

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING

Wednesday, December 2, 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, Village Clerk-Treasurer
Ron Bittner, DPW Director
Dave Brown, Utilities Director
Mark Blum, Village Attorney
Kevin Schmidt, Police Chief
Jeff Stein, Fire Chief
Jerad Wegner, Village Engineer

Approval of Minutes

Motion to approve minutes of the Committee of the Whole meeting of November 4, 2020. Johnson/Decker motion to approve the minutes as corrected on Page 2 of 4 regarding a statement from Trustee Walsh regarding creating an Ordinance for the sale of intoxicating liquor in any quantity to be consumed off premise at a Class B establishment. It was noted his comment should say he emailed a request for information to the Village Administrator and was referred to the Village Clerk without providing additional information. Unanimously carried.

Presentations

Concept Review for development proposal of Aman's Beer + Wine by Sarab Investments LLC at at 110 Chapman Boulevard.

Amandip Singh presented several floor plans and renderings of his proposed development at 110 Chapman Boulevard. He discussed his operation in Wind Lake and how they are able to offer tasting before customers purchase. They have craft beers, liquor, wine, bourbon etc along with events parties and rental space.

Presentation from Waukesha County Supervisor Darlene Johnson regarding the CTH ES Fox River Bridge Redecking Project Completion.

Waukesha County Supervisor Darlene Johnson presented the ES Bridge Rehabilitation project which was a four year endeavor working to keep that bridge open during

construction. She noted without the support from the Villages and Towns toward this project it would have never been able to remain open. She thanked everyone involved and was excited to share the positive outcome.

Finance Committee, Trustee Meiners *Discussion and action possible on the following items.*
Monthly Treasurer Report and Revenue/Expenditure Guideline Report for October
Was placed on file. No motion required.

Discussion and possible recommendation to the Village Board to approve Vouchers in the amount of \$352,416.56.

Decker/Johnson motion to recommend approval of Vouchers in the amount of \$352,416.56.
Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2020- 70 A resolution relating to the Salary and Wage Schedules for Non-Represented Full-Time and Part-Time Employees.

Meiners/Decker motion to recommend approval. Finance Director Doherty noted the ranges increased 1.2%. Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2020-71 A resolution relating to salary exemption schedule for Village Administrator/Economic Development Director Position.

Meiners/Decker motion to recommend approval of Resolution 2020-71 A resolution relating to salary exemption schedule for Village Administrator/Economic Development Director Position. It was noted this is in addition to the regular salary.
Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2020- 72 A resolution authorizing annual stipends for the Assistant Fire Chief and Deputy Fire Chief.

Meiners/Decker motion to recommend approval of Resolution 2020- 72 A resolution authorizing annual stipends for the Assistant Fire Chief and Deputy Fire Chief subject to the Town approval. Trustee Decker clarified this was on top of their salary as an additional stipend. Chief Stein confirmed this has been in effect for about three years and the town has to adopt the same.
Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2020-074 A Resolution adopting the Annual Tax Increment District Budgets for TID #3, TID #4, and TID #5.

Meiners/Decker motion to recommend approval of Resolution 2020-074 A Resolution adopting the Annual Tax Increment District Budgets for TID #3, TID #4, and TID #5.
Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2020-73 A resolution related to the annual increase in Impact Fees and Sewer Connection Fees as allowed by Village code.

Meiners/Decker motion to recommend approval of **Resolution 2020-73** A resolution related to the annual increase in Impact Fees and Sewer Connection Fees as allowed by Village code. Finance Director Doherty noted this is increased annually by construction index. Unanimously carried.

Judicial Committee, Trustee Walsh

Discussion and possible recommendation on a Village of Mukwonago Elected & Appointed Official Guidebook.

Trustee Walsh noted this was recommended from November to include the Village Organizational Chart, and asked the Village Attorney if he has any concerns regarding this manual.

Attorney Blum noted it is common for municipalities to have a guidebook and doesn't see anything to cause concern.

Walsh/Brill motion to proceed to the Village Board on December 16th and include the organizational chart.

Unanimously carried.

Discussion and possible recommendation regarding creating an Ordinance authorizing the sale of intoxicating liquor to be consumed by the glass on the premises where sold, and also authorizing the sale of intoxicating liquor in the original package or container, in any quantity to be consumed off the premises where sold. (Tabled from 11/4/2020 Committee of the Whole Meeting)

Trustee Walsh noted this in his opinion similar to the 2017 exemptions made to the local quota on Class A rules to eliminate the quotas, and then in 2020 there was a change to eliminate the Class A quota. He feels this blurs the lines with a Class A & B licenses.

He further noted he had a few questions of the Clerk. How many class A licenses are available? Clerk Dykstra noted she doesn't readily have that information available. Class A is a non-quota license and she does know there are (8) Class B regular licenses and (3) Class B reserve licenses which are quota licenses. Trustee Walsh asked if the applications are on a first come first serve basis? Clerk Dykstra noted that licenses are date stamped when received and they are placed on the board agendas in the order in which a completed application is received. Is this the last Class B license available? Attorney Blum noted this is not the current agenda item. The item in question is the change to an existing ordinance. Trustee Walsh asked how the Village would qualify for another license? Attorney Blum clarified there is a formula that extends back from 1997 calculation of population and every 500 in additional population granted another license to the Village. This is an ongoing process reviewed annually.

Trustee Walsh recommends the Village keep the proposed ordinance, and restrict the amount of sale of packaged goods to go. Attorney Blum clarified the State Statutes restrict the amount of packaged goods, and a restriction can be placed on hours such as no sales after 9:00pm.

Trustee Walsh noted he is not looking to make an adjustment; he is looking to stay the same with an adjustment to the hours of operation.

Attorney Blum commented if no adjustment is required then a motion to reject is in order.

Walsh/Johnson motion to reject any modifications to the ordinance.

Trustee Johnson questioned if this resolves any issues with the Class A and B licenses?

Attorney Blum noted this ordinance as proposed allows a bar to sell unopened packages to go in unlimited quantities. If the Board chooses not to approve, the applicant would be required to obtain a Class A and a Class B license with a division of the business and separate entrances and they can complete this with no ordinance amendments, which is more expensive and cumbersome to operate, but is still an alternative.

Trustee Decker noted he feels this is deviating from the agenda and he is getting lost on the discussion of Class A licenses when the agenda is referring to Class B adjustments.

Trustee Adler questioned if this ordinance were to pass would all other Class B establishments have that privilege as well? It was confirmed they would.

Trustee Brill questioned if the two licenses would complicate any enforcement. Chief Schmidt noted it would not.

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

Trustee Walsh had no further motion, and turned the item over to the Board for further action.

Decker/Meiners motion to approve creating an Ordinance authorizing the sale of intoxicating liquor to be consumed by the glass on the premises where sold, and also authorizing the sale of intoxicating liquor in the original package or container, in any quantity to be consumed off the premises where sold, subject to Village Attorney review and direct Village Attorney to draft ordinance dealing with hours of operation. Attorney Blum noted the hours of operation can come before the next Board as a separate item.

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

Discussion and possible recommendation on an Original Reserve Class B Intoxicating Liquor and Fermented Malt Beverage license application from Sarab Investments, LLC d/b/a Aman's Beer + Wine to be located at 110 Chapman Farm Boulevard, Mukwonago.

Trustee Walsh clarified this was not affected by the decision just made not to adjust the ordinance. It was clarified it will not be affected. He confirmed if this license would be unavailable if issued, and asked for a 90 day approval or a reasonable amount of time. Attorney Blum noted that there are several steps to the process including closing, submission of zoning approvals and building permits so something greater than 90 days would be required and suggests six months for approval.

Walsh/Decker motion to recommend approval of an Original Reserve Class B Intoxicating Liquor and Fermented Malt Beverage license application from Sarab Investments, LLC d/b/a Aman's Beer + Wine to be located at 110 Chapman Farm Boulevard, Mukwonago, WI, subject

to legal verification of location, compliance with applicable Village approvals and building permits issued within six months of Village Board approval. Application shall expire if conditions aren't met within six months of Village Board approval.

President Winchowky confirmed if the project is not completed he would like to be sure the license is returned to the Village. Attorney Blum confirmed conditions included would need to be met or the license would be surrendered.

Unanimously carried.

Discussion and possible recommendation on an application for temporary Class "B" license to sell fermented malt beverages from the Mukwonago Rotary Club for a Drive Thru Beer Garden Fundraiser to be held on February 6, 2021.

Walsh/Meiners motion to recommend approval for an application for temporary Class "B" license to sell fermented malt beverages from the Mukwonago Rotary Club for a Drive Thru Beer Garden Fundraiser to be held on February 6, 2021, subject to permission from the School District. Unanimously carried.

Personnel Committee, Trustee Johnson

Discussion and possible recommendation to the Village Board to approve Resolution 2020- 75 A Resolution amending the Accountant position description to remove reference to it being a part-time shared position.

Johnson/Decker motion to recommend approval of Resolution 2020- 75 A Resolution amending the Accountant position description to remove reference to it being a part-time shared position. Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2020-76 A Resolution adopting the Assistant Chief position description in proper format.

Johnson/Decker motion to recommend approval of Resolution 2020-76 A Resolution adopting the Assistant Chief position description in proper format. It was noted this is the same job description that was approved when the position was created, but it is incorporated into the resolution format as the others were. Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2020-77 A Resolution amending the Police Lieutenant position description for changes made when the department was reorganized in 2020.

Johnson/Decker motion to recommend approval of Resolution 2020-77 A Resolution amending the Police Lieutenant position description for changes made when the department was reorganized in 2020. It was noted this has been acknowledged and approved by the Police Commission. Unanimously carried.

Discussion regarding offering an Employee Assistance Program (EAP) benefit to all Village employees.

Finance Director Doherty noted that Chief Stein has requested this item to fulfill the study requirements and can explain further.

Chief Stein noted in the study the Fire Department must have an EAP program. They have looked at programs and found the lowest cost plan is about 1.35 per employee per month for a minimum of 100 employees. They do not have a full 100 employees so thought they would

ask what other departments would like to have this benefit. It will provide up to 3 visits and then refer on their own medical insurance. Doherty noted this would assist if they are having trouble with an employee and need to possibly terminate them some day. It will also be presented to the Protective Services Committee. No action was required.

Public Works Committee, Trustee Brill

Discussion and possible recommendation to approve River Park Estates Rehabilitation Phase 2 Close-out Change Order and Final Payment request from Wolf Paving Inc in the amount of \$1,376,724.54.

Brill/Decker motion to recommend approval of River Park Estates Rehabilitation Phase 2 Close-out Change Order and Final Payment request from Wolf Paving Inc in the amount of \$1,376,724.54. Director Bittner noted this project was under budget and went well and was completed on time. Unanimously carried.

Discussion and possible recommendation to approve CTH LO Sanitary Sewer Rehabilitation Close-out Change Order and Final Payment to Globe Contractors Inc, in the amount of \$156,878.99.

Brill/Decker motion to recommend approval of CTH LO Sanitary Sewer Rehabilitation Close-out Change Order and Final Payment to Globe Contractors Inc, in the amount of \$156,878.99. Unanimously carried.

Discussion and possible recommendation to approve Task Order 2020-13 to implement VUEWorks Software.

Brill/Meiners motion to recommend approval of Task Order 2020-13 to implement VUEWorks Software. It was noted this will take place of Asset Alley and will take several years to implement. Director Brown commented this has all the benefits of Asset Alley and includes a needed management system for maintenance and scheduling. Unanimously carried.

Discussion and possible recommendation on Letter of Credit Reduction #1 for Edgewood Village to \$40,841.20.

Brill/Decker motion to recommend approval of Letter of Credit Reduction #1 for Edgewood Village to \$40,841.20. Unanimously carried.

Discussion and possible recommendation to re-approve the Final Plat for Chapman Farms Villas approved January 19, 2019.

Brill/Decker motion to recommend approval of a Resolution to re-approve the Final Plat for Chapman Farms Villas approved January 19, 2019. Unanimously carried.

Village President

Discussion and possible consideration on continuing in-person meetings, or moving to virtual electronic meetings. <https://www.waukeshacounty.gov/COVID19>

Administrator Weidl noted the municipal buildings were closed due to staffing and issues with children and asked the committee if they wish to consider virtual meetings.

Trustee Decker felt in person was the best option.

Trustee Johnson agreed in person meetings were important.

Trustee Adler commented that he believes it should be zoom meetings through January.

Trustee Walsh commented he agreed with Adler, the meetings should be zoom through January.

Trustee Brill noted he felt in person meetings were best option.

Trustee Meiners felt the in person meetings were his choice.

President Winchowky agreed in person meetings at this time.

No further action was necessary. Meetings will remain in person at this time.

Adjournment

Meeting was adjourned at 6:54pm

Respectfully Submitted,

Diana Dykstra, MMC
Village Clerk-Treasurer