

**VILLAGE OF GERMANTOWN  
VILLAGE BOARD MEETING MINUTES  
August 6, 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, Hughes, Kaminski, Miller, Myers, Wing, Zabel. Excused absence: Trustee Warren. Also present: Administrator Kreklow, Clerk Boldrey, and Attorney Sajdak.

**PLEDGE OF ALLEGIANCE:**

**PRESIDENT'S REPORT:**

None.

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

Trustees provided information on upcoming meeting dates and times.

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

President Wolter attended the Ribbon Cutting at Presbyterian Homes / Fairway Knoll facility.

President Wolter announced that the Police Department Block Party will be tomorrow evening from 5-8 p.m. with free bicycle registration.

**APPOINTMENTS:**

**A. Commissions/Boards/Committees**

**1. Library Board**

Member Christa Potratz 07/16/2018 – 06/30/2021

**MOTION (Myers/Zabel) to approve the Library Board Appointment. Motion Carried Unanimously.**

**CONSENT AGENDA:**

A. Approval of Minutes: July 16, 2018 Regular Village Board Meeting.

B. Accounts payable/payroll

1.	July 13, 2018	Payroll Salary	\$ 88,124.11
2.	July 25, 2018	Accounts Payable	\$384,843.35
3.	July 24, 2018	Payroll (Hourly)	\$250,876.62
4.	July 31, 2018	Payroll (Salary)	\$87,106.71
5.	July 31, 2018	Accounts Payable	\$27,144.32

C. Operator's Licenses: Jordan Doro, Michelle Ernest, Adrian Knowles-Brown, Rachel Krainer, Genevieve LaLonde, Amanda Mueller, Shauna Petri, Steven Schwendtner. [Recommendation Forthcoming].

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

D. Ordinance 17-2018, Ordinance to Allow On Street Parking on the South Side of Morse Drive and to Amend the Official Traffic Map to Reflect the Same.

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

E. Resolution 60-2018, Interfund Loan from General Fund Reserve to TID No. 6.

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

F. Resolution 61-2018, Contract with Noffke Roofing Police Department Roof Repairs in an Amount not to exceed \$22,000.

**MOTION (Baum/Myers) to approve Consent Agenda Items B-F. Zabel requested to pull out item A. Roll Call Vote Carried Unanimously.**

**Zabel commented on the correction that the motion to “Advise staff to progress further with the planning of the next steps based on the plan as presented” was made by Baum and second by Myers on page 8. This was for the R. W. Management Group, Analysis of Fire Department. MOTION (Zabel/Baum) to Approve item A. July 16, 2018 Minutes as corrected. Motion Carried Unanimously.**

**PUBLIC HEARING:**

- A. David Leszczynski, agent for Germantown Acquisitions, LLC, Property Owner of 29.41-acres, W124 N11749 Wasaukee Road, Tax Key: GTNV 241-999. Rezoning application to (1) rezone the property from the A-1: Agricultural Zoning District into the Rs-3: Residential Single-Family zoning district; or (2) create an Rs-3: Residential Single Family Planned Development District (Rs-3/PDD) pursuant to Sections 17.16 and 17.27 of the Zoning code and rezone the property from the A-1: Agricultural Zoning District into the newly created Rs-3/PDD Residential Single-Family Zoning District

Pres. Wolter read the item. Planner Retzlaff was delayed.

**MOTION (Myers/Baum) to take items out of order and continue to New Business item B until Director Retzlaff is available. Motion carried, Baum opposed.**

**NEW BUSINESS:**

- B. Certified Survey Map Application for Zilber Property Group, Agent for Towne Realty, Inc., Brian & Kevin Kazmierczak, Richard & Mary Stephan and Frank & Mary Wiedmeyer, Property Owners of 146.5 acres north of Holy Hill Road, & east of US41. (Tax Key Nos. GTNV 073-999, 073-991, 074-995, 074-983, 074-986, 074-991, 074-984, 074-993).

**MOTION (Zabel/Myers) to Approve Certified Survey Map Application for Zilber Property Group, Agent for Towne Realty, Inc., Brian & Kevin Kazmierczak, Richard & Mary Stephan and Frank & Mary Wiedmeyer, Property Owners of 146.5 acres North of Holy Hill Road, & east of US41. (Tax Key Nos. GTNV 073-999, 073-991, 074-995, 074-983, 074-986, 074-991, 074-984, 074-993). Motion carried, Baum Opposed.**

**PUBLIC HEARING:**

- A. David Leszczynski, agent for Germantown Acquisitions, LLC, Property Owner of 29.41-acres, W124 N11749 Wasaukee Road, Tax Key: GTNV 241-999. Rezoning application to (1) rezone the property from the A-1: Agricultural Zoning District into the Rs-3: Residential Single-Family zoning district; or (2) create an Rs-3: Residential Single Family Planned Development District (Rs-3/PDD) pursuant to Sections 17.16 and 17.27 of the Zoning code and rezone the property from the A-1: Agricultural Zoning District into the newly created Rs-3/PDD Residential Single-Family Zoning District

Pres. Wolter read the item.

Director Retzlaff gave a presentation and background of the rezoning request application by David Leszczynski, Agent for Germantown Acquisitions LLC to (1) rezone the property from the A-1: Agricultural Zoning District into the Rs-3: Residential Single-Family zoning district; or (2) create an Rs-3: Residential Single Family Planned Development District (Rs-3/PDD) pursuant to Sections 17.16 and 17.27 of the Zoning code and rezone the property from the A-1: Agricultural Zoning District into the newly created Rs-3/PDD Residential Single-Family Zoning District. This is for the purposes of developing a maximum 17-lot, 29.7 acre single family residential development North of Elm Lane and West of Wasaukee Road. This includes 4.2 acres of wetland; the DNR delineation has been confirmed.

There are two components. The first "Exhibit A" includes 7 lots as phase one; lot size average acreage is 1.07 with access on Forest Hill Road and then phase two includes an additional nine lots for a total of 16 lots. "Exhibit B" is a seventeen lot proposal with 8 lots in phase one with access on Forest Hill Road and additional lots to the west and south. The proposed areas to be filled were noted.

The DNR and ACOE Wetland Delineation Letter has been received. There is not a Wetland Fill application yet and this is the basis for two separate proposals. Depends on the approval of the wetland fill application.

The Plan Commission approved with conditions. The PDD component has been withdrawn.

Pres. Wolter read the Public Hearing Notice and opened the Public Hearing at 8:09 p.m. He explained the public hearing process and that individuals will have to come up front to the podium and state their name and address.

Mike Gleeson of Forest Hill Road came to the podium. He commented that they do not have an objection but they do have seven requests: Stick to seven lots, align to their lot size, avoid shared driveways, fall under Woodland Park Covenants, one Voting member for their Association, limit construction traffic, Germantown LLC bear the legal fees, and confirm with a continuation of trees.

No one else came forward to speak on the zoning change. Pres. Wolter closed the Public Hearing.

### **NEW BUSINESS:**

- A. Ordinance 18-2018, Ordinance to Rezone the following described property from the A-1: Agricultural Zoning District into the Rs-3: Residential Single Family Zoning District; or create an Rs-3 Residential Single Family Planned Development District (Rs-3/PDD) pursuant to Sections 17.16 and 17.27 of the Zoning Code and rezone the following described property from the A-1: Agricultural Zoning District into the newly created Rs-3/PDD Residential Single Family Zoning District. David Leszczynski, Agent for Germantown Acquisitions, LLC, Property Owner of 29.41 acres, W124 N11749 Wasaukee Road, Tax Key GTNV 241-999.

**MOTION (Baum/Miller) to Approve Ordinance 18-2018, Ordinance to Rezone the following described property from the A-1: Agricultural Zoning District into the Rs-3: Residential Single Family Zoning District. David Leszczynski, Agent for Germantown Acquisitions, LLC, Property Owner of 29.41 acres, W124 N11749 Wasaukee Road, Tax Key GTNV 241-999.**

David Leszczynski, commented that six of the seven requests have been agreed to. It depends on whether it is seven or eight lots and within the Rezoning without a PDD. He is working toward eight lots.

**This is for the rezoning only, the PDD has been withdrawn. The seven or eight lots can be code compliant, one acre minimum. The Preliminary Plat will come back for approval.**

**Discussion ensued of 16 versus 17 lots.**

**Motion carried unanimously, the PDD was withdrawn.**

- C. Preliminary Subdivision Plat (Wrenwood), 142-lot Single Family and 60-unit Multi Family Residential Development, Carity Land Corporation, Agent for Briscoe Development & Management Inc., Property Owner of 146.5 acres south of Freistadt Road, north of Mequon Road & west of Country Aire Drive. (Tax Key Nos. GTNV 231-998, 232-989, 232-998, 233-981, 234-993 and 234-990).

**MOTION (Myers/Baum) to Approve Preliminary Subdivision Plat (Wrenwood), 142-lot Single Family and 60-unit Multi Family Residential Development, Carity Land Corporation, Agent for Briscoe Development & Management Inc., Property Owner of 146.5 acres south of Freistadt Road, north of Mequon Road & west of Country Aire Drive. (Tax Key Nos. GTNV 231-998, 232-989, 232-998, 233-981, 234-993 and 234-990). Motion carried unanimously.**

- D. Resolution 63-2018, Assignment and Assumption of Development Agreement for the Gables of Germantown.

**MOTION (Baum/Miller) to Approve Resolution 63-2018, Assignment and Assumption of Development Agreement for the Gables of Germantown. Motion Carried, Zabel voted no.**

- E. St. Boniface Congregation, Temporary Class “B” Fermented Malt Beverage and Wine License for Bonifest, September 1, 2018 – September 2, 2018, W204 N11940 Goldendale Road, Germantown.

**MOTION (Baum/Myers) to Approve St. Boniface Congregation, Temporary Class “B” Fermented Malt Beverage and Wine License for Bonifest, September 1, 2018 – September 2, 2018, W204 N11940 Goldendale Road, Germantown. Motion carried unanimously.**

- F. Germantown Historical Society, Temporary Class “B” Fermented Malt Beverage and Wine License for Annual Hunsrucker Oktoberfest, September 29, 2018 – September 30, 2018, Dheinsville Historic Park, N128W18780 Holy Hill Road, Germantown.

**MOTION (Baum/Myers) to Approve Germantown Historical Society, Temporary Class “B” Fermented Malt Beverage and Wine License for Annual Hunsrucker Oktoberfest, September 29, 2018 – September 30, 2018, Dheinsville Historic Park, N128W18780 Holy Hill Road, Germantown. Motion carried unanimously.**

G. Resolution 64-2018, Approval to Hire One Full-Time Firefighter / Paramedic.

**The Resolution 64-2018 was Postponed to the September 17, 2018, at the Public Safety meeting. MOTION (Baum/Myers) to bring the item back after the Public Safety Committee Meeting takes up the issue. Wing would like more numbers with the item. Administrator Kreklow commented that we normally do like more time but because of the Public Safety Aspect and discussion from the previous meeting it was brought forward if the board wanted to act quickly. Motion carried unanimously.**

H. Resolution 65-2018, Approval to Close Fire Station #1.

**Kaminski commented that back up materials are needed for the item and questioned the timeframe. Discussion ensued of the timing and costs involved. Administrator Kreklow reported that this would improve response time. The primary driver of this is not cost but better and more effective response time. Discussion ensued of a new public safety building. Chief Delain reported on efficiencies needed with personnel responding to calls. The stations are less than one mile apart. Station two is responding to the majority of the calls. Station one needs significant repairs. Equipment is much larger now than when Station one was built. The furnaces had to be removed from the ceiling to allow the ladder truck to fit in the station. Chief Delain commented that sharing services with another municipality has been looked at instead of new building.**

**MOTION (Baum/Myers) to Approve Resolution 65-2018, Close Fire Station #1.**

**The Project Action Plan was distributed. Zabel questioned the committee processes and process for the RFP. Administrator Kreklow commented that possibly Public Works and GGF would be responsible for review. This is the initial step in the direction of the processes. This would be an indication of the direction and the resolution could be amended to include more information. Discussion ensued of possible future uses of the building. Discussion ensued of water utility issues. Personnel would move to station two.**

**AMENDMENT MOTION (Baum/Myers) to amend the resolution to include the first four steps of the action report, step one, of the report to present the plan to the Board for the removal of the equipment, move staffing to the headquarters, manage the internet and phone, and post notice in regard to the intent to close Station one. This is to initiate steps one – four. The item will go back to committee. The staffing would not change until the additional full-time person is approved. Zabel called the question. The amendment motion carried, Wing and Zabel voted no. The motion as amended carried, Wing and Zabel voted no.**

I. Resolution 66-2018, Resolution to Declare Official Intent Under Reimbursement Bond Regulations (TID 8).

**MOTION (Baum/Myers) to Approve Resolution 66-2018, Resolution to Declare Official Intent Under Reimbursement Bond Regulations (TID 8). Roll Call Vote carried, Wing voted no.**

J. Intergovernmental Agreement with the Germantown School District.

**MOTION (Baum/Myers) to Approve the Intergovernmental Agreement the Germantown School District. Administrator Kreklow commented that this is an informational update. The current agreement expires at the end of August. Director Schroeder met with the school board in regards to the agreement. The school board informed the Village that they will begin charging the Village on an hourly basis for the use of the facilities for the recreational programs. A draft of the proposal will be forthcoming. This increase will result in an increase of fees. We are still operating under the existing IGA. We are using information from back in April. There will be a surcharge per program. The Park & Recreation Fall Schedule has been published. MOTION (Zabel/Baum) to table action on the item until we hear back from the school district. Motion carried unanimously.**

K. Ultra Mart Foods, LLC., d/b/a Pick 'n Save #6357, N112 W16200 Mequon Rd., modification to premise to include: 1 story retail grocery and liquor, including the exterior parking stalls specifically designated for the online merchandise order & pick up service and the pathway utilized to access the parking stalls. Alcohol sold and displayed throughout store. Liquor storage in Northwest Corner.

**MOTION (Baum/Myers) to Approve the modification of premise for Ultra Mart Foods, LLC., d/b/a Pick 'n Save #6357, N112 W16200 Mequon Rd., Modification to premise to include: 1 story retail grocery and liquor, including the exterior parking stalls specifically designated for the online merchandise order & pick up service and the pathway utilized to access the parking stalls. Alcohol sold and displayed throughout store. Liquor storage in Northwest Corner. Motion carried unanimously.**

L. Resolution 67-2018, Approving an Intergovernmental Agreement with Washington County Related to the Briggs and Stratton Corporation Development With Germantown TID No. 8.

**MOTION (Baum/Miller) to Approve Resolution 67-2018, Approving an Intergovernmental Agreement with Washington County Related to the Briggs and Stratton Corporation Development With Germantown TID No. 8. Motion carried, 3 opposed Hughes, Wing, and Zabel.**

M. Resolution 68-2018, Waiver and Agreement related to Certain Village Rights for Properties within Willow Creek Business Park (TID # 6).

**MOTION (Baum/Miller) to Approve Resolution 68-2018, Waiver and Agreement related to Certain Village Rights for Properties within Willow Creek Business Park (TID # 6). Motion carried, Zabel Opposed.**

N. September 2018 Meeting Schedule.

**MOTION (Baum/Kaminski) to Approve a Special Village Board meeting on September 10, 2018 at 5:30 p.m. for the SWRPC Hearing. There will not be a meeting on September 3<sup>rd</sup> due to the Labor Day Holiday. Motion carried unanimously.**

**MOTION (Baum/Myers) to Convene into Closed Session at 9:00 PM in regards to the Acquisition of Easement for Sanitary Sewer Main to Serve Holy Hill Road Service Area. The Village Board May Enter into Closed Session per Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and then may reconvene into open session to take such action as it deems appropriate. The Village Board, Administrator Kreklow, Attorney Sajdak, and Director Ratayczak. Roll Call Vote Carried.**

**ADJOURNMENT:** There being no further business, meeting adjourned at 10:30 p.m.

*Deanna L. Boldrey*

Deanna L. Boldrey, WCMC/CMC  
Village Clerk