

MEETING:	REGULAR MEETING OF THE VILLAGE BOARD
DATE AND TIME:	Monday, November 6, 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 by Attorney Sajdak at 7:00 PM.

Motion: Appoint Trustee Baum as Chairperson for the November 6, 2023 Village Board Meeting

Motioned By: Terri Kaminski

Seconded By: Phil Hudson

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

No: None

Abstain: None

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

- 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(via WebEx)

Also Present: Village Attorney Brian Sajdak, Village Clerk Donna Cox, Public Works Superintendent Scott Anderson, Community Development Director Jeff Retzlaff, and Village Engineer Kevin Driscoll.

Absent:

Excused: President Dean Wolter

- III. **PLEDGE OF ALLEGIANCE:**

- IV. **PRESIDENT'S REPORT:**

No report.

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:

Christine H, N102W16886 Bittersweet Trl, regarding the 2024 Budget.

John Krause, N115W16549 Abbey Court, regarding an invitation to Germantown Kiwanis Club on November 15, 2023 at 5:30 PM.

Norine Janzen, N101W17383 Tanglewood Dr, and John Pie, N101W17618 Misty Morning Way, regarding New Business Item D.

Melanie Smythe, N140W17938 Cedar Ln, regarding New Business Items E and G.

VII. CONSENT AGENDA:

Motion: Approve Consent Agenda Items A through E

Motioned By: Terri Kaminski

Seconded By: Rick Miller

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

No: None

Abstain: None

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

A. Approval of Minutes 09/18/2023

B. Resolution Approving the 2024 Germantown Municipal Employees Union Local 730 Contract

C. Stormwater Pond Inspections for MS4 Permit

D. Purchase of Ford Police Interceptor

E. Contract for Axon Body Worn Cameras and Fleet Cameras

VIII. UNFINISHED BUSINESS

There was no Unfinished Business to discuss or take action on.

IX. PUBLIC HEARINGS:

There were no Public Hearings for tonight's meeting.

X. NEW BUSINESS:

- A. John & Amanda Thompson, Property Owners of W172 N10981 Division Road. Conditional Use Permit application to allow "raising chickens for family consumption" on the property pursuant to Sections 9.11 and 17.15(2)(b) of the Village Zoning Code.

Community Development Director Retzlaff presented the Conditional Use Permit details and advised the Plan Commission recommended approval subject to (3) conditions reflected within the draft CUP ordinance.

Motion: Approve the Conditional Use Permit as presented

Motioned By: Terri Kaminski

Seconded By: Rick Miller

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

No: None

Abstain: None

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

- B. James Weber, Agent for The Elite Soccer Academy LLC and Techplex LLC, Property Owner of N115 W19150 Edison Drive. Conditional Use Permit 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 presented the Conditional Use Permit details and advised the Plan Commission recommended approval subject to (6) conditions reflected within the draft CUP ordinance.

Motion: Approve the Conditional Use Permit as presented

Motioned By: Terri Kaminski

Seconded By: Jan Miller

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

No: None

Abstain: None

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

- C. Hans Dawson, Agent for Moraine Development LLC, Property Owner - W218 N11546 Appleton Avenue. "Moraine Residential Conservancy District" Planned Development District (PDD) Conditions & Restrictions Resolution.

Community Development Director Retzlaff highlighted the PDD Resolution. It was mentioned previously that the developer, Hans Dawson, has offered an \$80,470 payment in lieu of constructing a trail/sidewalk along Appleton Avenue for use by the Village for future Park facilities. Retzlaff further advised the Plan Commission recommended approval of the creation of an Rs-2/PDD for the 126-acre Moraine Development LLC property and rezoning the six parcels into the newly created Rs-2/PDD as proposed subject to a series of recommended conditions and restrictions to be adopted by Resolution that are reflected within the draft PDD Resolution.

Motion: Approve Moraine Residential Conservancy District PDD Resolution as presented

Motioned By: Jolene Pieper

Seconded By: Phil Hudson

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

No: None

Abstain: None

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

- D. Street Tree Trimming Project

Public Works Superintendent Scott Anderson noted three locations in need of tree trimming and their focus on accomplishing roadway clearance and maintaining the overall health and structure of Village trees.

Motion: Approve Staff Recommendation of contracting with Crawford Tree & Landscape Services to trim all street trees as outlined in the bid documents for an amount not to exceed \$33,314.65.

Motioned By: Rick Miller

Seconded By: Terri Kaminski

Yes: Trustees David Baum, Terri Kaminski, Rick Miller, Phil Hudson

No: Trustees Bill Neureuther, Jolene Pieper, Jan Miller

Abstain: None

Motion Passed By Roll Call Vote (Yes 4, No 3, Abstained 0)

- E. Public Safety Staffing Referendum Question

Village Administrator Kreklow presented a draft of the Public Safety Referendum Question that was discussed at the Committee of the Whole Meeting.

Motion: Table New Business Item E until the November 20, 2023 Village Board Meeting

Motioned By: Terri Kaminski

Seconded By: Rick Miller

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

No: None

Abstain: None

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

F. Vacancy in Office of District 3 Trustee

Village Attorney Brian Sajdak presented the options to the Board as to how to proceed with the vacancy.

Motion: To proceed with the appointment process per guidance by the Village Attorney

Motioned By: Terri Kaminski

Seconded By: Jolene Pieper

Yes: David Baum, Terri Kaminski, Phil Hudson, Bill Neureuther, Rick Miller

No: Jan Miller, Jolene Pieper

Abstain: None

Motion Passed (Yes 5, No 2, Abstained 0)

G. 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) 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.

Motion: To Enter into Closed Session at 8:55 PM

Motioned By: Jolene Pieper

Seconded By: Rick Miller

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

No: None

Abstain: None

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

The Board Members discussed the acquisition of Grosenik Property, and a Phase II Environmental Study.

Motion: Reconvene into Open Session at 9:22 PM

Motioned By: Terri Kaminski

Seconded By: Rick Miller

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

No: None

Abstain: None

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

Motion: To proceed as directed in Closed Session and to authorize up to \$12,900 for a Phase II Environmental Study.

Motioned By: Jolene Pieper

Seconded By: Rick Miller

Yes: David Baum, Terri Kaminski, Bill Neureuther, Rick Miller, Jolene Pieper

No: Jan Miller, Phil Hudson

Abstain: None

Motion Passed (Yes 5, No 2, Abstained 0)

- H. 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.

Motion: Table Item H until November 20, 2023 Village Board Meeting

Motioned By: Jolene Pieper

Seconded By: Rick Miller

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

No: None

Abstain: None

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

XI. ADJOURNMENT:

The meeting was adjourned at 9:23 PM.