

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING

Wednesday, August 17, 2022

Time: **6:30 pm**

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

Call to Order Call to Order

President Winchowky called the meeting to order at 6:30pm.

Roll Call

Board Members Present

Eric Brill
James Decker
Darlene Johnson
Ken Johnson
John Meiners
Scott Reeves
Fred Winchowky

Also Present

Fred Schnook, Village Administrator
Diana Dykstra, Village Clerk-Treasurer
Diana Doherty, Finance Director
Dan Streit, Police Chief
Jerad Wegner, Village Engineer
Nathan Bayer, Village Attorney
Ron Bittner, Public Works Director
Wayne Castle, Utilities Director
Tim Rutenbeck, Building Inspection Supervisor

Pledge of Allegiance

Comments from the Public

David Boebel, 815 Parkview Lane, submitted comments regarding his opposition for Ordinance 1007.

Joline Palatino, was present to oppose the amendment regarding how many stories on the buildings. She said a few years ago it was a maximum of 3 stories and would like to see that continue, not have 4 story buildings. She prefers to keep height at a minimum, and feels it is hard to get information.

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.

5.1 Approve Village Board Minutes of July 20, 2022.

5.2 Approve Accounts Payable Vouchers in the amount of \$2,002,071.89.

5.3 Approve the purchase requisition for Micro-Surfacing to Farnher Asphalt sealers LLC in the amount \$44,919.00.

5.4 Approve **Resolution 2022- 48** a Resolution to designating officials authorized to declare official intent under reimbursement bond regulations.

- 5.5 Approve **Resolution 2022-47** A Resolution to approve the the Storm Water Management Agreement with NPG Real Estate LLC (IDC Building) at 600 Perkins Drive, Mukwonago WI as recommended by the Village Engineer.
- 5.6 Approve **Resolution 2022- 46** A Resolution to approve the Development Agreement for the Minor's Estates No. 4 Phase 2.
- 5.7 Approve a contract renewal with Hydro Corp for non-residential cross connection survey program.
- 5.8 Approve authorizing the repair of Well #6 casing.

Decker/D. Johnson Motion to approve Consent Agenda Items 5.1 to 5.8. Unanimously carried.

Other Items for Approval

Other items removed from Consent Agenda which were not unanimously approved from the Committee of the Whole.

Approve a consulting services contract with Robert W. Baird & Co. for the creation of TID #6.

Decker/K Johnson motion to approve consulting services contract with Robert W. Baird & Co. for the creation of TID #6. Roll Call: "Yes" Trustee Brill, Decker, K.Johnson, Meiners, Reeves, and Winchowky. "No" Trustee D. Johnson. Motion Carried 6-1

Public Hearings

Public Hearing on the consideration of a proposed amendment to the Zoning Code (Chapter 100) with regard to maximum height of principal buildings in various residential zoning districts. (Ordinance 1007)

Joline Palatino expressed concerns for the passing of this change.

David Boebel, 815 Parkview Lane, submitted comments regarding his opposition for Ordinance 1007.

Hearing no other comments, the public hearing was closed at 6:39pm

Planning Commission Recommendations

Discussion and possible action on Ordinance No 1007 An Ordinance to Amend Chapter 100 of the Village of Mukwonago Municipal Code regarding maximum height of principal buildings in various residential zoning districts.

Village Administrator Schnook noted that Plan Commission reviewed ordinance and recommended approval for principal buildings from 30 feet to 35 feet.

Trustee Meiners confirmed the ordinance currently is 30 feet.

Tim Rutenbeck noted this is for one- and two-family districts where the measurement is done from street yard. He noted steep roofs can make this difficult.

Trustee Brill asked for clarification if you have one or two steps that it is counting toward height. This isn't three- or four-story homes, this is just two-story homes.

Inspector Rutenbeck confirmed it is front yard grade level measurement to the peak.

Trustee Reeves asked how this came about.

Rutenbeck noted that older homes had to rework their plans due to the steep roofs.

Trustee D Johnson asked when resident was discussing this would be expanding a structure to four story high.

Inspector Rutenbeck confirmed that is not this district. This is only local residential 1 and 2 family homes.

Decker/Meiners motion to approve on **Ordinance No 1007** An Ordinance to Amend Chapter 100 of the Village of Mukwonago Municipal Code regarding maximum height of principal buildings in various residential zoning districts.
Unanimously carried.

Discussion and possible approval of RESOLUTION 2022-49 for Daniel Kluechesky for Extraterritorial Review of a one-lot certified survey map merging various adjoining parcels in same ownership in Town of Mukwonago.

Administrator Schnook noted this is outside of the village in our extraterritorial review. He is seeking to merge two lots, and it was recommended by the Plan Commission.

Meiners/D Johnson motion to approve **RESOLUTION 2022-49** for Daniel Kluechesky for Extraterritorial Review of a one-lot certified survey map merging various adjoining parcels in same ownership in Town of Mukwonago. Unanimously carried.

The following Site Plan and Architectural Review Plan Commission Resolutions were approved at the regular meeting on August 16, 2022. *(for information only, no action required)*

Plan Commission Resolutions for 318 S Rochester, 112 Meacham, American Legion, 555 Bay View Rd., and 827 S. Rochester Riverview Centre.

Trustee D. Johnson wants on record she is opposed to 827 s Rochester St.

Finance Committee, Trustee Darlene Johnson

Announcement of 2023 Budget Workshop for Monday August 22, 2022 at 5:30pm.

Discussion on the use of Capital Reserves to fund 2022 capital projects, in order to avoid incurring additional new debt this year, and authorize Finance Director to draft a Budget Resolution reflecting this use of reserves.

Finance Director Doherty noted this year the Village could avoid borrowing for the capital projects by using capital fund balance. She provided a handout for the 2022 budget presentation. There are equipment and improvements she shows where the additional funding will come from. Normally the Village uses debt to finance capital projects There are certain projects that did not materialize, and those funds allow for us to use for these expenses along with the sale of equipment.

Meiners/ D Johnson motion to authorize and authorize Finance Director to draft a Budget Resolution reflecting this use of reserves

Administrator Schnook noted department heads have worked hard to use taxpayer dollars wisely. Unanimously carried.

Discussion and possible action to approve Accounts Payable Vouchers in the amount of \$163,766.73.

D. Johnson/K. Johnson motion to approve Accounts Payable Vouchers in the amount of \$163,766.73. Unanimously carried.

Health and Recreation Committee, Trustee John Meiners

Discussion and possible action on a park and special event application for Alan Willhite, Amorphic Beer to hold a beer garden in Field Park on September 17, 2022 and October 22, 2022 from 2-8 pm.

Decker/Meiners motion to approve a park and special event application for Alan Willhite, Amorphic Beer to hold a beer garden in Field Park on September 17, 2022 and October 22, 2022 from 2-8 pm. Unanimously carried.

Protective Services, Trustee Decker

Fire Department Summary Report of January 1, 2022 to July 31, 2022.

Public Works Committee, Trustee Brill

Discussion and possible action to approve an Agreement with WE Energies to use a certain pole or poles of the Company for the purposes of attaching certain wires or equipment.

DPW Bittner noted this is a standard agreement for the veterans' flags and banners.

Decker/Brill motion to approve an Agreement with WE Energies to use a certain pole or poles of the Company for the purposes of attaching certain wires or equipment. Unanimously carried.

Village President

Discussion and possible action to approve the appointment of Tina Chitwood to the Downtown Development Committee to a term expiring in 2023.

Reeves/Decker motion to approve. Unanimously carried.

President Winchowky took a moment to Thank the Lions Club for their Summerfeste event and all the things they do for the Village.

Closed Session

D. Johnson/Reeves 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 Walmart Real Estate Trust v. Village of Mukwonago; 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 6-month evaluation of the Village Administrator at 6:58pm
Roll Call: "Yes" Trustee Brill, Decker, D.Johnson, K. Johnson, Meiners, Reeves, and Winchowky. Unanimously carried.

Reconvene into Open Session

Decker/D. Johnson motion to reconvene into open session pursuant to Wis. Stats. §19.85(2) at 7:33pm.

Roll Call: "Yes" Trustee Brill, Decker, D.Johnson, K. Johnson, Meiners, Reeves, and Winchowky. Unanimously carried.

Adjournment

Meeting adjourned at 7:33pm.

Respectfully Submitted,

Diana Dykstra, MMC
Village Clerk-Treasurer