

VILLAGE OF MUKWONAGO MINUTES OF THE REGULAR VILLAGE BOARD MEETING WEDNESDAY, JANUARY 15, 2020

Call to Order

The Village President Winchowky called the meeting to order at 6:05p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Eric Brill
 Jim Decker
 Darlene Johnson
 Jay Vermeulen
 Roger Walsh
 Jason Wamser
 Fred Winchowky, Village President

Also present: John Weidl, Village Administrator
 Ron Bittner, Public Works Director
 Mark Blum, Village Attorney
 Dave Brown, Utilities Director
 Diana Dykstra, Clerk-Treasurer
 Diana Doherty, Finance Director
 Kevin Schmidt, Police Chief
 Jerad Wegner, Village Engineer
 Bob Harley, Building Inspector
 Ben Kohout, Village Planner

Pledge of Allegiance

Comments from the Public

Carole Fickau, 262 McArthur Drive, spoke on the signage at Field Park and expressed she was not in favor of it. She felt it would be a traffic issue and not look right.

David Boebel, 815 Parkview, submitted comments electronically to the Village Clerk regarding the agenda management software relative to the employee merit increase. He felt the Administrator's project goals were not addressing timeliness of the release of agendas and minutes. He hopes to see a report on the progress during the next "State of the Village" address.

Presentations

Presentation of online Zoning Hub application system, and overview of capabilities of system in researching properties, allowable land uses, and dimensional standards of development. Village Planner Kohout and former Planner Schwecke reviewed the software program and how residents can look up the zoning on a particular parcel, find out what they can do with the parcel, or what type of business can be placed there, or what the process would be to request changes. It was noted staff will be reviewing the timing of the upload, and how the resident can be directed to the village web site for appropriate forms.

Consent Agenda

All items listed are considered routine and/or have been unanimously recommended by the Committee of the Whole and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent agenda and be considered on the regular agenda.

6.1 Approve Minutes of December 18, 2019 Village Board

Meeting

6.2 Motion to approve Vouchers in the amount of

\$640,283.44

6.3 Motion to approve and authorize the Village President to sign the WE Energies lighting agreement for the River Park Estates LED street light conversion.

6.4 Motion to approve a Stumper 280 HD Stump Grinder Purchase Requisition.

6.5 Motion to approve a 2020 Patrol Truck equipment package purchase requisition.

6.6 Motion to approve Task Order 2019-18 from Ruekert-Mielke, Inc. for River Park Estates Phase 2 Design, Bidding, and Construction Services.

6.7 Motion to approve and authorize the Village President to sign the WE Energies lighting agreement for the River Park Estates LED street light conversion.

6.8 Motion to approve and authorize the Village President sign the lighting agreement with WE Energies for the additional street light on Fox River View.

6.9 Motion to approve and authorize the Village President to sign the documents related to WE Energies work order 4243187 for the downtown street light project.

6.10 Motion to approve the request for educational pay incentive from Officer Michael Kubiak.

6.11 Motion to approve **Resolution 2020- 01** A resolution to establish a snowmobile route within the limits of the Village of Mukwonago.

Decker/Johnson motion to approve consent agenda items 6.1 to 6.11 as presented.

Trustee Johnson noted the Certificate of Insurance for the snowmobile club was received.

Downtown Development Committee, Trustee Walsh

Discussion and possible action on the following items

Announcement of the Downtown Design Charrette on Thursday, January 23, 2020 from 6:00pm to 8:00pm in the Community Room at the Village Hall for a collaboration on the future streetscaping and wayfinding signage for downtown Mukwonago.

Trustee Walsh noted there is no action required this was just for information purposes, and discussed the new flyer which was attached to the packet.

Downtown Development Committee Update

Trustee Walsh discussed the workshop coming up, the preparation and support. He thanked his committee members for their hard work and this completed project will assist with many other projects in the Village.

Finance Committee, Trustee Vermeulen

Discussion and possible action on the following items

Authorize Finance Chair to review and approve an additional AP batch the last week in January capturing 2019 activity to facilitate Financial Audit preparation.

Vermeulen/Johnson motion to approve authorizing the Finance Chair to review and approve an additional AP batch the last week in January capturing 2019 activity to facilitate Financial Audit preparation. Unanimously carried.

Motion to approve AP batch Vouchers in the amount of \$241,053.02

Vermeulen/Decker motion to approve AP batch Vouchers in the amount of \$241,053.02. Unanimously carried.

Judicial Committee, Trustee Walsh

Discussion and possible action on the following items

Review and approve the form for the Request for Proposals for a Zoning Code and Sign Code rewrite.

Trustee Walsh noted this item has previously come before the Board seeking comments. No comments or objections were received. Planner Kohout noted they will look at the code and provide better explanations to help staff, and committees. They anticipate a timeline of 12-18 months. Trustee Decker asked if this will be a zoning and sign code clean up. Trustee Walsh noted this is within the Budget and then will be codified.

Walsh/Decker motion to release the RFP for Zoning Code and Sign Code rewrite not to exceed \$75,000. Unanimously carried.

Motion to approve Ordinance 972 an Ordinance amendment to the Municipal Code Chapter 6 Alcohol Beverages to reflect a lottery procedure for the issuance of an available regular "Class B"/Class "B" license.

Trustee Walsh noted he appreciated input on the process from Trustees Johnson and Decker. Walsh/Decker motion to adopt Ordinance 972 an Ordinance amendment to the Municipal Code Chapter 6 Alcohol Beverages to reflect a lottery procedure for the issuance of an available regular "Class B"/Class "B" license. Unanimously carried.

Personnel Committee, Trustee Johnson

Discussion and possible action on the following items

Motion to approve a merit increase pursuant to section 4(b) of the Employment Memorandum of Understanding for the Village Planner Ben Kohout.

Decker/Johnson motion to approve a merit increase pursuant to section 4(b) of the Employment Memorandum of Understanding for the Village Planner Ben Kohout. Administrator Weidl noted the Board authorized the MOU, the Planner drafted the memo and its before you today. Unanimously carried.

Motion to approve a merit increase pursuant to section 4(b) of the Employment Memorandum of Understanding for the Village Clerk/Treasurer Diana Dykstra.

Decker/Johnson motion to approve a merit increase pursuant to section 4(b) of the Employment Memorandum of Understanding for the Village Clerk/Treasurer Diana Dykstra.

Planning Commission Recommendations

Discussion and possible action on the following Plan Commission Recommendations

Motion to approve **Resolution 2020-02** a resolution for approval of the 1-wall sign for Touchpad Electronics, 101 W Boxhorn Dr; Parcel No #A486800001; applicant, Icon Decker/Wamser motion to approve **Resolution 2020-02** a resolution for approval of the 1-wall sign for Touchpad Electronics, 101 W Boxhorn Dr; Parcel No #A486800001; applicant, Icon. Planner Kohout noted this property is over (3) acres requiring formal review and it was approved at Plan Commission on January 14, 2020. Unanimously carried.

Protective Services, Trustee Brill

Discussion and possible action on the following items

Monthly Police Report *(For information purposes only. No action required)*

Trustee Brill noted the report is on file. Chief Schmidt discussed a recent accident with a squad during the storm.

Public Works Committee, Trustee Wamser

Discussion and possible action on the following items

Storm Water Maintenance Agreement with Phantom Lakes Preserve LLC

Trustee Wamser noted he has nothing to add, it has met the standards and regulations. Wamser/Brill motion to approve Storm Water Maintenance Agreement with Phantom Lakes Preserve LLC. Roll Call: "Yes" Trustee Brill, Decker, Vermeulen, Wamser, and Winchowky. "No" Trustee Johnson and Walsh. Motion carried 5-2

Agreement for the Subdivision Improvements for the Phantom Lake Preserve Development in the Village of Mukwonago, Waukesha County.

Wamser/Decker motion to approve an Agreement for the Subdivision Improvements for the Phantom Lake Preserve Development in the Village of Mukwonago, Waukesha County. Roll Call: "Yes" Trustee Brill, Decker, Wamser, and Winchowky. "No" Trustee Johnson, Vermuelen, and Walsh. Motion carried 4-3.

Motion to approve Developer's request for the reimbursement of the Lift Station and stabilizing of the saturated soil conditions with Super Products, LLC.

Wamser/Decker motion to approve Developer's request for the reimbursement of the Lift Station and stabilizing of the saturated soil conditions with Super Products, LLC. Administrator Weidl noted there has been an agreement previously approved. They conducted particular work and in return the Village would reimburse that work once the Engineer concurred with those improvements. Trustee Johnson asked about the amount and where the money will come from. Administrator Weidl noted it was part of the borrowing for that project. Unanimously carried.

Discussion and possible action on Well #3 repairs and options available.

Utility Director Brown discussed the Well #3 repairs. He noted they had a contract to rehab and while surging the well collapsed and a tool got stuck. They have a change order before them for \$46,650 for the first 90 hours to get this out or push to the bottom and seal it. Engineer agrees this is an acceptable change order. Director Brown notes this is not an exact thing, and it could cave in or just may not work. He wanted to be sure the Trustees know of

the possibilities. Wamser/Decker motion to approve the Water Well Solutions Change Order in the amount of \$46,650. It was noted that staff can sign change orders up to \$30,000 and there is emergency procedures should they need back up procedures. Unanimously carried.

Village President

Announcement of vacancies available for appointment to the Historic Preservation Commission. President Winchowky noted there are vacancies that exist on the Historic Preservation Commission. He has a few candidates, but will be looking to compile a list.

Acceptance of Resignation from Ken Werner from the Police Commission, Plan Commission, and Joint Fire Commission.

President Winchowky read a resignation letter from Ken Werner into the record, and thanked Mr. Werner for his years of service, he will be missed.

Announcement of Community Focus Meeting to Meet the Mukwonago Fire Department, 1111 Fox Street, on Thursday January 16, 2020. Tours will be provided at 6:00pm along with free blood pressure checks. Community Focus Meeting starts at 7:00pm to answer questions and help direct the future of the Mukwonago Fire & EMS services.

Closed Session

Decker/Johnson motion to go into closed session pursuant to **Wis. Stats § 19.85 (1) (g)** (Conferring with legal counsel who either orally or in writing will advise governmental body on strategy to be adopted with respect to current or likely litigation) concerning Greenwald Family Limited Partnership v. Village of Mukwonago and **Wis. Stats § 19.85 (1) (e)** (Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session) for the negotiation of a lease with U.S. Cellular, Town of Vernon Boundary Agreement, and a Developer Guaranty Agreement with Mukwonago Family Ventures, LLC (Maple Centre) at 7:31pm.

Roll Call: "Yes" Trustee Brill, Decker, Johnson, Vermeulen, Walsh, Wamser, and Winchowky. Unanimously carried.

Trustee Johnson stepped out of the room 7:35pm.

Trustee Johnson returns to her seat at 8:00pm.

Reconvene into Open Session

Decker/Johnson motion to reconvene into open session pursuant to Wis. Stats. §19.85(2) for possible discussion and/or action concerning any matter discussed in closed session at 8:21pm.

Roll Call: "Yes" Trustee Brill, Decker, Johnson, Vermeulen, Walsh, Wamser, and Winchowky. Unanimously carried. Unanimously carried.

Trustee Johnson stepped out of the room at 8:21pm.

Wamser/Decker motion to authorize the Village President to Sign the Developer Guarantee Agreement with Mukwonago Family Ventures, LLC (Maple Centre). Motion carried. Trustee Johnson absent.

Trustee Johnson returns to her seat at 8:22pm.

Adjournment

Meeting adjourned at 8:22pm.

Respectfully Submitted,
/s/ Diana A. Dykstra, CMC
Clerk-Treasurer