

**VILLAGE OF GERMANTOWN  
VILLAGE BOARD MEETING MINUTES  
DECEMBER 2, 2013**

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

**ROLL CALL:** President Wolter, Trustees Baum, Daniels, Ewert, Hughes, Kaminski, Vanderheiden, Werderman and Zabel. Also present: Administrator Schornack, Attorney Sajdak, Clerk Goeckner and Finance Director Rath

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.

**PRESIDENT'S REPORT**

Will hold a public input session Wednesday December 11<sup>th</sup> from 6 pm -7:30 pm in regards to Blackstone Creek and offer to purchase property. Welcome all who wish to comment or anyone who has anything to add.

**ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST & COMMITTEE REPORTS:** Upcoming meetings were announced.

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

**CONSENT AGENDA:**

- A. Minutes – September 16, 2013 and November 18, 2013
- B. Accounts payable/payroll
  - 1. November 19, 2013 payroll (hourly) \$ 204,291.05
  - 2. November 25, 2013 accounts payable \$ 651,217.86
  - 3. November 29, 2013 payroll (salary) \$ 76,181.54
- C. Operator Licenses: December 3, 2013 – June 30, 2014  
Linda M. Boldt, April M. Kintopp, Kevin J. Nigh, Karen A. Peters, and Conrad J. Turkowitch

The following items were forwarded from the General Government and Finance committee with a unanimous recommendation:

- D. Approval of Deputy Clerk position description and to fill the full time position of Deputy Clerk in the Clerk's Office as soon as possible
- E. Approval of Ordinance amending Section 2.09 of the Municipal Code of Germantown related to Standing Committees of the Germantown Village Board
- F. Approval of Ordinance Amending Section 12.02(7)(b) relating to Intoxicating Liquor and Fermented Malt Beverage licenses conditions and restrictions
- G. Approval of Amendment to Resolution No. 01-13 expanding the maximum number of meetings allowed for Police and Fire Commission from 12 to 15 for 2013
- H. Settlement Agreement Fund Adjustment – Re-allocate \$5,000 from Water Utility to Judgment and Settlement Account #10-518-530-9150
- I. Approve Water and Wastewater Utility Refund of \$24,279.14 due to commercial customer billing error

**MOTION (Vanderheiden/Baum) to approve Consent Agenda items A-I.** Trustee Zabel requested to pull Item 'E'. President Wolter requested to pull Item 'H'. **Excluding Items**

**CONSENT AGENDA continued:**

**'E' & 'H', carried unanimously.**

Item 'E'. Discussion of Section 2.09 of Municipal Code regarding Standing Committees. Trustee Zabel inquired if 3 were required for a quorum can only 2 members still call a meeting to order? Attorney Sajdak stated the ordinance as presented was what was requested by the Committee, but he has legal concerns. Without a quorum you can't call a meeting to order and would recommend you strike section (f) all together because without a quorum you cannot conduct business. Discussion of chair appointing a member to make a quorum. Amendment as presented requires 3 members of a 4 member committee for a quorum which would require 3 members present to call a meeting to order. Discussion of desire to require more than 2 members to forward decisions to the Village Board. Chairman can temporarily appoint and can be done outside of the meeting. Attorney Sajdak recommends stating the chairman is to notify members of the Committee and the Clerk's office of said appointments prior to the meeting.

**MOTION (Zabel/Kaminski) to amend the ordinance presented and add language to Section (e) the Chair's appointment may take place at any time provided that the other members of the committee and the clerk's office are notified of such appointment and to eliminate Section (f). Amendment carried unanimously. MOTION (Zabel/Baum) to approve with suggested change, carried unanimously.**

Item 'H'. Trustee Zabel recognized claim settlement through GGF process in review of accounts payable. Settlement came under water utility and it was consensus of GGF that the Village agreed to pay the settlement not the water utility. They recommended it come from Judgments and Settlements rather than the water utility. Discussion of the original motion on the settlement. Finance Director Rath explained accounting view by auditors.

**MOTION (Zabel/Baum) to follow the recommendation of the GGF committee and take it out of the General Fund account.** Discussion. President Wolter explained the difference: This was a claim based on a water main break therefore a water utility issue. Funds coming from the water utility are paid by the rate payers who actually have water service. Not everyone in the Village has water service. If it comes from the General Fund it is a cost born by all tax payers, even though some of them are not water utility customers. **By roll call vote, 5 opposed (Ewert, Hughes, Vanderheiden, Werderman, Wolter), 4 in favor, motion fails. Funds will come from the water utility.**

**PUBLIC HEARINGS – 7:00 P.M. OR LATER:** None.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

- A. Position Description and authorization to publish to fill position – Fire Chief  
Trustee Werderman stated this was discussed at Public Safety. Previous description was from 1993 and this revision has been updated to make it more current, including input by the labor attorney and PFC who provided constructive critiquing on desired training etc. Approved and forwarded with unanimous approval. Discussion of ad to be published and salary within ad. Pay range currently listed with deadline for submittal January 31, 2014. Trustee Hughes

**NEW BUSINESS continued:**

requested discussion be split between job description and ad for publication.

**MOTION (Zabel/Hughes) to accept the job description for Fire Chief as presented, carried unanimously.** Discussion of salary in ad, determinations for interviews, etc. **MOTION (Kaminski/Daniels) to approve ad for publication listing a starting salary dependent on qualifications with a minimum of \$76,745, carried unanimously.**

**MOTION (Zabel/Kaminski) to add a sentence that the job description is available on the website, carried unanimously.**

B. 2014 County-wide Library service agreement

**MOTION (Zabel/Ewert) to approve the Library's 2014 County-wide Library Service Agreement, by roll call vote, carried unanimously**

C. **MOTION (Kaminski/Baum) to go into closed session at 8:05 p.m. per Wis. Stats. §19.85(1)(e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, when competitive or bargaining reasons require a closed session for the International Association of Firefighters Local 3879 negotiations; Germantown Municipal Employees Union Local 730 negotiations; and Germantown Technical/Clerical Employees Union Local 820 negotiations, by roll call vote, carried unanimously.**

There being no further business, the meeting was adjourned at 8:53 p.m.

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