

MEETING:	REGULAR MEETING OF THE VILLAGE BOARD
DATE AND TIME:	Monday, November 20, 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.*

The Village Board Meeting was called to order at 7:00 PM by President Dean Wolter.

II. **ROLL CALL:**

Present: Trustee David Baum, Trustee Terri Kaminski, Trustee Phil Hudson, Trustee Bill Neureuther, Trustee Rick Miller, Trustee Jan Miller, Trustee Jolene Pieper, and President Dean Wolter

Also Present: Village Attorney Sadjak, Administrator Kreklow, Clerk Donna Cox, Fire Chief Delain, Water Superintendent Haugen, Community Development Director Retzlaff, Finance Director Uselding, Library Director Smith, and Highways Superintendent Anderson.

Absent:

Excused:

III. **PLEDGE OF ALLEGIANCE:**

IV. **PRESIDENT'S REPORT:**

No report was presented.

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

Village Trustees provided dates of upcoming Village meetings and events.

- 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.)*

The following individuals spoke during Citizen Input:

Lynne Schauer Bednarz (Pawnee Ct) spoke about the Budget.

Joletta Kerpan (Germantown Chamber of Commerce) spoke about the upcoming Christmas Festival.

Melanie Smythe(Cedar Ln) spoke about the Budget and Referendum.

President Wolter read an email comment from Millard Montgomery Jr (Revere Ln) regarding New Business Item B.

VII. CONSENT AGENDA:

A. Minutes: October 16, 2023

Motion: Approve the October 16, 2023 Village Board Minutes as presented

Motioned By: David Baum

Seconded By: Jolene Pieper

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

No: None

Abstain: None

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

VIII. UNFINISHED BUSINESS

A. Public Safety Staffing Referendum Question

Village Administrator Kreklow recommended tabling Unfinished Item A to another Village Board Meeting and until a Communications Consultant is approved and can provide feedback and recommendations to the Board regarding the Referendum Question.

Motion: Table Public Safety Staffing Referendum Question until the second meeting in December, 2023.

Motioned By: David Baum

Seconded By: Jan Miller

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

No: None

Abstain: None

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

IX. PUBLIC HEARINGS:

A. 2024 Village of Germantown Budget and 2023 Tax Levy

Finance Director Uselding presented the 2024 Village of Germantown Budget and 2023 Tax Levy.

The Village President read aloud the Public Hearing Notice and opened the Public Hearing.

The following individuals spoke during the Public Hearing:

Melanie Smythe(Cedar Ln)

Jeff Johnson (Fieldstone Pass)

Richard Cook (Crown Ct E)

Lynne Schauer Bednarz (Pawnee Ct)

President Wolter read email comments from Katie Weiss(South Manor Ct), and Scott Hefle(Old Farm Rd).

President Wolter closed the Public Hearing as there were no additional comments.

X. NEW BUSINESS:

A. Contract for Communication Services Related to a Public Safety Staffing Referendum

Administrator Kreklow advised several communication firms were contacted requesting proposals and presented proposals from McMahon & Associates and Mueller Communications to the Board for review. Kreklow recommends entering into a contract with either firm, which the Village has worked with in the past. Representatives from both companies were available for questions.

Motion: Approve proposal from Mueller Communications in the amount of \$46,845.25

Motioned By: David Baum

Seconded By: Jolene Pieper

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

No: Jan Miller

Abstain: None

Motion Passed By Roll Call Vote (Yes 7, No 1, Abstained 0)

B. Briohn Building Corporation, Agent for Brian & Kevin Kazmierczak and Mark & Joann Stephan, Property Owners of approximately 52.72 acres, North of Holy Hill Road, East of Hwy. 41, South of Rockfield Road. Applications to Rezone 52.72 acres from the A-1:Agricultural Zoning District to the M-1: Limited Industrial Zoning District and to amend the 2050 Future Land Use Plan.

Community Development Director Retzlaff presented the request to amend the 2050 Future Land Use Plan and rezoning of three parcels for development of a 233,450 sq ft corporate office/light manufacturing facility located on the northeast corner of the Holy Hill Road at I-41 interchange in the Holy Hill Gateway District. Retzlaff advised Plan Commission recommended approval of the proposed 2050 Land Use Plan amendment to change the future land use plan “vision” for this area from “Mixed-use Commercial & High Density Residential” (RED on Figure 6.6) to “Light Industrial/Warehouse” (BROWN on Figure 6.6). Further, he recommends approval of rezoning the three parcels that comprise the 52.72 acre area from A-1: Agricultural to M-1: Limited Industrial as presented.

A representative from Briohn Building Corporation presented additional materials and was available for questions.

Motion: Table to the Next Village Board Meeting, December 4, 2023

Motioned By: Jan Miller

Seconded By: None

Motion Failed Due To Lack Of A Second

Motion: Approve the Rezoning and Land Use Plan Amendment as presented.

Motioned By: David Baum

Seconded By: Jolene Pieper

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

No: Jan Miller

Abstain: None

Motion Passed By Roll Call Vote (Yes 7, No 1, Abstained 0)

- C. Virtus Development LLC, Agent for District One LLC, Property Owner of W140 N10363 Fond du Lac Avenue and the Robert & Mary Elizabeth Hacker Trust, Property Owners of a .66-Acre Lot on Fond du Lac Avenue, Tax Key GTNV 351-984 - Certified Survey Map (CSM) application to combine parcels.

Community Development Director Retzlaff presented the Certified Survey Map application by Virtus Development LLC. Retzlaff advised the Plan Commission approved the CSM subject to two conditions.

Motion: Approve the CSM as presented.

Motioned By: Rick Miller

Seconded By: Phil Hudson

Yes: Terri Kaminski, Phil Hudson, Bill Neureuther, Rick Miller, Jan Miller, Jolene Pieper, and Dean Wolter

No: None

Recused: David Baum

Motion Passed (Yes 7, No 0, Recused 1)

- D. The Architects Partnership (TAP), Agent for County Line LLC, Property Owner of the Fleet Farm property at N96 W18200 County Line Road. 2-lot Certified Survey Map (CSM) application.

Community Development Director Retzlaff presented the Certified Survey Map application by The Architects Partnership. Retzlaff advised the Plan Commission approved the CSM subject to two conditions.

Motion: Approve the CSM as presented.

Motioned By: Jolene Pieper

Seconded By: Phil Hudson

Yes: Terri Kaminski, Phil Hudson, Rick Miller, Jan Miller, Jolene Pieper, and Dean Wolter

No: David Baum and Bill Neureuther

Abstain: None

Motion Passed (Yes 6, No 2, Abstained 0)

- E. Appointment of Matthew Mortwedt to the position of Director of Public Works

Village Administrator Kreklow requested approval of the appointment of Matthew Mortwedt for the position of Director of Public Works.

Motion: Approve the appointment of Matthew Mortwedt to the position of Director of Public Works

Motioned By: David Baum

Seconded By: Rick Miller

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

No: None

Abstain: None

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

- F. Kinderberg Park Playground Equipment

No Action Taken - Item no longer available at the time of the meeting.

- G. Resolution Approving the 2024 Village Budget

Motion: Approve the Resolution approving the 2024 Village Budget

Motioned By: Terri Kaminski

Seconded By: Rick Miller

The Trustees discussed the 2024 Village Budget.

Motion to Call the Question was made by Trustee Baum, seconded by Trustee Kaminski.

Yes: David Baum, Terri Kaminski, Rick Miller, Phil Hudson, and Dean Wolter

No: Bill Neureuther, Jolene Pieper, and Jan Miller

Abstain: None

Motion Passed By Roll Call Vote (Yes 5, No 3, Abstained 0)

H. Resolution Approving the Levying of Property Taxes for Village Purposes

Trustee Pieper stepped out of the meeting.

Motion: Approve the Resolution levying property taxes for Village purposes, as presented.

Motioned By: Rick Miller

Seconded By: Phil Hudson

Yes: David Baum, Terri Kaminski, Bill Neureuther, Rick Miller, Jan Miller, Phil Hudson, and Dean Wolter

No: None

Absent: Jolene Pieper

Motion Passed By Roll Call Vote (Yes 7, No 0, Absent 1)

I. Resolution Authorizing the Placement of Special Charges on the 2023 Tax Roll Against Certain Properties

Motion: Approve the Resolution as presented

Motioned By: David Baum

Seconded By: Rick Miller

Yes: David Baum, Terri Kaminski, Bill Neureuther, Rick Miller, Jan Miller, Phil Hudson, and Dean Wolter

No: None

Absent: Jolene Pieper

Motion Passed By Roll Call Vote (Yes 7, No 0, Absent 1)

J. Aqueous Film-Forming Foam Products Liability Litigation, Multi-District Litigation No. 2:18-mn-02873 (3M & Dupont PFAS litigation class action settlement). The Village Board may convene into closed session pursuant to 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 in open session to take such action as it deems necessary.

Trustee Pieper returned to the meeting.

Item J would also be attended by Attorney Sajdak, Water Utility Superintendent Haugen, and Administrator Kreklow.

Item K would also be attended by Administrator Kreklow.

Motion: Enter into Closed Session with the mentioned members present

Motioned By: Jolene Pieper

Seconded By: David Baum

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

No: None

Abstain: None

Motion Passed By Roll Call Vote (Yes 8, No 0, Abstained 0)

Regarding Item J: The Board Members discussed the pending litigation and to proceed as directed by Attorney Sajdak.

Regarding Item K: The Board Members discussed Administrator Kreklow's review. No Action to be taken in Open Session.

Motion: Reconvene into Open Session at 10:07 PM

Motioned By: Jolene Pieper

Seconded By: Jan Miller

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

No: None

Abstain: None

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

Motion: To direct staff to proceed as directed in Closed Session on the Aqueous Film-Forming Foam Products Liability Litigation.

Motioned By: Jolene Pieper

Seconded By: David Baum

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

No: None

Abstain: None

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

- K. 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.

No action was taken in Open Session on this item.

XI. ADJOURNMENT:

The meeting was adjourned at 10:10 PM.