

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
March 30, 2022**

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

ROLL CALL: Present: President Wolter, Trustees Baum, Hudson, J. Miller, R. Miller (6:10 p.m.), Myers (6:45 pm), Pieper, and Neureuther. Trustee Kaminski Absent Excused. Also present: Administrator Kreklow, Clerk Braunschweig, Attorney Sajdak, Director Ratayczak, Superintendent Zimmerman and Superintendent Haugen.

PLEDGE OF ALLEGIANCE:

**INFORMATIONAL PRESENTATION OF THE VILLAGE OF GERMANTOWN
PROVIDING SEWER AND WATER TO THE VILLAGE OF RICHFIELD'S NORTHEAST
CORRIDOR AND INTERGOVERNMENTAL AGREEMENT.**

Attorney Sajdak gave background of the item and reviewed the service map. The background included a traffic analysis and a memorandum of understanding representing the increase of the Rockfield Water Tower. The cost of the increase of height was split between the Village of Germantown, Village of Richfield, and Washington County.

A map of the Village of Richfield Northeast Corridor was shown with preliminary plans.

The service expansion further is unlikely due to the subcontinental divide, MMSD agreements, and the Richfield Code (40-10B.)

The Freistadt District map was shown and as part of the proposals there is anticipation that the lines would shift as a frontage roads.

Attorney Sajdak reported on the terms of the proposed Intergovernmental Agreement.

The Village of Germantown would provide service to the Northeast Corridor, Pay the material costs to upsize the pipe and acquisition costs for the right of way, the Village of Germantown would own and operate the system.

The Village of Richfield would create a TID to pay for the infrastructure. They would pay costs associated with installation and assist with the collection of charges as necessary.

The initial service would be for the TID area, currently proposals include the Hillwood. Additional uses or changes would be reasonably approved by the Village of Germantown.

The development would pay for the water and sewer impact fees, connection fees, and Village of Germantown Inspection Fees.

A \$50,000 private well escrow would be set up for the life of the TID.

Specific Sewer Service Terms were reviewed including maximum flow of .7 MGD, Richfield customers would pay 120% of the rate.

The water service would be a looped connection from Rockfield through service area than sewer through Freistadt District. Maximum Flow is set at 1.10 MGD, Richfield customers pay 100% of the rate as set by the PSC.

Director Ratayczak came to the podium. He reported on the additional history of TID #8. The sanitary sewer map was shown. The depth of the sanitary sewer, topography of the land was shown. The water zoned area map was shown. The proposed water area was shown.

The definitions of a shallow well and deep well were pointed out and discussed. Wells 2, 5, and 7 are considered shallow wells.

During the construction of well 12, five private wells were monitored.

The future proposed frontage road map was shown. The frontage would continue from the storage on Holy Hill Road.

The traffic study was performed to analyze future traffic needs. The study was paid for by the Village of Germantown, the Village of Richfield, Washington County, and a private land owner.

Attorney Sajdak reported on development impacts. The Northeast Corridor of proposed development was shown including the business park, single family, mixed residential, park and interchange commercial.

The development potential was reviewed showing the developable acres and projected sanitary demands.

The 2020 land use plan map was shown and reviewed. The area that the new water tower can serve was shown. The proposed 2050 land use plan map was shown.

The 2050 Proposed Plan of Holy Hill & Freistadt District map was shown.

Adopting the intergovernmental agreement does not tie the Village to this plan; the 2050 plan is the worse case scenario for capacity.

Administrator Kreklow gave a financial overview showing the water and sewer rates and finances. The Village of Richfield would pay the sewer rate plus an additional 20% premium. Rate for the Village of Richfield customers will be set by the Public Service Commission. Increasing the customer base will assist to stabilize the utility revenues. There would be a benefit by increasing the customer base as the overhead costs would be shared with Richfield.

Potential revenue scenarios were reviewed, in both half and full capacity.

The connection fees / impact fees would be paid by the user to the Village of Germantown.

Impacts on the Village of Germantown road program and additional capital projects were reviewed. The Village of Richfield will pay all costs to extend the service to Richfield. The agreement would not impact on the Germantown's road replacement or other capital projects.

Richfield will pay the cost to extend water and sewer infrastructure through the Freistadt District. The preliminary cost is \$7 to \$9 million. The Village of Germantown is responsible for upsizing the pipes.

The Village of Richfield will pay 100% of the operating costs. No direct impact on the Village of Germantown general fund or services. Spillover business was pointed out.

The well remediation fund escrow fund was pointed out. Richfield to contribute \$50,000 to a well remediate fund to address excessive drawdown issues within ½ a mile of well 8. The fund would be available until the close of the TID.

Trustee Myers Arrived 6:45 p.m.

CITIZEN INPUT/PUBLIC APPEARANCE
VILLAGE BOARDS TO RECEIVE INFORMATION AND COMMENTS FROM THE
PUBLIC. NO FORMAL ACTION TO BE TAKEN. LISTENING SESSION ONLY:

The Village President opened the meeting for public comment.

Judy Kautz of Meadow Lark Lane came to the podium. She commented on concern for area and private wells in the area. She commented on a meeting from 2018. She had previously discussed with Director Ratayczak and found that it well was drilled into the dolomite aquifer. She commented on blasting. She commented on the testing and the five wells that were monitored and confirmed with the DNR. She researched with the DNR.

Director Ratayczak reported that an agreement is needed with the Village of Richfield in order to go forward. Ms. Kautz reported that in her conversation with MMSD, they reported to that no one there has seen any plans from the Village of Germantown.

Director Ratayczak reported that the Village of Richfield has contacted with MMSD for a superficial information last year. Administrator Kreklow reported that there have been discussions with MMSD in regard to the item.

The Village of Richfield monitors the private wells. She commented on a community with a well that was dug deeper. Would the Village of Germantown monitor private wells?

She is concerned of the wells being drawn down.

The PSC reports emphasized that each category of users are paying their fair share. If you increase the number of users, there are more users to pay infrastructure costs.

She questioned the \$50,000 escrow as a drop in the bucket and the ½ mile radius needs to be increased due to the same dolomite. The amount of money needs to be ten times that.

She does not agree with providing services to Richfield.

Melanie Smythe of Cedar Lane came to the podium.

She questioned how the revenue would be used. Administrator Kreklow reported that the dollars would be used for the water / sewer utility and for infrastructure. Administrator reported on the capital infrastructure and operating items that would need to be maintained.

Discussion ensued that the budget shows the items.

She questioned on the cost to upsize the pipe. Currently there is no pipe increase required.

Discussion ensued of the Hillwood development or distribution center. The agreement limits were pointed out.

She pointed out that there could be a future second tower or future additional development.

She questioned how the Village of Richfield has communicated with the Village of Richfield residents.

This is the second meeting.

The Village of Richfield President reported that they have put this information in their newsletter. The cost for the Village of Richfield to have their own system, was between \$40 – 50 Million dollars several years ago.

Ms. Smythe spoke against the item as there is too much rapid growth. People live here because it is owner occupied property, very laid back people that enjoy their surroundings.

She spoke that the development is out of place. Tenants do not care and there is a difference.

The terms presented are vague and speculation and there needs to be more detail. She objects that only nine people decide for 20,000 people.

The Village of Richfield does not need a referendum to serve the Northeast Corridor. The highway is a valley and sound will carry. There will be lighting.

She commented that spill over business is wishful thinking.

We do not have the 2050 plan in place and water extension should be part of the plan. This is the cart before the horse and we need a plan. She wants a no vote and to put a moratorium on discussions with developers until the 2050 plan is in place. She wants a newsletter and the website fixed. The links are wrong and there are issues with the website. There needs to be a communication plan or a series of emails. Deploy a one-time notice in the utility bill for an important meeting. There needs to be at least three times of notices to Village residents. She wants a summary of the \$90,000 spent on the item.

Katie Kautz Meadowlark Lane. She commented / questioned Why is Richfield's water problem our problem? Is the shallow well sustainable or will it be a problem in 10 years?

Director Ratatyck reported that the well is sustainable.

The other two wells have been on it since 1987 and 1994. Gehls is also in that aquifer.

The DNR Permit allows the capacity of the well is 800 gallons per minute, for a maximum of 14.5 hours per day. The modeling was based on the 2050 plan with total build out.

The good planning / good water operations would not bump to the capacity limit but add another well for capacity. The entire system of the Village is interconnected.

Is Germantown willing to put any funding for the private wells. Ms. Kautz gave rough estimates for replacements. Attorney Sajdak commented that the Village would not put any money for the replacement of the wells as this is an elected body.

President Wolter reported on the wells in place as the development in Holy Hill. The well is there for our own capacity. The capacity as required by the DNR. Information today shows that this will not impact the private wells.

Katy Kautz pointed out and read letter G. Private Well Escrow. She pointed out that her subdivision is out of the ½ mile radius. She questioned, after the escrow is exhausted. She suggested to dig the well deeper. President Wolter reported that an alternative is to get water from Milwaukee.

She questioned if traffic studies had been done for the on and off ramp?

Administrator Kreklow reported that there had been a traffic study and the DOT is looking to change the ramps and improve the interchange. This enhancement is beyond this development. There has been discussion of on and off ramps at Freistadt Road.

Katy Kautz questioned the process to prove a private well or pump burn out that it was caused by the well. Attorney Sajdak reported that there is no proof element and there be policies. Administrator Kreklow reported that this may need to go through the proper staff and committee.

She requested the Board to protect residents and increase the escrow and recommend extending the area to more than ½ mile radius.

Scott Heffley came to the podium. He commented on the financial projections with concern. He commented Richfield is going through the growing pains of the 80s and 90s. He reported on the history of the Village growth. He commented that if Germantown gives them the water, this is just the beginning. More research is needed and actual numbers are needed. Germantown handles the billing and who pays for that. Germantown owns and maintains the sewer lines. If there is a problem it falls on Germantown. He commented on the contingency and taxes. The taxes are going up because they are growing and need stuff.

Fritz Gierach of Holy Hill Road came to the podium. He spoke of the Village of Germantown history. He commented that the sewer line from the Northwest of the Village to MMSD does have a capacity limit. Will the Village of Richfield be allowed to extend an additional line and will MMSD allow that.

Germantown is responsible for the maintenance, the rates for sewer are 20% higher for Village of Richfield customers. Each would pay proportionally. The additional lines would be very costly. The contract should be spelled out that the Village of Richfield should pay their fair share for the line that is in place.

Brian Depies, Ridgewood Lane came to the podium. He thanked the Village for the listening sessions. This board needs to understand regional corporation. He commented on the dollars. Studies are being paid for. Finances do matter and we are the cheapest alternative for the Village of Richfield. He mentioned the Town of Yorkville by Fox Conn. He commented to continue to move to work with Richfield.

Mark Weir from Hubertus came to the podium. He complemented the Village Board and Plan Commission as the development offsets the taxes. He commented that the spill over, they do a lot of shopping. He commented this is good for economic development.

Jeff Braun of Cedar Lane in Germantown. He commented that water and land is a resource. Discussion of giving to Richfield. He questioned the quantified numbers and 20% is nothing for the risk. The development growth has been quite good. He commented that we are giving Richfield the resources to compete with our community.

John Joestgen of David Frank commented this is adjacent to his property and questioned the path needed? Or would it be more like 20-30 feet. How is the land being acquired or paid for. He plants trees on the property. How would the compensation be on something not harvestable.

Director Ratayczak reported that the path is 20-30 feet for a utility easement. Look at 100-120 foot wide right of way. Usually require a 30 foot right of way.

Attorney Sajdak commented that the process of imminent domain could be used. The funds would be deposited with the circuit court in the worst case scenario.

The Village President reported that the path is undecided.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 8:25 p.m.

The next regular meeting of the Village Board will be on Monday, April 4, 2022, at 7:00 p.m.

Respectfully Submitted,
Deanna Braunschweig
Deanna B. Braunschweig, WCMC/CMC
Village Clerk – Treasurer