

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
June 17, 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, Hughes, Kaminski, Miller, Myers, Warren, and Zabel. Trustee Wing absent excused. Also present: Administrator Kreklow, Director Rath, Clerk Braunschweig, Attorney Sajdak, Director Retzlaff, Director Ratayczak, Director Schroeder, and Manager Tucker.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

President Wolter reported that there will be a Steering Committee meeting for the 2050 Comprehensive Plan to be held tomorrow evening, 6:30 P.M. at the Village Hall Board Room.

President Wolter reported that on June 22nd, there will be a Performing Arts Gala at the High School. There will be a variety of bands.

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

Trustees provided information on upcoming meeting dates and times.

Director Retzlaff introduced Emily Zandt, Associate Planner. The Board Room Applauded.

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

Brian Depies of Ridgewood Lane came to the podium to speak in regards to the Heritage Park Development item. He was requested to come back to the podium under the Public Hearing Item.

CONSENT AGENDA:

Approval of Minutes: June 3, 2019, Regular Meeting.

Accounts payable/payroll

1.	June 10, 2019	Accounts Payable	\$ 576,199.32
2.	June 11, 2019	Payroll (Hourly)	\$ 243,215.18
3.	June 14, 2019	Payroll (Salary)	\$ 108,057.60

Operator's Licenses: Frank Arena, Lawrence Baker, Arick Fakhar, Sherry Gagliano, Kim Gamroth, Stehanie Glosser, Cynthia Heyman, Jayme Hoff, Elizabeth Humlie, Kirk Kussman, Julie Kussman, Marcus Lanter, Heather Lazar, Jessica Lomibao, James Manseau, Michelle Michek, Damiel Moran, Luanna Naputi, Sina Marie Pavia, Steven Repka, Melissa Roseleip, Ashley Smith, Heather Spilger, Heidi Steckel, Shawn Stinson, Tyler Tapp, Brittany Thomas, Joel Timmerman, Asif Vadsaria, Rebecca Waldeon, James Weggen, Kassius Whitmore [Recommendation Forthcoming]

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

- D. Resolution 44-2019, Well #4 Rehab, Contract with CTW in an amount not to exceed \$64,000, with an additional \$32,250 dependent on what parts are salvageable and can be reused.
- E. Resolution 45-2019, Contract with Wisconsin DOT Salt Bid for 2019/2020.
- F. Resolution 46-2019, Adopting 2018 CMAR (Compliance Maintenance Annual Report).
- G. Grapple Bucket Purchase from Kelbe Brothers Equipment in an amount not to exceed \$15,117.
- H. Recycling Center Material Processing Blanket Purchase Order with Enercon in an amount not to exceed \$25,000.

- I. Purchase of Wastewater Utility Truck Cab and Chassis from Badger Truck and Auto Group in an amount not to exceed \$44,096.00.

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

OLD BUSINESS:

None.

PUBLIC HEARING:

MSTLC LLC, Agent for TLC Acres LLC and Matthew & Amy Seban, Property Owners -W210 N10738 Appleton Avenue. Rezoning Application from A-1: Agricultural to A-2: Agricultural (Required to allow "Horticultural Services").

Director Retzlaff came to the podium and reported on the MSTLC LLC and TLC Acres LLC Rezoning Application. The Site Location map and Site Plan was shown. The Conditional Use Permit was postponed until this evening to be acted upon with the rezoning. The Public Hearings for the Conditional Use Permit were held on April 8 and May 6, 2019. Existing uses were discussed. An erosion permit has been issued. The Plan Commission Public Hearing for rezoning was held on June 10, 2019. The Plan Commission recommended approval of the item.

President Wolter Read the Public Hearing Notice and Opened the Public Hearing at 7:20 p.m. No One Spoke.

President Wolter closed the Public Hearing at 7:21 p.m.

Germantown Historical Society for Frank & Irene Blau, Property Owners – W148 N12297 Pleasant View Drive. Application for Historic Designation. The property is also known as Public Hearing Only.

Director Retzlaff came to the podium and reported on the Application for Historic Designation for Frank and Irene Blau of W148 N12297 Pleasant View Drive Application. This is also known as the Groth House and was built in 1860. The Historic Designation is a voluntary overlay district. Historic Preservation has not yet acted on the application. The Village Departments have not yet expressed their support of the request. The Plan Commission Public Hearing was held on June 10, 2019. The Plan Commission has postponed action on the item until a recommendation is received from the Historic Designation Preservation Commission.

President Wolter Read the Public Hearing Notice and Opened the Public Hearing at 7:25 p.m.

No one spoke.

President Wolter closed the Public Hearing at 7:25 p.m.

Dan Barnes, Agent for John & Mary Barnes & Heritage Park Development Corp., Property Owners – 30.65 Acres East of Division Road, South of Larkspur Lane, North of Revere Lane, West of Gunflint Trail. Conditional Use Permit application to allow development within a 25-foot wetland setback.

Planner Zandt came to the podium and reported on the Conditional Use Permit Application to allow development within a 25-foot wetland setback for Dan Barnes, Agent for John & Mary Barnes & Heritage Park Development Corp., Property Owners – 30.65 Acres East of Division Road, South of Larkspur Lane, North of Revere Lane, West of Gunflint Trail. The Conditional Use items were reported on. The Plan Commission held a public hearing on June 10, 2019.

The Plan Commission recommended approval of the item. The proposed grading map was shown.

Attorney Sajdak advised on Act 67 that if the applicant meets the requirements of the Conditional Use Permit application process, the Conditional Use Permit has to be granted. The Village can impose conditions as related to the ordinance.

President Wolter Read the Public Hearing Notice and Opened the Public Hearing at 7:55 p.m.

Brian Depies of Ridgewood Lane came to the podium. He addressed bedrock concerns, drainage concerns, wetland concerns. The debris will be removed.

Attorney Matt O'Neill of Water Street, Milwaukee came to the podium. He is an attorney for Kathy Coakley of Santa Fe Court. He spoke in opposition of the conditional use permit. He commented on concerns of blasting, run off and groundwater. Matt O'Neill also showed pictures of debris on the property.

Steven Rinzel of Larkspur Lane came to the podium. His property abuts the subject property and water is a concern.

Greg Kamps of Revere Lane came to the podium. He commented with concern of the water run off and low areas and blasting.

Ralph Zak of Revere Lane came to the podium. He commented on concern of water run off and low areas. He had concerns of blasting.

Robert Drewek of Revere Lane came to the podium. He spoke of a water fall in his back yard.

Ron Kuehn of Wildrose Lane came to the podium. He spoke of set back and blasting concerns.

Paul Fecke of Wildrose Lane came to the podium. He spoke of concerns of the blasting and set back.

Lynda Janssen of Gunflint Trail came to the podium. She spoke of concerns of the blasting and water.

Kathleen Coakley of Santa Fe Court came to the podium. She spoke of concerns of the blasting and water.

Norine Janzen of Tanglewood Drive came to the podium. She spoke of concerns of the blasting. She also questioned the easement and homeowners association responsibility of the retention pond.

President Wolter closed the Public Hearing at 8:12 p.m.

Keefe John, Agent for Ethoplex, LLC and Techplex LLC, Property Owner – N115 W19150 Edison Drive. Conditional Use Permit application for the installation of a 195' tower and operation of a wireless communication facility.

Planner Zandt came to the podium and reported on the Conditional Use Permit application for the installation of a 195' tower and operation of a wireless communication facility for Keefe John, Agent for Ethoplex, LLC and Techplex LLC, Property Owner – N115 W19150 Edison Drive. The Site Location Map was shown with the zoning. Planner Zandt pointed out the ATC Power Lines are located on the West Side of the property. The Plan Commission held a public hearing on June 10, 2019. The Plan Commission recommended approval of the item.

President Wolter Read the Public Hearing Notice and Opened the Public Hearing at 8:20 p.m. No one spoke.

President Wolter closed the Public Hearing at 8:21 p.m.

NEW BUSINESS:

Ordinance 06-2019, Rezoning Application from A-1: Agricultural to A-2: Agricultural, and Conditional Use Permit to allow 1) the operation of a landscape services business, 2) retail sales of nursery products not raised on the property and 3) storage of commercial vehicles and equipment. MSTLC LLC, Agent for TLC Acres LLC and Matthew & Amy Seban, Property Owners -W210N10738 Appleton Avenue.

MOTION (Myers/Miller) to approve Ordinance 06-2019, Rezoning Application from A-1: Agricultural to A-2: Agricultural, and Conditional Use Permit to allow 1) the operation of a landscape services business, 2) retail sales of nursery products not raised on the property and 3) storage of commercial vehicles and equipment. MSTLC LLC, Agent for TLC Acres LLC and Matthew & Amy Seban, Property Owners -W210N10738 Appleton Avenue. Zabel questioned the location and retail sales. Director Retzlaff reported that the County and State are aware of the situation. Matt Seban reported on a correct swale engineered by Michels Corp. He also has an erosion control permit. He does not have wetlands on property. Motion Carried. Zabel voted no.

Conditional Use Permit to allow development within a 25-foot wetland setback for Dan Barnes, Agent for John & Mary Barnes & Heritage Park Development Corp., Property Owners – 30.65 Acres East of Division Road, South of Larkspur Lane, North of Revere Lane, West of Gunflint Trail.

MOTION (Baum/Miller) to approve Conditional Use Permit to allow development within a 25-foot wetland setback for Dan Barnes, Agent for John & Mary Barnes & Heritage Park Development Corp., Property Owners – 30.65 Acres East of Division Road, South of Larkspur Lane, North of Revere Lane, West of Gunflint Trail.

Brian Depies came to the podium. He pointed out the grading and the use of native plants. He commented that 52 borings were done. Additional pictures of debris were distributed. The homeowner's association will be responsible for the ponds. Discussion ensued of the enforcement of the ponds.

Attorney Matt O'Neill of Water Street, Milwaukee came to the podium. He requested the Village Board deny the Conditional Use Permit.

Attorney Sajdak advised in regard consistency with the Code and DNR regulations.

Discussion of the underground blasting ensued. Trustee Warren commented to encourage the blasting contractor to perform a crack and damage survey to properties or the property owners

to take their own before and after pictures. The claim route for a property owner to take is with the contractor insurance carrier. Motion Carried. Zabel voted no.

Conditional Use Permit for the installation of a 195' tower and operation of a wireless communication facility Keefe John, Agent for Ethoplex, LLC and Techplex LLC, Property Owner – N115 W19150 Edison Drive.

MOTION (Kaminsky/Baum) to approve Conditional Use Permit for the installation of a 195' tower and operation of a wireless communication facility Keefe John, Agent for Ethoplex, LLC and Techplex LLC, Property Owner – N115 W19150 Edison Drive. Motion Carried Unanimously.

Resolution 48-2019, Community Development Department – 2050 Comprehensive Plan: Community Engagement Program.

MOTION (Baum/Miller) to approve Resolution 48-2019, Community Development Department – 2050 Comprehensive Plan: Community Engagement Program. Motion Carried Unanimously.

Resolution 47-2019, Northeast Interceptor Sanitary Sewer Extension Contract with Minger Construction Co., Inc. in an amount not to exceed \$5,970,918.00, plus a Contingency of 5% or \$298,545.

MOTION (Kaminsky/Baum) to approve Resolution 47-2019, Northeast Interceptor Sanitary Sewer Extension Contract with Minger Construction Co., Inc. in an amount not to exceed \$5,970,918.00, plus a Contingency of 5% or \$298,545. Roll Call Vote Carried. Zabel Voted No.

July 29th, 2019 Joint Meeting with the Village Board and School Board, in accordance with Resolution 12-2019, Joint School District and Village Board Meetings to be held on the Fifth Monday's and the Benefits Thereof.

MOTION (Miller/Hughes) to approve July 29th, 2019 Joint Meeting with the Village Board and School Board, in accordance with Resolution 12-2019, Joint School District and Village Board Meetings to be held on the Fifth Monday's and the Benefits Thereof. This meeting will be held at the Library at 6:30 p.m. Motion Carried Unanimously.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 9:30 p.m.

The next regular meeting of the Village Board will be on Monday, July 1, 2019 at 7:00 p.m.

Respectfully Submitted,
Deanna B. Braunschweig, WCMC/CMC
Village Clerk