

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
May 16, 2022**

CALL TO ORDER: The meeting was called to order at 7:08 p.m. by President Wolter.

ROLL CALL: Present: President Wolter, Trustees Baum, Hudson, J. Miller, R. Miller, Myers, Pieper, and Neureuther. Trustee Kaminski called in via Webex. Also present: Administrator Kreklow (via Webex), Clerk Braunschweig, Director Retzlaff, Director Ratayczak, Associate Planner Zandt, Chief Snow, Superintendent Zimmerman, and Attorney Sajdak (via Webex).

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

Division Road will be closed between Revere Lane and Donges Bay will be closed due to construction. President Wolter commented on upcoming Maifest, May 20 and 21.

**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:

Tr. J. Miller reported that the Fourth of July meeting will be on May 24 at 6 pm. Saturday, May 21 from 10:30 – 12:30 ice cream social by the library to introduce the mobile library. Leadership Germantown 2022 completed its year.

- a. 2050 Plan participation at Maifest, May 20 and 21. Director Retzlaff came to the podium and encouraged board members to sign up to participate.
- b. 2050 Plan Open House, May 23. Director Retzlaff commented on an informal open house set up by Trustee District. Requesting the Trustees come as they are able to listen at tables.

Manager Hirn commented that there will be an event here next Thursday for High School Students interested in Local Government.

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

Gene and Nancy Wisch sent an email against the Intergovernmental Agreement with Richfield.

John Yatso sent an email against the Intergovernmental Agreement with Richfield.

Denise McKenzie sent an email against the Intergovernmental Agreement with Richfield.

Bill & Carol Schneider sent an email against the Intergovernmental Agreement with Richfield.

Julie Braun sent an email against the Intergovernmental Agreement with Richfield.

Jeff Braun, American Prosthetic Components, sent an email against the Intergovernmental Agreement with Richfield.

Chad Staszak sent an email against the Intergovernmental Agreement with Richfield.

Jeff Schleif, Washington County Board Chairman, sent an email supporting the Intergovernmental Agreement with Richfield.

Joe Liberatore, Midland Video, sent an email supporting the Intergovernmental Agreement with Richfield.

Amanda Reinemann sent an email against the Intergovernmental Agreement with Richfield and development.

Justin Newman sent an email supporting the Intergovernmental Agreement with Richfield.

Debra Raeck sent an email against the Intergovernmental Agreement with Richfield.

Mary Hudson an email against the Intergovernmental Agreement with Richfield requesting a referendum.

Mary Boettcher sent an email against the Intergovernmental Agreement with Richfield.

Scott Hoefy of Old Farm Road came to the podium requested a better environment and meeting order. President Wolter reported on the change order for the well depth at Village Board and Public Works. Scott Hoefy spoke against the Intergovernmental Agreement with Richfield.

Judy Kautz, of Meadow Lark Lane came to the podium with questions of rainwater run off and retention ponds and contamination. She commented on approximate costs to drill a new well. She commented on droughts and water levels in decline. She commented against the Intergovernmental Agreement with Richfield.

Charlie Hargan of Biscayne Drive came to the podium. He commented against the drilling of a shallow well and past history of shallow wells. He commented against the Intergovernmental Agreement with Richfield. He is in favor of a referendum.

Chris Yatchak of Brownstone Court came to the podium. On Monday, May 30 there will be a rifle salute with a short ceremony at the Veterans Memorial. After the ceremony there will be a lunch at the American Legion.

David Herman, Robin Hood Drive, came to the podium and spoke of wells. He commented against the Intergovernmental Agreement with Richfield.

Kim Loosburg, Edgewood Drive, Germantown. She commented on the lack of communication of the meeting. All meetings are on the website or posting areas. There have been articles in the newspaper.

Harry Wentworth of RobinHood Drive, Germantown. He commented against the Intergovernmental Agreement with Richfield.

Melanie Smythe of Cedar Lane came to the podium. She commented on her email questions. She commented against the Intergovernmental Agreement with Richfield.

Katie Kautz, Meadow Lark Lane, came to the podium and spoke of a referendum.

Tom Kempenski of Cedar Hill Lane. He commented to recognize residents have issues with shallow well. He spoke in favor of referendum. He commented to let Richfield pay for deep well.

CONSENT AGENDA:

- A. Approval of Minutes May 2, 2022, Meeting.
- B. Accounts payable/payroll:
 - 1. April 29, 2022 Accounts Payable \$ 796,148.77
 - 2. May 6, 2022 Accounts Payable \$ 88,680.79
 - 3. May 9, 2022 Accounts Payable \$ 1,787.77
 - 4. May 10, 2022 Payroll \$ 232,374.01

The following items were forwarded from the **Public Works Committee** with a unanimous recommendation:

- C. Wisconsin Pollutant Discharge Elimination System, Municipal Separate Storm Sewer System, MS4 Permit.
- D. Fire Station Roof Replacement by Integrity Roofing an amount not to exceed, \$63,000.
- E. Fire Station Exterior Building Painting by MACORP in an amount not to exceed \$25,725.
- F. Library Fire Suppression Main-line Replacement by US Fire Protection in an amount not to exceed \$91,586.
- G. Remain in WisDOT Salt Bid Process for the 2022-2023 Winter Season.
- H. Budget Amendment for Wastewater Truck.

Motion (Meyers/Kaminski) to approved consent agenda items. Roll Call Vote carried unanimously.

UNFINISHED BUSINESS:

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

Clerk Braunschweig gave history to the motions up to this point.

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 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.

Motion (Pieper/Baum) to pull the item from the table. Motion carried. Hudson voted no.

Motion (Pieper/Hudson) Only approve the Intergovernmental Agreement with the Village of Richfield for Sewer and Water Services by referendum on August Primary election. The Village adhere to the results of the referendum.

Discussion ensued of a higher turnout for the General election versus the Primary. The motion maker and seconder changed to the November General election.

Motion (Pieper/Hudson) Only approve the Intergovernmental Agreement with the Village of Richfield for Sewer and Water Services by referendum on November 8 election. The Village adhere to the results of the referendum. Discussion ensued of communication from the Village. Motion carried 6-3. Baum, R. Miller, Myers, voted no.

There is an additional \$50,000 from Richfield in the escrow.

Motion (Pieper/Hudson) if the referendum passes, well #12 to be drilled deeper aquafer and to be paid for by the Village of Richfield. Discussion ensued to bring back after the referendum. Administrator Kreklow commented the item would have to go back to the DNR and PSC for approval. Motion withdrawn.

Discussion ensued of the reserves and do we need a policy on well protections. Can shut down the well but can still supply from current wells.

Original Motion as Amended:

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 (Pieper/Hudson) Only approve the Intergovernmental Agreement with the Village of Richfield for Sewer and Water Services by referendum on November 8 election. The Village can adhere to the results of the referendum. Discussion ensued of communication from the Village. Motion carried 6-3. Baum, R. Miller, Myers, voted no.

Roll Call Vote Carried on the original motion as amended. R. Miller and Baum voted no.

PUBLIC HEARING:

A. None.

NEW BUSINESS:

- A. Resolution 21-2022, Resolution Authorizing the First Supplement to the Trust Indenture and Bonds for Germantown Industrial Revenue Bonds, Series 2012 (Heather Lake LLC project).

Motion (Myers/R. Miller) to approve Resolution 21-2022, Resolution Authorizing the First Supplement to the Trust Indenture and Bonds for Germantown Industrial Revenue Bonds, Series 2012 (Heather Lake LLC project). Motion carried unanimously.

- B. Resolution 22-2022, Disallowing the Claim of Faith Journey Church, Inc. for Recovery of an Unlawful Tax

Motion (Hudson/J. Miller) to approve Resolution 22-2022, Disallowing the Claim of Faith Journey Church, Inc. for Recovery of an Unlawful Tax. Motion carried unanimously.

- C. Construction Management Services for New Public Works Building by Moore Construction Services, in an amount of 2.25% of final building costs plus \$603,451 for general conditions.

Motion (Meyers/R. Miller) Construction Management Services for New Public Works Building by Moore Construction Services, in an amount of 2.25% of final building costs plus \$603,451 for general conditions.

Director Ratayczak came to the gave history to the item and introduced Graef.

Mike Paulus of Graef came to the podium. The site plan was shown. Discussion ensued of the recycle center to be circular for drop offs. The floodplain boundary was pointed out and shown. The recycle enter area was discussed.

Ryan Guetschow of Graef came to the podium and presented a video rendering of the building. The building is projected at 143,000 square feet. The floor plan was reviewed.

Mike Moore of More Construction Services came to the podium. He reported on the DPW Building Preliminary Budget Numbers. The market conditions are an unknown and they have used the middle numbers to be safe. Met with Stonecast to understand their backlog and to make sure they can provide the product. Reached out to several sub-contractors. Site

The insurance and performance bond was pointed out. Carrying a 10% contingency in the early design. Details such as the moving of the SCADA system was pointed out. The mechanics bay and lifts were discussed.

Director Ratayczak pointed out the need for the construction manager need to assist with supplies and orders. This enables early bid items and meet the bid requirements.

Motion carried. Baum voted no.

- D. Acquisition of Right of Way along Century Lane, The Village Board May Enter into Closed Session per Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or

negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and then may reconvene into open session to take such action as it deems appropriate.

Motion (Pieper/Meyers) to convene into closed session for item D. at 9:30 p.m. and to include the Village Board, Director Ratayczak, and Clerk Braunschweig. Roll Call Vote Carried.

Motion (Pieper/Myers) to convene into open session at 9:36 p.m. Motion carried unanimously.

Motion (Pieper/Baum) to proceed as discussed in closed session. Motion carried unanimously.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 9:37 p.m.

The next regular meeting of the Village Board will be on Monday, June 6, 2022, at 7:00 p.m.

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