MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING
Wednesday, January 18, 2023

Time: **6:30 pm**
Place: **Mukwonago Municipal Building/ Board Room, 440 River Crest Court, Mukwonago, WI 53149**

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

Roll Call
Board Members Present
Eric Brill
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

Excused: James Decker

Pledge of Allegiance

Comments from the Public

Erin Sharf, noted she is the newly appointed community planner zoning administrator. She expressed her gratitude and introduction to her experiences.

Bradley Zjork, applicant for The Block development presented his concept and discussed his history with the Village of Mukwonago and his belief in helping incubate small businesses.

Linda Cominski, of LiBri spoke of her support for The Block Development. She owns Libri Pure Natural. She noted she started her company in Mukwonago 30 years ago. Loves the community and finds there are limitations to what families can do here. The diversity this project brings here makes her excited. She feels it is a nice place to gather and safe place for children that is unique. She loves the test drive for small businesses.

Leslie Hill 440 Eherns spoke in support of The Block. She lives in Mukwonago and feels it is founded by small businesses. The village is growing and needs more choices for entertainment and dining. It will help small business owners get established. She feels it is forward thinking modern design.

Andrea Schnelling W3776 Mosher court, spoke in support for this project. She is a parent of young family always looking for things for the family to do together and loves this idea.

Presentations or Public Hearings

Public Hearing to consider a recommendation from the Village Plan Commission to approve the General Development Plan for The Block being developed as a planned development district. The project consists of two vacant properties located in the northwest corner of Main Street and Bay View Road (Tax Parcels MUKV2009990 and MUKV2009989)

Comments were presented at public comment, no further comment received.
President Winchowky closed Public Hearing at 6:50pm.

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 Vouchers in the amount of $377,325.81.

6.3 Approval of a Change of Agent application for Aldi Inc #46, 111 E Wolf Run, Mukwonago to Tami Wright.

6.4 Approval of **Resolution 2023 -01** reclassifying the Clerk-Treasurer position within the Village's classification plan to a grade 7.

6.5 Approval on reimbursement for oversized water main to Minor's Estates Investments LLC in the amount of $44,598.

6.6 Approval of **Resolution 2023-02** a Resolution to approve a Letter of Credit Reduction for Fairwinds Subdivision Phase V contingent upon receipt of final lien waivers.

6.7 Approval of **Resolution 2023-03** a Resolution to accept accept all roadway infrastructure within Phase V and accept all Storm Sewer infrastructure within Phase V of the Fairwinds Subdivision contingent upon receipt of final lien waivers.

6.8 Approval of **Resolution 2023 - 04** to accept Public Water Main and Sanitary Sewer Infrastructure of Phase 2 Chapman Farms contingent upon receipt of final lien waivers.

6.9 Approval of **Resolution 2023- 05** to authorize a Letter of Credit Reduction for Chapman Residential Phase 2 contingent upon receipt of final lien waivers.

Trustee Meiners requested that Item 6.2 be removed. President Winchowky confirmed with unanimous consent this item will be removed.

Meiners/D. Johnson motion to approve items 6.1 and 6.3 to 6.9 of the Consent Agenda. Unanimously carried.

It was noted that Item 6. 2 Approval on naming the outdoor stage "Phantom View Stage" at Indian Head Park will be brought up later under 10.1 Naming of the Stage.

President Winchowky requested Item 11.1-11.3 be brought ahead to allow the Fire Chief to leave for the Town of Mukwonago meeting.

<u>Joint Village & Town Fire Protective Services Committee, Trustee Decker</u>

Discussion and possible action on the following items

Fire Department Monthly Reports

(For Information Only, no action required)

Pro Health Care Contract Negotiations

Chief Stien noted he sent Pro Health Care a letter letting them know they would be paying full price until negotiations complete, but he has nothing new to report.

MOU Mukwonago Fire Department and IAF Local 4585 regarding new classification Firefighter EMT Basic

Chief Stien noted following the Referendum passing and bringing in additional employees they are adding fire fighter basic positions into the union to be recognized. He provided a wage schedule the union agreed to.
Winchowky/Johnson motion to approve MOU Mukwonago Fire Department and IAF Local 4585 regarding new classification Firefighter EMT Basic, contingent upon town approval.
Unanimously carried.

<u>Other Items for Approval</u>

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

Discussion and possible action to approve the 2022 Village of Mukwonago Comprehensive Outdoor Recreation Plan (CORP) final draft.

Winchowky/Meiners motion to approve.
Trustee D. Johnson expressed she continued to have concerns what's in the plan and still feels she needs to vote no.
Roll Call "Yes" Trustee Brill, K. Johnson, Meiners, Reeves, Winchowky. "No" Trustee D. Johnson. Motion carries 5-1

<u>Planning Commission Recommendations</u>

Discussion and possible action to approve <u>RESOLUTION 2022-76</u> for a General Development Plan for THE Block located at MUKV 2009-990 and MUKV 2009-989.

Winchowky/Brill motion to approve <u>RESOLUTION 2022-76</u> for a General Development Plan for THE Block located at MUKV 2009-990 and MUKV 2009-989
Trustee Meiners would like to discuss this item. He would like to address this to Bradley. He is in favor of the idea, but hasn't heard anything from the people who own this property and asked to hear from them. He called the owner of the property. He noted that she is against this whole idea. She had no idea any of this was moving forward, and feels the board needs to vote no.
Trustee Ken Johnson noted this information is concerning at this junction not to have everyone on board which is beneficial to the community, and asked about potential postponed until another date.
Trustee Reeves noted he would like to hear from the businessman and allow them to speak

Reeves/D Johnson to allow motion to allow owner to speak. Unanimous consent.

Bradly Zjork commented that Dave Hezenfield put an offer in on this property and worked with Mr. Hazenfield who was told they weren't going to look at this until they had any approvals from the village in place first. He has been working through this but they refuse to accept until they have approval from the village He noted he should be working through his realtor who is advising him but he is happy to reach out to the owner.

Trustee Ken Johnson confirmed the owner is Cheryl Bird, and the representative Dave Hazenfield, is the realtor who has the property listed.

Administrator Schnook noted in March or April last year he came before the plan commission, he came with sketches and told them his plan and they asked for conceptual approval. Course he was able to provide more information. It was clear to the plan commission he needs this approval prior to any other steps.

President Winchowky noted that if the sale doesn't occur then this resolution becomes void. There are still other hoops to go through before approval. He still has to have a final GDP and building permits prior for approval if sale falls through. This is not an uncommon practice. If she refuses to sell then this resolution is null and void.

Trustee Meiners commented he still reads this as he has the owner's approval and feels Cheryl wants nothing to do with this and he represents Cheryl in this matter.

Trustee D Johnson asked if the applicant is able to speak with the Property Owner. Attorney Bayer notes he isn't able to give legal advice, but this is a conceptual plan if this is acceptable on this particular property. If the option is not executed, then this is void.

Administrator Schnook feels it is a different standard being applied to applicants.

Trustee Reeves noted that he respects Meiners opinion. He will vote yes and feels it is good for the community. There are still other hoops that they are required to go through.

Trustee Ken Johnson appreciates the clarifications made. Feels it should be voted on.

Roll Call: "Yes" Trustee Brill, D. Johnson, K. Johnson, Reeves, and Winchowky. "No" Trustee Meiners.   Motion carried 5-1

Discussion and possible action to approve <u>RESOLUTION 2023-06</u> for Extraterritorial Review of a three-lot Certified Survey Map located at N8980 E Miramar Dr in the Town of East Troy.
Winchowky/D Johnson motion to approve **<u>RESOLUTION 2023-06</u>** for Extraterritorial Review of a three-lot Certified Survey Map located at N8980 E Miramar Dr in the Town of East Troy. Unanimously carried.

<u>Finance Committee, Trustee Darlene Johnson</u>
Discussion and possible action on the following items
Discussion and possible action to approve Vouchers in the amount of $293,865.72.
D Johnson/Brill motion to approve. Unanimously carried

Discussion and possible action to approve a purchase requisition to install the Village Hall Zone System Replacement in the amount of $24,500.
Winchowky/K Johnson motion to approve. Unanimously carried.

Health and Recreation Committee, Trustee John Meiners

Naming of the Performance Stage at Indian Head Park *(Public Works Director Bittner)*

DPW Director Bittner noted the Last time at the Committee of the Whole they discussed potential names. Since then, they have brought in new talent for the resource development team. They have come up with a new name. He introduced Todd Ciske with WFAQ.
Todd Ciske commented he had completed some historical research on the name.
They are requesting a small change based on the history of the name. They would like to call it the "Phantom Junction Stage"

Todd Ciske, WFAQ radio sits on the new resource development stage committee.
He presented the naming of the new stage.
He reviewed various historical facts dealing with the area.
He noted it truly is a junction, a confluence of water, highway, and rail. It is the site of the earliest commerce in the village. He felt it was adjacent to village government, at the interchange of ideas with a refurbished playground, and also now the site for the arts. This is truly next level for this community to be very proud of. This change creates a built in supply of marketing ideas that are rich in history and meaning.
D Johnson/Reeves motion to approve the name change to Phantom Junction Stage.
Unanimously carried.

Police Protective Services Committee, Trustee Decker

Monthly Police Report *(For Information Only, no action required.)*

Downtown Development Committee Recommendations, Trustee Reeves

Discussion and possible action on recommendation from the DDC not to purchase 201 North Rochester Street at this time.

President Winchowky noted there is no motion required, there just needs to be no action on this.

Village President

Announcement of the State of the Village Thursday January 26, 2023 at 7:30AM

Closed Session

D. Johnson/Brill 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 GFLP v Village of Mukwonago and Spectrum; 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 the Village Administrator Evaluation at 7:25pm.
Roll Call: "Yes" Trustee Brill, D. Johnson, K. Johnson, Meiners, Reeves, Winchowky. Unanimously carried.

Reconvene into Open Session

Reeves/Brill 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 8:30pm.
Roll Call: "Yes" Trustee Brill, D. Johnson, K. Johnson, Meiners, Reeves, Winchowky. Unanimously carried.

D. Johnson/Reeves motion to approve a settlement and release with Spectrum. Unanimously carried.

Adjournment

Meeting adjourned at 8:31pm

Respectfully Submitted,

Diana Dykstra, MMC
Village Clerk-Treasurer