

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING

Wednesday, September 20, 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
Dale Porter
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
Chris DeMotto, Assistant Police Chief
Jeff Stien, Fire Chief
Jerad Wegner, Village Engineer
Ron Bittner, Public Works Director
Wayne Castle, Utilities Director
Nathan Bayer, Attorney

Pledge of Allegiance

Comments from the Public

Jeff Searl was present representing Milwaukee Tool. He noted they were at the Planning Commission last week and Milwaukee tool requested combining two lots and temporary parking lot to make it more permanent. On the agenda tonight, on behalf of Milwaukee Tool look forward to growing in the community.

David Boebel, 815 Park View Lane, was present to discuss the Hwy 83 property and negotiations with Brohn Builders. He asked the Board to consider leaving this loan alone. He expressed his concerns for this contract. He discussed the Capital Fund Balance Policy and suggested they reassess priorities. Suggests the police garage is important.

Scott Reeves, 207 Lincoln Ave. stepped down to remind everyone this year the planters were graciously planted by Thomas Greenhouse. They recently switched out the flowers to a fall blend just in time for fall fest. He asked everyone to please thank them.

Presentations

Proclamation honoring Benjamin Padilla on his achievement of Eagle Scout

Ben Padilla was honored with a proclamation for achieving the rank of Eagle Scout. His project included building dug outs for baseball at field 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 Minutes of July 19, 2023 and August 16, 2023.
- 6.2 Motion to approve Accounts Payable Vouchers in the amount of \$1,968,593.62.
- 6.3 Motion to approve a Patrol Squad purchase for a 2023 Chevy Tahoe from Ewald in the amount of \$45,519
- 6.4 Approve **Resolution 2023-40** a Resolution to Certify the Village of Mukwonago is exempt from the County Library Levy.
- 6.5 Approve **Resolution 2023- 44** A Resolution to adopt an update to the Village of Mukwonago Fund Balance Policy.
- 6.6 Approve **Resolution 2023-43** A Resolution to adopt an update to the Village of Mukwonago Capital Improvement Planning Policy.
- 6.7 Approve **Resolution 2023- 47** a Resolution to adopt an update to the Village of Mukwonago Capitalized Fixed Asset Policy
- 6.8 Approve **Resolution 2023 -45** a Resolution to approve a Contract for Maintenance Assessment Services with Associate Appraisal Consultants for 2024-2026.
- 6.9 Approve **Resolution 2023 -46** a Resolution to approve a Contract for Exterior Revaluation Services with Associated Appraisal and Consultants.
- 6.10 Approve to Award the Indian Head Park Sign Project to Poblocki Signs in the amount of \$62,610.
- 6.11 Approve the new electric service for the Miniwaukan Park restrooms with WE Energies.
- 6.12 Approve **Resolution 2023-50** a resolution documenting the annual liquor license quota calculation for the Village of Mukwonago.
- 6.13 Approve a Temporary Class "B" Retailer's License for the annual St. James Catholic Parish Fish Fry held at 830 E Veteran's Way, held on 10/6/2023, 11/3/2023, 12/1/2023, 1/5/2024, 2/2/2024, 3/1/2024, 4/5/2024, and 5/3/2024.
- 6.14 Approve an Original Reserve "Class B"/Class "B" combination Fermented Malt Beverage and Liquor License application for Zip Main, LLC d/b/a The Block, at 944 & 950 Main Street, Mukwonago, WI 53149, Bradley Zajork, Agent.
- 6.15 Approve an Original Reserve "Class B"/Class "B" Combination Fermented Malt Beverage and Liquor License Application for That Place LLC, d/b/a That Place Restaurant, 1015 E Veteran's Way, Mukwonago, WI 53149, Arturo Napoles, Agent.
- 6.16 Approve **Ordinance 1019** An Ordinance to Amend **Chapter 2 Administration; Article IV Officers and Employees; DIVISION 4 Finance Director.**
- 6.17 Approve **Ordinance 1020** an Ordinance to Amend **Chapter 2 Administration; ARTICLE IV Officers and Employees; Division 2 Public Works Director.**
- 6.18 Approve **Ordinance 1021** an Ordinance to amend **Chapter 2 Administration, ARTICLE IV Officer and Employees; Division 5 Utilities Director.**
- 6.19 Approve **CHARTER ORDINANCE 1022**, An Ordinance to amend Charter Ordinance **Chapter C, ARTICLE II Officers and Employees; Division 2 Clerk/Treasurer**

6.20 Approve **Resolution 2023 -41** a Resolution to approve the Stormwater Management Agreement with St. John's Evangelical Lutheran Church.

6.21 Approve **Resolution 2023-42** a Resolution to approve a Letter of Credit Elimination for Goodwill of Mukwonago.

Meiners/D Johnson motion to approve Consent Agenda Items 6.1 - 6.21. Unanimously carried.

Joint Village & Town Protective Services Committee Recommendations, Trustee Scott Reeves

Fire Reports

JPS Meeting was canceled for September. This was for Information Only, No Action Required.

Planning Commission Recommendations

Discussion and possible action to approve RESOLUTION 2023-48 for a Certified Survey Map for Empire/Milwaukee Tool; 929 Empire Drive; Parcels MUKV 1969-988-006 and MUKV 1969-988-001, as recommended by the Plan Commission.

Meiners/Brill motion to approve. Trustee D Johnson questioned about how long has Milwaukee tool been there. It was noted Milwaukee Tool acquired Empire Tool in 2014, prior to that it was about 1998-2001 Empire Tool was initially established in the Village. Unanimously carried.

Discussion and possible action to approve RESOLUTION 2023-49 for an Extraterritorial Review of a Four-Lot Certified Survey Map located at N9033 and N9025 Army Lake Road in the Town of East Troy, as recommended by the Plan Commission.

No action was taken on this item, due to a request of petitioner. It was sent back to the Plan Commission.

Site Plan and Architectural Reviews Approved: *(For Information Only, No Action Required)* PC-RESOLUTION 2023-09 for a parking lot at Empire/Milwaukee Tool; Empire Drive; Parcels MUKV 1969-988-006 and MUKV 1969-988-001.

It was noted this was approved by the Plan Commission. Trustee Brill noted they needed more parking they have been using a temporary gravel lot and they are paving lot with their expansion.

Finance Committee, Trustee Darlene Johnson

Discussion and possible action to approve Accounts Payable Vouchers in the amount of \$581,855.81.

D Johnson/K Johnson motion to approve. Unanimously carried.

Protective Services, Trustee Scott Reeves

Police Report for the Month of August. *(For Information Only, No Action Required)*

Village Administrator

Discussion and possible action to approve a contract extension of the purchase and sale agreement with Briohn Builders.

Meiners/Reeves motion to approve an a contract extension of the offer to purchase agreement with Briohn Builders.

Attorney Bayer noted he has reviewed and approved the extension.

Trustee D Johnson questioned if this wasn't approved what would happen.

Attorney Bayer noted due diligence would be extended to November because they had that initial option if you don't approve they won't go longer until 2024. The Village would have to pay to market this property.

Trustee Brill confirmed there is no building a road or anything tied to this agreement.

Administrator Schnook noted there is a plan but the board hasn't authorized any funds for this and it is not part of this agreement. It was part of TID 5 plan to provide access to the Sommers Property.

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

Closed Session

Meiners/D Johnson 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; 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 on the Intergovernmental Agreement with the Village of Vernon, Red Brick Museum Lease, and WE Energies Property 6:57pm

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

Reconvene into Open Session

D Johnson/Reeves Motion to reconvene into open session pursuant to Wis. Stats. §19.85(2) at 8:11pm. Roll Call: "Yes" Trustee Brill, D. Johnson, K. Johnson, Meiners, Porter, Reeves, Winchowky. Unanimously carried.

Adjournment

Meeting adjourned at 8:11pm.

Respectfully Submitted,
Diana Dykstra, MMC
Village Clerk-Treasurer