

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING Tuesday, January 2, 2018

Call to Order

Village President Fred Winchowky called the meeting to order at 7:00 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
Mark Blum, Village Attorney
Steven Braatz, Clerk-Treasurer
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
John Weidl, Administrator/Economic Development Director

Motion by Decker/Johnson to convene into closed sessions at 7:01 p.m. pursuant to Wis. Stat. **§19.85(1)(c)** (*Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility*) to conduct the performance evaluation of the Village Administrator/Economic Development Director 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 negotiations with the Town of Vernon over the terms of a cooperative boundary agreement and for negotiations for the transfer of real property to the Jansens 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 7:50 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 7:52 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Tuesday, January 9, 2018

Call to Order

Village President Fred Winchowky called the meeting to order at 5:45 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: Steven Braatz, Clerk-Treasurer
Diana Doherty, Finance Director
Bruce Kaniewski, Planner/Zoning Administrator
John Weidl, Administrator/Economic Development Director

Motion by Decker/Johnson to convene into closed sessions at 5:46 p.m. pursuant to Wis. Stat. 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 letter of intent from Banker Wire and consideration of 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 6:35 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.

Motion by Penzkover/Decker to authorize the Village Administrator to offer Banker Wire 16 acres of land in the proposed TID #5 area, assuming they propose an initial 180,000-195,000 sq. ft. building with a guaranteed \$8M in total assessed value, to be constructed by January 2019. The Village will also pay for the construction of a temporary holding tank and well until water and sewer utilities are available to the site. Motion carried.

Adjournment

Meeting adjourned at 6:36 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, January 16, 2018

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
Bruce Kaniewski, Planner/Zoning Administrator
Dan Streit, Police Lieutenant
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. and for negotiating the terms of the listing agreement for the Sugden Property.

Public Hearing

Public hearing for the consideration of adoption of an ordinance to amend Chapter 44 of the Municipal Code pertaining to impact fees opened at 6:31 p.m.

No one spoke for or against.

Public hearing closed at 6:32 p.m.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes of the December 19, 2017 regular meeting and the September 18, 2017, January 2, 2018 and January 9, 2018 special meetings
- B. Approval of Vouchers payable batches:
 - 1) Payments batch AP-12-2017-3 \$156,874.50
 - 2) Manuals batch M-11-2017-2 \$14,497.22
 - 3) Manuals batch M-12-2017-1 \$194,011.52
 - 4) Payments batch LIBAP12-2017 \$5,737.03

- 5) Prop Tax OVPY12171 \$6,901.16
- 6) Prop Tax OVPY12172 \$9,776.43
- 7) Payments batch AP-1-2018-1 \$92,785.13
- 8) Payments batch AP-12-2017-4 \$493,294.09
- 9) Prop Tax OVPY01181 \$32,224.87
- 10) Prop Tax OVPY01182 \$17,960.14
- 11) Payments batch M-12-2017-2 \$23,301.42
- 12) Tax Settlements TAXSET2018-1 \$4,250,034.61

C. Approval of Change Order #2 for the Chapman Farms Blvd Project for an increase of \$11,351.21

D. Adoption of **Resolution 2018-001**: Resolution Approving the Addendum to Agreement for Subdivision Improvements in Accordance with the Subdivision Ordinance of the Village of Mukwonago, Wisconsin, for the Fairwinds Subdivision

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

Committee/Commission Business

Downtown Strategic Planning Steering Committee

Nothing to report at this time. The last meeting was postponed due to weather.

Health and Recreation Committee

Motion by Decker/Klemme to accept the Health and Recreation Committee recommendation and adopt **Resolution 2018-002**: *Resolution Accepting and Acknowledging Donated Funds for the Play Structure in Rosewood Park* carried.

Plan Commission

Motion by Penzkover/Decker to accept the Plan Commission recommendation and grant an exception, as allowed by Section 45-22 of the Land Division Ordinance, to delay construction of the street. Staff is directed to prepare a Developer's Agreement to require construction of the street and compliance with Village storm water and erosion control regulations before any further land division or land development occurs within Lots 1 and 2 of this CSM. This approval is based on the following findings:

1. Exceptional Circumstances. As the applicant, the Village of Mukwonago is not in the position to construct the extended street; however, the property owner understands their responsibility to follow through with constructing the extended street in accordance with Village specifications.
2. Preservation of Property Rights. Delaying construction of the extended street follows the same process which delayed construction of the initial length of Chapman Farms Boulevard and its intersection with STH 83 until land development was imminent on the lots within the Certified Survey Map that dedicated the right-of-way or that completion of the street is needed for another purpose.
3. Absence of Detriment. The exception will not be detrimental to adjacent property given the fact the subject property owner owns the property to the west which will eventually benefit from the extended street.

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve certified survey map requested by Village of Mukwonago for the property located south and west of Chapman Farms Blvd., known as MUKV1962996002, subject to the following conditions carried:

1. Prior to recording of the CSM, any technical corrections to the CSM shall be accepted by Village staff.
2. Prior to recording of the CSM, a Developer's Agreement shall be approved by the Village Board and signed by the representative of the property owner and Village officials. The Developer's Agreement shall include, but not be limited to, the following provisions:
 - a. Prior to any further land division of the subject CSM or any type of land disturbance or development (other than current tilling of the site for farming purposes) within any of the divided lots, the extension of Chapman Farms Boulevard shall be constructed by the property owner or assigns in accordance with Village of Mukwonago specifications.
 - b. Construction of the extension of Chapman Farms Boulevard or any type of land disturbance or development (other than current tilling of the site for farming purposes) within any of the divided lots shall be subject to the Village Storm Water and Erosion Control regulations.

Public Works Committee

Motion by Penzkover/Decker to accept the Public Works Committee recommendation and adopt Ordinance No. 944: *An Ordinance to Amend Sec. 44-5 of the Village of Mukwonago Municipal Code Pertaining to Impact Fees* carried (Johnson voted no).

New Business

Village Administrator/Economic Development Director

Relocation order and declaration of public necessity for acquisition of south STH 83 sewer and water utility main extension easements will remain on the agenda.

Motion by Penzkover/Decker to approve the contract with Single Source Inc. to provide appraisal and negotiation services for the south STH 83 sewer and water utility easement acquisitions, subject to the Village Attorney's review, carried.

Village President

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Adrienne D. Flaherty and Ethan Wooster as Election Inspectors for the 2018-2019 term carried.

Motion by Penzkover/Decker to accept the letter of resignation from the Mukwonago Community Library Board from Deb Calvey carried.

Appointment to Mukwonago Community Library Board will remain on the agenda.

Motion by Decker/Johnson to accept the Village President's recommendation and appoint Ken Werner to the Village of Mukwonago Police Commission carried.

Motion by Johnson/Decker to move the February Village Board meeting to February 28, 2018 carried.

Motion by Johnson/Decker to convene into closed sessions at 6:47 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. and for negotiating the terms of the listing agreement for the Sugden 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 7:03 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 Penzkover/Klemme to approve the amendment to the listing agreement for the 915 Main St., which includes a commission of a flat fee of \$66,000 paid at closing carried (Decker voted no).

Adjournment

Meeting adjourned at 7:04 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Tuesday, February 6, 2018

Call to Order

Village President Fred Winchowky called the meeting to order at 7:15 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: Rebecca Alonge, Village Engineer
Ron Bittner, Public Works Director
Steven Braatz, Clerk-Treasurer
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
Judy Taubert, Deputy Clerk-Treasurer
John Weidl, Administrator/Economic Development Director

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 conduct the performance evaluation of the Village Administrator/Economic Development Director and Wis. Stat. **§19.85(1)(e)** for negotiations of purchase of the Sugden property, negotiations for the offer to purchase part of the Sugden by ACG Development, negotiations of sale of 915 Main Street.

Committee/Commission Business

Finance Committee

Website modifications and annual maintenance program

Motion by Johnson/Decker to accept the Finance Committee recommendation and approve the Website modifications and annual maintenance program agreement with Karl James & Company carried.

Wisconsin Consortium credit card program

Motion by Decker/Johnson to accept the Finance Committee recommendation and authorize execution of the WSCA State of Wisconsin Political Subdivision Addendum for the Wisconsin Consortium credit card program carried.

Health and Recreation Committee

Resolution 2018-005

Motion by Decker/Johnson to accept the Health and Recreation Committee recommendation and adopt Resolution 2018-005: *A resolution to file the recycling grants to responsible units grant application* carried.

Personnel Committee

Letter of resignation

Motion by Decker/Johnson to accept the letter of resignation from Steven A. Braatz, Jr. as Clerk/Treasurer carried.

Appointment of Interim Clerk/Treasurer

Motion by Decker/Johnson to accept the Personnel Committee recommendation and appoint Judy Taubert as Interim Clerk/Treasurer until 30 days following the appointment of the new Clerk-Treasurer carried.

Compensation for Interim Clerk/Treasurer

Motion by Decker/Johnson to accept the Personnel Committee recommendation and approve compensation for the Interim Clerk-Treasurer in the amount of \$140 per week until 30 days following the appointment of the new Clerk-Treasurer carried.

Public Works Committee

TID #5 Phase 1 On-site Design Engineering Project

Motion by Decker/Kettner to accept the Public Works Committee recommendation and approve the Engineer Task Order for the TID #5 Phase 1 On-site Design Engineering Project carried.

Proposed TID #5/Banker Wire Property

Motion by Decker/Penzkover to accept the Public Works Committee recommendation and approve the Geotechnical Engineering Services for the proposed TID #5/Banker Wire Property carried.

Resolution 2018-004

Motion by Decker/Kettner to accept the Public Works Committee recommendation and adopt Resolution 2018-004: *Resolution for declaration of public necessity and relocation order to construct public water and sanitary sewer facilities in the Village of Mukwonago* carried.

Access and Indemnity Agreements

Motion by Decker/Kettner to accept the Public Works Committee recommendation and approve the Access and Indemnity Agreement between Judith Sommers, Jacqueline Pitts and the Village of Mukwonago carried.

Motion by Johnson/Kettner to accept the Public Works Committee recommendation and approve the Access and Indemnity Agreement between ProHealth Care and the Village of Mukwonago carried.

Motion by Decker/Johnson to convene into closed sessions at 7.22 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 conduct the performance evaluation of the Village Administrator/Economic Development Director 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 negotiations of purchase of Sugden property and negotiations of sale of 915 Main Street carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover\Deckerto adjourn closed session and reconvene into open session at 8:12 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session and/or any unfinished item remaining on the agenda carried unanimously upon roll call vote.

Motion by Penzkover/Decker to authorize Village President to execute exhibit A to counter offer #6 for 915 Main St. Motion carried.

Motion by Penzkover/Decker to approve exhibit A to counter offer #1 for the Sugden property subject to addition of language to accept secondary offers. Motion carried.

Adjournment

Meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Wednesday, February 28, 2018

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
Fred Winchowky, Village President

Board Members excused: Mark Penzkover

Also present: Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Judith Taubert, Interim Clerk-Treasurer
Diana Doherty, Finance Director
Dave Brown, Utilities 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

1. President Winchowky announced the Board will convene into closed sessions later in the meeting pursuant to Wis. Stat. **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) for discussion and possible action on Wolf Paving Inc. request to withdraw bid for 2018 street rehab project and whether action is taken to make a claim on their bid bond. pursuant to Wis. Stat. **§19.85(1)(c)** to discuss the review process of the Village Administrator/Economic Development Director and Wis. Stat. **§19.85(1)(e)** for negotiations of purchase of the Sugden property, negotiations for the offer to purchase part of the Sugden by ACG Development.

Comments from the Public

Kevin McCarthy, 1475 S Rochester Street, had concerns regarding the retention pond near his property.
Marilyn McCarthy, S108W27690 Maple Ave. had concerns regarding the retention pond and Was asking about a fence around the pond.
Jim McCarthy, S108W27690 Maple Ave. had concerns of the location of the retention pond and asked about fencing it in.

Consent Agenda

- A. Approval of minutes of the January 16, 2018 regular meeting and the February 6, 2018 special meeting
 - B. Approval of Vouchers payable batches:
 - 1) Payments batch AP-2-2018-1 \$129,845.37
 - 2) Payments batch AP-12-2017-5 \$496,486.06
 - 3) Prop Tax OVPY01183 \$3,766.34
 - 4) Payments batch LIBAP12-2017-2 \$2,226.07
 - 5) Payments batch LIBAP1-2018 \$16,585.41
 - 6) Payments batch AP-2-2018-2 \$383,386.06
 - 7) Manuals batch M-1-2018-2 \$85.82
 - 8) Prop Tax OVPY02181 \$4,873.72
 - 9) Tax Settlements TAXSET-2-18 \$2,338.886.40
 - 10) Payments batch LIB2-2018 \$41,992.38
 - C. Approval of award of bid for Boat Launch Improvements Project to Pro-Seal Asphalt Paving & Maintenance Co., Inc. in the amount of \$216,427.90
 - D. Recommend Adoption of Ordinance #945 to amend section 82-1 of the Municipal Code of the Village of Mukwonago regarding adoption of state traffic laws.
 - E. Approval of Funding options for Fire Station #1 Addition Project
 - F. Approval of Request for reduction in 4th quarter 2017 sewer charges for 1539 Foxtail Court
 - G. Approval of Change Order #3 for the Chapman Farms Blvd Project
 - H. Approval of Change Order #2 for the 2017 Street Project
 - I. Approval of Closeout Change Order for the Wolf Run Signalization Project
 - J. Approval of Storm Water Management Plan for and issuance of Erosion Control Permit to Aurora Healthcare
 - K. Approval of Fairwinds Storm Water Management Practice Maintenance Agreement
 - L. Approval of Fairwinds Phase 5 letter of credit
 - M. Approval of Engineer Task Order for Well 4 Rehabilitation Project
 - N. Approval of Engineer Task Order for Deback Drive Infrastructure Project
- Motion by Decker/Johnson to approve the consent agenda carried.

Committee/Commission Business

Protective Services Committee

Motion by Decker/Klemme to award the bid for Fire Station #1 Addition Project to Magill Construction Company, Inc. in the amount of \$482,600.00 carried

Motion by Decker/Klemme to approve the Contract 2007 or Contract 2017 Between the Village of Mukwonago and Magill Construction upon Legal Review for the Addition to and Remodeling of the Village of Mukwonago Fire Station, 111 Fox Street carried

Finance Committee

Fire Settlement

Motion by Johnson/Vermeulen to accept the Fire Departments Settlement for the unfunded liability for the Fire Department carried

Resolution 2018-006

Motion by Johnson/Decker to adopt **Resolution 2018-006** A resolution amending the 2017 adopted Budgets for the General Fund carried

Resolution 2018-007:

Motion by Decker/Johnson to adopt **Resolution 2018-007** A Resolution Amending the 2017 Adopted Budgets for the Fire Dept Fund carried

Resolution 2018-008

Motion by Decker/Johnson to adopt **Resolution 2018-008** A Resolution Amending the 2017 Adopted Budgets for Community Development, Wisconsin Development, TID #3, TID #4, Debt Service, Fire Designated, Village Designated, Recycling, Capital Equipment, Library, Capital Projects, Storm Water Utility, Water Utility and Parkland Site Funds carried

Plan Commission

Resolution 2018-009

Motion by Decker/Johnson to adopt **Resolution 2018-009** to approve the conditional use permit requested by Andrew Reahm, Storage Werks Mukwonago, for a new Indoor Mini-Warehouse Facility within the B-2, General Business District on the property located on the east side of Mukwonago Dr. and north of Bay View Rd., known as MUKV2009954002 carried

Resolution 2018-010

Motion by Decker/Johnson to adopt **Resolution 2018-010** to approve the site plan and architectural review requested by Andrew Reahm, Storage Werks Mukwonago, for a new Indoor Mini-Warehouse Facility within the B-2, General Business District on the property located on the east side of Mukwonago Dr. and north of Bay View Rd., known as MUKV2009954002 carried

Resolution 2018-011

Motion by Johnson/Decker to adopt **Resolution 2018-011** to approve the conditional use permit requested by Tom Herlugson, MAH Property LLC, for an Animal Hospital, Grooming and Boarding Facility within the B-2, General Business District to allow a rear addition to the existing facility on the property located at 1065 N. Rochester Street, known as MUKV1963996001 carried

Resolution 2018-012

Motion by Johnson/Vermeulen to adopt **Resolution 2018-12** to approve the site plan and architectural review requested by Tom Herlugson, MAH Property LLC, for an Animal Hospital, Grooming and Boarding Facility within the B-2, General Business District to allow a rear addition to the existing facility on the property located at 1065 N. Rochester Street, known as MUKV1963996001 carried

TID #5 Project Plan

Motion by Decker/Klemme to approve the Final Draft of the Project Plan for the Creation of Tax Incremental District No. 5 carried

Resolution 2018-013

Motion by Decker/Vermeulen to adopt **Resolution 2018-013** A Resolution Approving The Project Plan And Boundaries For Tax Incremental District No. 5 Of The Village Of Mukwonago, Wisconsin, And Making Certain Findings With Respect Thereto carried

New Business

Village Administrator/Economic Development Director

Discussion and possible action regarding the listing agreement with Anderson Commercial Group, LLC for Bear Corp Center for the Sugden site. No Action taken.

Village Attorney

Motion by Decker/Johnson to approve the Well #7 site rezoning request carried

Motion by Decker/Johnson to approve exchange of real estate with Jansen Properties, LLC related to Well #7 carried

Motion by Decker/Johnson to approve the utility easement for Well #7 carried

Discussion Re: 2017 Wisconsin Acts 67 and 68. No action taken. Staff will review each Conditional Use and give a preliminary review of concerns at the Wednesday, April 4, 2018 Committee of the Whole Meeting.

Village President

Motion by Decker/Johnson to approve the Village President's appointment of Eliza Pautz to Mukwonago Community Library Board carried

Motion by Johnson/Decker to change for March, April and May Village Board meeting dates to Wednesdays carried. (COW: 3/7/18, 4/4/18 & 5/2/18 VB: 3/21/18, 4/18/18 & 6/16/18)

Motion by Johnson/Decker to convene into closed sessions at 7:55 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 on Wolf Paving Inc. request to withdraw bid for 2018 street rehab project and whether action is taken to make a claim on their bid bond. pursuant to Wis. Stat. **§19.85(1)(c)** to discuss the review process of the Village Administrator/Economic Development Director and Wis. Stat. **§19.85(1)(e)** for negotiations of purchase of the Sugden property, negotiations for the offer to purchase part of the Sugden by ACG Development.

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

Motion by Johnson/Decker to accept a request from Wolf Paving to withdraw their bid for the 2018 street rehab project upon providing their request in writing carried

Adjournment

Meeting adjourned at 8:42 p.m.

Respectfully Submitted,

Judith A. Taubert
Interim Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday, March 7, 2018

Call to Order

Village President Fred Winchowky called the meeting to order at 6:02 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
Mark Penzkover
Fred Winchowky, Village President

Board Members excused Darlene Johnson
Jay Vermeulen

Also present: Rebecca Alonge, Village Engineer
Ron Bittner, Public Works Director
Dave Brown, Utilities Director
Mark Blum
Diana Doherty, Finance Director
Kevin Schmidt, Police Chief
Judy Taubert, Deputy Clerk-Treasurer
John Weidl, Administrator/Economic Development Director

Announcement of closed sessions

Announcement of closed sessions 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 filling of the vacant Clerk/Treasurer position and Wis. Stat. **§19.85(1)(e)** for discussion regarding the Pre-Development Agreement for the Development Known as Maple Centre

Committee/Commission Business

Finance Committee

Resolution 2018-014

Motion by Penzkover/Decker Authorizing the Issuance of \$4,225,000 Taxable General Obligation Promissory Notes and the Issuance and Sale of \$4,225,000 Taxable Note Anticipation Notes, Series 2018A in Anticipation Thereof carried

Public Works Committee

Supplemental Agreement Number 1 STH 83 Corridor TIA for WISDOT Access

Motion by Penzkover/Kettner to approve the amended Supplemental Agreement Number 1 STH 83 Corridor TIA for WISDOT Access Approval in the amount of \$26,314 for a total project fee of \$34,880 carried

Motion by Decker/Penzkover to convene into closed sessions at 6:05 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 filling of the vacant Clerk/Treasurer position and Wis. Stat. **§19.85(1)(e)** for discussion regarding the Pre-

Development Agreement for the Development Known as Maple Centre. Discussion held in closed session.

Motion by Decker/Penzkover to adjourn closed session and reconvene into open session at 6:42 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 6:43 p.m.

Respectfully Submitted,

Judith A. Taubert
Interim Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Wednesday, March 21, 2018

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
Fred Winchowky, Village President

Board Members excused: Mark Penzkover
Darlene Johnson

Also present: Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Jeff Belongia, Village Financial Advisor
Judith Taubert, Interim Clerk-Treasurer
Diana Doherty, Finance Director
Dave Brown, Utilities Director
Bruce Kaniewski, Planner/Zoning Administrator
Dan Streit, Police Lieutenant
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 the filling of the Clerk/Treasurer vacancy and Wis. Stat. **§19.85(1)(e)** Deliberating or negotiating the purchase 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 on the listing agreement with Anderson Commercial regarding the Industrial Park, pre-development with Maple Centre for mixed use, Boundary Agreement with the Town of Vernon and the listing agreement for the Sugden Property

Public Hearing

A Public Hearing for the consideration of change of zoning requested by Harry Bielinski, Bielinski Homes, for the property located on part of MUKV 1957-997 Vacant property approximately 1,100 feet west of the intersection of Rochester Street (STH 83) and Chapman Farm Boulevard and north/northeast of the current northern terminus of Fairwinds Boulevard, from R-10, Median Density Multi-Family District to R-5, Low Density Multi-Family District, and a portion of R-1, Single-Family Medium Lot Residential District to R-5, Low Density Multi-Family District
opened at 6:33 p.m.

Steve Presti, 511 Westlawn Ave. spoke about concerns of a turning lane to get into the subdivision

Public hearing closed at 6:34 p.m.

A Public Hearing for the consideration of change of zoning concerning TID #5 requested by Village of Mukwonago for the property located 1515 S. Rochester Street (STH 83), known as MUKV1968996, A-1, Agricultural District to M-4, Medium/Heavy Industrial District

opened at 6:34 p.m.

No one appeared to speak for or against the change in zoning. President Winchowky read a letter, on file, from Marilyn McCarthy regarding concerns with changing the zoning to M-4, Medium/Heavy Industrial District.

Public hearing closed at 6:36 p.m.

Comments from the Public

None. Closed at 6:37 p.m.

Consent Agenda

- A. Approval of minutes of the February 28, 2018 regular meeting
 - B. Approval of Vouchers payable batches:
 - 1. Payments batch AP-3-2018-1 \$135,978.97
 - 2. Payments batch M-2-2018-1 \$215,070.74
 - 3. Payments batch M-2-2018-2 \$2,432.32
 - 4. Payments batch AP-3-2018-2 \$400,281.82
 - C. Approval of WE Energies request to revise the current easement and install a new cable within said easement
 - D. Approval of Creating Section #46-32 of the Village of Mukwonago Municipal Code which sets out guidelines of disposal of abandoned or unclaimed property.
 - E. Approval of Changing Section #82-263 of the Village of Mukwonago Municipal Code (Unclaimed or unidentified bicycles) to reflect the disposal of recovered bicycles would fall under Section #46-32.
 - F. Approval of amending Administrative Clerk (PT) job description whereby the Administrative Clerk reports to the Finance Director instead of the Clerk/Treasurer
 - G. Adopt the Policy of the Village Administrator's Annual Review Process
 - H. Approval of awarding the 2018 Street Rehabilitation project to Payne & Dolan Inc, for the base bid of \$355,307.75
 - I. Approval of the amended Supplemental Agreement Number 1 STH 83 Corridor TIA for WISDOT Access Approval in the amount of \$26,314 for a total project fee of \$34,880.
 - J. Award the bid for the Grand Avenue Rehabilitation Project to Advanced Construction for the sum of \$784,397.60.
 - K. Award the bid for Pump #4 Electrical Upgrades to Pieper Electric for the sum of \$51,000.
- Motion by Decker/Klemme to approve the consent agenda carried.

Committee/Commission Business

Protective Services Committee

Backup fire dispatch with WCCC MOU

Motion by Vermeulen/Decker to approve the signing off on the agreement of backup fire dispatch with WCCC MOU carried

Narcotic Tracking Software and equipment

Motion by Decker/Klemme to approve the purchase of narcotic tracing barcode software and equipment carried

Ventilator purchase

Motion by Klemme/Decker to approve the purchase of ventilators carried.

SAFER grant application

Motion by Klemme/Decker to give permission to submit a Safer Grant application carried.

Plan Commission

Recommendation to consider a Zoning District Boundary Change (a/k/a Rezoning) from A-1, Agricultural District to M-4, Medium/Heavy Industrial District property known as #VM 0008

No Action taken until property has been purchased.

Ordinance 946

Motion by Decker/Vermeulen to recommend adopting Ordinance 946 to amend the District Zoning Map of the Village of Mukwonago requested by Harry Bielinski, Bielinski Homes, for the property located on part of MUKV 1957-997/Vacant property approximately 1,100 feet west of the intersection of Rochester Street (STH 83) and Chapman Farm Boulevard and north/northeast of the current northern terminus of Fairwinds Boulevard, from R-10, Median Density Multi-Family District to R-5, Low Density Multi-Family District, and a portion of R-1, Single-Family Medium Lot Residential District to R-5, Low Density Multi-Family District carried

Resolution 2018-018

Motion by Decker/Klemme for the Village Board to adopt **Resolution 2018-018**: to accept Conditional Use Permit requested by Glenn Brusky of Educators Credit Union with the findings of fact and conditions of approval as recommended by the Village Planner to allow for a Drive-Through Banking Facility carried

Resolution 2018-019

Motion by Decker/Klemme for the Village Board to adopt **Resolution 2018-019**: to approve site plan and architectural review requested by Educators Credit Union with the following conditions, including the relocation of air conditioning condenser units and submittal of number of employees to occupy the building carried

Resolution 2018-016

Motion by Decker/Klemme for the Village Board to adopt **Resolution 2018-16**: to approve the request for site plan and architectural review for changes to allow pickup of on-line ordering of groceries at 1010 N. Rochester St., subject to the following condition:

Site pavement markings, directional signage and change of the east door shall be in conformance with the plans submitted with the application prepared by BRR Architecture and the applicant on file in the office of the Village Zoning Administrator. carried

Resolution 2018-017

Motion by Decker/Kettner for the Village Board to adopt **Resolution 2018-017**: A Resolution Approving the requested site plan and architectural review for Banker Wire contingent upon a Developers Agreement and subject to the conditions listed carried

New Business

Village Administrator/Economic Development Director

Discussion regarding the Cooperative Boundary Plan Amendment with the Town of Vernon. No action taken

Village Finance Director

Consideration of an Initial Resolution Regarding Industrial Development Revenue Bond Financing for C. I. Banker Wire and Iron Works, Inc. Project. Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution.

Motion by Decker/Kettner to consider an Initial Resolution regarding Industrial Development Revenue Bond Financing for C.I. Banker Wire and Iron Works, Inc. Project carried

Information on Trustee Pay from Monthly to Biweekly

No action taken

Village Attorney

Discussion and possible action to approve the revision of the Quit Claim Deed regarding the exchange of real estate with Jansen Properties relating to Well #7

Motion by Decker/Vermeulen to approve the revision of the Quit Claim Deed regarding the exchange of real estate with Jansen Properties relating to Well #7 carried

Village President

Proclamation for “Parents Who Host, Lose The Most” month

Motion by Decker/Kettner to approve the Proclamation for April 2018 for “Parents Who Host, Lose the Most” carried

Convene into Closed Session

Motion by Decker/Klemme upon roll call vote to convene into closed sessions 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*) Announcement of closed sessions pursuant to Wis. Stat. **§19.85(1)(c)** to discuss the filling of the Clerk/Treasurer vacancy and Wis. Stat. **§19.85(1)(e)** for discussion on the listing agreement with Anderson Commercial regarding the Industrial Park, pre-development with Maple Centre for mixed use, Boundary Agreement with the Town of Vernon and the listing agreement for the Sugden Property at 7:25 p.m.

Reconvene into open session 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 at 8:43 p.m.

Staff will do as directed in closed session.

Adjournment

Meeting adjourned at 8:44 p.m.

Respectfully Submitted,

Judith A. Taubert
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Wednesday, April 18, 2018

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
Fred Winchowky, Village President
Mark Penzkover
Darlene Johnson

Also present: Rebecca Alonge, Village Engineer
Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Judith Taubert, Interim Clerk-Treasurer
Diana Doherty, Finance Director
Dave Brown, Utilities Director
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

Announcement of closed sessions 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) for an update and discussion on retirement agreement and temporary light duty for police personnel and pursuant to Wis. Stat. **§19.85(1)(e)** Deliberating or negotiating the purchase 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 on Boundary Agreement with the Town of Vernon

Public Hearing

To Consider an application for Zoning District Boundary Change (a/k/a Rezoning) from B-5, Planned Business and Light Industrial Development District, to P, Public and Semipublic District at the property known as MUKV 2016-995/Vacant property at the southwest corner of Maple Avenue and Maple Court, approximately 0.1 acre in size opened at 6:32 p.m.

No one appeared for or against the change in zoning.

Public hearing closed at 6:35 p.m.

Comments from the Public

Joanne Tlachac-Hehm-435 Lake Street – read a letter asking the Village Board to provide input on the harvesting plan for Phantom Lakes.

Consent Agenda

- A. Approval of minutes of the March 21, 2018, regular meeting
- B. Finance Committee
 - 1) Vouchers payable batches
 - a. Payments batch AP-4-2018-2 \$353,768.58
 - b. Payments batch TAXSET4-2018 \$113,010.29
 - c. Payments batch AP-4-2018-1 \$129,856.19
 - d. Payments batch M-3-2018-1 \$169,853.02
 - e. Payments batch LIBAP-3-2018 \$15,524.80
 - 2) Purchase requisition
 - a. Utilities Department – 2018 Utility Service Truck w/2000# Crane \$47,821
 - b. Public Works Department – Park Equipment Rosewood Park \$9,881.60
 - c. Public Works Department – Park Equipment \$9,881.60
 - d. Public Works Department – Wood Chips for Play Structures \$5,300
 - 3) 2018-02 February Revenue Guideline
 - 4) 2018-02 February Treasury Report
 - 5) 2018-02 February Expenditure Guideline
- C. Health and Recreation Committee
 - 1) Approve the project and allow the scouts to participate in installation of project Materials in Rosewood Park – Presentation by Girl Scouts
- D. Judicial Committee
 - 1) Approve the amendment to the Pick 'N Save #6384 "Class A" Retailer's License to include the outside parking stalls designated for the ClickList service
- E. Public Works Committee
 - 1) To Accept and Award the Front Street Reconstruction Project bid to Advance Construction, Inc. for the base bid of \$328,566.80
 - 2) **Resolution 2018-021** to authorize the Public Works Director of the Village of Mukwonago to act on behalf of the Municipality to apply for and sign the required documentation for the project
 - 3) To approve the full width reconstruction on the 425 ft. section of Maple Ave. affected by the utility extension with an estimated cost of \$31,000
 - 4) Task Order for TID #5 Phase 1 On-site design engineering – Amendment No. 1
 - 5) Recommendation to consider requiring curb for Chapman Place Private Drive
 - 6) Recommend approval of the Developers Agreement for the Chapman II Certified Survey Map
 - 7) Recommendation to consider allowing Wolf Run Median Opening
- F. Village President
 - 1) Approve the Proclamation for National Public Safety Telecommunications Week April 8th – 14th, 2018

Motion by Decker/Kettner to approve the items on the Consent Agenda carried.

Committee/Commission Business

Plan Commission

Resolution 2018-022:

Motion by Decker/Johnson to adopt **Resolution 2018-022** approving the site plan and architectural review requested by Curt Wiebelhaus on behalf of the Mukwonago Area

School District for the Mukwonago High School Athletic Stadium Entrance at 385 Veterans Way known as MUKV 1960998001 carried. Penzkover voted no.

Resolution 2018-023

Motion by Penzkover/Decker to adopt **Resolution 2018-023** a resolution to approve the certified survey map requested by Harry or Frank Bielinski for a Bielinski-Chapman development property located west of Hwy 83 on Chapman Farm Blvd. known as Part of MUKV1957997 carried

Resolution 2018-024:

Motion by Penzkover/Johnson to adopt **Resolution 2018-024** a resolution to approve the preliminary plat review requested by Harry or Frank Bielinski, Bielinski Homes, Inc. for approval of approximately 65 acres of the Bielinski-Chapman development to build single family homes and condominiums located west of Hwy 83 on Chapman Farm Blvd. known as part of MUKV1957997 with the additional wording that Items 4a-4d shall be completed during Phase I carried

Resolution 2018-025:

Motion by Decker/Johnson to adopt **Resolution 2018-025** a resolution approving the TID #5 Certified Survey Map with the 4 items listed carried

1. Prior to recording of the Certified Survey Map, street names shall be identified.
2. Prior to recording of the Certified Survey Map, "no access" shall be shown on the map to STH 83 and adjacent to the local street the full length of the dedicated left turn lane to STH 83.
3. Prior to recording of the Certified Survey Map, the name of the Village Clerk shall be changed to Judith A. Taubert.
4. Prior to recording of the Certified Survey Map, the Village Board shall approve a Storm Water Maintenance Agreement.

Ordinance 947:

Motion by Decker/Penzkover to adopt **Ordinance 947** an ordinance to amend the zoning district map of the Village of Mukwonago for TID #5 carried

Ordinance 948:

Motion by Penzkover/Decker to adopt **Ordinance 948** an ordinance to amend the District Zoning Map of the Village of Mukwonago for Water Utility Zoning Booster Station Site carried.

Resolution 2018-026:

Motion by Decker/Kettner to adopt **Resolution 2018-026** a resolution approving site plan and architectural review for Construction of a Booster Station requested by the Mukwonago Water Utility subject to the acquisition of property by the Village carried

New Business

Village Administrator/Economic Development Director

Consideration of Performance-Based Bonus for Diana Doherty, Finance Director for her exceptional contributions to the Village in the amount of \$1,000

Motion by Decker/Vermeulen to approve the performance-based bonus for Diana Doherty, Finance Director for her exceptional contributions to the Village in the amount of \$1,000 carried.

Storm Water Maintenance Agreement for TID #5

Motion by Decker/Kettner to adopt the Storm Water Maintenance Agreement for TID #5 carried.

Marketing proposal from Bray Architects regarding the Outdoor Performance Stage

Motion by Penzkover/Decker to approve the marketing proposal from Bray Architects regarding the Outdoor Performance Stage contingent upon the Village owning all renderings, drawings and all marketing materials carried.

Downtown Strategic Plan Steering Committee Update

Wamser gave an update. No action taken.

Public Works

Authorization for the Public Works Director to assign two employees as agents for relocating the nuisance beavers

Motion by Penzkover/Decker authorize the Public Works Director to assign two employees as agents to relocate the nuisance beavers carried. Kettner voted no.

Village President

Proclamation for "Arbor Day" the last Friday in April

Motion by Decker/Wamser to approve the Proclamation for "Arbor Day" as the last Friday in April carried. In celebrating, the Village has designated the last Friday in April as a day of celebration for supporting the Arbor Day Foundation.

Convene into Closed Session

Motion by Decker/Johnson to convene into closed session 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) for an update and discussion on retirement agreement and temporary light duty for police personnel and pursuant to Wis. Stat. **§19.85(1)(e)** Deliberating or negotiating the purchase 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 on Boundary Agreement with the Town of Vernon at 7:25 p.m.

Reconvene into open session 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 at 7:48 p.m.

Advise staff to take action as proposed in closed session.

Adjournment

Meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Judith A. Taubert
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday, May 2, 2018

Call to Order

Village President Fred Winchowky called the meeting to order at 6:36 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
Jason Wamser
Darlene Johnson
Jay Vermeulen
Fred Winchowky, Village President

Board Members excused Mark Penzkover

Also present: Ron Bittner, Public Works Director
Dave Brown, Utilities Director
Ivan Zarembo, Water Department
Mark Blum, Village Attorney
Diana Doherty, Finance Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner
Kevin Schmidt, Police Chief
Kurt Peot, Village Engineer
Judy Taubert, Deputy Clerk-Treasurer
John Weidl, Administrator/Economic Development Director

Announcement of closed sessions

Announcement of closed sessions 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 a potential developer's agreement, offer to sell and lease agreements with Banker Wire, possible action related to potential real estate transactions with Family Ventures of Mukwonago, as well as a pre-developer's agreement and Bielinski/Chapman Farms Development letter of intent and developer agreement.

Committee/Commission Business

Judicial Committee

Change of Agent for American Legion Community Post #375

Motion by Decker/Johnson to accept the change of Agent for American Legion Community Post #375 carried.

Finance Committee

Recommend the Village Board award the bid for the TID #5 Public Improvements to Willkomm Excavating & Grading, Inc. in the amount of \$4,677,654

Motion by Kettner/Decker to award the bid for the TID #5 Public Improvements to Willkomm Excavating & Grading, Inc. in the amount of \$4,677,654 carried.

Public Works

Recommend the Village Board award the contract to Terracon for the TID #5 Project in the amount of \$35,855

Motion by Kettner/Decker to award the contract to Terracon for the TID #5 Project in the amount of \$35,855 carried.

Recommend the Village Board approve the Task Order 2018-11, TID #5 Public Improvements Construction Related Services

Motion by Decker/Johnson to approve the Task Order 2018-11, TID #5 Public Improvements Construction Related Services carried. Vermeulen voted no.

Convene into Closed Session

Motion by Johnson/Decker to convene into closed sessions 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 related to a potential developer's agreement, offer to sell and lease agreements with Banker Wire, possible action related to potential real estate transactions with Family Ventures of Mukwonago, as well as a pre-developer's agreement and Bielinski/Chapman Farms Development letter of intent and developer agreement.

Motion by Johnson/Decker to adjourn closed session and reconvene into open session at 7:32 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.

Developers Agreement, offer to sell and lease agreements with Banker Wire

Motion by Kettner/Decker to approve the Developers Agreement and offer to Sell and lease agreement subject to final approval by the Village Attorney, Village Administrator and Village President carried.

Potential real estate transactions with Family Ventures of Mukwonago

Motion by Kettner/Decker to approve the Pre-Developers Agreement and Offer to Purchase with Family Ventures of Mukwonago, LLC subject to final approval by the Village Attorney, Village Administrator and Village President carried

Bielinski/Chapman Farms Development

Motion by Decker/Kettner to Direct Staff to stand by the Original Developers Agreement and draft a letter to all parties involved rejecting Bielinski's request based upon the Developers Agreement with the Chapman Family Trust carried

Adjournment

Meeting adjourned at 7:36 p.m.

Respectfully Submitted,

Judith A. Taubert
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Wednesday, May 16, 2018

Call to Order

Village President Fred Winchowky called the meeting to order at 6:31 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
Jason Wamser
Fred Winchowky, Village President

Board Members excused: Mark Penzkover

Also present: Rebecca Alonge, Village Engineer
Jeff Belongia, Village Financial Advisor
Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Judith Taubert, Interim Clerk-Treasurer
Diana Doherty, Finance Director
Dave Brown, Utilities Director
Robert Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Steve LaDue, Police Lieutenant
John Weidl, Administrator/Economic Development Director
John Knepel, Village Auditor

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed sessions

Announcement of closed sessions 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 a potential new business in the Industrial Park and the listing agreement with Anderson Commercial Group, LLC

Comments from the Public

Craig Vertz, W311S9084 Moccasin Trail- Mukwonago Braves

Jake Sinnott, Mukwonago- Mukwonago Braves

They both wanted to thank the Village for all their continued support all these years.

Consent Agenda

- A. Approval of corrected minutes for April 4, 2018 regular meeting
- B. Finance Committee
 - 1) Vouchers payable batches
 - a. Payments batch AP-5-2018-1 \$262,269.60
 - b. Payments batch MMC-3/18-1 \$16,262.50

- c. Payments batch LIBAP-4-2018 \$26,414.66
 - d. Payments batch AP-5-2018-2 \$139,121.94
 - 2) Purchase requisitions:
 - a. Public Works Department –approval of the painting of the DPW garage from A-Cut Above Painting for \$13,850.00
 - b. Public Works Department –approval for window and door replacement services from BGS Glass Services for \$12,200.00
 - c. Public Works Department –approval for tuck pointing services from R. Domres Construction for \$10,450.00
 - 3) March 2018 Treasury Reports
 - C. Health and Recreation Committee
 - 1) Recommendation to the Village Board to authorize the Village President to sign the Mutual Rescission of Management Agreement with the Mukwonago Braves
 - D. Protective Services Committee
 - 1) 2017 Annual Police Report
 - 2) Update of the Village Police Commission: Kenneth Johnson was elected Chairperson and Robert Douglas was elected as the Secretary
 - E. Public Works Committee
 - 1) Recommending the Village Board approve the Task Order 2018-12 from Ruekert & Mielke Front Street Reconstruction Services, for the sum of \$70,000
 - 2) Recommending the Village Board award, the Holz Parkway multi-use construction contract to Workman Enterprise, LLC for \$146,792.25
 - F. Village President
 - 1) Village President to Approve the Proclamation of the Municipal Clerk's Week as the week of May 6th – 12th, 2018
 - 2) Village President to Approve the Proclamation for National Police Week for the week of May 13th-19th, 2018
- Motion by Decker/Johnson to approve the items on the Consent Agenda carried.

New Business

Finance Director

Financial Statements- 2017 Auditor's Report & 2017 Report-Communication to Those Charged with Governance and Management

John Knepel gave a presentation of the financial state of Mukwonago

Motion by Johnson/Decker to approve the 2017 Auditor's Reports carried.

Resolution 2018-027

Motion by Decker/Johnson to adopt **Resolution 2018-027** a Resolution authorizing the Issuance and Sale of \$2,140,000 General Obligation Promissory Notes, Series 2018B carried.

Resolution 2018-028

Motion by Decker/Kettner to adopt **Resolution 2018-028** a Resolution Amending and Supplementing Resolution No. 2002-03; Providing for the Issuance and Sale of \$3,850,000 Waterworks System and Sewerage System Revenue Bonds, Series 2018C; and Providing for the Payment of Said Bonds and other Details and Covenants with Respect Thereto carried.

Resolution 2018-029

Motion by Decker/Kettner to adopt **Resolution 2018-029** a Resolution Authorizing the Issuance and Sale of \$7,700,000 Waterworks System and Sewerage System Revenue Bond Anticipation Notes, Series 2018D carried.

Public Works

Resolution 2018-031

Motion by Johnson/Decker to adopt **Resolution 2018-031** a Resolution allowing Public Works Dept. to apply for Urban Forestry Grant through the Wisconsin DNR carried.

Protective Services Committee

SAFER Grant Commitment Letter

Motion by Decker/Kettner to grant a Commitment Letter from the Village with the stipulation that the letter goes to the Village Attorney for approval and the Board has to accept the SAFER Grant if issued carried. Vermeulen voted no.

Planning Commission

Resolution 2018-030

Motion by Decker/Kettner to adopt **Resolution 2018-030** a Resolution approving a Certified Survey Map for Frederick L. and Penny B. Walton, Applicants, property known as MUKV 2139999, new address 510 Maple Avenue with the four conditions listed in the Resolution carried:

1. Prior to Village officials affixing signatures to the final Certified Survey Map, the following restriction must be added for Outlot 1:
"Outlot 1 does not have access to, or frontage along, a fully improved public right-of-way in accordance to Village of Mukwonago standards for use as a public street. Outlot 1 shall remain designated as an out lot and therefore, shall not be further divided by a Plat of Subdivision, a Certified Survey Map or any other land transfer, and shall not be utilized for any use other than tilled for agricultural purposes or remain fallow as open space, and shall not have any building or structure of any type constructed thereon, until any one of the following occurs:
 - a). Full improvement in accordance with Village of Mukwonago standards as a public street of the abutting 80-foot-wide public street reservation as shown on Certified Survey Map No. 11556. Full improvement shall mean, but not be limited to, a paved driving surface at a width conforming to the Village of Mukwonago standards for a collector street, curb and gutter and storm sewer full improvement may also include public water, sanitary sewer, street trees and street lights.
 - b). Outlot 1 is combined with any neighboring property having proper access and frontage along a fully improved public right-of-way.
 - c). Outlot 1 is provided with access and frontage along a fully improved public street other than the abutting 80-foot-wide public street reservation as shown on Certified Survey Map No. 11556.

The easement over Lot 1 to provide ingress-egress access to Outlot 1 shall not be construed to be access for the purpose of this restriction."

2. Prior to Village officials affixing signatures to the final Certified Survey Map, a 16-foot-wide ingress-egress easement shall be added on Lot 1 to the benefit of Outlot 1, with the following restriction:

"The 16-foot-wide easement over Lot 1 to provide ingress-egress access to Outlot 1 shall remain until Outlot 1 is converted to a buildable lot in accordance with Outlot 1 restrictions of this Certified Survey Map."

3. Prior to Village officials affixing signatures to the final Certified Survey Map, the CTH NN notation shall be removed with Maple Avenue as the official name of the right-of-way and the Village Clerk's name shall be changed to Judith A. Taubert.

4. Prior to recording of the Certified Survey Map by the Village of Mukwonago, the Village Zoning Administrator shall approve the additions and revisions made to the map as required by Conditions 1 through

Village Administrator

Change Order for Asbestos Abatement Work-Sugden Property

Motion by Decker/Vermeulen to approve the Change Order for Asbestos Abatement Work on the Sugden Property carried.

Village Clerk/Treasurer

Hiring Temporary Assistant for Records Management- Basement

Motion by Decker/Vermeulen to approve hiring a Temporary Assistant for Records Management – Basement carried.

Village President

Proclamation for National Public Works Week

Motion by Decker/Johnson to authorize the Village President to accept a Proclamation for National Public Works Week for the week May 21 – May 27, 2018 carried

Dates for Village Board Meetings

Motion by Decker/Johnson to continue the Village Board Meetings on Wednesday for the next 6 months and hold the next COW meeting on July 2nd at 5:30 carried

2018 Committee/Commission/BOR Appointments

Motion by Decker/Wamser to approve the appointments carried as:

- a. Planning Commission Member: John Meiners term ending 2021
- b. Board of Building and Zoning Appeals Regular member: Chris Tarr term ending 2021
- c. Board of Building and Zoning Appeals Alternate John Meiners term ending 2021
- d. Fire Commission Trustee member: Darlene Johnson, term ending 2021
- e. Fire Commission Village Appointment: Lee Hau, term ending 2021
- f. Police Commission Member: Ken Werner, term ending 2021
- g. Economic Development Committee Regular member: April Reszka term ending 2021
- h. Economic Development Committee Non-voting member: Mark Greene term ending 2021
- i. Board of Review 2018: Jay Vermeulen (Regular), Darlene Johnson (Regular), Jim Decker (Regular), Jason Wamser (Alternate)

Convene into Closed Session

Motion by Vermeulen/Johnson to convene into closed session 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 a potential new business in the Industrial Park and the listing agreement with Anderson

Commercial Group, LLC at 7:51 p.m.

Reconvene into open session 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 upon a roll call vote at 8:37 p.m.

All items have been directed to staff and Village Attorney as proposed in closed session.

Adjournment

Meeting adjourned at 8:38 p.m.

Respectfully Submitted,

Judith A. Taubert
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday, June 6, 2018

Call to Order

Village President Fred Winchowky called the meeting to order at 7:01 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
Jason Wamser
Darlene Johnson
Jay Vermeulen
Fred Winchowky, Village President
Mark Penzkover

Also present: Ron Bittner, Public Works Director
Dave Brown, Utilities Director
Mark Blum, Village Attorney
Rebecca Alonge, Village Engineer
Diana Doherty, Finance Director
Bruce Kaniewski, Planner
Judy Taubert, Deputy Clerk-Treasurer

Public Hearing

Proposed industrial development revenue bond financing for C.I. Banker Wire & Iron Works, Inc. project opened at 7:02 p.m.

No comments from the public

Public Hearing closed at 7:03 p.m.

Committee/Commission Business

Finance Committee

Consideration of “Final Resolution #032 of 2018 Regarding Industrial Development Revenue Bond Financing for C.I. Banker Wire & Iron Works, Inc. Project”

Motion by Decker/Johnson to adopt Resolution-032 regarding Industrial Development Revenue Bond Financing for C.I. Banker Wire & Iron Works, Inc. Project carried

TID #5 Phase II design and bidding Task Order

Motion by Decker/Kettner to approve the TID #5 Phase II design and bidding Task Order carried. Vermeulen voted no.

Public Works

Recommend the Village Board allow Willkomm Excavating to work two consecutive crews outside of standard Village Working hours to complete onsite grading for TID #5 following all OSHA approved night-time working standards

Motion by Penzkover/Johnson to approve Willkomm Excavating to work two consecutive crews outside of standard Village working hours for an initial period of 2 weeks, starting

June 6 and ending June 21, exclusive of storm ponds on north or near HWY 83 and if Village Staff recognizes a substantial issue that requires a cessation of work, then they have authority to rescind this approval carried.

Village President

Protective Services Committee Appointment of Jason Wamser

Adjournment

Meeting adjourned at 7:06 p.m.

Respectfully Submitted,

Judith A. Taubert
Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Wednesday, June 20, 2018

Call to Order

Clerk/Treasure Judith Taubert called the meeting to order at 6:31 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
Jason Wamser
Mark Penzkover

Board Members excused: Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Judith Taubert, Clerk-Treasurer
Diana Doherty, Finance Director
Dave Brown, Utilities 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.

The Clerk asked for nominations for an acting Chairperson. Decker/Johnson nominated Penzkover to be the acting Chair upon a unanimous vote nomination carried.

Announcement of closed sessions

Announcement of closed sessions 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 First Right of Refusal on a property and letters of intent for businesses wanting to build in the new industrial park.

Public Hearing

To Consider an Application to Amend the Zoning Ordinance to allow a Specialty School as a Permitted Use in Manufacturing Zoning requested by the Mukwonago Area School District. Opened at 6:32 p.m.

Thomas Karthausser, 385 E. Veterans Way, described the classes that would be held at the Specialty School at the location of 475 McKenzie Road. He listed the changes that needed to be made for school to open on September 4, 2018

Public Hearing closed at 6:38 p.m.

Comments from the Public

Randy Timms – Described the Viper Ride event that is being held September 30th to give Veterans who are visually impaired a 40 to 60 miles ride on a motorcycle

Consent Agenda

A. Approval of minutes of the May 16, 2018 regular meeting and June 6, 2018 Special Village Board Meeting

B. Finance Committee

1) Vouchers payable batches

- a. Payments batch M-4-2018-1 \$164,679.05
- b. Payments batch MC-4-2018-2 \$18,532.61
- c. Payments batch LIBAP-5-2018 \$14,772.44
- d. Payments batch TAXSET-5-2018 \$548,873.86
- e. Payments batch AP-6-2018-1 \$515,624.91
- f. Payments batch M-5-2018-1 \$223,033.49

2) Purchase requisition

- a. Public Works Department –Recommendation to the Village Board approval of bleachers and a baseball infield tarp for Field Park with donated funds from the Mukwonago Lions Organization in the amount of \$17,050.00

3) Recommendation to the Village Board, authorizing the Village President to sign the Chapman Farm Blvd. non-standard street lighting agreement with WE Energies

4) Recommendation to the Village Board to approve the installation of street lights in Fairwinds 5 and authorize the Village President to sign the lighting agreement with WE Energies for the monthly charges

5) April 2018 Monthly Treasury Report, Expenditure Guideline and Revenue Guideline

C. Public Works Committee

1) Recommendation to the Village Board to approve the installation of two non-standard LED street lights at the municipal lot located at 103 Main Street (Museum)

2) Recommendation to the Village Board to approve the installation of a street light at 606 Main Street

3) Ordinance #946 to Amend Section 45-149 and 45-151

4) Recommendation to the Village Board to award the bid for the Tower Painting to: The Osseo Construction Co. LLC for the sum of \$300,900 contingent upon DNR approval

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

New Business

Finance Committee

A. Vouchers payable batches

Payments batch AP-6-2018-2 \$432,243.18

Motion by Vermeulen/Decker to approve the Payment batch AP-6-2018-2 carried.

B. Granting of the following 2018-19 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

Motion by Wamser/Decker to grant the 2018-19 renewal of Class A Fermented Malt Beverage licenses carried.

C. Granting of the following 2018-19 Renewal Class A Fermented Malt Beverage and Liquors:

- 1) 5 Star Stations, Inc. (Denise M. Jones – Agent), 909 Greenwald Court, d/b/a 5 Star Citgo
- 2) 5 Star Stations, Inc. (Danielle M. Jones – Agent), 1060 N. Rochester Street, d/b/a North Star Shell
- 3) Khasria Two Inc., (Harjinder S. Khasria – Agent), 712-718 Main Street, d/b/a Village Wine and Liquor
- 4) Kwik Trip Inc. (Patrick M. Rice – Agent), 1212 N. Rochester Street, d/b/a Kwik Trip #282
- 5) Ultra Mart Foods, LLC (Patrick T. Groves – Agent), 1010 N. Rochester Street, d/b/a Pick'n'Save #6384
- 6) Wal-Mart Stores East LP (Michael R. Sandelback – Agent), 250 E. Wolf Run, d/b/a Wal-Mart #1571
- 7) Walgreen Co. (Brian Marinello – Agent), 212 N. Rochester St., d/b/a Walgreens #07039

Motion by Decker/Johnson to grant the 2018-19 Renewal of Class A Fermented Malt Beverage and Liquors carried.

- 8) Aldi Inc. (Wisconsin) (Ricky Lee Minor – Agent), 111 E. Wolf Run, d/b/a Aldi #46
- 9) Gerald M. Anich, 411 Main Street, d/b/a Anich's Liquor & Beer Store

Motion by Decker/Johnson to grant the renewal of Class A Fermented Malt Beverage and Liquors license contingent upon the Fire Dept inspection approval carried

D. Granting of the following 2018-19 Renewal Class B Fermented Malt Beverage and Class C Wine license:

- 10) Wild Flower Café LLC (Lourdes Gonzalez – Agent), 1015 E. Veterans Way, d/b/a Wild Flower Café

Motion by Decker/Johnson to grant the 2018-19 Renewal Class B Fermented Malt Beverage and Class C Wine contingent upon the Fire Dept inspection approval carried.

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

Motion by Decker/Johnson to grant the 2018-19 renewal of Class B Fermented Malt Beverage and Class C Wine license carried.

E. Granting of the following 2018-19 Renewal Class B Fermented Malt Beverage and Reserve Intoxicating Liquors licenses:

- 12) Boneyard Pub and Grille, LLC (James F. Jones – Agent), 215 Bay View Road Suite D, d/b/a The Boneyard Pub and Grille
- 13) DAA Smokehouse LLC (Tina M. O'Bryan – Agent), 325 Bay View Road, Suites D/E, d/b/a David Alan Alan's Smokehouse & Saloon

Motion by Decker/Johnson to grant the 2018-19 Renewal Class B Fermented Malt Beverage and Reserve Intoxication Liquors license carried.

- 14) El Pueblo Inc. (Marco Alarcon – Agent), 355 Bay View Road, d/b/a Antigua Real

Motion by Decker/Johnson to grant the 2018-19 renewal of Class B Fermented Malt Beverage and Reserve Intoxicating Liquors licenses contingent upon the Fire Dept inspection approval carried.

F. Granting of the following 2018-19 Renewal Class B Fermented Malt Beverage and Intoxicating Liquors licenses:

- 15) Blue Bay Inc. (Vlaznim Islami – Agent), 927 Main Street, d/b/a Blue Bay Family Restaurant
- 16) Community Post No. 375 of the American Legion (Ronald A. Amero – Agent), 627 E. Veterans Way, d/b/a American Legion Community Post #375
- 17) Jay's Lanes, Inc. (Jeffrey R. Jay – Agent), 326 Atkinson Street, d/b/a Jay's Lanes
- 18) Sandra M. Miller, 701 Main Street, d/b/a Sandy's Miller Time
- 19) Pam's Fine Wines, LLC (Pamela L. Turner – Agent), 100 Main Street Suite 1, d/b/a Pam's Fine Wines
- 20) Take a Big Bite (Paul J. Hennessy – Agent), 215 N. Rochester Street, d/b/a Fork in the Road

Motion by Decker/Johnson to grant the 2018-19 Renewal of Class B Fermented Beverage and Intoxicating Liquors Licenses carried

- 21) FJ Partners, LLC (Froylan J. Mauricio – Agent), 507 Main Street, d/b/a Sol de Mexico
- 22) Perseverance Corp. (Mark A. Weiss – Agent), 200 S. Rochester St., d/b/a The Badger Burger Co.,

Motion by Decker/Johnson to grant the 2018-19 Renewal of Class B Fermented Malt Beverage and Intoxicating Liquors licenses contingent upon the Fire Dept inspection approval carried.

Clerk's Office

Resolution 2018-034

Motion by Decker/Wamser to adopt **Resolution 2018-34** a resolution to establish Municipal Ward 12 in the Village of Mukwonago carried

Public Works

Resolution 2018 – 33

Motion by Decker/Kettner to adopt **Resolution 2018-33** a resolution to approve the 2017 Compliance Maintenance Annual Report carried.

Downtown Strategic Planning Committee

Final Plan Presentation for the Downtown Strategic Planning Committee

Tina Chitwood and Jason Wamser with some of the members of the Downtown Strategic Planning Committee gave a presentation of the Final Downtown Strategic Plan that the Committee put together and wants to have a workshop in the fall. No Action was taken.

Planning Commission

To Consider an Application to Amend the Zoning Ordinance to allow a Specialty School as a Permitted Use in Manufacturing Zoning

Motion by Johnson/Kettner to hold to the Planning Commission's recommendation of a Specialty School being a Conditional Use and directing staff to implement the Planning Commissions recommendation by reposting and holding a second Public Hearing on July 18th at a Special Planning Commission meeting carried.

Resolution 2018-035

Motion by Decker/Johnson to adopt **Resolution 2018-035** a resolution to approve a general development plan allowing modifications as a Planned Unit Development for construction of 48 residential condominium units within 24 buildings by Bielinski Homes subject to the following conditions carried:

1. Approval of this Planned Unit Development General Development Plan for 48 condominium units within 24 buildings shall be subject to the submitted plans on file in the office of the Village Zoning Administrator, except enhanced landscaping and building design plans shall be submitted for Plan Commission approval prior to the Final Development Plan review.
2. Approval of this Planned Unit Development General Development Plan for 48 condominium units within 24 buildings shall be subject to the requested modifications as listed above and as shown on the Sheet C.1, entitled "Condominium Site Plan" on file in the office of the Zoning Administrator.
3. Approval of this Planned Unit Development General Development Plan for 48 condominium units within 24 buildings shall be subject to all applicable conditions of approval of the Chapman Farms Preliminary Plat of Subdivision, approved via Resolution No. 2018-024 by the Village Board on April 18, 2018.
4. Approval of this Planned Unit Development General Development Plan for 48 condominium units within 24 buildings shall be subject to the entire Final Development Plan submittal conformance to all applicable Village development ordinances, standards and policies, including but not limited to: a Storm Water Management Plan, a Storm Water Maintenance Agreement and Homeowners Association Documents.

Resolution 2018-036

Motion by Decker/Johnson to adopt **Resolution 2018-036** a resolution for a Conditional Use Permit to allow for an addition and alterations to Fluery's Auto Body located at 1006 Main Street subject to the following conditions carried:

1. The on-going operation of auto body shop shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
2. Any future expansion or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. The property shall be always maintained in a clean and presentable condition. No debris shall accumulate on the site. Prior to the issuance of a building permit for the presented new building and addition, applicant shall designate one area on the site plan for the storage of scrap metal and used auto parts, as approved by the Zoning Administrator. All scrap metal and auto parts shall be stored only within the designated area and shall be periodically removed from the site.
4. This Conditional Use approval shall not be transferred within the subject property to another Conditional Use category without submittal and approval for a new Conditional Use.
5. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
6. Prior to issuance of the first building permit for the use, applicant shall pay all required charges and fees to the Village. In addition, any other charges and fees accrued during construction shall be paid before to issuance of an occupancy permit.

7. Applicant and/or property owner shall be responsible for enforcement of all requirements of this Conditional Use approval. If not enforced by property owner, the property owner will be responsible for compliance and financial penalties as allowed by municipal code.

Resolution 2018-037

Motion by Decker/Wamser to adopt **Resolution 2018-037** a resolution approving architectural review for exterior alterations at 727 East Veterans Way (CTH NN) requested by Mallory Mukwonago TC, LLC carried.

Resolution 2018-038

Motion by Decker/Johnson to adopt **Resolution 2018-038** a resolution approving site plan and architectural review to allow for an addition and alterations to Fleury's Auto Body located at 1006 Main Street subject to the following conditions carried:

1. Site Plan and Architectural Review approval for the expansion of Fleury Auto Body shall be subject to all plans and information submitted for the application by the applicant, Raposa Design and Endpoint Solutions, with all plans and information on file in the office of the Zoning Administrator. The plans may be further modified to conform to other conditions of approval; the building and floor plans may be modified with the approval of the Zoning Administrator and Supervisor of Inspections to conform to Building and Fire Safety Codes and all plans may be further modified to conform to Village design standards. However, the basic layout and design of the site shall remain unchanged.
2. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
 - a. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
 - b. Approval of the site construction and building plans by the Fire Chief, which may include, but are not limited to, Knox Box and notification requirements, internal fire suppression, external fire department connection location and hydrant locations.
 - c. Approval of the site construction plans by the Utilities Director to protect existing utilities on and around the site.
 - d. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
 - e. The Supervisor of Inspection, the Utilities Director and the Public Works Director shall approve all site engineering and utility plans and documents, including a complete Erosion Control Plan.
 - f. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view from neighboring properties, as approved by the Zoning Administrator.
3. Prior to temporary occupancy issuance, and if needed prior to final occupancy permit, the following shall occur:
 - a. Completion of all site grading in accordance with submitted and approved plans.
 - b. Completion of the building in accordance with approved plans and all applicable codes.
 - c. Completion of paving of driveways and parking lots, including parking space pavement markings and all other pavement markings.
4. Prior to final occupancy permit, which shall be issued no later than 120 days after any temporary occupancy permit, the following shall occur:

- a. Completion of all items required in Condition No. 3.
- b. Installation of all site landscaping as shown on approved plans.

Convene into Closed Session

Motion by Johnson/Decker to convene into closed sessions 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 First Right of Refusal on a property and letters of intent for businesses wanting to build in the new industrial park upon a roll call vote at 8:37 p.m.

Reconvene into open session 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 upon a roll call vote at 8:38 p.m.

Motion by Decker/Johnson to approve the First Right of Refusal and authorize the Village President to execute the agreement carried.

Other items have been directed to staff and Village Attorney as proposed in closed session.

Adjournment

Meeting adjourned at 8:39 p.m.

Respectfully Submitted,

Judith A. Taubert
Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Monday, July 2, 2018

Call to Order

Village President Fred Winchowky called the meeting to order at 6:21 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
Jay Vermeulen
Fred Winchowky, Village President
Mark Penzkover

Board Members excused: Karl Kettner
Jason Wamser

Also present: Ron Bittner, Public Works Director
Dave Brown, Utilities Director
Mark Blum, Village Attorney
Rebecca Alonge, Village Engineer
Diana Doherty, Finance Director
Kevin Schmidt, Police Chief
Chris DeMotto, Police Sergeant
John Weidl, Administrator
Bob Harley, Supervisor of Inspections
Linda Gourdoux, Deputy Clerk-Treasurer

Committee/Commission Business

Public Works Committee

Recommend to the Village Board to Award the Bid/Contract to August Winters & Sons for the sum of \$2,253,000.00 contingent on DNR approval

Motion by Penzkover/Decker to Award the Bid/Contract to August Winters & Sons for the sum of \$2,253,000.00 contingent on DNR approval. Motion carried

Recommend to the Village Board to accept the Ordinance Number change from 946 to 949

Motion by Decker/Johnson to accept the Ordinance Number change from 946 to 949 due to a typing error. Motion carried

Recommend the Village Board to allow Advance Construction to work on July 4th between the hours of 8 a.m. and 6.p.m. (Grand Ave Project)

Motion by Decker/Johnson to allow Advance Construction to work on July 4th between the hours of 8 a.m. and 6 p.m. contingent upon there being no excessive disturbance to the residents. Motion carried

Adjournment

Meeting adjourned at 6:24 p.m.

Respectfully Submitted,

Linda Gourdoux
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Wednesday, July 18, 2018

Call to Order

Village President Winchowky called the meeting to order at 6:31 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Fred Winchowky, Village President
Jim Decker
Darlene Johnson
Jason Wamser
Mark Penzkover

Board Members excused: Karl Kettner
Jay Vermeulen

Also present: Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Dave Brown, Utilities Director
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

Announcement of closed sessions 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 Pre-Development Agreement with Family Ventures of Mukwonago, LLC and Offer to Purchase drafted by Anderson Commercial Group LLC.

Public Hearing

To Consider an Application to Amend the Zoning Ordinance to allow a Specialty School as a Conditional Use in Manufacturing Zoning requested by the Mukwonago Area School District.

Opened at 6:32 p.m.

Curt Wiebelhaus of Mukwonago Area School District spoke in favor of the application as recommended by the Plan Commission

Public Hearing closed at 6:33 p.m.

Comments from the Public

None

Consent Agenda

- A. Approval of minutes of the June 20, 2018 regular meeting and July 2, 2018 Special Village Board Meeting
- B. Finance Committee
 - 1. Vouchers payable batches
 - a. Payments batch AP-7-2018 - \$165,220.66
 - b. Payments batch LIBAP-6-2018 - \$21,597.92
 - 2. Recommendation to the Village Board for approval of authorizing the Police Department to sign the agreement with Mindshare for two (2) 100500MAXplus Dispatch Processors and other equipment listed in proposal #170925001R1
 - 3. May 2018 Monthly Treasury Reports
- C. Health and Recreation Committee
 - 1. *Special Event Permit to American Legion Post #375 for Maxwell Street Days on June 9-10, July 21-22, August 18-19, and September 8-9, 2018
 - 2. *Special Event Permit to Mukwonago Lions Foundation, Inc. for Mukwonago Lions Summerfeste on June 14-17, 2018
 - 3. *Special Event Permit to CFU John Movrich Lodge 993 for Mukwonago Croatian Day Fest on July 14, 2018
 - 4. Resolution accepting funds for the purchase of Four sets of Bleachers and an infield tarp. Resolution 2018-040
- D. Personnel Committee
 - 1. Recommendation to the Village Board to approve the change in the Employee Handbook Vacation policy to allow one week of vacation for eligible new hires in the first year of employment. Employees may take the negotiated vacation after 90 days of employment. (Resolution 2018-039)
 - 2. Recommendation to the Village Board to approve the revised Grievance and Appeals Procedure as drafted by the labor attorney (Resolution 2018-039)
- E. Judicial Committee
 - 1. Recommendation to the Village Board to approve the expenditure and voice your support of reversing the Dark Store Loophole
 - 2. Recommendation to deny 2018/19 Operator's License to Adam C Smalley
 - 3. Recommendation to deny 2018/19 Operator's License to Michael S Fohr
 - 4. Recommendation to Village Board to approve the "Click and Collect" Ordinance
 - 5. Recommend to the Village Board to accept Victoria Smith as the Agent for Mukwonago Express Mart
- F. Public Works Committee
 - 1. Recommendation to the Village Board for approval of TID #5 Change Order #3

Motion by Johnson/Decker to approve the Consent Agenda Items A-F, carried

New Business

Finance Committee

- A. Finance Director
 - 1. Vouchers payable batches

- a. Payments batch AP-7-2018-2 - \$410,793.29
- b. Payments batch M-6-2018-1 - \$242,254.34

Motion by Decker/Johnson to approve Vouchers Payable Batches, carried

B. Clerk's Office

- 1. Consideration of an Initial Resolution Regarding Industrial Development Revenue Bond Financing for Triple Crown Products, Inc. Project. Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution.

Motion by Decker/Wamser to approve the Initial Resolution Regarding Industrial Development Revenue Bond Financing for Triple Crown Products, Inc. Project, carried

C. Planning Commission

- 1. **Resolution 2018-041** – Recommendation to adopt **Resolution 2018-041** – a resolution to approve Site Plan and Architectural Review for Construction of a Day Care Facility Kristopher and Tina Kraussel, Applicants (Kids Connection Day Care) 130 Chapman Farm Blvd

Motion by Penzkover/Decker to adopt Resolution 2018-041, carried

- 2. **Resolution 2018-042** – Recommendation to adopt **Resolution 2018-042** – a resolution to approve Site Plan and Architectural Review for Construction of a Manufacturing Facility on behalf of Quernemoen Mukwonago, LLC (Triple Crown Products) 102 W Boxhorn Dr

Motion by Penzkover/Decker to adopt Resolution 2018-042, carried

- 3. **Resolution 2018-043** – Recommendation to adopt **Resolution 2018-043** – a resolution to approve the Landscaping and Building Design Plans for Construction of Condominiums on Behalf of Bielinski Homes (Vilas at Chapman Farms)

Motion by Penzkover/Decker to adopt Resolution 2018-043, carried

- 4. **Resolution 2018-044** – Recommendation to adopt **Resolution 2018-044** – a resolution to approve the Minor Site Plan Review for Construction of Additional Parking Spaces Mukwonago YMCA – 245 E Wolf Run

Motion by Penzkover/Wamser to adopt Resolution 2018-044, carried

- 5. **Resolution 2018-045** – Recommendation to adopt **Resolution 2018-045** – a resolution to approve the Extraterritorial Review of Two (2) Certified Survey Maps within the Town of Mukwonago for Stephen B Styza and Diane K Steinke, Applicants

Motion by Decker/Johnson to adopt Resolution 2018-045, carried

- 6. **Resolution 2018-046** – Recommendation to adopt **Resolution 2018-046** – a resolution to approve Historic Preservation Review for Exterior Alterations within Pearl and Grand Avenues Historic District Josh Peterson, Applicant – 403 Division St

Motion by Decker/Johnson to adopt Resolution 2018-046, carried

7. Ordinance to Amend Section 108-208 of Chapter 100 of the Village of Mukwonago Municipal Code, known as the Zoning Ordinance, pertaining allowing a Specialty School as a Conditional Use in the M-1 and M-2 Zoning District and Add Definition of Specialty School

Motion by Penzkover/Decker to Amend Section 108-208 of Chapter 100 as stated, carried

8. **Resolution 2018-047** – Recommendation to adopt **Resolution 2018-047** – a resolution for Conditional Use Permit to allow for a Specialty School Mukwonago Area School District, Applicant, 475 McKenzie Dr, MUKV 1970-998-025

Motion by Penzkover/Decker to adopt Resolution 2018-047, carried

- D. Recommendation to the Village Board to reduce the Premier Woods Letter of Credit Reduction #2. Recommended Current Reduction for Public Improvements \$85,000.00 with remaining Letter of Credit of \$15,000.00

Motion by Penzkover/Decker to Reduce the Premier Woods Letter of Credit as stated, carried

9. Convene into closed sessions 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 Pre-Development Agreement with Family Ventures of Mukwonago, LLC and Offer to Purchase drafted by Anderson commercial Group LLC., upon a roll call vote at 7:03 p.m.

Reconvene into open session 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 upon a roll call vote at 7:49 p.m.

Motion by Penzkover/Decker to authorize the Village President to sign termination agreement, carried.

Other items have been directed to staff and Village Attorney as proposed in closed session.

Adjournment

Meeting adjourned at 7:50 p.m.

Respectfully Submitted,

John S Weidl
Administrator

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday, August 1, 2018

Call to Order

Village President Fred Winchowky called the meeting to order at 7:08 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
Jay Vermeulen
Fred Winchowky, Village President
Karl Kettner
Jason Wamser

Board Members excused: Mark Penzkover

Also present: Ron Bittner, Public Works Director
Dave Brown, Utilities Director
Mark Blum, Village Attorney
Rebecca Alonge, Village Engineer
Diana Doherty, Finance Director
Kevin Schmidt, Police Chief
John Weidl, Administrator
Linda Gourdoux, Deputy Clerk-Treasurer

Announcement of Closed Sessions 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*) for an update and discussion on a resignation agreement, for an update and discussion on Police Contract. 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*) discussion concerning the terms of a pre-development agreement with Family Ventures of Mukwonago LLC for the construction of a mixed use commercial and multi-family development, and discussion concerning the terms of an offer to sell land along Boxhorn Dr., as well as a developer guaranty agreement with Quernemoen Mukwonago LLC for the construction of a manufacturing facility. Wis. Stat. **§19.85(1)(g)** (*conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) more specifically, Walmart vs. village of Mukwonago

Committee/Commission Business

Public Works Committee

Recommend to the Village Board to approve an Amendment not to exceed \$40,000 to the DPW 2018 Capital Equipment budget to allow the department to use equipment reserve funds to purchase a replacement pick-up. The budget Amendment Resolution will be presented at the August meeting.

Motion by Johnson/Decker to approve an Amendment not to exceed \$40,000 to the DPW 2018 Capital Equipment budget to allow the department to use equipment reserve funds to

purchase a replacement pick-up, carried

915 Main St

Motion Kettner/Decker to Recommend to the Village Board to Rescind WB-41 Notice Relating to Offer to Purchase, between Ogden Midwest Funding IV, LLC and the Village of Mukwonago, approved at July 18, 2018 Village Board Meeting, carried

Motion Vermeulen/Johnson to Recommend to the Village Board to approve WB-40 Amendment to Offer to Purchase, between Ogden Midwest Funding IV, LLC and the Village of Mukwonago, to expire on August 31, 2018, carried

Motion Decker/Vermeulen Extension of Anderson Commercial contract for six (6) months, until February 28, 2018, carried

Personnel Committee/Protective Services

Recommend to the Village Board to approve the agreement between the Mukwonago Area School District (MASD) and the Police Department for School Resource Officers in the Mukwonago High School and Park View Middle School

Motion by Decker/Vermeulen to approve the Agreement between the Mukwonago Area School District (MASD) and the Police Department for School Resource Officers in the Mukwonago High School and Park View Middle School, carried

Convene into Closed Sessions 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*) for an update and discussion on a resignation agreement, for an update and discussion on Police Contract. 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*) discussion concerning the terms of a pre-development agreement with Family Ventures of Mukwonago LLC for the construction of a mixed use commercial and multi-family development, and discussion concerning the terms of an offer to sell land along Boxhorn Dr., as well as a developer guaranty agreement with Quernemoen Mukwonago LLC for the construction of a manufacturing facility. Wis. Stat. **§19.85(1)(g)** (*conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) more specifically, Walmart vs. village of Mukwonago; upon a roll call vote at 7:35 p.m.

Reconvene into open session 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 upon a roll call vote at 8:20 p.m.

Motion Johnson/Decker to Accept the Settlement Agreement, as drafted by attorneys, in the amount of \$61,202.51, carries

Motion Decker/Kettner to Accept the Resignation Agreement with Officer Ortiz pending final review by the Police Chief and Labor Attorney, carried

Motion Kettner/Decker to have the Police Chief and Labor Attorney Address Article #27 of the 2018-2018 police contract with the Wisconsin Police Association for the purpose of arriving at a mutually satisfactory replacement of this article, carried

Motion Decker/Johnson to Approve the Offer to Purchase and the Developers Guaranty Agreement between Quernemoen Mukwonago, LLC and the Village of Mukwonago as presented subject to final review by the Village Attorney and Village President, carried

Motion Wamser/Kettner to Approve the Pre-Development Agreement between Family Ventures of Mukwonago, LLC and the Village of Mukwonago subject to final review by the Village Attorney and Village President, carried

Motion Decker/Johnson to Approve the Letter of Intent by Briohn Building Corporation by the Village President to execute subject to amendments by Village Attorney, carried

Adjournment

Meeting adjourned at 8:25 p.m.

Respectfully Submitted,

Linda Gourdoux
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Wednesday, August 15, 2018

Call to Order

Village President 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: Fred Winchowky, Village President
Jim Decker
Darlene Johnson
Jason Wamser
Mark Penzkover
Jay Vermeulen

Board Members excused: Karl Kettner

Also present: Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Dave Brown, Utilities Director
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
Andy Wegner, Assistant Fire Chief
John Weidl, Administrator/Economic Development Director
Diana Doherty, Finance Director
Rebecca Alonge, Village Engineer
Jeff Belongia, Hutchinson Shockey Erley & Co

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Consent Agenda

- A. Approval of minutes of the July 18, 2018 Regular Board Meeting and August 1, 2018 Special Board Meeting
- B. Finance Committee
 - 1. Vouchers payable batches
 - a. Payments batch AP-8-2018-1 - \$1,295,794.48
 - b. Payments batch LIBAP-7-2018 - \$70,876.29
 - 2. June 2018 Monthly Treasury Report, Revenue & Expenditure Guideline
- C. Health and Recreation Committee
 - 1. *Special Event Permit to St James Catholic Parish Festival August 24-25, 2018
 - 2. Presentation on fundraising for basketball court upgrades at Washington Ave Park
- D. Public Works Committee
 - 1. Recommendation to the Village Board for approval of TID #5 Change Order #1
 - 2. Recommendation to the Village Board to authorize the PW Director and the Village Attorney to secure written approval and remove the cottonwood tree at

307 McDivitt Ln; MUKV 2012-157

Motion by Decker/Johnson to approve the Consent Agenda Items A-D, carried

New Business

Finance Committee

A. Finance Director

1. Vouchers payable batches
 - a. Payments batch AP-8-2018-2 - \$1,302,752.74
 - b. Payments batch M-7-2018 - \$884,493.55

Motion by Johnson/Decker to approve Vouchers Payable Batches, carried

2. **Resolution 2018-050** – Recommendation to adopt **Resolution 2018-050** – a resolution Amending the 2018 Adopted Budgets for the Village Designated and Capital Equipment Funds

Motion by Decker/Penzkover to Adopt **Resolution 2018-050** Amending the 2018 Adopted Budgets for the Village Designated and Capital Equipment Funds, carried

3. Rating Letter and Report for \$5,365,000 Village of Mukwonago General Obligation Refunding Bonds, Series 2018E, dated: September 5, 2018, due: December 1, 2026 (Information Only)
4. **Resolution 2018-049** – Recommendation to adopt **Resolution 2018-049** – authorizing resolution with regard to \$5,365,000 General Obligation Refunding Bonds, Series 2018E

Motion by Decker/Johnson to Adopt **Resolution 2018-049** authorizing \$5,365,000 General Obligation Refunding Bonds, Series 2018E, carried

Motion by Vermuelen/Decker to Rescind **Resolution 2018-049** authorizing \$5,365,000 General Obligation Refunding Bonds, Series 2018E, due to scrivener's error, carried

Motion by Decker/Johnson to Adopt Amended **Resolution 2018-049** authorizing \$5,375,000 General Obligation Refunding Bonds, Series 2018E, carried

B. Planning Commission

1. **Resolution 2018-051** – Recommendation to adopt **Resolution 2018-051** – a resolution to approve the Extraterritorial Review of a Certified Survey Map within the Town of East Troy, Village of Mukwonago, Applicant

Motion by Penzkover/Decker to adopt **Resolution 2018-051** to approve the Extraterritorial Review of a Certified Survey Map within the Town of East Troy, carried

2. **Resolution 2018-052** – Recommendation to adopt **Resolution 2018-052** – a resolution to approve the Conditional Use Permit to allow for Contractor's Shop and Contractor's Yard, Jay Campbell of Campbell Construction JD, Inc. Applicant; 461 River Crest Ct

Motion by Penzkover/Decker to adopt **Resolution 2018-052** to approve the Conditional Use Permit to allow for Contractor's Shop and Contractor's Yard; 461 River Crest Ct, carried

3. **Resolution 2018-053** – Recommendation to adopt **Resolution 2018-053** – a resolution to approve a Certified Map on behalf of Triple Crown Products; Village of Mukwonago, Applicant

Motion by Penzkover/Decker to adopt **Resolution 2018-053** to approve a Certified Map on behalf of Triple Crown Products, carried

C. Public Works

1. Request Village Board to allow Osseo Construction to Work Saturdays and Sundays 8 a.m. to 5 p.m.

Motion by Penzkover/Decker to allow Osseo construction to work Saturdays and Sundays 8 a.m. to 5 p.m., contingent on no disruptions to neighboring businesses or residents; if there are complainants, Village reserves the right to revoke this allowance, carried

2. Recommendation from Village Board on decided tower color options

Motion by Penzkover/Decker to use the color 'Pond' for the tower with white lettering, carried

3. Recommendation to Village Board to Award Bid for Well #4 Repairs to Water Well Solutions for \$64,285.00

Motion by Penzkover/Decker to Award Bid for Well #4 Repairs to Water Well Solutions for \$64,285.00, contingent on Village Attorney review, carried

4. Recommendation to Village Board to Approve TID #5 Task Order 2018-07A2 – resulting in \$18,600 additional cost

Motion by Penzkover/Decker to Approve TID #5 Task Order 2018-07A2 – for \$18,600 in additional fees, carried

5. Recommendation to Village Board to Approve Permanent Easement Access and Maintenance Agreement for Well #7

Motion by Penzkover/Wamser to Approve Permanent Easement Access and Maintenance Agreement for Well #7, carried

6. Recommendation to the Village Board to Reduce the Chapman Place Development Letter of Credit to \$30,000

Motion by Penzkover/Decker to Reduce the Chapman Place Development Letter of Credit to \$30,000, carried

7. Recommendation to the Village Board to Reduce the Arby's/BP Expansion Development Letter of Credit to \$6,276

Motion by Penzkover/Decker to Reduce the Arby's/BP Expansion Development Letter of Credit to \$6,276, carried

D. Protective Services

1. Countywide Mutual Aid Agreement – Action Needed (9/20/2010 Village Update Agreement, Town to establish Agreement) (Information Only)

E. Village Administrator

1. **Resolution 2018-054** – Recommendation to adopt **Resolution 2018-054** – Authorizing the Preparation of a Cooperative Boundary Plan Between the Village of Mukwonago and the Town of Vernon

Motion by Penzkover/Johnson to Adopt **Resolution 2018-054** to authorize the Preparation of a Cooperative Boundary Plan between the Village of Mukwonago and the Town of Vernon, carried

Trustee Penzkover wanted to commend Village Staff for all the extra time and effort being put forth on the TID #5 Project, while still keeping up with all the day to day procedures/projects that still need to be accomplished.

Adjournment

Meeting adjourned at 7:16 p.m.

Respectfully Submitted,

Linda Gourdoux
Deputy Clerk-Treasurer

**MINUTES OF THE SPECIAL VILLAGE BOARD MEETING
JOINT MEETING WITH THE TOWN OF MUKWONAGO BOARD
Monday, September 17, 2018**

Call to Order

Village of Mukwonago Deputy Clerk Linda Gourdoux and Town Chairperson Peter Topczewski called the meeting to order at 6:31 p.m. located in the Board Room of the Mukwonago Town Hall, W320S8315 Beulah Road.

Roll Call

Village Board Members present: Darlene Johnson
Jim Decker
Karl Kettner
Jason Wamser
Fred Winchowky, Village President (arrived at 6:46 p.m.)

Village Board Member Excused: Jay Vermeulen
Mark Penzkover

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

Also present: Linda Gourdoux., Village Deputy 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

Critical Staffing Level Report – Information Only

Chief Stien reported on staff shortages - Information Only

Fortuna RDC Purchase with Donated Funds

Motion by _____ to Authorize Purchase of the Fortuna RDC with Donated Funds not to exceed \$5,000, carried. Motion by Johnson/Decker to Authorize Purchase of the Fortuna RDC with Donated Funds not to exceed \$5,000, carried.

Mukwonago Fire Department Fire and Ambulance Monthly Report

The 2018 August monthly fire and ambulance reports are on file in the Village and Town Clerk's Offices.

2019 Operational and Capital MFD Budgets

Motion by _____ to Approve the 2019 Capital MFD Budget, carried. Motion by Johnson/Decker to Approve the 2019 Capital MFD Budget, carried.

Motion by _____ to Approve the 2019 Operational MFD Budget, carried. Motion by Johnson/Decker to Approve the 2019 Operational MFD Budget, carried.

2019 Fees

Town Board Approval of 2019 Fees to be presented as Resolution, carried. Village Board Approval of 2019 Fees to be presented as Resolution, carried.

Adjournment

Village President Winchowky and Town Chairperson Topczewski adjourned the Joint Village, Town meeting at 7:16 p.m.

Respectfully Submitted,

Linda Gourdoux
Village Deputy Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Wednesday, September 19, 2018

Call to Order

Village President Winchowky called the meeting to order at 6:31 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Fred Winchowky, Village President
Jim Decker
Darlene Johnson
Jason Wamser
Mark Penzkover
Jay Vermeulen

Board Members excused: Karl Kettner

Also present: Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Dave Brown, Utilities Director
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
John Weidl, Administrator/Economic Development Director
Diana Doherty, Finance Director

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of Closed Sessions

Announcement of closed sessions 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 negotiation on proposed MOU with WisDOT; Offer to purchase from NB Lincoln, LLC; Offer to purchase with Family Ventures of Mukwonago, LLC; Amended Developer Agreement with Quernemoen Mukwonago LLC

Public Hearing

Proposed industrial development revenue bond financing for Triple Crown Products, Inc. project. Hearing Opened at 6:34 p.m.

Comments from the Public

None

Hearing Closed at 6:35 p.m.

Comments from the Public

None

Consent Agenda

- A. Approval of minutes of the August 15, 2018 Regular Board Meeting and September 5, 2018 Special Board Meeting

B. Finance Committee

1. Vouchers payable batches

- a. Payments batch WE-08-2018 - \$36,174.59
- b. Payments batch US-08-2018 - \$13,044.03
- c. Payments batch LIBAP-08-2018 - \$18,600.59
- d. Payments batch TAXSET-8-2018 - \$1,215,255.07
- e. Payments batch AP-9-2018-1 - \$932,477.05

2. July 2018 Monthly Treasury Report, Revenue & Expenditure Guideline

3. Approval of the Purchase Requisition to Lynch Chevrolet of Mukwonago for the purchase of 2018 Chevrolet Pick-up for \$30,368.50

4. Approval of the Purchase Requisition to PLM Paving and Concrete for Mill and Fill Asphalt Patching for \$22,883

C. Judicial Committee

1. Approval of **RESOLUTION 2018-055** regarding Designation of Heavy Traffic Routes

2. Approval of Ordinance 951 regarding the change to Section #82-153(b) Vehicle Load Weight

D. Personnel Committee

1. Approval of \$500 per Month Stipend, backdated to July of this year, for the deputy Clerk-Treasurer until such time that the Clerk-Treasurer returns to duty or the position is otherwise filled

E. Public Works Committee

1. Reduce the Letter of Credit for Fairwinds Subdivision Phase 5 to \$839,975.50

Motion by Johnson/Decker to approve the Consent Agenda Items A-E, carried

New Business

Finance Committee

A. Finance Director

1. Vouchers payable batches

- a. Payments batch AP-9-2018-2 - \$345,583.28
- b. Payments batch M-8-2018 - \$284,949.81

Motion by Vermeulen/Decker to approve Vouchers Payable Batches, carried

2. **Resolution 2018-059** – Recommendation to adopt Final **Resolution 2018-059** – regarding Industrial Development Revenue Bond financing for Triple Crown Products, Inc. Project

Motion by Decker/Penzkover to Adopt **Resolution 2018-059** regarding Industrial Development Revenue Bond financing for Triple Crown Products, Inc. Project, carried

3. **Resolution 2018-057** – Recommendation to Certify that the Village shall provide for and allow the Library to expend no less than the County Rate in the Prior Year

Motion by Penzkover/Decker to Adopt **Resolution 2018-057** to Certify that the Village shall provide for and allow the Library to expend no less than the County Rate in the Prior Year, carried

B. Planning Commission

1. **Resolution 2018-041** – Recommendation to adopt Amended **Resolution 2018-041** – a resolution to approve Site Plan and Architectural Plan for Kids Connection; 130 Chapman Farm Blvd; MUKV 1962-996-007; Kristopher and Tine Kraussel, Applicants

Motion by Penzkover/Decker to adopt **Resolution 2018-041** to approve Site Plan and Architectural Plan for Kids Connection; 130 Chapman Farm Blvd; MUKV 1962-996-007; Kristopher and Tine Kraussel, carried

C. Public Works Committee

1. Resignation Letter from Michael Jambretz

Motion by Penzkover/Decker to accept the Resignation Letter from Michael Jambretz, carried

2. **Resolution 2018-058** – Recommendation to approve **Resolution 2018-058** for the Declaration of Public Necessity a Relocation Order to Construct Public Roadways and Utility Extensions in the Village

Motion by Penzkover/Decker to Approve **Resolution 2018-058** for the Declaration of Public Necessity a Relocation Order to Construct Public Roadways and Utility Extensions in the Village, carried

Announcement of closed sessions 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 negotiation on proposed MOU with WisDOT; Offer to purchase from NB Lincoln, LLC; Offer to purchase with Family Ventures of Mukwonago, LLC; Amended Developer Agreement with Quernemoen Mukwonago LLC, upon roll call vote at 6:59 p.m.

Reconvene into open session 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 upon a roll call vote at 7:43 p.m.

Motion by Penzkover/Johnson to Approve Memorandum of Understanding between Village of Mukwonago and WisDOT for Construction of Banker Wire Development (aka TID #5)

Motion by Penzkover/Decker to Approve the Notice of Cancellation Agreement for August 15, 2018 Vacant Land Offer to Purchase

Motion by Penzkover/Decker to Approve Addendum to Developer Guaranty Agreement between Village of Mukwonago and Quernemoen Mukwonago LLC

Adjournment

Meeting adjourned at 8:44 p.m.

Respectfully Submitted,

Linda Gourdoux
Deputy Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday, October 3, 2018

Call to Order

Village President Fred Winchowky called the meeting to order at 6:55 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

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

Board Members excused:

Also present: Ron Bittner, Public Works Director
Dave Brown, Utilities Director
Mark Blum, Village Attorney
Diana Doherty, Finance Director
Rebecca Alonge, Village Engineer
Bruce Kaniewski, Village Planner
Kevin Schmidt, Police Chief
John Weidl, Administrator
Linda Gourdoux, Deputy Clerk-Treasurer

Comments from the Public

Committee/Commission Business

Economic Development

Approval of RESOLUTION 2018-061 to Support the Connect Communities

Motion by Decker/Penzkover to Approve RESOLUTION 2018-061 to Support the Connect Communities, carried

Public Works Committee

Recommend to Approve WE Energies Distribution Easement Overhead & Underground Easement WR4231908

Motion by Penzkover/Kettner to approve WE Energies Distribution Easement Overhead & Underground Easement WR4231908, carried

Adjournment

Meeting adjourned at 6:58 p.m.

Respectfully Submitted,

Linda Gourdoux
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Wednesday, October 17, 2018

1. Call to Order

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

2. Roll Call

Board Members present: Fred Winchowky, Village President
Jim Decker
Darlene Johnson
Karl Kettner
Mark Penzkover
Jason Wamser

Board Members excused: Jay Vermeulen

Also present: Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Bruce Kaniewski, Planner/Zoning Administrator
John Weidl, Administrator/Economic Development Director
Dan Streit, Police Lieutenant
Andy Wegner, Assistant Fire Chief
Cynthia Howard, Recording Secretary

3. Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

4. Announcement of Closed Sessions

Announcement of closed sessions 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*) Discussion of Services Agreement with Braatz and Howard for Clerk's Office; 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*) Discussion and possible action regarding waste haul agreement with John's Disposal. Wis. Stat. **§19.85(1)(g)** (*conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) Potential claim against Realty Income Corporation and Sherwin Williams for enforcement of the Village's storm water maintenance requirements.

5. Comments from the Public

Marilyn McCarthy, S108W27690 Maple Ave, Mukwonago, WI addressed the Board. President Winchowky closed public comment at 6:37 p.m.

6. Consent Agenda

- A. Approval of minutes of the September 19, 2018 regular Village Board Meeting and October 3, 2018 Special Village Board Meeting
 - B. Finance Committee
 - 1. Vouchers payable batches
 - a) Payments batch LIBAP - \$19,931.95
 - b) Payments batch AP-10-2018-1 - \$891,622.43
 - 2. Approval of Village of Mukwonago/Super Products LLC Conflict Waiver Inquiry
 - 3. Review and Approve Changes to the Proposed 2019 Capital Budget
 - C. Economic Development
 - 1. Approve **RESOLUTION 2018-061** to Support the Connect Communities Program of Mukwonago
 - D. Health and Recreation Committee
 - 1. ~~Authorize the Village President to Sign the Easement and Permission Page for the Electric Transmission Line Easement and Tower Replacement Project~~
 - E. Judicial Committee
 - 1. Approve Original Class A Beer and Liquor Combo
 - a) Martin M Johnson, 411 Main Street, d/b/a Main Street Liquor
 - b) Grant 'Change of Agent' to Mark E Clark for Kwik Trip #282
 - F. Public Works Committee
 - 1. ~~Approve Task Order for TID #5 Phase 2 for \$105,300~~
 - 2. Approve Release of the 20-foot Easement on the Moseler Property and Approve Replacement 20-foot Storm Water Access Easement
 - G. Village Attorney
 - 1. ~~Approval of a Preliminary Special Assessment Resolution~~
 - 2. Approve **RESOLUTION 2018-062** a Preliminary Resolution Declaring Intent to Levy Special Assessments
- Motion** by Penzkover/Decker to approve the Consent Agenda Items A-G, excluding items D1, F1, G1&2, carried.

- D.1 Authorize the Village President to Sign the Easement and Permission Page for the Electric Transmission Line Easement and Tower Replacement Project
Discussion ensued regarding the proposed herbicide application and the Village indemnification.
Motion by Decker/Penzkover to approve Consent Agenda Item D1, carried.
- F.1 Approve Task Order for TID #5 Phase 2 for \$105,300
Motion by Penzkover/Decker to forward Consent Agenda Item F1 to the Committee of the Whole Meeting to be held on November 7, 2018, carried.
- G.1&2 Approve **RESOLUTION 2018-062** a Preliminary Resolution Declaring Intent to Levy Special Assessments
Discussion ensued; the Village Engineer confirmed that the McCarthy property is excluded from these assessments.

Motion by Decker/Penzkover to approve the combined Consent Agenda Items G1&2, **RESOLUTION 2018-062** a Preliminary Resolution Declaring Intent to Levy Special Assessments, carried.

7. New Business

A. Finance Director

1. Vouchers payable batches
 - a. Payments batch M-9-2018 - \$130,671.42
 - b. Payments batch US-9-2018 - \$18,284.68
 - c. Payments batch WE-9-2018 - \$34,838.66
 - d. Payments batch AP-10-2018-2 - \$989,764.42
2. ~~(e) Approve RESOLUTION 2018-063 AMENDING THE 2018 Adopted Budgets for the Village Designated, Fire Designated and Capital Equipment Funds~~
3. (f) Set date and time for Second Budget Workshop the week of October 22
4. (g) Set date and time for Budget Hearing the week of November 12
5. (h) Consider changing the date for the November Village Board Meeting

Motion by Wamser/Johnson to approve the Vouchers Payable Batches 1(a-d), 3(f) Set date and time for Second Budget Workshop the week of October 22, specifically Monday, October 22, 2018 at 5:00 p.m., 4(g) Set date and time for Budget Hearing the week of November 12, specifically Thursday, November 15, 2018 at 5:00 p.m., and 5(h) Change the date of the November Village Board Meeting to Thursday, November 15, 2018 at 5:00 p.m., immediately following the Budget Hearing, carried.

2. (e) Approve RESOLUTION 2018-063 AMENDING THE 2018 Adopted Budgets for the Village Designated, Fire Designated and Capital Equipment Funds
Discussion ensued; the Finance Director confirmed that the Fire Dept. remodel project was initially costing \$434,000 and amended to \$575,000 per the Board's discussion last February. The funding sources are the Pro-health donation and Fire Capital Funds, which will be replenished with new impact fees.
Motion by Decker/Penzkover to Adopt **RESOLUTION 2018-063** AMENDING THE 2018 Adopted Budgets for the Village Designated, Fire Designated and Capital Equipment Funds, Roll Call Vote (6 ayes, 0 nays, 1 absent), carried.

B. Planning Commission

1. Correction of RESOLUTION 2018-041 to RESOLUTION 2018-060 – Incorrect Number used, previously approved at September 19, 2018 meeting.
Motion by Decker/Penzkover to Renumber **RESOLUTION 2018-041** to **RESOLUTION 2018-060**, previously adopted on September 19, 2018, carried.

C. Protective Service Committee

1. Promotion of Deputy Chief – POC Promotion – Information Only
Trustee Johnson reported that Captain Dave Unti was being promoted.

D. Public Works Committee

1. Approve TID #5 Change Order 4 for \$95,754.08
Discussion ensued; the Village Engineer reported that Division of transportation required extras during the permitting process.
Motion by Wamser/Decker to Approve TID #5 Change Order 4 for \$95,754.08, carried.
2. Approve TID #5 Change Order 6 for \$42,475.00
Discussion ensued; the Village Engineer reported that the changes reflected a catch basin being moved and additional traffic control during construction.
Motion by Wamser/Decker to Approve TID #5 Change Order 6 for \$42,475.00, carried.
3. Approve the TID #5 Phase 2 Public Improvement to Rams Contracting, LTD for \$1,195,692.85
Motion by Penzkover/Decker to Approve the TID #5 Phase 2 Public Improvement to Rams Contracting, LTD for \$1,195,692.85, contingent upon an approved developer's agreement. Discussion ensued regarding status of the developer's agreement. Motion withdrawn by maker and second.
Motion by Penzkover/Decker to Approve the TID #5 Phase 2 Public Improvement to Rams Contracting, LTD for \$1,195,692.85, contingent upon Village Attorney review, carried.
4. Approve Ordinance Changes Amending Secs. 42-5(d) and 86-187(b)(1) of the Municipal Code (Installment Option)
Discussion ensued. The Supervisor of Inspections reported that the current ordinances have differing interest rates and the proposal is to change the interest rates to the cost of borrowing plus a 1% administrative fee.
Motion by Wamser/Johnson to Approve **ORDINANCE 952**, an Ordinance Amending Secs. 42-5(d) and 86-187(b)(1) of the Municipal Code (Installment Option), carried.

8. Closed Session

Motion by Penzkover/Decker to move into closed sessions 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*) Discussion of Services Agreement with Braatz and Howard for Clerk's Office; 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*) Discussion and possible action regarding waste haul agreement with John's Disposal. Wis. Stat. **§19.85(1)(g)** (*conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) Potential claim against Realty Income Corporation and Sherwin Williams for enforcement of the Village's storm water maintenance requirements, carried upon Roll Call Vote (6 ayes, 0 nays, 1 absent) at 7:12 p.m.

9. Reconvene in Open Session

Motion by Decker/Johnson to Reconvene into open session 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 upon Roll Call Vote (6 ayes, 0 nays, 1 absent) at 7:40 p.m.

1. **Motion** by Penzkover/Decker to Approve Services Agreement with Braatz for Clerk's Office, carried.
2. **Motion** by Penzkover/Decker to Approve Services Agreement with Howard for Clerk's Office, carried.
3. **Motion** by Penzkover/Decker to Authorize the Village Attorney to take enforcement action against Realty Income Corporation and Sherwin Williams if the Village's storm water maintenance requirements are not met by November 2, 2018, carried.

10. Adjournment

Motion by Decker/Penzkover to adjourn the meeting at 7:42 p.m., carried.

Respectfully Submitted,

Cynthia L. Howard
Recording Secretary

Linda Gourdoux
Deputy Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING JOINT MEETING WITH THE TOWN OF VERNON BOARD Wednesday, October 24, 2018

Call to Order

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

Roll Call

Village Board Members present: Darlene Johnson
Jim Decker
Jay Vermeulen
Mark Penzkover
Jason Wamser
Fred Winchowky, Village President

Village Board Member Excused: Karl Kettner

Town Supervisors present: Thomas Bird, Chariperson
Jeff Millies
Gary Wilde
Ed Moline
Bill Craig

Also present: Linda Gourdoux., Village Deputy Clerk-Treasurer
John Weidl, Village Administrator/Director of Economic Development
Ron English, representative of Village Attorney
Bruce Kaniewski, Village Planner/Zoning Administrator
Dave Brown, Utilities Director
Ron Bittner, Public Works Director
Becca Alonge, Village Engineer
Kurt Peot, Prior Village Engineer
Karen Schuh, Town Clerk
John Macy, Town Attorney

Public Hearing

All persons interested in making comments about any of the public hearing items will be heard. Formal petitions and written comments regarding any of the public hearing items may be submitted tonight. During the public hearing(s), if you wish to be heard, the Village Board asks that you begin by stating your name and address, speak for no more than three minutes and attempt to avoid duplication. Each person speaking at the public hearing must sign the Public Hearing Appearance sign-in sheet before speaking. The sign-in sheet is available on the table located at the back of the room.

The purpose of the public hearing is to receive comments from all interested persons with respect to a Cooperative Boundary Agreement Plan between the Village of Mukwonago, Wisconsin, and the Town of Vernon, Wisconsin, pursuant to Wisconsin Statute 66.0307 ("Agreement").

Explanation of the Border Agreement Process and the Village of Mukwonago's Vision for Border Agreement Plan

Village President Winchowky gave an overview of the border agreement process between the Town of Vernon and the Town of Mukwonago. Town Chairman Bird also gave an overview of the border agreement and what the Town hopes to gain with the agreement. Village Planner Kaniewski, gave an overview of the Village of Mukwonago's Planning and Land Use and an overview of how the process of land uses may change. Village President Winchowky asked for public comments and stated that all questions would be answered after all comments were given to the boards.

Comments from the Public

The purpose of this section is to allow the non-elected general public the opportunity to address the Board on any subject of concern that is not the topic of a current or previous Public Hearing before the Village Board. If you wish to be heard, the Village Board asks that you begin by stating your name and address, speak for no more than three minutes and attempt to avoid duplication. Each person speaking must sign the Comments from the Public Appearance sign-in sheet before speaking. The sign-in sheet is available on the table located at the back of the room. The Board will only receive comments during Public Comment. The Public Comment portion of the meeting is scheduled for a total of 15 minutes in length but will end sooner if the Village President has determined that there is no one else present who still wishes to speak.

Public Comments

Schilling – S91W27795 National Ave – How does this affect him and his property; no one spoke directly with him regarding agreement

Wagner – S102W26155 Maple Ave – How does this affect her and her property; does not want sewer/water; similar concerns as Schilling

Datka – S109W27935 Maple Ave – How does this affect her and her property; wants to stay in Vernon

Forster – W278S11010 Fairview Cir – How does this affect her and her property; worried about taxes

Forster – W278S11010 Fairview Cir – Agrees with his wife (above); does not want sewer/water or natural gas; not notified about informational meeting

Schwane – S106W26975 Maple Ave – Worried about taxes; like well water; want country atmosphere

Schwartz – S92W27825 National Ave – Wants to stay in Vernon, low taxes, easier to work with

Fortner – Sandhill – Questioned legal notice; not information in newsletter; sees no benefit to Vernon only Mukwonago

Wissner – W278S10995 Fairview Cir – Agreement came up suddenly; Village services spread thin; like living in the Town

Huey – S93W27705 Edgewood Ave – Like Town and to keep low taxes

Unidentified person – questioned dates in the agreement

Village President Winchowky closed the public hearing at 7:15 p.m.

Village Planner Kaniewski, stated that the agreement was first drafted in 2017. The new agreement will have the correct "phase-in" dates based upon when the agreement is signed. He

stated that all land that comes into the Village as a Border Agreement or annexation is always zoned as agricultural land. He stated this is the Village's ordinance and it follows the state statutes. The land is rezoned based upon the Village of Mukwonago's Comprehensive Land Use Plan. The Village of Mukwonago's taxes are higher than the Town of Vernon. The Village of Mukwonago's ordinance on sewer and water mirrors the Wisconsin State Statutes, which states that if sewer and water are in front of your property, the property owner has nine months to hook up.

Several Vernon Town Board members stated why they felt the border agreement was necessary and reiterated that there is nothing in it for them.

Village President Winchowky stated that this discussion is not new. The Village and Town started talking over 20 years ago about this. This item will be on the Village of Mukwonago's agenda for December 19, 2018 at 6:00 p.m.

The Mukwonago Village Board and the Vernon Town Board members thanked everyone for coming and sharing their comments and requested that residents contact their board members regarding this agreement

Adjournment

Motion by Johnson/Decker to adjourn; carried

Village President Winchowky and Town Chairperson Bird adjourned the Joint Village, Town meeting at 7:16 p.m.

Respectfully Submitted,

Linda Gourdoux
Village Deputy Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday, November 7, 2018

1. Call to Order

Village President Winchowky called the meeting to order at 7:26 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct., immediately following the Committee of the Whole Meeting.

2. Roll Call

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

Board Members excused: Mark Penzkover

Also present: Rebecca Alonge, Village Engineer
Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Bruce Kaniewski, Planner/Zoning Administrator
John Weidl, Administrator/Economic Development Director
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
Cynthia Howard, Recording Secretary

3. Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

4. Announcement of Closed Sessions

Announcement of Closed Sessions 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*); 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*) Wis. Stat. **§19.85(1)(g)** (*conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*)

5. Comments from the Public

None. President Winchowky closed public comment at 7:29 p.m.

6. New Business

A. Personnel Committee

- 1) **Motion** by Kettner/Decker to Approve the request to convert the existing Part-Time Administrative Clerk position to a Full-Time status and adopt **RESOLUTION 2018-064**, a Resolution amending the Administrative Clerk/Building Support Specialist Position Description. A voice vote was taken; Trustee Johnson voted nay. The motion carried.

B. Public Works Committee

- 1) **Motion** by Decker/Kettner to Approve Task Order for TID #5 Phase 2 for \$105,300. Motion carried.
- 2) **Motion** by Penzkover/Decker to Approve TID #5 Change Order No. 8 for Erosion Control Restoration, a decrease in the amount of \$40,463. Motion carried.
- 3) TID # 5 Change Order No. 9 for Lime Stabilization in the amount of \$63,420. Item withdrawn. No action was taken.
- 4) **Motion** by Decker/Vermeulen to release the Letter of Credit for Glen of Mukwonago. Motion carried.

7. Closed Session

Motion by Decker/Johnson to move into closed sessions pursuant to Wis. Stat. Announcement of Closed Sessions 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); 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) Wis. Stat. §19.85(1)(g) (conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved): 1) Donated leave policy and related leave issues; 2) Resignation agreement for utilities employee, 4) AT & T Cell Tower Lease, 5) Contract Extension with John's Disposal, 6) Offer to purchase with NB Lincoln LLC, 7) Developer Guaranty Agreement with Super Products Inc., 8) Town of Vernon Boundary Agreement; motion carried upon Roll Call Vote (6 ayes, 0 nays, 1 absent) at 7:32 p.m.

8. Reconvene in Open Session

Motion by Decker/Johnson to Reconvene into open session 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 upon Roll Call Vote (6 ayes, 0 nays, 1 absent) at 9:09 p.m.

1. Donated leave policy and related leave issues: **Motion** by Penzkover/Decker to Direct the Village Administrator to execute as discussed in closed session, carried.
2. Resignation agreement for utilities employee: **Motion** by Penzkover/Decker to Direct the Labor Attorney to execute as discussed in closed session, carried.
4. AT & T Cell Tower Lease: **Motion** by Wamser/Decker to Approve the Terms of the AT & T Cell Tower Lease as presented by the Village Attorney; carried.
5. Contract Extension with John's Disposal: **Motion** by Wamser/Decker to Approve the John's Disposal Contract and Direct Staff to finalize the Agreement with review by the Village Attorney, carried.
6. Offer to purchase with NB Lincoln LLC: **Motion** by Kettner/Decker to Approve an Offer to Purchase with NB Lincoln LLC, subject to final form approval by the Village Attorney, carried.
7. Developer Guaranty Agreement with Super Products Inc: **Motion** by Kettner/Decker to Approved the Developer Guaranty Agreement with Super Products Inc., subject to final form approval by the Village Attorney, carried.
8. Town of Vernon Boundary Agreement: No action was taken.

9. Adjournment at 9:13 p.m.

Respectfully Submitted,

Cynthia L. Howard
Recording Secretary

Linda Gourdoux
Deputy Clerk-Treasurer

MINUTES OF THE BUDGET HEARING & SPECIAL VILLAGE BOARD MEETING

Thursday, November 15, 2018

1. Call to Order

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

2. Roll Call

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

Board Members excused: None

Also present: Rebecca Alonge, Village Engineer
Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Dave Brown, Utilities Director
Diana Doherty, Finance Director
Bruce Kaniewski, Planner/Zoning Administrator
John Weidl, Administrator/Economic Development Director
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
Cynthia Howard, Recording Secretary

3. Public Hearing

Village President Winchowky opened the Budget Hearing at 5:01 p.m. Administrator Weidl gave the Board a power point presentation, which is attached hereto and incorporated into these minutes by reference. The presentation and discussion touched upon the following points:

- Expenditure Restraint separate from tax levy
- Manufacturing income behind; additional personal property taxes from state
- New jobs for one public works employee and one police officer included in budget
- Public works reported on the boat ramp
- Police reported on the training initiatives
- Goal to implement successor planning
- Decrease in debt service/special assessment to offset in future years
- Proposed changes for the Mukwonago Mill Rates for Walworth and Waukesha counties, respectively
- Last assessed value revaluation done in 2012
- \$60,305 proposed increase over published budget to be considered
- Last water rate adjustment was in 2011; future adjustments to be kept steady and estimating around 3% annually over the next 5 years pending PSC approval.

Water Rate notice to be included in December newsletter; rates effective after first quarter 2019.

Village Board and Department leaders participated in discussion. No one from the public participated in the hearing. Village President Winchowky closed the Budget Hearing at 5:35 p.m.

4. Action related to the Proposed 2019 Annual Village Budget

A. 2019 Annual Budget & 2018 Property Tax Levy

Motion by Decker/Wamser to adopt **RESOLUTION 2018-066**, a Resolution adopting the 2019 Annual Budget and establishing the 2018 Property Tax Levy for the Village of Mukwonago. A voice vote was taken; Trustee Johnson voted nay. The motion carried.

B. 2019 Sanitary Sewer Budget

Motion by Decker/Wamser to adopt **RESOLUTION 2018-067**, a Resolution adopting the 2019 Sanitary Sewer Budget for the Village of Mukwonago, carried.

C. 2019 Storm Water Utility Budget

Motion by Decker/Wamser to adopt **RESOLUTION 2018-068**, a Resolution adopting the 2019 Storm Water Utility Budget for the Village of Mukwonago, carried.

5. Adjournment at 5:37 p.m.

Respectfully Submitted,

Cynthia L. Howard
Recording Secretary

Linda Gourdoux
Deputy Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING JOINT MEETING WITH THE TOWN OF VERNON BOARD Wednesday, November 28, 2018

Call to Order

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

Roll Call

Village Board Members present: Darlene Johnson
Jim Decker
Karl Kettner
Jay Vermeulen
Fred Winchowky, Village President
Village Board Member Excused: Mark Penzkover
Jason Wamser

Town Supervisors present: Thomas Bird, Chariperson
Jeff Millies
Gary Wilde
Ed Moline
Bill Craig

Also present: Linda Gourdoux., Village Deputy Clerk-Treasurer
John Weidl, Village Administrator/Director of Economic Development
Dave Brown, Utilities Director
Ron Bittner, Public Works Director
Becca Alonge, Village Engineer
Karen Schuh, Town Clerk
John Macy, Town Attorney

Public Hearing

All persons interested in making comments about any of the public hearing items will be heard. Formal petitions and written comments regarding any of the public hearing items may be submitted tonight. During the public hearing(s), if you wish to be heard, the Village Board asks that you begin by stating your name and address, speak for no more than three minutes and attempt to avoid duplication. Each person speaking at the public hearing must sign the Public Hearing Appearance sign-in sheet before speaking. The sign-in sheet is available on the table located at the back of the room.

The purpose of the public hearing is to receive comments from all interested persons with respect to a Cooperative Boundary Agreement Plan between the Village of Mukwonago, Wisconsin, and the Town of Vernon, Wisconsin, pursuant to Wisconsin Statute 66.0307 ("Agreement").

Explanation of the Border Agreement Process and the Village of Mukwonago's Vision for Border Agreement Plan

Village President Winchowky gave an overview of the border agreement process between the Town of Vernon and the Town of Mukwonago. Town Chairman Bird also gave an overview of the border agreement and what the Town hopes to gain with the agreement. Village Administrator Weidl, gave an overview of the changes that were made to the border agreement based upon comments made at the last public hearing. Village President Winchowky asked for public comments and stated that all questions would be answered after all comments were given to the boards.

Comments from the Public

The purpose of this section is to allow the non-elected general public the opportunity to address the Board on any subject of concern that is not the topic of a current or previous Public Hearing before the Village Board. If you wish to be heard, the Village Board asks that you begin by stating your name and address, speak for no more than three minutes and attempt to avoid duplication. Each person speaking must sign the Comments from the Public Appearance sign-in sheet before speaking. The sign-in sheet is available on the table located at the back of the room. The Board will only receive comments during Public Comment. The Public Comment portion of the meeting is scheduled for a total of 15 minutes in length but will end sooner if the Village President has determined that there is no one else present who still wishes to speak.

Public Comments

Peters – S92W27050 Karlstad Dr – Asked for clarification; in yellow area, this means nothing will be done for 10 years, spoke against

Vick – S106W27605 Maple Ave – Asked about taxes, spoke against

Pladies – S107W27020 Maple Ave – What happens to all the questions received; State Rd 83 by-pass questions, spoke against

Forster – W278S11010 Fairview Cir – This section has been changed to the 30-year area, Thank You

Potter – S106W26955 Maple Ave – What about Craig Farm – in the 20-year area, concerns over connecting to sewer and water

Peters - S92w27050 Karlstad Ave – Is there going to be a new ramp off I-43, No new ramp

Unidentified Village resident – Is existing sewer plant/system adequate to support additional properties – This would be reviewed as development takes place.

Datka – S109W27935 Maple Ave – concerns about industrial park and sewer/water connections

Vick – S108W27605 Maple Ave – if you have failed septic, can you have lateral up to right-of-way for future use instead of tearing up road

Fortner – concern over no information available, questions have not been addressed, what is procedure going forward, spoke against

Gross – S109W27685 Maple Ave – spoke against; zoning concerns, traffic concerns environmental concerns

Porter – S103W23670 Maple Ave – tax base, size of Town Board

Bilello – W278S10940 Fairview Cir – What is the date that everything is based off, where do we pay taxes next year

Unidentified person – continue to pay Vernon

Wagner – S102W26155 Maple Ave – asked about his property, Village zoning and lot size

Various Unidentified people – How long has this been in discussion – since 1992; Where will I pay taxes – to Vernon until attached to Village; Who will pay for running sewer/water lines

– is individual wants this they will have to pay; What about Big Bend – a signed agreement between Vernon and Mukwonago

Attorney Macy gave closing summation

Village President Winchowky closed the public hearing at 8:01 p.m.

Adjournment

Motion by Johnson/Decker to adjourn; carried

Village President Winchowky and Town Chairperson Bird adjourned the Joint Village, Town meeting at 8:04 p.m.

Respectfully Submitted,

Linda Gourdoux
Village Deputy Clerk-Treasurer

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING

Wednesday, December 5, 2018

1. Call to Order

Village President Winchowky called the meeting to order at 6:03 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

2. Roll Call

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

Board Members excused: None

Also present: Mike Michalski, Village Engineer
Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Dave Brown, Utilities Director
Diana Doherty, Finance Director
John Weidl, Administrator/Economic Development Director
Kevin Schmidt, Police Chief
Cynthia Howard, Recording Secretary

3. Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

4. New Business

A. Village President

1. Proclamation

President Winchowky read aloud the proclamation.

Motion by Decker/Johnson to approve Proclamation in recognition of the 52nd Wedding Anniversary of Darrel and Christine Mhlbauer. Motion carried unanimously.

B. Finance Committee

1. 2018 Budget for TIDS #4 & 5

Motion by Johnson/Penzkover to adopt **Resolution 2018-76**, a Resolution adopting the 2018 budget for TIDS #4 & 5. Motion carried.

2. 2019 Budget for TIDS #3, 4 & 5

Motion by Decker/Vermeulen to adopt **Resolution 2018-77**, a Resolution adopting the 2019 budget for TIDS #3, 4 & 5. Motion carried.

3. 2019 Water Utility Budget

Motion by Decker/Vermeulen to adopt **Resolution 2018-78**, a Resolution adopting the 2018 budget for Water Utility. Motion carried.

C. Public Works Committee

1. TID #5 WE Energies Proposal

Motion by Decker/Penzkover to approve WE Energies 11/27/2018 proposal for TID #5 Public Improvements in the amount of \$108,161.14. Motion carried.

5. Adjournment

President Winchowky declared the meeting adjourned at 6:07 p.m.

Respectfully Submitted,

Cynthia L. Howard
Recording Secretary

Linda Gourdoux
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Thursday, December 19, 2018

1. Call to Order

Village President 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.

2. Roll Call

Board Members present: Fred Winchowky, Village President
Jim Decker
Darlene Johnson
Mark Penzkover
Jay Vermeulen
Jason Wamser

Board Members excused: Karl Kettner

Also present:

Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Dave Brown, Utilities Director
Bob Harley, Supervisor of Inspections
Bruce Kaniewski, Planner/Zoning Administrator
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
John Weidl, Administrator/Economic Development Director
Cynthia Howard, Recording Secretary

3. Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

4. Announcement of Closed Sessions

Announcement of closed sessions 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*)

5. Public Hearing

- A. Public Hearing for Rezone of MUKV 1974-968 from A-1, Agricultural District to R-2, Single Family Historical Lot Residential District, approximately 3.6 Acres of Land Bounded by Eagle Lake Avenue (CTH LO), Spring Street and Bay Street on behalf of Henry William Patrick Wittbrot IV

President Winchowky opened the public hearing at 6:32 p.m. The property owner, Henry Wittbrot, was present and testified that upon review of a completed wetland delineation of the subject property, the findings indicated are area where one to two homes could be built. Mr. Wittbrot stated that he is seeking to build one home at this

time for his own family. No other parties were present wishing to testify. President Winchowky closed the public hearing at 6:34 p.m.

6. Comments from the Public

None. President Winchowky closed public comment at 6:35 p.m.

7. Consent Agenda

A. Approve Village Board meeting minutes:

1. November 15, 2018 Budget Hearing Special Meeting
2. November 15, 2018 Regular Meeting
3. December 5, 2018 Special Meeting

B. Finance Committee

1. Vouchers payable batches
 - a. Payments batch LibAP112018 for \$24,157.78
 - b. Payments batch US-11-2018 for \$19,349.79
 - c. Payments batch WE-11-2018 for \$34,190.75
 - d. Payments batch AP-12-2018-1 for \$579,263.25

C. Judicial Committee

1. Approve the Change of Agent to Barbara J. LeBlanc for Kwik Tip Class A Alcohol License.

D. Public Works Committee

1. Request IDC to present the Village of Mukwonago with data and engineering pertaining to the water tower and right-of-way areas for review by the Village Engineer prior to making any decisions on cost-sharing for the contamination removal
2. Approval of Holz Multi-Use Parkway Trail Change Order #2 in the amount of \$99,896.40

Motion by Decker/Penzkover to approve the Consent Agenda Items A-D, excluding B2-4, carried unanimously.

- B. 2. Approve the Wage Rate Range for Seasonal Public Works Employees between \$9.00 and \$15.00 per hour for 2019

Motion by Johnson/Decker to approve the Consent Agenda Item B2, carried unanimously.

- B. 3. Adopt **RESOLUTION 2018-79**, a Resolution adopting the 2019 wage rates resolution, as amended to include the Protective Services 2019 POC and POP Wage Rates and adjust the Public Works wage range for seasonal employees to between \$9.00 and \$15.00 per hour for 2019

Motion by Johnson/Decker to approve the Consent Agenda Item B3, as amended and written, carried unanimously.

- B. 4. Adopt **RESOLUTION 2018-80**, a Resolution adopting exceptions to wage rates RESOLUTION 2018-79

Motion by Penzkover/Vermeulen to approve the Consent Agenda Item B4. Upon voice

vote the motion carried. Trustee Johnson voted nay.

8. New Business

A. Finance Director

1. Vouchers payable batches

- a. Payments Batch AP 12-2018-2 for \$1,018,355.20
- b. Payments Batch AP M-11-2018 for \$126,461.34.

Motion by Decker/Johnson to approve the Vouchers Payable Batches as provided in the amount of \$1,144,816.54, motion carried unanimously.

B. Planning Commission

1. Kay's Academy of Dance/715 Main Street

Village Planner Bruce Kaniewski gave the Board an overview of the project proposal.

Motion by Penzkover/Decker to adopt **RESOLUTION 2018-81**, a Resolution for Pirouette Properties (Kay's Academy of Dance), Site Plan and Architectural Review Approval for 715 Main Street; MUKV 1976-205, as submitted and subject to the Planner's Conditions, motion carried.

2. Super Products/130 W. Boxhorn Drive

Village Planner Bruce Kaniewski gave the Board an overview of the proposed Certified Survey Map. Discussion ensued regarding the previously approved Board offer to sell the subject property to Super Products, of which the form has not been finalized.

Motion by Penzkover/Decker to adopt **RESOLUTION 2018-82**, a Resolution for a 1-Lot Certified Survey Map on behalf of Super Products, LLC, 130 W. Boxhorn Dr; part of #A477300003, contingent upon the Village entering into an offer to sell as well as a developer guaranty agreement with Super Products, motion carried.

3. Taco Bell/920 Greenwald

Village Planner Bruce Kaniewski gave the Board an overview of the proposed Site Plan and Architectural elements, to specifically add a cooler on the back end of the existing building to allow for increased food prep area. Discussion ensued about the drive-thru and architectural standards.

Motion by Penzkover/Johnson to adopt **RESOLUTION 2018-83**, a Resolution for Albor Restaurant Group (Taco Bell), Site Plan and Architectural Review Approval for 920 Greenwald Court, subject to the Planner's Conditions. Upon voice vote the motion carried. Trustee Wamser voted nay.

4. Wittbrot Rezone/MUKV 1974-968

Village Planner Bruce Kaniewski gave the Board an overview of history of annexations of town islands directly into the Agricultural Zoning District as well as the zoning and new setbacks of the surrounding properties in the Shores

Subdivision. Discussion ensued about the A-1 Zoning scattered properties to be considered for future rezones based on connecting sites zoning.

Motion by Penzkover/Decker to adopt **ORDINANCE 954** an Ordinance approving the Rezone from A-1, Agricultural District to R-2, Single Family Historical Lot Residential District, approximately 3.6 Acres of Land Bounded by Eagle Lake Avenue (CTH LO), Spring Street and Bay Street on behalf of Henry William Patrick Wittbrot IV; MUKV 1974-968, carried unanimously.

C. Protective Service Committee

1. **2019 Stipend for Certain Officers**

Protective Service Committee Chair Johnson gave the Board an overview of review and recommendations of the Committee at Monday night's meeting to consider a \$3,000 annual stipend for be only for the year 2019 for one assistant chief and one deputy chief, to be distributed with the 26 pay periods. Chief Stien stated that there is room in the 2019 budget for a reallocation of funds because a full-time Lieutenant resigned in October.

Motion by Penzkover/Decker to adopt **RESOLUTION 2018-84**, a Resolution authorizing Annual Stipends for the Assistant Chief and Deputy Chief due to mandated increased responsibilities and duties. Upon voice vote the motion carried. Trustee Vermeulen voted nay.

2. **November Police Report**

Trustee Johnson stated that the Police Report was distributed to the Board for information only; no action was taken.

D. Public Works Committee

1. **Maple Center Access Agreement**

Village Administrator Weidl reported that a revision was made to the document today to make minor corrections.

Motion by Penzkover/Decker to approve the REVISED Approve access agreement between the Village and Doug DeBack for Maple Center, motion carried unanimously.

2. **John's Disposal Amendment to Agreement**

Public Works Director Bittner reviewed the changes in the agreement, which include, 2 extra yard waste collections, weekly recycling pick-up, and new compost regulations.

Motion by Penzkover/Decker to Approve amendment to John's Disposal Garbage and Recycling Collection Agreement and authorize the Village President sign the amendment, motion carried unanimously.

3. **Urban Forestry Grant**

Public Works Director Bittner reported that the department had received an Urban Forestry Grant to assist with the removal of dead Ash trees on public property. No action taken.

4. **Introduction of PW Crew Supervisor Lee Wegner**

New Public Works employee was introduced by the Public Works Director. Mr. Wegner addressed the Board and stated that he is long term resident of Mukwonago; no action was taken.

9. **New Business**

A. Intergovernmental Agreement

1. **Town of Vernon**

Consideration of a Resolution to Adopt the Cooperative Boundary Agreement with the Town of Vernon and to Transmit the Cooperative Boundary Agreement to the State of Wisconsin Department of Administration. Discussion ensued about the requirement of 20 days for public comment and 30 days to file an objection.

Motion by Penzkover/Decker to defer this matter until the January 16, 2019 Village Board meeting, motion carried unanimously

10. **Closed Session**

At 7:17 p.m. a **Motion** by Decker/Johnson to move into closed sessions 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*), Wis. Stat. **§19.85(1)(g)** (*conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved*) carried upon Roll Call Vote (6 ayes, 0 nays). Trustee Vermeulen recused himself from the Closed Session. Closed Session started at 7:22 p.m. following a short recess. Ray Goodden of Anderson Commercial Group LLC was invited to attend Closed Session.

11. **Reconvene in Open Session**

Motion by Decker/Johnson to Reconvene into open session 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 upon Roll Call Vote (6 ayes, 0 nays) at 7:40 p.m. Trustee Vermeulen joined the Board in open session. It was the consensus of the Board to have staff proceed as directed.

12. **Adjournment**

Motion by Decker/Penzkover to adjourn the meeting at 7:41 p.m., carried.

Respectfully Submitted,

Cynthia L. Howard
Recording Secretary

Linda Gourdoux
Deputy Clerk-Treasurer