

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
May 2, 2022**

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, J. Miller, R. Miller, Myers, Pieper, and Neureuther. Also present: Administrator Kreklow, Clerk Braunschweig, Attorney Sajdak, Director Retzlaff, Director Ratayczak, Chief Snow, and Superintendent Zimmerman.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

This weekend President Wolter attended a play at the High School Performing Arts Center, Momma Mia. This weekend he went to Matto's Mexican Restaurant in the previous Aldo's Pizza.

**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:

The next Fireworks / Independence Day meeting will be May 9th, in the board room at 5 pm.
Maifest will be on May 20, 21st and 22nd at the Marketplatz II Parking Lot off of Mequon Road.

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

Village President Wolter read an email submitted by Carol and Bill Schneider against the Intergovernmental Agreement with Richfield. The email was also for the use of the America Plan Funding for Police and Fire and to fix channel 25.

Village President Wolter read an email submitted by Judy Kautz with well comments and against the Intergovernmental Agreement with Richfield.

Village President read an email submitted by Becky Rao against the Intergovernmental Agreement with Richfield.

Village President read an email submitted by Dave Feldbruegge of Powertest against pay to Village Employees from the America Plan Funding.

Village President read an email submitted by Phillip Fritsche against the Intergovernmental Agreement with Richfield.

Village President read an email submitted by Jeffrey Schleif in support of the Intergovernmental Agreement with Richfield.

Village President read an email submitted by Sarah Bojarski against the Intergovernmental Agreement with Richfield.

Village President read an email submitted by Mary Boettcher against the Intergovernmental Agreement with Richfield.

Village President read an email submitted by Sandra Johnson against the Intergovernmental Agreement with Richfield.

Village President read an email submitted by Michael Foti in support of the Intergovernmental Agreement with Richfield.

Melanie Smythe of Cedar Lane came to the podium and spoke about the school board meeting and 2050 comprehensive plan. She reported on her memo to the Village Board in regard to water wells.

Katie Kautz of Meadowlark Lane came to the podium. She spoke against the Intergovernmental Agreement with Richfield and commented on a referendum.

Scott Hefley of Old Farm Road came to the podium and spoke about the school board meeting. He spoke against the Intergovernmental Agreement with Richfield.

Carroll Merry of Sunburst Trail came to the podium. He is a Washington County Supervisor. He spoke in support of the Intergovernmental Agreement with Richfield.

John Gottso came to the podium. He spoke against the pay to Village Employees for the America Plan Funding. He suggested to use for Fire and Police.

Jeff Braun commented from Webex. He spoke against the Intergovernmental Agreement with Richfield.

CONSENT AGENDA:

- A. Approval of Minutes April 18, 2022, Meeting.
- B. Accounts payable/payroll:
 - 1. April 18, 2022 Payroll – Election Inspectors \$ 12,014.54
 - 2. April 22, 2022 Accounts Payable \$ 168,817.29
 - 3. April 26, 2022 Payroll \$ 229,959.41

The following items were forwarded from the **General Government and Finance Committee** with a unanimous recommendation:

- 4. Resolution 18-2022, America Rescue Plan Special Revenue Fund.

Motion (Baum/Myers) Consent agenda items. Roll Call Vote carried unanimously.

UNFINISHED BUSINESS:

- A. America Rescue Plan Funding – Village Employees.

Administrator Kreklow introduced the item. The item is an approved use by the Federal Government. The item did come from General Government and Finance. He commented on the high level of Village Employee turn-over that many employers are experiencing. Motion (Myers/Kaminski) to approve the America Rescue Plan Funding – Village Employees. President Wolter read a memo from Janice Wick requesting to be included as she retired recently.

Amendment Motion (Kaminski/Myers) to include full-time retirees and not to exceed \$250,000 total. Discussion ensued to pro-rate the dollars starting with March of 2020. Specific numbers could come back to General Government for the amendment portion. Roll call vote carried. 5-4; Baum, Hudson, Neureuther, Pieper voted no.

Amendment Motion (J. Miller/Myers) to send back to General Government and Finance with a final total to include the retirees and number of retirees. Motion carried. Baum and Hudson voted no.

- B. Intergovernmental Agreement with the Village of Richfield for Sewer and Water Services.

Administrator Kreklow gave history and an additional powerpoint materials. The information will be posted on the Village website and facebook.

The existing agreement with Menomonee Falls was reviewed, including the original 1992 agreement served Bancroft area until 2021 and the Amended 2018 agreement that added Grace Church/Grace Commons area.

Richfield cannot be annexed by Germantown under current State statute.

The change from deep to shallow well was reviewed and approved by the DNR. The shallow well testing was based on directions from DNR and was monitored by independent consultant hydrogeologist and engineers. The contract change from deep to shallow well was reviewed and approved by Public Works & Highway Committee and Village Board.

The shallow well analysis was completed by Village contracted hydrologist and engineers, and reviewed and approved by DNR hydrologists and engineers. Discussion ensued of the residential well protection escrow.

Analysis indicates Rockfield well is very unlikely to impact residential wells. Village staff raised the well protection item for the IGA and includes nearby neighborhoods.

The process to request escrow funds was reported on. The IGA states that the Village Board sets the process. Staff suggests the same process as other claims. The claim would be submitted to the Director of Public Works and then to the Public Works and Highway Committee. The appeals process would be to the Village Board. Discussion ensued of process for massive well failures.

Discussion ensued of a deep well alternative or to construct an additional deep well from the same site. Rockfield Road well could be drilled deeper. However, many additional costs would be incurred and DNR and PSC approvals would be needed.

Discussion ensued of the well alternatives and the involvement of the PSC and or DNR. If the Village Board wants to pursue would need to go before the Public Works Committee. Discussion ensued of the well alternatives and well as a separate issue. Discussion ensued that this is a well system; not just one well.

Sewer capacity questions were addressed. Discussion ensued of the potential for dead end water mains and the management processes.

The process for sewer approval includes the intergovernmental agreement, SEWRPC sewer service boundary approval, MMSD sewer service boundary approval, and DNR approval.

The process for water approval includes the intergovernmental agreement, PSC approval, and DNR approval.

Operating cost analysis was reviewed. Marginal annual revenue projections / estimates were reviewed and discussed.

The projection timeline was reviewed.

The right of way acquisition process was reviewed. Discussions with property owners has been initiated by Village Staff of the potential right of ways of a road for development. The cost of the right of way is not eligible for the tax increment financing.

Benefits to Germantown residents were reviewed include the improvements to Rockfield Road after construction of water extension, sewer/water connections available in Freistadt District, ROW for road through Freistadt District, stable sewer/water bills.

Discussion ensued of Richfield allocation to the Library. Discussion ensued of the library allocation as a separate issue.

The status of the 2050 comprehensive plan was reported at 75%.

The traffic impact analysis was reported on and includes the joint traffic impact analysis (Richfield, Germantown, Washington County) completed on March 16, 2021 and DOT contributed review comments to final report. Village of Germantown, Richfield and Washington County staff have had numerous meetings with DOT Southeast Region staff in Waukesha to plan for upgrades. DOT staff have indicated Federal approval would be required for an additional interchange at Freistadt Road.

Economic Impact Analysis by Economic Development Washington County was reviewed.

Fire calls and Police calls were reviewed.

Processes and Committee meetings to monitor the Intergovernmental Agreement Status was reported on.

The Village of Richfield has discussed sewer/water with Jackson. The estimated cost for Richfield to install their own sewer/water is \$40 million.

Motion (Baum/R. Miller) to take the Intergovernmental Agreement off of the table. Discussion ensued of the timing and the push for the development and the effect on the community. Motion carried to take the item off of the table. Hudson, Kaminski, J. Miller, and Pieper voted no. Discussion ensued of the potential traffic and stress level on resources.

Motion from the April 4, 2022, Village Board meeting:

Motion (Baum/R. Miller) to approve Intergovernmental Agreement with the Village of Richfield for Sewer and Water Services. Amendment Motion (Myers/Neureuther) to allocate \$100,000 of reserves to cover the residential well of the areas impacted by the well number 12. Roll Call Carried, 6-3. Hudson, J. Miller, Pieper, voted no.

Motion to amend (Pieper/Kaminski) if the Intergovernmental Agreement with the Village of Richfield for Sewer and Water Services passes with the \$200,000 escrow to then send it to referendum, and only pass if it passes with the referendum, with the November 8 Election. Discussion ensued of the timing for the November election due to the voter turn-out. Discussion ensued of the permanent nature of the decision.

Motion (Myers/Pieper) to call the question. Motion carried. Baum, R. Miller, Neureuther voted no.

Motion for referendum failed. Baum, R. Miller, Myers, Neureuther, Wolter, voted no to the referendum.

Motion (Hudson/J. Miller) to table the item to the next Village Board meeting. Motion carried.

PUBLIC HEARING:

A. None.

NEW BUSINESS:

A. Faith Lutheran, Temporary Class B Wine License, Spaghetti Dinner, May 22, W1742N1187 Division Road.

Motion (Kaminski/Pieper) to approve Faith Lutheran, Temporary Class B Wine License, Spaghetti Dinner, May 22, W1742N1187 Division Road. Motion carried unanimously.

B. Haupt Strass and Friedenfeld Baseball Infield Landscaping by Total Lawn Care in an amount not to exceed \$34,640.

Motion (Pieper/Myers) to approve Haupt Strass and Friedenfeld Baseball Infield Landscaping by Total Lawn Care in an amount not to exceed \$34,640. Roll Call Vote carried. Baum voted no.

C. Kinderberg and Haupt Strass Tennis / Pickleball Court Repairs and Painting by Frank Armstrong Enterprises Inc. in an amount not to exceed \$40,544.

Motion (Pieper/Kaminski) to approve Kinderberg and Haupt Strass Tennis / Pickleball Court Repairs and Painting by Frank Armstrong Enterprises Inc. in an amount not to exceed \$40,544. Discussion ensued of potential development at Haupt Strass Park. Roll call voted carried. Baum voted no.

- D. Backstop and Fencing Proposal Haupt Strass and Kinderberg Parks by Northway Fence in an amount not to exceed \$16,395.

Motion (Pieper/Kaminski) to approve Backstop and Fencing Proposal Haupt Strass and Kinderberg Parks by Northway Fence in an amount not to exceed \$16,395. Roll call voted carried. Baum voted no.

- E. Resolution 19-2022, A Resolution accepting a Road Reservation along the public right of way – Century Road and Lover’s Lane.

Motion (Pieper/Kaminski) to approve Resolution 19-2022, A Resolution accepting a Road Reservation along the public right of way – Century Road and Lover’s Lane. Motion carried unanimously.

- F. Resolution 20-2022, A Resolution accepting a Road Reservation along the public right of way – Deiner Property.

Motion (R. Miller/Myers) to approve Resolution 20-2022, Resolution 20-2022, A Resolution accepting a Road Reservation along the public right of way – Deiner Property. Roll Call Vote carried unanimously.

- G. Bond Sale Results.

Village Administrator Kreklow reported that a parameter sale was used. There were four different issuances. There were more bids than traditional. Discussion ensued at keeping the bond rating just at the cusp of being upgraded from AA2 to the next step. Ratings agencies like to see the growth.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 10:35 p.m.

The next regular meeting of the Village Board will be on Monday, May 16, 2022, at 7:00 p.m.

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