

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
August 19, 2019**

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

ROLL CALL: Present: President Wolter, Trustees Baum, Miller, Myers (7:27 p.m.), Wing, and Zabel. Trustees Hughes, Kaminski, and Warren were absent excused. Also present: Administrator Kreklow, Clerk Braunschweig, Attorney Sajdak, Director Rath, Director Retzlaff, and Manager Tucker.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

No Report.

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:

None.

CONSENT AGENDA:

- A. Approval of Minutes: August 5, 2019 Regular Village Board Meeting.
- B. Accounts payable/payroll
 - 1. August 6, 2019 Payroll (Hourly) \$ 274,834.75
 - 2. August 10, 2019 Accounts Payable \$ 1,240,847.35
 - 3. August 15, 2019 Payroll (Salary) \$ 109,908.81
- C. Operator's Licenses: Genevieve LaLonde, Julie Vicenzi, Kevin Walker. [Recommended]

MOTION (Baum/Zabel) to approve Consent Agenda Items A-C. Roll Call Vote Carried Unanimously.

PUBLIC HEARING:

Gehl Foods, LLC, Agent for AGNL Dairy LLC, Property Owner of N116 W15970, N116 W16060, N116 W16076 & N116 W16150 Main Street & W160 N11736 Crusader Court. Rezoning Application to Create a Planned Development District (PDD) and Rezone 17.36 acres from the B-3: General Business & M-1: Limited Industrial District into the Planned Development District (PDD). (Public Hearing Only.)

Director Retzlaff came to the podium to present the Rezoning Application. This is to Rezone and Create a Planned Development District (PDD) and Rezone 17.36 acres from the B-3: General Business & M-1: Limited Industrial District into the Planned Development District (PDD). The Site Location Map and Site Plan were shown.

Creation of the PDD is a necessary step to an overall proposal by Gehl Foods to combine two small residential parcels on Main Street, raze four existing structures on Main Street adjacent to the production facility, and construct a 22,500 sqft building addition and 49-stall parking lot expansion to the production facility located at N116 W15970 Main Street, and, a

46-stall parking lot renovation to the Gehl Foods office building property located at N116 W16150 Main Street.

Director Retzlaff reviewed the PDD Summary which included underlying zoning district revisions to increase the maximum impervious percentages, reduction in set back on Main Street from 30' to 24', decrease in parking lot setback and decrease in minimum parking stall size.

The production facility parcel, the building expansion area, renderings, the parking area, storm basin, and an aerial were all presented. Community Improvements were shown.

The Plan Commission held a Public Hearing on August 12th and recommended to postpone or table action until resolution and identification of issues. Tonight is the public hearing only. Staff Comments included preserving the architectural appearance of the remaining residual structures on Main Street and the long range plan for Main Street as a pedestrian friendly retail and entertainment district.

Craig LeNeu CEO of Gehl Foods came to the podium. He gave an overview and history of Gehl Foods business. Gehl Foods employees over 400 people many of which live in the Community. He spoke of the future growth of the company. Applause in the gallery.

Alex Kerr CEO of Gehl Foods spoke in favor of Gehl Foods and the unique position in the Village. She reported on a collaborative approach and working with the community. Applause in the gallery.

Adam Konitzer Director of Value Improvement spoke in favor of Gehl Foods and the growth of their facility. He commented on the Building and Landscape design, the corrections on the PDD & CSM and the Firelane on the East side of the building. Applause in the gallery.

President Wolter read the Public Hearing Notice and Opened the Public Hearing at 7:27 P.M.

Robert Garcia of Bittersweet Drive in Lisbon came to the podium. He spoke in favor of Gehl Foods and the safety of the employees. He commented on the growth for the company. Applause in the gallery.

Jan Miller of Windsong Circle West came to the podium. She commented that she works in the food industry and the growth of Gehl Foods. She is concerned about the additions and plans to move closer to the sidewalk. She commented on moving the business to a business park. Applause in the gallery.

Steve Green of Main Street. Commented on a West Allis business that removed four houses to make room for business and employees. Applause in the gallery.

Dan Lord of Chick a Dee Court commented that he is an employee and resident. He spoke in favor of Germantown and Gehl Foods. He is on a committee to improve community relations. Applause in the gallery.

Kelsey Schroeder of 10th Avenue commented on the Gehl Community Involvement. Applause in the gallery.

Mary Hudson of Windsong Circle West commented against the renderings. She wants more greenspace. Spoke in favor of Gehl Foods but would like the building moved to allow more greenspace. Applause in the gallery.

Kevin Coulick of Homes Beach Florida commented in favor of Gehl Foods. He is a Gehl Foods employee and travels for work. The current facility has the resources needed for expansion. If they were to move the facility, it would be from the ground up. Applause in the gallery.

James Sina of Amber Drive spoke in favor of Gehl foods and the Germantown Community. Applause in the gallery. Applause in the gallery.

Leslie Partner of Donges Bay Road is not opposed to Gehl Foods; however, is not in favor of the renderings. Applause in the gallery.

Shelly Bennett of Richfield commented that her business will be on Crusader Court. She is moving her business from Milwaukee to Germantown. Gehl Foods is her neighbor and she is excited about the expansion. She would like to see more green space and a restaurant with their products. Applause in the gallery.

James Schultz of Windsong Circle E spoke in favor of Germantown and Gehl Foods. Applause in the gallery.

Dan Wing of Vista Court commented he is not opposed to Gehl Foods. He commented on the history of the company; and the noise, traffic, smell, and to put the neighborhoods first. Applause in the gallery.

President Wolter closed the Public Hearing at 8:10 P.M.

Village Attorney Brian Sajdak advised on the next item for Veridian Homes LLC. On Friday the Village received protest petitions related to the Germantown School District Site. The petitions meet two of the three criteria. This triggers the protest petition voting requirements that require a $\frac{3}{4}$ vote of the Village Board membership or seven voting in favor. The Village Board has three members absent this evening. There are six members present. The Developer requested for the item to be postponed until September 16, 2019. This was published for a public hearing and we will proceed with the public hearing. Zabel questioned if the public hearing could be left open as a continuation of the public hearing.

Veridian Homes LLC, Agent for the Germantown School District, Property Owner – N104 W14942 Donges Bay Road, GTNV 263-988. Application to Rezone 14.7 Acres from A-2: Agricultural to Rs-5: Single-Family Residential Zoning District for a 24-Lot Residential Development.

Director Retzlaff came to the podium to present the Rezoning Application. This is to Rezone and Create a Planned Development District (PDD) and Rezone 14.7 Acres from A-2: Agricultural to Rs-5: Single-Family Residential Zoning District for a 24-Lot Residential Development.

Director Retzlaff gave history to the item. In December 2018, the Plan Commission recommended and Village Board approved a 2020 Land Use Plan map amendment to change

the 14.7-acre property from “Park/Recreation Area” to “Low Density Residential”, and, rezoning from A-2: Agricultural to Rs-6: Residential Single-Family and concept plan for a 30-lot single-family subdivision.

Then in January 2019, the Village Board reconsidered their action on the rezoning, rescinded the previous approval and sent the proposal back to the Plan Commission to re-evaluate the proposal for consistency of the neighborhoods and not as dense as Rs-6.

Then in April of 2019, Veridian Homes revised the proposal to create a PDD to rezone from A-2 to Rs-5, Single Family. The Plan Commission postponed the action until a plan to match that of adjacent districts is brought forward. An additional revised rezoning proposal to Rezone and Create a Planned Development District (PDD) and Rezone 14.7 Acres from A-2:

Agricultural to Rs-5: Single-Family Residential Zoning District for a 24-Lot Residential Development.

The Plan Commission held a Public Hearing on August 12 and did recommend approval of the rezoning proposal to Rezone and Create a Planned Development District (PDD) and Rezone 14.7 Acres from A-2: Agricultural to Rs-5: Single-Family Residential Zoning District for a 24-Lot Residential Development with three conditions.

The Land Use Map was reviewed. The Wetland areas were reviewed.

President Wolter read the Public Hearing Notice and Opened the Public Hearing at 8:23 P.M.

Terry Tschetter of Wilson Drive came to the podium and spoke against the rezoning. Applause in the gallery.

Leslie Partner of Donges Bay Road wants a larger park. Applause in the gallery.

Lyn Dohl of Harrison Circle questioned the rezoning and what if another school is needed. Applause in the gallery.

Neill Risler of Harrison Circle commented on the School Board and that the rezoning should be rejected. Applause in the gallery.

Chris Huber of Windsong Circle East commented on the rezoning, setbacks, and lawsuit. Applause in the gallery.

Erin Grody of Wilson Drive commented spoke against the Developer / Development. Applause in the gallery.

Jan Miller of Windsong Circle West commented against the zoning. She requested a show of hands of those in the gallery that are against the zoning. A majority of hands were raised. Applause in the gallery.

Lilabeth Yao of Windsong Circle commented on the quality of life in the Village of Germantown. Applause in the gallery.

Bob Soderberg of Elmwood Drive and representing the School Board came to the podium. He gave history of the sale of the property.

Dave Bray of Wilson Drive commented the change the lot size and layout of the proposal.

Applause in the gallery.

MOTION (Zabel/Myers) to adjourn the Public Hearing on this matter until the next Village Board meeting on September 16 at 7 p.m. or as soon thereafter as the matter may be heard and to table Old Business Item until that same date and time. Motion Carried Unanimously.

Matthew & Michelle Stephan, Property Owners of 19.8-Acres on Rockfield Road ½ Mile West of Goldendale Road. Application to Rezone 19.8 Acres from A-2: Agricultural & Rs-1: Single-Family Residential to the A-1: Agricultural Zoning District.

Director Retzlaff presented the site location. The Stephan's no longer wish to split the CSM or record the CSM. They want the property zoned back the way it was. The Plan Commission recommendation is to approve the application as requested.

President Wolter read the Public Hearing Notice and Opened the Public Hearing at 9:07 p.m. No one spoke. President Wolter closed the Public Hearing at 9:08 p.m.

OLD BUSINESS:

Ordinance 11-2019 to Rezone from the A-2: Agricultural Zoning District to the Rs-5: Single-Family Residential Zoning District to develop a 24-lot single family residential subdivision – Veridian Homes, Agent for the Germantown School District, N104 W14942 Donges Bay Road (approximate) 14.7 Acres, Tax Key GTNV 263-988.

Previously Postponed.

NEW BUSINESS:

Resolution 50-2019, Authorizing the Redemption of the Village of Germantown Series 2010A, General Obligation Refunding Bonds and Series 2012A General Obligation Promissory Notes.

MOTION (Zabel/Baum) to Resolution 50-2019, Authorizing the Redemption of the Village of Germantown Series 2010A, General Obligation Refunding Bonds and Series 2012A General Obligation Promissory Notes. Director Rath reported on the item. This close the debt for TID 4. The amount is \$1,730,000. This brings a savings of almost \$40,000 in interest to close early. Roll Call Vote Carried Unanimously.

Ordinance 12-2019, to Rezone 19.8 Acres from A-2: Agricultural & Rs-1: Single-Family Residential to the A-1: Agricultural Zoning District - Matthew & Michelle Stephan, Property Owners of 19.8-Acres on Rockfield Road ½ Mile West of Goldendale Road.

MOTION (Zabel/Myers) to Approve Ordinance 12-2019, to Rezone 19.8 Acres from A-2: Agricultural & Rs-1: Single-Family Residential to the A-1: Agricultural Zoning District - Matthew & Michelle Stephan, Property Owners of 19.8-Acres on Rockfield Road ½ Mile West of Goldendale Road. The CSM will not be recorded. Motion Carried Unanimously.

Final Subdivision Plat for a 37-Lot Single-Family Residential Subdivision (Harvest Hills) for Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC, Harvest Hills Subdivision LLC & Alan & Lynda Luther, Property Owners of 107 Acres South of Freistadt Road, North of Elm Lane and West of Wasaukee Road.

MOTION (Zabel/Myers) to Approve Final Subdivision Plat for a 37-Lot Single-Family Residential Subdivision (Harvest Hills) for Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC, Harvest Hills Subdivision LLC & Alan & Lynda Luther, Property Owners of 107 Acres South of Freistadt Road, North of Elm Lane and West of Wasaukee Road. Includes the four conditions from the memo as listed below.

- 1. To meet the criteria that a final plat shall “substantially conform” to an approved preliminary plat, the final plat shall be revised to include the entire 35.21 acre “Outlot 8” shown on the preliminary plat as either a lot or an outlot.**
- 2. The final plat shall reflect the correct dedication of right-of-way for Elm Lane (40 feet north of the ¼ section line) including along the 35.21-acre Outlot 8;**
- 3. A Letter of “no objection” from the WI Department of Administration (DOA) shall be submitted to the Village prior to recording the final plat.**
- 4. Final inspection and confirmation shall be received from the Public Works Department/Village Engineer that all road, storm water and other improvements in the subdivision are complete and developer requirements satisfied prior to recording the final plat.**

Motion Carried Unanimously.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 9:15 p.m.

The next regular meeting of the Village Board will be on Monday, September 16, 2019 at 7:00 p.m.

Respectfully Submitted,

Deanna Braunschweig

Deanna B. Braunschweig, WCMC/CMC
Village Clerk