

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING

Wednesday, October 20, 2021

Time: **6:30 pm**

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

Call To Order

Meeting was called to order by President Winchowky at 6:30pm.

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
Dan Streit, Police Chief
Wayne Castle, Assist. Utilities Director
Ron Bittner, Public Works Director
Mark Blum, Village Attorney
Jerad Wegner, Village Engineer
John Fellows, Village Planner

Pledge of Allegiance

Comments from the Public

Colleen Farmer, 1445 Applewood Cir, was present to reiterate the issues the residents have with Walworth County side of the village. She noted the Dept of Revenue will be doing another 70.57 adjustment. This happened about 7 years ago as well. Information has come to light that is suspect and she saw on agenda discussion of assessor. She is asking the Board to take into consideration this information and feels this a very big deal and she has confirmed with the DOR supervisor what has happened. She noted the Associated contract is up for renewal and would like Dean Peters to come back as the primary assessor, because he has better handle on the circumstances. She has been working on this for 13 years, and finally feels they are listening again and would like the Village to look into this.

Todd Ciske, WFAQ Radio LP Mukwonago wants to thank everyone on the Board along with Diana Dykstra and John Fellows for working with him. He appreciates and thanks the anonymous donor who covered this expense. He noted WFAQ has been on air for 14 years. Looking forward to working with community.

Presentations

Presentation from Ruekert-Mielke

Stand Sugden and Jerad Wegner of Ruekert and Mielke were present to provide President Winchowky with the State Finalist Award for the TID 5 Business Park.

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 Regular Village Board minutes of September 15, 2021, Special Village Board meeting minutes of September 27, 2021, and Special Village Board meeting minutes of October 6, 2021.

6.3 Approve Accounts Payable Vouchers in the amount of \$588,248.60

6.4 Approve Trick or Treat hours will be October 31, 2021 from 4pm to 6pm.

6.5 Approve an Original Combination Class A Fermented Malt Beverage License and Class A Intoxicating Liquor Application for R&A Trading LLC, d/b/a Andy Liquor Store, 411 Main Street, Mukwonago.

6.6 Approve a request for educational incentive pay for officer Mike Kubiak.

6.7 Approve a Letter of Credit Reduction #4 for Minor's Estates Phase 4 to a new balance of \$536,851.39.

President Winchowky removed item 6.8 Approve an Access and Indemnity Agreement for Bielinski Inc Fairwinds Lots #108 and 109 pending Village staff and Attorney approval until both parties reach agreement.

Decker/Meiners motion to approve items 6.1, and items 6.3-6.7.

Unanimously carried.

Meiners/Decker motion to approve item 6.2 to Approve the purchase requisition for picnic table and field benches from Pilot Rock in the amount of \$13,541.20. This was pulled from consent due to a slight change in price for shipping. Unanimously carried.

Other Items for Approval

Discussion and possible action to approve an underwriting contract with WFAQ radio for public service messages for an annual contract in 2022 in the amount of \$800.

Adler/Walsh motion to approve an underwriting contract with WFAQ radio for public service messages for an annual contract in 2022 in the amount of \$800.

Trustee Decker confirmed with the Finance Director this item is for 2022 and is in the proposed budget. Unanimously carried.

Planning Commission Recommendations

Discussion and possible action to approve RESOLUTION 2021-76 for a Conditional Use Permit for an Auto Body Repair Facility and Auto Rental Facility for JLF REAL ESTATE LLC (James Fleury – Fleury's Body Repair), applicant: 1006 Main Street, Parcel Number: MUKV 2009-984, as recommended by Plan Commission.

Decker/Brill motion to approve **RESOLUTION 2021-76** for a Conditional Use Permit for an Auto Body Repair Facility and Auto Rental Facility for JLF REAL ESTATE LLC (James Fleury – Fleury’s Body Repair), applicant: 1006 Main Street, Parcel Number: MUKV 2009-984 Unanimously carried.

Discussion and possible action to approve RESOLUTION 2021-77 for site plan and architectural approval for modifications to an Auto Body Repair Facility and Auto Rental Facility for JLF REAL ESTATE LLC (James Fleury – Fleury’s Body Repair), applicant: 1006 Main Street, Parcel MUKV 2009-984, as recommended by Plan Commission.

Decker/Meiners motion to approve **RESOLUTION 2021-77** for site plan and architectural approval for modifications to an Auto Body Repair Facility and Auto Rental Facility for JLF REAL ESTATE LLC (James Fleury – Fleury’s Body Repair), applicant: 1006 Main Street, Parcel MUKV 2009-984. Unanimously carried.

Discussion and possible action to approve RESOLUTION 2021 -74 to approve a land division for a two lot Certified Survey Map (CSM), Hill Court, for the Village of Mukwonago; Parcel #A493600002, as recommended by Plan Commission.

Planner Fellows noted this is the parcel at end of Hill Court. It is identified as the best location for a water tower. In agreement we noted we would carve out the parcel for the water tower. Trustee Walsh questioned if this was a saleable lot, if this was does this have value. Fellows it is a parcel created just the size necessary for water tower and should not affect the value of the entire parcel.

Decker/Brill motion to approve to approve **RESOLUTION 2021 -74** to approve a land division for a two lot Certified Survey Map (CSM), Hill Court, for the Village of Mukwonago; Parcel #A493600002. Unanimously carried.

Discussion and possible action to approve Ordinance 997 to amend Section 64-20(d) and Section 64-24 of the Mukwonago Municipal code of Ordinances regarding temporary and/or quasi-permanent signs and other advertising devices allowed on business and manufacturing zoned properties requiring a permit / traffic directional signs, off-street on private property and exempt sign.

Planner Fellows noted this relates to larger parcels that are campus styles, such as Prohealth and the High School. Our ordinance previously wouldn’t allow certain signage and they looked at the ordinance to create options for those larger parcels in the village.

Decker/Meiners motion to approve Discussion and possible action to approve **Ordinance 997** to amend Section 64-20(d) and Section 64-24 of the Mukwonago Municipal code of Ordinances regarding temporary and/or quasi-permanent signs and other advertising devices allowed on business and manufacturing zoned properties requiring a permit / traffic directional signs, off-street on private property and exempt sign. Motion Carried. Trustee Brill Abstained.

Finance Committee, Trustee Meiners

Discussion and possible action to approve Accounts Payable Invoices in the amount of \$397,697.41

Meiners/Johnson motion to approve Accounts Payable Invoices in the amount of \$397,697.41 Unanimously carried

Public Works Committee, Trustee Brill

Discussion and possible action to approve a Letter of Credit Release from Hill Court Partners LLC for the project known as Hill Court Multi-Tenant Building in the amount of \$88,000 contingent upon any remaining silt fence left on the site.

Brill/Meiners motion to approve a Letter of Credit Release from Hill Court Partners LLC for the project known as Hill Court Multi-Tenant Building in the amount of \$88,000. Engineer Wegner noted the silt fence has been removed, and this is ready to be released. Unanimously carried.

Discussion and possible action on Resolution 2021-78 A Resolution to accept public water main infrastructure and accept public sanitary infrastructure for the Chapman Villas Subdivision.

Engineer Wegner noted it has been inspected and completed punch list and lien waivers. Recommended for approval.

Brill/Decker motion to approve Resolution 2021-78 A Resolution to accept public water main infrastructure and accept public sanitary infrastructure for the Chapman Villas Subdivision. Unanimously carried.

Protective Services Committee, Trustee Adler

Monthly Police Report for September, 2021
(for information only, no action required)

Closed Session

Decker/Walsh 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) and 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) 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 assessment services, potential litigation, and GFLP v Village of Mukwonago.

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

Reconvene into Open Session

Decker/Meiners 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

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

Adjournment

Adjourn at 7:41pm

Respectfully Submitted,

Diana Dykstra, MMC
Village Clerk-Treasurer