

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING

Wednesday, October 19, 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
Jeff Stien, Fire Chief

Pledge of Allegiance

Comments from the Public

Comments were submitted from Roger Walsh in regard to TID #6 proposal.

Comments were submitted from Joe Cincotta in regard to TID #6 proposal.

Chris Kramer, 510 Maple Ave., commented in regard to TID #6. He attended the Plan Commission meeting, and this property surrounds his property. This is a two-lane country road and a blind hill with heavy traffic. He has concerns with the funding.

Joe Jursenas, Briohn Builders, is present to discuss item #13 on the agenda. They have made a counter offer to the Village for 14 acres in the NE current Industrial Park. Their intention is to build a 120-130 sqr foot building and they want to find the right development that complements the rest of the area. They need a 12 month period to put this deal together and will continue to work as they have in the past on something great for the Village.

Paul Vanhelken, Project Manager for Teronomy Builders. He noted they have heard someone has circulated information that Teronomy was purchasing from another area property. He noted they have only worked with the Village and anticipate a long healthy relationship.

Micah Roberts, 1616 Honeywell Rd, commented in regard to TID #6. He felt it was a high amount of cost and include the sewer and water supplement cost on top. He further noted that it could continue Wolf Run. He felt the Village could not afford this.

Public Hearings

Public Hearing to consider a proposed amendment to the Zoning Code (Chapter 100) with regard to classification of two properties on the zoning map.

No one was present to comment.

President Winchowky noted Protective Services items needed to be brought forward due to a scheduling conflict with the Fire Chief.

Protective Services, Trustee Decker

Police Report for the month of September 2022 *(For Information Only, No Action Required)*

Joint Fire Department Monthly Reports *(For Information Only, No Action Required)*

Discussion and possible action on the ProHealth Care 2023 Contract

Chief Stien noted this is just informational at this point. They did have a meeting with the Finance and Administrators for fee schedule and will be meeting on November 15th to review with Pro Health Care contract. He will be there and Town Administrator will be there. In the past the Village Administrator was present, but he was not going to be part of this meeting. There was no action required yet.

Letter of Intent to purchase 2023 Chevrolet Tahoe SSV from Napleton Chevrolet Buick for the Fire Department.

Chief Stien currently on order a Tahoe, and there is a production lag, in the CIP there is a Tahoe to replace car #1. The request is to ask for a letter of intent no financial responsibility at this time. He noted that they currently have one on order through Lynch. They indicated they have no additional allocations available, so had to reach out to another vendor.

Decker/K Johnson motion to approve Letter of Intent to purchase 2023 Chevrolet Tahoe SSV from Napleton Chevrolet Buick for the Fire Department pending Town approval. Unanimously carried.

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 Approval of Special Village Board and Regular Village Board Meeting Minutes of September 21, 2022, and Special Village Board minutes of October 5, 2022.

6.2 Approval of Accounts Payable Vouchers in the amount of \$718,090.77.

6.3 Approval of a Temporary Class "B"/"Class B" Retailer's License for St James Catholic Parish Fish Fry; 830 E Veterans Way; on the following dates: 11/4/22, 12/2/22, 1/6/23, 2/3/23, 3/3/23, 3/31/23, and 5/5/23.

6.4 Approval of the street lighting for Minors Estates Phase II.

Decker/Meiners motion to approve Consent Agenda Items 6.1 to 6.4. Unanimously carried.

Other Items for Approval

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

Discussion and possible action to approve Resolution 2022-63 a Resolution to establish the 2023 Fee Schedule.

Decker/Meiners motion to approve Resolution 2022-63 a Resolution to establish the 2023 Fee Schedule.

Roll Call "Yes" Trustee Brill, Decker, K.Johnson, Meiners, and Reeves. "No" Trustee D Johnson, and Winchowky. Motion carried 5-2.

Planning Commission Recommendations

Discussion and possible action to approve ORDINANCE 1009 for rezoning of parcel MUKV 1969-994 from R-1 to P-1 and parcel MUKV 196-992 from R-1 to M-1.

Brill/Decker motion to approve ORDINANCE 1009 for rezoning of parcel MUKV 1969-994 from R-1 to P-1 and parcel MUKV 196-992 from R-1 to M-1. Unanimously carried.

Discussion and possible action to approve RESOLUTION 2022-61 approving a three-lot certified survey for a property located at W309S9200 CTH I in the Town of Mukwonago, Larry Litwin, owner.

Decker/Brill motion to approve RESOLUTION 2022-61 approving a three-lot certified survey for a property located at W309S9200 CTH I in the Town of Mukwonago, Larry Litwin, owner. Unanimously carried.

Site Plan Reviews approved by the Plan Commission on October 12, 2022

(For Information Only)

- **PC-RESOLUTION 2022 -19** Canopy over the entrance of the American Legion Post 375, applicant; 627 E Veterans Way; Parcel MUKV 1964-991- 001
- **PC-RESOLUTION 2022- 20** Additional parking spaces for Downing Properties LLC, applicant; 507 Main St; Parcel MUKV 1976-164-002.

Finance Committee, Trustee Darlene Johnson

Discussion and possible action to approve amending the CIP for the purchase of two patrol trucks in 2023, remove the 2026 request, and authorize entering into a letter of intent for the purchase due to supply chain issues.

D.Johnson/Meiners motion to approve amending the CIP for the purchase of two patrol trucks in 2023, remove the 2026 request, and authorize entering into a letter of intent for the purchase due to supply chain issues. Unanimously carried.

Discussion and possible action to approve Accounts Payable Vouchers in the amount of \$274,072.77.

D Johnson/Meiners motion to approve Accounts Payable Vouchers in the amount of \$274,072.77. Unanimously carried.

Personnel Committee, Trustee Ken Johnson

Discussion and possible action on Resolution 2022-64 a Resolution for the Position of Community Planner/Zoning Administrator.

Trustee K. Johnson asked Administrator Schnook to review the changes.

Administrator Schnook noted he is requesting changes in the job description which are minor. Including economic development is being the community and economic development department. He is changing the education licensure which currently requires a professional level engineering to reduce to bachelor's degree in planning or related field.

K. Johnson/D.Johnson motion to approve on **Resolution 2022-64** a Resolution for the Position of Community Planner/Zoning Administrator. Unanimously carried.

Village President

Consideration and Approval of Resolution 2022-62 a Resolution formally establishing the boundaries and approving the project plan for Tax Incremental District Number 6, as recommended by the Plan Commission.

Decker/Meiners motion to approve **Resolution 2022-62** a Resolution formally establishing the boundaries and approving the project plan for Tax Incremental District Number 6, as recommended by the Plan Commission.

President Winchowky noted that a Developer is building road paid for by money generated by the project. It provides affordable housing over 100 units of senior housing and will take 6-8 years to complete. It is a long term development providing, sustainable growth to assist with growth of the village. It will be in our community for a long time. It was needed based on housing study.

Trustee Brill questioned the funding how it is paid back, he noted it is based off of 674 units. The Development Agreement is for Phase 1 and asked if we get a guarantee those units will be built. It was confirmed there is no guarantee at this time.

Administrator Schnook noted first this creation of TID 6, then negotiate with developer to get those into the DA prior to building one.

Trustee K. Johnson noted he has concerns as he attended plan commission and listened to committee members that they felt a TID wasn't expected for that location. He noted entering high level of inflation what happens if the developer decides not to go forward. Has confirmed there is no other route available to this development. He appreciates the response from the DNR that they will not be granting access for the other road.

Administrator Schnook noted the Development Agreement today is based on DeBack Drive, and they will be required to have a renegotiated amendment to the developer agreement.

Having the TID in place is required first.

Brill asked how was boundary decided.

Administrator noted he created trying to keep it minimal without splitting parcels. Brill asked if the boundary could include DeBack Drive? Administrator noted that it can't include costs already incurred.

Trustee D Johnson stated she did not expect TID, and is still against another TID. Can't vote for it.

Trustee Reeves felt if we voted no developer could come back to us and asked what could the suit against the village be?

Administrator Schnook commented that would depend on how much per acre, lost profits, etc. President Winchowky stated the Village would lose the value of that project \$85 million and projected tax revenue in the future along with affordable housing units.

Trustee Brill asked about the length of the road, the reason it stopped was cost and trying to save.

Trustee Decker noted this road was always in the plan, cheaper now than 5-10 years down the road.

Trustee Reeves asked if cutting off northern piece of land by not including in TID is odd? And asked if it should be included.

Roll Call: "Yes" Trustee Brill, Decker, Meiners, Reeves, Winchowky. "No" D Johnson, K Johnson Motion carried 5-2

Review and Update of the Proposed Operating and Capital Budgets for 2023.

Finance Director Doherty presented the preliminary spreadsheets prepared for the 2023 Annual budget. The Public Hearing will be November 16, 2022.

Set date for Joint Village and Town Board meeting to review Fire Department Budget.

It was requested a first option will be October 24, 2022 at 5:00pm. Second option is after the Committee of the Whole on November 2nd. Clerk Dykstra will reach out to the Town of Mukwonago.

Closed Session

Decker/Brill 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 the Development Agreement for Gearbox Express, and the Counter Offer from Briohn Buildings for 14.35 Acres.

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

Reconvene into Open Session

D Johnson/Decker motion to reconvene into open session pursuant to Wis. Stats. §19.85(2) for Roll Call: "Yes" Trustee Brill, Decker, D Johnson, K Johnson, Meiners, Reeves, Winchowky.
Unanimously carried.

Decker/Meiners motion to approve counter off from Briohn Building for the 14 Acre Parcel in TID 5. Unanimously carried.

Adjournment

Meeting adjourned at 8:17pm.

Respectfully Submitted,

Diana Dykstra, MMC
Village Clerk-Treasurer