

JOINT VILLAGE BOARD/PLAN COMMISSION MINUTES

July 25, 2022

CALL TO ORDER: President Wolter called the Village Board meeting to order at 6:33 pm.

ROLL CALL: President Dean Wolter, Trustees David Baum, Rick Miller, Jolene Pieper, Bill Neureuther and Jan Miller were present. Trustee Phil Hudson, Terri Kaminski and Dennis Myers were absent and excused. Also present were Village Administration Steve Kreklow, Attorney Brian Sajdak and Clerk Deanna Braunschweig.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA: *MOTION Baum second R. Miller to Approve the Consent Agenda Item A. MOTION carried unanimously.*

CALL TO ORDER: Chairman Wolter called the Plan Commission meeting to order at 6:35 pm.

ROLL CALL: Chairman Wolter, Trustee Rep David Baum, Peter Nilles and Bill Shadid (via Webex) were present. Commissioners Tony Laszewski and Bob Williams were absent and excused. Also present were Community Development Director Jeff Retzlaff, Associate Planner Emily Zandt and Planning Assistant Lori Johnson.

PRESENTATION OF THE VILLAGE OF GERMANTOWN DRAFT 2050 COMPREHENSIVE PLAN: Director Retzlaff presented an overview of the draft plan document and outlined the next steps in the approval process.

Chairman Wolter reviewed the policy that there be a 3-minute time period per person to speak during the Public Hearing, but said it was up to the Board whether to use it.

***MOTION J. Miller second Baum to forego the 3-minute time limit.
MOTION carried 5-1 (Wolter).***

Chairman Wolter opened the Public Hearing at 6:58 pm.

- Trustee Jan Miller read comments into the record from Mark Boettcher, N96W20235 County Line Road, Menomonee Falls – he requested the Village turn down the developer's proposal at County Line and Lannon Road due to noise, air pollution and bright lights.
- Melanie Smythe, N140 W17938 Cedar Lane, cited several discrepancies in the plan, very few resident comments were addressed or implemented, maps were not updated. All changes will need to be reviewed again, there is nothing to vote on today.
- Scott Hefle, W159 N10514 Old Farm Road, thinks we are trying to get the plan done quickly, not paying attention to public safety needs, schools, police, fire, everyone needs to work together.
- Bob Soderberg, W144N9723 Elmwood Drive, said he would appreciate more interaction with the school district, they have no capacity for apartments,
- Tom Barney, N105 W16775 Old Farm Road, school board member, need to coordinate development and start conversations before the adoption of this plan, the school district cannot support any more apartment complexes.
- Judy Kautz, N135 W20647 Meadowlark Lane, agrees with the idea to postpone the vote on the plan, no substantial changes to the plan after the listening sessions, not enough public input time, need more meetings.

- Tammy Schneider read comments from Gidget Stroik, W204 N9713 Lannon Road, surprised by the changes in the 2050 Comprehensive Plan, against multi-family and industrial at County Line and Lannon Road.
- Tammy Schneider, W204 N9699 Lannon Road, not in favor of the Willow Creek Business Park district, not acceptable for multi-family.
- Bill Carity, representing Brian Kazmierczak, W11611 Rockfield Road, who owns 95 acres on Holy Hill and Goldendale Roads, they feel strongly that the north half of this land should be reconsidered as mixed used, residential and commercial for other business opportunities, provided a graphic.
- Jeff Braun, N140 W18316 Cedar Lane, was part of the public meetings, asked how the input from those meetings was being used and why were no changes made based on the input.
- Katie Kautz, N135 W20649 Meadowlark Lane, supports more listening sessions, need to listen to Germantown residents, heard input against too much development but plan does not reflect that, no consideration for the options the residents gave.
- Brian Kazmierczak, W11611 Rockfield Road, said the Board has an impossible task predicting the future 30 years, need to decide what's going to strengthen the community, what's best for the economy and tax base, try to look at more options for areas.
- Susan White, W204 N13273 Goldendale Road, people do not want industry north of Rockfield, consider keeping the area agriculture and residential owner occupied, no multi-family.
- Brad Johnson, W163 N10163 Apache Court, asking that board do their due diligence to understand what this community might look like in 30 years, if we bring industry and more people here that it doesn't jeopardize the rural characteristics that make Germantown a great place to live, need more to review the plan, more community input.

(CLERK'S NOTE: written comments received during the public hearing are attached hereto and included in these minutes by reference.)

Public Hearing was closed at 7:51 pm.

Chairman Wolter asked for advice on the agenda procedure. Attorney Sajdak said it would be most appropriate to take Plan Commission Item A and Village Board Items A and B together, wrap those up before Plan Commission Item B. He would look for potential votes from both committees.

- A.** Schedule such additional meetings, listening sessions, public hearings and/or further steps related to the consideration and adoption of the Village's 2050 Comprehensive Plan and to extend the final completion date accordingly as the Plan Commission and Village Board deem necessary and appropriate.

Trustee Baum asked what the next steps are moving forward. Director Retzlaff explained the Plan Commission and the Board need to consider all the public comments that have been received including those this evening before making a decision regarding the resolution for the Plan Commission and Ordinance for the Board. He said staff has provided the comments to the board, included a narrative in the packet and an assessment of the comments received and categorized them. Minor comments and those comments raised that are worthy of further discussion and consideration. He explained the current draft of the plan is a staff recommended plan and it is up to the board to evaluate the comments received, discuss any changes and decide which comments are worthy to be incorporated as revisions to the staff recommend plan.

Chairman Wolter said it's important to state the plan is proposed through Graef and staff through early meetings as to what we wanted to do going forward as part of the 2050 Plan. Graef took those

comments and what they know from working with other communities and drafted this plan. Other meetings of the Plan Commission came forward with what you see here and were then proposed and your comments were then recorded based against the draft plan. He said you don't want staff or Graef to incorporate those changes, you want your elected officials to incorporate the changes. Otherwise it becomes this living, changing document time after time. The Plan will be changed through Plan Commission and Village Board. That is why it is called a draft plan. It will not be changed from one meeting to the next.

Trustee Baum said he believes more meetings will be held but on an individual district level. Director Retzlaff explained one of the implementation activities is to pursue further refinement of the neighborhoods, districts and corridors by creating more detailed plans for each. But adoption of the plan does not need to be held up just to pursue those additional steps. Trustee Baum said he's been to the meetings, he's not hearing anything new, he's hearing the same thing time and time again. He is listening to what has been said, but he's not sure he's ready to say which things he wants put in the final draft tonight.

Trustee Jan Miller questioned who wrote the draft 2050 Plan dated June 25, 2022. Director Retzlaff stated the current draft plan was compiled by the consultant with assistance from Village staff. Trustee Jan Miller said it didn't matter how many times the same comments were heard, the residents comments should be taken into consideration. She stated she only had 30 days to review the plan and it was not in an easy format to read. And to be neutral and fair to the residents it should be done and compiled by a third party, Graef. The document needs to be cleaned up and have what the general consensus is that we've heard from the residents. Director Retzlaff explained that in light of some of the comments heard this evening, that you shouldn't have people who don't live here prepare the plan, why then would you want those same people to compile their own comments and decide what's worthy of discussion or not. His dilemma is he doesn't want to be accused of throwing out comments that someone feels are worthy of further discussion that he does not. Because he has a particular opinion of what the plan is supposed to be. So the comments are given to the board to read in a raw but not unreadable format for them to decide and from their recollection from the workshops and participation, knowledge and experience. The meeting tonight is so both boards can hear and see the comments first hand. The goal is present the right information to help them make their decision. Trustee Miller said a scribe should have been at each table during the workshops. Chairman Wolter said there were opportunities for the representative at each table to discuss what was talked about during their sessions. Director Retzlaff said that information was included in the packet. He commented that the feeling was almost unanimous that the rural preservation area should not be lessened or diminished by additional industrial development north of Rockfield Road. Chairman Wolter stated that is up to this board to make that recommendation as a change to say we want to take that environmental corridor and go down Rockfield Road and not make it go any further north. If after discussion and it is decided to be put in, it becomes part of that plan, based on discussion. You need to start with a draft and then the board will make the changes based on comments heard, emails and phone calls. But not every member may agree with every comment. The Plan shows a roadmap of what is possible for development in each of the different areas of the Village. It's not a guarantee of development and doesn't mean its going to happen. As Jeff stated there already a lot of areas in the Village south of Freistadt that are already completed.

The areas really open for discussion are the Village Center and anything north of Freistadt Road and County Line and Lannon Road is the biggest area open for change or development. Trustee Jan Miller added that we heard a lot of people tonight that do not want development at Lannon and County Line Road. Chairman Wolter said that was a proposal not a plan. Plan Commission said they didn't like it and asked them to change it based on discussion. Trustee Jan Miller asked for an interpretation of Wisconsin Statute 66.1001 4(b) regarding voting on the 2050 Plan. Attorney Sajdak stated the statute says the Plan Commission can adopt the resolution by a majority vote of the entire Commission. There are 4 members here and all 4 would need to approve tonight. Both votes, whether Village Board or Plan Commission require a majority vote of the full body.

Trustee Jan Miller said her advice for the board is to slow down. She doesn't see any rush in getting this 30-year plan current in this moment in time. She does not believe there was enough time to be inclusive of all village departments, facilities, schools, residents, businesses and shareholders with input from them and tabulated and get it right. She recommended the 2050 Plan include some other things, such as a Village Board goal, a 5-year strategic plan, a score card that trickles down to staff so it is recorded and used on an analyzed basis and is a measurement tool for Village administration and staff. The Village Board can measure the progress against the goals. She said we should listen to the people that came from the school board tonight, and work collaboratively with them and understand their 5-year goals. She mentioned we have a library that is an important facility in Germantown and was glossed over in the plan. In addition, she believes the budget should be included because we cannot grow by TID alone, we need a smart growth solution. She continued requesting more public meetings and adding 2 additional workshops to get input on all neighborhoods, and that scribes should be at each workshop.

Trustee Neureuther said he was impressed with the time and effort that the Plan Commission members and staff put in when talking about the neighborhood districts. He was impressed with the residents that have come forward and made comments. But the time has come that the comments are in. He has no problem with staff working on the plan. He stated the steps laid out in the memo from July 22nd explain what we need to do next and it is clearly defined there what the role of the Plan Commission is. We are now at the point to look at what has been presented.

MOTION Neureuther second Baum to refer to the email sent by Lori Johnson dated Friday, July 22nd at 4:19 pm where Mr. Retzlaff lays out the steps of how this should be done and how this should be looked at. It's a good process and a fair process and will revitalize some of the comments that came up awhile ago that need to be looked at:

"After the July 25 public hearing, both the PC and VB will need to consider the comments received along with comments received earlier at various steps in the planning process (as listed above and included in the packet) before taking their respective actions.

As part of their deliberations, the PC needs to decide what 2050 Plan they will recommend that the VB should adopt. The DRAFT 2050 Plan document that has been available for inspection since late June and subject of the July 25 hearing is what I would refer to as the "staff-recommended" 2050 Plan. The PC needs to decide collectively if they want to make any revisions to the staff-recommended 2050 Plan that, in turn, would become the PC-

recommended 2050 Plan for the VB to consider. Any revisions that the PC wants to make to the DRAFT 2050 Plan will need to be listed in an attachment to the resolution adopted by the PC.

Once the PC has adopted their resolution recommending that the VB adopt a 2050 Plan, with or without any recommended revisions, the VB will need to consider whether to adopt the PC's recommended 2050 Plan, with the same revisions, different revisions and/or additional revisions. Once the VB has decided on a particular version of the 2050 Plan to adopt, they will act on an ordinance adopting the 2050 Plan as the Village's comprehensive plan.

To help both the PC and VB consider what, if any, revisions they might want to make to and include in the 2050 Plan based on the public comments received, after the July 25 public hearing Staff will finish putting together a summary document of potential revisions that Staff thinks the PC & VB should consider based on relevant comments received at the public hearing and during the 2050 planning process. It is anticipated that the summary list of potential revisions will include both "minor" revisions, e.g. clerical stuff like formatting, data accuracy and fact-check, as well as "major" policy decisions that need further discussion. While public comments are not/should not be the only basis for revisions that the PC or VB want to make, Staff's summary document is intended to help bring important and necessary revisions that result from the comments received into focus and set the PC and VB up for efficient discussion and action.

It is expected that Staff's summary document of potential document revisions will be available on or before August 1 and in preparation for the regularly scheduled August 8 PC meeting. If additional time is necessary for the PC to discuss the 2050 plan and identify recommended revisions, discussion and action could be continued to a special meeting on August 22.

However, if the PC determines that no revisions to the Draft 2050 Plan are necessary, the PC can adopt Resolution No. 02-2022 following the July 25 public hearing, at their regular meeting on August 8, or at a special meeting on August 22 (or later if additional public hearings or meetings are deemed necessary)

Action by the VB to adopt a 2050 Plan is contingent upon adoption of Resolution No. 02-2022 by the PC. Therefore, it remains to be seen what meeting date the VB will/could act on an ordinance to adopt a 2050 Plan, but it could be as early as August 1 if the PC adopts their resolution on July 25; on August 15 if the PC adopts their resolution on August 8; or September 19 if the PC adopts their resolution on August 22 (the 1st Monday in September is Labor Day)."

Chairman Wolter confirmed the motion is to send the document to Plan Commission to come up with their revisions and their final plan to give to Village Board. And when they feel they have completed that mission it will go to Village Board for final approval but not at a date foreseen but possibly August or into September. Trustee Neureuther added Village Board would have the right to say yay or nay.

Trustee Rick Miller agreed with Trustee Neureuther. He said in order to move the plan together and get the public more aware of what we are going to adopt, we need to send it forward so Plan Commission can start making their changes. When the Plan Commission is done then the Village

Board will review it and make their changes and amendments. And if the board recommends to a listening session there will be a better plan to look because they will have adopted the Plan Commission recommendations and most of the Village Board things and we can listen if the Village Board decides that. Trustee Pieper agreed and said we have a good idea of what the residents want to see in the Village. It's a good draft but needs modifications during the revision process. But the plan is not set in stone and does not mean it's going to happen. The plan is not concrete and can be changed if the Village Board feels the need to do so.

Trustee Jan Miller understood what Trustee Neureuther was saying, but said there is a lot of input that needs to be added to it. She commented if we had time to review the 286 pages and come up with some format so that we could extrapolate it into some action steps to add or update the plan, that would make sense, and perhaps add a public hearing. She said she would support the motion if a public hearing possibility were added to the motion.

Chairman Wolter explained those decisions can be made as this progresses and if this board so warrants, but not at this time. We need to start the action of the Plan Commission and then based on that action and the Village Board it can be recommended as another public hearing. This is a comprehensive land use plan. It doesn't include the library because the library has nothing to do with comprehensive land use. It doesn't always include the Police department because that is a decision of the Village Board based on needs that are apparent on that date. Let's keep it within scope of what this is and what it does. It shows possible development that can happen in other ways. It doesn't mean it's going to happen only that it is acceptable to happen. It is a living document. And proof of that are the changes and amendments that were made to the 2020 Land Use Plan.

Plan Commission member Peter Nilles asked if the motion on the table was for Plan Commission, Village Board or both. Attorney Sajdak explained the motion on the table is the Village Board and in light of the discussion if Plan Commission took no action, the expectation based on the motion is that they would probably start talking about it at the next meeting. He said as long as you are ok with the process laid out you don't need to take any action, but some input would be worthwhile to both Plan Commission and Village Board as they consider the motion. Commissioner Nilles stated he supports the motion. Trustee Jan Miller asked if we don't agree and want to take something out can a motion be made for that. Chairman Wolter said the Plan needs to come from the Plan Commission first, then she can.

MOTION carried 5-1 (Jan Miller)

- B.** In the event that no additional meetings are scheduled under agenda Item IV.A. above, the Plan Commission will then consider the adoption of Resolution 02-2022, A Resolution to Recommend Adoption of the Village of Germantown 2050 Comprehensive Plan.

Attorney Sajdak recommended to adjourn both meetings.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:52pm.

Respectfully submitted,
Lori Johnson
Planning Assistant

From: mcsmythe@wi.rr.com <mcsmythe@wi.rr.com>
Sent: Tuesday, August 9, 2022 8:41 AM
To: Lori Johnson <ljohnson@germantownwi.gov>
Subject: 7/25/2022 points to add to minutes

Hello Lori,
Thanks for including the notes in the minutes.
I have extracted the ones that I would like added.

- It would be helpful to have a summary of what was achieved via the 2020 plan, including what did not happen and why?
- Which items need to move forward from 2020?
- Helpful to have an executive summary.
- I answered one of my questions about the accuracy of projections - Sewerpac is off by 3k, being too high.
- 2020 page 15 statement summarizes our trajectory – “Communities like Germantown, which contain a rural atmosphere and a small town character, are continuing to attract families from inner cities and suburbs. The result has been an increase in population and a gradual change in expectations toward higher levels of service provided by the Village.” Include this statement in the 2050 plan.
- 2050 page 19 rate of new households increases by 2k through 2040. Page 142 if you take the low average of yearly housing permits $170 \times 30 \text{ years} = 5,100$. This tells us that we are growing households organically and will be fine without having to focus on subsidized housing or other programs.
- Page 24 2050 plan states that our job to work ratio is balanced and we are smart people who like living in a semi-rural area and don't mind commuting to work.
- The budget process should be tied to the plan and its goals. This will help with the fact that the results of the implementation plan does not have a scorecard, but should. If something is not measured the effect of effort will be unknown. How will one know if it succeeds?
- How does this plan connect to the School District's plan? What conversations have been had with the school board?
- The 2050 plan is heavy on development actions, which is understandable based on the way the state statute is written - 66.1001. However, the definition says “a guide to the physical, **social** and economic development of a local government unit.”
- Never attempt to annex the town of Germantown
- Live within our means & set our public safety personnel to succeed
- Reduce the TIDs and have a goal to retire the existing ones in year 12
- The village budget, comprehensive plan, board strategy, school district plan, and essential services should be in sync

Thanks.

Melanie Smythe
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