

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
October 19, 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, and Director Ratayczak. Clerk's Note: This was a partial Virtual Webex Meeting.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

President Wolter reported on the Halloween Celebration. This is not a Village sponsored or supported event but a neighborhood event. The date and hours are set as October 31st from 5:30 pm – 7:30 pm. Halloween is not supported or sponsored by the Village.

**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:

Election Update. Clerk Braunschweig introduced the Department. Valerie Bauer, Deputy Treasurer with the Village. She has 24 ½ years with the Village, Jennifer Rozek, new Deputy Clerk / Deputy Treasurer, and Ben Hubrich Deputy Clerk / Deputy Treasurer. Britan Smith was unable to attend. Just over 5,700 absentee ballots have been mailed out. Germantown Voter Registration is just over 14,500. 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. Register to vote prior to election day. Voters can go to myvote.wi.gov, or come to the Clerk's Office to Register to Vote. Absentee ballots may also be requested at myvote.wi.gov.

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

Jan Miller of Windsong Circle West commented on the Ordinance prohibiting residential picketing. She questioned the difference between picketing and protesting and if other municipalities in the area have this ordinance.

Village of Germantown providing Village of Richfield with Water / Sewer Utilities.

President Wolter read comments from Bill Wetterau in regard to the Richfield extension of Water / Sewer. Comments included to study the process and past meetings, developments that are serviced with the utilities, and he spoke against the extension to the Village of Richfield.

Nextdoor comment from Laura R. commented she wants water / sewer utilities. She commented against the extension of sewer and water

Nextdoor comment from Robert U. commented against the extension.

Gail and Diana of Century Lane. They commented against the extension of water / sewer to the Village of Richfield.

Laura Russart, previous from Nextdoor, of Rockfield Road, Richfield, came to the podium. She would like to be on water / sewer and has a unique situation. She does not have enough lawn for septic. She spoke against the extension of sewer and water.

Jan Miller, of Windsong Circle West commented opposition of the expansion to Richfield as a partner in the water sewer. The 2050 land use plan needs to be done prior to extending to another community.

Chad VandeZande of Woodlawn Lane Oconomowoc, and Cushman & Wakefield Company came to the podium. He is working with the land owner and is looking to attract companies that will add jobs to the area. He commented on attracting a large player that would be an incentive for the corridor and would attract more jobs.

Administrator Kreklow reported that the Village is working on a social media presence. The item was on facebook, over 2,500 followers. There were 688 views on nextdoor. The website alerts over 3,900 subscribers. While this was not all 20,000 residents, thousands were notified.

Discussion ensued of getting the word to Village residents.

The comments received were read at the this evenings meeting. The number of comments in relation to the number of views were relatively low.

Trustee Pieper suggested to post a survey on facebook or social media sites with information on the item. Administrator Kreklow commented that Assistant Planner Zandt and Manager Tucker use "Tell us More Tuesday" and this would be something along those lines.

Kreklow commented one of the challenges for public input for this item will be the amount of technical information that is not easy to convey over social media.

Discussion ensued of the contract as on the agenda.

Director Ratayczak came to the podium and reported that the sewer capacity is .77 millions of gallons per day. The water will be slightly higher than that.

Discussion ensued of the number of employees/amount of water / sewer.
The drawings and information are for sewerage flows, site plan with boundary designations, and map. The 2050 plan has not been finalized.

The parcel Richfield is looking to develop is North of the new Kwik Trip to Pionier Road.

Discussion ensued that we need to maintain the capacity on the Germantown side.

CONSENT AGENDA:

- A. Approval of Minutes October 5, 2020 Regular Village Board Meeting.
- B. Accounts payable/payroll
 - 1. October 10, 2020 Accounts Payable \$ 1,018,010.13
 - 2. October 13, 2020 Payroll (Hourly) \$ 229,644.37
 - 3. October 15, 2020 Payroll (Salary) \$ 104,597.00

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

- C. Ordinance 14-2020, An Ordinance Amending SECTION 7.02 Relating to the Official Traffic Map and Traffic Control Devices.
- D. Ordinance 15-2020, An Ordinance Creating Section 9.21 Prohibiting Residential Picketing.
- E. Ordinance 16-2020, An Ordinance Creating Section 7.20 Relating to Compliance with Traffic Control Devices on Private Streets.

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

- F. Blackstone Golf Course – Replacement of Culverts within Utility Easement.

Motion (Myers/Baum) to approve Consent agenda A-F. Trustee Baum requested to pull item D. Ordinance 15-2020, An Ordinance Creating Section 9.21 Prohibiting Residential Picketing. Roll Call Vote carried unanimously for items A-F Except Item D.

- D. Ordinance 15-2020, An Ordinance Creating Section 9.21 Prohibiting Residential Picketing.

Discussion of the ordinance ensued. Attorney Sajdak commented that the ordinance prohibits the congregation outside of a residential property. Does not prohibit a parade or walking by. Language is from a supreme court case. This is to avoid large group as seen earlier this year.

Attorney Sajdak commented that other communities do have it. Franklin and Greenfield do have the ordinance. The language is from the supreme court case and is from Brookfield.

Discussion ensued in regard to the ordinance and its impact on freedom of speech. Discussion ensued of the ordinance violations during the previous protest in a residential neighborhood and reasons the ordinances in place were not enforced.

Motion (Baum/Miller) to approve Ordinance 15-2020, An Ordinance Creating Section 9.21 Prohibiting Residential Picketing.

Motion to amend (Zabel/Miller) and remove the word “Exception” from sub 2. Remove the heading. Motion carried unanimously.

Discussion ensued of the change of word picketing to demonstration. The word picketing is from the Supreme Court Case language.

Amendment Motion (Zabel/Hudson) to direct staff to define picketing. Motion failed.

Roll call vote on Ordinance as amended carried. Pieper voted no.

UNFINISHED BUSINESS:

- A. None.

PUBLIC HEARING:

- A. None.

NEW BUSINESS:

- A. Ordinance 17-2020, Ordinance to adopt current Wisconsin Administrative Commercial Building Codes.

Motion (Kaminski/Myers) to approve Ordinance 17-2020, Ordinance to adopt current Wisconsin Administrative Commercial Building Codes. This is a housekeeping ordinance and came through General Government and Finance. Attorney Sajdak reported there are a number of non-substance errors that need corrected as an understood condition of approval.

Motion carried unanimously.

- B. Resolution 59-2020, Contract with Maguire Iron, Inc. in an amount not to exceed \$1,808,000 for the Construction of an Elevated Storage Tank TID #8.

Motion (Baum/Kaminski) to approve Resolution 59-2020, Contract with Maguire Iron, Inc. in an amount not to exceed \$1,808,000 for the Construction of an Elevated Storage Tank TID #8.

Discussion ensued of the alternate bid of \$114,000 for the additional height. Discussion ensued of holding the contract for more public input. The additional height of the tower is for the additional pressure to supply water to the Village of Richfield.

The taller tower requires additional foundation. The \$114,000 does not include the additional foundation.

Attorney Sajdak gave advice on the amendment.

Amendment Motion (Kaminski/Baum) to direct the signatories to the contract to withhold signing off on the contract until up to November 20th, to give two meetings (November 2nd and November 16th) to potentially add to the contract. Amendment Motion Carried Unanimously.

Motion as amended carried. Zabel Voted No.

C. Stop Loss Insurance Renewal.

Motion (Myers/Pieper) to approve stop Loss Insurance Renewal item number 3, Auxiant QBE Option with Net Commissions in an amount not to exceed \$730,128.60. Director Rath or Administrator Kreklow are approved to sign. This item was recommended by General Government and Finance. Roll Call Vote Carried Unanimously.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 8:50 p.m.

The next regular meeting of the Village Board will be on Monday, November 2, 2020 at 7:00 p.m.

Respectfully Submitted,

Deanna Braunschweig

Deanna B. Braunschweig, WCMC/CMC
Village Clerk