

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING

Wednesday, October 7, 2020

Time: **5:30 pm**

Place: **Mukwonago Municipal Building/Board Room, 440 River Crest Ct.**

Call to Order

The Village President Winchowky called the meeting to order at 5:30p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members Present:

Daniel Adler
Eric Brill
James Decker
Darlene Johnson
John Meiners
Roger Walsh
Fred Winchowky

Also Present

John Weidl, Village Administrator
Diana Doherty, Finance Director
Diana Dykstra, Clerk-Treasurer
Kevin Schmidt, Police Chief
Ron Bittner, DPW Director
Dave Brown, Utilities Director
Mark Blum, Village Attorney
Peter Gesch, Village Engineer
Bob Harley, Building Inspector
Tim Ruetenbeck, Building Inspector

Presentations

MS4 Stormwater Presentation from Ruekert Mielke

Ruekert & Mielke representatives were present to review the MS4 Permit for Stormwater and discuss all the requirements of being in compliance. Stormwater runs directly into our lakes and streams and there are special regulations the Village must follow to be in compliance with our permit.

2018 Forestry Grant Presentation from the Village of Mukwonago Public Works Department

Brendan Mcquen is the Forester of our Public Works Department and presented how the Village spent the funds in 2019 and how they are improving their inventory, tracking the species, training staff members, and planting new trees. He discussed the opportunity to apply for another grant in 2020 and later on the agenda is requesting permission.

Approval of Minutes

Motion to approve minutes of September 2, 2020 Committee of the Whole.

Decker/Johnson motion to approve minutes of September 2, 2020 Committee of the Whole. Unanimously carried.

Finance Committee, Trustee Meiners

Monthly Treasurer Report and Revenue/Expenditure Guideline Report For August

Reports were placed on file.

Discussion and possible recommendation on Resolution 2020-50 a resolution to adopt the 2021 Fee Schedule changes.

Meiners/Decker motion to send to the next Committee of the Whole meeting. There was discussion regarding establishing the Chicken Permit fee at \$40 initially and \$10 each year thereafter. Further discussion ensued regarding a \$500 special meeting fee charged to those developers requesting a special meeting. Trustee Meiners suggested \$250. Trustee Johnson suggested \$300. President Winchowky felt the \$500 was too high. It was requested this item come back to the next meeting with information on what other communities charge.

Discussion and possible recommendation to proceed with a 3% Simplified Rate Increase for the Water Utility.

Utility Director Dave Brown was present to discuss the proposed 3% simplified rate increase. He noted that in order to keep on track for the 2023 deadline for proposed infrastructure improvements the Village needs to stay on track. This will avoid larger increases down the line. The average increase for each homeowner is \$3.48 per quarter.

Meiners/Decker motion to recommend approval to proceed with a 3% Simplified Rate Increase for the Water Utility. Unanimously carried.

Health and Recreation Committee, Trustee Decker

Discussion and possible recommendation on establishing new Trick or Treat Hours for the Village of Mukwonago.

Trustee Decker noted his subdivision at River Park Estates always has on the 3rd.

Trustee Brill noted that Fox River also holds the 31st.

Trustee Johnson commented she has heard what the residents are saying and wants to be sure that staff reaches out to the public of this change.

Trustee Adler noted he brought this forward after discussing with residents and sees that some subdivisions are holding it on the 31st no matter what. He would like to see this uniform.

President Winchowky commented it has always been the Sunday before and we shouldn't let the subdivisions decide what the date will be.

Decker/Adler motion to recommend a change to October 31st from 4-6pm this year. Motion carried 6-1. President Winchowky voted "No"

Discussion and possible recommendation on an Architectural design contract with Anderson Ashton in the amount of \$17,370 for the outdoor performance stage.

Public Works Director Bittner noted quotes were received for the design, and he is looking for recommendation.

Trustee Decker confirmed if this will be ready to BID by the first of the year.

President Winchowky questioned if the Village will own the plans. This is important based on prior experiences.

Trustee Walsh asked what the dimensions would be. It was noted there will be a 50X25 Stage, 20X22 Room and Pavilion at 50X25. Director Bittner commented all will fit within the Budget of \$750,000 in 2021.

Decker/Meiners motion to approve an Architectural design contract with Anderson Ashton in the amount of \$17,370 for the outdoor performance stage.

Roll Call: "Yes" Trustee Adler, Brill, Decker, Johnson, Meiners, and Winchowky. "No"

Trustee Walsh. Motion carried 6-1.

Judicial Committee, Trustee Walsh

Discussion and possible recommendation on Ordinance 982 prohibiting signage from being hung on village property or fencing.

Trustee Walsh noted he is not in favor of an entire prohibition of signage but is in favor of permitted use and designating where they can be hung and must be in relation to the event. Trustee Johnson agrees and likes the idea that the sign says what the event is and not just any sign so residents will know what is going on there.

Trustee Decker disagrees. He has been fighting for (8) years with people hanging signs on the fence and feels it looks like junk. He notes they are spending money on an electric sign and he is against any hanging signs.

Walsh/Johnson motion to accept signage through a permit process only notifying of an event and limited to the permitted event and location.

President Winchowky questioned the restriction as it relates to the baseball program.

Attorney Blum noted this ordinance is about an out-right prohibition of signage, and he is hearing from the Board their comments about adding language for the renter of the park, which he will have to check on for groups to hang signs such as anyone using the park being allowed one sign at the entrance with the date and time.

Trustee Adler asked what the status was on the electronic sign. It was noted it is on the Plan Commission agenda for review.

Roll Call: "Yes" Trustee Brill, Johnson, Walsh. "No" Trustee Adler, Decker, Meiners, and Winchowky. Motion fails 4-3.

Walsh/Johnson motion to table this item while Village Attorney will review for special event permits to deal with signage notifying date and time of events.

Unanimously carried.

Discussion and possible recommendation to request Attorney to draft an ordinance regarding Temporary Occupancy.

Trustee Walsh reviewed the memo from Chief Stein and asked if there is a need for this and why would the Village entertain this?

Administrator Weidl requested the Board suspend the rules and allow Jay Campbell to speak. Campbell is the Developer of 915 Main St.

Campbell noted this is a common practice and they have two buildings with full occupancy and leasing is going well. The 913 Building is done. Some tenants would like to occupy the third floor and all life safety issues are completed, it is mostly just cosmetic items.

Inspector Harley asked what Municipalities allow this sort of thing? Campbell responded the City of Milwaukee. Harley clarified that Milwaukee is a Class 1 City and the Village can

not do this. There are no other municipalities around that are allowed this, and he can't break state code.

Trustee Walsh asked if this can be verified with staff and would like this to come back.

Administrator Weidl confirmed he would get information from the Inspector and let everyone know.

Fire Lt. Chirs Hahn noted that a Class 1 City is self-certified and the Village Plans go to the State. The Village would have to have on staff engineers if they wanted to certify plans.

Discussion and possible action to approve an agent change for the Pick N Save #384 to Todd Glasser

Walsh/Meiners motion to recommend approval. Unanimously carried.

Discussion and possible recommendation on Amending Ordinance 54-54 regarding Bow Hunting in the Village.

It was noted the Village law is more restrictive and it is not able to be.

Walsh/Meiners motion to recommend approval of amending Ordinance 54-54 regarding Bow Hunting in the Village. Unanimously carried.

Personnel Committee, Trustee Johnson

Discussion and possible recommendation to approve Resolution 2020-52 adopting revisions to the Community Planner / Zoning Administrator Position Description.

Trustee Johnson noted she met and reviewed with staff and feels this meets our needs.

Johnson/Meiners motion to recommend approval with minor change presented to the "reports to" section to clarify it reports to the Village Administrator and serves as DDC advisor by Ordinance. Unanimously carried.

Discussion and possible recommendation to approve changes to Employee Handbook subject to final review by labor attorney.

Finance Director Doherty reviewed the changes as described in her memo to the Board.

Johnson/Walsh motion to send to the next Committee meeting for review to provide additional time to read through. Unanimously carried.

Public Works Committee, Trustee Brill

Discussion and possible recommendation to approve a Letter of Credit reduction for Phantom Lakes Preserve to \$68,396.40.

Brill/Walsh motion to recommend approval. Unanimously carried.

Discussion and possible recommendation to approve a Letter of Credit Reduction for Box Self Storage Development to \$105,735.

Brill/Walsh motion to recommend approval. Unanimously carried.

Discussion and possible recommendation to approve a Letter of Credit Reduction for Chapman Villas to \$1, 218,930.

Brill/Walsh motion to recommend approval. Unanimously carried.

Discussion and possible recommendation to approve a Letter of Credit reduction for Hittman Property on Arrowhead Drive and STH83 to \$8,838.

Brill/Meiners motion to recommend approval. Unanimously carried.

Discussion and possible recommendation to approve Resolution 2020-51 a resolution authorizing the filing of the 2021 Forestry Grant Application.

Brill/Decker motion to recommend approval. Unanimously carried.

Discussion and possible recommendation on a purchase requisition for the Utility Department for an enclosed cargo trailer from Bob Clapper Automotive in the amount of \$16,300.

Utility Director Brown noted this is in the Capital Budget and would assist in bringing all their materials into one location to take on sight for a water main break etc.

Brill/Johnson motion to recommend approval on a purchase requisition for the Utility Department for an enclosed cargo trailer from Bob Clapper Automotive in the amount of \$16,300. Unanimously carried.

Discussion and possible recommendation to draft an ordinance allowing services within the 10' of a driveway requiring homeowner to sign a waiver releasing the Village from damages to driveway and being responsible for all driveway repairs and attaching as signed agreement to deed.

Utility Director Brown discussed the issue with particular locations and the flexibility that should be offered for driveways. He felt the Village needs to try to work with the homeowners, obviously encouraging to keep off the driveway, however if they are willing to pay for the repairs and they have no other options, the Village should work with them. The Village Attorney will draft an Ordinance to bring to the October 21 Village Board meeting.

Protective Services, Trustee Adler

Monthly Police Report

Report was placed on file, no action was required.

Adjournment

Meeting was adjourned at 7:33pm.

Respectfully Submitted,

Diana Dykstra, MMC
Village Clerk/Treasurer