

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, January 6, 2015

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
Mike Sellenheim
Fred Winchowky, Village President

Trustee absent: Dennis O'Bryan

Also present: Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Dean Falkner, Utilities/Public Works Director
Bruce Kaniewski, Village Planner
Ron Bittner, DPW Crew Supervisor/Coordinator
Craig Kunkel, Special Village Engineer
Jeff Belongia, Village Bond Advisor
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)(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 negotiations of potential tax incremental financing for workforce housing and **§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 correspondence from the Village Attorney pertaining to possible course of action related to a special assessment placed on VNT2134998001 by the Town of Vernon.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the December 16, 2014 regular meeting and the December 29 special meeting
- B. Approval of Vouchers Payable in the amount of \$367,503.32
- C. Granting of 2014-15 Operator's Licenses for Jennifer S. Jovonovich and Anthony L. Roblero

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

Unfinished Business

Tamara Towns-Pozorski certified survey map

Motion by Penzkover/Sellenheim to send 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 back to the Plan Commission at the February 10, 2015 meeting for more review due to uncertainties with the road access and the Wis DOT carried.

Economic Development Committee Appointments

Motion by Fickau/Sellenheim to accept the Village President's recommendation and appoint Jerry Gasser for a term ending 2018, Roger Walsh for a term ending 2017, and Doug Bruins for a term ending 2016 as voting members to Economic Development Committee carried.

Village President – Appointment of Citizen Member to Plan Commission

Item will remain on the agenda.

Committee/Commission Reports

Personnel Committee

Ordinance No. 890

Motion by Johnson/Decker to adopt Ordinance No. 890: *An Ordinance to Delete Article IV, Division 4 of Chapter 2 of the Municipal Code to Delete the Office of the Village Administrator Under the Administration Section Due to the Creation of the Village Administrator Charter Ordinance* carried.

Public Works Committee

TID #3 utility work

Motion by Penzkover/Fickau to authorize Kunkel Engineering to proceed with the bidding process for utility work in TID #3 carried.

New Business

Village Planner

Consideration of Neighborhood Plan and Preliminary TID Project Plan for TID #4

Motion by Penzkover/Decker to direct staff to create a tax incremental finance district plan for the south Main St./Mukwonago River area as outlined in the Village Planner memo dated January 6, 2015 carried.

Village Administrator

Consideration of WHEDA application for workforce development housing

Todd Wilkins gave an update on the WHEDA application for workforce housing. No action taken.

Motion made by Decker/Johnson to convene into closed session at 7:29 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 negotiations of potential tax incremental financing for workforce housing and **§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 correspondence from the Village Attorney pertaining to possible course of action related to a special assessment placed on VNT2134998001 by the Town of Vernon. Motion carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Johnson/Penzkover to reconvene into open session at 8:29 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 and submit the WHEDA application for workforce development housing and tech center as discussed in closed session carried.

Motion by Penzkover/Fickau to authorize the Village Attorney to negotiate a settlement with the Town of Vernon regarding a special assessment placed on VNT2134998001 as outlined in the draft letter dated December 30, 2014 carried.

Adjournment

Meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, January 20, 2015

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
Diana Doherty, Finance Director
John Weidl, Village Administrator
Dean Falkner, Utilities/Public Works Director
Bruce Kaniewski, Village Planner
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 sessions

President Winchowky announced the Board will convene into closed session later in the meeting pursuant to Wis. Stat. **§19.85(1)(c)** to review and discuss the performance evaluation of the Village Administrator and discuss a specific employee leave request, Wis. Stat. **§19.85(1)(c)** and Wisc. Stat. **§19.85(1)(e)** to discuss and consider grievance filed by Mukwonago Professional Firefighters Local 4585, and Wisc. Stat. **§19.85(1)(e)** to discuss potential purchase of property and to discuss negotiation of terms of realtor contract for potential sale of properties located at 915 Main St., known as MUKV2009965001, MUKV2009965002, MUKV2010977 and MUKV2010978

Public Hearings

The Public Hearing to consider an Application of Lynch's Horter Chevrolet to create Planned Unit Development (PUD) overlay zoning within the B-4, Commercial Business Design District, Section 100-155 of the Village of Mukwonago Zoning Ordinance opened at 6:33 p.m.

Presentation

Bruce Kaniewski, Village Planner presented the revised Standards for the Front Setbacks, Green Space, Site Signage and 30 ft Light Poles being addressed to the Village of Mukwonago Municipal Zoning Code pertaining to B-4, Commercial Business Design District, Section 100-155 to be ready for approval at the February 17 Village Board meeting.

No action taken.

Public Comments

None

Public hearing closed at 6:44 p.m.

The Public Hearing to consider an Amendment to Section 100-155 (I), the B-4 Commercial Business Design District standards of the Mukwonago Zoning Ordinance that allows modifications via Planned Unit Development (PUD) overlay zoning opened at 6:45 p.m.

Presentation

Bruce Kaniewski, Village Planner explained the reasons for the Amendment to Section 100-155 (I), the B-4 Commercial Business Design District standards of the Mukwonago Zoning Ordinance that allows modifications via Planned Unit Development (PUD) overlay zoning and the recommendation by the Planning Commission to approve **Ordinance No. 891**: An Ordinance to Amend Section 100-155 (L) of the Village of Mukwonago Zoning Code Pertaining to the Administration and Standards of Planned Unit Developments in the B-4 Commercial Business Design District.

Public Comments

None

Public hearing closed at 6:49 p.m.

Motion by Penzkover/Decker to adopt **Ordinance No. 891**: An Ordinance to Amend Section 100-155 (L) of the Village of Mukwonago Zoning Code Pertaining to the Administration and Standards of Planned Unit Developments in the B-4 Commercial Business Design District carried.

Reports

President Winchowky noted the 2014 December 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 Drive, Dousman, WI 53118 spoke concerning the location of the scoreboard and had his questions answered.

Consent Agenda

- A. Approval of minutes for the December 16, 2014 regular meeting and the December 29 special meeting
- B. Approval of Vouchers Payable in the amount of \$367,503.32
- C. Granting of 2014-15 Operator's Licenses for Jennifer S. Jovonovich and Anthony L. Roblero

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

Unfinished Business

Economic Development Committee Appointments

Item will remain on the agenda.

Village President – Appointment of Citizen Member to Plan Commission

Item will remain on the agenda.

Committee/Commission Reports

Health and Recreation Committee

Discussion and update on Field Park Bathrooms

Item to remain on agenda.

Discussion and update on Park Trees

Update on agreement with Roberts Nursery for fire wood in exchange for new trees. No action taken.

Recommendation to authorize Village Planner to create a Comprehensive Outdoor Recreational Plan

Will be brought back for further review and adoption. Item will remain on agenda.

Discussion on cost analysis of athletic field preparation

Town Park and Recreation is working with Public Works on cost analysis of athletic field preparation. Item will remain on the agenda.

Plan Commission

Resolution 2015-01

Motion by Sellenheim/Penzkover to adopt **Resolution 2015-01**: Conditional Use Permit for the Construction of a Scoreboard Village of Mukwonago, 931 North Rochester Street, MUKV1963995 carried.

1060 North Rochester Street conditional use permit

Motion made by Sellenheim/Penzkover to accept the recommendation by the Plan Commission and deny the conditional use permit requested by Darwin D. Greenwald, DC Properties, LLP, to expand the existing conditional use permit to attach a strip of property to the existing property under the permit for the property located at 1060 North Rochester Street, known as MUKV1963999004 and part of MUKV1963999015. The reason is Section 100-21 (5)(a) of the Village of Mukwonago Zoning Ordinance states “fueling businesses must be located 1,000 feet from any other fueling business.” Therefore, the pending application for the conditional use permit requested by DC Properties, LLP would be in violation of Section 100-21 (5)(a). Motion carried.

Minor’s Estates Preliminary Plat

Motion by Penzkover/Sellenheim to accept the recommendation by the Plan Commission 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 regular Plan Commission meeting on March 10, 2015 carried.

Protective Services Committee

HIPAA Business Associate Agreement

Motion by Fickau/Penzkover to sign the HIPAA Business Associate Agreement between the Village of Mukwonago, the Town of Mukwonago and the Village of Waterford, contingent upon a similar approval by the Town of Mukwonago, carried.

New Business

Village Administrator

Workforce housing application and letter of support

Motion by Penzkover/Sellenheim to allow the Village President authorization to execute the workforce housing application document and submit three letters of support by January 31st carried

Closed Session

Motion by O'Bryan/Penzkover to convene into closed session at 7:18 p.m. 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*) to discuss a specific employee leave request, 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 and consider grievance filed by Mukwonago Professional Firefighters Local 4585, 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 potential purchase of property, 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 negotiation of terms of realtor contract for potential sale of properties located at 915 Main St., known as MUKV2009965001, MUKV2009965002, MUKV2010977 and MUKV2010978 carried unanimously upon roll call vote. Discussion held in closed session.

Motion by O'Bryan/Decker to adjourn closed session and reconvene into open session at 8:14 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/Decker to recommend the Village enter into a six month listing contract with Anderson Commercial Group contingent upon legal review and preparation of exclusion list with reduced commission for entities included on a list to sell property at 915 Main Street known as MUKV2009965001, MUKV2009965002, MUKV2010977 and MUKV2010978 prepared by the Village Administrator carried.

Motion by Penzkover/Sellenheim to authorize Village Attorney and Administrator to continue negotiating conditions on the Sara Investments/Gearbox property agreement as outlined in the January 19, 2015 memo from the Village Attorney carried.

Motion by Penzkover/Decker to authorize Village Administrator to proceed with land acquisition as discussed in closed session carried.

Motion by Penzkover/Sellenheim to authorize the Finance Director to evaluate option's for Finance Department resources as discussed in closed session.

Motion by Penzkover/O'Bryan to convene into closed session by roll call vote at 8:18 p.m. 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*) 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/Decker to adjourn closed session and reconvene into open session at 8:47 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 Johnson/Decker to schedule a special Village Board meeting on February 3, 2015 at 6:00 p.m. carried.

Adjournment

Meeting adjourned at 8:50 p.m.

Respectfully Submitted,

Judith Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, February 3, 2015

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

Trustees excused: Arnold Fickau
Jim Decker

Also present: Kevin Schmidt, Police Chief
Ron Bittner, DPW Crew Supervisor/Coordinator
Steven A. 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 employment, promotion, compensation or 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.

Comments from the Public

Paul Bugenhagen, Jr., candidate for Waukesha County Circuit Court Judge, Branch 10 – Introduced himself.

Consent Agenda

- A. Approval of minutes for the January 20, 2015 regular meeting
- B. Approval of Vouchers Payable in the amount of \$391,395.83
- C. Granting of 2015 Temporary Class B Beer License to Mukwonago Lions Club on June 15-22, 2015 for the property located at 931 N. Rochester St.

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

Unfinished Business

Village President – Appointments to Economic Development Committee

Item will remain on the agenda.

Village President – Appointment of Citizen Member to Plan Commission

Item will remain on the agenda.

Committee/Commission Reports

Finance Committee

Resolution 2015-02

Motion by Johnson/O'Bryan to adopt Resolution 2015-02: *Resolution Approving 2014 Trunked Radio System Contract Addendum and Authorizing the Issuance of a General Obligation Promissory Note to Waukesha County to Pay Infrastructure Costs of the New Digital Radio System* carried.

Resolution 2015-03

Motion by Johnson/O'Bryan to adopt Resolution 2015-03: *A Resolution to Amend the 2015 Schedule of Fees for the Village of Mukwonago* carried (Winchowky voted no).

1556 Fox River Run claim for unlawful real estate property taxes

Motion by Johnson/Sellenheim to accept the claim for unlawful taxes assessed to Greg and Karlana Williams for the real property located at 1556 Fox River Run, Tax Key #MUKV2091071, and direct staff to prepare a resolution for the February 17, 2015 meetings carried.

Industrial Truck Repair Inc. claim for unlawful personal property taxes

Motion by Johnson/Penzkover to accept the claim for unlawful taxes assessed to Industrial Truck Repair Inc. for the personal property located at 637 Perkins Dr., Tax Key #MUKVI025, and direct staff to prepare a resolution for the February 17, 2015 meetings carried.

Health and Recreation Committee

Consideration of the process for the reconstruction of the Field Park Bathrooms

Motion by Sellenheim/Penzkover to accept the payment from the insurance company for the Field Park bathrooms in the amount of \$32,444 after the deductible carried.

Discussion on updated Park Plan, Frisbee Golf Course Development, Consideration of the naming of various park pavilions, and Discussion on cost analysis of athletic field preparation

Information only. Items still in Committee. No action taken.

Year-end update on Joint Park and Recreation Agreement with the Town of Mukwonago, Renewal of Joint Park and Recreation Agreement with the Town of Mukwonago

Information only. No action taken.

Motion made by Penzkover/Sellenheim to convene into closed session at 7:11 p.m. pursuant to 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*) to review and discuss the performance evaluation of the Village Administrator. Motion carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover/Sellenheim to reconvene into open session at 9:29 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.

The chair of Personnel Committee will finalize the Administrator evaluation for a closed session at the February 17, 2015 meeting.

Adjournment

Meeting adjourned at 9:31 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, February 17, 2015

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

Trustees excused: Arnold Fickau

Also present: Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Mark Blum, Village Attorney
Bruce Kaniewski, Village Planner
Ron Bittner, DPW Crew Supervisor/Coordinator
Steven Braatz, Jr., Clerk-Treasurer
Judith Taubert, 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)(c)** to review and discuss the performance evaluation of the Village Administrator, Wis. Stat. **§19.85(1)(c)** and Wisc. Stat. **§19.85(1)(e)** to discuss and consider grievance filed by Mukwonago Professional Firefighters Local 4585, and Wisc. Stat. **§19.85(1)(e)** to discuss potential purchase of property, to discuss and possible take action on obtaining acquisition rights for property, and to review and potentially act on the offer to purchase and developer guaranty agreement regarding the Gearbox site.

Public Hearing

The Public Hearing to consider an application for a zoning district boundary change (rezoning) from R-3 (Single-Family/Transitional Residential District) to R-10 (Multiple-Family District) requested by Calvin Akin, Chief Manager of Premier Minnesota, LLC, a Minnesota Limited Liability Company, for the property located at the northwest corner of County Trunk Highway ES (Main Street) and Phantom Woods Road, known as Tax Key Number MUKV2011984 opened at 6:32 p.m.

Presentation

Tim Lynch, Lynch and Associates, representing Premier Minnesota LLC, explained that the proposal is to build a 68-unit multi-family development. Rather than go through the process for a conditional use under R-3 zoning, the request to change to R-10 zoning. R-10 does fit within the comprehensive master plan.

Public Comments

None.

Public hearing closed at 6:34 p.m.

Motion by Decker/Penzkover to adopt **Ordinance No. 892**: An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV2011984) carried (Johnson voted no).

Reports

President Winchowky noted the 2015 January 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 February 3, 2014 regular meeting
- B. Approval of Vouchers Payable in the amount of \$3,192,168.19
- C. Granting of 2014-15 Operator's Licenses to Albert C. Frankenstein and Norman C. Standlee

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

Unfinished Business

Village President – Appointments to Economic Development Committee

Item will remain on the agenda.

Village President – Appointment of Citizen Member to Plan Commission

Item will remain on the agenda.

Committee/Commission Reports

Finance Committee

Resolution 2015-04

Motion by Johnson/Decker to accept the Finance Committee recommendation and adopt Resolution 2015-04: *A Resolution Acknowledging a Palpable Error in the 2014 Assessment Roll and Requesting a Charge-Back of Taxes for the Property Known as MUKV2091071* carried.

MUKVI025 claim for unlawful taxes

Motion by Johnson/Decker to re-consider the acceptance of the claim for unlawful taxes assessed to Industrial Truck Repair Inc. for the personal property located at 637 Perkins Dr., Tax Key #MUKVI025 carried.

Original motion was made by Johnson/Penzkover to accept the claim for unlawful taxes assessed to Industrial Truck Repair Inc. for the personal property located at 637 Perkins Dr., Tax Key #MUKVI025, and direct staff to prepare a resolution for the February 17, 2015 meetings. Motion amended to deny the claim for unlawful taxes assessed to Industrial Truck Repair Inc. for the personal property located at 637 Perkins Dr., Tax Key #MUKVI025 for the reason that Wis. Stat. **§74.11**, requiring personal property taxes to be paid in full on or before five working days after January 31, was not followed,

regardless of the merits of the claim, carried.

Fire Department critical care transport financial activity

Doherty explained to the Board how critical care transport funds will be reported in the financial statements. She asked the Board to review the letter to the Town of Mukwonago explaining the bookkeeping. She and Village President will be attending the Town Board meeting on February 18 and present the letter. The Board was fine with the way the letter was written. No action taken.

Judicial Committee

2014-15 Operator's Licenses

Motion by Decker/Penzkover to accept the Judicial Committee recommendation and grant 2014-15 Operator's Licenses to Michelle L. Anny and Charity J. Schneider carried.

Personnel Committee

Wastewater Apprentice Tuition Reimbursement Agreement

Motion by O'Bryan/Johnson to accept the Personnel Committee recommendation and approve the Wastewater Apprentice Tuition Reimbursement Agreement carried.

Plan Commission

Resolution 2015-05

Motion by Sellenheim/Decker to accept the Plan Commission recommendation and adopt Resolution 2015-05: Conditional Use Permit for the Construction of Two Vehicle Sales Dealerships, Village of Mukwonago, MUKV2013994004 carried.

Ordinance No. 893

Motion by Decker/Johnson to accept the Plan Commission recommendation and adopt Ordinance No. 893: An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV2013994) carried.

Lynch Ventures LLC developers agreement

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the developers agreement with Lynch Ventures LLC for the property located on East Wolf Run north of Wal-Mart, known as MUKV2013994002, contingent upon final review and revisions by the Village Attorney carried.

Lynch Ventures LLC storm water maintenance agreement

Motion by O'Bryan/Decker to accept the Plan Commission recommendation and approve the storm water maintenance agreement with Lynch Ventures LLC for the property located on East Wolf Run north of Wal-Mart, known as MUKV2013994002, contingent upon final review and revisions by the Village Attorney carried.

Premier Woods site plan/architectural plans

Motion made by Penzkover/Decker to accept the Plan Commission recommendation and approve the site plan/architectural plans, requested by Calvin Akin, Premier Minnesota LLC, for proposed multi-family buildings for the property located on northwest corner of CTH ES and Phantom Woods Rd., known as MUKV2011984.

The reasons are:

- A. The R-10 district allows all multi-family structures as permitted uses with site plan and architectural approval.
- B. The R-10 district allows for a greater density that would allow the second phase that has been reviewed by the Commission.

The conditions are:

- A. Approval of the plans for the proposed Premier Woods Multi-Family development at the northwest corner of Main Street (STH 83) and Phantom Woods Road, for five-12 unit multi-family structures, one-8 unit multi-family structure and one maintenance building, shall be subject to the package of documents and plans submitted by the applicant to the Village of Mukwonago on December 19, 2014 with a portion of the plans revised with a submittal dated January 19, 2015. The plans may be further modified to conform to other conditions of approval; the building and floor plans may be modified with the approval of the Building Inspector to conform to Building and Fire Safety Codes and all plans may be further modified to conform to Village design standards. However, the basic layout of the site as depicted on Sheet 6, Site Plan, shall remain unchanged; except construction of a 17 foot wide emergency ingress/egress as shown on Sheet 6 shall be subject to approval of the Wisconsin Department of Natural Resources and/or the Army Corps of Engineers. In addition, the buildings and drive designated as "Future" are not part of this approval, and shall only be allowed after a subsequent review and approval by the Plan Commission and the Village Board.
- B. All ingress/egress drives and parking areas shown on Sheet 6 shall remain private and shall be maintained in a usable and passable condition at all times. The private drive parallel to the western property line shall be constructed to Village public residential street standards.
- C. Approval shall be subject to approval of a Storm Water Maintenance Agreement and a Developer's Agreement by the Village Board. The Developer's Agreement shall list these conditions of approval, a list of all final plans for the project, and responsibilities for off-site improvements.
- D. With approval, the Plan Commission and Village Board grant allowance of multiple principal buildings on one lot.
- E. Prior to issuance of the first building permit, a revised landscape plan shall be submitted for the approval of the Zoning Administrator and Village Planner.
- F. The property shall be maintained in a clean condition, free of debris at all times. No junk, inoperable or abandoned vehicles, or vehicles undergoing repair shall be kept on the property at any time. No vehicles shall be parked in any area not designated for vehicle parking as provided for on Sheet 6.
- G. Only signs allowed by the Village Sign Code, and approved by either the Zoning Administrator or Plan Commission, shall be allowed on the property.
- H. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
 - 1. The Village Engineer shall approve all site engineering plans and documents, including a complete Storm Water Management Plan.
 - 2. Village Board approval of a Storm Water Maintenance Agreement and a Developer's Agreement (to include a submitted and Village approved Letter of Credit for any off-site improvements).

3. Written approval from the Waukesha County Highway Department for reconstruction of the access to and from County Trunk Highway ES, and for the extension of sidewalk to Phantom Woods Road within the County Trunk Highway ES Right-of-Way.
4. Submittal of the signed easements granted to the Village of Mukwonago providing access to maintain on-site sanitary sewer and potable water lines and hydrants, if requested by Village of Mukwonago utilities.
5. Completion of all approvals listed in Condition C, and all plans shall be consistent with the plans listed in Condition A or as modified and identified in the Developer's Agreement.
6. 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.
7. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
8. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view from neighboring properties.
- I. Prior to temporary occupancy issuance for any building, and 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 for the building in accordance with approved plans.
 3. Completion of the building in accordance with approved plans and all applicable codes.
 4. Completion of a hard drive and parking surfaces from the exterior public right-of-way to the general area surrounding the building, including installation of handicapped parking signs and ramp.
 5. Completion of the dumpster enclosure for the building.
- J. Prior to final occupancy permit for any building, 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 I.
 2. Completion of paving and striping of the entire parking area, in accordance with approved plans.
 3. Installation of all site landscaping.
 4. Completion of all required public improvements as specified in the Developer's Agreement.
 5. Completion of any other municipal code requirement in the interest of the health, safety and welfare of the public.
- K. The multi-use trail shall be paved.

Motion carried (Johnson voted no).

Premier Minnesota LLC developers agreement

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the developers agreement with Premier Minnesota LLC for the property located on northwest corner of CTH ES and Phantom Woods Rd., known as MUKV2011984,

contingent upon final review and revisions by the Village Attorney carried (Johnson voted no).

Premier Minnesota LLC storm water maintenance agreement

Motion by Penzkover/Sellenheim to accept the Plan Commission recommendation and approve the storm water maintenance agreement with Premier Minnesota LLC for the property located on northwest corner of CTH ES and Phantom Woods Rd., known as MUKV2011984, contingent upon final review and revisions by the Village Attorney carried (Johnson voted no).

Tamara Towns-Pozorski certified survey map

Motion by Decker/Penzkover to accept the Plan Commission recommendation to acknowledge the request to withdraw 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 and remove the item from the agenda carried.

Public Works Committee

Field Park Storm Water Pond project Change Order #1

Motion by Penzkover/Sellenheim to accept the Public Works Committee recommendation and approve Change Order #1 for the Field Park Storm Water Pond project in the amount of \$5,897.00 carried.

Gateway Business Park Sewer and Water Expansion Project

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and award the bid to and execute contract with Dorner Inc. for the Gateway Business Park Sewer and Water Expansion Project in the amount of \$822,040.00 carried.

Gateway Business Park Engineering Proposal - Amendment No. 2

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and approve the Gateway Business Park Engineering Proposal - Amendment No. 2 in an amount not to exceed of \$56,880.00 carried.

STH 83 Jurisdictional Transfer Committee

CTH NN design and construction

Motion made by Decker/Johnson to contract with Waukesha County for the design and construction of CTH NN from STH 83 to CTH ES using the rural section cost not to exceed \$1,960,205, pending the drawings being submitted to the Village. The cost justification for the urban section is not valid due to the vacant land by St. James, the Greenwald Center is sitting there half-empty, and Greenwald's purchase of new property will change the functionality of that road. In 2012, the people were promised a 2-lane road with a 6-foot apron for biking and walking. The center turn lane is a death trap for the people getting out of River Park Estates, and cannot vote to endanger 400 people. He does not want a road with poor line of sight and it will have to be flexible to meet the needs of the Village for the future. Motion failed (Sellenheim, O'Bryan, Penzkover, and Winchowky voted no)

Motion made by Penzkover/Sellenheim to contract with Waukesha County for the design and construction of CTH NN from STH 83 to CTH ES using the urban section

cost not to exceed \$2,775,810 carried (Decker and Johnson voted no).

New Business

Village Engineer

Kwik Trip Inc. letter of credit

Motion by Penzkover/Johnson to accept the Village Engineer recommendation and establish a letter of credit by Kwik Trip Inc. in the amount of \$269,327.40 carried.

Village President

Joint Powers Agreement for Waukesha County 911 Emergency System

Motion by Decker/Johnson to accept the Village President recommendation and approve the Joint Powers Agreement for Waukesha County 911 Emergency System carried.

Closed session

Motion by Penzkover/Sellenheim to convene into closed session at 7:30 p.m. 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*) to review and discuss the performance evaluation of the Village Administrator, 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 and consider grievance filed by Mukwonago Professional Firefighters Local 4585, 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 potential purchase of property, 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 possible take action on obtaining acquisition rights for property, 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 carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover/Decker to adjourn closed session and reconvene into open session at 9:27 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 approve and authorize the Village President and Village Clerk to sign the offer to purchase, developer's guaranty agreement, and other documents related to the sale of the Gearbox site, subject to final review and revisions by the Village Attorney carried.

Motion by Penzkover/Decker to direct staff to negotiate the agreement for the right of first refusal for the property as discussed in closed session carried.

Motion by Penzkover/Decker to approve and authorize the Village President and Village Clerk to sign the offer to sell agreement for eight (8) acres of the Chapman property for \$650,000 carried.

Motion by Penzkover/Decker to direct staff to finalize the agreement associated with the grievance filed by Mukwonago Professional Firefighters Local 4585 as outlined in the memo by Lieutenant Chris Hahn dated February 10, 2015 carried.

Motion by Penzkover/Decker to approve changes to the Village Administrator compensation to include an annual salary of \$90,000 effective January 1, 2015, three additional days of personal days, and a memorandum of understanding to be finalized by March 1, 2015 carried.

Adjournment

Meeting adjourned at 9:31 p.m.

Respectfully Submitted,

Judith Taubert
Deputy Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING Wednesday, February 25, 2015

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

Trustee excused: Arnold Fickau

Also present: John Weidl, Village Administrator
Steven Braatz, Jr., Clerk-Treasurer

Closed session

Motion by Decker/Sellenheim to convene into closed session at 5:01 p.m. 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*) to discuss and potentially act on the compensation of the Village Administrator. Discussion held in closed session.

Motion by Decker/Sellenheim to adjourn closed session and reconvene into open session at 5:35 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.

O'Bryan left the meeting at 5:35 p.m.

Motion made by Penzkover/Sellenheim to approve the following compensation for the Village Administrator:

1. Retroactive to January 1, 2015, salary shall be \$90,000. The adjustment shall be made for the next available payroll period.
2. Effective July 1, 2015, there shall be an additional four personal days by meeting the Village Board directive to implement and follow the Village Organizational Chart.
3. Effective July 1, 2015, there shall be a car allowance in the amount of \$3,000 per year in lieu of mileage payment, divided into 12 equal monthly payments (\$1,500 total for the balance of 2015).
4. Effective July 1, 2015, the title of Economic Development Director shall be added to the title of Village Administrator. A there shall be a stipend in the amount of \$5,000 divided into 12 equal monthly payments (\$2,500 total for the balance of 2015). This money shall come from the Economic Development budget.
5. Any future raises shall be commensurate with annual Village staff raises (i.e. should department heads receive an annual raise, so shall the Village Administrator)

Motion carried (Johnson voted no).

Adjournment

Meeting adjourned at 5:50 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, March 3, 2015

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

Trustees excused: Arnold Fickau

Also present: Kevin Schmidt, Police 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.

Comments from the Public

None.

Consent Agenda

A. Approval of minutes for the February 17, 2015 regular meeting and the February 25 special meeting

B. Approval of Vouchers Payable in the amount of \$805,147.00

C. Granting of 2014-15 Operator's Licenses to Theresa G. Gorichanaz and Ingrid A. Thorstensen

O'Bryan requested that Item A be removed from the consent agenda, and the request was granted. Motion by Decker/Sellenheim to approve the Consent Agenda as amended carried. Motion by O'Bryan/Penzkover to approve the minutes for the February 17, 2015 regular meeting carried. Motion by O'Bryan/Penzkover to approve the minutes for the February 17, 2015 regular meeting carried. Motion by Decker/Sellenheim to approve the minutes for the February 25 special meeting with additional wording that mentions Trustee O'Bryan leaving the meeting at 5:35 p.m., prior to the motion, carried.

Unfinished Business

Village President – Appointments to Economic Development Committee
Item will remain on the agenda.

Committee/Commission Reports

Finance Committee

GIS system

Motion by Johnson/Decker to authorize the purchase of a water meter tool addition for the GIS system carried.

Resolution 2015-07

Motion by Johnson/Decker to accept the Finance Committee recommendation and adopt Resolution 2015-07: A Resolution Amending the 2014 Adopted Budgets for General, Fire, Community Development, TID #3, Debt Service, Fire Designated, Village Designated, Library, Library Building, Capital Improvement, Impact Fee and Parkland Site Funds carried.

Critical care funds

Motion by Johnson/Decker to approve the use of critical care funds in the amount of \$8,400 for 2014 critical care training in lieu of Act 102 funds previously approved in March 2014 contingent upon a similar approval by the Town of Mukwonago carried.

Personnel Committee

Resolution 2015-06

Motion made by Sellenheim/Penzkover to adopt Resolution 2015-06: A Resolution Amending the 2015 Salary for the Village Administrator. O'Bryan noted that this resolution does not reflect the compensation given to the Administrator. Motion carried (Johnson and O'Bryan voted no).

New Business

Village Administrator

Via Rail Logistics, LLC professional services agreement

Motion by Sellenheim/Decker to approve the professional services agreement with Via Rail Logistics, LLC for railroad industry related needs pertaining to a potential railroad spur in TID #3 not to exceed \$7,800 carried.

Village Engineer (Kunkel Engineering)

Gateway District land division

Motion by Sellenheim/Decker to approve the Affidavit of Correction for certified survey map No. 11260 related to the Gateway District land division carried.

Village President

Letter of resignation

Motion by Penzkover/Johnson to accept the Village President's recommendation and accept the letter of resignation from Plan Commission from John Hogan carried.

Appointments

Motion by Sellenheim/Decker to accept the Village President's recommendation and appoint Ken Werner and Sterling Fairchild as Citizen Members to Plan Commission carried.

Adjournment

Meeting adjourned at 7:29 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, March 17, 2015

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
 Darlene Johnson
 Jim Decker
 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
 Joe Hankovich, Zoning Administrator/Supervisor of Inspections
 Kevin Mullens, Bond Advisor
 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)** to discuss a specific employee leave request, promotion of an employee, and compensation for the Public Works/Utilities Director, Wis. Stat. **§19.85(1)(c)** and Wisc. Stat. **§19.85(1)(e)** to discuss and consider grievance filed by Mukwonago Professional Firefighters Local 4585, and Wisc. Stat. **§19.85(1)(e)** to discuss and possible take action on obtaining acquisition rights for property and consider an offer to purchase for the property located at 915 Main St.

Public Hearing

The Public Hearing to consider a zoning district boundary change (rezoning) from A-1 (Agricultural District) to B-3 (Community Business District) requested by Ryan Jonas, East Troy Railroad Museum, for the property located on the northwest corner of CTH ES and Cty Rd J, known as MUKV2011985 and #VM 00029 opened at 6:34 p.m.

Presentation

Bernard Van Dinter, representative for East Troy Railroad Museum – explained that the nature of the B-3 zoning classification is to provide a facility on the property to perform maintenance

on the railroad equipment. The facility will be heated so maintenance could occur year round. This facility will house the museum to continue providing the services they provide.

Public Comments

Joe Hankovich, Zoning Administrator/Supervisor of Inspections – Explained when the property annexed into the Village, it was automatically given an A-1 zoning classification. The B-3 zoning allows the building to be classified as a museum, since there will be classes and viewings there in addition to the maintenance. The Village took in the existing building and use. The new zoning is expanding the use slightly.

Bruce Kaniewski, Village Planner – The B-3 zoning is consistent with the Master Plan and the neighbors to the north.

No other comments from the public.

Public hearing closed at 6:37 p.m.

Motion by Decker/Johnson to accept the Plan Commission recommendation and adopt **Ordinance No. 894**: *An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV2011985 and #VM 00029)* carried.

Monthly Reports

President Winchowky noted the 2015 February 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 March 3, 2014 regular meeting
- B. Approval of Vouchers Payable in the amount of \$239,507.73
- C. Granting of 2014-15 Operator's Licenses to Patricia A. Brokaw, Lindsey E. Fleury, Patricia A. Gengler, and Claire E. Rohan
- D. Acceptance of the 2014 Annual Fire Department Report

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

Committee/Commission Reports

Economic Development Committee

Recommendation to approve amended Revolving Loan Fund Application

Item remains in Committee.

Recommendation to approve amended Lease Abatement program application

Item remains in Committee.

Finance Committee

Village website video testimonials

Motion by Johnson/Decker to accept the Finance Committee recommendation and authorize staff to solicit proposals for Village website video testimonials and listing service carried.

Salary/wage study

Motion by Johnson/Decker to accept the Finance Committee recommendation and authorize staff to solicit proposals for professional service to provide salary/wage study carried.

Resolution 2015-10

Motion by Johnson/Decker to accept the Finance Committee recommendation and adopt **Resolution 2015-10**: *Resolution Authorizing the Issuance and Sale of \$6,900,000 General Obligation Promissory Note, Series 2015* carried unanimously.

Health and Recreation Committee

2015 Farmer's Market

Motion by Sellenheim/Decker to accept the Health and Recreation Committee recommendation and approve the use of Field Park by the Mukwonago Area Chamber of Commerce for the 2015 Farmer's Market with exemption of Park Rental Fees carried.

Judicial Committee

Resolution 2015-08

Motion by Decker/Johnson to accept the Judicial Committee recommendation and adopt **Resolution 2015-08**: *Resolution Providing for the Publication, Filing, Inspection, and Adoption of Chapter 38 of the Municipal Code of the Village of Mukwonago* carried.

Personnel Committee

Position description

Motion by O'Bryan/Sellenheim to accept the Personnel Committee recommendation and approve the position description of the Accountant Part-Time – Job Share position carried.

Motion by O'Bryan/Sellenheim to table the position description of the Public Works Director and Ordinance No. 895 until after the closed session carried.

Plan Commission

Resolution 2015-11

Motion by Sellenheim/Penzkover to accept the Plan Commission recommendation and adopt **Resolution 2015-11**: *Conditional Use Permit for the Construction of a Cultural Institution Building, Friends of East Troy Railroad Museum Inc., MUKV2011985 and #VM 00029* with the removal of condition C carried.

Minor's Estates preliminary plat

Motion by Sellenheim/Decker to accept the Plan Commission recommendation and approve the preliminary plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I contingent upon the following conditions:

- A. The final plat shall be consistent with the preliminary plat dated November 13, 2013, and shall conform to other conditions of this approval.
- B. The final plat submittal shall:
 1. Correct Lot 28 to a minimum width of 100 feet at the front property line.
 2. Indicate that Lot 1 is not buildable until removal of the temporary roadway easement.

3. Show all easements as recommended by Village staff.
 4. Show only the front building lines on lots unless recommended by Village staff.
 5. Conform to all Village design standards for subdivisions.
- C. Approval of this preliminary plat shall be subject to finalization of an agreement between the Village Board, the applicant and homeowners of Minor's Homestead Addition No. 3 for storm water run-off from this plat to be stored in the detention basins of Addition No.

Motion carried.

Village of Mukwonago certified survey map

Motion by Sellenheim/Decker to accept the Plan Commission recommendation and approve the certified survey map, requested by Village of Mukwonago, for part of the property located on the west side of STH 83, across from Black Bear Blvd., known as MUKV1962996 subject to fulfillment of all contingencies of the contract to purchase and amendment to the wording clarifying no access on STH 83 carried.

Chapman property Comprehensive Plan amendment

Motion by Decker/Fickau to accept the Plan Commission recommendation and direct the Village Planner to proceed with amending the Comprehensive Plan and the Official Map for the Chapman property as discussed and schedule a Public Hearing carried.

Protective Services Committee

STH 83/CTH ES EVP

Motion by Fickau/Johnson to accept the Protective Services Committee recommendation and authorize the Police and Fire Chiefs to request to Wisc DOT to install Emergency Vehicle Pre-Emption (EVP) at the state maintained traffic signal located at STH 83 and CTH ES at a cost not to exceed \$8,667.41 carried.

Public Works Committee

Resolution 2015-09

Motion by Penzkover/Fickau to accept the Public Works Committee recommendation and adopt **Resolution 2015-09**: *Declaration of Public Necessity and Relocation Order of the Village of Mukwonago, Waukesha and Walworth Counties, Wisconsin to Construct an Intersection Turn Lane* carried.

Dewey Dr. and storm water pond

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and authorize Kunkel Engineering to begin the bidding process for the construction of Dewey Dr. and storm water pond carried.

915 Main St. WDNR Environmental Repair Program

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and authorize the Village Administrator to execute the contract with Terracon Consultants, Inc. for environmental consulting services for the WDNR Environmental Repair Program for the property located at 915 Main St., not to exceed \$7,810 carried.

Lynch dealership preliminary impact fees

Motion by Penzkover/Sellenheim to accept the Public Works Committee recommendation and authorize the Supervisor of Inspections/Zoning Administrator to reduce the daily water flow rate from 5.0 gal/hour to 2.3 gal/hour for purposes of calculating the Lynch dealership preliminary impact fees carried.

Gearbox Express project erosion control fee

Motion by Penzkover/Sellenheim to accept the Public Works Committee recommendation and approve a reduction of 50% in the erosion control fee for the Gearbox Express project carried.

Sale of used water meters

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and authorize the Water Department to sell used water meters contingent upon the purchaser signing an agreement stating the Village is removed from any liability with respect to accuracy, defects, maintenance, performance, etc. carried.

New Business

Village Clerk-Treasurer

Resolution 2015-12

Motion by Penzkover/Decker to adopt **Resolution 2015-12**: *A Resolution Opposing County Assessment Proposal in the State Budget Bill* carried.

Resolution 2015-13

Motion by Penzkover/Decker to adopt **Resolution 2015-13**: *A Resolution Opposing Elimination of Local Government Property Insurance Fund* carried.

Village President

Letter of resignation

Motion by Fickau/Decker to accept the letter of resignation from Board of Building and Zoning Appeals from Ken Johnson carried.

Board of Building and Zoning Appeals Appointments

Motion by Sellenheim/Penzkover to accept the Village President's recommendation and appoint Ken Werner as regular member and Don Fischer as 1st Alternate to Board of Building and Zoning Appeals carried.

Village Attorney

Minors Estates Joint Escrow Instructions agreement

Motion by Decker/Johnson to approve the Joint Escrow Instructions agreement between Compass Title, LLC and Village of Mukwonago, Minor's Homestead West Homeowners Association, Inc., Minor's Homestead 4, LLC, and Wolf Paving Company, Inc. carried.

Closed session

Motion by Fickau/Johnson to convene into closed session at 7:40 p.m. 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*) to discuss and consider a specific employee leave request, 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*) to discuss and consider a promotion of an employee, 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*) to discuss and consider compensation for the Public Works/Utilities Director, 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 and consider grievance filed by Mukwonago Professional Firefighters Local 4585, 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 consider action on obtaining acquisition rights for property, 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 and consider an offer to purchase for the property located at 915 Main St. carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover/Johnson to adjourn closed session and reconvene into open session at 8:41 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 remove from the table the position description of the Public Works Director and Ordinance No. 895 carried.

Motion by O'Bryan/Penzkover to accept the Personnel Committee recommendation and approve the position description of the Public Works Director as amended regarding carrying of cell phone during vacation carried.

Motion by O'Bryan/Fickau to accept the Personnel Committee recommendation and adopt Ordinance No. 895: An Ordinance to Amend Chapter 2, Article IV, Division 2 and Create Sections Chapter 2, Article IV, Division 4 and Division 5 of the Municipal Code of the Village of Mukwonago Pertaining to Change from Public Works Supervisor to Public Works Director and the Creation of the Finance Director and Utilities Director carried.

Motion by Penzkover/O'Bryan to remove Dean Falkner as Public Works Director carried.

Motion by Penzkover/O'Bryan to appoint Ron Bittner as Public Works Director carried.

Motion by Penzkover/O'Bryan to set the salary for Public Works Director at \$66,000 effective April 10, 2015 carried.

Motion by Penzkover/O'Bryan to approve the employee accommodation as discussed in closed session carried (Decker voted no).

Motion by Penzkover/O'Bryan to accept the grievance settlement agreement with Mukwonago Professional Firefighters Local 4585, contingent upon a similar approval by the Town of Mukwonago carried.

Motion by Penzkover/Decker to accept the right of first refusal to purchase real estate, contingent upon review and approval by the Village Attorney carried.

Motion by Penzkover/Decker to accept the Offer to Purchase Property dated March 11, 2015, for the property located at 915 Main St., and Addendum B dated March 16, 2015 with the removal of the last sentence of Item 9, contingent upon the review and approval by the Village Attorney and on the sale of the Hazenfield property directly to the south to the same buyer carried.

Other items not listed on the agenda

Trustee O'Bryan announced his resignation from the Board effective immediately.

There will be a special Board meeting on March 24, 2015 at 5:00 p.m.

Adjournment

Meeting adjourned at 8:50 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Tuesday, March 24, 2015

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
Darlene Johnson
Jim Decker
Mike Sellenheim
Fred Winchowky, Village President

Trustees excused: Mark Penzkover

Also present: Dean Falkner, Utilities Director
Ron Bittner, Public Works Director
Steven Braatz, Jr., Clerk-Treasurer

Field Park bathroom facility

Motion by Decker/Sellenheim to authorize the Public Works Director to begin the bidding process for the construction of the Field Park bathroom facility carried.

WWTF Clarifier Trough Project

Motion by Decker/Fickau to authorize the Utilities Director to begin the bidding process for the WWTF Clarifier Trough Project carried.

Resolution 2015-14

Motion by Sellenheim/Decker to adopt **Resolution 2015-14**: *A Resolution Setting the 2015 Salary for the Village Public Works Director* carried.

Adjournment

Meeting adjourned at 5:09 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, April 7, 2015

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
Darlene Johnson
Jim Decker
Mike Sellenheim
Fred Winchowky, Village President
Trustee excused: Mark Penzkover

Also present: Dan Streit, Police Lieutenant
Jeff Stien, Fire Chief
John Weidl, Village Administrator
Dean Falkner, Public Works/Utilities Director
Bruce Kaniewski, Village Planner
Ron Bittner, DPW Crew Supervisor/Coordinator
Mark Blum, Village Attorney
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. Stat. **§19.85(1)(e)** to discuss negotiation strategy for terms of a potential boundary agreement with the Town of Vernon.

Comments from the Public

No Comments.

Consent Agenda

- A. Approval of minutes for the March 17, 2015 regular meeting and the March 24 special meeting
 - B. Approval of Vouchers Payable in the amount of \$947,745.77
 - C. Granting of 2014-15 Operator's Licenses to Bailey A. Blackburn and Jamie D. DePaul
- Motion by Decker/Johnson to approve the Consent Agenda as presented carried.

New Business

Village Planner

Chapman Property street name

Motion by Decker/Johnson to accept the request by the Chapman's to name the street Chapman Farm Boulevard carried.

Fire Chief

217 N. Rochester St. fire

Chief Stien gave an update on the fire at 217 N. Rochester St. No action taken.

Fire capital equipment

Chief Stien explained the changes to how capital equipment funds are being used. The funds will remain the same, and there will be no need for a budget amendment. No action taken.

General Matters

Resolution 2015-15

Motion by Sellenheim/Decker to adopt **Resolution 2015-15**: *A Resolution Amending the 2015 Salary for the Village Utilities Director* carried.

Resolution 2015-16

Motion by Decker/Sellenheim to adopt **Resolution 2015-16**: *A Resolution Opposing Elimination of Personal Property Taxes* carried.

Village President

Proclamations

Motion by Johnson/Decker to endorse the signing of the 2015 National Public Safety Telecommunications Week proclamation carried.

Motion by Decker/Fickau to endorse the signing of the 2015 Arbor Day proclamation carried.

Annual Village President Tree Challenge

President Winchowky announced his annual tree challenge to the board, and he would match any trees purchased up to the total of seven trees. No action taken.

Letter of resignation

Motion by Fickau/Decker to accept the letter of resignation from Village Board from Dennis O'Bryan carried.

Policy for filling Village Trustee vacancy

Board will allow the President to bring a recommendation to the next Village Board meeting to fill the Trustee vacancy.

Motion by Decker/Johnson to convene into closed session at 6:53 p.m. 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 strategy for terms of a potential boundary agreement with the Town of Vernon carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Decker/Johnson to adjourn closed session and reconvene into open session at 7:31 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.

Action from Closed Session

Motion by Decker/Johnson to have Staff pursue a boundary agreement with the Town of Vernon by making a list of islands and preparing a map to bring back to the board carried.

Adjournment

Meeting adjourned at 7:32 p.m.

Respectfully Submitted,

Judith A. Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, April 21, 2015

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
Darlene Johnson
Jim Decker
Mark Penzkover
Mike Sellenheim
Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Dean Falkner, Utilities Director
Ron Bittner, Public Works Director
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 Wisc. Stat. **§19.85(1)(e)** to discuss a personnel matter involving family medical matter and possible accommodations and Wis. Stat. **§19.85(1)(e)** to discuss the terms and negotiation strategy for the release of restriction on the sale of lots in the Fairwinds subdivision.

Monthly Reports

President Winchowky noted the 2015 March Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Sue Maslowski, 315 Grand Ave. – Representing the Mukwonago Historical Society, requests permission to remove the south section of the Martins Field House at 201 Main St. and relocate it to the Mukwonago Museum property at 103 Main St.

Ann Kwaterski, 623 Pine St. – Representing the Mukwonago Historical Society, also requests permission to relocate the Field House to the Museum property. It would be an asset to the entire Village.

Henry Hecker, W298S10655 Phantom Woods Rd. – Representing the Mukwonago Historical Society, has a presentation regarding the Martins Field House relocation. *Village President will allow the presentation at the point of the meeting where the matter will be discussed.*

Roger Walsh, 142 Oakland Ave. – The Field House should stay where it is, but is not an option with Mt. Olive Church. Feels the loss of the building at that location will leave a hole in the

downtown. Spoke about the downtown and economics. Feels there should be more discussion regarding this building prior to any Plan Commission approvals.

Consent Agenda

- A. Approval of minutes for the April 7, 2014 regular meeting
- B. Approval of Vouchers Payable in the amount of \$302,745.11
- C. Granting of 2014-15 Operator's License to Kassandra D. Moore
- D. Granting of 2015 Temporary Class B Beer Licenses to American Legion Post 375 on June 12-14, July 17-19, August 14-16, and September 11-13, 2015 for the property located at 931 N. Rochester St.
- E. Adoption of **Resolution 2015-17**: A Resolution Designating Public Depositories and Authorizing Withdrawal of the Village of Mukwonago Monies

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

Committee/Commission Reports

Economic Development Committee

Recommendation to approve Economic Development Loan Program

Item remains in Committee.

Recommendation to approve 1012 Main Street as possible incubation site

Committee took no action.

Finance Committee

Mukwonago Lions Summerfeste

Johnson recused herself. Motion made by Decker/Sellenheim to accept the Finance Committee recommendation and deny the request to waive the special event permit fee and any associated fees for Mukwonago Lions Summerfeste. Fickau stated that the Board should enforce all fees, and waiving any is just not feasible anymore. Motion carried.

Consideration of request by Minors Homestead 4 LLC to waive/reduce certain professional service billings

Item remains in Committee.

Compensation survey

Motion by Johnson/Decker to accept the Finance Committee recommendation and award the compensation survey contract to Springsted Inc. in the amount not to exceed \$10,000 carried.

Resolution 2015-18

Motion by Johnson/Decker to accept the Finance Committee recommendation and adopt **Resolution 2015-18**: *Resolution authorizing the issuance and sale of \$675,000 general obligation promissory note* carried unanimously.

Health and Recreation Committee

Minor Park Frisbee Golf Course Development

Motion by Sellenheim/Decker to accept the Health and Recreation Committee recommendation and approve the Minor Park Disc Golf Course and Miniwaukan Park Re-design Strategic Plan dated January 15, 2015 carried.

Consideration of policy regarding recognition of charitable donations for park facilities

Item remains in Committee.

Consideration of policy regarding the naming of various park pavilions

Item remains in Committee.

Discussion on updated comprehensive Park Plan

Item remains in Committee.

Field Park Bathroom Construction Project

Motion by Sellenheim/Decker to accept the Health and Recreation Committee recommendation and award the Field Park Restroom Building Project contract to Campbell Construction JD, Inc. in the amount of \$244,868.70 carried.

Consideration of SC43 Soccer Club Donation towards Miniwaukan Park pavilion

Information only. No action taken.

Consideration of Field Park Pavilion fire suppression

Information only. No action taken.

Judicial Committee

Ordinance No. 896

Motion by Decker/Johnson to accept the Judicial Committee recommendation and adopt **Ordinance No. 896**: *An Ordinance to Amend and Recreate Section 38 of the Village of Mukwonago Municipal Code Pertaining to Fire Prevention, Protection, and Control* carried.

Ordinance No. 897

Motion by Decker/Johnson to accept the Judicial Committee recommendation and adopt **Ordinance No. 897**: *An Ordinance to Amend Section 22-59 (a) and Section 54-103 of the Municipal Code of the Village of Mukwonago Pertaining to the Regulation of e-cigarettes* carried.

Public Works Committee

We Energies Work Requests

Motion by Penzkover/Fickau to accept the Public Works Committee recommendation and approve the We Energies Work Request for the removal of street lighting at the intersection of STH 83 and CTH ES carried.

Motion by Penzkover/Fickau to accept the Public Works Committee recommendation and approve the We Energies Work Request for the removal of street lighting at Franklin, Main and Rochester Sts. carried.

Pedestrian safety measures

Motion made by Penzkover/Sellenheim to accept the Public Works Committee recommendation and approve the request by Curt Wiebelhaus, Mukwonago Area School District, to improve the controlled intersection located at CTH NN and West

School Road including pedestrian safety measures with the Village portion being \$37,400. Fickau stated the amount of money to be spent does not provide much safety, and believes we either need more or do nothing. Johnson agrees that something needs to be done for the safety of the children. Penzkover stated the money will come from the Front St. project that will not be done this year. Decker stated the Front St. money should be left there for when the project will be done, and there are roads in other subdivisions that are in terrible shape and need repair. Sellenheim stated that something has to be done at this time, and regarding the student safety and traffic on CTH NN, if we use that money now we will get something that needs to be done. Motion carried (Fickau voted no).

Sidewalks

Committee will begin the process for gathering information on the costs of installation of sidewalks along the south side of CTH NN from the Mukwonago High School property to STH 83. No action taken.

Martins Field House

Motion by Penzkover/Sellenheim to accept the Public Works Committee recommendation and approve the request by Mukwonago Historical Society to relocate a portion of the Martins Field House, located at 201 Main St., to the Mukwonago Museum Property located at 103 Main St., contingent upon successful approvals by the Plan Commission and any other agencies that may be involved in the moving of the structure carried.

Village Specifications pertaining to sidewalks

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and amend the Village Specifications to require sidewalks with a width of five feet and a thickness of five inches carried.

Consideration of acceptance of bid for the WWTF Clarifier Trough Project

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and award the WWTF Clarifier Trough Project contract to MZ Construction, Inc. in the amount of \$255,520 carried.

New Business

Village Clerk-Treasurer

League of Wisconsin Municipalities Local Government 101 Workshops

Anyone interested in attending the League of Wisconsin Municipalities Local Government 101 Workshop should notify the Clerk as soon as possible. No action taken.

Village President

Village Trustee appointment

Motion by Penzkover/Fickau to accept the Village President recommendation and appoint Jerry Gasser to fill the vacant Trustee seat with the term ending in 2016 carried.

Village Subcommittees appointments

Motion by Fickau/Decker to accept the Village President recommendation and appoint Jerry Gasser to fill the vacant positions on the Personnel, Public Works, and Protective Services Committees carried.

Appointment of vacant positions on Economic Development Committee and Board of Building and Zoning Appeals

Item will remain on the agenda.

Closed Session

Motion by Decker/Penzkover to convene into closed session at 7:42 p.m. 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 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 a personnel matter involving family medical matter and possible accommodations 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 the terms and negotiation strategy for the release of restriction on the sale of lots in the Fairwinds subdivision carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Decker/Penzkover to adjourn closed session and reconvene into open session at 8:22 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 approve the execution of the Loan Agreement and Assignment of Payment between the Village of Mukwonago and John Weidl, with the changes as discussed in closed session, carried.

Motion by Penzkover/Decker to direct staff to prepare a letter to the developer of Fairwinds Subdivision regarding documentation required to move forward with the letter of credit, storm water pond, and park improvements carried.

Adjournment

Meeting adjourned at 8:24 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, May 5, 2015

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
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Fred Winchowky, Village President

Trustee excused: Mike Sellenheim

Also present: Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Village Administrator
Ron Bittner, Public Works Director
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)(e)** to discuss the terms and negotiation strategy for the release of restriction on the sale of lots in the Fairwinds subdivision, and Wis. Stat. **§19.85(1)(e)** and **§19.85(1)(g)** to discuss the collection of outstanding invoices involving the Minors Estates development.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the April 21, 2015 regular meeting
- B. Approval of Vouchers Payable in the amount of \$786,917.82
- C. Granting of 2014-15 Operator's Licenses to Jeffrey M. Adler, Lori K. Hetznecker, Lynn M. Lee, and Robert F. Pinzi
- D. Granting of 2015 Temporary Class B Beer License to CFU John Movrich Lodge on July 10-11, 2015 for the property located at 931 N. Rochester St.

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

Committee/Commission Reports

Finance Committee

Mukwonago Lions Summerfeste

Johnson recused herself. Motion by Decker/Penzkover to reconsider the original April 21, 2015 motion to accept the Finance Committee recommendation and deny the

request to waive the special event permit fee and any associated fees for Mukwonago Lions Summerfeste carried. Original motion was made by Decker/Sellenheim to accept the Finance Committee recommendation and deny the request to waive the special event permit fee and any associated fees for Mukwonago Lions Summerfeste. Motion not carried (Fickau voted yes).

Motion by Decker/Penzkover to waive 50% of the special event permit fee for Mukwonago Lions Summerfeste for the reason that a significant donation of a scoreboard was made to Field Park carried (Fickau and Winchowky voted no).

Motion by Decker/Penzkover to waive the park rental fee for Mukwonago Lions Summerfeste for the reasons that these fees have been historically waived and the Village will be a participating sponsor of the event carried (Fickau voted no).

Motion by Penzkover to waive the inspection fee (\$75) and the parade permit fee (\$25). Motion died for lack of a second.

Time Warner Cable contract

Motion by Johnson/Decker to approve the contract with Time Warner Cable to provide fiber, phone, and internet services carried.

Health and Recreation Committee

Non-residential garbage and recycle collections

Motion by Decker/Penzkover to discontinue the discount for non-residential garbage and recycle collections and returning the invoicing to John's Disposal Service, effective January, 1 2016 carried.

New Business

Village Attorney

East Wolf Run/State Highway 83 road right-of-way vacation

A resolution vacating and discontinuing a portion of the road right-of-way in the Village of Mukwonago adjacent to East Wolf Run at the intersection of State Highway 83 was introduced to the Board. Consideration of the agenda will come at a future meeting after a public hearing.

Resolution 2015-18

Motion by Decker/Penzkover to adopt Resolution 2015-18: *A Resolution of the Village of Mukwonago to Approve the Purchase of a Portion of the Land Known as W299S8915 State Road 83, Mukwonago, WI* carried.

Village President

2015 National Public Works Proclamation – April 24, 2015

Motion by Johnson/Decker to endorse the signing of the 2015 National Public Works Week proclamation carried.

2015 Appointments

Village Board Subcommittees

President Winchowky recommended the following Committee appointments:

- Health & Recreation Committee: Gasser, Chair; Decker.

- Personnel Committee: Sellenheim, Chair; Johnson, vacant position will be recommended at a later meeting.
- Protective Services Committee: Fickau, Chair; Gasser; Penzkover.
- Public Works Committee: Penzkover, Chair; Fickau; Gasser.

No action taken.

Plan Commission Citizen Member, Board of Building and Zoning Appeals Regular Member and 2nd Alternate, Fire Commission Village Citizen Member and Village Trustee, Police Commission Member, Library Board Village Members and Trustee, Economic Development Committee Regular Members and Non-voting Members At-Large, Tourism Commission Members, and Board of Review

Items will remain on the agenda.

Schedule Next Village Board Training Session

Training will be scheduled for either June 8, 10, or 11. Items will remain on the agenda for finalization of a date.

Closed Session

Motion by Fickau/Decker to convene into closed session at 7:21 p.m. 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 the terms and negotiation strategy for the release of restriction on the sale of lots in the Fairwinds subdivision, 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*) 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 collection of outstanding invoices involving the Minors Estates development carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Decker/Penzkover to adjourn closed session and reconvene into open session at 7:41 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.

The Minors invoices matter will be on the agenda.

Adjournment

Meeting adjourned at 7:42 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, May 19, 2015

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
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Mike Sellenheim
Fred Winchowky, Village President

Also present: Jeff Stien, Fire Chief
Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
Ron Bittner, Public Works Director
Bruce Kaniewski, Village Planner
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Monthly Reports

President Winchowky noted the 2015 April Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Keith Fisher, W309S7915 Avon Dr. – Represents St. James. Were not notified of the fees. The fees are excessive. Requests to waive the fees. They consult with the Police, Inspection, and other departments. The activity is on their own property. The festival does not affect other properties. The fees affects their budget.

Bob Lapczynski, W311S7680 Karen Ct. – Represents St. James. Has a good relationship with Village departments. They are the safest festival. They contract with the Police for services for the festival. The activity is on their own property. Profits go to the community. Requests to waive the fees now and in the future.

Fickau – Notified the Board that there was a study recently done that listed Mukwonago as 3rd for best places to raise a family.

Consent Agenda

- A. Approval of minutes for the May 5, 2014 regular meeting
- B. Approval of Vouchers Payable in the amount of \$664,719.01

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

Unfinished Business

Minors Estates development invoices

The item will remain on the agenda. No action taken.

Committee/Commission Reports

Economic Development Committee

Economic Development Loan Program

Motion by Penzkover/Sellenheim to accept the Economic Development Committee recommendation and approve Economic Development Loan Program carried.

Consideration of procedure regarding marketing Village-owned properties

Motion by Penzkover/Sellenheim to accept the Economic Development Committee recommendation and direct the Village Economic Development Director to market the property for six months, at which point, if unsuccessful, the Board will consider a different option carried.

Finance Committee

Special event permit fees

Motion made by Johnson/Decker to accept the Finance Committee recommendation and waive the special event permit fee for all special events for 2015 in recognition the fees were not created until after budgets were complete for most organizations. The fees will be reviewed at budget time, and the organizations will be notified of the said fees. Motion carried.

Martins Field House conditional use permit fee

Motion by Johnson/Decker to accept the Finance Committee recommendation and approve the request by Mukwonago Historical Society to waive conditional use permit fee for the placement of the Martins Field House on the Village-owned Mukwonago Museum property located at 103 Main St., except for the costs of the publication and the postage of mailing the notices to neighboring property owners which will be billed back to the Mukwonago Historical Society, carried.

New Election Equipment and Software Agreement

Motion by Johnson/Decker to accept the Finance Committee recommendation and adopt **Resolution 2015-19**: *Intergovernmental Agreement between Waukesha County and the Village of Mukwonago to Purchase New Election Equipment and Software* carried.

Plan Commission

Mt. Olive Lutheran Church certified survey map

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the certified survey map, requested by Mt. Olive Lutheran Church, for the property located 201 Main St., as presented subject to the following conditions by the Village Engineer carried:

1. Per Wisconsin State Statute 236.34 (1m) (a): Registered Land Surveyor must be changed to Professional Land Surveyor.
2. The POINT OF BEGINNING should be indicated on the map.

Addition #2 of the Orchards of Mukwonago

Motion made by Penzkover/Decker to accept the Plan Commission recommendation and approve the Final Plat for The Orchards of Mukwonago LLC Addition #2 subject to the final review and approval by the Village Engineer carried.

Motion by Penzkover/Sellenheim to accept the Plan Commission recommendation and approve the developers agreement for The Orchards of Mukwonago LLC for Addition #2 subject to the following conditions carried:

1. Verification of the surface course percentage of paving shall be submitted to and approved by staff.
2. The guarantee proposal by the developer of one year shall be approved by staff.

Motion by Penzkover/Sellenheim to accept the Plan Commission recommendation and approve the storm water maintenance agreement with The Orchards of Mukwonago LLC for Addition #2 subject to the following condition carried:

1. There shall be a written agreement between the first two phases of this development (Homeowner's Association) with regards to water runoff

Ordinance No. 898

Motion by Penzkover/Gasser to accept the Judicial Committee recommendation and adopt **Ordinance No. 898**: *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 (Herriges Property)* carried.

Protective Services Committee

RAVE Alert System

Motion by Fickau/Penzkover to accept the Protective Services Committee recommendation and approve the policy pertaining to the use of the RAVE Alert System carried.

Public Works Committee

Mukwonago Museum Property

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and proceed with the creation of a certified survey map combining the lots on the Mukwonago Museum Property located at 103 Main St. known as MUKV1976095 and MUKV1976100 contingent upon available funds, and authorize staff to choose the surveyor carried.

River Park Estates paving project

Motion by Penzkover/Fickau to accept the Public Works Committee recommendation and authorize the Public Works Director to start the bidding process for the River Park Estates paving project carried.

Annual Crack Sealing project

Motion by Penzkover/Fickau to accept the Public Works Committee recommendation and authorize the Public Works Director to start the bidding process for the Annual Crack Sealing project carried.

Micro-surfacing project

Motion by Penzkover/Fickau to accept the Public Works Committee recommendation and authorize the Public Works Director to start the bidding process for the micro-surfacing project carried.

Mukwonago High School crosswalk project

Mukwonago Area School District will be presenting a contract with the Village. Item will remain on the agenda.

New Business

Fire Chief

Informational report on Cadet Program

Information only. No action taken.

Village President

2015 Municipal Clerks Week Proclamation – May 3-9, 2015

Motion by Johnson/Decker to endorse the signing of the 2015 Municipal Clerks Week Proclamation carried.

2015 Police Week Proclamation – May 10-16, 2015

Motion by Johnson/Decker to endorse the signing of the 2015 Police Week Proclamation carried.

2015 Appointments

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

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

Motion by Penzkover/Johnson to accept the Village President's recommendation and appoint Sterling Fairchild as Plan Commission Citizen Member for the 2015-2018 term carried.

Motion by Johnson/Fickau to accept the Village President's recommendation and appoint Chris Tarr as Board of Building and Zoning Appeals Regular Member for the 2015-2018 term carried.

Building and Zoning Appeals 2nd Alternate with term expiring in 2018

Item will remain on the agenda.

Motion by Johnson/Fickau to accept the Village President's recommendation and appoint Lee Hau as Fire Commission Village Citizen Member for the 2015-2018 term carried.

Motion by Johnson/Penzkover to accept the Village President's recommendation and appoint Arnold Fickau as Fire Commission Village Trustee Member for the 2015 term carried.

Motion by Penzkover/Decker to accept the Village President's recommendation and appoint Gary Jorgenson as Police Commission Member for the 2015-2018 term carried.

Motion by Fickau/Decker to accept the Village President's recommendation and appoint Jim Bodendorfer and Sharroyl Cooper as Library Board Village Members for the 2015-2018 term carried.

Motion by Penzkover/Decker to accept the Village President's recommendation and appoint Darlene Johnson as Library Board Trustee member for the 2015 term carried.

Motion by Decker/Fickau to accept the Village President's recommendation and appoint April Reszka as Economic Development Committee Regular Member for the 2015-2018 term carried.

Motion by Penzkover/Decker to accept the Village President's recommendation and appoint Mark Greene as Economic Development Committee Non-voting Member At-Large for the 2015-2018 term carried.

Motion by Johnson/Fickau to accept the Village President's recommendation and appoint Katie Pierce as Economic Development Committee Non-voting Member At-Large for the 2015-2017 term carried.

Motion by Decker/Penzkover to accept the Village President's recommendation and appoint Susan Bauer as Economic Development Committee Non-voting Member At-Large for the 2015-2017 term carried.

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Patti Muraczewski, Bharat Shah, and Michelle Dretzka as Tourism Commission Members for the 2015 term carried.

Motion by Decker/Johnson to accept the Village President's recommendation and appoint April Reszka as Tourism Commission Advisory Member for the 2015 term carried.

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Jim Decker, Jerry Gasser, and Mark Penzkover as 2015 Board of Review Members for the 2015 term carried.

Village Board Training Session

Training will be scheduled for June 22, 5:00 p.m.

Other items not listed on the agenda

Trustee Sellenheim announced his resignation from the Board effective June 16, 2015.

Adjournment

Meeting adjourned at 7:56 p.m.

Respectfully Submitted,
Steven Braatz, Jr., Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, June 2, 2015

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
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Mike Sellenheim

Trustee excused: Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
Ron Bittner, Public Works Director
Mark Blum, Village Attorney
John Weidl, Village Administrator
Diana Doherty, Finance Director
Kurt Peot, Village Engineer
Craig Kunkel, Village Special Engineer
Steven Braatz, Jr., Clerk-Treasurer

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

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed session

Acting Chairperson Penzkover announced the Board will convene into closed session later in the meeting pursuant to Wis. Stat. **§19.85(1)(e)** and **§19.85(1)(g)** to discuss the collection of outstanding invoices involving the Minors Estates development.

Public Hearing

The Public Hearing to consider a proposed amendment to the Mukwonago sanitary sewer service area opened at 6:32 p.m.

Planner Kaniewksi gave a summary of the report. The amendment to the plan pertains to the inclusion of properties from the Town of East Troy to match the existing boundary agreement with the Town.

Marilyn McCarthy, S108W27690 Maple Ave. – Had questions about who pays to have the sewers installed. *(Kaniewski answered generally the developer.)*

Doug DeBack, S108W28220 Maple Ave. – Asked if special assessments would be charged if sewers are installed. *(Kaniewski answered the decision would be made at the time sewers are proposed to be installed.)*

Laura Ellis, W309S10004 Hwy I – Does not want sewers installed to her property in the Town of Mukwonago.

Greg Aprahamian, S107W30511 Sandy Beach Rd. – Does not want sewers installed to his property in the Town of Mukwonago.

Tim Klinger, W308S10503 Greenhill Ct. – Does not want sewers installed to his property in the Town of Mukwonago.

Kris Webster, S105W30790 Phantom View Dr. – Does not want sewers installed to her property in the Town of Mukwonago.

Todd Seidl, N902 Stone School Rd. – Asked if there was a developer that was driving this amendment *(Kaniewski answered no.)*

Steve Todd, 909 Meadow View Ln. – Encourages the Village to study well capacity and locate another property to construct a well in the future, so everyone can have water in the future.

Letter from Town of East Troy to SEWRPC dated May 27, 2015 – The Town objects to the inclusion of properties in the Sanitary Sewer Service Area not currently within the Village boundaries.

Kim Seidl – Asked about timing of sewer installation and where it would begin. *(Kaniewski answered timing is unknown and it would begin at the closest point where sewer is currently located.)*

Dave Schilling, SEWRPC – For the area that is being excluded from the Village of East Troy Sewer Service Area to the Village of Mukwonago Sewer Service Area, the East Troy Village Board approved that change a couple weeks ago.

Larry Ellis, W309S10004 Hwy I – Asked if you are required to hook up to sewer if it runs across your property line. *(Peot answered if it is a local sewer to service all of the properties, then yes. If the sewer cuts across someone's property to service another, then not necessarily.)*

Mary LaRue, W307S10483 Green Hill Ct. – Asked how long the process is to install sewers if a developer comes in. *(Kaniewski answered the process would take a long time.)*

Public hearing closed at 7:04 p.m.

Motion by Sellenheim/Decker to accept the Plan Commission recommendation and adopt **Resolution 2015-20**: *A Resolution for Adoption of a Mukwonago Sanitary Sewer Service Area Amendment* carried (Johnson voted no).

Comments from the Public

Devin Wolf and Ken Kroeger, representing Minor's Estates subdivision – Stated there was an oversight with the billing that was sent to them. Many of the bills were for an agreement with the Minor's Homestead West subdivision related to paving of roads and use of their storm water pond. Stated they are only responsible for \$5,328.27 of the \$18,238.02 that was billed to them.

Mike Contreras, 747 Pinehurst Dr. – Expects the Board to come out of closed session with a resolution that is beneficial to the taxpayers.

Consent Agenda

- A. Approval of minutes for the April 21, 2015 regular meeting
- B. Approval of Vouchers Payable in the amount of \$1,371,782.13
- C. Adoption of **Resolution 2015-21**: *A Resolution Approving the Park Donation and Naming Policy*

D. Adoption of **Resolution 2015-22**: A Resolution Approving the Park Memorial and Donation Policy

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

Committee/Commission Reports

Public Works Committee

Dewey Drive and Storm Water Pond Construction Project

Motion by Fickau/Sellenheim to accept the Public Works Committee recommendation and award the Dewey Drive and Storm Water Pond Construction Project contract to RAMS Contracting in the amount of \$619,402.55 carried.

Fairwinds Subdivision westerly wet pond

Motion by Gasser/Decker to accept the Public Works Committee recommendation and direct staff to prepare an agreement to convert the Fairwinds Subdivision westerly wet pond to infiltration pond, contingent upon Bielinski providing a new storm water agreement and indemnification bond, and the pond shall be built to the design carried (Fickau voted no).

Consideration of release of lots in the Fairwinds subdivision

Motion by Gasser/Decker to accept the Public Works Committee recommendation and direct staff to move forward with the preparation of an agreement to release the restriction on the sale of two lots in the Fairwinds subdivision, contingent upon approval by the Village Attorney carried.

Consideration of Proposal for Additional Well Installation at Lynch Property

Motion by Decker/Sellenheim to accept the Public Works Committee recommendation and authorize the Village Administrator to execute the agreement with Terracon to install an additional well on the property located at 915 Main St. for a total of \$5,900 carried.

Closed session

Motion by Decker/Fickau to convene into closed session at 7:54 p.m. pursuant to Wis. 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 collection of outstanding invoices involving the Minors Estates development carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Decker/Fickau to adjourn closed session and reconvene into open session at 8:27 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 made by Johnson/Decker to deny the claim from Devin Wolf that certain invoices are not the responsibility of Minors Homestead 4 LLC, direct staff to proceed with the review of the Minor's Estates final plat upon receipt of the \$5,000 escrow check, and direct staff to proceed with the collection of the outstanding invoices. In the event the invoices are not paid within 60 days, staff shall proceed with placing the lien on the real estate tax bill. Motion carried.

Other items not listed on the agenda

Clerk-Treasurer Braatz notified the Board that the training scheduled for June 22, 2015 needs to be postponed due to the use of that evening by the TID 3 Joint Review Board for a meeting. Board members are to notify the Clerk's Office of an available Wednesday night in July to reschedule.

Adjournment

Meeting adjourned at 8:31 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, June 16, 2015

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
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Mike Sellenheim
Fred Winchowky, Village President

Also present: Jeff Stien, Fire Chief
Kevin Schmidt, Police Chief
Ron Bittner, Public Works Director
Diana Doherty, Finance Director
John Weidl, Administrator
Chris Genellie, Village Engineer
Bruce Kaniewski, Village Planner
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)** to review and discuss the retirement and release agreement for the Utilities Director.

Public Hearing

The Public Hearing to consider a zoning district boundary change (rezoning) from A-1 (Agricultural District) to B-4 PUD (Commercial Business Design District with a Planned Unit Development Overlay) requested by Brian Adamson, ICAP Development LLC, representing Dorothy Herriges Revocable Trust, for the property located at S107W28415 East Wolf Run, known as Tax Key No. MUKV2015999 opened at 6:32 p.m.

Brian Adamson, ICAP Development LLC – The property was recently attached to the Village. The automatic zoning is A-1. This is to rezone to B-3 PUD to accommodate a proposed Aldi grocery store.

No comments from the public.

Public hearing closed at 6:34 p.m.

The Public Hearing to consider a discontinuance of a public right-of-way adjacent to East Wolf

Run at the intersection of State Highway 83 opened at 6:34 p.m.

Weidl explained there is a triangle-shaped piece of property left over from the creation of Maple Ave. This move will discontinue the use as a right-of-way and attach to the Aldi property site.

No comments from the public.

Public hearing closed at 6:35 p.m.

Monthly Reports

President Winchowky noted the 2015 May Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

No comments from the public.

Consent Agenda

- A. Approval of minutes for the June 2, 2015 regular meeting
- B. Approval of Vouchers Payable in the amount of \$570,643.16
- C. Acceptance of 2014 Financial Audit Report
- D. Granting of 2015-16 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. (Denise H. Dixon – 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
- E. Granting of 2015-16 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. (Robert R. French – 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
 - 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
- F. Granting of 2015-16 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
- G. Granting of 2015-16 Renewal Class B Fermented Malt Beverage and Reserve Intoxicating Liquors Licenses

- 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. Granting of 2015-16 Renewal Class B Fermented Malt Beverage and Intoxicating Liquors Licenses
- Blue Bay Inc. (Vlaznim Islami – Agent), 927 Main Street, d/b/a Blue Bay Restaurant
 - Community Post No. 375 of the American Legion (Claudia I. Dorband – 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. Turner – Agent), 100 Main Street, d/b/a Pam's Fine Wines
 - Perseverance Corp. (Mark A. Weiss – Agent), 200 South Rochester Street, d/b/a Half-Time Sports Grille
 - Stevens Management Inc. (Dennis M. Stevens – Agent), 215 North Rochester Street, d/b/a Fork in the Road
- H. Granting of 2015-16 Original Class A Fermented Malt Beverage and Intoxicating Liquors Licenses
- Ultra Mart Foods, LLC (Patrick T. Groves – Agent), 1010 North Rochester Street, d/b/a Pick'n'Save #6384
- I. Granting of 2015-16 Operator's Licenses for the Applicants for Ana E. Alarcon, Sonia A. Alarcon, John L. Anich, Brian A. Anspach, Rowanna R. Bailey, Scott A. Baksic, Erik M. Balasch, Donna J. Banks, Kim J. Baumgart, Linda L. Berres, Patricia M. Bilello, Bailey A. Blackburn, Patricia A. Brokaw, Brandon T. Carrillo, Joele A. Cook, Mathew A. Cudnohoske, Jill M. Dahl, Megan C. Dlugi, Beth A. Dums, Laura M. Ellis, Thomas A. Engen, Tina E. Ermer, Dianna L. Falkenberg, Leila E. Flintrop, Michael S. Fohr, Colleen M. Forecki, James R. Foster, Timothy M. Galinsky, Patricia A. Gengler, Jeri A. Gerndt, Theresa G. Gorichanaz, Alice B. Gott, Victoria D. Greenwald, Charu Gupta, Jennifer C. Hansen, Lynette L. Hartl, Brian W. Haughn, Patricia D. Helminiak, April M. Heyse, Donna K. Hoffman, Mattie Holt, Jose J. Jaimes-Lopez, Nicholas M. Jay, Dnielle M. Jones, William J. Kaul, Kelsey E. Kiesow, Kathy L. Kitzman, Nicholas V. Klokner, Timothy L. Kowske, Lori A. Krauss, James A. Kuback, Garish Kumar, Lynn M. Lee, Tara L. Lloyd, Nicole E. Lueck, Caroline M. Leudtke, Jared E. Mazza, Carrie A. Miramontes, Vicki L. Miramontes, Evelyn R. Morton, Lisa K. Muetzelburg, Michelle L. Nader, Jitendra K. Patel, Jessica M. Patnaude, Linda M. Peach, Denise A. Peterson, Mary Pfeifer, Robert F. Prinzi, Adam J. Quella, Donna L. Rettenmund, Ashley L. Rudderham, Andrew J. Russell, Emily S. Russell, Kevin P. Ryder, Michael R. Sandleback, Shelby K. Savin, Jamie L. Schmidt, Kyler J. Schmor, Charity Schneider-Berndt, Calvin F. Seng, Alyssa K. Shelby, Adam C. Smalley, Kathryn P. Stillman, Lori L. Taffs, Janice A. Taft, Ernest J. Tanel, Denise L. Taylor, Rebecca D. Thompson, Jeneane M. VandenBoom, Christopher M. Vitense, Thomas J. Vukelich, Shannon L. Wainwright, Melissa Wegner, Heather R. Weis, Jill M. West, Julieann E. Woppert
- J. Granting of 2015 Application for Temporary Class B Beer Licenses for St. James Catholic Parish on August 14-16, 2015
- K. Approval of work request by We Energies for non-standard street lighting on Dewey Dr., selecting Option B for a total of \$28,095.51 (to be paid by TID #3 funds)

L. Approval of work request by We Energies for non-standard street lighting at 1212 N. Rochester St., selecting Option B for a total of \$10,500.30 (to be paid by developer)
Motion by Decker/Johnson to approve the Consent Agenda as presented carried.

Committee/Commission Reports

Plan Commission

Resolution 2015-24

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Resolution 2015-24: *A Resolution Approving Project Plan Amendment No. 2 for Tax Incremental District No. 3, of the Village of Mukwonago, Wisconsin, and Making Certain Findings with Respect Thereto* carried.

Minor's Estates final plat

Motion by Sellenheim/Decker to accept the Plan Commission recommendation and approve the Final Plat requested by Devin Wolf and Ken Kroeger, Minor's Homestead 4 LLC, for Minor's Estates subject to the following conditions carried:

1. Signing of the Final Plat by Village officials shall be subject to approval and developer signing of the Developer's Agreement and the Storm Water Maintenance Agreement, developer signing of the agreement between the developer, Village Board and homeowners of Minor's Homestead Addition No. 3, and submittal of a Landscape Plan (per comments in the body of this report for approval of the Village Engineer.
2. The Developer's Agreement shall not be signed until the grading plan is approved by the Village Engineer and the Zoning Administrator.
3. Approval shall be subject to revisions to the final plat as recommended by Waukesha County in a letter dated May 26, 2015, and as recommended by the Village Engineer in a letter dated June 5, 2015.
4. Approval shall be subject to revision of the final plat to Brockway Drive street yard setback of Lot 1 to make the lot buildable with the temporary cul-de-sac.

ALDI commercial development technical exemption to Sec. 34-110 (d)(6)

Motion by Johnson/Decker to approve the technical exemption to Sec. 34-110 (d)(6) of the Municipal Code to allow for the proposed ALDI commercial development, located at S107W28415 Wolf Run, to have a setback from Storm Water Best Management Practices (BMP) of 8.5 feet at the loading dock area carried.

Ordinance No. 899

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Ordinance No. 899: *An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV2015999)* carried.

Resolution 2015-25

Motion by Johnson/Decker to accept the Plan Commission recommendation and adopt Resolution 2015-25: *A Resolution Vacation and Discontinuing a Portion of the Road Right-of-way in the Village of Mukwonago Adjacent to East Wolf Run at the Intersection of State Highway 83* carried.

Aldi grocery store site/architectural plan review

Motion by Johnson/Penzkover to accept the Plan Commission recommendation and

approve the site/architectural plan review, requested by Brian Adamson, ICAP Development, representing Dorothy Herriges Revocable Trust, Mary Schneider Trustee, property owner, for the property located at S107W28415 Wolf Run known as MUKV2015999 for the construction of an Aldi grocery store as presented subject to the following conditions carried:

1. Approval of the plans for the proposed 18,500 square foot Aldi Foods store at the corner of State Trunk Highway 83 and Wolf Run shall be subject to the package of documents and plans submitted by ICAP Development to the Village of Mukwonago on April 19, 2015 (plans for concept review), April 21, 2015 (request to vacate right-of-way), April 30, 2015 (legal description and survey for right-of-way vacation), May 5, 2015 (narrative for rezone) and May 16, 2015 (project narrative and final plans). The plans may be further modified to conform to other conditions of approval; the floor plans may be modified with the approval of the Building Inspector to conform to Building and Fire Safety Codes and all plans may be further modified to conform to Village design standards. However, the basic layout of the site as depicted on Sheet C-2, Site Plan prepared by Key Engineering Group, shall remain unchanged.
2. Approval shall be subject to approval of the Village Board of the rezoning from A-1 to B-4 PUD and approving the PUD modifications, approval of the right-of-way vacation, and approval of the Developer's Agreement and the Storm Water Maintenance Agreement. The Developer's Agreement shall list these conditions of approval and a list of all final plans for the project.
3. Outside display and storage of materials shall be prohibited, except for storage of carts within designated areas as shown on the site plan.
4. Prior to start of construction, a revised landscape plan shall be submitted for the approval of the Zoning Administrator and Village Planner. The revised landscape plan shall show sufficient amount of landscaping plantings on the site to off-set the loss of existing trees on the site pursuant to the Village Tree Preservation code, or payment in lieu of in the amount of \$250 per tree to the Village, for use to replace the trees within the Village.
5. 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 shall approve all site engineering plans and documents, including a complete Storm Water Management Plan.
 - b. Village Board approval of a Storm Water Maintenance Agreement and a Developer's Agreement (to include a submitted and Village approved Letter of Credit for any off-site improvements).
 - c. Submittal of the signed easement with the neighboring property owner for shared use and reconstruction of the shared access to and from Maple Avenue.
 - d. Completion of all approvals listed in Condition No. 2, and all plans shall be consistent with the plans listed in Condition No. 1 or as modified and identified in the Developer's Agreement.
 - e. 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.
 - f. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
 - g. Approval of building plans shall include appropriate locations of the external mechanical
 - h. equipment to be placed hidden from view from neighboring properties.

6. Prior to temporary occupancy issuance, and if needed prior to final occupancy permit, the following shall occur:
 - a. 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.
 - b. Completion of all exterior lighting in accordance with approved plans.
 - c. Completion of the buildings in accordance with approved plans and all applicable codes.
 - d. Completion of a hard parking surface, including installation of handicapped parking signs and ramp.
 - e. Completion of the dumpster enclosure.
7. Prior to final occupancy permit, which shall be issued not later than 90 days after any temporary occupancy permit, the following shall occur:
 - a. Completion of all items within Condition No. 6.
 - b. Completion of paving and striping of the entire parking area, in accordance with approved plans.
 - c. Installation of all site landscaping.

Aldi Foods Store development guaranty

Motion by Decker/Johnson to accept the Plan Commission recommendation and approve the development guaranty with ICAP Development, LLC for Aldi Foods Store on Herriges Property, STH 83 and Wolf Run subject to final review by the Village Attorney carried.

Aldi Foods Store sign declaration

Motion by Decker/Sellenheim to accept the Plan Commission recommendation and approve the sign declaration with ICAP Development, LLC for Aldi Foods Store on Herriges Property, STH 83 and Wolf Run subject to final review by the Village Attorney carried.

Aldi Foods Store developers agreement

Motion by Decker/Sellenheim to accept the Plan Commission recommendation and approve the developers agreement with ICAP Development, LLC for Aldi Foods Store on Herriges Property, STH 83 and Wolf Run subject to final review by the Village Attorney carried.

Aldi Foods Store storm water maintenance agreement

Motion by Decker/Johnson to accept the Plan Commission recommendation and approve the storm water maintenance agreement with ICAP Development, LLC for Aldi Foods Store on Herriges Property, STH 83 and Wolf Run subject to final review by the Village Attorney carried.

Potential TID #4

Motion by Decker/Johnson to accept the Plan Commission recommendation and schedule a public hearing for the consideration of a proposed amendment to Comprehensive Plan for the potential TID #4 on August 3, 2015 carried.

Protective Services Committee

Consideration of an Agreement to Provide Paramedic Intercept Services between the Village and Town of Mukwonago and the Village of Waterford

Item remains in Committee.

Public Works Committee

We Energies and Village of Mukwonago holiday lighting agreement

Motion by Penzkover/Fickau to accept the Public Works Committee recommendation and approve agreement between We Energies and Village of Mukwonago to use a certain pole for the purposes of attaching certain wires or equipment in the amount of \$10,582.00 carried.

831 Greenridge Center loss of water invoice

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and deny request by Darwin Greenwald to waive invoice related to loss of water as a result of a frozen pipe leak on the fire protection system at the property located at 831 Greenridge Center carried.

CTH NN multi-use trail

Motion made by Penzkover/Gasser to accept the Public Works Committee recommendation and authorize up to \$125,000 for design and construction of a multi-use trail along the south side of CTH NN from the Mukwonago High School property to STH 83, contingent on available funds. Doherty stated there is money available from the Front St. project, which was deferred. Motion carried (Decker voted no).

CTH NN and Fairwinds Bld. crosswalk installation on

Motion by Penzkover/Sellenheim to accept the Public Works Committee recommendation and authorize the Village to assume the lead for the crosswalk installation on CTH NN and Fairwinds Bld. carried.

New Business

Village Planner

Chapman site Traffic Impact Analysis

Motion by Sellenheim/Penzkover to approve the engineering agreement with Traffic Analysis & Design, Inc. to perform a traffic impact analysis for the Chapman site street intersection with STH 83 not to exceed the amount of \$16,910.00 carried.

Village President

Motion by Johnson/Decker to table the letter of resignation from Village Board from Mike Sellenheim and the procedure for filling Village Trustee vacancy until after the closed session carried.

Schedule Next Village Board Training Session

The Village Board training has been rescheduled to July 22, 2015, at 5:00 p.m.

Closed session

Motion by Gasser/Decker to convene into closed session at 7:20 p.m. 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) to review and discuss the retirement and release agreement for the Utilities Director carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Decker/Johnson to adjourn closed session and reconvene into open session at 7:55 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 Decker/Penzkover to adopt Resolution 2015-26: *A Resolution to Approve the Retirement Agreement with Utilities Director Dean Falkner* carried.

Motion by Penzkover/Decker to remove from the table the letter of resignation from Village Board from Mike Sellenheim and the procedure for filling Village Trustee vacancy until after the closed session carried.

Motion by Johnson/Decker to accept the letter of resignation from Village Board from Mike Sellenheim carried.

Motion by Decker/Penzkover to allow the Village President to bring two names before the Board for further consideration to fill the Trustee vacancy carried.

Adjournment

Meeting adjourned at 7:58 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, July 7, 2015

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
Jerry Gasser
Fred Winchowky, Village President

Trustees excused: Darlene Johnson
Mark Penzkover

Also present: Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Administrator
Ivan Zaremba, Assistant Water Director
Ron Bittner, Public Works Director
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 June 16, 2015 regular meeting
- B. Approval of Vouchers Payable in the amount of \$977,568.50
- C. Granting of 2015-16 Operator's Licenses for the Applicants for Josh J. Barker, David A. Bretz, Wendy K. Chatterton, Robert J. Jones, Hally H. Kelly, Peter J. Lux, Patrick M. Rice, Claire E. Rohan, Michael D. Schell, and Daniel P. Woznicki

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

Committee/Commission Reports

Public Works Committee

2015 Crack Sealing Project

Motion by Gasser/Decker to accept the Public Works Committee recommendation and award the 2015 Crack Sealing Project contract to American Pavement Solutions in the amount of \$85,536 carried.

River Park Estates Rehabilitation Project

Motion by Gasser/Fickau to accept the Public Works Committee recommendation and award the River Park Estates Rehabilitation Project contract to Payne & Dolan, Inc. in the amount of \$448,489 (does not include Alternate A) carried.

River Park Lift Station Generator Building Project

Item will remain in Committee.

Business Park STH 83 Intersection project

Motion by Gasser/Fickau to accept the Public Works Committee recommendation and authorize Kunkel Engineering to start the bidding process for the Business Park STH 83 Intersection project carried.

New Business

Village Police Chief

911 Sharing Agreement

Motion by Decker/Fickau to approve the 911 Sharing Agreement between Village of Mukwonago, Village of Elm Grove, and City of Muskego carried.

Village President

Appointment of Village Trustee

Item will remain on the agenda.

Adjournment

Meeting adjourned at 6:42 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, July 21, 2015

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
 Darlene Johnson
 Jim Decker
 Mark Penzkover
 Jerry Gasser
 Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
 Ron Bittner, Public Works Director
 Jeff Stien, Fire Chief
 Diana Doherty, Finance Director
 John Weidl, Administrator
 Ivan Zaremba, Assistant Utilities Director – Water
 Mark Blum, Village Attorney
 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 sessions later in the meeting pursuant to Wis. Stat. **§19.85(1)(c)** to discuss compensation for Interim Utilities Director and pursuant to Wis. Stat. **§19.85(1)(e)** to discuss potential purchase of properties and to discuss the Lease Agreement with AT&T for use of the south Water Tower.

Public Hearing

The Public Hearing to consider a zoning district boundary change (rezoning) from B-3 (Community Business District) to B-2 (General Business District) requested by John Theisen, Lighthouse Lubes Real Estate LLC, representing Waukesha State Bank, for the property located at 1160 North Rochester Street, known as Tax Key No. MUKV1962990002 opened at 6:32 p.m.

No one appeared on behalf of the applicant. No public appeared for or against.

Public hearing closed at 6:34 p.m.

The Public Hearing to consider a petition on the 2015-16 "Class A" Fermented Malt Beverage and Intoxicating Liquor License application of Kwik Trip, Inc., Patrick M. Rice – Agent, d/b/a Kwik Trip 282, for the property located at 1212 N. Rochester Street in regard to exceeding the quota pursuant to Sec. 6-36 (b) of the Municipal Code of the Village of Mukwonago opened at 6:35 p.m.

Pat Rice, agent for Kwik Trip 282, read a letter from Kwik Trip dated May 21, 2015, explaining reasons for granting a license. Items include adding around 35 jobs with above-average wages and benefits, adding to the tax base, and attracting residents and visitors to Mukwonago.

Public hearing closed at 6:38 p.m.

Motion by Decker/Fickau to approve the request to exceed the quota to grant the 2015-16 "Class A" Fermented Malt Beverage and Intoxicating Liquor License for Kwik Trip, Inc., Patrick M. Rice – Agent, d/b/a Kwik Trip 282, for the property located at 1212 N. Rochester Street carried (Gasser voted no).

Monthly Reports

President Winchowky noted the 2015 June Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Colleen Farmer, 1445 Applewood Ci. – Had concerns with Ordinance 901, Block Party Permits. Wants to know what the fee will be. Would like the ending time to be changed from 9:00 p.m. to midnight. Would like the part requiring signatures of attendees to be stricken.

Consent Agenda

- A. Approval of minutes for the July 7, 2015 regular meeting
- B. Approval of Vouchers Payable in the amount of \$435,806.92
- C. Approval of request by Molly Nogalski to close MacIntosh Way for their annual block party on Saturday, August 15, 2015 pursuant to Public Works Committee recommendation
- D. Approval of work request by We Energies for non-standard street lighting on CTH ES and Regees Rd. selecting Option B for a total of \$10,616.76 (to be paid by developer) pursuant to Public Works Committee recommendation
- E. Adoption of **Resolution No. 2015-29**: A Resolution Approving the Submittal of the Wisconsin Department of Natural Resources NR 208 Compliance Maintenance Annual Report pursuant to Public Works Committee recommendation
- F. Granting of 2015-16 Operator's Licenses for the Applicants for Hanna L. Byrnes, Rachael M. Dotson, Bonnie J. Dragert, Kimberly L. Eigenberger, Tracey L. Fridley, Baljit K. Gill, Isabel G. Herriges, Rachelle Jaquith, Holli M. Jensen, Leanne J. Kubiak, Trisha R. Kurbis, Cameron L. Morgan, Tina M. O'Bryan, Annette M. Pisarek, Jacqueline A. Quist, Autumn M. Schieffer, Bethany D. Schultz, Michelle K. Stinebaugh, April L. Strizic, Natalie A. Suminski, Amanda P. Tanner, Chris W. Wineinger, and Kristin F. Zetter

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

Committee/Commission Reports

Plan Commission

Resolution 2015-30

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt **Resolution 2015-30**: *Conditional Use Permit for the Use of a Building as a Dental Clinic, John Miller, Western Contractors, 525 Bay View Road, MUKV2009962002* carried.

Ordinance No. 899

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Ordinance No. 899: *An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV2015999)* carried.

Resolution 2015-31

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Resolution 2015-31: *Conditional Use Permit for the Construction of an Oil Change Facility and Drive-Up Window, John Theisen, Lighthouse Lubes Real Estate LLC, 525 Bay View Road, MUKV1962990002* carried.

Lighthouse Lubes Real Estate LLC site plan/architectural review

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the site plan/architectural review for the Lighthouse Lubes Real Estate LLC subject to staff coming to agreement with landscaping, lighting plans as discussed and the following conditions carried:

1. Approval of the plans for the proposed oil change and coffee shop/restaurant store at approximately 1100 N. Rochester Street shall be subject to the package of plans submitted by the applicant to the Village of Mukwonago on July 7, 2015. Prior to commencement of any site construction or the issuance of any building permit, final plans shall be reviewed and approved by the Supervisor of Inspections/Zoning Administrator, Fire Chief, Village Planner and the Village Engineer. The final plans shall be modified to conform to revisions listed in this report and conformance to all applicable Village codes and other conditions of approval; the floor plans may be modified with the approval of the Supervisor of Inspections to conform to Building and Fire Safety Codes and all plans may be further modified to conform to Village design standards. However, the basic layout of the site as depicted the Site Plan dated June 30, 2015 shall remain unchanged.
2. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
 - a. Conformance with all terms and conditions of approval for the Conditional Uses.
 - b. Completion of all required approvals as listed in Condition No. 1.
 - c. 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.
 - d. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
 - e. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view of neighboring properties.
3. Prior to temporary occupancy issuance, and if needed, prior to final occupancy permit, the following shall occur:
 - a. Completion of all site grading and storm water management facilities in accordance with final approved plans.
 - b. Completion of all exterior lighting in accordance with final approved plans.
 - c. Completion of the buildings in accordance with final approved plans and all applicable codes.

- d. Completion of a hard parking surface with concrete curb and gutter, including installation of handicapped parking signs and ramp in accordance with final approved plans.
- e. Completion of the dumpster enclosure.
- 4. Prior to final occupancy permit, which shall be issued not later than 90 days after any temporary occupancy permit, the following shall occur:
 - a. Completion of all items within Condition No. 3.
 - b. Completion of paving and striping of the entire parking area, in accordance with approved plans.
 - c. Installation of all site landscaping.

Conversion of a private drive into a public street

Motion by Penzkover (second assumed) to accept the Plan Commission recommendation and direct staff to research the possibility of acquisition of property to convert a private drive into a public street, behind properties fronting STH 83 north of CTH NN carried.

Public Works Committee

River Park Lift Station Generator Building Project

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and award the contract for the River Park Lift Station Generator Building Project to Hogen Electric in the amount of \$162,900 carried.

Field Park Storm Water Pond Project Change Order #2

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and approve Change Order #2 for Field Park Storm Water Pond Project in the amount of an increase of \$470.40 to adjust final contract to reflect actual quantities of work installed to close out the contract carried.

Ordinance No. 901: An Ordinance to Create Section 74, Article II of the Village of Mukwonago Municipal Code Pertaining to Block Party Permits

Winchowky was concerned with the amplified music, the time limit, the requirement to have the majority of residents sign the application, and the restriction on thoroughfares. Item will remain in Committee to address those concerns and the concerns brought up during public comments.

Ordinance No. 902

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and adopt Ordinance No. 902: An Ordinance to Amend Certain Sections of Chapter 74 of the Village of Mukwonago Municipal Code Pertaining to the Regulation of Streets, Sidewalks, and Other Public Places carried.

New Business

Fire Chief

Act 102 funds

Motion by Gasser/Penzkover to authorize the Fire Chief to use Act 102 funds to take the necessary action for EMT Basic Training reimbursement contingent upon a similar approval by the Town of Mukwonago carried.

Motion by Gasser/Penzkover to authorize the Fire Chief to take the necessary action for future reimbursements to employees for EMT Basic Training from the Act 102 funds, not to exceed the total amount available for training, contingent upon a similar approval by the Town of Mukwonago carried.

Village Attorney

Fairwinds Subdivision

Motion by Fickau/Decker to authorize the Village President and Village Clerk to sign the Amendment to Restriction of Sale of Lots for Fairwinds Subdivision which releases the restrictions on Lot 95 and re-imposes the restrictions on Lot 102 carried.

Village Administrator

Consideration of renaming of Gateway Business Park

Motion by Decker/Gasser to authorize Village staff to create ideas for potential new names for the current Gateway Business Park to present to the Plan Commission carried.

Consideration of creation of new Village of Mukwonago logo

Motion by Decker/Penzkover to authorize Village staff to create ideas for potential new logo to present to the Health and Recreation Committee carried.

Village President

2015 National Night Out Proclamation

Motion by Johnson/Decker to endorse the signing of the 2015 National Night Out Proclamation carried.

Consideration of appointment to Village Trustee vacancy

President Winchowky contacted four individuals, of which two declined. The remaining two are Ken Werner and Jon Meiners. Winchowky recommended Ken Werner for the appointment. Motion made by Johnson/Decker to appoint John Meiners to the vacant Village Trustee position. Johnson stated that Mr. Werner is on Plan Commission and would prefer to keep someone who knows what is going on with the items on the Commission with all of the stuff that is going on. She also stated that Mr. Meiners would be a fresh face and has been involved with businesses in the Rotary and in construction. Gasser stated that the recommendation from the Board was for the President to bring two names, and he has followed through. He also stated this motion says the President does not have a recommendation. Penzkover stated that appointing Mr. Werner would not necessarily exclude him from Plan Commission since former Trustee Sellenheim was also on Plan Commission. Fickau stated he does not know either individual and would like to sit down and interview them to see how they blend with the Board. Decker agreed with Fickau. Motion not passed (Fickau, Penzkover, Gasser, and Winchowky voted no). Motion by Penzkover/Gasser to accept the Village President's recommendation and appoint Ken Werner to the vacant Village Trustee position not passed (tied vote). Motion made by Gasser/Penzkover to allow Clerk to set a special meeting to interview both candidates, and the Board with collectively vote on the two candidates. Board members shall send a list of 5-10 interview questions to the Clerk for further consideration by the Board. Motion carried.

Consideration of appointment of Village Board standing committees

Item will remain on agenda.

August Village Board meetings

Motion by Decker/Johnson to move the August 4 and 18, 2015 Village Board meetings to August 3 and 17, 2015, respectively, carried.

Closed session

Motion by Fickau/Johnson to convene into closed sessions at 7:46 p.m. 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*) to discuss compensation for the Interim Utilities Director and pursuant to **§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 purchase of properties and to discuss the Lease Agreement with AT&T for use of the south Water Tower carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover/Decker to adjourn closed session and reconvene into open session at 8:55 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 Penzkover/Decker to direct staff to put together a team to explore redevelopment of lands within the Village carried (Johnson voted no).

Motion by Penzkover/Decker to appoint Ivan Zarembo as Interim Utilities Director carried.

Motion by Penzkover/Decker to authorize a stipend of \$500 per month to the Interim Utilities Director, effective July 1, 2015, until such time as the appointment of a Utilities Director carried.

Motion by Penzkover/Decker to direct Village Attorney to respond to AT&T's proposal as outlined in the letter dated July 16, 2015 carried.

Adjournment

Meeting adjourned at 8:33 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Monday, August 3, 2015

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
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director
Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Administrator
Ivan Zaremba, Interim Utilities Director
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Comments from the Public

Jim Dobernig, 637 Oldfield Ave. – Opposed to the proposed apartments to the north of Fairwinds Subdivision.

Ryan Bailey, 619 Prairie Hill Ave. – Opposed to the proposed apartments to the north of Fairwinds Subdivision.

Darrell Pilon, 631 Oldfield Ave. – Opposed to the proposed apartments to the north of Fairwinds Subdivision.

Tim McCormack, 608 Oldfield Ave. – Opposed to the proposed apartments to the north of Fairwinds Subdivision.

Paul Pilon, 631 Oldfield Ave. – Opposed to the proposed apartments to the north of Fairwinds Subdivision.

Bill Lowe, 624 Prairie Hill Ave. – Opposed to the proposed apartments to the north of Fairwinds Subdivision.

Commendations from Police Chief

Police Chief Schmidt presented a letter of commendation to Village Clerk/Dispatcher Sarah Ebert and Officer Rebecca Jaworowicz for their quick response to the abduction case that took place at the Mukwonago Wal-Mart on June 8, 2015.

Consent Agenda

- A. Approval of minutes for the July 21, 2015 regular meeting
- B. Approval of Vouchers Payable in the amount of \$469,914.09
- C. Granting of 2015-16 Operator's Licenses for Torie L. Buchman, Doreen A. Carlson-Ellsworth, Thomas J. Daniels, Jamie D. DePaul, Danielle A. Gerbitz, Jessica N. Kollaszar, Jeffrey L. Mutchler, and Heidi S. Zimmerman
- D. Granting of 2015 Application for Temporary Class B Beer Licenses for Knights of Columbus on September 13, and October 18, 2015

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

Committee/Commission Reports

Finance Committee

Resolution 2015-32

Motion by Johnson/Decker to accept the Finance Committee recommendation and adopt Resolution 2015-32: *A Resolution Acknowledging a Palpable Error in the 2014 Assessment Roll and Requesting a Charge-Back of Taxes for the Personal Property Known as MUKVI025* carried.

Resolution 2015-33

Motion by Johnson/Decker to accept the Finance Committee recommendation and adopt Resolution 2015-33: *A Resolution Acknowledging a Palpable Error in the 2014 Assessment Roll and Requesting a Charge-Back of Taxes for the Real Estate Property Known as MUKV2091068* carried.

Consideration of contract with Karl James & Company LLC for creation of new Village of Mukwonago logo

Motion made by Penzkover/Decker to approve the contract with Karl James & Company LLC for creation of new Village of Mukwonago logo and communications planning and strategy development in the amount of \$10,000. Fickau stated he does not think we need to spend this kind of money for a different logo. Gasser is not a supporter of this; he does not feel it is important. Weidl stated he can put something together and come back. Winchowky feels like it is a lot of money that we did not anticipate. Motion withdrawn. Item will remain in Committee.

Public Works Committee

River Park Lift Station Generator Building Project Change Order #1

Motion by Penzkover/Johnson to accept the Public Works Committee recommendation and approve Change Order #1 for River Park Lift Station Generator Building Project to remove insurance requirements deemed not applicable to the scope of the project and use the funds saved to upgrade aging Variable Frequency Drives at the lift station carried.

New Business

Public Works Director

Resolution 2015-34

Motion by Decker/Johnson to adopt Resolution 2015-34: *Resolution Accepting Donated Structures in Field Park* carried.

Adjournment

Meeting adjourned at 7:00 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING Wednesday, August 5, 2015

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
 Darlene Johnson
 Jim Decker
 Mark Penzkover
 Jerry Gasser
 Fred Winchowky, Village President

Also present: John Weidl, Administrator
 Steven Braatz, Jr., Clerk-Treasurer

Interview questions

Motion by Decker/Fickau to approve the following Village Trustee interview questions carried:

1. Please tell us about your background & why you think you would be a good fit for this position?
2. Are you in step with the way the Village is moving/growing?
3. What should the Village Board be doing for or with the Village center?
4. What do you think should be handled differently concerning current village policies?
5. Have you ever previously considered running for the Village Board? If you have, why haven't you?
6. What are your thoughts about development in Mukwonago and the extent to which the Village should be involved in stimulating it.
7. How do you see Mukwonago now and how much change do you think should take place?
8. Tell me one weakness you have, how you overcame it, and how would it help you as a Trustee?
9. Can you separate your personal political views from the discharge or Trustee duties?

Motion by Decker/Fickau to recess at 5:40 p.m. carried. Board returned from recess at 5:48 p.m.

Interviews

Interviews with Village Trustee candidates John Meiners and Ken Werner were conducted.

Consideration of appointment to Village Trustee vacancy

Motion by Penzkover/Decker to appoint Ken Werner as Village Trustee for the term ending in 2017 carried (Fickau and Johnson voted no).

Consideration of appointment of Village Board standing committees

Motion by Penzkover/Fickau to accept the Village President's recommendation and appoint Ken Werner to the Health and Recreation Committee as chair and the Finance and Personnel Committees as a regular member carried.

Adjournment

Meeting adjourned at 6:35 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Monday, August 17, 2015

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

Board members present: Arnold Fickau
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Ken Werner
Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director
Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
Bruce Kaniewski, Village Planner
Mark Blum, Village Attorney
Violet Razo, Project Engineer
Judith Taubert, 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 sessions later in the meeting pursuant to Wis. Stat. **§19.85(1)(e)** to discuss the lease agreement with AT&T for use of the south water tower, the lease agreement with Verizon Wireless for use of the north water tower, and an amendment to Restriction of Sale of Lots for Fairwinds Subdivision

Monthly Reports

2015 July Treasurer, Vehicle, Police, Ambulance, Fire and Library Reports are on file in the Clerk's Office.

Comments from the Public

Karl Kettner, 603 Prairie Hill Ave. – Opposed to the proposed apartments to the north of Fairwinds Subdivision.

Jason Wamser, 604 Prairie Hill Ave. – Opposed to the proposed apartments to the north of Fairwinds Subdivision.

Nancy Washburn, 7450 County Line, Mt Pleasant – Has item in closed session and will have to leave to attend another meeting.

Paul Pilon, 631 Oldfield Ave. – Opposed to the proposed apartments to the north of Fairwinds Subdivision.

Consent Agenda

- A. Approval of minutes for the August 3, 2015 regular meeting and August 5, 2015 special meeting
 - B. Approval of Vouchers Payable in the amount of \$966,870.72
 - C. Approval of Change Order #1 for Mukwonago Business Park Sewer and Water Expansion project to reflect a deduction in the contract due to not utilizing The Expeditors for televising the sewer utility
 - D. Granting of 2015-16 Operator's Licenses for the Applicants for Kristine F. Buccanero, Holli A. Kampka, Zachary P. Stuckey, Cal D. Sugden, and Angela L. Wirth
 - E. Granting of 2015 Application for Temporary Class B Beer Licenses for St. James Catholic Parish on September 4, October 2, November 6, and December 4, 2015
 - F. B Beer Licenses for Knights of Columbus on September 13, and October 18, 2015
- Motion by Decker/Johnson to approve the Consent Agenda as presented carried. Fickau abstained.

Committee/Commission Reports

Finance Committee

Sale of Fire Department Vehicles

Motion by Johnson/Decker to approve the consideration of Fire Department Car 2, 2004 Ford Escape subject to Town of Mukwonago approval carried.

Motion by Johnson/Fickau to accept the consideration of Fire Department 3489, 2000 Chevrolet 3500 subject to Town of Mukwonago approval and order replacement carried.

Sale of DPW equipment

Motion by Johnson/Decker to authorize the sale of obsolete DPW equipment (1990 Ford 800 single plow patrol truck, 1987 Chevrolet C-70 single plow patrol truck, 1995 GMC Top Kick single plow patrol truck, 1988 Toro 327 with cab, broom and snow blower, 1980 Toro 72 with cab, mower deck and snow blower, Toro snow blower, 1 pair 11-22.5 radial truck tires on rims, 5 HP walk behind snow blower, 8 HP walk behind snow blower, 10 HP walk behind snow blower, Marquette Engine Analyzer, 39 metal halide, 250 Watt high bay light fixtures, Air Compressor without motor) carried.

Ambulance repair budget and remount

Motion by Johnson/Decker to authorize the Fire Chief to order a chassis and remount to replace the ambulance that broke down, subject to a loaner being provided at no cost and payment on delivery from the 2016 budget, and subject to Town of Mukwonago approval carried.

Consideration of contract for auditing services

Finance Director will come back to the Committee at a future meeting with an updated agreement with Baker Tilly.

Judicial Committee

Ordinance No. 903

Motion by Decker/Johnson to adopt **Ordinance No. 903**: *to Amend Section 54-1 of the Municipal Code of the Village of Mukwonago Pertaining to Adoption of Non-felony Offenses, as well as the State Criminal Code by Reference* carried.

Personnel Committee

Resolution 2015-35

Motion by Gasser/Penzkover to adopt **Resolution 2015-35:** Village of Mukwonago Economic Development Director position description carried.

Planning Commission

Minors Homestead 4 LLC Agreements

Motion by Penzkover/Werner to recommend approval of the Developer's Agreement with Minors Homestead 4 LLC for Minor's Estates Subdivision subject to final review by Village Attorney and finalization by Village Staff carried.

Motion by Penzkover/Werner to recommend approval of the storm water maintenance agreement with Minors Homestead 4 LLC for Minor's Estates Subdivision subject to revisions and conditions as discussed by Village Staff carried.

Protective Services Committee

Village of Mukwonago Chaplain Program

Item will remain in Committee.

Public Works Committee

Ordinance No. 901

Motion by Penzkover/Gasser to adopt **Ordinance No. 901:** *Ordinance to Create Section 74, Article II of the Village of Mukwonago Municipal Code Pertaining to Block Party Permits* carried.

Resolution 2015-37

Motion by Penzkover/Decker to adopt **Resolution 2015-37:** *Resolution Accepting Certain Work Completed in Fairwinds Subdivision* carried.

Business Park – STH 83 Intersection Project

Motion by Penzkover/Decker to award the Business Park – STH 83 Intersection Project to RAMS Contracting in the amount of \$398,892, contingent on review by Village Attorney carried.

Resolution 2015-38

Motion by Penzkover/Decker to adopt **Resolution 2015-38:** *Resolution Amending the Purchasing Policy Concerning Approvals of Project Change Orders* carried.

New Business

Fire Chief

Agreement regarding inter-facility reimbursement from Pro Health Care report

Item will stay on the agenda.

Village President

Letters of resignation

Motion by Penzkover/Decker to accept letter of resignation by Ken Werner from Board of Building and Zoning Appeals as regular member carried.

Motion by Decker/Penzkover accept letter of resignation by Ken Werner from Plan Commission as Citizen Member carried.

Appointments

Motion by Decker/Fickau to appoint John Meiners as Plan Commission Citizen Member carried.

Motion by Decker/Johnson to appoint Don Fischer as regular Board of Building and Zoning Appeals Member carried.

Appointment of Board of Building and Zoning Appeals 1st and 2nd Alternates

Item to stay on agenda.

Closed Session

Motion by Decker/Johnson to convene into closed sessions at 7:29 p.m. 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 the lease agreement with AT&T for use of the south water tower, the lease agreement with Verizon Wireless for use of the north water tower, and an amendment to Restriction of Sale of Lots for Fairwinds Subdivision carried unanimously upon roll call vote.

Motion by Decker/Johnson to reconvene into open session at 8:00 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.

Motion by Penzkover/Decker to direct Village Attorney to counter offer AT&T/Md7 as discussed in closed session carried.

Motion by Penzkover/Decker to direct Village Attorney to discuss possible revision to current Verizon Lease Agreement as discussed in closed session carried.

Motion by Penzkover/Decker to deny request by Bielinski to release restriction on sale of lots in Fairwinds Subdivision until adequate assurity has been obtained for improvements carried.

Adjournment

Meeting adjourned at 8:02 p.m.

Respectfully Submitted,

Judith Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, September 1, 2015

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
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Fred Winchowky, Village President

Trustees excused: Ken Werner

Also present: Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Administrator
Ron Bittner, Public Works Director
Bruce Kaniewski, Village Planner
Kurt Peot, Village Engineer
Jeff Stien, Fire Chief
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 sessions later in the meeting pursuant to Wis. Stat. **§19.85(1)(e)** to discuss the potential purchase of properties, amendment to the listing contract pertaining to the potential sale of 915 Main St. property, the lease agreement with Verizon Wireless for use of the north water tower, and the Joint Fire Department agreement with the Town of Mukwonago.

Comments from the Public

Gary Walters, American Legion Post #375 – Met with Finance Committee and had positive discussion about fees for Maxwell St. Days. Hopes future discussions with the Committee and Board are positive which will continue a warm relationship with the Village.

Tom Sisk, 644 Prairie Hill Ave. – Opposed to the proposed Fountain Park apartments.

Sue Alger, 627 Prairie Hill Ave. – Opposed to the proposed Fountain Park apartments.

Consent Agenda

- A. Approval of minutes for the August 17, 2015 regular meeting
- B. Approval of Vouchers Payable in the amount of \$1,768,199.51
- C. Granting of 2015-16 Operator's Licenses for Leanne M. Martens
- D. Granting of 2015 Application for Temporary Class B Beer Licenses to Mukwonago Catastrophic Medical Fund on September 13, 2015

- E. Approval of amended work request by We Energies for non-standard street lighting at 1212 N. Rochester St., selecting Option B for a total of \$13,711.22 (to be paid by developer)

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

Committee/Commission Reports

Finance Committee

Resolution 2015-39

The resolution was amended to remove the special event fees. Motion by Johnson/Decker to accept the Finance recommendation and adopt Resolution 2015-39: A Resolution to Amend the 2015 Schedule of Fees for the Village of Mukwonago Pertaining to Block Party Permit Fees carried. The special event fees will remain in Committee.

New Business

Village Administrator

Gearbox site

Motion by Penzkover/Decker to approve the agreement to the second amendment of Addendum A to the vacant land offer to purchase pertaining to the Gearbox site carried.

Village Engineer

Fairwinds Subdivision

Motion by Gasser/Penzkover to approve the revised phasing plan for Fairwinds Subdivision dated September 1, 2015 carried.

Motion by Penzkover/Decker to direct the Village Attorney to draft an Amendment to Restriction of Sale of Lots for Fairwinds Subdivision subject to the following conditions carried:

1. Bielinski shall provide the Village a date when they will start the repair of the pond.
2. Bielinski shall provide the Village a date by which construction will start on the park.
3. Bielinski shall provide the Village a copy of the DNR approval for their construction site erosion control permit.
4. Bielinski agrees to complete surface course pavement in Phase IV based on the requirements of the Development Agreement but in no case later than October 15, 2017.
5. Only lots 85-104 of the development would be released from this restriction.

Village Special Engineer

Dewey Dr. fiber installation

Motion by Penzkover/Decker to approve the agreement with Time Warner Cable for the installation of fiber along Dewey Dr. in the amount of \$59,000 carried.

Finance Director

Update on Salary Survey

Item will be on the next Personnel Committee agenda for discussion regarding potential policies coming from the study.

Village President

Resolution 2015-36

Motion by Penzkover/Decker to accept the Village President's recommendation and adopt Resolution 2015-36: *Resolution of the Village of Mukwonago Expressing Opposition to the STH 83 Median Closure at Arrowhead Drive* carried.

Closed session

Motion by Decker/Johnson to convene into closed sessions at 7:02 p.m. 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 the potential purchase of properties, amendment to the listing contract pertaining to the potential sale of 915 Main St. Property, the lease agreement with Verizon Wireless for use of the north water tower, and the Joint Fire Department agreement with the Town of Mukwonago carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover/Decker to adjourn closed session and 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 Gasser/Decker to accept the counter-proposal from Verizon as presented by the Village Attorney, which includes a 50% increase in antennas, an increase in the lease rate to \$37,500, and a 4% annual increase in the lease rate thereafter, carried.

Motion by Penzkover/Decker to approve the Buyer Agency/Tenant Representation Agreement with Anderson Commercial Group, LLC, subject to final review by the Village Attorney, carried.

Motion by Penzkover/Decker to approve the Amendment to the Listing Contract with Anderson Commercial Group, LLC for the property located at 915 Main St. for an extension of 180 days carried.

Motion by Penzkover/Decker to authorize staff and the Village Attorney to negotiate a partnering document with the owner of the property discussed in closed session carried.

Adjournment

Meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

**MINUTES OF THE SPECIAL VILLAGE BOARD MEETING
JOINT MEETING WITH THE TOWN OF MUKWONAGO BOARD
Thursday, September 3, 2015**

Call to Order

Village President Fred Winchowky and Town Chairperson Tom Stefanowski called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Village Hall, 440 River Crest Court.

Roll Call

Village Trustees present:

Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Jerry Gasser
Ken Werner
Fred Winchowky, Village President

Town Supervisors present:

Lyle Boucher
Peter Topczewski
Ruth Ann Nicoson
Richard Wrasman
Tom Stefanowski, Town Chairperson

Also present:

Jeff Stien, Fire Chief
Diana Doherty, Village Finance Director
John Weidl, Village Administrator
Mark Blum, Village Attorney
John Macy, Town Attorney
Steven Braatz, Jr., Village Clerk-Treasurer

New Business

Acceptance of rates with Pro Health Care for inter facility transports

Before both Boards consider accepting the rates, Chief Stien will meet with Finance Director Doherty, Trustee Johnson, and Supervisor Wrasman to determine acceptable ranges to present to both Boards at a future meeting.

Ambulance remount

After explanation by Chief Stien, both Boards agreed to proceed with the proposed ambulance remount. The Town Board will formally make a motion at a future meeting. The Village Board already approved the request. A budget amendment will be considered by both Boards at a future meeting.

Pro Health Care revenue and Donation money discussion

Supervisor Topczewski read a letter from the Town Board requesting a discussion on the possibility of sharing the Village Pro Health Care donation within the Fire/Ambulance budget.

Adjournment

Meeting adjourned at 8:05 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Village Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, September 15, 2015

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

Board members present: Arnold Fickau
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Ken Werner

Board members excused: Fred Winchowky, Village President

Also present: Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
Diana Doherty, Finance Director
John Weidl, Administrator
Ivan Zaremba, Assistant Utilities Director – Water
Kurt Peot, Village Engineer
Bruce Kaniewski, Village Planner
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 appoint Mark Penzkover as acting Chairperson carried.

Announcement of closed sessions

Acting Chairperson Penzkover announced the Board will convene into closed sessions later in the meeting pursuant to Wis. Stat. **§19.85(1)(c)** to discuss and consider the status of the vacant Utilities Director position, and Wis. Stat. **§19.85(1)(e)** to discuss and consider negotiation strategy for possible purchase of property, to discuss and consider the possible modification to the terms of the settlement agreement for the Minors subdivision, to discuss and consider the cooperation agreement with Waukesha County relative to HOME and CDBG funding, to discuss and consider the negotiation strategy for the inter-facility agreement with Pro Health Care, and to discuss and consider the Joint Fire Department agreement with the Town of Mukwonago.

Monthly Reports

Acting Chairperson Penzkover noted the 2015 August Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Kelly Klemme, 710 Stoecker Farm Ave. – Spoke in opposition on the Teronomy apartments proposal.

Josh Kiselicka, 933 Robins Ln. – Spoke in opposition on the Teronomy apartments proposal.

Nick Bruss, 791 Medina Dr. – Spoke in opposition on the Teronomy apartments proposal.

Sue Schmear, 934 Robins Ln. – Spoke in opposition on the Teronomy apartments proposal.

Consent Agenda

- A. Approval of minutes for the September 1, 2015 regular meeting and September 3, 2015 special meeting
- B. Approval of Vouchers Payable in the amount of \$262,086.10
- C. Granting of 2015-16 Operator's Licenses for the Applicants for Lindsey E. Fleury, Samantha C. Kapitz, Dillon T. Kelly, Suri A. Rosare, and Victoria A. See
- D. Granting of 2015-16 Original Class A Fermented Malt Beverage and Intoxicating Liquors License to 5 Star Stations, Inc. (Robert R. French – Agent), 122 Arrowhead Drive, d/b/a 5 Star BP
- E. Approval of change of agent for 5 Star Stations, Inc., 1060 North Rochester Street, d/b/a North Star Shell, to Danielle M. Jones
- F. Adoption of **Resolution 2015-40**: 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
- G. Granting of 2015 Application for Temporary Class B Beer License for Sons of American Legion on September 26, 2015

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

Committee/Commission Reports

Finance Committee

Resolution 2015-41

Motion by Johnson/Decker to accept the Finance Committee recommendation and adopt Resolution 2015-41: *A Resolution Amending the 2015 Adopted Budgets for Fire Department and Capital Equipment Funds* carried.

Property insurance

Motion by Johnson/Decker to accept the Finance Committee recommendation and approve the property insurance policy proposal from Municipal Property Insurance Company effective October 1, 2015 carried.

Motion by Johnson/Decker to accept the Finance Committee recommendation and withdraw from the Local Government Property Insurance Fund effective September 30, 2015 carried.

Judicial Committee

2015-16 Application for Operator's License for Robin R. Cyrak

Motion by Decker/Johnson to uphold the Judicial Committee decision to deny the 2015-16 Application for Operator's License for Robin R. Cyrak for the following reasons carried:

1. Habitual Offender (Sec. 125.04(5)(b) Wisc. Stats.). Many of the offenses were substantially related to drug and/or alcohol.
2. Felony Offender. (Sec. 125.04(5)(b) Wisc. Stats.)

Personnel Committee

Resolution 2015-42

Motion by Gasser/Decker to accept the Personnel Committee recommendation and adopt Resolution 2015-42: *Village of Mukwonago Public Works Crewperson Description* carried.

Resolution 2015-43

Motion by Gasser/Decker to accept the Personnel Committee recommendation and adopt Resolution 2015-43: *Village of Mukwonago Public Works Mechanic Position Description* carried.

Resolution 2015-44

Motion by Gasser/Decker to accept the Personnel Committee recommendation and adopt Resolution 2015-44: *Village of Mukwonago Public Works Crew Supervisor Position Description* carried.

Resolution 2015-45

Motion by Gasser/Johnson to accept the Personnel Committee recommendation and adopt Resolution 2015-45: *Village of Mukwonago Building Codes Official Part-Time Position Description* carried.

Resolution 2015-46

Motion by Gasser/Decker to accept the Personnel Committee recommendation and adopt Resolution 2015-46: *A Resolution Setting the 2015 Wages for the Building Codes Official Part-Time Position* carried.

Building Codes Official Part-Time position

Motion by Gasser/Decker to accept the Personnel Committee recommendation and authorize the Supervisor of Inspections/Zoning Administrator to fill the newly created position of Building Codes Official Part-Time carried.

Public Works Department wages for new positions

Wages for the Public Works Mechanic and Public Works Crew Supervisor positions will remain in Committee.

Protective Services Committee

Resolution 2015-47

Motion by Fickau/Penzkover to accept the Protective Services Committee recommendation and adopt Resolution 2015-47: *Village of Mukwonago Chaplain Program Policy*. Gasser stated he will be voting no based on the principle of separation of church and state, but also stated he was comfortable with the program and likes the direction the Police Chief was heading with it. Motion defeated on a tie vote (Johnson, Decker, Gasser voted no).

Consideration of an Agreement to Provide Paramedic Intercept Services between the Village and Town of Mukwonago and the Village of Waterford

Item will remain in Committee.

Public Works Committee

Consideration of cost estimates of alternatives pertaining to the CTH NN Trail and Crosswalks

Item will remain in Committee.

Consideration of request to extend paving time for the Glen of Mukwonago

Motion by Fickau/Decker to accept the Public Works Committee recommendation and approve the request to modify the developer's agreement for the Glen of Mukwonago to extend the final surface course pavement and utility repairs for one year contingent upon the following conditions carried:

1. All lateral trenches not currently paved be paved prior to October 15, 2015.
2. The binder course asphalt be milled/pulverized and a new 2.5 inch binder course and 1.5 inch surface course pavement be placed. The Village will allow an increase in the street crown to 4% subject to the Handicap Ramps meeting ADA requirements. This increase in crown is intended to allow you to salvage more material as base course and thereby lower the cost to you.
3. All utility structures be protected, repaired, and adjusted as necessary.
4. The current Letter of Credit be modified to reflect the following:
 - a. Amount increased to reflect the increased paving cost resulting from item 2.
 - b. Expiration date established as 21 calendar days after the completion date for all remaining work.

Holiday lighting electrical service

Motion by Decker/Fickau to accept the Public Works Committee recommendation and approve the removal of a Village owned electrical service located at 410 Main St. (Holiday Lighting) carried.

Consideration of removal of Atkinson Lift Station Elevator

Motion by Fickau/Decker to accept the Public Works Committee recommendation and authorize the Interim Utilities Director to proceed with the removal of Atkinson Lift Station elevator at a cost not to exceed \$2,500 carried.

New Business

Village Administrator

Consideration of name of TIF business park

Item will remain on the agenda.

Village Clerk-Treasurer

January 1, 2015 population estimates

Motion by Decker/Fickau to accept the January 1, 2015 population estimates from the Wisconsin Dept. of Administration for the Waukesha and Walworth County portions of the Village, with the Waukesha County portion being 7,478 and the Walworth County portion being 151, carried.

2014-15 weights and measures schedule of assessments and fees

Motion by Decker/Fickau to approve the 2014-15 weights and measures schedule of assessments and fees carried.

Resolution 2015-48

Motion made by Fickau/Johnson to postpone the adoption of Resolution 2015-48: Resolution to Create a Committee of the Whole Structure of Governance for one month. Motion defeated (Decker, Gasser, Werner, and Penzkover voted no). Fickau stated the Board needs more information. Gasser stated the Board agreed to start in October to give a more fair representation of this system when there may be more items, instead of January when it is slow. Johnson stated concerns about the amount of time each Committee might take. She also has concerns that the public has an opportunity to speak at the committee meeting (Clerk-Treas Braatz said it would be up to each individual chairperson to make that decision whether or not the public can speak). Motion made by Gasser/Decker to adopt Resolution 2015-48: Resolution to Create a Committee of the Whole Structure of Governance, amending the resolution to end the trial after three months. Fickau thinks this will not be efficient, but will be chaos, going back 50 years, where meetings will last until midnight every meeting because there are too many people and they could not come to a consensus. There will be seven different opinions. Gasser stated that any public that might want to come to two or three committees need only now come to one meeting and be there for all committee decisions. The decisions will then be forwarded to the next Village Board meeting. Decker stated the Committee of the Whole meeting will be over the course of two nights, each night not lasting longer than three hours. He also stated this will keep all Board members informed of each matter, rather than only Committee members. Motion carried (Fickau and Johnson voted no).

Village Planner

Chapman Property Development Traffic Impact Analysis

Motion by Decker/Fickau to approve the Supplemental Agreement Number 1, Chapman Property Development Traffic Impact Analysis for WisDot Access Approval carried.

Closed session

Motion made by Gasser/Decker to convene into closed sessions at 7:37 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*) to discuss and consider the status of the vacant Utilities Director position
- 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 and consider negotiation strategy for possible purchase of property
- 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 discuss and consider the possible modification to the terms of the settlement agreement for the Minors subdivision
- D. 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 consider

negotiation strategy for cooperation agreement with Waukesha County relative to HOME and CDBG funding

- E. 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 consider the negotiation strategy for the inter-facility agreement with Pro Health Care
- F. 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 consider the Joint Fire Department agreement with the Town of Mukwonago

Motion carried unanimously upon roll call vote.

Motion by Decker/Johnson to adjourn closed session and reconvene into open session at 8:41 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 Decker/Gasser to authorize the Village President to execute the offer to purchase subject to the Village Attorney's review carried (Johnson voted no).

Motion by Decker/Fickau to direct staff to proceed with a response to Wolf Paving pertaining to the modification to the terms of the settlement agreement for the Minors subdivision as discussed in closed session carried.

Motion by Decker/Fickau to direct the Village Attorney to correspond with Waukesha County pertaining to the cooperation agreement relative to HOME and CDBG funding as discussed in closed session carried.

Motion by Penzkover/Decker to authorize staff to negotiate with ProHealth Care for the inter-facility agreement as discussed in closed session carried.

Adjournment

Meeting adjourned at 8:45 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday, September 23, 2015

Call to Order

Village President Fred Winchowky called the meeting to order at 5:10 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Trustees present: Arnold Fickau
Jim Decker
Mark Penzkover
Jerry Gasser
Ken Werner
Fred Winchowky, Village President

Trustee Excused: Darlene Johnson

Also present: Ron Bittner, Public Works Director
Diana Doherty, Finance Director
John Weidl, Village Administrator
Judith Taubert, Deputy Clerk/Treasurer

New Business

Consideration of possible changes to the dental benefit plan for Village employees

Motion by Penzkover/Gasser to authorize Village President to execute the enrollment agreement for the dental benefit plan for Village employees carried.

Adjournment

Meeting adjourned at 5:25 p.m.

Respectfully Submitted,

Judith Taubert
Deputy Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Thursday, September 24, 2015

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: Jim Decker
Jerry Gasser
Ken Werner
Fred Winchowky, Village President

Trustee Excused: Darlene Johnson
Arnold Fickau
Mark Penzkover

Also present: Ron Bittner, Public Works Director
Diana Doherty, Finance Director
John Weidl, Village Administrator
Mark Blum, Village Attorney
Kurt Peot, Village Engineer
Judith Taubert, Deputy Clerk/Treasurer

Closed session

Motion by Werner/Decker to convene into closed session at 5:03 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 a reply to our correspondence to Wolf and consider the possible modification to the terms of the settlement agreement for the Minors subdivision carried unanimously upon roll call vote.

Motion by Decker/Werner to adjourn closed session and reconvene into open session at 5:38 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 Gasser/Werner to approve the Second Amendment to Settlement Agreement as prescribed by Attorney Blum with a change of \$24,061.00 and other changes suggested by the Village Attorney as discussed in closed session carried.

Adjournment

Meeting adjourned at 5:39 p.m.

Respectfully Submitted,

Judith Taubert
Deputy Clerk-Treasurer

**MINUTES OF THE SPECIAL VILLAGE BOARD MEETING
JOINT MEETING WITH THE TOWN OF MUKWONAGO BOARD
Thursday, October 19, 2015**

Call to Order

Village President Fred Winchowky and Town Chairperson Tom Stefanowski called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Village Hall, 440 River Crest Court.

Roll Call

Village Board Members present: Arnold Fickau
Jim Decker
Darlene Johnson
Mark Penzkover
Jerry Gasser
Ken Werner
Fred Winchowky, Village President

Town Supervisors present: Lyle Boucher
Peter Topczewski
Ruth Ann Nicoson
Richard Wrasman
Tom Stefanowski, Town Chairperson

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

New Business

Sale of Car 2

Village: Motion by Penzkover/Werner to approve the sale of Car 2 to Vince Tarantino in the amount of \$3,375 carried.

Town: Motion by Nicoson/Stefanowski to approve the sale of Car 2 to Vince Tarantino in the amount of \$3,375 carried.

Use of revenue from sale of Car 2

Village: Motion by Fickau/Penzkover to approve the use of the revenue from the sale of Car 2 for repainting and body work on 3488, 2009 Chevrolet Suburban carried.

Town: Motion by Wrasman/Topczewski to approve the use of the revenue from the sale of Car 2 for repainting and body work on 3488, 2009 Chevrolet Suburban carried.

Village of Waterford Agreement to Provide Paramedic Intercept Services

Village: Motion by Johnson/Fickau to postpone the consideration of the Agreement to Provide Paramedic Intercept Services between the Village and Town of Mukwonago and the Village of Waterford carried.

Town: Motion by Nicoson/Topcziewski to postpone the consideration of the Agreement to Provide Paramedic Intercept Services between the Village and Town of Mukwonago and the Village of Waterford carried.

Pro Health Care

Village: Motion by Penzkover/Werner to approve the agreement with Pro Health Care regarding inter-facility transports with grammatical amendments, the change to a two year agreement, and the inclusion of an exclusivity clause, and subject to review by the Village Attorney carried.

Town: Motion by Boucher/Stefanowski to approve the agreement with Pro Health Care regarding inter-facility transports with grammatical amendments, the change to a two year agreement, and the inclusion of an exclusivity clause, and subject to review by the Town Attorney carried (Nicoson and Topcziewski voted no).

Village: Motion by Fickau/Decker to approve the request by Pro Health Care to reduce past inter-facility transport billings to the new rate structure beginning with any billing for services rendered starting October 1 carried.

Town: Motion by Wrasman/Boucher to approve the request by Pro Health Care to reduce past inter-facility transport billings to the new rate structure beginning with any billing for services rendered starting October 1 carried.

2015 Expenditures and Revenues Year to Date

Discussion only. No action taken.

2016 Fire/Ambulance Operating Budget

Stien and Doherty presented the 2016 Fire/Ambulance budget with both Boards. The revenues from the Pro Health contract revenues will be equally offset by the expenditures. The tax levies will remain the same as the prior year.

Village: Motion by Penzkover/Decker to send the proposed 2016 Fire/Ambulance budget to public hearing carried.

Town: Motion by Boucher/Wrasman to send the proposed 2016 Fire/Ambulance budget to public hearing carried.

Adjournment

Meeting adjourned at 8:11 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Village Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, October 20, 2015

Call to Order

Village President Fred Winchowky called the meeting to order at 6:35 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Arnold Fickau
Darlene Johnson
Jim Decker
Mark Penzkover
Ken Werner
Fred Winchowky, Village President

Board Member excused: Jerry Gasser

Also present: Ron Bittner, Public Works Director
Kevin Schmidt, Police Chief
Ivan Zaremba, Interim Utilities Director
Diana Doherty, Finance Director
John Weidl, Administrator
Kurt Peot, Village Engineer
Bruce Kaniewski, Village Planner
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 sessions later in the meeting pursuant to Wis. Stat. **§19.85(1)(e)** to discuss and consider negotiation strategy for cooperation agreement with Waukesha County relative to HOME and CDBG funding.

Public Hearings

- A. Consideration of an ordinance to amend chapter 100 of municipal code (zoning) regarding standards for off-street parking, driveways, access, loading and visibility
- B. Consideration of an ordinance to amend chapter 100 of municipal code (zoning) regarding the allowance of mixed use development within business zoning districts including associated amendments to business districts standards
- C. Consideration of an ordinance to amend chapter 100 of municipal code (zoning) regarding allowable uses, density, height and other standards related to multiple family residential development

Motion by Johnson/Fickau to postpone the public hearings until a larger venue is found to accommodate the large group of citizens. The hearings will be publicly noticed again. Motion carried (Penzkover/Winchowky voted no).

Recess taken at 6:50 p.m. Board came out of recess at 7:05 p.m.

Monthly Reports

President Winchowky noted the 2015 September Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Kim Novara, 315 Spring Valley Ct., Palmyra – Would like to have higher-end apartments built in the Village. Would like to move back to Mukwonago and does not want to own.

Kristin Wamser, 604 Prairie Hill Ave. – Asked why the change from the comprehensive plan amendment for the Chapman Farm area that was approved in April that incorporated a mix of single-family homes, duplexes, condos, apartments, and retail space. Stated that the Fountain Park proposal is too dense, too high, and too close to homes.

Kristie Millikin, 316 Oakland Ave. – Told the Board to look at how the apartment proposal will affect the schools and community. It will over stock the schools.

Mark Weiss, owner of Half-Time Sports Grille – There is a basically a non-existent pool of workers out there that all the employers are competing with. Many people in the restaurant industry rent. Apartments would be great for business.

Ryan Klemming, 710 Stoecker Farm Ave. – Is a newer resident of the Village and would like to be a long-time resident. Feels like there is a divide right now. Wants better communication with the Village.

Don Enright, 360 CTH NN E Unit 3 – Spoke against the STH 83 bypass re-route and CTH NN reconstruction project.

Consent Agenda

- A. Approval of minutes for the September 15, 2015 regular meeting and September 23 and September 24, 2015 special meetings
- B. Granting of 2015-16 Operator's Licenses for the Applicants for Christopher M. Baxter, Cliff E. Beckman Jr., Brittany N. Berkhahn, Erica M. Gore, Brittany S. Harris, Cindy L. Kovic, Samuel R. Loeffler-Bell, Kenneth J. Madison, Michele L. Nero, Georgia L. Porter, Shyair M. Quintero, Mary Kate Rohan, Jonathan P. Schubert, Robert M. Sullivan, Tiffany N. Taylor, and Benjamin J. Zahn
- C. Approval of use of Capital Equipment funds from the 911 system budget to purchase a new telephone and radio recording system
- D. Approval of use of Capital Equipment funds from the Police Department generator budget to purchase a new server and licensing for TraCS
- E. Authorization of Clerk-Treasurer to sell old phones
- F. Authorization of Police Chief to sell old Police Department generator and squad car
- G. Approval of non-renewal of the Joint Park and Recreation Agreement with the Town of Mukwonago
- H. Approval of cancellation of the final year of the refuse collection contract with Johns Disposal Services and approval of a new contract with Johns Disposal Services for 2016-2020
- I. **Resolution 2015-49:** Village of Mukwonago Utilities Director Revised Position Description
- J. Approval of the utility, paving, storm water plans and storm water management plan for Orchards of Mukwonago Addition #2 dated August 11, 2015 contingent upon the following condition:
 - 1) In the event groundwater is encountered during utility construction, the representatives of The Orchards of Mukwonago, LLC will document the elevation of ground water prior

to the start of dewatering operations and prepare a detailed plan showing which lots have proposed building pad elevations within 10-feet of the groundwater level. Lots meeting this criteria are to be raised such that the basement floor elevation is at least 2 feet above the groundwater elevation. For lots with sump pumps that continuously run, a sump drainage system approved by the Village Engineer is to be installed behind the curb that drains into the storm sewer system.

- K. Approval of an amendment to the developers agreement with The Glen of Mukwonago to allow for an extension of 30 days, to November 15, 2015, for the completion of the roads Motion by Decker/Penzkover to approve the Consent Agenda as presented carried.

Committee/Commission Reports

Finance Committee

Vouchers Payable Batches

Motion by Johnson/Decker to accept the Finance Committee recommendation and approve the following vouchers payable batches carried:

- a. AP-10-2015-1 in the amount of \$598,126.65
- b. Manuals M-8-2015-2 in the amount of \$756.15
- c. Manual M-9-2015-1 in the amount of \$131,080.71
- d. Manual M-9-2015-2 in the amount of \$33,640.99
- e. AP-10-2015-2 in the amount of \$518,568.21

Painting the inside of the Police Department building

Motion by Johnson/Decker to accept the Finance Committee recommendation and approve the use of Capital Equipment funds from the Police Department generator and 911 system budget funds for painting the inside of the Police Department building carried.

Health and Recreation Committee

Special event and park usage fees

Motion by Werner/Decker to accept the Finance Committee recommendation and certify that the only organizations exempt from special event and park usage fees are those where the Village or a Village department or division is operating the event carried (Johnson voted no).

Protective Services Committee

Resolution 2015-47

Motion made by Fickau/Werner to accept the Protective Services Committee recommendation and adopt Resolution 2015-47: *Village of Mukwonago Chaplain Program Policy*. Decker would like medical training, is concerned about liability, and would like Pro Health Care approached to use their services rather than use Village services. Schmidt explained the liability issue has been eased in past court cases and attorney opinions. Motion carried (Decker voted no).

Plan Commission

AMI Asset Management Inc. certified survey map

Motion by Penzkover/Johnson to accept the Plan Commission recommendation and approve the certified survey map, requested by Dennis Birkley, AMI Asset Management

Inc., for the property located at 807 Swan Dr., known as MUKV1970999011 and MUKV1970999025, subject to review by the Village Engineer carried.

Daniel and Connie Porter extraterritorial certified survey map

Motion by Penzkover/Johnson to accept the Plan Commission recommendation and approve the extraterritorial certified survey map, requested by Daniel and Connie Porter, for the property located at S102W26107 Maple Ave. in the Town of Vernon, known as VNT2132997 and VNT2132999, subject to the following conditions carried:

1. Prior to Village officials signing the CSM, the applicant shall provide the Village Clerk written confirmation that Waukesha County, Department of Parks and Land Use, have approved the CSM.
2. Prior to Village officials signing the CSM, the applicant shall provide the Village Clerk written confirmation that the Town of Vernon has approved the CSM.

Ordinance No. 904: An Ordinance to Amend Article V of Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Pertaining to the Regulation of Off-Street Parking, Driveways, Access, Loading and Vehicle Visibility

Item postponed until after the public hearing.

Ordinance No. 905: An Ordinance to Amend Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Specifically Sections 100-152, 100-154, 110-155 and 100-156 Pertaining to the Standards for Mixed-Use Development in the B-2, B-3, B-4 and B-5 Zoning Districts

Item postponed until after the public hearing.

Ordinance No. 906: An Ordinance to Amend Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Specifically Sections 100-103, 100-110 and 110-111 Pertaining to the Standards for Development in the R-3 and R-10 Zoning Districts

Item postponed until after the public hearing.

New Business

Police Chief

Subcarrier Communications, Inc. agreement

Motion by Decker/Johnson to approve the agreement to Provide Antenna Space with Subcarrier Communications, Inc. carried.

Village Attorney

Sale of Lots with Bielinski Development, Inc.

Motion by Penzkover/Decker to approve the Supplemental Partial Release on Restriction of Sale of Lots with Bielinski Development, Inc., with the following amendments carried:

1. The completion date of the park shall be changed to November 20.
2. "September" shall be changed to "October" throughout the document.

Motion by Decker/Penzkover to convene into closed sessions at 7:41 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 and consider negotiation strategy for cooperation agreement with Waukesha County relative to HOME and CDBG funding carried unanimously upon roll call vote.

Motion by Decker/Penzkover to adjourn closed session and reconvene into open session at 7:59 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 approve the cooperation agreement with Waukesha County relative to HOME and CDBG funding carried.

Adjournment

Meeting adjourned at 8:04 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Thursday, October 22, 2015

Call to Order

Village President Fred Winchowky called the meeting to order at 5:32 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Village Board Members present: Arnold Fickau
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Ken Werner
Fred Winchowky, Village President

Village Board Member excused: Jerry Gasser

Also present: Ann Liniger, Library Director
Ron Bittner, Public Works Director
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
Diana Doherty, Finance Director
John Weidl, Administrator
Steven Braatz, Jr., Clerk-Treasurer

Workshop

2016-17 Budget

Doherty presented the proposed budget for the General Fund. The overall tax levy for the operating budget is proposed to increase by 1.45%. The consensus from the Board was the 2016 budget is ready for the public hearing on November 19.

Schedule date for workshop to discuss Village strategic plan directions

Item referred to the Dec 1 Committee of the Whole agenda.

Adjournment

Meeting adjourned at 7:02 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, November 17, 2015

Call to Order

Village President Fred Winchowky called the meeting to order at 6:35 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Ken Werner
Fred Winchowky, Village President

Board Member excused: Arnold Fickau

Also present: Bruce Kaniewski, Village Planner
Ron Bittner, Public Works Director
Kevin Schmidt, Police Chief
Diana Doherty, Finance Director
John Weidl, Administrator
Jeff Stien, Fire Chief
Kurt Peot, Village Engineer
Dave Brown, Interim Utilities Director
Ann Lininger, Library Director
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Public Hearing

The Public Hearing to consider a petition on the 2015-16 "Class A" Fermented Malt Beverage and Intoxicating Liquor License application of Aldi Inc., John W. Lindstrom – Agent, d/b/a Aldi #46, for the property located at 111 East Wolf Run in regard to exceeding the quota pursuant to Sec. 6-36 (b) of the Municipal Code of the Village of Mukwonago opened at 6:31 p.m. No one appeared for or against. Public hearing closed at 6:32 p.m.

Motion by Decker/Penzkover to approve the request to exceed the quota and grant the 2015-16 "Class A" Fermented Malt Beverage and Intoxicating Liquor License for Aldi Inc., John W. Lindstrom – Agent, d/b/a Aldi #46, for the property located at 111 East Wolf Run carried (Gasser voted no).

Monthly Reports

President Winchowky noted the 2015 October Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports and 2015 3rd Quarter Recycling Report are on file in the Clerk's Office.

Comments from the Public

Rich Schrank, representative of the Mukwonago Lions Club – Would like the special event fees decided on in a timely manner.

Tim Callahan, 620 Oldfield Ave. – Spoke in opposition of the Teronomy apartments.

Tom Sisk, 644 Prairie Hill Ave. – Spoke regarding the Tracy Cross service agreement to conduct a study of multi-family use of the Lynch property that is later on the agenda and asked how that will be incorporated with the overall vision of the Village.

Linda Forester, representative of Jack-o-Lantern Jaunt Event – Asked not to raise the fees for the Jack-o-Lantern Jaunt event too much.

Consent Agenda

- A. Approval of minutes for the October 20 regular meeting and October 19 and 22, 2015 special meetings
- B. Granting of 2015-16 Operator's Licenses for the Applicants for Andrea N. Bransted, Becky Galvan, Lourdes Gonzalez, Destine N. Keen, Jamie C. Korpall, Lori J. Lutker, Jeremy T. McWilliams, Michaelle M. Noble, Robin R. Recknagel, Jasmine M. Reyes, Karen M. Ross, Mariah, L. Schwabe, Benjamin L. Simon, Tyler F. Wittliff, Rachelle J. Zinski
- C. Granting of 2015 Application for Temporary Class B Beer License to Knights of Columbus on December 12, 2015
- D. Approval of Vouchers payable batches:
 - 1) AP-11-2015-1 \$608,225.88
 - 2) M-10-2015-1 \$207,204.80
 - 3) M-10-2015-2 \$150,496.81
 - 4) AP-11-2015-1 \$539,117.66
- E. Approval of an auditing services contract with Baker Tilly for years 2016-2017 for audit years 2015-2016
- F. Authorization for the Finance Director to sign annual disclosure agreement with Hutchinson, Shockey, Erley & Co.
- G. Adoption of **Resolution 2015-50**: A Resolution Amending the 2015 Adopted Budgets for General and Debt Service Funds
- H. Adoption of **Resolution 2015-51**: A Resolution Amending the 2015 Adopted Budgets for General, TID #3, Water Utility and Wastewater Utility Funds
- I. Adoption of **Resolution 2015-52**: A Resolution Amending the 2015 Adopted Budgets for Community Development, TID #3, Debt Service, Capital Equipment and Capital Improvement Funds For Actual Proceeds and Costs of Debt Issued
- J. Approval of animal control contract with Human Animal Welfare society for years 2016-2018
- K. Approval of the Recreation Program with the Mukwonago Community Library for one year not to exceed \$15,000 contingent upon the Library will be submitting a quarterly report to Health and Recreation Committee, and the money will stay in the Village account reimbursing the Library costs
- L. Removal of Ivan Zaremba as Interim Utilities Director, who shall return to the Assistant Utilities Director position
- M. Appointment of Dave Brown as Interim Utilities Director for 3-6 months
- N. Approval to establish the DPW Mechanic wages at \$0.75 per hour over the DPW Crewperson wage range
- O. Approval to establish wages for departmental Supervisors at \$1.00 per hour over the wage range of the position supervised
- P. Approval of the Suburban Mutual Assistance Response Teams Agreement
- Q. Direct the Village Engineer to create a report on funding options for the CTH NN E reconstruction project

- R. Approval of submittal of the 915 Main Street site investigation report for from Terracon to WiDNR

Motion by Johnson/Penzkover to remove Item K from the Consent Agenda failed on a tie vote. (Decker, Werner, and Winchowky voted no). Motion by Decker/Werner to approve the Consent agenda as presented failed on a tie vote (Johnson, Penzkover, Gasser voted no). Motion by Penzkover/Johnson to remove Item K from the Consent agenda carried (Decker voted no). Motion by Penzkover/Johnson to approve the Consent Agenda as amended carried (Decker voted no).

Committee/Commission Reports

Finance Committee

Consideration of special event fees

Motion by Johnson/Penzkover to set the special event fee at \$20/day for Class I events and \$10 per day for Class II events carried.

Request by Mukwonago Lions Club for a three year commitment of fees

Item can be removed from agenda.

Protective Services Committee - Fire

Consideration of an Agreement to Provide Paramedic Intercept Services between the Village and Town of Mukwonago and the Village of Waterford

Item will remain in Committee.

Request by R.F. Schoof to waive or reduce bill for ambulance response

Village Clerk will send standard letter to Mr. Schoof outlining the Fire Department policy.

Use monies from sale of 2000 Pickup

Motion by Penzkover/Decker to accept the Protective Services Committee recommendation and approve the request to use \$16,675 from the sale of 2000 Pickup for repainting, body and decals on other Fire Department vehicles, contingent upon a similar approval by the Town of Mukwonago, carried.

Paid-on-premise pay and Paid-on-call stipends

Motion by Penzkover/Gasser to accept the Protective Services Committee recommendation and authorize Chief Stein to begin increased Paid-on-Premise pay and Paid-on-Call stipends starting 11/27/15 with funds (approximately \$3,000.00) coming from the existing 2015 Ambulance Salary/Wages account (utilizing the rates established for 2016), contingent upon a similar approval by the Town of Mukwonago, carried.

STH 83 Stakeholders Advisory Committee

Resolution 2015-53

Motion by Penzkover/Gasser to accept the STH 83 Stakeholders Advisory Committee recommendation and adopt **Resolution 2015-53**: *Resolution of the Village Board of the Village of Mukwonago Regarding Proposed Jurisdictional Road Transfer Between the State of Wisconsin, Waukesha County and the Village of Mukwonago* carried (Johnson and Decker voted no).

New Business

Library Director

Discussion on Mukwonago Community Library staff re-organization

Motion made by Gasser/Penzkover to issue a vote of no confidence in the Library Director as it relates to the re-organization plan and its implementation, and freeze the library budget and staffing at its 2015 funding level until a review by the WCLFS (Bridges) is completed and a recommendation is made by WCFLS to this Board to lift the vote on no confidence and proceed (or not proceed) with the re-organization. Any increases in the Library budget for 2016, proposed and approved at the November 30 budget hearing shall be held in a special account until this re-organizational issue is resolved. In addition to the loss of confidence the general public has in the Library administration, it is ensured that any re-organizational plan and its implementation has no adverse effect upon funding received by the Library from the WCFLS, and that the funding of the WCFLS, and its member libraries, is not affected adversely as a result. Motion carried (Decker and Werner voted no).

Village Administrator

915 Main St.

Motion by Penzkover/Decker to approve the amendment to offer to purchase pertaining to 915 Main St. with the addition of Bump Clause #1 using seven days carried.

Village Clerk-Treasurer

Update on rescheduling of public hearings pertaining to proposed zoning code amendments

The rescheduled public hearing pertaining to the R-3 and R-10 zoning code amendments will take place on December 2, 2015, 6:00 p.m., at Park View Middle School cafeteria. The rescheduled public hearing pertaining to the mixed use business and parking zoning code amendments will take place on December 15, 2015, 6:30 p.m. at the Village Hall.

Village Engineer

The Glen of Mukwonago

Motion by Decker/Werner to approve the Amendment to Development Agreement between The Glen of Mukwonago, LLC and the Village of Mukwonago carried.

Kwik Trip

Motion by Penzkover/Decker to reduce the Letter of Credit for Kwik Trip to \$44,887.90 carried.

Village Finance Director

Resolution 2015-54

Motion by Decker/Penzkover to adopt **Resolution 2015-54**: *A Resolution Amending the 2015 Adopted Budgets for Village Designated and Capital Equipment Funds* carried.

Village Planner

Tracy Cross & Associates, Inc. service agreement

Motion by Penzkover/Decker to approve the service agreement with Tracy Cross & Associates, Inc. to provide selected research and consulting services to determine the market potential for rental apartment development in Mukwonago, specifically focusing upon the proposed Lynch site community not to exceed \$9,375 carried.

Motion by Decker/Johnson to remove Consent Agenda, Item K from the table carried. Motion made by Decker/Werner to approve the Recreation Program with the Mukwonago Community Library for one year not to exceed \$15,000 contingent upon the Library will be submitting a quarterly report to Health and Recreation Committee, and the money will stay in the Village account reimbursing the Library costs. Johnson wanted to ensure that this program is independent of any re-organization of staff at the Library. Lininger explained that it has nothing to do with the re-organization. Motion carried.

Adjournment

Meeting adjourned at 8:37 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE 2016 BUDGET HEARING AND SPECIAL VILLAGE BOARD MEETING Monday, November 30, 2015

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
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Ken Werner
Fred Winchowky, Village President

Also present: Diana Doherty, Finance Director
John Weidl, Administrator
Robert Harley, Building Codes Official
Kevin Schmidt, Police Chief
Ron Bittner, Public Works Director
Dave Brown, Interim Utilities Director
Ann Lininger, Library Director
Bruce Kaniewski, Village Planner
Rob Buikema, Village Labor Attorney
Steven Braatz, Jr., Clerk-Treasurer

Public Hearing

Public hearing to consider the approval of the 2016 Annual Village Budget was opened at 5:31 p.m.

Administrator Weidl gave a presentation on the 2016 budget. Highlights include:

- 2nd year of the 2-year budget cycle which is built around spending targets rooted in concrete revenues
- 2016 is the first year of the 2016-17 biennial budget built around spending targets rooted in conservative revenue estimates
- Decrease in State Transportation Aid (\$11,748) and increase in Shared Revenue \$2,646 resulted in a net revenue decrease of \$9,102
- Police officers will begin contributing full employee rate to WRS in 2016
- Increased levy by \$48,514 due to 1.45% net new construction.
- Total equalized value increased \$25,630,100 or 4% over the prior year.
- Capital equipment for Public Works: \$75,000 Baby Dump Truck, \$25,000 John Deere Utility Tractor with Snow Blower Unit, \$40,000 Brine Generator, \$7,000 Stump Grinder (Skidster Mounted), \$26,500 Fueling Station, \$30,000 Comprehensive Park Plan Update

- Capital equipment for Police: \$66,000 for 2 Squad Cars and related equipment, \$17,000 Radio Voted System, \$40,000 Roof Replacement on Police Station
- Capital equipment for Village as a whole: \$30,000 for a Village-wide network server
- Capital equipment funding: \$113,000 from taxes, \$30,000 from reserves, \$213,500 from debt.
- The total property tax levy for Operations and Capital purposes increased \$48,514 or 1.45%, from the 2014 levy
- The Debt Service levy increased \$205,272, or 10.83%, from the 2014 levy
- For Village properties within Waukesha County, the local tax rate is estimated at \$8.0842, an increase of \$.2441 per \$1,000 of assessed value, or 3.11% over 2014
- For Waukesha County properties, an owner of a \$220,000 home in 2015 would pay a Village tax of \$ 1,778.52, an increase of \$53.70 over 2014

There were no comments from the public.

Public hearing closed at 5:52 p.m.

Action related the Proposed 2016 Annual Village Budget

Motion by Penzkover/Johnson to table Resolution 2015-55 related to action on 2016 Annual Village Budget carried.

New Business

Reconsideration of November 17, 2015 motion related to the Library re-organization

Motion by Gasser/Decker to reconsider the original November 17, 2015 motion related to the Library re-organization carried. Original motion was made by Gasser/Penzkover to issue a vote of no confidence in the Library Director as it relates to the re-organization plan and its implementation, and freeze the library budget and staffing at its 2015 funding level until a review by the WCLFS (Bridges) is completed and a recommendation is made by WCFLS to this Board to lift the vote on no confidence and proceed (or not proceed) with the re-organization. Any increases in the Library budget for 2016, proposed and approved at the November 30 budget hearing shall be held in a special account until this re-organizational issue is resolved. In addition to the loss of confidence the general public has in the Library administration, it is ensured that any re-organizational plan and its implementation has no adverse effect upon funding received by the Library from the WCFLS, and that the funding of the WCFLS, and its member libraries, is not affected adversely as a result. Motion made by Gasser/Decker to withdraw the motion carried (Penzkover voted no).

Resolution 2015-56

Motion by Decker/Fickau to adopt Resolution 2015-56: Joint Resolution Between the Village Board and the Mukwonago Community Library Board Pertaining to Mukwonago Community Library Staff Re-Organization and Library Funding carried.

Motion by Penzkover/Johnson to remove from the table Resolution 2015-55 related to action on 2016 Annual Village Budget carried.

Motion by Penzkover/Decker to adopt Resolution 2015-55: *A Resolution to Adopt the 2016 Annual Budget and Establish the 2015 Property Tax Levy for the Village of Mukwonago* carried.

Adjournment

Meeting adjourned at 6:29 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday, December 2, 2015

Call to Order

Village President Fred Winchowky called the meeting to order at 6:00 p.m. located in the Cafeteria of Park View Middle School, 930 North Rochester Street.

Roll Call

Board Members present: Arnold Fickau
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Ken Werner
Fred Winchowky, Village President

Also present: Bruce Kaniewski, Village Planner
John Weidl, Administrator
Kevin Schmidt, Police Chief
Judy Taubert, Deputy Clerk-Treasurer
Monica McGilvray, Administrative Clerk
Steven Braatz, Jr., Clerk-Treasurer

Public Hearing

The Public Hearing to consider an ordinance to amend chapter 100 of municipal code (zoning) regarding allowable uses, density, height and other standards related to multiple family residential development opened at 6:05 p.m.

Planner Kaniewski explained the various proposed changes in Sections 100-103, 100-110 and 110-111 of the Municipal Code pertaining to the standards for development in the R-3 and R-10 zoning districts. The amendments would adjust the list of allowable uses, increase allowable dwelling unit density, allow taller buildings, include additional performance standards for the development of sites and make associated wording changes to coordinate with the other amendments. Definitions within Section 100-29, Specific Words and Phrases, also may be amended to coordinate with the amendments.

Spoke in opposition of the proposed zoning code changes.

- Elliot Bakst, 1212 Western Tr.
- James Kovacek, 1316 Mukwonago Dr.
- Paula Wankowski, 630 Stoecker Farm Ave.
- Dan Million, 602 Stoecker Farm Ave.
- Bob Musinsky, W309S8864 Green Acre Dr., Mukwonago
- Nicole Ertl, 706 Stoecker Farm Ave.
- Ken Johnson, 621 Small Farm Ave.
- Alan Verhyden, 709 Stoecker Farm Ave.
- Ryan Klemme, 710 Stoecker Farm Ave.
- Joe Abruzzo, 632 Prairie Hill Ave.
- Cathie Treacy Callahan, 620 Oldfield Ave.

- Tim Callahan, 620 Oldfield Ave.
- Lana Scott, 1134 Black Bear Dr.
- Tom Sisk, 644 Prairie Hill Ave.
- Tim Iverson, 1111 River Park Cir E
- Layton Asselin, 626 Stoecker Farm Ave.
- Paul Pilon, 631 Oldfield Ave.
- Darrel Pilon, 631 Oldfield Ave.
- Mary Sue Gallagher, 643 Prairie Hill Ave.
- Susan Sims, 253 Mac Arthur Dr.
- Michele Ketterhagen, 1521 Whitetail Run
- Leon Fiegel, 603 Bay View Rd.
- Marc Roehl, 639 Prairie Hill Ave.
- Becky Roehl, 639 Prairie Hill Ave.
- James Dobernig, 637 Oldfield Ave.
- Dennis O'Bryan, 169 Baron Rd.
- Judy Brown, 438 Henry St.
- Stacey Grimes, 602 Oldfield Ave.
- Sue Alger, 627 Prairie Hill Ave.
- Gerald Alger, 627 Prairie Hill Ave.
- Robin Million, 602 Stoecker Farm Ave.
- Kathi Jentzsch, 1616 Fox River Run
- Michelle Reichold, 507 Fairwinds Ct.
- Bill Lowe, 624 Prairie Hill Ave.
- Kristin Wamser, 604 Prairie Hill Ave.
- Josh Kiselicka, 933 Robins Ln.
- Amy Frankowski, 642 Stoecker Farm Ave.
- Tom Kay, 1008 Mukwonago Dr.
- Nick Bruss, 791 Medina Dr.
- Jason Wamser, 604 Prairie Hill Ave.
- Dennis Puz, Jr., S92W31851 Leah Ct., Mukwonago
- Tracey Brown, 606 Stoecker Farm Ave.
- Matt Brown, 606 Stoecker Farm Ave.
- Ryan Bailey, 619 Prairie Hill Ave.
- Kelly Klemme, 710 Stoecker Farm Ave.
- Paul Dengel, 542 Valhalla Dr.

Spoke in support of the proposed zoning code changes.

- Christine Carlson, 2550 N. Honey Creek #811, East Troy
- Michael Sellenheim, 450 CTH NN E Unit 1

President Winchowky acknowledged that an additional 127 members of the public, who did not wish to speak, filled out public hearing registration slips declaring their opposition of the zoning amendment. Another 7 members of the public filled out public hearing registration slips declaring their support of the zoning amendment.

President Winchowky acknowledged that several emails from members of the public were received by the Board members.

Public hearing closed at 8:10 p.m.

Village Board took recess at 8:10 p.m.

Village Board returned from recess at 8:20 p.m.

Committee/Commission Reports

Plan Commission

Ordinance No. 906

Motion by Gasser/Decker to accept the Plan Commission recommendation and adopt Ordinance No. 906: *An Ordinance to Amend Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Specifically Sections 100-103, 100-110 and 110-111 Pertaining to the Standards for Development in the R-3 and R-10 Zoning Districts* as presented failed (Fickau, Johnson, Decker, Penzkover, Gasser, and Winchowky voted no).

Motion by Penzkover/Decker to adopt Ordinance No. 906: *An Ordinance to Amend Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Specifically Sections 100-103, 100-110 and 110-111 Pertaining to the Standards for Development in the R-3 and R-10 Zoning Districts*, amending all references to density to 15 units per acre with the exception of senior housing, and amending all references to height to three stories, carried (Johnson and Gasser voted no).

Motion by Penzkover/Johnson to reconsider the previous motion to adopt the amended Ordinance No. 906 failed (Fickau, Decker, Winchowky, and Werner voted no).

Adjournment

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, December 15, 2015

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

Board Members present: Arnold Fickau
Darlene Johnson
Jim Decker
Mark Penzkover
Jerry Gasser
Ken Werner
Fred Winchowky, Village President

Also present: Bruce Kaniewski, Village Planner
Dan Streit, Police Lieutenant
Diana Doherty, Finance Director
John Weidl, Administrator
Dave Brown, Interim Utilities Director
Ron Bittner, Public Works Director
Jeff Stien, Fire Chief
Mark Blum, Village Attorney
Aaron Kramer, Administrator Intern
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 sessions later in the meeting pursuant to Wis. Stat. **§19.85(1)(e)** to discuss the development guaranty agreement with I-Mukwonago LLC and to discuss the Joint Fire Department agreement with the Town of Mukwonago.

Public Hearings

The Public Hearing to consider a petition on the 2015-16 Original Class "B" Fermented Malt Beverage and Class C Wine Licenses application of Wild Flower Café LLC (Jefte Galvan – Agent), d/b/a Wild Flower Café, for the property located at 1015 CTH NN E in regard to exceeding the quota pursuant to Sec. 6-36 (b) of the Municipal Code of the Village of Mukwonago opened at 6:31 p.m. No one appeared for or against. Public hearing closed at 6:32 p.m.

The Public Hearing to consider a zoning district boundary change (rezoning) from R-2 (Single-family Village Residential District) to B-3 (Community Business District) requested by Blott, John R. and Sandra J. Revocable Trust of 2011, for the property located at 703 CTH NN E, known as MUKV1967995, MUKV1967999, and MUKV1967999002 was withdrawn at the request of the owner.

The Public Hearing to consider an ordinance to amend chapter 100 of municipal code (zoning) regarding standards for off-street parking, driveways, access, loading and visibility opened at 6:35 p.m.

Planner Kaniewski explained the various proposed changes to the parking ordinance, including lower required parking standards, increased required green space, and clarification of driveway widths and boulevard islands.

Dennis O'Bryan, 169 Baron Rd. – Stated developments in the TID were allowed to bank future parking spaces in the green space, three bedroom units require more parking, suggested changes should only be applied to future developments and not existing developments, get rid of the fee for Board of Zoning Appeals (BZA) review, should increase the parking standards, not reduce.

Public hearing closed at 6:46 p.m.

The Public Hearing to consider an ordinance to amend chapter 100 of municipal code (zoning) regarding the allowance of mixed use development within business zoning districts including associated amendments to business districts standards opened at 6:48 p.m.

Planner Kaniewski explained the various proposed changes to the business zoning districts, including increasing the height to four stories, unlimited density, and the use of conditional use permits. The purpose of these amendments are to enhance development and increase quality.

Dennis O'Bryan, 169 Baron Rd. – The proposed changes can be handled by PUD and BZA.

Marc Roehl, 639 Prairie Hill Ave. – Not opposed to zoning change, but concerned about the timing of these changes.

Jason Wamser, 604 Prairie Hill Ave. – Questioned how heights are reached and how it pertains to properties that are adjacent.

Joe Abruzzo – Opposed to the zoning changes because they are not consistent with the comprehensive master plan. Does not like unlimited density.

Bill Lowe, 624 Prairie Hill Ave. – Against the Village buying property.

Public hearing closed at 7:03 p.m.

Monthly Reports

President Winchowky noted the 2015 November Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Elliot Bakst, 1212 Western Tr. – The multi-family ordinance that was adopted on December 2 should have gone back to Plan Commission. Requests a motion to reconsider and to place the matter on the ballot as a referendum.

Ken Johnson, 621 Small Farm Rd. – Embarrassed by the Board's actions and the actions of a citizen at the public hearing on December 2. Asked the Board to listen to the citizens and not the staff.

Mary Sue Gallagher, 643 Prairie Hill Ave. – Thanked Trusteed Gasser, Johnson and Penzkover for their actions on December 2. Requests a motion to reconsider the multi-family ordinance.

Ryan Klemme, 710 Stoecker Farm Ave. – Not concerned with the multi-family ordinance changes as long as the development is by the freeway, not by Fairwinds subdivision.

Consent Agenda

- A. Approval of minutes for the November 17 regular meeting and November 30, 2015 special meeting
- B. Granting of 2015-16 Operator's Licenses for the Applicants for Dena J. Dums, Scott K. Lesniewski, Victoria L. Misenar, Paul J. Pignotti, Susan J. Sankey, and Amy L. Vertz
- C. Granting of 2016 Application for Temporary Class B Beer Licenses to St. James Catholic Parish on January 8, February 5, March 4, March 25, April 1, May 6, September 2, October 7, November 4, and December 2, 2016
- D. Approval of Vouchers payable batches:
 - 1) AP-12-2015-1 \$184,011.87
 - 2) M-11-2015-1 \$162,258.62
 - 3) AP-12-2015-2 \$441,190.45
- E. Approval of change of agent for Wal-Mart Stores East LP, 250 East Wolf Run, d/b/a Wal-Mart Supercenter #1571 to Michael R. Sandelback
- F. Adoption of **Ordinance No. 905**: An Ordinance to Amend Section 1-12 of the Municipal Code of the Village of Mukwonago to Provide for the Imposition of Warrant Fees
- G. Adoption of **Resolution 2015-60**: Village of Mukwonago Assistant Utilities Director Position Description
- H. Adoption of **Resolution 2015-61**: Village of Mukwonago Utilities Operator Revised Position Description
- I. Adoption of **Resolution 2015-62**: Village of Mukwonago Utilities Part-Time Summer Help Position Description
- J. Approval of the request by Bielinski Homes to extend completion dates for park laterals in Fairwinds Subdivision to June 1, 2016
- K. Adoption of **Resolution 2015-63**: A Resolution Adopting The 2016 Sanitary Sewer Utility Budget And 2016 Water Utility Budget
- L. Adoption of **Resolution 2015-64**: A Resolution Adopting The 2016 Storm Water Utility District #1 Budget

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

Committee/Commission Reports

Finance Committee

Resolution 2015-59

Motion by Johnson/Decker to accept the Finance Committee recommendation and adopt **Resolution 2015-59**: *A Resolution to Set the 2016 Schedule of Fees for the Village of Mukwonago* carried (Fickau voted no).

Judicial Committee

Wild Flower Café Alcohol License

Motion by Penzkover/Decker to approve the request to exceed the quota and grant the 2015-16 Original Class B Fermented Malt Beverage and Class C Wine Licenses for Wild Flower Café LLC (Jefte Galvan – Agent), 1015 CTH NN E, d/b/a Wild Flower Café carried.

Plan Commission

OMSA Development LLC

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Resolution 2015-65: Conditional Use Permit for the Construction of Dental Office, OMSA Development LLC, MUKV2009954001 carried.

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the certified survey map requested by Kevin Connor, OMSA Development LLC, to allow for a dental office on the property located at Bay View Rd., west of the railroad tracks, approximately 229 feet along Bay View Rd., known as MUKV2009954001 carried.

Ordinance No. 906

Motion by Decker/Fickau to accept the Plan Commission recommendation and adopt Ordinance No. 906: An Ordinance to Amend Article V of Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Pertaining to the Regulation of Off-Street Parking, Driveways, Access, Loading and Vehicle Visibility carried (Johnson voted no).

Ordinance No. 907

Motion by Penzkover/Werner to send Ordinance No. 907: An Ordinance to Amend Chapter 100 of the Village of Mukwonago Municipal Code, known as the Zoning Ordinance, Specifically Sections 100-152, 100-154, 100-155 and 100-156 Pertaining to the Standards for Mixed-Use Development in the B-2, B-3, B-4 and B-5 Zoning Districts back to Plan Commission with the suggestion to create a maximum density and take a look at the height restriction carried.

New Business

Fire Chief

Act 102 funds

Motion by Penzkover/Decker to approve the request by the Fire Chief to use of Act 102 funds for the purchase of an EMS reporting system, not to exceed \$9,575, contingent available funds, and contingent upon a similar approval by the Town of Mukwonago carried.

Village Finance Director

Resolution 2015-66

Motion by Penzkover/Decker to adopt Resolution 2015-66: A Resolution Relating to Salary and Wage Schedules for Non-Represented Full-Time and Part-Time Employees carried.

Resolution 2015-67

Motion by Penzkover/Decker to adopt Resolution 2015-67: A Resolution Relating to Wage Schedules for Certain Non-Represented Full-Time Employees – Exceptions to the Compensation Study carried.

Resolution 2015-68

Fickau and Werner recused themselves. Motion by Penzkover/Decker to adopt Resolution 2015-68: A Resolution Relating to Wage Schedules for Election Officials carried.

Payroll leap year

Doherty explained that it was thought that 2016 was a 27 payroll period, but with the final payroll being paid on December 31, 2015 became a 27 payroll period. She recommended deducting the December 31, 2015 from the 2016 salary. A budget amendment will appear at a future meeting. No action taken.

Village Attorney

Public participation

Blum offered several options the Board can consider to improve the public participation. Board members will review and think about the options, and the item will come back at a future meeting. No action taken.

Minor's Estates Addition #3

Motion by Penzkover/Decker to accept the streets in Minor's Homestead #3 carried (Note: A resolution will be prepared by staff and signed by the Village President that is consistent with this motion).

Village Interim Utilities Director

Cricket Wireless cell tower equipment

Motion by Penzkover/Decker to enter an agreement with Cricket Wireless to accept \$15,000 for the future maintenance of the hood on the south water tower due to the decommissioning of the Cricket Wireless equipment carried.

Village Planner

Comprehensive plan amendment process

Kaniewski and Weidl presented plans to address the concerns of the public regarding locating multi-family development near existing residential properties and increased traffic. Kaniewski presented a conceptual map showing where multi-family development could be located. The Plan Commission will be presented the map and text revisions to the comprehensive master plan at a future meeting. This could potentially lead to the creation of a new zoning district for multi-family development. Discussion only. No action taken.

Village President

Election Inspectors

Motion by Decker/Johnson to accept the Village President's recommendation and approve the list of election inspectors for the 2016-17 term as stated on the list dated 12-10-15 carried (Fickau abstained).

Closed Session

Motion by Decker/Johnson to convene into closed sessions at 8:29 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 the development guaranty agreement with I-Mukwonago LLC and to discuss the Joint Fire Department agreement with the Town of Mukwonago carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Decker/Penzkover to adjourn closed session and reconvene into open session at 9:20 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. No action taken.

Adjournment

Meeting adjourned at 9:21 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

**MINUTES OF THE SPECIAL JOINT PLAN COMMISSION/
VILLAGE BOARD MEETING
Tuesday, December 22, 2015**

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

Planning Commission: Sterling Fairchild
 Ken Werner
 Mark Penzkover
 Fred Winchowky, Village President

Village Board Trustees: Darlene Johnson
 Jim Decker
 Mark Penzkover
 Jerry Gasser
 Ken Werner
 Fred Winchowky, Village President

Also present: John Weidl, Administrator
 Bruce Kaniewski, Village Planner
 Judith Taubert, Deputy Clerk-Treasurer

Planning Commission

Lynch Ventures

Motion by Penzkover/Werner to recommend the Village Board approve a change to the architectural plans for Lynch Ventures LLC for the property located on East Wolf Run north of Wal-Mart, known as MUKV2013994002 as presented with any color changes being approved by the Building Inspector carried.

Village Board

Lynch Ventures

Motion by Penzkover/Decker to approve the change in architectural plans for Lynch Ventures LLC for the property located on East Wolf Run north of Wal-Mart, known as MUKV2013994002 subject to any color change being approved by the Building Inspector carried.

Adjournment

Meeting adjourned at 5:48 p.m.

Respectfully Submitted,

Judith A. Taubert
Deputy Clerk-Treasurer