

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING
MINUTES
OCTOBER 21, 2013**

CALL TO ORDER: The meeting was called to order at 7:03 p.m. by President Wolter.

ROLL CALL: President Wolter, Trustees Baum, Daniels, Ewert, Hughes, Kaminski, Vanderheiden, Werderman (arrived at 7:08 p.m.) and Zabel. Also present: Administrator Schornack, Attorney Sajdak, Finance Director Rath, and Clerk Goeckner.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT: Reaffirmation of the FEMA Maps. There are samples on the table in the back of the room of the new floodplain maps. Anyone who has been near a floodplain previously should check to be sure your home has not been placed in a floodplain. Property owners would encounter this if you put your home up for sale or refinance. Review of the maps can be done at Village Hall from 8:00 a.m. to 4:30 p.m.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS: Members announced upcoming meetings.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing: None.

CONSENT AGENDA:

A. ~~MINUTES – October 7, 2013~~

B. ACCOUNTS PAYABLE/PAYROLL

1.	September, 2013	Accounts Payable	\$ 26,261.90
2.	October 8, 2013	Payroll (hourly)	\$216,566.98
3.	October 10, 2013	Accounts Payable	\$969,744.95
4.	October 15, 2013	Payroll (salary)	\$ 77,234.71

C. **OPERATOR LICENSES: OCTOBER 22, 2013 – JUNE 30, 2014**

Courtney J. Ahlgren, Carla S. Klinger, and Emily A. Tarlo.

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

D. **APPROVE PURCHASE OF TWO NEW TASER UNITS FROM TASER INTERNATIONAL AT A COST OF \$2,464.73**

E. **AN ORDINANCE AMENDING § 12.10 OF THE MUNICIPAL CODE OF GERMANTOWN RELATING TO THE PERMITTING OF PARADES WITHIN THE VILLAGE**

Motion Vanderheiden, second Ewert, to approve Consent Agenda Items B-E.

Trustee Zabel requested that Item A be pulled; minutes were not provided to the Board.

Roll Call Vote, all in favor, motion carried unanimously.

PUBLIC HEARINGS – 7:00 P.M. OR LATER –

The purpose of said hearing(s) is to hear any and all parties, their attorneys or agents, for or against the application(s) filed by the petitioner(s).

PUBLIC HEARINGS – continued:

TRAVIS NYHOLM, AGENT FOR ROBERT WEYER, PROPERTY OWNER: CONDITIONAL USE PERMIT APPLICATION FOR THE OPERATION OF A TATTOO & BODY PIERCING ESTABLISHMENT (INK MY BODY TATTOO STUDIO) ON A PORTION OF THE PROPERTY LOCATED AT N136 W21933 BONNIWELL ROAD (PARCEL ID# 072-995) PURSUANT TO SECTION 17.28(3)(t) OF THE VILLAGE ZONING CODE:

Planner Retzlaff presented the application and information related to this request. In March of 2012, a CUP was approved for the same tattoo and body piercing establishment, but for a different applicant. The CUP contained a condition that prohibited the permit from being transferred to another operator, and a new CUP was required to be obtained. Travis Nyholm was a member of the original team but was not listed on the permit itself. This is effectively the same operation: Hours are Tuesday – Sunday from 2:00 p.m. to 10:00 p.m. There are 8 employees (6 part time and 2 full time). He reviewed a graphic showing the parking area. A fence was installed on the east side of the property, and all concerns listed in the permit were addressed since the original permit in 2012. Staff is recommending approval with 8 conditions: #8 was added regarding the use of property for residential purposes, and 2 conditions are no longer necessary that dealt with fencing and lighting. The recommendation is to approve the CUP with the 8 conditions as listed on the permit in the packet.

President Wolter opened the hearing at 7:12 p.m. asking for anyone to come forward to speak for or against the conditional use permit for Ink My Body Tattoo Studio. No one spoke, and the hearing was closed at 7:13 p.m.

VILLAGE OF GERMANTOWN, PROPERTY OWNER: (1) CONDITIONAL USE PERMIT APPLICATION TO ALLOW DEVELOPMENT WITHIN A 25' WETLAND SETBACK ON PORTIONS OF THE PROPERTY LOCATED ON PARCELS GTNV 252-970 (14.89-ACRE PARCEL IN THE SW CORNER OF MEQUON ROAD @ EISENHOWER DRIVE) AND GTNV 252-971 (3.13-ACRE PARCEL IN THE SW CORNER OF MEQUON ROAD @ EISENHOWER DRIVE) PURSUANT TO SECTION 24.04(3) OF THE MUNICIPAL CODE AND (2) A REZONING APPLICATION TO REZONE AND REMOVE 9,825 SQ FT OF THE PROPERTY LOCATED ON PARCELS GTNV 252-970 & 252-971 FROM THE SHORELAND-WETLAND OVERLAY ZONING DISTRICT PURSUANT TO SECTION 24.04(2) OF THE MUNICIPAL CODE:

President Wolter questioned if the hearing should continue or be postponed based on new information that was brought forward. Attorney Sajdak responded to first confirm whether there is anyone here to speak on this matter, and if not adjourn to a future meeting. If someone wishes to speak, will go into details as to why the hearing is being postponed or adjourned. President Wolter asked for anyone wishing to speak at 7:15 p.m. No one present wished to speak, and the hearing was adjourned to a future meeting.

VILLAGE OF GERMANTOWN FLOODPLAIN ZONING ORDINANCE REVISION (SECTION 23 OF THE VILLAGE OF GERMANTOWN MUNICIPAL CODE):

Planner Retzlaff presented information and the proposed ordinance amendment to the floodplain zoning ordinance. An amendment is needed as a result of actions by the DNR and FEMA. The floodplain zoning ordinance satisfies 2 purposes: Purpose #1 – Wis. Stats 87.30 requires Floodplain Zoning be adopted by all villages, cities and counties for flood hazard areas. Purpose #2 – The National Flood Insurance Program, which the Village has been a participating community since 1974.

PUBLIC HEARINGS – continued:

Flood Insurance Study (FIS):

Planner Retzlaff presented maps with the boundaries. He reviewed the amended ordinance, which reflects the DNR Model Ordinance with updates and references to the flood insurance study and rate map. The study was done by FEMA and replaces the original study done in 1981, which re-publishes the original study results. Only 7 of 12 map amendments were approved by FEMA since 1982, and the rest were not in the original scope of work and there is no money available to revise the maps any further. The map itself is actually a series of 12 map panels showing different insurance premium zones. The improvements include an up to date aerial photo base, which makes it easier to reference and locate parcels and buildings. It is shown in a digital format which adds easier accessibility.

When comparing the current view to the new digital view, the newer view helps to pinpoint properties better. Using the old boundaries over the new aerial boundary makes it easier to see, but it hasn't been made to reflect map amendments or new information as some of those boundaries may be misplaced over particular parcels of land. A variety of property owners have come to the village hall who have asked about their property saying it is in a floodplain when other pieces of information available would say otherwise. The old maps showed their property is clearly out of the floodplain, and the new maps show they are in the floodplain. With floodplain maps that are part of our ordinance, the recommendation is to adopt the new study and the new maps because of the need to maintain our ordinance. Planner Retzlaff felt there is no way to address our concerns now or in the long term if not using the floodplain boundaries or using topographical information. He is recommending approval of the amended ordinance, the flood insurance study and the flood insurance maps as presented.

President Wolter opened the hearing at 7:32 p.m.

Rick Brueggemann spoke stating that he inherited a condo from his dad that passed away 3 months ago. Previously it was not included in the floodplain, and now the whole building is in the floodplain. The new FEMA map is coming 6' into one corner and 12' into another corner. It was explained to him that the maps could be 2'-3' off. He is asking if the village is doing anything to get his property out of the floodplain in regard to the inaccuracy of some of the maps. He was told that aerial maps are not as accurate as a surveyor. He is trying to sell the condo, and it will not sell while it is in the floodplain. He stated that it is not currently in a floodplain, but if the maps are honored it will be in a floodplain as of the November date.

President Wolter stated this is the situation that has been seen for certain individuals. With the Village Planner's assistance, it was determined that it is the property owner against FEMA, not the Village against FEMA. The Village has some recommendations as to how others have went about this, some inconsistencies have been noticed, and that we have to accept them with the inconsistencies. This is the position we are placed in, that if we don't approve tonight, no one will have the opportunity to take part in this program and we would be turning our back on them. Each of these inconsistencies will have to be taken on piece by piece. President Wolter told Mr. Brueggemann that if FEMA is not going to listen to the Village, they are not going to listen to an individual.

Mr. Brueggemann stated that 2 or 3 in this complex have tried to sell and have found this issue. President Wolter stated that this is why he announced at the last 3 meetings that property owners should be trying to verify this information. It becomes the owners statement to FEMA, it is a process that takes time, and he feels sorry for all those that

PUBLIC HEARINGS – continued:

end up in the floodplain. The Village can only protect those that will have damage from a 100 year event and try to help that individual homeowner that finds they are now in it.

Planner Retzlaff stated that the village received copies of map amendments that have been approved by FEMA for a couple of property owners along Pilgrim Road who did the on-line process. He noted that there are different ways that FEMA directs you to get through their process that must be followed. If the maps are not adopted, your community is no longer eligible for the flood insurance. We will make site plans available for copying and provide whatever information the homeowners need in order to prove to FEMA their case. President Wolter stated that whatever the village can provide we are more than willing to do, but we cannot take on that battle. Mr. Brueggemann asked if taxes be affected if it is now in the floodplain? President Wolter stated that would be a question for the assessor.

No-one else wished to speak and the hearing was closed at 7:45 p.m.

UNFINISHED BUSINESS: None

NEW BUSINESS:

REPAIR OF FIRE DEPARTMENT TENDER 1791:

President Wolter stated that Deputy Fire Chief Mike Maury was present for discussion. Trustee Werderman was not in attendance at the last committee meeting, so Deputy Chief Maury will answer questions. This vehicle is a tanker, a Freightliner F7, and the body portion was constructed by Monroe Truck Equipment Co. in Monroe Wisconsin. The Fire Department received it in 1989, which makes it 24 years old. The vehicle is currently assigned to Fire station #1 on Park Avenue and is in need of repair. To get a full scope of needs will require that Monroe Truck do a full inspection and supply a quote for the cost to repair. There are two dump valves on each side of the apparatus that are currently leaking, the tank filler on top is rusted and it appears some of the welds are actually separated. The sidewalls which store the holding tank are rusted and separated and the weld is broke on both. In November of 2007, the cost for repairs was \$5,906. It was originally discussed as possibly being a \$7,000 repair, but as he looked it over he feels it will be closer to \$10,000 based on the wear and tear that is visible without any internal inspection. Previous discussion about the \$7,000, which is part of the budget for 2014, was to use any money left from 2013. It was noted from the last Public Safety meeting, Chief Pollpeter wanted to send the truck in December to start repairs, and be invoiced in January. The fund carry over that was discussed at the last Committee of the Whole meeting will not work as the Finance Director had stated. It was questioned if there is enough funds to cover the repairs? Deputy Chief Maury stated that the budget line item is calling for \$25,000, which in the past has been for the general repairs. This repair is over and above the \$25,000. It was noted that there might be an estimated \$5,500 left at year end of 2013. Deputy Chief Maury stated that the vehicle would be left overnight so that they could go inside the tank and look at internal lining. It was questioned if the Fire Department was asking for authorization to do that? Deputy Chief Maury stated that they are looking to get authorization for the repairs. Questions were raised: obtain an estimate and bring it back to the board, there is only so much left in this year's budget and only so much assigned, and if the vehicle can be taken in December and billed in January? Clerk Goeckner explained the process of Governmental accounting requirements, which doesn't allow work to be done in one year and paid for from subsequent years budget.

NEW BUSINESS continued:

Discussion followed: noting that if they take the vehicle apart, they would do the work from there. If the work could be deferred until January. The age of the vehicle. This is only the second time for this type of repairs. It was questioned if Monroe is the only place the vehicle can be taken, and the response was they are the ones who built it and it would be preferable to take it back to them. **Motion Kamsinki , second Baum, to postpone the repairs until January, and to carry-over the funds.**

Discussion continued on the condition of the rest of the vehicle, if a value has to be decided, that next year's budget of \$25,000 was based on a list of things and if funds are carried-over something else may be taken out. Confirmation was requested on what that list for the \$25,000 includes and if the amount needs to be increased. Deputy Chief Maury stated that the current pumper and ladder truck are diesels and require quite a bit of maintenance and he has concerns if the \$25,000 is enough. **Roll call vote.**

Attorney Sajdak asked for confirmation that the motion is just the recommendation, and not the carry-over of funds, which was confirmed. **All in favor, motion carried unanimously.**

TRAVIS NYHOLM, AGENT FOR ROBERT WEYER, PROPERTY OWNER: CONDITIONAL USE PERMIT FOR THE OPERATION OF A TATTOO & BODY PIERCING ESTABLISHMENT (INK MY BODY TATTOO STUDIO) ON A PORTION OF THE PROPERTY LOCATED AT N136 W21933 BONNIWELL ROAD (PARCEL ID #072-995) PURSUANT TO SECTION 17.28(3)(t) OF THE VILLAGE ZONING CODE:

Motion Baum, second Daniels to approve the Conditional Use Permit with the Planner's recommendations.

The Board had questions for Planner Retzlaff: Was the condition with adequate lighting in the parking lot satisfied? Planner Retzlaff stated that the condition was satisfied. Question on the parking lot, there have been calls about dirt out on the road after a rain and this is basically a wet gravel parking lot, with the only paved portion close to the building: is an 80% gravel lot found anywhere else in the Village? Planner Retzlaff stated that the last time parking and paving issues were discussed, there was a recommendation not to approve it if the parking lot was paved. The Village Code requires lots to be brought into compliance if there is a new site plan brought forward. This application did not require a site plan, only a use permit for the business. Would this be the same for a project with storm water management that doesn't apply in this case? Planner Retzlaff stated that it would be the same.

Planner Retzlaff stated that with the last CUP approved there was an issue raised by a neighbor that requested an installation of a short section of fence. The applicant did install a short section of fence as requested.

Discussion followed: if a condition could be attached to this permit; the business was there and if this condition is listed anywhere else; if there is a 5 year plan; how many other businesses with a gravel lot; and if there were previous complaints about the other business with garbage in the area. Chief Hoell responded that some calls for service were received which were initiated by the occupants of the business, and no calls were received about the business doing anything wrong. It was questioned if materials were left on the sides of the roads and if it was taken care of. Planner Retzlaff responded that they have provided a trash receptacle on the property, but he did not know to what extent it has been used and what is being done day to day with picking up the trash on the property. When he inspected the property he did not see any trash being blown around, and it wasn't a condition of the permit that they conduct regular trash inspections, but that can be addressed.

NEW BUSINESS continued:

Travis Nyholm spoke stating that they go out every 4-5 days and sweep the road up and down Shadow Lane. Attorney Sajdak asked Planner Retzlaff about the fence that was installed, and if continued maintenance of that fence be done to deal with the issue, and if there is an intent to remove the fence. Planner Retzlaff responded that to his knowledge there is no intent to remove the fence. It was questioned what would happen if weather conditions took the fence down, what could be done? Planner Retzlaff stated the original condition does not say it should be installed and maintained continually, it is implied but another condition would need to be added. Attorney Sajdak was asked to make a recommendation for language to add a condition. Attorney Sajdak responded that condition #9 could be created which would read that the fence that is presently located along the East property line be appropriately maintained. **Motion Zabel, second Vanderheiden, to amend the motion to add condition #9 for continual maintenance of the fence that was installed prior to the Conditional Use Permit. Motion passed, with 2 opposed (Hughes, Wolter). Motion as amended passed, with 2 opposed (Ewert, Werderman).** Mr. Nyholm was informed that the CUP was approved and he could open the business tomorrow.

AMENDMENT TO VILLAGE OF GERMANTOWN FLOODPLAIN ORDINANCE, SECTION 23 OF VILLAGE OF GERMANTOWN MUNICIPAL CODE:

Motion Kaminski, second Baum, to approve the amendment to the Village of Germantown Floodplain Ordinance, Section 23 of the Village of Germantown Municipal Code. It was noted that 5 of 12 maps have not been incorporated, and the question was raised if the village has any recourse or authority, instead of waiting for residents to contact FEMA; the village has accepted these amendments and would like to be sure they have been completed. Planner Retzlaff stated that we can object and then strenuously object but it may not have any bearing on whether or not they do it. All amendments after 1982 adopted by FEMA are effective and valid, they are just not reflected on the new maps. The maps are not revised every time there is a map amendment. When there is an amendment, it goes on a list, and the maps and amendments that effect the area they are in need to be checked. Updating all amendments that have been approved only makes sense, and we will have the new maps the day after approval. FEMA issues master map amendment documents that are placed on the new list, and they are already 'outdated' the day after because they don't reflect what has occurred. He noted that this is a very cumbersome process.

If the maps are approved tonight, they will go to the DNR and FEMA, and once they approve the amendment it would become effective on November 20th. It was questioned if there was any advantage or disadvantage to delay action? Planner Retzlaff responded that the maps would probably become effective regardless, but our eligibility for the insurance program depends on whether we adopt or not. It would make sense to delay, but if we don't adopt in a timely manner we become ineligible as a community to participate in the program. For those that have insurance, their 3 year rates would be valid but they couldn't obtain new insurance. It was questioned if they are giving us time frames and deadlines? Planner Retzlaff responded that we have to send them a copy of our ordinance 3-4 weeks before the date of the maps, and there is some flexibility but then we go into some category where we have to go into extraordinary review to maintain our eligibility.

Mr. Brueggemann stated we did all that filing and sent it in, but they have told us they will do nothing until the maps come out on this day, and they are going to pass them through no matter what and then they will look at our concerns and address them. Planner Retzlaff

NEW BUSINESS continued:

stated there is no advantage to delaying approval. **All in favor, motion carried unanimously.**

ORDINANCE CREATING SECTION 9.02(2)(c) OF THE MUNICIPAL CODE OF GERMANTOWN PROHIBITING THE USE OF RIFLES FOR HUNTING WITHIN THE VILLAGE:

Motion Baum, second Kaminski, to approve Ordinance Creating Section 9.02(2)(c) of the Municipal Code of Germantown Prohibiting the Use of Rifles for Hunting Within the Village. Trustee Vanderheiden discussed his conversations with other communities and their decision on the use of rifles for hunting, with some deciding to allow it and others prohibiting it. The decisions are made depending more on the residential base of the community. Trustee Vanderheiden stated that in Germantown you can have more of a deer drive when hunting deer, with a rifle you can shoot out further, and the DNR did research on this, as did Germantown. He felt that all hunters now are required to go through hunter safety, they have to know what is behind them when firing a weapon, a rifle shell is shot out of a pistol, there is that type of ammunition out on the range, the DNR did their due diligence, and he would consider staying with the DNR regulations.

Thomas Roskopf, W200 N12107 Josephine Drive, spoke to the Board. He is on a conservation congress, this came through committee and the people of the state voted on it and voted for it, there are pistols that have caliber, and rifles are safer than shotguns in a lot of studies. 75% of hunters that use tree stands are already shooting down into the ground, and as soon as CWD went into effect they were allowed to use rifles.

Chief Hoell addressed the Board and gave the background on his recommendation. He stated that he is an avid hunter, uses a rifle, shotgun and pistol, in his position he knows about ballistics. He has been on the SWAT team and is a trained sniper, and this was a very difficult recommendation for him. He believes the people behind the guns kill people, not that guns kill people. There was a study out of Pennsylvania that under certain conditions a slug can be more dangerous than a rifle. Based on statistics and studies, there are certain slugs that can go further than rifles. He is looking at this as a more common sense approach, he drove out north of Freistadt Road, and it is basically flat farm land. When deer are being driven they are moving and most hunters are ethical and they are going to take the safest shot. If he lived on the north end of Freistadt Road, he would be uncomfortable with people he didn't know shooting rifles. He stated that he contacted Mequon and they only allow shotguns, and Menomonee Falls is making the same recommendation that he is making. He is a pro-hunter and feels strongly that people have the right to hunt on their property and enjoy it and given the population, he is uncomfortable with recommending the use of rifles for hunting in the Village.

Trustee Kaminski lives in the north part of Germantown, and has reported to the Police Department gunfire after sunset across the street from her home in the woods. The population has grown, and in order to preserve that right we have to be careful. Shotgun only has worked and gives a feeling of safety, all of her neighbors do hunt, and she wants to be sure she is safe in her backyard.

Trustee Vanderheiden noted that the Board had recently passed that hunters on farmland do not have to come into the Police Department to get a permit, and that the farmer can make that determination. He noted that there are other checks and balances, as far as shooting after dark, you are not allowed to do it, and that not allowing rifles isn't going to make you any more or less protected. He did not feel the use of rimfire is reasonable, and he

NEW BUSINESS continued:

questioned if there are statistics on people who have been injured in the village, and Chief Hoell stated there are none.

Mr. Roskopf stated that rifles have been allowed in Washington County all the time except for during deer hunting if you have your own land.

Discussion followed, noting that there are more deer hunters than coyotes, this only affects hunting areas, and there are certain areas that are closed that allow the Police Department to give permission to hunt when there are instances of crop damage. The Police Chief is responsible for public safety and his opinion is important. The DNR is no longer placing restrictions on rifles in certain areas of the State. Residents will still be able to place restrictions, and there are restricted zones.

Chief Hoell stated that there was a good debate regarding the hunting permits and the 25 Sportsmen Club was involved. It would be hard to recommend rifles, it is a matter of opinion, you are rolling the dice on safety, and he will make a decision based on caution.

President Wolter offered Mr. Roskopf another opportunity to add any points. He stated this has been going on for about 10 years in South Dane County, there have been no reports of any issues in the last 10 years, and it is no more populated there than it is in Germantown. **Roll call vote, all in favor, carried unanimously.**

ERIC SCHMITZ, AGENT FOR JAMES & DIANA PRAHL AND JASON & CHRISTY MADORE, PROPERTY OWNERS; REVIEW AND ACTION ON: (1) A 4-LOT CERTIFIED SURVEY MAP APPLICATION TO DIVIDE A 30.5-ACRE PARCEL LOCATED AT W124 N12525 WASAUKEE ROAD AND REDIVIDE A 5.24-ACRE PARCEL LOCATED AT W124 N12650 LOVERS LANE; (2) A REQUEST TO CONSTRUCT A PRIVATE STREET; AND (3) A REQUEST TO VACATE A 60' ROAD RIGHT-OF-WAY RESERVATION:

Planner Retzlaff gave a brief explanation on this request. A CSM was approved to divide the James Prah property into (3) 10 acre parcels, it included the conversion of a 60' Road Right-of-Way Reservation into a private shared driveway easement, plans have been modified since then and rather than convert they are going to create a 30' strip of land acquired from the Madore parcel to make a slight modification to the CSM for access. On Lots 2 & 3, there is no longer an easement line across that 60' road reservation, and it will need to be vacated by the village at the request of the applicant. **Motion Baum, second Kaminski, to approve all 3 requests.**

Jason Madore, lot owner, asked if on the 30' cul-de-sac that is defined, is there a reason to define that on this CSM? Planner Retzlaff stated that the village land division regulations require a 30' cul-de-sac to accommodate emergency vehicles. It was noted that it could be anywhere along there, it must be installed, not just designated as such, and the approval is with a 30' cul-de-sac as shown.

Mr. Madore was asked if that was a concern to him, and he responded that it was. He was then asked what considerations he wanted made, and he responded that the previous cul-de-sac had a north property line. **Motion Baum, second Zabel, to amend the motion to revise the drawings to allow the cul-de-sac at the north end of that property line.**

Attorney Sajdak stated it is not needed, the companion document of the easement shows that as the location, and if you move it there is a gap in documentation. The easement is not being approved, it gets done internally and if they want to change that they can, but that is the reason it has to stay in that location now. James Prah was asked if he was in agreement with that location. He responded that the reason the cul-de-sac was kept at the lower end is because of the shared easement between the 2 properties and limits the liability of the people. Mr. Madore would prefer it to be further back on that strip of land. The location

NEW BUSINESS continued:

is new per the last CSM. Planner Retzlaff stated that was a requirement for the allowance, that it would be a gravel base and not required to be paved.

Discussion followed, noting that the location of the cul-de-sac is irrelevant to the Board, but is relevant to the applicants. The question was raised if it would be within the easement document which is to be signed by other property owners that will maintain those properties. Planner Retzlaff stated the cul-de-sac and driveway would be located on the property owned by Mr. Prah and does not require sign off by Mr. Madore. The people that maintain it have to reach an agreement, and President Wolter asked Mr. Madore and Mr. Prah if they were confident an agreement could be worked out, and both responded that they were.

Amendment to the motion carried. All in favor except Zabel. Motion Zabel, second Baum, to amend the motion to allow the motion just passed to reflect that the property owners can work out between themselves where the cul-de-sac is located subject to internal staff approval. Amendment to the motion carried. Original motion as amended carried.

POTENTIAL INCENTIVES FOR DEVELOPMENT FOR A PROJECT WITHIN THE GERMANTOWN BUSINESS PARK. THE VILLAGE BOARD MAY ENTER 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 MAY RE-ENTER OPEN SESSION TO TAKE SUCH ACTION AS IT DEEMS APPROPRIATE:

Motion Zabel, second Hughes, to go into closed session at 9:00 p.m. and to include the EDWC. Roll call vote, motion carried unanimously.

POTENTIAL LAND SALE AGREEMENT(S) IN AND RELATED TO THE GERMANTOWN BUSINESS PARK. THE VILLAGE BOARD MAY ENTER 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 MAY RE-ENTER OPEN SESSION TO TAKE SUCH ACTION AS IT DEEMS APPROPRIATE:

Motion Zabel, second Hughes, to go into closed session at 9:02 p.m. Roll call vote, all in favor, carried unanimously.

ADJOURNMENT

Motion Zabel, second Hughes, to adjourn the meeting at 10:40 p.m., carried unanimously.

Barbara K. D. Goeckner, MMC/WCPC
Village Clerk

Minutes prepared by Deputy Clerk Micka.