

**VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022**

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, January 16, 2023 7:00 p.m.

**LOCATION: Germantown Village Hall Board Room
N112 W17001 Mequon Road**

NOTICE: Pursuant to the recommendations of the Centers for Disease Control and Prevention concerning the prevention of COVID-19 infections, any member of the body and/or citizen may also attend the meeting virtually through the WebEx platform, Meeting #: 2551 746 8900 Password: RGfHMePh684 which can be accessed by phone at 408-418-9388 or by logging on at

<https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=mc37f3875ca2e3f3f9d8bc9b1adeabe4e>

Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@germantownwi.gov by 4 p.m. on the day of the meeting so that it can be provided to the members of the body for their consideration. All written comments will be entered into the record as if given at the hearing / meeting and made available to the members of the Village Board for consideration but may not be read during the hearing / meeting.

Previously recorded Village Board Meeting Videos can be viewed at

https://www.youtube.com/channel/UCOYp0EgELzTCa9X_iCohyhQ.

AGENDA

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
- II. **ROLL CALL:**
- III. **PLEDGE OF ALLEGIANCE:**
- IV. **PRESIDENT'S REPORT:**
- V. **APPOINTMENTS:**
 - A. **Utility Commission**
Steven Wesolowski
- VI. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST**
COMMITTEE AND DEPARTMENT REPORTS:
 - A. 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:

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

Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. Written Public Comments should be directed to comments@germantownwi.gov, by 4 p.m. on Monday, January 16.

VIII. CONSENT AGENDA:

A. Approval of Minutes December 19, 2022 Meeting.

B. Accounts payable/payroll:

1.	December 16, 2022	Accounts Payable	\$ 225,607.87
2.	December 20, 2022	Payroll	\$ 395,198.09
3.	December 20, 2022	Accounts Payable	\$ 9,130.48
4.	December 23, 2022	Accounts Payable	\$ 498,410.73
5.	December 30, 2022	Accounts Payable	\$ 461,443.59
6.	January 3, 2023	Payroll	\$ 380,564.13
7.	January 6, 2023	Accounts Payable	\$ 178,637.28
8.	January 7, 2023	Accounts Payable	\$ 79,997.42
9.	January 13, 2023	Accounts Payable	\$ 545,116.25
10.	January 17, 2023	Payroll	\$ 246,697.42

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

- C. Purchase of 3000 gallon water tender truck from Midwest Fire, in an amount not to exceed \$396,662, Midwest Fire.
- D. China Kitchen, N112W16560 Mequon Road, Class B Fermented Malt Beverage License, Kai Yong Inc, Tina Lin, Agent, January 17 – June 30, 2023.
- E. Secondhand Jewelry Dealer Renewal, Kessler's Diamond Center, Joseph Gehrke, N96W16920 County Line Road.
- F. Secondhand Article License Renewal, EcoATM Sean Flaherty, W190N9855 Appleton Ave.
- G. Secondhand Article License Renewal, Pilgrim Antique Mall, Beverly Solomon, W156N11500 Pilgrim Road.

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

- H. St. Boniface Congregation, W204N11968 Goldendale Road, Temporary Class B Picnic License to sell fermented malt beverages and wine on January 28, 2023, at the spaghetti dinner.

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

- I. Change Order No. 4, cured in place pipe project for additional cost of materials with Visu-Sewer in an amount not to exceed \$332,919.46.
- J. Water Service Truck with Crane, Purchase of 2023 Chevrolet service truck from Knapheide Crane Body in an amount not to exceed \$105,000.00.
- K. Purchase of Crafc0 Asphalt Rubber Plus and Crafc0 Mastic One from Sherwin Industries Inc., in an amount not to exceed \$31,990.73.
- L. Purchase of First Response System, brine salt insert, from Casper's Truck Equipment in an amount not to exceed \$94,259.
- M. Park's Department Purchase of 2023 Pick – Up Truck from Ewald Automotive Group in an amount not to exceed \$55,000 for Parks Department.

- N. Replacement of Fire Station vehicle equipment bay epoxy floor coating with Tailored Living, in an amount not to exceed, \$39,600.
- O. Replacement of Fire Station interior flooring by Premier Flooring in an amount not to exceed, \$31,850.
- P. Open Purchase Order for the replacement of hydrant replacements, water main, water laterals repairs, gate valve repairs, water service repairs, and water main breaks, in an amount not to exceed, \$400,000.

IX. UNFINISHED BUSINESS

- A. Library Condenser.

X. PUBLIC HEARINGS:

- A. None

XI. NEW BUSINESS:

- A. Shawn Beschta, Property Owner of W188 N10050 Maple Road. Ordinance 01-2023 to Rezone a portion of the property from the A-1:Agricultural Zoning District to the Rs-3: Single Family Residential Zoning District, Conditional Use Permit, CUP 01-2023 for recreational vehicle & boat storage; and 2-Lot Certified Survey Map (CSM) to divide the property.
- B. Discussion on Police Department – IT Staff Needs.
- C. Resolution 01-2023, Germantown Municipal Employees Union Local 730 Contract.
- D. Five Year Street Paving Project Plan.
- E. Germantown Historical Society – Request to waive contractual \$5,000 loan payment for FestHalle, for the purposes of restoration of Christ Church stained glass windows as recommended by the Tourism Commission.
- F. Resolution 02-2023, Resolution for an Advisory Referendum Regarding an agreement with Washington County to Share Sales Tax Revenue.
- G. Village of Germantown, Property Owner, N104 W12703 Donges Bay Road. 2-Lot Certified Survey Map (CSM) to re-divide property in the TID#9/Town 9 Business Park.
- H. Extension of Sewer Service Area to the Northeast Corridor of Richfield.
- I. Resolution 37-2022, Disallowance of Claim, Nancy Rydell. The Village Board May Enter into Closed Session per Wis. Stat. § 19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved and then may reconvene into open session to take such action as it deems appropriate; and,

- J. Project Guardian Proposal. The Village Board May Enter into Closed Session per Wis Stat § 19.85(1)(e) 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; and,
- K. Administrator Performance Review – Process and Criteria. The Village Board May Enter into Closed Session per Wis Stat § 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, and then may reconvene into open session to take such action as it deems appropriate.

XII. ADJOURNMENT:

The next regular meeting of the Village Board will be on Monday, February 6, 2023, at 7:00 p.m.

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For Additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
DECEMBER 19, 2022**

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by Clerk Braunschweig.

Motion (Kaminski/Hudson) to elect Tr. Baum as Chair Pro Tem. Motion carried unanimously.

ROLL CALL: Present: President Wolter, Trustees Baum, Hudson, Kaminski, J. Miller, and R. Miller, Myers, Trustees absent excused: Pieper and Neureuther. Also present: Administrator Kreklow, Braunschweig, Superintendent Zimmerman, Director Ratayczak, and Manager Hirn.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

No Report.

**ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC
INTEREST/DEPARTMENT AND COMMITTEE REPORTS:**

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

Steve Wesolowski of Old Farm came to the podium. He wants to allow others to speak first.

Scott Hefle of Old Farm Road came to the podium and commented to not take action on the summer sewer credit item. He commented on the budget and hard to follow the current budget reports.

Melanie Smythe of Cedar Lane came to the podium. She commented on the Utility Advisory Committee and utility items. She commented on a long term budget.

The email from Carol and Bill Schneider, entitled 12-19-22 Village Board Meeting was read to three minutes.

Steve Wesolowski of Old Farm came to the podium for the second time. He distributed a packet about the sanitary sewer usage. He commented on the summer sewer credit.

CONSENT AGENDA:

A. Approval of Minutes December 5, 2022 Meeting.

B. Accounts payable/payroll:

1.	December 2, 2022	Accounts Payable	\$	301,671.88
2.	December 6, 2022	Payroll	\$	324,121.32
3.	December 9, 2022	Accounts Payable	\$	138,262.70

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

C. Purchase of two 2023 Ford Police Interceptor Utility Vehicles from Ewald Ford in an amount not to exceed, \$85,334, 40-521-570-8510.

D. AXON Contract to Lease 14 Fleet 3 ALPR Camera Systems, increase cost of \$5,500 per year beginning in 2024.

Motion (Myers/Hudson) to approve consent agenda items A-D. Motion carried unanimously.

UNFINISHED BUSINESS:

A. None.

PUBLIC HEARING:

A. None.

NEW BUSINESS:

A. Zilber Property Group, Agent for ZPG Development, LLC, Property Owner – W210 N12975 Gateway Crossing. 3-Lot Certified Survey Map application.

Director Retzlaff came to the podium and presented the item. The site location and division to three parcels were presented. Motion (Myers/Kaminski) to approve Zilber Property Group, Agent for ZPG Development, LLC, Property Owner – W210 N12975 Gateway Crossing. 3-Lot Certified Survey Map application. Motion carried. J. Miller and Neureuther voted no.

B. Erik and Holly Hagen, Applicants and Property Owners of N120 W17740 Freistadt Road. Conditional Use Permit, CUP # 06-2022 to allow a Major Home Occupation from the property for Hagen Plumbing Service LLC.

Director Retzlaff came to the podium and presented the item. The site location was presented. Motion (Myers/R. Miller) to approve Erik and Holly Hagen, Applicants and Property Owners of N120 W17740 Freistadt Road. Conditional Use Permit, CUP # 06-2022 to allow a Major Home Occupation from the property for Hagen Plumbing Service LLC.

7:30 pm President Wolter Arrived.

Discussion ensued that the blue building and much of the property is in the flood plain. There was a public hearing at the Plan Commission. Discussion ensued of the review process, as it would go through the full process. Motion carried. J. Miller voted no.

Chair Pro-Tem Baum, turned the gavel to President Wolter.

C. Resolution 43-2022, Building Permit and Inspection Fee Revision.

Director Retzlaff introduced the item. The item was presented and recommended from General Government and Finance this evening.

Motion (R. Miller/Baum) to approve Resolution 43-2022, Building Permit and Inspection Fee Revision. The last review and increase of the fees was four years ago; previous to that, they were reviewed ten years ago. Discussion ensued of an annual review of the fees. Safebuilds contract is renewed annually. Roll call vote carried unanimously.

- D. Ordinance 21-2022, Amending the Village's Official Traffic Map – to add Stop Signs on Concord Road at the intersection with Nigbor Drive.

Motion (J. Miller/Baum) Ordinance 21-2022, Amending the Village's Official Traffic Map – to add Stop Signs on Concord Road at the intersection with Nigbor Drive. Recommendations shown not to have a stop sign at this location / intersection. Discussion ensued of the reporting and surveying completed in response to the concern.

Motion failed. Baum, Kaminski, R. Miller, Pres. Wolter Voted no. Hudson, Myers, and J. Miller voted yes.

- E. Ordinance 22-2022, Repealing and Amending Chapter 13.37 relating to Wastewater Measurement and Sampling – Amendment to the third quarter Summer Sewer Credit for the Third Quarter Billing.

Administrator Kreklow presented information on the item and reviewed the packet. He gave history to the utility billing and ordinance changes. The multiplier at 1.15 with the recommendation to 1.25 was discussed. There is flexibility in the Tyler Munis to allow for modifications this year or future years. The amount of additional analysis by staff is limited. The sewer budget is six million. Discussion ensued of elimination of borrowing for the sewer with a healthy level of reserves.

Discussion ensued to go back to the original calculation rather than the calculation prior to March of 2022.

The Utility Advisory Committee held a public discussion with participation from staff, residents, and committee. Discussion ensued to forgo the 11,000 minimum and use the 1.25 multiplier. The Blackstone community was hit harder due to their demographics.

Motion (R. Miller/Kaminski) to forgo the 11,000 min. and retain the multiplier at 1.15. Motion carried unanimously.

- F. Report on Employee Retention.

Manager Hirn came to the podium and presented information on employee retention. Discussion ensued of the percentage of turnover rate per department and trending data from the past. Discussion ensued of the percentage of employees that complete an exit interview.

- G. 2021 Audit Update.

The information was shared in August and October of this year. The presentation information has not changed and is included in the packet. The presentation lists the hurdles and recoveries in the packet.

- H. Resolution 37-2022, Disallowance of Claim, Nancy Rydell. The Village Board May Enter into Closed Session per Wis. Stat. § 19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved and then may reconvene into open session to take such action as it deems appropriate.

- I. Administrator Performance Review – Process and Criteria. The Village Board May Enter into Closed Session per Wis Stat § 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, and then may reconvene into open session to take such action as it deems appropriate; and,

Motion Myers/Baum to convene into closed session at 8:57 p.m. and to include the Village Attorney, Village Clerk, Village Administrator, and Village Board for item I and to include the Village Administrator and the Village Board with item H. Roll Call vote carried unanimously.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 11 p.m.

The next regular meeting of the Village Board will be on Monday, January 16, 2023, at 7:00 p.m.

Respectfully Submitted,
Deanna Braunschweig

The Business of the Germantown Public Safety Committee

Submitted by: Chief John Delain

Agenda Item: Ne+ Business

Meeting Date: January 2023

Item Name: Purchase of new Water Tender truck

Agenda item description:

For the 2023 Capital budget the GFD requested to purchase a new water tender. The new water tender would replace our current one that was purchased in 1995 and has already been rebuilt once. Currently this vehicle is in service but has begun to fail and leak. GFD developed a spec for the vehicle and submitted a RFP. 5 proposals were returned, and the lowest bidder had the most complete bid package meeting our needs.

GFD is requesting to purchase a 3000 gallon water tender from Midwest Fire for \$396,662.00

Respectfully,

John Delain, Fire Chief

Back up included! XX__ yes No__



901 Commerce Road • P.O. Box 524 www.MidwestFire.com Luverne, MN 56156 • 1.800.344.2059

PURCHASE CONTRACT

December 13th, 2022

Germantown Fire Department
N115W18752 Edison Dr.
Germantown, WI 53022

Midwest Fire Sourcewell Contract:
Germantown Fire Department Sourcewell Membership ID#:

113021-RCK
210085

Dear Customer:

We hereby propose and agree to furnish, after your acceptance of this proposal and the proper execution by: _____ ("Customer") and an officer of Midwest Fire Equipment & Repair Co. ("Midwest Fire") the following apparatus and equipment:

One (1) All-Poly Series 3000-Gallon Tanker and One (1) New Freightliner 114SD Extended Cab Tandem Axle Chassis

All of which are to be built in accordance with the specifications, clarifications and exceptions attached, and which are made part of this agreement and contract, to be completed same in: 260 business days after receipt of truck chassis by Midwest Fire, subject to all causes beyond our control.

Apparatus	
Apparatus Proposal Price	\$ 275,625
Chassis Proposal Price	\$ 134,669
Sourcewell Pricing	\$ (13,632)
Apparatus & Chassis Proposal Price	\$ 396,662
Total Proposal Price:	\$ 396,662.00

NOTE: CHASSIS PRICING IS ESTIMATED FOR THE CURRENT MODEL YEAR. DUE TO VENDORS INCREASE IN PRICING, GOVERNMENT MANDATES (EPA, ETC.), OR MODEL YEAR ACTUAL PRICING DIFFERS, PRICING WILL BE RE-PRICED UPON MIDWEST FIRE RECEIPT OF CHASSIS INVOICE FROM OEM.

**BUSINESS OF THE PUBLIC WORKS COMMITTEE & VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Wednesday, January 11th, 2023

AGENDA ITEM: New Business

ITEM TITLE: Change Order No. 4 –CIPP Liner & Manhole Rehabilitation -
Visu-Sewer, Inc

SUBMITTED BY: Lawrence W Ratayczak, PE- Director of Public Works

SUMMARY EXPLANATION:

The CURED IN PLACE PIPE (CIPP) LINING PROJECT included a final quantity of 7,685 lineal feet of 48-inch reinforced concrete sanitary sewer pipe. The project was bid on January 26, 2021 and delays in starting the project were due to access agreement with Waste Management and finding a collapsed drainage culvert under the railroad tracks that was to be utilized for the by-pass pumping pipe. These delays and the world economic market during this time was cause for dramatic increases in the material cost of the polyester resin and fabric liner. The contractor has submitted the invoices as backup to the increased cost. The requested additional cost submitted by Visu-Sewer is \$332,919.46.

Staff has seen this situation at various levels most recently with the new DPW Campus Facility where the project holds a \$3 million contingency which is mostly dedicated to potential increased material costs.

Staff has evaluated the submitted additional material cost and has researched the market conditions during this time and has determined the submitted request to be justified. Staff recommends approval of Change Order No. 4 which approves the additional cost for materials in the amount of \$332,919.46 and shall be funded from account: 60-180-180-1077.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER XX

- Change Order No. 4

RECOMMENDATION:

Staff recommends that the Public Works Committee approve Change Order No. 4 related to the Cured In Place Pipe project for the additional cost of materials in the amount not to exceed \$332,919.46 and forward to the Village Board with a positive recommendation.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

CHANGE ORDER

NO.

4

PROJECT: Cured In Place Pipe project**DATE OF ISSUANCE:** January 6, 2023**OWNER:** VILLAGE OF GERMANTOWN**OWNER'S CONTRACT NO.** 2103**CONTRACTOR:** Visu-Sewer, INC**ENGINEER:** Germantown

You are directed to make the following changes in the Contract Documents.

Description: Additional Cost of Materials**Reason For Change Order:** Rising Cost of Materials due to disruption of Industry Supply chain caused mainly by the Covid Pandemic.**Attachments:** Letter outlining reason for increase cost and invoice documents.**CHANGE IN CONTRACT PRICE**

Original Contract Price

\$2,611,160.40

Net changes from previous changes
Orders No. \$264,700.00

Contract Price prior to this Change Order

\$2,875,860.40

Net Increase (Decrease) of this Change Order

\$332,919.46

Contract Price with all approved Change Orders

\$3,208,779.86

CHANGE IN CONTRACT TIMES

Original Contract Times

Substantial Completion: _____

Ready for Final Payment: _____

Net changes from previous changes
Orders No. _____ To No. _____

Contract Times prior to this Change Order

Substantial Completion: _____

Ready for Final Payment: _____

Net Increase (Decrease) of this Change Order

Contract Times with all approved Change Orders

Substantial Completion: _____

Ready for Final Payment: _____

RECOMMENDED**APPROVED****ACCEPTED**

By: _____


ENGINEER

By: _____

OWNER

By: _____

CONTRACTOR

Date: _____

1/6/2023

Date: _____

Date: _____



April 4, 2022

www.visu-sewer.com

Larry Ratayczak
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022-0337

RE: Project 2103 – 2021 Cured In Place Project
Material Cost Increase Request

Dear Mr. Ratayczak:

As a result of the Composites Industry supply chain disruptions during 2021, our material cost for our polyester resin has increased significantly since the above referenced project was bid. It is important to note that the cost of resin is a very significant portion of our overall cost for this 48-inch diameter Cured In Place Pipe lining project. Currently this project is running several months behind original schedule due to a few unforeseen factors – temporary property agreement with Waste Management was held up for 3 months for approvals & the original railroad culvert was found to be collapsed whereas the temporary sewer bypass route had to be diverted way to the north and has caused a month of delay in constructing the temporary conveyance.

The current projected amount of resin required for this project is 625,000 lbs. At the time of bid, we utilized a market forecast of \$1.05, while the current price of resin was \$0.98 per pound. We typically try to forecast the pricing as best we can by reviewing the past few increases; however, this past year has been exception. The current price of resin is \$1.51/lb thru April 2022 and expected to rise each month. Using these prices and amounts, the total value for this increase being requested is \$287,500.00.

The felt liner costs has dramatically increased as well since the project was bid. September 1st, 2021 there was a 9% increase in the cost of the felt material and March 1st, 2022, the prices went up another 3.8%. This total increase is \$45,419.46 for the 7654' – 48" liner material.

Together the total material cost increase for both resin and felt is \$332,919.46.

We thank you in advance for your consideration on this serious matter in our supply chain. Please let me know if you require additional information or have questions.

Respectfully,

A handwritten signature in black ink, appearing to read 'Alex L. Rossebo', is written over a horizontal line.

Alex L. Rossebo
President
Visu-Sewer, Inc.

Visu-Sewer, Inc.

W230 N4855 Betker Dr, Pewaukee, WI 53072 (P) 800-876-8478 / 262-695-2340 (F) 262-695-2359

Equal Employment Opportunity/Affirmative Action Employer



March 23, 2022

Dear AOC Customer:

As 2022 unfolds following the unprecedented year of 2021, the Composites Industry continues to struggle with Supply Chain, Labor and Freight disruptions that are continuing to drive unprecedented escalations in the price of UPR and VE products sold into the CIPP Industry. Extremely high demand from end users across all segments and the turmoil in Ukraine are now causing additional strain on the runaway market conditions driving prices to unprecedented levels.

Following is the cumulative effect on market pricing:

Calendar Period	Vinyl Ester	Unsaturated Polyester
October, 2020	\$0.05	\$0.05
December, 2020	\$0.15	\$0.09
January, 2021	\$0.14	\$0.07
February, 2021	\$0.12	\$0.07
March, 2021	\$0.60	\$0.23
April, 2021	\$0.50	\$0.13
May, 2021	\$0.20	\$0.10
June, 2021	\$0.26	\$0.10
July, 2021	\$0.00	\$0.00
August, 2021	\$0.14	\$0.00
September, 2021	\$0.13	\$0.13
October, 2021	\$0.10	\$0.10
November, 2021	\$0.16	\$0.10
January, 2022	\$0.50	\$0.10
March, 2022	\$0.09	\$0.09
April, 2022	\$0.15	\$0.15
Total (Price/lb)	\$3.26	\$1.48

If you have questions regarding this announcement, please contact your local AOC Sales Representative for more information. We greatly appreciate your continued business.

AOC's headquarters are based in Collierville, TN (USA). To learn more, visit www.aocresins.com.

Sincerely,

Brad Walker

Director of Sales, Americas

brad.walker@aocresins.com



Invoice

National Liner, LLC
N48 W22953 Commerce Center Dr.
Pewaukee, WI 53072

Phone: 800-547-1235
Fax: 262-303-4784

Date	Invoice#
4/5/2022	24-21015

Bill To

Visu-Sewer, Inc.
PO Box 804
Pewaukee, WI 53072

Ship To

Visu-Sewer, Inc.
W230 N4855 Betker Road
Pewaukee, WI 53072

P.O. Number	Terms	Ship	Via
14728	Net60	4/5/2022	HENIFF

Quantity	Item Code	Description	Price Each	Amount
	1,72 t-CLSF-208	PO#24-Fcb/Job# 1.721-CLSF-208 filled Talc Resin Batch #:VIS	1.51	1.51
			Total	\$1.51



Invoice

National Liner, LLC
N48 W22953 Commerce Center Dr.
Pewaukee, WI 53072

Phone: 800-547-1235
Fax: 262-303-4784

Date	Invoice #
2/4/2022	24-20925

Bill To

Visu-Sewer, Inc.
PO Box 804
Pewaukee, WI 53072

Ship To

Visu-Sewer, Inc.
W230 N4855 Betker Road
Pewaukee, WI 53072

P.O. Number	Terms	Ship	Via
14659	Net 60	2/4/2022	HENIFF

Quantity	Item Code	Description	Price Each	Amount
✓ 44,970	L721-CLSF-20B	PO#21-Dec / Job# L721-CLSF-20B Filled Talc Resin Batch #:V3 ✓ 115603 / PJB	1.43	✓ 64,307.10
			Total	\$64,307.10

3/6/22



Invoice

National Liner, LLC
N48 W22953 Commerce Center Dr.
Pewaukee, WI 53072

Phone: 800-547-1235
Fax: 262-303-4784

Date	Invoice #
1/11/2022	24-20897

Bill To

Visu-Sewer, Inc.
PO Box 804
Pewaukee, WI 53072

Ship To

Visu-Sewer, Inc.
W230 N4855 Betker Road
Pewaukee, WI 53072

P.O. Number	Terms	Ship	Via
14636	Net 60	1/18/2022	HENIFF

Quantity	Item Code	Description	Price Each	Amount
✓ 44,870	L721-LTA-14	PO# 16-Nov / Job# L721-LTA-14 Filled Talc Resin Batch #: V615 ✓ 115603 / PJB	1.39	✓ 62,369.30
			Total	\$62,369.30

2/10/22



Invoice

National Liner, LLC
N48 W22953 Commerce Center Dr.
Pewaukee, WI 53072

Phone: 800-547-1235
Fax: 262-303-4784

Date	Invoice #
11/22/2021	24-20804

Bill To

Visu-Sewer, Inc.
PO Box 804
Pewaukee, WI 53072

Ship To

Visu-Sewer, Inc.
W230 N4855 Betker Road
Pewaukee, WI 53072

P.O. Number	Terms	Ship	Via
14603	Net 60	11/22/2021	HENIFF

Quantity	Item Code	Description	Price Each	Amount
✓ 45,280	L721-LTA-14	PO# 27-Oct / Job# L721-LTA-14 Filled Talc Resin Batch #: V602 ✓ 115603 / OK POB N/40	1.31	✓ 59,316.80
			Total	\$59,316.80

11/1/22



Invoice

Date	Invoice #
9/8/2021	24-20677

National Liner, LLC
W22953 Commerce Center Dr.
Pewaukee, WI 53072

Phone: 800-547-1235
Fax: 262-303-4784

Bill To
Visu-Sewer, Inc.
Box 804
Pewaukee, WI 53072

Ship To

Visu-Sewer, Inc.
W230 N4855 Betker Road
Pewaukee, WI 53072

P.O. Number	Terms	Ship	Via
NL PO# 14503	Net 60	9/8/2021	HENIFF

Quantity	Item Code	Description	Price Each	Amount
✓ 45,060	L721-LTA-14	<i>Resin</i> PO# 21-Jul / JOB# L721-LTA-14 Filled Talc Resin Batch #: V581 ✓ <i>115603 / PJB</i> <i>Net 40</i>	1.22 ✓	54,973.20 ✓
			Total	\$54,973.20

10 | 18 | 21



Invoice

National Liner, LLC
N48 W22953 Commerce Center Dr.
Pewaukee, WI 53072

Phone: 800-547-1235
Fax: 262-303-4784

Date	Invoice #
4/26/2021	24-20421

Bill To

Visu-Sewer, Inc.
PO Box 804
Pewaukee, WI 53072

Ship To

Visu-Sewer, Inc.
W230 N4855 Betker Road
Pewaukee, WI 53072

P.O. Number	Terms	Ship	Via
14374	Net 60	4/26/2021	HENIFF

Quantity	Item Code	Description	Price Each	Amount
✓ 45,070	L721-LTA-14	<i>Resin</i> PO# 10-Mar / JOB# L721-LTA-14 Filled Talc Resin Batch #: V542 ✓ 115603 / OK <i>PTS</i>	1.20	✓ 54,084.00
* Net 40			Total	\$54,084.00

6/5/21



Invoice

National Liner, LLC
N48 W22953 Commerce Center Dr.
Pewaukee, WI 53072

Phone: 800-547-1235
Fax: 262-303-4784

Date	Invoice #
3/3/2021	24-20342

Bill To

Visu-Sewer, Inc.
PO Box 804
Pewaukee, WI 53072

Ship To

Visu-Sewer, Inc.
W230 N4855 Betker Road
Pewaukee, WI 53072

P.O. Number	Terms	Ship	Via
14333	Net 60	3/3/2021	Miller Log.

RESIN

Quantity	Item Code	Description	Price Each	Amount
✓ 45,100	L721-LTA-14	PO# 8-Feb / JOB# L721-LTA-14 Filled Talc Resin Batch #: V526 ✓ 115603 / OK PJB *NET-40	0.98	✓ 44,198.00
			Total	\$44,198.00

04/12/21

National O Liner®

Invoice

National Liner, LLC
N48 W22953 Commerce Center Dr.
Pewaukee, WI 53072

Phone: 800-547-1235
Fax: 262-303-4784

Date	Invoice#
2/4/2021	24-20319

Bill To

Visu-Sewer, Inc.
PO Box 804
Pewaukee, WI 53072

Ship To

Visu-Sewer, Inc.
W230 N4855 Betker Road
Pewaukee, WI 53072

P.O. Number	Terms	Ship	Via
14305	Net 60	2/4/2021	Miller Log.

RESIN

Quantity	Item Code	Description	Price Each	Amount
5,090	L721-LTA-14	PO# Jan 12 /Job# L721-LTA-14 Filled Talc Resin Batch #:521 / Invoice has a scale ticket discrepence. Credit will be issued in the future. 115603/ OK PJB NET-LIO	0.98 v	44,188.20
			Total	\$44,188.20

03/16/21

**BUSINESS OF THE PUBLIC WORKS COMMITTEE & VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Wednesday, January 11th, 2023

AGENDA ITEM: New Business

ITEM TITLE: Water Utility Service Truck Replacement

SUBMITTED BY: Paul Haugen, Water Utility Superintendent

SUMMARY EXPLANATION:

Staff is requesting authorization to replace the existing Water Utility Service truck and crane. This unit is 11 years old with 94,500 odometer miles along with an average of 50,000 idling hours. Also, the service box is degrading showing signs of metal fatigue. The commercial purchasing windows are often open and sold out within a single day, making competitive pricing impossible to achieve. Staff has been informed that there will be a 2024 model year state bid opening at the end of January this year. Village staff is working to ensure the best possible price by working with Ewald Automotive Group who has been awarded purchase contracts when being competitively bid in the past. To ensure that the village is prepared to purchase in 2023, staff is requesting authorization to purchase that truck in an amount not to exceed \$105,000.00. The existing Service truck will be sold at auction.

ATTACHMENT: ORDINANCE____ RESOLUTION____ OTHER X

RECOMMENDATION:

Staff recommends the purchase of a 2023 Chevrolet service truck with Knapheide Crane Body in an amount not to exceed \$105,000.00 and to forward this request on to the Village board with a positive recommendation. If approved, funds shall be allocated from the capital account: 50-180-185-3920.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

**BUSINESS OF THE PUBLIC WORKS COMMITTEE & VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Wednesday, January 11th, 2023

AGENDA ITEM: New Business

ITEM TITLE: Tar & Mastic Purchase

SUBMITTED BY: Scott Anderson: Highways, Parks, Buildings & Grounds Superintendent

SUMMARY EXPLANATION:

Each year staff self performs crack sealing on village roadways as needed to improve longevity by minimizing water intrusion in cracks. As part of the 2023 Highway Department maintenance budget funds were added for the purchase of asphalt sealant and mastic. The product is purchased locally through Sherwin Industries Inc. and the cost is listed below for review. Sherwin Industries is the sole provider of this product in our region.

Crafco Asphalt Rubber Plus: \$13,738.73

Crafco Mastic One: \$18,252.00

Total cost: \$31,990.73

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER X

RECOMMENDATION:

Staff recommends the purchase of Crafco Asphalt Rubber Plus and Crafco Mastic One in the amount of \$31,990.73 and to forward this request on to the Village board with a positive recommendation. If approved, funds shall be allocated from Highway Department general ledger account: 10-542-530-3500.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

**BUSINESS OF THE PUBLIC WORKS COMMITTEE & VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Wednesday, January 11th, 2023

AGENDA ITEM: New Business

ITEM TITLE: First Response System Insert

SUBMITTED BY: Scott Anderson: Highway, Parks, Building & Grounds Superintendent

SUMMARY EXPLANATION:

During the 2023 budget process, \$98,000.00 was added to the Highway Department capital budget for the purchase of a second First Response System salt brine insert. This insert will fit into a patrol truck already owned by the village. In 2021, the village purchased its first FRS unit which provides a dual function. It can be used to pre-treat or anti-ice prior to a pending snow event but will also carry salt and provide pre-wetting functions during a snow operation. When salt brine pre-treatment was new to the industry, Germantown modified and existing piece of equipment to complete the task. That equipment was replaced with our original FRS unit in 2021 and has greatly improved our pretreatment capabilities ahead of a snow event. Pre-treatment has become widely used as an industry standard, and Germantown uses pre-treatment as a major part of our arsenal as we prepare for pending snow events. As the new DPW campus is constructed, creating, and storing our own brine will become a reality, allowing for further use of saltwater brine for anti-icing in the future. Staff is only recommending the Henderson 12' First Response System as it fully integrates with our current truck operating system, Force America 6100. Casper's Truck Equipment is the only vendor in our region that can provide the village with this specific piece of equipment. This would be consistent with our purchase back in 2021.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER _____

RECOMMENDATION:

Staff recommends the purchase and installation of a 12' First Response System from Casper's Truck Equipment and to forward this request on to the Village board with a positive recommendation. If approved, the purchase amount not to exceed \$94,259.00 and shall be funded from capital account: 40-542-570-8520.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

**BUSINESS OF THE PUBLIC WORKS COMMITTEE
GERMANTOWN, WI**

MEETING DATE: Wednesday, January 11th, 2023

AGENDA ITEM: New Business

ITEM TITLE: 2023 Parks Department Pick-up Truck Purchase

SUBMITTED BY: Scott Anderson: Highway, Parks, Building & Grounds Superintendent

SUMMARY EXPLANATION:

Funds were allocated as part of the 2023 Parks Department budget in the amount of \$55,000.00 for the replacement of a pick-up truck. Due to limited availability and high demand General Motors has opened a very small commercial purchasing window each of the last two years. These commercial purchasing windows are often open and sold out within a single day, making competitive pricing and our parliamentary procedure almost impossible to achieve. Staff has been informed that we can anticipate the same short purchasing window again this year and hope to be prepared when that purchasing window is opened. Please be aware that village staff is working to ensure the best possible price by working through Ewald Automotive Group who has been awarded purchase contracts when being competitively bid in the past. To ensure that the village is prepared to purchase the 2023 model year pick-up truck, staff is requesting authorization to purchase that truck in an amount not to exceed \$55,000.00.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER _____

RECOMMENDATION:

Staff recommends the purchase of a 2023 model year pick-up truck from Ewald Automotive Group and to forward this request on to the Village board with a positive recommendation. If approved in the amount not to exceed \$55,000.00 funds shall be allocated from the Parks Department capital account: 40-553-570-8520.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

**BUSINESS OF THE PUBLIC WORKS COMMITTEE & VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Wednesday, January 11th, 2023

AGENDA ITEM: New Business

ITEM TITLE: Fire Department Bay Epoxy Flooring Project.

SUBMITTED BY: Scott Anderson: Highway, Parks, Building & Grounds Superintendent

SUMMARY EXPLANATION:

As part of the 2023 Buildings & Grounds capital budget, \$42,000.00 was allocated for the replacement of the epoxy floor coating in the Fire Station vehicle equipment bay. The current coating was original to the building which is now 22 years old and showing signs of failure. When new, the surface would have had an anti-slip texture, which is almost presently non-existent. The combination of water or moisture on the surface for various reasons along with Fire Department staff's often-hurried pace to equipment will add to potential slip and fall injuries if not addressed soon. The new coating will provide the station and its employees with a beautiful, durable surface, while addressing potential safety concerns as well. The project will carry a 5-year workmanship warranty and will have a life expectancy of 20 years. Staff has solicited area contractors for pricing and the results are listed below for review.

Tailored Living: \$39,600.00

Colorful Concrete Solutions: \$42,837.00

Dornbrook Concrete Coatings: \$50,813.00 (received after deadline)

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER _____

RECOMMENDATION:

Staff recommends contracting with Tailored Living to complete the project and to forward this request on to the Village board with a positive recommendation. If approved in the amount not to exceed \$39,600.00 funds shall be allocated from Buildings & Grounds capital budget: 40-519-570-8222.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

**BUSINESS OF THE PUBLIC WORKS COMMITTEE & VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Wednesday, January 11th, 2023

AGENDA ITEM: New Business

ITEM TITLE: Fire Department Interior Flooring Project.

SUBMITTED BY: Scott Anderson: Highway, Parks, Building & Grounds Superintendent

SUMMARY EXPLANATION:

As part of the 2023 Buildings & Grounds capital budget, \$147,000.00 was allocated for the replacement of all interior flooring within the Fire Station. The project was scaled back some and will address the replacement of original flooring within offices, the dayroom and sleeping quarters. The current VCT flooring is now 22 years old and is showing signs of shrinkage as it ages. The existing floor must also be waxed, which can cause difficulty for maintenance and fire department staff during the process. The existing carpet is also original and showing signs of wear. The new flooring products will be modern carpet tile and luxury vinyl plank which will provide a low maintenance durable surface where used. The flooring project will continue the on-going effort to keep our fire station updated, and in good working order. The only flooring areas not being addressed as part of this project are the restrooms which are ceramic tile. The ceramic tiled restrooms are in great shape and are expected to last quite some time, perhaps even until the interior flooring needs replacement again in another 20 years. The interior flooring project should provide a life expectancy of 20 years if maintained on our current semi-annual cleaning schedule. Staff has solicited area contractors for pricing and the results are listed below for review.

Premier Flooring Inc: \$31,850.00

Handeland Flooring Inc: \$33,500.00

Lippert Flooring & Tile: \$36,245.00

Carpet City Flooring Center: \$39,352.21

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER _____

RECOMMENDATION:

Staff recommend contracting with Premier Flooring Inc. to complete the interior flooring project and to forward this request on to the Village board with a positive recommendation. If approved in an amount not to exceed \$31,850.00 funds shall be allocated from Buildings & Grounds capital budget: 40-519-570-8222.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

**BUSINESS OF THE PUBLIC WORKS COMMITTEE & VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Wednesday, January 11th, 2023

AGENDA ITEM: New Business

ITEM TITLE: Consideration for an open PO to replace hydrants, valve replacements, water service repairs and water main breaks in 2023.

SUBMITTED BY: Paul Haugen, Water Utility Superintendent

SUMMARY EXPLANATION:

The Water Utility is requesting an open PO on a time and material bases for hydrant replacements, water main and water laterals repairs, gate valve repairs and hard scape restoration. This is an ongoing replacement program and emergency repairs as they come in and as we identify old and malfunctioning water infrastructure. This would also include resupply of underground materials.

ATTACHMENT: ORDINANCE____RESOLUTION____ OTHER ____

RECOMMENDATION:

Staff recommends authorizing water utility staff to:

- Hire as needed contract services for the replacement of hydrants, lead, valve assembly and hardscape restoration not to exceed \$200,000.00 from account #50-742-530-6770.
- Hire as needed contract services for water lateral repair and hardscape restoration not to exceed \$50,000.00 from account # 50-742-530-6750.
- Hire as needed contract services for the repair of water mains, gate valve repair and hardscape restoration not to exceed \$150,000.00 from account #50-742-530-6730.

And to forward this request on to the Village board with a positive recommendation.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

Business of the Village Board

MEETING DATE: January 16th, 2023

AGENDA ITEM: Unfinished Business

ITEM TITLE: Library Condenser Funding Options

FROM: Matthew Uselding, Budget Manager

SUMMARY:

At the October 17th Village Board Meeting, the Board opted not to fund the library condenser replacement project through bond proceeds. At the November 7th meeting the Village Board voted to send the item to the Library Board with the possibility of the Library Board paying for a portion of the project from their capital reserve account. At the November 16th Library Board meeting, the Library Board opted 5-2 **not** to fund any portion of the project. Attached are the minutes from that meeting. Below are alternative funding options for the Board to consider.

	General Fund Reserves	ARPA	Library Capital Reserve	Total
Option 1	\$202,000	\$ -	\$ -	\$202,000
Option 2	\$ -	\$202,000	\$ -	\$202,000
Option 3	\$101,000	\$ 101,000	\$ -	\$202,000

RECOMMENDED ACTION

- Select one of the options as the funding mechanism for the Library Condenser Replacement Project

NEW BUSINESS

LIBRARY CONDENSER REPLACEMENT – Smith provided a summary of the actions that had been taken regarding the funding of this project. It was first brought to the Public Works & Highway Committee meeting in August by Superintendent Anderson where it was approved for Anderson to move forward with purchasing the unit and forward to the General Government & Finance (GGF) Committee to review funding options. The GGF Committee approved the project unanimously at the September 19 meeting. At the September 19 Village Board meeting it was voted unanimously to include the funding with the DPW building capital funding. At the October 17 Village Board meeting it was readdressed and was voted not to include in the DPW building bonding and to place funding considerations on the November 7 Village Board agenda. At the November 7 Village Board meeting it was voted to send the funding item to the Library Board to review the funding options the Village Board proposed. Options identified as #3 and #4 were presented to the Library Board. Option #3 was \$101,00 General Fund Reserve / \$101,000 Library Capital Reserve. Option #4 was \$101,000 ARPA / \$101,000 Library Capital Reserve. The Library Board discussed all options. MOTION (Miller, Vosen): Library Board is not to pay any portion of the library condenser replacement project out of the Library Capital Reserve Washington County Offset money. ROLL CALL VOTE: Trustee Vosen, aye; Trustee Potratz, aye; Trustee Kerpan, nay; Trustee Brady, aye; Trustee Miller, aye; Trustee Misiak, aye; President Nelson, nay. Motion carried (5-2).

CHILDREN'S PATIO – Smith provided a copy of a project proposal to enhance the library's children's patio that was presented by Cara Reimer, Outreach Specialist to Leadership Germantown to be considered for one of their 'Class of 2022-2023' projects. Leadership Germantown did select the library proposal as one of their projects. Smith indicated this is at the preliminary planning stages. She identified three main goals for the enhancements: 1) Safety - Provide a small fence to keep young children from running into the parking lot from the patio area; 2) Accessibility – create an accessible path from the main sidewalk to the patio; 3) Better utilize the space – add items such as small-scale playground equipment, early literacy activities, and solar charging benches. Smith anticipates this being a multi-year project with Leadership Germantown fundraising for the small-scale playground equipment. Vosen offered her compliments to the Village of Germantown Public Works department for the quality installation and maintenance of the Children's Patio bricks. Library staff are working with the Village staff to plan out the proposed enhancements.

CLOSED SESSION

DIRECTOR'S ANNUAL REVIEW – MOTION (Miller, Vosen): Move to adjourn to closed session. ROLL CALL VOTE: Trustee Brady, aye; Trustee Potratz, aye; Trustee Kerpan, aye; Trustee Vosen, aye; Trustee Miller, aye; Trustee Misiak, aye; President Nelson, aye. Motion carried (7-0).

The Germantown Community Library was called into closed session by Nelson at 7:31 p.m.

MOTION (Brady, Vosen): Move to re-enter open session. ROLL CALL VOTE: Trustee Brady, aye; Trustee Potratz, aye; Trustee Kerpan, aye; Trustee Vosen, aye; Trustee Miller, aye; Trustee Misiak, aye; President Nelson, aye. Motion carried (7-0).

The Germantown Community Library was called to re-enter into open session by Nelson at 8:12 p.m.

RECONVENE INTO OPEN SESSION WITH POSSIBLE ACTION.

No action taken.

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: January 16, 2023

AGENDA ITEM: New Business [CERTIFIED SURVEY MAP, REZONING
ORDINANCE & CONDITIONAL USE PERMIT]

ITEM TITLE: Shawn Beschta, Property Owner of W188 N10050 Maple Road;
Ordinance 01-2023 to Rezone 1.5 Ac from the A-1: Agricultural Zoning
District to the Rs-3: Single Family Residential Zoning District; and
Conditional Use Permit 01-2023 for recreational vehicle & boat storage;
and a 2-Lot Certified Survey Map (CSM)

SUBMITTED BY: Jeff Retzlaff, Director, Community Development Department

SUMMARY EXPLANATION:

Shawn Beschta owns multiple parcels totaling 41 acres of land located at W188 N10050 Maple Road. The property contains an existing dwelling w/ attached garage, two detached garages, two detached storage sheds, and a metal-clad machine shed. The property is served by an on-site well and a mound-type septic system. The property is 85% covered by both wetlands and floodplain associated with the Menominee River that meanders north-to-south across the property. The property once had a tool & die business operating on the property. The former owner died last year, and the dwelling is currently vacant. The current owner wants to split off the existing dwelling on a 1.5-acre parcel and use the remaining land for private recreation purposes (hunting & fishing) and the detached buildings for personal storage of campers, trailers, boats, tools, and miscellaneous materials.

Under the 2050 Plan, this property lies within the “Schoen Laufen-Menomonee River District” and is intended to “...remain undeveloped, except for any existing residential and institutional uses”. Existing residential and institutional uses are “allowable” and open space & recreational uses are “desirable”.

Staff and the Plan Commission support the proposed rezoning, land division and CUP provided that the 39-acre Lot 1 (containing over 85% in wetland, floodplain, and navigable water) is restricted from further division and development with only the uses allowed to be used for private storage and recreation uses. Notes containing these restrictions have been placed on the CSM and in the CUP.

PLAN COMMISSION RECOMMENDATION:

APPROVE the proposed 2-lot Certified Survey Map (CSM) and application to Rezone 1.5 acres (proposed Lot 2) from A-1: Agricultural to Rs-3: Single-Family Residential subject to the following conditions:

1. All technical issues and plan corrections identified in the October 28, 2022 review memo by the Village’s engineering consultant GRAEF shall be addressed and reflected in a revised CSM submitted and approved by the Public Works director/Village Engineer prior to recording the CSM.
2. All junk, unlicensed vehicles, etc. shall be removed from proposed Lot 1 prior to recording the CSM.

3. The owner shall obtain an access easement or cross-access agreement with the property owner to the north to continue to allow access to proposed Lot 1 from the shared driveway located on the property to the north of the Lot 1 property line. Said agreement shall be recorded concurrent with or prior to recording the CSM.
4. Direct access to Maple Road from Lot 1 shall be prohibited. A note indicating this access restriction shall be added to the CSM prior to recording.
5. A note shall be added to the CSM that prohibits Lot 1 from any further land division or development, including the construction of any new structures, the expansion of any existing accessory buildings, or the construction of any habitable buildings or dwellings.

APPROVE a conditional use permit (CUP) for Shawn Beschta, property owner, to use proposed Lot 1 of the subject property for recreation and recreational vehicle and boat storage subject to the following conditions:

1. Due to the extent of environmentally sensitive features on the subject property, including wetland, floodplain and the portions of the Menomonee River that bisect the property, it is intended that use of the property be limited to those uses most conducive to the protection, preservation, and conservation of the existing environmental features. Uses are limited to only private recreation by the owner, including hunting and fishing, and non-commercial storage of recreation vehicles, boats, and personal items pursuant to Section 17.12(2)(m) of the Zoning Code. All other uses not specifically listed herein are prohibited, including, but not limited to the operation of any business or the construction of any new structures or expansion of an existing accessory building or construction of habitable buildings or dwellings.
2. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.
3. This CUP shall constitute a restriction of use on the property and shall run in perpetuity.

APPLICATION, PLANS & RELATED DOCUMENTS:

All relevant documents, including the CSM, Rezoning & CUP applications, supporting information, the staff report & recommendation, and Plan Commission meeting minutes (when available) are included in the PDF digital file distributed by the Village Clerk.

CUP # 01-2023

Document No.

CONDITIONAL USE PERMIT

Document Title

**VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN
CONDITIONAL USE ZONING PERMIT**

Whereas the Applicant:

Shawn Beschta, Property Owner

agree to comply with applicable Codes and Ordinances of the Village of Germantown, Wisconsin, and further agrees that all work done pursuant to the permission granted herewith will conform with the applications and drawings filed with and approvals granted by officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to the Applicant to allow Private Recreation & Recreational Vehicle, Boat & Personal Storage from the property located at W188 N10050 Maple Road pursuant to Section 17.12(2)(m) of the Village Zoning Code.

Name & Return Address:

**Village of Germantown
P.O. Box 337
Germantown, WI 53022**

Parcel Identification No:

**GTNV 332-983, 332-985,
332-996**

On the following described property located in the Village of Germantown, Washington County, Wisconsin:

W188 N10050 Maple Road; Tax Key: (GTNV 332-983, 332-985 & 332-996)

PART OF THE SOUTHWEST $\frac{1}{4}$ AND THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$, AND PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$, ALL BEING PART OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, COUNTY OF WASHINGTON, STATE OF WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 33, SAID CORNER ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH $01^{\circ}29'43''$ WEST, 672.06 FEET, ALONG THE WEST LINE OF SAID NORTHWEST $\frac{1}{4}$; THENCE NORTH $89^{\circ}11'58''$ EAST, 1317.77 FEET, ALONG THE SOUTH LINE OF CERTIFIED SURVEY MAP 969; THENCE NORTH $89^{\circ}11'43''$ EAST, 1103.61 FEET, ALONG THE NORTH LINE OF SOUTH $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SAID NORTHWEST $\frac{1}{4}$ TO THE SOUTHWEST LINE OF USH 41; THENCE SOUTH $41^{\circ}58'43''$ EAST, 330.68 FEET, ALONG SAID SOUTHWEST LINE; THENCE SOUTH $1^{\circ}40'05''$ EAST, 54.10 FEET, ALONG SAID SOUTHWEST LINE AND BEING THE EAST LINE OF SAID NORTHWEST $\frac{1}{4}$; THENCE SOUTH $41^{\circ}58'43''$ EAST, 477.64 FEET, ALONG SAID SOUTHWEST LINE TO THE SOUTH LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 33; THENCE SOUTH $89^{\circ}21'37''$ WEST, 309.05 FEET, ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID NORTHWEST $\frac{1}{4}$; THENCE SOUTH $88^{\circ}58'19''$ WEST, 2637.21 FEET, ALONG THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$ OF SAID NORTHWEST $\frac{1}{4}$ TO THE POINT OF BEGINNING. CONTAINING 1,786,696 SQUARE FEET or 41.0169 ACRES MORE OR LESS.

Pursuant to the following condition(s):

1. Due to the extent of environmentally sensitive features on the subject property, including wetland, floodplain and the portions of the Menomonee River that bisect the property, it is intended that use of the property be limited to those uses most conducive to the protection, preservation, and conservation of the existing environmental features. Uses are limited to only private recreation by the owner, including hunting and fishing, and non-commercial storage of recreation vehicles, boats, and personal items pursuant to Section 17.12(2)(m) of the Zoning Code. All other uses not specifically listed herein are prohibited, including, but not limited to the operation of any business or the construction of any new structures or expansion of an existing accessory building or construction of habitable buildings or dwellings.
2. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.
3. This CUP shall constitute a restriction of use on the property and shall run in perpetuity.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin on the ____ day of _____, 2023.

Dean Wolter, Village President

ATTEST:

Deanna B. Braunschweig, WCMC/CMC, Village Clerk

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this ____ day of _____, 2023, the above named Dean Wolter, Village President, and Deanna B. Braunschweig, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

ACCEPTANCE OF TERMS AND CONDITIONS BY OPERATOR

As property owner, I, Shawn Beschta, do hereby accept the terms and conditions set forth herein and realize that non-adherence to the terms and conditions as stated herein may result in the revocation of this Permit and/or other enforcement action by the Village of Germantown.

Dated this ____ day of _____, 2023

(type or print name on this line)

Shawn Beschta (signature on this line)

STATE OF WISCONSIN) SS
_____ COUNTY)

Personally came before me this ____ day of _____, 2023, being the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

{type or print name of Notary on this line}

{signature of Notary on this line}

Notary Public, State of Wisconsin
My Commission Expires: _____

ORDINANCE NO. 01-2023

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP
OF THE VILLAGE OF GERMANTOWN ZONING CODE

Shawn Beschta, Property Owner

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON
COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That the zoning map of the Village of Germantown is amended by rezoning from the A-1: Agricultural Zoning District to the Rs-3: Single-Family Residential Zoning District for the property at W188 N10050 Maple Road, shown in Exhibit 1 as Lot 2, and with the following description:

PART OF THE SOUTHWEST $\frac{1}{4}$ AND SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$,
AND PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$, ALL BEING PART
OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF
GERMANTOWN, COUNTY OF WASHINGTON, STATE OF WISCONSIN
DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST $\frac{1}{4}$ OF
SAID SECTION 33; THENCE NORTH $01^{\circ}29'43''$ WEST, 309.48 FEET, ALONG THE
WEST LINE OF SAID NORTHWEST $\frac{1}{4}$ TO THE POINT OF BEGINNING OF THIS
DESCRIPTION; THENCE CONTINUE NORTH $01^{\circ}29'43''$ WEST, 210.31 FEET,
ALONG SAID WEST LINE; THENCE NORTH $88^{\circ}30'17''$ EAST, 205.15 FEET;
THENCE SOUTH $21^{\circ}14'15''$ EAST, 74.09 FEET; THENCE NORTH $88^{\circ}30'17''$ EAST,
130.18 FEET; THENCE SOUTH $00^{\circ}57'00''$ EAST, 144.00 FEET; THENCE SOUTH
 $89^{\circ}03'00''$ WEST, 359.00 FEET, TO THE POINT OF BEGINNING of this description,
containing 66.356 sqft. or 1.5233 acres.

SECTION 3. This ordinance shall take effect and be in full force the day after its
passage and publication, as provided by law.

Introduced by Trustee: _____
Adopted: _____, 2023

Vote: Ayes: _____
 Nays: _____

Dean Wolter, Village President

ATTEST:

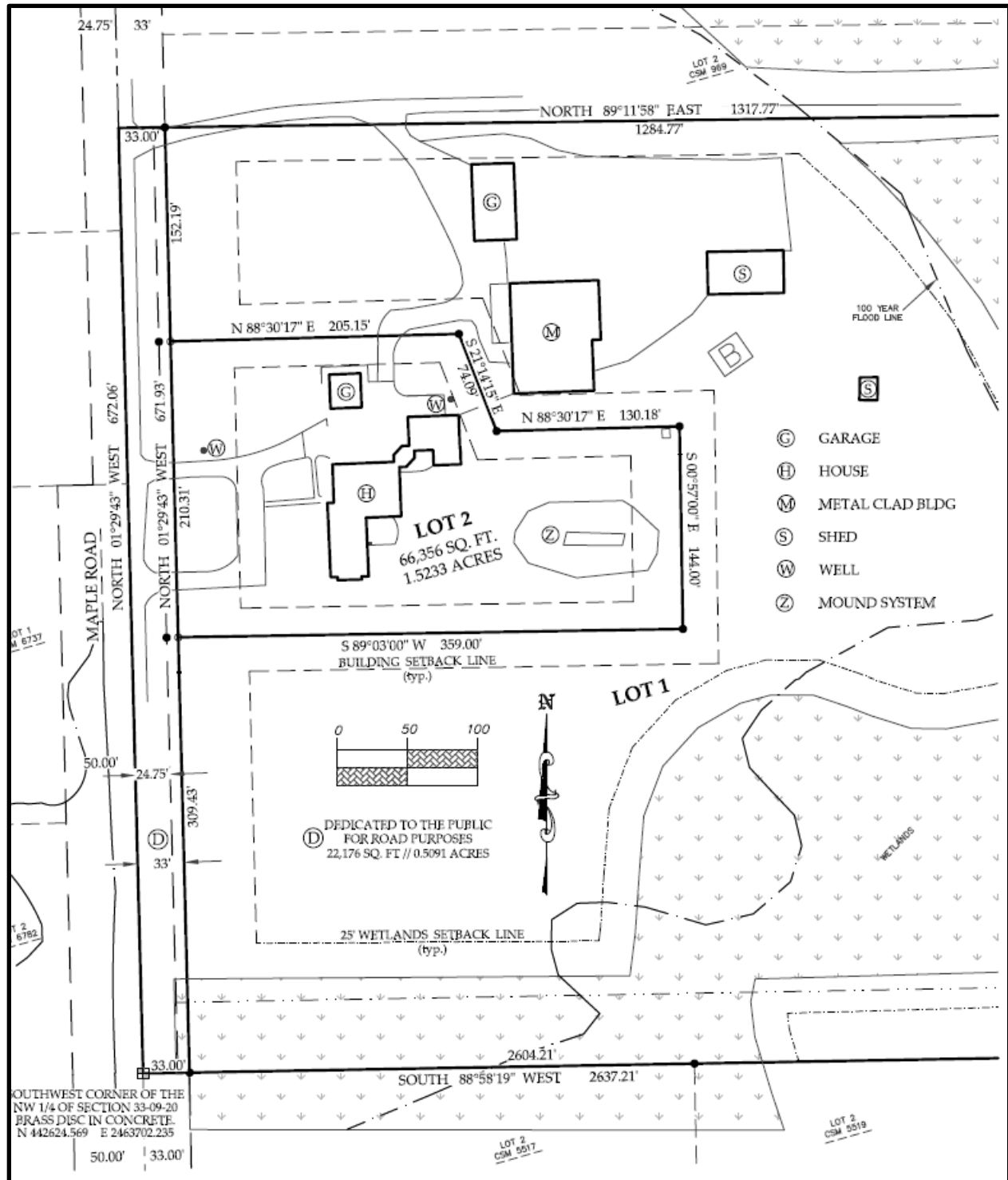
Deanna B. Braunschweig, WCMC/CMC Village Clerk

APPROVED AS TO FORM:

Brian Sajdak, Attorney

Published:

EXHIBIT 1. REZONING MAP



CERTIFIED SURVEY MAP (CSM) & REZONING APPLICATION

12/12/22 Plan Commission Meeting

Shawn Beschta

Village Planner Report

Germantown, Wisconsin

Summary

Shawn Beschta, property owner of two parcels totaling 41 acres located at W188 N10050 Maple Road is seeking approval of a 2-lot Certified Survey Map (CSM) and application to Rezone 1.5 acres (proposed Lot 2) from A-1: Agricultural to Rs-3: Single-Family Residential.

Location: W188 N10050 Maple Road (1/4 mile east of Pleasant View Drive)

Property Owner: Evan Nicodem Shawn Beschta
Parish Survey & Engineering W188 N10050 Maple Road
West Bend, WI Germantown, WI

Current Zoning District: A-1: Agricultural
Proposed Zoning District: Rs-3: Single-Family and A-1: Agricultural

Adjacent Land Uses		Zoning
North	Agricultural	A-1
South	Business/Institutional	B-1/B-2/I
East	Agricultural (USH41)	N/A
West	Agricultural/Residential	Rs-3/Rs-4



Background/Proposal

Shawn Beschta is the owner of two parcels totaling approximately 41 acres of land located at W188 N10050 Maple Road. The property contains an existing dwelling, attached garage, two detached garages, two detached storage sheds, and a metal-clad machine shed. The property is served by on-site wells and a mound-type septic system. The property covered by both wetlands and floodplain associated with the Menominee River that meanders north-to-south across the property. Approximately 7 acres of the property is not located within a wetland or floodplain with 2.8 acres of that area 2' or more above the floodplain elevation. The property once had a tool & die business operating on the property; the buildings are currently used for personal storage of campers, trailers, boats, tools, and miscellaneous materials. Beschta indicates that apple trees and organic gardening occur on the property.

In March 2021, Kevin Parish, and other members of Quam Engineering at that time (now with Parish Survey & Engineering), contacted the Village regarding a potential land division and rezoning of the 41-acre Beschta property to split off 1.5 acres with the existing house and leave most of the accessory buildings on the remaining 39 acres. At that time, Parish was advised by Village staff that the 2020 Land Use Plan did not allow the creation of parcels less than 5 acres in the "Agricultural/Conservation Residential" area of the Village within which the Beschta property is located. Staff indicated that a land use plan amendment could be proposed but questioned how an amendment into the "Rural Residential District" (which allowed parcels as small as 1 acre) would benefit the public interest vs. simply creating a path for the owner's desire to sell the house and keep the accessory buildings for personal use. Staff also indicated that dividing land in a manner that would create a non-conforming situation with the outbuildings being on a separate parcel is not typically done. No further communication with the Village was made after April, 2021.

In August, 2022, Parish Survey & Engineering submitted a rezoning application for a 1.5-acre portion of the Beschta property (that included the existing dwelling) and advised Village staff that the 1.5-acre parcel had already been created by "quit claim deed" and no CSM was required. Around the same time, staff was contacted by a real estate agent seeking a copy of a CSM or other documentation for the 1.5-acre property because a financial institution involved in a pending sale of the 1.5-acre parcel.

Upon further research, Village staff discovered that a quit claim deed had been recorded that illegally created the 1.5-acre parcel. In May, 2022, Beschta and Parish Survey & Engineering prepared and recorded a quit claim deed that effectively divided the property into four (4) parcels in violation of both the Village's Subdivision & Zoning Code. Because the Register of Deeds for Washington County does not serve as a "gate keeper" for purposes of enforcing Germantown's Subdivision or Zoning codes when legal documents such as quit claim deeds are submitted for recording, the quit claim deed was recorded, and Beschta proceeded to market and attempt to sell the 1.5-acre parcel that was created illegally. Upon discovery of what had transpired, Village staff notified Parish Survey & Engineering regarding the illegal land division and requested the Register of Deeds to withhold recording of the land deed.

To address the situation, in October, 2022, Parish Survey & Engineering submitted a CSM application, rezoning application, and a land use plan amendment application to the Village to legally create the 1.5-acre parcel as shown in the attached CSM.

Staff Comment

As was the case in 2021 when all land divisions, rezoning and new development were evaluated for consistency with the 2020 Land Use Plan, the proposed 1.5-acre land division and Rs-3 rezoning of the Beschta property are also NOT consistent with the 2050 Land Use Plan. Under the new 2050 Plan, this property lies within the “Schoen Laufen-Menomonee River District” that is intended to “...remain undeveloped, except for the existing residential and institutional uses”. Under the Preferred Land Use Table for Schoen Laufen-Menomonee River District, new residential uses are “undesirable” (but may be acceptable under special circumstances). Existing residential and institutional uses are “allowable” and open space & recreational uses are “desirable”.

For this reason, staff does NOT support the proposed rezoning and land division. While the existing use of the property can continue “as is”, dividing the land as proposed only creates the opportunity for additional residential land uses in an area that is intended for open space preservation, conservation, and recreational uses. Arguably, even use of the property for agricultural purposes is questionable given the amount of wetland and floodplain (83% of the property is wetland, floodplain, and navigable water). Creating an opportunity for more residential development in this area and on this property is not consistent with the intent of the Schoen Laufen-Menomonee River District. As stated above, the existing residential use, i.e. one dwelling and five accessory buildings, is allowed to continue. Creating an additional Rs-3, 1.5-acre lot simply because there are four other pre-existing small residential lots that are also inconsistent with the 2050 Plan for this area is not a valid reason to add more small inconsistent residential lots. Those four 1.5-acre lots already exist; the proposed 1.5-acre lot does not exist (at least not legally) without the Village approving the proposed CSM.

A significant amount of wetland associated with the Menomonee River that runs through the property along the east side has been identified along with the 100-year floodplain; however, an actual wetland delineation has been deferred because there is no development proposed on Lot 1 in the near future. A delineation will be required if/when any development of Lot 1 is proposed. A note requiring a wetland delineation if/when Lot 1 is proposed for development should be included on the CSM if the land division and rezoning are approved.

Soil evaluations for proposed Lot 1 have not been prepared. Because Lot 1 is not intended for development in the near future, soil evaluations have not been submitted. Soil evaluations will be required prior to development of proposed Lot 1. A note requiring soil evaluations if/when Lot 1 is proposed for development should be included on the CSM if the land division and rezoning are approved.

If the Plan Commission and Village Board decide to consider approval of the land division and rezoning, there are other considerations that should be taken into account.

The proposal includes separating the existing dwelling and one detached accessory building on proposed Lot 2 and leaving the remaining four (4) detached buildings on proposed Lot 1. Accessory buildings are allowed on a property when there is a primary use of the property in place; dividing land to specifically split off accessory buildings on a new property where there is no primary use is not a recommended practice (nor is dividing land that creates non-conforming setbacks for pre-existing buildings). Moreover, as of August, 2022, aerial photos of the property reveal the property being used for storage of trailers, RV's, building materials, scrap wood, etc.

Therefore, if the Plan Commission and Village Board are inclined to approve the proposed land division and rezoning to create the 1.5-acre Lot 1, the owner should be required to remove any junk, unlicensed vehicles, and the accessory buildings on Lot 1, or at least be required that the buildings cannot be used for commercial storage purposes, businesses, etc. unless allowed under the Zoning Code. Our experience has been that parcels with old, pre-existing accessory buildings end up being sold and/or used for small illegal businesses and/or storage purposes by absentee landowners.

The accessory buildings are accessed by way of an existing shared driveway located across the property to the north not owned by Beschta. Further, the area on Lot 1 that is most suited for future development, including a future dwelling, is in the area where the accessory buildings are located. An access easement or cross-access agreement should be required between the owner to the north and the owner of proposed Lot 1 (if the land division and rezoning are approved).

Village Engineer/Public Works Department

The Village's engineering consultant has completed their review of the CSM and identified several technical corrections in an October 28, 2022 review memo that need to be made to the CSM if the land division and rezoning are approved.

VILLAGE STAFF RECOMMENDATION

DENY the proposed 2-lot Certified Survey Map (CSM) and application to Rezone 1.5 acres (proposed Lot 2) from A-1: Agricultural to Rs-3: Single-Family Residential.

If the Plan Commission decides to recommend approval of the proposed rezoning and 2-lot CSM, staff recommends that the following conditions of approval be included:

1. All technical issues and plan corrections identified in the October 28, 2022 review memo by the Village's engineering consultant GRAEF shall be addressed and reflected in a revised CSM submitted and approved by the Public Works director/Village Engineer prior to recording the CSM.
2. Notes requiring a wetland delineation and soil evaluations if/when Lot 1 is proposed for development shall be included on the CSM.
3. All accessory buildings, junk, unlicensed vehicles, etc. shall be removed from proposed Lot 1 prior to recording the CSM.
4. The owner shall obtain an access easement or cross-access agreement with the property owner to the north to continue to allow access to proposed Lot 1 from the shared driveway located on the property to the north of the Lot 1 property line. Said agreement shall be recorded concurrent with or prior to recording the CSM.
5. Direct access to Maple Road from Lot 1 shall be prohibited. A note indicating this access restriction shall be added to the CSM prior to recording.



Community Development Department

Jeffrey W. Retzlaff, AICP, Director

Village Planner & Zoning Administrator

N112 W17001 Mequon Road P.O. Box 337

Germantown, WI 53022-0337

Telephone: (262) 250-4735 Website: www.village.germantown.wi.us

E-mail: jretzlaff@village.germantown.wi.us

November 22, 2022

Evan Nicodem
Parish Survey & Engineering
122 Wisconsin Street
West Bend, WI 53095

RE: Beschta CSM & Rezoning Applications; Staff Review Comments

Mr. Nicodem:

Village Staff has reviewed the application and plans submitted for the proposed land division and rezoning and has identified the following outstanding issues that need to be addressed before we can schedule the applications for Plan Commission review. Please provide the requested information, corrections and/or revisions as soon as possible. If necessary, Village staff would be happy to meet with you to discuss any of these items.

With respect to the comprehensive plan amendment application, we are going to return that to you/the owner and issue a refund for any fee paid for that application. Since the application was made, the Village adopted a new 2050 Comprehensive Plan. As a result, the format of the new plan (vs. the previous 2020 Plan) is such that an amendment to the land use plan is not required for the Village to approve a land division and rezoning.

Community Development Department

1. What is the purpose for dividing the land? Why is the house proposed to be separated from the other buildings? What do you intend to do with proposed Lot 1 and existing buildings?
2. What agricultural use(s) is the property currently being used for?
3. What are the accessory buildings on proposed Lot 1 currently being used for? On one sheet the largest building is shown as a "machine shed" and on another sheet it is labeled "barn"?
4. Is or was there ever a business operated from this property?
5. What are the accessory buildings on proposed Lot 1 intended to be used for if the land division is approved?
6. Will proposed Lot 1 be cleaned up and the old equipment & junk be removed?
7. What is the source of the wetland and floodplain boundaries shown on the CSM? Was there a wetland delineation completed as required?
8. Has there been soil tests done for proposed Lot 1 that indicate it can support an on-site septic system? If not, those test results will have to be provided before recording

the CSM or a note will need to be included on the CSM indicating that soil tests indicating suitability for a septic system prior to issuing any building permit for a habitable structure.

9. The building setbacks for proposed Lot 1 and Lot 2 need to be shown on the CSM
10. How much land area outside of (not in) a wetland or 100-year floodplain is in proposed Lot 1? How much land area outside of the floodplain is 2' above the floodplain elevation? See 18.02(6) below:

(6) **LAND SUITABILITY.** No land shall be subdivided or developed which is determined to be unsuitable for its proposed use by the Plan Commission for reason of flooding, inadequate drainage, adverse soil or rock formation, unfavorable topography or any other feature likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or of the Village. In addition: No lot or parcel 2 acres or less in area shall include floodplain or wetlands, and all lots or parcels more than 2 acres in size shall contain not less than one acre of land which is at an elevation at least 2 feet above the elevation of the 100-year floodplain or, where such data is not available, 5 feet above the maximum flood of record. Generally, floodplain and wetlands within a parcel of land subject of a subdivision plat or certified survey map "minor" land division and the area within any required setbacks extending outward from any such floodplain or wetlands should be platted so as to be included in open space or other outlots and not within or part of a developable lot or parcel. (Cr. Ord. #09-08)

Water/Sewer Utility Departments

11. No comment.

Fire Department

12. No comment.

Public Works/Village Engineer

13. No Comment.

When submitting revised plans or additional information, please submit (1) digital plan set and three (3) full-size, hard-copy plan sets set to the Community Development Department. Complete responses and/or information, plan revisions, etc. to the items/issues listed above will help avoid delay in the review and processing of your application.

Respectfully,


Jeffrey W. Retzlaff, AICP
Village Planner & Zoning Administrator

Lori Johnson

From: Kevin Parish <kparish@parishse.com>
Sent: Wednesday, November 30, 2022 4:27 PM
To: Jeff Retzlaff
Cc: Evan Nickodem; Emily Zandt; Lori Johnson; Tom Zernia
Subject: RE: Beschta CSM & Rezoning Staff Comments
Attachments: Beschta CSM Rev1.pdf

**CAUTION: This email originated from outside the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Jeff,

Evan is on vacation this week so I am responding on his behalf. I have attached the revised CSM to address your comments and the Village checklist items for the CSM. Our responses to your review comments are below.

1. What is the purpose for dividing the land? Why is the house proposed to be separated from the other buildings? What do you intend to do with proposed Lot 1 and existing buildings?

Selling the house and maintaining the buildings. Personal use, storage, and bow hunting.

2. What agricultural use(s) is the property currently being used for?

Apple trees and organic garden.

3. What are the accessory buildings on proposed Lot 1 currently being used for? On one sheet the largest building is shown as a "machine shed" and on another sheet it is labeled "barn"?

Personal use and storage. Building G used for storage of camper, utility trailer and pontoon boats. Building M used for storage of carpentry tools and miscellaneous material. Building S used for storage of duck hunting equipment, boat, and gardening tools. Owner has been storing here for 25 years.

4. Is or was there ever a business operated from this property?

Yes, tool and die. Established in the early 80s.

5. What are the accessory buildings on proposed Lot 1 intended to be used for if the land division is approved?

Same as above.

6. Will proposed Lot 1 be cleaned up and the old equipment & junk be removed?

Yes, Lot 1 has been cleaned.

7. What is the source of the wetland and floodplain boundaries shown on the CSM? Was there a wetland delineation completed as required?

The wetland line is based on the Wisconsin Wetland Inventory Map and the 100-year floodplain line is based on the FEMA FIRM Map #55131C0359D. A note has been added to the CSM.



The Avenue
275 West Wisconsin Avenue, Suite 300
Milwaukee, WI 53203
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com

collaborāte / formulāte / innovāte

October 28, 2022

Jeff Retzlaff, Village Planner
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022

SUBJECT: Shawn Beschta CSM Review

Certified Survey Map

Applicant or Owner: Shawn Beschta
Land Surveyor/Firm: Scott Henkel / PSE

1. Building setback lines are to be mapped and dimensioned.
2. The reference bearing should be N 01 29' 43" W.
3. The right of way width of USH 41 should be labeled.
4. All existing utility and drainage easements with recording information will be shown and dimensioned.
5. All wetlands will be delineated by an approved and certified wetland specialist.
6. All wetland mapping will be done by a Professional Land Surveyor registered in the State of Wisconsin.
7. Should stream and wetland setback lines be shown on the Certified Survey Map document, the following note will be added:

“Development within these setback areas is prohibited unless otherwise allowed pursuant to the provisions of Chapter 24 (Shoreland-Wetland Zoning Code) in the Germantown Municipal Code.
8. A Mortgagee Certificate will need to be included, if applicable.
9. The Owner's Certificate should include “As Owners, we hereby dedicate that part of Maple Road to the Village of Germantown for public road purposes as represented on Sheet 1 of 4 of this Certified Survey Map”.
10. The bearing basis should be identified as NAD 1983-2011 datum.
11. The dedication of Maple Road should be labeled as: “Dedicated to the Village of Germantown for Public Road Purposes”.

12. A 25' setback line should be shown for all delineated wetlands.
13. A 75' setback line should be shown for all streams and creeks.
14. A Professional Land Surveyor's seal and signature on each sheet.
15. Soil borings should be labeled, and their results provided with the CSM.
16. The last paragraph of the Surveyor's Certificate should reference "Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing and mapping the same".
17. The Village of Germantown Board Approval should read as:

This Certified Survey Map, being a division of $\frac{1}{4}$ $\frac{1}{4}$ Section ____, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and the dedication of that part of (insert street name) for public road purposes as shown on Sheet__ of __ is hereby accepted by the Village Board of Trustees of the Village of Germantown on this ____ day of _____, 2021.

18.

No further review comments.

Document Approval and Recording

For this CSM to be approved by the Village Board and recorded at the Washington County Register of Deeds, the document must be provided to the Village Clerk's office in a completed format including all original signatures of the owner and lending institution, original seals of the professional land surveyor on the recordable media the Wednesday prior to the scheduled Village Board meeting.

Any documents or digital files not submitted by the due date or contain outstanding technical review comments that have not be addressed, will be moved to the next scheduled Village Board meeting agenda.

Document Submittals and Data Conversion

As of October 2005, the Village of Germantown requires a digital copy of all Certified Survey Maps, Condominium Plats and Subdivision Plats in addition to the documents as required by Wisconsin Statute and Village Ordinances as part of the land division approval.



collaborāte / formulāte / innovāte

Prior to Recording the Certified Survey Map or Subdivision Plat, The professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2019 on compact disk (CD) or via email to the Village Surveyor for mapping purposes.

All digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

Note: In 2020, the Village will be upgrading its municipal code to recognize the NAD83 Datum, 2011 adjustment for horizontal control and NAVD88 for vertical control for mapping all land division documents and plan submittals for review.

There are new dossier sheets for all the Public Land Survey System monuments that contain the new coordinate positions and elevations available currently on the State Cartographer's website by using the Survey Control Finder application

Prior to Recording the Certified Survey Map or Final Subdivision Plat, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map. All boundary corners are to be clearly marked in the field by the professional land surveyor of record.

Sincerely,

A handwritten signature in blue ink, reading "Burt J. Naumann".

Burt J. Naumann, PLS
Senior Vice President

8. Has there been soil tests done for proposed Lot 1 that indicate it can support an on-site septic system? If not, those test results will have to be provided before recording the CSM or a note will need to be included on the CSM indicating that soil tests indicating suitability for a septic system prior to issuing any building permit for a habitable structure.

There have not been soil tests done for Lot 1. A note has been added to the CSM indicating that soil tests will be completed indicating suitability for a septic system prior to issuing any building permit for a habitable structure.

9. The building setbacks for proposed Lot 1 and Lot 2 need to be shown on the CSM

The building setbacks have been added to the attached CSM.

10. How much land area outside of (not in) a wetland or 100-year floodplain is in proposed Lot 1? How much land area outside of the floodplain is 2' above the floodplain elevation? See 18.02(6) below:

Lot 1 area which is 2' above the floodplain elevation is approximately 1.3 acres.

Lot 1 area which is not in a wetland or 100-year floodplain is approximately 5.5 acres.

Please review and let me know if you have any questions or additional comments.

Thanks,

Kevin J. Parish

PSE

PARISH SURVEY & ENGINEERING

122 Wisconsin Street
West Bend, WI 53095
Office: 262.346.7800
Mobile: 262.338.6641
kparish@parishse.com

From: Jeff Retzlaff <jretzlaff@germantownwi.gov>

Sent: Thursday, November 24, 2022 8:51 AM

To: Evan Nickodem <enickodem@parishse.com>

Cc: Lori Johnson <ljohnson@germantownwi.gov>; Emily Zandt <ezandt@germantownwi.gov>

Subject: Beschta CSM & Rezoning Staff Comments

Please review and respond to the attached staff review comments for the Beschta proposal.
Contact me with questions.

Jeffrey W. Retzlaff, AICP
Director, Community Development Department
Village Planner/Zoning Administrator
jretzlaff@village.germantown.wi.us
1-262-250-4735

How was your experience? [Provide feedback here.](#)



Village of



FEES MUST BE PAID AT TIME OF APPLICATION

\$200 Plan Commission Consultation

\$1,085 Rezoning

\$1,240 PDD < 5 acres

\$2,095 PDD 5-20 acre site

\$3,460 PDD > 20 acre site

Date Paid: _____ Received by: _____

REZONING & PDD APPLICATION

Pursuant to Section 17.51 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1

APPLICANT OR AGENT

Evan Nickodem

Parish Survey & Engineering

122 Wisconsin St

West Bend, WI 53095

Phone (262) 333-2167

E-Mail enickodem@parishsh.com

PROPERTY OWNER

Shawn Beschta

W188 N10050 Maple Rd

Germantown, WI 53022

Phone ()

E-Mail

2

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

W188 N10050 Maple Rd

GTNV_332984

3

REZONING REQUEST

FROM

A-1

TO

R-3

4

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

Part of the Southwest 1/4 of the Northwest 1/4 of Section 33, T9N, R20E in the Village of Germantown, County of Washington, State of Wisconsin.

Commencing at the Southwest corner of the Northwest 1/4 of said Section 33; thence North 01°29'43" West, 309.48 feet, along the West line of said Northwest 1/4 to the Point Of Beginning of this description;

Thence continue North 01°29'43" West, 210.00 feet, along said West line; thence North 88°30'17" East, 238.15 feet; thence South 21°14'15" East, 74.09 feet; thence North 88°30'17" East, 130.18 feet; thence South 00°57'00" East, 144.00 feet; thence South 89°03'00" West, 392.00 feet, to the Point Of Beginning.

5 PURPOSE OF REZONING REQUEST

Briefly describe why the applicant is rezoning the property. Include a description of the proposed use, including any new construction and number of employees, if applicable.

House property better fits the R-3 zoning rather than the A-1 zoning.
Furthermore, three of the four homes on the west side of Maple Road are also R-3 zoning.

6 SUPPORTING DOCUMENTATION:

- ☒ Plat of Survey (1:100)
- ☐ Site Plan and elevations for new construction (can be conceptual)

7 READ AND INITIAL THE FOLLOWING:

EPN I understand that the Village is under no obligation to rezone property and that density and lot coverages provided in the Zoning Code are maximums. Actual build out will depend on myriad factors including topography and other natural conditions, surrounding neighborhood context and the detailed design of a project.

EPN I understand that Village Staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request and failure to provide such information may in itself be sufficient cause to deny the petition.

EPN I am aware that this rezoning shall go into effect immediately upon the final approval of the Village Board and its execution of the rezoning ordinance

EPN I understand that Village Staff is required to post one or more signs along the street frontage of and/or on the property subject of this application that indicate to nearby property owners and the general public that a public hearing of my application will be held before the Village Plan Commission and/or Village Board prior to action taken on this application; I hereby grant Village Staff permission to enter onto the property for the expressed purpose of installing said sign(s) provided Village Staff is responsible for installing, maintaining and removing said signs in a reasonable manner and time frame.

8 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Evan P. Mankuly 07/29/2022
Applicant Date

Authentisign
Shawn Beschta 07/28/2022
7/28/2022 3:30:03 PM CDT
Owner Date



Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid _____ Date _____

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1 APPLICANT OR AGENT

Evan Nickodem

Parish Survey & Engineering, LLC

122 Wisconsin St.

West Bend, WI 53095

Phone (262) 333-2167

Fax ()

E-Mail enickodem@parishse.com

PROPERTY OWNER

Shawn Beshcta

W188 N10050 Maple Rd

Germantown, WI 53022

Phone ()

W188 N10050 Maple Rd

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

2 W188 N10050 Maple Rd

332983, 332984, 332985

3 PURPOSE OF LAND SPLIT

remove the existing house from the larger lot, creating one single family house lot and one larger ag. lot.

Will the land split require rezoning?

Yes

From A-1

To RS-3

4 READ AND INITIAL THE FOLLOWING:

EPN I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.

EPN I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.

EPN I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

EPN I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

5 SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Evan Nickodem 10/03/2022
Applicant Date

Owner Date

PRELIMINARY

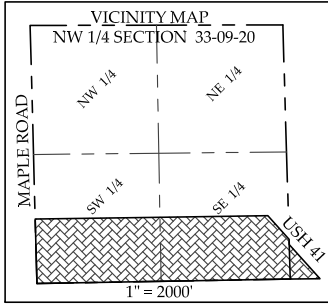
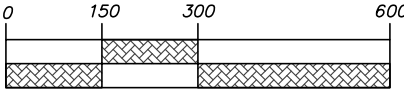
CERTIFIED SURVEY MAP #

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL BEING PART SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, COUNTY OF WASHINGTON, STATE OF WISCONSIN.

NORTHWEST CORNER OF THE NW 1/4 OF SECTION 33-09-20
BRASS DISC IN CONCRETE.
N 445311.749 E 2463632.086

OWNER:
SHAWN BESCHTA
W188 N10050 MAPLE ROAD
GERMANTOWN, WI 53022

BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD83/2011) THE WEST LINE OF NW 1/4 OF SECTION 33-9-2 BEARS NORTH 00°29'43" WEST.



WETLANDS MAPPING PER WISCONSIN WETLAND INVENTORY
100 YEAR FLOOD LINE PER FEMA FIRM MAP # 55131C0359D

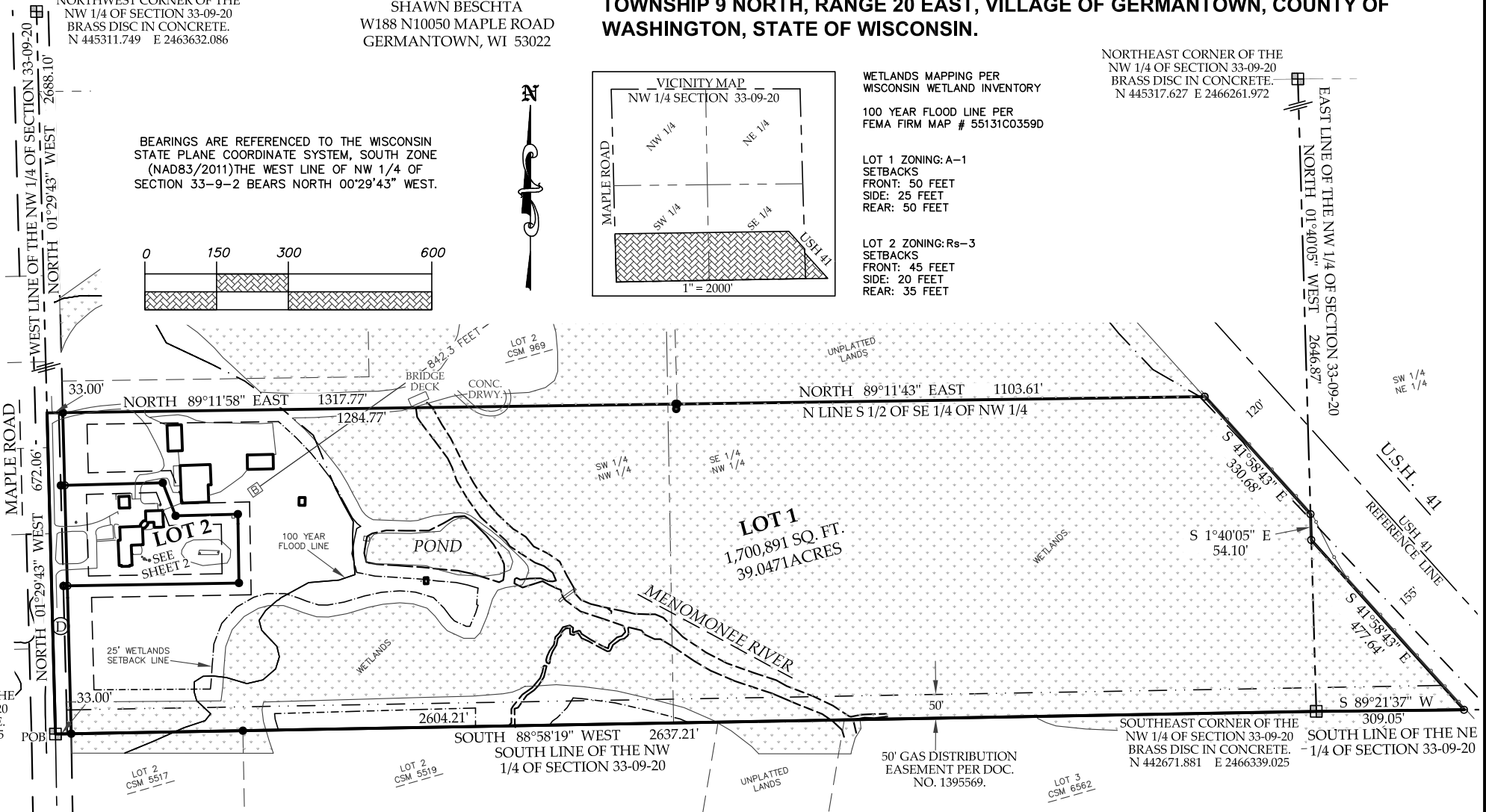
LOT 1 ZONING: A-1
SETBACKS
FRONT: 50 FEET
SIDE: 25 FEET
REAR: 50 FEET

LOT 2 ZONING: Rs-3
SETBACKS
FRONT: 45 FEET
SIDE: 20 FEET
REAR: 35 FEET

NORTHEAST CORNER OF THE NW 1/4 OF SECTION 33-09-20
BRASS DISC IN CONCRETE.
N 445317.627 E 2466261.972

① DEDICATED TO THE VILLAGE OF GERMANTOWN FOR PUBLIC ROAD PURPOSES. FOR ADDITIONAL MAPPING INFORMATION SEE SHEET 2.

SOUTHWEST CORNER OF THE NW 1/4 OF SECTION 33-09-20
BRASS DISC IN CONCRETE.
N 442624.569 E 2463702.235



LOT 1: SOIL TEST
A SOIL TEST FOR LOT 1 SHALL BE PROVIDED TO THE VILLAGE PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT FOR A HABITABLE STRUCTURE.

DEVELOPMENT WITHIN THESE SETBACK AREAS IS PROHIBITED UNLESS OTHERWISE ALLOWED PURSUANT TO THE PROVISIONS OF CHAPTER 24 (SHORELAND-WETLAND ZONING CODE) IN THE GERMANTOWN MUNICIPAL CODE.

LEGEND

- 1" IRON PIPE FOUND
- 3/4"x18" REBAR WEIGHING 1.13 LBS/FOOT SET.

PSE

122 Wisconsin Street, West Bend, WI 53095
262.346.7800 kparish@parishse.com

SURVEYED BY JOSEPH W. DAVID
MAPPED BY J. SCOTT HENKEL, PLS

FN: TZ-48-22

Date: 10/3/22

REVISED NOVEMBER 30, 2022

**PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND
PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL BEING PART SECTION 33,
TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, COUNTY OF
WASHINGTON, STATE OF WISCONSIN.**



Date: 10/3/22

CERTIFIED SURVEY MAP # _____
PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND
PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL BEING PART SECTION 33,
TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, COUNTY OF
WASHINGTON, STATE OF WISCONSIN.

SURVEYOR’S CERTIFICATE

I, J. SCOTT HENKEL, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED, AND MAPPED THE FOLLOWING LAND AS DIRECTED BY THE OWNER, SHAWN BESCHTA

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL BEING PART OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, COUNTY OF WASHINGTON, STATE OF WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 33, SAID CORNER ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE NORTH 01°29’43” WEST, 672.06 FEET, ALONG THE WEST LINE OF SAID NORTHWEST 1/4;
THENCE NORTH 89°11’58” EAST, 1317.77 FEET, ALONG THE SOUTH LINE OF CERTIFIED SURVEY MAP 969;
THENCE NORTH 89°11’43” EAST, 1103.61 FEET, ALONG THE NORTH LINE OF SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID NORTHWEST 1/4 TO THE SOUTHWEST LINE OF USH 41;
THENCE SOUTH 41°58’43” EAST, 330.68 FEET, ALONG SAID SOUTHWEST LINE;
THENCE SOUTH 1°40’05” EAST, 54.10 FEET, ALONG SAID SOUTHWEST LINE AND BEING THE EAST LINE OF SAID NORTHWEST 1/4;
THENCE SOUTH 41°58’43” EAST, 477.64 FEET, ALONG SAID SOUTHWEST LINE TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 33;
THENCE SOUTH 89°21’37” WEST, 309.05 FEET, ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4;
THENCE SOUTH 88°58’19” WEST, 2637.21 FEET, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID NORTHWEST 1/4 TO THE POINT OF BEGINNING.

CONTAINING 1,786,696 SQUARE FEET // 41.0169 ACRES, MORE OR LESS.

I FURTHER CERTIFY THAT THE MAP PREPARED IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES AS SHOWN AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES, AND CHAPTER 18 OF THE VILLAGE OF GERMANTOWN SUBDIVISION CONTROL ORDINANCE IN SURVEYING, DIVIDING, AND MAPPING SAME.

J. SCOTT HENKEL, PLS 2495

OWNER’S CERTIFICATE

AS OWNER, SHAWN BESCHTA, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED TO BE SURVEYED, DIVIDED, MAPPED, AND I HEREBY DEDICATE THAT PART OF MAPLE ROAD TO THE VILLAGE OF GERMANTOWN FOR PUBLIC ROAD PURPOSES AS REPRESENTED ON SHEETS 1 AND 2 OF 4 HEREON. I ALSO CERTIFY THAT THIS MAP IS IN ACCORDANCE WITH WISCONSIN STATUTES 236.34 AND CHAPTER 18 OF THE VILLAGE OF GERMANTOWN SUBDIVISION CONTROL ORDINANCE IN SURVEYING, DIVIDING, AND MAPPING SAME:

SHAWN BESCHTA

STATE OF WISCONSIN :SS
_____ COUNTY

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 202_____, _____,
_____, TO ME KNOWN AS THE PERSONS WHO EXECUTED THE FOREGOING
INSTRUMENT AND ACKNOWLEDGED SAME.

NOTARY PUBLIC, STATE OF WISCONSIN MY COMMISSION EXPIRES: _____



122 Wisconsin Street, West Bend, WI 53095
262.346.7800 kparish@parishse.com
FN: TZ-48-22 Date: 10/3/22

CERTIFIED SURVEY MAP # _____

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND
PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL BEING PART SECTION 33,
TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, COUNTY OF
WASHINGTON, STATE OF WISCONSIN.

VILLAGE OF GERMANTOWN PLAN COMMISSION APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF GERMANTOWN ON
THIS _____ DAY OF _____, 202__.

DEAN WOLTER, PLAN COMMISSION CHAIRMAN

LAURA A. JOHNSON, SECRETARY

VILLAGE OF GERMANTOWN VILLAGE BOARD APPROVAL

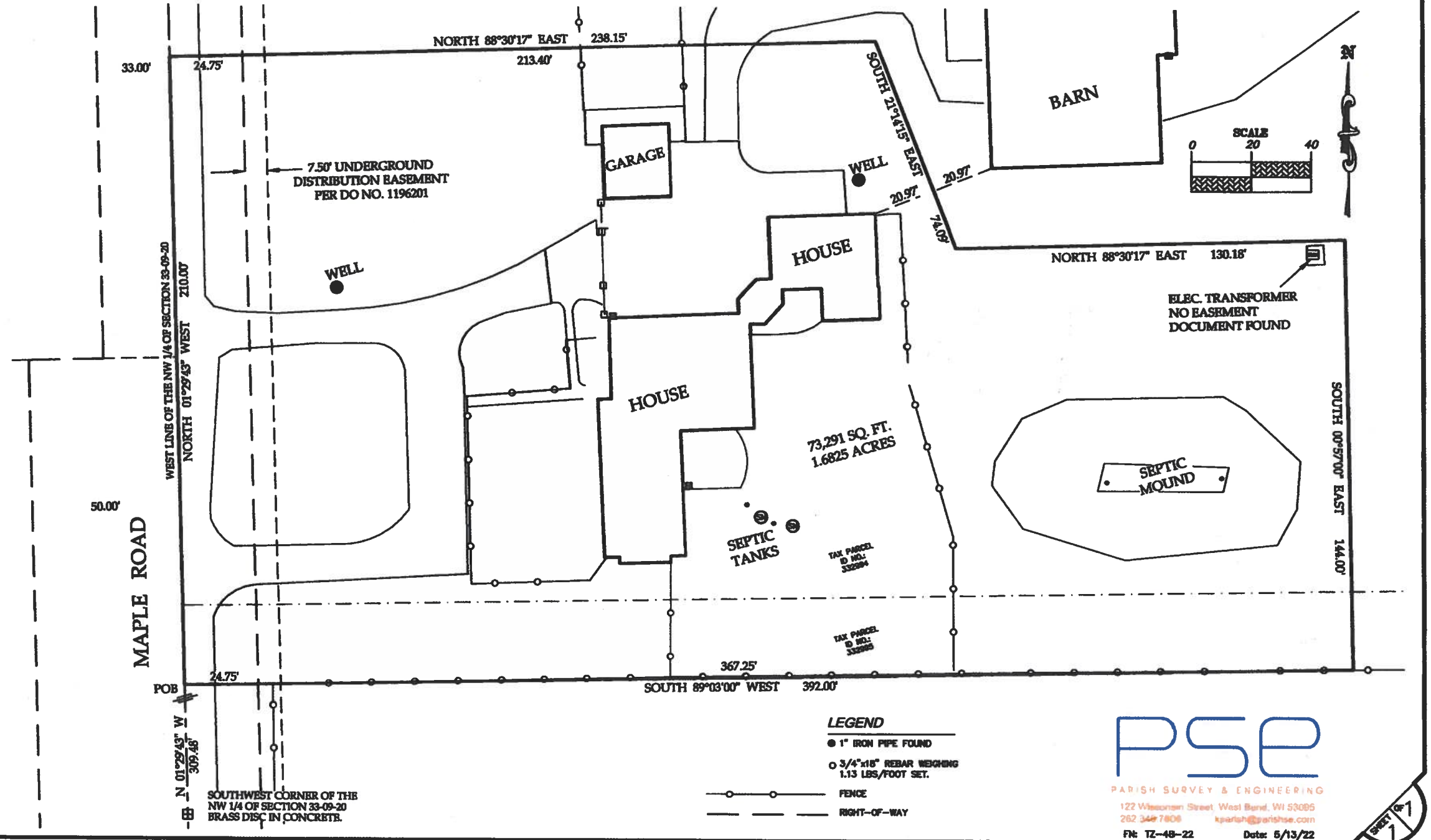
THIS CERTIFIED SURVEY MAP, BEING A DIVISION OF SW1/4 & SE1/4 OF NW1/4 AND SW1/4 OF NE1/4 OF SECTION 33,
TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN, HAVING BEEN
APPROVED BY THE PLAN COMMISSION BEING THE SAME, IS HEREBY APPROVED AND THE DEDICATION OF THAT PART OF
MAPLE ROAD FOR PUBLIC ROAD PURPOSES AS SHOWN ON SHEETS 1 AND 2 OF 4 IS HEREBY ACCEPTED BY THE VILLAGE
BOARD OF TRUSTEES OF THE VILLAGE OF GERMANTOWN ON

THIS _____ DAY OF _____, 202__.

DEAN WOLTER, VILLAGE PRESIDENT

DEANNA BRAUNSCHWEIG, VILLAGE CLERK

EXHIBIT B



PSE

PARISH SURVEY & ENGINEERING

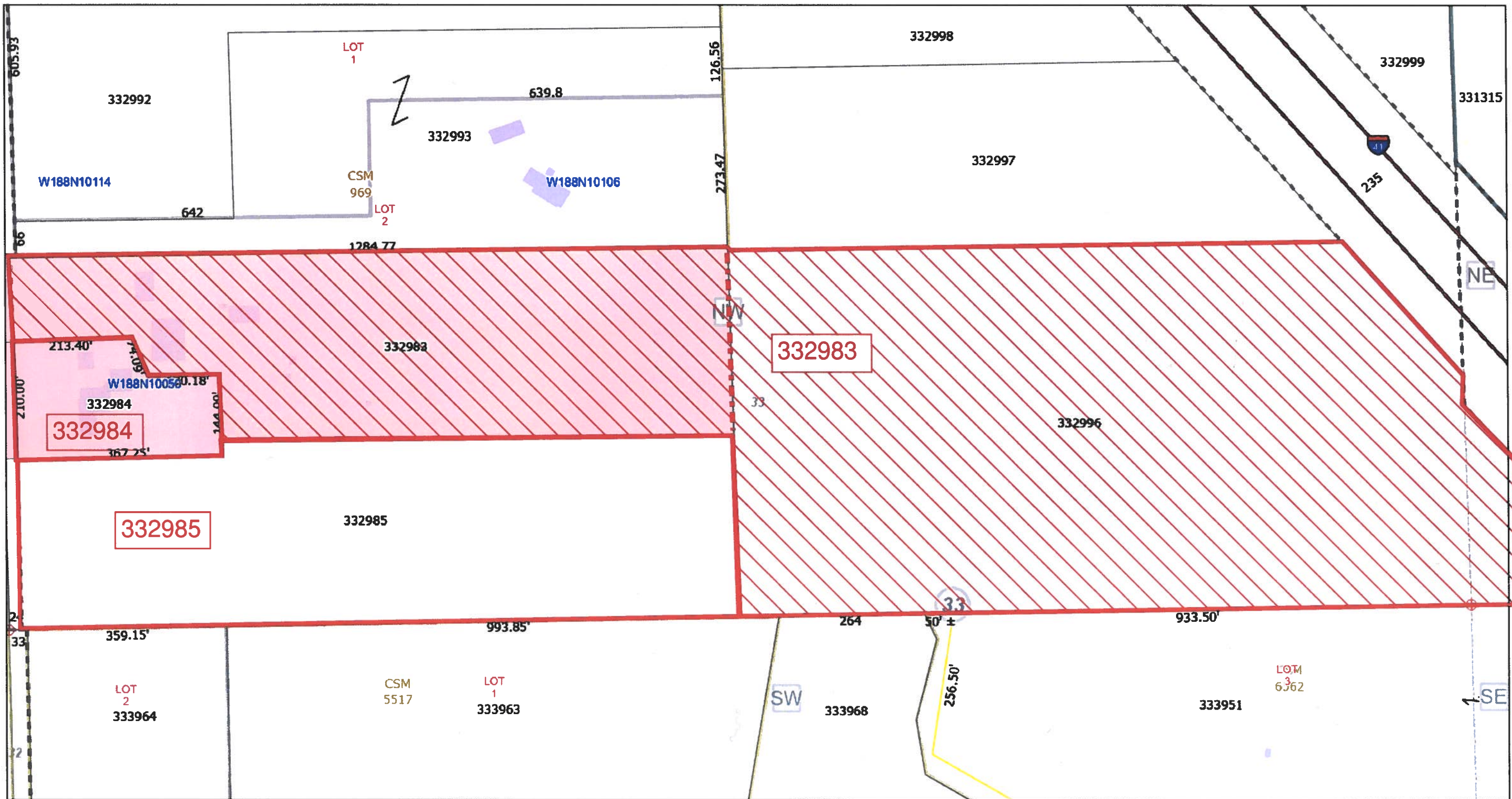
122 Wisconsin Street, West Bend, WI 53095

262 348 7806 kparish@parishse.com

FN: TZ-48-22

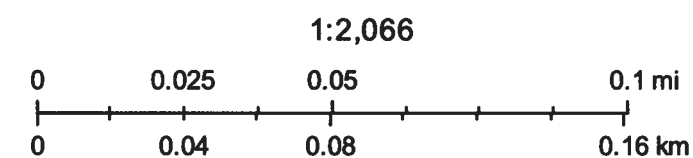
Date: 5/13/22

SHEET 1 OF 1



8/4/2022, 8:34:48 AM

Current Parcel	County Highway	Condominium Name	City/Village Street	Condominium
Railroad Centerlines	Address Point	Certified Survey Number	Private Street	Assessor Plat; Cemetery Plat; Subdivision
Road Centerline I, USH	Parcel Taxkey & Acreage	Lot Number	Municipality	Lot
Interstate Highway, I-41	Dimensions	Landhook	Retired Parcel	PLSS Quarter
US Highway, Hy 45; US Highway, Fond Du Lac Ave	Parcel Dimension	Meander Line	Right-of-Way	PLSS Section
Road Centerline STH, CTH	Right of Way Dimension	PLSS Monument	Plat	PLSS Boundary
On/Off Ramp	Leader Lines	Local Road Labels	Unknown	
State Highway				



Endorsement stamp digitally applied.
Please keep attached to original document

State Bar of Wisconsin Form 3-2003
QUIT CLAIM DEED

Document Number

Document Name

Document # 1562184
WASHINGTON COUNTY WISCONSIN
2022-05-31 12:09:00 PM

Sharon A. Martin
SHARON A MARTIN
WASHINGTON COUNTY
REGISTER OF DEEDS

Fee: \$30.00

Fee Exempt: 13

Return via MAIL (REGULAR)

Pages: 3

THIS DEED, made between SHAWN BESCHTA

("Grantor," whether one or more),
and SHAWN BESCHTA

("Grantee," whether one or more).
Grantor quit claims to Grantee the following described real estate, together with the
rents, profits, fixtures and other appurtenant interests, in WASHINGTON
County, State of Wisconsin ("Property") (if more space is needed, please attach
addendum):

See Exhibit A and Exhibit B, attached.

Recording Area

Name and Return Address

PARISH S & B
122 Wisconsin Street
West Bend, WI 53095

GTNV-332994, GTNV-332995

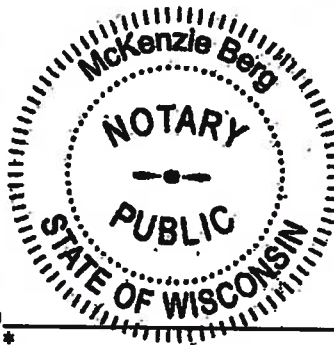
Parcel Identification Number (PIN)

This _____ homestead property.
(is) (is not)

Dated 5/26/22

Shawn Beschta
* Shawn Beschta (SEAL)

* _____ (SEAL)



AUTHENTICATION
Signature(s) *Shawn Beschta*

authenticated on 05/27/2022

*
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not,
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:
J. Scott Henkel

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
WASHINGTON COUNTY)

Personally came before me on MAY 27, 2022,
the above-named SHAWN BESCHTA

to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

McKenzie Berg
* McKenzie Berg
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: 3/15/25)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

QUIT CLAIM DEED

© 2003 STATE BAR OF WISCONSIN

FORM NO. 3-2003

* Type name below signatures.

EXHIBIT A

LEGAL DESCRIPTION

PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, COUNTY OF WASHINGTON, STATE OF WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 33;
THENCE NORTH 01°29'43" WEST, 309.48 FEET, ALONG THE WEST LINE OF SAID NORTHWEST 1/4 TO THE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE CONTINUE NORTH 01°29'43" WEST, 210.00 FEET, ALONG SAID WEST LINE;
THENCE NORTH 88°30'17" EAST, 238.15 FEET;
THENCE SOUTH 21°14'15" EAST, 74.09 FEET;
THENCE NORTH 88°30'17" EAST, 130.18 FEET;
THENCE SOUTH 00°57'00" EAST, 144.00 FEET;
THENCE SOUTH 89°03'00" WEST, 392.00 FEET, TO THE POINT OF BEGINNING.

BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI

MEETING DATE: Monday, January 9th

AGENDA ITEM: New Business

ITEM TITLE: IT Solutions

SUBMITTED BY: Chief Mike Snow

SUMMARY EXPLANATION:

I would like to review our IT challenges over the past year and consider some of the unique circumstances we have related to IT.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 01-2023

GERMANTOWN MUNICIPAL EMPLOYEES UNION LOCAL 730 CONTRACT

WHEREAS, the Village of Germantown Administrator and Department Directors have been in negotiation of the Germantown Municipal Employees Union Local 730 Contract and have come an agreed contract as attached; and,

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Germantown, does hereby approve the attached Germantown Municipal Employee Union Local 730 Contract.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig
Village Clerk / Treasurer

AGREEMENT BETWEEN THE VILLAGE OF GERMANTOWN AND THE

GERMANTOWN MUNICIPAL EMPLOYEES UNION - LOCAL 730

AN AFFILIATE OF THE LABOR ASSOCIATION OF WISCONSIN

JANUARY 1, 2023 - DECEMBER 31, 2023

Article 1 - RECOGNITION

The employer hereby recognizes the Labor Association of Wisconsin, Inc. as the sole and exclusive bargaining agent for regular and full-time and regular and part-time employees of the Village of Germantown employed in the Highway Department, Parks Department, Water Department and Waste Water Department, excluding professional, supervisory, managerial, confidential, temporary, casual, or seasonal clerical employees for the purpose of collective bargaining on matters concerning wages, hours, and all other conditions of employment.

Article 2 – WAGES Effective January 1, 2023 (2% Wage Increase) Position

	2022 Hourly Wage			2023 Hourly Wage		
	Start	150 Day	1 Year	Start	150 Day	1 Year
Mechanic I	25.20	27.40	29.61	25.70	27.94	30.20
Mechanic II	25.39	27.61	29.86	25.90	28.16	30.46
Crew Leader	25.52	27.76	30.04	26.03	28.32	30.64
Operator	24.60	26.78	28.94	25.10	27.32	29.52
Maint Operator	24.89	27.10	29.29	25.39	27.64	29.87
HE Operator	25.04	27.25	29.48	25.54	27.80	30.07
Maint Oper. w/ DNR Cert	25.23	27.45	29.68	25.73	28.00	30.27
Designated Operator	25.84	28.10	30.40	26.36	28.66	31.01
Custodian	18.03	19.61	21.21	18.39	20.00	21.63
Assistant Custodian (PT)	15.20	16.55	17.89	15.51	16.88	18.25

Article 3 - DURATION OF AGREEMENT

The agreement shall be in effect as on January 1, 2023 and shall remain in full force through December 31, 2023.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their respective, duly authorized officers.

Dated this _____ day of _____, 2022

VILLAGE OF GERMANTOWN

GERMANTOWN MUNICIPAL
EMPLOYEES UNION, LAW, INC

By: _____

By: _____

By: _____

By: _____

**BUSINESS OF THE PUBLIC WORKS COMMITTEE & VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: Wednesday, January 11th, 2023

AGENDA ITEM: New Business

ITEM TITLE: 5-Year Street Paving Program Update & Discussion

SUBMITTED BY: Lawrence W Ratayczak, PE- Director of Public Works

SUMMARY EXPLANATION:

Staff is presenting the Revised/Updated 5-Year paving program for discussion.

Annual program summary sheets for each of the next 5 years will be emailed on Monday 1/9/2023.

ATTACHMENT: ORDINANCE _____ RESOLUTION _____ OTHER XX

- Forth Coming on Monday

RECOMMENDATION:

Staff is presenting for discussion no motions will be required.

COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

2023						
Road	Begin Termini	End Termini	Road Length (LF)	2021 PASER	Estimated Cost	Comments
Bonniwell Rd W	Shadow Ln	Goldendale Rd	5000	2	\$525,000	Reconstruct
Parkland Circle	Willow Creek Rd	Willow Creek Rd	1672	3	\$142,120	Mill 2" & Repave 2" ***
River Ln	Bunsen Dr	Friestadt	730	3	\$62,050	Mill 2" & Repave 2" ***
Church St	Main St	Fond Du Lac Ave	870	2	\$91,350	Reconstruct
Adams Ct	Cobbler Ln	Termini	330	5	\$34,650	Part of a storm sewer installation project, reconstruction and curb
Sylvan Circle	Squire Dr	Pilgrim Rd	2575	3	\$270,375	Reconstruct
Broadleaf Ln	Concord Rd	Burr Oak Rd	739	3	\$532,158	Glenwood Park Subdivision Part of a Sanitary and Water Relay, utilities are paying for the other 2/3 of road repaving for this project.
Burr Oak Rd	Glenwood Rd	Sumac Rd	634	3		
Butternut Rd	School Rd	Concord Rd	950	4		
Colonial Dr	Concord Rd	Concord Rd	1637	3		
Glenwood Rd	Shagbark Rd	Burr Oak Rd	1109	3		
School Rd	Butternut Rd	Pilgrim Rd	1162	4		
Shagbark Rd	Butternut Rd	Glenwood Rd	950	4		
Sumac Rd	Burr Oak Rd	Concord Rd	739	3		
				Total Base:	\$1,657,703	
Alternate 1: \$273,00						
Western Ave	Mequon Rd	Main St	2600	3	\$273,000	Mill 2" & Repave 2" ***, See 2025
Alternate 2: \$200,000						
Water St	Concord Rd	Navajo Dr	1600	3	\$168,000	Reconstruct, See 2025
Tippicanoe Ct	Water St	Termini	300	3	\$32,000	
Alternate 3: \$228,480						
Bark Lake Ct	Bark Lake Rd	Termini	800	3	\$84,000	Reconstruct, See 2025
Bark Lake Rd	STH 175	Bark Lake Ct	712	3	\$74,760	
Manor Ct N	Bark Lake Ct	Termini	264	3	\$27,720	
Manor Ct S	Bark Lake Ct	Termini	400	3	\$42,000	
*** DEPTH BORES REQUIRED TO ENSURE ASPHALT THICKNESS				All Total:	\$2,359,183	

2024						
Road	Begin Termini	End Termini	Road Length (LF)	2019 Paser Rating	Estimated Cost	Comments
Beech Dr	Termini	Hickory Dr	2904	2	\$850,650	Willow Creek Heights Reconstruction of all roads and cross culvert replacements
Birch Ln	Termini	Hickory Dr	422	3		
Hickory Dr	Birch Ln	Beech Dr	2481	2		
Laurel Ct	Termini	Beech Dr	264	3		
Oak Ct	Oak Ln	Termini	370	3		
Oak Ln	Willow Creek Rd	Beech Dr	950	3		
Poplar Ln	Oak Ln	Beech Dr	634	4		
Division Rd - Complete Upgrades	Mequon Rd	Donges Bay Rd	5200	3, 4	\$2,080,000	Upgrades to width, storm system, sidewalks, and bike lanes Upgrades to width, partial storm system, some sidewalk, bike lanes Resurfacing, base patching, and repaving as-is
Division Rd - Some Upgrades	Mequon Rd	Donges Bay Rd	5200	3, 4	\$1,040,000	
Division Rd - No Upgrades	Mequon Rd	Donges Bay Rd	5200	3, 4	\$551,200	
			Total Base:	COMPLETE:	\$2,930,650	
				SOME:	\$1,890,650	
				NO:	\$1,401,850	
Alternate 1:						
						Re-bidding of any non-selected alternates from previous year(s)
Alternate 2:						
						In addition to any newly selected roads from the next 2 years
Alternate 3:						
*** DEPTH BORES REQUIRED TO ENSURE ASPHALT THICKNESS						

2025						
Road	Begin Termini	End Termini	Road Length (LF)	2021 Paser Rating	Estimated Cost	Comments
Sylvan Circle	Squire	Pilgrim	2575	3	\$278,100	Reconstruct and repave
Roger Dr	Termini	Donges Bay Rd	1245	3	\$264,915	Donges Bay Village
Regency Way	North	South	1800	3		Mill 2" & Repave 2" ***
Mohawk Dr	Donges Bay Rd	Council Bluffs Dr	1500	4	\$355,240	Yorktowne South
Founders Ln	Termini	Mohawk Dr	460	4		Reconstruct and repave
Yorktowne Ln	Termini	Mohawk Dr	640	4		
Flintlock Tr	Termini	Mohawk Dr	720	4		
Western Ave.	Mequon Rd.	Main St.	2600	3	\$226,200	Will be bid as an alternate in previous year(s) Mill 2" & Repave 2" ***
Water St	Concord Rd	Navajo Dr	1600	3	\$165,300	Navajo Hills
Tippicanoe Ct	Termini	Water St	300	3		Will be bid as an alternate in previous year(s), reconstruct and repave
Bark Lake Ct	Termini	Bark Lake Rd	53	3	\$232,670	Bark Lake Subdivision
Bark Lake Ct	Termini	Bark Lake Rd	760	3		
Bark Lake Rd	Bark Lake Ct	Sth 175	712	3		
Manor Ct N	Bark Lake Ct	Termini	264	3		Will be bid as an alternate in previous year(s), reconstruction and repave
Manor Ct S	Bark Lake Ct	Termini	406	3		
Division Rd - Complete Upgrades	Bridge	Revere Ln	4220	Var	\$1,688,000	Upgrades to width, storm system, sidewalks, and bike lanes
Division Rd - Some Upgrades	Bridge	Revere Ln	4220	Var	\$844,000	Upgrades to width, partial storm system, some sidewalk, bike lanes
Division Rd - No Upgrades	Bridge	Revere Ln	4220	Var	\$451,540	Resurfacing, base patching, and repaving as-is
			Total Base:	COMPLETE:	\$3,210,425	
				SOME:	\$2,366,425	
				NO:	\$1,973,965	
Alternate 1:						
						Re-bidding of any non-selected alternates from previous year(s)
Alternate 2:						
						In addition to any newly selected roads from the next 2 years
Alternate 3:						
*** DEPTH BORES REQUIRED TO ENSURE ASPHALT THICKNESS						

2026

Road	Begin Termini	End Termini	Road Length (LF)	2021 Paser Rating	Estimated Cost	Comments
Rockfield Rd	Division Rd	Pleasant View Dr	7840	3	\$689,920.00	Mill 2" & Repave 2" ***
Sylvan	Pilgrim Rd	Montgomery Dr	849	3	\$282,216.00	Montgomery Square/Catie Vista Mill 2" & Repave 2" ***
Montgomery	Sylvan Cir	Mequon Rd	1451	3		
Francese	Sylvan Cir	Pilgrim Rd	517	3		
Francese	Pilgrim Rd	Termini	390	3		
Maple Road	Appleton Ave	Bridge	4550	4	\$400,400.00	Reconstruct and repave
Mequon Rd.	Hilltop Dr	Meeker Ln	2650	3	\$283,550	Reconstruct and repave
				TOTAL:	\$1,656,086	
Alternate 1:						
						Re-bidding of any non-selected alternates from previous year(s)
Alternate 2:						
						In addition to any newly selected roads from the next 2 years
Alternate 3:						

2027						
Road	Begin Termini	End Termini	Road Length (LF)	2021 Paser Rating	Estimated Cost	Comments
Maple Road	Bridge	Lannon Rd	2870	3	\$312,830.00	Reconstruct and repave
Sunny View Ave	Roberrts Dr	Williams Dr	921	3	\$590,998.00	Pleasant View Reconstruct and repave
Daniels Dr	Roberts Dr	N of Williams Dr	1117	3		
Kurt Drive	Roberts Drive	Termini	1115	3		
Williams Drive	Pilgrim Rd	Kurt Dr	1124	3		
Roberts Dr	Sunny View	Valley Dr	1145	3		
Santa Fe Drive	Wagon Trail	Council Bluffs Drive	2450	3/4	\$518,069.00	Park View Hills Mill 2" & Repave 2" ***
Apache Court	Santa Fe Drive	Termini	368	4		
Indianwood Drive	Santa Fe Drive	Termini	720	4		
Cherokee Court	Santa Fe Drive	Termini	372	4		
Commanche Court	Santa Fe Drive	Termini	386	4		
Shoshone Court	Council Bluffs Drive	Termini	250	4		
Pawnee Court	Council Bluffs Drive	Termini	325	4		
Council Bluffs Drive	Santa Fe Drive	Pilgrim Road	950	4		
Heritage Hills Pky.	Lincoln Dr.	South Loop	4000	3	\$445,000.00	Heritage Hills Mill 2" & Repave 2" ***
Heritage Hills Cul-de-sacs			1000	3		
				TOTAL:	\$1,866,897	
Alternate 1:						
						Re-bidding of any non-selected alternates from previous year(s)
Alternate 2:						
						In addition to any newly selected roads from the next 2 years
Alternate 3:						

VILLAGE BOARD
GERMANTOWN, WI

MEETING DATE: January 16, 2023

AGENDA ITEM: New Business

ITEM TITLES: Germantown Historical Society – Request to waive contractual \$5,000 loan payment for FestHalle for the purposes of restoration of Christ Church stained-glass windows as recommended by the Tourism Commission

SUBMITTED BY: Steven R. Kreklow, Village Administrator

SUMMARY EXPLANATION:

In order to fund the construction of the new FestHalle at Dheinsville Park, the Germantown Historical Society made an initial contribution of \$200,000 and pledge to reimburse the Village \$5,000 per year for a period of ten years. In August of 2022, the Historical Society made a request to the Tourism Commission to provide funding to assist with the restoration of the stained-glass windows in Christ Church. The Tourism Commission approved a grant of \$13,500 and is submitting a recommendation to the Village Board that the 2022 payment from the Historical Society to the Village be waived.

Attached: Ordinance____ Resolution____ Other X

Recommendation:

Approve a motion to waive the Historical Society's \$5,000 payment to the Village for reimbursement of the construction costs for the FestHalle at Dheinsville Park.

Germantown Tourism Commission Meeting Minutes for Monday August 29, 2022

1. Call to Order: Called to order by Chair Miller at 5:05 pm
2. Roll Call
 - a. Present: Miller, Grgich, Kreklow, Wolter joined at 5:34
 - b. Absent: Wolter
3. Citizen Input/Public Appearance: None
4. Approval of Minutes
 - a. Grgich moved to approve the Minutes of the July 11, 2022 meeting. Seconded by Kreklow. Approved 3-0
5. Old Business
 - a. None
6. New Business
 - a. Financial Update
 - i. Room tax collections amount to \$208,567 through Mid-August. Likely total revenues will exceed \$225,206. Any additional revenues will be allotted to Tourism Commission
 - ii. 2022 expenses of \$76,735 year to date.
 - iii. Available balance of \$92,563 including ARPA funds transferred.

Motion to accept report by Grgich , seconded by Miller . Approved 4-0
 - b. Request for Funds – Germantown Historical Society – Oktoberfest (any amount, \$2,500 last year)
 - i. Kreklow moved to provide up to \$6,000 for rentals, advertising and signage; seconded by Grgich. Approved 3-0
 - c. Request for Funds - Germantown Historical Society – Restoration of Christ Church Stained Glass Windows (any amount, total cost is \$33,000 and need to raise another \$18,500)
 - i. Wolter made a motion to allocate \$13,500 in Tourism (ARPA funds) for project and waive next payment of \$5,000 for Festhalle payment providing approved by Village Board. Approved 4-0.
 - d. Request for Funds – Chamber of Commerce – Christmas Festival (\$3,000)
 - i. Wolter moved to provide \$3,000 to support advertising and marketing expenses for Christmas Festival. Approved 3-0 w/ Grgich abstaining.
7. Adjournment @ 6:07 pm

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 02-2023

**RESOLUTION FOR ADVISORY REFERENDUM REGARDING AN AGREEMENT
WITH WASHINGTON COUNTY TO SHARE SALES TAX REVENUE**

WHEREAS, in 2021, Washington County collect \$15,023,419.26 in sales tax revenue and, in accordance with to Wisconsin Statute 77.76(3), counties are authorized to share all or a portion of sales tax revenues with municipalities within their boundaries; and

WHEREAS, Mid-Moraine Municipal Association is leading all municipalities (towns, villages, and cities) to have Washington County share a percentage of the sales tax in an effort to help local jurisdictions fund and maintain their local roads; and

WHEREAS, municipalities are uniting to propose an advisory referendum on the Spring 2023 Ballot asking residents if they would support a Shared Sales Tax Agreement in which 20% of the total amount collected by Washington County be distributed equitably to local cities, towns, and villages for the sole purpose of increasing road maintenance efforts; and

WHEREAS, the funding received will supplement property taxes and borrowing which is currently used to fund our local road projects. The sales tax will be shared equitably. Allocation will be formulated based on each municipality's equalized property value and population; and

NOW THEREFORE, be it resolved that Village of Germantown Village Board approves the following advisory referendum on the 2023 Spring Ballot:

ADVISORY REFERENDUM

Washington County currently imposes a 0.5% Sales Tax throughout the county and none of these dollars are shared with local municipalities. Municipalities are putting forth a proposal to Washington County for sharing the Sales Tax Revenue.

“Would you support an agreement where the county would annually share 20% of the revenues with the cities, villages, and towns to apply to local road maintenance and construction?”

Page 2 Resolution 02-2023 Resolution 02-2023, Resolution for an Advisory Referendum
Regarding an agreement with Washington County to Share Sales Tax Revenue.

Introduced by: _____

Adopted: _____

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna B. Braunschweig, WCMC/CMC
Village Clerk / Treasurer

Advisory Referendum

Washington County & Municipalities

Sharing the Sales Tax

Funding Our Local Road Projects

In 2021, Washington County collected \$15,023,419.26 in sales tax revenue. Per state statute, only counties have the authority to collect the local sales tax that each municipality generates each year. According to Wis. Stat. 77.76(3), the county may retain the amount it receives **or** it may distribute all or a portion of the amount it receives to the towns, villages, cities, and school districts in the county.

Mid-Moraine Municipal Association is leading all municipalities (towns, villages and cities) in an effort to have Washington County to share a percentage of the sales tax in an effort to help local jurisdictions fund and maintain their local roads. As the annual sales tax received from Washington County continues to grow to now over \$15,000,000, municipalities in Washington County are partnering together to propose an Advisory Referendum on the Spring 2023 Ballot asking residents if they would support a **Shared Sales Tax Agreement** in which 20% of the total amount collected by Washington County be distributed through an equitable means to local cities, towns, and villages for the sole purpose of increasing road maintenance efforts.

The funding received will supplement property taxes and borrowing which is currently used to fund our local road projects. The sales tax will be shared equitably. Allocation will be formulated based on each municipality's property value and population.

Proposed Advisory Referendum

Washington County currently imposes a 0.5% Sales Tax throughout the county and none of these dollars are shared with local municipalities. Municipalities are putting forth a proposal to Washington County for sharing the Sales Tax Revenue.

“Would you support an agreement where the county would annually share 20% of the revenues with the cities, villages, and towns to apply to local road maintenance and construction?”

SHARING THE SALES TAX

FUNDING LOCAL ROAD PROJECTS

Local cities, villages and towns are uniting to ask voters in Washington County if the Washington County Board should share its annual sales tax revenues, to fund local roads.

Only counties—not individual municipalities—have the authority to collect local sales tax. In accordance to Wisconsin Statute 77.76(3), counties are authorized to share all or a portion of sales tax revenues with municipalities within their boundaries.

In 2021, Washington County collected **\$15,023,419.26** in sales tax revenue. It is time for voters to decide if the cities, towns and villages of Washington County should receive their fair share of the funds they generate locally each year.

Please include the following **Advisory Referendum Question** on the **2023 Spring Election Ballot** to collect the opinions of all Washington County residents.

PROPOSED ADVISORY REFERENDUM QUESTION

Washington County currently imposes a 0.5% sales tax throughout the county and none of these dollars are shared with the local municipalities. Municipalities are putting forth a proposal to the County for sharing sales tax revenues. Would you support an agreement where the County would annually share 20% of the revenues with the cities, villages, and towns to apply to local road maintenance and construction?

If the County Board acts in accordance with the proposed referendum, based on 2021 data, \$3,004,683.85 (20% of the sales tax collected) would be infused **equitably** across local cities, towns and villages. This recurring funding would support important road and infrastructure projects within each municipality:

City of Hartford	Town of Farmington	Town of Polk	Village of Jackson
City of West Bend	Town of Germantown	Town of Trenton	Village of Kewaskum
Town of Addison	Town of Hartford	Town of Wayne	Village of Newburg
Town of Barton	Town of Jackson	Town of West Bend	Village of Richfield
Town of Erin	Town of Kewaskum	Village of Germantown	Village of Slinger

SHARE THE SALES TAX **FREQUENTLY ASKED QUESTIONS**

How can this funding be spent?

Sales tax revenues can be applied to local road maintenance and construction projects.

Why ask now?

The need for local road improvement projects is greater than ever, and voters deserve the right to weigh in on potential solutions. Sales tax is generated in cities, villages and towns by consumers. This funding would supplement property taxes and borrowing currently used to fund local road projects

How will the sales tax allocations be shared?

Equitably. Allocations will be formulated based on each municipality's property value and population (equalized value).



What's next?

In order for this advisory referendum question to appear on each municipality's 2023 Spring Election ballot, **local governing boards must take action and submit it to the County Clerk by January 24, 2023.**

LEARN MORE

Contact the Mid-Moraine Municipal Association
Executive Director Mike Miller at 262-573-1883 or mid-moraine@att.net

Washington County Sales Tax Allocation to Jurisdictions

Adopted Resolution	Place Name	Final Estimate 2022	% of County Population	Sales Tax Allocation by % of Population	Equalized Value less Increment	% of County Equalized Value	Sales Tax Allocation by % of Equalized Value	Sales Tax Allocation Averaged
1/19/2017	T Addison	3,449	2.50%	74,970.91	453,564,700	2.26%	67,981.15	71,476.03
10/17/2017	T Barton	2,795	2.02%	60,754.92	430,389,300	2.15%	64,507.58	62,631.25
Letter 9/28/2017	T Erin	3,842	2.78%	83,513.56	786,883,500	3.93%	117,939.61	100,726.58
9/12/2017	T Farmington	3,662	2.65%	79,600.90	559,674,500	2.79%	83,885.09	81,742.99
9/11/2017	T Germantown	242	0.18%	5,260.35	33,872,400	0.17%	5,076.86	5,168.61
9/11/2017	T Hartford	3,381	2.45%	73,492.80	536,004,000	2.67%	80,337.31	76,915.05
	T Jackson	4,064	2.94%	88,339.17	581,671,900	2.90%	87,182.10	87,760.64
	T Kewaskum	1,134	0.82%	24,649.76	178,920,100	0.89%	26,816.89	25,733.32
11/14/2017	T Polk	4,005	2.90%	87,056.69	911,741,800	4.55%	136,653.61	111,855.15
9/19/2017	T Trenton	4,572	3.31%	99,381.57	712,777,100	3.56%	106,832.40	103,106.98
	T Wayne	2,232	1.61%	48,516.99	323,294,900	1.61%	48,456.06	48,486.52
9/13/2017	T West Bend	4,415	3.19%	95,968.86	1,219,500,200	6.08%	182,781.03	139,374.95
10/2/2017	V Germantown	21,040	15.22%	457,346.49	3,389,240,200	16.91%	507,985.84	482,666.17
9/12/2017	V Jackson	7,844	5.67%	170,505.03	990,140,900	4.94%	148,404.22	159,454.63
9/18/2017	V Kewaskum	4,371	3.16%	95,012.43	414,526,500	2.07%	62,130.03	78,571.23
9/14/2017	V Newburg	1,051	0.76%	22,845.59	99,903,400	0.50%	14,973.71	18,909.65
	V Richfield	11,866	8.58%	257,931.25	2,255,307,900	11.25%	338,029.88	297,980.57
9/18/2017	V Slinger	6,401	4.63%	139,138.54	840,660,300	4.19%	125,999.78	132,569.16
9/12/2017	C Hartford	15,796	11.43%	343,357.66	1,729,043,000	8.62%	259,152.29	301,254.98
	C Milwaukee	0	0.00%	-	-	0.00%	-	-
9/11/2017	C West Bend	32,067	23.20%	697,040.40	3,599,889,700	17.96%	539,558.39	618,299.39
	Total	138,229	100.00%	\$ 3,004,683.85	\$ 20,047,006,300	100.00%	\$ 3,004,683.85	\$ 3,004,683.85

Based upon:

Department of Administration Final Population Estimates - October 2022

Equalized Value by Jurisdiction within the County, Department of Revenue - August 2022

County Sales Tax Distributions, Department of Revenue - 2021; 20% allocated to local jurisdictions

2022	\$	-					
2021	\$15,023,419.26	\$	3,004,683.85		2015	\$ 10,998,713.33	\$ 2,199,742.67
2020	\$ 13,364,836.71	\$	2,672,967.34		2014	\$ 10,541,291.32	\$ 2,108,258.26
2019	\$ 12,504,590.76	\$	2,500,918.15		2013	\$ 9,939,839.01	\$ 1,987,967.80
2018	\$ 12,187,214.30	\$	2,437,442.86		2012	\$ 9,495,318.72	\$ 1,899,063.74
2017	\$ 11,987,796.52	\$	2,397,559.30		2011	\$ 9,140,341.83	\$ 1,828,068.37
2016	\$ 11,482,244.86	\$	2,296,448.97		2010	\$ 8,674,394.67	\$ 1,734,878.93

BUSINESS OF THE VILLAGE BOARD GERMANTOWN, WI

MEETING DATE: January 16, 2023

AGENDA ITEM: New Business [CERTIFIED SURVEY MAP]

ITEM TITLE: Village of Germantown, Property Owner, N104 W12703 Donges Bay Road; 2-Lot Certified Survey Map (CSM) to re-divide 70-acres in the TID9/Town 9 Business Park (previously referred to as “Omega Hills Industrial Park”).

SUBMITTED BY: Jeff Retzlaff, Director, Community Development Department

SUMMARY EXPLANATION:

In 2022, the Village approved creation (and subsequent expansion) of Tax Increment District No. 9. TID9 is a 100-acre area intended for industrial development consistent with the Village’s 2050 Plan (and former 2020 Plan). In addition to the road and utility improvements necessary to serve future industrial development within TID9, the Village is developing a new Public Works & Yard Waste Recycling Facility on the adjacent 40-acre site surrounded by TID9. The Village currently owns both the 40-acre DPW Facility property and the 38-acre TID9 property to the east (under contract with F Street Germantown LLC for Phase 1 development including a 374,950 sqft light manufacturing/warehouse distribution facility).

In October, 2022, the Village approved rezoning these parcels subject to completion of a CSM pending final surveying and decisions regarding Donges Bay Road right-of-way requirements, location of the new Town 9 Parkway cul-de-sac serving the DPW facility and access the property west of the DPW Facility (owned by GFL and under contract with Stonecast Products for a future production facility & storage yard).

PLAN COMMISSION RECOMMENDATION:

APPROVE the 2-lot Certified Survey Map (CSM) for the 79-acre property owned by the Village of Germantown located in the Town 9 Business Park south of the Donges Bay Road @ Wasaukee Road intersection as proposed.

APPLICATION, PLANS & RELATED DOCUMENTS:

All relevant documents, including the CSM application, supporting information, the staff report & recommendation, and Plan Commission meeting minutes (when available) are included in the PDF digital file distributed by the Village Clerk.

CERTIFIED SURVEY MAP (CSM) APPLICATION

1/9/23 Plan Commission Meeting

Village of Germantown / TID 9

Village Staff Report

Germantown, Wisconsin

Summary

The Village of Germantown, property owner is requesting approval of a 3-lot Certified Survey Map (CSM) to re-divide 79.05 acres located in the Town 9 Business Park (formerly called the “Omega Hills Industrial Park”) west of the Donges Bay Road @ Wasaukee Road intersection (within Tax Increment District No. 9).

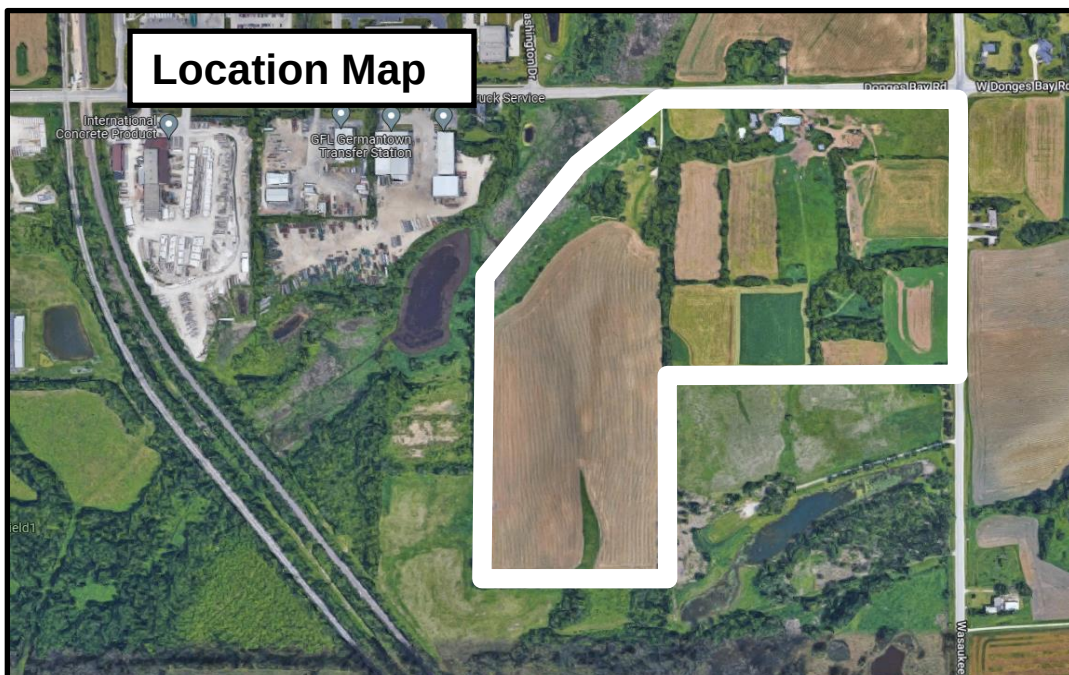
Property Location: W130 N10200 Town 9 Parkway (within TID#9)

Applicant/

Property Owner: Village Germantown
N112 W17001 Mequon Rd
Germantown WI

Current Zoning: I: Institutional & M-1: Limited Industrial

Adjacent Land Uses		Zoning
North	Agricultural	A-1
South	Industrial (landfill)	M-3
East	Agricultural (Mequon)	A-1
West	Agricultural/Open Space	A-1



Background

In 2022, the Village approved creation (and subsequent expansion) of Tax Incremental Financing District No. 9. TID#9 is a 100-acre area intended for industrial development in the “Omega Hills Industrial District” consistent with the Village’s 2050 Plan. In addition to future industrial development within TID#9, the utility extension and road improvements for TID#9 will also serve the Village’s new 127,000 sqft Public Works & recycling facility proposed for the 40-acre site surrounded by TID#9. The Village currently owns both the 40-acre property (DPW Facility) and the 38-acre property to the east (that is under contract with F Street Germantown LLC for development of a 374,950 sqft industrial/warehouse/distribution building).

In October, 2022, the Village approved rezoning the parcels subject of the CSM application, including the 40-acre Germantown DPW Facility property from A-1: Agricultural to I: Institutional, and the 38-acre F Street/Keller property from A-1: Agricultural to M-1: Limited Industrial. Approval of a CSM at that time was deferred to a future date pending final surveying and a decision regarding the need to provide access to the land west of the 40-acre DPW Facility property (owned by GFL).

NOTE: Since TID#9 was created and the 2050 Plan adopted in 2022, the name of the industrial park within TID#9 has changed from the previously proposed “Omega Hills Industrial Park” to the “Town 9 Business Park” after further and thoughtful consideration of the wishes of the former property owners of the land acquired by the Village. While the name of the business park has changed, the overall area or neighborhood designation under the 2050 Plan will remain the “Omega Hills Industrial District” given that it encompasses a much larger area beyond the business park in the southeast corner of the Village, including the now retired Omega Hills landfill to the south.

Proposal

As shown in the preliminary CSM (copy attached), Outlot 1 and Lot 2 comprise the 40 +/- acres owned by the Village (less additional right-of-way for Donges Bay Road and the new cul-de-sac) with Lot 2, the area south of the Town 9 Parkway cul-de-sac, intended for development of the DPW Facility.

The navigable waterway known as the “North Crossway Channel”, which is tributary to the Menomonee River, bisects Outlot 1 and contains a significant amount of wetland and floodplain. Outlot 1 is unsuitable for development.

Lot 2 is the 38 +/- acre lot under contract with F Street Germantown LLC (less additional right-of-way for Donges Bay Road) intended for future industrial development.

Outlot 2 is a small .14-acre area in the northeast corner of the area that was discovered to have been used as a private cemetery. It is being set aside as an outlot and will be properly maintained.

Town 9 Parkway extends to the west to serve the additional 62 acres added to TID#9 for future industrial development.

Staff Comments

The proposed CSM is consistent with the “Omega Hills Industrial District” under the 2050 Plan, the TID#9 Project Plan, and the applicable I: Institutional and M-1: Limited Industrial Zoning District requirements.

VILLAGE STAFF RECOMMENDATION

APPROVE the 3-lot Certified Survey Map (CSM) for the 79.05 acre property owned by the Village of Germantown located in the Town 9 Business Park and “Omega Hills Industrial District” south of the Donges Bay Road @ Wasaukee Road intersection as proposed.



Village of



Germantown

Willkommen

Fee must accompany application

- ☐ \$2,900 with public improvements
☐ \$1,960 no public improvements

Paid _____ Date 1-6-22

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1 APPLICANT OR AGENT
Same

Phone () _____
Fax () _____
E-Mail _____

PROPERTY OWNER
Village of Germantown
1112 W17001 Mequon Rd.
Germantown, WI 53022

Phone () _____

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

2 1104 W12607 + 1104 W12703 Donges Bay Road 361-992, 361-991

3 PURPOSE OF LAND SPLIT

	Will the land split require rezoning?	
	From	To

4 READ AND INITIAL THE FOLLOWING:

_____ I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.

_____ I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.

_____ I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

_____ I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

5 SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Applicant

Date

Owner

Date

SA [Signature]

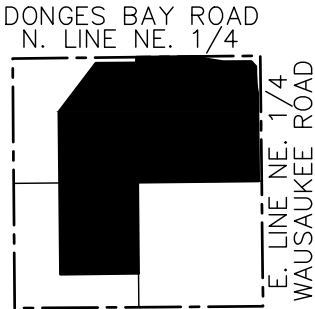
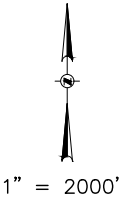
1.6.2022

CERTIFIED SURVEY MAP NO. _____

Unplatted Lands Located in Northwest 1/4, the Southwest 1/4, and the Northeast 1/4 of the Northeast 1/4 of Section 36, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

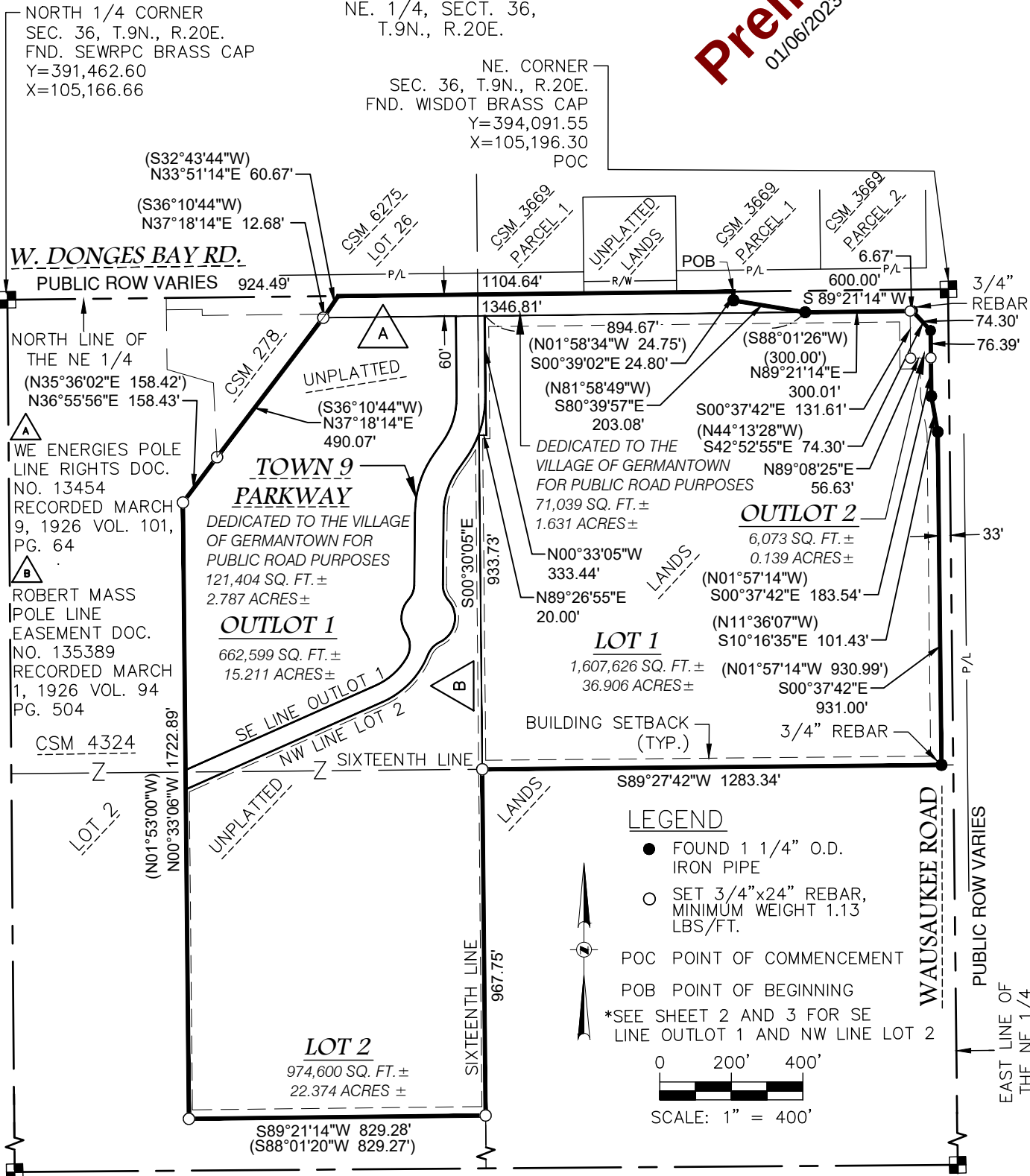
GRAEF

275 West Wisconsin Avenue, Suite 300
Milwaukee, WI 53203
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com



VICINITY MAP
NE. 1/4, SECT. 36,
T.9N., R.20E.

Preliminary
01/06/2023 2:52:50 PM



GENERAL NOTES

- 1.) Bearings are referenced to the North line of the Northeast 1/4 of Section 36, Township 9 North, Range 20 East which bears, N. 89°21'14" E. based on the Wisconsin Coordinate Reference System, Washington County, NAD83(2011).
- 2.) Owner and subdivider is Village of Germantown, N112 W17001 Mequon Road, Germantown, WI. 53022.
PH: 1-262-250-4745, Tax ID: GTNV 361-991 & GTNV 361-992.

CERTIFIED SURVEY MAP NO. _____

Unplatted Lands Located in Northwest 1/4, the Southwest 1/4, and the Northeast 1/4 of the Northeast 1/4 of Section 36, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

LEGEND

- · — · —

STREAM
- · — · —

STREAM 75' SETBACK
- · · · ·

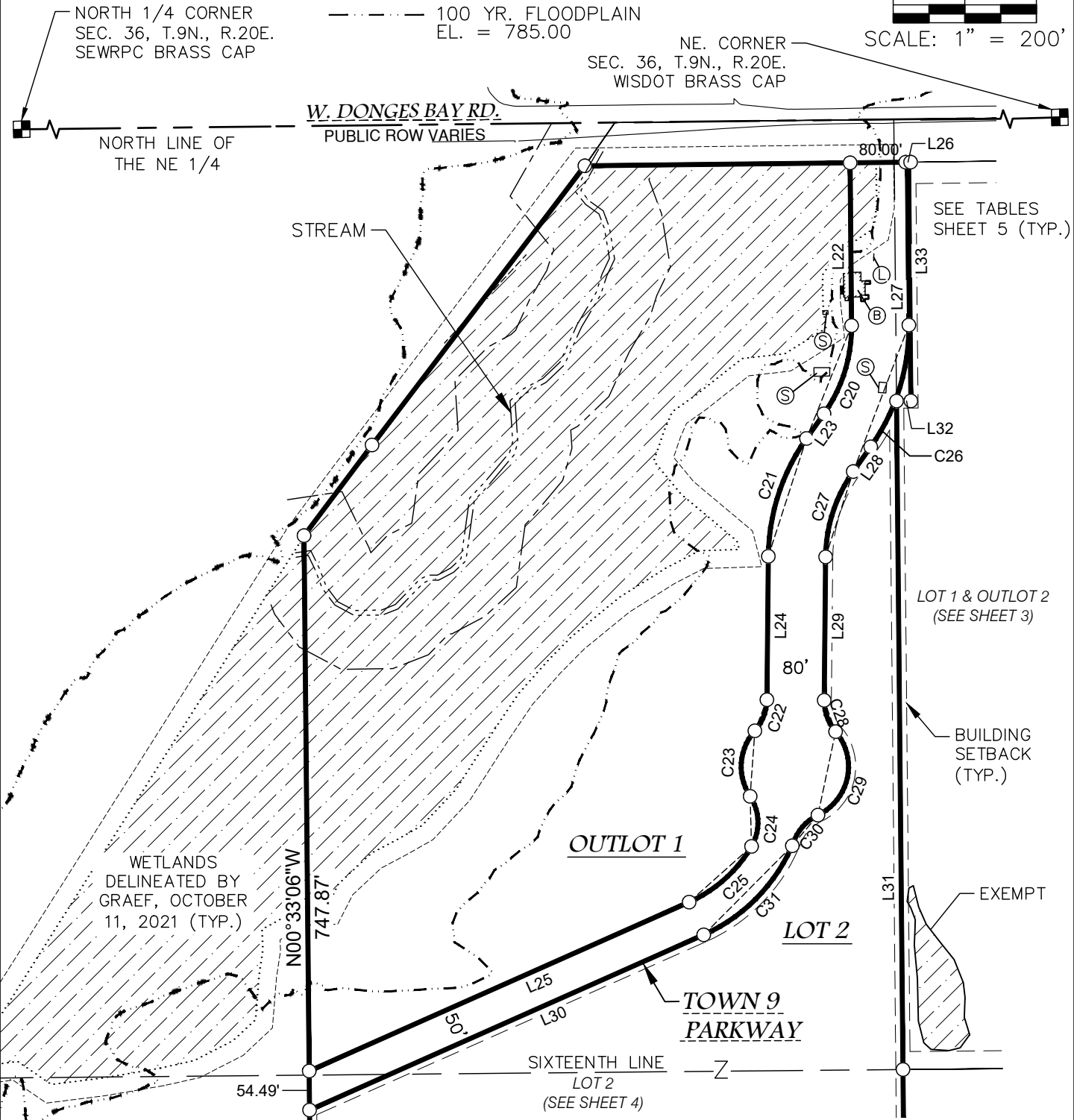
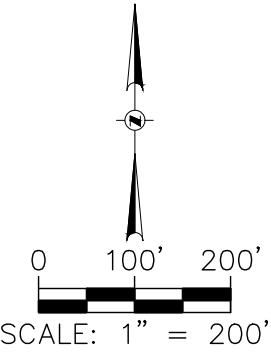
DELINEATED WETLAND
- WETLAND 25' SETBACK
- · — · —

100 YR. FLOODPLAIN
EL. = 785.00
- ⊗

BUILDING
- ⊙

SHED
- ⊕

LP TANK

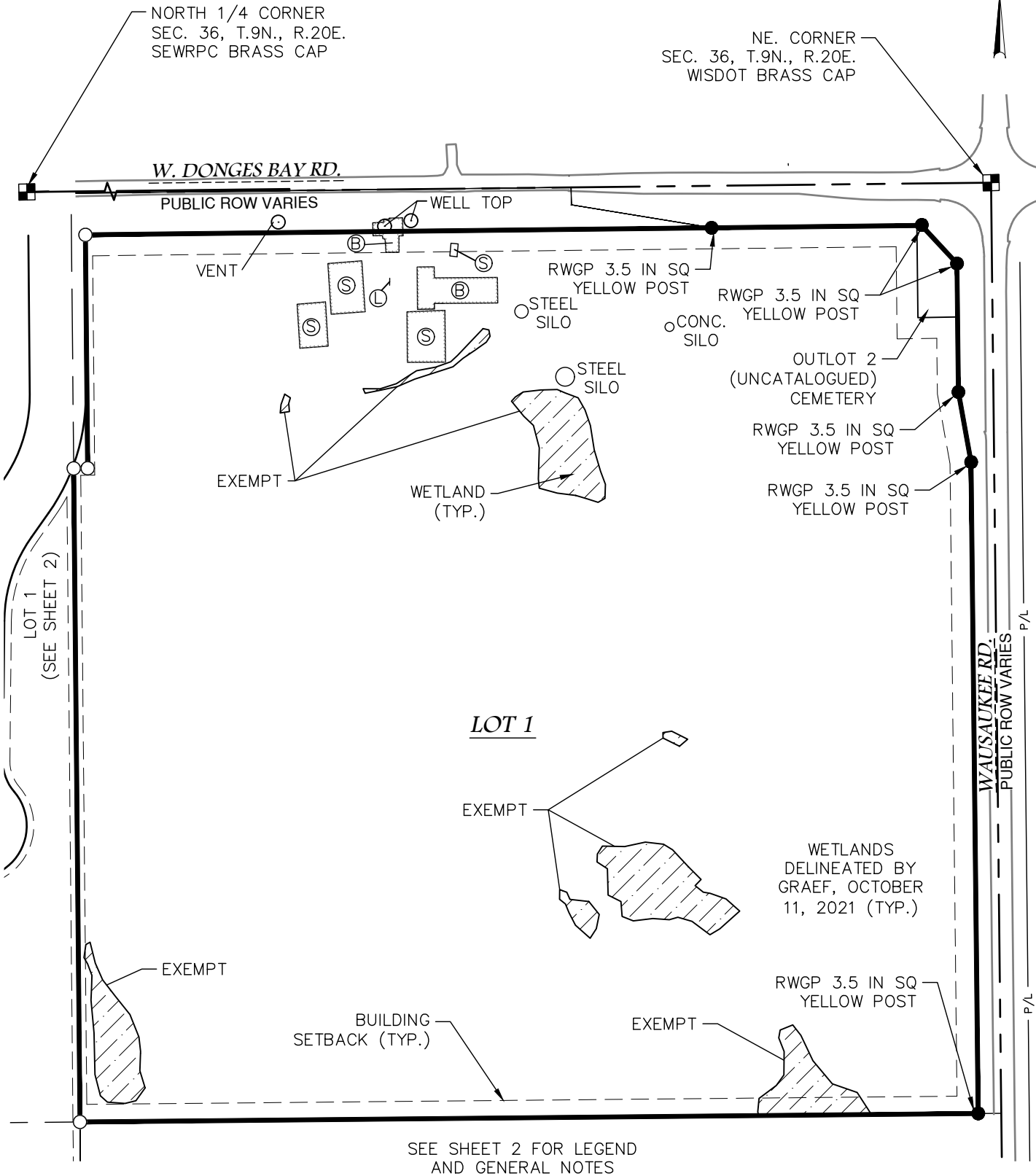
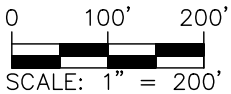


GENERAL NOTES

- 1.) Lot 2 is zoned I: Institutional District. A minimum building setback from the right-of-way of all streets, or highways equal to the average setback on each side of the use parcel or districts. A minimum side yard equal to the side yard of adjacent use parcels or districts. a rear side yard of not less than 25 feet. Front yard = 30 feet, Side yards = 10 feet, Rear yard = 25 feet
- 2.) Lot 1 is zoned M-1: Limited Industrial. Minimum building setbacks are; Front/Street yard = 30 feet, Side yard = 10 feet, Rear yard = 25 feet. Donges Bay Road: Front/Street yard setback = 30 feet, Wausaukee Road: Front/Street yard setback = 30 feet, West Lot line: Rear yard setback = 25 feet, South Lot line: Rear yard setback = 25 feet.
- 3.) These are minimum setbacks with actual setbacks to be determined by the Plan Commission through Site Development & Building Plan approval.
- 4.) Development within the wetland and stream bank setbacks is prohibited unless otherwise allowed pursuant to the provisions of chapter 24 (shoreland-wetland zoning code) in the Germantown municipal code".

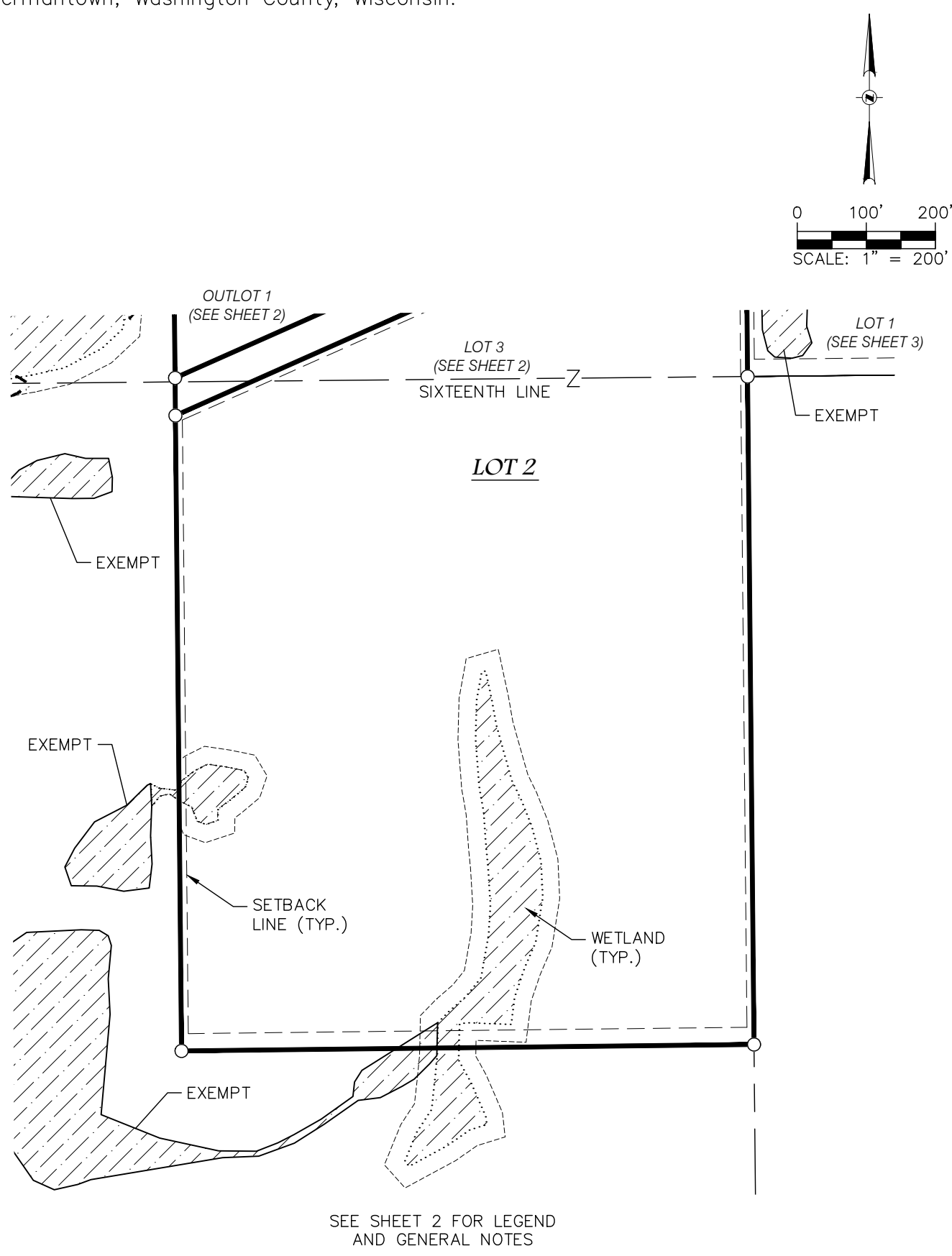
CERTIFIED SURVEY MAP NO. _____

Unplatted Lands Located in Northwest 1/4, the Southwest 1/4, and the Northeast 1/4 of the Northeast 1/4 of Section 36, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.



CERTIFIED SURVEY MAP NO. _____

Unplatted Lands Located in Northwest 1/4, the Southwest 1/4, and the Northeast 1/4 of the Northeast 1/4 of Section 36, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.



CERTIFIED SURVEY MAP NO. _____

Unplatted Lands Located in Northwest 1/4, the Southwest 1/4, and the Northeast 1/4 of the Northeast 1/4 of Section 36, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

OUTLOT 1 TABLES

LINE TABLE		
LINE #	LENGTH	DIRECTION
L22	227.31'	S00°30'31"W
L23	42.27'	S35°17'13"W
L24	200.34'	S00°34'38"W
L25	580.74'	S66°01'55"W

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C20	131.20'	210.00'	35°47'44"	129.07'	S17°23'21"W
C21	175.68'	290.00'	34°42'35"	173.01'	S17°55'56"W
C22	47.52'	66.00'	41°15'21"	46.50'	S21°12'18"W
C23	98.75'	75.00'	75°26'23"	91.77'	S4°06'47"W
C24	73.76'	66.00'	64°01'51"	69.98'	S1°35'29"E
C25	118.70'	191.00'	35°36'28"	116.80'	S48°13'40"W

LOT 2 TABLES

LINE TABLE		
LINE #	LENGTH	DIRECTION
L26	1.61'	S89°24'59"W
L27	333.44'	N00°33'05"W
L28	42.27'	S35°17'13"W
L29	200.34'	S00°34'38"W
L30	602.39'	S66°01'55"W
L31	933.73'	N00°33'05"W
L32	20.00'	N89°26'55"E
L33	227.50'	S00°30'31"E

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C26	78.06'	290.00'	15°25'21"	77.83'	S27°34'32"W
C27	127.22'	210.00'	34°42'35"	125.28'	S17°55'56"W
C28	47.60'	66.00'	41°19'19"	46.57'	S20°05'02"E
C29	137.69'	75.00'	105°11'17"	119.15'	S11°58'26"W
C30	47.52'	66.00'	41°15'23"	46.50'	S43°56'23"W
C31	189.40'	242.22'	44°48'04"	184.61'	S43°34'36"W

CERTIFIED SURVEY MAP NO. _____

Unplatted lands located in the Northwest 1/4, the Southwest 1/4, and the Northeast 1/4 of the Northeast 1/4 of Section 36, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
 : SS
 MILWAUKEE COUNTY)

I, David L. Koslo, a professional land surveyor, do hereby certify: That I have surveyed, divided, and mapped unplatted lands located in the Northwest 1/4, the Southwest 1/4, and the Northeast 1/4 of the Northeast 1/4 of Section 36, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of said Northeast 1/4; Thence South 89°21'14" West along the North line of said Northeast 1/4, 600.00 feet to the point of beginning; Thence South 00°39'02" East along the South right of way line of West Donges Bay Road, 24.80 feet; Thence South 80°39'57" East along said South right of way line, 203.08 feet; Thence North 89°21'14" East along said South right of way line, 300.01 feet; Thence South 42°52'55" East along said South right of way line, 74.30 feet to the West right of way line of Wausaukee Road; Thence South 00°37'42" East along said West right of way line, 183.54 feet; Thence South 10°16'35" East along said West right of way line, 101.43 feet; Thence South 00°37'42" East along said West right of way line parallel to the East line of said Northeast 1/4, 931.00 feet to the South line of the Northeast 1/4 of said Northeast 1/4; Thence South 89°27'42" West along said South line, 1283.34 feet to the West line of the Northeast 1/4 of said Northeast 1/4; Thence South 00°30'05" West along said West line, 967.75 feet to a Northerly line of Lot 2 of Certified Survey Map numbered 4324 as recorded in the office of the Register of Deeds for Washington County; Thence South 89°21'14" West along said Northerly line, 829.28 feet to an Easterly line of said Lot 2; Thence North 00°33'06" West along said Easterly line, 1722.89 feet; Thence North 36°55'56" East along said Easterly line, 158.43 feet to an Easterly line of Certified Survey Map numbered 278 as recorded in the office of the Register of Deeds for Washington County; Thence North 37°18'14" East along said Easterly line, 502.75 feet; Thence North 33°51'14" East along said Easterly line, 60.67 feet to the Northerly line of said Northeast 1/4; Thence North 89°21'14" East along said Northeast line, 1104.64 feet to the point of beginning.

Containing 3,443,342 square feet (79.048 acres), more or less.

That I have made such survey, land division, and map by the direction of the Village of Germantown, owners of said land. That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made. That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing, and mapping the same.

David L. Koslo S-2437
Professional Wisconsin Land Surveyor

Date: _____

CERTIFIED SURVEY MAP NO. _____

Unplatted lands located in the Northwest 1/4, the Southwest 1/4, and the Northeast 1/4 of the Northeast 1/4 of Section 36, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

OWNER'S CERTIFICATE:

The Village of Germantown, a Wisconsin Municipal organization, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, we hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, mapped, and dedicated as represented on this Certified Survey Map. As Owners, we hereby dedicate that part of Donges Bay Road and Town 9 Parkway to the Village of Germantown for public road purposes as represented on sheets 1 and 2 of 7 of this Certified Survey Map. We also certify that this Certified Survey Map is required by s.236.10 or 236.12 to be submitted to the following for approval or objection:
Village of Germantown.

In witness whereof, The Village of Germantown has caused these presents to be signed by Dean Wolter, Village President, and its corporate seal to be hereunto affixed on this _____ day of _____, 2022.

Village of Germantown

By _____
Dean Wolter, Village of Germantown, President

STATE OF WISCONSIN)
 : SS
 MILWAUKEE COUNTY)

Personally came before me this ____ day of _____, 2022, the above named Dean Wolter, Village President, to me known to be the person who executed the foregoing instrument, and to me known to be President of the Village of Germantown, and acknowledged that he executed the foregoing instrument as such President of the Village of Germantown by its authority.

My Commission expire _____

CERTIFIED SURVEY MAP NO. _____

Unplatted lands located in the Northwest 1/4, the Southwest 1/4, and the Northeast 1/4 of the Northeast 1/4 of Section 36, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

VILLAGE OF GERMANTOWN PLANNING COMISSION APPROVAL

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this _____ day of _____, 2022.

Dean Wolter, Chairman

Date

Laura A. Johnson, Secretary

Date

VILLAGE OF GERMNATOWN BOARD APPROVAL

This Certified Survey Map, being a division of the Northwest 1/4, the Southwest 1/4, and the Northeast 1/4 of the Northeast 1/4 of Section 36, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and the dedication of that part of Donges Bay Road and Town 9 Parkway for public road purposes as shown on Sheets 1 and 2 of 7 is hereby accepted by the Village Board of Trustees of the Village of Germantown on this _____ day of _____, 2022.

Dean Wolter, Village President

Date _____

Deanna Braunschweig, Village Clerk

Date

November 3, 2022
W-2282/WR-2121

Josh Lurie, Esq.
F Street Group
1134 N. 9th Street, Suite 200
Milwaukee, WI 53233

**RE: Summary and Results of Archaeological Investigations
Nickel's Church and Cemetery (47WT0313/BWT0169)
Washington County, Wisconsin
SHSW# 22-1555 WT**

Dear Mr. Lurie,

From October 17-21, 2022, Commonwealth Heritage Group, LLC (Commonwealth) conducted archaeological investigations within the mapped boundaries of uncatalogued burial site 47WT0313/BWT0169 (Nickel's Church and Cemetery) for a potential development project in the Village of Germantown, Washington County, Wisconsin (Figure 1). Commonwealth provided archaeological investigations to assess both the National Register of Historic Places (NRHP) eligibility of the site and the potential impacts to burials in accordance with Wisconsin Historic Preservation Statutes §44.40 and §157.70. Wisconsin Statute §44.40 states that archaeological sites and above-ground architectural/historic resources can be protected during state agency activities (grants, funding, permits, ground disturbing projects) if the sites have been recorded with the SHPO and the Office of the State Archaeologist. Under Wisconsin Statute §157.70, all burials on non-federal public and private lands in the state are protected from disturbance.

Authorization to conduct the investigations was granted by the Wisconsin State Historic Preservation Office (SHPO), with the stipulation that all ground disturbing activity be monitored by a "qualified archaeologist", as specified under Wisconsin Statute §157.70 (1) (i) and the Wisconsin Administrative Code §SHS 2.04 (6). Monitoring of ground disturbance was conducted by qualified archaeologists Carrie Christman and Robert Watson. All excavations followed the stipulations agreed upon in the archaeological burial contract between the project developer (F Street Germantown, LLC), Commonwealth, and the Wisconsin SHPO.

47WT0313/BWT0169 (Nickel's Church and Cemetery)

The uncatalogued burial site 47WT0313/BWT0169 (Nickel's Church and Cemetery) consists of the fieldstone foundation of the former Nickel's Church (1851-1874) and an associated cemetery located on top of a hill southwest of the intersection of Wasaukee Road and Donges Bay Road in Section 36, Township 9 North, Range 20 East (Figure 2). The site was first reported in 2004 by Archaeological Consulting and Service (ACS) during a road construction project (Salkin 2004; Wisconsin Historic Preservation Database [WHPD] 2022). According to information obtained by ACS from the Washington County Historical Society, a meeting was held in 1850 and a decision was made to build an Evangelical church associated with the Albright Brethren on Jacob Nickel's property. The church was erected in 1851 and consisted of wood-frame structure. By 1874, the church had been abandoned and it was razed some time later. It appears that the associated cemetery was maintained for a short time after the church

was removed. It was noted that some of the burials had been removed when the church was left unoccupied, but it was unclear how many burials remained. In 1940, the Kohlwey family received permission to remove any markers and cultivate the land. In 2002, ACS mechanically stripped an area south of Donges Bay Road and west of Wasaukee Road. A fieldstone foundation was identified and recorded. Additionally, two possible grave shafts were identified north of the church foundation. Probing of one of the grave locations yielded coffin hardware and wood. No artifacts were recovered from the second grave location. Neither of the grave locations were excavated to investigate whether burials were present, nor was the church foundation formally evaluated for potential National Register of Historic Places (NRHP) eligibility. However, Salkin (2004) noted that the church foundation was likely not a significant resource. The road project was modified to avoid impacts to the foundation and grave locations.

Results of 2022 Investigations

Commonwealth used a backhoe equipped with a smooth bucket to strip approximately 0.21 acres within the mapped area of site 47WT0313/BWT0169 (Nickel's Church and Cemetery) to identify potential grave locations and expose the foundation remnants of the church (Figure 3). The entire hill landform was stripped to subsoil (Figures 4 and 5). Soils generally consisted of a dark brown (10YR 3/3) silty clay loam with 20 percent rock inclusions Ap horizon that extended to approximately 40 centimeters (cm) (16 inches [in]) below surface. The top horizon includes the plow zone and areas that had been backfilled after the 2002 mechanical stripping. The Ap horizon is underlain by a brown (7.5YR 5/3) silty clay subsoil with abundant iron-oxide reductions and 25 percent rock inclusions. Commonwealth identified the church fieldstone foundation and eleven possible burial locations. The grave locations, fieldstone foundation, archaeological test units, mechanical stripping excavation area, and landmarks were mapped with a total station (see Figure 3).

The church fieldstone foundation (Feature 1) measures approximately 12 meters (m) (39 feet [ft]) east-west by 9 m (30 ft) north-south (Figures 6 and 7). The west wall is not intact. The fieldstone foundation walls consist of boulders and rock cobbles laid on top of a fine sand that constitutes a foundation base. The foundation walls measure approximately 1.2 m (3.9 ft) wide and are laid within a 1.5 m (4.9 ft)-wide foundation trench. Commonwealth excavated three 1 × 1 m test units and one 2 × 1 m test unit within the church foundation to evaluate its potential NRHP eligibility.

Test Units 1 and 4 were both located within the interior of the church foundation. Test Unit 1 is a 1 × 1 m excavation unit located inside and along the south side of the fieldstone foundation, approximately 6 m (20 ft) east of the southwest corner. Test Unit 4 is a 1 × 1 m excavation unit located approximately 1.5 m (5 ft) south of the north wall and 3 m (10 ft) east of the west wall. Soils within Test Units 1 and 4 consisted of a dark yellowish brown (10YR 4/4) silty clay loam with 15 percent rock inclusions that extended to approximately 40 cm (16 in) below the stripped surface (Figure 8). Cultural materials recovered from this context were sparse. Artifacts included two machine-cut nails, two pieces of glass, one piece of stoneware, one piece of slag, and a few pieces of unidentified metal. This cultural layer may be within a crawl space underneath the church or be part of an historic plow zone/construction area that was levelled before the construction of the church. It was underlain by a brown (7.5YR 5/3) silty clay subsoil with abundant iron-oxide reductions and 25 percent rock inclusions.

Test Units 2 and 3 were both located along the interior foundation walls to examine foundation construction. Test Unit 2 is a 2 × 1 m excavation unit located inside and along the northwest foundation corner. Excavations revealed a possible builder's trench along the exterior of the foundation trench. The builder's trench consisted of a brown (10YR 4/3) silty clay loam mottled with a light yellowish brown (10YR 6/4) silty clay loam. No artifacts were recovered from the possible builder's trench. Since the

west foundation wall is no longer intact, the foundation trench was excavated within Test Unit 2. The foundation trench base consisted of a pale brown (10YR 6/3) fine sand mixed with a brown (10YR 4/3) silty clay loam. No artifacts were recovered from the foundation trench base. Test Unit 3 is a 1 × 1 m excavation unit located inside and along the east foundation wall. Soils within Test Unit 3 consisted of a dark yellowish brown (10YR 4/4) silty clay loam with 15 percent rock inclusions that extended to approximately 40 cm (16 in) below the stripped surface. The intact foundation wall was visible along the east side of the excavation unit (Figure 9). No cultural materials were recovered from Test Unit 3. Although most of the church foundation is intact, there are very few associated cultural materials.

Eleven potential burial locations were identified during mechanical stripping excavations (Table 1). The potential burials are clustered together on the north side of the church foundation, and all are oriented east-west. There are three north-south rows of grave shafts. The eastern-most row has one potential burial location. The middle row has six grave shafts. The western-most row has four potential burial locations. The four grave shafts in the western-most row are smaller than the other documented grave shafts, which suggest that these may be children. After the eleven potential burial locations were identified, they were mapped with a total station. Each grave shaft was photographed, and their shape was drawn on graph paper. None of the potential burial locations were excavated.

Table 1. Site 47WT0313/BWT0169 Identified Grave Shafts

Burial Number	Location	Dimensions (East-West × North-South)
Burial 1	Eastern Row	225 × 63 cm (89 × 25 in)
Burial 2	Middle Row	237 × 75 cm (93 × 30 in)
Burial 3	Middle Row	240 × 63 cm (94 × 25 in)
Burial 4	Middle Row	190 × 72 cm (75 × 28 in)
Burial 5	Middle Row	231 × 84 cm (91 × 33 in)
Burial 6	Middle Row	220 × 70 cm (87 × 28 in)
Burial 7	Middle Row	202 × 90 cm (80 × 35 in)
Burial 8	Western Row	130 × 56 cm (51 × 22 in)
Burial 9	Western Row	80 × 44 cm (31 × 17 in)
Burial 10	Western Row	128 × 66 cm (50 × 26 in)
Burial 11	Western Row	122 × 50 cm (48 × 20 in)

Summary and Recommendations

In summary, from October 17-21, 2022, Commonwealth conducted archaeological investigations within the mapped boundaries of uncatalogued burial site 47WT0313/BWT0169 (Nickel's Church and Cemetery) for a potential development project in the Village of Germantown, Washington County, Wisconsin. Commonwealth provided archaeological investigations to assess both the NRHP eligibility of the site and the potential impacts to burials in accordance with Wisconsin Historic Preservation Statutes §44.40 and §157.70. Archaeological excavation and monitoring were conducted by a qualified archaeologist as specified by Wisconsin Statute §157.70 (1) (1) and the Wisconsin Administrative Code §HS 2.04 (6) and in accordance with authorization received from the Wisconsin SHPO.

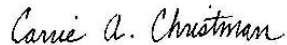
Commonwealth identified the church fieldstone foundation and eleven possible burial locations. Four test units were excavated within the church foundation to evaluate its potential National Register eligibility. The fieldstone foundation is mostly intact, but there are very few associated artifacts. With the lack of cultural materials, the church foundation appears unlikely to be eligible for the NRHP. The

grave locations, fieldstone foundation, archaeological test units, mechanical stripping excavation area, and landmarks were mapped with a total station. The eleven potential burial locations were photographed, their outline shape drawn on graph paper, and mapped with a total station. No potential burial locations were excavated.

Although the church foundation appears not eligible for the NRHP, it should be avoided during construction because of its proximity to the potential grave locations. To avoid additional disturbance to the burial locations and recognizing the sensitive nature of removing human remains, Commonwealth recommends the grave locations and fieldstone foundation be preserved-in-place and avoided during construction activities. A 5-m buffer around the burials and church foundation encompasses approximately 0.13 acres (see Figure 3). Additionally, Commonwealth recommends the burial locations be catalogued by a professional surveyor as specified by Wisconsin Statute §157.70 (1) (1).

If you have any questions or concerns, please feel free to contact me at 414-446-4121 ext. 106 or at cchristman@chg-inc.com.

Sincerely,



Carrie A. Christman, M.A.A
Principal Investigator

cc: Richard Kubicek, Wisconsin Department of Natural Resources
Felipe Avila, State Preservation Office, Wisconsin State Historical Society

References Cited

Salkin, Philip

2004 *A Program of Archaeological Survey and Testing for a Proposed Improvements Corridor for a Portion of Wasaukee Road in Washington, Ozaukee, Waukesha and Milwaukee Counties Wisconsin*. Archaeological Consulting and Service, ROI #1501: Verona, WI.

Wisconsin Historical Society (WHS)

2022 Wisconsin Historic Preservation Database (WHPD), Archaeological Site Inventory. Electronic document, <http://www.wisahrd.org>, accessed October 2022.

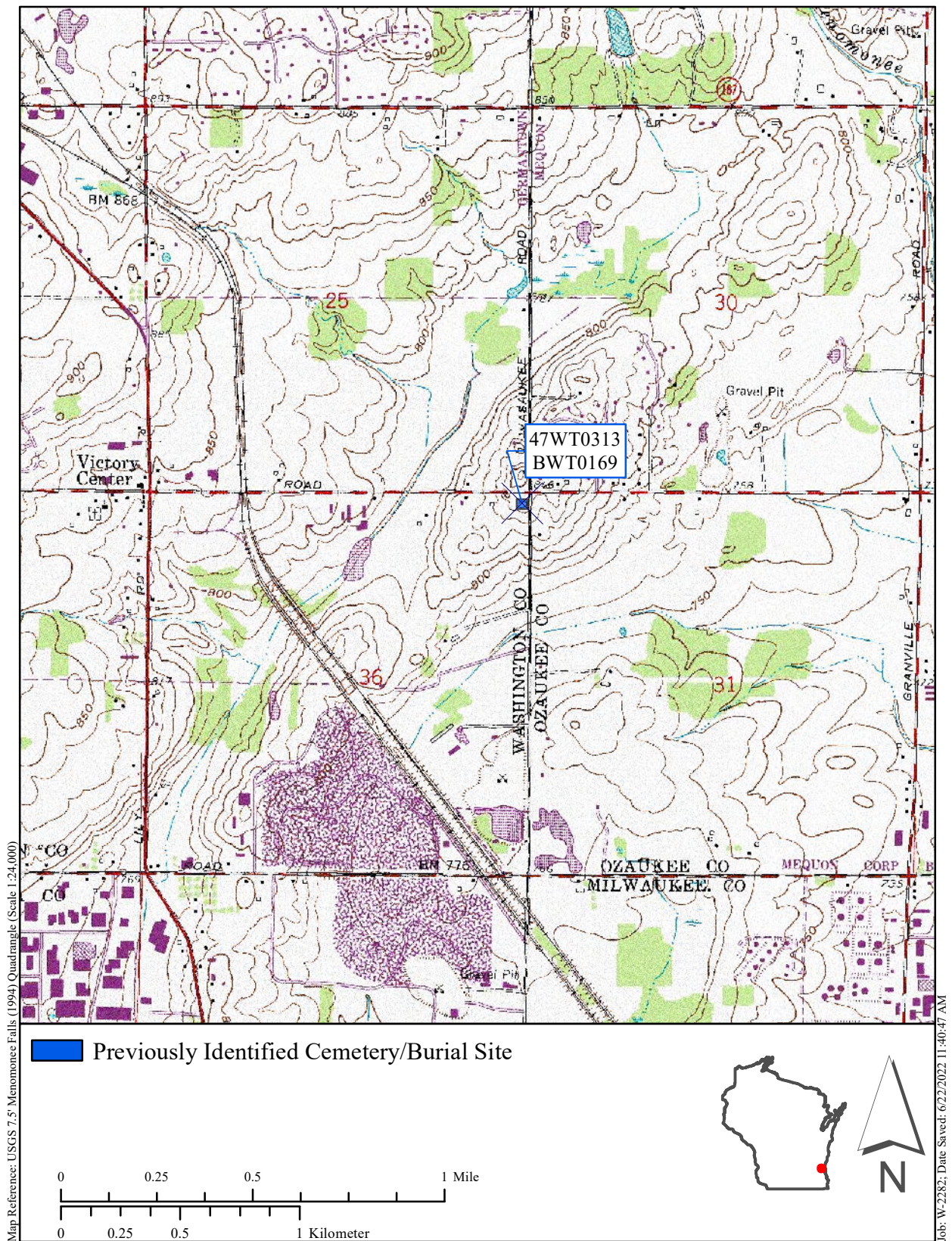


Figure 1. Location of Nickel's Church and Cemetery, Site 47WT0313/BWT0169

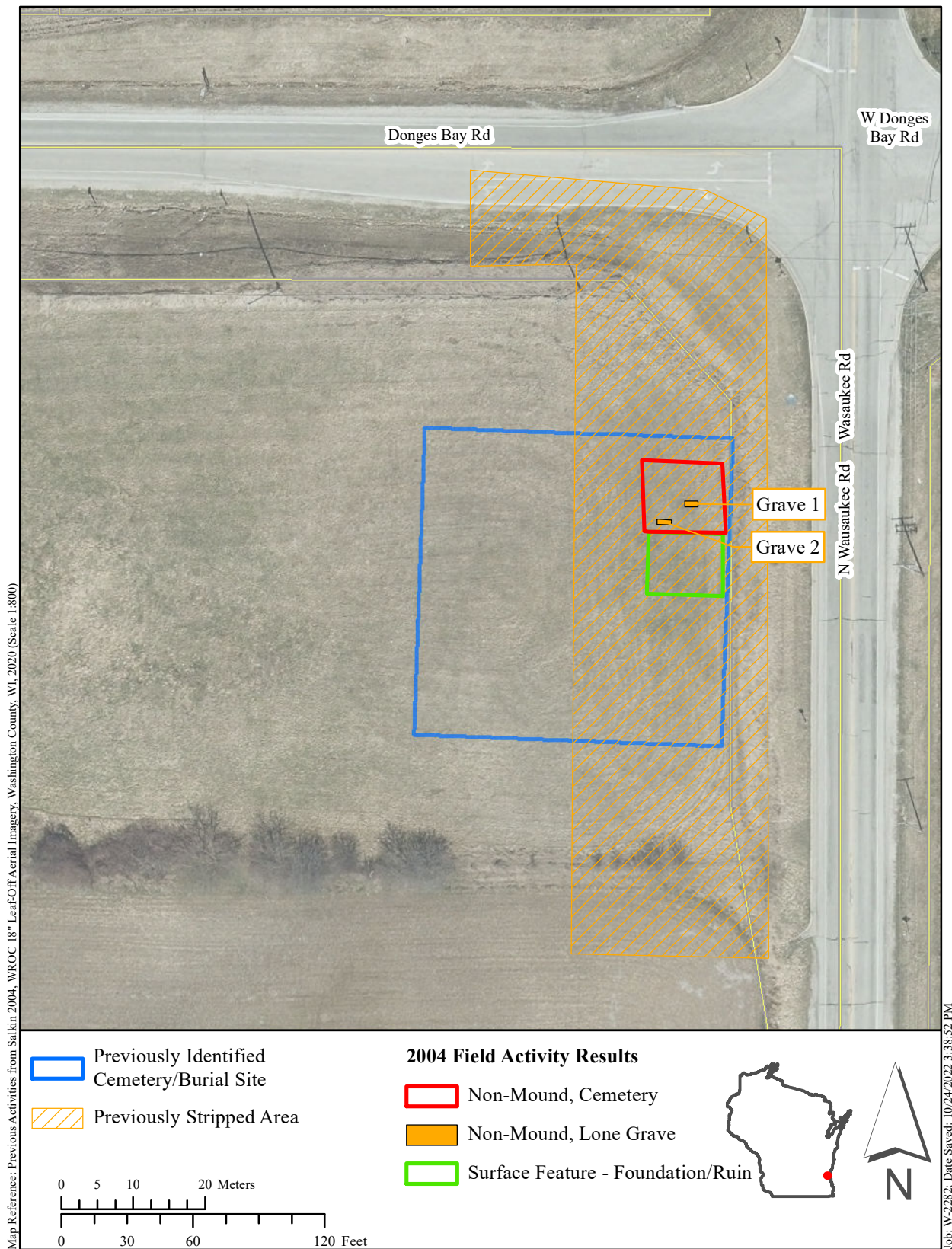


Figure 2. Previous Project Activities Relative to Nickell's Church and Cemetery, Site 47WT0313/BWT0169

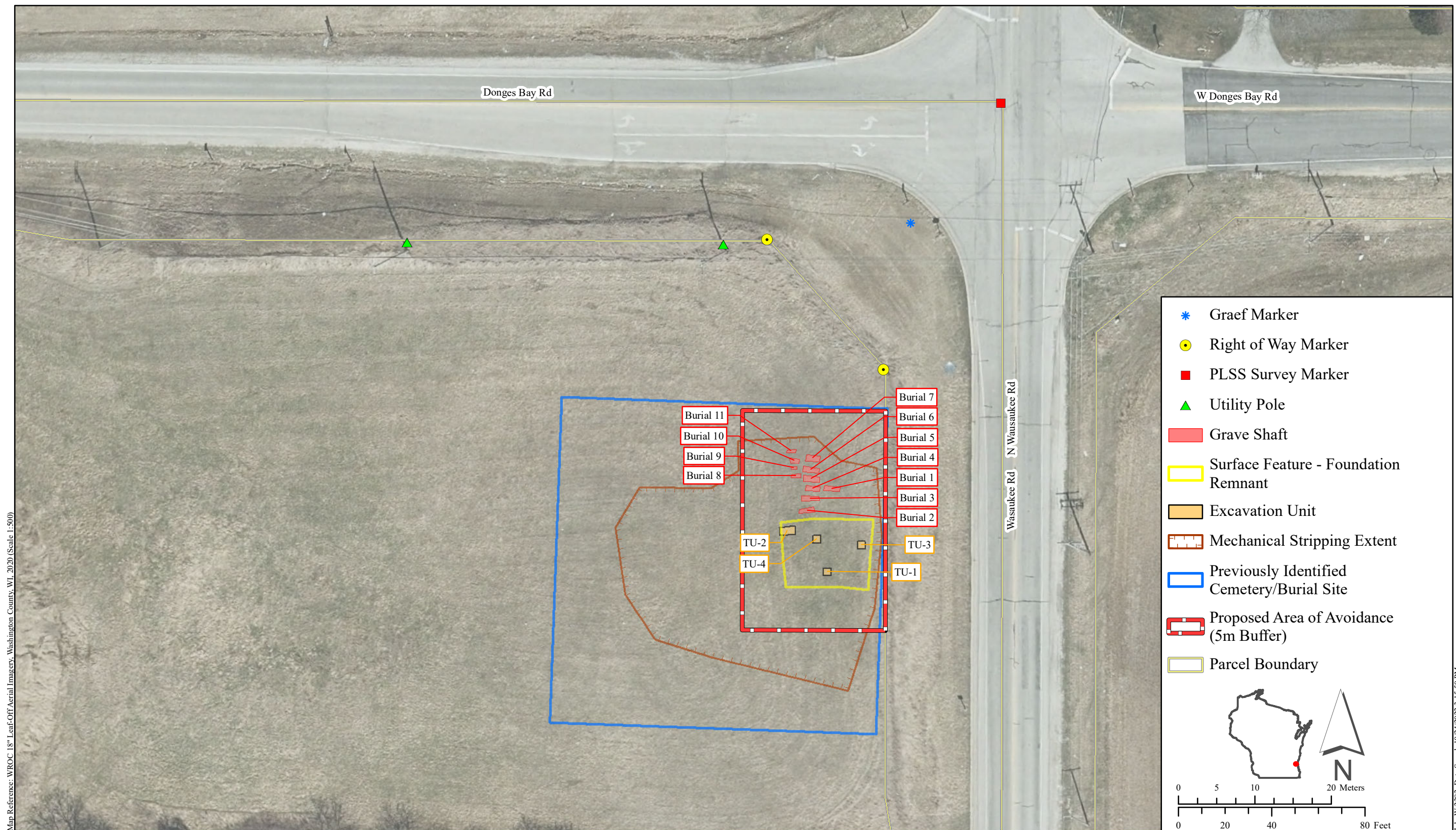


Figure 3. Current Project Activities Relative to Nickel's Church and Cemetery, Site 47WT0313/BWT0169

**Archaeological Investigations at
Nickel's Church and Cemetery (47WT0313/BWT0169)
Washington County, Wisconsin**



Figure 4. Project Area within Site 47WT0313/BWT0169 Stripped to Subsoil, View Northeast



Figure 5. Project Area within Site 47WT0313/BWT0169 Stripped to Subsoil, View West

**Archaeological Investigations at
Nickel's Church and Cemetery (47WT0313/BWT0169)
Washington County, Wisconsin**



Figure 6. Site 47WT0313/BWT0169, Church Fieldstone Foundation, View Southeast



Figure 7. Site 47WT0313/BWT0169, Church Fieldstone Foundation, View Northwest

**Archaeological Investigations at
Nickel's Church and Cemetery (47WT0313/BWT0169)
Washington County, Wisconsin**



Figure 8. Site 47WT0313/BWT0169, Test Unit 4, Base of Excavation



Figure 9. Site 47WT0313/BWT0169, Test Unit 3, Church Foundation, East Wall