VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
JANUARY 20, 2014

CALL TO ORDER: The meeting was called to order at 7:06 p.m. by President Wolter

ROLL CALL: President Wolter, Trustees, Daniels, Ewert, Hughes, Kaminski, Vanderheiden, Werderman and Zabel. Trustee Baum was absent. Also present: Administrator Schornack, Attorney Sajdak, DPW Director Ludwig, Superintendent Zimmerman, Police Lt. Huesemann and Clerk Goeckner.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

PRESIDENT'S REPORT – President Wolter explained the issues with the AT&T Public Access Channel and the message board not working for either AT&T or Time Warner at this time. Land agent for our business park has been contacted by a business wishing to come to Germantown and it will use up one of the last lots available in our current business park. Remaining lots are small parcels. Running out of land for development and later agenda item for discussion is the next possibility for a business park. These are initial stages to see where the next development can happen.

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:
Jim Siebers N140W18170 Cedar Lane, Richfield address, Germantown resident – Speaking on Contract of Traffic Study on Freistadt & Maple Roads. Intersection is dangerous and you don't need to spend $7,000 on a traffic study to tell you that you need a 4-way stop at that intersection. Save the money and put the stop signs up tomorrow.

CONSENT AGENDA:
A. Minutes – January 6, 2014
B. Accounts payable/payroll
   1. January 10, 2014 Accounts payable $ 574,124.96
   2. January 14, 2014 Payroll (hourly & salary) $ 289,922.96
C. Operator Licenses: January 21, 2014 – June 30, 2014
   Mark A. Eskowski and Samantha O. Stewart

The following items were forwarded from the Public Safety Committee with a unanimous recommendation:
D. Operator's License for Alysia K. Mayfield [Recommended Denial]
E. New "Class B" Intoxicating Liquor and Fermented Malt Beverage License – Florian Park, Inc., d/b/a Florian Banquet Center, N111 W18611 Mequon Road, Ryan Rahl, Agent, 311 Preserve Way, Colgate, WI 53017 [Recommended Approval]
F. Purchase of Police Dept. squad from low bidder [Recommended Approval]

The following items were forwarded from the Public Works Committee with a unanimous recommendation:
G. Change Order Request for VISU Sewer Interceptor Sewer Lining existing contract in the amount of $11,900 to perform rehab of manhole #SA274-001 in place

CONSENT AGENDA continued:

[Recommended Approval with funds to be allocated from account #60-830-530-8313]

H. An Ordinance Amending Chapter 8 of the Municipal Code of Germantown to Make Certain Technical Changes and to Create Section 8.09 Relating to Stormwater Drainage Conveyances [Recommended Approval]

I. 2014 Village Labor and Equipment Rates for Public Works [Recommended Approval as presented]

MOTION (Vanderheiden/Ewert) to approve Consent Agenda Items A-I, by roll call vote, carried unanimously.

UNFINISHED BUSINESS: None

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).***

A. NOTE: BASED UPON PLAN COMMISSION ACTION REQUESTING REVISED PLANS, THE PLANNED PUBLIC HEARING FOR Continental 246 Fund LLC, Agent for Riversbend Country Club, Inc., Property Owner: N96 W18034 County Line Road, Tax Key No. 333-965; Permits & Approvals needed for the Golf Course and Restaurant Redevelopment HAS BEEN POSTPONED TO A LATER DATE

President Wolter explained the Plan Commission delayed this to a future meeting and requested applicant to come back with a revised plan. But still on agenda because notices were already out. There will be another meeting of Plan Commission tentatively on January 27th for this presentation. Request for Attorney Sajdak to review ability to come back to Public Hearing on February 3rd without re-publishing.

Planner Retzlaff presented information regarding the parcel and proposed redevelopment.

President Wolter opened the Public Hearing at 7:26 p.m.

Attorney Sajdak stated a motion to postpone the hearing until February 3rd rather than closing the hearing will allow for it to be held again without republication.

MOTION (Zabel/Ewert) to postpone this public hearing until February 3, 2014, carried unanimously.

NEW BUSINESS:

A. Contract with Graef for Traffic Study on Intersection of Freistadt & Maple Roads

DPW Director Dan Ludwig presented information on the proposed contract for a traffic study on the intersection of Freistadt & Maple Roads. We received 3 proposals for this traffic study and Graef was the low bid. This is not a budgeted item but funding can be provided through three other departments. Was passed unanimously at committee prior to funding being located. Director Ludwig

NEW BUSINESS continued:

recommends getting study done and putting up dangerous intersection signs in the meantime. Discussion of possibilities and recommendations: 4-way stop, more signalization, more dramatic signage, cutting of hill approaching intersection. Request for Police Chief's input regarding the 4-way stop. **MOTION (Hughes/Kaminski) to approve the traffic study contract.** Prior recommendation from Police Chief was to look at the intersection due to an increase of accidents at this location. Further discussion on options and similar locations. Dennis Meyers rose to speak. Attorney Sajdak made those present aware that Mr. Meyers is running for a Trustee position on the Village Board and is required to state such prior to speaking in front of the Village Board. Mr. Meyers spoke regarding a similar intersection at another location where speed limits were reduced. Trustee Zabel asked if the budget needs to be modified to accommodate the funding from other departments. Attorney Sajdak stated it could be done without a full budget change, just state where the funds are. **MOTION (Werderman/Kaminski) to amend the motion to postpone this item and have the Police Chief here with additional information on accidents, etc.** Discussion of earlier talks on this and the importance of this issue, getting drivers to slow down and the dangerous intersection signs being posted right away. President Wolter called for the question on the amendment. **4 in favor, 4 opposed (Ewert, Hughes, Vanderheiden, Wolter), tie vote, amendment fails.**

Call for the motion to approve, by roll call vote, 4 in favor, 4 opposed (Vanderheiden, Werderman, Zabel, Wolter) motion fails.

MOTION (Vanderheiden/Werderman) to send this item back to the Public Safety Committee. Trustee Werderman verified this will be put on the Public Safety agenda and Chief Hoell will give a report and also have him attend the Village Board meeting. Dangerous intersection signs will still go up this week. **Motion carried unanimously.**

B. Contract with American Leak Detection for Water System Leak Detection Survey

DPW Director Dan Ludwig presented the contract for the water system leak detection survey which received committee approval for a cost of $17,400. PSC has the ability to mandate a study to be done if your water utility does not achieve a loss of water of under 15% a year. Study would start in early March. Discussion of accounting for lost water due to leaks and other issues. Current loss is at 25% system wide. When the Fire Department doesn't put on a meter they used to be able to estimate the flow and we could deduct that from losses. PSC will no longer allow this deduction by an estimate. It must be metered. Due to limited resource of water this is a push by the State to find ways to conserve water. **MOTION (Hughes/Kaminski) to approve as presented by roll call vote, 7 in favor, 1 opposed (Zabel), carried.**

C. MOTION (Zabel/Ewert) to go into closed session at 8:12 p.m. for Future Business Park Development – Potential locations, acquisition(s) of property, and the creation and establishment of funding (including potential TIF) and

NEW BUSINESS continued:

operational aspects of future business park, per Wis. Stat. §19.85(1)(e) Deliberating or negotiating the acquisition of public property, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session, and allow representatives from MLG Commercial and Ehlers to remain, by roll call vote, carried unanimously.

MOTION (Zabel/Ewert) to go back into open session at 9:12 p.m., carried unanimously.

MOTION (Hughes/Ewert) to authorize staff to expend up to $40,000 to conduct necessary due diligence to determine financial feasibility of proposed TIF District, by roll call vote, 7 in favor, 1 opposed (Zabel), carried.

D. Agreement with Ehlers to Provide Financial and Advising Services for Proposed Tax Incremental District No. 6 Creation

MOTION (Werderman/Ewert) to approve the agreement with Ehlers and authorize the Village President and Clerk to execute and sign the same, by roll call vote, carried unanimously.

E. MOTION (Ewert/Daniels) to go into closed session at 9:17 p.m. for Offer to Purchase for land(s) in and related to the Germantown Business Park 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 include MLG representatives and staff, by roll call vote, carried unanimously.

MOTION (Zabel/Kaminski) to go into open session at 9:40 p.m., carried unanimously.

MOTION (Zabel/Ewert) to authorize Village President and Village Clerk to execute offers to purchase subject to terms discussed in closed session and subject to village attorney approval, carried unanimously.

Trustee Vanderheiden left the meeting at 9:40 p.m.

F. Attorney Sajdak reminded the Village Board the Attorney General has made it abundantly clear Section §19.85 allows the board to go into closed session to talk about specific individuals and does not apply to group items. You can go into closed session, but you should identify with specificity who you will talk about either by name or by position. **MOTION (Zabel/Hughes) to go into closed session at 9:45 p.m. to discuss the performance evaluations of the Department Directors per Wis. Stat. §19.85(1)(c) for the purposes of considering the compensation and/or performance evaluation data of any individual non-union public employee over which the governmental body has jurisdiction or exercises responsibility, by roll call vote, carried unanimously.**

NEW BUSINESS continued:

MOTION (Kaminski/Zabel) to go back into open session at 10:28 p.m., carried unanimously.

MOTION (Kaminski/Werderman) to approve a 2% increase for all non-union employees. Trustee Kaminski - We have budgeted for 2 percent, 5th year without a raise for them, economy has improved, rainy day fund is over 18% and Village can afford to give a raise, neighboring communities have been giving raises, this is not extravagant. Trustee Werderman – Agrees. Going forward would like a better understanding of what Trustees role is in the future with new plan. Discussion of new process. Trustee Zabel – Feels there are some employees who deserve better and some who deserve less. Time to give something but across the board is not correct, just for the sake of giving them money to give them money. Discussion of economy, how long employees have waited, merit based increases, time now to reward them. **Roll call vote: 6 in favor, 1 opposed (Zabel), carried.**

There being no further business, the meeting was adjourned at 10:38 p.m.

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Barbara K. D. Goeckner MMC/WCPC
Village Clerk