

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Tuesday, January 3, 2017

Call to Order

Village President Fred Winchowky called the meeting to order at 6:09 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Jay Vermuelen
Darlene Johnson
Jim Decker
Kelly Klemme
Fred Winchowky, Village President
Board Members excused: Mark Penzkover
Ken Werner

Also present: Ron Bittner, Public Works Director
Steven Braatz, Jr., Clerk-Treasurer
Diana Doherty, Finance Director
John Weidl, Administrator/Economic Development Director

Motion by Decker/Johnson to convene into closed session at 6:10 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*) for discussion and possible action involving the potential acquisition of property. Discussion held in closed session.

Motion by Decker/Johnson to adjourn closed session and reconvene into open session at 6:24 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/Johnson to approve the Offer to Sell from St. James for approximately 11 acres of land adjacent to the current Department of Public Works property carried.

Adjournment

Meeting adjourned at 6:25 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, January 17, 2017

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: Jay Vermeulen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Ken Werner
Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Dave Brown, Utilities Director
Wayne Castle, Utility Operator
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Justin Noe, Public Works Crewperson/Forester
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
John Weidl, Administrator/Economic Development Director

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)(c)** to discuss the Village Administrator/Economic Development Director performance evaluation.

Comments from the Public

Roger Walsh, 142 Oakland Ave. – Presented chunks of the STH 83 top coat that was done by the WiDOT in 2011. Expressed displeasure with WiDOT and the lack of getting it fixed.

Employee Recognitions

Public Works Director Ron Bittner recognized Public Works Crewperson/Forester Justin Noe for the ongoing efforts to improve himself as well as the Village.

Utilities Director Dave Brown recognized Utility Operator Wayne Castle for the ongoing efforts to improve himself as well as the Village.

Consent Agenda

- A. Approval of minutes for the December 20, 2016 regular meeting and January 3, 2017 special meeting

B. Approval of Vouchers payable batches:

- 1) AP-1-2017-1 \$7,367.83
- 2) AP-12-2016-4 \$939,156.88
- 3) M-12-2016-1 \$157,290.38
- 4) LIBAP12-2016 \$9,374.12
- 5) OVPY12-2016 \$7,865.35
- 6) AP-1-2017-2 \$125,125.59
- 7) AP-12-2016-5 \$223,516.71
- 8) OVPY2017-1 \$16,499.64
- 9) TAXSET1-2017 \$7,910,488.74

C. Adoption of **Resolution 2017-001**: Resolution Requesting the Wisconsin Department of Transportation Install Emergency Vehicle Pre-Emption at the STH 83 and Wolf Run Intersection

D. Adoption of **Resolution 2017-002**: Resolution Requesting the Wisconsin Department of Transportation Install Emergency Vehicle Pre-Emption at the STH 83 and Black Bear Boulevard Intersection

E. Acceptance of the request by Kwik Trip to reduce the letter of credit to \$0.00 in accordance with the letter from the Village Engineer dated December 5, 2016 and release it to the financial institution

Motion by Decker/Johnson to approve the consent agenda carried.

Committee/Commission Reports

Finance Committee

Resolution 2017-003

Motion by Vermeulen/Penzkover to accept the Finance Committee recommendation and adopt **Resolution 2017-003**: *Resolution Amending the Purchasing Policy Concerning Purchasing Procedures* carried (Johnson voted no).

Protective Services Committee – Fire Department Subcommittee

Resolution 2017-004

Motion by Johnson/Werner to accept the Protective Services Committee – Fire Department Subcommittee recommendation and adopt **Resolution 2017-004**: *A Resolution Adopting the Waukesha County All Hazards Mitigation Plan* carried.

Full-time Firefighter/Paramedic vacancy

Motion by Johnson/Decker to accept the Protective Services Committee – Fire Department Subcommittee recommendation and delay the hiring of the full-time Firefighter/Paramedic due to a vacancy until at least the next regularly scheduled Committee meeting contingent upon a similar approval by the Town Board of the Town of Mukwonago carried.

Pro Health Care Interfacility Transfer Agreement

Motion by Johnson/Decker to accept the Protective Services Committee – Fire Department Subcommittee recommendation and authorize the Fire Chief to begin negotiations with Pro Health Care for a new Interfacility Transfer Agreement contingent upon a similar approval by the Town Board of the Town of Mukwonago carried.

Public Works Committee

Resolution 2017-005

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and adopt Resolution 2017-005: Preliminary Resolution Declaring the Intent to Levy Special Assessments Under the Village of Mukwonago's Police Power Acting Pursuant to Wis. Stat. §66.0703 pertaining to the Sugden property development carried.

Resolution 2017-006

Motion by Penzkover/Werner to accept the Public Works Committee recommendation and adopt Resolution 2017-006: Preliminary Resolution Declaring the Intent to Levy Special Assessments Under the Village of Mukwonago's Police Power Acting Pursuant to Wis. Stat. §66.0703 pertaining to the Chapman Farms Boulevard property development carried.

Unfinished Business

Administrator/Economic Development Director

Policy direction regarding donations to nonprofit organizations and specific guidance on how to deal with the request from the Mukwonago YMCA

Item referred to the Finance Committee for their next meeting.

New Business

Administrator/Economic Development Director

Resolution 2017-007

Motion by Decker/Penzkover to adopt Resolution 2017-007: A Resolution Approving an Access and Indemnity Agreement with St. Johns Evangelical Lutheran Church carried.

Listing agreement with Anderson Commercial Group LLC

Motion made by Penzkover/Decker to approve the listing agreement with Anderson Commercial Group LLC for the Sugden property as presented. Vermeulen and Johnson asked if the Village Attorney could be used to sell the property, rather than pay an 8% listing fee to Anderson. Weidl noted that Attorney Blum does have his license to broker. Decker asked if Attorney Blum would market the property. Weidl said no. Winchowky reminded the Board that some residents were concerned with the Village marketing the Chapman property, which is why we went with a real estate agent. Motion carried (Vermeulen voted no).

Engineer

The Orchards of Mukwonago Addn #2 subdivision letter of credit

Motion by Penzkover/Decker to approve the request by Joe Bukovich, Point Real Estate, and reduce the letter of credit for The Orchards of Mukwonago Addn #2 subdivision to \$294,573.10 in accordance with the letter from the Village Engineer dated January 5, 2017 carried.

Motion by Penzkover/Decker 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 the Village Administrator/Economic Development Director performance evaluation. Discussion held in closed session.

Motion by Klemme/Decker to adjourn closed session and reconvene into open session at 8:34 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.

Based on the results of an acceptable performance evaluation, motion by Penzkover/Decker to increase the annual salary for the Village Administrator/Economic Development Director as determined in closed session carried (Johnson voted no).

Adjournment

Meeting adjourned at 8:36 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING Tuesday, February 7, 2017

Call to Order

Village President Fred Winchowky called the meeting to order at 6:37 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Jay Vermuelen
Darlene Johnson
Jim Decker
Fred Winchowky, Village President

Board Members excused: Mark Penzkover
Kelly Klemme
Ken Werner

Also present: Steven Braatz, Jr., Clerk-Treasurer
Diana Doherty, Finance Director
John Weidl, Administrator/Economic Development Director

Motion by Vermeulen/Decker to convene into closed session at 6:38 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*) for discussion and possible action involving the potential acquisition of property, discussion and possible action involving an update to the negotiations with Mukwonago Professional Firefighters Local 4585, and discussion and possible action to establish negotiation strategy and approve offering price reports for the acquisition of easements relating to the construction of sanitary sewer and water lines to serve the Chapman property. Discussion held in closed session.

Motion by Decker/Johnson to adjourn closed session and reconvene into open session at 7:18 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 authorize the Village staff to prepare and the Village President to execute the Sugden property Offer to Sell amendment in accordance with the Village Attorney letter dated February 7, 2017 carried.

Motion made by Decker/Vermeulen to authorize the payments for the acquisition of easements for the utility lines that will serve the Chapman area properties. Chapman Family Trust will receive \$33,815. The Greenwalds will receive \$20,245. St. Johns Lutheran Church will receive \$6,445. These payments are based on appraisals by Single Source plus 15%. Motion carried.

Adjournment

Meeting adjourned at 7:20 p.m.

Respectfully Submitted,
Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, February 21, 2017

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: Jay Vermeulen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Ken Werner
Fred Winchowky, Village President

Also present: Rebecca Alonge, Engineer
Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
Andy Wegner, Deputy Fire Chief
John Weidl, Administrator/Economic Development Director

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Public Hearings

Public hearing for change of zoning requested by Douglas & Debra DeBack for the property located north/northeast of S108W28220 Maple Ave., known as MUKV2138998, from A-1 (Agricultural District) to B-5 (Planned Business and Light Industrial Development District) opened at 6:31 p.m.

Presentation

Kaniewski explained the location of the property and the zoning classification. Property is located in the Gateway District. B-5 zoning matches the zoning of the rest of the properties in that location.

Public Comments

None.

Public hearing closed at 6:34 p.m.

Public hearing for change of zoning requested by the Village of Mukwonago for the property located on the west side of STH 83 across from Black Bear Blvd, known as MUKV1962996002, from R-10 (Multiple-family District) to B-3 (Community Business District) opened at 6:35 p.m.

Presentation

Kaniewski explained the location of the property and the zoning classification. Property is located north Village business area behind the property owned by the Village. B-3 zoning matches the zoning of the rest of the properties in that location. The Village-owned property that abuts this property will have the same zoning change at the March meetings.

Public Comments

Carla Guckenberger, 1114 Black bear Dr. – Asked what business(es) are being proposed for this property. Kaniewski explained that there are no formal proposals at this time, but compared the types of businesses to similar ones in the area, like the dental office, gas station, and bank.

Public hearing closed at 6:37 p.m.

Public hearing for ordinance to repeal and recreate of Sec. 100-153 and repeal Sec. 100-204 of the Municipal Code of the Village of Mukwonago pertaining to the creation of a Village Center Overlay Zoning District opened at 6:37 p.m.

Presentation

Kaniewski presented the ordinance creating a Village Center Overlay Zoning District. The main objectives of the ordinance are:

- Create consistent zoning standards commensurate with historic development of downtown.
- Remove nonconforming status of most properties; majority of properties do not conform to current setbacks or amount of residential units.
- Allow property improvements, additions or redevelopment consistent with historical development.
- Create street level activity with 1st floor uses having customer traffic (along major streets).

The Plan Commission was in favor of the ordinance, but postponed the formal recommendation to discuss the ordinance further at a special meeting. A public information meeting was held at the Village Hall on February 16, 2017. Based on comments at that meeting, Kaniewski will recommend some changes to the ordinance to the Plan Commission. He recommends continuing the public hearing at the next Village Board meeting to allow the public to comment on the proposed changes.

Public Comments

None.

Public hearing temporarily closed at 6:47 p.m. The public hearing will reconvene at the March 21, 2017 Village Board meeting.

Comments from the Public

Steve Stach, part owner of Mukwonago Athletic Club – Spoke against the donation of Village tax dollars to the YMCA.

Joe Davis, 940 Bay View Ci. – Inquired about the Village renovating some old tennis courts into pickleball courts.

Consent Agenda

- A. Approval of minutes for the May 4, June 1, October 18, November 29, 2016 and February 7, 2017 special meetings and January 17, 2017 regular meeting
- B. Approval of Vouchers payable batches:
 - 1) LIBAP1220161 \$2,941.42
 - 2) LIBAP1-2017 \$15,279.18
 - 3) Manuals batch M-12-2016-2 \$3,686.64
 - 4) Manuals batch M-12-2016-3 \$171.29
 - 5) Manuals batch M-12-2016-4 \$1,500.00
 - 6) Manuals batch M-12-2016-5 \$1,181.24
 - 7) Payments batch AP-12-2016-5 \$13,083.91
 - 8) Manuals batch M-1-2017-1 \$201,008.78
 - 9) Payments batch AP-2-2017-1 \$228,480.46
 - 10) Prop Tax OVPY2/2017 \$18,077.49
 - 11) Payments batch AP-2-2017-2 \$138,882.98
 - 12) TAXSET2-2017 \$1,994.268.09
 - 13) LIBAP2-2017 \$38,403.35
- C. Approval of the request by Robert Harley, Inspection Department, to use Village Designated Reserve in the amount of \$5,000 for the purchase of a vehicle and lights
- D. Adoption of **Resolution 2017-008**: A Resolution Amending the 2016 Adopted Budgets for Village General, Community Development, Tid#3, Debt Service, Recycling, Capital Equipment, Library, Impact Fee and Parkland Site Funds
- E. Acceptance of the proposal from MSA Professional Services to conduct the amendment to the Village Comprehensive Outdoor Recreation Plan. This approval is based on 1) a high rating of experience, qualifications, project approach, and consultant effort by a 4-person panel, 2) even though the price was higher than the other company, the price was still \$5,000 under budget. This approval also authorizes the Village to enter into a contract with MSA Professional Services in an amount not to exceed \$25,000, subject to the Village Attorney's review
- F. Adoption of **Resolution 2017-009**: A Resolution Approving a Distribution Easement Underground with We Energies
- G. Adoption of **Resolution 2017-010**: Resolution Authorizing Preparation of Cooperative Boundary Plan Between the Village of Mukwonago and the Town of Vernon
- H. Adoption of **Resolution 2017-011**: Resolution Approving the Emergency Vehicle Pre-Emption (EVP) System Agreement with Wisconsin Department of Transportation to Install Emergency Vehicle Pre-Emption Devices at the STH 83 and Holz Parkway/Bay View Road Intersection
- I. Adoption of **Resolution 2017-012**: Resolution Approving the Emergency Vehicle Pre-Emption (EVP) System Agreement with Wisconsin Department of Transportation to Install Emergency Vehicle Pre-Emption Devices at the STH 83 and I-43 Intersections
- J. Approval of the Main Street Water Main Relay Project Change Order #3 in the amount of \$17,008.54 increase for additional work to repair broken sanitary cleanout, locate existing 12" water main, remove existing tee and install bend, and locate water services
- K. Approval of the engineer Task Order for the Well 3 & 4 Standby Generators Project as presented
- L. Approval of the engineer Task Order for the Wastewater Treatment Facility Primary Clarifier and Fine Screen Rehabilitation Project as presented
- M. Approval of the engineer Task Order for the Wastewater Treatment Facility Septage Receiving, Digester, and Biosolids Analysis Project as presented
- N. Approval of the engineer Task Order for the Well PLC Upgrades Project as presented

- O. Acceptance of the proposal from Terracon Consultants, Inc. to conduct an environmental/limited site investigation for Phase II of the potential TID #7 land. This approval is based on 1) the pre-existing relationship with the Village and the company's role in the Phase I environmental site assessment and 2) the lowest price. This approval also authorizes the Village to enter into a contract with Terracon Consultants, Inc. in an amount not to exceed \$5,300, subject to the Village Attorney's review

- P. Adoption of **Resolution 2017-013**: A Resolution Approving a Contract with We Energies to Install Additional Non-Standard Street Lights on E Veterans Way (CTH NN)

Motion by Decker/Klemme to approve the consent agenda carried.

Committee/Commission Reports

Finance Committee

Request by Mukwonago YMCA for donation towards proposed addition

Vermuelen, Johnson, and Klemme voiced support for the organization and operation of the YMCA, but opposition to using taxpayer money to provide a donation. Lacking support for donating money to the YMCA, the Board decided not to act on the matter. No action taken.

Plan Commission

Chandler Annexation

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Ordinance No. 919: *An Ordinance to Annex Certain Property to the Village of Mukwonago (VNT2091999005)* subject to the Village Clerk receiving the full legal description carried.

DeBack Change of Zoning

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Ordinance No. 920: *An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV2138998)* carried.

Chapman Property Change of Zoning

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Ordinance No. 921: *An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV1962996002)* carried.

YMCA Site Plan and Architectural Review

Motion by Werner/Johnson to accept the Plan Commission recommendation and adopt Resolution 2017-014: *Resolution Approving a Site Plan and Architectural Review Standards for the Construction of an Addition to the Existing Structure at the Property Located at 245 East Wolf Run, Geoff Mertens, YMCA of Greater Waukesha County, Applicant* carried.

Marjohn Farms extraterritorial certified survey map

Motion by Penzkover/Werner to accept the Plan Commission recommendation and approve the extraterritorial certified survey map, requested by Marjohn Farms LLC, Chris Simon, Agent, for the property located southeast of the intersection of Maple Ave. and Craig Ave. in the Town of Vernon, known as VNT2140999 subject to the following condition carried:

1. Prior to Village Officials applying signatures to the Certified Survey Map, written approvals from the Town of Vernon and Waukesha County shall be provided to the Village Clerk.

Protective Services Committee

2017-19 Mukwonago Professional Firefighters IAFF L4585 contract

Motion by Johnson/Decker to postpone the ratification of the 2017-19 Mukwonago Professional Firefighters IAFF L4585 contract until the joint Village Board/Town Board meeting on March 13, 2017 carried.

Filling of Full-time Firefighter/Paramedic Vacancy

Motion by Johnson/Decker to authorize the Fire Chief to fill the vacant full-time firefighter/paramedic position carried. The Town Board approved the same at their meeting on February 15, 2017.

New Business

Finance Director

2017 Budget Amendment Resolution

Doherty explained this is the follow-up to the approval given to allow the use of Village Designated Funds to purchase the Inspections Dept. vehicle. Motion by Werner/Decker to adopt Resolution 2017-015: *A Resolution Amending the 2017 Adopted Budgets for Village Designated and Capital Equipment Funds* carried.

Engineer

Mukwonago Area School District Construction Project

Motion by Penzkover/Decker to adopt Resolution 2017-016: *A Resolution Approving a Development Agreement for the Construction of Water Main Leading to the Mukwonago Area School District Construction Project* subject to favorable review and approval of the agreement by the Village Attorney carried.

Motion by Penzkover/Johnson to adopt Resolution 2017-017: *A Resolution Approving a Permanent Water Main Easement for Mukwonago High School* subject to favorable review and approval of the agreement by the Village Attorney carried.

Administrator/Economic Development Director

Potential development of the property known as MUKV1962996001

Ray Goodden, Anderson Commercial Group LLC, presented a rendering of a potential business development on the Village-owned parcel near the Chapman property. He is working with a potential buyer. More information and an updated rendering will come to a future meeting. No action taken.

Adjournment

Meeting adjourned at 7:17 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

**MINUTES OF THE SPECIAL VILLAGE BOARD MEETING
JOINT MEETING WITH THE TOWN OF MUKWONAGO BOARD
Monday, March 20, 2017**

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 Town Hall, W320S8315 Beulah Road.

Roll Call

Village Board Members present: Jay Vermeulen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Ken Werner
Fred Winchowky, Village President

Town Supervisors present: Lyle Boucher
Peter Topczewski
Richard Wrasman
Gail Yerke
Tom Stefanowski, Town Chairperson

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

New Business

Pro Health Care

Tom Lindl, Pro Health Care, presented an offer to renew the inter-facility transport agreement with the Mukwonago Fire Department. The Boards will discuss the matter at a future meeting.

2016 final Mukwonago Fire Department end-of-the-year settlement

Discussion on the 2016 end of the year settlement. Each municipality will be getting back \$2,411.88. Doherty requested the money be held in reserves to reduce the unfunded sick pay liability. Motion by Boucher/Yerke to place the 2016 end of the year settlement in the amount of \$2,411.88 into a reserve account to reduce the unfunded sick pay liability for the Fire Department carried. Motion by Penzkover/Johnson to place the 2016 end of the year settlement in the amount of \$2,411.88 into a reserve account to reduce the unfunded sick pay liability for the Fire Department carried.

2017 expenditures and revenues year to date

Review and discussion of the 2017 February expenditures and revenues year to date reports.
No action taken.

Mukwonago Fire Department Monthly Report

The 2017 February monthly fire and ambulance reports are on file in the Village and Town Clerk's Offices.

Exploration a Fire Board to govern the joint Mukwonago Fire Department

Each Board agreed to explore the idea of creating a Fire Board to govern the Fire Department. Staff will provide data and information regarding Fire Boards with examples at a future meeting. Discussion only. No action taken.

2017-19 Mukwonago Professional Firefighters IAFF L4585 contract

Motion by Boucher/Wrasman to ratify the 2017-19 Mukwonago Professional Firefighters IAFF L4585 contract as presented carried. Motion by Decker/Johnson to ratify the 2017-19 Mukwonago Professional Firefighters IAFF L4585 contract as presented carried.

2016 Annual Fire Department Report

Motion by Penzkover/Werner to accept the 2016 Annual Fire Department Report as presented carried. Motion by Topczewski/Yerke to consider the acceptance of the 2016 Annual Fire Department Report at the 2017 annual Town meeting carried.

Adjournment

Village President Winchowky adjourned the Village meeting at 7:30 p.m. Town Chairperson Stefanowski adjourned the Village meeting at 7:30 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.
Village Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, March 21, 2017

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: Jay Vermeulen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Ken Werner
Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Jeff Stien, Fire Chief
Dan Streit, Police Sergeant
John Weidl, Administrator/Economic Development Director

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)** for discussion and possible action related to potential real estate transactions with Greenwald Family Limited Partnership and potential sale of the property located at 915 Main St. and **§19.85(1)(c)** and **(e)** for discussion and possible action related to the Village Administrator Employment Contract

Public Hearings

Public hearing for change of zoning requested by the Village of Mukwonago for the property located on the west side of STH 83 across from Black Bear Blvd, known as MUKV1962996001, from R-10 (Multiple-family District) to B-3 (Community Business District) opened at 6:32 p.m.

Public Comments

Ray Goodden, Anderson Commercial – formally requests the Village Board change the zoning as presented.

Public hearing closed at 6:33 p.m.

Public hearing for the ordinance to repeal and recreate of Sec. 100-153 and repeal Sec. 100-204 of the Municipal Code of the Village of Mukwonago pertaining to the creation of a Village Center Overlay Zoning District, which was scheduled to be continued from the February 21,

2017 meeting, will not be conducted due to significant changes to the ordinance which will require a new public hearing, which is scheduled for April 18, 2017.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the February 21, 2017 regular meeting
- B. Approval of Vouchers payable batches:
 - 1) AP-3-2017-1 \$160,706.33
 - 2) M-2-2017-1 \$170,916.84
 - 3) AP-3-2017-2 \$167,236.06
- C. Approval of a reduction of the park usage fee for the Summerfeste event to \$50 per day. This approval is in recognition of all of the work the Mukwonago Lions Club has done in the parks and for the community.
- D. Approval of a reduction of the park usage fee for the Easter Egg Hunt event to \$50 for the day. This approval is in recognition of all of the work the Mukwonago Lions Club has done in the parks and for the community.
- E. Adoption of **Resolution 2017-018**: A Resolution Amending the 2016 Adopted Budgets for General, Fire, Village Designated, Fire Designated, and Capital Improvement Funds
- F. Adoption of **Resolution 2017-019**: A Resolution Amending the Wage Schedule for Utilities Summer Help Part-Time Employees
- G. Acceptance of the proposal from Fischer-Fischer-Theis, Inc. to provide architectural services for the Mukwonago Fire Station #1 Remodel Project. This approval is based on 1) past experience with the firm, 2) the lowest cost. This approval also authorizes the Village to enter into a contract with Fischer-Fischer-Theis, Inc. in an amount not to exceed \$30,000, subject to the Village Attorney's review.
- H. Adoption of **Resolution 2017-020**: Resolution Approving an Amendment to the Storm Water Maintenance Agreement with YMCA and an Amendment to the Storm Water Management Plan for the Property Located at 245 East Wolf Run
- I. Authorization of the execution of the Delineation Confirmation Request with Wisc DNR for the Sugden property
- J. Approval of the Engagement letter with VonBriesen & Roper, s.c. for legal services related to the options to advance development in TID #3
- K. Approval of the engineer Task Order for the Grand Ave. Water main replacement project as presented
- L. Adoption of **Resolution 2017-021**: Resolution Providing for the Publication, Filing, Inspection, and Adoption of Amendments to Chapter 34, Article II, Division 4 of the Municipal Code of the Village of Mukwonago Storm Water Management and Erosion Control

Motion by Decker/Johnson to approve the consent agenda carried.

Committee/Commission Business

Plan Commission

Resolution 2017-022

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt **Resolution 2017-022**: *Resolution Approving a Site and Architectural Plan for the Construction of an Online Grocery Pickup Remodel at the Property Located at 250 East Wolf Run, Jeff Waggener, Wal-Mart R.E. Bus. Trust, Applicant* carried.

Ordinance No. 922

Motion by Penzkover/Johnson to accept the Plan Commission recommendation and adopt Ordinance No. 922: *An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV1962996001)* carried.

New Business

Finance Director

Write-off of accumulated costs related to the potential Schultz property TID – Information Only

Doherty notified the Board that \$49,819.54 of bills that were applied to a receivables account will be written off. These were bills that were paid and related to a potential TID on the Schultz Farm. That TID is unlikely to occur in the near future. This will reduce General Fund fund balance. Discussion only. No action taken.

Village President

Resolution 2017-023

Motion by Johnson/Decker to adopt Resolution 2017-023: *Resolution Requesting Funding for the Southeastern Wisconsin Fox River Commission* carried.

February 6, 2017 Park View Middle School evacuation and bomb threat investigation

President Winchowky acknowledged the February 10, 2016 letter from Mukwonago School District thanking the Police Department for assistance with the Park View Middle School evacuation and bomb threat investigation on February 6, 2017. No action taken.

Motion by Decker/Johnson to convene into closed sessions at 6:49 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*) for discussion and possible action related to potential real estate transactions with Greenwald Family Limited Partnership and potential sale of the property located at 915 Main St. and **§19.85(1)(c)** (*Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility*) and **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) for discussion and possible action related to the Village Administrator Employment Contract. Discussion held in closed session.

Motion by Penzkover/Werner to adjourn closed session and reconvene into open session at 9:08 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 actions taken.

Adjournment

Meeting adjourned at 9:11 p.m.

Respectfully Submitted,

Steven Braatz, Jr.

Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING Monday, April 10, 2017

Call to Order

Village President Fred Winchowky called the meeting to order at 6:52 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Jay Vermuelen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Ken Werner
Fred Winchowky, Village President

Also present: Steven Braatz, Jr., Clerk-Treasurer
Kevin Schmidt, Police Chief
John Weidl, Administrator/Economic Development Director

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)(c)** and **(e)** for discussion and possible action related to the Village Administrator Employment Contract

New Business

Village President Proclamation

Motion by Johnson/Decker to endorse the signing of the 2017 National Public Safety Telecommunications Week Proclamation for the week of April 9-15, 2017 carried.

Motion by Decker/Johnson to convene into closed sessions at 6:57 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 **§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*) for discussion and possible action related to the Village Administrator Employment Contract. Discussion held in closed session.

Motion by Decker/Klemme 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/Werner to approve the amendment to the Village Administrator contract as discussed in closed session carried (Johnson voted no).

Adjournment

Meeting adjourned at 8:24 p.m.

Respectfully Submitted,
Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, April 18, 2017

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: Darlene Johnson (entered at 8:30 p.m.)

Jim Decker

Mark Penzkover

Karl Kettner

Fred Winchowky, Village President

Board Members excused: Jay Vermeulen

Kelly Klemme

Also present:

Ron Bittner, Public Works Director

Steven Braatz, Clerk-Treasurer

Dave Brown, Utilities Director

Diana Doherty, Finance Director

Bruce Kaniewski, Planner/Zoning Administrator

Kevin Schmidt, Police Chief

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)** for discussion and possible action related to potential real estate transactions with Greenwald Family Limited Partnership and potential sale of the property located at 915 Main St.

Public Hearings

Public hearing for change of zoning requested by Robert Chandler for the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., known as VNT2091999005, from A-1 (Agricultural District) to B-3 (Community Business District) opened at 6:32 p.m.

Public Comments

Mary Claire Lanser, representing the owner of the property in question – Visited the surrounding properties to determine their concerns. One is opposed to commercial. One did not mind the rezoning. One is against business and would rather stay as is or be developed as single-family homes. One was concerned about traffic at the CTH ES/Edgewood Ave. intersection, but indicated support for the two anticipated uses.

Donald Tiegs, W273S8915 Ridgeway Rd. – Upset that neighbors were not notified that the property was being annexed. Spoke against commercial being on that site.

Public hearing closed at 6:36 p.m.

Public hearing for an ordinance to amend the Official Map requested by Douglas DeBack for the property located north/northeast of S108W28220 Maple Ave., known as MUKV2138998 opened at 6:40 p.m.

Public Comments

Marilyn McCarthy, S108W27690 Maple Ave. – Spoke in favor of the new location of the proposed road right-of-way. Questioned the location of the sanitary sewer.

Public hearing closed at 6:40 p.m.

Public hearing for an ordinance to amend Chapter 100 of Village Municipal Code, known as the Zoning Ordinance, specifically pertaining to Planned Unit Development Overlay Regulations, Business Mixed Use Overlay Standards, revisions to standards within the Business Zoning Districts, removal of Business Fire Overlay District and the Planned Unit Development Overlay standards of the B-4, Commercial Business Design District, and other minor revisions to the Zoning Code opened at 6:40 p.m.

Public Comments

No one spoke for or against.

Public hearing closed at 6:41 p.m.

The public hearing regarding the ordinance to repeal and recreate of Sec. 100-153 and repeal Sec. 100-204 of the Municipal Code of the Village of Mukwonago pertaining to the creation of a Village Center Overlay Zoning District was cancelled due to the lack of mailing the public notice to affected property owners. The public hearing will be scheduled for a later date to be determined.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the March 20, 2017 Special Village Board/Town of Mukwonago Board, April 10, 2017 special, and March 21, 2017 regular meetings
- B. Approval of Vouchers payable batches:
 - 1) Payments batch AP-4-2017-1 \$339,954.56
 - 2) Manuals M-3-2017-1 \$175,287.76
 - 3) LIBAP20173 \$17,175.19
 - 4) Payments batch AP-4-2017-1 \$310,590.05
 - 5) Payments batch TAXSET42017 \$220,185.76
- C. Adoption of **Resolution 2017-024**: A Resolution to Amend the Impact Fee Schedule
- D. Adoption of **Resolution 2017-025**: Resolution Accepting Donated Items in Field Park
- E. Adoption of **Ordinance No. 923**: An Ordinance to Repeal Article VI of Chapter 22 of the Village of Mukwonago Municipal Code Pertaining to Vending Machines
- F. Adoption of **Resolution 2017-026**: A Resolution to Amend Parking Limitations for the Village of Mukwonago
- G. Approval of the Engineer Task Order for the creating and administering the bidding documents for the 2017 Street Program project (Paving project on Lincoln Ave., Oakland Ave., Clarendon Ave., Grand Ave., and a portion of Division St.)

- H. Approval of the Engineer Task Order for the creating and administering the bidding documents for the 2017 Street Maintenance Program project (Slag or granite sealing on E. Wolf Run and Maple Ave. from E. Wolf Run to Maple Ct.)
- I. Adoption of **Resolution 2017-027**: Resolution to Delegate Approval Authority for Functional Classification and Boundary Changes in Urban Areas
- J. Approval of Main Street Water Main Relay project change order #4, for an increase in the original contract price of \$26,765. The reason for the change order is to adjust the contract price for additional work to mill and overlay 2" of southbound lanes on Main St., including four trench crossings on the east side, and provide pavement markings along new asphalt areas in order to meet Waukesha County permit requirements
- K. Approval of contract waiver with VonBriesen & Roper, s.c. based on the Village Attorney finding there is no conflict between the two matters and recommending the execution of the waiver

Motion by Decker/Penzkover to approve the consent agenda carried.

Committee/Commission Business

Finance Committee

2017 Eagle Scout project fees

Motion by Penzkover/Decker to accept the Finance Committee recommendation and approve the request by Travis Bugiel, Charlie Ayers, and Peter Jurasinski, Boy Scout Troop 152, to waive any fees charged by the Village associated with the 2017 Eagle Scout project consisting of the construction of pergolas within the greenspace area north of Brooklife Church carried.

Plan Commission

Part of 857 S. Rochester Street development

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt **Resolution 2017-028**: *Conditional Use Permit to Allow for Drive-Through Facilities and Outbuildings, Zachary Knutson, CLK Mukwonago, LLC, Part of 857 S. Rochester Street, MUKV2009978* carried.

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the certified survey map requested by Zachary Knutson, CLK Mukwonago, LLC, for the property located at 857 S. Rochester Street, known as MUKV2009978 carried.

Brooklife Church Eagle Scout Project

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt **Resolution 2017-029**: *Resolution Approving a Minor Site and Architectural Plan for the Construction of Pergolas at the Property Located at 857 S. Rochester Street, Brooklife Church, Applicant* carried.

Chandler property change of zoning

Motion by Penzkover/Kettner to accept the Plan Commission recommendation and adopt **Ordinance No. 924**: *An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (Formerly VNT2091999005)* carried.

DeBack property

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt **Ordinance No. 925**: *An Ordinance to Amend the Official Map* carried.

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Resolution 2017-030: *A Resolution to Release Road Reservation* carried.

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the certified survey map requested by Douglas DeBack for the property located north/northeast of S108W28220 Maple Ave., known as MUKV2138998 subject to the conditions listed in the Village Engineer letter dated April 6, 2017 carried.

Zoning Code Amendments

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Ordinance No. 926: *An Ordinance to Amend Section 100-29 and Create Section 100-53 of Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Pertaining to the Creation of Planned Unit Development Overlay Standards* carried.

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Ordinance No. 927: *An Ordinance to Amend Section 100-29 and Create Section 100-54 of Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Pertaining to the Creation of Business Mixed Use Overlay Standards* using the alternative definition for Business Mixed Use Development provided by the Village Planner carried.

Public Works Committee

Storm Water Management and Erosion Control Ordinance

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and adopt Ordinance No. 928: *Ordinance to Amend Chapter 34, Article II, Division 4 of the Village of Mukwonago Municipal Code Pertaining Storm Water Management and Erosion Control* carried.

New Business

Economic Development Director

Sugden Property

The Board was fine with the Bear Corporate Center logo and marketing material. Information only. No action taken.

Utilities Director

Cleaning, hauling and land applying sludge from Sewer Digesters

Motion by Decker/Kettner to approve proposal from United Liquid Waste Recycling, Inc for cleaning, hauling and land applying sludge from Digesters carried.

Village President

Proclamation

Motion by Decker/Kettner to endorse the signing of the 2017 Arbor Day Proclamation for April 28, 2017 carried.

Motion by Decker/Kettner to endorse the signing of the 2017 Municipal Clerks Week Proclamation for the week of May 7-13, 2017 carried.

Motion by Decker/Kettner to endorse the signing of the 2017 Police Week Proclamation for the week of May 14-20, 2017 carried.

President Winchowky offered a tree challenge in which if a Board member purchases a tree for planting in the Village, he will match the cost. Information only. No action taken.

Appointments

Motion by Decker/Penzkover to accept the Village President's recommendation and appoint the following subcommittee chairpersons carried:

- Finance Committee: Jay Vermeulen
- Health & Recreation Committee: Jim Decker
- Judicial Committee: Karl Kettner
- Personnel Committee: Kelly Klemme
- Protective Services Committee: Darlene Johnson
- Public Works Committee: Mark Penzkover

Motion by Klemme/Penzkover to accept the Village President's recommendation and appoint Ken Werner as a Plan Commission Citizen Member for the 2017-2020 term carried.

Motion by Decker/Penzkover to convene into closed sessions at 7:55 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*) for discussion and possible action related to potential real estate transactions with Greenwald Family Limited Partnership and potential sale of the property located at 915 Main St. 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 9:10 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 9:12 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

**MINUTES OF THE SPECIAL VILLAGE BOARD MEETING
JOINT MEETING WITH THE TOWN OF MUKWONAGO BOARD
Monday, April 24, 2017**

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 Municipal Building, 440 River Crest Ct.

Roll Call

Village Board Members present: Jay Vermeulen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Karl Kettner
Fred Winchowky, Village President

Town Board Members present: Lyle Boucher
Peter Topczewski
Richard Wrasman
Gail Yerke
Tom Stefanowski, Town Chairperson

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

Announcement of closed session

President Winchowky and Chairperson Stefanowski announced the Boards will convene into closed session later in the meeting pursuant to Wis. Stat. **§19.85(1)(e)** for discussion and possible action concerning negotiations of the renewal of the Interfacility Transfer Agreement with Pro Health Care.

New Business

2017 expenditures and revenues year to date

Review and discussion of the 2017 March expenditures and revenues year to date reports.
No action taken.

Consideration of three-year contract with EBIX

Chief stated that EBIX offered a discounted rate for collection of ambulance bills if we lock into a three-year contract. The current contract is for one year and includes automatic renewals. Motion by Johnson/Decker to enter into a three-year contract with EBIX carried. Motion by Boucher/Wrasman to enter into a three-year contract with EBIX carried.

Inclusion of Fire Chief and Full-time Firefighter/Paramedics in Village salary study

Doherty explained the Village will be conducting a compensation study of each staff position. She would like to include all of the Fire Department members. Both Boards agreed to include the Fire Chief in the study, but not the represented positions.

Motion by Decker/Johnson to convene into closed sessions at 6:50 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) for discussion and possible action concerning negotiations of the renewal of the Interfacility Transfer Agreement with Pro Health Care carried unanimously upon roll call vote. Motion by Topczewski/Yerke to convene into closed sessions at 6:50 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) for discussion and possible action concerning negotiations of the renewal of the Interfacility Transfer Agreement with Pro Health Care 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 8:03 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 Boucher/Topczewski to adjourn closed session and reconvene into open session at 8:03 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 8:03 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Tuesday, May 2, 2017

Call to Order

Village President Fred Winchowky called the meeting to order at 6:23 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Jay Vermeulen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Karl Kettner
Fred Winchowky, Village President

Also present: Rebecca Alonge, Village Engineer
Ron Bittner, Public Works Director
Steven Braatz, Jr., Clerk-Treasurer
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Village Planner/Zoning Administrator
Kevin Schmidt, Police Chief
John Weidl, Administrator/Economic Development Director

New Business

Chapman parcel

Motion by Penzkover/Decker to approve the amendment to Exhibit A of the Chapman parcel Offer to Purchase carried.

Ordinance No. 929

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and adopt Ordinance No. 929: *An Ordinance to Amend Sec. 86-240 of the Village of Mukwonago Municipal Code Concerning Sewer Connection Fees* carried.

Resolution 2017-031

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and adopt Resolution 2017-031: *A Resolution to Confirm Sewer Connection Fees* carried.

Wolf Run and STH 83 intersection signal installation project

Motion by Penzkover/Johnson to accept the Public Works Committee recommendation and authorize the Village Engineer to begin bidding process for the Wolf Run and STH 83 intersection signal installation project carried.

CLK Mukwonago, LLC/Brooklife Church Development

Motion by Penzkover/Johnson to accept the Public Works Committee recommendation and approve the technical exemption pursuant to Section 34-110(e)1.C.(i) of the Municipal Code for the Mukwonago Point development located at the corner of South Rochester Street (STH 83) and Bayview Road carried.

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and approve the Storm Water Maintenance Agreement between CLK Mukwonago, LLC, Brooklife Church, Inc., and the Village of Mukwonago for the development located at the corner of S. Rochester Street (STH 83) and Bayview Road carried.

Motion by Penzkover/Johnson to accept the Public Works Committee recommendation and grant the Storm Water and Erosion Control Permit to CLK Mukwonago, LLC for the development located at the corner of S. Rochester Street (STH 83) and Bayview Road subject to the following conditions carried:

Prior to issuance of an erosion control permit and any land disturbing activity beginning for the project the following will need to be addressed:

- a. Village Board approval of the Storm Water Technical Exemption following Section 34-110(e) of the Village Storm Water Ordinance.
- b. Execution and recording of the Storm Water Maintenance Agreement.
- c. Provide us the Wisconsin Department of Natural Resources (WDNR) Water Resources Application for Project Permits (WRAPP) and all other applicable permits from regulating authorities prior to construction.
- d. Hold a preconstruction conference with representatives of the design team, the construction team, Village and utility staff to ensure all members of the design and construction team understand the Storm Water Management Plan.

During Construction:

1. Owner will maintain approved plans on-site and readily available to the Village erosion control inspector.
2. On-site approved plans must reflect current construction conditions and compliance with the Village ordinance.
3. On-site plans must reflect the current sequence of construction and all erosion and sediment control measures shall meet the Wisconsin Department of Natural Resources (WDNR) Technical Standards.
4. Village ordinance requires the Clinic to inspect the erosion control measures once every 7 days and within 24 hours of a rainfall of 0.5 inches or greater. All inspection reports must be available on site and available to the Village at any time of day. Reports must contain the information required by the WDNR.
5. Any construction within the public right-of-way, will conform to the Village Standard Specifications and Village standard details. A copy of the requirements and details has been provided to the Engineer and Contractor.
6. Owner will provide erosion control measures and restore any private utility company land disturbance resulting from providing utilities to this site regardless of location.
7. The water service will be installed with a minimum of 6 feet of cover and not more than 8 feet deep.
8. If a sanitary riser is necessary one shall not be constructed in the right of way.

Adjournment

Meeting adjourned at 6:29 p.m.

Respectfully Submitted,
Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, May 16, 2017

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: Jay Vermeulen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Karl Kettner
Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
John Weidl, Administrator/Economic Development Director

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)** for discussion and possible action related to potential real estate transactions with Greenwald Family Limited Partnership, potential sale of the property located at 915 Main St., potential purchase of property, and to develop a negotiating strategy concerning the potential exercise of the Village's right of first refusal concerning the property at W298 S8944 STH 83.

Public Hearings

Public hearing for an ordinance to amend Chapter 100 of Village Municipal Code, known as the Zoning Ordinance, specifically pertaining to standards within the business zoning districts (Sections 100-151, 100-152 and 100-154), pertaining to business zoning districts standards opened at 6:32 p.m.

Kaniewski explained the Plan Commission kept the ordinance in Commission for more review and direction.

No one spoke for or against.

Public hearing closed at 6:33 p.m.

Public hearing for an ordinance to repeal and recreate of Sec. 100-153 and repeal Sec. 100-204 of the Municipal Code of the Village of Mukwonago pertaining to the creation of a Village Center Overlay Zoning District opened at 6:33 p.m.

Kaniewski presented the ordinance creating a Village Center Overlay Zoning District. Overlay zoning means a zoning district that provides for specific regulations to be applied to a designated area in combination with the requirements of the underlying or base zoning district. The overlay zoning district was one of the recommendations of the STH 83 Stakeholders Advisory Committee in 2011/2012, and then recommended for consideration by the Village Plan Commission and Economic Development Committee.

The primary objectives of the ordinance are:

- Create zoning standards consistent with historic development of downtown.
- Remove nonconforming status of most properties that allows improvements, additions or redevelopment consistent with existing conditions; majority of properties do not conform to current setbacks.
- Restore setback standards of former Fire District Zoning for downtown.
- Encourage street level activity with 1st floor uses that have customer and business activity.
- Reduce off-street parking requirements for small businesses and encourage shared parking.
- Continuation of a strong residential perimeter through removing nonconforming status of most homes that promotes improvements and maintenance.

Robert Pautz, 306 Pearl Ave. – Spoke about Mukwonago losing that small town charm and concerns over the loss of historical buildings. The redevelopment feels closed-door, non-transparent and has been very poorly communicated.

Eliza Pautz, 306 Pearl Ave. – Asked the Board for a design committee for the downtown. Spoke about concerns over the quaint small-town lifestyle needing to be preserved.

John Schmidt, 412 Franklin St. – Asked the Board to work on the STH 83 transfer and design plan before this ordinance is adopted.

Marianne Walsh, 142 Oakland Ave. – Had concerns with the ordinance. Some good, some bad elements. Encouraged historic preservation.

Amanda Brissette, 300 Oakland Ave. – Asked the Board to put this ordinance on hold until a master downtown design and the STH 83 transfer and design plan has been completed.

Roger Walsh, 142 Oakland Ave. – Asked the Board to table the ordinance until a strategic plan for the downtown has been created.

Public hearing closed at 7:26 p.m.

Presentations

Tree City presentation

Kim Sebastian, Wisc DNR, presented the first Tree City USA award.

Waukesha County Board presentation

Darlene Johnson, Waukesha County Supervisor for District 25, presented a report on various topics she is dealing with as County supervisor.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the April 18, 2017 regular meeting and May 2, 2017 special meeting
- B. Approval of Vouchers payable batches:
 - 1) Payments batch AP-5-2017-1 \$103,433.11
 - 2) LIBAP20174 \$34,256.03
 - 3) Payments batch AP-5-2017-2 \$86,406.86
 - 4) Payments batch M-4-2017-1 \$294,597.36
- C. Approval of temporary waiver of Sec. 82-180(e) of the Municipal Code to allow parking on the grass at Miniwaukan Park on June 3 and 4, 2017
- D. Granting of special event permit to American Legion Post #375 for Maxwell Street Days on June 10-11, July 15-16, August 19-20, and September 9-10, 2017
- E. Granting of special event permit to Mukwonago Lions Foundation, Inc. for Mukwonago Lions Summerfeste on June 15-18, 2017
- F. Granting of the following 2017-18 Renewal Class A Fermented Malt Beverage licenses:
 - 1) 5 Star Stations, Inc. (Victoria Smith – Agent), 301 Main Street, d/b/a Clark-Mukwonago
 - 2) 5 Star Stations, Inc. (Denise H. Schick – Agent), 407 S. Rochester Street, d/b/a Mukwonago Express Mart
 - 3) 5 Star Stations, Inc. (Kori M. Grabowski – Agent), 122 Arrowhead Drive, d/b/a 5 Star BP
 - 4) Genesis Gas, Inc. (Manoj Gupta – Agent), 201 N. Rochester Street, d/b/a Village Mini Mart
 - 5) Khasria Two Inc. (Harjinder S. Khasria – Agent), 710 Main Street, d/b/a Village Pumper Two
- G. Granting of the following 2017-18 Renewal Class A Fermented Malt Beverage and Intoxicating Liquors:
 - 1) 5 Star Stations, Inc. (Victoria Smith – Agent), 301 Main Street, d/b/a Clark-Mukwonago
 - 2) 5 Star Stations, Inc. (Denise M. Jones – Agent), 909 Greenwald Court, d/b/a 5 Star Citgo
 - 3) 5 Star Stations, Inc. (Danielle M. Jones – Agent), 1060 N. Rochester Street, d/b/a North Star Shell
 - 4) Aldi Inc. (Wisconsin) (John W. Lindstrom – Agent), 111 E. Wolf Run, d/b/a Aldi #46
 - 5) Gerald M. Anich, 411 Main Street, d/b/a Anich's Liquor & Beer Store
 - 6) Kwik Trip Inc. (Patrick M. Rice – Agent), 1212 N. Rochester Street, d/b/a Kwik Trip #282
 - 7) Ultra Mart Foods, LLC (Patrick T. Groves – Agent), 1010 N. Rochester Street, d/b/a Pick'n'Save #6384
 - 8) Wal-Mart Stores East LP (Michael R. Sandelback – Agent), 250 E. Wolf Run, d/b/a Wal-Mart #1571
 - 9) Walgreen Co. (Brian Marinello – Agent), 212 N. Rochester St., d/b/a Walgreens #07039
- H. Granting of the following 2017-18 Renewal Class B Fermented Malt Beverage and Class C Wine license:
 - 1) Wild Flower Café LLC (Lourdes Gonzalez – Agent), 1015 E. Veterans Way, d/b/a Wild Flower Cafe
- I. Granting of the following 2017-18 Renewal Class B Fermented Malt Beverage and Reserve Intoxicating Liquors licenses:

- 1) Boneyard Pub and Grille, LLC (James F. Jones – Agent), 215 Bay View Road Suite D, d/b/a The Boneyard Pub and Grille
 - 2) DAA Smokehouse LLC (Tina M. O'Bryan – Agent), 325 Bay View Road, Suites D/E, d/b/a David Alan Alan's Smokehouse & Saloon
 - 3) El Pueblo Inc. (Marco Alarcon – Agent), 355 Bay View Road, d/b/a Antigua Real
- J. Granting of the following 2017-18 Renewal Class B Fermented Malt Beverage and Intoxicating Liquors licenses:
- 1) Blue Bay Inc. (Vlaznim Islami – Agent), 927 Main Street, d/b/a Blue Bay Family Restaurant
 - 2) FJ Partners, LLC (Froylan J. Mauricio – Agent), 507 Main Street, d/b/a Sol de Mexico
 - 3) Jay's Lanes, Inc. (Jeffrey R. Jay – Agent), 326 Atkinson Street, d/b/a Jay's Lanes
 - 4) Sandra M. Miller, 701 Main Street, d/b/a Sandy's Miller Time
 - 5) Pam's Fine Wines, LLC (Pamela L. Turner – Agent), 100 Main Street Suite 1, d/b/a Pam's Fine Wines
 - 6) Stevens Management Inc. (Dennis M. Stevens – Agent), 215 N. Rochester Street, d/b/a Fork in the Road
- K. Approval to authorize the Village President to sign the letter to Mukwonago Professional Police Association to commence negotiations for 2018-2020 contract
- L. Adoption of **Resolution 2017-032**: Village of Mukwonago Clerk-Treasurer Position Description
- M. Adoption of **Resolution 2017-033**: Village of Mukwonago Deputy Clerk-Treasurer Position Description
- N. Adoption of **Resolution 2017-034**: Village of Mukwonago Administrative Clerk Part-Time Position Description
- O. Adoption of **Resolution 2017-035**: Village of Mukwonago Court Clerk Position Description
- P. Adoption of **Resolution 2017-036**: Village of Mukwonago Public Works Director Position Description
- Q. Adoption of **Resolution 2017-037**: Village of Mukwonago Public Works Crew Supervisor Position Description
- R. Adoption of **Resolution 2017-038**: Village of Mukwonago Public Works Mechanic Position Description
- S. Adoption of **Resolution 2017-039**: Village of Mukwonago Public Works Crewperson Position Description
- T. Adoption of **Resolution 2017-040**: Village of Mukwonago Public Works Crewperson Part-Time Position Description
- U. Adoption of **Resolution 2017-041**: Village of Mukwonago Public Works Seasonal Crewperson Position Description
- V. Adoption of **Resolution 2017-042**: Village of Mukwonago Finance Director Position Description
- W. Adoption of **Resolution 2017-043**: Village of Mukwonago Administrative Clerk I/Human Resources Specialist Position Description
- X. Adoption of **Resolution 2017-044**: Village of Mukwonago Accountant I – Job Share Position Description
- Y. Adoption of **Resolution 2017-045**: Village of Mukwonago Fire Chief Position Description
- Z. Adoption of **Resolution 2017-046**: Village of Mukwonago Supervisor of Inspections Position Description
- AA. Adoption of **Resolution 2017-047**: Village of Mukwonago Building Codes Official Position Description

- BB. Adoption of **Resolution 2017-048**: Village of Mukwonago Police Chief Position Description
- CC. Adoption of **Resolution 2017-049**: Village of Mukwonago Police Chief Lieutenant Description
- DD. Adoption of **Resolution 2017-050**: Village of Mukwonago Police Sergeant Lieutenant Description
- EE. Adoption of **Resolution 2017-051**: Village of Mukwonago Police School Resource Officer Position Description
- FF. Adoption of **Resolution 2017-052**: Village of Mukwonago Police Patrol Officer Position Description
- GG. Adoption of **Resolution 2017-053**: Village of Mukwonago Police Dispatcher/Clerk Supervisor Position Description
- HH. Adoption of **Resolution 2017-054**: Village of Mukwonago Police Dispatcher/Clerk Position Description
- II. Adoption of **Resolution 2017-055**: Village of Mukwonago Police Cadet Position Description
- JJ. Adoption of **Resolution 2017-056**: Village of Mukwonago Utilities Director Position Description
- KK. Adoption of **Resolution 2017-057**: Village of Mukwonago Assistant Utilities Director Position Description
- LL. Adoption of **Resolution 2017-058**: Village of Mukwonago Lead Utilities Operator Position Description
- MM. Adoption of **Resolution 2017-059**: Village of Mukwonago Utilities Operator Position Description
- NN. Adoption of **Resolution 2017-060**: Village of Mukwonago Utilities Part-Time Summer Help Position Description
- OO. Approval of the Storm Sewer Drain Stenciling Project by Nick Gilson, Boy Scout Troop 152, subject to compliance with any County requirements
- PP. Approval to allow Merit Asphalt to perform lot sealing services for the Village on a Sunday, pursuant to Sec. 74-1 of the Municipal Code. The day and time will be at the discretion of the Public Works Director.
- QQ. Approval of the We Energies work request for installation of street lighting in the 400 block of E. Veterans Way
- RR. Awarding of the bid for the Wells 3 and 4 Generator Additions Project to NEXT Electric in the amount of \$158,620

Motion by Decker/Johnson to approve the consent agenda carried.

Committee/Commission Business

Personnel Committee

Compensation Study by GovHR USA

Trustee Decker requested the recommendation from the Committee amended to reduce the approved dollar amount to the actual proposal amount. He also requested the Village Board receive the draft report. Motion by Klemme/Kettner to approve the request to proceed with the Compensation Study by GovHR USA in an amount not to exceed the budgeted amount of \$15,400 carried.

Plan Commission

122 Arrowhead Drive development

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Resolution 2017-061: *Conditional Use Permit to Allow for a Drive-Through Facility and Changes To The Existing Fueling Station Building and Site, Darwin Greenwald, DC Properties, LLP, 122 Arrowhead Drive, MUKV2015997004 and MUKV2015997005* carried.

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the certified survey map requested by Darwin Greenwald, DC Properties, LLP, to allow for the property located at 122 Arrowhead Drive, known as MUKV2015997004 and MUKV2015997005 subject to the following conditions carried:

Chapman Farms Blvd CSM

Motion by Penzkover/Kettner 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 MUKV1962996001 carried.

Recommendation to adopt Ordinance No. 930: An Ordinance to Amend Sections 100-151, 100-152, and 100-154 of Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Pertaining to Business Zoning Districts Standards

Item remains at Commission.

Ordinance No. 931

Motion by Decker/Johnson to send Ordinance No. 931: *An Ordinance to Amend Sections 100-51, 100-153, 100-202 and 100-204 of Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Pertaining to the Creation of Village Center Overlay Zoning Standards and Elimination of the Fire District Overlay Districts* back to the Plan Commission to review the May 16, 2017 public hearing comments for potential changes to the ordinance carried.

New Business

Village Administrator

Consideration of appeal to the Office of the Commission of Railroads regarding the determination of the need for a “vision cone” at the Bayview Road railroad crossing free of trees, shrubs, and other non-building organic material that would impede site lines

No action taken.

Village President

Proclamation

Motion by Johnson/Decker to endorse the signing of the 2017 National Public Works Week Proclamation for the week of May 21-27, 2017 carried.

2017 Recommended Appointments

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Dave Mades and Sarah Szejn as Board of Building and Zoning Appeals Regular Members for the 2017-2020 term carried.

Motion by Decker/Johnson to accept the Village President's recommendation and appoint John Beauchamp as Board of Building and Zoning Appeals 1st Alternate for the 2017-2020 term carried.

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Darlene Johnson as Fire Commission Village Trustee Member for the 2017-2018 term carried.

The appointment of the Fire Commission Village Member for the 2017-2020 term will come back at the next meeting.

The appointment of the Fire Commission Village Member for the 2016-2019 term will come back at the next meeting.

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Kenneth Johnson and Robert Posekany as Police Commission Members for the 2017-2020 term carried.

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Mark Penzkover as Library Board Village Trustee Member for the 2017-2018 term carried.

Motion by Johnson/Decker to accept the Village President's recommendation and appoint Deb Calvey as Library Board Citizen Member for the 2017-2020 term carried.

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Nick Reichhoff as Library Board Village School Representative Member for the 2017-2020 term carried.

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Jason Wamser as Economic Development Committee Regular Member for the 2017-2020 term carried.

The appointment of the Economic Development Committee Non-voting Member At-Large for the 2017-2020 term will come back at the next meeting.

Motion by Decker/Penzkover to accept the Village President's recommendation and appoint Karl Kettner, Jim Decker, and Mark Penzkover as 2017 Board of Review Members, with Kelly Klemme as the alternate, carried.

Motion by Decker/Penzkover to convene into closed sessions at 8:30 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*) for discussion and possible action related to potential real estate transactions with Greenwald Family Limited Partnership, potential sale of

the property located at 915 Main St., potential purchase of property, and to develop a negotiating strategy concerning the potential exercise of the Village's right of first refusal concerning the property at W298 S8944 STH 83 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 9:46 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 amendment to the January 18, 2017 listing contract with Anderson Commercial Group Inc. for the property known as tax key #VM 0008 carried.

Motion by Penzkover/Decker to authorize the Village Attorney to exercise the right of first refusal on the property at W298S8944 STH 83 carried.

Adjournment

Meeting adjourned at 9:47 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

**MINUTES OF THE SPECIAL VILLAGE BOARD MEETING
JOINT MEETING WITH THE TOWN OF MUKWONAGO BOARD
Monday, May 22, 2017**

Call to Order

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

Roll Call

Town Board Members present: Lyle Boucher
Peter Topczewski
Richard Wrasman
Gail Yerke
Tom Stefanowski, Town Chairperson

Village Board Members present: Jay Vermeulen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Karl Kettner
Fred Winchowky, Village President

Also present: Steven Braatz, Jr., Village Clerk-Treasurer
Diana Doherty, Village Finance Director
Kathy Karalewitz, Town Administrator/Clerk-Treasurer
Kevin Schmidt, Village Police Chief
Jeff Stien, Fire Chief
John Weidl, Village Administrator/Economic Development Director

Announcement of closed session

Chairperson Stefanowski and President Winchowky announced the Boards will convene into closed session later in the meeting pursuant to Wis. Stat. **§19.85(1)(e)** for discussion and possible action concerning negotiations of the renewal of the Interfacility Transfer Agreement with Pro Health Care.

New Business

2017 expenditures and revenues year to date

Review and discussion of the 2017 April expenditures and revenues year to date reports. No action taken.

Conceptual review of options concerning the future structure of the Village and Town of Mukwonago Police Departments

Schmidt notified the Boards that he and Town Police Chief Tom Czarnecki had informal discussions about the feasibility of potentially combining police departments. He asked if both Boards would be fine with letting the Chiefs continue discussions and research. Both Boards agreed that the Chiefs can continue discussions.

Motion by Topczewski/Wrasman to convene into closed sessions at 6:47 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) for discussion and possible action concerning negotiations of the renewal of the Interfacility Transfer Agreement with Pro Health Care carried unanimously upon roll call vote. Motion by Decker/Johnson to convene into closed sessions at 6:47 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) for discussion and possible action concerning negotiations of the renewal of the Interfacility Transfer Agreement with Pro Health Care carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Topczewski/Yerke to adjourn closed session at 7:08 p.m. carried unanimously upon roll call vote. Motion by Decker/Penzkover to adjourn closed session at 7:08 p.m. carried unanimously upon roll call vote.

Adjournment

Meeting adjourned at 7:08 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING Tuesday, June 6, 2017

Call to Order

Village President Fred Winchowky called the meeting to order at 7:47 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Jay Vermuelen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Karl Kettner
Fred Winchowky, Village President

Also present: Steven Braatz, Jr., Clerk-Treasurer
Diana Doherty, Finance Director
Kevin Schmidt, Police Chief
John Weidl, Administrator/Economic Development Director

Motion by Penzkover/Decker to convene into closed sessions at 7:48 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*) for the development of negotiation strategy for the sale of the property at STH 83 and Chapman Blvd., potential sale of the property located at 915 Main St., and for the development of negotiation strategy for the Mukwonago Professional Police Association 2018-2020 contract. Discussion held in closed session.

Motion by Decker/Vermuelen to adjourn closed session and reconvene into open session at 8:25 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 set the Mukwonago Professional Police Association 2018-2020 contract negotiation team as Personnel Committee chair Klemme, Protective Services Committee chair Johnson, Village Administrator Weidl, Police Chief Schmidt, and Labor Attorney Buikema carried.

Motion by Penzkover/Decker to execute the easement agreement with St. Johns Evangelical Church, raise the amount of the offer for the acquisition of the easement from the Chapman family from \$29,000 to a maximum of \$44,000, approve the issuance of the jurisdictional offer to the Chapman family for the acquisition of the easement, and approve the issuance of the jurisdictional offer to the Greenwald family for the acquisition of the easement carried.

Motion by Penzkover/Decker to authorize the Village President to execute the counter offer prepared by the Village Attorney for the sale of the property located at 915 Main St. carried.

New Business

Amendment to contract of sale with ACG development for the property at the intersection of STH 83 and Chapman Blvd

Weidl noted the Village Attorney and the attorney for Anderson Commercial are working together to update the contract to incorporate the developers timelines for infrastructure needs. Information only. No action taken.

Award of bid

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and award the bid for the Wolf Run Signalization Project to MP Systems, Inc. in the amount of \$260,000 carried.

Adjournment

Meeting adjourned at 8:28 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

**MINUTES OF THE SPECIAL VILLAGE BOARD MEETING
JOINT MEETING WITH THE TOWN OF MUKWONAGO BOARD
Monday, June 19, 2017**

Call to Order

Town Administrator/Clerk-Treasurer Kathy Karalewitz and 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

Town Board Members present: Peter Topczewski
Richard Wrasman
Gail Yerke

Town Board Members excused: Lyle Boucher
Tom Stefanowski, Town Chairperson

Village Board Members present: Jay Vermeulen
Darlene Johnson
Jim Decker
Kelly Klemme
Karl Kettner

Village Board Members excused: Mark Penzkover
Fred Winchowky, Village President

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

Motion by Vermeulen/Kettner to elect Johnson as acting chair for the Village carried.

Motion by Wrasman/Yerke to elect Topczewski as acting chair for the Town carried.

Announcement of closed session

Acting Village Chairperson Johnson and Acting Town Chairperson Topczewski announced the Boards will convene into closed session later in the meeting pursuant to Wis. Stat. **§19.85(1)(e)** for discussion and possible action concerning negotiations of the renewal of the Interfacility Transfer Agreement with Pro Health Care.

New Business

2017 expenditures and revenues year to date

Review and discussion of the 2017 May expenditures and revenues year to date reports. No action taken.

Fire Dept. Purchase requisition

Discussion on the purchase requisition for the purchase of a ventilator in the amount of \$17,886.05. Topczewski asked that Stien present other quotes for a cost comparison at the

next regularly scheduled Town Board meeting. If the Town is satisfied, the Village can approve the purchase requisition at the next Village Finance Committee meeting.

Motion by Wrasman/Yerke to convene into closed session at 6:46 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) for discussion and possible action concerning negotiations of the renewal of the Interfacility Transfer Agreement with Pro Health Care carried unanimously upon roll call vote.

Motion by Vernuelen/Klemme to convene into closed session at 6:46 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) for discussion and possible action concerning negotiations of the renewal of the Interfacility Transfer Agreement with Pro Health Care carried unanimously upon roll call vote.

Discussion held in closed session.

Motion by Kettner/Klemme to adjourn closed and reconvene into open session at 7:15 p.m. carried unanimously upon roll call vote. Motion by Decker/Kettner to adjourn closed session and reconvene into open session at 7:15 p.m. carried.

Motion by Yerke/Wrasman to adjourn closed and reconvene into open session at 7:15 p.m. carried unanimously upon roll call vote. Motion by Decker/Kettner to adjourn closed session and reconvene into open session at 7:15 p.m. carried unanimously upon roll call vote.

Motion by Kettner/Klemme to approve the Interfacility Transfer Agreement with Pro Health Care as presented contingent upon a similar approval by the Town of Mukwonago Board carried.

Motion by Topczewski/Wrasman to postpone the consideration of the Interfacility Transfer Agreement with Pro Health Care to the next regularly scheduled Town Board meeting carried.

Adjournment

Motion by Wrasman/Yerke to adjourn the meeting at 7:17 p.m. carried. Acting Village Chairperson Johnson adjourned the meeting at 7:17 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Village Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, June 20, 2017

Call to Order

Deputy Clerk/ Treasurer Judith Taubert 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: Jay Vermeulen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Karl Kettner
Board Member excused: Fred Winchowky

Also present: Ron Bittner, Public Works Director
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
John Weidl, Administrator/Economic Development Director
Judith Taubert, Deputy Clerk/Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Motion by Decker/Klemme to elect Mark Penzkover as acting chairperson carried.

Announcement of closed sessions

Acting Chairperson Penzkover announced the Board will convene into closed sessions pursuant to Wis. Stat. **§19.85(1)(e)** for discussion and possible action related to continued negotiations pertaining to the potential boundary agreement with the Town of Vernon and for discussion and possible action related to potential real estate transactions with Greenwald Family Limited Partnership

Comments from the Public

Randy Timms, 250 Michele Lane, East Troy, spoke in favor of Ordinance #931.

Sue Perkins, 300 Pearl Avenue, Mukwonago, spoke in favor of a Special Village Overlay Steering Committee.

Cindy Eggleston, 200 Fox Street, spoke in favor of a Special Village Overlay Steering Committee.

Eliza Pautz, 306 Pearl Avenue, spoke in favor of a Special Village Overlay Steering Committee.

Roger Walsh, 1420 Oakland Avenue, spoke in favor of a Special Village Overlay Steering Committee.

Consent Agenda

- A. Approval of minutes of the May 16, 2017 regular meeting and May 22 and June 6, 2017 special meetings
- B. Approval of Vouchers payable batches:
 - 1) Payments batch AP-6-2017-1 \$223,676.40
 - 2) LIBAP5-2017 \$14,438.42
 - 3) TAXSET5-2017 \$676,094.26
 - 4) Payments batch M-5-2017-1 \$181,402.91
 - 5) AP-6-2017-2 \$271,308.56
- C. Approval of an interest-free advance to current and former employees affected by the error related to Social Security and Medicare taxes owed on Village's ICMA 457(b) Deferred Compensation contributions to qualified employees for 2011 thru 2016 up to 12 months
- D. Granting of the following 2017-18 Renewal Class B Fermented Malt Beverage and Class C Wine license:
 - 1) Mario's Natural Roman Pizza, Inc. (Charlene Edwards-Reitman – Agent), 225 Bay View Rd. Suite 500, d/b/a Mario's Natural Roman Pizza
- E. Granting of the following 2017-18 Renewal Class B Fermented Malt Beverage and Intoxicating Liquors licenses:
 - 1) Community Post No. 375 of the American Legion (Shelby K. Savin – Agent), 627 E. Veterans Way, d/b/a American Legion Community Post #375
 - 2) Perseverance Corp. (Mark A. Weiss – Agent), 200 S. Rochester St., d/b/a The Badger Burger Co.
- F. Awarding of the bid for the 2017 Road Program – Chip Seal Project to Scott Construction, Inc. in the amount of \$105,457
- G. Approval to authorize the Village President to sign the application for Waukesha County Dept. of Public Works Permit to construct 2,280 feet of 5-foot wide concrete sidewalk
- H. Approval to authorize the Public Works Director to commence the bidding process for the W. Veterans Way Sidewalk Project
- I. Adoption of **Resolution 2017-063**: Resolution Providing for the Publication, Filing, Inspection, and Adoption of Amendment to Chapter 74, Article I of the Municipal Code of the Village of Mukwonago to Create Section 74-10 Pertaining to Excavations in Public Right-of-Ways
- J. Granting of special event permit to CFU John Movrich Lodge for Croatian Day Fest on July 8, 2017, subject to the conditions submitted by the department heads
- K. Granting of special event permit to St. James Catholic Parish for St. James Festival on August 25-27, 2017, subject to the conditions submitted by the department heads
- L. Adoption of **Resolution 2017-065**: A Resolution Approving the Submittal of the Wisconsin Department of Natural Resources NR 208 Compliance Maintenance Annual Report

Motion by Decker/Johnson to approve the consent agenda carried.

Committee/Commission Business

Plan Commission

Resolution 2017-064

Motion by Decker/Klemme to accept the Plan Commission recommendation and adopt **Resolution 2017-064**: *Resolution Approving a Site and Architectural Plan for the Construction of an Addition to the Existing Structure at the Property Located at 1111 Fox Street, Jeff Stien, Mukwonago Fire Department, Applicant* carried.

Ordinance No. 930

Motion by Decker/Klemme to accept the Plan Commission recommendation and adopt **Ordinance No. 930** to amend Sections 100-151, 100-152, and 100-154 of Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Pertaining to Business Zoning Districts Standards subject to minor technical revisions carried.

Request by Village resident Roger Walsh to create a Downtown Mukwonago Strategic Plan Steering Committee

Motion by Johnson/Kettner to allow asking questions of the audience regarding creating a Downtown Mukwonago Strategic Plan Steering Committee carried.

Motion by Decker/Johnson to create a special committee for the purposes of creating a Strategic Plan for the Downtown, which includes the current Economic Development Committee members and four additional voting members composed of downtown business owners or residents having an interest in participating in the creation of a Downtown Strategic Plan nominated by the Economic Development Committee and approved by the Village Board carried.

Ordinance No. 931

Staff requested the following changes to Ordinance 931:

1. Exhibit B, page 5, subsection (2), Type of Use: Church or Religious Institution, change "Not Permitted" to "Permitted"
2. Exhibit B, page 6, subsection (2), Type of Use: Public Museum, change "Not Permitted" to "Permitted"

Motion by Kettner/Decker to accept the Plan Commission recommendation and adopt **Ordinance No. 931: An Ordinance To Amend Sections 100-51, 100-153, 100-202 And 100-204 Of Chapter 100 Of The Village Of Mukwonago Municipal Code, Known As The Zoning Ordinance, Pertaining To The Creation Of Village Center Overlay Zoning Standards And Elimination Of The Fire District Overlay Districts**, including the requested changes requested by staff at the June 20, 2017 Village Board meeting, carried.

Motion by Johnson/Kettner to reconsider the motion to adopt **Ordinance No. 931: An Ordinance To Amend Sections 100-51, 100-153, 100-202 And 100-204 Of Chapter 100 Of The Village Of Mukwonago Municipal Code, Known As The Zoning Ordinance, Pertaining To The Creation Of Village Center Overlay Zoning Standards And Elimination Of The Fire District Overlay Districts**, including the requested changes requested by staff at the June 20, 2017 Village Board meeting, carried.

Motion by Kettner/Decker to accept the Plan Commission recommendation and adopt **Ordinance No. 931: An Ordinance To Amend Sections 100-51, 100-153, 100-202 And 100-204 Of Chapter 100 Of The Village Of Mukwonago Municipal Code, Known As The Zoning Ordinance, Pertaining To The Creation Of Village Center Overlay Zoning Standards And Elimination Of The Fire District Overlay Districts**, including the requested changes requested by staff at the June 20, 2017 Village Board meeting, carried (Johnson voted no).

New Business

Village Administrator

Conditions by St. Johns Evangelical Lutheran Church

Motion by Decker/Kettner to accept the conditions by St. Johns Evangelical Lutheran Church pertaining to acquisition of utility easements carried.

Village President

Acceptance of Letter of Resignation

Motion by Decker/Johnson to accept the letter of resignation by Charles Hardwood, Board of Building and Zoning Appeals carried.

2017 Recommended Appointments:

Motion by Decker/Johnson to accept the Village President's recommendation and appoint John Meiners to the Board of Building and Zoning Appeals 2nd Alternate for the term ending 2018 carried.

Motion by Decker/Vermeulen to accept the Village Boards recommendation and appoint Ken Werner as the Fire Commission Village Member for the term ending 2020 carried.

Motion by Decker/Johnson to accept the Village Boards recommendation and appoint Penny Grant as the Fire Commission Village Member for the term ending 2019 carried.

Motion by Decker/Vermeulen to accept the Village Boards recommendation and appoint Stephen Herbst as the Economic Development Committee Non-voting Member At-Large for the term ending 2020 carried.

Motion by Johnson/Decker to convene into closed sessions at 7:46 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*) for discussion and possible action related to continued negotiations pertaining to the potential boundary agreement with the Town of Vernon and for discussion and possible action related to potential real estate transactions with Greenwald Family Limited Partnership 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 8:13 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 Klemme/Decker to approve the draft as presented pertaining to the potential boundary agreement with the Town of Vernon carried.

Adjournment

Meeting adjourned at 8:14 p.m.

Respectfully Submitted,
Judith A. Taubert
Deputy Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday, July 5, 2017

Call to Order

Village President Fred Winchowky called the meeting to order at 7:36 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Jay Vermuelen
Darlene Johnson
Jim Decker
Mark Penzkover
Kelly Klemme
Karl Kettner
Fred Winchowky, Village President

Also present: Mark Blum, Village Attorney
Steven Braatz, Jr., Clerk-Treasurer
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Bruce Kaniewski, Village Planner/Zoning Administrator
Kurt Peot, Village Engineer
John Weidl, Administrator/Economic Development Director

Motion by Penzkover/Klemme to convene into closed sessions at 7:37 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*) for discussion and possible action related to potential real estate transactions with Roger W. Chapman and Fern L. Chapman Joint Revocable Trust, and possible action related to potential real estate transactions with Greenwald Family Limited Partnership, and potential sale of the property located at 915 Main St. Discussion held in closed session.

Motion by Decker/Vermuelen to adjourn closed session and reconvene into open session at 8:45 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.

New Business

Chapman Farms Blvd Project

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and award the bid for the Chapman Farms Boulevard Project to Musson Bros., Inc. in the amount of \$1,154,914.50. This approval further authorizes the Village President to execute the project contract. Motion carried.

Motion by Penzkover/Decker to approve the Administrative Revision to Offering Price Report for Chapman Joint Revocable Trust to increase the award of damages from \$44,000 to \$50,000 carried (Vermuelen voted no)

Adjournment

Meeting adjourned at 8:46 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, July 18, 2017

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: Jim Decker
Darlene Johnson
Karl Kettner
Kelly Klemme
Mark Penzkover
Jay Vermeulen
Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
John Weidl, Administrator/Economic Development Director

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 strategy for upcoming Village Administrator/Economic Development Director performance evaluation and Wis. Stat. **§19.85(1)(e)** for discussion and possible action related to potential sale of the property located at 915 Main St.

Public Hearings

Public hearing for an ordinance amend Sections 100-51, 100-101, 100-102, 100-103, 100-104, 100-105, 100-107, 100-108, 100-109, 100-110 and 100-111 and create Section 100-115 of Chapter 100 of the Village of Mukwonago Municipal Code, known as the Zoning Ordinance, pertaining to residential zoning districts opened at 6:32 p.m.

Kaniewski explained the intent of the changes to the residential zoning district standards is to implement recommendations from the comprehensive plan. Highlights include creating the new zoning districts for low, medium, and high density multi-family zoning districts, creating a new R-3 district for 10,000 sq. ft. lots, and removal of the the R-4 PUD district since the Village adopted new overall PUD standards. Other standards changes include changing home occupations from conditional uses to permitted uses, placing all the quantitative standards in an easy-to-use chart form, changing the overall lot coverage from 20% to 25% in several of the zoning districts and up to 30% on the larger lot size districts, and increased allowable attached garage sizes from 400 sq. ft. 480 sq. ft.

No one spoke for or against.

Public hearing closed at 6:37 p.m.

Public hearing for consideration of the 2017-18 Original "Class A" Intoxicating Liquors License application of Khasria Two Inc. (Harjinder S. Khasria – Agent), d/b/a Village Wine & Liquor Liquor, for the property located at 712-8 Main Street Units 101-103 pertaining to the petition to exceed the alcohol license quota pursuant to Sec. 6-36 (b) of the Municipal Code of the Village of Mukwonago opened at 6:38 p.m.

Atty. Joe Abruzzo, representing the applicant, spoke about the economic benefit of granting a license as noted in the documentation provided to the Board which includes an appraisal showing the increased tax base as an as-completed version versus as it sits there now. Documentation also includes a letter from realtor Ray Goodden stating there are not many other uses for this property and has the potential to become blighted if nothing goes in, and that a liquor store is an appropriate use of the property.

Jerry Gasser, 216 Oakland Ave. – Spoke in opposition. Does not believe the proposal provides an economic benefit to the Village.

Roger Walsh, 142 Oakland Ave. – Spoke about the history of Anich's Liquor & Beer Store business. Believes this application affects the family business.

Public hearing closed at 6:46 p.m.

Comments from the Public

Sue Perkins, 300 Pearl Ave. – Understood the Board's direction to the Economic Development Committee (EDC) regarding the four additional members added to the Downtown Strategic Plan Steering Committee to be citizens. Does not feel the EDC is the best Committee to investigate a downtown plan. Other communities have given it to the Plan Commission with separate steering committees. Asked the Board if they have considered a moratorium on any building in the downtown until a good plan is put into place.

Eliza Pautz, 306 Pearl Ave. – Asked that the four additional members to the Downtown Strategic Plan Steering Committee to be residents.

Roger Walsh, 142 Oakland Ave. – Spoke about the continued request for a strategic plan for the downtown and questioned the makeup of the Downtown Strategic Plan Steering Committee.

Consent Agenda

- A. Approval of minutes of the June 20, 2017 regular meeting and June 19 and July 5, 2017 special meetings
- B. Approval of Vouchers payable batches:
 - 1) Payments batch AP-7-2017-1 \$161,888.80
 - 2) LIBAP6-2017 \$11,227.22
 - 3) Payments batch M-6-2017-1 \$229,398.74
 - 4) Payments batch AP-7-2017-2 \$376,740.67
- C. Acceptance of the 2016 Financial Audit Report
- D. Adoption of **Resolution 2017-067**: Preliminary Resolution Authorizing the Levying of Special Assessments Against Benefited Property
- E. Adoption of **Resolution 2017-068**: Resolution Amending the Bail Bond Schedule as Set by the Municipal Judge of the Village of Mukwonago

- F. Adoption of **Ordinance No. 932**: An Ordinance to Create Section 74-10 of Chapter 74 of the Village of Mukwonago Municipal Code Pertaining to Excavations in Public Right-of-ways
- G. Adoption of **Ordinance No. 933**: An Ordinance to Amend Subsections 58-31(b) and 58-33(a)(4)b. and Create Subsections 58-33(a)(4)c. and 58-33(b)(7) of Chapter 58 of the Mukwonago Municipal Code of the Village of Mukwonago Pertaining to Parks and Recreation
- H. Approval of the installation of Osprey nesting boxes in the western portion of Minors Park and the mitigation field in Miniwaukan Park subject to We Energies signing a hold harmless agreement for doing work on Village property
- I. Granting of 2017-18 Original Class B Fermented Malt Beverage and Intoxicating Liquors Licenses to Take a Bite, Inc. (Paul J. Hennessy – Agent), 215 N. Rochester Street, d/b/a Fork in the Road in accordance with the premises description as submitted
- J. Uphold the Judicial Committee decision to deny the 2017-18 Operators License for Theodore F. Van Singel for the following reasons:
 - 1) Omitted Offenses on Application
 - 2) Habitual Offender (Sec. 125.04(5)(b) Wisc. Stats.)
- K. Acceptance of the 2016 Annual Police Report
- L. Adoption of **Resolution 2017-069**: A Resolution Approving A Memorandum Of Understanding For Village Of Mukwonago Police Department Participation Within The Walworth County Crowd Control Unit
- M. Adoption of **Resolution 2017-070**: A Resolution Approving A Memorandum Of Understanding For Village Of Mukwonago Police Department Participation Within The Waukesha County Civil Disturbance Unit
- N. Approval of the reduction in the letter of credit for Premier Woods to \$100,000 subject to the following conditions carried:
 - 1) The developer must submit signed lien waivers from all contractors and subcontractors associated with the work performed.
 - 2) The Developer shall provide a schedule for the completion of the remaining items of work and all remaining punch list items.
- O. Adoption of **Resolution 2017-071**: Resolution Approving the Storm Water Management Plan and Authorizing the Issuance of the Village Storm Water and Erosion Control Permit for the Edgewood Village Apartments Development on the Property Located Along Edgewood Avenue Near CTH ES
- P. Adoption of **Resolution 2017-072**: Resolution Approving the Storm Water Maintenance Agreement for the Edgewood Village Apartments Development on the Property Located Along Edgewood Avenue Near CTH ES
- Q. Adoption of **Resolution 2017-073**: Resolution Approving the Permanent Utility Easements for the Edgewood Village Apartments Development on the Property Located Along Edgewood Avenue Near CTH ES
- R. Approval of the Public Improvement Construction Drawings for Edgewood Village Apartments
- S. Establishment of a letter of credit for the Edgewood Village Apartments development in the amount of \$245,047.20 subject to final form by the Village Attorney
- T. Adoption of **Resolution 2017-074**: Resolution Approving the Agreement for Improvements for the Edgewood Village Apartments Development on the Property Located Along Edgewood Avenue Near CTH ES
- U. Adoption of **Resolution 2017-075**: Resolution Approving the Storm Water Maintenance Agreement with Citizens Bank and OMSA, LLC for the OMSA Development on the Property Located Along Bay View Road

- V. Adoption of **Resolution 2017-076**: Resolution Approving the Storm Water Maintenance Agreement with OMSA, LLC for the OMSA Development on the Property Located Along Bay View Road

Motion by Decker/Kettner to approve the consent agenda carried.

Committee/Commission Business

Economic Development Committee

Downtown Strategic Plan Steering Committee

Board clarified that the intent of the June 20, 2017 motion to create the Downtown Strategic Plan Steering Committee was to include the seven voting members of EDC and four other members who are residents of the Village, not just the downtown area.

Finance Committee

Resolution 2017-077

As requested by the Finance Committee on July 5, Harley proposed a deck permit fee of \$120.00, reduced from \$180.00, and a deck plan examination fee of \$60.00, reduced from \$115.00. Motion by Vermuelen/Kettner to accept the Finance Committee recommendation and adopt **Resolution 2017-077**: *A Resolution Amending the 2017 Schedule of Fees for the Village of Mukwonago* carried (Johnson and Winchowky voted no).

Judicial Committee

Village Wine & Liquor Alcohol License

Motion by Kettner/Decker to accept the Judicial Committee recommendation and grant a 2017-18 Original Class A Intoxicating Liquors License to Khasria Two Inc. (Harjinder S. Khasria – Agent), 712-18 Main Street Units 101-103, d/b/a Village Wine & Liquor in accordance with the premises description as submitted and for the following reason carried (Johnson voted no):

1. The applicant provided sufficient evidence that the granting of the license will keep the property from becoming blight.

Plan Commission

St. Johns Church parking lot expansion

Motion by Decker/Johnson to accept the Plan Commission recommendation and adopt **Resolution 2017-078**: *Resolution Approving A Minor Site Plan For The Expansion Of The Parking Lot At The Property Located At 410 W. Veterans Way, St. Johns Evangelical Lutheran Church, Applicant, Mukv1963996008* carried.

Ordinance No. 934

Motion by Decker/Johnson to accept the Plan Commission recommendation and adopt **Ordinance No. 934**: *An Ordinance To Create Subsection 45-22 Of Chapter 45 Of The Mukwonago Municipal Code Of The Village Of Mukwonago Pertaining To Land Division Exceptions And Modifications* carried.

Ordinance No. 935

Motion by Decker/Kettner to accept the Plan Commission recommendation and adopt **Ordinance No. 935**: *An Ordinance to Amend Sections 100-51, 100-101, 100-102, 100-103, 100-104, 100-105, 100-107, 100-108, 100-109, 100-110 and 100-111 and Create Section 100-115 of Chapter 100 of the Village of Mukwonago Municipal Code, Known as*

the Zoning Ordinance, Pertaining to Residential Zoning Districts carried (Johnson voted no).

New Business

Village Administrator

Wisconsin Central Ltd. Tracks with Bay View Dr.

Motion by Johnson/Decker to direct the Village Attorney to send letters to certain property owners affected by the Wisconsin Commission of Railroads decision on the adequacy of warning devices of the Wisconsin Central Ltd. Tracks with Bay View Dr. advising them of the Statute and their responsibilities carried.

Village Engineer

2017 Street Project

Motion by Decker/Johnson to award the bid for the 2017 Street Project to Stark Pavement Corp. in the amount of \$690,472.75. This approval further authorizes the Village President to execute the project contract. Motion carried.

Village Finance Director

Discussion on cost/benefit comparison of various proposed development projects

Doherty presented potential financing options for various development-related projects. Weidl asked the Board to review and provide feedback, including ranking the projects. Discussion only. No action taken.

Village President

Letter of Resignation

Motion by Decker/Johnson to accept the letter of resignation by Robert Posekany, Police Commission, carried.

Appointment

Motion by Decker/Kettner to accept the Village President's recommendation and appoint Tim Sperstad to the Police Commission for the term ending in 2020 carried.

Motion by Decker/Johnson to convene into closed sessions at 7:58 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 discuss strategy for upcoming Village Administrator/Economic Development Director performance evaluation and 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*) for discussion and possible action related to potential sale of the property located at 915 Main St. 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 9:04 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 actions taken.

Adjournment

Meeting adjourned at 9:04 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, August 15, 2017

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: Jim Decker
Darlene Johnson
Karl Kettner
Jay Vermeulen
Fred Winchowky, Village President

Board Members excused: Kelly Klemme
Mark Penzkover

Also present: Jeff Belongia, Bond Advisor
Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
John Weidl, Administrator/Economic Development Director

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 strategy for upcoming Village Administrator/Economic Development Director performance evaluation and Wis. Stat. **§19.85(1)(e)** for discussion and possible action related to potential sale of the property located at 915 Main St. and for discussion and possible action related to amendment to the offer between the Village and ACG Development LLC for the sale of the Chapman farms land.

Public Hearing

Public hearing for change of zoning requested by Harry Bielinski, Bielinski Homes, for the property located on the west side of Fox Street at approximately 1150 Fox Street, known as MUKV1968996, from R-4 PUD (Residential Planned Unit Development Overlay District) to R-10 (Medium Density Multi-Family Residential District) opened at 6:32 p.m.

Applicant Presentation

John Donavon, representing Bielinski Homes – Bielinski is looking to construct two 4-unit townhouse-style, two bath/two bedroom apartment buildings with attached garages. The proposal complies with the Comprehensive Plan for this area. Plan Commission recommended approval. Looking to begin in late 2017/early 2018. Kaniewski mentioned the

current zoning is R-4 PUD because it was a remnant of the River Park Estates subdivision and was never developed. Thus, the R-4 zoning was never used on this site.

Public Comments

Jim Merriman, 1116 Fox St. (via letter read by Cheryl Kellogg) – Spoke in opposition. Requested a fence to be installed on the property if it were to be approved.

Cheryl Kellogg, 1132 Fox St. – Spoke in opposition. Requested a fence or large berm to be installed on the property if it were to be approved.

Bob Hallenbeck, 1162 Fox St. – Spoke in opposition. Concerned with resident problems at the existing apartments to the north of the property.

Paul Van Schaick, 1106 Fox St. – Spoke in opposition.

Jennifer Smith, 1162 Fox St. – Spoke in opposition. Concerned with resident problems at the existing apartments to the north of the property.

Nick Brunette, 1162 Fox St. – Spoke in opposition. Concerned with resident problems at the existing apartments to the north of the property.

Lisa Hallenbeck, 420 E. Veterans Way – Spoke in opposition. Concerned with increased traffic and the number of police calls in the area.

Dawn Dowty, 1505 Big Bend Rd., Waukesha – Spoke in opposition. Concerned with resident problems at the existing apartments to the north of the property.

Xhale Smith, 1162 Fox St. – Spoke in opposition. Concerned with lack of privacy and space between her property and the proposed apartments.

Jasmine Brunette, 1162 Fox St. – Spoke in opposition. Concerned with the overgrown weeds on this property in the past and the lack of cutting them by the property owner.

Jasper Brunette, 1162 Fox St. – Spoke in opposition. Concerned with the overgrown weeds on this property in the past and the lack of cutting them by the property owner.

Stephen Brunette, 133 Michaels Ct. #7 – Spoke in opposition. Concerned with the overgrown weeds on this property in the past and the lack of cutting them by the property owner.

Chuck Brunette, 9278 Stewart School Rd., East Troy – Spoke in opposition. Concerned with the overgrown weeds on this property in the past and the lack of cutting them by the property owner.

Kent Pederson, 1257 Williams Dr. – Spoke in favor. Property is an eyesore now. Concerned increased with traffic and requested traffic lights to be installed at the intersection of CTH ES and Eastern Tr. if it were to be approved.

Gidget Dowty, 1015 Eastern Tr. – Spoke in opposition. Concerned with increased traffic and the lack of a kids play area for residents of the apartments to the north of the property.

Brad Bettinger, 1246 Williams Dr. – Spoke in opposition. Concerned increased with traffic and requested traffic lights to be installed at the intersection of CTH ES and Eastern Tr. if it were to be approved.

Chris Slauson, 302 Lake St. – Sympathized with those that spoke.

Public hearing closed at 7:18 p.m.

Comments from the Public

Roger Walsh, 142 Oakland Ave. – Spoke about the need to save 200 Grand Ave., the Downtown Strategic Plan Steering Committee citizen participation, the downtown citizen action group, the need for a strategic plan and design standards for the downtown, and the need for a plan for STH 83 traffic. Asked if the Village have a plan with the downtown, if the Village or Anderson Commercial is actively seeking properties for redevelopment in that area, if private investors have an plan for that area, if the Village is working with Cousins or the gas station to move them to the north side of the Village opening up that area for redevelopment.

Consent Agenda

- A. Approval of minutes of the July 18, 2017 regular meeting
- B. Approval of Vouchers payable batches:
 - 1) Payments batch AP-8-2017-1 \$130,127.45
 - 2) LIBAP-7-2017 \$19,027.96
 - 3) Payments batch M-7-2017-1 \$257,672.16
 - 4) Payments batch AP-8-2017-2 \$234,801.70
 - 5) Manual Payments M-7-2012-2 \$39,007.48
 - 6) Tax Settlements TAXSET8-2017 \$1,225,452.67
- C. Adoption of **Resolution 2017-079**: A Resolution Acknowledging a Palpable Error In The 2016 Assessment Roll and Requesting a Charge-Back of Taxes for the Real Estate Property Known as MUKV1977074
- D. Adoption of **Resolution 2017-080**: A Resolution Acknowledging a Palpable Error In The 2016 Assessment Roll and Requesting a Charge-Back of Taxes for the Real Estate Property Known as MUKV2009965002
- E. Adoption of **Resolution 2017-081**: A Resolution Approving the Agreement for Interim Market Update Assessment Services with Associated Appraisal Consultants, Inc. to Perform a Market Update Revaluation of All Taxable Real Estate in the Village of Mukwonago in 2018
- F. Approval of the request by Dan Schmidt for a reduction in the interest on the STH 99 Water and Sewer Project Special Assessment for the property located at 450 Eagle Lake Ave. and known as MUKV1974983, charging interest from January 1, 2000 to February 7, 2007 and waiving all other interest
- G. Approval of the We Energies Work Request 4069695 for Lighting at Oldfield Ave/Rosewood Dr. for park lands located in Fairwinds subdivision
- H. Adoption of **Resolution 2017-082**: A Resolution Accepting Park Lands Located in Fairwinds Subdivision and Naming it Rosewood Park
- I. Approval of the request by the Public Works Director to proceed with Request for Proposals for the design and installation of playground equipment in park in Fairwinds subdivision (aka Rosewood Park)
- J. Adoption of **Resolution 2017-083**: A Resolution to Create an Additional Ward for the Village of Mukwonago
- K. Adoption of **Resolution 2017-084**: A Resolution Approving a Correction Instrument to the Village of Mukwonago Boundary Agreement with the Town of Mukwonago
- L. Adoption of **Resolution 2017-085**: A Resolution Requesting Reconsideration by the Wisconsin Department of Transportation of its Restriction on the Access Point to State Highway 83 for the Proposed Development on the Sugden Property
- M. Adoption of **Resolution 2017-086**: A Resolution Approving the Storm Water Management Plan and Storm Water Maintenance Agreement and Authorizing the Issuance of the Village Storm Water and Erosion Control Permit for the St. Johns Evangelical Lutheran Church Parking Lot Expansion on the Property Located at 410 W. Veterans Way
- N. Approval of 2017-18 Class A Fermented Malt Beverage and Intoxicating Liquors license change of agent for 5 Star Stations, Inc., 1060 N. Rochester Street, d/b/a North Star Shell to Cecilia M. Pemrich

Motion by Decker/Johnson to approve the consent agenda carried.

Committee/Commission Business

Economic Development Committee

Downtown Strategic Plan Steering Committee Appointments

Motion by Decker/Johnson to accept the Economic Development Committee recommendation and appoint Eric Brill, Tina Chitwood, Ray Goodden, and Sue Perkins as regular members, Eliza Pautz as 1st Alternate, and Amanda Brissette as 2nd alternate to the Downtown Strategic Plan Steering Committee carried.

Finance Committee

Village Attorney and municipal prosecution services billing rate increase request

Motion by Decker/Johnson to accept the Finance Committee recommendation and approve the request by the Village Attorney to increase the billing rate for general legal services from \$165.00 per hour to \$175.00 per hour and for municipal prosecution services from \$140.00 per hour to \$150.00 per hour carried.

Plan Commission

Resolution 2017-087

Motion by Decker/Kettner to accept the Plan Commission recommendation and adopt Resolution 2017-087: A Resolution Approving the Project Plan and Boundaries for Tax Incremental District No. 4 of the Village of Mukwonago, Wisconsin, and Making Certain Findings with Respect Thereto carried.

Ordinance No. 936

In light of the public comments, Kaniewski recommended the Village Board postpone the consideration of the ordinance regarding the request for a zoning district boundary change (rezoning) from R-4 PUD (Residential Planned Unit Development Overlay District) to R-10 (Medium Density Multi-Family Residential District) for the vacant property located on the west side of Fox Street at approximately 1150 Fox Street. Motion by Decker/Kettner to accept the Plan Commission recommendation and adopt Ordinance No. 936: An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV1968996) failed (Decker, Johnson, Kettner, Vermeulen, and Winchowky voted no).

Resolution 2017-088

Motion by Decker/Johnson to accept the Plan Commission recommendation and adopt Resolution 2017-088: A Resolution Approving a Site and Architectural Plan for the Construction of Commercial Building on the Property Located at 875 S. Rochester Street, Charles Miller, Citizens Bank, Applicant, MUKV1963996008 carried.

Protective Services Committee – Fire Dept.

Lieutenant positions – Information only

Fire Chief updated the Board on the Fire Lieutenant promotions that were requested to be postponed until after the fire union contract was completed. Information only. No action taken.

Contracting services to outside agencies – Information only

Fire Chief informed the Board that he is exploring contracting fire personnel to other communities to help bring in revenue and reduce the number of canceled intercept calls. Information only. No action taken.

New Business

Village Administrator

Dewey Farm property

Motion by Decker/Vermeulen to postpone the Notice of Release of Right of First Refusal to Dewey Farm, LLC and Agreement with ACG Development, LLC regarding the Release of Right of First Refusal to Dewey Farm, LLC to the September Village Board meeting carried.

Village Clerk

Electronic Voting Equipment Agreement with Walworth County

Motion by Decker/Johnson to approve the Electronic Voting Equipment Agreement with Walworth County carried.

Village President

Mukwonago Lions Foundation

Winchowky commented on a letter from Mukwonago Lions Foundation, Inc. thanking the Village for the gift of financial support by providing police, fire, and public works support for the Mukwonago Lions Summerfeste and Father's Day Parade. Information only. No action taken.

Walworth County DIAL-a-RIDE service

Motion by Decker/Johnson to authorize the Village President to sign the letter of support for the DIAL-a-RIDE service carried.

Motion by Decker/Johnson to convene into closed sessions at 8:05 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 discuss strategy for upcoming Village Administrator/Economic Development Director performance evaluation and 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*) for discussion and possible action related to potential sale of the property located at 915 Main St. and for discussion and possible action related to amendment to the offer between the Village and ACG Development LLC for the sale of the Chapman farms land 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 8:34 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/Johnson to authorize the Village President to execute the contract between the Village and ACG Development LLC for the sale of the Chapman farms land carried.

No actions taken.

Adjournment

Meeting adjourned at 8:35 p.m.

Respectfully Submitted,

Steven Braatz, Jr., Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, September 19, 2017

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: Jim Decker
Karl Kettner
Kelly Klemme
Jay Vermeulen
Mark Penzkover
Fred Winchowky, Village President

Board Members excused: Darlene Johnson

Also present: Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Steven Braatz, Clerk-Treasurer
Rob Buikema, Labor Attorney
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
John Weidl, Administrator/Economic Development Director

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)** for an update on the negotiations with The Mukwonago Professional Police Association, for discussion and possible action related to potential sale of the property located at 915 Main St., for discussion and possible action related to negotiations of a pre-development agreement for the proposed Maple Valley Development, for discussion and possible action related to property listing agreements with Anderson Commercial, for discussion and possible action related to potential sale of the property located on vacant land on STH 83 south of I43, and for discussion and possible action related to potential purchase of parkland.

Public Hearing

Public hearing for the levying of a special assessment against benefited properties, specifically for the property located at 111 E. Wolf Run opened at 6:33 p.m.

Presentation

Weidl explained that Aldi agreed to a pre-development agreement ensuring they are assessed and taxed at \$3,000,000, but came in around \$1,800,000. So they agreed to pay the gap up taxes through a special assessment.

Public Comments

None

Public hearing closed at 6:34 p.m.

Comments from the Public

Molly Bauer, 212 Pearl Ave. – Thanked the Board for answering her email concerns. Asked the Board to reconsider allowing John Weidl and Ray Goodden be voting members on the Downtown Strategic Plan Steering Committee. Concerned that it is a conflict of interest and they should be advisory. Requests that no votes be made through the Committee until this matter is resolved.

Roger Walsh, 142 Oakland Ave. – Likes the new website. Appreciates the Board responding to constituents' concerns. Discussed positives and concerns with the Village Center.

Laura Lau, 1211 Highpoint Ln., Waukesha – Introduced herself as a candidate for Waukesha County Circuit Court Judge.

Brent Ryan, works for contractor for Midwest Holdings – Asked the Board to reconsider the Plan Commission requirement of shingle roofing on the storage buildings and allow metal roofing.

Jennifer Smith, 1162 Fox St. – Discussed problems with the Bielinski apartments.

Jasmine Brunette, 1162 Fox St. – Discussed problems with the Bielinski apartments.

Sandy Smith, 1162 Fox St. – Discussed problems with the Bielinski apartments.

Nick Brunette, 1162 Fox St. – Discussed problems with the Bielinski apartments.

Chloe Brunette, 1162 Fox St. – Discussed problems with the Bielinski apartments.

Cheryl Kellogg, 1132 Fox St. – Discussed problems with the Bielinski apartments.

Dawn Dowty, 1505 Big Bend Rd., Waukesha – Discussed problems with the Bielinski apartments.

Gidget Dowty, 1015 Eastern Tr. Apt 201. – Discussed problems with the Bielinski apartments.

Consent Agenda

- A. Approval of minutes of the August 15, 2017 regular meeting
- B. Approval of Vouchers payable batches:
 - 1) Payments batch AP-9-2017-1 \$541,047.30
 - 2) LIBAP-8-2017 \$18,133.77
 - 3) Payments batch M-8-2017-1 \$181,349.83
 - 4) AP-9-2017-2 \$149,059.02
- C. Adoption of **Resolution 2017-091**: A Resolution Authorizing the Creation of a Post-Issuance Compliance Policy for Tax-Exempt and Tax-Advantaged Obligations and Continuing Disclosure
- D. Adoption of **Resolution 2017-092**: 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
- E. Adoption of **Resolution 2017-093**: A Resolution Approving the Intergovernmental Agreement Regarding Settlement of Certain Unpaid Special Assessments and Special Charges with Waukesha County
- F. Adoption of **Resolution 2017-094**: A Resolution Approving the Residential Electronics and Appliance Recycling Collection Event Agreement with Waukesha County
- G. Approval of the agreement with WE Energies for the installation of electrical service to the open-air pavilion at Minwaukan Park located at 360 McKenzie Rd.
- H. Approval of the premises description amendment requested by Wal-Mart Stores East LP dated 9-5-17 for the 2017-18 Intoxicating Liquors and Fermented Malt Beverage license for Walmart #1571

- I. Acceptance of the 2017 preliminary population estimates for Waukesha and Walworth County portions of the Village issued by the Wisconsin Department of Administration
- J. Establishment of a letter of credit for the Arbys-BP Station Development in the amount of \$62,760 subject to final form by the Village Attorney
- K. Adoption of **Resolution 2017-095**: Resolution Approving the Storm Water Management Plan and Authorizing the Issuance of the Village Storm Water and Erosion Control Permit for the Arbys/BP Station Development on the Property Located at 122 Arrowhead Drive
- L. Adoption of **Resolution 2017-096**: Resolution Approving the Storm Water Maintenance Agreement with DC Properties, LLC for the Arbys/BP Station Development on the Property Located at 122 Arrowhead Drive
- M. Adoption of **Resolution 2017-097**: A Resolution Accepting Certain Work Completed in The Orchards of Mukwonago – Phase II Subdivision
- N. Approval of the reduction in the letter of credit for The Orchards of Mukwonago – Phase II Subdivision to \$215,839.70 subject to final form by the Village Attorney
- O. Approval of Change Order #1 for the Wolf Run Signalization Project for an increase of \$14,266.11 due to additional work needed due to field conditions, including larger areas of sidewalk replacement were completed than anticipated in Work Change Directive 1 due to current ADA compliance standards
- P. Uphold the Judicial Committee decision to deny the 2017-18 Operators License for Danielle A. Grooms for the following reason:
 - 1) Omitted Offenses on Application

Motion by Decker/Klemme to approve the consent agenda carried.

Unfinished Business

Ordinance No. 936

Motion by Penzkover/Kettner to rescind the August 15, 2017 action on the adoption of Ordinance No. 936: An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV1968996) (*Motion to accept the Plan Commission recommendation and adopt Ordinance No. 936: An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV1968996) which failed 0-4*) carried (Decker and Vermeulen voted no).

Motion made by Penzkover/Kettner to accept the Plan Commission recommendation and adopt Ordinance No. 936: An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV1968996). In the event a development is proposed and reviewed by the Plan Commission, the Commission shall review the public comments made at the August 15, 2017 public hearing and ensure that any issues related to the comments are dealt with. Motion carried (Decker and Vermeulen voted no).

Committee/Commission Business

Finance Committee

Aldi Special Assessment

Motion by Vermeulen/Decker to accept the Finance Committee recommendation and adopt Resolution 2017-103: *Final Resolution Authorizing the Levying of a Special Assessment Against a Benefited Property* carried.

Plan Commission

ProHealth Care Conditional Use Permit

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Resolution 2017-098: *Conditional Use Permit to Allow for a Second Floor Addition to a*

Medical Clinic, Brad Treichel, Prohealth Care, 240 Maple Avenue, MUKV2016993 and MUKV2016993001 carried.

Midwest Holdings Storage Units

Kaniewski recommended adding a condition to the conditional use permit that reads, "No other business entity, such as wholesaling, retailing, office and manufacturing; shall take place on the subject site." Motion by Decker/Penzkover to accept the Plan Commission recommendation and adopt Resolution 2017-099: *Conditional Use Permit to Allow for Outdoor Storage of Vehicles, in Conjunction with Another Use, Robert Chandler, Midwest Holdings, LLC, Vacant Property, MUKV2091988* as amended included the recommended condition by the Village Planner carried.

Kaniewski recommended adding a condition to the conditional use permit that reads, "No other business entity; such as wholesaling, retailing, office and manufacturing; shall take place on the subject site and within individual mini warehouse units." Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Resolution 2017-100: *Conditional Use Permit to Allow for an Indoor, Mini-Warehouse, Robert Chandler, Midwest Holdings, LLC, Vacant Property, MUKV2091988* as amended including the recommended condition by the Village Planner and amending condition #5 to add the wording "or the option of metal roofing with the approval of the Supervisor of Inspections" carried.

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the certified survey map requested by Robert Chandler, Midwest Holdings LLC, to allow for an indoor, mini-warehouse and outdoor storage of vehicles, in conjunction with another use on the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., known as MUKV2091988 subject to the following conditions carried:

1. Recording of the CSM at the office of the Waukesha County Register of Deeds shall not occur until applicant requests in writing, and the Village Board approves the removal of the 50 foot Building Setbacks as shown on prior CSM No. 7679.
2. Signatures of Village officials on the CSM and recording of the CSM shall not occur until all the following items are satisfactory completed:
 - a. Approval by the Village Engineer or assigns of the final Storm Water Management and Soil Erosion Plan.
 - b. Approval by the Village Engineer or assigns of the final construction plans for improvements of the new right-of-way, and improvements of turning lanes within the CTH ES right-of-way as required and approved by Waukesha County Highway Department.
 - c. Approval by the Village Engineer or assigns of the final overall site grading and site sanitary sewer and water utility plans.
 - d. Approval by the Village Board of the Storm Water Maintenance Agreement and a Developer's Agreement, subject to final review of the Village Attorney. In addition, the agreements shall be signed by Midwest Holdings, LLC; and Letters of Credit as required for the Storm Water Maintenance Agreement the Developer's Agreement shall be submitted as approved by the Village Attorney. The Developer's Agreement shall specify the timing and location of extending and installing a public water supply and sanitary sewer to the site, and the street and highway public improvements.

- e. Approval by the Village Engineer or assigns and the Zoning Administrator of all necessary technical revisions to the CSM, including but not limited to Village staff approval of the naming of the new street, and identifying whom completed and the date of the wetland delineation along with date of approval of the wetland delineation by the Wisconsin Department of Natural Resources.

Release of a Temporary Turnaround Easement

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Resolution 2017-101: *A Resolution to Release a Temporary Turnaround Easement* carried.

Village-owned Chapman Property CSM

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the certified survey map requested by Steve Anderson, ACG Development, LLC the property located on the west side of STH 83, across from Black Bear Blvd., known as MUKV1962996001 subject to the following conditions carried:

1. Recording of the CSM at the office of the Waukesha County Register of Deeds shall occur after ACG Development, LLC acquires the property from the Village of Mukwonago (which means the CSM owner's certificate must be changed).
2. Signatures of Village officials on the CSM and recording of the CSM shall not occur until all the following items are satisfactory completed:
 - a. Approval by the Village Attorney of all easement language appearing on the CSM and/or separate easement documents. Any separate easement document shall be approved by the Village Board.
 - b. Approval by the Village Engineer or assigns of the final Storm Water Management and Soil Erosion Plan.
 - c. Approval by the Village Engineer or assigns of the final overall site grading and site sewer and water utility plans.
 - d. Approval by the Village Board of the Storm Water Maintenance Agreement and a Developer's Agreement, subject to final review by the Village Attorney. In addition, the agreements shall be signed by ACG Development, LLC.
 - e. Inclusion on the CSM of a 10 foot building and greenspace setback line from the 60 foot Private Road and Utility Easement and a 10 foot building setback line from the Storm Water Easement on Lot 4.
 - f. Approval by the Village Engineer or assigns and the Zoning Administrator of all necessary technical revisions to the CSM.

Dewey Farm Property

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Resolution 2017-102: *A Resolution Approving the Rescission, Revival, and Modification Agreement with ACG Development LLC, and Dewey Farm, LLC* carried (Vermeulen voted no).

New Business

Village Clerk

Special Event Permit

The Chamber of Commerce Fall Fest special event permit was inadvertently left off of the last Health & Recreation Committee agenda. Motion by Vermeulen/Klemme to approve

the Special Event Permit to Mukwonago Area Chamber of Commerce for Fall Fest on September 23, 2017 carried.

Motion by Vermeulen/Decker to convene into closed sessions at 8:06 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*) for an update on the negotiations with The Mukwonago Professional Police Association, for discussion and possible action related to potential sale of the property located at 915 Main St., for discussion and possible action related to negotiations of a pre-development agreement for the proposed Maple Valley Development, for discussion and possible action related to property listing agreements with Anderson Commercial, for discussion and possible action related to potential sale of the property located on vacant land on STH 83 south of I43, and for discussion and possible action related to potential purchase of parkland carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover/Klemme to adjourn closed session and reconvene into open session at 9:53 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 actions taken.

Adjournment

Meeting adjourned at 9:54 p.m.

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

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Thursday, October 5, 2017

Call to Order

Village President Fred Winchowky called the meeting to order at 6:40 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Jim Decker
Darlene Johnson
Karl Kettner
Kelly Klemme
Jay Vermeulen
Mark Penzkover
Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
John Weidl, Administrator/Economic Development Director

New Business

Mukwonago Retail Development Located on the Chapman Farms 6-Acre Parcel

Motion by Kettner/Decker to accept the Public Works Committee recommendation and adopt Resolution 2017-104: Resolution Approving the Public Improvement Drawings for the Mukwonago Retail Development Located on the Chapman Farms 6-Acre Parcel carried.

Motion by Kettner/Decker to accept the Public Works Committee recommendation and adopt Resolution 2017-105: Resolution Approving the Storm Water Management Plan and Authorizing the Issuance of the Village Storm Water and Erosion Control Permit for the Mukwonago Retail Development Located on the Chapman Farms 6-Acre Parcel carried.

Motion by Kettner/Decker to accept the Public Works Committee recommendation and adopt Resolution 2017-106: Resolution Approving the Storm Water Maintenance Agreement for the Mukwonago Retail Development Located on the Chapman Farms 6-Acre Parcel carried.

Motion by Kettner/Decker to accept the Public Works Committee recommendation and adopt Resolution 2017-107: Resolution Approving the Developer's Agreement for the Mukwonago Retail Development Located on the Chapman Farms 6-Acre Parcel carried.

Motion by Kettner/Decker to accept the Public Works Committee recommendation and adopt Resolution 2017-108: Resolution Approving the Acknowledgement Agreement for the Mukwonago Retail Development Located on the Chapman Farms 6-Acre Parcel carried.

Motion by Kettner/Decker to establish a Letter of Credit amount for the Mukwonago Retail Development located on the Chapman Farms 6-Acre Parcel in the amount of \$317,100 carried.

Chapman Farms Blvd Project

Motion by Kettner/Decker to approve Work Directive #1 for the Chapman Farms Blvd Project for an increase in the amount of \$11,415.50 for the reason to save the existing concrete median, 2-inch conduit shall be bored for the traffic carried.

Adjournment

Meeting adjourned at 6:43 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Monday, October 9, 2017

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: Jim Decker
Darlene Johnson
Karl Kettner
Kelly Klemme
Jay Vermeulen
Mark Penzkover
Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Rob Buikema, Labor Attorney
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
John Weidl, Administrator/Economic Development Director

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)** for an update on the negotiations with The Mukwonago Professional Police Association.

Committee Reports

Personnel Committee

Review and recommendation for adoption of GovHR salary/wage study

Joellen Earl, GovHR, presented the findings in the salary/wage study. Amendments to policies and position descriptions will come before the Board at a future meeting.

Motion by Penzkover/Klemme to approve the draft GovHR salary/wage study, subject to further review of the classification of the Clerk-Treasurer and Deputy Clerk-Treasurer and verification of the averages carried (Decker voted no).

Motion by Penzkover/Klemme to convene into closed sessions at 6:44 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*) for an update on the negotiations with The Mukwonago Professional Police Association carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover/Klemme to adjourn closed session and reconvene into open session at 7:35 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.

No actions taken from closed session.

Finance Committee

Review and Approval of 2018 General, Debt Service, Recycle, TID #3, and Special Revenue Funds budgets

Motion by Decker/Penzkover to approve the 2018 General, Debt Service, Recycle, and Special Revenue Funds budgets as presented carried.

Review of 2017 tax levies

Total levy increase, including General, Fire, Debt Service, Library, Recycling, and Capital Equipment Funds, amounts to an estimated 1.78% increase.

Schedule 2018 budget hearing

Motion by Decker/Penzkover to schedule the public hearing on November 9, 2017 at 5:30 p.m. carried.

Adjournment

Meeting adjourned at 8:05 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, October 17, 2017

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: Jim Decker
Darlene Johnson
Karl Kettner
Kelly Klemme
Jay Vermeulen
Mark Penzkover
Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
John Weidl, Administrator/Economic Development Director

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)** for development of negotiations regarding tax incremental financing request by Darwin Greenwald for the Arby's development.

Comments from the Public

Roger Walsh, 142 Oakland Ave. – Spoke about Downtown Strategic Plan Steering Committee composition, Board action on the Fox St. Bielinski apartments, 200 Grand Ave., the Village's downtown Facebook page, the recently adopted Social Media policy, and the Downtown Strategic Plan Steering Committee visioning exercise.

Consent Agenda

- A. Approval of minutes of the September 19, 2017 regular meeting
- B. Approval of Vouchers payable batches:
 - 1) Payments batch AP-10-2017-1 \$414,840.14
 - 2) LIBAP-9-2017 \$17,574.31
 - 3) Payments batch M-9-2017-1 \$175,837.37
 - 4) AP-10-2017-2 \$488,230.03
- C. Adoption of **Ordinance No. 937**: An Ordinance to Create Subsection 82-180(h) and Amend Subsection 82-231 of Chapter 82 of the Mukwonago Municipal Code of the Village of Mukwonago Pertaining to Limitations of Parking on Cul-de-sacs

- D. Adoption of **Resolution 2017-109**: A Resolution to amend parking limitations pertaining to the list of streets limited to two-hour parking from September 1 until May 31 pursuant to Sec. 82-207 of the Municipal Code of the Village of Mukwonago, and pertaining to limitations of parking on cul-de-sacs pursuant to Secs. 82-180(h) and 82-231(b)
- E. Adoption of **Resolution 2017-110**: A Resolution to Adopting an Internet and Social Media Policy for the Village of Mukwonago
- F. Adoption of **Ordinance No. 939**: An Ordinance to Repeal and Recreate Section 38-35 (5) of the Village of Mukwonago Municipal Code Pertaining to Regulations on Open Burning
- G. Adoption of **Resolution 2017-111**: A Resolution Accepting Certain Work Completed in Fairwinds – Phase IV Subdivision
- H. Approval of the reduction in the letter of credit for Fairwinds – Phase IV Subdivision to \$141,130.25 subject to final form by the Village Attorney
- I. Adoption of **Ordinance No. 940**: An Ordinance to Amend Appendix A to Chapter 86 of the Village of Mukwonago Municipal Code Concerning the Residential Equivalency Charge Chart
- J. Adoption of **Resolution 2017-112**: A Resolution Approving the Agreement for Maintenance Assessment Services with Associated Appraisal Consultants, Inc. for Years 2019-2021
- K. Adoption of **Resolution 2017-113**: A Resolution Approving the 2018 Data Processing Services Property Tax Assessment and Billing Agreement with Waukesha County
- L. Adoption of **Resolution 2017-115**: A Resolution Adopting the 2018 Sanitary Sewer Utility Budget and 2018 Water Utility Budget
- M. Adoption of **Resolution 2017-116**: A Resolution Adopting the 2018 Storm Water Utility District #1 Budget

Motion by Decker/Penzkover to approve the consent agenda carried.

Committee/Commission Business

Downtown Strategic Planning Steering Committee

Committee appointments

Motion by Johnson/Decker to accept the letter of resignation from the Downtown Strategic Planning Steering Committee Amanda Brissette carried.

Motion by Decker/Johnson to accept the Downtown Strategic Planning Steering Committee recommendation and appoint Roger Walsh as 2nd alternate member carried.

Weidl gave a progress update. The Committee came up with a draft vision statement: "Make the Downtown a pedestrian friendly destination centered on historic preservation, business development, and cultural & recreational opportunities." The four key goals of the Committee are Historic Preservation, Pedestrian Friendly, Cultural & Recreational, and Business Development.

Finance Committee

\$1,400,000 General Obligation Promissory Notes, Series 2017a Resolution

Motion by Kettner/Decker to accept the Finance Committee recommendation and adopt **Resolution 2017-114**: *Resolution Authorizing the Issuance and Sale of \$1,400,000 General Obligation Promissory Notes, Series 2017a* carried unanimously.

2016-17 weights and measures schedule of assessments and fees

Motion by Decker/Penzkover to accept the Finance Committee recommendation and approve the 2016-17 weights and measures schedule of assessments and fees carried.

Judicial Committee

Village President and Trustees three-year terms Charter Ordinance

Motion by Decker/Penzkover to accept the Finance Committee recommendation and adopt Ordinance No. 938: *Charter ordinance relating to the establishment of three-year terms for the Village President and Trustees of the Village of Mukwonago* carried (Klemme voted no).

Motion by Decker/Johnson to convene into closed sessions at 6:48 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*) for development of negotiations regarding tax incremental financing request by Darwin Greenwald for the Arby's development 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 7:02 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 deny the request by Darwin Greenwald for tax incremental financing assistance for the Arby's development. The reason is the request does not pass the "But/For" test as prescribed in TIF law. Staff is directed to respond to Mr. Greenwald. Motion carried.

Adjournment

Meeting adjourned at 7:04 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Thursday, November 9, 2017

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

Board Members present: Jim Decker
Darlene Johnson
Karl Kettner
Kelly Klemme
Jay Vermeulen
Fred Winchowky, Village President

Board Members excused: Mark Penzkover

Also present: Ron Bittner, Public Works Director
Steven Braatz, Jr., Clerk-Treasurer
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
Dan Streit, Police Lieutenant
John Weidl, Administrator/Economic Development Director

Public Hearing

Public hearing to consider the approval of the 2018 Annual Village Budget was opened at 5:31 p.m.

Administrator Weidl gave a presentation on the 2018 budget. Highlights include:

- Increase in State Transportation Aid of \$40,529. Decrease in State Shared Revenue of \$355
- Increased total levy by \$101,123 due to an increase of 2.208% net new construction. Total equalized value increased \$37,095,000, or 4.62%, over 2016. Total tax base (assessed value) increased \$10,957,000, or 1.46%, over 2016
- Continued to address unfunded sick-leave payout benefit for all eligible employees hired before 2014. Actuarial study indicates \$32,000 is needed in annual funding in General Fund.
- Total TID increment decreased an estimated \$233,000 due to a change in law exempting certain personal property from taxation.
- Capital equipment for Public Works: \$110,000 5900 Toro Mower, \$25,000 Red Brick Museum Furnace and AC Replacement
- Capital equipment for Police: \$68,000 for two Squad Cars and related equipment (Replacing two older squads), \$30,000 Police Station Furnace Replacement, \$20,000 Squad Video Camera Replacements, \$18,000 Police Station UPS and Phone/Internet Backup System

- Capital equipment for Fire: \$454,000 Fire Station #1 Dorm Room Addition, \$20,000 Two Ventilator Replacements
- Capital equipment for Village Hall: \$74,300 Village Hall Office Remodel and Board Room Upgrades; Building Security Measures
- Capital equipment funding: \$104,000 from taxes, \$454,000 from reserves, \$261,300 from debt.
- The total property tax levy for Operations and Capital Purposes increased \$86,939 or 2.45%, from the 2016 levy
- The Debt Service levy increased \$14,184, or 0.67%, from the 2016 levy
- For Village properties within Waukesha County, the local tax rate is estimated at \$8.0548, a decrease of \$0.1044 per \$1,000 of assessed value, or -1.28% over 2016
- For Village properties within Walworth County, the local tax rate is estimated at \$7.6342, a decrease of \$0.1392 per \$1,000 of assessed value, or 1.79% over 2016

There were no comments from the public.

Public hearing closed at 6:08 p.m.

Motion by Decker/Johnson to adopt **Resolution 2017-117**: A Resolution to adopt the 2018 Annual Budget and Establish the 2017 Property Tax Levy for the Village of Mukwonago carried unanimously.

Adjournment

Meeting adjourned at 6:28 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, November 21, 2017

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: Jim Decker
Darlene Johnson
Karl Kettner
Kelly Klemme
Jay Vermeulen
Mark Penzkover
Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
John Weidl, Administrator/Economic Development Director

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)** for negotiating the terms of the listing agreement for 915 Main St., negotiating the terms of the offer to purchase 915 Main St., negotiating the terms of the letter of intent from Banker Wire, negotiating the terms of the engineering services agreement with Ruekert & Mielke, negotiating the terms of the Genesis Excavators, Inc. CTH NN Water Main Relay Project change order request, and negotiating the potential purchase of property.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes of the October 17, 2017 regular meeting and the October 5, October 9, and November 9, 2017 special meetings
- B. Approval of Vouchers payable batches:
 - 1) Payments batch AP-11-2017-1 \$1,145,637.34
 - 2) LIBAP-10-2017 \$77,267.15
 - 3) Payments batch M-10-2017-1 \$879,288.41
 - 4) AP-11-2017-2 \$81,787.84
- C. Approval of the request by Police Department to use remaining 2017 capital budget funds for the purchase of three automated external defibrillator (AED) units

- D. Approval of the request by Police Department to use remaining 2017 capital budget funds not to exceed \$6,000 to upgrade department building cameras
 - E. Approval of the proposal for the installation of a play structure from Lee Recreation in the amount of \$43,902
 - F. Adoption of **Resolution 2017-118**: A Resolution Approving the Second Amendment to the Developers Agreement with Lynch Ventures Wolf Run/CSM 11223 Related to Parking on East Wolf Run
 - G. Approval to authorize the Village President to sign the Tree City 2017 application
 - H. Approval of Change Order #1 for the Chapman Farms Boulevard project
 - I. Approval of Change Order #5 for the Main Street Water Main Relay project – Closeout Change Order
 - J. Adoption of **Resolution 2017-119**: Resolution Repealing Resolution 2017-073 and Approving the Permanent Utility Easements for the Edgewood Village Apartments Development on the Property Located Along Edgewood Avenue Near CTH ES
 - K. Approval of the Task Order for the Wastewater Treatment Facility Anaerobic Digester, Grit System and Septage Receiving Station Upgrades project
 - L. Approval of the classification change of the Court Clerk position from exempt to non-exempt
 - M. Approval of the classification change of the Assistant Utilities Director position from non-exempt to exempt
 - N. Adoption of **Resolution 2017-120**: Village of Mukwonago Assistant Utilities Director Position Description
 - O. Adoption of **Resolution 2017-121**: Village of Mukwonago Lead Police Dispatcher/Clerk Position Description
 - P. Adoption of **Resolution 2017-122**: Village of Mukwonago Human Resources Coordinator Position Description
 - Q. Ratification of the 2018-19 Mukwonago Professional Police Association contract
- Motion by Kettner/Penzkover to remove Item F from the Consent Agenda carried.

Motion by Decker/Johnson to approve the consent agenda as amended carried.

Motion by Penzkover/Decker to adopt of **Resolution 2017-118**: *A Resolution Approving the Second Amendment to the Developers Agreement with Lynch Ventures Wolf Run/CSM 11223 Related to Parking on East Wolf Run* contingent upon Village Attorney approval carried.

Committee/Commission Business

Downtown Strategic Planning Steering Committee

Weidl gave a progress update on the Committee. The Committee is working on a recommendation to separate the Historic Preservation Committee from the Plan Commission.

Motion by Decker/Johnson to direct the Downtown Strategic Plan Committee to provide a draft Downtown Strategic Plan to the Clerk's Office by March 14, 2018 for a presentation at the March 20, 2018 Village Board meeting carried.

Health and Recreation Committee

Motion by Kettner/Klemme to accept the Health and Recreation Committee recommendation and approve the request by John's Disposal Service, Inc. for increase in garbage service rates in accordance with the letter dated October 25, 2017 carried (Johnson voted no).

Personnel Committee

Motion by Klemme/Kettner to accept the Personnel Committee recommendation and adopt Resolution 2017-123: *A Resolution Revising the Village of Mukwonago Compensation Philosophy* carried.

Motion by Klemme/Kettner to accept the Personnel Committee recommendation and adopt Resolution 2017-124: *A Resolution Revising the Village of Mukwonago Position Classification, Compensation and Performance Evaluation Program Policy*, contingent upon amending the policy changing 10% to 15% under Section V. k. Exceptions to the above. carried.

Protective Services Committee – Fire Dept Subcommittee

Motion by Johnson/Kettner to accept the Protective Services Committee – Fire Dept Subcommittee recommendation and approve the Memorandum of Understanding related to Proration of Critical Care Stipend for Departing Employees contingent upon Labor Attorney Review carried (Decker and Vermeulen voted no).

Motion by Johnson/Decker to accept the Protective Services Committee – Fire Dept Subcommittee recommendation and approve the sale or disposal of the 2002 Santa Fe Fire Department vehicle carried.

New Business

Administrator/Economic Development Director

Motion by Penzkover/Kettner to approve the contract with Redevelopment Resources LLC to conduct an Analysis of Business Potential and Costs for Industrial TID #5 in an amount not to exceed \$6,800 carried (Vermeulen voted no).

Discussion on possible request for proposal for engineering services. Board decided not solicit RFPs at this time, but the option is there down the road. Instead, a market study could be done to ensure fees are appropriate. No action taken.

Weidl noted that the option of a cost study related to in-house engineering services versus contracted engineering services is an option, but not at this time. No action taken.

Finance Director

Motion by Penzkover/Kettner to authorize the Village President to sign the Baker Tilly Audit Engagement Letter for 2017-2018 Fiscal Year Audits, not to exceed a 2% increase in rates for 2018. Staff shall work with the firm to negotiate rates. Motion carried.

Village Clerk-Treasurer

Motion by Penzkover/Vermeulen to adopt Resolution 2017-125: *A Resolution in Support of LRB-1890 Relating to In-Person Absentee Voting* carried.

Village President

Motion by Decker/Klemme to accept the Village President's recommendation and appoint Diana Doherty as Human Resources Coordinator carried.

Motion by Penzkover/Decker to convene into closed sessions at 7:23 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) for negotiating the terms of the listing agreement for 915 Main St., negotiating the terms of the offer to purchase 915 Main St., negotiating the terms of the letter of intent from Banker Wire, negotiating the terms of the engineering services agreement with Ruekert & Mielke, negotiating the terms of the Genesis Excavators, Inc. CTH NN Water Main Relay Project change order request, and negotiating the potential purchase of property 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 8:16 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/Johnson to approve the counter offer to purchase for 915 Main St. as drafted by the Village Attorney on November 14, 2017 carried.

Motion by Penzkover/Decker to approve CTH NN Water Main Relay Project Change Orders #1-7 in the amount of \$33,000 carried.

Adjournment

Meeting adjourned at 8:17 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, December 19, 2017

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: Jim Decker
Darlene Johnson
Karl Kettner
Kelly Klemme
Mark Penzkover
Fred Winchowky, Village President

Board Members excused: Jay Vermeulen

Also present: Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
John Weidl, Administrator/Economic Development Director

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)** for negotiating the terms of the offer to purchase 915 Main St., negotiating the terms of the listing agreement for 915 Main St., negotiating the terms of the Amendment to Offer to Purchase for the Sugden Property, and negotiating the potential purchase of property.

Public Hearings

Public hearing for the application of Harry Bielinski, Bielinski Homes, for a zoning district boundary change from A-1 (Agricultural District) to R-5 (Low Density Multi-Family Residential District) for the property located on the Northwest Corner of CTH EE and CTH NN (Veterans Way) opened at 6:32 p.m.

Presentation

John Donovan, Bielinski Development, requested the change of zoning. The future development will be no more than 12 units per acre. There are no concept plans at this time.

Public Comments

Donald Kazmier, 1210 Riverton Dr. – Spoke in opposition of the request.

President Winchowky noted that a letter is on file from Jon and Shirley Sinnett, W306S9225 Cty Rd EE opposing the request.

Public hearing closed at 6:34 p.m.

Public hearing for the consideration of adoption of the Comprehensive Outdoor Recreation Plan, 2017-2022 for the Village of Mukwonago, Wisconsin opened at 6:34 p.m.

Presentation

Dan Schmitt, MSA, gave a presentation on the proposed Comprehensive Outdoor Recreation Plan, 2017-2022.

Public Comments

None.

Public hearing closed at 6:41 p.m.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes of the November 21, 2017 regular meeting
- B. Approval of Vouchers payable batches:
 - 1) Payments batch AP-12-2017-1 \$498,024.12
 - 2) LIBAP-11-2017 \$30,268.26
 - 3) Payments batch M-11-2017-1 \$165,253.48
 - 4) Payments batch AP-12-2017-2 \$108,079.57
- C. Adoption of **Resolution 2017-126**: A Resolution Adopting the 2018 Tax Increment District #3 Budget
- D. Adoption of **Resolution 2017-127**: A Resolution to Set the 2018 Schedule of Fees for the Village of Mukwonago
- E. Approval to authorize the Public Works Director to start the bidding process for the Phantom Glen boat launch reconstruction project
- F. Approval of the engineer Task Order for Holz Parkway Multiuse Trail project
- G. Adoption of **Ordinance No. 941**: An Ordinance to Create Subsection 82-191(g) of Chapter 82 of the Municipal Code of the Village of Mukwonago Pertaining to Limitations of Parking on E. Wolf Run
- H. Adoption of **Resolution 2017-128**: A Resolution to Amend Parking Limitations of the Village of Mukwonago
- I. Adoption of **Ordinance No. 942**: An Ordinance to Create Subsection 2-78(c)(1) of Chapter 2 of the Municipal Code of the Village of Mukwonago Pertaining to Sureties for Public Officials
- J. Approval to schedule the public hearing for the consideration of the Impact Fee assessment for January 16, 2017
- K. Engineer Task Order for Well 5 Iron filter project
- L. Engineer Task Order for I-43 Water Tower Painting project
- M. Engineer Task Order for 2018 Smoke Testing project
- N. Engineer Task Order for Well 4 Pump Station Upgrades project
- O. Engineer Task Order for Grand Avenue Infrastructure Rehabilitation project
- P. Engineer Task Order for Front Street Improvements project
- Q. Engineer Task Order for 2018 Streets Rehabilitation project
- R. Engineer Task Order for Quiet Zone 2018 Update project
- S. Engineer Task Order for TID #5 Improvements project

T. Adoption of **Resolution 2017-129**: A Resolution Relating to Salary and Wage Schedules for Non-Represented Full-Time and Part-Time Employees

U. Adoption of **Resolution 2017-130**: A Resolution Adopting a Labor Negotiations Policy for the Village of Mukwonago

Motion by Decker/Klemme to approve the consent agenda carried.

Committee/Commission Business

Downtown Strategic Planning Steering Committee

Weidl gave a progress update. The Committee is working on the timeline, but asked if they could have until the April 2018 Board meeting to present the Strategic Plan. Board concurs but would like an update on the plan at the March 2018 Board meeting.

Motion by Penzkover/Johnson to refer the Downtown Strategic Planning Steering Committee recommendation to prioritize the pursuit of jurisdictional transfer agreement to the Public Works Committee carried.

Motion by Decker/Johnson to refer the Downtown Strategic Planning Steering Committee recommendation to prioritize the pursuit of rerouting “pass-thru” traffic from the downtown to improve traffic and pedestrian safety throughout the downtown carried.

Health and Recreation Committee

Motion by Decker/Penzkover to accept the Health and Recreation Committee recommendation and adopt **Resolution 2017-131**: *A Resolution Adopting the Comprehensive Outdoor Recreation Plan, 2017-2022 for the Village of Mukwonago, Wisconsin* carried.

Personnel Committee

Motion by Decker/Johnson to accept the Personnel Committee recommendation and adopt **Resolution 2017-132**: *Village of Mukwonago Police Community Service Officer Position Description* carried (Winchowky voted no).

Motion by Penzkover/Kettner to accept the Personnel Committee recommendation and adopt **Resolution 2017-133**: *A Resolution Relating To A Salary Exception Schedule For Village Administrator/Economic Development Director Position* carried (Johnson voted no).

Plan Commission

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt **Resolution 2017-134**: *Conditional Use Permit to Allow for a Health Clinic and Medical Office, Russ Legg, Aurora Health Care, 120 Chapman Farms Boulevard, MUKV1962996004* carried.

Motion by Penzkover/Kettner to accept the Plan Commission recommendation and adopt **Ordinance No. 943**: *An Ordinance to Amend the District Zoning Map of the Village of Mukwonago (MUKV1960999003)* carried (Johnson and Klemme voted no).

Motion by Penzkover/Johnson to accept the Plan Commission recommendation and adopt **Resolution 2017-135**: *Resolution Approving a Site and Architectural Plan for the Construction of Eight Cooling Towers at the Property Located at 711 Fox Street, Gary Schleicher, Aptar, Applicant* carried.

Motion by Decker/Johnson to accept the Plan Commission recommendation and adopt Resolution 2017-136: *Resolution Approving a Site and Architectural Plan for the Construction of an Addition and Exterior Design Upgrades to the Existing Structure at the Property Located at 1020 N Rochester Street, Dion Conn, DP & K, Inc., Applicant* carried.

New Business

Administrator/Economic Development Director

Motion by Penzkover/Klemme to authorize the execution of the Addendum to the Agreement with Ruekert & Mielke for Engineering Services carried.

Motion by Penzkover/Decker to approve the Predevelopment Agreement with Family Ventures of Mukwonago, LLC, for Maple Center Community subject to final Village Attorney review and approval carried.

Village President

Motion by Decker/Penzkover to accept the Village President's recommendation and approve the Appointment of Election Inspectors for the 2018-19 term pursuant to the list dated 12-13-17 carried.

Motion by Decker/Klemme to convene into closed sessions at 7:26 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*) for negotiating the terms of the offer to purchase 915 Main St., negotiating the terms of the listing agreement for 915 Main St., negotiating the terms of the Amendment to Offer to Purchase for the Sugden Property, and negotiating the potential purchase of property 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 7:59 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 authorize the execution of the counter offer for 915 Main St. dated December 5, 2017 carried.

Motion by Klemme/Decker to counter offer the commercial listing agreement from Anderson Commercial Group, LLC as discussed in closed session carried (Penzkover voted no).

Motion by Penzkover/Decker to authorize the execution of the amendment to offer to purchase for the Sugden property dated December 13, 2017 carried.

Adjournment

Meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer