MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
Wednesday, March 3, 2021

Time: **5:30 pm**
Place: **Mukwonago Municipal Building/Board Room, 440 River Crest Court, Mukwonago, WI 53149**

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

	Eric Brill
	Jim Decker
	Darlene Johnson
	John Meiners
	Roger Walsh
	Fred Winchowky
Excused	Daniel Adler
Also Present	John Weidl, Village Administrator
	Diana Dykstra, Village Clerk-Treasurer
	Diana Doherty, Finance Director
	Kevin Schmidt. Police Chief
	Ron Bittner, Public Works Director
	Wayne Castle, Assistant Utilities Director
	Mark Blum, Village Attorney - *via telephone*
	Jerad Wegner, Village Engineer
	John Fellows, Village Planner

<u>Approval of Minutes</u>
Approve minutes of the Committee of the Whole Meeting of February 3, 2021
Decker/Johnson motion to Approve minutes of the Committee of the Whole Meeting of February 3, 2021. Unanimously carried.

<u>Downtown Development Committee, Trustee Walsh</u>
Report and update from DDC meeting of February 25, 2021.
Trustee Walsh noted that the Wayfinding and RFP was reviewed and once it is complete the Board will review the costs. The Committee is also looking for a replacement for Sandy Kulik who has been serving as Secretary of the Committee. He is looking forward to working with staff to make those accommodations. He noted there is no alternate in the ordinance to the Committee and they did have some absences at the last meeting. He is hoping to see that addressed in the ordinance in the coming months.
Administrator Weidl noted he is hoping to phase out of the Committee in a few months and let Village Planner Fellows take over.

<u>Finance Committee, Trustee Meiners</u>
Monthly Treasurer Report and Revenue/Expenditure Guideline Report For January
Report was presented and placed on file.

Discussion and recommendation to approve Vouchers in the amount of $3,779,619.98.

Meiners/Decker motion to recommend approval of Vouchers in the amount of $3,779,619.98. Unanimously carried.

Presentation and discussion regarding the Bay Apartment Development project from Campbell Construction.

Administrator Weidl commented that previously Mr. Campbell had made a presentation to the Village Board and it was rejected. It was sent back to review the "Pay Go" method.

Jay Campbell of Campbell Construction presented a new mixed-use development project. He noted they are not acquiring additional land, and the restaurant remains as is. There will be 53 units in this design proposal and several reduced amenities from the last design. He noted this project is unable to move forward without help from the Village TIF district in funding.

Trustee Decker questioned the value of the land with the restaurant and would like to see the current restaurant upgraded or building façade addressed.

Trustee Walsh clarified the budget proposed by the Developer and noted the Village has not entered into a "Pay Go" situation yet. Finance Director Doherty confirmed that is true. She noted she would not be able to guarantee any amount because it would be based on the increment generated by property values.

Trustee Johnson commented she would like to support but is nervous on the amount and a "Pay Go" commitment, it is a big bite for taxpayers.

Trustee Meiners commented he is now an employee of Campbell Construction and would like to have the Finance Director explain the "Pay Go" option.

Finance Directory Doherty explained there is a new value that is generated and there would be an agreement based on annual amount that would only increase as the property increases and would go the life of the TID district. Currently the TID closes in 2037.

Attorney Mark Blum noted that there is no debt with a "Pay Go" option and the Village is only paying an amount generated by them so there is nothing to default on. There could be a security provision drafted in case for some reason this was to become tax-exempt parcel and an Administrative fee to deal with the "Pay Go" administration.

Motion to recommend to the Village Board to approve Resolution 2021-07 Amending the 2020 Adopted Budgets for General Fund, Fire, Community Development, Wisconsin Development, TID 3, TID 4, Debt Service, Fire Designated, Village Designated, Capital Equipment, Library, Capital Improvement, Impact Fees, and Parkland Site Funds

Meiners/Decker motion to recommend approval of **Resolution 2021-07** Amending the 2020 Adopted Budgets for General Fund, Fire, Community Development, Wisconsin Development, TID 3, TID 4, Debt Service, Fire Designated, Village Designated, Capital Equipment, Library, Capital Improvement, Impact Fees, and Parkland Site Funds.

Trustee Walsh questioned the expenses with the Fund 200. It was explained the Community Development Fund is for items not funded in the TID such as Maple Center. The CDBG funds were the $209,000 used to demo tank removal for a committed project downtown. Unanimously carried.

Discussion of attorney and engineering overbudget expenditures.
Trustee Meiners noted he asked for this item to be on the agenda, as he saw the over budget expense and went to the Finance Director to review why this account was in arears. We either need to adjust the budget amount or not spend as much.
Trustee Johnson asked that any matters dealing with Personnel be discussed in closed session as they must comply with the law. She noted that there are reasons for calling an attorney including conducting labor negotiations which will not need to be handled for six years. There used to be a Personnel Committee where three members would meet, however now it is one chairman at a Committee of the Whole which is different.
Trustee Decker questioned who is responsible for going over budget, who is watching this? He noted previously there was no exception to this. He wanted to know who is responsible and how come he doesn't see any details. He asked the Finance Director to comment.
Finance Director Doherty stated the monthly revenue and expense guidelines are on the agenda every month, along with the detailed Accounts Payable report, so the Trustees should be reading that material.
President Winchowky noted if a more detailed report is necessary, we can get that from the Finance Director. He also noted everyone has high and low years. He reviewed the last six Personnel Chairs and varying skills holding those positions. There will be years of overages and there were challenges in personnel in all Departments, it is necessary at times to involve the attorney. He additionally noted the line item might have been over, but the overall budget was not over. It is difficult to see what the next problem might be to manage or estimate that line item.
Trustee Decker noted as a taxpayer he feels this is out of line and feels there needs to be a way to prevent this from happening again.
President Winchowky noted that he can certainly contact the Finance Chair or Finance Director monthly to review, and the Finance Director just explained you get the information on the agenda each month.
Trustee Walsh commented he appreciates knowing how to place items on an agenda and seeing how policy and procedure changes can be done.
Finance Director requested any policy changes start with the Department Head.
Administrator Weidl stated he has found the League has a service to create policies and provide it to the Village and he would like to attempt not to repeat this mistake in the future and allow them to fix moving forward.
Trustee Meiners noted that Engineering was also drastically over budget. He would like us to review when items are absolutely necessary or required. He also apologized as Finance Chair not recognizing when this was appearing on the reports sooner.
Trustee Walsh reviewed the spreadsheet listing out the various expenses for the engineer listing the Downtown Development and noted he isn't sure what several items are listed are.
No action was required.

Discussion and possible recommendation on Resolution 2021-08 a Resolution for a Budget Policy.
Meiners/Decker motion to recommend approval of **Resolution 2021-08** a Resolution for a Budget Policy.
Finance Director Doherty stated they put together a policy which mainly focuses on starting the process earlier, includes CIP and Operating, and gets the information out to the public sooner. She is working with a vendor on an electronic budget template which they should be able to show more detail and put together a digital budget book prior to the public hearing.
Trustee Meiners noted he was able to see a demo of the new product and feels it will be excellent.
Trustee Brill noted anything in the form of graphs and charts will be helpful for everyone.
Unanimously carried

Discussion and possible recommendation on an Ordinance amending Section 2-172 preparation of the annual budget.
Meiners/Walsh motion to recommend approval of an Ordinance amending Section 2-172 preparation of the annual budget.
Attorney Blum noted that they took a look at the current ordinance after receiving concerns from a resident and drafted a policy. These amendments were required to make sure the ordinance was inline with State Statutes and the new policy.
Unanimously carried.

Concert Series Update from Administrator Weidl
Administrator Weidl noted that money is moving in and they are in the right direction. The School District is building the stage and he is more than willing to update the Board monthly if they wish. It was determined Bi-Monthly is fine.

Judicial Committee, Trustee Walsh
Discussion and possible recommendation on creating an ordinance to allow for a public comment period at the Committee of the Whole meetings.
Walsh/Brill motion to recommend approval to create an ordinance to allow for public comment at the Committee of the Whole meetings limited to items on the Agenda.

Trustee Walsh noted that public participation is democracy in action and sometimes we do allow comment and sometimes we don't. We currently run with a Consent Agenda and public participation is difficult which is why he brought that item forward.
President Winchowky commented that when the word transparency is thrown out it sounds like we aren't doing something correctly. The Chairs have allowed someone to speak. If people want to they have our email addresses, they can text us, call us and let us know how they feel.
Trustee Decker asked if this item included "limited to items on the agenda", he would support it.
Attorney Blum explained that if an item is brought forward and it was rejected in this session, the session is defined as the current group, then it can't be brought back unless it is truly modified.

Trustee Walsh confirmed this is not the same request, he is interested in only the Committee of the Whole.
Trustee Brill noted that residents can get ahold of them, however, rarely is he ever contacted or reached out to. He feels there is value in having public comment at meetings.
Unanimously carried.

Library Board of Trustees, Trustee Brill
Library Board Report for the Month of February 2021
Trustee Brill provided an update on the Library activities including the replacement of the Library Director, phasing in hours, establishing a app for the phone, and he provided their annual report of statistics.

Public Works Committee, Trustee Brill
Discussion and possible recommendation to award Wolf Paving Co., Inc. the 2021 Street Rehabilitation contract with Mandatory Alternates A, B, C, D and E in the amount of $613,792.45.
Brill/Meiners motion to recommend approval to award Wolf Paving Co., Inc. the 2021 Street Rehabilitation contract with Mandatory Alternates A, B, C, D and E in the amount of $613,792.45. It was noted bids came in under budget.
Unanimously carried.

Discussion and possible recommendation to approve Task Order No. 2021-01 from Ruekert Mielke, Inc. for the Survey, Design, and Bidding of the Fox River Pedestrian Bridge project in the amount of $59,615.00.
Brill/Decker motion to recommend approval of **Task Order No. 2021-01** from Ruekert Mielke, Inc. for the Survey, Design, and Bidding of the Fox River Pedestrian Bridge project in the amount of $59,615.00, for a 10 Foot H5 Pedestrian Bridge. It was noted the estimated project cost is $599,495.00 and it includes this design cost. This is a budgeted item.
Roll Call: “Yes” Trustee Brill, Decker, Meiners, and Winchowky. “No” Trustee Johnson and Walsh. Motion carried 4-2.

Update on the status of the Mukwonago Dam repair.
Public Works Director Bittner noted this is almost complete. The Southgate might be a consideration in the future for budgeting, he noticed water was creeping around the gate. They do an annual Dam inspection. Trustee Johnson thanked Director Bittner for keeping Phantom Lakes District informed throughout the process.
No action was required.

Discussion and possible recommendation to approve a Snow & Ice Control Policy.
Brill/Decker motion to recommend approval of a snow and ice control policy. Director Bittner noted the Village did not have one previously and this document reviews how the Village will go about handling certain situations. He noted there is no perfect storm decisions, but it depends on temperature, forecasts, and how to adapt and utilize resources.
Trustee Walsh questioned the snow storm policy for clearing of pedestrian ramps.
Bittner noted there are over 300 pedestrian ramps in the Village. At this time the Village clears hydrants and village owned ramps. Property Owners are responsible for their own ramps. There will be a notice in the March utility billing regarding who is responsible.
Unanimously carried.

Police Protective Services and Joint Fire Protective Services, Trustee Adler

Next Meeting Scheduled for March 15, 2021 at 6:30pm.

Adjournment

Meeting was adjourned at 7:10pm.

Respectfully Submitted,

Diana Dykstra, MMC
Village Clerk-Treasurer