

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING

Wednesday, June 19, 2024

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 6:44pm.

Roll Call

Board Members Present

Eric Brill
Darlene Johnson
Ken Johnson
John Meiners
Dale Porter
Scott Reeves
Fred Winchowky

Also Present

Diana Dykstra, Village Clerk-Treasurer
Diana Doherty, Finance Director
Dan Streit, Police Chief
Chris DeMotto, Assistant Police Chief
Mike Michalski, Village Engineer
Wayne Castle, Utilities Director
Ron Bittner, Public Works Director
Nathan Bayer, Attorney
Andy Wegner, Fire Department

Pledge of Allegiance

Comments from the Public

Laurie Hayrman, 528 Wahl Ave., commented about her concerns for the PLMD Harvester located across the street from her. She noted there is rotting weeds and vegetation, blocking her view, smelling the area, adding unsightly signage, porta potty, and odors.

Kim Weber, 516 Wahl Ave., commented she agrees and is concerned with PLMD employees taking action on items that are not of their concern.

David Boebel, 815 Park View Lane, expressed his concerns regarding water capacity and the HMO Plant. He noted there is a more cost-effective way to solve the water capacity issue.

Presentations

Presentation on the Public Works Facility and Needs Assessment by Barrientos Design.

Norman Barrientos was present to review his needs assessment and several options to the expansion for the public works building.

2023 Audit Presentation and motion to accept the of 2023 Audited Financial Report.

Wendy Unger with Baker Tilly provided the annual presentation.

This report is a clean unmodified opinion and follows general accounting principles.

She reviewed fund balances, and noted the village added \$589,000 to their net position. There is a 4.5 Million fund balance. The village requires 25% of the general fund budget by policy.

We are currently at 40%.

Debt is at 37,465,000. 5% of the Equalized Value limit is \$71,847,040 so the Village has capacity for \$34,382,040.

D. Johnson/Reeves motion to accept the 2023 Audited Financial Report. 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 Approve Minutes of May 15, 2024 Regular Village Board Meeting and June 5, 2024 Special Village Board Meeting.

6.2 Approve Accounts Payable Vouchers in the amount of \$584,727.93.

6.3 Approve Phantom Junction Stage Rental on August 30, 2024 for Night of Worship from 12pm - 8pm, applicant Life Point Church Mukwonago.

6.5 Approve Class "A" Retail Fermented Malt Beverage License Applications for: 122 Arrowhead Enterprises, Inc. d/b/a Arrowhead BP, 122 Arrowhead Drive, Mukwonago; Judith Schwartz Agent

6.6 Approve Class "A"/"Class A" Retail Combination Fermented Malt Beverage and Intoxicating Liquor License Applications for:

1. 1060 Rochester Enterprises, Inc. d/b/a Rochester BP, 1060 Rochester St.; Judith Schwartz, Agent
2. 909 Greenwald Enterprises Inc., d/b/a Mukwonago Amoco, 909 Greenwald Ct.; Judith Schwartz, Agent
3. Aldi Inc., d/b/a Aldi #46, 111 East Wolf Run; Tammy Wright, Agent
4. B&A Trading LLC, d/b/a Andy Liquor Store, 411 Main Street; Amandeep Singh, Agent
5. Khasria Two Inc., d/b/a Village Wine & Liquor, 712 Main Street; Harjinder Khasria, Agent.
6. Kwik Trip Inc., d/b/a Kwik Trip #282, 1212 N Rochester St., Susan Michaelson, Agent
7. Ultra Mart Foods, Inc., d/b/a Metro Market #384, 1010 N Rochester St., Todd Glaser, Agent
8. VM Investments LLC, d/b/a Amann's Beer+Wine, 110 Chapman Farms Blvd (Lower Retail), Amandip Singh, Agent
9. Wal-Mart Stores East LP, d/b/a Wal-Mart #1571, 250 E Wolf Run, Charles Burns, Agent
10. Walgreen Co, d/b/a Walgreens #07039, 212 N Rochester St., Brian Marinello, Agent

6.7 Approve Class "B"/"Class C" Combination Fermented Malt Beverage and Wine License Applications for:

1. Bee Well Cafe, 100 Main Street, Suite 1, Calaya Kostecki, Agent
2. Five Rice, Inc. d/b/a Five Rice Restaurant, 920 Greenwald Ct., Suite 100, Jianping Huang, Agent

6.8 Approve Class "B"/"Class B" Retail Combination Fermented Malt Beverage and

Intoxicating Liquor License Applications for:

1. American Legion Community Post 375, 627 E Veteran's Way; Tammy Stelter, Agent
2. Blue Bay, Inc, d/b/a Blue Bay Restaurant, 927 Main Street; Victor Islami, Agent
3. FJ Partners LLC, d/b/a Sol De Mexico, 507 Main Street; Jose Jaimes-Lopez, Agent
4. Jays Lanes Inc., d/b/a Jay's Lanes, 326 Atkinson Street; Jeffrey Jay, Agent
5. Perseverance Corp, d/b/a Badger Burger Company, 200 S Rochester St.; Mark Weiss, Agent
6. Sandy's Miller Time, LLC d/b/a Sandy's Miller Time, 701 Main Street; Brian Anspach, Agent
7. Take A Big Bite, Inc., d/b/a Fork in the Road Restaurant, 215 N Rochester St.; Therese Hennessy, Agent
8. The Boneyard Pub & Grille, LLC, d/b/a Boneyard Pub & Grille, 215 Bay View Rd., Suite 200; James Fredric Jones, Agent

6.9 Approve Class "B"/"Class B" Reserve Combination Fermented Malt Beverage and Intoxicating Liquor Renewal Applications for:

1. Crush, LLC d/b/a Crush Wine and Social, 110 Main Street; Paul Kwiecien, Agent
2. DAA Smokehouse LLC, d/b/a David Alan Alan's Smokehouse, 325 Bay View Rd., Suite D/E; Tina O'Bryan, Agent
3. El Pueblo, Inc, d/b/a Antiqua Real Restaurant, 355 Bay View Rd.; Marco Alarcon, Agent
4. Sarab Investments, d/b/a The Terraces At Aman's, 110 Chapman Farms Blvd; Amandip Singh Agent
5. That Place Restaurant, LLC, d/b/a That Place Trattoria, 1015 E Veteran's Way; Arturo Napoles, Agent
6. The Elegant Farmer, Inc., d/b/a The Elegant Cork, 1541 Main Street; Tina Schmidt, Agent

6.10 Approve **Resolution 2024-32** a Resolution adopting the updated Village Administrator Position Description.

6.11 Approve **RESOLUTION 2024-33** Code of Conduct Policy for Elected and Appointed Officials in the Village of Mukwonago.

6.12 Approve a Task Order to create our Water and Sewer System Master Plan

6.13 Approve **Resolution 2024- 34** a resolution to approve the Compliance Maintenance Report (CMAR) for 2023.

6.14 Approve changing the color of the bear on future wayfinding signs to Black.

6.15 Approve the Intergovernmental Agreement for Law Enforcement Services for the 2024 Republican National Convention with the City of Milwaukee.

6.16 Approve the purchase of a 2024 Chevy Tahoe squad car as budgeted.

Meiners/D Johnson motion to remove 6.4 and approve the remaining items. Unanimously carried.

No action was taken on this item. It was noted the applicant withdrew.

6.4 Approve a special event and stage application for Aesthetic Management & Artis Development (AMAD) Gold Coast Festival on Saturday August 24, 2024 from 11AM to 11PM at Indian Head Park and Phantom Junction Stage. (Date may be adjusted based on availability and schedule of performers, event credit will be issued for a future date if necessary)

Other Items for Approval

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

Approve Class "A"/ "Class A" Combination Retail fermented Malt Beverage and Intoxicating Liquor Application for E and S Sweets LLC, d/b/a E and S Sweets, 211 N Rochester St, Unit D; Kristen Brill, Agent.

D. Johnson/Meiners motion to approve.

Motion carried. Trustee Brill Abstained.

Joint Village & Town Protective Services Committee Recommendations, Trustee

Scott Reeves

Monthly Fire Reports. No action required.

Planning Commission Recommendations

Discussion and action to approve Resolution 2024-35 Conditional Use Permit for a drive-through facility associated with a new restaurant (Dunkin Donuts) located on the north side of Bay View Road, West of Sth 83, at MUKV 2014-987, applicant (Kardo Group, LLC), as recommended by the Plan Commission.

For Information Only **PC Resolution 2024-07** A Plan Commission Resolution was approved for a Site Plan and Architectural Review for Dunkin Donuts Drive Through Parcel MUKV 2014987.

Finance Committee, Trustee Darlene Johnson

Discussion and possible action to approve Accounts Payable Vouchers in the amount of \$229,194.33.

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

Discussion and possible action to approve Resolution 2024-36 Amending the 2024 Adopted Budgets for the Fire Department and Fire/Ambulance Designated Funds.

D Johnson/Reeves motion to approve.

Finance Director Doherty noted this was pending Town approval and the Town did not approve but a few of the items, so this is the result of that. Unanimously carried.

Judicial Committee, Trustee Dale Porter

Discussion and possible action on a renewal Class "B" Fermented Malt Beverage and Reserve "Class B" Intoxicating Liquor Application for Zip Main LLC, The Block, 950 Main Street, Mukwonago, WI.

It was noted this application was withdrawn.

Discussion and possible action to approve a Temporary Class "B" license to sell Fermented Malt Beverages from Knights of Columbus 7048 at Mukwonago Farmers Market on June 26, July 3, 10, 7-17, 24, 31, August 7, 14, 21, 28 *(Note the Chamber has approved the operation plan adding this beverage vendor)*

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Porter/K Johnson motion to approve.

Unanimously carried.

Public Works Committee, Trustee Eric Brill

Discussion and review on Crosswalk installation by Waukesha County (Cty ES/Front Street). *(This item was tabled for one year on 6-21-23)*

Protective Services, Trustee Scott Reeves

Police Report for the Month of May 2024

Village President

Strategic Planning Process Update

Interim Administrator Dykstra noted the Focus Groups will be held on July 17th and July 18th for residents and community leaders. There will be electronic surveys for residents and employees as well. In addition, there will be a retreat for Department Heads and Village Board Members which will be held on August 2, 2024. There is a web page dedicated to the information www.villageofmukwonago.gov/strategicplan2024

Announcement of a grant award from the DOT Transportation Alternative Program for a Multi Use Trail Planning with the Village of East Troy in the amount of \$76,000.

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 with Project Titan at 8:06pm. Unanimously carried.

*Present: Trustee Brill, D. Johnson, K. Johnson, Meiners, Porter, Reeves, and Winchowky.
Also present: Dykstra, Doherty, Streit, DeMotto, Bittner, Castle, Michalski, Attorney Bayer.*

Reconvene into Open Session

Meiners/D. Johnson motion to reconvene into open session pursuant to Wis. Stats. §19.85(2) at 8:51pm.

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

Adjournment

Meeting adjourned at 8:51pm.

Respectfully submitted

Diana Dykstra, MMC
Village Clerk-Treasurer