

President Wagner called the Village Board meeting to order on January 7, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE & WAGNER. Also present: Library Directory McBride, Fire Chief Rolfe, Police Chief Winchowky, Engineer Peot, Water Supv Walenczyk, Acting WWTP Supv Piquett & Attorney Reilly.

Moved by Fickau, seconded by Odier, to approve the minutes of the December 17, 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 \$50,799.84; Fire/Amb \$30,002.24; Recycling \$28,731.10; Capital \$13,451.05; Library \$4,035.16; 2001 GO Bond \$51,888.08; Water \$45,351.05; Sewer \$31,314.80; Taxroll \$37,014.76. Motion carried without a negative vote. COPS grant will remain in committee.

**PERSONNEL** – Moved by Odier, seconded by Coats, to approve Resolution 2003-01: **A RESOLUTION CORRECTING THE WAGE OF THE ACTING WWTP & POLICE LIEUTENANTS FROM RESOLUTION 2002-30.** Motion carried without a negative vote.

**JUDICAL** – Moved by O'Bryan, seconded by Fennel, to approve the applications for operator's licenses for Helen J. Holzbauer, Toni L. Wegner and Mary A. Zach. Motion carried without a negative vote. Moved by O'Bryan, seconded by Debe, to approve the application for temporary Class B Beer license for St. James Parish for January 16, 2003. Motion carried without a negative vote.

**PUBLIC WORKS** – The letter from the Highland Group regarding CTH 'ES' Reconstruction Project was referred to the Public Works Committee to review.

**VILLAGE ENGINEER:** Moved by Fennel, seconded by Coats, to approve Resolution 2003-03 with changes that were made: **A RESOLUTION TO APPROVE THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 3 OF THE VILLAGE OF MUKWONAGO, WISCONSIN.** Motion carried without a negative. Moved by Fickau, seconded by Debe, to approve Resolution 2003-02: **A RESOLUTION CREATING TAX INCREMENTAL DISTRICT NO. 3 OF THE VILLAGE OF MUKWONAGO, WISCONSIN.** Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Waiver of special assessment notices and hearings under Sec 66.0703(7)(b), Wisconsin Statutes. The property is located on Spring Street and the lateral was plugged. Referred to the Utility Committee. Moved by Debe, seconded by Fennel, to approve the granting of the easement regarding the St. John's Lutheran Church property and Fairwinds. Motion carried without a negative vote.

**NEW BUSINESS:** Christmas trees that are to be recycled will be picked up on January 18<sup>th</sup>. Referred to Public Works Committee was the unsolicited Buyers Guide.

Moved by Fennel, seconded by Debe and carried to adjourn the meeting at 7:56 p.m.

Bernard W. Kahl, MMC  
Admin/Clerk/Treas

President Wagner called the Village Board meeting to order on January 21, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Police Chief Winchowky, DPW Supv Brandemuehl, Acting WWTP Supv Piquett, Attorney Reilly, Water Supv Walenczyk, Zoning/Building Insp Hankovich, Engineer Peot, & Planner Kaniewski.

Public Hearing on the rezoning of 1616 Honeywell Road from A-1 to P-1 was opened at 7:31 p.m. No one appeared for or against. Public hearing was closed at 7:32 p.m.

The Treasurer, mileage, Police, Fire, and Library reports for December 2002 were placed on file in the Clerk's Office.

Moved by Fickau, seconded by Fennel, to approve the minutes of the January 7, 2003 meeting as presented. Motion carried without a negative vote.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$94,640.46; Fire/Amb \$4,278.75; Recycling \$108.06; Capital Equip \$719.86; Library \$6,948.98; Capital Improvements \$20.70; 2001 GO \$104,854.67; Water \$18,767.31; Sewer \$31,747.88; Taxroll \$1,522,325.82; Park \$12,086.94. Motion carried without a negative vote. The Committee did not feel that the Village would be interested in the Mathson property on S. Rochester Street that was going up for Sheriff's Auction. Moved by Fickau, seconded by Coats, that the bill from Doc's Sewer for work done at the property at 317 Spring Street should be paid but the Committee should try to negotiate a reduction of the bill. Committee will handle. Motion carried without a negative vote. Finance Chair, Police Chief and School Administration will meet on January 27<sup>th</sup> to work on the COPS Grant billing. Jeff Belongia presented to the Board a summary of what the interest rates and borrowing would look like for the TID Project, and he has all the information assembled to go forward. The Village will do two issues; one would be General GO Bonds and the other issue would be Revenue Bonds. Board may consider creating a CDA. Expected sale date is March 4<sup>th</sup>.

**PERSONNEL** – Committee has started the Employee Handbook review. An Adhoc committee of a representative from each department will be formed to discuss health insurance. Cell phone & equipment use policies and procedures, and performance review and its implementation will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the operator's application for a Temporary Class B Beer License for St. James Parish for January 31, 2003. Motion carried without a negative vote.

**PUBLIC WORKS** – John's Disposal Service handled the concerns of the resident regarding the trash collection service. Resident was very appreciative of how fast the problem was handled. Moved by Fickau, seconded by O'Bryan, to accept the offer from the Highland Group of \$3,300.00 for the right-of-way acquisition for the ES project and signing of the necessary documents. Motion carried without a negative vote. Committee discussed the Buyers Guide and the problem of having it dropped on the front yards. Representative was present and said if people called the number in the Guide they could have the paper stopped if they didn't want it. Engineer will send a letter to property owners along the portion of CTH 'ES' reconstruction route regarding encroachments in that area and the need to have things moved. Moved by Fickau, seconded by Debe, to sign the necessary documents for the agreement between the Village and Waukesha County for the Village's portion of the improvements associated with the upcoming reconstruction of CTH 'ES' in the amount of \$100,212.60. An Ordinance will be presented at the next Board meeting. Motion carried without a negative vote. Sewer backup at 419 N. Rochester Street should be removed from the agenda. Holz Parkway mitigation site grading and planting plan will remain in committee.

**UTILITIES** – Moved by Fickau, seconded by Debe, to accept the committee recommendation to excuse the excessive sewer billing for 807 Main Street, owner would be responsible for the balance of the bill. Motion carried without a negative vote. SCADA service agreement was for informational purposes only. Sewer and water laterals to town properties along CTH ‘ES’ would only be extended to those properties that annexed into the Village. Committee is considering land for future expansion of Wastewater Treatment Facility. Committee was approached about the interest on renewing talks for Rainbow Springs Sanitary District. Moved by Fickau, seconded by Debe, to approve the waiver of special assessment notices and hearings under Sec. 66.0703(7)(b), Wisconsin Statutes regarding the Gilson property on Spring Street. Motion carried without a negative vote. Minors Homestead Development-Sewer Cleaning Funds will remain in committee. Trustee O’Bryan will replace Trustee Fickau as a member of the Utilities Committee for the month of February.

**PLAN COMMISSION** – Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the rezoning of property at 1616 Honeywell Road from A-1 to P-1. Motion carried on a vote of 6 ayes and 1 nay (Debe voting ‘no’). Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to approve the CSM for 1616 Honeywell Road with the following conditions:

1. That a 66-foot reservation be shown on Lot 2 to extend 643.97 feet.
2. The 66-foot reservation area also includes an ingress/egress easement to the benefit of Lot 1.

Motion carried on a vote of 6 ayes and 1 nay (Debe voting ‘no’). Moved by Odier, seconded by Debe, to accept the Plan Commission recommendation to approve the CSM of the Old Village Library and Well #2 site. Motion carried without a negative vote. Moved by Fennel, seconded by Coats, to accept the Plan Commission recommendation to approve the CSM for a line adjustment of the Walgreen’s property. Motion carried without a negative vote. Moved by Debe, seconded by O’Bryan, to accept the Plan Commission recommendation to adopt Ordinance 697: **An Ordinance to amend the Comprehensive/Master Plan for residential designations and densities.** Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to adopt Ordinance 698: **An Ordinance amending the provisions of the Village of Mukwonago zoning ordinance to revise the standards for the business zoning districts.** Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to adopt Ordinance 699: **An Ordinance amending the provisions of the Village Of Mukwonago zoning ordinance to revise the standards for the manufacturing zoning districts.** Motion carried without a negative vote. Moved by Coats, seconded by Odier, to accept the Plan Commission recommendation to adopt Ordinance 700: **An Ordinance amending various provisions of the Village of Mukwonago ordinance for consistency with amendments to the business and manufacturing district standards and the site plan and architectural review standards.** Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to adopt Ordinance 701: **An Ordinance amending the provisions of the Village of Mukwonago’s zoning ordinance pertaining to the public and semi-public district.** Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to adopt Ordinance 702: **An Ordinance amending the provisions of the Village of Mukwonago’s zoning ordinance to revise the site plan and architectural, review standards for all non-single family properties.** The Village will retain in the interim the language in 100-601(D)(14) of the present zoning code. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Fennel, seconded by Coats, to approve Resolution 2003-04: **A Resolution authorizing the sale of land (Mukwonago Fire Station #1) to MRED**

**Commercial Development Corporation.** Motion carried without a negative vote. Village Attorney was directed by the Village President to send a letter to Wis. DOT for permission for closing Mill Street and to explain where the traffic will go once it is closed. Moved by Debe, seconded by Fennel, to accept the transfer of jurisdiction of Maple Avenue from the Town of Mukwonago conditioned upon agreement with 3 property owners, which is: The Herriges property will have a through driveway, the Craig property will have road access, and the Kowalkowski property will have access and two driveways. Motion carried without a negative vote.

**NEW BUSINESS:**

Moved by Fennel, seconded by Fickau, to approve the signing of the WE Energies permits for 529 Eastern Trail and 510 Jefferson Street. Motion carried without a negative vote. Trustee Fickau reported that the Fire Department would be moving into the new Fire Station would be moving Saturday morning.

Moved by Fickau, seconded by Fennel and carried to adjourn the meeting at 8:35 p.m.

Bernard W. Kahl, MMC  
Admin/Clerk-Treas

President Wagner called the Village Board meeting to order on February 4, 2003 at 7:30 p.m. Members present: COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Excused: FICKAU. Also present: DPW Supv Brandemuehl, Library Director McBride, Attorney Reilly, Police Chief Winchowky, Water Supv Walenczyk, Zoning/Bldg Insp Hankovich, & Acting WWTP Supv Piquett.

Moved by Fennel, seconded by Debe, to approve the minutes of the January 21, 2003 meeting as presented. Motion carried without a negative vote.

**COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fennel, to approve the following vouchers: Village \$37,299.84; Fire/Amb \$36,190.09; Recycling \$29,186.55; Library \$3,311.76; Capital Impvts \$450.22; 2001 GO \$16,418.24; Water \$26,084.56; Sewer \$12,165.91; Taxroll \$59,420.16. Motion carried without a negative vote. Report will be made on the COPS program at the next meeting.

**PERSONNEL** – Committee is working on the Employee Handbook, Cell Phone & Equipment Use Policies and Procedures, and Performance Review.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the applications for temporary Class B Beer Licenses for St. James Parish for March 5 & March 28, 2003. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Committee will review all contracts for dispatching fees; SOG for the Fire Department; HIPPA compliance plan; and complete the work on the Fire Board after receiving correspondence from the Town's Attorney. Request for part-time hours for the Fire Department will be settled by the committee or referred to the Finance Committee. Moved by Debe, seconded by Fennel, to try as a pilot program the Alarm Board as proposed by Able Alarm Company, for a period of one year. The program will cover only the Village and Town of Mukwonago. Program will be limited to 100 participants for the trial period. Motion carried without a negative vote.

**VILLAGE CLERK:** Moved by Fennel, seconded by Coats, to approve Ordinance No. 703: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP** (Rhon Roberts property on Honeywell Road). Motion carried on a vote of 5 ayes and 1 nay (Debe voting 'no'). Ordinance No. 704: Amending the legal description of an annexed parcel (Greenwald property on Highway ES [Main Street]) was referred to the next meeting for clarification.

**VILLAGE ATTORNEY:** Moved by Fennel, seconded by Debe, to approve the stipulation and order for dismissal of the petition for the incorporation of the Town of Vernon as presented by the Village Attorney. Motion carried without a negative vote.

**CORRESPONDENCE:** The Waukesha County Emergency Plan will be forwarded to the Fire Chief.

**NEW BUSINESS:** The Historic Preservation Committee is discussing the question of the status of the Old Library Building. Moved by Fennel, seconded by Odier, to authorize the signing of the WE Energies Permit for underground utilities on Shore Drive. Motion carried without a negative vote.

Moved by Debe, seconded by Fennel and carried to adjourn the meeting at 8:02 p.m.

Bernard W. Kahl, MMC  
Admin/Clerk-Treasurer

President Wagner called the meeting of the Village Board to order on February 18, 2003 at 7:30 p.m. Present: COATS, ODIER, FENNEL, O'BRYAN, & WAGNER. Excused: FICKAU & DEBE. Also present: Fire Chief Rolfe, Engineer Peot, Planner Kaniewski, Library Director McBride, Police Chief Winchowky, DPW Supv Brandemuehl, Acting WWTP Supv Piquett, & Water Supv Walenczyk.

President Wagner at 7:31 p.m. opened the Public Hearing for the Imposition of Development Impact Fees; Public Facility needs assessment and Impact Fee Study and amendment to the existing Impact Fee Ordinance. No one appeared for or against. Hearing was closed at 7:32 p.m.

President Wagner at 7:32 p.m. opened the Public Hearing for the rezoning of property from A-1 and BFD-2 to BFD-2 for 115 Lake Street [Citizens Bank]. No one appeared for or against. Hearing was closed at 7:33 p.m.

The Treasurer, Mileage, Police, Fire and Library reports for the January 2003 were placed on file in the Clerk's Office.

### **COMMITTEE REPORTS:**

**FINANCE** - Moved by Odier, seconded by Fennel, to approve the following vouchers: Village \$47,825.41; Fire/Amb \$10,086.56; Recycling \$1,359.45; Library \$8,013.41; 2001 GO \$52,689.85; Water \$24,927.60; Sewer \$8,439.59; and Taxroll \$640,625.05. Motion carried without a negative vote. Trustee Odier met with School Officials, Police Chief Winchowky, and Patrolman Brook regarding the COPS Grant. The following issues were discussed with these recommendations:

- 1) The Village and School District would commit through the year 2004 to continue the program and maintain the 35% and 65% ratio for payment. During the calendar year 2004, but prior to the beginning of the FY the village and the school district should review the program and the payment ratio. At that time the decision will need to be made if program will continue and if there needs to be any adjustment in the payment ratio.
- 2) While the grant stated it would pay a beginning salary for an officer an experienced officer brings skills to this position, which would be lacking in an officer who is just beginning his/her career in police work. In addition not only is there a need for an officer who is experienced in police work but this individual needs to have the ability to relate to this age group. We have found that combination in the officer who is presently assigned to the school. We support the assignment of Al Brooks to this position. However, the school recognizes that a beginning officer salary does not stay stagnant and will contribute their share of the present cost of a beginning officer salary and benefits.
- 3) Presently police officers work a 5-4,4-2 schedule. This position however, does not follow the above schedule resulting in overtime for this position. Prior to initiating the position, Chief Winchowky had reached an agreement with the association representative to pay for 4 hours of overtime in lieu of 8 hours. Officer Brooks has agreed to take the majority of these overtime hours in compensation time. Overtime hours, which are the result of school activity, will be charged directly to the school (Prom time, Homecoming, etc.). Chief Winchowky has devised a system for tracking the overtime hours, which will account for these hours. This system was acceptable to the school representative. The payment of the hours can either be made quarterly or bi-annually. This can be decided between the school representative and the Village Clerk/Administrator.
- 4) It is requested that the Village Clerk/Administrator meet to set up a billing system and resolve any discrepancy in the payment schedule. The two different FY's may impact on this process. Any discussion of the above should also involve the Police Chief so he can follow the agreed process.

- 5) Officer Brook shall provide the Village Board a brief oral summary of his activities at the closing of each school year.

Trustee Odier gave a report on the repairs needed on the Museum. Home Inspection was done and a copy of the report is on file in the Clerk's Office. Estimated repair cost will be about \$60,000.00. Trustee Odier asked the Mukwonago Chief and Waukesha Freeman to put something in the paper about the repairs and people could adopt a part of the repairs.

**PERSONNEL** – Employee handbook update, cell phone and equipment use policies and procedures, and performance review forms and implementation will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the application for temporary Class B Picnic Beer license for St. James Parish for March 15, 2003. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to approve the application for temporary Class B Picnic Beer license for Knights of Columbus for March 9, 2003. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to approve the application for operator's license to Cory G. Brosnan. Motion carried without a negative vote.

**HEALTH & RECREATION** – Moved by Fennel, seconded by O'Bryan, to accept the committee recommendation to approve the waiving of park rental fees for the Easter Egg Hunt and Summerfest and that the Lion's Club would instead replace items in the Village's Parks. DPW Supv would create that list. Motion carried without a negative vote. Moved by Fennel, seconded by Odier, to accept the committee recommendation to allow the Lion's Club to construct a pavilion in Field Park, east of the playground equipment. Public Works to remove the topsoil and dig the holes. Once constructed the Lions Club will turn ownership of the building over to the Village. Motion carried without a negative vote. Museum hours and contents will remain in committee.

**PUBLIC WORKS** – Maple Avenue extended is referred to the Village Attorney. Waukesha County capital improvement plan was reviewed and the reconstruction of Highway ES is on the list. Holz Parkway mitigation site grading and planting plan will remain in committee.

**UTILITIES** – Moved by O'Bryan, seconded by Fennel, to approve Resolution 2003-05: **A RESOLUTION IN COMPLIANCE WITH THE ANNUAL MAINTENANCE REPORT OF THE DEPARTMENT OF NATURAL RESOURCES.** Motion carried without a negative vote. Moved by O'Bryan, seconded by Coats, to approve the Wastewater Treatment Plant/Sludge Contract pending the Village Attorneys approval. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to accept the committee recommendation to approve the Water and Sewer Impact Fees. Motion carried without a negative vote. Atkinson Lift Station Auxiliary hookup and the Minor Homestead sewer cleaning funds will remain in committee. Village is getting prices for actual well sites.

**PLAN COMMISSION** – Moved by Fennel, seconded by O'Bryan, to accept the Plan Commission recommendation to approve the change of zoning for 115 Lake Street from A-1 and BFD-2-to-BFD-2. Motion carried without a negative vote. Moved by Fennel, seconded by Coats, to accept the Plan Commission recommendation to approve the request from Linden Grove for Site Plan approval to construct an eight-room addition to its assisted living facility. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** The Village Attorney submitted a report on the status of the Big Bend/Vernon consolidation.

**VILLAGE PRESIDENT:** Moved by Fennel, seconded by Odier, to accept the President's appointment of Mary Blott to fill the unexpired term of Grover Stach on the Library Board. Motion carried without a negative vote.

**CORRESPONDENCE:** Letter from Mary Pires regarding the municipal code and forfeiture offenses was referred to the Village Attorney.

**NEW BUSINESS:** Moved by Fennel, seconded by Odier, to authorize the signing of the WE Energies permit for 1128 Drake Court. Motion carried without a negative vote. Moved by Coats, seconded by Odier, to authorize the signing of the WE Energies permit for S. Main Street. Motion carried without a negative vote.

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

Bernard W. Kahl, MMC  
Admin/Clerk/Treas



Clerk Kahl called the Mukwonago Village Board meeting to order on March 4, 2003 at 7:35 p.m. Members present: COATS, ODIER, O'BRYAN, & DEBE. Members excused: FICKAU, FENNEL, & WAGNER. Also present: Library Director McBride, Police Chief Winchowky, Acting WWTP Supv Piquett, Attorney Reilly, Water Supv Walenczyk, and Engineer Peot. Moved by Coats, seconded by O'Bryan, to nominate Trustee Odier as Acting President. Motion carried without a negative vote.

Moved by Debe, seconded by Coats, to approve the minutes of February 18, 2003 as presented. Motion carried without a negative vote.

#### **OLD BUSINESS:**

Trustee gave an update on the conditions of the Museum. She thanked Jim Flaherty, Editor of the Mukwonago Chief and the reporter from the Waukesha Freeman. Some contacts have been made for repair work.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Debe, seconded by O'Bryan, to approve the following vouchers: Village \$32,379.86; Fire/Amb \$29,710.87; Recycling \$100.00; Capital Equip \$424.11; Library \$21,093.88; 2001 GO \$202,922.48; Water \$22,576.33; Sewer \$7,690.30; Taxroll \$36,105.00. Motion carried without a negative vote. Moved by Debe, seconded by Coats, to authorize the maintenance treatment of odor problem at Well #6 at cost not to exceed the quoted price unless approved by the Water Supv and Engineer. Motion carried without a negative vote. Mr. Jeff Belongia of Hutchinson, Shockey, Erley & Co., presented the bond information for the TID. The Revenue Bond, non-rated, interest rate was 1.9% & the G.O. Bond, MIG-1 rating with an interest rate of 1.5%. Moved by Debe, seconded by Coats, to approve Resolution 2003-06: **A RESOLUTION AUTHORIZING THE BORROWING OF \$5,235,000 AND PROVIDING FOR THE ISSUANCE AND SALE OF WATERWORKS SYSTEM AND SEWERAGE SYSTEM REVENUE BOND ANTICIPATION NOTES THEREFOR.** Motion carried unanimously on a roll call vote. Moved by Coats, seconded by O'Bryan, to approve Resolution 2003-07: **A RESOLUTION AUTHORIZING THE BORROWING OF \$4,420,000; PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION SECURITIES THEREFOR; AND LEVYING A TAX IN CONNECTION THEREWITH.** Motion carried unanimously on a roll call vote. Moved by Odier, seconded by Coats, to approve Resolution 2003-08: **A RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF NOT TO EXCEED \$4,420,000 BOND ANTICIPATION NOTES.** Motion carried unanimously on a roll call vote.

**PERSONNEL** – All items will remain in committee.

**JUDICIAL** - Moved by O'Bryan, seconded by Coats, to approve the applications for 2003 Operators Licenses for Svetlana N. Klyuchkova, Terry M. Schulist, and Diane K. Steinke. Motion carried without a negative vote. Moved by O'Bryan, seconded by Coats, to approve the application for 2003 for a 6-month Class "B" Beer License to the Mukwonago Lakers Baseball Club. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – All items will remain in committee.

**VILLAGE CLERK:** Moved by Coats, seconded by Debe, to approve Ordinance No. 705: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO.** Motion carried without a negative vote.

**VILLAGE ENGINEER:** Moved by O'Bryan, seconded by Coats, to accept the Engineer's recommendation to award the CTH ES Sanitary Sewer and Water Main Extension to Advance Construction in the amount of \$1,094,945.00. Motion carried without a negative vote. Village Attorney will have an Ordinance for the next meeting for the Sewer and Water Impact Fees. Ruekert & Mielke proposal to evaluate the sewer rates and Reserve Capacity Assessment Charges was referred to the Utility Committee.

**VILLAGE PRESIDENT:** Moved by Debe, seconded by O'Bryan, to accept the President's appointment of Melissa Wraalstad to the Historic Preservation Committee as Historian and as a voting member. Motion carried without a negative vote.

**CORRESPONDENCE:** Letter from WE Energies that reaffirms their policy of not permitting hunting, use of any motorized recreational vehicles such as snowmobiles, ATV's and motorcycles, or access by non-WE-Energies vehicles on their rights of way and other company property in the Village. Letter was placed on file in the Clerk's Office.

**NEW BUSINESS:** Moved by Debe, seconded by Coats, to approve the permit request from Time Warner for underground work. Motion carried without a negative vote. Moved by coats, seconded by Debe, to approve the permit request from WE Energies for underground utilities on Shore Drive. Motion carried without a negative vote.

Moved by O'Bryan, seconded by Debe and carried to adjourn the meeting at 8:15 p.m.

Bernard W. Kahl, MMC  
Village Clerk

President Wagner called the meeting to order on March 18, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: DPW Supv Brandemuehl, Library Director McBride, Asst Fire Chief Purdy, Police Chief Winchowky, Acting WWTP Supv Piquett, Water Supv Walenczyk, Village Attorney Reilly, & Engineer Peot. The Treasurer, Mileage, Police, Fire, and Library reports for February 2003 were placed on file in the Clerk's Office. The annual reports for Library and Police Departments for 2002 were placed on file in the Clerk's Office.

Moved by Odier, seconded by Coats, to approve the minutes of the March 4, 2003 minutes as presented. Motion carried without a negative vote.

**COMMENTS FROM THE PUBLIC:** Dennis Behling, 943 Bay View Circle, asked that the Board consider closing Mill Street at this time. Item referred to Public Works Committee.

**COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$134,766.22; Fire/Amb \$38,915.93; TIF \$3,415.06; Recycling \$28,791.23; Capital Equip \$424.11; Library \$8,020.92; Projects \$10,795.09; Water \$6,575.91; Sewer \$109,129.56. Motion carried without a negative vote. Committee has turned down the request from the Lion's Summerfest Committee requesting a donation for the June event because of budget restraints. Moved by Odier, seconded by Fennel, to approve the hiring of an appraiser for the McKenzie building at a cost not to exceed \$250.00. Motion carried without a negative vote.

**PERSONNEL** – Employee handbook review, cell phone & equipment use policies and procedures, and performance review forms and implementation will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the application for 2002-2003 Class B Beer/Liquor License for Stevens Management Inc., Dennis Stevens, Agent, d/b/a Fork in the Road. Motion carried without a negative vote.

**PUBLIC WORKS** – Committee recommends to allow B&G Auto Body not to have the 10 foot green space and if remodeled they would have to convert back to the 10 foot requirement. No action will be taken until they submit a letter for the Attorney to review. Item is to remain in committee. VFW still wants to do the memorial sign. We are waiting for a letter from the VFW saying we have control over the sign once it deteriorates. No action will be taken until the Village receives the letter from the VFW. Item will remain in committee. Mr. Van Winkle will contact the neighbors before the committee makes a recommendation to the Board regarding the return of lands for the Maple Avenue extension. Mr. Van Winkle needs to provide documentation to the committee. Item will remain in committee. Holz Parkway Mitigation Site Grading and Planting Plan will remain in committee.

**UTILITIES** – Evaluation of sewer rates and Reserve Capacity Assessment charges will remain in committee. Minors Homestead Development sewer-cleaning funds will remain in committee. Water Supv reported that they are putting together bids for test borings and when that is complete they will then go to the Finance Committee.

**HEALTH & RECREATION** – The use of Field Park by Kashmir Music and Ethan Keller will remain in committee. Committee is looking at different funding to develop a canoe launch in Miniwaukan Park. The Museum structure is sound but the roof must be repaired. Committee will be looking at grants for this project and donations.

**ECONOMIC DEVELOPMENT COMMITTEE** – Committee recommends that Perkins Drive be posted for 30 minute parking. Item referred to Protective Services Committee.

**PLAN COMMISSION** – Moved by Debe, seconded by Fickau, to accept the Plan Commission recommendation to adopt Ordinance No. 706: **AN ORDINANCE TO ANNEX CERTAIN PROPERTY TO THE VILLAGE OF MUKWONAGO.** [Krogstad property VN 2091-990/991] Motion carried without a negative vote. Moved by Debe, seconded by Coats, to accept the Plan

Commission recommendation to approve the CSM of Dan Scheel, S. Main Street, contingent upon land being rezoned to P-1. Motion carried without a negative vote. [Note: CSM is not to be recorded until the change of zoning is approved.]

**VILLAGE CLERK:** Information on the 2003 New Municipal Officials Workshop and the 2003 Regional Dinner Meeting will be presented at the second meeting in April and the Board members will decide at that time if they will be attending these sessions.

**VILLAGE ATTORNEY:** Moved by Fickau, seconded by Fennel, to adopt Ordinance No. 707, with corrections as presented: **AN ORDINANCE TO REVISE SECTION 70 OF THE MUNICIPAL CODE OF THE VILLAGE OF MUKWONAGO PERTAINING TO SPECIAL ASSESSMENTS AND SPECIAL CHARGES.** Motion carried without a negative vote. Fire Board Ordinance was referred to the Joint Protective Services Committee. Ambulance purchase will be ready for the next Village Board meeting.

**CORRESPONDENCE:** Letter from Kam M. Simonis requesting the banning of open burning within the Village limits was referred to the Health & Recreation Committee. Letter from Lori Wildeman requesting Block Party on Eastern Trail was referred to Protective Services Committee. Letter from Waukesha County regarding Harley Davidson 100<sup>th</sup> Anniversary and Campground use was referred to Health & Recreation Committee. Thank you cards were received from the Senior Citizens and the Joe Hankovich family. Open house of the Mukwonago Fire Department will be on Saturday, March 22<sup>nd</sup> from 11:00 a.m. to 3:00 p.m. Letter from County Executive Daniel M. Finley for the Groundbreaking Ceremony for the Waukesha County Communications Center will be April 3<sup>rd</sup> at 10:00 a.m. at the Highway Operations Center. Letter from the School District inviting the Village Board to a budget workshop session on March 22<sup>nd</sup>. All letters were placed on file in the Clerk's Office.

**NEW BUSINESS:** Moved by Fickau, seconded by Fennel, to authorize the signing of the permit request from Time Warner Cable to install underground utilities on River Crest Court. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to authorize the signing of the permit request from WE Energies to install overhead utilities on Grand Avenue. Motion carried without a negative vote.

Moved by Fickau, seconded by Odier and carried to adjourn the meeting at 8:05 p.m.

Bernard W. Kahl, MMC  
Admin/Clerk/Treas

President Wagner called the Village Board meeting to order on April 1, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Library Director McBride, Planner Kaniewski, Police Chief Winchowky, DPW Supv Brandemuehl, Fire Chief Rolfe, Water Supv Walenczyk, WWTP Supv Piquett, and Attorney Reilly.

Public Hearing for the rezoning petition of Cedar Mill Homes for the West Side Avenue property (Old County Property) from R-2 to R-3 was opened at 7:31 p.m. Robert Schwarz and Scott Allen of the project gave opening remarks. Proposed development is for 12-units on 4.7 acres. They had a soil-boring test performed on the property. Units will be all ranch style with 2 baths and two-car garages. Price range will be \$180,000. Stormwater can be managed on the site.

Richard Pearson, 305 Eagle Lake Avenue (Business Address) – Opposed to the rezoning.

Steve Nowak, 212 Eagle Lake Avenue – Opposed to the rezoning.

Lois Clement, 202 Eagle Lake Avenue - Opposed to the rezoning.

Marty McPherson, 208 Eagle Lake Avenue - Opposed to the rezoning.

No further comments, the Public Hearing was closed at 7:48 p.m.

Moved by Fennel, seconded by Fickau, to approve the minutes of the March 18, 2003 meeting as presented. Motion carried without a negative vote.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Fund 10 - \$63,405.91; 15 - \$34,033.59; 22 - \$25,743.24; 23 - \$5,806.65; 41 - \$29,216.86; 43 - \$19,350.00; 44 – \$6,931.15; 46 - \$180.00; 47 - \$689.00; 61 - \$48,004.37; 62 - \$59,128.33; 72 - \$145,767.71. Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to award the Well Site Test Boring quote to Layne-Christensen in the amount of \$31,720.00. Motion carried without a negative vote.

**PERSONNEL** – Moved by Debe, seconded by O'Bryan, to accept the committee recommendation to approve the direct deposit program for payroll. Motion carried without a negative vote. Employee Handbook, Cell Phone & Equipment policy, and Performance Review will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Coats, to approve the application for a Class 'A' Beer license for 5 Star Stations, Darwin D. Greenwald, Agent at 301 Main Street. Motion carried without a negative vote.

**HEALTH & RECREATION** – Moved by Fennel, seconded by Fickau, to accept the committee recommendation to waive fees for the Red Brick Museum repair work. Motion carried without a negative vote. Kashmir Music was approved by the committee for the use of Field Park on May 31<sup>st</sup> and the fee was waived in lieu of a donation to the Museum fund. Ethan Keller's request to use Field Park for a Music Festival was not approved by the committee and is removed from the agenda; applicant did not attend the committee meeting.

**PUBLIC WORKS** – Review of Street Yard/Greenspace Setback for B&G Auto Body, 1006 Main Street is referred to the next Village Board meeting. The Village Attorney will have an agreement drawn up for approval and then the agreement will be recorded.

**PLAN COMMISSION** – Moved by Debe, seconded by Odier, to accept the Plan Commission recommendation to approve the change of zoning from R-2 to R-3 for the West Side Avenue property (formerly referred to as the Old County Property). Motion carried on a vote of 6 ayes and 1 nay (Coats voting 'no').

**PROTECTIVE SERVICES** – Committee approve the Block Party request from Lori Wildeman for Eastern Trail to be held on May 31<sup>st</sup>. Committee did not see any parking problems on Perkins Drive and is making no recommendation. If any problem occurs they should be contacting the Police Department. Full-time Firefighter/Paramedic position applications are being accepted. Moved by Coats, seconded by Odier, to approve the purchase of the Aerial

Apparatus Vehicle from the Delafield Fire Department in the amount of \$75,366.00 and that there will be no more than \$3,000.00 in repairs. Lettering cost will be charged to the Fire Department budget. The vehicle is a 1984 and the Village will be selling the 1972 vehicle that we currently have. Motion carried on a vote of 6 ayes and 1 nay (Fickau voting 'no'). As dispatching contracts come due the committee will review them at least 3 months in advance of the expiration date. Item will be added to the agenda as they come due. The HIPPA training will be completed by April 8<sup>th</sup> and the Fire Department will be in compliance by the due date of April 15<sup>th</sup>. The request for part-time hours for 2003 for the Fire Department is referred to the Finance Committee. The Committee is still reviewing the Fire Board Ordinance and if any Village Board member has concerns they should forward them on to the Village Attorney. Fire Chiefs vehicle will remain in committee.

**VILLAGE ATTORNEY:** Ambulance purchase will be on the next agenda. Moved by Fickau, seconded by Fennel, to accept the Village Engineer's recommendation to accept the letters of credit for the Fairwinds development in the amounts of \$86,440.80 and \$583,569.69. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to approve the license agreement with the East Troy Electric Railroad for placement of a water main under the railroad tracks for the Highway ES project. Motion carried without a negative vote.

**VILLAGE PRESIDENT:** Moved by Debe, seconded by Coats, to approve Resolution 2003-09: **A RESOLUTION SUPPORTING LOCAL AND WISCONSIN MILITARY PERSONNEL.** Motion carried without a negative vote.

**CORRESPONDENCE:** Letters were received from Waukesha County Block Grant Program and from SEWRPC regarding the sanitary sewer district. Both letters were placed on file in the Clerk's Office.

**NEW BUSINESS:** Moved by Fickau, seconded by Coats, to approve the Time Warner permit for underground utilities on Lake Street. Motion carried without a negative vote.

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

Bernard W. Kahl, MMC  
Village Clerk

Clerk Kahl called the Village Board meeting to order on April 15, 2003 at 7:30 p.m. Present: FICKAU, ODIER, FENNEL, O'BRYAN, & DEBE. Excused: WAGNER & COATS. Also present: Engineer Peot, Planner Kaniewski, Acting WWTP Supv Piquett, Police Chief Winchowky, and Attorney Reilly.

Moved by Fennel, seconded by Debe, to nominate Trustee Odier as Acting President. Motion carried without a negative vote.

Public Hearing for the rezoning of THE ORCHARDS – MLG Development, was opened at 7:32 p.m. No one appeared to speak for or against. Public hearing closed at 7:33 p.m.

Treasurer, Mileage, Police, Fire and Library reports for the month of March 2003 were placed on file in the Clerk's Office. Moved by Fickau, seconded by Fennel, to approve the minutes of the April 1, 2003 meeting as presented. Motion carried without a negative vote.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$32,256.86; Fire/Amb \$8,068.74; TIF \$445.82; TIF s/w 10.62; Recycling \$8.72; Library \$3,232.19; Capital \$90.00; Water \$4,232.21; Sewer \$279,655.50. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to authorize the Clerk to apply for CDBG funds in the amount of \$3,425.00 for Museum work. Motion carried without a negative vote. Part-time hours for the Fire Department will remain in committee.

**PERSONNEL** – Employee Handbook Review, Cell Phone & Equipment use policies and procedures, Performance Review forms and implementation, and Health Insurance Adhoc committee review will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fickau, to increase the following licenses: Class 'B Liquor' to \$500.00; Class 'A Liquor' to \$500.00; Class 'A' Beer to \$100.00; Dog & Cat license to \$15.00; Dog & Cat (neutered/spayed) to \$10.00; License publications to \$15.00 and Weed Cutting to \$150.00 per hour with a 3 hour minimum plus equipment repair. Motion carried without a negative vote. Attorney will draft a Resolution for these fees and to change the Ordinances.

**PUBLIC WORKS** – Closing of Mill Street status; State Transportation Department would prefer the Village not close that street until the improvements are made to the STH 83 & CTH ES intersection. We are waiting for a letter from the VFW regarding the sign on Village property to be received by the Village Attorney. Maple Avenue extended will be on the May 5<sup>th</sup> Plan Commission agenda. Holz Parkway mitigation site grading and planting plan will be going out for bid.

**UTILITY** – Rusty water complaint at 1113 River Park Circle West was discussed. The Utility will monitor this after the flushing of the mains, if problem does not go away then we will look at the problem again. Moved by Fickau, seconded by Debe, to forgive the excess sewer charge and penalty on the bill for 807 Main Street. Motion carried without a negative vote. Storm Water Utility for TID #3, Minors Homestead Development sewer cleaning funds, & WWTP future land purchase will remain in committee. Well #6 is back on line and running. Village is looking for a long-term lease with the YMCA Camp for the new well. Moved by Debe, seconded by O'Bryan, to instruct the Village Attorney to draft option to the YMCA Camp. Motion carried without a negative vote. Holz Parkway sewer crossing is out for bid. Moved by Fickau, seconded by Debe, to accept the proposal from Ruekert & Mielke, for the evaluation of sewer rates and reserve capacity assessment charges, for a cost not to exceed \$3,000.00. Motion carried without a negative vote.

**HEALTH & RECREATION** – Moved by Fennel, seconded by Fickau, to have Ruekert & Mielke prepare the update to the Comprehensive Outdoor Recreation Plan at a cost of \$10,951.00 with monies coming from the Park Fund. Motion carried without a negative vote. Stewardship Local Assistance Program will remain in committee. Committee has reviewed the

letter regarding open burning and asked the Mukwonago Chief to put an article in the paper asking for resident comments. Letter from Waukesha County regarding the Harley Davidson 100<sup>th</sup> anniversary was discussed and the Committee is not going to participate in the program since we have no camping facilities in the Village.

**PLAN COMMISSION** – Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to adopt Ordinance No. 708: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO** (Cedar Homes). Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the rezoning of THE ORDCHARDS from A-1 to R-4 PUD with R-1 restrictions. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the preliminary plat for THE ORCHARDS subject to the conditions set by the Plan Commission:

1. Approval of the plat shall be subject to Village Board approval of the rezoning of the property.
2. The Final Plat shall provide a dedication of an additional 17 feet of right-of-way to CTH ES where the current right-of-way narrows.
3. The Final Plat, final engineering plans and the developer's agreement shall comply with Waukesha County requirements for design of the ingress/egress along CTH ES.
4. Wetland identification signs shall be placed on the side lot lines between lots, at the boundary of the delineated wetland, of all areas of the plat that are abutting wetlands. The homeowner's Association shall be responsible for maintaining and replacing signs, when needed, and shall be so stated in the developer's agreement.
5. All wetlands shall be designated as a Preservation Easement on the Final Plat.
6. The multi-use trail shown on the Preliminary Plat shall be placed within the CTH ES right-of-way, subject to approval of Waukesha County, and shall be extended northward to the intersection of CTH ES and Honeywell Road. If county approval is not granted, every effort shall be made to place the multi-use trail within the 30 foot landscape easement without decreasing the ability to buffer, with landscaping, CTH ES from the home sites.
7. A landscape plan for the landscape easements shall be submitted and approved with the Final Plat.
8. The developer's Architectural Control documents shall be an exhibit to the developer's agreement, to ensure the Village of the high standards of the developer.
9. The Final Plat shall show squared right-of-way intersections.
10. Prior to Final Plat approval, if needed, the developer shall comply with the zoning requirements of the Waukesha County Shoreland-Wetland Ordinance.

Carol Pankowski, 1271 Honeywell Road and Ray Hafemeister, W295 S10874 CTH ES, spoke against the rezoning. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the CSM-TID #3 – Mukwonago Ambulatory Care Center subject to conditions as stated in the Plan Commission minutes. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to accept the Plan Commission recommendation to make a recommendation to the Board of Building and Zoning Appeals that the building design and use is good for the area and that the landscaping would be acceptable. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to accept the Plan Commission recommendation to approve the signage for B&G Auto Body and that the color for all the signs be burgundy and that the light pole on top of the building be removed. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to adopt Resolution No. 2003-10: **A**



**RESOLUTION TO WAIVE THE REQUIREMENT THAT THERE BE TEN FEET OF GREEN SPACE ON THE STREET YARD OF 1006 MAIN STREET FOR A LIMITED TIME.** Motion carried on a vote of 5 ayes and 1 nay (Debe voting 'no'). Moved by Fickau, seconded by O'Bryan, to accept the Plan Commission recommendation to approve the transfer of land back to the cemetery and that they reimburse the Village for our expenses for this transfer. Motion carried without a negative vote.

**VILLAGE CLERK** – Municipal Canvass report for the April 1, 2003 General Election was placed on file in the Clerk's Office. Moved by Fickau, seconded by Debe, to authorize the sending of the letter in opposition to AB136 to our Representatives. Motion carried without a negative vote. Board Members were asked to notify the Clerk by the end of next week if they will be attending the League Workshop and/or the League Regional Dinner meeting.

**VILLAGE ATTORNEY** – Ambulance purchase will be left on the agenda. Draft of the Fire Board ordinance was referred to the Protective Services Committee. Village Board members would like to have a discussion with the full Board in a committee meeting to discuss this item.

**VILLAGE PRESIDENT** – Moved by Odier, seconded by Fennel, to appoint Tom Jones, 401 Lois Street, to the Fox River Commission. Motion carried without a negative vote.

**NEW BUSINESS** – Moved by Fickau, seconded by Fennel, to authorize the signing of the permit for Time Warner Cable to install underground utilities on Wolf Run. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to authorize the signing of the permit for Centurytel to install underground utilities on River Crest Court, Bay View Road, Honeywell Road, and McDivitt Lane. Motion carried without a negative vote.

Moved by Fennel, seconded by Debe and carried to adjourn the meeting at 9:52 p.m.

Bernard W. Kahl, MMC  
Admin/Clerk/Treas

President Wagner called the Village Board meeting to order on May 6, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE & WAGNER. Also present: Fire Chief Rolfe, DPW Supv Brandemuehl, Planner Kuehner, Bldg Insp Hankovich, Attorney Reilly, Police Chief Winchowky, Water Supv Walenczyk, WWTP Supv Piquett, Engineer Peot.

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

**PUBLIC HEARING:**

Public Hearing on the Planned Unit Development Ordinance for the B-4 Zoning District was opened at 7:31 p.m.

Dennis Behling, 943 Bay View Circle, spoke in opposition to the change.

No further appearances. The Public Hearing was closed at 7:41 p.m.

Moved by Fickau, seconded by Fennel, to approve the minutes of the April 15, 2003 meeting as presented. Motion carried without a negative vote.

**COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$52,995.79; Fire/Amb \$31,163.67; TIF \$22,207.78; TIF w/s \$38,923.48; Recycling \$4,107.09; Capital \$2,532.38; Library \$9,878.16; Capital Impvts \$420.00; 2001 GO \$22,888.69; Water \$41,217.75; Sewer \$41,912.91; Taxroll \$30,868.55. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to adopt Resolution 2003-11: **A RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING WITHDRAWAL OF THE VILLAGE OF MUKWONAGO MONIES.** Motion carried without a negative vote. Part-time hours for the Fire Department & Credit Card payments will remain in committee. Moved by Odier, seconded by Fennel, to approve the sale of land to Gerald Gilson for a small strip of land on Elmwood Alley for \$500.00 plus all Attorneys fees & costs. Motion carried without a negative vote. [land is about 93' deep by 2' wide and then goes behind his property; size is about 20' by 49'.] Trustee Odier gave a report on the Museum and that she will be submitting a grant proposal to the County in the morning. Moved by Odier, seconded by Fickau, to authorize the advertisement for sale of the old Library Building and to request a title search. Motion carried without a negative vote.

**PERSONNEL** – WWTP Acting Supv has passed his probation period and his review has recommended that he be named WWTP Supv. Personnel committee will act on that recommendation at the next meeting. Part-time help for the Assessor was referred to the Finance Committee. Employee Handbook and Cell Phone and Equipment Use is ready for a draft printing and will be sent out to Board Members to read. Performance Review will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Odier, to approve the application for 2003 6-month Class B Beer license for Mukwonago Women's Softball, Ryan Rausch, agent for Minor Park. Motion carried without a negative vote. Moved by O'Bryan, seconded by Odier, to approve the application for 2002-2003 Class B Beer/Liquor license for Haiku Enterprises, LLC; Cheryl A. Carroll, agent for 1005 Main Street, Suite 200. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Moved by Coats, seconded by Debe, to approve the Town of Eagle Boat Patrol Dispatch Agreement for 2003 and 2004. Motion carried without a negative vote. The 2002 Police Department Annual Report was accepted and placed on file. Fire Department pay scales will remain in committee. WCTC Cooperative Working Agreement with the Village will remain in committee. Moved by Coats, seconded by Debe, to recommend that the Police Chief proceed with the C.A.R.D. grant program. Value of the grant would be \$2,000.00 and would be no cost to the Village. Motion carried without a negative vote.

Paramedic contract will remain in committee. After much discussion by the committee it was decided to place the Fire Board issue on hold. Fire Chief's vehicle can be removed from the agenda.

**PUBLIC WORKS** – Moved by Debe, seconded by Fickau, to approve the request from the VFW to place a sign on Village property, contingent upon a favorable review of the document by the Village Attorney. Motion carried without a negative vote.

**UTILITIES** – Moved by Fickau, seconded by Debe, to approve the SBA Tower Lease sale to AAT Corp.; subject to the new owners providing a contact list to the Police and Fire Chiefs. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to send claims for the water break on CTH ES and the sewer back in River Park Estates to the Village's insurance company. Motion carried without a negative vote.

**PLAN COMMISSION** – Moved by Debe, seconded by Fennel, to accept the Plan Commission recommendation to approve the CSM for Greenwald Court. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to approve Resolution 2003-12: **A RESOLUTION TO CORRECT RESOLUTION 2003-10.** Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the preliminary plat for Mukwonago Drive extension subject to the following conditions:

1. With approval of the final plat, the Developers Agreement shall address the terms and conditions of the wetland preservation easements.
2. With approval of the final plat, the Developers Agreement shall indicate the interpretation that the wetland area within Lots 5 & 6 is not to be included in the buildable size of those lots.
3. Approval of this preliminary plat is subject to final approval of the storm water management and water quality plan for the site.
4. The approval of the final plat, shall address the comments regarding protection of natural resources of the site from SEWRPC and the Waukesha County Department of Parks and Land Use, and shall comply with the conditions listed in the letter from the Waukesha County of Public works [except the Daniels property issue].

Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to attach Maple Avenue to the Village. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to accept the Plan Commission recommendation to vacate the un-named road south from Bay Street. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the Developers Agreement for Minors Homestead, subject to department head approval of the exhibits. Motion carried without a negative vote. Moved by Fennel, seconded by Odier, to accept the Plan Commission recommendation to adopt Ordinance No. 711: **AN ORDINANCE TO CREATE SECTION 100-154 (j) OF THE MUNICIPAL CODE OF THE VILLAGE OF MUKWONAGO PERTAINING TO PLANNED UNIT DEVELOPMENTS WITHIN THE B-4 ZONE.** Motion carried on a vote of 6 ayes and 1 nay (Fickau voting 'no').

**VILLAGE ENGINEER:** Moved by Fickau, seconded by Fennel, to approve the procedure to have MLG, developer of Orchards Of Mukwonago, put up 120% letter of credit to have sewer and water leads installed to the development site. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Fickau, seconded by Fennel, to approve the first letter of credit for Minor's Homestead for the Phase I improvements in the amount of \$2,509,716.90, which shall be provided to the Village prior to any construction commencing. The second letter of credit, in the amount of \$417,180.00, shall be provided to the Village prior to any building permits being issued for Phase I. Motion carried without a negative vote. Moved by Fickau,

seconded by Coats, to approve the signing of the ambulance purchase document contingent upon receipt of additional documents. Motion carried without a negative vote.

**VILLAGE PRESIDENT:** Moved by Fickau, seconded by Odier, to accept the Village President's recommendation that the Board Committee membership remain the same as last year. Motion carried without a negative vote.

**CORRESPONDENCE:** Letter from MAAC regarding the purchase of the residential property at 509 Division Street, was referred to the Finance Committee.

**NEW BUSINESS:** The Village should not forget that the Master Plan does recommend Multi Use Trails in future developments. The Plan Commission does review these as they come in and makes recommendations. Clerk to check to see if any grants are available for this.

Moved by Fickau, seconded by Fennel, adjourn into closed session at 8:50 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. – Collective Bargaining. Motion carried unanimously upon roll call.

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on May 20, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE & WAGNER. Also present: Library Director McBride, Assistant Fire Chief Purdy, Police Chief Winchowky, Engineer Peot, Water Supv Walenczyk, Acting WWTP Supv Piquett & Village Planner Bruce Kaniewski.

**PUBLIC HEARING – REZONING FROM A1 TO P1 – 1650 MAIN ST. – DAN SCHEEL:** No comment from the public.

**PUBLIC FORUM – BANNING OF OPEN BURNING WITHIN VILLAGE LIMITS:**

Tom Jones, 401 Lois-Opposes ban	Glen Genac, 530 Wahl-Opposes ban
Joel Siglin, 221 Shore-Opposes ban	Kam Simonis, 1201 Riverton-Supports ban
Mark Leair, 718 Division-Opposes ban	Louise Siglin, 221 Shore-Opposes ban
Kristin Spencer, 400 Oakland-Supports ban	Tom Berg, 461 River Crest-Opposes ban

Treasurer, Mileage, Police, Fire and Library reports for the month of April 2003 were placed on file in the Clerk's Office.

Moved by Fickau, seconded by Fennel, to approve the minutes of the May 6, 2003 meeting as presented. Motion carried without a negative vote.

**COMMENTS FROM THE PUBLIC:** Karen Sperstad 525 Oakland, and Joe Sperstad 529 Oakland, spoke supporting multi use trails.

**COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers:

Village \$43,280.78; Fire/Amb \$8,956.94; T.I.F.District #1 \$25,209.81; TID #3 Sewer & Water \$39,684.35; Recycling \$28,927.50; Capital Projects Fund \$11,284.41; Capital Improvements \$1620.00; Library \$3,845.48; 2001 GO Bond \$1,601.25; Water \$46,740.78; Sewer \$123,553.44; Taxroll \$298,830.09. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to approve Resolution 2003-14: **RESOLUTION FOR PARTICIPATION IN THE NORTH SHORE DEFERRED COMPENSATION PLAN.** Motion carried without a negative vote. Moved by Odier, seconded by Debe, to approve Assessor's staffing needs with a Part-time Assistant Assessor for 18 hours/week, \$22/hr., 3-days of 6 hrs. each, starting June 1, 2003. A contract with no benefits. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to approve the purchase of the Andler property, being added to the bond issue when refinancing late summer/early fall per Village Financial Advisor, Jeff Belongia. Will not bind to Activity Center. Motion carried without a negative vote. Part-time hours for Fire Dept. were postponed due to absence of Chief Rolfe and no action taken at this time for credit card payments at the Police Dept.

**PERSONNEL** – Moved by Debe, seconded by Fickau, to approve Resolution 2003-13: **A RESOLUTION CHANGING THE TITLE OF THE ACTING WWTP SUPV TO WWTP SUPERVISOR.** Dave Piquett is changed to permanent supervisor with annual salary of \$51,474. Motion carried without a negative vote. Performance review forms will stay in committee.

**JUDICAL** – Moved by O'Bryan, seconded by Debe, to approve the application for temporary Class B Beer license for American Legion Post #375 for June 7-8, 2003. Motion carried without a negative vote. Moved by O'Bryan, seconded by Odier, to approve the application for temporary Class B Beer license for John A. Movrich, Lodge 993 of CFV for July 12, 2003. Motion carried without a negative vote.

**PUBLIC WORKS** – Whispering Bay Condo Assoc., letter regarding street lighting will remain in committee. Path between pedestrian bridges will be referred to Finance Committee;

Kurt Peot will get costs. Splashboard tower for Fire Dept. training will stay in committee to find another location. No action required for utility costs Tid #3.

**UTILITES:** Tom Berg spoke on request for village engineering services. O'Bryan will check with Judicial Committee regarding any conflict of interest, then it will be brought back to the board. Moved by Fickau, seconded by Debe, to approve the Field Park Sanitary Sewer Change Order #1. Motion carried without a negative. Moved by Fickau, seconded by Odier, to approve the request for relief on sewer portion of water bill by 134,000 gallons due to leak-113 Conrad Ct.-Lori Whalen . Motion carried without a negative vote. Moved by Fickau, seconded by Coats, to approve the request for relief on sewer portion of water bill by 128,000 gallons due to leak-809 Main St.-Greg Aprahamian . Motion carried without a negative vote. Request for waiver of penalty on water bill-223 Mac Arthur Dr.-Virginia Weinkauf – was denied. Moved by Fickau, seconded by O'Bryan, to sell WWTP's sludge truck. Kurt Peot and Dave Piquett assured Debe there was no other use of the truck for the village. Motion carried without a negative vote. Update on the plant turbine generator- WWTP- service completed, excellent shape, annual tune up. No action required on confined space entry and rescue apparatus. Moved by Fickau, seconded by Debe, to start the policy setting phase, not less than \$2500, not to exceed \$4500 for the storm water utility-TID District #3. Motion carried without a negative vote. Minor's Homestead Development sewer cleaning funds include \$30,000 from Minor's Homestead Dev. towards a new jetter. No action required. WWTF future land purchase will remain in committee.

**HEALTH & REC:** Moved by Fennel, seconded by Odier, to approve the reduction in park fee for Clarendon Ave. School-June 9, 2003, 6<sup>th</sup> grade picnic, to a \$100 fee. Motion carried without a negative vote. Moved by Fennel, seconded by Odier, to approve reduction in park fee for TOMAA-Toby Monogue-to \$70 fee + \$30 lights fee for 4 nights. Motion carried without a negative vote. No one showed for use of Indianhead Beach, taken off agenda. Health & Rec. committee meeting with dept. heads for initial discussion of comprehensive outdoor recreation plan will remain in committee. Banning of open burning within village limits will stay in committee 1 more time. Board will review public input. Stewardship local assistance program will remain in committee.

**PLAN COMMISSION:** James Kavemeier from Waukesha Cty. did a slide presentation for the board regarding multi use trails. Board discussion included Wagner commenting about no village money available, Debe supports the multi use trails but wants to keep our village trails, and O'Bryan wants to keep trails as priority when planning for village. Moved by Fennel, seconded by Debe, to approve **ORDINANCE 710:** AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE VILLAGE OF MUKWONAGO'S ZONING ORDINANCE TO REVISE THE PARKING REQUIREMENTS . Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve rezoning from A1 to P1, 1650 Main St, Dan Scheel. Motion carried without a negative vote. Moved by Fennel, seconded by Coats, to approve Extraterritorial review of CSM-Pickering Dr.-William Eichfeld. Motion carried on a vote of 6 ayes and 1 nay (Fickau voting 'no'). Moved by Fickau, seconded by Fennel, to approve **ORDINANCE 713:** AN ORDINANCE TO ATTACH CERTAIN PROPERTY TO THE VILLAGE OF MUKWONAGO (SCOTT & BRIESATH). Motion carried without a negative vote. No action taken for Right-of way landscaping-TID #3, and developer's agreement-Pinehurst Village.

**VILLAGE ATTORNEY:** Moved by O'Bryan, seconded by Debe, to approve **ORDINANCE #714:** AN ORDINANCE TO AMEND AND/OR CREATE SECTIONS 86-136(b), 86-137, 86-139(b)&(c), 86-141(d), 86-142(a), and 86-143(a). Motion carried without a negative vote. Moved by O'Bryan, seconded by Debe, to approve **ORDINANCE #715:** AN ORDINANCE TO AMEND SECTIONS 6- 56(1), (2), (4), (5); 14-31; 14-27(12); 34-1(b); 58-

33(d)(5); and 58-34(c) OF THE MUNICIPAL CODE OF THE VILLAGE OF MUKWONAGO.  
Motion carried without a negative vote.

**VILLAGE PRESIDENT:** Moved by Fennel, seconded by Fickau to approve the appointment of Sara Hawks to the open Plan Commission position. Motion carried without a negative vote.  
Moved by Fennel, seconded by Debe, to appoint Daniel Klappa to the Board of Bldg. & Zoning Appeals. Recommended by Village Building Inspector, Joe Hankovich (per Wagner.) Motion carried without a negative vote.

**CORRESPONDENCE:** Letters supporting burning ban from:

Donald & Carol Held 303 Spring St.

Joel Katte 105 Cernan Ct.

Ralph, Lila, & Marcia Helm 306 Ahrens Dr.

K.C. & Victoria 613 Franklin St.

Lila Thorton 309 Gibson St. #D

Donald Jaworski 424 Andrews St.

**Letters opposing burning ban from:**

Dennis & Nancy Ward 209 Shore Kevin & Anne McCarthy S108 W27690 Maple Ave.

Bob & Karen Pakulski 205 Shore

Ingolf & Alison Rixmann 418 Cedar

Home Owner in Village (anonymous)

Dan Walsh 519 Wahl Ave.

Jim & Marilyn McCarthy S108 W27690 Maple Ave

**Phone calls supporting burning ban:**

Dorla Hamke 309 Gibson

Dorothy Talaska 309 Gibson

Lucille Walter 309 Gibson

**Correspondence from volunteers for Fire Board:** Coats wants noted in newspaper thanking all who have volunteered to be on the Fire Board. Names will be kept on file.

**NEW BUSINESS:** Moved by Fickau, seconded by Fennel, to approve the WE Energies permits for-116 & 121 Amanda Ct. Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to approve the WE Energies permit installing underground utilities-TID #3. Motion carried without a negative vote. Moved by Fennel, seconded by Coats, to approve the easement to cover underground facilities for Walgreen's property-WE Energies & Village of Mukwonago. Motion carried without a negative vote.

**OLD BUSINESS:** Resident contacted O'Bryan regarding train whistle-Wagner will find out for next time if anything's being done. Police Chief Fred Winchowky reminded board regarding paving Miniwaukan Park's parking lot. Wagner says no funds available, Fennel will check into it.

Moved by Coats, seconded by Fickau and carried to adjourn the meeting at 9:24 p.m.

Cathy Millard  
Acting Clerk

President Wagner called the Village Board meeting to order on June 3, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE & WAGNER. Also present: DPW Supv Brandemuehl, Police Chief Winchowky, Fire Chief Rolfe, Library Director McBride, Attorney Reilly, Water Supv Walenczyk, WWTP Supv Piquett, & Engineer Peot.

Moved by Fennel, seconded by Odier, to approve the minutes of the May 20, 2003 meeting as presented. Motion carried without a negative vote.

**COMMENTS FROM THE PUBLIC:**

Tom Jones, 401 Lois St; Stephanie Klinger, 436 Atkinson St; Carol Collath, 553 Oakland Ave; Gerald Lange, 605 Main St; Joe Rice, 428 Blood St; & Troy Klinger, 436 Atkinson; spoke against the burning ban.

**OLD BUSINESS:**

Train whistle issue was referred to the Judicial Committee.

**COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$13,692.10; Fire/Amb \$28,785.84; TIF General \$116,380.50; TIF S&W \$26,386.80; Recycling \$29,619.73; Capital \$56,800.00; Library \$5,045.30; Water \$274,283.28; Sewer \$207,072.48; Taxroll \$36,368.02. Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to accept the 2002 Audit Report presented by Virchow Krause. Motion carried without a negative vote. Pedestrian Path and credit card payments will remain in committee. Moved by Odier, seconded by Fickau, to allow the Fire Department to utilize hours budgeted for full-time position that has not been filled as long as the wages do not exceed the salary budget and that employees must not exceed 599 hours. Motion carried without a negative vote.

**PERSONNEL** – The 2004 labor negotiations will include represented and non-represented employees. The Assessor Assistant started work today. Village Attorney position will remain in committee. Performance review and implementation has a target start date of July 7<sup>th</sup>. Employee handbook will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Odier, to approve the following renewals for Beer and Liquor licenses for the 2003-2004 license year. **"Class A" Liquor & Beer:** Anich's Liquor & Beer; Sentry Foods #30; & McAdam's Pick N Save. **Class "A" Beer:** Mukwonago Clark; Village Mini Mart; Village Pumper; & O'Connor Express Mart. **"Class B" Liquor & Beer:** American Legion #375; Kona Café; Blue Bay Restaurant; Jay's Lanes; Little Babes Café; & Fork in the Road. **Class "B" Beer:** Mario's Pizza. **Class "C" Wine:** Mario's Pizza. Motion carried without a negative vote. Committee will meet on June 10<sup>th</sup> at 7:00 p.m. with BJ'S BP; Market Square; & Sandy's Miller Time to discuss their license requirements. Moved by O'Bryan, seconded by Fickau, to approve the application for a temporary Class "B" Beer License for June 12-15, 2003 for the Mukwonago Lions Club. Motion carried without a negative vote.

**HEALTH & RECREATION** – Ban on open burning will remain in committee.

**PROTECTIVE SERVICES** – Fire Department members will be handled internally. Fire Department pay scales, the work is in progress. Cooperative working agreement with WCTC can be removed from the agenda. Paramedic contract is with the Town Attorney John Macy.

**VILLAGE ENGINEER:** Moved by Fickau, seconded by Fennel, to authorize the signing of the Certificate of Substantial Completion for the Field Park Sanitary Sewer Relay and Pump Station Abandonment. Motion carried without a negative vote. Moved by Fickau, seconded by Coats, to authorize the signing of the Certificate of Substantial Completion for the Village Hall Pedestrian Bridges. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Engineer's recommendation to award the bid for the Bayview Road Sewer



& Water contract to Globe Contractors in the amount of \$1,196,105.00, contingent upon obtaining the necessary DNR permits. Motion carried without a negative vote.

**VILLAGE CLERK:** Moved by Fennel, seconded by Coats, to adopt Ordinance No. 704: **AN ORDINANCE CORRECTING THE LEGAL DESCRIPTION OF ORDINANCE NO. 695.**

Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to deny the claims for sewer backup by Wayne & Debra Werner; Keith & Stephanie Pillsbury; James & Tammy Evans; Heather Jacobi & Bradley Obermeyer; and Jeffrey & Christine Hammer. Motion carried on a vote of 5 ayes and 2 nays [Coats and Debe voting 'no'].

**NEW BUSINESS:** Moved by Fickau, seconded by Fennel, to approve the WE Energies permit for 122 Amanda Court. Motion carried without a negative vote.

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

Bernard W. Kahl, MMC

Admin/Clerk-Treasurer

President Wagner called the Special Village Board meeting to order on June 12, 2003 at 9:34 p.m. Members present: FICKAU, ODIER, FENNEL, O'BRYAN, DEBE & WAGNER. Excused was COATS. Also present: Attorney Reilly, Engineer Peot, & Planner Kaniewski. President Wagner indicated a correction to the information presented at the previous Village Board Meeting about train whistles. Wagner stated the train whistle does not sound at the rail line intersection with Bay View Road.

**PUBLIC HEARING - REZONING FROM B-4 TO B-4 PUD - HOME DEPOT:** President Wagner opened the public hearing at 9:35 p.m. No comment from the public. The public hearing was closed at 9:36 p.m.

**HOME DEPOT REQUEST FOR REZONING FROM B-4 TO B-4 PUD:** Moved by Fennel, seconded by Odier to approve the rezoning of the Home Depot property from B-4 Commercial Design District to B-4 PUD Commercial Business District Planned Unit Development subject to the conditions recommended by the Plan Commission. Motion carried without a negative vote.

**THREE CERTIFIED SURVEY MAP'S ON BEHALF OF HOME DEPOT:** Attorney Reilly suggested delaying action on the three Certified Survey Map's until all corrections on the maps are made as discussed at the earlier Plan Commission meeting this evening. Village Board members agreed.

**SITE PLAN AND ARCHITECTURAL PLAN APPROVAL:** Moved by Fennel, seconded by Debe, to accept the entire Plan Commission recommendation regarding the Home Depot site Plan and Architectural Review approval, and all associated approvals regarding the plans, subject to the conditions as recommended by the Plan Commission. Motion carried with one negative vote.

**HOME DEPOT DEVELOPER'S AGREEMENT:** Per non-action of the Plan Commission pending modifications to the Developer's Agreement, Attorney Reilly suggested delaying consideration to the Village Board meeting of June 18, 2003. Village Board members agreed.

**PINEHURST VILLAGE SUBDIVISION DEVELOPER'S AGREEMENT:** Moved by Fennel, seconded by Debe, to approve the Pinehurst Village Subdivision Developer's Agreement subject to the recommendation of the Plan Commission regarding the revision to the phasing requirement. Motion carried without a negative vote.

Moved by Odier, seconded by Fennel and carried to adjourn the meeting at 9:41 p.m.

Bruce S. Kaniewski, AICP

Village Planner

President Wagner called the Village Board to order on June 17, 2003 at 7:30 p.m. Members present: FICKAU, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Member excused: COATS. Also present: Engineer Peot, Planner Kuehner, Zoning Admin/Inspection Supv Hankovich, Water Supv Walenczyk, WWTP Supv Piquett, Police Lt. LaDue, & Attorney Reilly. Public Hearing for the Change of Zoning from A-1 to R-1 for Fox River View was opened at 7:31 p.m. 2 residents spoke about the property and its location. Public Hearing was closed at 7:33 p.m. Village Board will make a recommendation at the meeting to be held on July 15, 2003.

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

Moved by Fickau, seconded by Fennel, to approve the minutes of the June 3, 2003 meeting as presented. Motion carried without a negative vote.

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

KC Sommerfield, 112 Small Farm Road, wanted to know if the tax or levy freeze was on the agenda for action. He was told that it was on the agenda.

Tom Jones, 401 Lois Street, questioned the Board about the Cottonwood Trees and the enforcement of the Ordinance. Referred to the Public Works Committee.

Cindy Lartz, 200 Fox Street; Doug DeBeck, S108 W28220 Maple Avenue; Sabrina Lartz, 200 Fox Street; Kathy Ludwig, 225 Plank Road; Stephanie Klinger, 436 Atkinson Street; Harold Lindholm, 419 Franklin Avenue; Chuck Ludwig, 225 Plank Road; Kenneth Ludwig, 225 Plank Road; James McCarthy, S108 W27690 Maple Avenue; Scott Abbott, 1218 Mukwonago Drive; Tom Jones, 401 Lois Street; and Jeff Willkomm, S76 W31349 Century Drive. All spoke against the burning ban.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$48,263.42; Fire/Amb \$2,656.38; TIF General \$72,077.05; TIF W/S \$44,189.28; Capital \$2,859.51; Library \$3,845.07; 2001 GO \$314.00; Water \$152,278.62; Sewer \$134,679.71. Motion carried without a negative vote. Pedestrian Bridge and Credit Card payments will remain in committee. Moved by Odier, seconded by Fickau, to approve Resolution 2003-17: **A RESOLUTION AUTHORIZING THE BORROWING OF NOT TO EXCEED \$1,200,000.00 PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION SECURITIES THEREFOR, AND LEVYING A TAX IN CONNECTION THEREWITH.** Motion carried without a negative vote.

**PERSONNEL** – Moved by Debe, seconded by O'Bryan, to approve a rate increase of .25 cents per hour for WWTP personnel for grade level increase. Resolution was requested for the next meeting. Motion carried without a negative vote. Attorney position and Employee handbook will remain in committee. Add Assistant to the Inspector position to the next Personnel agenda.

**JUDICIAL** – Moved by O'Bryan, seconded by Odier, to approve the Class 'A' Beer license to BJ'S BP and Class 'B Beer & Liquor' license to Market Square & Sandy's Miller Time. Motion carried without a negative vote. Moved by O'Bryan, seconded by Debe, to approve the 2003-2004 Operators licenses contingent upon review and approval by the Judicial Committee. Motion carried without a negative vote. Train whistle issue will remain in committee.

**HEALTH & RECREATION** – Use of Field Park for a Music Festival by Ethan Keller will remain in committee. Moved by O'Bryan, seconded by Debe, to deny the request for a burning ban in the Village. Motion carried on a vote of 5 ayes and 1 nay (Fennel voting 'no'). Outdoor Recreation Plan and Stewardship Program will remain in committee.

**PUBLIC WORKS** – Moved by Fickau, seconded by O'Bryan, to not bury electric lines in the TID #3 area. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to

send a letter to Whispering Bay Condo Association and copy Mr. James Burg, that the Village does not install street lights. Installation of street lights is the responsibility of the developer or the property owner. Motion carried without a negative vote. Splashboard tower at 1111 Fox Street will remain in committee.

**UTILITIES** – Moved by Fickau, seconded by Debe, to accept the committee recommendation to use the base bid for the TID #3, Phase 1, Paving, Utilities & Storm Sewer project. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to purchase a sewer jetter for \$171,000.00, which includes training for 4 people and a 4-year warranty. \$125,000 was budgeted, \$30,000 to come from Minor's Homestead development and \$16,000 from Sewer Equipment Account. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to apply to the Public Service Commission for a water rate increase of 6%. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to authorize the Village Engineers to notify SEWRPC that the Village is requesting an amendment to the Sewer Service Area to include the Fox River View subdivision. Motion carried without a negative vote. Update of new well research will wait until camping season is over. Flextime for Water Utility will remain in committee.

**PLANNING COMMISSION** – Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the CSM for Randall & Susan Knoelke. Motion carried without a negative vote. Moved by Fickau, seconded by O'Bryan, to accept the Plan Commission recommendation to authorize the Village Attorney to draft the paper work to vacate Maple Avenue extended and return the land to Mr. Francis Van Winkle. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to accept the Plan Commission recommendation to approve the change of zoning from B-4 to B-4 PUD in TID #3 (Home Depot site) and that an Ordinance be drafted for the next meeting. Motion carried without a negative vote. Moved by Debe, seconded by Odier, to accept the Plan Commission recommendation to approve the CSM's for Home Depot in the TID #3. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the Developers Agreement with Home Depot as to the changes recommended. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the construction of two (2) triplexes instead of the three (3) duplexes for Birch Rock Corners. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the final plat for Minor's Homestead. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to approve the Minor's Homestead landscaping plan. Motion carried without a negative vote.

**VILLAGE ENGINEER:** Moved by O'Bryan, seconded by Fickau to authorize the street lighting request from WE Energies for Fairwinds Subdivision subject to the Village Engineers review and approval. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to approve the signing of the ATC Easement for the extension of sewer & water lines for the Holz Parkway extensions to the TID #3. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to approve the WE Energies agreement for sewer & water crossing to the TID #3. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Fickau, seconded by Debe, to approve Resolution 2003-15: **A RESOLUTION REGARDING A MEMORIAL SIGN AT 627 S. ROCHESTER STREET.** Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to accept the Letter of Credit from Meadow Park Estates in the amount of \$236,745.00 and that work will start by mid-July to complete the extension of Small Farm Road to Holz Parkway. Motion carried without a negative vote. This item will be put on the August 5<sup>th</sup> agenda unless the work is in progress.

**VILLAGE PRESIDENT:** Committee and Commission appointments will remain on the agenda. Moved by Fennel, seconded by Debe, to adopt Resolution 2003-16: **RESOLUTION OPPOSING PROPERTY TAX LEVY LIMITS OR A TAX RATE FREEZE.** Motion carried without a negative vote.

**NEW BUSINESS:** Moved by Odier, seconded by Fickau, to approve the Time Warner permit for underground utilities for Bay View Court. Motion carried without a negative vote.

Moved by Odier, seconded by Fennel and carried to adjourn the meeting at 9:03 p.m.

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on July 1, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: DPW Supv Brandemuehl; WWTP Supv Piquett; Police Lt LaDue; Library Director McBride; & Attorney Reilly.

Moved by Fickau, seconded by Fennel, to approve the minutes of the June 12 and June 17, 2003 minutes as presented. Motion carried without a negative vote.

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

Joe Rice, 428 Blood Street & Eileen Kay Hurm, 422 Blood Street – spoke on the Blood Street Lake Access Parking. The dump truck used in the weed harvesting is being parked in that area and they would like it moved. It is parked on the right-of-way. Clerk to send letter signed by the Village President about the parking and that the ruts need to be filled. Referred to Health & Recreation Committee.

KC Sommerfeld, 112 Small Farm Road – apologized for swearing at the last meeting. Then he read a statement on the tax problems of the State.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the vouchers: Village \$52,490.03; Fire/Amb \$36,182.68; TIF \$5,958.56; Recycling \$612.66; Capital \$76,241.00; Library \$11,475.77; GO Bond \$374.85; Water \$36,543.96; Sewer \$273,008.24; Taxroll \$37,418.99. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to approve the invoice from the Town of Mukwonago for Maple Avenue transfer in the amount of \$2,235.50. Motion carried on a vote of 6 ayes and 1 nay (Debe voting 'no'). Letter to be sent with the check. Pedestrian bridge path and credit card payments will remain in committee. Trustee Odier gave a brief report on the Museum fund raising activities.

**PERSONNEL** – Moved by Debe, seconded by O'Bryan, to approve Resolution 2003-18: **A RESOLUTION AMENDING THE WAGE OF WWTP EMPLOYEE FOR GRADE LEVEL CHANGE.** Motion carried without a negative vote. Assistant to Supervisor of Inspections position, Village Attorney position, and Employee Handbook review will remain in committee.

**HEALTH & RECREATION** – Ethan Keller appeared before the Board to discuss the planned Music Festival to be held in Field Park. Board made recommendations that need to be done to go forward with this festival. The following list of items must be included:

1. The addition of 4 more port-a-pots
2. 4 Reserve Officers added
3. \$10.00 admission fee
4. No beer sales after 10:30 p.m.; music stops at 11:00 p.m.; and park closes at 12:00 midnight.
5. No radio or television advertisements
6. Music stage turned toward Highway 83

Issues that need to be settled with the committee are the security issue and parking issue.

**JUDICIAL** – Moved by O'Bryan, seconded by Odier, to approve the application for a Class "B" Beer license for Lucky Luke's, LLC, Marynell Hein, Agent; 809 Main Street. Motion carried without a negative vote. Moved by Debe, seconded by Odier, to approve the following applications for operator's licenses: Denise A. Shorougian, Ryan D. Kraemer, Cassandra Binkowski, Laura M. Ellis, Jorge S. Guerrero, Norma E. Melo, Shelby K. Savin, Victoria G. Smith, Anne H. Vertz, Thomas J. Vukelich, & Bryn A. Whitmore. Motion carried without a negative vote. 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 July 19-20, 2003. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – The Ambulance Transfer fee was tabled. Eagle Fire Dept dispatch, Fire Board, and Paramedic contract will remain in committee. To the August P/S agenda we will have the Fire Dept Pay Scale.

**VILLAGE ATTORNEY:** Moved by Fickau, seconded by Fennel, to approve the changes as submitted to the East Troy Border Agreement that was approved in May 2003. Motion carried on a vote of 6 ayes and 1 nay (Debe voting 'no').

**VILLAGE CLERK:** Moved by Fennel, seconded by Odier, to approve Ordinance No. 714: AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO [HOME DEPOT]. Motion carried without a negative vote.

**CORRESPONDENCE:** Letter from Governor James Doyle regarding the resolution the Village Board adopted in opposition to the property tax freeze was read and placed on file in the Clerk's Office.

**NEW BUSINESS:** Moved by Fennel, seconded by Fickau, to approve the Time Warner Permit for underground utilities on Bay View Dr. Motion carried without a negative vote. Moved by Fennel, seconded by Odier, to approve the WE Energies permit for 127 Amanda Court and 128 Amanda Court. Motion carried without a negative vote.

Moved by Debe, seconded by O'Bryan to adjourn the meeting at 8:46 p.m.

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on July 15, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Library Director McBride, Police Chief Winchowky, DPW Supv Brandemuehl, WWTP Supv Piquett, Water Supv Walenczyk, Engineer Peot, Attorney Reilly, & Building Inspector/Zoning Admin Hankovich.

President Wagner opened the public hearing for the change of zoning for the Fox River View (Krogstad property) property from A-1 To R-1. Michelle Staff of Waukesha County Park & Land Use was present and holding a County hearing on the change at the same time as the Village. She stated that there is a 75-foot setback from the wetland area. Outlot No. 1 may be dedicated to the County. Who did the wetland staking? DNR has determined the high water mark. Was sewer extension approved by SEWRPC?

Paul Van Henkelum of RSV Engineering responded. Floodplain has been determined by FEMA maps. RSV did the survey of the wetlands. R-3 zoning request is for lands east of Edgewood Avenue and will not be addressed until the Village completes their review of that zoning category. Property is not currently in the sewer service area but the Village has requested it. Open space issue is not settled at this time as to whether it will be given to the Village or will remain part of the homeowners association.

Mark Holiday, Harmony Homes, the developer, introduced himself as the requestor of the change of zoning.

Annette Richardson, Town of Vernon resident on Highway ES – Is my property in this development? Response – no.

Public hearing closed at 7:38 p.m.

President Wagner opened the public hearing at 7:38 p.m. on the change of zoning from M-1 to R-4 for Lot 26, Block 5 of Meadow Park Estates.

Paul Van Henkelum of RSV Engineering explained the request to the Village Board.

John Hughes, 202 S. McKenzie – What will happen to the trees? What about the refuse in the area? Response: Small Farm Road will be completed this summer. Trees will come down where the building pads will be located.

Nancy Gloe, Friends of the Mukwonago River, Brookfield – Do you have permission to fill wetlands? Response: We don't have any plans to fill in the wetlands.

Public hearing was closed at 7:43 p.m.

President Wagner opened the public hearing at 7:43 p.m. on the change of zoning request for Continental Savings Bank Center from B-2 to B-3. Jim Podewils representing Continental Bank explained to the Board the building plans. No one appeared and the hearing was closed at 7:44 p.m.

President Wagner opened the public hearing at 7:44 p.m. on the change of zoning request for Hawks Ridge East. The request for approval has been withdrawn at this time but the public hearing is still being held.

Rick D'Amour, Highway NN – He lives next to the property. What will the impact on the traffic flow be, what trees will be removed, and what effect will this have on the marsh?

Mark Delhortus, Big Bend – I am a friend of Rick's. What effect will the runoff of chemicals have on the area?

Public hearing was closed at 7:47 p.m.

Moved by Fickau, seconded by Coats, to approve the minutes of the July 1, 2003 Village Board meeting as submitted. Motion carried without a negative vote.



## COMMITTEE REPORTS:

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$51,697.17, Fire/Amb \$2,548.84, General TID \$25,431.64, W/S TID \$36,951.34, Recycling \$38,052.71, Capital \$275.10, Library \$5,596.55, Capital Impvts \$152.53, 2002 GO \$1,332.25, Water \$57,635.99, Sewer \$45,778.60. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to accept the committee recommendation to approve the shared automated library system and have the Attorney review the contract. Motion carried without a negative vote. The Pedestrian Bridge path and credit card payments will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the operator's license for Christina M. Blake, Cory G. Brosnan, Michael S. Fohr, Lisa M. Giese, and Scott A. Baksic. Motion carried without a negative vote.

**PERSONNEL** – Moved by Debe, seconded by Fickau, to adopt Resolution 2003-19: **A RESOLUTION CORRECTING RESOLUTION 2003-18.** Motion carried without a negative vote.

**HEALTH & RECREATION** – PLMD use of Blood Street, Comprehensive Outdoor Recreation Plan, and Stewardship Local Assistance Program will remain in committee.

**PUBLIC WORKS** – Enforcement of ordinance against cottonwood trees will be handled on an individual basis. The pedestrian bridge path and the splashboard tower at the Fire Station will remain in committee.

**UTILITIES** – Moved by Fickau, seconded by Odier, to waive the penalty of \$8.03 for 119 Lake Street because of the extreme circumstances involved here. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to award contract to Superior Excavators, Inc., in the amount of \$6,333,809.52 for the TID #3 bid contingent when the Village receives permits from the DNR. Motion carried without a negative vote. The confined space cost for equipment is estimated at \$13,384 and trailer at \$2,500. Committee is still reviewing this item and the emergency pumping at the Atkinson Pump Station, the Flex Time for the Water Department, and the new well research.

**PLANNING COMMISSION** – Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to change the zoning from A-1 to R-1 & FW for the Krogstad property on Edgewood Avenue (Fox River View). Motion carried on a vote of 6 ayes and 1 nay (Odier voting 'no'). Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to change the zoning from B-2 to B-3 for Continental Savings Bank Center on S. Highway 83. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to approve the CSM for Continental Savings Bank Center contingent upon WisDOT and department heads reviews of modifications and approvals. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to accept the Plan Commission recommendation to approve the CSM for Chelsea Court on property owned by Martin Zess on Eagle Lake Avenue. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the Developers Agreement with Waukesha Memorial Hospital. Motion carried on a vote of 5 ayes, 1 nay and 1 abstention (Debe voting 'no' and Odier abstaining). Moved by O'Bryan, seconded by Fennel, to accept the Plan Commission recommendation to adopt Resolution 2003-20: **RESOLUTION TO HEAR PUBLIC COMMENTS ON WHETHER TO DISCONTINUE MAPLE STREET (EXTENDED AND UNIMPROVED).** Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to adopt Resolution 2003-21: **RESOLUTION TO HEAR PUBLIC COMMENTS ON WHETHER TO DISCONTINUE UNNAMED AND UNIMPROVED ROAD SOUTH OF BAY STREET AND CONTIGUOUS TO PHANTOM LAKE.** Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Fickau, seconded by Debe, to accept the recommendation to reduce the letter of credit for the Minor Home Subdivision in the amount of \$1,909,538.06. Motion carried without a negative vote.

**VILLAGE PRESIDENT:** Moved by Odier, seconded by Fennel, to accept the Village President's appointment of Susan Maslowski to the Historic Preservation Commission as a Citizen Member to complete a term to 2004. Motion carried without a negative vote.

**CORRESPONDENCE:** Letter from SEWRPC regarding the adoption of a regional freeway system reconstruction plan for southeastern Wisconsin was placed on file in the Clerk's Office. Letter from the City of Manitowoc was referred to the Judicial Committee.

**NEW BUSINESS:** Moved by Fickau, seconded by Fennel, to approve the permit for Centurytel for underground utility work on Franklin Street. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to approve the permit for WE Energies for underground utility work on West Side Avenue. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to approve the permit for WE Energies for 649 Heron Drive. Motion carried without a negative vote.

Moved by O'Bryan, seconded by Fennel and carried to adjourn the meeting at 8:13 p.m.

Bernard W. Kahl, MMC  
Village Clerk

President Wagner called the meeting of the Village Board to order on August 5, 2003 at 7:30 p.m. Members present: FICKAU, COATS, FENNEL, O'BRYAN, DEBE, & WAGNER. Excused: ODIER. Also present: Library Director McBride, Fire Chief Rolfe, WWTP Supv Piquett, Water Supv Walenczyk, Attorney Reilly, & Police Chief Winchowky.

Moved by Fickau, seconded by Fennel, to approve the minutes of the July 15, 2003 minutes as presented. Motion carried without a negative vote.

**COMMENTS FROM THE PUBLIC:** County Supervisor Rodell Singert informed the Board about the construction of the County Jail building.

**COMMITTEE REPORTS:**

**FINANCE** – Moved Fennel, seconded by Fickau, to approve the following vouchers: Village \$53,920.20; Fire/Amb \$38,340.36; TIF \$2,370.45; Recycling \$339.45; Capital \$424.11; Library \$9,971.82; 2001 GO \$165.50; Water \$40,819.88; Sewer \$32,121.51; Taxroll \$36,313.86. Motion carried without a negative vote. Moved by Fennel, seconded by Coats, to offer to sell to Gerald Gilson for \$1,000.00, the outlot as shown on CSM #9532 and if not accepted then it would go with the sale of the old Library Building (McKenzie House). Motion carried on a vote of 5 ayes and 1 abstention (Debe abstained). Moved by Fennel, seconded by Fickau, to sell the McKenzie House to the Mukwonago Rotary for \$30,000. The home will be renovated by the Mukwonago High School Trades class and then sold as a single-family residence. Attorney Reilly advised the Board that he is also a member of the Rotary Club. Motion carried on a vote of 5 ayes and 1 abstention (Debe abstained). Moved by Fennel, seconded by Debe, moved to authorize the sale of the old Ambulance to the North Prairie Fire Auxiliary for \$1,000.00 contingent upon the approval of the Town of Mukwonago. Motion carried on a vote of 5 ayes and 1 nay (Fickau voting 'no'). Moved by Fennel, seconded by Coats, to request from the Sleep Inn the books to be audited by the Clerk's Office. Village Attorney to send letter regarding the 2<sup>nd</sup> quarter room tax paid. Motion carried without a negative vote. Pedestrian Bridge Path and credit card payments will remain in committee.

**PERSONNEL COMMITTEE** – Lieutenant evaluations, assistant to Supervisor of Inspections position, Village Attorney position and employee handbook will remain in committee. The Medical deduction plan and life insurance proposal will be tabled and removed from the agenda at this time.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the Operators licenses for Jennifer L. Hoyt, Scott M. Krumbeck, Kris S. Walesa, & Dawn Wasielewski. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the temporary Class B Beer License for August 16-17, 2003 to the American Legion Post 375. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Police Department printer has been taken care of by the department. Moved by Coats, seconded by Debe, to accept the committee recommendation to have a joint budget meeting between the Town and Village Boards to discuss the proposed 2004 budget. Motion carried without a negative vote. Ambulance transport fees will be removed from the agenda until Waukesha Medical constructs the building. Eagle Fire Department dispatch will be removed from the agenda. Paramedic contract will remain on the agenda.

**PLANNING COMMISSION** – Moved by Fennel, seconded by Fickau, to approve the CSM for the Continental Savings Bank located on Arrowhead Drive, Wolf Run and Highway 83. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** The letter of credit for Fairwinds was referred to the next meeting. Moved by Fickau, seconded by Debe, to approve Resolution No. 2003-22: **RESOLUTION**

**REGARDING A MEMORIAL SIGN TO BE INSTALLED AT 627 S. ROCHESTER STREET.**

Motion carried without a negative vote.

**VILLAGE CLERK:** Moved by Fickau, seconded by Fennel, to adopt Resolution No. 2003-23: **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. Moved by Fennel, seconded by Coats, to adopt Ordinance No. 715: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO (Continental Savings Bank).** Motion carried without a negative vote.

**VILLAGE PRESIDENT:** Moved by Fickau, seconded by Coats, to approve the Village President's appointments as listed:

**Economic Development Committee**

Matt Wellford	2006	Business member
Wade Balson	2004	(unexpired term of Tom Berg)

**Planning Commission**

Ruth Townsend	2006	Citizen member
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**Police Commission**

Gary Jorgensen	2006	Citizen member
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**Fire Commission**

Dale Fennel	2005	Village Board member
David Petersen	2006	Citizen member

**Library Board**

Scott Pratt	2006	Citizen member [Village appt]
Mary Blott	2006	Citizen member [Village appt]

**Historic Preservation Commission**

Thayne Odier	2004	Village Board member
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**Weed Commissioner**

Wayne Craig	2005	
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Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to approve the appointment of Dennis Behling as Chairman of the Board of Building and Zoning Appeals. Motion carried without a negative vote.

**CORRESPONDENCE:** Letter from Karen Lange regarding the park equipment for Miniwaukan Park was referred to the Health & Recreation committee. Letter from Farina Tree Care, Inc. regarding the gypsy moth caterpillar infestation was referred to the Health & Recreation committee.

**NEW BUSINESS:** Moved by Fickau, seconded by Coats, to approve the signing of the WE Energies permit for underground utilities for Minor's Subdivision. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the signing of the WE Energies permits for 633 Heron Drive, 736 Two Rivers Drive, 111 Atkinson Street, & 525 S. Rochester Street. Motion carried without a negative vote.

Moved by Fennel, seconded by Fickau and carried to adjourn the meeting at 8:21 p.m.

Bernard W. Kahl, MMC  
Admin/Clerk-Treas

President Wagner called the Village Board meeting to order on August 19, 2003 at 7:30 p.m. Members present: COATS, ODIER, FENNEL, O'BRYAN, & WAGNER. Members excused: FICKAU & DEBE. Also present: Engineer Peot, Bldg Insp/Zoning Adm Hankovich, Water Supv Walenczyk, Attorney Reilly, WWTP Supv Piquett, DPW Supv Brandemuehl, Police Chief Winchowky, and Planner Kuehner.

Public Hearing for discontinuance of an unimproved section of Maple Street was opened at 7:31 p.m. No one appeared for or against. The public hearing was closed at 7:32 p.m.

Public Hearing for discontinuance of an unnamed and unimproved platted road south of Bay Street and contiguous to Phantom Lake was opened at 7:32 p.m. Speaking in favor of the discontinuance was Jim Kyler, 508 Bay Street and Brian Pinterics, 513 Bay Street. Speaking against was Gerald Gilson, 317 Spring Street [Mr. Gilson gave his address as 317 Spring Street when it is actually S83 W29820 Saxony Court, this is rental property] and Eric Overlay, 311 Spring Street. The public hearing was closed at 7:34 p.m.

Treasurer, Mileage, Police and Fire reports for July 2003 were placed on file in the Clerk's Office. Moved by Fennel, seconded by Coats, to approve the minutes of August 5, 2003 meeting as presented. Motion carried without a negative vote.

#### COMMENTS FROM THE PUBLIC:

William Kollaszar, 106 Gemini Court; presented a survey of 25 parcels on trash collection. 12 'no'; 9 'yes'; 3 'unsure'; and 1 'unable to tell by response given'. Also speaking against it was Michael Krueger, 105 Gemini Court and James Zach, 117 Armstrong Court.

#### COMMITTEE REPORTS:

*FINANCE* – Moved by Odier, seconded by Fennel, to approve the following vouchers: Village \$54,574.36; Fire/Amb \$10,636.60; TIF General \$7,007.16; TIF S/W \$11,914.60; Recycling \$29,555.30; Capital \$1,562.11; Library \$3,535.14; 2001 GO \$317.75; Water \$4,590.86; Sewer \$16,271.52; & Taxroll \$423,593.74. Motion carried without a negative vote. Credit card payments can be taken off all agendas.

*JUDICIAL* – Moved by O'Bryan, seconded by Fennel, to approve the Class A Beer application for 5 Star Stations, Inc., Darwin Greenwald, Agent; 407 S. Rochester St. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to approve the Class B Beer picnic license to St. James Parish for September 6 & 7, 2003. Motion carried without a negative vote. Moved by O'Bryan, seconded by Odier, to approve the Operator's Licenses to Daniel R. Nelson, Ronald W. Olson, and James R. Foster. Motion carried without a negative vote.

*HEALTH & RECREATION* – Moved by Fennel, seconded by Coats, to approve the Eagle Scout project of Sean Hitt, 364 Plank Road, Troop 152. The project is to place mile markers on the Holz Parkway walking path. They will be placed on metal poles every ¼ mile. Motion carried without a negative vote. Moved by Fennel, seconded by Coats, to approve the request for the 2003 Fall Fest contingent upon receiving approval from the Police Chief, Fire Chief, DPW Supv and Building Inspector. Motion carried without a negative vote. Garbage/Recycling contract, Comprehensive Outdoor Recreation Plan, Stewardship Local Assistance Program, and the letter from Karen Lange regarding Miniwaukan Park playground equipment will remain in committee. Letter from Farina Tree Care & PLMD use of Blood Street can be taken off all agendas. Moved by Fennel, seconded by Odier, to approve the change in the Community Center Room use rules regarding the forfeiture of key deposit if doors are not locked. Motion carried without a negative vote.

*PUBLIC WORKS* – Moved by Coats, seconded by O'Bryan, to accept committee recommendation, to install streetlights only as far as Home Depot – from Maple Avenue to Waukesha Medical Center only. Motion carried without a negative vote. Brush pile on Rolfson can be taken off all agendas. Path on Holz Parkway will be closed during the construction of the Small Farm Road extension. Confined space training & splashboard tower will remain in committee. Moved by Coats, seconded by O'Bryan, to accept the committee recommendation to award the Pedestrian Bridge path to Berg Construction in the amount of \$7,785.00 for a 6-foot wide path. Motion carried without a negative vote.

*UTILITIES* – Moved by O'Bryan, seconded by Fennel, to accept the sale bid on the sludge truck from Walter & Sons in the amount of \$7,500.75. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to not forgive the penalty on the water/sewer bill for 413 Franklin Street. Motion carried without a negative vote. Confined space costs and update new well research will remain in committee. Emergency pumping at Atkinson Pump station can be removed from all agendas.

*PLANNING COMMISSION* – Moved by Fennel, seconded by O'Bryan, to accept the Planning Commission recommendation to approve the site plan and architectural plan for Waukesha Power, subject to the following conditions: 1) The applicant will work with the Village Engineer to determine the size and type of storm water management facility that will be required on-site. 2) The applicant will provide a sampling manhole at the right-of-way line as requested by Village staff in order to permit waste water testing in the future should that be necessary. 3) A utility easement passes across the southwestern corner of the site and it was not shown on the submitted plans. Motion carried without a negative vote. Moved by Fennel, seconded by Coats, to accept the Planning Commission recommendation to approve Ordinance No. 709: **AN ORDINANCE AMENDING THE PROVISIONS OF THE VILLAGE OF MUKWONAGO ZONING ORDINANCE AMENDING THE REGULATION OF SIGNAGE.** Motion carried without a negative vote.

**VILLAGE CLERK:** Moved by Odier, seconded by Fennel, to approve change order #1 for the Atkinson Street Pump Station Addition for a decrease in the contract of \$2,747.47. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to adopt Resolution No. 2003-24: **A RESOLUTION TO APPROVE THE AMENDED ESTABLISHED STREET AND HIGHWAY WIDTH MAP OF WAUKESHA COUNTY.** Motion carried without a negative vote. The County is to be notified that the width for Edgewood Avenue right-of-way was set last night as 100' instead of the 80' shown.

**VILLAGE ATTORNEY:** Moved by Fennel, seconded by O'Bryan, to approve the reduction in the Letters of Credit for Fairwinds Subdivision. The amounts are \$34,116.80 and \$127,511.60. Motion carried without a negative vote. Discontinuance of an unimproved section of Maple Street and an unimproved and unnamed platted road south of Bay Street and contiguous to Phantom Lake will remain on the agenda for the next meeting. Moved by Fennel, seconded by Coats, to approve Resolution No. 2003-25: **A RESOLUTION AUTHORIZING THE SALE OF LAND TO GERALD L. GILSON AND DIANE M. GILSON.** Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to adopt Ordinance No. 717: **AN ORDINANCE TO APPROVE THE ATTACHMENT OF PROPERTY TO THE VILLAGE OF MUKWONAGO FROM THE TOWN OF MUKWONAGO PURSUANT TO THE MUNICIPAL BOUNDARY AGREEMENT WITH THE TOWN OF MUKWONAGO.** Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to approve the signing of the Sentinel Well Easement Agreement. Motion carried without a negative vote. The Department of Administration has found the consolidation of the

Village and Town of East Troy has not met the requirements needed to consolidate. The Attorney will meet with the Library Director to discuss the C.A.F.E. contract.

**VILLAGE PRESIDENT:** Appointments for Tourism, Historic Preservation Commission, and Fire Commission will be submitted at the next meeting.

**CORRESPONDENCE:** SEWRPC Community Assistance Planning Report No. 245 was placed on file in the Clerk's Office. A preliminary population estimate of January 1, 2003 of the Village of Mukwonago is 6378.

Moved by Fennel, seconded by Odier and carried to adjourn the meeting at 8:24 p.m.

Bernard W. Kahl, MMC  
Village Clerk

President Wagner called the Village Board meeting to order on September 2, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE & WAGNER. Also present: WWTP Supv Piquett, Police Chief Winchowky, Bldg Insp Hankovich, Water Supv Walenczyk, Planner Kaniewski, Engineer Peot, Library Director McBride, DPW Supv Brandemuehl, Attorney Reilly, and Fire Chief Rolfe.

Public Hearing for the Proposed Amendment to the Sanitary Sewer Service Area for the Village of Mukwonago was opened at 7:31 p.m. Mr. Bill Stauber of SEWRPC was present to discuss and present the item to the public. 875 acres were added to the service area and approximately ½ of the area is in the environmental area and will not be developed. 650 dwelling units could be added here. No one appeared for or against. On September 10<sup>th</sup> the Regional Plan Commission will meet to discuss the Village's plan. Public Hearing closed at 7:41 p.m.

#### COMMENTS FROM THE PUBLIC:

Mike Hamilton, 505 Baron Road, presented to the Board a request from neighbors that they are still having problems with the motorist driving in the park area for soccer practice. Item was referred to the Health & Recreation Committee.

#### OLD BUSINESS:

Train whistle blowing was referred to the Judicial Committee.

#### COMMITTEE REPORTS:

PERSONNEL – Employee Handbook can be removed from the agenda. Lieutenant evaluations will be handled in closed session of the personnel committee. Assessor's position and assistant; assistant to the Supervisor of Inspection position; and the Village Attorney position will remain in committee.

FINANCE – Moved by Odier, seconded by Fickau, to approve the vouchers in the amount of: Village \$37,710.69; Fire/Amb \$30,479.90; TID \$4,000.41; Recycling \$2,066.58; Library \$6,717.22; Water \$23,271.86; Sewer \$16,755.41; Taxroll \$36,105.00. Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to approve the lighting request of Minor's Homestead if the developer would reimburse the Village for the additional lighting expense of \$756.00 per year for the next 10 years. Motion carried without a negative vote. The Museum has received a CDBG from the County in the amount of \$7,500.00.

JUDICIAL – Moved by O'Bryan, seconded by Odier, to approve the application for operator's license for Donna E. McClain. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to approve the Temporary Class B Beer for the American Legion Post 375 for September 13 & 14, 2003. Motion carried without a negative vote.

HEALTH & RECREATION – Moved by Fennel, seconded by Odier, to waive the Board of Building and Zoning Appeals fee for the Mukwonago Lions Club for the Pavilion in Field Park. Motion carried without a negative vote.

PROTECTIVE SERVICES – Moved by Coats, seconded by Debe, to authorize the sale of the old Aerial Platform truck through the services of Auction Associates. Advertisement should also be placed in the League and Towns publications. Motion carried without a negative vote. Committee asked the Fire Department to check on the insurance cost and liability if the MFD uses an impounded car for students. Will remain in committee. Fire Board will be removed from the agenda until 2004. Paramedic student contract, paramedic contract (Waukesha Memorial), Dispatch Agreements with Big Bend, Town of Eagle Boat Patrol and Town of Mukwonago Police will remain in committee.

#### VILLAGE ATTORNEY:

Resolution 2003-27 & 2003-28, resolutions that deal with discontinued use of roads will be placed on the next agenda. Moved by Fickau, seconded by Debe, to adopt Resolution 2003-29: A RESOLUTION APPROVING THE BAIL BOND SCHEDULE AS SET BY THE



MUNICIPAL JUDGE OF THE VILLAGE OF MUKWONAGO. Motion carried without a negative vote. Village Attorney gave an update on the Town & Village of East Troy.

VILLAGE ENGINEER:

Moved by Coats, seconded by Debe, to authorize the signing of the contract for the TID #3. September 22, 2003 is the end of the 30-day appeal period for the Chapter 30 permit. Motion carried on a vote of 6 ayes and 1 nay (Fickau voting 'no'). Moved by Fennel, seconded by Fickau, to approve the construction drawings for Pinehurst subdivision. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve Resolution 2003-26: A RESOLUTION FOR ADOPTION OF A MUKWONAGO SANITARY SEWER SERVICE AREA AGREEMENT. Motion carried without a negative vote.

VILLAGE PRESIDENT:

Moved by Fennel, seconded by Fickau, to approve the appointment of Jason Tetzlaff to the Joint Fire Commission for 1 year. Motion carried without a negative vote. Moved by Debe, seconded by Odier, to appoint Steve Powers as the Real Estate member to the Historic Preservation Commission member. Motion carried without a negative vote. Board of Review members will be President Wagner, Trustees Debe & Coats, and Clerk Kahl. Trustee Fickau will be the alternate.

NEW BUSINESS: Moved by Fickau, seconded by O'Bryan, to approve the WE Energies permit for 741 Small Farm Road. Moved by Wagner, seconded by Odier, to approve Trustee Fickau as the Designated Representative for the Water/Sewer contract for the TID extension. Motion carried without a negative vote.

Moved by Fickau, seconded by Fennel and carried to adjourn the meeting at 8:28 p.m.

Bernard W. Kahl, MMC  
Village Clerk

Clerk Kahl called the Village Board meeting to order at 7:30 p.m. on September 16, 2003. Members present: FICKAU, ODIER, FENNEL, O'BRYAN, & DEBE. Members excused: COATS & WAGNER. Also present: Engineer Peot, Planner Kuehner, Attorney Reilly, Police Chief Winchowky, Asst Fire Chief Purdy, WWTP Supv Piquett, & Water Supv Walenczyk.

Clerk asked for nominations for acting President. Moved by Fennel, seconded by Odier, to nominate Trustee Fickau as Acting President. Motion carried without a negative vote.

Public Hearing for the change of zoning from P-1 to R-2 for property at 219 Grand Avenue was opened at 7:32 p.m. No one appeared for or against. Public Hearing was closed at 7:33 p.m.

Treasurer, mileage, police, fire, and library reports for August 2003 and July Library report were placed on file in the Clerk's Office.

Moved by Fennel, seconded by Odier, to approve the minutes of the September 2, 2003 minutes as presented. Motion carried without a negative vote.

#### COMMITTEE REPORTS:

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$35,070.29; Fire/Amb \$10,534.64; TID \$120.00; W/S TID \$120.00; Recycling \$29,628.35; Capital \$3,702.00; Library \$4,497.64; Water \$3,099.95; Sewer \$6,851.08; Taxroll \$56,463.09. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to pay the Communications Management Invoice in the amount of \$2,559.25, if there is sufficient money. Motion carried without a negative vote.

**PERSONNEL** – Moved by Debe, seconded by O'Bryan, to extend the contract with John Hogan till the end of the year if funds are available. Motion carried without a negative vote. The assistant to the Supervisor of Inspections and the Village Attorney position will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the operator's license for 2003-2004 to Nicole M. Page. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to approve the application for temporary Class B Beer License to St. James School for September 19, 2003. Motion carried without a negative vote.

**HEALTH & RECREATION** – Committee feels that the Public Works should install some rubber speed bumps and post signs for each and the Police Dept will speak to the uses and patrol the Miniwaukan Park area. A special meeting will be held on September 24<sup>th</sup> at 6:30 p.m. with Johns Disposal and residents regarding garbage/recycling collections. Letter from Karen Lange, Comprehensive Outdoor Recreation Plan and Stewardship Local Assistance Program will remain in committee.

**PUBLIC WORKS** – A presentation was given to the committee on curb cutting in the Village. The committee decided to stay with our present system at this time. Street lighting request for Lake Street intersections was referred to the Police Department for review. Moved by Fickau, seconded by Fennel, to approve Change Order No. 1 for the Village Hall Pedestrian Bridges. Change Order is for a decrease of \$35,467.00. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to approve Option No. B for the street lights on S. Main Street and to authorize the signing of the service agreement with WE Energies. Motion carried without a negative vote. Splashboard Tower will remain in committee.

**UTILITY** – Water quality complaint for 1112 River Park Circle West will remain in committee. Moved by Fickau, seconded by Debe, to accept the Committee recommendation to purchase a small snowplow in the amount of \$2,500.00 if funds are available in the budget. Motion carried

without a negative vote. Oversizing the water mains and other utility expense for Fox River View will remain in committee. The Village is willing to meet with Officials regarding a sewer extension to Rainbow Springs and a letter to that effect has been sent to RSV Engineering, Town of Mukwonago and SEWRPC. Storm water utility will remain in committee. Moved by Fickau, seconded by Debe, to approve the purchase of a trailer for confined space program in the amount of \$16,000.00 but that the request will be handled as part of the 2004 budget. Motion carried without a negative vote. Well update will remain in committee and the Village Attorney will draft an agreement with the 'YMCA' for the committee to review.

**PLAN COMMISSION – MUKWONAGO CENTER - HWY 83 & CTH NN:** Moved by Fennel, seconded by O'Bryan, to accept the Plan Commission recommendation to approve the site plan and architectural plan based on the following conditions, except that condition #8 should state that the road will be widened to 30' except in those areas as approved by the Village Planner and Village Engineer.

1. The site shall be developed in general conformance with the plans with a last revised date of September 9, 2003, as prepared by the Albion Group Architects.
2. Prior to issuance to any building permit on the site, the Landscape Plan shall be revised and approved by the Village Planner in conformance with the Village Planner's comments.
3. Prior to issuance of a building permit, applicant and Village shall enter into a Developer's Agreement, with said Developer's Agreement requiring that an access easement be provided to the southeast corner of the site to allow the Village accessibility to the adjacent well house, for proper maintenance and utilization of on-site utility and storm water drainage, require other conditions of approval.
4. Prior to issuance of a building permit, the Village Engineer shall review and approve all on-site engineering, including storm water drainage, water quality and public utilities.
5. With Phase I building construction, all 220 parking spaces as shown on the Site Plan west of Phase I and Phase II development shall be constructed along with the three driveways from the parking lot to the western access drive.
6. Prior to construction of future phases, additional Site Plan and Architectural Plan approvals shall be gained from the Village.
7. This Site Plan and Architectural Plan approval shall not replace any required Conditional Use approval.
8. The road in front of the development will be widened to 30 feet (3-10' lanes with the center lane being a turn lane) except in those areas as approved by the Village Planner and Village Engineer.
9. Plantings near the building will be review again by the landscaper at Ruekert & Mielke.

Motion carried without a negative vote.

**HONEY MEADOWS – WEST SIDE AVE:** Moved by Fennel, seconded by O'Bryan, to accept the Plan Commission recommendation to approve the Site Plan and Architectural Plan and that a letter of recommendation be forwarded to the Board of Building and Zoning Appeals, and subject to the following conditions as set by the Planner:

1. The subject site shall be developed in accordance to the plans dated September 15, 2003.
2. Prior to issuance of a building permit, final Landscaping Plans shall be reviewed and approved by the Village Planner, in conjunction with comments previously forwarded to the applicant.
3. Prior to issuance of a building permit, the applicant and Village shall enter into a Developer's Agreement, with said Developer's Agreement outlining the terms and responsibilities of the applicant in completing the project as proposed.

4. Prior to issuance of a building permit, the Village Engineer shall approve all engineering plans and Storm Water Management Plans.
5. Prior to issuance of a building permit, a lighting photometric plan shall be submitted for the review and approval of the Village Planner, with zero foot candle light spill-over onto neighboring properties.

Motion carried without a negative vote.

**HAWKS RIDGE EAST PLAN REVIEW:** Moved to place this item on the next Village Board agenda. Motion carried on a vote of 4 ayes and 1 nay (Debe voting 'no').

**ORDINANCE 716:** Moved by Fennel, seconded by Odier, to accept the Plan Commission recommendation to adopt Ordinance No. 716: AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO (REZONE FROM P-1 TO R-2) FOR THE MC KENZIE HOUSE AT 219 GRAND AVE. Motion carried without a negative vote (Debe abstained).

**PETITION TO ATTACH PROPERTY FROM THE TOWN OF MUKWONAGO:** Moved by Fennel, seconded by Odier, to accept the Plan Commission recommendation to attach the East Troy Railroad Museum property to the Village of Mukwonago (MUKT 2011-992.004, 2011-992.007, and 2011-992.006 for a total of 1.522 acres). Motion carried without a negative vote.

**RESOLUTION 2003-27:** Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to adopt Resolution 2003-27: A RESOLUTION TO DISCONTINUE AN UNNAMED AND UNIMPROVED ROAD LOCATED SOUTH OF BAY STREET AND CONTIGUOUS TO PHANTOM LAKE. Motion carried without a negative vote.

**RESOLUTION 2003-28:** Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to adopt Resolution 2003-28: A RESOLUTION TO DISCONTINUE THAT PORTION OF MAPLE STREET THAT IS UNIMPROVED. Motion carried without a negative vote.

**FOX RIVER VIEW:** Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the preliminary plat subject to the following conditions:

1. The 83 lot, 5 Outlot subdivision is approved pursuant to the preliminary plat prepared by RSV Engineering, with the last revised date of September 8, 2003, and subject to Village Engineer approval of a final Storm Water Management Plan.
2. Lots 1, 38, 39, 40 and 59 shall have "no access" restrictions to Edgewood Avenue placed on the Final Plat.
3. On the final plat, vision corner easement shall be placed at all intersections.
4. Prior to submittal of the final plat, all wetland delineations must be verified and approved by the Wisconsin Department of Natural Resources.
5. With the submittal of the final plat, the developer and Village shall agree to the location and type of play equipment and any other recreational activities within Outlot 5, and shall be duly noted as the responsibility of the developer to install such play equipment and/or activities, in the Developer's Agreement.
6. The Developer's Agreement shall indicate provisions for the reconstruction of Edgewood Avenue should construction of the subject subdivision cause the deterioration of Edgewood Avenue pavement.

Motion carried without a negative vote.

**HAWKS RIDGE EAST:** Moved by Fennel, seconded by Debe, to refer the rezoning of this parcel to the next Village Board agenda. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Debe, seconded by O'Bryan, to accept the reduction in the Minor's Homestead Letter of Credit to \$1,320,550.78 and contingent upon the Village Attorney receiving a Title Agreement for the sewer easement. Motion carried without a negative vote.

VILLAGE ENGINEER: Moved by Debe, seconded by O'Bryan, to approve Change Order No. 1 for the CTH ES Sanitary Sewer and Water Main Extension in the amount of \$23,628.35. Motion carried without a negative vote.

CORRESPONDENCE: SEWRPC 2002 Annual Report is on file in the Clerk's Office. Moved by O'Bryan, seconded by Fennel, to approve the signing of the WE Energies permit for 970 Greenwald Court and 447 Bay View Road. Motion carried without a negative vote.

Moved by Fennel, seconded by Debe and carried to adjourn the meeting at 8:39 p.m.

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on October 7, 2003 at 7:30 p.m. Members present: FICKAU, COATS, FENNEL, O'BRYAN, DEBE & WAGNER. Member excused: ODIER. Also present: Police Chief Winchowky, WWTP Supv Piquett, Water Supv Walenczyk, BI/ZA Hankovich, Fire Chief Rolfe, DPW Supv Brandemuehl, Planner Kaniewski, Attorney Reilly, & Library Director McBride.

Moved by Fickau, seconded by Fennel, to approve the minutes of the September 16, 2003 meeting as presented. Motion carried without a negative vote.

President Wagner presented a 50<sup>th</sup> Wedding Anniversary Proclamation to Norman & Lois Boebel.

**COMMENTS FROM THE PUBLIC:** Richard Norgo, a Florida resident spoke about the treatment he received while visiting friends in Mukwonago when he developed a truck maintenance problem. He stated that he would not come back to Mukwonago. Mike Hamilton, 505 Baron Road gave a presentation of the traffic problem in Miniwaukan Park. He left a 90-minute tape to be viewed by Board Members.

**COMMITTEE REPORTS:**

**FINANCE** – Moved by Fennel, seconded by Debe, to approve the following vouchers: Village \$122,424.98; Fire/Amb \$50,411.13; TID General \$55,246.13; TID S/W \$220,199.29; Recycling \$29,973.36; Capital \$37,177.37; Library \$8,567.12; Capital Impvt \$680.40; 2002 GO \$66,517.31; Water \$63,620.77; Sewer \$66,537.55; & Taxroll \$52,445.67. Motion carried without a negative vote.

**PERSONNEL** – All items will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the application for operator's license for Dawn M. Wetzel. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the application for a temporary Class B Beer license to the American Legion Post 375 for October 17, 2003. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Paramedic report will remain in committee. The use of Village plows on Town roads for emergency purposes is for information only. President Wagner requested that the DPW come up with a charge for this and let the Town know in advance of the potential cost. Moved by Coats, seconded by Debe, to accept the committee recommendation for the Fire Chief to spend up to \$1,000 (total cost) to repair the 1998 Mercury Sable for student use for schooling and the vehicle is to be titled in the Fire Department name. Motion carried on a vote of 5 ayes and 1 nay (Fickau voting 'no'). The remaining items will remain in committee.

**PUBLIC WORKS** – Citizen request for street lights will remain in committee. Clerk is to check to see if we have a policy on who pays for the lights.

**UTILITIES** – Moved by Fickau, seconded by Fennel, to approve Change Order #2 for the CTH 'ES' Sanitary Sewer and Water Main extension for \$1,555.00. Motion carried without a negative vote.

**PLAN COMMISSION** – Moved by Debe, seconded by Fickau, to accept the Planning Commissions recommendation to approve the Hawk's Ridge East Condominium Site Plan and Architectural Plan with the following conditions:

1. Development of the property shall be subject to the Site Plan prepared by TDI Associates with last revised date of September 25, 2003.
2. Prior to any site development, the Developers Agreement shall be agreed upon between the applicant and the Village, with conditions in the Developers Agreement to include, but not limited to, the requirement of a Homeowners Association and provisions for cross access ingress/egress with the Hawk's Ridge Condominium Development. Applicant shall install and maintain 'No Parking' signs along all driveways as required by the police chief and/or the fire chief, the water main shall be looped, and all the conditions of approval shall be within the Developers Agreement.

3. Prior to any site development, applicant shall dedicate a fifty foot half right-of-way for CTH 'NN'.
4. Prior to issuance of a building permit, landscape plans shall be subject to review and approval from the Village Planner.
5. Prior to issuance of a building permit, a site lighting plan and a photometric plan shall be subject to the review and approval of the Village Planner, in accordance with Village Ordinance.
6. Prior to any site construction, the Village Engineer shall review and approve the final engineering plan for the site including Storm Water Management and Water Quality Plan. In addition, grading plans shall not allow any grading encroachment into the adjacent primary environmental corridor, other than what is shown on the approved plan.

Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Fickau, seconded by Debe, to approve the Developer's Agreement with Waukesha Memorial Hospital as to requirements as set forth in the October 6, 2003 letter and contingent upon review by Ruekert & Mielke. Motion carried on a vote of 5 ayes and 1 nay (Debe voting 'no').

**VILLAGE PRESIDENT:** Moved by Fickau, seconded by Coats, to approve the appointment of Bharat Shah to the Tourism Committee. Motion carried without a negative vote.

**NEW BUSINESS:** Moved by Fickau, seconded by Fennel, to approve the permit for Centurytel for underground utilities installed on Perkins Drive. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the permit for Centurytel for underground utilities installed on McKenzie Drive. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to approve the permit for WE Energies for 635 Eastern Trail. Motion carried without a negative vote.

It was requested that the Village President send a letter of recommendation to the temporary replacement officer John Bauer.

Moved by O'Bryan, seconded by Fennel and carried to adjourn the meeting at 8:36 p.m.

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

Town Chairman Dubey and Village President Wagner to discuss the 2004 Proposed Fire and Ambulance Budget called the Town Board and Village Board joint meeting to order on October 14, 2003 at 6:00 p.m. Members present: [Town] LEPPIN, NICOSON, TOPCZEWSKI, HOLTZ, & DUBEY. [Village] FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Fire Chief Rolfe, Town Clerk Wilson and Village Clerk Kahl.

Chief Rolfe went over the 2004 Proposed Capital Outlay budget and the list of items that had been deleted from the budget. He stated that he was to try and come up with \$50,000 in cuts from his budget. President Wagner reminded him that the direction was that he was to remove that amount from his budget. The Chief can come up with \$12,900 in cuts. Discussion was held on the number of runs and why the department is accepting non-emergency runs. The department only does emergency runs for Linden Court and Birch Rock. Do we charge for calls that are not finished and if we don't, why? The Protective Services Committee is currently discussing that issue. It was then asked if we were going to keep the full-time position that we are currently holding interviews for. Why can't we transfer a used police vehicle to the Fire Chief? Currently the Fire Chief puts on about 800-1000 miles per month, he has about 50,000 miles on the vehicle. Chief said that in 2006 we would be full paramedics if we choose to go that way. Can we cut the vehicle in the 2004 budget for \$22,000 plus the \$12,900 for a total of \$34,900? This would leave the Chief to come up with \$15,100. Paramedic's get paid \$3.00 more per hour than an EMT. Are we getting ahead of ourselves by not having a formal agreement from the Hospital? The Chief described the medical community boundary as determined by both Boards; the current boundary is that of the Town and Village limits. The Town Board members feel the Paramedic program should continue. The Village Board was divided. For continuing the program: Fennel, Coats, & Odier. Those that felt we needed more information before going forward with the program: Fickau, O'Bryan, Debe, & Wagner. Total vote was 8 members for and 4 against. The Boards wanted the Chief to understand that they did not want to receive a request during the middle of the year to increase the wage of the Firefighter/Paramedic. The Chief feels that the community will come up with the funds to purchase the two Paramedic supply items that were cut from the Capital Outlay budget. There was a mention of \$3,000 reduction in Ambulance Training budget.

Moved by Fennel, seconded by Debe and carried to adjourn the meeting at 7:55 p.m.

Bernard W. Kahl, MMC  
Village Clerk



President Wagner called the meeting of the Village Board to order on October 21, 2003 at 7:30 p.m. Members present: COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Member excused: FICKAU. Also present: Library Director McBride, Police Chief Winchowky, Fire Chief Rolfe, WWTP Supv Piquett, Attorney Reilly, DPW Supv Brandemuehl, Water Supv Walenczyk, Engineer Peot, & Planner Kaniewski.

Public Hearing on the rezoning petition from P-1 to R-2 for 219 Grand Avenue (McKenzie Library) was opened at 7:31 p.m. No one appeared for or against the hearing was closed at 7:33 p.m.

The Treasurer, Mileage, Police, Fire and Library reports for the month of September 2003 were placed on file in the Clerk's Office.

Moved by Fennel, seconded by Odier, to approve the minutes of the October 7, 2003 Village Board meeting and the minutes of the Joint Town/Village Of Mukwonago meeting of October 14, 2003. Motion carried without a negative vote.

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

School Liaison Officer Patrolman Brook gave an update report to the Village Board on his activities in this position.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Debe, to approve the following vouchers: Village \$21,326.53; Fire/Amb \$16,007.37; TID #3 General \$204,370.57; TID #3 Sewer/Water \$302,198.04; Capital Equip \$424.11; Library \$5,528.94; 2001 GO \$4,007.26; Water \$10,510.85; Sewer \$31,571.59. Motion carried without a negative vote.

**PERSONNEL** – Payroll benefits for Eric Nelson will be handled internally. Life insurance will be part of the negotiations. Assistant to the Supervisor of Inspections and Village Attorney position will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the application for a Class A Beer license for GK Gas LLC, King Gurinder Singh Phul, Agent, 201 N. Rochester Street. Motion carried without a negative vote. The train whistles blowing will remain in committee. Review of Plan Commission meeting night will remain in committee.

**HEALTH & RECREATION** – The Village will be doing a survey on garbage and recycling and John's Disposal will pay half the cost. The following items will remain in committee: Garbage/Recycling contract with John's Disposal; request for park equipment in Miniwaukan Park; Stewardship Local Assistance Program; and Comprehensive Outdoor Recreation Plan.

**PUBLIC WORKS** – Transportation Utility program will remain in committee until more information is provided. D. Greenwald will install the backbone for the streetlights in the TID #3 area and the TID will pay to put in the streetlights. Moved by Debe, seconded by O'Bryan, to authorize the signature for the WE Energies Aura Street Lighting Service for Minors Homestead Subdivision. The developer is responsible for the installation payment of \$27,032.79. The Option 'A' or 'B' Plan will remain in committee. Motion carried without a negative vote. Request for streetlights on Lake Street and Bay Street will remain in committee to get comments from residents who do not want streetlights. Confined space training cost has been included in the 2004 proposed budget for Sewer, Water, and Public Works employees. Moved by Debe, seconded by O'Bryan, to move forward on the construction of the splashboard tower at Fire Station #1. Village will be reimbursed for the cost of materials. Committee would like the Fire Dept to look at screening the area and to enclose the bottom portion of the tower. Motion carried without a negative vote.

**UTILITIES** – Moved by Debe, seconded by Fennel, to approve Change Order #2 for the Field Park Sanitary Sewer and Pump Station Abandonment in the amount of \$3,454.19 as a net increase. This is the close out change order to adjust contract price to equal final quantities. Motion carried without a negative vote. Water quality complaint for homes in River Park Estates

has been reviewed and the committee feels the matter has been resolved. Storm Water Utility and the oversize of mains for Fox River View will remain in committee. Update of the new well research is complete and Attorney is working on the agreement.

**PROTECTIVE SERVICES** – Resolution 2003-29 establishing a snowmobile route was referred to the committee meeting on October 28, 2003 and the Clerk was asked to have someone from the snowmobile club present.

**PLANNING COMMISSION** – Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the CSM for MacArthur Square Condominiums by Jerome Martens. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to accept the Plan Commission recommendation to approve the Developers Agreement for Honey Meadow Condominiums subject to the review and approval of the Building Inspector. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to accept the Plan Commission recommendation to approve the Storm Water Pipe Outlet Easement for Minor's Homestead Subdivision. Motion carried without a negative vote. Moved by Fennel, seconded by Odier, to accept the Plan Commission recommendation to approve Resolution 2003-30: **A RESOLUTION AUTHORIZING THE SALE OF LAND TO THE MUKWONAGO ROTARY FOUNDATION, INC.** *It is noted here that Village Attorney Shawn N. Reilly is also a Board Member of the Mukwonago Rotary Foundation, Inc. The Village Board is aware of the conflict and consents to Attorney Shawn N. Reilly representing the Village of Mukwonago in this matter.* Motion carried on a vote of 5 ayes and 1 abstention [Debe abstaining]. Moved by Debe, seconded by Odier, to accept the Plan Commission recommendation to approve Resolution 2003-31: **A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY FROM THE MUKWONAGO AREA ARTS AND ACTIVITIES CENTER, INC.** *It is noted here that Village Attorney Shawn N. Reilly is also a Board Member of the Mukwonago Area Arts and Activities Center, Inc. The Village Board is aware of the conflict and consents to Attorney Shawn N. Reilly representing the Village of Mukwonago in this matter.* Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to accept the Plan Commission recommendation to approve the rezoning of the Hawk's Ridge East Subdivision from R-2 to R-10. Motion carried without a negative vote.

**CORRESPONDENCE:** Moved by Fennel, seconded by Debe, to authorize the Village President to sign the WE Energies permit for 1231 S. Rochester Street. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to authorize the Village President to sign the WE Energies permit for 606 Stoker Farm Avenue. Motion carried without a negative vote. Moved by O'Bryan, seconded by Odier, to authorize the Village President to sign the WE Energies permit for 610 Stoker Farm Avenue. Motion carried without a negative vote.

Moved by Fennel, seconded by Debe and carried to adjourn the meeting at 8:26 p.m.

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on November 4, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE & WAGNER. Also present: WWTP Supv Piquett, Water Supv Walenczyk, DPW Supv Brandemuehl, Fire Chief Rolfe, Engineer Peot, Police Chief Winchowky & Attorney Reilly.

Moved by Coats, seconded by Fennel, to approve the minutes of the October 21, 2003 meeting as presented. Motion carried without a negative vote.

#### COMMENTS FROM THE PUBLIC:

Dennis Behling, 943 Bay View Circle – As a representative of the Rotary Club, he asked the Board if they would waive the permit fees for the remodeling of the McKenzie House. Item was referred to the Village President for action at the next meeting. Trustee Fennel reported that the leaf and brush pickup will be cancelled for this week and collected the following week.

#### COMMITTEE REPORTS:

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following bills: Village \$71,362.98; Fire/Amb \$28,137.76; TID #3 General \$23,857.14; TID #3 S/W \$51,013.42; Recycling \$30,139.80; Library \$8,905.29; Capital Impvts \$331.20; 2001 GO \$953.66; Water \$21,598.39; Sewer \$4,260.40; Taxroll \$36,105.00. Motion carried without a negative vote. Trustee Odier gave a report on the Museum fund raising.

**PERSONNEL** – Committee met with a representative of National Appraisals and the committee will have a recommendation at the next Board meeting. Moved by Debe, seconded by O'Bryan, to accept the committee recommendation to hire a contract part-time Building Inspector for \$15,000.00. Start date would be in 2004. Motion carried without a negative vote. Village Attorney position remains in committee.

**PROTECTIVE SERVICES** – Moved by Coats, seconded by Debe, to accept the committee recommendation to adopt Resolution 2003-29, with additional language that reads 'Snowmobile traffic down Andrews Street is limited to the hours of 6:00 a.m. to 10:00 p.m.': **A RESOLUTION TO ESTABLISH A SNOWMOBILE ROUTE WITHIN THE LIMITS OF THE VILLAGE OF MUKWONAGO.** Motion carried without a negative vote. The following items will remain in committee: Fire Inspection fees, Resolution 2003-32, Mutual aid box alarm, paramedic student contract, & paramedic contract Waukesha Memorial. Items to be removed: Fire call fees, paramedic report, dispatch agreements with Village of Big Bend, Town of Eagle Boat Patrol, & Town of Mukwonago Police. Police department and Fire department each received non-matching grants. Police grant was for \$6,450.00 and the Fire grants were for \$15,000.00 and \$2,500.00. No action was required.

**PLAN COMMISSION** – Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve Ordinance No. 718: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO (HAWKS RIDGE EAST).** Motion carried without a negative vote.

**VILLAGE ENGINEER:** Moved by Fickau, seconded by Debe, to accept the Engineer's recommendation to extend the work hours for Super Excavators (TID #3) to 10:30 p.m. for two nights when they are boring under the Freeway and to extend the working hours to 24 hours a day when boring under the river. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Attorney Reilly went over the proposed Town of East Troy boundary agreement. Board members will read this for action at the next board meeting. Preliminary resolution for special assessments for TID #3 will remain on the agenda.

**NEW BUSINESS:** Moved by Fickau, seconded by Fennel, to authorize the Village President to sign the WE Energies permit for installation of Gas Main for Fairwinds Subdivision Phase 2. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to authorize the Village President to sign the WE Energies permit for underground utilities for Maple Avenue. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to authorize the Village President to sign the WE Energies permits for 933 Meadowview Lane and 242 McDivitt Lane. Motion carried without a negative vote. Judicial Committee will meet on November 12<sup>th</sup> at 6:00 p.m. to discuss the train whistles.

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

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on November 18, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Fire Chief Rolfe, WWTP Supv Piquett, DPW Supv Brandemuehl, Engineer Peot, Building Inspector/Zoning Admin Hankovich, Attorney Reilly, & Police Chief Winchowky.

The Treasurer, Mileage, Police, Fire, and Library reports for October 2003 were placed on file in the Clerk's Office. The WCTC 2003 Comprehensive Annual Financial Report was placed on file in the Clerk's Office.

Moved by Fickau, seconded by Fennel, to approve the minutes of the November 4, 2003 meeting as presented. Motion carried without a negative vote.

#### COMMENTS FROM THE PUBLIC:

Michael Krueger, 105 Gemini Court – Spoke on the garbage and recycling contract and survey. He has a problem with the contract and the new toter service.

Not in favor of questionnaire. Would like modification to questionnaire.

Don Moore, 404 Spring Street – Does not have a problem with the toter service and he does not want the lights on Spring Street.

#### COMMITTEE REPORTS:

*FINANCE* – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$63,407.07; Fire/Amb \$6,320.06; TID #3 General \$294,046.30; TID #3 S/W \$662,675.49; Recycling \$51.18; Capital \$2,489.00; Library \$7,561.72; Capt Impvts \$810.00; 2001 GO \$733.56; Water \$4,730.76; Sewer \$4,142.26. Motion carried without a negative vote. Moved by Odier, seconded by Coats, to approve the 2004 Dispatch Agreement with the Village of Big Bend in the amount of \$1,100.00 and a per call charge of \$5.36. Motion carried without a negative vote.

*JUDICIAL* – Moved by O'Bryan, seconded by Odier, to approve operator's license for Angelina M. Dull, Tammy L. Graham, Carl W. Kniess, & Mari E. Silvestri. Motion carried without a negative vote. Moved by O'Bryan, seconded by Debe, to approve the application for temporary Class B Beer license to St. James School for November 21, 2003. Motion carried without a negative vote. Train whistle & Review of Plan Commission meeting night will remain in committee; items can be taken off the agenda and put on the February Board agenda.

*PERSONNEL* – National Appraisals Service will remain in committee.

*HEALTH & RECREATION* - Use of Fire Station #1 by community groups will remain in committee. Moved by Fennel, seconded by Coats, to approve Option #2 of the HAWS Contract for 2004, which will include 24-hour service. Motion carried without a negative vote. The garbage contract between Johns Disposal and the Village of Mukwonago has been referred to the Public Works Committee. Speeding in Miniwaukan Park has been resolved and the issue can be removed from the agenda. Letter from Karen Lange regarding park equipment for Miniwaukan Park has been handled in the budget and can be removed from the agenda. The Stewardship Local Assistance Program and the Comprehensive Outdoor Recreation Plan can be removed from the agenda until the park update is received.

*PUBLIC WORKS* – Moved by Fickau, seconded by Debe, to approve the Minors Homestead subdivision WE Energies work request of 20 Coach Lights, 150 watt on black poles. Option 'B' is selected for monthly facilities charge of \$150.87 and a monthly energy charge of \$90.00, per light. The developer is to pay the upfront cost of 10 years for the facility charge in the amount of \$18,104.40 and the energy charge to be paid by the Village. After the ten years the Village will then pay both the facility and energy charge. If the developer does not agree to this then the developer will have to install cobra lights. Motion carried without a negative vote.

Transportation Utility fee will remain in committee and should be taken off the agenda and put on when reports are completed. Moved by Fickau, seconded by O'Bryan, to place streetlights on Lake Street for hydrant and at the intersection of Lake Street & Spring Street. Motion carried without a negative vote. Moved by Fickau, seconded by O'Bryan, to not place a street light at the intersection of Bay Street and Spring Street. Motion carried on roll call vote of 4 ayes [Fickau, Coats, O'Bryan, & Wagner] and 3 nays. Item referred back to committee for other lighting alternatives.

*UTILITIES* – Excessive water usage cost at 1014 Main Street is the responsibility of the owner. The customer will pay penalty on utility bill at 1109 Rainbow Court. If check for utility bill for 1025 Mukwonago Drive is received showing a postmark date before the due date, the Village will refund the penalty charge. Moved by Fickau, seconded by Debe, to move the hydrant rental charge from the tax bill to the utility bill starting in 2004. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to accept the committee recommendation to approve the largest main be used for the Fox River View pump station. Motion carried without a negative vote. Storm water utility will remain in committee.

*PLANNING COMMISSION* – Moved by Fennel, seconded by Odier, to accept the Plan Commission recommendation to approve the Resolution 2003-33: **RELOCATION ORDER FOR THE PLANK ROAD PROJECT**. Motion carried without a negative vote.

*PROTECTIVE SERVICES* – Moved by Coats, seconded by Odier, to approve Resolution 2003-32: **A RESOLUTION AUTHORIZING THE MUKWONAGO FIRE DEPARTMENT TO IMPLEMENT A PARAMEDIC PROGRAM**. Motion carried on a vote of 5 ayes and 2 nays [Fickau & Debe voting 'no'].

**VILLAGE ENGINEER:** Moved by Debe, seconded by Fickau, to approve the storm water management plan for Continental Savings Bank. Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Declaration of restrictions for Minors Homestead is for information only. Town of East Troy boundary agreement will be held in closed session at the end of the December 2<sup>nd</sup> Village Board meeting. Attorney needs to meet with the Village Clerk and Village Engineer to go over the proposed special assessment for TID #3 and the Highway ES project. Moved by Fickau, seconded by Debe, to approve the Minor's Homestead letter of credit reduction to \$514,488.89. Motion carried without a negative vote.

**VILLAGE PRESIDENT:** Moved by Wagner, seconded by Fennel, to waive all fees for the remodeling of the McKenzie House. Work is to be performed by the High School Building Class. Motion carried without a negative vote. Letter from the Village Assessor Cappel was placed on file in the Village Clerk's Office.

**CORRESPONDENCE:** Moved by Fennel, seconded by Fickau, to approve the Time Warner permit for underground utilities for Ahrens Drive. Motion carried without a negative vote. Moved by Fickau, seconded by Odier, to approve the Time Warner permit for underground utilities for Fritz Way. Motion carried without a negative vote. Moved by Fickau, seconded by Odier, to approve the Centurytel permit for underground utilities for Holz Pkwy. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the Centurytel permit for underground utilities for Maple Avenue. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the WE Energies permit for underground utilities for West Side Avenue. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to approve the WE Energies permit for 142 Amanda Ct., 157 Amanda Ct.,

614 Stoecker Farm Ave., 618 Stoecker Farm Ave., 622 Stoecker Farm Ave., & 1338 Two Rivers Ct. Motion carried without a negative vote.

**NEW BUSINESS:** Police Dept is considered Child Safety Seat certified. They have gunlocks available from the Child Safety Group. Trustee Fickau said that there are still problems with the way the Kettle Moraine Advertiser is delivered. Referred to Health & Recreation Committee.

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

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

President Wagner called the special meeting of the Village Board to order on December 1, 2003 at 7:30 p.m. Special meeting is to hear public comments on the 2004 proposed budget and to adopt the resolutions setting the tax rates.

Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Library Director McBride, WWTP Supv Piquett, DPW Supv Brandemuehl, Police Chief Winchowky, Bldg Insp/Zoning Admin Hankovich, & Fire Chief Rolfe.

Public hearing on the 2004 proposed budget was opened at 7:30 p.m.

Dennis Behling, 943 Bay View Circle – Wanted to know what the reduction to the garbage contract was. Did the Village budget for a full time Attorney and Assessor? What was the savings? Why was the hydrant rental taken from the Taxroll to the Utility bill? Reply: Will not have a full time Assessor and we are still discussing a full time Attorney. Now the tax-exempt properties will pay toward hydrant rental which could run a residential property \$38.00 per quarter.

Sue Schewe, 450 Eastern Trail – Against the hydrant rental change. Does not favor a full time Assessor or Attorney. Wants garbage ordinance enforced. Wants basic services.

Ann Crump, 510 Two Rivers Drive – Complimented the Board on the work that they have done. We are the 6<sup>th</sup> highest in the Milwaukee Metro levy rate jump. We have to do better.

Ken Pileggi, 1234 Fox Street – What was the \$163,000 cut in the Protective Services budget? Reply: Protective Services is the biggest part of the pot. Cut was \$300,000 for hydrant rental so the Protective Services budget actually went up \$137,000.

K.C. Sommerfeld, 112 Small Farm Road – Are there any lay offs anticipated in this budget? Reply: Yes there could be, 2 or more positions.

Public hearing was closed at 7:58 p.m.

#### FINANCE COMMITTEE:

Moved by Odier, seconded by Coats, to approve Resolution 2003-32: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2004.** Motion carried on a vote of 6 ayes and 1 nay [Fickau voting 'no'].

Moved by Odier, seconded by Fennel, to approve Resolution 2003-33: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO; CAPITAL EQUIPMENT FUND FOR 2004.** Motion carried on a vote of 6 ayes and 1 nay [Fickau voting 'no'].

Moved by Odier, seconded by Fennel, to approve Resolution 2003-34: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO; RECYCLING FUND FOR 2004.** Motion carried on a vote of 6 ayes and 1 nay [Fickau voting 'no'].

Moved by Odier, seconded by Fickau, to approve Resolution 2003-35: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO; DEBT FUND FOR 2004.** Motion carried without a negative vote.

Moved by Odier, seconded by Debe, to approve Resolution 2003-36: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO; FIRE/AMBULANCE FUND FOR 2004.** Motion carried on a vote of 6 ayes and 1 nay [Fickau voting 'no'].

Moved by Odier, seconded by Fickau, to approve Resolution 2003-37: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO; LIBRARY FUND FOR 2004.** Motion carried without a negative vote.



Moved by Odier, seconded by Fickau, to approve Resolution 2003-38: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO; MUSEUM, WDF, AND PARKLAND FUNDS FOR 2004.** Motion carried without a negative vote.

Moved by Odier, seconded by Debe, to approve Resolution 2003-39: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO; ECONOMIC DEVELOPMENT FUND FOR 2004.** Motion carried on a vote of 6 ayes and 1 nay [Fickau voting 'no'].

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

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on December 2, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: DPW Supv Brandemuehl, Water Supv Walenczyk, WWTP Supv Piquett, Police Chief Winchowky, Fire Chief Rolfe, Engineer Peot, & Attorney Reilly.

President Wagner announced that the Village Board would adjourn into closed session pursuant to State Statute 19.85(1)(g).

Moved by Fickau, seconded by Coats, to approve the minutes of the November 18, 2003 as presented. Motion carried without a negative vote.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Odier, seconded by Fickau, to approve the following vouchers: Village \$17,563.85; Fire/Amb \$30,579.24; TID General \$30.00; TID S/W \$587,808.75; Recycling \$8,410.36; Capital \$424.11; Library \$11,027.32; Capital Impvts \$579.60; Water \$59,145.29; Sewer \$32,879.07; Taxroll \$36,105.00. Motion carried without a negative vote.

**PERSONNEL** – Moved by Debe, seconded by Coats, to accept the committee recommendation to approve the contract with National Appraisals Services contingent upon a favorable review by the Village Attorney. Contract is for two (2) years and the basic fee for 2004 is \$15,000 and 2005 is \$16,000. Clerk is to advertise for a part-time officer worker. Motion carried without a negative vote.

**UTILITIES** – Moved by Fickau, seconded by Debe, to recommend applying for a 20% water rate increase to the Public Service Commission. Motion carried without a negative vote. New budget items will remain in committee.

**PROTECTIVE SERVICES** – Alarm System will remain in committee. Moved by Coats, seconded by Debe, to approve, at no cost to the Village, the Joint Powers Agreement-911 County Emergency System with Waukesha County. Motion carried without a negative vote. Moved by Coats, seconded by Debe, to approve the new BLS [Basic Life Support] rate for resident at \$275.00 and non-resident at \$450.00 contingent upon approval from the Town of Mukwonago Board. Motion carried without a negative vote. Moved by Coats, seconded by Debe, to approve the Fire/Ambulance progressive pay scale, which will take effect January 1, 2004. Motion carried without a negative vote. Committee reviewed the Chief's statement that two employees may work 600 hours this year. Chief was told that he is to keep all members under the 600-hour mark. Fees for Fire Inspections, Mutual Aid Box Alarm, Paramedic Student Contract, and Paramedic Contract with Waukesha Memorial will remain in committee. The Fire Department has filled the Firefighter/Paramedic position and the candidate will begin work mid-December.

**VILLAGE ATTORNEY** – The Site Development Agreement and Sign Agreement with Home Depot will be placed on the December 16<sup>th</sup> agenda. The Attorney and Engineer have not received it in time to review the documents.

**VILLAGE PRESIDENT** – Moved by Fennel, seconded by Coats, to approve the temporary appointment of Trustee O'Bryan to the Utilities Committee. He will replace members who will be on vacation. Motion carried without a negative vote.

**CORRESPONDENCE** – Letter from Ruth Van Haitsma regarding development near the Mukwonago River was placed on file in the Clerk's Office.

**NEW BUSINESS** – Moved by Fickau, seconded by Fennel, to approve the WE Energies permits for 151 Amanda Court, 749 Small Farm Road, 621 & 625 Stoecker Farm Avenue. Motion carried without a negative vote.

Moved by Debe, seconded by O'Bryan, to adjourn into closed session at 8:03 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 – Town of East Troy's amendments to proposed boundary agreement. Motion carried unanimously upon roll call.

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

President Wagner called the meeting of the Village Board to order on December 16, 2003 at 7:30 p.m. Members present: FICKAU, FENNEL, O'BRYAN, DEBE, & WAGNER. Members Excused: COATS & ODIER. Also present: Library Director McBride, Police Chief Winchowky, Fire Chief Rolfe, DPW Supv Brandemuehl, Attorney Reilly, WWTP Supv Piquett, Water Supv Walenczyk, Engineer Peot, & Planner Kaniewski.

Public Hearing on the change of zoning from A-1 to R-3 for the Northeast corner of Wahl Ave and Park Place, Charles Dewey Trust, was opened at 7:31 p.m.

Alan Olson, 421 Wahl Avenue – Wanted to make the Board aware that these are all families that live in this area. Would like to see single family and not condos.

Fred Ramge, 124 Park Place – How many lots and I would prefer single family instead of duplexes or condos? Where would duplex be located on the property?

Cheryl Haske, 207 Field Street [property representative] – At this time I am not sure of what I want but I would like to put up one duplex or condo.

Karen Gale, 123 Park Place – I have a concern about the amount of cars coming out of the area. Would like to see it as single family.

Joseph Petted, 404 Wahl Avenue – I have a concern about dividing lot, one duplex would be fine but multi-family I have a concern with. Property is about 1 ½ acre in size. I also have a concern over the extension of Park Place to the north.

Public Hearing closed at 7:47 p.m.

Treasurer, Mileage, Police, Fire, and Library reports for November 2003 were placed on file in the Clerk's Office.

Moved by Debe, seconded by Fickau, to approve the minutes of the December 1 & 2, 2003 Board meetings as presented. Motion carried without a negative vote.

#### **COMMITTEE REPORTS:**

**FINANCE** – Moved by Fennel, seconded by Fickau, to approve the following vouchers: Village \$56,079.27; Fire/Amb \$8,705.59; TID General \$2,434.32; TID W/S \$60,079.87; Recycling \$29,393.05; Capital \$2,976.11; Library \$2,530.46; Capital Impvts \$1,914.82; 2001 GO \$3,556.27; Water \$20,077.13; Sewer \$54,842.99; Taxroll \$1,080.25. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to reduce the REC Impact Fee for Jerry Martens building by ½ to \$2,560.00. Motion carried on a vote of 3 ayes (Fickau, Fennel & Wagner) and 2 nays (O'Bryan & Debe). Moved by Debe, seconded by Fickau, to approve Resolution 2003-42: **A RESOLUTION AUTHORIZING THE BORROWING OF \$4,025,000; PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION PROMISSORY NOTES THEREFOR; AND LEVYING A TAX IN CONNECTION THEREWITH.** Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to approve Resolution 2003-43: **A RESOLUTION AUTHORIZING THE BORROWING OF \$1,620,000 AND PROVIDING FOR THE ISSUANCE AND SALE OF WATERWORKS SYSTEM AND SEWERAGE SYSTEM REVENUE BOND ANTICIPATION NOTES THEREFOR.** Motion carried without a negative vote. The license and permits fees will remain in committee.

**JUDICIAL** – Moved by O'Bryan, seconded by Fennel, to approve the operator's licenses for Rebecca A. Newbury and Kevin P. Ryder. Motion carried without a negative vote. Village Attorney is to draft amendments to the ordinance for new stop sign locations, converting property, and street parking in Minors Homestead Subdivision. The train whistles and review of Plan Commission meeting night will remain in committee.

**PERSONNEL** – Moved by Debe, seconded by O'Bryan, to adopt proposals for all non-represented employees for establishing benefits for the next two years. 1) creation of an hourly Assessor's Liaison position and outsource the main duties of the Assessor, 2) Village Attorney will stay as a contract hourly position, 3) non-represented and management will have the option to continue the Dental Blue coverage effective 12/31/03 but at their own expense, 4) expand the supplemental Life coverage through the State to cover spouses and children at the employee's expense, 5) non-represented employees will participate with a 5% health insurance premium sharing if elected, 6) Village will contribute \$720 for a family enrollee and \$360 for a single enrollee towards their AFLAC Section 125 account (There will be an optional participation up to \$2,500 total contribution cap and administration of the plan will be outsourced to AFLAC and paid by the Village), 7) hourly employees will earn a 2 ½% increase for both 2004 & 2005, 8) Flex time will be amended to a 3 hour work shift per weekend day and any hours worked after that will be at time and a half, 9) residency mileage will be changed to 15 miles for the non-represented employees. Motion carried without a negative vote. Wage and Salary Resolution for non-represented employees will be presented at the next meeting. The Village Attorney position can be removed from the agenda.

**HEALTH & RECREATION** – Discussion on use of Fire Station #1 by Community Groups will remain in committee.

**PUBLIC WORKS** – Garbage & Recycling contract between Johns Disposal and the Village of Mukwonago will be at the next committee meeting. Committee agrees with previous Village recommendation that if the Whispering Bay Condo Association wants streetlights now they would be responsible to pay the cost of installing them. Item to be left on the committee agenda. Streetlight at the intersection of Bay St and Spring St will remain in committee.

**UTILITY** – Moved by Fickau, seconded by Debe, to approve Resolution 2003-41: **A RESOLUTION ADOPTING THE 2004 SEWER BUDGET AND 2004 WATER UTILITY BUDGET.** Motion carried without a negative vote. New budget items for the Water Utility can be removed from the agenda. Storm Water Utility will remain in committee.

**PLAN COMMISSION** – Moved by Fennel, seconded by Debe, to accept the Planning Commission recommendation to approve the rezoning from M-1 to R-4 for Lot 25, Block 5 of Meadow Park Estates. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Planning Commission recommendation to adopt Ordinance 722: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO [Meadow Park Estates].** The Planning Commission did support the new layout for Hawks Ridge East and they will submit a development later for Board action. Moved by Fickau, seconded by Fennel, to accept the Planning Commission recommendation to approve The Orchards Subdivision Phasing Plan. Motion carried without a negative vote.

**PROTECTIVE SERVICES** – Moved by Debe, seconded by Fickau, to approve Resolution 2003-40: **A RESOLUTION TO FIX AMBULANCE FEES.** Motion carried without a negative vote.

**VILLAGE ATTORNEY:** Moved by Fennel, seconded by Debe, to approve the Developer's Agreement with Home Depot with the Village Attorney's recommendations that Home Depot is aware of the fact of the development of a Storm Water Utility District by the Village, and the signed documents are to be held by the Village until the document is sign by Mr. Greenwald and the Herriges. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to approve the signing of the Sign Agreement with Home Depot. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to authorize the signing of the Village Impact Fee Letter for the Home Depot Project and Mr. Greenwald. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the Waukesha Memorial Hospital

Medical Control Agreement to add that the service area includes land in Waukesha and Walworth Counties. Motion carried without a negative vote.

**CORRESPONDENCE:** Moved by Fickau, seconded by Fennel, to approve the signing of the WE-Energies permit for 119 MacArthur Drive. Motion carried without a negative vote.

Moved by Fickau, seconded by O'Bryan and carried to adjourn the meeting at 8:28 p.m.

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer