

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
January 16, 2023**

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

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

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

Commented on the upcoming Spring Election.

APPOINTMENTS:

A. Utility Advisory Committee.

Steven Wesolowski

Motion (Myers/Baum) to approve the appointment. Motion carried unanimously.

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

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

Steven Wesolowski of Pheasant Run came to the podium. He commented on his recent appointment to the Utility Advisory Committee.

Trustee R. Miller commented the Utility Advisory Committee will meet next week.

Melanie Smythe of Cedar Lane came to the podium. She commented on Organizational Meeting, calendar items, and the length of the agenda.

Scott Hefle of Old Farm Road came to the podium. He commented in support of the library condenser being paid for by the ARPA funds. He spoke in support of the Resolution 02-2023 Resolution for an advisory referendum regarding an agreement with the county to share sales tax revenue.

Mr. and Mrs. Schneider submitted an email that was on the dias for the Village Board Members. The email commented on the internet, cable, the website and newspapers and overall communication. President Wolter read the communication.

Trustee Dennis Myers submitted a letter from a Tom Steinbach of Hilltop Drive about employee turnover and staffing, employee retention, computer failure, and poor audio on the cable. President Wolter read the Communication.

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 Appletonve.
- 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 Crafco Asphalt Rubber Plus and Crafco 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.

Motion (Myers/Hudson) to approve consent agenda items A-P, except C, J, I, and P. Roll Call Vote carried unanimously.

Item C. and Item J. Discussion ensued. Item C. is a water tanker for the Fire Department. Item J. is a truck with a crane for the Water Department. The current water tanker is from 1995.

Motion (Baum/Kaminski) to approve Item C and Item J. Roll Call Vote carried unanimously.

Item I was budgeted in 2021.

Item P this is an open purchase order for work that may occur and includes emergency work. The balance remains in the water utility.

Motion (J. Miller/Baum) to approve items I and P. Roll Call Vote carried unanimously.

UNFINISHED BUSINESS:

A. Library Condenser.

Manager Uselding came to the podium and reported on the item. ARPA funding could use the 200,000 for street trees. Decided not to do the street trees. There is a signed contract.

Motion (Kaminski/R. Miller) to postpone until the first meeting in February. See the status of ARPA funding. Hudson questioned if there is an out clause and time clause on the contract to cancel the contract. Motion carried unanimously.

PUBLIC HEARING:

A. None.

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.

Director Retzlaff came to the podium and presented the item. The site location was presented showing the proposed division of property. This is not consistent with the 2050 plan; however, there is an allowance for undesired uses in special circumstances.

Motion (Baum/Myers) to approve 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. Shawn Beschta came to the podium and answered questions from the Board. Not looking to add buildings. The swale on the southeast side has been passed to the highway department. The utility put in the swale. There is a utility easement. Additional dredging may be needed. Bring back to the Public Works Committee. Motion carried unanimously.

B. Discussion on Police Department – IT Staff Needs.

Chief Snow came to the podium. The item came from Public Safety. He gave background to the Police Department IT needs. The goal was for an IT person for Public Safety, Fire Department and Police Department. Not able to keep up on IT needs. Their needs are beyond capital data. Solution wise will need to look at staff to assist with IT needs. The previous Police Department person retired.

Discussion ensued that the largest projects are in the Police Department and the Pro Phoenix system. In addition, they need someone on site to handle the day-to-day IT items. An administrative staff person would work with capital data. Would still need capital data.

The estimated cost a couple years ago for this type of position would be \$85,000. This is a non-sworn personnel. Discussion ensued of cross training.

Motion (Pieper/R. Miller) to create job posting for the Village, (dedicated Police and Fire). Discussion ensued of the need for IT support. They are in the middle of significant projects, firewall, internet connection. Working with spectrum and ethoplex on the internet connections. Motion (J. Miller/Myers) to create job posting shared police and fire.

Discussion ensued to be Police and Fire and flexing for the Village.

Discussion ensued that the Chiefs, Administrator Kreklow, and Manager Hirn to bring a formal proposal to General Government and Finance Committee. Discussion ensued that the hours would be 20-40 hours per week.

Motion (Baum/Myers) to table to until the Fire Chief, Police Chief, Administrator Kreklow, and Manager Hirn to bring a formal proposal to General Government and Finance Committee. Motion carried. Pieper voted no.

C. Resolution 01-2023, Germantown Municipal Employees Union Local 730 Contract.

Motion (Myers/Baum) to Postpone to General Government and Finance Committee. Motion carried unanimously.

D. Five Year Street Paving Project Plan.

Jacob Sajdak came to the podium and presented the road project plan. Currently the passer average is 5.91. 2023 estimated costs were presented. Future proposed road projects were presented. Information will be presented on the percentage of the roads that are 4 and below.

The 2022 bid out 1.8 Million dollars of work. It was determined that there is \$800,000 in the paving program and with this year's funding will have 1.8 million dollars to use.

Discussion ensued to take the item to committee. The design of Division Road will dramatically effect the price. Need to decide if it is full curb and gutter or urban layout. Discussion ensued to complete the sidewalk or bike trail.

Because of the new subdivisions the division roads need to be improved, width, and pathways and walkways. There are breaks that need to be addressed. There have been requests for culverts. Discussion ensued to make Division road drive-able now. Discussion ensued to break down into one or more years. Look at long term and what the road needs will be and plan accordingly.

- 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.

**Motion (Myers/R. Miller) to approve 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.
Roll Call Vote carried. Baum and Hudson voted no.**

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

Motion (Hudson/J. Miller) to approve Resolution 02-2023, Resolution for an Advisory Referendum Regarding an agreement with Washington County to Share Sales Tax Revenue. Mike Miller of the Mid-Moraine Municipal Association came to the podium and gave history of the item. The amount to share is 20% of the collected dollars. This is an advisory referendum. The split is based on population and equalized value. The apportionment for the Village would be used for Roads. There are seven municipalities that have adopted the resolution. Sheboygan County has something similar. Restricted to roads due to the need in each community. The sales tax is not tracked at the municipal level. Villages / Cities are not allowed to collect our own sales tax. Administrator Kreklow will follow up on additional data. Does not affect levy limits.

Administrator Kreklow commented that this is an advisory referendum to be adopted by the County on a budgetary basis. May not be an on-going source of revenue.

Motion carried. Pieper voted no.

- 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.

Motion (Baum/R. Miller) to approve 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. Motion carried. Hudson Voted no.

- H. Extension of Sewer Service Area to the Northeast Corridor of Richfield.

Pursuant to the terms of the agreement we have started the process to extend to that area. Held meetings with Richfield Staff and consultants. Met with Sewer Pack to discuss the expansion and process. Will be moving forward including a resolution formally requesting the extension. There will be other approvals including MMSD, the DNR, and the Public Service Commission.

- 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.

Attorney Sajdak advised not to go into closed session. The insurance attorney was scheduled to attend the meeting to give an update; however, his schedule did not allow his attendance. Updates have been given to Ms. Rydell. Discussion ensued to communicate with Mr. Rydell. We are waiting on an insurance adjuster.

- 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.

Motion (Pieper/Myers) to convene into closed session at 9:30 p.m. and to include the Village Attorney, Village Administrator, Director Retzlaff, Christian Tschlock of EDWC, and Village Board for item J and item K to include the Village Administrator and the Village Board. Roll Call vote carried unanimously.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 11:10 p.m.

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

Respectfully Submitted,
Deanna Braunschweig