general public that a public hearing of my application will be held before the Village Plan Commission and/or Village Board prior to action being taken on this application; I hereby grant Village Staff permission to enter onto the property for the expressed purpose of installing said sign(s) provided Village Staff is responsible for installing, maintaining and removing said signs in a reasonable manner and timeframe.

9 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Chris Van 7/2/20
Applicant Date

Owner Date

Proposed site plan for "A New Leaf Tree Service"
7/1/2020



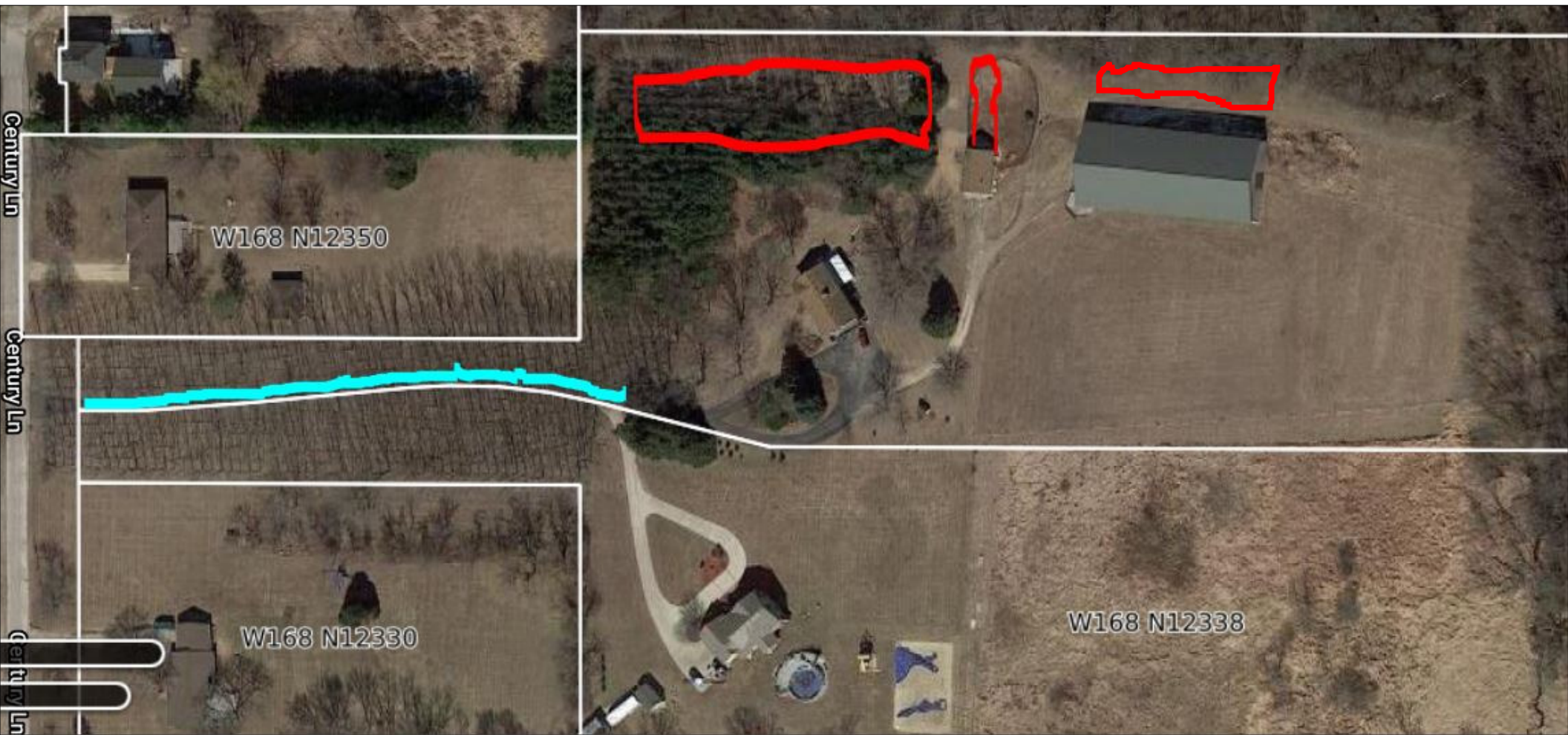
* All vehicle storage will be done inside the large pole barn, which is 5 X larger than shop at Wandsnider Landscaping
Visit <http://anewleaftreeservice.com/> to view services and company information

7/1/2020 Photos of Existing Operation & Vehicals at Wandsnider Landscaping, Menomonee Falls



7/1/2020 Photos of Existing Operation & Vehicals at Wandsnider Landscaping, Menomonee Falls





Red area - alternate storage area for tree material returned to site - either in the treed area, or screened behind the detached garage.

Blue Area - Possible expanded gravel driveway for truck traffic. (approximately 475')

Ideas for Conditional Use Permit for W168N12340 Century Lane

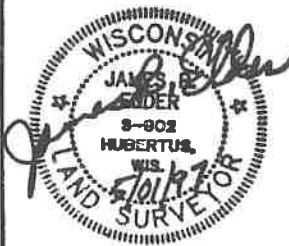
- (1) Outdoor Storage of Tree Material – Please see attached map for additional areas considered for the storage of the wood & brush. After purchasing the property & having more time to look around the property for other suitable areas, I found 2 other spots where the material would be completely concealed:
 - (A) Behind (north side) of the pole building – On the north side of the pole building, there would be a substantial area for outdoor storage of materials if we cleared an area of box elders & dead ash trees.
 - (B) Wooded area behind (north of the house – On the north side of the house, there is a large wooded area of maple & spruce trees. We could clear an area in the middle of the wooded area, leaving trees still surrounding the north, south, & west sides of the area so everything still remains completely concealed.
- (2) Shared Driveway – I am open to ideas on this matter. The current driveway was recently sealed, but the driveway is close to the end of it's lifespan right now. So, the 2 ideas I have are:
 - (A) Remove the first row of walnut trees down my side (the north side) of the driveway & install a gravel driveway where we will need to drive the trucks/equipment on, avoiding the asphalt driveway.
 - (B) Somehow modify the current driveway agreement making me responsible for more of the maintenance & replacement of driveway when necessary?

CERTIFIED SURVEY MAP

Being in part of the NE 1/4 of the SW 1/4 and part of the NW 1/4 of the SE 1/4 of Section 15, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

CENTURY LANE

W. LN., E 1/2, SW 1/4



CURVE DATA
RADIUS 482.06'
ARC 166.41'
CH BRG N86°47'43"W
CHORD 165.58'
DELTA 19°48'42"

CSM #191

SCALE 1"=200'

ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE.

0 200 400 Feet

GRAPHIC SCALE

LEGEND

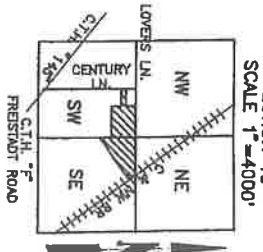
- Denotes an EXISTING Iron Pipe FOUND.
 - Denotes a 1"x24" Iron Pipe, weighing 1.13 lbs./lin. ft. PLACED.
 - ◆ Denotes PK Nail SET.
 - Denotes Soil Boring.
- 100 YR FLOOD EL: 849.5.

OWNERS:

Frederick E. & Elleen M. Gierach
W168 N12340 Century Lane
Germantown, WI 53022
(414)251-9043

SURVEYOR:

James R. Elder
3782 Overlook Drive West
Hubertus, WI 53033
(414)628-1409



PARCEL 2
12.9 AC

SETBACKS FOR NEW STRUCTURES
60' FRONT
50' SIDE
50' REAR

PARCEL 1
16.2 AC

INTERIOR ANGLES	
1.	180°27'17"
2.	126°11'25"
3.	86°54'00"
4.	56°49'03"
5.	269°38'27"
6.	90°24'44"
7.	269°35'16"
8.	90°24'44"
9.	89°35'04"
10.	270°24'56"
11.	89°35'04"

FEE

#77.25 (28)

747110

MAP NO. 4821 VOL 33 PAGE 14

EXEMPT

NW COR., SW 1/4
SECTION 15

N 88°57'44" E 2647.15'

N. LN., SW 1/4 OF SEC. 15

N 88°57'44" E

CTR. OF SECTION
15-9-20. N 88°30'27" E

1323.575'

486.00'

266.00'

837.575'

P.O.B.

N01°27'12"W
126.32'N01°27'12"W
266.00'N01°27'12"W
266.00'N 01°24'01" W
303.93'N01°27'12"W
126.32'S88°57'32"W
486.00'N01°27'12"W
266.00'S 88°57'32" W
1587.30'

300.00'

EAST LN., SW 1/4, SEC. 15-9-20

0.14 AC
DEDICATED FOR
ROAD PURPOSESCURVE DATA
RADIUS 482.06'
ARC 166.41'
CH BRG N86°47'43"W
CHORD 165.58'
DELTA 19°48'42"

CSM #191

S 88°57'32" W
836.97'APPROX.
100 YEAR
FLOOD LINEHOUSE & GAR.
DECK POOLBARN
EXISTING DRIVEWAY
EXISTING STRUCTURES

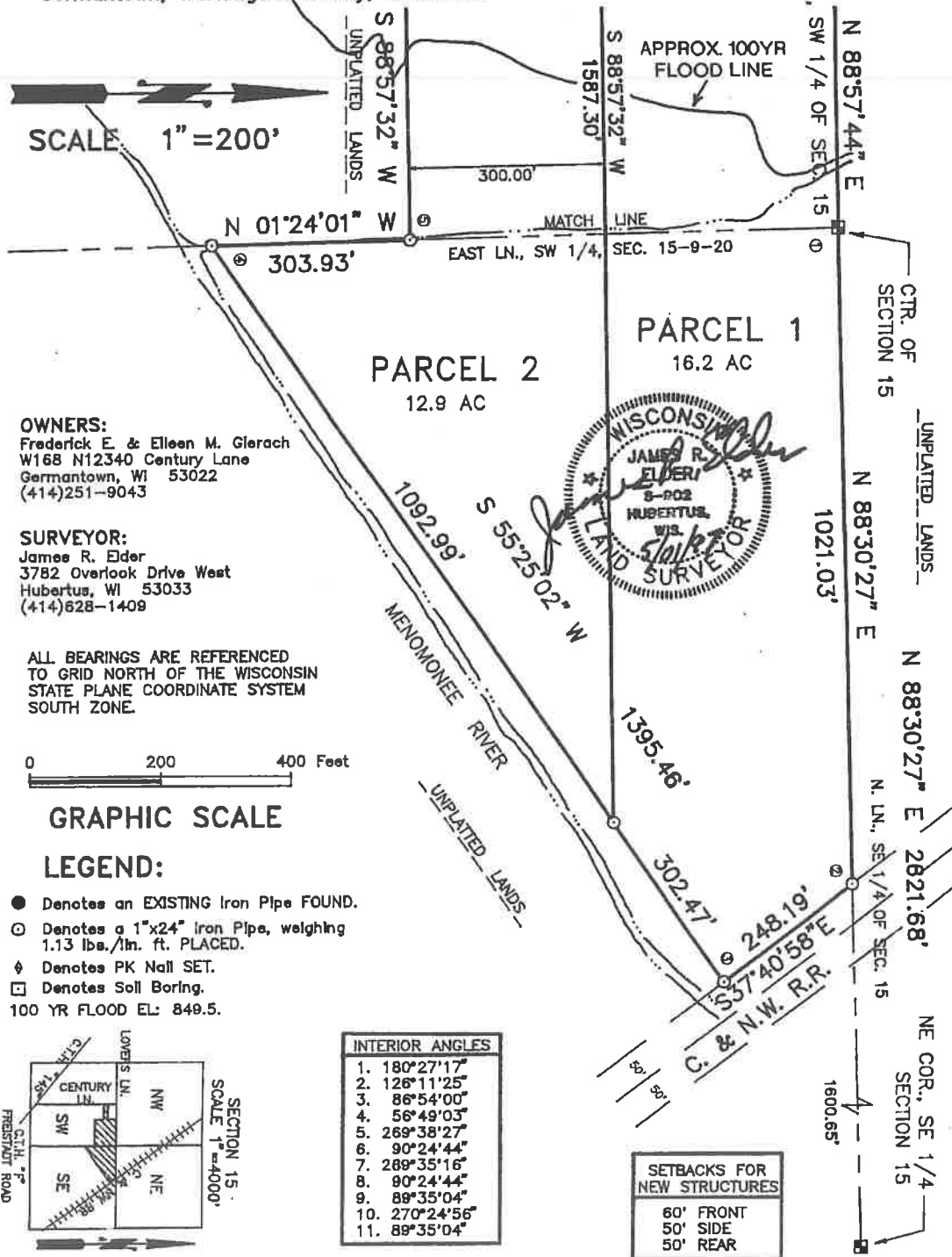
P.O.B.

PARCEL 1
16.2 AC

INTERIOR ANGLES	
1.	180°27'17"
2.	126°11'25"
3.	86°54'00"
4.	56°49'03"
5.	269°38'27"
6.	90°24'44"
7.	269°35'16"
8.	90°24'44"
9.	89°35'04"
10.	270°24'56"
11.	89°35'04"

CERTIFIED SURVEY MAP

Being in part of the NE 1/4 of the SW 1/4 and part of the NW 1/4 of the SE 1/4 of Section 15, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.



747110

MAP NO. 4821 VOL 33 PAGE 15

C E R T I F I E D S U R V E Y M A P

Part of the NE 1/4 of the SW 1/4 and part of the NW 1/4 of the SE 1/4 of Section 15, T9N, R20E, Village of Germantown, Washington County, Wisconsin.

SURVEYOR'S CERTIFICATE:

I, James R. Elder, Registered Land Surveyor, do hereby certify that I have surveyed, divided, and mapped part of the NE 1/4 of the SW 1/4 and part of the NW 1/4 of the SE 1/4 of Section 15, T9N, R20E, Village of Germantown, Washington County, Wisconsin, described as follows:

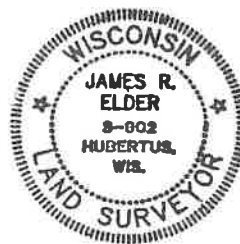
Beginning at the Center of said Section 15; thence N88°30'27"E, 1021.03 feet along the North line of the SE 1/4 of said Section 15; thence S37°40'58"E, 248.19 feet along the westerly right-of-way of the Central & Northwestern Railroad; thence S55°25'02"W, 1395.45 feet along the Northerly side of the Menomonee River; thence N01°24'01"W, 303.93 feet along the East line of the SW 1/4 of said Section 15; thence S88°57'32"W, 836.97 feet; thence N01°27'12"W, 266.00 feet along the East line of Certified Survey Map No. 191; thence S88°57'32"W, 486.00 feet along the North line of said CSM; thence N01°27'12"W, 126.32 feet along the West Line of the East 1/2 of said Section 15 and the centerline of Century Lane; thence N88°57'44"E, 486.00 feet; thence N01°27'12"W, 266.00 feet; thence N88°57'44"E, 837.575 feet along the North line of the SW 1/4 of said Section 15, to the point of beginning.

Said Parcel contains 29.31 Acres Gross and 29.17 Acres Net with 0.14 Acres dedicated for Road Purposes.

That I have made such survey, land division and this map by the order and direction of Frederick E. Gierach and Eileen M. Gierach, owners. That this map is a correct representation of all exterior boundaries of the land surveyed and the land division thereof made. That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Subdivision regulations of the Village of Germantown.

Dated this 1st Day of May, 1997.

James R. Elder
James R. Elder, R.L.S. #S-902 Ph. 628-1409
3782 Overlook Drive West
Hubertus, WI 53033



FEE
#77.25 (2r)
EXEMPT

REC'D
MAY 23 9 00 AM '97
County of Washington

RECORDED

747110

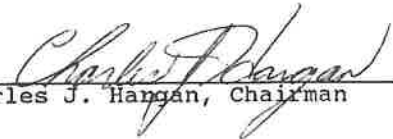
MAP NO. 4821 VOL 33 PAGE 16

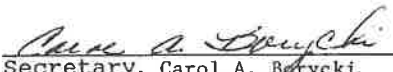
C E R T I F I E D S U R V E Y M A P

Part of the NE 1/4 of the SW 1/4 and part of the NW 1/4 of the SE 1/4 of Section 15, T9N, R20E, Village of Germantown, Washington County, Wisconsin.

PLANNING COMMISSION APPROVAL:

Approved by the Planning Commission of the Village of Germantown, on this 12th day of May, 1997.


Charles J. Hargan, Chairman


Secretary, Carol A. Borycki

VILLAGE BOARD APPROVAL:

Approved by the Germantown Village Board on this 19th day of May, 1997.

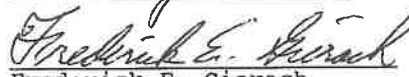

Charles J. Hargan, Village President

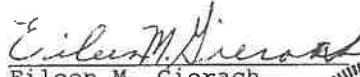
 CMC/AAC
Jane A. Wilms, Village Clerk

OWNER'S CERTIFICATE

We, Frederick E. Gierach and Eileen M. Gierach, as owners, do hereby certify that we caused the land described in the foregoing affidavit of James R. Elder, Surveyor, to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map.

WITNESS the hand and seal of said owners, this 23rd day of May, 1997.


Frederick E. Gierach
W168 N12340 Century Lane
Germantown, WI 53022
(414) 251-9043


Eileen M. Gierach
(Same)

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)



Personally came before me this 23 day of May, 1997, the above named Frederick E. Gierach and Eileen M. Gierach, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

 (Mark R. Besting)
Notary Public, State of Wisconsin
My commission expires: 4-16-2000

747110

MAP NO. 4821 VOL. 33 PAGE 17

C E R T I F I E D S U R V E Y M A P

Part of the NE 1/4 of the SW 1/4 and part of the NW 1/4 of the SE 1/4 of Section 15, T9N, R20E, Village of Germantown, Washington County, Wisconsin.

CONSENT OF MORTGAGEE:

I, KARAN SERCHEN A/P of First Financial Bank, Mortgagee of the above described land, do hereby consent to the surveying, dividing and mapping of the land described on this Certified Survey Map, and I do hereby consent to the above certificate of Frederick E. Gierach and Eileen M. Gierach, owners of said land.

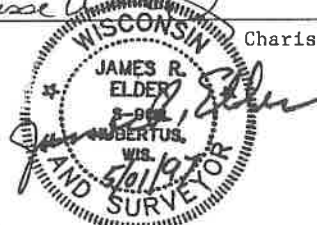
Witness the hand and seal of said Mortgagee this 15 Day of May, 1997.

Karan Serchen A/P
Bank Officer
First Financial Bank
1305 Main Street
Stevens Point, WI 54481

Witness

Charisse Wanta

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)



Personally came before me this 15th day of May, 1997, the above named KARAN SERCHEN, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Geri L. Mancel (Geri L. Mancel)
Notary Public, State of Wisconsin
My commission expires: 10-11-98

CONSENT OF MORTGAGEE:

I, ROCK R. BRANDNER SR. V.P. of Kilbourn State Bank, Mortgagee of the above described land, do hereby consent to the surveying, dividing and mapping of the land described on this Certified Survey Map, and I do hereby consent to the above certificate of Frederick E. Gierach and Eileen M. Gierach, owners of said land.

Witness the hand and seal of said Mortgagee this 6 Day of MAY, 1997.

Rock R. Brandner
Bank Officer ROCK R. BRANDNER
SR. V.P.
Kilbourn State Bank
P.O. Drawer 700
Germantown, WI 53022

Witness

Connie J. Haevers

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this 16th day of May, 1997, the above named Rock R. Brandner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Gail M. Garton (Gail M. Garton)
Notary Public, State of Wisconsin
My commission expires: 12/28/97

747110

MAP NO 4821 VOL 33 PAGE 18

750444

VOL 1711 PAGE 248

SHARED DRIVEWAY AGREEMENT

Document Number

Document Title

RECORDED

JUL 1 1 30 PM '97

Portia C. Schmaus

REC'D

Recording Area

Name and Return Address

SCHMAUS LAW OFFICE
W182 N9606 APPLETON AVENUE
GERMANTOWN WI 53022

Parcel Identification Number (PIN)

✓
leg

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clause, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document. Note. Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, §9.517. WRDA 2/96

18

SHARED DRIVEWAY AGREEMENT

THIS AGREEMENT made this 23rd day of June, A.D. 1997, by and between Frederick E. Gierach and Eileen M. Gierach, husband and wife, parties of the first part, and Craig D. Ostovich and Diana Jo Ostovich, husband and wife, parties of the second part

WITNESSETH:

WHEREAS, the parties of the first part are owners of real estate acquired by Warranty Deed and described as follows to-wit:

Parcel No.1 of Certified Survey Map No.4821 being described as follows:

Beginning at the Center of said Section 15; thence N 88 degrees 30' 27" E, 1021.03 feet along the North line of the SE 1/4 of said Section 15; thence S 37 degrees 40' 58" E, 248.19 feet along the westerly right-of-way of the Central & Northwestern Railroad; thence S 55 degrees 25' 02" W, 1395.45 feet along the Northerly side of the Menomonee River; thence N 01 degrees 24' 01" W, 303.93 feet along the East line of the SW 1/4 of said Section 15; thence S 88 degrees 57' 32" W, 836.97 feet; thence N 01 degrees 27' 12" W, 266.00 feet along the East line of Certified Survey Map No. 191; thence S 88 degrees 57' 32" W, 486.00 feet along the North line of said CSM; thence N 01 degrees 27' 12" W, 126.32 feet along the West line of the East 1/2 of said Section 15 and the centerline of Century Lane; thence N 88 degrees 57' 44" E, 486.00 feet; thence N 01 degrees 27' 12" W, 266.00 feet; thence N 88 degrees 57' 44" E, 837.575 feet along the North line of the SW 1/4 of said Section 15, to the point of beginning.

which property is located directly contiguous and joins a parcel of land owned by the parties of the second part, which is described as follows, to-wit:

Parcel No.2 of Certified Survey Map No.4821 being described as follows:

Beginning at the Center of said Section 15; thence N 88 degrees 30' 27" E, 1021.03 feet along the North line of the SE 1/4 of said Section 15; thence S 37 degrees 40' 58" E, 248.19 feet along the westerly right-of-way of the Central & Northwestern Railroad; thence S 55 degrees 25' 02" W, 1395.45 feet along the Northerly side of the Menomonee River; thence N 01 degrees 24' 01"

W, 303.93 feet along the East line of the SW 1/4 of said Section 15; thence S 88 degrees 57' 32" W, 836.97 feet; thence N 01 degrees 27' 12" W, 266.00 feet along the East line of Certified Survey Map No. 191; thence S 88 degrees 57' 32" W, 486.00 feet along the North line of said CSM; thence N 01 degrees 27' 12" W, 126.32 feet along the West line of the East 1/2 of said Section 15 and the centerline of Century Lane; thence N 88 degrees 57' 44" E, 486.00 feet; thence N 01 degrees 27' 12" W, 266.00 feet; thence N 88 degrees 57' 44" E, 837.575 feet along the North line of the SW 1/4 of said Section 15, to the point of beginning.

WHEREAS, there exists a common driveway on the boundary line between the subject properties, which driveway is bounded and described as follows:

That part of the NE 1/4 of the SW 1/4 of Section 15, T9N, R20E, in the Village of Germantown, Washington County, Wisconsin, described as follows:

Commencing at the NW corner of Parcel 1 of Certified Survey Map No. 4821; thence S 01 degrees 27' 12" E, 63.58 feet along the East right-of-way line of Century Lane to the centerline of an 11' wide driveway easement, described as follows: N 88 degrees 38' 59" E, 60.44 feet; thence N 84 degrees 35' 10" E, 85.12 feet; thence N 83 degrees 19' 32" E, 143.00 feet; thence Southeasterly along the arc of a curve in a clockwise direction, 166.41 feet, with a Radius of 482.06 feet, a Delta of 19 degrees 46' 42" and a Chord Bearing S 86 degrees 47' 43" E, 165.58 feet; thence S 76 degrees 54' 19" E, 152.81 feet; thence N 88 degrees 57' 32" E, 32.66 feet. Said easement is for the purpose of ingress and egress on a shared common driveway between Parcel 1 and Parcel 2 of said Certified Survey Map.

NOW, THEREFORE, it is agreed as follows:

1. That the parties to this Agreement and their successors and assigns will have perpetual use of said shared driveway and that this Agreement will bind all their heirs, executors, administrators, successors and assigns.

2. That each of the parties agree to pay for the cost of repair, maintenance and replacement of said shared driveway. However, in the event either party desires to expand upon or permanently improve/finish said road, said parties shall obtain the written consent of the other party, and only in that event, shall

each party be responsible for one-half (1/2) the cost of same. In such regard, each of the parties convey and grant unto each other the right to come upon the premises of each other as necessary for the purpose of making such repairs and maintaining said driveway as from time to time may be necessary.

3. Neither party may expand said driveway beyond its current location, and in the event each party should obtain a private driveway to their property, this Agreement shall automatically terminate.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 23rd day of June, 1997.

Parties of the First Part:

Frederick E. Gierach
Frederick E. Gierach

Eileen M. Gierach
Eileen M. Gierach

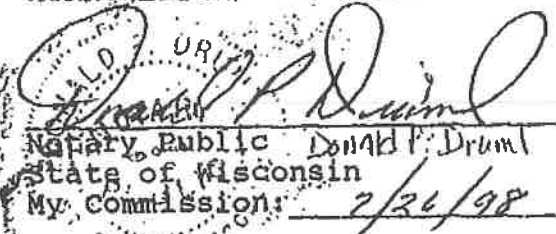
Parties of the Second Part:

Craig D. Ostovich
Craig D. Ostovich

Diana Jo Ostovich
Diana Jo Ostovich

STATE OF WISCONSIN }
SS
COUNTY OF WALKESHA }

Personally came before me this 23rd day of June, A.D. 1997, the above named Frederick E. Gierach, Eileen M. Gierach, Craig D. Ostovich and Diana Jo Ostovich TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

A circular notary seal for Donald P. Druml, Notary Public, State of Wisconsin. The seal contains the text "NOTARY PUBLIC", "STATE OF WISCONSIN", and "DONALD P. DRUML". A signature is written over the seal.
Notary Public Donald P. Druml
State of Wisconsin
My Commission: 2/26/98

This instrument was drafted by:

Schmaus Law Office
Attorney Gary R. Schmaus
W182 N9606 Appleton Avenue
Germantown, WI 53022
(414) 251-3473

Return To:

Schmaus Law Office
W182 N9606 Appleton Avenue
Germantown, WI 53022

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: October 5, 2020

AGENDA ITEM: New Business **[CERTIFIED SURVEY MAP]**

ITEM TITLE: Chaz Hastings, agent for WI Piggy LLC, Property Owner of the VonRothenburg Bier Stube (N116 W15863 Main Street) and the Old Town Inn (N116 W15841 Main Street); 1-Lot Certified Survey Map (CSM) to Combine Parcels

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

SUMMARY EXPLANATION:

Chaz Hastings, agent for WI Piggy LLC, property owner of the VonRothenburg Bier Stube and the Old Town Inn properties, is seeking approval of a 1-lot Certified Survey Map (CSM) to combine the two parcels located at N116 W15841 & W15863 Main Street.

In early 2020, Chaz Hastings approached the Village with a proposal to permanently expand the outdoor “bier garten” on the Bier Stube property. Because the proposed expansion encroached over the common property line shared with the Old Town Inn property, the only way the expansion proposal can move forward is for the two parcels to be combined (and common property line eliminated). As shown in the preliminary CSM (copy attached), the two parcels are proposed to be combined into one parcel .764 acres in area with three (3) existing buildings.

Another prerequisite for permanently expanding the bier garten is the need to create a Planned Development District (PDD) for the combined property. Because the property is still too small to accommodate all of the parking necessary to support the two businesses, and, given the non-conforming characteristics of the existing buildings and site improvements (i.e. inadequate parking and setback issues), the permanent expansion cannot comply with the “standard” B-3: General Business Zoning District regulations that currently apply to the combined property. To that end, Village Staff will work with Chaz Hastings to develop a planned development district with specific allowances and restrictions for the two businesses.

PLAN COMMISSION RECOMMENDATION:

APPROVE the 1-lot Certified Survey Map (CSM) to combine the two parcels owned by WI Piggy LLC located at N116 W15841 & W15863 Main Street with the following conditions:

1. All technical issues and plan corrections identified by the Village Surveyor (see August 31, 2020 memo) shall be addressed and reflected in a revised CSM submitted and approved by the Village Surveyor prior to recording the CSM.

APPLICATION, PLANS & RELATED DOCUMENTS:

All relevant documents, including applications, plans, supporting information, the staff report & recommendation, and Plan Commission meeting minutes (when available) are included in the PDF digital file distributed by the Village Clerk.

MOTION Baum second Kimmler to Approve the proposed wall and sign face replacement for Teriyaki Madness subject to the following condition:

- 1. Electrical permits shall be obtained from Inspection Services prior to installation of any/all electrical components.***

MOTION carried unanimously.

Glue Dots International - N117 W18711 Fulton Drive. The request is for approval of one ground signs, two wall signs and two directional signs for the property. Associate Planner Zandt summarized the proposal.

MOTION Shadid second Baum to Approve the proposed ground, wall and directional signs for Glue Dots International subject to the following condition:

- 1. A landscaping plan (three feet on all sides of the ground sign) shall be submitted and approved by the Community Development Department.***

MOTION carried unanimously.

Chaz Hastings, Agent for Jerry's Old Town Inn & Von Rothenburg Bier Stube - N116 W15841 & N116 W15863 Main Street. The request is for approval of a 1-lot Certified Survey Map (CSM) to combine the two parcels. Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the proposed 1-lot Certified Survey Map (CSM) to combine the two parcels owned by WI Piggy LLC located at N116 W15841 & N116 W15863 Main Street with the following conditions:

- 1. All technical issues and plan corrections identified by the Village Surveyor (see August 31, 2020 memo) shall be addressed and reflected in a revised CSM submitted and approved by the Village Surveyor prior to recording the CSM.***

Discussion followed regarding the access easement that runs through the property to get to the Grosenick property on the south.

MOTION carried unanimously.

ANNOUNCEMENTS: Planner Retzlaff said there would be a special meeting on 9-28-20 to restart the 2050 Land Use Plan discussions.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:50 pm.

Respectfully submitted,

Lori Johnson
Planning Assistant

CERTIFIED SURVEY MAP (CSM) APPLICATION

9/14/20 Plan Commission Meeting

Chaz Hastings / WI Piggy LLC

Village Planner Report

Germantown, Wisconsin

Summary

Chaz Hastings, agent for WI Piggy LLC, property owner of the VonRothenburg Bier Stube and the Old Town Inn properties, is seeking approval of a 1-lot Certified Survey Map (CSM) to combine the two parcels located at N116 W15841 & W15863 Main Street.

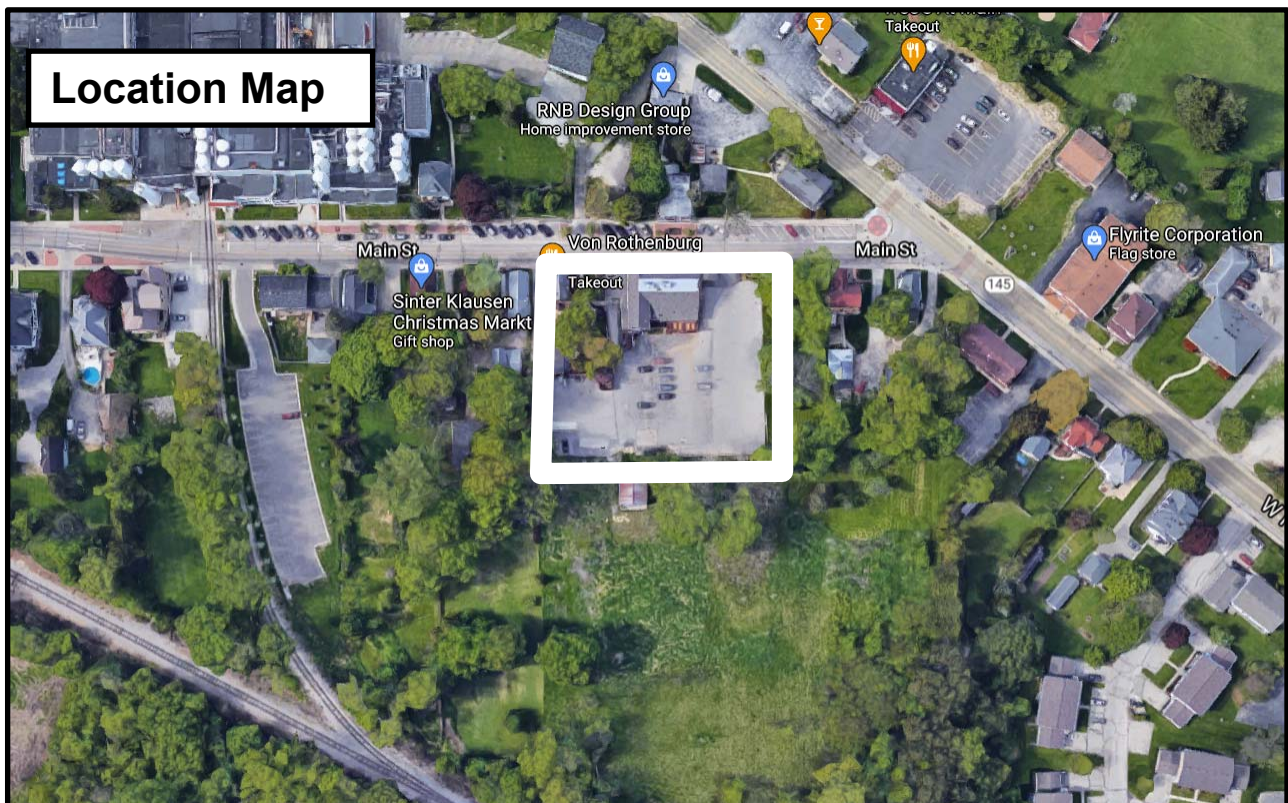
Property Location: N116 W15841 & W15863 Main Street

Applicant/

Property Owner: Chaz Hastings
N116 W15841 Main Street
Germantown, WI 53022

Current Zoning: B-3: General Business

Adjacent Land Uses		Zoning
North	Industrial	M-1
South	Residential	B-3
East	Residential	B-3
West	Residential	B-3



Background/Proposal

Chaz Hastings, agent for WI Piggy LLC, property owner of the VonRothenburg Bier Stube and the Old Town Inn properties, is seeking approval of a 1-lot Certified Survey Map (CSM) to combine the two parcels located at N116 W15841 & W15863 Main Street.

Staff Comment

In early 2020, Chaz Hastings approached Village Staff with a proposal to permanently expand the enclosed outdoor “bier garden” at the Bier Stube. Because the proposed expansion encroached over the common property line and onto the adjacent Old Town Inn parcel, the only way the expansion proposal can move forward is for the two parcels to be combined (or property line relocated). As shown in the preliminary CSM (copy attached), the two parcels are proposed to be combined into one parcel .764 acres in area with three (3) existing buildings.

NOTE: In an effort to accommodate the owner's desire to benefit from an expanded outdoor bier garden during the summer months in 2020, a temporary use permit was granted to the Bier Stube that allowed the bier garden to be expanded into the existing parking lot to the south as shown in the attached site plan (see approved Zoning Permit with site plan).

Another prerequisite for permanently expanding the bier garden that was discussed with the owner is the need to create a Planned Development District (PDD) for the property. Because the property is too small to accommodate all of the parking necessary to support the two businesses, and given the non-conforming characteristics of the existing buildings and overall site improvements (primarily due to inadequate parking and setback issues), the expanded operation cannot comply with the current B-3: General Business Zoning District within which the parcels are located. To that end, Staff will be working with Hastings to develop a planned development district with specific allowances and restrictions for the two businesses.

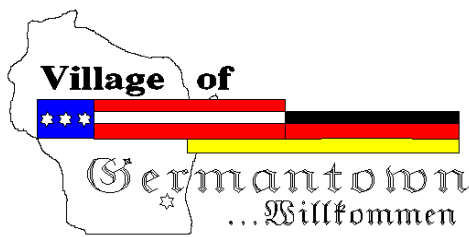
As shown on the proposed CSM, there is an existing 10' wide ingress/egress easement running north-to-south across the parcel. This easement is for the benefit of the land owner to the south to provide a secondary means of access to the undeveloped 5.2 acre parcel to the south (and small shed). *NOTE: it's unclear if the 10' wide easement is still being used or even necessary. Staff has reached out to the current owner of the 5.2-acre parcel, Jerry Grosenick, but had not received a reply at the time this report was prepared.*

The Village Surveyor has identified a few technical corrections in an August 31, 2020 memo (copy attached) that will need to be addressed/corrected prior to recording the CSM.

Village Planner Recommendation

APPROVE the proposed 1-lot Certified Survey Map (CSM) to combine the two parcels owned by WI Piggy LLC located at N116 W15841 & W15863 Main Street with the following conditions:

1. All technical issues and plan corrections identified by the Village Surveyor (see August 31, 2020 memo) shall be addressed and reflected in a revised CSM submitted and approved by the Village Surveyor prior to recording the CSM.



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner

CC:

From: Bob Beilfuss, PLS, Village Surveyor

Date: August 31, 2020

Re: Hastings CSM

Jeff,

Here are my review comments for the CSM received 6/24/2020.

Certified Survey Map

Applicant or Owner: Chaz Hastings

Land Surveyor/Firm: Marc Passarelli, PLS – Key Engineering LLP

1. The submitted document is not the required sheet size (8-1/2" x 14") per Chapter 236 of the Wisconsin Statutes.
2. The map on Sheet 1 of 4 does not scale.
3. Bearing basis noting the grid bearing of a designated USPLSS line. Per Chapter 18 of the Village Land Division Ordinance, all subdivision and Certified Survey Maps will be referenced to the Wisconsin State Plane Coordinate System, South Zone (NAD 1983-2011 datum) grid bearings for the bearing basis.
4. Mapping will be provided using the Wisconsin State Plane Coordinate System, South Zone (NAD 1983 datum, 2011 Adjustment).
5. Revise coordinate values for the two PLSS corners to NAD 83, 2011 Adjustment
6. Graphically show and dimension building setback lines on Lot 1 per current zoning code.
7. Dimension the depth and type of easement located at the NE corner of proposed Lot 1.
8. Revise Village of Germantown Board Approval Certificate to the following:

Village of Germantown Board Approval

This Certified Survey Map, being a division of (¼ ¼ Section __, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and *(the dedication of that part of*

August 31, 2020

(insert street name) for public road purposes as shown on Sheet __ of __ is hereby accepted by the Village Board of Trustees of the Village of Germantown on this __ day of _____, 2020.

Dean Wolter, Village President

Date

Deanna Braunschweig, Village Clerk

Date

- ☐ Include text in red italics for Certified Survey Maps which require road right of way dedication to the Village.

9. Show the original lot lines of the lots being combined from CSM No. 5668

No further review comments.

Document Approval and Recording

For this CSM to be approved by the Village Board and recorded at the Washington County Register of Deeds, the document must be provided to the Village Clerk's office in a completed format including all original signatures of the owner and lending institution, original seals of the professional land surveyor on the recordable media the Wednesday prior to the scheduled Village Board meeting.

This includes the CADD file of the Certified Survey Map from the professional land surveyor.

Any documents or digital files not submitted by the due date or contain outstanding technical review comments that have not be addressed, will be moved to the next scheduled Village Board meeting agenda.

Document Submittals and Data Conversion

As of October 2005, the Village of Germantown requires a digital copy of all Certified Survey Maps, Condominium Plats and Subdivision Plats in addition to the documents as required by Wisconsin Statute and Village Ordinances as part of the land division approval.

Prior to Recording the Certified Survey Map or Subdivision Plat, The professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2019 on compact disk (CD) or via email to the Village Surveyor for mapping purposes.

All digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

Note: In 2020, the Village will be upgrading its municipal code to recognize the NAD83 Datum, 2011 adjustment for horizontal control and NAVD88 for vertical control for mapping all land division documents and plan submittals for review.

There are new dossier sheets for all the Public Land Survey System monuments that contain the new coordinate positions and elevations available currently on the State Cartographer's website by using the Survey Control Finder application

August 31, 2020

Prior to Recording the Certified Survey Map or Final Subdivision Plat, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map. All boundary corners are to be clearly marked in the field by the professional land surveyor of record.



Village of



Germantown

Willkommen

Fee must accompany application

- ☐ \$2,900 with public improvements
☒ \$1,960 without public improvements

Paid _____ Date 6-24-20

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1 APPLICANT OR AGENT

Chaz Hastings

1116 W15841 Main Street

Germantown WI 53022

Phone (414) 334-9363

Fax ()

E-Mail chaz@hastingswi.com

PROPERTY OWNER

1

Phone ()

2

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

1116 W15841 Main Street 1116 W15863 Main St
Germantown WI 53022

3

PURPOSE OF LAND SPLIT

Combine lots

Will the land split require rezoning?

From

To

4

READ AND INITIAL THE FOLLOWING:

X

I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.

X

I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.

X

I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

X

I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

SIGNATURES — ALL APPLICATIONS MUST BE SIGNED BY OWNER!

5

Chaz Hastings
Applicant

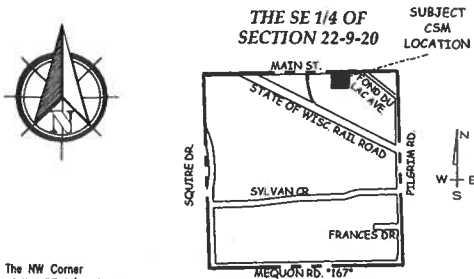
3/5/20
Date

Chaz Hastings
Owner

3/5/20
Date

WASHINGTON COUNTY CERTIFIED SURVEY MAP NO. _____

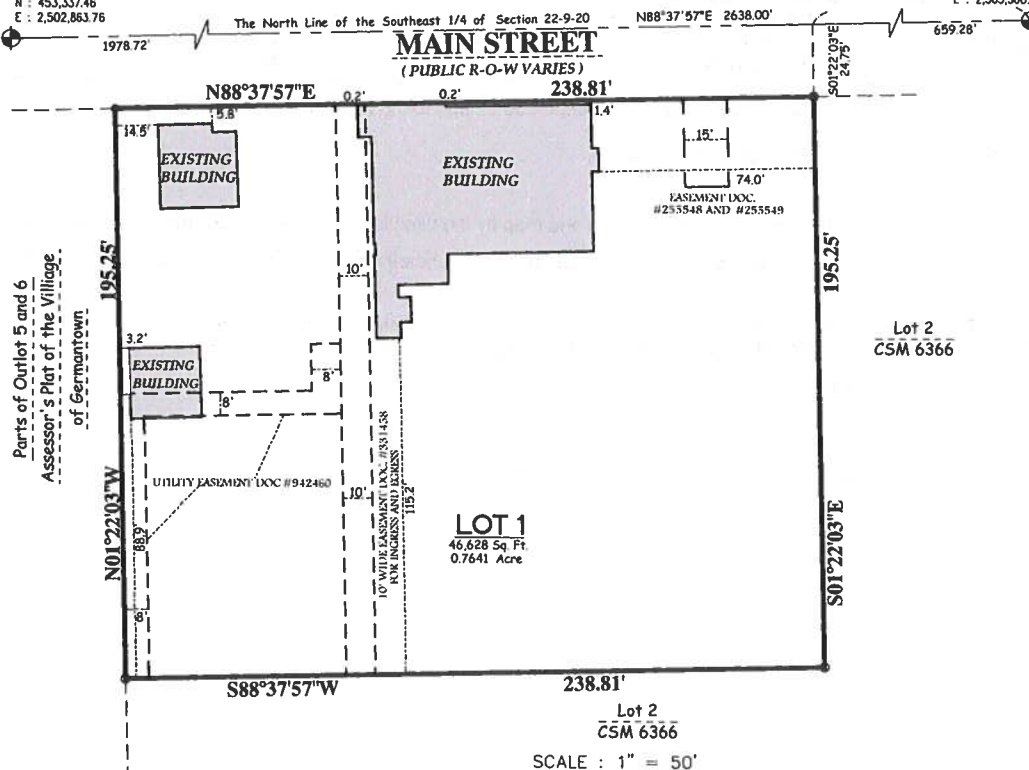
BEING A RE-DIVISION OF LOT 1 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 5668, RECORDED DECEMBER 4, 2003, IN VOLUME 41 OF CERTIFIED SURVEY MAP ON PAGES 120 TO 123 AS DOCUMENT NO. 1029164 AND CORRECTED BY AFFIDAVIT OF CORRECTION RECORDED NOVEMBER 20, 2006 AS DOCUMENT NO. 1144759. BEING A REDIVISION OF OUTLOTS 7, 8, 9 AND 10, IN ASSESSOR'S PLAT VILLAGE OF GERMANTOWN, BEING A PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, STATE OF WISCONSIN.



The NW Corner of the SE 1/4 of Section 22-9-20 Concrete Monument with Brass Cap
N : 453,337.46
E : 2,502,863.76

ALL BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 22-9-20, WHICH IS ASSUMED TO BEAR S 89°37'57" W. W.1. STATE PLANE COORDINATE SYSTEM SOUTH ZONE PER APR. 2018 C.S.S.D.

The NE Corner of the SE 1/4 of Section 22-9-20 Concrete Monument with Brass Cap
N : 453,400.41
E : 2,505,500.73



- - DENOTES FOUND 1" IRON PIPE
- - DENOTES FOUND 5/8" REBAR WITH CAP



735 NORTH WATER STREET, SUITE 510
MILWAUKEE, WI 53202
414.224.8300 (tel) - 414.224.8383 (fax)

MARC C. PASSARELLI P.L.S. # 2817

INSTRUMENT DRAFTED BY : MARK W. WEINGARTEN

DATE : 4/27/2020

JOB NO. 35723CSM

SHEET 1 OF 4

WASHINGTON COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A RE-DIVISION OF LOT 1 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 5668, RECORDED DECEMBER 4, 2003, IN VOLUME 41 OF CERTIFIED SURVEY MAP ON PAGES 120 TO 123 AS DOCUMENT NO. 1029164 AND CORRECTED BY AFFIDAVIT OF CORRECTION RECORDED NOVEMBER 20, 2006 AS DOCUMENT NO. 1144759. BEING A REDIVISION OF OUTLOTS 7, 8, 9 AND 10, IN ASSESSOR'S PLAT VILLAGE OF GERMANTOWN, BEING A PART OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 22, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, STATE OF WISCONSIN.

SURVEYOR'S CERTIFICATE
STATE OF WISCONSIN)
MILWAUKEE COUNTY)SS

I, Marc C. Passarelli, a Professional land surveyor do hereby certify:

That I have surveyed, divided and mapped a division of a re-division of Lot 1 of Certified Survey Map No. 5668, recorded December 4, 2003, as Document No. 1029164 and corrected by Affidavit of Correction recorded November 20, 2006 as Document No. 1144759, being a re-division of Outlots 7, 8, 9 and 10, in Assessor's Plat Village of Germantown, being a part of Northeast ¼ of the Southeast ¼ of Section 22, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, State of Wisconsin, bounded and described as follows: Commencing at the Northeast Corner of the Southeast ¼ of Section 22; thence South 88° 37' 57" West along the North line of the Northeast ¼ of Section 22, 659.28 feet; thence South 01° 22' 03" West, 24.75 feet to the point of beginning of the lands to be described; thence South 01° 22' 03" West, 195.25 feet; thence South 88° 37' 57" West, 238.81 feet; North 01° 22' 03" East, 195.25 feet to the Southerly right-of-way line of Main Street; thence North 88° 37' 57" East along the Southerly right-of-way Main Street, 238.81 feet to the point of beginning .

Containing 46,628 square feet of land (0.764 acres).

That I have made such survey, land division and map by the direction of WI Piggy, LLC, owner of said land.

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

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Subdivision regulations of the Village of Germantown in surveying, dividing, and mapping the same.

Dated this 16th day of April, 2020.

Marc C. Passarelli S-2817
Wisconsin Professional Land Surveyor

WASHINGTON COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A RE-DIVISION OF LOT 1 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 5668, RECORDED DECEMBER 4, 2003, IN VOLUME 41 OF CERTIFIED SURVEY MAP ON PAGES 120 TO 123 AS DOCUMENT NO. 1029164 AND CORRECTED BY AFFIDAVIT OF CORRECTION RECORDED NOVEMBER 20, 2006 AS DOCUMENT NO. 1144759. BEING A REDIVISION OF OUTLOTS 7, 8, 9 AND 10, IN ASSESSOR'S PLAT VILLAGE OF GERMANTOWN, BEING A PART OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 22, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, STATE OF WISCONSIN.

CORPORATE OWNERS CERTIFICATE:

WI Piggy, LLC, as owner, does hereby certify that said company has caused the land described to be surveyed, divided, and mapped represented on this map.

IN WITNESS WHEREOF, the said WI Piggy, LLC has caused these presents to be signed by Scott Michael Carleton, on this _____ day of _____, 2020.

WI Piggy, LLC

Scott Michael Carleton

STATE OF WISCONSIN)
COUNTY OF _____)SS

Personally came before me this _____ day of _____, 2020, the above named Scott Michael Carleton, of the above named WI Piggy, LLC, to me known to be the person who executed the foregoing instrument and to me known to be such representative of said company and acknowledged that he executed the foregoing instrument as such president as the deed of said by its authority.

Notary Public, State of Wisconsin
My Commission expires _____

CONSENT OF MORTGAGEE:

Byline Bank, duly organized and existing under and by virtue of the laws of the United States, mortgagor of the above described land, hereby consent to the surveying, dividing, and mapping of the land described in the foregoing affidavit of Marc C. Passarelli, surveyor and does hereby consent to the above certificate of WI Piggy, LLC, owner.

In Witness Whereof, Byline Bank, has caused these presents to be signed by _____, it's Representative, at _____, this _____ day of _____, 2020.

Byline Bank

STATE OF WISCONSIN)
COUNTY)SS

Personally came before me this _____ day of _____, 2020, the above named _____ of the above named bank, to me known to be the person who executed the foregoing instrument and to me known to be such Representative and acknowledged that he executed the foregoing instrument as such officer as the deed of said bank by its authority.

Notary Public, State of _____
My Commission expires _____

WASHINGTON COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A RE-DIVISION OF LOT 1 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 5668, RECORDED DECEMBER 4, 2003, IN VOLUME 41 OF CERTIFIED SURVEY MAP ON PAGES 120 TO 123 AS DOCUMENT NO. 1029184 AND CORRECTED BY AFFIDAVIT OF CORRECTION RECORDED NOVEMBER 20, 2006 AS DOCUMENT NO. 1144759. BEING A REDIVISION OF OUTLOTS 7, 8, 9 AND 10, IN ASSESSOR'S PLAT VILLAGE OF GERMANTOWN, BEING A PART OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 22, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, STATE OF WISCONSIN.

PLAN COMMISSION APPROVAL

Approved by the Planning Commission of the Village of Germantown on this _____ day of _____, 2020.

Dean Wolter, Chairman

Lori Johnson, Secretary

VILLAGE OF GERMANTOWN BOARD APPROVAL

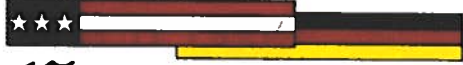
Approved AND ACCEPTED BY THE Village Board of Trustees of the Village of Germantown on this _____ day of _____, 2020.

Dean Wolter, Village President

Deanna Braunschweig, Village Clerk



Village of



Germantown

Willkommen

Community Development Department

Jeffrey W. Retzlaff, AICP, Director

Village Planner & Zoning Administrator

N112 W17001 Mequon Road P.O. Box 337

Germantown, WI 53022-0337

Telephone: (262) 250-4735

FAX: (262) 253-8255

Website: www.village.germantown.wi.us

E-mail: jretzlaff@village.germantown.wi.us

July 28, 2020

Chaz Hastings

Von Rothenburg Bier Stube

N116 W15841 Main Street

Germantown, WI 53022

RE: Von Rothenburg Bier Stube N116 W15841 Main Street;
Temporary Beer Garden Expansion

A temporary use permit has been approved for the expansion of the beer garden as outlined in your application dated July 24, 2020 and site plan (with a revised date October 31, 2019) subject to the following conditions:

CONDITIONS OF APPROVAL:

1. This permit is valid for the period from July 27 through January 27, 2020 (maximum 6 months).
2. This permit is intended to allow the expansion of the beer garden as described in the July 24 application and site plan (copy attached). No changes to the current operational characteristics of the overall business are approved or allowed under this permit other than to enlarge the enclosed area within which food/drink service is permitted as shown on the site plan.
3. The owner is responsible for obtaining any additional or amended liquor license approvals (if any) needed from the Village of Germantown. Contact the Village Clerk for information.
4. The owner is put on notice that any/all improvements to be made as part of the proposed garden expansion, e.g. relocated and additional fencing, stage re-location, 6 to 8 additional tables, are approved on a temporary basis and may be required to be removed and the area within which the expansion occurs restored to the previous condition unless a permanent expansion plan is subsequently approved by the Village (or an additional temporary use permit is issued that specially allows said expansion). At the time of this approval, the owner did submit plans and a proposal to create a special zoning district (i.e. Planned Development District) to address the issues of inadequate parking, impervious area and setback requirements.
5. The owner shall work with the Village to complete the land combination process that was initiated by the owner through the submission of a certified survey map (CSM) to combine the Bier Stube and Old Town parcels into one parcel. Said land combination is critical to the process of expanding the garden area because said expansion encroaches onto the Old Town parcel and a pre-existing access easement. It is anticipated that the CSM application will be reviewed by the Village in the fall, 2020.
6. The property owner shall continue to maintain the premises in a clean and orderly manner, including daily inspection and clean-up of any trash, etc.

Chaz Hastings
Von Rothenburg Bier Stube
N116 W15841 Main Street, Germantown, WI 53022
Temporary Use Permit; Beer Garden Expansion
July 28, 2020
Page 2 of 2

7. The property owner shall provide adequate security and sanitary facilities to serve the additional garden area and expected patrons.
8. The owner shall coordinate with the Germantown Fire Department for a pre-occupancy inspection of the expanded garden for purposes of ensuring adequate and safe access and exiting for patrons and emergency personnel is provided. The owner shall make any/all improvements or install any/all safety measures recommended by the Fire Department.
9. The property owner should follow the Washington Ozaukee Public Health Department Blueprint for Reopening Entertainment and Food Service guidelines to prevent the spread of COVID-19, including but not limited to the following:
 - a. Provide signage at entrance and throughout the site informing attendees of ways to prevent the spread of Covid-19, as well as hand sanitizing stations and free cloth masks for attendees.
 - b. Staff serving food shall wear face masks and gloves and wash their hands often with soap and water.
 - c. All frequently touched surfaces shall be cleaned and disinfected regularly.
 - d. The property owner should consult an attorney and/or insurance provider to discuss potential liabilities.

If you have any questions or concerns regarding this matter, feel free to contact me at (262) 250-4735.

Respectfully,



Jeffrey W. Retzlaff, AICP
Director, Community Development Department
Village Planner & Zoning Administrator

Copies: Steve Kreklow, Administrator

TEMPORARY USE PERMIT APPLICATION

Please read and complete this application carefully (please write legibly). All applications must be signed and dated. Attach additional sheets or include supplemental information as necessary to further explain and support your application.

APPLICANT OR AGENT:

Chaz Hastings

Address: 1116 W15841 Main Street

German town

Phone: 414-334-9363

FAX: _____

E-Mail: Chaz@hastingswi.com

PROPERTY OWNER(S):

Chaz Hastings

Address: 246 W 5841 Main Street

German town

Phone: 414-334-9363

FAX: _____

E-Mail: Chaz@hastingswi.ca

Address of Property, Parcel ID Number(s) or General Location of Proposed Temporary Use:

2116 W15841 Main Street Germantown

DESCRIPTION OF TEMPORARY USE: *Temporary beer garden expansion per site plan*
(attach plans and/or separate pages as necessary)

Temporary Use(s), Buildings, Structures, etc: Expansion of fence line - detailed on attached plan

Proposed Starting and Ending Dates: ~~7/28~~ - Start 7/27 End 7/29

Days and Hours of Activities (if any): 7 days 11am - close (9-12pm)

Type of Activities and/or Products: Restaurant

Sanitary Facilities (trash, toilets, etc): N/A

Security Measures and/or Emergency Services Provided: N/A

Temporary Use Permit Application

Page 2 of 2

Utility or Services (sanitary, water, electrical, etc.): N/A

Parking and loading: N/A

Describe any noise, lighting, smell/odor, dust, etc. associated with the Temporary Use:
Temporary Signage (requires separate fee): very limited noise - saw, truck
dropping off clean fill & mulch

APPLICATION SUBMITTAL REQUIREMENTS (to be submitted at time of application):

All Amendment Applications:

- ☐ Complete Application Form (Affidavit of Understanding and signatures required)
- ☐ Application Fee
- ☐ Additional Sheet(s) needed to discuss and/or explain the temporary use being proposed
- ☐ Detailed Plat of Survey or Site Plan of the land upon which the temporary use is proposed at a scale of 1" = 50' or other suitable scale necessary to accurately present:
 - o Exterior boundary of the land subject of the permit
 - o Concept plan showing the general size and location of the proposed temporary use in relationship to existing property lines, buildings or structures, natural features, etc. as may be necessary to further explain and/or support the proposed temporary use.

AFFIDAVIT OF UNDERSTANDING & INTENT TO COMPLY

Please read and indicate that you understand and agree to the following (initial in box):

☒ I understand that Village Staff, the Plan Commission and/or the Village Board may request additional information to properly evaluate this application and failure to provide such information may be sufficient justification to deny this application;

☒ I understand that, regardless of the justification and/or information provided in support of my application, the Village is under no obligation to approve my application as requested;

☒ I am aware that I am obligated to fulfill and continually be in compliance with any/all conditions of approval for this temporary use permit, and, that failure to do so may constitute a violation of the Village's Zoning Code and may result in the issuance of a municipal citation among other remedies.

ALL APPLICATIONS MUST BE SIGNED/DATED BY THE APPLICANT/AGENT AND PROPERTY OWNER(S)

Chris Heston 7/24/20
Applicant/Agent Date

Applicant/Agent Date

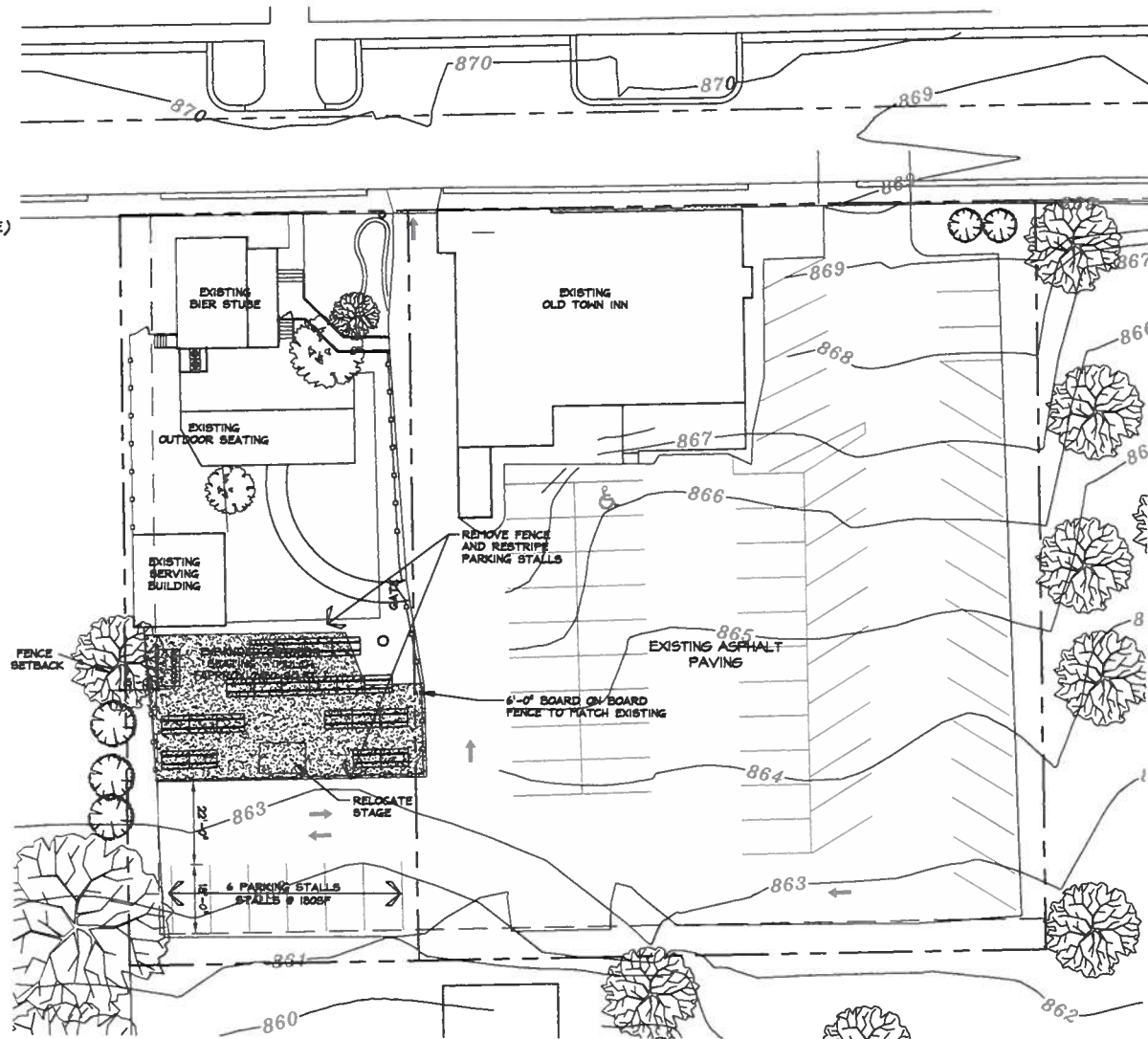
Chris Heston 7/24/20
Property Owner Date

Property Owner Date

The proposed garden expansion will make the garden about 20% larger than its current size. As the site plan indicates we will be moving the fence to the south. The size increase will allow for an additional 6-8 tables, which will include a designated area for customers to come in with their pets. The plan also shows the stage being relocated to the South fence line. The stage moving will be appreciated by our neighbor which should eliminate the complaints to the Police department.

SITE DATA (FOR COMBINED SITES OF OLD
OLD GERMAN BEER HALL, BIER STUBE)

PAVING	.63 Acres	27,437 SF	58.8%
BUILDING	.13 Acres	5,590 SF	11.9%
GREENSPACE	.31 Acres	13,601 SF	29.3%
TOTAL	1.07 Acres	46,628 SF	100%



1 SITE DEVELOPMENT PLAN
1" = 30'-0"

**THE
CUSTOM
HOUSE LLC**
ARCHITECTURE UNLIMITED

RESIDENTIAL-COMMERCIAL
1506 S. 58th STREET
WEST ALLIS, WI 53214
PHONE (414) 617-0352

Bier Stube
Bier Garden Addition
N116 W5841 Main Street
Germantown, WI

All Rights Reserved

OWNERSHIP OF DOCUMENTS

This document, and the ideas and design incorporated herein, as an instrument of professional service, is the sole property of The Custom House LLC, and is not to be used in whole or in part for any other project or purpose without the expressed written authorization of The Custom House LLC.
COPYRIGHT 2015

Sheet Contents
SITE PLAN

Issued For:	Date
Project 1	24 Feb. 2016
Project 2	26 March 2016
Project 3	04 May 2016
Project 4	22 June 2016
Plan Comm.	30 June 2016
Plan Comm. 2	31 Oct. 2016

Drawn By: DG
Checked By: DG

Date: 24 Feb. 2016

Job Number: 15.011

Sheet Number

C 1

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 58-2020

**AGREEMENT WITH EHLERS INC, TO ANALYZE FEASIBILITY AND
ALTERNATIVES FOR TAX INCREMENT FINANCING TO FUND IMPROVEMENTS
FOR PROPOSED DEVELOPMENT SOUTH OF HOLY HILL ROAD, TID #8**

WHEREAS, the Village of Germantown currently has Tax Increment District #8; and,

WHEREAS, Ehlers, Inc. is the Municipal Advisor, and has proposed an attached Feasibility Analysis for TID #8, including a project plan development, amendment, and state submittal, in an amount not to exceed \$15,500; and,

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of Germantown, does hereby adopt the proposed Feasibility Analysis for TID #8; and, authorizes the Village Administrator to enter into the attached agreement.

Introduced by: _____

Adopted: _____

Vote: Ayes: ____ Nays: ____

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig, WCMC/CMC
Village Clerk

October 1, 2020

Steve Kreklow, Administrator
Village of Germantown, Wisconsin
N112 W17001 Mequon Rd
PO Box 337
Germantown, WI 53022

Re: Written Municipal Advisor Client Disclosure with the Village of Germantown ("Client") for Tax Increment District No. 8 Amendment ("Project" Pursuant to MSRB Rule G-42)

Dear Steve:

As a registered Municipal Advisor, we are required by Municipal Securities Rulemaking Board (MSRB) Rules to provide you with certain written information and disclosures prior to, upon or promptly, after the establishment of a municipal advisory relationship as defined in Securities and Exchange Act Rule 15Ba1-1. To establish our engagement as your Municipal Advisor, we must inform you that:

1. When providing advice, we are required to act in a fiduciary capacity, which includes a duty of loyalty and a duty of care. This means we are required to act solely in your best interest.
2. We have an obligation to fully and fairly disclose to you in writing all material actual or potential conflicts of interest that might impair our ability to render unbiased and competent advice to you. We are providing these and other required disclosures in **Appendix A** attached hereto.
3. As your Municipal Advisor, Ehlers shall provide this advice and service at such fees, as described within **Appendix B** attached hereto.

This documentation and all appendices hereto shall be effective as of its date unless otherwise terminated by either party upon 30 days written notice to the other party.

During the term of our municipal advisory relationship, this writing might be amended or supplemented to reflect any material change or additions.

We look forward to working with you on this Project.

Sincerely,

Ehlers



Philip L. Cosson, CIPMA
Senior Municipal Advisor/Director

¹ This document is intended to satisfy the requirements of MSRB Rule G-42(b) and Rule G-42(c).

Appendix A

Disclosure of Conflicts of Interest/Other Required Information

Actual/Potential Material Conflicts of Interest

Ehlers has no known actual or potential material conflicts of interest that might impair its ability either to render unbiased and competent advice or to fulfill its fiduciary duty to Client.

Other Engagements or Relationships Impairing Ability to Provide Advice

Ehlers is not aware of any other engagement or relationship Ehlers has that might impair Ehlers' ability to either render unbiased and competent advice to or to fulfill its fiduciary duty to Client.

Affiliated Entities

Ehlers offers related services through two affiliates of Ehlers, Bond Trust Service Corporation (BTSC) and Ehlers Investment Partners (EIP). BTSC provides paying agent services while Ehlers Investment Partners (EIP) provides investment related services and bidding agent service. Ehlers and these affiliates do not share fees. If either service is needed in conjunction with an Ehlers municipal advisory engagement, Client will be asked whether or not they wish to retain either affiliate to provide service. If BTSC or EIP are retained to provide service, a separate agreement with that affiliate will be provided for Client's consideration and approval.

Solicitors/Payments Made to Obtain/Retain Client Business

Ehlers does not use solicitors to secure municipal engagements; nor does it make direct or indirect payments to obtain or retain Client business.

Payments from Third Parties

Ehlers does not receive any direct or indirect payments from third parties to enlist Ehlers recommendation to the Client of its services, any municipal securities transaction or any financial product.

Payments/Fee-splitting Arrangements

Ehlers does not share fees with any other parties and any provider of investments or services to the Client. However, within a joint proposal with other professional service providers, Ehlers could be the contracting party or be a subcontractor to the contracting party resulting in a fee splitting arrangement. In such cases, the fee due Ehlers will be identified in a Municipal Advisor writing and no other fees will be paid to Ehlers from any of the other participating professionals in the joint proposal.

Municipal Advisor Registration

Ehlers is registered with the Securities and Exchange Commission (SEC) and Municipal Securities Rulemaking Board (MSRB).

Material Legal or Disciplinary Events

Neither Ehlers nor any of its officers or municipal advisors have been involved in any legal or disciplinary events reported on Form MA or MA-I nor are there any other material legal or disciplinary events to be reported. Ehlers' application for permanent registration as a Municipal Advisor with the (SEC) was granted on July 28, 2014 and contained the information prescribed under Section 15B(a)(2) of the Securities and Exchange Act of 1934 and rules thereunder. It did not list any information on legal or disciplinary disclosures.

Client may access Ehlers' most recent Form MA and each most recent Form MA-I by searching the Securities and Exchange Commission's EDGAR system (currently available at <http://www.sec.gov/edgar/searchedgar/companysearch.html>) and searching under either our Company Name (Ehlers & Associates, Inc.) or by using the currently available "Fast Search" function and entering our CIK number (0001604197).

Ehlers has not made any material changes to Form MA or Form MA-I since that date.

Conflicts Arising from Compensation Contingent on the Size or Closing of Any Transaction

The forms of compensation for municipal advisors vary according to the nature of the engagement and requirements of the client. Compensation contingent on the size of the transaction presents a conflict of interest because the advisor may have an incentive to advise the client to increase the size of the securities issue for the purpose of increasing the advisor's compensation. Compensation contingent on the closing of the transaction presents a conflict because the advisor may have an incentive to recommend unnecessary financings or recommend financings that are disadvantageous to the client. If the transaction is to be delayed or fail to close, an advisor may have an incentive to discourage a full consideration of such facts and circumstances, or to discourage consideration of alternatives that may result in the cancellation of the financing or other transaction.

Any form of compensation due a Municipal Advisor will likely present specific conflict of interests with the Client. If a Client is concerned about the conflict arising from Municipal Advisor compensation contingent on size and/or closing of their transaction, Ehlers is willing to discuss and provide another form of Municipal Advisor compensation. The Client must notify Ehlers in writing of this request within 10 days of receipt of this Municipal Advisor writing.

MSRB Contact Information

The website address of the MSRB is www.msrb.org. Posted on the MSRB website is a municipal advisory client brochure that describes the protections that may be provided by MSRB rules and how to file a complaint with the financial regulatory authorities.

Appendix B

Tax Incremental Financing Services

Scope of Service

Client has requested that Ehlers assist Client with the amendment of Tax Increment District (TID) No. 8 (“Project”). Ehlers proposes and agrees to provide the following scope of services:

Phase I – Feasibility Analysis

The purpose of Phase I is to determine whether the Project is a statutorily and economically feasible option to achieve the Client’s objectives. This phase begins upon your authorization of this engagement and ends on completion and delivery of a feasibility analysis report. As part of Phase I services, Ehlers will:

- Consult with appropriate Client officials to identify the Client’s objectives for the Project.
- Provide feedback as to the appropriateness of using Tax Incremental Financing in the context of the “but for” test.
- If the Project includes creation of or addition of territory to a district, identify preliminary boundaries and gather parcel data from Client. Determine compliance with the following statutory requirements as applicable:
 - Equalized Value test.
 - Purpose test (industrial, mixed use, blighted area, in need of rehabilitation or conservation, or environmental remediation).
- Prepare feasibility analysis report. The report will include the following information, as applicable:
 - A summary of the development assumptions used with respect to timing of construction and projected values.
 - Projections of tax increment revenue collections to include annual and cumulative present value calculations.
 - If debt financing is anticipated, a summary of the sizing, structure and timing of proposed debt issues.
 - A cash flow *pro forma* reflecting annual and cumulative district fund balances and projected year of closure.
 - A draft time table for the Project.
 - Identification of how the amendment date may affect the district’s valuation date, the base value, compliance with the equalized value test, and the ability to capture current year construction values and changes in economic value.
 - When warranted, evaluate and compare options with respect to boundaries, type of district, project costs and development levels.
 - Ehlers will provide guidance on district design within statutory limits to creatively achieve as many of the Client’s objectives as possible and will provide liaison with State Department of Revenue as needed in the technical evaluation of options.

- Present the results of the feasibility analysis to the Client's staff, Plan Commission or governing body.

Phase II – Project Plan Development and Approval

If the Client elects to proceed following completion of the feasibility analysis, the Project will move to Phase II. This phase includes preparation of the Project Plan, and consideration by the Plan Commission¹, governing body, and the Joint Review Board. This phase begins after receiving notification from the Client to proceed and ends after the Joint Review Board acts on the Project. As part of Phase II services, Ehlers will:

- Based on the goals and objectives identified in Phase I, prepare a draft Project Plan that includes all statutorily required components.
- We will coordinate with your staff, engineer, planner or other designated party to obtain a map of the proposed amendment boundaries of the district, a map showing existing uses and conditions of real property within the district, and a map showing proposed improvements and uses in the district.
- Submit to the Client an electronic version of the draft Project Plan for initial review and comment.
- Coordinate with Client staff to confirm dates and times for the meetings indicated within the following table. Ehlers will ensure that selected dates meet all statutory timing requirements and will provide documentation and notices as indicated.

Meeting	Ehlers Responsibility	Client Responsibility
Initial Joint Review Board	Prepare Notice of Meeting and transmit to Client's designated paper. Mail meeting notice, informational materials, and draft Project Plan to overlapping taxing jurisdictions. Provide agenda language to Client. Attend meeting to present draft Project Plan.	Post or publish agenda and provide notification as required by the Wisconsin Open Records Law. Prepare meeting minutes. Designate Client Joint Review Board representative. Identify and recommend Public Joint Review Board representative for appointment.
Plan Commission Public Hearing	Prepare Notice of Public Hearing and transmit to Client's designated paper.	Post or publish agenda and provide notification as required by the Wisconsin Open Records Law.
Plan Commission Public Hearing	Attend hearing to present draft Project Plan.	Prepare meeting minutes.
Plan Commission	Provide agenda language to Client. Attend meeting to present draft Project Plan. Provide approval resolution for Plan Commission consideration.	Post or publish agenda and provide notification as required by the Wisconsin Open Records Law. Distribute Project Plan & Meeting Minutes

Governing Body Action	Provide agenda language to Client. Attend meeting to present draft Project Plan. Provide approval resolution for governing body consideration.	Post or publish agenda and provide notification as required by the Wisconsin Open Records Law. Provide Project Plan & resolution to governing body members in advance of meeting. Prepare meeting minutes.
Joint Review Board Action	Mail meeting notice and copy of final Project Plan to overlapping taxing jurisdictions. Prepare Notice of Meeting and transmit to Client's designated paper. Provide agenda language to Client. Attend meeting to present final Project Plan. Provide approval resolution for Joint Review Board consideration.	Post or publish agenda and provide notification as required by the Wisconsin Open Records Law. Prepare meeting minutes.

- Throughout the meeting process, provide drafts of the Project Plan and related documents in sufficient quantity for the Client's staff, Plan Commission, governing body and Joint Review Board members.
- Provide advice and updated analysis on the impact of any changes made to the Project Plan throughout the approval process.

Phase III – State Submittal

This phase includes final review of all file documents, preparation of filing forms, and submission of the base year or amendment packet to the Department of Revenue. This phase begins following approval of the district by the Joint Review Board and ends with the submission of the base year or amendment packet. As part of Phase III services, Ehlers will:

- Coordinate with Client's assessor and other staff as necessary to obtain parcel valuations, parcel data and other information needed for preparation of the State forms that must be filed as part of the base year or amendment packet.
- Assemble and submit to the Department of Revenue the required base year or amendment packet to include a final Project Plan document containing all required elements and information.
- Provide the Client with an electronic copy of the final Project Plan (and up to 15 bound hard copies if desired).
- Provide the municipal Clerk with a complete electronic and/or hard copy transcript of all materials as submitted to the Department of Revenue for certification.
- Act as a liaison between the Client and the Department of Revenue during the certification process in the event any questions or discrepancies arise.

Compensation

In return for the services set forth in the “Scope of Service,” Client agrees to compensate Ehlers as follows:

Phase I	\$ 6,000
Phase II	\$ 7,500
Phase III	\$ 2,000
Total	\$ 15,500

- In the event Client determines not to proceed with the Project once a Phase has been authorized, but prior to that Phase’s completion, the compensation due for that Phase will be prorated to reflect the percentage of the work completed.

Payment for Services

For all compensation due to Ehlers, Ehlers will invoice Client for the amount due at the completion of each Phase. Our fees include our normal travel, printing, computer services, and mail/delivery charges. The invoice is due and payable upon receipt by the Client.

Client Responsibility

The following expenses are not included in our Scope of Services, and are the responsibility of Client to pay directly:

- Services rendered by Client’s engineers, planners, surveyors, appraisers, assessors, attorneys, auditors and others that may be called on by Client to provide information related to completion of the Project.
- Preparation of maps necessary for inclusion in the Project Plan.
- Preparation of maps necessary for inclusion in the base year or amendment packet.
- Publication charge for the Notice of Public Hearing and Notices of Joint Review Board meetings.
- Legal opinion advising that Project Plan contains all required elements. (Normally provided by municipal attorney).
- Preparation of District metes & bounds description. (Needed in Phase III for creation of new districts, or amendments that add or subtract territory).
- Department of Revenue filing fee and annual administrative fees. The current Department of Revenue fee structure is:

Current Wisconsin Department of Revenue Fee Schedules	
Amendment Packet with Territory Addition	\$1,000
Amendment Packet with Territory Subtraction	\$1,000
Base Value Redetermination	\$1,000
Amendment Packet	No Charge
Annual Administrative Fee	\$150