

MINUTES OF THE VILLAGE BOARD MEETING

Wednesday, May 19, 2021

Time: **6:30 pm**

Place: **Mukwonago Municipal Building/ Board Room, 440 River Crest Court,
Mukwonago, WI 53149**

Call to Order

The Village President Winchowky called the meeting to order at 6:30p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct., Mukwonago, WI 53149

Roll Call

Board Members Present

Daniel Adler
Eric Brill
Jim Decker
Darlene Johnson
John Meiners
Roger Walsh
Fred Winchowky

Also Present

Diana Dykstra, Village Clerk-Treasurer
Diana Doherty, Finance Director
Kevin Schmidt, Police Chief
Dave Brown, Utilities Director
Ron Bittner, Public Works Director
Matt Gralinski, Village Attorney
Jerad Wegner, Village Engineer
John Fellows, Village Planner

Pledge of Allegiance

Comments from the Public

David Boebel, 815 Parkview Lane, commented on item #6.2 regarding Espresso Love. He noted he sat downtown and inventoried the buildings. He felt there was a weak architectural review and this building would set precedent in this overlay district. He felt there was not enough parking spaces as required.

Consent Agenda

Decker/Meiners motion to approve items 5.1 to 5.9.
Unanimously carried.

5.1 Approval of Village Board meeting minutes of April 21, 2021 and Special Meeting of May 5, 2021.

5.2 Approve accounts payable Vouchers in the amount of \$512,323.20.

5.3 Approve the Special Event Application from the CFU John Movrich Lodge 993 for the 2021 Mukwonago Croatian Day Fest to be held at Field Park on July 10, along with a temporary Class "B" retailer's License from the CFU John Movrich Lodge 993.

- 5.4 Approve and permit the construction of dugout storage cabinets at Field Park as presented by Ben Padilla for his Eagle Scout project
- 5.5 Approve a status change in base salary for merit increase in the amount of \$5,000 for Building Code Official, Tim Rutenbeck.
- 5.6 Approve a change of status for a base wage adjustment of \$1.00 per hour for the Deputy Clerk-Treasurer.
- 5.7 Approve a refund of \$134.42 for sewer charges for water lost by an act of vandalism, that was never discharged into the system at 147 Phantom Lake Court
- 5.8 Approval of a WWTF Adaptive Management Program contribution of \$25,000 to Waukesha County for the Riverbank Restoration Project at the Fox River Park in 2022.
- 5.9 Approve **Ordinance 992** an Ordinance to amend Section 2- 146 of the Village of Mukwonago Municipal Code regarding Purpose of Division, as recommended by the Judicial Committee.

Trustee Walsh noted that Item 5.10 still had some discrepancies and should return to the Judicial Committee on June 2, 2021.

5.10 Approve **Ordinance 993** an Ordinance to amend Section 2-148 of the Village of Mukwonago Municipal Code regarding Appointments; Terms; Vacancies with the Downtown Development Committee, as recommended by the Judicial Committee.

Planning Commission Recommendations

Discussion and possible action to approve RESOLUTION 2021-38 on a Conditional Use for a Drive-through Facility for a tenant space located at 301 Main St; for Elovecoffee LLC DBA Espresso Love Coffee, applicant; Parcel MUKV 1976-128, as recommended by the Planning Commission.

Planner Fellows noted that Items 6.1 and 6.2 are related. Under the code they are required to obtain a conditional use for this restaurant, kitchen, and second floor apartment. The driveway wraps around the parking lot. He was provided an email just before the meeting and noted there is a typo in the 21 parking spaces, not the 24 as it states and he apologizes. He noted that 6 spaces are part of the easement agreement. He noted he has heard the concern for Architectural design, and he notes there are a number that are brick and wood similar in style and design. It is what makes unique with a blend of architecture. They are required to have 18 spaces and they have 21. Additionally they are required to obtain approval for driveway access from Waukesha County as a condition.

Trustee Johnson questioned if a variance was required. It was noted it is not required here. Decker/Meiners motion to approve **RESOLUTION 2021-38** on a Conditional Use for a Drive-through Facility for a tenant space located at 301 Main St; for Elovecoffee LLC DBA Espresso Love Coffee, applicant; Parcel MUKV 1976-128, as recommended by the Planning Commission. Unanimously carried.

Discussion and possible action to approve RESOLUTION 2021-039 for a Site Plan and Architectural Review for Elovecoffee LLC DBA Espresso Love Coffee, applicant; Parcel MUKV 1976-128, as recommended by Planning Commission.

Decker/Meiners motion to approve **RESOLUTION 2021-039** for a Site Plan and Architectural Review for Elovecoffee LLC DBA Espresso Love Coffee, applicant; Parcel MUKV 1976-128, as recommended by Planning Commission. Unanimously carried.

Discussion and possible action to approve RESOLUTION 2021-40 a Conditional Use for a Drive-through Facility for a tenant space located at 827 S Rochester St; Mark Sykes/Sykes Foods, LLC, applicant; Parcel MUKV 2009-998-003, as recommended by the Planning Commission.

Decker/Meiners motion to approve RESOLUTION 2021-40 a Conditional Use for a Drive-through Facility for a tenant space located at 827 S Rochester St; Mark Sykes/Sykes Foods, LLC, applicant; Parcel MUKV 2009-998-003, as recommended by the Planning Commission. Unanimously carried.

Discussion and possible action to approve RESOLUTION 2021-41 for a Site Plan and Architectural Review located at 827 S Rochester St; Mark Sykes/Sykes Foods, LLC, applicant; Parcel MUKV 2009-998-003, as recommended by the Planning Commission.

Decker/Meiners motion to approve RESOLUTION 2021-41 for a Site Plan and Architectural Review located at 827 S Rochester St; Mark Sykes/Sykes Foods, LLC, applicant; Parcel MUKV 2009-998-003, as recommended by the Planning Commission. Unanimously carried.

Discussion and possible action to approve RESOLUTION 2021-42 for a Site Plan and Architectural Review for roofing, paint, porch rail for structure located at 211 Fox St; Robert G Kokott/Lakeland Property Management, applicant; Parcel MUKV 1973-0951-001, as recommended by the Planning Commission.

Walsh/Meiners motion to approve RESOLUTION 2021-42 for a Site Plan and Architectural Review for roofing, paint, porch rail for structure located at 211 Fox St; Robert G Kokott/Lakeland Property Management, applicant; Parcel MUKV 1973-0951-001, as recommended by the Planning Commission. Unanimously carried.

Finance Committee, Trustee Meiners

Discussion and possible action to approve Resolution 2021 - 43 a Resolution to Designate Public Depositories and Authorize the withdrawal of Village of Mukwonago Funds.

Meiners/Decker motion to approve Resolution 2021 - 43 a Resolution to Designate Public Depositories and Authorize the withdrawal of Village of Mukwonago Funds. Unanimously carried.

Discussion and possible action to approve a purchase requisition for Ewald Ford in the amount of \$37,165.00 for a new squad car, as budgeted in the 2021 Capital Budget.

Meiners/Brill motion to approve a purchase requisition for Ewald Ford in the amount of \$37,165.00 for a new squad car, as budgeted in the 2021 Capital Budget. Unanimously carried.

Discussion and possible action to approve Accounts Payable Vouchers in the amount of \$258,905.79.

Meiners/Decker motion to approve Accounts Payable Vouchers in the amount of \$258,905.79. Unanimously carried.

Public Works Committee, Trustee Brill

Discussion and possible action on a request for an extension to delay in completing the last lift of asphalt on the Chapman development by ACG Development.

Brill/Decker motion to approve the extension. DPW Director Bittner noted this is a private street, it was previously amended to May 1st completion and the Village granted an extension then as well.

Protective Services, Trustee Adler

Police Department Report for the month of April 2021.

Johnson/Decker motion to accept. Unanimously carried.

Village President

A Proclamation to honor The Elegant Farmer and their 75 year Anniversary Celebration.

Johnson/Decker motion to approve. Unanimously carried.

A Proclamation to honor National Bike Month in the Village of Mukwonago.

Decker/Walsh motion to approve. Unanimously carried.

A Proclamation to honor Historic Preservation Month in the Village of Mukwonago.

Decker/Meiners motion to approve. Unanimously carried.

A Proclamation to honor Building Safety Month in the Village of Mukwonago.

Decker/Brill motion to approve. Unanimously carried.

Discussion and possible action to approve Resolution 2021-44 a Resolution to Designate the Official Newspaper for the Village of Mukwonago.

Decker/Johnson motion to approve Resolution 2021-44 a Resolution to Designate the Official Newspaper for the Village of Mukwonago as both the Waukesha Freeman and the Mukwonago Times. Unanimously carried.

Appointment of Jason Wamser to the Downtown Development Committee.

Decker/Walsh motion to approve. Unanimously carried.

Closed Session

Decker/Johnson motion to go into Closed Session pursuant to **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 negotiation with cellular lease agreement, and pursuant to **Wis. Stats. § 19.85(1)(c)** (Compensation and Evaluation. Considering employment, promotion, compensation or performance evaluation data of any public employee subject to the jurisdiction or authority of governing body.) concerning grievance from the Mukwonago Professional Police Association at 7:15pm.

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

Reconvene into Open Session

Decker/Johnson motion to reconvene into open session pursuant to Wis. Stats. §19.85(2) at 7:45pm. Roll Call: “Yes” Trustee Adler, Brill, Decker, Johnson, Meiners, Walsh and Winchowky. Unanimously carried.

Grievance from the Mukwonago Professional Police Association dated March 4, 2021
Johnson/Adler motion to grant grievance with the Mukwonago Professional Police Association dated March 4, 2021 regarding Covid-19 mandatory quarantine and authorize the Attorney to provide a written response.

Roll Call: “Yes” Trustee Adler, Brill, Johnson, Meiners, Walsh, and Winchowky. “No” Trustee Decker. Motion carried 6-1.

Adjournment

Meeting adjourned at 7:47pm.

Respectfully Submitted,

Diana Dykstra, MMC
Village Clerk-Treasurer