

MEETING:	REGULAR MEETING OF THE VILLAGE BOARD
DATE AND TIME:	Monday, August 21, 2023 7:00 PM
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

MINUTES

- 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.*
President Dean Wolter called the meeting to order at 7:46 p.m.
- II. **ROLL CALL:**
Present: Trustee David Baum, Trustee Terri Kaminski, Trustee Phil Hudson, Trustee Dennis Myers, Trustee Bill Neureuther, Trustee Rick Miller, Trustee Jan Miller, President Dean Wolter, Trustee Jolene Pieper(WebEx)
Absent:
Excused:
- III. **PLEDGE OF ALLEGIANCE:**
- IV. **PRESIDENT'S REPORT:**
The president's report was not presented.
- V. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST**
COMMITTEE AND DEPARTMENT REPORTS:
Trustee Kaminski announced the next Public Works & Highway meeting is on September 6th at 5:30 p.m.
Trustee Rick Miller announced the next General Government and Finance meeting is on September 18th at 5:30 p.m.
Trustee Hudson announced the next Public Safety meeting is on September 6th at 6:30 p.m.
Village Administrator Kreklow announced the next Economic Development Commission meeting is on August 22nd at 5:30 p.m. and a Special Committee meeting on the Village Board Handbook is on August 23rd at 5:00 p.m.
- VI. **CITIZEN INPUT:** *(Please be advised per 19.84(2) that information and comment will be received from the public. It is the policy of this municipality that public input be limited to a three (3) minute period per person with a time extension granted at the discretion of the Chairperson. Be advised that there may be limited discussion of the information received but no action will be taken under public comments.)*
Lynne Bednarz of Pawnee Ct, spoke in regards to the nuisance law and beggars in the Village.

Eric and Ashley Evans(Ranch Rd, Menomonee Falls), Rebecca Rasmussen(Cherry Ln), Janet Radtke(Hazel Hts), Melanie Smythe(Cedar Ln), and Scott Hefle(Old Farm Rd) spoke in support of the subdivision plat amendment for Lot 1 in Harvest Hills Subdivision.

Tom Steinbach of Hilltop Dr, spoke about Das Barrel Room, the Village budget, and speeding on Hilltop Dr.

Jason Gifuere of Appleton Ave, spoke about Das Barrel room and the Village Noise Ordinance.

Melanie Smythe of Cedar Ln, also thanked the Village for introducing/reviewing the budget earlier this year, spoke about the Tracy Cross Housing, the IGA tracking of funds, and the CUP application for Unit 5 on Maple Rd.

Scott Hefle of Old Farm Rd, also spoke regarding the CUP application for Unit 5 on Maple Rd, amending the TIDS, the Tracy Cross Inc contract, and the acquisition of Grosenik Property.

President Wolter read an email comment from The Schneider's of Bayberry Cir, regarding the purchase of parcels and Village employee salaries.

VII. PUBLIC HEARINGS:

- A. Joseph & Suzanne Schuster, Applicants and Property Owners of W156 N10081 Pilgrim Road. Application for Historic Designation. (PUBLIC HEARING & ACTION)

Community Development Director Retzlaff requested approval of the Historic Designation Application for Joseph and Suzanne Schuster's Pilgrim Road property. President Wolter opened the public hearing by reading the public hearing notice at 8:21 p.m.

Resident and neighbor of the property, Nadine Sonnemann(surname Schuster), spoke regarding the preservation of the property.

The public hearing closed at 8:24 p.m.

Motion: Approve as presented

Motioned By: David Baum

Seconded By: Bill Neureuther

Yes: David Baum, Dean Wolter, Terri Kaminski, Jan Miller, Jolene Pieper, Dennis Myers, Bill Neureuther, Rick Miller, Phil Hudson

No: None

Abstain: None

Motion Passed (Yes 9, No 0, Abstained 0)

- B. M. Hensley Foster, Applicant and Property Owner of N144 W14315 Pioneer Road. Application for Historic Designation. (PUBLIC HEARING & ACTION)

Community Development Director Retzlaff requested approval of the Historic Designation Application for M. Hensley Foster's Pioneer Road property.

President Wolter opened the public hearing by reading the public hearing notice at 8:28 p.m.

Tom Steinbach, Hilltop Dr, spoke in support of the designation and had Community Development Director Retzlaff clarify the development implications for those properties

having Historic Designations.
The public hearing closed at 8:32 p.m.

Motion: Approve as presented

Motioned By: David Baum

Seconded By: Jan Miller

Yes: David Baum, Dean Wolter, Terri Kaminski, Jan Miller, Jolene Pieper, Dennis Myers, Bill Neureuther, Rick Miller, Phil Hudson

No: None

Abstain: None

Motion Passed (Yes 9, No 0, Abstained 0)

VIII. CONSENT AGENDA:

A motion was made by Trustee Dennis Myers, seconded by Trustee Phil Hudson, to approve Consent Agenda Items A through C. Trustee Jan Miller requested Consent Agenda Item B to be discussed separately. The motion was amended by Trustee Myers.

Motion: Approve Consent Agenda Items A and C.

Motioned By: Dennis Myers

Seconded By: Phil Hudson

By Roll Call Vote

Yes: David Baum, Dean Wolter, Terri Kaminski, Jan Miller, Jolene Pieper, Dennis Myers, Bill Neureuther, Rick Miller, Phil Hudson

No: None

Abstain: None

Motion Passed (Yes 9, No 0, Abstained 0)

A. 8.7.23 Minutes

B. F-Street Development Agreement

Trustee Jan Miller expressed her concerns regarding executing the F-Street Development Agreement prior to receiving all the financial exhibits. Attorney Sadjak advised the Village Interim Public Works Director and the Developer's Civil Engineers are working to account for all items, stating only sitework is being done at this time.

Motion: Table as presented

Motioned By: Jan Miller

Seconded By: None

Motion Failed for Lack of Second

Motion: Approve as presented

Motioned By: David Baum

Seconded By: Dennis Myers

Yes: David Baum, Dean Wolter, Terri Kaminski, Jolene Pieper, Dennis Myers, Bill Neureuther, Rick Miller

No: Jan Miller, Phil Hudson

Abstain: None

Motion Passed (Yes 7, No 2, Abstained 0)

- C. The following has applied to the Village Board of the Village of Germantown, Washington County, Wisconsin, for an **ORIGINAL** Second Hand Jewelry Dealer License for the period August 8, 2023 (Board Approval Date) until December 31, 2023. Applicant **National Rarities LLC** (Dennis M McCaffrey); 2190 S Mason Rd Suite 209, St Louis MO.

IX. UNFINISHED BUSINESS

- A. Eric and Ashley Evans, W130 N11622 Harvest Ridge, Lot 1 in Harvest Hills Subdivision. Subdivision Plat Amendment to revise the Elm Lane access restriction to allow a driveway on Elm Lane.

Attorney Sadjak advised the Village Board members that the item was brought back as the motion to approve at the June 19, 2023 Village Board Meeting failed due to a tie vote and a motion to reconsider was passed. The outstanding motion to approve is still on the table. Discussion ensued.

Motion: Approve

Motioned By: Dennis Myers

Seconded By: Terri Kaminski

By Roll Call Vote

Yes: Terri Kaminski, Jan Miller, Jolene Pieper, Dennis Myers, Rick Miller, Phil Hudson

No: David Baum, Dean Wolter, Bill Neureuther

Abstain: None

Motion Passed (Yes 6, No 3, Abstained 0)

X. NEW BUSINESS:

- A. Carter Schmitz Training Systems, LLC, Agent for Ozaukee Development Corporation, Property Owner - W188 N11770 Maple Road Unit 5. Conditional Use Permit (CUP) application for an "Indoor Health or Recreation Establishment" pursuant to Section 17.33(3)(h) and Section 17.29(1)(kk) of the Village Zoning Code.

Community Development Director Retzlaff was available for questions regarding the conditional use permit for Carter Schmitz Training Systems LLC.

Motion: Approve as presented

Motioned By: Dennis Myers

Seconded By: Rick Miller

Yes: David Baum, Dean Wolter, Terri Kaminski, Jan Miller, Jolene Pieper, Dennis

Myers, Bill Neureuther, Rick Miller, Phil Hudson

No: None

Abstain: None

Motion Passed (Yes 9, No 0, Abstained 0)

B. Appointment of Donna Cox as Germantown Village Clerk

President Wolter read a memo from Richfield's Village Administrator, Jim Healy, supporting the appointment of Donna Cox as Germantown Village Clerk.

Motion: Approve Donna Cox as Germantown Village Clerk

Motioned By: David Baum

Seconded By: Terri Kaminski

Yes: David Baum, Dean Wolter, Terri Kaminski, Jan Miller, Jolene Pieper, Dennis Myers, Bill Neureuther, Rick Miller, Phil Hudson

No: None

Abstain: None

Motion Passed (Yes 9, No 0, Abstained 0)

C. A Resolution to Declare Official Intent re Bond Reimbursement Under Section 1.150-2 of the Internal Revenue Code

Attorney Sadjak requested approval of the resolution as it is a requirement by the IRS to declare intent for bond reimbursement.

Motion: Approve as presented

Motioned By: Dennis Myers

Seconded By: Rick Miller

Yes: David Baum, Dean Wolter, Terri Kaminski, Jan Miller, Jolene Pieper, Dennis Myers, Bill Neureuther, Rick Miller, Phil Hudson

No: None

Abstain: None

Motion (Yes 9, No 0, Abstained 0)

D. Contract with Tracy Cross, Inc. for a Housing Market Study

Village Administrator Kreklow presented the contract with Tracy Cross Inc for a Housing Market Study and requested approval by the Village Board. Discussion ensued.

Motion: Approve as presented

Motioned By: Dennis Myers

Seconded By: David Baum

Yes: David Baum, Dean Wolter, Terri Kaminski, Jolene Pieper, Dennis Myers, Bill Neureuther, Rick Miller

No: Jan Miller, Phil Hudson

Abstain: None

Motion Passed (Yes 7, No 2, Abstained 0)

E. Cancellation of September 4th Village Board meeting (Labor Day)

Motion: Approve

Motioned By: David Baum

Seconded By: Rick Miller

Yes: David Baum, Dean Wolter, Terri Kaminski, Jan Miller, Jolene Pieper, Dennis Myers, Bill Neureuther, Rick Miller

No: Phil Hudson

Abstain: None

Motion Passed (Yes 8, No 1, Abstained 0)

XI.

CLOSED SESSION:

Motion: Adjourn into Closed Session for Items B, C and D.

Motioned By: Dennis Myers

Seconded By: David Baum

Roll Call Vote

Yes: David Baum, Dean Wolter, Terri Kaminski, Jan Miller, Jolene Pieper, Dennis Myers, Bill Neureuther, Rick Miller, Phil Hudson

No: None

Abstain: None

Motion Passed (Yes 9, No 0, Abstained 0)

A. Agreement with Greystone Partners Inc. for Redevelopment and Property Acquisition Services. The Village Board may go into closed session as per Wis. Stat. 19.85(1)(e) for the purpose of deliberating or negotiating, when competitive or bargaining reasons require a closed session and then re-enter open session to take such action as it deems appropriate.

Attorney Sajdak requested the Village Board take no action on this Closed Session Item due to a typo (Greywolf Partners instead of Greystone Partners).

Motion: Cancel Closed Session Item A

Motioned By: David Baum

Seconded By: Dennis Myers

Yes: David Baum, Dean Wolter, Terri Kaminski, Jan Miller, Jolene Pieper, Dennis Myers, Bill Neureuther, Rick Miller, Phil Hudson

No: None

Abstain: None

Motion Passed (Yes 9, No 0, Abstained 0)

B. Acquisition of Grosenik Property - N116 W15843 Main Street and W157 N11593 Fon du Lac Avenue. The Village Board May Enter into Closed Session per Wis Statute 19.85(1)(e) The Village Board may go into closed session for the purpose of deliberating or negotiating when competitive or bargaining

reasons require a closed session, and then may reconvene into open session to take such action as it deems appropriate.

President Wolter read Closed Session Items B. Closed Session Item B will be attended by Village Board Members, Community Development Director Retzlaff, Village Attorney Sadjak, and Village Administrator Kreklow.

- C. Project Guardian Proposal. The Village Board may enter into Closed Session per Wis Stat. 19.85(1)(e) for the purpose of deliberating or negotiating when competitive or bargaining reasons require a closed session and then may reconvene into open session to take such action as it deems appropriate.

President Wolter read Closed Session Items C. Closed Session Item C will be attended by Village Board Members, Community Development Director Retzlaff, Village Attorney Sadjak, and Village Administrator Kreklow.

- D. Administrator 2023 Performance Goals Update. The Village Board May Enter into Closed Session per Wis Statute 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.

President Wolter read Closed Session Item D. Closed Session Item D will be attended by Village Board Members and Village Administrator Kreklow.

XII. ADJOURNMENT:

President Wolter adjourned the meeting into Closed Session at 9:19 p.m.