VILLAGE OF GERMANTOWN
GENERAL GOVERNMENT & FINANCE COMMITTEE
MEETING MINUTES
February 26, 2013

CALL TO ORDER: The meeting was called to order at 5:04 p.m. by Chairperson Zabel.

ROLL CALL: Chairperson Zabel and Trustee Members Baum (arrived at 5:08 p.m.), Kaminski and Vanderheiden. Also present Administrator Schornack, Park & Recreation Interim Director Masiarchin, Fire Chief Pollpeter (arrived at 5:15 p.m.), Deputy Fire Chief Maury (arrived at 5:22 p.m.), Fire Captain Franke, Fire Captain Karpinski, Finance Director Rath, and Deputy Clerk Micka.

APPROVAL OF MINUTES: ***Motion Kaminski, second Vanderheiden, to approve the minutes from the January 22, 2013 meeting. Motion carried without negative vote.***

Motion Vanderheiden, second Kaminski, to move to New Business, Quotes for New Park and Recreation Van. Motion carried without negative vote.

QUOTES FOR NEW PARK AND RECREATION VAN: Park & Recreation Interim Director Masiarchin reviewed the request for a new cargo van. The department currently has two vans, the oldest is a 1991 Dodge Caravan which has increased maintenance, and the mechanics recommended replacement of this vehicle. The recommendation is to purchase a van from Holz Motors at a cost of $24,664.00, with $24,000.00 out of the Miscellaneous Equipment account and the remaining $564.00 plus $70.00 for the title out of the Program Supplies and Expenses account.

Discussion followed on which account to take the amount that is over budget from and the amenities included in the quote.

Motion Kaminski, second Vanderheiden, to accept the quote from Holz Motors in the amount of $24,664.00 for a full-size cargo van as presented.

Trustee Baum arrived at 5:08 p.m.

Motion Kaminski, second Vanderheiden, to amend the motion to take the remaining $564.00 and the $70.00 for the title out of General Supplies Account Number 10-552-530-3100. Motion carried without negative vote.

Motion as amended carried without negative vote.

Motion Vanderheiden, second Kaminski, to move to New Business, Request for Reduction in Permit Fees for Gehl Foods. Motion carried without negative vote.

REQUEST FOR REDUCTION IN PERMIT FEES – GEHL FOODS: Steve Schulz of Gehl Foods was present to discuss his request for a reduction in fees for a cooling tower system for two HVAC units at the Main Street facility. Mr. Schulz stated that the fee schedule is excessive compared to the same unit in other communities, noting that these communities place a cap on this type of permit fee.

Motion Kaminski, second Baum, to direct the Village Planner to draft a new ordinance for cooling permit fees, or to place a cap on the existing fee structure, and to forward to the Village Board for approval. Motion carried without negative vote.

Fire Chief Pollpeter arrived at 5:15 p.m.

Motion Kaminski, second Baum, to move to New Business, Emerald Ash Borer Tree Plan. Motion carried without negative vote.

EMERALD ASH BORER TREE PLAN: Park & Recreation Interim Director Masiarchin reviewed the Emerald Ash Borer (EAB) Readiness Plan with the Committee. He stated that confirmed cases of EAB are reaching closer to Germantown, which will require staff to deal with this invasive insect.

Wachtel Tree Service completed an EAB Readiness Plan, which will address the following items:

- ✓ Review Tree Inventory from 2006 to create an implementation plan to manage more than 4,500 Ash trees located within the village streets and parks;
- ✓ Recommendations to update our tree inventory on GIS;
- ✓ Preemptive removal and replacement of trees ranked in poor condition;
- ✓ Treatment for trees ranked in good condition; and
- ✓ Removal and replacement of infested trees.

Motion Kaminski, second Vanderheiden, to approve the proposal from Wachtel Tree Service in the amount of $1,500.00 to create an implementation plan for Emerald Ash Borer. Motion carried without negative vote.

Park & Recreation Interim Director Masiarchin was asked to obtain information from other municipalities and give a presentation at the next Village Board meeting.

Deputy Fire Chief Maury arrived at 5:22 p.m.

PUBLIC COMMENT: John Pluta, W163 N10455 Ridgeview Lane, addressed the Committee regarding the temporary swimming pool ordinance. Mr. Pluta has previously come before the Committee on this issue and asked for several items for consideration: allowing residents the freedom to use their yards consistent with how temporary pools are used; keep in consideration that setbacks on some yards is stringent; review setback requirements; and the position of the pool when located next to a structure.

RECONSIDERATION OF ORDINANCE #19-12 TO AMEND SECTION 14.09 OF THE MUNICIPAL CODE AS IT PERTAINS TO TEMPORARY SWIMMING POOLS:
Chairperson Zabel reviewed the opinion from Attorney Sajdak relating to the interrelationship of the swimming pool provisions in Chapter 14 and in Chapter 17. In Attorney Sajdak's opinion, there is no conflict between these provisions. Swimming pools are a regulated accessory use under Chapter 17.

Discussion followed:

- ✓ The chart showing the side and rear yard setback requirements for temporary and other pools;
- ✓ If a fifteen foot setback is too restrictive for temporary pools;
- ✓ The ordinance should create basic guidelines for pools;
- ✓ Responsibility of the homeowner to have insurance to cover damages;
- ✓ Interpretation of rear yard setbacks; and
- ✓ Use of the terms "side lot line" and "rear lot line", instead of "setback".

The Committee had questions for Mr. Pluta regarding his property, which he answered. The Pluta property is zoned Rs-7, lot width is eighty feet, setback for the rear is five feet; pools require level ground and there is a grade change on his property with a retaining wall; and he supports the guidelines as originally set for five feet from the building.

Mr. Pluta was asked if his temporary pool had ever popped and spilled water in his yard? Mr. Pluta responded that his pool was vandalized on July 3 between 11 p.m. and 6 a.m. He also stated that another time, while he was disassembling the pool, it did pop accidentally during the process. He immediately cleaned up the spill and the mulch, talked to his neighbor and offered compensation, which the neighbor declined.

Motion Kaminski, second Baum, to amend Section 14.09(3)(a) and delete the following: "except that the waterline of any temporary pool shall not be less than 15 feet from any lot line or building". The Village Attorney is directed to review the language for rear and side yards, and possibly change to rear lot lines and side lot lines. Motion carried without negative vote.

Motion Baum, second Kaminski, to move to New Business Items Review of 2012 Surplus Funds in Light of Fire Department Temporary Staffing Options and Consideration of Removal of Ordinance 5.01(1) that Requires POC's to Live Within Germantown Boundaries. Motion carried without negative vote.

Discussion followed on the Fire Department Union contract negotiations, the legal process to merge the two department contracts would take approximately 1-1/2 years, the process is very complicated, and the need to protect residents and the department. The question was raised if discussion is to be held on review of surplus funds, instead of the union contract which is not an agenda item.

Motion Kaminski, second Baum, to move to New Business, Resolution for 2013 Carry-Over Funds. Motion carried without negative vote.

RESOLUTION – 2013 CARRY-OVER FUNDS: Finance Director Rath reviewed the proposed resolution approving amendments to the 2013 budget in the capital account and general fund. There is approximately $740,000 in surplus, and she reviewed the identified projects to be carried over with the Committee:

- ✓ Fire Department Training Tower Repairs in the amount of $15,000;
- ✓ Police Department Lettering on New 2012 Squads in the amended amount of $1,500;
- ✓ Emergency Government Siren Maintenance in the amount of $14,000;
- ✓ Recycling 2013 Additional Chipping in the amount of $10,817.33;
- ✓ Library Non-Lapsing County Funds in the amount of $131,712.57;
- ✓ 2013 Capital Projects Fund in the amount of $67,000;
- ✓ Hotel/Motel Tax Tourism in the amount of $44,470;
- ✓ Data Processing Website Development in the amount of $38,679; and
- ✓ An item added from the Planning Department for contracted services in the amount of $4,250.

Discussion followed:

- ✓ 20% is in reserves; 17% is a recommended amount;
- ✓ Funds to be carried over from the Capital Improvement Projects;
- ✓ $1.4 million to be used for road improvements;
- ✓ Suggested uses for non-committed funds;
- ✓ Additional $35,000 for projects under bid;
- ✓ Reduced 2013 borrowing of $231,806;
- ✓ New projected borrowing of $1.9 million; and
- ✓ General Fund uncommitted amount of $400,000.

Motion Kaminski, second Baum, to forward the proposed Resolution for carry-over funds to the Village Board with a positive recommendation. Motion carried without negative vote.

REVIEW OF 2012 SURPLUS FUNDS IN LIGHT OF FIRE DEPARTMENT TEMPORARY STAFFING OPTIONS: Discussion followed on if funds are available to cover temporary staffing needs for the Fire Department.

Motion Kaminski, second Vanderheiden, to set aside $200,000 in the general fund to be used for temporary staffing needs in the Fire Department. Ayes: 3. Nays: 1 (Zabel). Motion carried.

It was noted that these funds will not be committed toward any other projects until further discussion has been held with the Fire Department.

CONSIDERATION OF REMOVAL OF ORDINANCE 5.01(1) THAT REQUIRES POC'S (PAID ON CALL) TO LIVE WITHIN GERMANTOWN BOUNDARIES: Discussion followed on whether the Fire Department has a policy regarding a mileage and time frame for Paid on Call Fire Department staff when responding to calls. Chief Pollpeter stated that at this time there is only a residency requirement, noting the Police Department may have a mileage and time requirement.

Motion Kaminski, second Baum to amend Section 5.01(1) of the Municipal Code to read "Membership. The Fire Department of the Village shall be known as the Village of Germantown ~~Volunteer~~ Fire Department and shall consist of the Fire Chief, Deputy Chiefs, Captains, Lieutenants and as many drivers, firefighters and EMT's ~~who live in and normally work within the Village~~ as may be provided by Department rules and regulations to provide the necessary services to the community". Motion carried without negative vote.

Chief Pollpeter was directed to establish a policy on mileage and time frame for Paid on Call Fire Department staff when responding to calls.

VILLAGE COPY MACHINE QUOTES: Village Clerk Goeckner provided a memo to the Committee stating that bids and proposals on leasing contracts for Village copiers will be brought to the General Government and Finance Committee when they are finalized. Trustee Baum submitted information to be forwarded to the Village Clerk on state and non-profit pricing.

Motion Kaminski, second Baum, to postpone action on the Village Copy Machine Quotes until additional information is available. Motion carried without negative vote.

CONSIDERATION OF FULL WAGE CONTINUATION FOR WORKPLACE ILLNESS / INJURY FOR POLICE AND FIRE SUPERVISORY / ADMINISTRATIVE PERSONNEL: Finance Director Rath reported that the AFLAC Disability Policies do not cover workplace injuries. She reviewed the process for Worker's Compensation Claims with the Committee.

Motion Kaminski, second Baum, to maintain the current policy for Worker's Compensation Claims. Motion carried without negative vote.

POSITION DESCRIPTION FOR DIRECTOR OF PARKS AND RECREATION:
Administrator Schornack reviewed the Director of Parks and Recreation job description draft with the Committee. The following changes were recommended by the Committee:

- ✓ Page 2 - Examples of Duties Performed: Directs and oversees a well rounded schedule of recreation programs and activities for all age groups and interest levels; and
- ✓ Page 4 - Desired Experience and Training: Along with three to five years' experience as either a parks and recreation director or recreation supervisor or ~~an~~ equivalent ~~combination of training and~~ experience.

Motion Vanderheiden, second Kaminski, to forward to the Village Board approval of the position description for Director of Parks and Recreation as amended. Motion carried without negative vote.

RESOLUTION – 2013 WEIGHTS AND MEASURES: ***Motion Vanderheiden, second Kaminski, to approve the proposed Resolution for the 2013 Weights and Measures annual fee schedule. Motion carried without negative vote.***

RESOLUTION – BUDGET AMENDMENT – USE OF EXCESS CAPITAL FUNDS:
Finance Director Rath reviewed the proposed resolution with the Committee.

Motion Kaminski, second Baum, to forward the proposed Resolution approving amendments to the 2013 budget for 2013 Capital Projects General Obligation Note to the Village Board with a positive recommendation. Motion carried without negative vote.

REPORTS:
Monthly Year to Date Financials:

Revenue and Expense Report – All Funds: Finance Director Rath reviewed the Revenue and Expense reports with the Committee.

Health and Dental Plans: Finance Director Rath reported that 2012 was a very positive year for the health plan. Snyder Insurance will be present at the March meeting to discuss new insurance laws with the Committee.

Impact Fees Financial Reports: Finance Director Rath reviewed the Impact Fee reports for 2012 and 2013. A plan will need to be established for the Park and Recreation expenditure and the Police expenditure, both which expire in August, 2015. A question was raised regarding if a sewer connection fee is required for the Spassland Park Utility Extension.

Accounts Payable: No discussion.

Monthly Code Violation Reports: Building Inspection Department and Planning Department: The Committee reviewed the reports.

C.I.P. PROJECTS: The projects were discussed earlier in the meeting.

Letter of Credit Summaries: Building Inspection Department, Public Works Department, and Planning Department; The Committee reviewed the reports.

Summary of all Village Contracts: Administrator Schornack reviewed the report with the Committee, noting that the highlighted contracts will need to be renewed.

NEXT MEETING: The next meeting will be held on Tuesday, March 19, 2013 at 5:00 p.m.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:23 p.m.

Respectfully Submitted,

Christine M. Micka, CMC/WCMC
Deputy Clerk