

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
January 15, 2018**

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

ROLL CALL: Present: President Wolter, Trustees Baum, Campbell, Hughes, Kaminski, Miller, Warren and Zabel. Excused Absence: Myers. Also present: Administrator Kreklow, Clerk Boldrey, Deputy Clerk Tucker.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

Pres. Wolter reflected on Dr. Martin Luther King's Day.

On behalf of the Village President Wolter accepted the Certificate of Appreciation from SERTAC (South East Wisconsin Trauma Advisory Council) for Work in Presidential Policy Directive #8 for National Preparedness. Fire Chief Weiss read and presented the certificate to President Wolter. Village of Germantown is the first community in Wisconsin to be presented with the Certification.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/DEPARTMENT AND COMMITTEE REPORTS:

Trustees provided information on upcoming meeting dates and times.

Trustee Rick Miller reported that the 33rd Annual Germantown Community Scholarship Fundraiser will be held on February 1, 2018 at the Hilton Gardens Park Place.

Fire Chief Gary Weiss was presented with the Heart-Safe Wisconsin Awarding the Designation of a Heart-Safe Community to the Village of Germantown. This award represents the work of Fire Chief Weiss and the Germantown Fire Department working diligently over the past year to meet the requirements to earn this designation for the community. Over 10% of the population is trained in CPR and AED. The Village of Germantown is the second community in the State of Wisconsin to achieve the designation. Heart Safe representative Michael LaRosse presented the award.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:

No One Spoke.

CONSENT AGENDA:

- A. Approval of Minutes: December 18, 2017 Regular Village Board Meeting.
- B. Accounts Payable / Payroll.

1.	January 10, 2018	Payroll (hourly)	\$ 202,442.41
2.	January 10, 2018	Accounts Payable	\$ 572,701.53
3.	January 13, 2018	Payroll (salary)	\$ 88,585.09

The following items were forwarded from **Public Safety** with a unanimous recommendation.

- C. Operator Licenses: Jordan Hottinger, Lisa Grad, Daniel Hughes, Ryan Hughes, Susan Jesmok, Emily Lazaris, Suzanne Peyer. [Forthcoming Recommendation]
- D. Approve Secondhand Article Dealer & Secondhand Jewelry Dealer License Renewal for 01-01-18 to 12-31-18, Kessler's Diamond Center [Recommended Approval]
- E. Approve Secondhand Article Dealer License Renewal for 01-01-18 to 12-31-18, White House of Music [Recommended Approval]
- F. ECO ATM Inc. Hunter Bjorkman Agent Renewal for 01-01-2018 to 12-31-2018. [Recommended Approval]

The following items were forwarded from **Public Works** with a unanimous recommendation.

- G. Authorization to Purchase – Service Truck – Water Utility.
- H. Authorization to Pay Invoice – D.F. Tomasini (Wilson Drive).
- I. Authorization to Pave Access Drive – Well #11.
- J. Authorization for Blanket Purchase Order – Hydrant Replacements.
- K. Consideration to Update Water Hydraulic Model.
- L. Authorization to Replace & Install New Altitude Valves & Piping – Tower #1.
- M. Authorization to Replace Well House & Water Tower Doors.
- N. Authorization to Clean & Oversee Replacement of Mud Valve – Tower #1.
- O. Authorization to Upgrade Meter Reading Hardware – Water Utility.
- P. Resolution 5-2018, Authorization to Contract – Painting Library Interior.
- Q. Authorization to Purchase Patrol Trucks – Highway Dept.
- R. Authorization to Purchase ¼ Ton Pickups - Parks & Highway Dept.
- S. Resolution 6-2018, Authorization to Contract Forestry Services – Wachtel Tree Science.
- T. Resolution 7-2018, Consideration of Contract – TAPCO Preventative Maintenance.
- U. Resolution 8-2018, Consideration of Maintenance Agreement – Johnson Controls.
- V. Resolution 9-2018, Authorization to Contract – Flooring for Police Dept. and Library.
- W. Authorization to Purchase – Used Compost Screener – Recycling Center.

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

- X. Resolution 27-2017, Budget Amendment for TID 7 Chart of Accounts.

MOTION (Baum/Zabel) to approve Consent Agenda Items A – X. Roll call vote carried.

UNFINISHED BUSINESS:

- A. Resolution 4-2018, Washington County Aging & Disability Resource Center Agreement. Mark Schroeder reported on the agreement. Mark reported that he and Administrator Kreklow met with the County after the Holidays. He has been in communication with the director of the ADRC. The County is replacing what was on the tax levy with federal grant dollars.

MOTION (Baum/Warren) to approve postponing the item until the next meeting. Roll call vote carried.

- A. Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners – 107 Acres South of Freistadt Road, North of Elm Lane and West of Wasaukee Road (including N120 W12851 Freistadt Road). Rezoning Application from A-1: Agricultural to Rs-3: Residential Single-Family Zoning District and a Concept Plan for a 47-lot Single-Family Residential Subdivision. (Tax Key: GTNV 241-997; GTNV 241-998; GTNV 242-999)

The Community Development Director / Planner, Jeff Retzlaff reported on the items and reviewed the rezoning concept plan application. Aerial views and graphics of the area were shown. The 2020 land use map with the property highlighted was shown. Since September there have been five alternative concept plan reviews at four different Plan Commission meetings. The prior options were reviewed. A new plan that was received last week was distributed. The Plan Commission sent the item to the Village board for the Public Hearing on the Concept Plan. The Concept Plan with wetland delineation was presented to the Plan Commission. The Plan Commission wanted public input on the development and postponed action on the concept plan until the meeting in February. Issues include the access roads, the accommodation of the wetlands and the soils for the onsite septic systems. The Plan Commission did recommend the rezoning from the October meeting.

Pres. Wolter opened the public hearing and read the public hearing notice at 7:34 p.m.

Todd Johnson of Elm Lane came forward. He gave family history to the property. The homestead home was used for a fire department training exercise. He noted access to the park near their property. Mr. Johnson stated that he is not opposed to the development but has several concerns. He is not in favor of extending or reconstructing Elm Lane or additional park parking. He prefers to see larger lots. Mr. Johnson opposes granting a waiver of wetland setback and questioned the size of the retention ponds. The existing fields to the East are tiled. He and his family enjoy the wildlife and questioned if the trees would be moved. He questioned if there would be a developer's agreement.

Bruce Bernarde of Freistadt Road commented his concern of water run off and waiver of the 25 foot set back.

Marcus Stern of Forest Drive commented on water run-off and traffic on Forest Drive. He also commented on wells and wetlands. He also commented on SEWRPC.

Caroline Metternich of Freistadt Road commented on water run-off and preservation of wetlands. She would like a swale directing the water to her pond.

Rickard Boehlke of Elm Lane lives across from the Johnsons. He spoke of the wetlands and he agrees with the easement as he previously had to install a hammerhead.

David Broberg of Forest Drive distributed packets to the board that included maps from the smart growth plan. He spoke for the wetlands.

Ron Peterson of Forest Drive spoke for a through road to Mequon Road. He commented on a recent septic that failed.

Tom Isaac of Freistadt Road spoke for the wetlands and that the property is identified on the DNR's Natural Heritage Database as Schessler natural area for special identified plants. They have sump pumps that are very active.

Blake Hutchinson of Elm Land spoke in regards to water issues in the area. He also commented on well issues.

Dominic Augustine of Crestview Drive spoke in disappointment to the development.

Matt Bennett of Forest Drive spoke for the quiet roads and is opposed to the development.

Garrett Bradley of Forest Drive commented on the narrowness of the road and the school buses. He has three sump pumps that are very active.

Jim Marlesky Forest Drive commented on the park and dead-end street.

Todd Jernberg of Freistadt Road gave history of the property. He spoke in favor of the wetlands and wildlife. He suggested larger lots.

Kathy Henning of Elm Lake commented of concern of the access and narrowness of roads and the buses.

Arthur Bognar of Crestview Drive commented in favor of large lot sizes and quiet neighborhoods. He does have two sump pumps.

Brittany Weidman of Crestview Drive commented in favor of the wildlife and the quite neighborhood.

Peter Herth of Baudhuin Surveying & Engineering and Shari Waggoner of Top Leaf Development LLC came to the podium. The current plan does not ask for a set-back variance. The current plan takes into consideration the placement of septic on every lot. There have been three holes dug per lot in regards to soil testing for the septic. This has been approved by the state.

The wetlands have been delineated. Wetland delineation in the State of Wisconsin are valid for five years.

The current plan does allow for larger lots to the West, as four lots that are five acres or greater. There is 107 acres and proposing 41 lots, which is an average of 2.9 acres per lot.

Discussion of access is shown off of Elm. Stormwater ponds have been proposed and need to be approved by the DNR. There would be a Homeowners Association.

An unknown person commented with concern of the west side with larger lots and the access for the larger lots.

Pres. Wolter closed the public hearing at 8:40 p.m.

- B. Amendments to the Zoning Code (Chapter 17) of the Village of Germantown Municipal Code: 17.41 (Residential Accessory, Use, Building and Structures); and 17.49 (Architectural Control) affecting the size, location and exterior materials of residential accessory structures.

Jeff Retzlaff, Community Development Director and Planner, reviewed the draft ordinance and changes as drafted. The ordinance change is due to type of requests that have come forward through the Zoning Board of Appeals and Plan Commission. The amendment creates definition and categories.

Pres. Wolter opened and read the public hearing notice at 8:41 p.m.

Marty Meyers of W140 N13721 Country Aire Drive spoke in favor of the ordinance change due to his experience of wanting to build a garage or building in the front of his home and was denied by the Board of Zoning of Appeals.

A resident was against a portion of the amendment as it is not one size will not fit all.

Pres. Wolter closed the public hearing at 8:54 p.m.

NEW BUSINESS:

- A. Ordinance 01-2018, Rezoning from A-1: Agricultural to Rs-3: Residential Single-Family Zoning District. Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners – 107 Acres South of Freistadt Road, North of Elm Lane and West of Wasaukee Road (including N120 W12851 Freistadt Road). (Tax Key: GTNV 241-997; GTNV 241-998; GTNV 242-999)

MOTION (Baum/Zabel) to approve Ordinance 01-2018 as presented. The site plan is still up for discussion. Access points are still up for discussion. The public hearing was held to get public input and then go back to Plan Commission. Discussion ensued of the lot sizes.

The land to the North will be part of the MMSD Greenseams program. The zoning proposed is Rs-3. The stormwater management plan and retention ponds were discussed in detail to the current ordinance. The wetland setbacks will remain. Discussion ensued of the wells. Well permits are issued by the DNR. Discussion ensued of the density of the plan.

By a show of hands most in the gallery preferred the larger lots.

Discussion ensued of the traffic / road plan and connections.

MOTION to amend (Zabel/Kaminski) and to send the Ordinance back to Plan Commission. Motion as amended carried.

The next Plan Commission meeting is on February 12th at 6:30 p.m.

- B. Ordinance 02-2018, Amendments to the Zoning Code (Chapter 17) of the Village of Germantown Municipal Code: 17.41 (Residential Accessory, Use, Building and Structures); and 17.49 (Architectural Control) affecting the size, location and exterior materials of residential accessory structures.

MOTION (Baum/Zabel) to approve Ordinance 02-2018. Discussion ensued of the additional buildings in the front yard. Discussion ensued that there needs to be flexibility with distance measurements.

Jeff Retzlaff, Community Development and Planning, reviewed the draft ordinance and the set-back specifications. This would not override subdivision covenants.

Discussion ensued of Marty Meyer's property and the placement of the building.

Discussion of the approval process ensued. The approval process would be through permitting. Discussion ensued as to add oversight by the Plan Commission for site plan approval. The cost was noted. Discussion ensued of items going to the zoning board of appeals.

**Amendment motion by Zabel, second by Kaminski to send 17.41 (3) site location requirement, section 5 of Ordinance 02-2018 back to the Plan Commission. Amendment motion carried.
Motion as amended carried.**

- C. Resolution 01-2018, Approving the Salaries and Compensation for Exempt Employee's and Other Non-Represented Support Staff.

MOTION (Kaminski/Baum) to approve Resolution 01-2018. In the future the Village will be using a performance based program. Roll call vote carried.

- D. Resolution 02-2018, Associated Appraisal Revaluation Assessment Services Agreement.

MOTION (Zabel/Miller) to approve Resolution 02-2018. Mark Brown of Associated Appraisal came to the podium. This is for 2019 revaluation. Associated Appraisal would begin work in July / August 2018. Roll call vote carried.

- E. Associated Appraisal – Discussion and Approval of \$30,000 Charge for Electronic Property Records Compliance/Data Conversion.

Discussion ensued of the Village's coming into compliance from the last assessor.

Mark Brown of Associated Appraisal came to the podium. Mark commented on the reports he provided to the Village that breaks down the work that was completed to bring the Village into compliance. The Village did withhold payment to the previous assessor as they were not in compliance.

Finance Director Rath reported on her discussion with the Department of Revenue. The Village staff will need to perform our own compliance checks.

MOTION (Miller/Baum) to approve the \$30,000 Charge for Electronic Property Records Compliance / Data Conversion. Roll call vote carried, Zabel voted no.

- F. Phil Secker, Animal Fancier License 01-01-18 to 12-31-18.

MOTION (Baum/Zabel) to approve the Animal Fancier License from 01-01-2018 – 12-31-2018 for Phil Secker. Roll call vote carried.

ADJOURNMENT: There being no further business, meeting adjourned at 10:15 p.m.

Next regular Village Board meeting, Monday, February 5, 2018 at 7:00 p.m.

Deanna L Boldrey

Deanna L. Boldrey, WCMC/CMC
Village Clerk