

President Wagner called the meeting of the Village Board to order on January 15, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, BERG, HURM, & WAGNER. Also present: Attorney Reilly, DPW Supv Brandemuehl, Water Supv Walenczyk, Chief Winchowky, Engineer Peot, WWTP Kyler, Chief Rolfe, & Library Director McBride.

President Wagner announced that the Village Board would adjourn into closed session at the end of the regular meeting.

The December mileage, police, fire, and library reports were placed on file in the Clerk's Office. Moved by Fickau, seconded by Coats, to approve the minutes of the December 18, 2001 meeting as presented. Motion carried without a negative vote.

**COMMENTS FROM THE PUBLIC:**

Don DesMonie, W250 S10015 Center Drive, Town of Vernon, introduced himself as a candidate for the 34<sup>th</sup> District County Supervisor position.

**OLD BUSINESS:**

**COUNTY WIDE DISPATCH SYSTEM** – Daniel Finley, Waukesha County Executive, made a presentation before the Village Board on the planned County Dispatch. The plan would create a new County Department of Public Safety. Responsibilities would include: Emergency Management, Emergency Operations Center, Radio Services, Security, and Communication Center. It would be County owned and operated. Department Head would report to the County Executive, would have common record management, and the location would be at WCTC. County will pay all operating cost for center. County will pay 50% of the 5 million building cost and the county communities would pay the balance. Planned opening is the 2<sup>nd</sup> quarter of 2004. The dates were/are: Nov 2001 – County Board adopts Capital Plan; Jan 2002 – Sheriff Dispatch Coordinator hired; Feb 2002 – Communities submit letter of intent, which is non-binding; Aug 2002 – Community Charter Agreement finalized; Jan 2003 – Center groundbreaking; 2<sup>nd</sup> qtr of 2004 – Center opens. Item was referred to the Finance Committee plus the Police Chief and Fire Chief. Report is due at the February 5<sup>th</sup> meeting.

**VILLAGE PRESIDENT:** President Wagner presented a proclamation to Mr. & Mrs. John Lueck on their 70<sup>th</sup> Wedding Anniversary.

**COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$93,211.36; Fire/Amb \$30,850.13; Recycling \$13,853.76; Capital \$5,801.90; Library \$19,406.77; Capt Impvts \$15,147.63; 2001 GO \$404,323.66; Water \$21,870.32; Sewer \$28,855.45; Taxroll \$1,494,138.13. Motion carried without a negative vote. Expenditure from 102 fund remains in committee. Letter from the Lions Club regarding the purchase of the former Library Building will be placed on file. Committee received reply from HPC that they desire the exterior of the building to be returned to the original state and that the interior would need to be upgraded.

**JUDICIAL** – Moved by Berg, seconded by Fennel, to approve an operator's license for Jorge S. Guerrero. Motion carried without a negative vote. Moved by Berg, seconded by Fennel, to approve the application for Class B Combo License for Karen E. Hillman; K & B Tap at 111 N. Rochester St. Motion carried without a negative vote. Moved by Berg, seconded by Fennel, to approve the application for temporary Class B Beer License for the Mukwonago Knights of Columbus, February 8 & 9, 2002. Motion carried without a negative vote. Moved by Berg, seconded by Odier, to adopt Ordinance 683: **AN ORDINANCE TO AMEND SECTION 36 OF THE VILLAGE OF MUKWONAGO CABLE TELEVISION FRANCHISE AGREEMENT.**

Motion carried without a negative vote. Ordinance regarding parking restrictions in the Park & Ride lot and other cable franchise fees will remain in committee for further review.

**PERSONNEL** – Director of Public Service position and Employee Handbook updates will remain in committee. Moved by Fennel, seconded by Odier, to approve the job descriptions of the Clerk/Treasurers Office staff. Motion carried without a negative vote. The Mukwonago Dispatch/Clerk contract has been ratified by the Association.

**BUILDING ADHOC** – Moved by Fickau, seconded by Odier, to approve the Close-out Change Order for the Fire Station Clearing and Grubbing contract. Motion carried without a negative vote.

**UTILITIES** – The update on the private well abandonment ordinance and the wellhead protection ordinance for wells #5 & #6 will remain in committee. Moved by Fickau, seconded by Odier, to approve the Certificate of Substantial Completion for Well #5. Motion carried without a negative vote.

**PLAN COMMISSION** – Moved by Odier, seconded by Fennel, to accept the Plan Commission recommendation to approve the outdoor lighting fixture as submitted by Advantage Wireless for 114 Main Street. Motion carried without a negative vote. Lighting at Miller Pharmacy was referred to the Public Works Committee. Moved by Odier, seconded by Fickau, to accept the Plan Commission recommendation to approve the site plan, landscaping plan, elevations plan, lighting plan, and sign plan for the property at 318 N. Rochester Street, former Shell gas station. Motion carried without a negative vote.

**VILLAGE ENGINEER:** Moved by Fickau, seconded by Hurm, to approve the Soil Boring Proposals for Bay View Road and Pedestrian Bridge Locations from Midwest Engineering Services in the amount of \$2,688.00. [\$920 for Bay View Road and \$1,768.00 for the pedestrian bridges.] Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to approve Change Order #1 – West Side Avenue & Gibson Street Resurfacing for a decrease in the contract amount of \$497.21. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Fennel, seconded by Coats, to approve the Memorandum of Lease with U.S. Cellular. Motion carried without a negative vote. Moved by Odier, seconded by Coats, to authorize the Village Attorney to send letter to SEWRPC & other interested parties that the Village opposes the 21<sup>st</sup> Century Vision for Waukesha County Municipalities. Motion carried without a negative vote.

**CORRESPONDENCE:** The 2002-2006 Highway Capital Improvement Program for Waukesha County was placed on file in the Clerk's Office.

**NEW BUSINESS:** Moved by Fickau, seconded by Coats, to approve the Time Warner Permit to install cable lines at Holz Drive & County Highway ES. Motion carried without a negative vote. Moved by Fennel, seconded by Odier, to approve the Centurytel Permit to bury telephone lines at Perkins Drive & Holz Drive. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the Centurytel Permit to bury telephone lines on Baxter Drive. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the WEPCO Permit for install overhead cable at N. Rochester Street & County Highway ES. Motion carried without a negative vote.

Moved by Fennel, seconded by Coats to adjourn into closed session at 8:39 p.m. pursuant to State Statute 19.85(l)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved – consideration of border agreement with

Town of Vernon/Village of Big Bend, discussion of status of Town of East Troy vs. Village of Mukwonago. And pursuant to State Statute 19.85(1)(c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – considering the offering of employment for the Public Services Director Position. Motion carried unanimously upon roll call.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the Village Board meeting to order at 7:30 p.m. on February 5, 2002. Members present: FICKAU, COATS, ODIER, FENNEL, HURM, & WAGNER. Member excused: BERG. Also present: Attorney Reilly, Water Supv Walenczyk, Library Director McBride, WWTP Kyler, DPW Supv Brandemuehl, Chief Rolfe, Chief Winchowky, & Bldg Insp Hankovich.

President announced that the Village Board would upon adjournment go into closed session.

Moved by Fickau, seconded by Fennel, to approve the minutes of the January 15, 2002 meeting.

Motion carried without a negative vote.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$108,930.17; Fire/Amb \$37,020.31; Recycling \$15.24; Capital Equip \$163,770.61; Library \$22,242.22; Capital Impvts \$25,357.57; 2001 GO \$650,469.48; Water \$44,546.21; Sewer \$32,508.27; Taxroll \$39,486.40. Motion carried without a negative vote. Committee handed out the report of the meeting on County Wide Dispatch; a recommendation will be made at the next meeting. Moved by Odier, seconded by Fickau, to approve the purchase of 3 defibrillators at a cost of \$18,000.00 from the Act 102 funds. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to approve Resolution 2002-02: **RESOLUTION AUTHORIZING THE BORROWING OF \$2,960,000; PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS THEREFOR; AND LEVYING A TAX IN CONNECTION THEREWITH.** Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to approve Resolution 2002-03: **RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$6,090,000 WATERWORKS SYSTEM AND SEWERAGE SYSTEM REVENUE BONDS AND PROVIDING FOR THE PAYMENT OF SAID BONDS AND OTHER DETAILS AND COVENANTS WITH RESPECT THERTO.** Motion carried without a negative vote.

**PERSONNEL** – Salary issue of the Police Department; Police Clerk/Dispatchers contract for 2001-2003; Director of Public Service Position; and the Employee Handbook update is still in committee.

**BUILDING ADHOC** – Moved by Fickau, seconded by Odier, to approve the Certificate of Substantial Completion – Fire Station Clearing and Grubbing. Motion carried without a negative vote.

**JUDICIAL** – Moved by Odier, seconded by Hurm, to approve the operator's license for Victoria G. Smith. Motion carried without a negative vote. Moved by Odier, seconded by Hurm, to approve the operator's license to Todd L. Guthrie. Motion carried without a negative vote. Application for Amanda C. Doud will remain in committee. The Village Attorney for the next meeting will draft ordinance regarding parking restrictions in Park and Ride lot.

**UTILITIES** – Letter regarding the sewer backup at 419 N. Rochester Street was for informational for the Board members and referred to the Village's Insurance Company. Village will follow up with the homeowner. Moved by Fickau, seconded by Odier, to approve Resolution 2002-01: **RESOLUTION IN COMPLIANCE WITH THE COMPLAINT MAINTENANCE REPORT OF THE DEPARTMENT OF NATURAL RESOURCES.** Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Almont report recommendations will be coming to the Board when it is completed. Countywide dispatch service should be removed from the committee agenda. Photos of the new engine were passed around to the board members.

**VILLAGE ATTORNEY:** Moved by Fennel, seconded by Hurm, to authorize the Village Attorney to intervene in the Town of East Troy/Village of East Troy consolidation. Motion carried without a negative vote. Ordinance No. 684 pertaining to the Water Supply Facilities

was referred to the next meeting. Moved by Fickau, seconded by Hurm, to approve the signing of the memorandum of agreement between the Village of Mukwonago and Cingular Wireless. Motion carried without a negative vote.

**CORRESPONDENCE:** Letter from Scott Jensen regarding Governor McCallum's Budget Reform Act and the letter from Katherine Rath regarding the sewer backup at her home were placed on file in the clerk's office.

**NEW BUSINESS:** Moved by Fennel, seconded by Hurm, to approve the WEPCO permit for 512 Eastern Trail. Motion carried without a negative vote.

Moved by Fennel, seconded by Hurm and carried to adjourn the meeting at 8:03 p.m.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the Village Board meeting to order on February 19, 2002 at 7:30 p.m. Members present: FICKAU, ODIER, FENNEL, BERG, HURM, & WAGNER. Member excused: COATS. Also present: Library Director McBride; DPW Supv Brandemuehl; Water Supv Walenczyk; Police Chief Winchowky; Attorney Reilly; Bldg Insp Hankovich; Asst WWTP Operator Kyler; and Engineer Peot.

President Wagner opened the public hearing at 7:31 p.m. on the Change of Zoning request from Scott Simon. Speaking in opposition to the change of zoning: Laura Ellis, W309 S10004 Hwy 'I'; and a resident from Field Farm West; and Richard Pearson, W299 S8598 Highway '83'. Public Hearing was closed at 7:38 p.m.

Monthly reports and the annual report of the Police Department and Building Inspector were placed on file in the Clerk's Office.

Moved by Fickau, seconded by Berg, to approve the minutes of the February 5, 2002 minutes as presented. Motion carried without a negative vote.

County Supervisor Karen McNelly addressed the Board on the County Wide Dispatch proposal. Moved by Odier, seconded by Fennel, to participate in the study of County Wide Dispatch with a non-binding letter of intent. Motion carried on a vote of 5 ayes and 1 nay [Berg voting 'no'].

#### **COMMENTS FROM THE PUBLIC:**

Ann Ginster presented the Village Board with petition signed by 374 people of which 356 were accepted and are Village residents. The petition ask that the Village Board approve a referendum for the April 2<sup>nd</sup> General Election that ask 'Are you in favor of Walgreens locating in the Village as put forth in their prior proposal?' Moved by Berg, seconded by Fickau, to accept the petition for a non-binding referendum for Walgreens to locate in downtown Mukwonago. Motion carried without a negative vote.

#### **PRESENTATIONS:**

**RUEKERT & MIELKE-IMPACT FEE STUDY:** Impact fee study report was presented to the Village Board. Impact fees are for Library Facilities; Fire Protection and Emergency Medical Facilities; and Law Enforcement Facilities. Public Hearing will be held on March 19, 2002. Class 1 Notice at least 20 days prior to the hearing.

**LIBRARY BOARD-LIBRARY PLANNING:** Presentation was made to the Village Board regarding the Mukwonago Community Library Long Range Plan 2002 to 2005.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$56,663.91; Fire/Amb \$25,070.76; WDF \$51.25; Recycling \$12,662.20; Capital \$1,184.00; Library \$13,561.07; Capital Impvts \$78.75; 2001 GO \$324,798.28; Water \$19,941.08; Sewer \$12,610.11; Taxroll \$577,930.82. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to approve Resolution 2002-04: **A RESOLUTION AUTHORIZING AMENDMENTS WITH RESPECT TO ADJUSTABLE RATE DEMAND INDUSTRIAL DEVELOPMENT REVENUE BONDS [MADEY ENTERPRISES/BADGER COLOR CONCENTRATES PROJECT] SERIES 2001.** Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to approve the claim from Connor & McKeever, 603 N. Rochester Street in the amount of \$200.00 for cleanup from sewer backup, based on filing with the insurance company. Motion carried without a negative vote.

**JUDICIAL** – Ordinance regarding parking restrictions in Park and Ride lot is still in committee. Moved by Berg, seconded by Fickau, to approve the operator's licenses for Daniel A. Concotelli and Kristy A. Concotelli. Motion carried without a negative vote. Moved by Berg, seconded by Fennel, to approve the application for temporary Class B Beer License for St. James Parish

School for March 9-10, 2002. Motion carried without a negative vote. Moved by Berg, seconded by Fennel, to approve the application for temporary Class B Beer License for Mukwonago Lions Club for June 13-16, 2002. Motion carried without a negative vote. Moved by Berg, seconded by Fennel, to approve the application for temporary Class B Beer License for the Knights of Columbus for March 3, 2002. Motion carried without a negative vote.

**PERSONNEL** – The salary issue with the Police Department has been resolved and corrected. Village President has drafted a form letter for employees regarding the sick leave policy. Moved by Fennel, seconded by Odier, to approve the Police Clerk/Dispatchers Association Contract for the years 2001-2003. Motion carried on a vote of 5 ayes and 1 nay [Fickau voting 'no']. Director of Public Service position is still in committee.

**UTILITIES** – Moved by Fickau, seconded by Odier, to adopt Ordinance No. 686: **AN ORDINANCE GOVERNING WELL ABANDONMENT AND WELL OPERATION PERMIT.** Motion carried without a negative vote. The committee is still reviewing well Head Protection Ordinance for Wells #5 & #6. Moved by Fickau to deny the request for a refund of late charge on the water/sewer bill for 105 Cernan Court. Motion lost for lack of a second. Moved by Berg, seconded by Hurm, to approve the reimbursement of the late charge for the sewer/water bill for Dawn Skotterud, 105 Cernan Court. Motion carried on a vote of 5 ayes and 1 nay [Fickau voting 'no']. Moved by Fickau, seconded by Fennel, to accept the bid from CTW in the amount of \$4,990.00 for the Well #2 demolition. Motion carried on a vote of 5 ayes and 1 nay [Berg voting 'no']. Utility employee replacement has been filled. Cost of oversized water mains remains in committee. Increase of impact fees was referred to the Village Engineer. Committee agreed to a trail of accepting holding tank waste at the Wastewater Treatment Plant. Committee would like to include in the Highway 83 Sanitary Sewer project the Field Park Drainage problem. Special meeting has been set for February 21<sup>st</sup> at 6:00 p.m. to award the contract for the Highway 83 Sanitary Sewer project.

**HEALTH & RECREATION** – Request to use Field Park by the American Cancer Society remains in committee as no one showed to present the request.

**ECONOMIC DEVELOPMENT COMMITTEE** – Committee reviewed the Fire Station Building project and their comments were forwarded to the Plan Commission and the item will be discussed with Plan Commission recommendation.

**PLAN COMMISSION** – Moved by Fickau, seconded by Hurm, to accept the Plan Commission recommendation to change the zoning from A-1 to R-4 for the Simon Group Ltd [Dineen Farm]. Motion carried without a negative vote. Moved by Fennel, seconded by Odier, to accept the Plan Commission recommendation to approve the plans for 1005 Main Street as presented and acknowledge that there are certain adjustments to what would be considered acceptable and that it will be a benefit to the Village. Motion carried without a negative vote. Moved by Odier, seconded by Hurm, to accept the Plan Commission recommendation for the approval of the Lindengrove plan with the conditions from the planner on the tree and dumpster relocations. Motion lost on a vote of 3 ayes and 3 nays [Odier, Hurm, & Wagner voting 'yes']. Referred to the Protective Services Committee the ambulance runs for Lindengrove, number of emergency vs. non-emergency runs. Moved by Fickau, seconded by Fennel, to accept the Plan Commission and Economic Development Committee recommendation, to accept the plans for the new Fire Station. Motion carried without a negative vote.

**VILLAGE ENGINEER:** Change Order #2 for Miniwaukan Park Paving will be presented at the next Board meeting.

**VILLAGE ATTORNEY:** Moved by Fickau, seconded by Hurm, to adopt Ordinance No. 684: **AN ORDINANCE TO AMEND SECTION 45-15(b) OF THE MUNICIPAL CODE OF THE VILLAGE OF MUKWONAGO PERTAINING TO THE WATER SUPPLY FACILITIES.** Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to approve the Municipal Boundary Agreement with Town of Vernon/Village of Big Bend, subject to the changes made by the Village Board. Changes are: 1) Home site parcel break off shall be limited to no more than 3 acres, and 2) term of agreement for consolidation to take place. Agreement for the treatment of wastewater shall come back to the board for approval. Motion carried without a negative vote. Village Attorney gave an update on the status of mediation with the Town of East Troy annexation litigation.

**VILLAGE PRESIDENT:** Referred to the Finance Committee the review of budget cuts in reference to the proposed State cuts in shared taxes to municipalities.

**CORRESPONDENCE:** Letter from Berg Construction inviting the Village Board members to attend the groundbreaking for the Mukwonago Food Pantry on February 20<sup>th</sup> at 1:30 p.m.

**NEW BUSINESS:** Moved by Fennel, seconded by Fickau, to authorize the signing of the WEPCO permit for 1207 Trail Court and 413 Eastern Trail. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to authorize the signing of the WEPCO permit to install underground cable to I-43 & STH '83' Park & Ride lot on Bay View Road. Motion carried without a negative vote.

Moved by Fennel, seconded by Berg and carried to adjourn the meeting at 9:28 p.m.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer



Clerk Kahl call the Special Meeting of the Village Board to order on February 21, 2002 at 6:00 p.m. Members present: ODIER, FENNEL, BERG, & HURM. Members excused: FICKAU & COATS. Member absent: WAGNER. Also present: Engineer Peot.

Moved by Fennel, seconded by Hurm, to nominate Trustee Odier as Acting Village President.

Motion carried without a negative vote.

Moved by Berg, seconded by Fennel, to accept the Village Engineers recommendation to award bid to Advance Sewer & Water, Inc., for \$226,990.00 for the Highway 83 Sanitary Sewer project. Motion carried without a negative vote. Project includes the storm sewer work in Field Park.

Moved by Odier, seconded by Fennel, to accept the Village Engineers recommendation to waive the requirement for a profile over the storm sewer and the quantity requirements for roof drainage for Badger Color Concentrates. Motion carried on a vote of 3 ayes and 1 nay [Berg voting 'no'].

Moved by Berg, seconded by Fennel and carried to adjourn the meeting at 6:19 p.m.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the Village Board meeting to order on March 5, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, BERG, HURM, & WAGNER. Also present: Library Director McBride; Water Supv Walenczyk; Police Chief Winchowky; Fire Chief Rolfe; Bldg Insp Hankovich; & Attorney Reilly.

Moved by Fennel, seconded by Odier, to approve the minutes of the February 19<sup>th</sup> & 21<sup>st</sup> Board meeting. Motion carried without a negative vote.

**COMMENTS FROM THE PUBLIC:** Mr. Tom Berg talked about the development of the downtown area. He wasn't against the Walgreen development as much as he was against the design of the building. He talked about resurrecting the square. Adhoc committee should be established for the downtown and include an architect and artist. Money from the sale of the Fire Station should be earmarked for the project. Dennis Behling handed out a list of recommendations for downtown redevelopment. President Wagner said he might appoint a committee in April.

**COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$62,653.23; Fire/Amb \$25,127.71; Debt \$3,250.00; Recycling \$11,223.10; Capital \$918.83; Library \$25,221.37; Capt Impvts \$25,280.77; Water \$60,055.82; Sewer \$11,714.30; Taxroll \$33,905.25. Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to adopt Resolution 2002-05: **A RESOLUTION AUTHORIZING REDEMPTION OF \$1,270,000 TAXABLE BOND ANTICIPATION NOTES DATED MARCH 15, 2000.** Motion carried without a negative vote. Letter from Repr Scott Jensen regarding Governor McCallum's budget reform act was placed on file in the Clerk's Office. Committee did respond to his request. Moved by Odier, seconded by Fennel, to authorize the expenditure of funds from the Koeffler Fund by the Fire Department to purchase weight equipment for Station #2. Motion carried on a vote of 6 ayes and 1 nay [Fickau voting 'no']. Trustee Odier gave a report on the Finance Committee meeting with the Library Board and the planned future expansion.

**BUILDING ADHOC** – Review of the Fire Station plans with the Architect regarding the day room training area and the sleeping rooms. The sleeping rooms must be on an outside wall with windows. Will need to add 4 feet on the south side of the building, about 210 square feet. Committee agreed to put up partitions but no furniture or equipment for those rooms.

**PROTECTIVE SERVICES** – The Almont Report remains in committee. Village President asked that the committee continue their review work on the establishment of a Fire Board. Moved by Coats, seconded by Odier, to approve the Town of Eagle agreement for dispatch services for Lake Patrol. Motion carried without a negative vote. Moved by Coats, seconded by Fennel to authorize the signature by the Clerk to dispose of the 1970 Fire Department Pumper at the auction. Motion carried without a negative vote.

**VILLAGE ENGINEER:** Moved by Fickau, seconded by Coats, to approve change order #2 for \$203.35 for the Miniwaukan Park Paving project to adjust to final quantities. Motion carried without a negative vote.

**VILLAGE CLERK:** Moved by Fickau, seconded by Coats, to approve the request from the Contractor to idle equipment starting at 6:30 a.m. for the Highway 83 Sewer Project. Motion carried without a negative vote. Moved by Fickau, seconded by Berg, to adopt Ordinance No. 687: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO** [Dineen/Simon property]. Motion carried without a negative vote. Moved by

Berg, seconded by Coats, to approve the signing of the Joint Powers Agreement-County 911 Emergency System. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Fickau, seconded by Odier, to approve the reduction of Letter of Credit for Two Rivers Subdivision to \$66,000.00. Motion carried without a negative vote.

**CORRESPONDENCE:** President Wagner asked that each Board member be given a copy of the letter from Kettle Moraine Ambulance dated February 7, 2002. Letter from WEPCO regarding use of its property was placed on file in the Clerk's Office.

**NEW BUSINESS:** Fire Chief Rolfe informed the Board that he has been asked to serve on the Waukesha County Cooperative sub committee. Police Chief Winchowky informed the Board about the article in the Waukesha Freeman regarding the Village's response to the dispatch agreement. The Attorney asked that the Fire Commission rules and regulations be put on the next agenda for acceptance.

Moved by Fennel, seconded by Hurm and carried to adjourn the meeting at 8:16 p.m.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the meeting of the Village Board to order on March 19, 2002 at 7:30 p.m. Members present: FICKAU, COATS, FENNEL, HURM, & WAGNER. Members excused: ODIER & BERG. Also present: Planner Kasewiski, Chief Winchowky, Chief Rolfe, DPW Supv Brandemuehl, Attorney Reilly, Water Supv Walenczyk, Bldg Insp Hankovich, Library Director McBride, & Engineer Peot.

**Public Hearing for a Change of Zoning** from R-2 to R-3 for the old county property on West Side Avenue – Cedar Mill Homes was opened at 7:31 p.m. Speaking in opposition was:

*Richard Pearson, Highway 83* [business owned at 305 Eagle Lake Avenue] – He had concerns over the number of units being proposed, drainage is an issue, neighboring property is 3 feet lower in the back than in the front, topography is wrong, back of property will remain undeveloped and landlocked. There has to be a condo association, there are no sidewalks shown. If there is surface drainage it will go out to West Side Avenue. I will be against this unless there is storm sewer.

*Bryan Lange, 617 Crestview Lane* – The homes on Clarendon Avenue are an eyesore. Water runoff will be a problem.

Public Hearing was closed at 7:40 p.m.

**Public Hearing for the proposed Library, Fire and Police Impact fees** opened at 7:40 p.m. No one appeared for or against the proposal. Public Hearing was closed at 7:41 p.m.

The Treasurer, Mileage, Police, Fire and Library reports for February 2002 were placed on file in the Clerks Office.

Moved by Fickau, seconded by Fennel, to approve the minutes of the March 5, 2002 as presented. Motion carried without a negative vote.

### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Fennel, seconded by Fickau, to approve the following vouchers: Village \$36,181.68; Fire/Amb \$138,879.58; WDF \$1,000.00; Recycling \$1,911.91; Capital \$9,178.50; Library \$8,734.29; Capt Impvts \$4,114.60; 2001 GO \$43,153.68; Water \$35,049.40; Sewer \$69,376.70. Motion carried without a negative vote.

**JUDICIAL** – Moved by Fickau, seconded by Fennel, to adopt Ordinance No. 689: **AN ORDINANCE TO CREATE SECTION 82-213 ENTITLED 'PARK AND RIDE PARKING RESTRICTIONS'**. Motion carried without a negative vote. Moved by Fennel, seconded by Hurm to approve the application for temporary Class B Beer License for the Mukwonago Lions Club for June 11<sup>th</sup>. Motion carried without a negative vote. Moved by Fennel, seconded by Coats, to approve the application for a Class A Beer License for BJ's BP Inc., Baljit S. Gill, Agent; 122 Arrowhead Drive. Motion carried without a negative vote.

**PUBLIC WORKS** – Moved by Fickau, seconded by Fennel, to adopt the new garbage proposal as submitted by John's Disposal Service. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to extend the contract for garbage & recycling service to Johns Disposal Service, Inc., to December 31, 2006. Curbside cost will be \$10.65 and there will be no changes in the other charges. Motion carried without a negative vote. Moved by Fickau, seconded by Hurm, to accept the committee recommendation to return a parcel of land, 50' x 197' that was donated to the Village 20+ years ago for right of way on Park Place Avenue, to the owner. Recommend that the Village pay for the Certified Survey Map. Village to keep a wedge of land approximately 17' x 66' for use if the Village should ever widen the street of Park Place

Avenue as it connects with Shore Drive. Motion carried without a negative vote. Lighting issue of Miller Pharmacy has been taken care of and should be dropped from the agenda.

**UTILITY** – Well Protection Ordinance will remain in committee. Moved by Fickau, seconded by Fennel, to make the necessary repairs to the sewer east of Plank Road at an estimated cost of \$27,625.00. Funds will come from the sewer replacement fund. Motion carried without a negative vote. Moved by Fickau, seconded by Coats, to approve the WEPCO lighting at McKenzie & Perkins and McKenzie & Swan and accept option ‘B’ as proposed by WEPCO. Option ‘B’ for the McKenzie & Perkins is \$1,252.57 installation and \$8.93 per month; for McKenzie & Swan the cost is \$741.22 installation and \$8.20 per month. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Fire Commission rules will remain in committee.

**PLANNING COMMISSION** – No motion was made on the zoning request for Cedar Mill Homes from R-2 to R-3. Moved by Fickau, seconded by Fennel, to accept the Planning Commission recommendation to approve the remodeling of Blue Bay Restaurant subject to CSM approval within 60 days from start of construction, review of the parking lot, landscaping, and improvement of the existing dumpster enclosure. Motion carried without a negative vote. The Commission is still reviewing a Multi Use Trail standard.

**BUILDING ADHOC COMMITTEE** – Moved by Fickau, seconded by Fennel, to waive all permit fees for the construction of the new Fire Station. Motion carried without a negative vote.

**ENGINEER:** Moved by Fennel, seconded by Coats, to accept the Engineers proposal for the impact fees for Police, Library, and Fire. Motion carried without a negative vote.

**NEW BUSINESS:** Moved by Fennel, seconded by Fickau, to approve the signing of the WEPCO permit for 451 Eastern Trail. Motion carried without a negative vote.

Moved by Fennel, seconded by Hurm and carried to adjourn the meeting at 8:09 p.m.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

Village President Wagner called the Village Board to order on April 2, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, BERG, HURM, & WAGNER. Member excused: FENNEL. Also present: DPW Supv Brandemuehl, Bldg Insp Hankovich, Water Supv Walenczyk, Fire Chief Rolfe, Attorney Reilly, Police Chief Winchowky, and Ass't Librarian Graczyk.

Moved by Fickau, seconded by Coats, to approve the minutes of the March 19, 2002 meeting as presented. Motion carried without a negative vote.

**COMMENTS FROM THE PUBLIC:** Richard Pearson, 305 Eagle Lake Avenue – spoke in opposition to change of zoning request for the old county property on West Side Avenue. He was told that the issue would be discussed at the Plan Commission meeting on April 15<sup>th</sup>.

**COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$45,537.78; Fire/Amb \$27,071.82; Capital \$50,711.89; Library \$9,364.22; Capt Impvts \$18,755.39; 2001 GO \$100,000.00; Water \$40,032.24; Sewer \$65,597.96; Taxroll \$134,264.95. Motion carried without a negative vote.

**JUDICIAL** – Moved by Berg, seconded by Coats, to approve the operator's licenses for Shelby K. Savin and Bryn A. Whitmore. Motion carried without a negative vote.

**UTILITIES** – Moved by Fickau, seconded by Odier, to accept the Engineers recommendation to award the bid for Wells 3 & 4 piping and control modifications to Hogan Electric for \$128,000.00. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Moved by Coats, seconded by Odier, to authorize the Fire Chief to submit grant papers for \$350,000.00 to replace the ladder truck. Village and Town will each need to budget 10% of the cost as matching funds. Funds to be budgeted for the 2003 budget. Motion carried without a negative vote. Moved by Coats, seconded by Odier, to approve the Fire Commission Rules and Regulations. Motion carried without a negative vote. The establishment of a Fire Board and the Kettle Moraine Ambulance Advanced Life Support Study will remain in committee.

**VILLAGE ATTORNEY:** Moved by Fickau, seconded by Coats, to adopt Ordinance No. 690: **AN ORDINANCE TO AMEND SECTIONS 83-136 THROUGH 83-144 AND TO CREATE SECTIONS 83-145 AND 83-146 OF THE MUNICIPAL CODE OF THE VILLAGE OF MUKWONAGO PERTAINING TO IMPACT FEES FOR LIBRARY, POLICE, AND FIRE FACILITIES.** Motion carried without a negative vote. Moved by Fickau, seconded by Hurm, to approve the request to begin grading the Fairwinds Development subject to the following conditions: 1) Final erosion control plan must be approved by the Village Engineer and Building Inspector; 2) Final site grading plans to be approved by the Village Engineer and Building Inspector; and 3) Village to receive letter of credit, to be used for site restoration, and approved by the Village Attorney. Motion carried without a negative vote.

**VILLAGE PRESIDENT:** President Wagner thanked Trustee Berg for serving on the Village Board.

**CORRESPONDENCE:** Letter from Time Warner Cable was received and copies will be provided to the Board members.

**VILLAGE PRESIDENT:** Moved by Odier, seconded by Coats, to approve the signing of the WEPCO permit for new underground service for Eagle Lake Avenue. Motion carried without a negative vote. The Centurytel request for the Andrews Street project was referred to the next Village Board Meeting.

Moved by Fickau, seconded by Odier and carried to adjourn the meeting at 7:57 p.m.

Bernard W. Kahl, MMC  
Clerk/Treasurer

President Wagner called the Village Board meeting to order on April 16, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Attorney Reilly, DPW Supv Brandemuehl, Library Director McBride, & Water Supv Walenczyk.

The Treasurers, Mileage, Police, Fire and Library reports for the month of March are placed on file in the Clerk's Office.

Moved by Fennel, seconded by Fickau, to approve the minutes of the April 2, 2002 meeting as presented. Motion carried without a negative vote.

### **COMMENTS FROM THE PUBLIC:**

County Supervisor Rodell Singert introduced himself to the Village Board.

### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fennel, to vouchers from the following funds: [10] \$51,354.13; [15] - \$13,809.01; [22] \$474,894.27; [30] \$5,166.94; [41] \$11,374.82; [43] \$9,159.00; [44] \$4,923.28; [46] 436.50; [47] \$256,690.00; [61] \$15,973.55; [62] \$13,338.72; [72] \$15.51. Motion carried without a negative vote. Trustee Odier explained that the TIF expenditure was to redistribute funds left in the account after the Village closed the project and paid off the debt. Distribution was to those tax entities that participated in the program. The Village monies will first be deposited in the EDC fund to balance that fund and the balance in the General Fund revenue. Trustee Odier passed out to Board members the proposed expense and revenue adjustments from department heads.

**JUDICIAL** – Moved by Fickau, seconded by Odier, to approve the Operator's licenses for Andrew J. Lang and Sarah A. Datka, contingent upon the application of Sarah Datka being properly notarized. Motion carried without a negative vote.

**PUBLIC WORKS** – Moved by Fickau, seconded by Odier, to accept the Committee recommendation to begin the sidewalk replacement program this year, and that the cost be charged back to the property owner. Motion carried without a negative vote. Work will begin soon on the dumpster enclosures at the Village Hall. Truck & Trailer parking and the Pedestrian Bridge on the Mukwonago River will remain in committee.

**UTILITIES** – Moved by Fickau, seconded by Debe, to approve having the Auditors submit for the 3% water rate increase. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to approve the work change directive #1 for STH 83 Sanitary Sewer Relay in the amount of \$600.00. Motion carried without a negative vote. Well Head Protection Ordinance will be on the May 7<sup>th</sup> agenda. Hydrant rental placement on the water bill will remain on the agenda until September.

**PLAN COMMISSION** – Moved by Debe, seconded by Fickau, to accept the Plan Commission recommendation of no objection on the Greystone Estates Plat, Town of East Troy, extraterritorial review. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation of no objection on the Lakeside Drive, Town of Vernon, extraterritorial review. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to approve the new garage at 601 Main Street as recommended by the Historic Preservation Commission. Motion carried without a negative vote. Moved by Fennel, seconded Odier, to accept the Plan Commission recommendation to approve the outside seating for 215 N. Rochester Street as recommended by the Historic Preservation Commission. Motion carried without a negative vote.

### **VILLAGE PRESIDENT:**

Moved by Fickau, seconded by Odier, to approve the President's appointments as listed:



<b>Committee</b>	<b>Chair</b>	<b>Member(s)</b>
FINANCE	ODIER	FICKAU & FENNEL
UTILITIES	FICKAU	DEBE
PUBLIC WORKS	FICKAU	COATS & O'BRYAN
JUDICIAL	O'BRYAN	ODIER
HEALTH & RECREATION	FENNEL	ODIER
PROTECTIVE SERVICES	COATS	FENNEL & DEBE
PERSONNEL	DEBE	O'BRYAN & COATS

Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the President's appointments: Shawn Reilly, Village Attorney; Darlene Cappel, Village Assessor; and Thomas Brandemuehl, Village Forester; with terms expiring in 2004. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the President's appointment of the Mukwonago Chief as the official newspaper. Motion carried without a negative vote. Barb Cowsert of the Mukwonago Chamber will be an advisory member of the Historic Preservation Commission.

#### **VILLAGE CLERK:**

Moved by Fickau, seconded by Coats, to accept the Municipal Canvass Report from the April 2, 2002 Spring Election. Motion carried without a negative vote. The 2002 New Municipal Officials Workshop and the 2002 Regional Dinner Meeting dates were announced. Any one that would be attending should let the Clerk know by April 26<sup>th</sup>.

#### **VILLAGE ATTORNEY:**

Moved by Fickau, seconded by Coats, to accept the Attorneys recommendation to lower the Letter of Credit for Meadow Park Estates to \$236,745.00 as submitted by the Village Engineers. Motion carried without a negative vote.

#### **CORRESPONDENCE:**

Letter from the Mukwonago Area Chamber of Commerce announcing the Fall Fest date of September 21, 2002. Copies of the letter to be provided to departments.

#### **NEW BUSINESS:**

Moved by Fennel, seconded by Fickau, to approve the WEPCO permit for 1214 Trail Court. Motion carried without a negative vote. Moved by Fennel, seconded by Odier, to approve the Centurytel permit for underground service in right-of-way for Andrews Street. Letter from Centurytel stating that they will not hold the Village of Mukwonago responsible for any future costs to relocate telephone facilities buried in road right-of-way of these street. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the Centurytel permit for underground service in right-of-way for Field, Lois, & Blood Streets. Letter from Centurytel stating that they will not hold the Village of Mukwonago responsible for any future costs to relocate telephone facilities buried in road right-of-way of these streets. Motion carried without a negative vote.

Moved by Fennel, seconded by Fickau and carried to adjourn the meeting at 8:07 p.m.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the Village Board meeting to order on May 7, 2002 at 7:30 p.m. Members present: ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Excused: FICKAU & COATS. Also present: Police Chief Winchowky, Fire Chief Rolfe, DPW Supv Brandemuehl, Library Director McBride, Attorney Reilly, Bldg Insp Hankovich, & Water Supv Walenczyk. President Wagner announced that a closed session would be held at the close of the regular meeting pursuant to State Statute 19.85(1)(g).

Public Hearing regarding the Ordinance for use restrictions adjacent to Wells #5 & #6 was opened at 7:31 p.m.

Gilbert Yerke; Frog Alley Road, has a business on North Highway 83 – I am in the Town, does this Ordinance apply to me? Attorney responded that it did not. Does all land become affected by this or only land in the 1000 feet? Attorney said his opinion is, only the land within the 1000 feet, not the entire parcel if part of lies beyond the state footage. Our building would be within 1200 feet and this could affect our business, does this have the effect of 'taking land'? We are concerned that if it affected our business I would be opposed to it.

Bob Krause, Mukwonago Area Schools – The School has an abandoned fuel tank located in the parking lot of the Junior High. Is there a problem with that, it was approved by the EPA? No, it is not on the list of hazardous sites.

Public hearing closed at 7:43 p.m.

Moved by Fennel, seconded by Odier, to approve the minutes of the April 16, 2002 Board meeting as presented. Motion carried without a negative vote.

#### **COMMENTS FROM THE PUBLIC:**

Tom Jones, Village representative of the Fox River Commission – The Commission will be discussing the canoe launch location on the Fox River. The Fox River Commission will be paying 90% of the cost and the Village would be responsible for 10%. Is the Village interested in this project? Consensus of the Board was that there is no support for this because of the traffic concerns, the residential location, and safety.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fennel, to approve the following vouchers: Village \$76,299.45; Fire/Amb \$33,021.46; WDF \$140.80; Recycling \$24,060.27; Capital \$2,488.46; Library \$11,173.91; Capt Impvts \$45,928.42; 2001 GO \$7,322.60; Water \$20,747.99; Sewer \$7,910.98; Taxroll \$32,885.90. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to approve the dissipation of accounts receivable non-zero balance. Motion carried without a negative vote. Review of expense reduction and revenue enhancement with assigned responsibility will remain in committee.

**PERSONNEL** – Items will remain in committee for the June meeting.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the application for a temporary Class B Beer license for the American Legion Post 375 for June 8-9, 2002. Motion carried without a negative vote. Moved by O'Bryan, seconded by Odier, to approve the operator's license for Kerry K. Sugden & Kathy B. Brede. Motion carried on a vote of 4 ayes and 1 nay (Debe voting 'no').

**PUBLIC WORKS** – Moved by Fennel, seconded by Odier, to approve Resolution 2002-08: A RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS FOR THE REPLACEMENT AND RECONSTRUCTION OF PUBLIC UTILITIES AND ROADS. Motion carried without a negative vote.

**UTILITIES** – Moved by Odier, seconded by Debe, to adopt Ordinance No. 691: AN ORDINANCE TO CREATE SECTION 100-21(9) OF THE MUNICIPAL CODE OF THE VILLAGE OF

**MUKWONAGO PERTAINING TO USE RESTRICTIONS ADJACENT TO WELL 5 & WELL 6.** Motion carried without a negative vote.

**HISTORIC PRESERVATION** – Moved by Odier, seconded by Fennel, to authorize the signing of the National Register nominations for the Pearl and Grand Avenue Historic District. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Items will be held for joint meeting of the Village & Town Protective Services meeting.

**VILLAGE ATTORNEY:** Recovery of payment of Service Master monies paid-419 N. Rochester Street will be on the next agenda.

**VILLAGE CLERK:** Moved by Fennel, seconded by O'Bryan, to approve Resolution 2002-06: **A RESOLUTION TO TRANSFER IMPACT FEES FOR CONSTRUCTION PURPOSES.** Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to approve Resolution 2002-07: **A RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING WITHDRAWAL OF THE VILLAGE OF MUKWONAGO MONIES.** Motion carried without a negative vote. Moved by Fennel, seconded by Odier, to approve Resolution 2002-09: **A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS FOR THE PREPARATION OF AN ASSESSOR'S PLAT.** Motion carried on a vote of 4 ayes and 1 nay (Debe voting 'no').

**VILLAGE PRESIDENT:** Moved by Odier, seconded by Fennel, to authorize the Village President to sign the Local Roads Improvement Project. Motion carried without a negative vote.

**CORRESPONDENCE:** Letter from Waukesha County 2002 regarding Highway Resurfacing Schedule. Letter from John & Bernice Lueck inviting the Village Board members to their open house celebrating their 70<sup>th</sup> Wedding Anniversary.

**NEW BUSINESS:** Moved by Fennel, seconded by O'Bryan, to authorize the Village President to sign the WE Energies Permit for 622 Two Rivers Dr. Motion carried without a negative vote.

Moved by Debe, seconded by Fennel, to adjourn into closed session at 8:14 p.m. pursuant to State Statute 19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved – consideration of border agreement with Town of Vernon/Village of Big Bend, discussion of status of Town of East Troy vs. Village of Mukwonago. Motion carried without a negative vote.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the Village Board meeting to order on May 21, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Attorney Reilly, Engineer Peot, DPW Supv Brandemuehl, Library Director McBride, Water Supv Walenczyk, Fire Chief Rolfe & Police Chief Winchowky.

The Treasurers, Mileage, Police, Fire and Library reports for the month of April are placed on file in the Clerk's Office.

Moved by Fickau, seconded by Odier, to approve the minutes of the May 7, 2002 meeting as presented. Motion carried without a negative vote.

## **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the vouchers from the following funds: [10] \$17,298.90; [15] - \$9,209.79; [43] \$974.53; [44] \$3,523.03; [46] \$15,739.26; [47] \$22,559.56; [61] \$14,631.68; [62] \$9,255.38. Motion carried without a negative vote. Review of expense reduction and revenue enhancement with assigned responsibility will stay in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the application for a temporary Class B Beer license for the Croation Fraternal Union on July 13, 2002. Motion carried without a negative vote.

**FIRE ADHOC** – Trustee Fickau read the costs of the new Fire Station project. Total cost of the project, including what was already paid out, is projected to be \$1,679,161.07. \$1,572,212.07 is the anticipated remaining project total. There is still about \$2.5 million left to bond out. The fund for this project currently contains roughly \$1,050,000.00. There was discussion on the travel route of the emergency vehicles to the west side of the Village from the location of the new proposed fire station. The concern was the railroad tracks on CTH NN. Fire Chief Rolfe stated they will travel CTH NN regardless of trains. There was also discussion on building the fire station on the lot where Fire Station #1 is. Rolfe stated that it was looked into and was deemed not feasible with HWY 83. Moved by Fickau, seconded by Fennel, to proceed with the new Fire Station project. Motion carried by 6 ayes and 1 nay (O'Bryan voting no). Moved by Fickau, seconded by Fennel, to approve the awarding of the Fire Station bid contracts as follows: #1, Earthwork, to Berg Construction, \$82,994.00; #2, Asphalt Paving, to Payne & Dolan, \$63,845.00; #3, Concrete Curbs, to Berg Construction, \$4,980.00; #4, Site Utilities, to Joe Debelak Plumbing, \$20,445.00; and #5, Landscaping, to PTS Landscaping, \$5,501.20. Motion carried by 6 ayes and 1 nay (O'Bryan voting no). Moved by Fickau, seconded by Fennel, to approve the awarding of the Fire Station bid contracts as follows: #6, Concrete, to Biehn Construction, \$98,308.26; #7, Pre-Cast Concrete, to Spancrete, \$3,449.00; #8, Masonry, to Arteaga Construction, \$192,775.00; #9, Metals, to Metro Welding & Fabricating, \$85,800.00; and #10, Carpentry, to Thomas & Egenhoefer, \$67,950.00. Motion carried by 6 ayes and 1 nay (O'Bryan voting no). Moved by Fickau, seconded by Fennel, to approve the awarding of the Fire Station bid contracts as follows: #11, Roofing, to Northern Metal & Roofing Co., \$81,768.17; #12, Joint Sealants, to Berg Construction, \$5,872.50; #13, Glass & Glazing, to Omni Glass & Paint, \$27,296.40; #14, Steel Studs & Drywall, to Leppin Service Inc., \$127,150.00; and #15, Acoustical Treatments, to Austad & Sons Inc., \$6,517.97. Motion carried by 6 ayes and 1 nay (O'Bryan voting no). Moved by Fickau, seconded by Fennel, to approve the awarding of the Fire Station bid contracts as follows: #16, Tile, to Hetzel Tile, \$8,751.76; #17, Floor Covering, to Spectra Contract Flooring, \$12,858.00; #18, Paint & Wallcoverings, to Omni Glass & Paint, \$41,178.23; #19, Special Doors, to JF Cook Co. Inc., \$51,136.56; and #21, Fire Protection, to US

Fire Protection, \$17,982.00. Motion carried by 6 ayes and 1 nay (O'Bryan voting no). Moved by Fickau, seconded by Fennel, to approve the awarding of the Fire Station bid contracts as follows: #22, Plumbing, to Joe Debelak Plumbing, \$63,872.00; #23, HVAC & Controls, to Rosenthal Corp., \$76,923.00; #25, Electrical, to American Energy Electric, \$108,000.00; and #27, Flagpole, to Berg Construction, \$1,984.50. Motion carried by 6 ayes and 1 nay (O'Bryan voting no). Moved by O'Bryan, seconded by Fickau, to withdraw contracts #11, Roofing, to Northern Metal & Roofing Co., \$81,768.17 & #14, Steel Studs & Drywall, to Leppin Service Inc., \$127,150.00, from the motion. Motion carried without a negative vote.

**PUBLIC WORKS** – Committee reviewed truck and trailer parking in the Village. There are no problems at this time, but the Village will be watching for problems. Item to be removed from the agenda. Engineer Peot said nothing has changed regarding the pedestrian bridge on the Mukwonago River. The Village is looking to add an emergency generator onto the pumping station on Atkinson St. The next step in the Plank Road project is to bid out the project.

**UTILITIES** – Fire protection charges and sewer impact fee proposal will remain in committee.

**HEALTH & RECREATION** – There is about \$18,000 in the fund for the gazebo project. \$40,000 to \$50,000 is needed. The committee would like to get something going this year. Item will stay in committee. Dale Myszewski, S93 W34515 Joshua Way, Eagle, would like to put in volleyball courts and benches in Miniwaukan Park and refurbish the volleyball court in Indianhead Park for his Eagle Scout project. DPW Supv Brandemuehl stated there would be minimal cost on the Village's behalf, such as sand. Moved by Fennel, seconded by Debe, to approve the Eagle Scout project for Dale Myszewski. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to approve the use of Field Park by Ethan Keller on July 6, 2002. Motion carried without a negative vote. An anonymous citizen wishes to donate and plant flowers in Miniwaukan Park. Committee appreciated that. Committee and DPW will check with Mukwonago Lions Club and the parkland fund for funding for park equipment in Miniwaukan Park. The developer for Fairwinds Subdivision will set aside \$20,000 for equipment for the parks in the subdivision.

**PLAN COMMISSION** – Trustee Fennel stated he has no conflict of interest regarding Redmond Development. Moved by Debe, seconded by Fennel, to accept the Plan Commission recommendation to move forward with the option to purchase and to sell the fire station property to Redmond Corporation for \$320,000.00 subject to an acceptable agreement. Motion carried by 6 ayes and 1 nay (O'Bryan voting no). Moved by Fickau, seconded by Fennel, to move the closing date to April 1, 2003 or before. Motion carried without a negative vote. Moved by Debe, seconded by Fennel to propose to Redmond to change the retainer fee from \$1,000 to \$5,000. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to change from an "Option to Purchase" to an "Offer to Sell." Motion carried without a negative vote.

#### **VILLAGE PRESIDENT:**

Moved by Debe, seconded by Fennel, to accept the resignation of John Meehan from the Plan Commission. Motion carried without a negative vote.

#### **VILLAGE CLERK:**

HWY 83 Corridor Study was placed on file in the Clerk's Office.

#### **VILLAGE ATTORNEY:**

Recovery of payment of Service Master monies paid for 419 N. Rochester St. will be held until next meeting. Dewey CSM was sent to Public Works Committee.

**NEW BUSINESS:**

Letter from James Wappenschmidt, Jr., 619 Plank Rd. requesting the time for their band to play at their graduation party to be from 6:30 pm to 10:30 pm on June 22, 2002 was sent to Health and Recreation Committee. Moved by Fennel, seconded by Fickau, to approve the WE Energies permits for 622 Two Rivers Dr. and 630 Heron Dr. Motion carried without a negative vote. Letters are to be sent out to John Meehan, regarding his services to the Plan Commission, and the anonymous person donating and planting flowers in Miniwaukan Park.

Moved by Fennel, seconded by Fickau and carried to adjourn the meeting at 8:48 p.m.

Steven A. Braatz, Jr.  
Deputy Clerk

President Wagner called the meeting of the Village Board to order on June 4, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Library Director McBride, DPW Supv Brandemuehl, Attorney Reilly, Water Supv Walenczyk, Bldg Insp Hankovich, & Police Chief Winchowky.

President Wagner announced that the Village Board would adjourn into closed session at the end of the meeting.

Moved by Fickau, seconded by Fennel, to approve the minutes of May 21, 2002 Board meeting. Motion carried without a negative vote.

#### **OLD BUSINESS:**

Clerk will write a letter to Scott Oil Co regarding the property at Pearl St & Highway 83 and request a representative to attend the next Historic Preservation Committee meeting.

#### **COMMITTEE REPORTS:**

**FINANCE** – Review of Expense reduction will involve several steps before report is made. 1) After the May transactions have been posted the Finance Chair & Clerk will look at a 5% reduction and the effect it will have on the budget. 2) Based on this year's budget and projected 2003 budget, we will take into consideration a 2.5% inflation, 25% increase in health insurance, 10% reduction, review of staff reduction, freeze on salary increases, elimination of services, review of contract services, and reopening of labor contracts. Review of revenue enhancements, I have assigned items to committees to discuss and review. They are:

- Protective Services
  - \*Rate increase for supplies and ambulance fees (\$250 resident and \$400 non-resident)
  - \*Charge based on level of service required
  - \*Charge fee for extraction services
  - \*Charge for finger printing
  - \*Increase fees for night parking permits
  - \*False alarm fee
  - \*Increase parking fees
- Public Works
  - \*Create inspection fees
  - \*Increase Inspection fees
  - \*Electrical Contractor License fee
- Park and Recreation
  - \*Review and revise park use fees
  - \*Review recouping funds from users of facilities
  - \*Charge for use of community room
- Utility
  - \*Redo impact fees for oversize water mains
  - \*Increase water rate 3%
  - \*Place hydrant rental on water/sewer bill
- Personnel
  - \*Hiring freeze for part-time staff
- Judicial
  - \*Increase license (Liquor/Dog) and permit fees
  - \*License and annual fee for weights and measures (based on charge from state)
- Finance
  - \*Eliminate all group contributions

\*Charge realtors for property information

Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$42,358.14; Fire/Amb \$25,953.98; Recycling \$30,465.90; Library \$6,050.33; Capt Impvts \$23,049.33; 2001 GO Bond \$128,015.75; Water \$17,577.99; Sewer \$8,604.47; Taxroll \$320,334.06. Motion carried without a negative vote.

**PERSONNEL** – Merit system salary increases for department heads, salary for FY 2003, standard performance evaluation system for employees, and sick time policy will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the application for 6-month Class B Beer license to the Mukwonago Lakers Baseball Club, subject to the Clerk being satisfied when questions 6-11 are completed. Completion must be by 3:00 p.m. on June 7<sup>th</sup>. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the application for 6-month Class B Beer license to the Women's Softball League. Motion carried without a negative vote.

**UTILITIES** – Moved by Fickau, seconded by Fennel, to waive permit fees for Well 3 & 4 Modification Project. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Moved by Coats, seconded by Debe, to accept the recommendation of the Joint Village and Town Protective Services Committee that a Joint Protective Services Committee be formed consisting of 3 Village Board Members and 3 Town Board Members. The meetings will be held on the 4<sup>th</sup> Tuesday of every month and will alternate between the Village and Town Halls starting at 7:00 p.m. The Chair of the committee will rotate with the Village having the Chairperson in even years and the Town in odd years. Village Attorney to review and report back to the committee. Motion carried without a negative vote. Fire Board, Almont Report, Revisions to Section 2, Article 4, Division 3 of the Municipal Code, will remain in committee. Next meeting will be June 25<sup>th</sup> at the Town Hall.

#### **VILLAGE ATTORNEY:**

Moved by Fickau, seconded by Odier, to approve the letter of credit for Hawks Ridge in the amount of \$211,831.20. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to approve the offer to sell the Fire Station, with changes as presented by the Village Attorney, to MRED Commercial Development Corporation for \$320,000. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to approve Resolution 2002-12A:

**A RESOLUTION TO HEAR PUBLIC COMMENTS ON WHETHER TO DISCONTINUE MILL STREET.** Motion carried without a negative vote.

#### **VILLAGE CLERK:**

The Clerk informed the Board that the Finance Committee will meet June 18<sup>th</sup> at 6:30 p.m., and all Board members are invited, for the presentation of the 2001 Annual Audit Report. Moved by Fennel, seconded by Fickau, to approve Resolutions 2002-10 & 2002-11: **RESOLUTIONS CONCERNING ELECTIONS IN THE VILLAGE OF MUKWONAGO, AND PROVIDING FOR COMBINATION OF WARDS ON ELECTION DAY.** Motion carried without a negative vote.

#### **VILLAGE PRESIDENT:**

Moved by Odier, seconded by Fickau, to approve the following appoints as submitted by President Wagner:

Board of Building and Zoning Appeals

Gene Cichon, for 3-year term expiring 2005

Dennis Behling to fill the unexpired term of Rich Debe, 2004

Michael Hamilton to 1<sup>st</sup> alternate



Library Board

Sue Bergmann, John Shanahan, & Richard Hill for 3 year terms expiring 2005

Fire Commission

Dale Fennel, Board member.

Tourism Commission

William Kasch, Marge Stobber, Julie Howard, & Patti Muraczewski, all for one year terms.

Historic Preservation Commission

Ruth Townsend, citizen member for term expiring 2005

Thayne Odier, Board member

Police Commission

Donna Rush & Robert Posekany for 3-year terms expiring 2005

Plan Commission

Kurt Wilm, citizen member for 3-year term expiring 2005

Dale Fennel, Board member and Chair of Health & Recreation

Motion carried without a negative vote. Board of Review will be held in the evening this year, the Clerk will work on the date and time. Adhoc Committee for Downtown will consist of: President Wagner, Trustee Odier, Ruth Townsend, Tom Berg, & Dennis Behling. Proclamation for Henry & Stella Buchholz who are celebrating their 62<sup>nd</sup> wedding anniversary was given to their daughter before the meeting.

**CORRESPONDENCE:**

Letter from Waukesha County regarding the Highway ES Construction Project was referred to the Public Works Committee.

Moved by Fennel, seconded by Fickau, to adjourn into closed session at 8:30 p.m., pursuant to state statute 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility –Water/Wastewater Department Reviews. Motion carried without a negative vote.

Bernard W. Kahl, MMC

Village Clerk/Treasurer

President Wagner called the Village Board meeting to order on June 18, 2002 at 7:30 p.m. Members present: FICKAU, ODIER, FENNEL, O'BRYAN, & DEBE. Member excused: COATS. Also present: Library Director McBride, DPW Supv Brandemuehl, Fire Chief Rolfe, Lt. Ladue, Attorney Reilly, Water Supv Walenczyk, Engineer Peot, Planner Kaniewski, & BI Hankovich.

President announced that the Board would adjourn into closed session at the end of the regular meeting. The Treasurer, Mileage, Police, Fire and Library reports for May 2002 and the 2001 Fire annual report were placed on file in the Clerk's Office.

Moved by Fickau, seconded by Fennel, to approve the minutes as presented of the June 4, 2002 Board meeting. Motion carried without a negative vote.

**COMMENTS FROM THE PUBLIC:** Moved by Debe, seconded by O'Bryan, to approve the request for a block party for July 27<sup>th</sup> from 2:00 p.m. to 11:00 p.m. The barricades will be erected from 1300 Riverton Drive, extending to 1271 River Park Circle West. Motion carried without a negative vote.

**COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to accept the 2001 Audit Report as presented by Village Auditors, Virchow Krause & Co. Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$33,845.85; Fire/Amb \$10,943.82; Recycling \$12.35; Capital \$4,384.36; Library \$4,772.85; 2001 Bond \$37,244.49; Water \$36,693.32; Sewer \$13,896.76. Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to approve the purchase of 800 MHZ radios by the Fire Department from the Act 102 funds. Motion carried without a negative vote. Revenue enhancements and property information fees will remain in committee.

**PERSONNEL** – All items left in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fickau, to approve the temporary Class B Beer License to American Legion Post 375 for July 20-21, 2002. Motion carried without a negative vote. Moved by O'Bryan, seconded by Odier, to approve the 2002-2003 renewal applications for Beer/Liquor licenses. Motion carried without a negative vote. Moved by O'Bryan, seconded by Odier, to approve as present the 2002-2003 applications for operators licenses. Motion carried without a negative vote. Revenue enhancements will remain in committee.

**FIRE BLDG ADHOC** – Moved by Fickau, seconded by Fennel, to award contract #11 to Northern Metal Roofing for the contract price of \$56,108.00. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to award contract #14 to Leppin Service for the contract price of \$95,620.00. Motion carried without a negative vote.

**PUBLIC WORKS** – Moved by Fickau, seconded by O'Bryan, to accept committee recommendation to allow sump pump discharge into the storm sewer for 756-758 Small Farm Road. Motion carried without a negative vote. Trustee Fickau reported that Waukesha County would be closing ES from the Mukwonago River south to River Crest Court for about 2 weeks during the reconstruction project; Engineers are finishing the plans to drain Miniwaukan Park into the new pond on Bay View Road. Revenue enhancements and Fall Festival will remain in committee.

**UTILITIES** – Moved by Fickau, seconded by Debe, to have the Engineers prepare a water impact fee study at a cost not to exceed \$6,900.00. Funds to come from the water impact fee fund. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to have the Engineers prepare a sewer impact fee study at a cost not to exceed \$7,500.00. Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to file for a 3% increase in the

water rates. Motion carried without a negative vote. WWTP sludge pump upgrade was approved in the budget. The Atkinson lift station will use natural gas for the generator. Committee had approved the chlorine system changeover for the WWTP. Revenue enhancements will remain in committee.

**HEALTH & RECREATION** – All items will remain in committee.

**PLAN COMMISSION** – Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the ordinance to amend the Comprehensive Plan for the gateway district and the plan shall include the road to the McCarthy Farm. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to accept the Plan Commission recommendation to approve the lease agreement with MRED. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to approve Resolution 2002-12: **A RESOLUTION OF NECESSITY TO ACQUIRE REAL ESTATE IN ORDER TO RECONSTRUCT PLANK ROAD.** Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to approve the Minor's Homestead Plat as recommended by the Plan Commission. Motion carried without a negative vote. Fair Winds development review will remain on the Plan Commission agenda. Vacation & discontinuance of Mill Street will be on the Board agenda for July 2<sup>nd</sup>. Rezoning of properties within the gateway district will remain in Plan Commission. Consideration of the vacation & discontinuance of road as shown on Dewey CSM will remain with the Village Attorney.

**VILLAGE PRESIDENT:** Moved by Debe, seconded by Fickau, to approve the appointment by President Wagner of John Bronk as a citizen member of Plan Commission. Motion carried without a negative vote.

**VILLAGE CLERK:** Moved by Fennel, seconded by Fickau, to authorize the signing of the LRIP grant for the Plank Road project. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Debe, seconded by Fennel, to authorize the Village Engineer and Village Attorney to finalize the easement agreement with the railroad for the Plank Road project and bring the final draft of the easement to the Village Board. Outside expenses are not to exceed \$2,500.00 and will be paid from the water utility. Motion carried without a negative vote. Recovery of payment to Service Master for service to 419 N. Rochester Street will remain with the Village Attorney.

**CORRESPONDENCE:** Clerk will send a letter to the Mukwonago Area Schools regarding the parking of equipment by contractor in the school parking lot.

**NEW BUSINESS:** Moved by Fennel, seconded by Fickau, to authorize the Village President to sign the WE Energies permit for 458 Eastern Trail. Motion carried without a negative vote.

Moved by Debe, seconded by Fennel and carried to adjourn into closed session at 8:14 p.m. pursuant to State Statute 19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved – status of Town of East Troy vs. Village of Mukwonago.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the Village Board to order on July 2, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: DPW Supv Brandemuehl, Ass't Fire Chief Purdy, Bldg Insp Hankovich, Police Chief Winchowky, Attorney Reilly, & Library Director McBride.

President announced that the Board would adjourn into closed session at the end of the regular meeting.

**Public hearing on the closing of Mill Street** opened at 7:32 p.m. President announced that the notice was published on June 12, 19, & 26, 2002 as required by state statutes. Attorney has received signed notices from property owners fronting on Mill Street of the notice. Four letters were received from citizens opposed to the closing of Mill Street. Mark Redmond, developer, was on hand to answer any questions. Speaking in favor of closing Mill Street were: Dave Berg, 921 Park View Lane; Ann Ginster, 933 Meadow View Lane; Tom Jones, 401 Lois Street. Speaking in opposition to the closing of Mill Street were: Holly Wray, 520 Division Street; William Olson, 430 Park Place Lane; Bill Anderson, 210 Fox Street; Joan Gasser, 216 Oakland Avenue; Terry Kelly, 717 Meadow View Lane; Kathy Ludwig, 225 Plank Road; Tom Stobber, 301 Grand Avenue. Dennis Behling, 943 Bay View Circle, spoke neither for or against but suggested that the Village place cement barricades at the intersection for a trial basis. Public hearing closed at 7:48 p.m.

Moved by Fickau, seconded by Fennel, to approve the minutes of the June 18, 2002 meeting as presented. Motion carried without a negative vote.

#### **COMMENTS FROM THE PUBLIC:**

Dave Berg, 921 Park View Lane; asked about the Village posting agendas at a second location that would be easier for people to see. He also asked that the Village check on the trucks and construction trailers from the Highway 83 project that are using streets in the Field Park Subdivision.

Larry Zander, Vernon/Big Bend Fire Chief addressed the board regarding the formation of a Fire Board and how it works.

Dave Dubey, Mukwonago Town Supervisor and representative of Phantom Lakes Management District, reported to the board the speedboat problems on Phantom Lake and the parking problem at the end of Andrew Street.

#### **OLD BUSINESS:**

Moved by Debe, seconded by Fennel, to approve the closing of Mill Street, effective on or no later than April 1, 2003, subject to obtaining easements from all property owners fronting on Mill Street, that the Village would retain the utility easements, and receiving quit claim deeds from all fronting property owners if the Walgreen's project does not go forward. Motion carried on a vote of 5 ayes and 2 nays (Coats & O'Bryan voting 'no').

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$49,279.97; Fire/Amb \$27,530.94; Recycling \$33,774.90; Capital \$1,500.00; Library \$8,522.61; Capital Impvts \$19,275.92; 2001 GO \$130,758.68; Water \$28,737.88; Sewer \$1,846.77; Taxroll \$32,885.90. Motion carried without a negative vote. Revenue enhancement review will remain in committee.

**PERSONNEL** – The merit system salary increases and standard performance evaluation system will be removed from future agendas. Other items will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the operators licenses renewals for: Gregory Bergmann, Kathy Brede, Daniel Concotelli, David Felske, Gina

Michalski, & Kerry Sugden. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the operator license for Kathryn Anich. Motion carried without a negative vote. Moved by O'Bryan, seconded by Debe, to approve the operator license for Cassandra Gettler. Motion carried without a negative vote.

**BUILDING ADHOC** – Moved by Fickau, seconded by Fennel, to approve the purchase and installation of the generator for the new fire station at a cost of \$16,895.00. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Creation of a Fire Board, Almont report, and HIPPA Electronic health care transactions will remain in committee. Revisions to section 2, article 4, division 3 of the municipal code is to be removed from the agenda. Revisions to section 38-2(7)(a) of the municipal code were referred to the Village Attorney to draft an ordinance.

**VILLAGE PRESIDENT:**

Naming of the bypass was referred to the Judicial Committee. Appointments will stay on the agenda.

**CORRESPONDENCE:**

Government Day at the Waukesha Museum will be held on July 15<sup>th</sup> at 4:00 p.m. Village has received an agenda for the next Cooperative County meeting.

**NEW BUSINESS:**

Moved by Fennel, seconded by Fickau, to approve the WE permit to install overhead utilities on Front Street. Motion carried without a negative vote. Move by Fennel, seconded by Fickau, to approve the WE permit to install overhead utilities on CTH EE & CTH NN. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to approve the WE permit for 401 Eastern Trail, 110 Amanda Court, and 111 Amanda Court. Motion carried without a negative vote. WE permit to install underground utilities for Fairwinds Phase 1 was referred back to the developer for review.

Moved by Debe, seconded by Fennel and carried to adjourn into closed session at 8:14 p.m. pursuant to State Statute 19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved – status of Town of East Troy vs. Village of Mukwonago.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the Village Board meeting to order on July 16, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, DEBE, & WAGNER. Excused: O'BRYAN. Also present: Library Director McBride, Police Lt. LaDue, DPW Supv Brandemuehl, Ass't Fire Chief Purdy, Water Supv Walenczyk, Engineer Peot, Attorney Reilly, & Planner Kaniewski.

President Wagner announced that the Board would adjourn into closed session at the end of the regular meeting. Treasurer, Mileage, Police, Fire and Library reports for June 2002 were placed on file in the Clerk's Office.

Moved by Fickau, seconded by Fennel, to approve the July 2<sup>nd</sup> minutes as presented. Motion carried without a negative vote.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$48,710.67; Fire/Amb \$6,365.87; Recycling \$88.10; Capital \$13,879.01; Library \$6,020.95; Cap Impvts \$7,597.37; 2000 GO \$29,599.43; Water \$6,595.07; Sewer \$10,922.11. Motion carried without a negative vote. Moved by Odier, seconded by Coats, to adopt Resolution 2002-13: **A RESOLUTION TO CERTIFY THAT THE VILLAGE SHALL PROVIDE FOR AND ALLOW THE LIBRARY TO EXPEND NO LESS THAN THE COUNTY RATE IN THE PRIOR YEAR.** Motion carried without a negative vote.

**PERSONNEL** – Sick time policy will remain in committee. Hiring freeze for part-time employees will be on the next Board agenda.

**JUDICIAL** – Moved by Odier, seconded by Fickau, to approve the applications for operator's licenses for: Steven A. Christiansen, Dawn A. Loyas, Norma F. Melo, Matt Nelson, Gordon L. Riek, Shelby K. Savin, Cynthia A. Smith, & Anne H. Yertz. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to name the bypass the 'Holz Parkway', which will run from STH 83 east to CTH ES. Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to accept the committee recommendation that the speed limit on Holz Parkway should be 40 mph from STH 83 east to CTH ES. Motion carried without a negative vote.

**PUBLIC WORKS** – Moved by Debe, seconded by Coats, to accept the committee recommendation to approve the downtown Fall Festival on September 21, 2002 from 9:00 a.m. to 6:00 p.m. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to authorize the resident at 202 McKenzie Drive to have his sump pump discharge into the storm sewer. Motion carried without a negative vote. Outside service estimates remains in committee. Mitigation for future wetlands should be taken off the agenda.

**HEALTH & RECREATION** – Moved by Fennel, seconded by Odier, to approve the service agreement with HAWS, which includes Addendum 'A', but not Addendum 'B'. Motion carried without a negative vote. Gazebo item remains in committee but should be removed from the agenda until chairman request that the item be placed on the agenda. Village will stay with the present contractor, John's Disposal Service, for yard waste collection.

**PLAN COMMISSION** – Moved by Fickau, seconded by Fennel, to approve the Pinehurst Village preliminary plat with conditions as set in the Planners report of July 11, 2002, except that condition #1; elimination of proposed lots 42 & 43; which will be discussed at a later date, and will include lot 44, with the Plan Commission. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Ordinance to change time Water Impact Fee is due will be scheduled for a public hearing on August 6, 2002 at 7:30 p.m. It requires a class 1 notice. Moved by Fickau, seconded by Fennel, to adopt Ordinance 692: **AN ORDINANCE TO AMEND SECTION 38-**

**2(a)(7)(a) AND SECTION 38-2(b)(1) OF THE VILLAGE OF MUKWONAGO MUNICIPAL CODE PERTAINING TO THE FIRE DEPARTMENT.** Motion carried without a negative vote.

**CORRESPONDENCE:** Letter from Francis O. Van Winkle regarding a dedicated strip of land for Maple Avenue extension was referred to the Public Works Committee. Letter from League of Wisconsin Municipalities regarding the 'Guide to Intergovernmental Cooperation Element of a Comprehensive Plan' was placed on file with the Guide in the Clerk's Office.

**NEW BUSINESS:** Moved by Fennel, seconded by Coats, to approve the signing of the WE Energies permit applications for 1335 Two Rivers Court & 1245 Wegner Drive. Motion carried without a negative vote. County Supervisor should be invited to the next Village Board agenda and listed under Comments from the Public.

Moved by Debe, seconded by Fennel, to adjourn into closed session at 8:15 p.m., pursuant to state statute 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Salary for FY 2003. Motion carried without a negative vote.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the Village Board meeting to order on August 6, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Attorney Reilly & Police Chief Winchowky.

Public hearing on Ordinance pertaining to when water impact fees must be paid was opened at 7:31 p.m. No one appeared for or against and the public hearing was closed at 7:32 p.m.

Moved by Fennel, seconded by Odier, to approve the minutes of the July 16, 2002 meeting as presented. Motion carried without a negative vote.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$36,119.09; Fire/Amb \$31,781.75; Recycling \$28,774.11; Capital \$3,342.87; Library \$10,443.24; Capital Impvts \$6,604.18; 2001 GO \$208,849.67; Water \$19,025.17; Sewer \$8,905.05; Taxroll \$32,885.90. Motion carried without a negative vote. Our Financial Consultant will have a water-refinancing proposal at the next meeting. The joint finance meeting with the Town of Mukwonago will be held on September 4<sup>th</sup> to discuss the Fire & Ambulance budget.

**PERSONNEL** – Moved by Debe, seconded by O'Bryan, to approve the filling of part-time positions for existing positions that are in the approved budgets and to replace a part-time employee who left a current position. Any new part-time positions would need to go through the budget process. Motion carried without a negative vote.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the application for a temporary Class B Beer license to the American Legion Post 375 for August 17-18, 2002. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the Operators Licenses for Michael R. Anderson, Scott M. Krumbeck, and Andrew J. Lang. Motion carried without a negative vote.

**BUILDING ADHOC** – Moved by Fickau, seconded by Fennel, to approve the request for proposal #1 for \$775.00 to Rosenthal Corporation for the Fire Station project. Motion carried without a negative vote. Move by Fickau, seconded by Fennel, to approve the request for proposal #2 for \$1,279.00 to Metro Welding & Fabricating, Inc., for the Fire Station project. J.F. Cook will assume additional cost of \$1,331.00. Motion carried without a negative vote.

**UTILITIES** - Moved by Fickau, seconded by Debe, to approve Ordinance No. 693: **AN ORDINANCE TO AMEND 86-139(b) OF THE MUNICIPAL CODE OF THE VILLAGE OF MUKWONAGO PERTAINING TO WHEN WATER IMPACT FEES MUST BE PAID.** Motion carried without a negative vote. The amendment No. 2 to Owner-Engineer agreement and the CTH NN/STH 83 water main improvements change order #3 were referred to the next meeting.

**PROTECTIVE SERVICES** – The creation of a Fire Board, HIPPA electronic transactions, Fire Dept pay scales, and billing rates for ambulance service, will remain in committee. The Almont Report issues have been resolved; this item is to be removed from any future agendas.

**VILLAGE PRESIDENT:** Appointments will be completed in September.

**CORRESPONDENCE:** The SEWRPC 2001 Annual Report; the Town & Village of East Troy Consolidation Plan; and the letter from County Executive Dan Finley were placed on file in the Clerk's Office.



**NEW BUSINESS:** Moved by Fennel, seconded by O'Bryan, to approve the signing of the WE Energies permits for 733 Small Farm Road and 1226 Trail Court. Motion carried without a negative vote.

Moved by Fickau, seconded by Fennel and carried to adjourn the meeting at 7:53 p.m.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the meeting of the Village Board to order at 7:30 p.m. on August 20, 2002. Members present: FICKAU, O'BRYAN, DEBE, & WAGNER. Members excused: COATS, ODIER, & FENNEL. Also present: Police Chief Winchowky, Library Director McBride, DPW Supv Brandemuehl, Attorney Reilly, Water Supv Walenczyk, Building Inspector Hankovich, Planner Kaniewski, Engineer Peot.

The Treasurer, Mileage, Police, Fire, and Library reports for the month of July 2002 were placed on file in the Clerk's Office.

Moved by Fickau, seconded by O'Bryan, to approve the minutes of the August 6, 2002 minutes as presented. Motion carried without a negative vote.

President Wagner presented and read a 50<sup>th</sup> Wedding Proclamation for Mr. & Mrs. Gerald Swan.

### **COMMENTS FROM THE PUBLIC:**

Dennis Behling, 943 Bay View Circle – The Association is having a problem with the cost to repair a shut off valve. Is this property owner's responsibility? (Randy) Our main shut off valve is located at the curb area. Every unit has a shut off at the lot line. If you removed this valve and the Village had to shut someone off then all 6 or 8 units would have to be shut off.

At our annual meeting I made a statement about the garbage bins that they had to call the Village Hall to tell them what kind of bin they wanted. I am told that the Village Hall is not taking those calls but that they had to call John's. Should a notice be sent out to all residents? Referred to Public Works Committee.

Elliot Bakst, 1212 Western Trail – After several accidents occurring at the intersection of Holz Parkway, ES, & NN; I think a stop light should be installed. (Chief) The county will be doing a traffic count and will look at it again at budget time. A letter will be sent to Dan Finley from the President regarding this issue.

Ken Smith, 238 S. McKenzie – Something needs to be done with the parking lot in Miniwaukan Park. Referred to Park & Recreation Committee.

### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Fickau, seconded by Debe, to approve the following vouchers: (10) \$34,456.68; (15) \$3,961.30; (22) \$1,909.32; (41) \$301.74; (43) \$3,165.69; (44) \$3,289.82; (46) \$1,179.75; (47) \$220,874.84; (61) \$19,875.24; (62) \$8,788.66; (72) \$2,828.00. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to approve Resolution 2002-14: **A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 2002-03; PROVIDING FOR THE ISSUANCE AND SALE OF \$690,000 WATERWORKS SYSTEM AND SEWERAGE SYSTEM REVENUE BONDS, SERIES 2002B; AND PROVIDING FOR THE PAYMENT OF SAID BONDS AND OTHER DETAILS AND COVENANTS WITH RESPECT THERETO.** Motion carried without a negative vote.

**JUDICIAL** – Moved by O'Bryan, seconded by Debe, to approve the application for a Class B Beer & Liquor License to Stevens Management, Inc., d/b/a Inn The Olden Days. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the temporary Class B Beer License to St. James Parish for September 7-8, 2002. Motion carried without a negative vote. Moved by O'Bryan, seconded by Debe, to approve the operator licenses for Cassandra M. Binkowski and Nancy L. Ringer. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the operator license for Leanne M. Martens, subject to the Notary date being corrected. Motion carried without a negative vote.

**PUBLIC WORKS** - Moved by Fickau, seconded by Debe, to approve the Engineers recommendation to award the contract to Berg Construction for two metal pedestrian bridges

installed. One bridge will replace the current wooden bridge across the Mukwonago River at the Dam and the other at the north end of the Village Hall parking lot. Motion carried without a negative vote. Outside services estimates will remain in committee. The Attorney will draft a document to vacate the Dewey road dedication on Lake Street. Board action will occur on September 17<sup>th</sup>. Sign on lawn in front of store at 114 Main Street will remain in committee for additional information. Sign for Small Farm Road should be removed from the agendas. Letter from Francis O. Van Winkle regarding a dedicated strip of land for extension of Maple Avenue was denied. The committee felt it should be kept as future road right of way. Letter from PSC regarding upgrading an existing 138kv double circuit transmission line is for information only. Highway ES road width will be reviewed by the Engineer for sewer and water work and the item will be placed on the next committee agenda.

**UTILITIES** – Acting WWTP Supv Kyler will submit a purchase requisition for the repairs to the clarifier. Moved by Fickau, seconded by Debe, to approve change order #1 in the Wells 3 & 4 piping and control modifications as a reduction of \$2,627.01 in the contract price. Motion carried without a negative vote. Moved by Fickau, seconded by O'Bryan, to approve change order #3 for the CTH NN/STH 83 water main improvements, which reduced the project cost by \$15,200.30. Motion carried without a negative vote. Moved by Fickau, seconded by O'Bryan, to approve Amendment #2 to the Owner/Engineer Agreement for the radium work that was done. Motion carried without a negative vote. Atkinson Street Lift Station bids will be published by the end of August. Field Park Lift Station abandonment is still waiting for final word by the DNR. Update was given on the new well research. Hydrant fee will be looked at during the budget process. Village Engineer is still working on the I-43 crossing. Road paving for Well #6 will be included in the 2003 budget. Water Utility flex plan was referred to the Personnel Committee.

**FIRE ADHOC** – Moved by Fickau, seconded by Debe, to approve payment of the bill from Arteaga Construction for additional work for the overhead doors to the Fire Station in the amount of \$1,053.40. Motion carried without a negative vote.

**PLAN COMMISSION** – Moved by Fickau, seconded by Debe, to accept the Plan Commission recommendation to approve the sign request for 920 Greenwald Court. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to accept the Plan Commission recommendation to approve the Final Plat for Fairwinds Subdivision subject to: 1) submittal of temporary cul du sac, 2) WE easements & vision corners and set back for lots to be shown on the final plat. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to accept the Plan Commission recommendation to approve the revisions to Lots 42, 43, & 44 of Pinehurst Preliminary Plat of Subdivision. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to accept the Plan Commission recommendation to approve the annexation requests for the McCarthy, Greenwald, and Walton properties located in the Town of Vernon. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Village Board to purchase those items for the Fire Station tailpipe exhaust system as equipment, installed. Cost will be about \$51,000.00. Item will be on the next agenda. Moved by Fickau, seconded by Debe, to approve the easement agreement between the Village and Thomas R. Lobdell regarding the vacating of Mill Street. Motion carried without a negative vote.

**NEW BUSINESS:** Moved by O'Bryan, seconded by Fickau, to approve the WE Energies permit for 710 Small Farm Road, 600 Main Street, 103, 104 & 154 Amanda Court. Motion carried without a negative vote.

Moved by Fickau, seconded by Debe and carried to adjourn the meeting at 8:36 p.m.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the Village Board meeting to order on September 3, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: DPW Supv Brandemuehl, Fire Chief Rolfe, Police Chief Winchowky, Acting WWTP Supv Kyler, Bldg Insp Hankovich, Water Supv Walenczyk, Library Director McBride, & Attorney Reilly.

Moved by Fickau, seconded by Fennel, to approve the minutes of the August 20, 2002 meeting as presented. Motion carried without a negative vote.

### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$21,184.20; Fire/Amb \$31,028.69; Recycling \$28,857.60; Capital Equip \$3,234.49; Library \$3,628.44; Capital Impvts \$29,013.57; 2002 GO \$205,893.99; Water \$16,689.42; Sewer \$2,227.65; Taxroll \$32,895.90. Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to approve the contract for the tax listing/billing services provided by Waukesha County. Motion carried without a negative vote. Countywide-shared dispatch system will remain in committee. Next County meeting is September 18<sup>th</sup> at 4:00 p.m. at the County Executive Office.

**PERSONNEL** – Flex schedules for Public Works, Water, & Sewer employees will be included in the Employee Handbook. Job description changes for the Building Inspector and Clerk/Treasurer were referred to the next Village Board meeting. WWTP Certifications for employees were reviewed and will be kept on file. Committee recommends adopting a cell phone policy and incorporating in the Employee Handbook. Committee recommends having a closed session at the next meeting to discuss employee compensation.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the Temporary Class B Beer License for the American Legion Post 375 for September 14-15, 2002. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve Operator licenses for Dale P. Hackett and Ryan D. Kraemer. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Items remaining in committee are HIPPA Electronic Health Care Transactions and D Code Set and Billing rate for Ambulance Service. Creation of Fire Board will be on the next Village Board agenda. Fire Department pay scales should be removed from the committee agenda until further notice.

**VILLAGE PRESIDENT:** Moved by Fennel, seconded by Fickau, to approve the appointment of Kevin Sinnett to the EDC for a term ending 2005. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to approve the appointment of Loren Tieman to the EDC for a term ending 2005. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to accept the resignation of Rich Hacker from the EDC and approve the appointment of Tom Berg to fill the unexpired term. Motion carried without a negative vote. Board of Review appointments will be put on the agenda when a date is set.

**VILLAGE ATTORNEY:** Moved by Fennel, seconded by Fickau, to authorize the Building Adhoc Committee to purchase the tailpipe exhaust system equipment with a cost not to exceed \$48,000.00. Motion carried on a vote of 6 ayes and 1 nay (Debe voting 'no'). Moved by Debe, seconded by Fickau, to accept a different form of surety to secure the amount due for public improvements in the Two Rivers Subdivision in the amount of \$66,000.00. Interest bearing account will be set up at Johnson Bank and funds, if withdrawn, will require the Village President and Village Clerk signatures. Interest earned will be paid to Two Rivers of Mukwonago, LLC. Motion carried without a negative vote. Appraiser for Plank Road project will be on the next Village Board agenda.

**NEW BUSINESS:** Moved by Fennel, seconded by Fickau, to approve the WE Energies permit for 1103 Heron Court and 1234 Wegner Drive. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the WE Energies permit for overhead utilities for Bay View Road & Main Street. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to approve the WE Energies permit for underground utilities for STH 83 & CTH NN. Motion carried without a negative vote. Moved by Fickau, seconded by Odier, to approve the WE Energies permit for underground utilities for NE HWY 83 & Bay View Road. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the WE Energies permit for underground utilities for McKenzie Road. Motion carried without a negative vote.

Moved by Fennel, seconded by Fickau and carried to adjourn the meeting at 8:46 p.m.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the Village Board meeting to order on September 17, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Attorney Reilly, Police Chief Winchowky, Asst WWTP Supv Kyler, Library Director McBride, DPW Supv Brandemuehl, Water Supv Walenczyk, Bldg Insp Hankovich, Planner Kaniewski, Engineer Peot.

President Wagner announced that the Village would adjourn into closed session at the end of the meeting pursuant to State Statute 19.85(1)(c).

The treasurer, mileage, police, fire and library reports for the month of August were placed on file in the Clerk's Office. Moved by Fickau, seconded by Coats, to approve the minutes of the September 3, 2002 meeting as presented. Motion carried without a negative vote. President Wagner presented a proclamation to Mr. & Mrs. William Herring for their 61<sup>st</sup> wedding anniversary.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$35,449.65; Fire/Amb \$3,884.07; Capital \$2,013.44; Library \$1,802.32; Capital Impvts \$4,363.55; 2001 GO \$17,733.04; Water \$37,234.04; Sewer \$10,519.29. Motion carried without a negative vote. Billing for Police Services for the Grateful Dead Concert held in East Troy; the agreement that was entered into will be honored. Countywide dispatch will remain on the agenda. Purchase of property at 101 Fox Street is being discussed in committee. Moved by Odier, seconded by Coats, to authorize the Village Clerk to apply for Brownfield Grant funds. Motion carried without a negative vote.

**JUDICIAL** – Committee is reviewing a request to increase the Class A Liquor License quota. The Village Attorney will review the Statutes and give a report to the committee.

**PERSONNEL** – Job descriptions for the Building Inspector and the Clerk/Treasurer will remain on the agenda.

**PUBLIC WORKS** – Moved by Fickau, seconded by Fennel, to authorize the signing of the contract for the Pedestrian Bridges. Motion carried without a negative vote. Moved by Fickau, seconded by Coats, to approve the signing of the Certificate of Substantial Completion for Miniwaukan Park Paving. Motion carried without a negative vote. Moved by Fickau, seconded by Odier, to approve the change order #6 for McKenzie Drive for a decrease of \$32,548.45. Adjusted contract price is \$898,783.86. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to accept the committee's recommendation to assess the property owners 50% of the cost of the Assessors Plat and the Village to pay 50%. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to continue the procedure to assess property owners for the Plank Road improvements. Motion carried without a negative vote. Moved by Debe, seconded by Coats, to send a letter to Waukesha County Highway Department that the Village requests the offset of sidewalks to the 60' line. Motion carried without a negative vote. Lighting of the bridge on Holz Parkway will not be done. Holz Parkway mitigation site grading and planting plan will remain in committee. Assessments for Highway ES improvements (sidewalks, sewer & water) will remain in committee. Newsletter regarding recycling containers will be mailed next month to all property owners of record. Information on the Crop Walk, which will be held on October 20th, was given to the Police Department. Outside services estimates and sign on lawn in front of store at 114 Main Street will remain in committee. VFW sign on Village property located at the Police Building will be reviewed again in January when the committee will review proposals submitted by the VFW. The Attorney will review Bay/Lake Street vacation.

**UTILITIES** – Moved by Fickau, seconded by Fennel, to award the bid for the Atkinson Street Lift Station to Hogen Electric in the amount of \$177,000.00. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to authorize the well research for the water utility in the amount not to exceed \$14,000.00. Motion carried without a negative vote.

**PLAN COMMISSION** – Moved by Fickau to recommend that the Village President appoint an adhoc committee, consisting of board members, to review elevations and come back with a report in 60 days. Motion failed for a lack of a second. Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation for the conceptual approval of the Home Depot building elevation exclusive of color and material, which should come back to the Plan Commission for further review. Motion carried on a vote of 6 ayes and 1 nay [Fickau voting 'no']. Moved by Debe, seconded by Fennel, to accept the Plan Commission recommendation to approve the site plan/building design for Walgreens as shown. Light Green color has been replaced with the Sherwood Green and the light fixtures will be black. Motion carried without a negative vote. Moved by Fennel, seconded by Odier, to accept the Plan Commission recommendation to authorize Bielinski Development to commence construction of the Fairwinds Subdivision subject to the following conditions: (1) Village receive a letter of credit; (2) Construction drawings submitted to the Village; (3) County approval received; (4) Developers agreement approved and signed; (5) Development receive sewer and water approval from DNR; and (6) Pre-construction conference be held with staff. Motion carried without a negative vote. Resolution 2002-15 was referred to the October 1<sup>st</sup> meeting.

**VILLAGE PRESIDENT:**

Moved by Fickau, seconded by Debe, to approve the Presidents appointments to the Board of Building and Zoning Appeals of Sharon Dunning as 1<sup>st</sup> Alternate and Eliot Bakst as 2<sup>nd</sup> Alternate. Motion carried without a negative vote. Board of Review appointments will be on the next agenda. Tentative date for Board of Review will be October 21, 2002 starting at 4:00 p.m.

**VILLAGE ATTORNEY:**

Appraiser service for Plank Road project will be on the next agenda. Moved by Fickau, seconded by Fennel, to authorize the Village Attorney to commence small claims action against Katherine Rath. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the signing of the easement agreements for Mills Street. Motion carried without a negative vote.

**CORRESPONDENCE:**

Moved by Debe, seconded by Coats, to authorize the closing of Baron Road at Plank Road and Small Farm Road on September 22<sup>nd</sup> from 2:00 p.m. until sundown. Motion carried on a vote of 6 ayes and 1 abstention [O'Bryan abstaining].

**NEW BUSINESS:**

Moved by Fennel, seconded by O'Bryan, to authorize the signing of the WE Energies permit for 619 Eastern Trail and 553 Oakland Avenue. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to authorize the signing of the WE Energies permit for Fox Street and Holz Parkway. Motion carried without a negative vote.

Moved by Debe, seconded by Fennel, to adjourn into closed session at 8:56 p.m. pursuant to State Statute 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility-employee compensation. Motion carried unanimous upon roll call.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer



Clerk Kahl called the Mukwonago Village Board to order on October 1, 2002 at 7:30 p.m. Present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, & DEBE. Excused: WAGNER. Also present: Library Director McBride, Police Chief Winchowky, DPW Supv Brandemuehl, WWTP Acting Supv Kyler, Water Supv Walenczyk, & Attorney Reilly.

Moved by Fickau, seconded by Fennel, to nominate Trustee Odier as acting Village President. Motion carried without a negative vote.

Moved by Fickau, seconded by Fennel, to approve the minutes of the September 17, 2002 meeting as amended. [Under Plan Commission, 'the light fixtures will be black'.] Motion carried without a negative vote. Trustee Odier presented the anniversary proclamation to Rex & Joan Stoecker for their 50<sup>th</sup> anniversary.

**COMMENTS FROM THE PUBLIC:**

Jim Fredricks, N9572 Highway 83 – Spoke about the Veterans Memorial Sign. He will attend the Public Works committee on Monday, October 7<sup>th</sup>.

Joseph Sperstad, 529 Oakland Avenue – Spoke about the Home Depot issue. Would like to see a drawing. Does not want a conventional building.

Tim Sperstad, 525 Oakland Avenue – Spoke about the Home Depot issue.

**COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$25,064.08; Fire/Amb \$27,312.16; Capital \$3,573.44; Library \$7,701.01; Capital Impvts \$11,940.53; 2001 GO \$175,742.23; Water \$18,396.96; Sewer \$13,322.39; Taxroll \$32,885.90. Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to approve extending the Tourism Commission Agreement to August of 2004. Motion carried without a negative vote. Information was given to the board regarding the Bonding for Library Addition and Purchase of property at 509 Division Street. Trustee Odier will put together information on the meeting with the County regarding the Countywide Shared Dispatch System and will be included in the next agenda packet.

**PERSONNEL** – All items will remain in committee, as we didn't have a quorum at the last meeting.

**PROTECTIVE SERVICES** – Hippa Electronic Health Care Transactions will remain in committee; the Village has received an extension until August of 2003. Moved by Debe, seconded by Fennel, to approve the new Medicare fee for ambulance service. Motion carried without a negative vote. Creation of a Fire Board will remain in committee. Committee will review the Police & Fire/Ambulance budgets each month.

**PUBLIC WORKS** – Moved by Fickau, seconded by Debe, to authorize the signing of the Atkinson Street Pump Station Generator contract, contingent upon review by the Village Attorney. Motion carried without a negative vote. Agreement between the Village of Mukwonago and Ayres Associates for Photogrammetric services was referred to the Public Works committee for further explanation.

**UTILITIES** – Moved by Fickau, seconded by Coats, to authorize the signing of the Certificate of Substantial Completion for the CTH NN/STH 83 Water Main project. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the signing of the change order 3 & 4 for the Wells 3 & 4 modifications. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to authorize the signing of the Certificate of Substantial Completion for the STH 83 Sanitary Sewer Relay project. Motion carried without a negative vote.

**VILLAGE PRESIDENT:** Board of Review date is scheduled for October 23, 2002 and appointments will be made at the next Board meeting.

**VILLAGE ATTORNEY:** Moved by Fennel, seconded by Coats, to approve the Village Attorney's recommendation to hire Southern Wisconsin Appraisal for \$8,575.00 to appraise the eleven parcels for the Plank Road Improvements. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to approve Steve Simpson of the Highland Group as the negotiator at a cost of \$9,350.00 for the Plank Road Project. Motion carried without a negative vote. Resolution 2002-15 was referred to the next Village Board agenda.

**NEW BUSINESS:** Moved by Fennel, seconded by Fickau, to approve the WE Energies permits for 1220 Trail Court, 1104 Mallard Court, and 1320 Two Rivers Court. Motion carried without a negative vote. The next Village Board agenda should have the item: Planning Commission meeting date change.

Moved by Fennel, seconded by Odier and carried to adjourn the meeting at 8:22 p.m.

Bernard W. Kahl, MMC  
Village Clerk/Treasurer

President Wagner called the Village Board meeting to order on October 15, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Attorney Reilly, Engineer Peot, Planner Kaniewski, DPW Supv Brandemuehl, Library Director McBride, WWTP Acting Supv Kyler, Fire Chief Rolfe, Police Chief Winchowky, & Supv of Inspections Hankovich.

The Treasurers, Mileage, Police, Fire and Library reports for the month of September 2002 are placed on file in the Clerk's Office.

Moved by Fickau, seconded by Fennel, to approve the minutes of the October 1, 2002 meeting as presented. Motion carried without a negative vote.

### **COMMENTS FROM THE PUBLIC**

Brent Flikkema from John's Disposal gave an update on the new garbage/recycling program. Mike Hamilton, 505 Baron Rd., asked the board to reinstall the temporary speed bumps on the access road to the soccer parks in Miniwaukan Park.

### **COMMITTEE REPORTS**

**FINANCE** - Moved by Odier, seconded by Fickau, to approve the vouchers from the following funds: [10] \$23,712.82; [15] \$9,021.84; [22] \$6,000.00; [41] 28,492.65; [44] \$4,528.60; [46] \$52.50; [47] \$375,816.99; [61] \$148,640.96; [62] \$11,203.55; [72] \$26.71. Motion carried without a negative vote. Clerk will ask County to extend due date for purchase of acquired property on Eagle Lake. It is believed to be the road to the cemetery driveway to Eagle Lake Avenue.

Joe Whitmore was present to speak on the countywide dispatch system. Odier read a statement in favor of joining.

Fickau – Once it starts, does it go forward? *Yes.*

Whitmore – The county is starting with a low number of dispatchers. As the capacity of the system goes up, so do the number of dispatchers needed.

Coats stated that people he has talked to would rather stay with our tornado alarm system.

Fickau – If we opt to not go now, it doesn't mean we can never get in.

Moved by Fickau, seconded by Coats, to not join the countywide shared dispatch system.

Motion carried on a vote of 6 Ayes and 1 Nay (Odier voting Nay). Coats left the meeting after the vote.

**JUDICIAL** – Moved by O'Bryan, seconded by Debe, to approve the applications for operator's licenses to James A. Meyers, Leslie M. Doke, William T. Key, Lindsey J. Rozinski, Renee J. Weber and Sandra M. Wilson. Motion carried without a negative vote. Review of fees for liquor/beer and operator's licenses and background checks remains in committee.

**PUBLIC WORKS** - Holz Parkway mitigation site grading and planting plan remains in committee. Moved by Fickau, seconded by Debe, to have the engineers move the sidewalks on Hwy ES around the planting where necessary, move sidewalks back to the right-of-way and have the project assessed back to the property owners. Motion carried without a negative vote.

Outside Service Estimates is for Finance Committee only. Sign in front of Advantage Wireless will be taken off the agenda until the owner is ready to take action. Moved by Fickau, seconded by O'Bryan, to allow the engineers prepare a CSM and legal description for the property to be divided on Elmwood Alley. Motion carried without a negative vote. Moved by Fickau,

seconded by Debe, to award the contract to Ayres Associates for photogrammetric services for not more than \$14,000.00. Motion carried without a negative vote. Moved by Fickau, seconded by O'Bryan, to have decorative lighting, similar to lighting on River Crest Court, install on the portion of Hwy ES that will be reconstructed. Motion carried without a negative vote.

**UTILITIES** – Moved by Fickau, seconded by Fennel, to accept Change Order #1 for STH 83 Sanitary Sewer Relay. Motion carried without a negative vote. Committee agreed not to add Fire Protection charges onto the water bills right now. It will be looked at again next year. Sewer cleaning for Minor's Homestead will remain in committee. Money for replacement of digester recirculation pump will come out of sewer maintenance fund for a cost of under \$15,000. WTF digestions system improvements will be reviewed for the 2003 budget.

**HEALTH & RECREATION** – Pavilion in Field Park by the Mukwonago Lions Club will remain in committee. HAWS bill will be charged back to the owner of the cat. Moved by Fennel, seconded by Fickau, to approve the changes to the park use fees and rules with one addition: A company using the park must have a Village address to receive Village resident fee, otherwise it is a non-resident fee. Motion carried without a negative vote. Review of recouping funds from users of facilities and charging for use of the community room remains in committee.

**PLAN COMMISSION** – Moved by Fickau, seconded by Fennel, to approve the revision to the Pinehurst Village preliminary plat. Motion carried without a negative vote. Developer's Agreement for Walgreens is still in committee. Moved by Fennel, seconded by Fickau, to approve **Resolution 2002-16**: A resolution to approve the grant application for the development of a comprehensive plan. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve **Resolution 2002-17**: A resolution to discontinue Mill Street. Motion carried without a negative vote

## **VILLAGE PRESIDENT**

Wagner appointed himself, Fennel and O'Bryan for Board of Review.

## **NEW BUSINESS**

Moved by Fennel, seconded by Fickau, to approve the WE Energies permits for 1208 Two Rivers Court and 1128 Mallard Court. Motion carried without a negative vote

Moved by Debe, seconded by Fickau and carried, to adjourn the meeting at 8:37 p.m.

Steven A. Braatz, Jr.

Deputy Clerk

President Wagner called the Village Board meeting to order on November 5, 2002 at 7:30 p.m. Members present: FICKAU, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Excused: COATS. Also present: Library Director McBride, Acting WWTP Supv Piquett, DPW Supv Brandemuehl, Fire Chief Rolfe, Police Chief Winchowky, Water Supv Walenczyk, Supv of Inspections Hankovich, Attorney Reilly, Engineer Peot, & Planner Kaniewski.

Moved by Fickau, seconded by Fennel, to approve the amended minutes of October 15, 2002 as presented. Motion carried without a negative vote.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$40,053.30; Fire/Amb \$26,314.58; Recycling \$251.44; Capital \$424.11; Library \$8,219.61; Capt Impvts \$4,010.66; 2001 Bond \$232,656.29; Water \$23,581.45; Sewer \$12,329.17; Taxroll \$32,885.90. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to approve Resolution 2002-18: **RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$627,355.00 WATERWORKS SYSTEM AND SEWERAGE SYSTEM REVENUE BONDS, SERIES 2002C, AND PROVIDING FOR OTHER DETAILS AND COVENANTS WITH RESPECT THERETO.** Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to purchase from the County the property on Eagle Lake Avenue in the amount of \$171.93, key number MUKV 1974-896. Motion carried without a negative vote. The Cemetery Association will purchase the property from the Village. Finance Committee will hold a Committee of the Whole working session on the proposed 2003 budget on November 12<sup>th</sup> at 6:30 p.m.

**PERSONNEL** – Moved by Debe, seconded by Fennel, to accept the Personnel Committee recommendation to integrate with the Public Works and Utilities the Flex schedule. It will start in December with a 90-day evaluation period. Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to approve the job description of the Supervisor of Inspections/Zoning Administrator. Motion carried on a vote of 5 ayes and 1 nay (Wagner voting 'no'). Moved by Debe, seconded by O'Bryan, to approve the job description of the Administrator/Clerk/Treasurer. Motion carried without a negative vote. The cell phone policy and salary & wage changes & compensation levels will remain in committee. Moved by Debe, seconded by O'Bryan, to contribute to Patrolman Eric Nelson's retirement plan while he is on active duty with the reserves. His current deployment will run through 12/2003. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to extend contract with Patrolman John Bauer for additional one year period to cover the loss of personnel time of Officer Nelson. The Village is not obligated to continue the employment of Patrolman Bauer when Officer Nelson returns. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to accept the Personnel Committee recommendation to contract with Ruekert-Mielke for 2 hours each week to provide logistical and operational support to our DPW, WWT, and Water departments. This position will be for a 6-month trial and open to changes as the need arises. If continued after the trial period the contract will be month to month. Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to approve Dave Piquett as the new acting WWPT Supv for a 6-month trial period. Compensation level will be determined at a later date. Motion carried without a negative vote. Health Insurance premium employee participation and revisions to the employee handbook will remain in committee.

**PROTECTIVE SERVICES** – All items will remain in committee. Billing rates for ambulance service will be presented for adoption at the next Village Board meeting. Creation of Fire Board will be sent to the Town of Mukwonago this week. Moved by Debe, seconded by Fickau, to approve Resolution 2002-15: **A RESOLUTION TO ESTABLISH A SNOWMOBILE ROUTE WITHIN THE LIMITS OF THE VILLAGE OF MUKWONAGO.** Motion carried without a negative vote.

**JUDICIAL** – Moved by O'Bryan, seconded by Debe, to approve the operator's license for Andrew S. Platz and Nicole B. Pokwinski. Motion carried without a negative vote.

**PLAN COMMISSION** – Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the annexation request of the DeBeck property located in the Town of Vernon. Moved by O'Bryan, seconded by Fickau, to adopt Ordinance No. 694: **AN ORDINANCE TO ANNEX TOWN OF VERNON LANDS**. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the TID No. 3 Traffic Impact Analysis as presented. Motion carried without a negative vote. A presentation of the draft TID #3 project plan was given to the Board. This was informational only.

**UTILITIES** – Moved by Fickau, seconded by Debe, to approve Change Order No. 2 for the STH 83 Sanitary Sewer Relay project. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Fickau, seconded by Fennel, to approve Resolution No. 2002-19: **A RESOLUTION TO DISCONTINUE PARK PLACE LANE EXTENDED**. Motion carried without a negative vote.

**NEW BUSINESS:** Meeting date changes were referred to the Judicial Committee. Moved by Odier, seconded by Fennel, to deny the claim from Tom L. Garcia and referred it to the Village's Insurance Company. Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to approve the distribution easement relocation utilities for the Village Hall Pedestrian Bridge project. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to approve WE Energies Permit for STH 83 overhead utilities. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve WE Energies Permit for underground utilities on Spring Street. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to approve WE Energies Permits for 311 Spring Street; 1111 Drake Court; and 654 Heron Drive. Motion carried without a negative vote.

Moved by Fennel, seconded by Fickau and carried to adjourn the meeting at 8:10 p.m.

Bernard W. Kahl, MMC  
Village Clerk

President Wagner called the Village Board meeting to order on November 19, 2002 at 7:30 p.m. Members present: FICKAU, ODIER, O'BRYAN, DEBE, & WAGNER. Excused: COATS & FENNEL. Also present: Acting WWTP Supv Piquett, DPW Supv Brandemuehl, Police Lt. LaDue, Fire Chief Rolfe, Planner Kaniewski, Inspector Hankovich, Attorney Reilly, & Engineer Peot.

President Wagner opened the Public Hearing on the proposed amendment to the sanitary sewer service area at 7:31 p.m. Letter from the Town of East Troy Attorney was placed on file. Email from East Troy Town Chairman placed on file. No other appearances. The meeting was closed at 7:36 p.m.

Moved by Debe, seconded by O'Bryan, to approve the minutes of the November 5, 2002 meeting as presented. Motion carried without a negative vote. The Treasurer, Mileage, Police, Fire and Library reports for the month of October were placed on file in the Clerk's Office.

#### **COMMENTS FROM THE PUBLIC:**

Katherine Rath, 419 N. Rochester Street – She told the Board about the sewer backup that occurred this past weekend. She claims that she had \$2,816.00 worth of damage. Referred to the Public Works Committee.

Ann Ginster, 933 Meadowview Lane – She had a concern about a police problem. Referred to Protective Services Committee.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$37,826.81; Fire/Amb \$2,978.47; Capital \$6,922.86; Library \$5,920.57; Capt Impvts \$101,925.59; 2001 GO \$41,232.73; Water \$9,605.57; Sewer \$7,163.83. Motion carried without a negative vote. Letter from SAGE requesting a donation for 2003, the Committee denied a donation. COPS grant will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Debe, to approve the operator's licenses for Julianne L. Lake and Michele K. Viel. Motion carried without a negative vote. Moved by O'Bryan, seconded by Odier, to approve the application for Class A Beer for 201 N. Rochester Street in the name of Dura Investments, Imad Amro, Agent. Motion carried without a negative vote.

**PERSONNEL** – Cell Phone Policy and Employee Handbook reviews will remain in committee to discuss after January 1, 2003. Committee would like a closed session after the next Village Board meeting to discuss salary & wage changes & compensation levels for the 2003 budget. Health Insurance premium participation by employees is to be removed from the agenda.

**PROTECTIVE SERVICES** – Moved by Debe, seconded by O'Bryan, to approve Resolution 2002-22: **A RESOLUTION TO FIX AMBULANCE FEES.** Motion carried without a negative vote.

**PUBLIC WORKS** – Holz Parkway mitigation site grading and planting plan will remain in committee. DPW will put up the necessary parking signs for Midnight Magic. A meeting will be scheduled with Waukesha County Highway Dept regarding CTH 'ES' reconstruction project.

**UTILITIES** – Committee will continue reviewing the new well research. Minor's Homestead Development sewer cleaning funds will remain in committee. The committee has approved the colors to be used on the Atkinson Street Lift Station Building.

**PLAN COMMISSION** – Rezoning of the Gateway District lands will be discussed and approved at the December 17<sup>th</sup> meeting. Moved by Fickau, seconded by Debe, to accept the Plan Commission recommendation to approve Resolution 2002-21: **A RESOLUTION TO ALTER A PORTION OF THE RIGHT-OF-WAY OF GRAND AVENUE AND ATTACH THE ALTERED**

**RIGHT-OF-WAY TO VILLAGE OWNED PROPERTY.** Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to accept the Plan Commission recommendation to approve the Developers Agreement with MRED. Motion carried without a negative vote. Moved by Debe, seconded by Odier, to accept the Plan Commission recommendation to approve the CSM for the Village Fire Station north boundary line, subject to WisDOT approval stamped on the CSM and shall not be recorded until MRED has ownership. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to accept the Plan Commission recommendation to approve the Walgreen's site plan subject to WisDOT approval. Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to approve sending a letter to WisDOT regarding the Walgreen's development to request signage to direct traffic to alternate routes through the Village. Motion carried without a negative vote. Moved by Fickau, seconded by O'Bryan, to accept the Plan Commission recommendation to approve the exterior colors for the Village Car Care, 1002 S. Main Street. Motion carried without a negative vote. Moved by Odier, seconded by Debe, to accept the Plan Commission recommendation to approve the exterior improvements to 211 N. Rochester Street. Motion carried on a vote of 4 ayes and 1 nay (Fickau voting 'no'). Moved by Fickau, seconded by Debe, to accept the Plan Commission recommendation to approve the south site plan of Citizens Bank at 301 N. Rochester Street. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to accept the Plan Commission recommendation to approve the north site plan of Citizens Bank at 301 N. Rochester Street which includes the removal of the house, lighting, signage, and dumpster enclosure. Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to accept the Plan Commission recommendation to adopt Resolution 2002-20: **A RESOLUTION FOR ADOPTION OF A MUKWONAGO SANITARY SEWER SERVICE AREA AMENDMENT.** Motion carried without a negative vote.

**VILLAGE PRESIDENT:** Letter of resignation from Kurt Wilm for the Plan Commission was placed on file in the Clerk's Office.

Moved by Fickau, seconded by Odier and carried to adjourn at 8:08 p.m.

Bernard W. Kahl, MMC  
Village Clerk



President Wagner called the Village Board meeting to order on December 3, 2002 at 7:30 p.m. Members present: FICKAU, COATS, FENNEL, O'BRYAN, DEBE, & WAGNER. Member excused: ODIER. Also present: Police Chief Winchowky, DPW Supv Brandemuehl, Fire Chief Rolfe, WWTP Supv Piquett, Water Supv Walenczyk, Bldg Insp Hankovich, Attorney Reilly.

Moved by Fickau, seconded by Fennel, to approve the minutes of the November 19, 2002 meeting as presented. Motion carried without a negative vote.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Fickau, seconded by Fennel, to approve the following vouchers: Village \$24,592.38; Fire/Amb \$24,582.00; Recycling \$36,835.35; Capital \$424.11; Library \$6,579.55; Capt Impvts \$3,386.38; 2001 GO \$78,575.01; Water \$13,380.24; Sewer \$13,452.09; Taxroll \$32,885.90. Motion carried without a negative vote. COPS grant will remain in committee.

**PERSONNEL** – Compensation for Police Lieutenants will remain in committee.

**PROTECTIVE SERVICES** – Complaint against Police Department will be sent to the Police Commission. Hippa Electronic Health Care Transactions and 'D' Code sets Compliance Plan, Part-time hours for 2003 for Fire Department, Albe Alarm Company, and Fire Board will remain in committee. The 2<sup>nd</sup> and 3<sup>rd</sup> Assistant Chief titles will be changed to Deputy Chiefs. Extension of probationary period has been extended for Fire/EMT personnel from 12 months to 18 months. Billing rates for ambulance can be removed from the agenda. Police & Fire department budgets will always remain on the agenda.

**VILLAGE CLERK:** Moved by Fennel, seconded by Debe, to approve the following Election Officials for the 2003-2004 years: Robert Chapman, Chief Inspector; Mary Weinkauf, Rose Ann Kelly, Terrance Kelly, David Petersen, Carole Fickau, Lois Boebel, Elizabeth S. Bartlett, Audrey Swan, Ruth Bogusz, Dorothy Tamas, Marge Stobber, Chris Petersen, Dian Pete, and Steven Braatz, Jr. Motion carried on a vote of 5 ayes and 1 abstention [Fickau abstaining]. Moved by Fickau, seconded by Coats, to approve President Wagner as the Village's representative to the TID #3 Review Board. Motion carried without a negative vote.

**VILLAGE PRESIDENT:** Moved by Debe, seconded by Fennel, to approve the President's appointment of Julie Feierstein, 1262 River Park Circle West, to the Board of Building and Zoning Appeals. Motion carried without a negative vote.

**NEW BUSINESS:** Police Chief Winchowky reported that he received a letter from the County regarding the traffic count at the intersection of Highway ES & NN. Traffic count went from 1300 vehicles per day to 3400 vehicles per day. The County will be reviewing the traffic light situation for the area.

Moved by Fennel, seconded by Debe and carried to adjourn the meeting at 7:42 p.m.

Bernard W. Kahl, MMC  
Admin/Clerk/Treas

President Wagner called the special meeting of the Village Board to order on December 9, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Police Chief Winchowky, Library Director McBride, Fire Chief Rolfe, and DPW Supv Brandemuehl.

#### **PUBLIC HEARING ON THE PROPOSED 2003 BUDGET:**

President Wagner opened the public hearing on the proposed 2003 budget at 7:31 p.m.

Dennis Behling, 943 Bay View Circle – Cited the fact that the Village used to have 52 pickups of garbage, recycling, and large items. Now we have 52 pickups of garbage, 26 pickups of recycling and 12 pickups of large items. There has been no reduction in the contract price, maybe the contract should be bid out next year.

Brian Jongetjes of John's Disposal Service – This is just a trial. We have not received any calls about litter and if there is a litter problem we would like to know about it so we can clean it up. In the future this program will save the Village money.

Public Hearing closed at 7:37 p.m.

#### **NEW BUSINESS:**

Moved by Fennel, seconded by Odier, to adopt Resolution 2002-23: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2003.** Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to adopt Resolution 2002-24: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2003; CAPITAL EQUIPMENT FUND.** Motion carried on a vote of 6 ayes and 1 nay [Fickau voting 'no']. Moved by Fennel, seconded by Debe, to adopt Resolution 2002-25: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2003; RECYCLING FUND.** Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to adopt Resolution 2002-26: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2003; DEBT SERVICE FUND.** Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to adopt Resolution 2002-27: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2003; FIRE/AMBULANCE FUND.** Motion carried on a vote of 6 ayes and 1 nay [Fickau voting 'no']. Moved by Fickau, seconded by Odier, to adopt Resolution 2002-28: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2003; LIBRARY FUND.** Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan and carried to adjourn the meeting at 7:44 p.m.

Bernard W. Kahl, MMC  
Village Admin/Clerk/Treas

President Wagner called the Village Board meeting to order on December 17, 2002 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Fire Chief Rolfe, Police Chief Winchowky, DPW Supv Brandemuehl, WWTP Supv Piquett, Library Director McBride, Water Supv Walenczyk, Engineer Peot, & Attorney Reilly.

President Wagner made the announcement of a closed session to be held upon adjournment. Treasurer, Mileage, Police, Fire and Library reports for November were placed on file in the Clerk's office.

Moved by Fickau, seconded by Fennel, to approve the minutes of the December 3<sup>rd</sup> and 9<sup>th</sup> meeting as presented. Motion carried without a negative vote.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$29,120.38; Fire/Amb \$6,536.93; Capital Outlay \$9,611.48; Library \$4,357.48; Capital Impvts \$1,167.89; 2002 GO \$119,540.65; Water \$11,586.42; Sewer \$22,785.00. Motion carried without a negative vote. Moved by Odier, seconded by Coats, to approve the dissipation of accounts receivable non-zero balance in the amount of \$2,649.71. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to transfer funds at year-end as requested for audit purposes. Motion carried without a negative vote. COPS Grant will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the operator's licenses for Timothy C. Ervin & Denise A. Shorougian. Motion carried without a negative vote.

**PERSONNEL** – Moved by Debe, seconded by O'Bryan, to approve Resolution 2002-30: **A RESOLUTION RELATING TO VILLAGE OF MUKWONAGO SALARY AND WAGE SCHEDULES FOR NON-REPRESENTED FULL-TIME AND PART-TIME EMPLOYEES.** Motion carried without a negative vote. Compensation issue for Police Department is settled and is to be removed from the agenda.

**PROTECTIVE SERVICES** – Moved by Coats, seconded by Fennel, to approve the signing of the Joint Powers Agreement, County 911 Emergency System. Motion carried without a negative vote.

**PUBLIC WORKS** – Moved by Fickau, seconded by Debe, to not accept the County's offer for donation of land by the Village for the CTH ES Reconstruction Project. Motion carried on a vote of 6 ayes and 1 nay (Odier voting 'no'). VFW sign, sewer backup at 419 N. Rochester Street, and Holz Parkway mitigation site grading will remain in committee.

**UTILITY** – Moved by Fickau, seconded by Fennel, to approve the Engineers recommendation to award the contract for the Field Park Sanitary Sewer Relay and Pump Station Abandonment to Advanced Construction in the amount of \$387,601.75. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve Resolution 2002-29: **A RESOLUTION ADOPTING THE 2003 SEWER BUDGET AND 2003 WATER UTILITY BUDGET.** Motion carried without a negative vote. Minors Homestead Development sewer-cleaning funds will remain in committee. Sewer plant will be doing maintenance on the Treatment Plant Turbine Generator and the water utility is in the second phase of well research.

**PLANNING COMMISSION** – Moved by Fennel, seconded by Debe, to adopt Ordinance No. 696: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO** (Gateway District), and shall be conditioned upon receiving Waukesha County zoning approval for the Shoreland/Wetland corridor. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to accept the recommendation of the Plan Commission to approve the Minor's Homestead Preliminary Plat of Subdivision with a revised plat date of

December 5, 2002, and the previously approved Developer's Agreement shall be amended to reflect the new plat. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the CSM for Citizens Bank property on N. Rochester Street and Eagle Lake Avenue. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to adopt Ordinance No. 695: **AN ORDINANCE TO ANNEX CERTAIN PROPERTY TO THE VILLAGE OF MUKWONAGO** (MUKT 2011-999). Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Fennel, seconded by O'Bryan, to authorize the purchase of a pump for the Wastewater Treatment Plant. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to approve the award to Giles Engineering in the amount of \$2,835.00 for Sentinel Well Drilling for Well No. 5. Motion carried without a negative vote. Moved by Coats, seconded by Fennel, to approve the utility easement to be drawn by the Village Attorney and authorize signature if final draft is acceptable by the Attorney. Motion carried on a vote of 5 ayes and 2 nays (O'Bryan & Debe voting 'no').

**CORRESPONDENCE:** Letter from Donna Rush and Mukwonago Estates Maintenance Corp were placed on file.

**NEW BUSINESS:** Moved by Fennel, seconded by Fickau, to authorize the signing of the WE Energies permit for 148 Amanda Court. Motion carried without a negative vote. Police Chief reported that he received a letter from the County that the intersection at ES & NN will have a stop 'n' go light installed about 2004.

Moved by Fennel, seconded by Odier and carried to adjourn into closed session at 8:03 p.m. pursuant to State Statute 19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved – status of Town of East Troy vs. Village of Mukwonago.

Bernard W. Kahl, MMC  
Admin/Clerk/Treas