

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, January 7, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Dennis O'Bryan
Mike Sellenheim
Mark Penzkover
Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
John Wiedl, Village Administrator
Shawn Reilly, Village Attorney
Jake Bibis, Attorney
Dean Falkner, Utilities Director
Judith Taubert, Deputy Clerk

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Comments from the Public

None.

Consent Agenda

- A. Minutes for the December 17, 2013 Regular Meeting
- B. Approval of Vouchers Payable in the amount of \$256,446.85
- C. Granting of 2013-14 Operators License for Grace B. Hehring

Motion by Decker/Fickau to approve the Consent Agenda carried unanimously.

Unfinished Business

Appointment of Board of Building and Zoning Appeals 2nd Alternate
Item remains on the agenda.

New Business

Village Administrator
Resolution 2014-01

Motion by Decker/Johnson to adopt Resolution 2014-01: *A Resolution Correcting the 2014 Salary for the Supervisor of Inspections/Zoning Administrator* carried unanimously.

Village President
Proclamation

After President Winchowky read the proclamation into record, motion by Sellenheim/Decker to endorse the proclamation recognizing January 13-17, 2014 as Adult School Crossing Guard Recognition Week carried unanimously.

Closed Session

Motion by Penzkover/Winchowky to convene into closed session at 6:38 p.m. pursuant to Wisconsin Statute **§19.85(1)(e)** to discuss positions to be taken as to the Village of Mukwonago STH 83 Jurisdictional Transfer Agreement carried unanimously upon roll call vote.

Discussion held in closed session. Motion by Winchowky/Decker to adjourn closed session and reconvene to open session at 8:49 p.m. pursuant to Wis. Stats. 19.85 (2) carried unanimously.

Motion by Winchowky/Johnson to direct the Village Administration to pursue the items as discussed in closed session carried unanimously.

Adjournment

Motion by Decker/Johnson to adjourn the Village Board meeting at 7:34 p.m. carried unanimously.

Respectfully Submitted,

Judith A. Taubert
Deputy Clerk

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, January 21, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Mike Sellenheim
Fred Winchowky, Village President

Trustee absent: Dennis O'Bryan

Also present: Jeff Stien, Fire Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Shawn Reilly, Village Attorney
Dean Falkner, Utilities Director
Kevin Schmidt, Police Chief
Bruce Kaniewski, Village Planner
Kurt Peot, Village Engineer
Ron Bittner, DPW Crew Supervisor/Coordinator
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Reports

President Winchowky noted the 2013 December Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Consent Agenda

- A. Approval of minutes for the January 7 Regular Village Board meeting
- B. Approval of Vouchers Payable in the amount of \$3,125,765.37
- C. Granting of 2014 Temporary Class B Beer Licenses to Knights of Columbus on February 22, 2014 for the property located at 830 County Road NN East, St James Activity Center

Motion by Decker/Johnson to approve the Consent Agenda carried unanimously.

Unfinished Business

Village President appointment of Board of Building and Zoning Appeals 2nd Alternate
Item remains on the agenda.

Committee/Commission Reports

Plan Commission

240 Maple Avenue Certified Survey Map

Motion by Sellenheim/Penzkover to accept the Plan Commission recommendation and approve the certified survey map for the property located at 240 Maple Avenue, Tax Key Nos. MUKV2016993 and MUKV2016993001 subject to the conditions and approvals of the Village Staff as mentioned in the letter from the Village Engineer dated January 6, 2014 carried unanimously.

525 Oakland Ave. and 529 Oakland Ave. Certified Survey Map

Motion by Sellenheim/Decker to accept the Plan Commission recommendation and approve the certified survey map for the properties located at 525 Oakland Ave. and 529 Oakland Ave., Tax Key Nos. MUKV1973244 and MUKV1973245 carried unanimously subject to the following conditions:

1. Grant waivers to Chapter 45, Land Division Ordinance of the Municipal Code to allow access to an unimproved right-of-way, a lot frontage less than 100 feet (Lot 2) and not require building lines, additional yards or lands to be reserved, to be shown on the map.
2. Village officials shall not sign the CSM until the Village Engineer certifies revisions have been made according to comments 1, 2, 3 in the letter dated December 28, 2013.

N9200 CTH ES Extraterritorial Certified Survey Map

Motion by Sellenheim/Decker to accept the Plan Commission recommendation and approve the extraterritorial certified survey map for the property located at N9200 CTH ES in the Town of East Troy, Tax Key No. #PA137900001 carried unanimously subject to the following conditions:

1. Prior to recording of the CSM, the Village shall review and approve of all revisions.
2. Prior to recording of the CSM, Walworth County shall approve all technical revisions requested by other reviewing agencies.

W298S10725 Phantom Woods Rd. Extraterritorial Certified Survey Map

Motion by Sellenheim/Johnson to accept the Plan Commission recommendation and approve the extraterritorial certified survey map for the property located at W298S10725 Phantom Woods Rd. in the Town of Mukwonago, Tax Key Nos. MUKT2005237 and MUKT2011005001 subject to approval by the Town of Mukwonago and the Village of Mukwonago receiving copies of that approval carried unanimously.

Protective Services Committee

Emergency Operations Plan Amendments

Motion by Fickau/Decker to adopt the Emergency Operations Plan Amendments carried unanimously. The Town of Mukwonago already adopted the amendments.

Fire Department Strategic Plan

The Fire Department informed the Committee that there is a departmental strategic plan. Information only. No action taken.

Update on Potential Consolidation with North Prairie and Eagle Fire Departments

The Committee determined that at this time, it is not in the best interest of the Town or Village of Mukwonago to explore consolidation. Information only. No action taken.

Consideration of intercept agreement with Rochester Fire Department

Information only. No action taken.

Fire Call charges discount Request

Motion by Fickau/Decker to authorize the Town Administrator/Clerk/Treasurer to send a letter to Progressive Insurance denying their request for a discount to Fire Call charges for Account #MFD0000469501 carried unanimously.

Public Works Committee

Proposal by Payne and Dolan for utility adjustments in The Orchards of Mukwonago and Fox River View subdivisions

Item remains in Committee.

Request by Greg Aprahamian, 809 Main Street, to reduce of sewer portion of utility bill

Item remains in Committee.

Proposal by Harmony Homes regarding trees for Fox River View Subdivision and Edgewood Meadows Condominium Development

Item remains in Committee.

Minor Estates Add. #3 update

Item remains in Committee.

River Park Lift Station Generator

Item remains in Committee.

Change Order for Well #7 Project

Item remains in Committee.

AT&T lease agreement

Motion by Penzkover/Fickau to decline the offer by AT&T to modify the lease agreement for the communications facility located at 981 Greenwald Ct. carried unanimously.

Municipal Environmental Group – Water Division

Motion by Penzkover/Decker to authorize Village membership of the Municipal Environmental Group – Water Division carried unanimously.

Honeywell Road/Stone School Road Resurfacing Project

Motion by Penzkover/Sellenheim to approve the Honeywell Road/Stone School Road Resurfacing Project closeout change order with a deduction of \$31,530.90 from the original contract price carried unanimously.

Field Park Storm Water Pond Project

Motion by Penzkover/Decker to award the bid for the Field Park Storm Water Pond Project to Bradford Contractors, LLC in the amount of \$98,355.00 carried unanimously.

Utility staff performing construction related services

No action taken.

WDNR Permit Application

Motion by Penzkover/Decker to authorize the Village President to sign the WDNR Permit Application carried unanimously.

Well #7

Motion by Penzkover/Decker to approve the easement with We Energies for the installation of an electrical feed to Well #7 contingent upon the Village gaining ownership of the property and legal review carried unanimously.

New Business

Village Administrator

Presentation of 2014-16 Strategic Plan Directions by UWEX

Steve Chmielewski, Community Educator from UW-Extension, gave a presentation on the outcomes of the strategic planning sessions that were held in 2013, which brought all village board and department heads/staff together for the first time in collective memory to help identify and build consensus around the strategic issues the Village is facing, as well as to identify and prioritize objectives to provide direction in helping to resolve them. No action taken.

Presentation of study findings by Redevelopment Resources

Deb Ersland, Redevelopment Resources, gave a presentation on the market strategies study. The purpose of this report is to provide the Village of Mukwonago and their stakeholders with objective information to guide business development efforts in Mukwonago and its business districts. This study assembled current market information to support business retention, expansion and recruitment efforts, and specific market strategies that will better support Mukwonago's goal of Economic Development. Item will remain on the agenda so Trustees have the opportunity to read the report and respond with feedback.

Village Clerk

Election Inspectors Appointments

Motion by Decker/Penzkover to appoint Kathy Bourget and Elizabeth Heitmann as Election Inspectors for the 2014-15 term carried unanimously.

Adjournment

Motion by Decker/Penzkover to adjourn the Village Board meeting at 7:55 p.m. carried unanimously.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, February 4, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m.

Roll Call

Trustees present: Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Trustee absent: Arnold Fickau

Also present: Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Shawn Reilly, Village Attorney
Ron Bittner, DPW Crew Supervisor/Coordinator
Joe Hankovich, Supervisor of Inspections/Zoning Administrator
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of Closed Session

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wisconsin Statutes **§19.85(1)(g)** to discuss positions to be taken as to costs to complete public improvements related to Minor's Homestead Addition #2 and Minor's Homestead Addition #3.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the January 21 Regular Village Board meeting
- B. Approval of Vouchers Payable in the amount of \$312,065.30
- C. Granting of 2013-14 Operators Licenses to Heather E. Berghammer, John P. Martinez, and Kelsey M. Zajichek
- D. Granting of 2014 Temporary Class B Beer and Wine Licenses to Knights of Columbus on March 15, 2014 for the property located at 830 County Road NN East, St James Activity Center

Motion by Decker/Johnson to approve the Consent Agenda carried unanimously.

Unfinished Business

Village President appointment of Board of Building and Zoning Appeals 2nd Alternate
Item will remain in the agenda.

Consideration of study findings by Redevelopment Resources

Discussion only. The Administrator will present an economic development program to the Personnel Committee and the funding to the Finance Committee.

Committee/Commission Reports

Finance Committee

Special Assessment

Motion by Decker/Johnson accept the request by James Lenz and allow a reduction in the special assessment interest for the properties located at 460 and 470 Eagle Lake Avenue, known as MUKV1974981 and MUKV1974982 to be calculated from 1/1/2000 to the date of sale contingent upon a signed, accepted agreement with the Zoning Administrator to hook up to Village water and sewer carried unanimously.

Closed Session

Motion by Decker/Johnson to convene into closed session at 7:13 p.m. pursuant to Wisconsin Statute **§19.85(1)(g)** to discuss positions to be taken as to costs to complete public improvements related to Minor's Homestead Addition #2 and Minor's Homestead Addition #3 carried unanimously upon roll call vote.

Discussion held in closed session. Motion by Johnson/Penzkover to adjourn closed session and reconvene to open session at 7:39 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session carried unanimously. Motion Decker/Penzkover by to direct Village Attorney and Administrator to proceed as discussed in closed session.

Adjournment

Motion by Decker/Penzkover to adjourn the Village Board meeting at 7:40 p.m. carried unanimously.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, February 18, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m.

Roll Call

Trustees present: Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Trustee excused: Arnold Fickau

Also present: John Weidl, Village Administrator
Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
Jake Bibis, Village Attorney Assistant
Dean Falkner, Utilities Director
Joe Hankovich, Supervisor of Inspections/Zoning Administrator
Bruce Kaniewski, Village Planner
Kurt Peot, Village Engineer
Ron Bittner, DPW Crew Supervisor/Coordinator
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of Closed Session

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wisconsin Statutes **§19.85(1)(c)** to review and discuss the performance evaluation of the Village Administrator.

Reports

President Winchowky noted the 2014 January Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

April Reszka, Mukwonago Area Chamber of Commerce – The Chamber of Commerce is the key partner in economic development, but does not have the resources nor the authority to act as the economic development manager. Shared a letter from May 21, 2004, from Katie Pierce, Espresso Love Coffee, asking the Board at that time to look into the issues of municipal lot signs being incorrect and not visible, the downtown needing a branding image, improvement of municipal lot surfaces, pedestrian walkways crossing STH 83 being dangerous, the need for incentive to improve upkeep of buildings, and involvement of retail leaseholders and not just landlords. These are all concerns the Village has only recently

looked into. Urged the Board to approve the intern position to assist the Village and Chamber in economic development needs.

Consent Agenda

- A. Approval of minutes for the February 4, 2014 Regular Village Board meeting
- B. Approval of Vouchers Payable in the amount of \$3,921,009.44
- C. Granting of 2013-14 Operators License to Elizabeth A. Jacobs

Motion by Decker/Johnson to approve the Consent Agenda carried unanimously.

Unfinished Business

Village President Appointment

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Don Fischer to the office of Board of Building and Zoning Appeals 2nd Alternate carried unanimously.

Committee/Commission Reports

Finance Committee

Resolution 2014-02

Motion by Johnson/Decker to adopt Resolution 2014-02: A Resolution amending the 2013 adopted budgets for General, Fire, Wisconsin Development, Debt Service, Village Designated, Library, Capital Improvement, Impact Fees, And Parkland Site Funds carried unanimously.

Mukwonago River shoreline restoration project

Motion by Johnson/Decker to authorize the Village to act as the agent to receive grant funds from the SEWFRC to pay the contractor for the Mukwonago River shoreline restoration project carried unanimously.

Health and Recreation Committee

5K Thank You Run event for Wounded Warriors Project

Motion by Sellenheim/Decker to approve the Plan of Operation and use of Miniwaukan Park for 5K Thank You Run event for Wounded Warriors Project to be held on September 14, 2014 carried unanimously.

Badger State Outboard Association boat race event

Motion by Sellenheim/Decker to approve the Plan of Operation and use of Phantom Glen Park for Badger State Outboard Association boat race event to be held on June 6-8, 2014 carried unanimously.

Students Against Violence (SAVE) color run event

Motion by Sellenheim/Decker to approve the Plan of Operation for Students Against Violence (SAVE) color run event to be held on May 3, 2014 carried unanimously.

2014 Mukwonago Area Chamber of Commerce Farmers Market

Motion by Sellenheim/Decker to approve the Plan of Operation and use of Field Park for 2014 Mukwonago Area Chamber of Commerce Farmers Market carried unanimously.

Plan Commission

Developers Agreement with Waukesha Memorial Hospital

Motion by Sellenheim/Penzkover to accept the Plan Commission recommendation and approve the amendment to the Developers Agreement with Waukesha Memorial Hospital carried unanimously.

Well #7 quit claim deed and lease and easement agreement

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the quit claim deed and lease and easement agreement with Glen and Lisa Caine for the purpose of obtaining land for Well #7 carried unanimously.

Public Works Committee

809 Main Street utility bill

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and approve the request by Greg Aprahamian to reduce the sewer portion of utility bill in the amount \$1,832.00 due to leak for the property located at 809 Main Street carried unanimously.

New Business

Village Administrator

Economic Development Director and Intern

Motion made by Penzkover/Sellenheim to approve the position descriptions for the Economic Development Intern not to exceed \$15/hour and 1,000 per year and authorize the Village Administrator to fill the position carried unanimously. Motion made by Penzkover/Sellenheim to authorize the Finance Director to fund the Economic Development Intern as presented carried unanimously.

Village Engineer

CTH NN Multi-use Trail Project

Motion by Decker/Johnson to approve Change Order #2 for the CTH NN Multi-use Trail Project in the amount of \$4,578.23 reduction carried unanimously.

Pro Health Care expansion development

Motion by Decker/Penzkover to approve the erosion control plan for the Pro Health Care expansion development reduction carried unanimously.

Closed Session

Motion by Decker/Penzkover to convene into closed session at 7:20 p.m. pursuant to Wisconsin Statute **§19.85(1)(c)** (*Considering... Performance Evaluation Data of Any Public Employee Over Which the Governmental Body Has Jurisdiction or Exercises Responsibility*) to review and discuss the performance evaluation of the Village Administrator carried unanimously upon roll call vote.

Discussion held in closed session. Motion by Penzkover/Decker to adjourn closed session and reconvene to open session at 8:35 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session carried unanimously. There will be a special Personnel Committee meeting on February 25, 2014, at 4:00 p.m.

Adjournment

Motion by Decker/Penzkover to adjourn the Village Board meeting at 8:36 p.m. carried unanimously.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, March 4, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m.

Roll Call

Trustees present: Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Trustee excused: Arnold Fickau

Also present: Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
Jeff Stien, Fire Chief
Shawn Reilly, Village Attorney
Jake Bibis, Village Attorney Assistant
Dean Falkner, Utilities Director
Ron Bittner, DPW Crew Supervisor/Coordinator
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the February 18 Regular Village Board meeting
- B. Approval of Vouchers Payable in the amount of \$356,422.35
- C. Granting of 2013-14 Operators Licenses to Lesley A. Van Horn and April L. Wachal
- D. Granting of 2014 Temporary Class B Beer Licenses to American Legion Post #375 on June 7-8, July 19-20, August 16-17, and September 13-14, 2014 for the property located at 933 N. Rochester St., Pavilion

Motion by Decker/Johnson to approve the Consent Agenda carried unanimously.

Committee/Commission Reports

Finance Committee

Consideration of claim for unlawful taxes assessed to Jacob Jansky for the property located at 1534 Whitetail Run, Tax Key #MUKV2091050
Item will remain at Committee.

Resolution 2014-03

Motion by Finance Committee/Decker to adopt Resolution 2014-03: *A Resolution to Amend the 2014 Schedule of Fees for the Village of Mukwonago Pertaining to Building Permit Fees* carried on a vote of 5 ayes and 1 nay (Johnson voted no).

Health and Recreation Committee

Kirkpatrick fundraiser event

Motion made by Sellenheim/Decker to approve the Plan of Operation and use of Field Park for the Jackson Lee Kirkpatrick Memorial Benefit event to be held on July 26, 2014 and waive the park usage fees contingent upon: 1) the satisfactory approval of the DPW regarding set up and take down of event items; and 2) a copy of proof of insurance provided to the clerk treasurer's office. Motion carried unanimously.

Protective Services Committee

ACT 102 funds

Motion by Penzkover/O'Bryan to authorize the Fire Department to use \$5,800.00 from the ACT 102 funds for upcoming Critical Care Training contingent upon a similar approval by the Town of Mukwonago carried unanimously.

Sale of old CPR mannequins

Motion by Penzkover/O'Bryan to authorize the Fire Department to use the revenue from the sale of old CPR mannequins toward purchase of additional Class A uniforms contingent upon a similar approval by the Town of Mukwonago carried unanimously.

2013 Fire Department settlement due to the Village

Motion made by Penzkover/Decker to authorize the retention of the 2013 Fire Department settlement due to the Village in the Fire Department Fund reserves contingent upon a similar approval by the Town of Mukwonago. In the event the Town of Mukwonago does not approve, the monies shall be retained in the Fire Department Designated Fund reserves. Motion carried unanimously.

New Business

Village President

Schedule Special Village Board Meeting

A special Village Board meeting will be scheduled for Tuesday, March 11, at 5:00 p.m.

Adjournment

Motion by Decker/Sellenhim to adjourn the Village Board meeting at 6:50 p.m. carried unanimously.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING Tuesday, March 11, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 5:15 p.m.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Bruce Kaniewski, Village Planner
John Weidl, Village Administrator
Jeff Belongia, Financial Advisor
Diana Doherty, Finance Director
Kurt Peot, Village Engineer
Joe Hankovich, Supervisor of Inspections/Zoning Administrator
Dean Falkner, Utilities/Public Works Director
Steven Braatz, Jr., Clerk-Treasurer

Closed Session

Motion by Decker/Johnson to convene into closed session at 5:16 p.m. pursuant to Wisconsin Statute **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss the possibility of the purchase of property and to discuss possible negotiation strategies pertaining to the relocation of Lynch-Horter from 915 Main St. to TID #3 and consideration of the purchase of property within TID #3 for the construction of a right-of-way for the purposes of a second industrial park carried unanimously upon roll call vote.

Discussion held in closed session. Motion by Decker/Penzkover to adjourn closed session and reconvene to open session at 6:25 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session carried unanimously.

Motion by Penzkover/Decker to authorize staff to create a draft of the following documents for further review as discussed in closed session carried unanimously:

1. Offer to Sell Property from Horter/Lynch LLC to the Village of Mukwonago
2. Modifications to the existing letter of intent with the Greenwald Family Limited Partnership
3. Offer to Purchase property for the purposes of a right-of-way within TID #3
4. TID #3 amendment

Adjournment

Motion by Decker/Johnson to adjourn the Village Board meeting at 6:27 p.m. carried unanimously.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, March 18, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m.

Roll Call

Trustees present: Arnold Fickau
 Jim Decker
 Darlene Johnson
 Mark Penzkover
 Dennis O'Bryan
 Mike Sellenheim
 Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
 Jeff Belongia, Financial Advisor
 Diana Doherty, Finance Director
 Violet Razo, Village Engineer
 Dean Falkner, Utilities Director
 Bruce Kaniewski, Village Planner
 Ron Bittner, DPW Crew Supervisor/Coordinator
 Jeff Stien, Fire Chief
 Joe Hankovich, Supervisor of Inspections/Zoning Administrator
 Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed sessions

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wisconsin Statutes **§19.85(1)(e)** to review and finalize the offer to sell property from Horter/Lynch LLC to the Village of Mukwonago, modifications to the existing letter of intent with the Greenwald Family Limited Partnership, offer to purchase property for the purposes of a right-of-way within TID #3 and pursuant to Wis. Stats. **§19.85(1)(c)** to review and discuss the performance evaluation of the Village Administrator.

Reports

President Winchowky noted the 2014 February Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office. Motion by Penzkover/Fickau to accept the 2013 Annual Fire Department Report carried unanimously.

Presentation of plaque to retired Reserve Officer Craig Turner

Chief Schmidt presented a plaque in dedication of the 20 years of service as a Village of Mukwonago Police Reserve.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the March 4, 2014 Regular Village Board meeting and March 11 Special Village Board meeting
- B. Approval of Vouchers Payable in the amount of \$205,028.82
- C. Granting of 2013-14 Operators License to Jennifer C. Hansen

Motion by Decker/Johnson to approve the Consent Agenda carried unanimously.

Committee/Commission Reports

Finance Committee

Resolution 2014-04

Motion by Johnson/Decker to adopt Resolution 2014-04: *A Resolution Acknowledging a Palpable Error in the 2013 Assessment Roll and Requesting a Charge-Back of Taxes for the Property Known as MUKV2091050* carried unanimously.

Resolution 2014-05

Motion by Johnson/Decker to adopt Resolution 2014-05: *Resolution Approving the Bail Bond Schedule as Set by the Municipal Judge of the Village of Mukwonago* carried unanimously.

Resolution 2014-06

Motion by Johnson/Decker to adopt Resolution 2014-06: *Initial Resolution Regarding Industrial Development Revenue Bond Financing for Gearbox Express, LLC Project* carried unanimously upon roll call vote.

Resolution 2014-07

Motion by Johnson/Decker to adopt Resolution 2014-07: *A Resolution Approving the Debt Management Policy* carried unanimously.

Resolution 2014-08

Motion by Johnson/Decker to adopt Resolution 2014-08: *A Resolution Amending the 2013 Adopted Budgets for Fire/Ambulance and Fire/Ambulance Designated Funds* carried unanimously.

Plan Commission

Resolution 2014-09

Motion by Sellenheim/Johnson to accept the Plan Commission recommendation and adopt Resolution 2014-09: *Conditional Use Permit for the Operation of a Vacuuming Service, Carl Goede, Rivers Edge Car Wash, 809 South Rochester Street, MUKV2009978004* carried unanimously.

Minor's Estates

Motion by Decker/Sellenheim to accept the Plan Commission recommendation and approve the request to allow an extension to the consideration of the Preliminary Plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I through April 16, 2014 carried unanimously.

Protective Services Committee

Tom and Stacey Winters ambulance bill

Motion made by Fickau/Decker to deny the request by Tom and Stacey Winters to waive the out-of-network charge on ambulance bill. The reason for the denial is the request does not fall within the guidelines of the Fire Department Charity Care Policy. This action is contingent upon a similar motion by the Town of Mukwonago. Motion carried unanimously.

Act 102 funds

Motion made by Fickau/Decker to authorize the use of Act 102 funds in an amount not to exceed \$2,600 for Mukwonago Fire Department Critical Care Training. This action is contingent upon a similar motion by the Town of Mukwonago. Motion carried unanimously.

New Business

Village Engineer

Consideration of Request by Deb Tio, Harmony Homes, to accept the final lift of pavement in the Fox River View and Edgewood Meadows Condominium subdivisions

Item referred to Public Works Committee.

Village President

Appointment of Village representatives to Tax Incremental District Joint Review Board

Item will remain on the agenda.

Consideration of possible replacement of Village Attorney

Item referred to Personnel Committee.

April 1, 2014 Village Board meeting

Motion by Penzkover/Decker to cancel the April 1, 2014 Village Board meeting due to election carried unanimously.

Closed Session

Motion by Decker/Penzkover to convene into closed session at 7:10 p.m. pursuant to Wisconsin Statute **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to review and finalize the offer to sell property from Horter/Lynch LLC to the Village of Mukwonago, modifications to the existing letter of intent with the Greenwald Family Limited Partnership, offer to purchase property for the purposes of a right-of-way within TID #3 and pursuant to Wisconsin Statute **§19.85(1)(c)** (*Considering... Performance Evaluation Data of Any Public Employee Over Which the Governmental Body Has Jurisdiction or Exercises Responsibility*) to review and discuss the performance evaluation of the Village Administrator carried unanimously upon roll call vote.

Discussion held in closed session. Motion by O'Bryan/Penzkover to adjourn closed session and reconvene to open session at 9:12 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session carried unanimously.

Motion by Penzkover/Decker to authorize the Village President to execute the following documents carried unanimously:

1. Offer to sell property from Horter/Lynch LLC to the Village of Mukwonago
2. Letter of intent with the Greenwald Family Limited Partnership
3. Offer to purchase property for the purposes of construction of a right-of-way within TID #3

Motion by O'Bryan/Decker to approve the compensation recommendation for the Village Administrator based on the performance evaluation with the dollar amount indicated in the document and commencing on 3/18/14 carried unanimously.

Adjournment

Motion by Decker/Johnson to adjourn the Village Board meeting at 9:30 p.m. carried unanimously.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING Tuesday, April 8, 2014

Call to Order

Village President Fred Winchowky called the special meeting to order at 5:37 p.m.

Roll Call

Trustees present: Arnold Fickau
 Jim Decker
 Darlene Johnson
 Mark Penzkover
 Fred Winchowky, Village President

Trustee excused: Dennis O'Bryan
 Mike Sellenheim

Also present: John Weidl, Administrator
 Diana Doherty, Finance Director
 Rob Buikema, Labor Attorney
 Steven Braatz, Jr., Clerk-Treasurer

Closed Session

Motion by Decker/Penzkover to convene into closed session at 5:38 p.m. pursuant to Wisconsin Statute **§19.85(1)(g)** (*Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) to consult with legal counsel regarding potential litigation involving a former Department of Public Works Crewman workers compensation claim carried unanimously upon roll call vote.

Discussion held in closed session. Motion by Decker/Penzkover to adjourn closed session and reconvene to open session at 6:17 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session carried unanimously.

Motion by Decker/Penzkover to direct staff to create a plan to pay for a potential settlement involving a former Department of Public Works Crewman workers compensation claim, including the possibility of a referendum, cuts to services, potential layoffs, employee benefits, and any other possible options carried unanimously.

Motion by Decker/Penzkover to authorize an amount not to exceed \$15,000 to have the labor attorney proceed with work towards a resolution involving a former Department of Public Works Crewman workers compensation claim and recouping of the costs carried unanimously.

Adjournment

Motion by Decker/Johnson to adjourn the Village Board meeting at 6:19 p.m. carried unanimously.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, April 15, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Mike Sellenheim
Fred Winchowky, Village President

Trustee Excused: Dennis O'Bryan

Also present: Andy Wegner, Deputy Fire Chief
Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Bruce Kaniewski, Village Planner
Ron Bittner, DPW Crew Supervisor/Coordinator
Steve LaDue, Village Police Lieutenant
Ken Pileggi, Village Police Lieutenant
Dan Streit, Village Police Sergeant
Chet Wilson, Village Police Officer
John Schubel, Village Police Officer
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed sessions

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stats. **§19.85(1)(e)** to review and finalize the offer to sell property from Horter/Lynch LLC to the Village of Mukwonago and pursuant to Wis. Stats. **§19.85(1)(c)** to review and discuss an amendment to the employee contract of the Utilities Director.

VFW Presentation of 2013 Officer of the Year Award

Jim Parr, VFW Post #7221, presented the Officer of the Year Award to Officer Chet Wilson.

Reports

President Winchowky noted the 2014 March Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Marilyn McCarthy, S108W27690 Maple Ave. – Not in favor of the GEITS gasification facility. Concerned about the amount of trucks on a daily basis and property values declining.

Jim McCarthy, S108W27690 Maple Ave. – Not in favor of the GEITS gasification facility. Concerned about property values declining. Does not believe this is the right location. It is very close to the farm. Talked to others and no one is in favor.

Consent Agenda

- A. Approval of Minutes for the March 18, 2014 regular meeting and the April 8, 2014 special meeting
- B. Approval of Vouchers Payable in the amount of \$743,331.80
- C. Granting of 2013-14 Operators Licenses to Jami E. Condon and Amber M. Kaehler
- D. Approval of 2013 Applications for Temporary Class B Beer Licenses for Mukwonago Lions Club on June 12-15, 2014
- E. Adoption of **Resolution 2014-10**: A Resolution Designating Public Depositories and Authorizing Withdrawal of the Village of Mukwonago Monies

Motion by Decker/Johnson to approve the Consent Agenda carried unanimously.

Committee/Commission Reports

Finance Committee

Resolution 2014-11

Motion by Johnson/Decker to adopt **Resolution 2014-11**: *A Resolution Amending the 2014 Adopted Budgets for Library and Library Building Funds* carried unanimously.

Judicial Committee

2013-14 Operator's License for Ashley S. Hoover

Motion by Decker/Johnson to uphold the Judicial Committee decision to deny the 2013-14 Operator's License for Ashley S. Hoover for the reason of omitted offense on the application carried unanimously.

Half-Time Sports Grille

Motion by Decker/Johnson to approve the request by Mark Weiss, Half-Time Sports Grille, for an exception to Sec. 6-39 of the Municipal Code to allow an extension of the 120-day discontinuance law until April 30, 2014 due to construction-related issues carried unanimously.

Plan Commission

Fox River View and Edgewood Meadows Condominiums Subdivisions developers agreement amendment

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the developers agreement amendment for Fox River View and Edgewood Meadows Condominiums Subdivisions pending the Village Attorney's recommended changes carried unanimously.

W299S10560 Phantom Woods Rd. extraterritorial certified survey map

Motion by Penzkover/Sellenheim to accept the Plan Commission recommendation and approve the extraterritorial certified survey map for the property located at W299S10560 Phantom Woods Rd. in the Town of Mukwonago carried unanimously contingent upon the following modification:

1. Section 45-94 (9)...contour line lying at a vertical distance of two feet above the elevation of the 100-year recurrence interval flood...

GEITS GROUP proposed gasification plant

The Plan Commission was in favor of allowing GEITS GROUP to proceed with further approvals of a proposed gasification waste-to-energy plant to be located in the future industrial park on STH 83 south of I43. Information only. No action taken.

Protective Services Committee

Computer hosting agreement between the Village of Mukwonago Police Department and the City of Muskego Police Department

Motion by Decker/Sellenheim to approve the computer hosting agreement between the Village of Mukwonago Police Department and the City of Muskego Police Department carried unanimously.

Discuss possible study or internal evaluation on future implementation of the joint fire department and possible contractual agreements between the Village and Town

Item remains in Committee.

Request to use \$2,000 of the \$3,500.00 CN billing monies for Class A uniform purchases

Item died in Committee.

Public Works Committee

201 Pearl Avenue Utility Bill

Motion by Penzkover/Decker to deny the request by Rebecca Pochert for credit to water and sewer charges for the property located at 201 Pearl Avenue due to high usage carried unanimously.

Fox River View and Edgewood Meadows Condominium subdivisions

Motion by Penzkover/Decker to deny the request by Deb Tio, Harmony Homes, to accept the final lift of pavement in the Fox River View and Edgewood Meadows Condominium subdivisions until such time as it is deemed acceptable by the Village Engineer and Department of Public Works carried unanimously.

Frozen water services

Motion by Penzkover/Decker to approve compensation to utility bill customers located at 490 Cedar Pl., 500 Cedar Pl., and 617 N. Rochester St. in the amount of \$21.70 each for excess consumption due to Utility Department request to run water to prevent frozen water services carried unanimously.

New Business

Village Administrator

Motion by Decker/Fickau to authorize the Village Administrator to issue notifications to the sellers in the Lynch and/or Greenwald Family Limited Partnership real estate actions to terminate either of those transactions in the event the contingencies to those transactions are not satisfied, in the Administrator's discretion carried unanimously.

Village Clerk

2014 New Municipal Officials Workshop and Regional Dinner Meeting with the League of Wisconsin Municipalities

Information only.

Village President

Proclamations

After President Winchowky read the proclamation into record, motion by Johnson/Decker to endorse the proclamation recognizing the week of April 13 through April 19, 2014 as National Public Safety Telecommunications Week carried unanimously.

After President Winchowky read the proclamation into record, motion by Johnson/Decker to endorse the proclamation recognizing the week of May 4 through May 10, 2014 as Municipal Clerks Week carried unanimously.

2014 Appointments

Item will remain on the agenda.

Set Date of Village Board Workshop

No meeting set at this time.

Closed Session

Motion by Decker/Penzkover to convene into closed session at 7:25 p.m. pursuant to Wisc. Stat. §19.85(1)(e) (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to review and finalize the offer to sell property from Horter/Lynch LLC to the Village of Mukwonago and pursuant to Wis. Stat. §19.85(1)(c) (*Considering... Performance Evaluation Data of Any Public Employee Over Which the Governmental Body Has Jurisdiction or Exercises Responsibility*) to review and discuss an amendment to the employee contract of the Utilities Director carried unanimously upon roll call vote. Discussion held in closed session. Motion by Decker/Johnson to adjourn closed session and reconvene to open session pursuant to Wis. Stats. §19.85(2) at 7:58 p.m. carried unanimously.

Motion by Penzkover/Decker to authorize the Village President to sign the amendment to the offer to sell property from Horter/Lynch LLC to the Village of Mukwonago carried unanimously.

Motion by Johnson/Decker to approve the amendment to the employment contract with Dean Falkner as discussed in closed session carried unanimously.

Adjournment

Motion by Decker/Fickau to adjourn the Village Board meeting at 8:00 p.m. carried unanimously.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, May 6, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
Dean Falkner, Public Works/Utilities Director
Ron Bittner, DPW Crew Supervisor/Coordinator
Steve LaDue, Village Police Lieutenant
Ken Pileggi, Village Police Lieutenant
Dan Streit, Village Police Sergeant
Chet Wilson, Village Police Officer
John Schubel, Village Police Officer
Joe Petted, Village Police Officer
Eric Nelson, Village Police Officer
Bob Melo, Village Police Officer
Rebecca J, Village Police Officer
Gary Walters, Village Reserve Police Officer
Tracy Tipton, Village Clerk/Dispatcher
Debbie Zaeske, Village Clerk/Dispatcher
Eric Schmidt, Town Police Sergeant
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Police Chief letters of commendation

Police Chief Schmidt presented a letter of commendation to Village Clerk/Dispatcher Brenda DiMaggio for her observance of two suspicious individuals on January 20, 2014 which led to her contacting the Police Department on January 20, 2014. This resulted in the removal of two criminals from the street. This showed her concern for her community beyond her work as she is also a concerned citizen. Schmidt also presented a letters of commendation to Village Reserve Police Officer Gary Walters, Village Clerk/Dispatcher Tracy Tipton, Village Police Officers John Schubel and Eric Nelson, and Town Police Sergeant Eric Schmidt for the team effort in apprehending a burglary suspect on February 23, 2014, showing their commitment for keeping Mukwonago safe.

Comments from the Public

None.

Consent Agenda

- A. Approval of Minutes for the April 15, 2014 regular meeting
- B. Approval of Vouchers Payable in the amount of \$593,338.32
- C. Granting of 2013-14 Operators Licenses to Tina E. Ermer, Ross M. Heeren, and Kathy L. Kitzman
- D. Granting of 2013 Temporary Class B Beer and Wine License to Knights of Columbus on May 9-10, 2014 for the property located at 830 CTH NN E
- E. Granting of 2013 Temporary Class B Beer Licenses to Knights of Columbus on May 16-17 and June 21, 2014 for the property located at 830 CTH NN E
- F. Granting of 2013 Temporary Class B Beer License to St. James Parish on June 1, 2014 for the property located at 830 CTH NN E

Motion by Decker/Johnson to approve the Consent Agenda carried unanimously.

Committee/Commission Reports

Finance Committee

Mukwonago Food Pantry

Motion by Johnson/Decker to approve the request by Cynthia Eggleston, Mukwonago Food Pantry, to reduce the conditional use permit application fee for Cynthia Eggleston, Mukwonago Food Pantry, to the costs incurred by the Clerk's Office for publication and postage as determined by the Clerk's Office carried unanimously.

Mukwonago Lions Club

Motion by Johnson/Decker to approve the request by Mukwonago Lions Club to waive the conditional use permit application fee for the reason that the building will be donated to the Village upon completion for public use and benefit carried unanimously.

Mukwonago Mustangs Baseball Club

Motion by Johnson/Decker to approve the request by Mukwonago Mustangs Baseball Club to waive the variance application fee for the reason that due to construction timing and weather-related issues, construction was unable to start, causing the variance to expire carried unanimously.

New Business

Village President

Annual Village President tree challenge

President Winchowky offered another tree challenge in which if a Board member purchases a tree for planting in the Village, he will match the cost.

2014 Appointments

Village Board Subcommittees

Motion by Johnson/Decker to accept the Village President's recommendation and appoint the following Trustees to the various Village Board subcommittees carried unanimously:

- Finance Committee – Johnson (Chair), Decker, Sellenheim
- Public Works Committee – Penzkover (Chair), Fickau, O'Bryan
- Personnel Committee – O'Bryan (Chair), Johnson, Sellenheim
- Protective Services Committee – Fickau (Chair), O'Bryan, Penzkover
- Health and Recreation Committee – Sellenheim (Chair), Fickau
- Judicial Committee – Decker (Chair), Johnson

Plan Commission Citizen Member

Motion by Penzkover/Sellenheim to accept the Village President's recommendation and appoint John Hogan as Plan Commission Citizen Member for the 2014-2017 term carried unanimously.

Board of Building and Zoning Appeals Members and 1st Alternate

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Dave Mades and Sarah Szejn as Board of Building and Zoning Appeals Regular Members and Ken Werner as Board of Building and Zoning Appeals 1st Alternate for the 2014-2017 terms carried unanimously.

Fire Commission Village Citizen Members and Village Trustee

Motion by Johnson/Decker to accept the Village President's recommendation and appoint Joe Rice as Fire Commission Village Citizen Member for the 2014-2017 term and Jim Decker as the Fire Commission Village Trustee Member for the 2014 term carried unanimously.

Police Commission Members

Motion by Decker/Penzkover to accept the Village President's recommendation and appoint Kenneth Johnson and Robert Posekany as Police Commission Members for the 2014-2017 term carried unanimously.

Library Board Village Member and Trustee

Motion by Decker/Penzkover to accept the Village President's recommendation and appoint Raymond Vees as Library Board Village Member for the 2014-2017 term and Darlene Johnson as the Library Board Village Trustee Member for the 2014-2015 term carried unanimously.

Tourism Commission Members

Motion by Penzkover/Sellenheim to accept the Village President's recommendation and appoint Patti Muraczewski, Bharat Shah, and April Reszka as Tourism Commission Members for the 2014-2015 term carried unanimously.

Board of Review

Motion by Decker/Johnson to accept the Village President's recommendation and appoint President Winchowky, Decker, Penzkover, O'Bryan and Clerk Braatz as Board of Review Members for the 2014 term carried unanimously.

Village Attorney

Motion by Johnson/Sellenheim to accept the Village President's recommendation and appoint Mark Blum as the Village Attorney for the 2014-2016 term carried unanimously.

Village Humane Officer

Motion by Decker/Penzkover to accept the Village President's recommendation and appoint Humane Animal Welfare Society as the Village Human Officer for the 2014-2016 term carried unanimously.

Village Emergency Government Coordinator

Motion by Johnson/Decker to accept the Village President's recommendation and appoint Jeff Stien as the Village Emergency Government Coordinator for the 2014-2016 term carried unanimously.

Village Forester

Motion by Decker/Penzkover to accept the Village President's recommendation and appoint Ron Bittner as the Village Forester for the 2014-2016 term carried unanimously.

Adjournment

Motion by Decker/Penzkover to adjourn the Village Board meeting at 6:53 p.m. carried unanimously.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, May 20, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
John Weidl, Village Administrator
Diana Doherty, Finance Director
Bruce Kaniewski, Village Planner
Ron Bittner, DPW Crew Supervisor/Coordinator
Judith Taubert, Deputy Clerk

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed session

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stats. §19.85(1)(e) to discuss positions to be taken as to the Village of Mukwonago STH 83 Jurisdictional Transfer Agreement, review the offer to purchase property for the purposes of a right-of-way within TID #3 from the Greenwald Family Limited Partnership, and review the letter of intent with Forge Development LLC with respect to lands in the TID #3.

Reports

President Winchowky noted the 2014 April Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Kenneth Miller, W335S4091 Deer Park Dr., Dousman – speaking on behalf of the Mukwonago Kiwanis. He knows the Village supports Maxwell Street Days. It is an economic gain for the Village. It was proposed that the shelter would go on the 3rd base line. That is the prime real estate for venders. Sellers file years ahead of time for those spots. To say that there is no impact on the use of the park is erroneous. They have contracts with sellers in that location who want to sell at the events up until September. The shelter needs to be relocated along the 1st base line as there are no spots sold there. Hope the Village takes serious consideration tonight of the location of the shelter.

Cindy Eggleston, 200 Fox Street - Thinks the Mukwonago Food Pantry shelter is a good idea. It will benefit the seniors. They will have a place to go.

Consent Agenda

- A. Approval of minutes for the May 6, 2014 regular meeting
- B. Approval of Vouchers Payable in the amount of \$93,014.09
- C. Granting of 2013-14 Operators License to Emily S. Russell
- D. Approval of 2013 Application for Temporary Class B Beer Licenses for CFU John Movrich Lodge on June 11-12, 2014
- E. Approval of Change of Agent for Ultra Mart Foods, LLC, 1010 North Rochester Street, d/b/a Pick'n'Save #6384, to Jessica K. Offenbacher

Motion by Decker/Johnson to approve the Consent Agenda carried.

Committee/Commission Reports

Finance Committee

Potential Public Works Street Improvement Projects

Motion made by Johnson/Decker for Public Works to move forward with the Public Works Street Improvement Projects #2, #3 & #4 and Field Park Roads in the package it mentions 4 different locations. The project will be funded from the Capital Improvement Fund. #1 was taken out. Motion carried.

Judicial Committee

Perseverance Corp. licensed premises

Village staff will report first meeting in June if it is feasible to put tables in front on sidewalk for the property located at 200 South Rochester Street. Tables on the ramp is a non issue. No action taken.

Health and Recreation Committee

Washington Park Playground Equipment

Sellenheim notified the Board that there will be a Ribbon Cutting Ceremony and placement of plaque for the Washington Park Playground Equipment on June 2, 2014 at 5:30 p.m. recognizing the McAdams for their generous donation.

Plan Commission

Resolution 2014-13

Motion by Penzkover/Decker to adopt Resolution 2014-13: *A Resolution Approving Project Plan Amendment No. 1 for Tax Incremental District No. 3, of the Village of Mukwonago, Wisconsin, and Making Certain Findings with Respect Thereto* carried.

Resolution 2014-14

Motion by Sellenheim/Decker to adopt Resolution 2014-14: *Conditional Use Permit, for the Construction of a Snack Shack and Shelter Building, Mukwonago Lions Club, 931 North Rochester Street, MUKV1963995 after the last Maxwell Street Days event in September* carried (Fickau and Johnson voted no).

Resolution 2014-15

Motion by Decker/Sellenheim to adopt Resolution 2014-15: *Conditional Use Permit, for the Use of Property as a Social Service Facility, Mukwonago Food Pantry, 225 Eagle Lake Avenue, MUKV1974009. (The Food Pantry has put up signs showing the days and hours of operation to ease the concerns of the neighbors.)* Motion carried.

Resolution 2014-16

Motion by Sellenheim/Decker to adopt Resolution 2014-16: *Conditional Use Permit, for the Use of Property as a Single-Family Residence, Conny McIntosh, 501 Main Street, MUKV1976163* carried.

Minor's Estates

Motion by Decker/Penzkover to approve the Planning Commission's recommendation to extend for one month the consideration for the revised Preliminary Plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I carried.

Protective Services Committee

Discuss possible study or internal evaluation on future implementation of the joint fire department and possible contractual agreements between the Village and Town.

Will keep working with the Town for possible contractual agreements.

David Berg ambulance bill

Motion by Fickau/Penzkover to deny the request by David Berg to waive the remainder of 2008 ambulance bill sent to Waukesha County Collections carried (Decker and Sellenheim voted no).

Replacement of Fire Department Car 1

No action taken.

Public Works Committee

Non-standard Street Lighting

Motion by Penzkover/Decker to approve Non-standard Street Lighting installation for Edgewood Avenue in Fox River View Subdivision, Option B, contingent upon the developer making the installation payment of \$2,976.75 carried.

The Orchards of Mukwonago

Motion by Penzkover/Decker to accept the streets in The Orchards of Mukwonago conditioned upon Payne & Dolan adjusting the remaining water valves to Utilities' satisfaction carried.

Fox River View and Edgewood Meadows subdivisions

Motion by Penzkover/Fickau to accept the streets in Fox River View and Edgewood Meadows subdivisions conditioned upon Payne & Dolan adjusting the remaining water valves to Utilities' satisfaction carried.

Clarendon Elementary

Motion by Penzkover/Decker to deny the request by Erica Busch, Clarendon Elementary, to temporarily close Clarendon Avenue on May 21 for the purposes of conducting a special event. In lieu of closure of streets, Police Chief Schmidt will offer cross guard training as an alternate. Motion carried (Johnson voted no).

415 Shore Dr.

Motion by Penzkover/Decker to waive a portion of the sanitary sewer charge of the utility bill for the property located at 415 Shore Dr. and set up a payment plan for the water portion of the bill carried.

New Business

Village Administrator

Administrator Weidl introduced Thomas Gallagher, the new Village Administration Intern.

Closed Session

Motion by Decker/Penzkover to convene into closed session at 7:17 p.m. pursuant to Wisc. Stat. §19.85(1)(e) (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss positions to be taken as to the Village of Mukwonago STH 83 Jurisdictional Transfer Agreement, review the offer to purchase property for the purposes of a right-of-way within TID #3 from the Greenwald Family Limited Partnership, and review the letter of intent with Forge Development LLC with respect to lands in the TID #3 carried unanimously upon roll call vote. Discussion held in closed session. Motion by O'Bryan/Sellenheim to adjourn closed session and reconvene to open session pursuant to Wis. Stats. §19.85(2) at 8:33 p.m. carried unanimously upon roll call vote.

Motion by O'Bryan/Decker to proceed as discussed in closed session regarding the Village of Mukwonago STH 83 Jurisdictional Transfer Agreement including the 3 items discussed and the negotiating strategies carried.

Motion by Penzkover/Decker to execute the offer to purchase property for the purposes of a right-of-way within the TID #3 with the Greenwald Family Limited Partnership as discussed in closed session carried unanimously.

Motion by Penzkover/Sellenheim to direct staff to execute letter of intent with Forge Development, LLC with respect to lands in the TID #3 with the Village of Mukwonago President's signature contingent on legal review by Mark Blume carried.

Adjournment

Motion by Penzkover/Decker to adjourn the Village Board meeting at 8:37 p.m. carried unanimously.

Respectfully Submitted,

Judith Taubert
Deputy Clerk

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, June 3, 2014

Call to Order

Village Clerk-Treasurer Steven Braatz, Jr. called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim

Member Excused: Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Dean Falkner, Village Utilities/Public Director
Bruce Kaniewski, Village Planner
Ron Bittner, DPW Crew Supervisor/Coordinator
Ann Lininger, Library Director
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Selection of Acting Chairperson

Motion by Decker/Johnson to select Mark Penzkover as acting chairperson carried.

Announcement of closed session

Acting Chairperson Penzkover announced the Board will convene into closed session later in the meeting pursuant to Wis. Stats. §19.85(1)(e) (*...conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) and Wisc. Stat. §19.85(1)(g) (*Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) to discuss negotiation strategy for Minors 4 developers agreement.

Comments from the Public

None.

Consent Agenda

- A. Approval of Vouchers Payable in the amount of \$1,725,238.18
- B. Acceptance of 2013 Financial Audit Report
- C. Consideration of 2014-15 Renewal Class A Fermented Malt Beverage Licenses
 - 5 Star Stations, Inc. (Victoria Smith – Agent), 301 Main Street, d/b/a Clark-Mukwonago

- 5 Star Stations, Inc. (Sarah P. Greenwald – Agent), 407 South Rochester Street, d/b/a Mukwonago Express Mart
- BJ's BP Inc. (Baljit S. Gill – Agent), 122 Arrowhead Drive, d/b/a BJ's BP
- Genesis Gas, Inc. (Manoj Gupta – Agent), 201 North Rochester Street, d/b/a Village Mini Mart
- Khasria Two Inc. (Harjinder S. Khasria – Agent), 710 Main Street, d/b/a Village Pumper #Two

D. Consideration of 2014-15 Renewal Class A Fermented Malt Beverage and Intoxicating Liquors Licenses

- 5 Star Stations, Inc. (Denise M. Jones – Agent), 909 Greenwald Court, d/b/a 5 Star Citgo
- 5 Star Stations, Inc. (Peggy L. Champlin – Agent), 1060 North Rochester Street, d/b/a North Star Shell
- Gerald M. Anich, 411 Main Street, d/b/a Anich's Liquor & Beer Store
- Ultra Mart Foods, LLC (Jessica K. Offenbacher – Agent), 1010 North Rochester Street, d/b/a Pick'n'Save #6384
- Wal-Mart Stores East LP (Christine Lucas – Agent), 250 East Wolf Run, d/b/a Wal-Mart Supercenter #1571
- Walgreen Co. (Brian Marinello – Agent), 212 N. Rochester St., d/b/a Walgreens #07039

E. Consideration of 2014-15 Renewal Class B Fermented Malt Beverage and Class C Wine License

- Mario's Natural Roman Pizza Inc. (Charlene A. Edwards-Reitman – Agent), 225 Bay View Rd. #500, d/b/a Mario's Pizza

F. Consideration of 2014-15 Renewal Class B Fermented Malt Beverage and Reserve Intoxicating Liquors Licenses

- The Boneyard Pub and Grille, LLC (James F. Jones – Agent), 215 Bay View Road Suite D, d/b/a The Boneyard Pub and Grille
- El Pueblo Inc. (Marco Alarcon – Agent), 355 Bay View Road, d/b/a Antigua Real

G. Consideration of 2014-15 Renewal Class B Fermented Malt Beverage and Intoxicating Liquors Licenses

- American Legion Community Post #375 (James R. Foster – Agent), 627 CTH NN East, d/b/a American Legion Community Post #375
- FJ Partners LLC (Froylan J. Mauricio – Agent), 507 Main Street, d/b/a Sol de Mexico
- Jay's Lanes, Inc. (Jeffrey R. Jay – Agent), 326 Atkinson Street, d/b/a Jay's Lanes
- Sandra M. Miller, 701 Main Street, d/b/a Sandy's Miller Time
- Pam's Fine Wines LLC (Pamela L. Kollaszar – Agent), 100 Main Street Suite 2, d/b/a Pam's Fine Wines
- Stevens Management Inc. (Dennis M. Stevens – Agent), 215 North Rochester Street, d/b/a Fork in the Road

H. Consideration of 2014-15 Original Class B Fermented Malt Beverage and Intoxicating Liquors Licenses

- Blue Bay Inc. (Vlaznim Islami – Agent), 927 Main Street, d/b/a Blue Bay Restaurant

Motion by Decker/Johnson to approve the Consent Agenda carried.

Committee/Commission Reports

Finance Committee

Mukwonago Mustangs Baseball Club

Motion by Johnson/Sellenheim to approve the request by Mukwonago Mustangs Baseball Club to waive the building permit fee in the amount of \$85.00 for the construction of a shelter building and concession stand in Minor's Park carried.

Resolution 2014-18

Motion by Johnson/Decker to adopt Resolution 2014-18: *A Resolution Approving Financial Policies for Accounting Operations, Purchasing, Capitalized Fixed Assets, and Capital Improvement Planning* with any changes required by the audit be incorporated carried.

Consideration of funding for branding and Village website update and execution of contract with Karl James and Company LLC

Item remains in committee.

Health and Recreation Committee

Wisconsin State Criterium Championships bicycle race

Motion by Sellenheim/Decker to approve the Plan of Operation for the Wisconsin State Criterium Championships bicycle race to be held on June 14, 2014 carried.

Frisbee Golf Course Development –Next Phase Completion – Miniwaukan Park

Item remains in committee.

Judicial Committee

Half-Time Sports Grille License

Motion made by Decker/Sellenheim to grant the 2014-15 Original Class B Fermented Malt Beverage and Intoxicating Liquors Licenses for Perseverance Corp. (Mark A. Weiss – Agent), 200 South Rochester Street, d/b/a Half-Time Sports Grille. Consensus among Board was to have Plan Commission first review the plan for tables out front. Mark Weiss was in attendance and presented the plan for tables out front of the building. Motion by Decker/Johnson to amend the original motion to not allow the licensed premises to include any outside areas. Motion carried. Motion by Decker/Sellenheim to send the submitted plan for tables in the front of 200 S. Rochester St. to the Plan Commission carried.

New Business

Village President

Reconsideration of appointment of Fire Commission Village Trustee Member

Motion made by Decker/Fickau to accept the Village President's recommendation and appoint Arnold Fickau as Fire Commission Village Trustee Member. This motion should override any previous motion. Motion carried.

Reconsideration of appointment of Health and Recreation Committee Members

Motion made by Johnson/Sellenheim to accept the Village President's recommendation and appoint Mike Sellenheim as Chair and Jim Decker as regular member of the Health and Recreation Committee. This motion should override any previous motion. Motion carried.

Letter of resignation

Motion made by Fickau/Decker to accept the letter of resignation from John Hogan as Plan Commission Citizen Member carried.

Consideration of appointment of Plan Commission Citizen Member

Item will remain on the agenda.

Public Hearing on shoreland zoning to be June 19, 2014

There will be a public hearing and special Village Board meeting on June 19, 2014 to consider an amendment to the shoreland zoning.

Village Board training session dates

There will be a Village Board training session on July 9, 2014, at 5:00 p.m.

Closed Session

Motion by Johnson/Decker to convene into closed session at 7:05 p.m. pursuant to Wisc. Stats. §19.85(1)(e) (*...conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) and Wisc. Stat. §19.85(1)(g) (*Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) to discuss negotiation strategy for Minors 4 developers agreement carried unanimously upon roll call vote. Discussion held in closed session. Motion by Decker/Sellenheim to adjourn closed session and reconvene to open session pursuant to Wis. Stats. §19.85(2) at 7:35 p.m. carried unanimously upon roll call vote.

No action taken from closed session.

Adjournment

Meeting adjourned at 7:36 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, June 17, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan (Entered at 6:35 p.m.)
Mike Sellenheim
Fred Winchowky, Village President

Also present: Jeff Stien, Fire Chief
Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Bruce Kaniewski, Village Planner
Ron Bittner, DPW Crew Supervisor/Coordinator
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

Led by Devin Feldt, Boy Scout Troop 363, the Village Board recited the Pledge of Allegiance.

Announcement of closed session

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stats. §19.85(1)(e) (*Deliberating or negotiating the purchasing of public properties...whenever competitive or bargaining reasons require a closed session*) to consider an offer to purchase property within TID #3.

Reports

President Winchowky noted the 2014 May Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Presentation of Proclamation

After President Winchowky read the Certificate of Achievement into record, motion by Penzkover/Sellenheim to endorse the Certificate of Achievement to Devin Addison Feldt, Boy Scout Troop 363, 538 Baron Rd., for receiving the Eagle Scout Award carried.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the May 20 and June 3, 2014 regular meetings
- B. Approval of Vouchers Payable in the amount of \$185,183.55
- C. Granting of 2014-15 Operator's Licenses for the Applicants as Stated on the List Dated 6-12-14

D. Granting of 2014 Application for Temporary Class B Beer License for Son's of the American Legion on July 26, 2014

E. Adoption of **Resolution No. 2014-19**: A Resolution Approving the Submittal of the Wisconsin Department of Natural Resources NR 208 Compliance Maintenance Annual Report

Motion by Decker/Johnson to approve the Consent Agenda carried.

Committee/Commission Reports

Health and Recreation Committee

Ordinance No. 873

Motion made by Sellenheim/Decker to adopt Ordinance No. 873: *An Ordinance to Create Section 58 Article III of the Village of Mukwonago Municipal Code Pertaining to the Regulation of Extraordinary Entertainment and Amusement ("Special") Events*. Johnson asked Chief Schmidt about the different events. Schmidt responded that this will streamline the process for the applicants. Winchowky asked about a fee structure. The fees will be brought before the Finance Committee at a later time. Motion carried.

Plan Commission

Minor's Estates

Motion by Decker/Johnson to accept the Plan Commission recommendation and grant an extension of the Preliminary Plat for Minor's Estates until the July 8th meeting carried.

Half-Time Sports Grille amendment to architectural review

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the amendment to architectural review to allow food and beverage on the west side of the building in a 36" fenced in area on Half-Time Property located at 200 S. Rochester St., Tax Key #MUKV1976118, subject to the following conditions, carried (O'Bryan voted no):

1. No Smoking in outdoor fenced in area.
2. There will be a limit of 4 36" tables in the outdoor fenced in area.
3. No food and beverage on the ramp.
4. Subject to final inspection of the Zoning Administrator.
5. The Village shall not be liable for any damage to the fence due to snow plowing.

W1059 Spleas Skoney Rd. extraterritorial certified survey map

Motion by Penzkover/Decker to recommend the Village Board approve the extraterritorial certified survey map for the property located at W1059 Spleas Skoney Road, Tax Key #s PET1000008 and PSP00013, in the Town of East Troy, subject to the following conditions, carried:

1. Prior to Village officials signing the CSM, the CSM shall be revised in accordance with the comments by Village Engineer Kurt Peot, P.E.
2. Prior to Village officials signing the CSM, the applicant shall provide the Village Clerk written confirmation that the Town of East Troy has approved the CSM.

East Shore Dr. extraterritorial certified survey map

Motion by Penzkover/Decker to recommend the Village Board approve the extraterritorial certified survey map for the property located on East Shore Drive, Tax

Key #s PET900004C and PET900004D, in the Town of East Troy, subject to the following conditions, carried:

1. Prior to Village officials signing the CSM, the right-of-way name shall be changed to East Shore Road, not Drive as shown (per Walworth GIS, The Street name suffix is Road.
2. Prior to Village officials signing the CSM, the applicant shall provide the Village Clerk written confirmation that the Town of East Troy has approved the CSM.

Judicial Committee

200 South Rochester Street license premises

Motion by Decker/Penzkover to approve the request by Perseverance Corp. (Mark A. Weiss – Agent), to extend the premises to include the outdoor seating area on S. Rochester St. as part of the licensed premises for the property located at 200 South Rochester Street contingent the approval of the amended architectural review carried (O'Bryan voted no).

Personnel Committee

Position descriptions

Motion by Personnel Committee/Sellenheim to approve amendment to Full-time Accountant position description subject to funding coming from existing funds within the department carried.

Motion by Personnel Committee/Sellenheim to approve amendment to Administrative Clerk I position description including the addition of the Human Resources Specialist title carried.

Motion by Personnel Committee/Sellenheim to approve the Deputy Clerk-Treasurer position description subject to funding coming from existing funds within the department carried.

Motion by Personnel Committee/Sellenheim to approve the Part-time Administrative Clerk position description subject to funding coming from existing funds within the department carried upon roll call vote (Johnson and Decker voted no).

Protective Services Committee

Consideration of possible study or internal evaluation on future implementation of the joint fire department and possible contractual agreements between the Village and Town

Still in Committee. No action taken.

Public Works Committee

Consideration of Change Order #1

Motion by Penzkover/Fickau to approve Change Order #1 for the Well #7 Project for an increase in the amount of \$22,251 carried.

Consideration of Change Order #2

Motion by Penzkover/Fickau to approve Change Order #2 for the Well #7 Project for an increase in the amount of \$7,575 carried.

Block party

Motion by Penzkover/Fickau to request by Molly Nogalski to close MacIntosh Way for their annual block party on Saturday, August 16, 2014 from 1:00 p.m. to 8:00 p.m. carried.

New Business

Village President

July 1 and August 5, 2014 Village Board meetings

Motion by Johnson/Decker to cancel the July 1 and August 5, 2014 Village Board meetings carried.

Consideration of appointment of Plan Commission Citizen Member

Item will remain on the agenda.

Village Clerk

2014-15 Election Inspector Appointments

Motion by Decker/Penzkover to appoint Darlene Holmstrom and Susan Ryan, both unaffiliated, as Election Inspectors for the 2014-15 term carried.

Closed Session

Motion by Decker/Johnson to convene into closed session at 7:46 p.m. pursuant to Wisc. Stats. §19.85(1)(e) (*Deliberating or negotiating the purchasing of public properties...whenever competitive or bargaining reasons require a closed session*) to consider an offer to purchase property within TID #3 carried unanimously upon roll call vote. Discussion held in closed session. Motion by Johnson/Penzkover to adjourn closed session and reconvene to open session pursuant to Wis. Stats. §19.85(2) at 8:09 p.m. carried unanimously upon roll call vote.

Motion by Penzkover/Decker to accept the Plan Commission recommendation and authorize the execution of the offer to purchase property within TID #3, subject to the following conditions, carried:

1. The Developer shall secure an access road with Wisc DOT
2. A developers agreement shall be executed with the end-user.

Adjournment

Meeting adjourned at 8:10 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Thursday, June 19, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 5:02 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Trustee excused: Mark Penzkover

Also present: Joseph Hankovich, Zoning Administrator/Supervisor of Inspections
Bruce Kaniewski, Village Planner
Judith Taubert, Deputy Clerk

Public Hearing

The Public hearing to consider an ordinance to create Section 100-282 of the Municipal Code of the Village of Mukwonago to establish a shoreland protection overlay district and floodplain/wetland setback zoning standards opened at 5:02 p.m.

Bruce Kaniewski, Village Planner, presented and explained a revised copy of Ordinance 874 with the changes to create Section 100-283 of the Municipal Code of the Village of Mukwonago to establish a Shoreland Protection Overlay District and Floodplain/Wetland Setback Zoning Standards. This Ordinance is intended to describe the land and regulations pertaining to the use of the land within shoreland areas of the Village of Mukwonago, pursuant to the authority for the protection of shoreland properties provided to municipalities by Wisconsin Statute Section 81.35 and 81.353. On December 12, 2013 Governor Scott Walker signed 2013 Wisconsin Act 80 into law regarding local control of shoreland zoning. Shoreland means land up to 1,000 feet from a navigable lake or pond, or up to 300 feet from a navigable river or stream (or any defined floodplain area that extends beyond the shoreland), measured from the ordinary high water mark. The new law now provides incorporated municipalities the control and enforcement of shoreland regulations.

If land was annexed after May 7, 1982 the previous State shoreland law allowed County zoning to continue to regulate development within the shoreland. Waukesha County regulation of shoreland area development within the Village meant a minimum building setback of 75 feet from a floodplain or wetland and meeting county zoning lot size and other setback standards, often much more restrictive than Village zoning.

Wisconsin Act 80 shifts control of shoreland zoning to incorporated municipalities if the municipality adopts its own shoreland zoning ordinance before July 1, 2014. If not adopted by then, County shoreland zoning continues to be enforced.

Kevin McCarthy, 1475 S. Rochester Street – Asked how the Ordinance affected land use in the floodplain area. The 20 foot setback.

Marilyn McCarthy, S108W27690 Maple Avenue – Asked about the navigable stream on their property that drains into a ditch. Bruce said that the Village will consider this as a manmade stream and the Shoreland Protection does not apply.

Public Hearing closed at 5:25p.m.

New Business

Ordinance 874

Motion made by Decker/Johnson to adopt Ordinance No. 874: *An Ordinance to Create Section 100-282 of the Municipal Code of the Village of Mukwonago to Establish a Shoreland Protection Overlay District and Floodplain/Wetland Setback Zoning Standards* with the changes as specified carried.

Fire Department car

Motion made by Fickau/Johnson to authorize the Fire Department to trade in the S-10 pickup and apply the trade-in monies of \$800 toward the purchase of the Fire Department car carried.

Adjournment

Meeting adjourned at 5:37 p.m.

Respectfully Submitted,

Judith A. Taubert
Deputy Clerk

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, July 15, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Jeff Stien, Fire Chief
Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Dean Falkner, Public Works/Utilities Director
Bruce Kaniewski, Village Planner
Ken Pileggi, Police Lieutenant
Ron Bittner, DPW Crew Supervisor/Coordinator
Mark Blum, Village Attorney
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed session

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stat. §19.85(1)(e) (*Deliberating or negotiating the purchasing of public properties...or conducting other specified public business whenever competitive or bargaining reasons require a closed session*) to discuss potential property donation from the Greenwald Family Partnership and request by Village of Professional Police Association to open contract negotiations and Wisc. Stats. §19.85(1)(e) (*...conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) and Wisc. Stat. §19.85(1)(g) (*Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) to discuss negotiation strategy for Minors 4 developers agreement.

Reports

President Winchowky noted the 2014 June Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the June 17 regular meeting and June 19, 2014 special meeting
- B. Approval of Vouchers Payable in the amount of \$534,687.83
- C. Granting of 2014-15 Operator's Licenses for the Applicants as Stated on the List Dated 7-11-14
- D. Granting of 2014 Application for Temporary Class B Beer and Wine License for St. James Catholic Parish on August 15-17, 2014
- E. Granting of 2014 Application for Temporary Class B Beer Licenses for Knights of Columbus on August 30 and September 28, 2014
- F. Approval of Change of Agent for Ultra Mart Foods, LLC, 1010 North Rochester Street, d/b/a Pick'n'Save #6384, to Craig A. Wightman

Motion by Decker/Johnson to approve the Consent Agenda as presented carried.

Committee/Commission Reports

Finance Committee

Resolution 2014-21

Motion by Johnson/Decker to adopt Resolution 2014-21: *Resolution Amending the Bail Bond Schedule as Set by the Municipal Judge of the Village of Mukwonago* carried.

Plan Commission

Resolution 2014-23

Motion by Penzkover/Sellenheim to accept the Plan Commission recommendation and adopt Resolution 2014-23: *Conditional Use Permit for the Use of Property as an Animal Boarding Facility, Sharon Runkel, Hoovers Hause All Dog Rescue, 750 Swan Drive, Mukv1970998006* carried.

Minor's Estates

Motion by Fickau/Sellenheim to accept the Plan Commission recommendation and approve postponing the consideration of the preliminary plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I to no later than the regular September Plan Commission meeting carried.

Ordinance No. 875

Motion by Sellenheim/Fickau to accept the Plan Commission recommendation and adopt Ordinance No. 875: *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* carried.

Judicial Committee

Ordinance No. 874

Motion by Decker/Johnson to accept the Judicial Committee recommendation and adopt Ordinance No. 874: *An Ordinance Creating Section 54-5 of the Municipal Code Pertaining to the Possession of Marijuana* carried.

Personnel Committee

Resolution 2014-20

Motion by O'Bryan/Sellenheim to accept the Personnel Committee recommendation and adopt Resolution 2014-20: *A Resolution Relating to Wage Schedules for Certain Non-Represented Full-Time and Part-Time Employees* carried.

Public Works Committee

2014 Crack Sealing Project

Motion by Penzkover/Johnson to award the contract for the 2014 Crack Sealing Project to American Pavement Solutions no to exceed \$90,000 carried.

Request for reductions of utility bills due to running water to prevent freezing of water lines

Motion by Penzkover/Fickau to authorize a credit to the water and sewer charges for the property located at 525 Oakland Ave. in the amount of \$54.25, or 5 thousand gallons, due to running water to prevent freezing of water lines, and apply the credit to the 2014 summer sewer break carried.

Motion by Penzkover/Decker to authorize a credit to the water and sewer charges for the property located at 529 Oakland Ave. in the amount of \$97.65, or 9 thousand gallons, due to running water to prevent freezing of water lines, and apply the credit to the 2014 summer sewer break carried.

Motion by Penzkover/Sellenheim to authorize a credit to the water and sewer charges for the property located at 490 Cedar Pl. in the amount of \$227.85, or 21 thousand gallons, due to running water to prevent freezing of water lines, and apply the credit to the 2014 summer sewer break carried.

Motion by Penzkover/Decker to deny the request for a credit to the water and sewer charges for the property located at 412 Spring St. due to running water to prevent freezing of water lines, for the reason that prior consumption history gives no valid reason for a credit carried.

Motion by Penzkover/Sellenheim to authorize a credit to the water and sewer charges for the property located at 500 Cedar Pl. in the amount of \$247.39, or 23 thousand gallons, due to running water to prevent freezing of water lines, and apply the credit to the 2014 summer sewer break carried.

Motion by Penzkover/Decker to authorize a credit to the water and sewer charges for the property located at 617 N. Rochester St. in the amount of \$86.80, or 8 thousand gallons, due to running water to prevent freezing of water lines, and apply the credit to the 2014 summer sewer break carried.

Resolution 2014-22

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and adopt Resolution 2014-22: *Resolution Providing for the Publication, Filing, Inspection, and Adoption of Chapter 74 of the Municipal Code of the Village of Mukwonago* carried.

New Business

Village Clerk-Treasurer's Office

Acceptance of letter of retirement

Motion by Johnson/Decker to accept the letter of retirement by Cathy Millard, Deputy Treasurer carried.

Village Police Department

2013 Annual Police Department Report

Motion by Fickau/Johnson to accept the 2013 Annual Police Department Report carried.

Village President

Reports by Police and Fire Departments regarding storm damage

The Police and Fire Chiefs gave a report on the departmental impacts due to the storm on June 30, 2014. No action taken.

Proclamation

After President Winchowky read the proclamation into record, motion by Johnson/Decker to endorse the proclamation proclaiming August 5, 2014 as 2014 National Night Out carried.

Appointment

Motion by Penzkover/Sellenheim to accept the Village President recommendation and appoint John Hogan as Plan Commission citizen member carried.

Village Attorney

Discussion regarding goals, objectives, and expectations for Village Attorney representation of the Village

Discussion only. No action taken.

Closed Session

Motion by Fickau/Decker to convene into closed session at 7:16 p.m. pursuant to Wisc. Stat. §19.85(1)(e) (*Deliberating or negotiating the purchasing of public properties...whenever competitive or bargaining reasons require a closed session*) to discuss potential property donation from the Greenwald Family Partnership and request by Village of Mukwonago Professional Police Association to open contract negotiations and Wisc. Stats. §19.85(1)(e) (*...conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) and Wisc. Stat. §19.85(1)(g) (*Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) to discuss negotiation strategy for Minors 4 developers agreement carried unanimously upon roll call vote. Discussion held in closed session. Motion by Decker/Johnson to adjourn closed session and reconvene to open session pursuant to Wis. Stats. §19.85(2) at 7:16 p.m. carried unanimously upon roll call vote.

Motion by O'Bryan/Johnson to proceed with contract negotiations with the Village of Mukwonago Professional Police Association, as discussed in closed session, carried.

Motion by Penzkover/Decker to direct staff to respond to the Greenwald Family Partnership regarding land donation expressing the Board's concern related to the impact on the boundary agreement with the Town of Mukwonago, as discussed in closed session, carried.

Motion by Decker/Sellenheim to direct the Village Attorney to proceed with mediation pertaining to the Minors 4 development, as discussed in closed session, carried.

Adjournment

Meeting adjourned at 8:10 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Tuesday, August 7, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 5:00 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Mike Sellenheim
Fred Winchowky, Village President

Trustee excused: Dennis O'Bryan

Also present: Kevin Schmidt, Police Chief
Ken Pileggi, Police Lieutenant
Rob Buikema, Labor Attorney
Diana Doherty, Finance Director
John Weidl, Village Administrator
Bruce Kaniewski, Village Planner
Mark Blum, Village Attorney
Joe Hankovich, Supervisor of Inspections/Zoning Administrator
Jeff Belongia, Bond Advisor
Steven Braatz, Jr., Clerk-Treasurer

Announcement of closed sessions

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stat. §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*) and §19.85(1)(e) (*Deliberating or Negotiating the Purchasing of Public Properties, the Investing of Public Funds, or Conducting Other Specified Public Business, Whenever Competitive or Bargaining Reasons Require a Closed Session*) to discuss negotiation strategies pertaining to the Mukwonago Professional Policemen's Association contract and Wisc. Stats. §19.85(1)(e) (*...conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to consider and develop negotiation strategy concerning the Developer's Guaranty for the 10 acre parcel being acquired by the Village in the proposed Industrial Park, consider and develop negotiation strategy concerning acquisition of property and the Developer's Agreement for Storm Water Dedication to service the 10 acre site being acquired by the Greenwalds, and discuss negotiation strategy for the mediation concerning the Minors 4 development Storm Water Agreement.

New Business

Village Clerk-Treasurer's Office

Resolution 2014-24

Motion by Penzkover/Decker to adopt Resolution 2014-24: *A Resolution Providing for an Alternate Location for Election Day Registration* carried.

2014-15 Operator's Licenses

Motion by Fickau/Johnson to grant the 2014-15 Operator's Licenses for James J. Brinks, Danielle E. Brooks, Samantha C. Kapitz, and Tammy E. Pridemore carried.

Closed Session

Motion by Fickau/Johnson to convene into closed session at 5:10 p.m. pursuant to:

- A. Wisc. Stat. §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*) and §19.85(1)(e) (*Deliberating or Negotiating the Purchasing of Public Properties, the Investing of Public Funds, or Conducting Other Specified Public Business, Whenever Competitive or Bargaining Reasons Require a Closed Session*) to discuss negotiation strategies pertaining to the Mukwonago Professional Policemen's Association contract
- B. Wisc. Stats. §19.85(1)(e) (*...conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to:
 - 1) Consider and develop negotiation strategy concerning the Developer's Guaranty for the 10 acre parcel being acquired by the Village in the proposed Industrial Park.
 - 2) Consider and develop negotiation strategy concerning acquisition of property and the Developer's Agreement for Storm Water Dedication to service the 10 acre site being acquired by the Greenwalds.
 - 3) Discuss negotiation strategy for the mediation concerning the Minors 4 development Storm Water Agreement.

Discussion held in closed session. Motion by Decker/Johnson to adjourn closed session and reconvene to open session pursuant to Wis. Stats. §19.85(2) at 6:44 p.m. carried unanimously upon roll call vote.

Motion by Penzkover/Decker to authorize the Village Attorney to prepare and execute the Developer's Guaranty for the 10 acre parcel being acquired by the Village in the proposed Industrial Park as outlined by the Village Attorney in closed session carried.

Motion by Penzkover/Decker to approve the Developer's Agreement for Storm Water Dedication to service the 10 acre site being acquired from the Greenwald Family Limited Partnership as outlined by the Village Attorney in closed session carried.

Adjournment

Meeting adjourned at 6:47 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, August 19, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Jeff Stien, Fire Chief
Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Dean Falkner, Public Works/Utilities Director
Bruce Kaniewski, Village Planner
Ken Pileggi, Police Lieutenant
Ron Bittner, DPW Crew Supervisor/Coordinator
Judith Taubert, Deputy Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed session

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stats. **§19.85(1)(c)** (*Considering... Performance Evaluation Data of Any Public Employee Over Which the Governmental Body Has Jurisdiction or Exercises Responsibility*) to review and discuss the performance evaluation of the Village Administrator and **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss negotiation strategies pertaining to the Mukwonago Professional Policemen's Association contract, to review and finalize the third amendment to the offer to sell property from Horter/Lynch LLC to the Village of Mukwonago, to finalize the purchase of property within TID #3 for the construction of a right-of-way for the purposes of a second industrial park, and to update the Board on the mediation concerning the Minors 4 development Storm Water Agreement.

Motion by O'Bryan/Johnson to Suspend the Rules and amend the agenda and go into closed session at 6:34 p.m. pursuant to Wis. Stats. **§19.85(1)(c)** (*Considering... Performance Evaluation Data of Any Public Employee Over Which the Governmental Body Has Jurisdiction or Exercises Responsibility*) to review and discuss the performance evaluation of the Village Administrator carried unanimously upon roll call vote. Also present were Susan Love and Rob Buikema, Village Labor Attorneys. Discussion held in closed session.

Motion by Winchowky/O'Bryan to adjourn closed session and reconvene to open session at 7:21 p.m. into open session pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning the performance evaluation of the Village Administrator discussed in closed session carried unanimously upon roll call vote. No action taken.

Reports

President Winchowky noted the 2014 July Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Annette Mayfield, Luck Dog! Dog Day Care Inc., 823 Perkins Drive – Explained why she wanted to move her business from 823 Perkins Drive to 764-770 Swan Drive.

Bob Dickey, 506 Valhalla Drive, representative of Minors Homestead West Association representing 109 families – Asked participation and assistance in mediation resolving matter of roads and storm water as soon as possible.

Consent Agenda

- A. Approval of minutes for the July 15 regular meeting
- B. Approval of Vouchers Payable in the amount of \$481,490.89
- C. Granting of 2014-15 Operator's Licenses for the Applicants John P. Isely III and Autumn M. Schieffer as Stated on the List Dated 8-15-14
- D. Granting of 2014 Application for Temporary Class B Beer Licenses for St. James Catholic Parish on September 5, October 3, November 7, and December 5, 2014

Motion by O'Bryan/Sellenheim to approve the Consent Agenda as presented carried.

Committee/Commission Reports

Finance Committee

Funding for Village Website

Motion made by Johnson/Decker to accept the funding for branding and Village website update and the execution of the contract with Karl James and Company LLC not to exceed \$30,000. Fickau asked where the money is coming from. Doherty said it was from reserve Capital Equipment Fund. Motion carried.

Police Impact Fee Monies

Motion by Johnson/Decker to approve the use of Police impact fee monies to fund an update to Netmotion licenses not to exceed \$1,500 carried.

Lease Abatement Program Fund

Motion made by Johnson/Decker to approve the Lease Abatement Program Fund contingent upon the following conditions:

1. The program shall not to exceed 30% revolving funds available.
2. The program shall be a one-time-only application.

The original monies are from a grant from the State of Wisconsin in 1989 that was used only twice. The rest of the money has been accruing interest. The Village would like to use the money to get the program up and working again. Motion carried.

Health and Recreation Committee

Request by Mukwonago Area Senior Citizens to install a PickleBall Court in Field Park

Item will remain in committee.

Judicial Committee

Resolution 2014-26

Motion Decker/Johnson to adopt Resolution 2014-26: *Resolution Providing for the Publication, Filing, Inspection, and Adoption of Chapter 82 of the Municipal Code of the Village of Mukwonago* carried.

Personnel Committee

Part-time Public Works Crewperson Position Description

Motion by O'Bryan/Johnson to adopt the position description of the Part-time Public Works Crewperson position carried.

Resolution 2014-25

Motion by O'Bryan/Fickau to adopt Resolution 2014-25: *A Resolution Relating to the Wage Schedule for a Certain Non-Represented Part-Time Employee More Specifically the Public Works Crewperson Part-Time* carried.

Plan Commission

Resolution 2014-30

Motion by Decker/Penzkover to adopt Resolution 2014-30: Conditional Use Permit for the Use of Property as an Animal Boarding Facility, Annette Mayfield, Lucky Dog! Dog Day Care Inc., 764-770 Swan Drive, MUKV1970998006 carried.

Premier Woods

Motion by Decker/Sellenheim to approve the conceptual site plan/architectural plan for Premier Woods development located on Phantom Woods Road and CTH ES with or without a secondary road carried.

M & M Properties

Motion by Penzkover/Fickau to approve the extension and/or amendment to the development agreement for M&M Properties Subdivision carried contingent upon the following conditions:

1. There shall be a two-year extension with an amended Developers Agreement.
2. The properties shall be inspected by the Supervisor of Inspections/Zoning Administrator.
3. It is the owner's responsibility to actively attempt to sell the property.
4. If the property is not sold before the two-year extension expires, the owner shall re-apply for an extension or remove the buildings within 90 days per Developers Agreement.

Public Works Committee

Multi-ribbon Cutting Ceremony

Motion by Penzkover/Johnson to approve the request by Chamber of Commerce to close Atkinson St. on August 21, 2014 for a Multi-ribbon cutting ceremony for six businesses carried.

Fall Fest

Motion by Penzkover/Sellenheim to approve the request by April Reszka, Mukwonago Area Chamber of Commerce, to close portions of Fox, Atkinson, and Main Streets and have an officer present all day to direct traffic for Fall Fest on Saturday, September 20, 2014 carried.

Resolution 2014-28: Resolution Accepting Certain Work Completed In Fox River View Subdivision

Item postponed to a future meeting.

Resolution 2014-29: Resolution Accepting Certain Work Completed In Edgewood Meadows Condominium Subdivision

Item postponed to a future meeting.

Resolution 2014-27

Motion by Penzkover/Decker to adopt Resolution 2014-27: *Resolution Providing for the Publication, Filing, Inspection, and Adoption of Chapter 34, Article III of the Municipal Code of the Village of Mukwonago* carried.

Ordinance No. 878

Motion by Penzkover/Decker to adopt Ordinance No. 878: *Ordinance to Section 86-240 of the Village of Mukwonago Municipal Code Pertaining to Sewer Connection Fees* contingent upon the review and consent from the Village Attorney carried.

New Business

Village President

Dates for Budget Workshop and Training Sessions

Training on Wednesday, September 3, 2014 and Wednesday, September 24, 2014 at 5:00 p.m.

Village Administrator

Ordinance No. 877

Motion made by Decker/Fickau to adopt Ordinance No. 877: *An Ordinance to Amend Sec. 2-147 of the Village of Mukwonago Municipal Code Pertaining to Economic Development Committee Composition*. The ordinance contains the following changes:

1. The Committee will be reduced from five citizen members to three citizen members.
2. The Administrator and Finance Director will be added.

Three businesses spoke on why they want to move to Mukwonago and use the Abatement Program. Motion carried.

Discussion Lynch Property and Lynch Purchase of property in TID #3

Before going into closed session Mark Greene, spokesperson for Lynch/Horter, LLC, thanked the Village President Winchowky, Village Administrator Weidl, and Zoning Administrator Hankovich for working with them to get this far and working with them to come up with an agreement resolving the small environmental issue on site.

Closed Session

Motion by Decker/Johnson to convene into closed session at 8:10 p.m. pursuant to Wisc. Stat. **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss and to update the Board on the mediation concerning the Minors 4 development Storm Water Agreement carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Sellenheim/Johnson to reconvene into open session at 8:40 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session and/or any unfinished item remaining on the agenda carried unanimously upon roll call vote.

Mediation pertaining to the Minors 4 Development

Motion by Penzkover/Decker to reject the offer of \$40,000 made by the Developer and direct the Village Attorney to prepare a memo outlining a counter offer of \$125,000 to be shared between the homeowners association and the Developer at their discretion provided they reach an agreement regarding existing storm water management plan issue carried.

Motion by Decker/Johnson to convene into closed session at 8:41 p.m. pursuant to Wisc. Stat. **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss negotiation strategies pertaining to the Mukwonago Professional Policemen's Association contract, to review and finalize the third amendment to the offer to sell property from Horter/Lynch LLC to the Village of Mukwonago, to finalize the purchase of property within TID #3 for the construction of a right-of-way for the purposes of a second industrial park carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Sellenheim/Johnson to reconvene into open session at 9:12 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session and/or any unfinished item remaining on the agenda carried unanimously upon roll call vote.

Mukwonago Professional Policemen's Association

Motion by Penzkover/Decker to proceed with contract negotiations with the Village of Mukwonago Professional Police Association, as discussed in closed session, carried.

Property within TID #3 for Right-of-Way

Motion by Penzkover/Decker to close on property and authorize the Village President and Village Clerk to execute it carried.

Third Amendment to Offer to Sell Lynch Property

Motion by Penzkover/Decker to approve the 3rd amendment to the offer to sell property from Horter/Lynch LLC to the Village of Mukwonago with insertion of words “ within 30 days” in 2nd line in item 2 and authorize Village President and Village Clerk to execute it, as discussed in closed session, carried.

Adjournment

Meeting adjourned at 9:10 p.m.

Respectfully Submitted,

Judith A. Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, September 2, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan (Entered at 6:33 p.m.)
Mike Sellenheim
Fred Winchowky, Village President

Also present: Ken Pileggi, Police Lieutenant
Diana Doherty, Finance Director
Jeff Belongia, Bond Advisor
John Weidl, Village Administrator
Dean Falkner, Public Works/Utilities Director
Ron Bittner, DPW Crew Supervisor/Coordinator
Steven Braatz, Jr., Village Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the August 19 regular meeting
 - B. Approval of Vouchers Payable in the amount of \$2,464,403.76
 - C. Granting of 2014-15 Operator's Licenses for Ashley R. Arneson, Timothy M. Galinsky, and Shannon L. Wainwright
 - D. Granting of 2014 Application for Temporary Class B Beer Licenses for Knights of Columbus on September 20 and October 19, 2014
 - E. Granting of 2014 Application for Temporary Class B Beer License for Sons of American Legion on September 20, 2014
 - F. Adoption of **Resolution 2014-29**: A Resolution Designating Public Depositories and Authorizing Withdrawal of the Village of Mukwonago Monies
 - G. Adoption of **Resolution 2014-31**: 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 by Johnson/Decker to approve the Consent Agenda as presented carried.

Unfinished Business

Resolution 2014-32

Motion by Penzkover/Decker to adopt **Resolution 2014-32**: *Resolution Accepting Certain Work Completed In Edgewood Meadows Condominium Subdivision* carried.

Resolution 2014-33

Motion by Penzkover/Decker to postpone action on the resolution accepting certain work completed in Fox River View Condominium Subdivision carried.

Committee/Commission Reports

Finance Committee

Resolution 2014-28

Motion by Johnson/Sellenheim to adopt Resolution 2014-28: *Resolution Authorizing the Issuance and Sale of \$2,475,000 Taxable General Obligation Promissory Notes* carried unanimously.

Health and Recreation Committee

Frisbee Golf Course Development –Next Phase Completion – Miniwaukan Park and Request by Mukwonago Area Senior Citizens to install a PickleBall Court in Field Park

Items will remain in committee and be considered again in March 2015.

Replacement of stone barbeque pits in Field Park

The Department of Public Works will be removing the stone barbeque pits in Field Park and replacing them with steel charcoal grills using funds donated by Mukwonago Kiwanis Club. Information only.

New Business

Village Clerk

January 1, 2014 population estimates

Motion by Decker/Fickau to accept the January 1, 2014 population estimates from the Wisconsin Dept. of Administration for the Waukesha and Walworth County portions of the Village, with the Waukesha County portion being 7,390 and the Walworth County portion being 117, carried.

Village President

Appointments to Economic Development Committee

Item remains on the agenda.

Adjournment

Meeting adjourned at 6:50 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday, September 3, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 4:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
 Jim Decker
 Darlene Johnson
 Mark Penzkover
 Dennis O'Bryan
 Mike Sellenheim
 Fred Winchowky, Village President

Also present: John Weidl, Village Administrator
 Susan Love, Labor Attorney
 Steven Braatz, Jr., Village Clerk-Treasurer

Closed Session

Motion by Decker/Johnson to go into closed session at 4:33 p.m. pursuant to Wis. Stats. **§19.85(1)(c)** (*Considering... Performance Evaluation Data of Any Public Employee Over Which the Governmental Body Has Jurisdiction or Exercises Responsibility*) to review and discuss the performance evaluation of the Village Administrator carried unanimously upon roll call vote. Discussion held in closed session.

Motion by O'Bryan/Johnson to adjourn closed session and reconvene to open session at 5:52 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning the performance evaluation of the Village Administrator discussed in closed session carried unanimously upon roll call vote.

Motion by O'Bryan/Johnson to authorize the Labor Attorney to proceed as directed in closed session carried (Sellenheim voted no).

Adjournment

Meeting adjourned at 5:53 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Tuesday, September 9, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 8:37 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Bruce Kaniewski, Village Planner
Mark Blum, Village Attorney
Steven A. Braatz, Jr., Clerk-Treasurer

New Business

Lynch Ventures certified survey map

Motion made by Sellenheim/Johnson to accept the Plan Commission recommendation and approve the certified survey map requested by Mark Greene, Lynch Ventures, for the property located on East Wolf Run, north of Wal-Mart, known as MUKV2013994002.

The conditions are:

1. Granting of a waiver to Section 45-116 (b) of the Land Division Ordinance that requires side lot lines be radial to curved street centerlines. The large size of the lots supersedes the need to comply with the requirement.
2. Prior to recording of the CSM, a revised CSM shall be submitted for the review of the Village Engineer's office to include the following:
 - a. Complete all revisions as recommended by the Village Engineer's office.

Motion carried.

TID #3 certified survey map

Motion made by Johnson/Decker to accept the Plan Commission recommendation and approve the certified survey map requested by Village of Mukwonago, for the properties located on the west side of STH 83, south of East Wolf Run, known as MUKV2015995001 and MUKV2016997001.

The conditions are:

1. Granting of a waiver to Section 45-116 (b) of the Land Division Ordinance that requires side lot lines be radial to curved street centerlines. The large size of Lots 1 and 2 supersedes the need to comply with the requirement, and granting of the waiver allows creation of regularly shaped lots for appropriately shaped building envelopes.
2. Approval of the CSM shall be subject to the granting of Highway 83 access approval by the Wisconsin Department of Transportation.

Adjournment

Meeting adjourned at 8:40 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

**MINUTES OF THE SPECIAL VILLAGE BOARD MEETING
JOINT MEETING WITH THE TOWN OF MUKWONAGO BOARD
Monday, September 15, 2014**

Call to Order

Village President Fred Winchowky and Town Chairperson Dave Dubey called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Town Hall, W320S8315 Beulah Rd.

Roll Call

Village Trustees present:

- Arnold Fickau
- Jim Decker
- Darlene Johnson
- Mark Penzkover
- Dennis O'Bryan
- Mike Sellenheim
- Fred Winchowky, Village President

Town Supervisors present:

- Jim Hintz
- Peter Topczewski
- Tom Stefanowski
- Ruth Ann Nicoson
- Dave Dubey, Town Chairperson

Also present:

- Jeff Stien, Fire Chief
- Diana Doherty, Village Finance Director
- John Weidl, Village Administrator
- Steven Braatz, Jr., Village Clerk-Treasurer
- Kathy Karalewitz, Town Administrator/Clerk-Treasurer

New Business

CPR manikins sales

Village: Motion by Johnson/Penzkover to authorize the use of revenue in the amount of \$300 from sale of old CPR manikins to purchase additional Class A uniforms for the Mukwonago Fire Dept. carried (Fickau voted no).

Town: Motion by Nicoson/Stefanowski to authorize the use of revenue in the amount of \$300 from sale of old CPR manikins to purchase additional Class A uniforms for the Mukwonago Fire Dept. carried.

Consideration of intercept fee increase

Village: Motion by Penzkover/O'Bryan to proceed with the process of increasing the intercept fee to \$485 carried.

Town: Motion by Stefanowski/Nicoson to proceed with the process of increasing the intercept fee to \$485 carried.

2015 Fire/Ambulance Operating Budget

Doherty and Stien presented the proposed 2015 Fire/Ambulance Operating Budget. Highlights include a reduction of \$12,000 from the 2014 budget for a .2% decrease. Some

compensation amounts were moved from Fire to Ambulance. Stien will be using a shared work pool with Waterford and Eagle Fire Departments. The Village Board indicated they are satisfied with the presented 2015 budget. The Town needs to wait and see the rest of their budgets before authorizing the Fire/Ambulance budget to be sent to public hearing. Discussion only. No action taken.

5-year Capital Equipment Plan for Fire Department

Doherty and Stien presented the proposed 5-year Fire/Ambulance Capital Equipment Plan. The plan calls for the purchase of a pumper/tender truck for \$625,000 in 2015. The Town would prefer to postpone that purchase to 2016 or beyond due to the fact they are making their first payment in 2015 on their portion of the ladder truck. Stien and Doherty will revise the plan and it will be presented again prior to the public hearings. Discussion only. No action taken.

Joint fire department contract

The Boards discussed the various options available for the Town providing Fire and ambulance service, including staying in the current joint contract, revising the contract based on various usage factors, and having the Village take over the Dept. and the Town would contract. Item referred back to the Protective Service Committees.

Adjournment

Meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Village Clerk-Treasurer

Kathy Karalewitz
Town Administrator/Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, September 16, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:32 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
 Jim Decker
 Darlene Johnson
 Mark Penzkover
 Dennis O'Bryan
 Mike Sellenheim
 Fred Winchowky, Village President

Also present: Ron Bittner, DPW Crew Supervisor/Coordinator
 Kevin Schmidt, Police Chief
 Diana Doherty, Finance Director
 John Weidl, Village Administrator
 Dean Falkner, Public Works/Utilities Director
 Bruce Kaniewski, Village Planner
 Steven Braatz, Jr., Village Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Public Hearing

The Public Hearing to consider a change of zoning requested by Village of Mukwonago, for the properties located on the west side of STH 83, south of East Wolf Run, known as MUKV2015995001 and MUKV2016997001, from the current zoning districts of B-4, Commercial Business Design District, and the M-2, Light Industrial District to the B-4, Commercial Business Design District and the M-4, Median/Heavy Industrial District opened at 6:34 p.m.

Presentation

Bruce Kaniewski, Village Planner, presented the change of zoning in the future Industrial park area. This rezoning would match the lot and road layout as approved in the certified survey map that was approved by the Board.

Public Comments

James Piala, S39W27833 Genesee Rd., Waukesha, owner of 1341 Bear Pass apartments – Concerned about the possibility of a gasification plant being built near the apartments. If this zoning change for it, then he opposes the zoning change.

Cathy Piala, S39W27833 Genesee Rd., Waukesha, owner of 1341 Bear Pass apartments – Spoke in opposition. M-2 zoning requires a gasification plant to be a conditional use. M-4 zoning makes it an allowed use, which makes it easier to be implemented without citizen input.

Marilyn McCarthy, S108W27690 Maple Ave. – Wanted to know the benefit of the zoning change. Asked if this will allow any 24-hour operations. Asked about the road placement. Asked about the potential for a speed reduction on STH 83. Asked if there will be stop signs or lights on STH 83 and the new road.

Kevin McCarthy, 1475 S. Rochester St. – Concerned with the zoning on Lot 2 and the potential for future businesses complaining about his farm activities. Would prefer M-4 or M-2 zoning on Lot 2. Has concerns about the entrance on STH 83, and would like stop signs or a stop light or a round-a-bout installed.

Nancy Didenko, W320N1161 Butternut Ridge, Delafield, owner of several Legend Meadows apartments – Asked if the road on Bear Pass is going to continue into the industrial park.

Public hearing closed at 6:46 p.m.

Kaniewski answered some of the questions asked during the public hearing. There is no current plan to extend Bear Pass into the industrial park. The plans for the site in that area is unknown at this time. The Village is finalizing the agreement with WisDOT for access approval for the access road. Letters will be going out soon supporting a reduction of the speed limit on STH 83 south of the hill. The plan is to terminate the new road with a cul du sac until there is further development. There will only be a stop sign at the intersection with STH 83. WisDOT wants to install stop lights at Wolf Run/STH 83. Weidl answered the question regarding the gasification plant. Shortly after the meeting with the Plan Commission in April, a letter went out to the interested party asking for various items. The Village has not had any contact since the letter went out. Kaniewski answered the question regarding 24-hour operations. It depends on the type of business whether it is a permitted or conditional use.

Motion by Decker/Penzkover to adopt Ordinance No. 879: *An Ordinance to Amend the District Zoning Map of the Village of Mukwonago* carried.

Reports

President Winchowky noted the 2014 August Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Max Dickman, Representative from Roundys Corp. – Does not feel the current calculation dividing the costs of the weights and measures bill is fair. Asked the Board to review the weights and measures ordinance in the future to come up with a more equitable method of dividing the bill.

Consent Agenda

- A. Approval of minutes for the September 2, 2014 regular meeting and September 3 and 9, 2014 special meetings
- B. Approval of Vouchers Payable in the amount of \$213,052.09
- C. Granting of 2014-15 Operator's License to Dana M. Misenar
- D. Granting of 2014 Application for Temporary Class B Beer License for Mukwonago Area Chamber of Commerce on September 20, 2014 at the 100 block of Atkinson St.

Motion by Decker/Fickau to approve the Consent Agenda as presented carried.

Committee/Commission Reports

Finance Committee

312 Spring Street special assessment

Motion made by Johnson/Decker to approve the request by Jeff and Lindsay Grant and waive the principal and interest from the High School Project special assessment from 1972 for the property located at 312 Spring Street, known as MUKV1974945. The

reason for the waiver is the special assessment should have been paid by the previous owner in 2000 when the property came into the Village via the boundary agreement with the Town of Mukwonago. The special assessment could have also been paid in 2006 when the property was sold to Jeff and Lindsay Grant. Both opportunities were missed by the Village. Motion carried.

Health and Recreation Committee

Town of Mukwonago Park and Recreation Agreement

Committee was given an update on the Park and Recreation Agreement with the Town of Mukwonago. The Committee will begin in early 2015 discussing the future of the contract. No action taken.

Judicial Committee

Ordinance No. 881

Motion by Judicial Committee/Johnson to adopt Ordinance No. 881: *An Ordinance to Create Section 54, Article VI of the Village of Mukwonago Municipal Code Concerning Sex Offender Loitering* carried.

Resolution 2014-34

Motion by Judicial Committee/Johnson to adopt Resolution 2014-34: *Resolution Providing for the Publication, Filing, Inspection, and Adoption of Chapter 10, Articles III and IV of the Municipal Code of the Village of Mukwonago* carried.

Chapter 82 Ordinance

Motion by Decker/Johnson to postpone consideration of an ordinance to amend Chapter 82 of the Village of Mukwonago Municipal Code pertaining to the regulation of traffic and vehicles to the October 21, 2014 Village Board meeting to allow for further Judicial Committee review carried.

Plan Commission

Minor's Estates Preliminary Plat

Motion by Penzkover/Decker to postpone the consideration of the preliminary plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I to the October 14, 2014 Plan Commission and October 21, 2014 Village Board meetings carried.

Kwik Trip certified survey map

Motion made by Decker/Sellenheim to approve the certified survey map requested by Jeff Osgood, Kwik Trip, Inc., for the properties located on the east side of STH 83, north of Black Bear Blvd, known as MUKV1962990003 and MUKV1962993 contingent upon the conditions as stated in the letter from the Village Planner dated September 2, 2014 carried.

730 Perkins Dr. site plan/architectural plan

Motion made by Penzkover/Decker to approve the site plan/architectural plan approval requested by 730 Perkins LLC for the property located at 730 Perkins Dr. known as MUKV1970999022.

The conditions are:

1. Approval of the plans shall be subject to the plans submitted by MSI General that include the Site Plan, Sheet C-101 dated August 21, 2014, the Preliminary Grading Plan, Sheet CE-3 dated August 22, 2104 and the Exterior Elevations, Sheet A-201 dated July 1, 2104. The plans may be further revised to conform to other conditions of approval subject to the approval of the Zoning Administrator.
2. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
 - a. The Village Engineer and Building Inspector shall approve the final grading plan.
 - b. Approval of the plans by the Fire Chief, which shall include a hard paved surface extending along the sides to the back edge of the addition.
 - c. Approval of building plans by the Building Inspector.
3. Prior to temporary occupancy issuance, if needed to occur prior to final occupancy permit, the following shall occur:
 - a. Completion of all site grading in accordance with approved plans.
 - b. Completion of all exterior lighting in accordance with approved plans.
 - c. Completion of the addition in accordance with approved plans and all applicable codes.
 - d. Completion of a hard surface extending along the sides to the back edge of the addition. For temporary occupancy, the hard surface may be gravel but must be paved for final occupancy.
4. Prior to final occupancy permit, which shall be issued not later than 120 days after any temporary occupancy permit, the following shall occur:
 - a. Completion of all items within Condition No. 3.
 - b. Completion of additional paving and striping of the parking areas, in accordance with approved plans.

Motion carried.

Public Works Committee

Resolution 2014-33

Motion by Penzkover/O'Bryan to adopt Resolution 2014-33: *Resolution Accepting Certain Work Completed in Fox River View Subdivision* carried.

Resolution 2014-35

Motion by Penzkover/O'Bryan to adopt Resolution 2014-35: *Resolution Accepting Certain Work Completed in Fox River View Subdivision* carried.

Engineering services

Motion by Penzkover/Decker to direct Village staff to utilize Ruekert and Mielke for Village-related standard engineering services and any requests to use an alternate firm or internal resources for engineering services shall be approved by the Public Works Committee carried.

2013 Annual Water and Sewer Utilities Report

Motion by Penzkover/Fickau to accept the 2013 Annual Water and Sewer Utilities Report carried.

Section 34, Article III Ordinance

Motion by Penzkover/Johnson to postpone consideration of an ordinance to create Section 34, Article III of the Village of Mukwonago Municipal Code pertaining to Urban Forestry Management to the October 21, 2014 Village Board meeting to allow for further Public Works Committee review carried.

Ordinance No. 880

Motion by Penzkover/O'Bryan to adopt **Ordinance No. 880**: *An Ordinance to Amend Chapter 74 of the Village of Mukwonago Municipal Code Pertaining to the Regulation of Streets, Sidewalks and Other Public Places* carried.

Discussion and identification of success factors in Public Works Department reorganization relating to operational performance, Public Works Staffing, and Consideration of utilizing the State Apprenticeship Program for wastewater to fill utility operator vacancy

Items remain in Committee.

New Business

Village Administrator

The Glen of Mukwonago

Motion by Penzkover/Decker to grant the Village Administrator authorization to draw on the letter of credit for The Glen of Mukwonago in the event the renewal of the letter of credit is not received by the Village by the due date of September 20, 2014 carried.

Village Clerk

2013-14 weights and measures schedule of assessments and fees

Motion by Penzkover/Decker to approve the 2013-14 weights and measures schedule of assessments and fees carried.

Village President

Appointments to Economic Development Committee

Item remains on the agenda.

Adjournment

Meeting adjourned at 7:45 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Tuesday, September 23, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 5:00 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
Ken Pileggi, Police Lieutenant
Diana Doherty, Finance Director
John Weidl, Village Administrator
Susan Love, Village Labor Attorney
Rob Buikema, Village Labor Attorney
Steven Braatz, Jr., Village Clerk-Treasurer

Closed Session

Motion by Sellenheim/Penzkover to convene into closed session at 5:01 p.m. pursuant to Wis. Stats. §19.85(1)(c) (*Considering... Performance Evaluation Data of Any Public Employee Over Which the Governmental Body Has Jurisdiction or Exercises Responsibility*) to review and discuss the performance evaluation of the Village Administrator and §19.85(1)(e) (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss negotiation strategies pertaining to the Mukwonago Professional Policemen's Association contract carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Johnson/Decker to adjourn closed session and reconvene to open session at 6:55 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session and/or any unfinished item remaining on the agenda carried unanimously upon roll call vote.

Motion by Sellenheim/Johnson to take action pertaining to the performance evaluation of the Village Administrator as discussed in closed session carried.

New Business

Resolution 2014-36

Motion by Penzkover/Decker to adopt Resolution 2014-36: *A Resolution for Inclusion Under the Wisconsin Public Employers' Group Health Insurance Program with a Request to Retain a Second Group Health Plan* carried.

Adjournment

Meeting adjourned at 7:05 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, October 7, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Diana Doherty, Finance Director
Kevin Schmidt, Police Chief
Ron Bittner, DPW Crew Supervisor/Coordinator
John Weidl, Village Administrator
Dean Falkner, Public Works/Utilities Director
Steven Braatz, Jr., Village Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed sessions

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stats. **§19.85(1)(e)** (...conducting other specified public business, whenever competitive or bargaining reasons require a closed session) to discuss negotiation strategy for the mediation concerning the Minors 4 development Storm Water Agreement and Wisc. Stat. **§19.85(1)(g)** (Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved) to discuss the potential Village involvement in the Krueger vs. Village of Mukwonago Chamber of Commerce litigation.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the September 15 and 23, 2014 special meetings and September 16, 2014 regular meeting
 - B. Approval of Vouchers Payable in the amount of \$385,484.71
 - C. Granting of 2014-15 Operator's Licenses for Jody M. Comer and Tara L. Lloyd
- Motion by Decker/Fickau to approve the Consent Agenda as presented carried.

Committee/Commission Reports

Finance Committee

Town of Vernon invoices pertaining to Dam Failure Shadow zoning

Motion by Johnson/Decker to deny the payment of \$3,199.96 for invoices related to the application for rezoning in the Town of Vernon to comply with Dam Failure Shadow

(DFS) regulations of the Wisconsin Department of Natural Resources (DNR). The Village will pay \$710.36 related to the time the Town Planner and Town Engineer spent reviewing the application and preparing a background report to the Town Plan Commission. The remaining \$2,498.60 is related to the Town Attorney's objection to the application, and is not the responsibility of the Village. Staff is directed to respond to the request by the Town of Vernon. Motion carried.

New Business

Village Administrator

Mukwonago Business Park

Motion by Penzkover/Johnson to approve the proposal by Professional Service Industries, Inc. for geotechnical exploration in the new Mukwonago Business Park as presented carried.

Ordinance No. 882

Motion by Penzkover/Fickau to adopt Ordinance No. 882: *An Ordinance to Amend Secs. 2-147 and 2-148 of the Village of Mukwonago Municipal Code Pertaining to Economic Development Committee Composition* carried.

Village Clerk

Request to appoint Joanne M. Dehring, Claudia J. Caves, and Guy P. Caves as Election Inspectors for the 2014-15 Election Cycle

Motion by Decker/Sellenheim to appoint Joanne M. Dehring, Claudia J. Caves, and Guy P. Caves as Election Inspectors for the 2014-15 Election Cycle carried.

Village Finance Director

Village employee health insurance plan

Motion by Johnson/Decker to approve the Village employee health insurance plan change from traditional to low-deductible plan carried.

Employee Health Reimbursement Arrangements (HRAs)

Motion by Johnson/Decker to approve the creation of employee Health Reimbursement Arrangements (HRAs) to cover costs not covered by the health insurance plan. The contributions shall be \$500 for single and \$1,000 for family. Staff is directed to create the plan and present to Personnel Committee. Motion carried.

Consideration of maintain Flex Spending Accounts for employee pre-tax contributions to help offset deductibles

No action taken.

Village President

Appointments to Economic Development Committee

Item will remain on the agenda.

Consideration of 2015 Budget Workshop Dates

The 2015 budget workshop will be October 22, 2014, at 5:00 p.m. The 2015 budget hearing will be November 20, 2014, at 5:30 p.m.

Closed session

Motion by Decker/Penzkover to convene into closed session at 7:32 p.m. pursuant to Wisc. Stat. **§19.85(1)(e)** (*...conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss negotiation strategy for the mediation concerning the Minors 4 development Storm Water Agreement and Wisc. Stat. **§19.85(1)(g)** (*Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) to discuss the potential Village involvement in the Krueger vs. Village of Mukwonago Chamber of Commerce litigation carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover/Decker to reconvene into open session at 7:57 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session and/or any unfinished item remaining on the agenda carried unanimously upon roll call vote.

Motion by Penzkover/O'Bryan to authorize the Administrator to proceed as directed in closed session pertaining to negotiation strategy for the mediation concerning the Minors 4 development Storm Water Agreement carried.

Motion by Penzkover/Decker to authorize the Administrator and Village Attorney to proceed as directed in closed session pertaining to the potential Village involvement in the Krueger vs. Village of Mukwonago Chamber of Commerce litigation carried.

Adjournment

Meeting adjourned at 7:59 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, October 21, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Diana Doherty, Finance Director
Bruce Kaniewski, Village Planner
Ken Pileggi, Police Lieutenant
John Weidl, Village Administrator
Dean Falkner, Public Works/Utilities Director
Ron Bittner, DPW Crew Supervisor/Coordinator
Judith A. Taubert, Village Deputy Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed sessions

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stat. **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss negotiation strategies pertaining to the STH 83 transfer agreement and memorandum of understanding, the Mukwonago Professional Policemen's Association contract and Wisc. Stat. **§19.85(1)(g)** (*Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) to consult with legal counsel regarding potential litigation involving a former Department of Public Works Crewman workers compensation claim.

Public Hearings

The Public Hearing to consider an ordinance to amend Sections 100-157 and 100-208 of the Village of Mukwonago Municipal Code (Zoning) pertaining to the regulation of vehicle related businesses and other businesses opened at 6:34 p.m.

Presentation

Bruce Kaniewski, Village Planner presented the several minor changes to the Village of Mukwonago Municipal Zoning Code pertaining to regulation of vehicle related businesses and other businesses.

Public Comments

None

Public hearing closed at 6:43 p.m.

The Public Hearing to consider an ordinance to repeal and recreate Division 7 of Chapter 100 of the Village of Mukwonago Municipal Code (Zoning) regarding floodplain districts and standards and amend Section 100-857 referencing amendments to floodplain districts opened at 6:43 p.m.

Presentation

Bruce Kaniewski, Village Planner explained that for Flood Plain regulations we are under the FEMA and WDR for the standards that we must follow. There have been two changes in the standards so we need to update our codes. 1) We need to adopt a new Model Code. 2) We need to adopt new Flood Storage District maps(area next to floodplains) and the DNR requires us to adopt new Flood Plain Maps that have been issued by FEMA all by November 5, 2014.

Public Comments

None.

Public hearing closed at 6:44 p.m.

Reports

President Winchowky noted the 2014 September Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Debra Clark, 1123 Rainbow Court, spoke in support of Kwik Trip. They provide jobs with benefits. They give back to the Community. They are a unique place with reasonable prices. They are clean. We need competition.

Lisa Engel, 1109 Rainbow Court, spoke in support of Kwik Trip. She works for them. She became ill and they supported her and worked with her regarding the hours she worked.

Joe Pulczynski, 428 Lake Street, spoke in support of Kwik Trip. It is a great family owned Wisconsin based company who treat employees well.

Dick Greenwald, 632 Oakland Avenue, spoke against Kwik Trip, he said the residents don't want it and we should not issue a permit for another gas station. He would like the Board to deny Kwik Trip.

Tammy Pulczynski, 428 Lake Street, spoke in support of Kwik Trip. It would be a great asset to the Community.

Darwin Greenwald, 1243 Fox River Court, spoke against Kwik Trip. He is opposed to vacant buildings. He handed out a Retail MarketPlace Profile similar to Mukwonago showing 10 gas stations would be too many. He said it would lower property values, resale values and would cause present gas stations to go out of business which would cause environmental issues.

Tim Gehl, 1176 Black Bear Drive, spoke against the location of Kwik Trip. He handed out pictures taken from his property. He said all the traffic would affect the resale values of properties in The Glen so he would like the Board to deny the location. If proposed, he asked the Board to add a condition to put in a berm to block the site and sound.

Connie Gehl, 1176 Black Bear Drive, spoke against the location of Kwik Trip. She requested a berm of shrubbery with a condition of a time frame added for up keep.

Tom McKeever, 1210 Marshview Drive, spoke in support of Kwik Trip. He feels it should be approved because the Village Ordinance allows for it and the property has been vacant for a long time.

Troy Mleziva, Real Estate Development Manager for Kwik Trip, spoke in favor of being part of Mukwonago. They provide high quality products and service. Kwik Trip would work with the community on landscaping issues.

Dale Thorp, Attorney for Shell Station owners Darwin and Cheryl Greenwald, was hired to do a legal review of the application made by Kwik Trip. They have applied for an appeal with the Board of Building & Zoning Appeals to review the process and zoning issues concerning the Planning Commission's recommendation of approval for a Conditional Use Permit for Kwik Trip. They want the Board to hold off with any decisions regarding the Kwik Trip.

Consent Agenda

- A. Approval of minutes for the October 7, 2014 regular meeting
- B. Approval of Vouchers Payable in the amount of \$189,217.28
- C. Granting of 2014-15 Operator's Licenses to Lori L. Marske and Daniel P. Woznicki

Motion by Decker/Johnson to approve the Consent Agenda as presented carried.

Committee/Commission Reports

Judicial Committee

Ordinance No. 883

Motion by Decker/Johnson to adopt Ordinance No. 883: *An Ordinance to Create Section 10, Article III of the Village of Mukwonago Municipal Code Pertaining to the Regulation of Massage and Bodyworks Establishments* carried.

Ordinance No. 884

Motion by Decker/Johnson to adopt Ordinance No. 884: *An Ordinance to Create Section 10, Article IV of the Village of Mukwonago Municipal Code Pertaining to the Regulation of Escort Services* carried.

Finance Committee

Purchase of compact utility tractor and ball diamond groomer

Motion by Johnson/Decker to approve the funding for the Public Works Department to purchase a compact utility tractor and ball diamond groomer with designated funds carried.

Inspection Department to purchase new vehicle

Motion by Johnson/Decker to allow funding up to \$18,000 to approve the Inspection Department purchasing a used vehicle with permit fee monies by doing a Budget Adjustment carried. Fickau voted no.

Resolution 2014-39

Motion by Johnson/Decker to adopt Resolution 2014-39: *Resolution Amending the Bail Bond Schedule as Set by the Municipal Judge of the Village of Mukwonago* carried.

Resolution 2014-40

Motion by Johnson/Decker to adopt Resolution 2014-40: *A Resolution Amending the 2014 Adopted Budgets for General, Debt Service, Recycling, Capital Equipment, Library, Impact Fees, Water, and Sewer Funds* carried.

Personnel Committee

Position description

Motion by O'Bryan/Johnson to approve the amended Full-time Public Works Crewperson position description carried.

Staffing for Department of Public Works

Motion by O'Bryan/Penzkover to recommend the Department Heads to fill their 280 hour short fall with part-time or full time positions as they feel needed carried.

Amendment to employment contracts

Motion by O'Bryan/Johnson to create a memorandum of understanding to be included in the contract for Fire Chief Stien considering Sec. 66.0502(4)(b) regarding residency requirements of 15 miles and to include his uniform allowance to be connected to the current budget cycle carried (Fickau and Decker voted no).

Motion by O'Bryan/Sellenheim to create a memorandum of understanding for mileage to be included in the paperwork for Administrator Weidl that we are enforcing nothing more than the Sec. 66.0502 (4)(b) of a 15-mile radius carried (Decker and Fickau voted no).

Plan Commission

Resolution 2014-38

Motion by Penzkover/Decker to postpone the adoption of Resolution 2014-38: Conditional use permit for the construction of a car wash, fueling station, and allowance for outside sales, Kwik Trip, Inc., MUKV1962990003 and MUKV1962993 until there is a decision regarding the application from the Board of Appeals carried.

Minor's Estates

Motion by Decker/Fickau to postpone the consideration of Preliminary Plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I to the December 9, 2014 Plan Commission meeting carried.

Ordinance No. 886

Motion by Decker/Penzkover to adopt Ordinance No. 886: An ordinance to amend Sections 100-157 and 100-208 of the Village of Mukwonago Municipal Code (Zoning) pertaining to the regulation of vehicle related businesses and other businesses carried.

Ordinance No. 887

Motion by Decker/Penzkover to adopt Ordinance No. 887: An ordinance to repeal and recreate Division 7 of Chapter 100 of the Village of Mukwonago Municipal Code (Zoning) regarding floodplain districts and standards and amend Section 100-857 referencing amendments to floodplain districts carried subject to final review of Ordinance by DNR

Protective Services Committee

Jefferson St. stop signs

Motion by Fickau/Johnson to deny the request by Alan Johnson to place 4-way stop signs at every intersection along Jefferson St. carried. Children signs to be placed on next agenda.

Consideration of study or internal evaluation on future implementation of the joint fire department and possible contractual agreements between the Village and Town

No Action. Item to remain on the agenda.

Public Works Committee

528 Wahl Ave.

Motion by Penzkover/Decker to approve request by Wendy Pate for 1st Quarter reduction in sewer charges, in the amount of a \$104.80 credit for the property located at 528 Wahl Ave. due to broken outside water pipe carried.

Ordinance No. 885

Motion by Penzkover/O'Bryan to adopt Ordinance No. 885: *An ordinance to create Section 34, Article III of the Village of Mukwonago Municipal Code pertaining to urban forestry management* carried.

Interim Village Engineering Services agreement

Motion by Penzkover/Decker to approve the 3-year contract with Ruekert and Mielke for engineering services, and authorize the Village President to execute after legal review from Village Attorney carried.

Orchards of Mukwonago Street Rehabilitation and Utility Adjustments project

Motion by Penzkover/Decker to approve the closeout change order to deduct \$23,645.06 for the Orchards of Mukwonago Street Rehabilitation and Utility Adjustments project, and authorize the Village President to execute carried.

New Business

Village Finance Director

Consideration of policy pertaining to health insurance for part-time employees

Motion by Penzkover/Sellenheim to establish a policy pertaining to health insurance for part-time employees carried.

Village President

November 4, 2014 Village Board meeting

Motion by Decker/Johnson to cancel the November 4, 2014 Village Board meeting due to the election carried.

Acceptance of Letter of Resignation by Ray Vees from the Library Board

Motion by Decker/Fickau to accept the letter of resignation by Ray Vees from the Library Board carried.

Appointments to Economic Development Committee and Library Board

Item to remain on the agenda.

Closed session

Motion by Decker/Johnson to convene into closed session at 8:09 p.m. pursuant to Wisc. Stat. **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or*

bargaining reasons require a closed session) to discuss negotiation strategies pertaining to the STH 83 transfer agreement and memorandum of understanding, the Mukwonago Professional Policemen's Association contract and Wisc. Stat. **§19.85(1)(g)** (*Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) to consult with legal counsel regarding potential litigation involving a former Department of Public Works Crewman workers compensation claim carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover/Decker to reconvene into open session at 9:26 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session and/or any unfinished item remaining on the agenda carried unanimously upon roll call vote.

Motion by Penzkover/Decker to authorize the Finance Director to pay the Workers Comp claim as directed by the State of Wisconsin and direct the Village Attorney to file claim against Lumbermans in an attempt to recover funds resulting from Workers Comp Claim carried.

Motion by Penzkover/Sellenheim to authorize the Village Attorney to implement Police Union negotiation strategy as discussed in closed session carried.

Motion by Penzkover/Sellenheim to direct Village staff to move forward with Hwy 83 negotiations as discussed in closed session carried.

Motion by Penzkover/Decker to direct Village Staff to move forward as discussed in closed session in regards to Protective Services carried.

Adjournment

Meeting adjourned at 9:28 p.m.

Respectfully Submitted,

Judith A. Taubert
Deputy Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday November 5, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 4:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Jim Decker
Darlene Johnson
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Trustees Excused: Arnold Fickau
Mark Penzkover

Also present: Kevin Schmidt, Police Chief
Ken Pileggi, Police Lieutenant
Diana Doherty, Finance Director
John Weidl, Village Administrator
Rob Buikema, Village Labor Attorney
Judith Taubert, Village Deputy Clerk-Treasurer

Committee/Commission Reports

Personnel Committee

Mukwonago Professional Police Association contract

Motion by O'Bryan/Decker to ratify the Mukwonago Professional Police Association Agreement with the Village of Mukwonago effective January 1, 2015 through December 31, 2017 and authorize the Village President to execute the contract upon completion carried.

Adjournment

Meeting adjourned at 5:06 p.m.

Respectfully Submitted,

Judith A. Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, November 18, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Dean Falkner, Public Works/Utilities Director
Bruce Kaniewski, Village Planner
Ron Bittner, DPW Crew Supervisor/Coordinator
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed session

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stat. **§19.85(1)(c)** (*Considering... Performance Evaluation Data of Any Public Employee Over Which the Governmental Body Has Jurisdiction or Exercises Responsibility*) to consider compensation for Building Codes Official and **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss potential tax incremental financing for retail development in TID #3.

Reports

President Winchowky noted the 2014 October Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

None.

Shawn McNulty and Darren Clark, Mukwonago Area School District, gave a presentation on the district and the 2015 school budget.

Consent Agenda

- A. Approval of minutes for the October 21, 2014 regular meeting and November 5 special meeting
- B. Approval of Vouchers Payable in the amount of \$765,098.03
- C. Granting of 2014-15 Operator's Licenses to Debra R. Parrilli, Lauren E. Reed, Ashley L. Rudderham, Jason E. Smith, Samantha A. Winkel, and Marnie E. Wolf
- D. Approval of Change of Agent for Ultra Mart Foods, LLC, 1010 North Rochester Street, d/b/a Pick'n'Save #6384, to Patrick T. Groves

Motion by Decker/Johnson to approve the Consent Agenda as presented carried.

Committee/Commission Reports

Finance Committee

Replacement of wheel loader

Motion by Johnson/Decker to approve the purchase of a replacement to the Public Works Department 1982 John Deere wheel loader up to \$175,000 carried.

Police impact fee funds

Motion by Johnson/Decker to approve the use of Police impact fee funds in the amount of \$1,100 to purchase tires for the Police Department carried.

Personnel Committee

Resolution 2014-42

Motion by O'Bryan/Johnson to adopt Resolution 2014-42: *Resolution Relating to Amendment to the Village Employee Handbook* carried.

Police Officer pay incentive

Motion by O'Bryan/Johnson to approve the pay incentive for Police Officer Cory Kirkpatrick at Associate Degree +15 credits as set forth in the current Police contract carried.

Plan Commission

Resolution 2014-38

Motion by Johnson/Penzkover to adopt Resolution 2014-38: *Conditional use permit for the construction of dugouts and a scoreboard, Mukwonago Area School District, MUKV1960998001* carried.

Fairwinds Subdivision Developers Agreement

Motion by Penzkover/Johnson to postpone consideration of an amendment to Fairwinds Subdivision Developers Agreement until the next Village Board meeting carried.

Protective Services Committee

Consideration of study or internal evaluation on future implementation of the joint fire department and possible contractual agreements between the Village and Town

Item remains on Committee.

Consideration of intercept agreement with Waterford Fire Department

Item remains on Committee.

Consideration of sharing of personal protective equipment costs with Waterford Fire Department

Committee directed Chief Stien to create a memorandum of understanding to present to the Committee at a future meeting. Item remains on Committee.

Public Works Committee

Focus on Energy matching grant

Motion by Penzkover/Decker to authorize the Public Works/Utilities Director to apply for Focus on Energy matching grant of up to \$15,000 to assess options to optimize anaerobic digester gas production and utilization of the gas for electricity or thermal energy carried.

Resolution 2014-41

Motion by Penzkover/Decker to adopt Resolution 2014-41: *A Resolution Adopting the 2015 Sanitary Sewer Utility Budget and 2015 Water Utility Budget* carried.

New Business

Village Clerk

Insurance claim for 1022 Bay View Ct.

Motion by Penzkover/Johnson to postpone consideration of the insurance company recommendation to disallow the insurance claim for damages related to a water softener break at 1022 Bay View Ct. until the December 16, 2014 Village Board meeting carried.

Retainer Agreement with Crivello, Carlson, S.C.

Motion by Penzkover/Decker to authorize the execution of the Retainer Agreement with Crivello, Carlson, S.C. for attorney services for Board of Building and Zoning Appeals representation carried.

Village Planner

Regional Water Quality Management Plan

Motion by Sellenheim/Decker to authorize the Village President to request SEWRPC to amend the Village's Water Quality Management Plan, and authorize Village staff to provide all necessary information as requested by SEWRPC to complete the plan carried.

Village Finance Director

Update on 2015 budget changes

Finance Director Doherty gave an update of the 2015 budget changes.

Village President

Appointment of Deb Calvey to Library Board

Motion by Johnson/Decker to accept the Village President recommendation and appoint Deb Calvey to Library Board carried.

Appointments to Economic Development Committee

Item will remain on the agenda.

Closed session

Motion by Penzkover/Decker to convene into closed session at 7:30 p.m. pursuant to Wisc. Stat. **§19.85(1)(c)** (*Considering... Performance Evaluation Data of Any Public Employee Over Which the Governmental Body Has Jurisdiction or Exercises Responsibility*) to consider compensation for Building Codes Official and **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss potential tax incremental financing for retail development in TID #3 carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover/Decker to reconvene into open session at 9:26 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session and/or any unfinished item remaining on the agenda carried unanimously upon roll call vote.

Adjournment

Meeting adjourned at 8:18 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE 2015 BUDGET HEARING AND SPECIAL VILLAGE BOARD MEETING

Thursday, November 20, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 5:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Trustee excused: Mark Penzkover

Also present: Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
Ron Bittner, DPW Crew Supervisor/Coordinator
Ann Lininger, Library Director
Diana Doherty, Finance Director
John Weidl, Village Administrator
Steven Braatz, Jr., Clerk-Treasurer

Public Hearing

Public hearing to consider the approval of the 2015 Annual Village Budget was opened at 5:31 p.m.

Administrator Weidl gave a presentation on the 2015 budget. Highlights include:

- 2nd year of the 2-year budget cycle which is built around spending targets rooted in concrete revenues
- Decrease of \$26,029 from State Transportation Aid and increase of \$39,365 in Shared Revenue for a net revenue increase of \$13,336.
- Health insurance premiums decreased significantly due to change in benefit to a low-deductible plan with the addition of HRA accounts; departments are redirecting the savings towards equipment purchases deferred in 2014
- Police officers will begin contributing 4.4% to WRS in 2015, full general employee contribution in 2016
- Transfer of \$99,000 from General Fund to Debt Service Fund to help offset 12.5% increase in debt payments due in 2015 over 2014
- Additional levy of \$66,427 from net new construction; \$13.592 mil in net new construction vs. \$5.6 mil the year before, and \$4.2 mil the year before that
- Increase of \$1,270 in unused 2013 tax levy
- Balanced budget for 2015 (expenditures < known revenues)
- Capital equipment for Public Works: \$480,000 for vehicle diagnostic equipment, front end loader, two plows, and an upgrade to LED lights in the garage. Funding will be \$455,000

from debt, and \$25,000 from designated fund balance. The new equipment will help reduce the fleet size.

- Capital equipment for Police: \$242,000 for a generator, squad car, and an update to the 911 system. Funding will be \$198,515 from debt, and \$43,485 from taxes.
- Capital equipment for Village as a whole: \$79,250 for an upgrade to the Village phone system, phone recorder for the Police Department, and Village Board tablets. Funding will be from designated fund balance. The new equipment will replace 15+ year-old phones and 5 year-old laptops.
- Capital equipment for Fire: \$75,000 for vehicle replacements. Funding will be \$37,500 from the Town of Mukwonago, and \$37,500 from taxes.
- The property tax levy for Operations and Capital Purposes increased \$68,816,018 or 2.1% from the 2013 levy.
- Increase of \$266,967 in debt service levy, or 13.49% from the 2013 levy.
- For Waukesha County properties, the local tax rate is estimated at \$7.8481, an increase of \$.2958 per \$1,000 of assessed value, or 3.92% over 2013.
- For Walworth County properties, the local tax rate is estimated at \$7.3415, an increase of \$.1532 per \$1,000 of assessed value, or 2.13% over 2013.

There were no comments from the public.

Public hearing closed at 6:00 p.m.

Resolution 2014-43

Motion by Decker/Fickau to adopt Resolution 2014-43: *A Resolution to Adopt the 2015 Annual Budget and Establish the 2014 Property Tax Levy for the Village of Mukwonago* carried unanimously upon roll call vote.

Adjournment

Meeting adjourned at 6:10 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, December 2, 2014

UNAPPROVED

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Dean Falkner, Public Works/Utilities Director
Bruce Kaniewski, Village Planner
Ron Bittner, DPW Crew Supervisor/Coordinator
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed sessions

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stat. **§19.85(1)(c)** (*Considering... Performance Evaluation Data of Any Public Employee Over Which the Governmental Body Has Jurisdiction or Exercises Responsibility*) to discuss the process of performance reviews for the department heads and **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss potential tax incremental financing for workforce housing and Gearbox Express.

Comments from the Public

Kevin Swan, Sara Investments – Here for questions related to the Gearbox discussion later in the meeting.

Consent Agenda

- A. Approval of minutes for the November 18, 2014 regular meeting and the November 20 special meeting

B. *Approval of Vouchers Payable in the amount of \$337,918.09

C. Granting of 2014-15 Operator's Licenses for Victoria D. Greenwald, Aaron J. Kroll, and Brooke A. Lehman

Motion by Johnson/Decker to approve the Consent Agenda as presented carried.

Unfinished Business

Village President – Appointments to Economic Development Committee

Item will remain on the agenda.

Committee/Commission Reports

Finance Committee

Building Inspection vehicle

Motion by Johnson/Decker to authorize the Supervisor of Inspections/Zoning Administrator to proceed with the sale of the 1997 Chevy Lumina and use the sales proceeds towards equipment on new inspection vehicle carried.

Health and Recreation Committee

Consideration of request by Josie Midman to donate and install benches in Field Park

Item will remain in Committee.

Johns Disposal Services residential recycling collection rate

Motion by Sellenheim/Decker to authorize an cost of living increase of 1.7% in the Johns Disposal Services rates residential recycling collection carried Johnson voted no).

Closed session

Motion by Decker/Penzkover to convene into closed session at 6:38 p.m. pursuant to Wisc. Stat. **§19.85(1)(c)** (*Considering... Performance Evaluation Data of Any Public Employee Over Which the Governmental Body Has Jurisdiction or Exercises Responsibility*) to discuss the process of performance reviews for the department heads and **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss potential tax incremental financing for workforce housing and Gearbox Express carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Fickau/Johnson to reconvene into open session at 8:26 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session and/or any unfinished item remaining on the agenda carried unanimously upon roll call vote.

Motion by Penzkover/Sellenheim to authorize staff to prepare preliminary application associated with the proposed innovative center and tax incremental financing district plan for review at the January 6, 2105 Board meeting carried.

Motion by Penzkover/Decker to authorize the inclusion of an additional \$395,000 in costs associated with soil conditions in the draft developer's guaranty agreement with Sara

Investments, with these additional funds established as a grant that possibly converts to a loan, or alternate language to be crafted by the Village Attorney, carried.

Adjournment

Meeting adjourned at 8:28 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, December 16, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: Ken Pileggi, Police Lieutenant
Jeff Stien, Fire Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Mark Blum, Village Attorney
Bruce Kaniewski, Village Planner
Ron Bittner, DPW Crew Supervisor/Coordinator
Kurt Peot, Village Engineer
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed sessions

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stat. **§19.85(1)(c)** and **§19.85(1)(e)** to discuss grievance strategy related to likely grievance by the Mukwonago Professional Firefighters IAFF L4585 contract, Wisc. Stat. **§19.85(1)(e)** to discuss negotiation strategy for the mediation concerning the Minors 4 development Storm Water Agreement, Wisc. Stat. **§19.85(1)(e)** to review and potentially act on the offer to purchase and developer guaranty agreement regarding the Gearbox site, and Wisc. Stat. **§19.85(1)(g)** to discuss the potential Village involvement in the Krueger vs. Village of Mukwonago Chamber of Commerce litigation.

Reports

President Winchowky noted the 2014 November Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Audrey Wasielewski, 112 Cernan Ct. – Spoke in support of the proposed Kwik Trip fueling station.

Erin Murdock, N8661 Cty Rd N, East Troy, 53120 – Spoke in support of the proposed Kwik Trip fueling station.

Ron Reinert, 1004 Bay View Ct. – Spoke in support of the proposed Kwik Trip fueling station.

John Whalen, President of The Glen of Mukwonago Homeowners Assn. – Spoke in opposition of the location of the proposed Kwik Trip fueling station.

Tim Gehl, 1176 Black Bear Dr. – Spoke in opposition of the location of the proposed Kwik Trip fueling station.

Ed Thompson, Attorney for The Glen of Mukwonago residents – Spoke in opposition of the location of the proposed Kwik Trip fueling station.

Myra Vachon, 1158 Black Bear Dr. – Spoke in opposition of the location of the proposed Kwik Trip fueling station.

Janean Cooper, S79W29125 Frog Alley Rd., Mukwonago – Spoke in support of the proposed Kwik Trip fueling station.

Troy Mlezivia, Real Estate Development Manager for Kwik Trip – Spoke in support of the proposed Kwik Trip fueling station.

Debra Bartolerio, 166 Geranium, Palmyra – Spoke in support of the proposed Kwik Trip fueling station.

Connie Gehl, 1176 Black Bear Dr. – Spoke in opposition of the location of the proposed Kwik Trip fueling station.

Darwin Greenwald, 1243 Fox River Ct. – Spoke in opposition of the proposed Kwik Trip fueling station.

Sarah Oberthaler, S92W35325 Barbary Ct. – Spoke in support of the proposed Kwik Trip fueling station.

Al Menzia, 1309 Riverton Dr. – Spoke in support of the proposed Kwik Trip fueling station.

Mary Liskow, 1170 Black Bear Dr. – Spoke in opposition of the location of the proposed Kwik Trip fueling station.

Tom McKeever, 1210 Marshview Dr. – Spoke in support of the proposed Kwik Trip fueling station.

Dale Thorpe, Attorney for DC Properties LLC – Spoke in opposition of the proposed Kwik Trip fueling station.

Consent Agenda

- A. Approval of minutes for the December 2, 2014 regular meeting
- B. Approval of Vouchers Payable in the amount of \$90,376.31
- C. Granting of 2014-15 Operator's Licenses to Garish Kumar and Kyler J. Schmor
- D. Adoption of **Resolution 2014-44**: A Resolution to Amend Statutory Speed Limits for the Village of Mukwonago, based on a favorable recommendation from the Judicial Committee, and contingent upon the adoption of Ordinance No. 888
- E. Adoption of **Resolution 2014-45**: A Resolution Pertaining to Designations of Through Highways, Controlled Intersections, and Location of Stop Signs for the Village of Mukwonago, based on a favorable recommendation from the Judicial Committee, and contingent upon the adoption of Ordinance No. 888
- F. Adoption of **Resolution 2014-46**: A Resolution to Amend Locations of Yield Intersections for the Village of Mukwonago, based on a favorable recommendation from the Judicial Committee, and contingent upon the adoption of Ordinance No. 888
- G. Adoption of **Resolution 2014-47**: A Resolution to Amend the Locations of One-Way Highways and Prohibited Turns for the Village of Mukwonago, based on a favorable recommendation from the Judicial Committee, and contingent upon the adoption of Ordinance No. 888
- H. Adoption of **Resolution 2014-48**: A Resolution to Amend Locations of No Passing Zones for the Village of Mukwonago, based on a favorable recommendation from the Judicial Committee, and contingent upon the adoption of Ordinance No. 888

- I. Adoption of **Resolution 2014-49**: A Resolution to Amend Parking Limitations for the Village of Mukwonago, based on a favorable recommendation from the Judicial Committee, and contingent upon the adoption of Ordinance No. 888
- J. Granting of 2015 Temporary Class B Beer Licenses to St. James Parish on January 2, February 6, March 6, April 3, May 1, 2015 for the property located at 830 CTH NN E
Motion by Johnson/Decker to approve the Consent Agenda as presented carried.

Unfinished Business

Resolution 2014-53

Motion by Penzkover/Sellenheim to adopt Resolution 2014-53: *Conditional Use Permit for the Construction of a Car Wash, Fueling Station, and Allowance for Outside Sales Kwik Trip, Inc., MUKV1962990003 and MUKV1962993* carried.

1022 Bay View Ct. insurance claim

Motion by Decker/Fickau to accept the insurance company recommendation and disallow insurance claim for damages related to a water softener break at 1022 Bay View Ct. carried.

Village President – Appointments to Economic Development Committee

Item will remain in the agenda.

Committee/Commission Reports

Finance Committee

Resolution 2014-52

The Massage Establishment License Fee and Masseur or Masseuse Permit Fee will come back at another time. The Escort Service License Fee is set at \$250. Motion by Sellenheim/Decker to adopt Resolution 2014-52: *A Resolution to Set the 2015 Schedule of Fees for the Village of Mukwonago* carried (Johnson voted no).

Judicial Committee

Ordinance No. 888

Motion by Decker/Johnson to adopt Ordinance No. 888: *An Ordinance to Amend Chapter 82 of the Village of Mukwonago Municipal Code Pertaining to the Regulation of Traffic and Vehicles* carried.

Resolution 2014-51

Motion by Decker/Johnson to adopt Resolution 2014-51: *A Resolution to Establish a Snowmobile Route Within the Limits of the Village of Mukwonago* carried.

Personnel Committee

Building Code Official position description

Motion by Personnel Committee/Sellenheim to approve the position description for Building Code Official carried.

Relief Snow Plow Operator position description

Motion by Personnel Committee/Sellenheim to approve the position description for Relief Snow Plow Operator carried.

Update on hiring process for Police officer vacancy

Discussion only. No action taken.

Resolution 2014-50

Motion by Personnel Committee/Sellenheim to adopt Resolution 2014-50: *A Resolution Relating to Salary and Wage Schedules for Non-represented Full-time and Part-time Employees* carried.

Plan Commission

Minor's Estates

Motion by Decker/Penzkover to postpone the consideration of Preliminary Plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I to the January 13, 2015 Plan Commission meeting carried.

Orchards of Mukwonago Addition #2 preliminary plat

Motion by Decker/Johnson to approve the preliminary plat, requested by The Orchards of Mukwonago LLC, for Addition #2 of the Orchards of Mukwonago subject to the following conditions:

- A. Approval is subject to the preliminary plat prepared by Donald C. Chaput, PLS, with a last revised date of November 12, 2014.
- B. Approval recognizes the approval of lot width variances by the Board of Zoning and Building Appeals for Lots 98 through 103. The variances shall be duly noted in the Developer's Agreement approved with the final plat with stipulations that:
 1. Driveway placements as shown on the preliminary plat shall be adhered to.
 2. Final engineering plans shall not place any fire hydrant or street light at the far end of the cul-de-sac, and placement of other items, such as street trees shall be avoided, if possible.
- C. The final plat shall conform to all comments as provided by the Village Engineer.
- D. The final plat shall conform to all comments as provided in the letter dated December 2, 2014, from Jason Fruth, Planning & Zoning Manager for Waukesha County.
- E. With submittal of the final plat a revised landscape plan shall be submitted.
- F. In addition to the final plat conforming to comments of the Village Engineer, Waukesha County and any other agency, on Lots 82 and 107 the final plat shall provide "no access" directly to Honeywell Road and a landscape easement along the Honeywell right-of-way.
- G. The Developer's Agreement approved with the final plat shall include, but not limited to, the following requirements with submittal of a surety by the developer to ensure completion of the requirements:
 1. Installation of multi-use trail along CTH ES to the intersection of CTH ES and Honeywell Road as required in the original Developer's Agreement.
 2. Installation of landscaping within the landscaping easements as per the landscaping plan approved by the Village with the final plat.
 3. Installation of a turning and/or by-pass lane within the Honeywell Road right-of-way at the intersection with Regees Road, as approved by the Village with the final plat.
 4. The Village Engineer shall work with staff and the Developer for completion of the developers agreement and final plat.

5. A deadline for the installation of the infrastructure shall be provided prior to the approval of the Final Plat.

Motion carried.

Towns-Pozorski/Chapman certified survey map

Motion by Penzkover/Decker to postpone the consideration of the certified survey map, requested by Tamara Towns-Pozorski, for part of the property located on the west side of STH 83, across from Black Bear Blvd., known as MUKV1962996 to the next Village Board meeting carried.

Gearbox Express site plan/architectural plans

Motion by Penzkover/Decker to approve the site plan/architectural plans, requested by Gearbox Express, of proposed building for part of the property located on the west side of STH 83, south of East Wolf Run, known as MUKV2015995001 subject to the following conditions:

- A. Approval of the Site Plan and Building Architectural Plans, prepared by Excel Engineering dated November 19, 2014, to allow the applicant to request of the Mukwonago Inspection Department to issue all necessary permits for commencement of site grading and installation of on-site utilities to connect to off-site municipal utilities to be constructed, subject to the following:
 1. Acquisition of the 10.92 acre property and the adjacent right-of-way by the Village of Mukwonago, and then transfer of the 10.92 acre property from the Village of Mukwonago to Mukwonago Property Group, LLC.
 2. Village Engineer approval, with other Village staff concurrence, of the site grading and erosion control plans as prepared by Excel Engineering.
 3. Village Engineer approval, with other Village staff concurrence, of the on-site utility plans as prepared by Excel Engineering.
 4. Wisconsin Department of Transportation approval of temporary access to Highway 83 within the dedicated right-of-way.
 5. Inspection Department approval, with other Village staff support, of the design of the temporary access road.
 6. Construction of the temporary access road to Highway 83 by the applicant.
 7. Applicant receipt of all permits and approvals from the Wisconsin Department of Natural Resources to commence site work, with copies forward to the Inspection Department.
 8. Applicant receipt of any other required federal, state or local permits and approvals.
- B. Final approval of the Site Plan and exterior Building Architectural Plans shall be given by the Village Zoning Administrator, with other Village staff concurrence, after revisions are made to the plans prepared by Excel Engineering pursuant to Village staff review. The revisions may include, but are not limited to, showing "land banked" future parking areas, design and location of the fire lanes, wider turning radii from the public street into the private driveway, and submittal of a landscape plan showing at least 36 bagged and burlapped trees to be planted on the site. Should differences occur between the applicant and the Zoning Administrator toward final approval, the Village Plan Commission shall be responsible for arbitrating the revisions and granting final approval.
- C. Prior to the issuance of a building permit to commence building construction, the following shall occur:

1. Completion of all requirements in Condition A should site grading and on-site utilities not start until issuance of the permit for the building.
 2. Final approval of the Site Plan and exterior Building Architectural Plan as indicated in Condition B.
 3. Approval of building plans by the Building Inspector in accordance with Village building code standards after receipt of approval of building plans by the State of Wisconsin.
 4. Approval of the plans by the Fire Chief, which may include, but are not limited to, the internal fire suppression system, external fire department connection location and hydrant locations.
 5. Applicant continued maintenance of the temporary access road until which time the permanent street surface is constructed by the Village of Mukwonago.
 6. Village receipt of approval from the Wisconsin Department of Transportation to construct a permanent access to Highway 83.
- D. Prior to temporary occupancy issuance, if needed prior to final occupancy permit, the following shall occur:
1. Completion of all site grading and storm water management facilities in accordance with approved plans, including landscaping that is a part of the storm water management facilities.
 2. Completion of all exterior lighting in accordance with approved plans.
 3. Completion of the buildings in accordance with approved plans and all applicable codes.
 4. Completion of a hard parking surface, including installation of handicapped parking signs and ramp.
 5. Completion of the dumpster enclosure.
 6. Connection of the on-site sanitary sewer and municipal water services to the external Village installed services.
 7. Connection of the on-site drainage facilities to the external Village installed storm water management facility.
 8. Village completion of the permanent intersection with Highway 83 and completion of the first layer of asphalt within the adjacent right-of-way.
 9. Village Board approval of a Storm Water Maintenance Agreement, with agreement signed by the applicant.
- E. Prior to final occupancy permit, which shall be issued not later than 120 days after any temporary occupancy permit, the following shall occur:
1. Completion of all items within Condition No. 4.
 2. Completion of paving and striping of the entire parking area, in accordance with approved plans.
 3. Installation of all site landscaping.
- F. Approval of any exterior signage shall occur through a separate process.
- G. The applicant and Village officials/staff agree that throughout the entire site and building construction process that coordination is essential as both entities will be constructing infrastructure/facilities within the same general location. Adjustments to the sequencing of construction of approved plans may occur as approved by the Zoning Administrator, with other Village staff concurrence.

Motion carried.

Kezman Trucking site plan/architectural plans

Motion by Penzkover/Decker to approve the site plan/architectural plans, requested by Kezman Trucking, of proposed building for the property located at 437 McKenzie Rd., known as MUKV1970998028 subject to the following conditions:

- A. Approval of the plans shall be subject to the plans prepared by Raposa Design Architecture, dated November 13, 2014.
- B. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
 - 1. The Building Inspector shall approve the final soil erosion plan.
 - 2. Approval of building plans by the Building Inspector.
 - 3. Approval of site exterior lighting plan by the Zoning Administrator.
- C. Prior to temporary occupancy issuance, if needed to occur prior to final occupancy permit, the following shall occur:
 - 1. Completion of all site grading in accordance with approved plans.
 - 2. Completion of all exterior lighting in accordance with approved plans.
 - 3. Completion of the addition in accordance with approved plans and all applicable codes.
- D. Prior to final occupancy permit, which shall be issued not later than 120 days after any temporary occupancy permit, the following shall occur:
 - 1. Completion of all items within Condition No. 3.
 - 2. Completion of additional striping of the parking areas, in accordance with approved plans.

Motion carried.

Ordinance No. 889

Motion by Penzkover/Sellenheim to adopt Ordinance No. 889: *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* carried.

Protective Services Committee

Consideration of study or internal evaluation on future implementation of the joint fire department and possible contractual agreements between the Village and Town

Item remains in Committee.

Paramedic intercept services agreements

Motion by Fickau/Penzkover to approve the agreements to provide paramedic intercept services between the Village and Town of Mukwonago and the Village of Waterford and the Town of Waterford contingent upon a similar approval by the Town of Mukwonago carried.

Sharing of personal protective equipment costs

Motion by Fickau/Penzkover to approve the memorandum of understanding related to sharing of personal protective equipment costs with Waterford and Eagle Fire Departments contingent upon a similar approval by the Town of Mukwonago carried.

Public Works Committee

1022 Bay View Ct. reimbursement of plumbing expenses

Motion made by Penzkover/O'Bryan to approve a reimbursement to Ronald Veigh, 1022 Bay View Ct., related to a water softener break based on the following reason:

- A. The Public Works Committee determined there was a lack of evidence by both the claimant and the Village. Therefore the Committee decided to meet in the middle and pay half of the plumbing costs.

Motion carried (Fickau and Decker voted no).

Kunkel Engineering agreement

Motion made by Penzkover/Decker to approve an amendment to engineering agreement with Kunkel Engineering related to Legend Meadow Lift Station elimination and the storm water pond with time and materials not to exceed \$58,000 carried.

Final clarifier trough replacement at Waste Water Treatment Plant

Motion made by Penzkover/O'Bryan to authorize the Utility Director to proceed with replacement of final clarifier trough replacement at Waste Water Treatment Plant with time and materials not to exceed \$16,700 carried.

New Business

Village Planner

Kwik Trip, Inc. agreements and easements

Motion by O'Bryan/Penzkover to postpone the consideration of the Developers and Storm Water Management Agreements, and easements with Dewey Farm, LLC and Mukwonago Burmeister LLC until the next regular meeting carried.

Village President

Consideration of special meeting with Town of Mukwonago pertaining to Fire Department matters

Winchowky and Doherty will meet with Town officials. No action taken.

Letter of Resignation

Motion by Fickau/Decker to accept the letter of resignation by Jaime Vega from the Plan Commission carried.

Appointment of Citizen Member to Plan Commission

Item will remain in the agenda.

Closed session

Motion by Fickau/Penzkover to convene into closed session at 9:18 p.m. pursuant to:

- A. Wis. Stat. **§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*) and Wisc. Stat. **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss grievance strategy related to likely grievance by the Mukwonago Professional Firefighters IAFF L4585 contract.

- B. Wisc. Stat. **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to discuss negotiation strategy for the mediation concerning the Minors 4 development Storm Water Agreement
- C. Wisc. Stat. **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to review and potentially act on the offer to purchase and developer guaranty agreement regarding the Gearbox site.
- D. Wisc. Stat. **§19.85(1)(g)** (*Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) to discuss the potential Village involvement in the Krueger vs. Village of Mukwonago Chamber of Commerce litigation.

Motion carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Fickau/Johnson to reconvene into open session at 10:05 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session and/or any unfinished item remaining on the agenda carried unanimously upon roll call vote.

Motion by Penzkover/Decker to direct the Village Attorney to approve the settlement agreement pertaining to Minor's Estates as presented carried.

Motion by Penzkover/Johnson to direct the Village Attorney to negotiate final details of the purchase and developer guaranty agreements pertaining to Gearbox Express as discussed in closed session carried.

Motion by Penzkover/Decker to direct the Village Attorney to settle the claim pertaining to the Krueger vs. Village of Mukwonago Chamber of Commerce litigation as discussed in closed session carried.

Adjournment

Meeting adjourned at 10:08 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Monday, December 29, 2014

Call to Order

Village President Fred Winchowky called the meeting to order at 5:00 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Dennis O'Bryan
Mike Sellenheim
Fred Winchowky, Village President

Also present: John Weidl, Village Administrator
Bruce Kaniewski, Village Planner
Dean Falkner, Utilities/Public Works Director
Ron Bittner, DPW Crew Supervisor/Coordinator
Steven Braatz, Jr., Clerk-Treasurer

Unfinished Business

Village Planner

Kwik Trip, Inc. Developers Agreement

Motion by Penzkover/Decker to approve the Developers Agreement with Kwik Trip, Inc.; MUKV1962990003 and MUKV1962993 carried.

Kwik Trip, Inc. Storm Water Management Agreement

Motion by Decker/Fickau to approve the Developers Agreement with Kwik Trip, Inc.; MUKV1962990003 and MUKV1962993 carried.

Dewey Farm, LLC Access Easement Amendment

Motion by Decker/Johnson to approve the Developers Agreement with Kwik Trip, Inc.; MUKV1962990003 and MUKV1962993 carried.

Kwik Trip, Inc. Access Easement Agreement

Motion by Sellenheim/Decker to approve the Developers Agreement with Kwik Trip, Inc.; MUKV1962990003 and MUKV1962993 carried.

Adjournment

Meeting adjourned at 5:25 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer