

## **MINUTES OF THE COMMITTEE OF THE WHOLE MEETING**

### **Wednesday, April 7, 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

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

Also Present

Diana Dykstra, Village Clerk-Treasurer  
Diana Doherty, Finance Director  
Kevin Schmidt, Police Chief  
Ron Bittner, Public Works Director  
Dave Brown, Utilities Director  
Mark Blum, Village Attorney  
Jerad Wegner, Village Engineer  
John Fellows, Village Planner  
Jeff Stein, Fire Chief

#### **Comments from the Public**

Jeff Semerole, resident spoke regarding item 8.2 denial of an operators license and would like to offer his support. He noted that Cameron has made poor decisions in the past, but he is recovering and took a course to work at the American Legion Post 375. He supports him in obtaining the license.

Tim Flurry, Post Commander for the Maxwell Street Days item 7.2 noting the Lions Club is not associated with this event. He is hopeful the Board will approve it.

#### **Approval of Minutes**

##### **Motion to approve the Committee of the Whole Minutes of March 3, 2021**

Decker/Johnson motion to approve Committee of the Whole Minutes of March 3, 2021.  
Unanimously carried.

#### **Downtown Development Committee, Trustee Walsh**

**Informational DDC Summary including short-term long-term progress report,  
replacement of Board Member Wash, Temporary Acting Chair, Secretary and  
Member terms status.**

Trustee Walsh reviewed DDC activities and mission which is listed on page 5 of the Downtown Strategic Plan. He noted the Planner has an RFP out for the next phase of the plan and banners will be handled in house as a project with benches. The new temporary acting chair is Eliza Pautz. They would like to continue to update FB and the web site and would like to send information out to small business owners to bring resources and free services to those in need. He would also like to see the long-term planning of the Capital Improvement Projects included in the budget. This is for information only, no action required

**Discussion and possible direction for Village Attorney and staff to review Ordinance 960 for possible changes, further specifying amendments including purpose of committee, composition, term limits, alternates, and attendance**

Trustee Walsh noted he would like them to review the DDC ordinance to include a purpose statement and term limits and possibly add an alternate voting and non-voting member. Attorney Blum asked for clarification on the specific request. He noted he would review the terms, voting clarification and years, and a policy on attendance to excuse 2-3 meetings a year without excuse.

No action was required, this item will return to the next Committee meeting.

**Discussion and possible direction on "Downtown Strategic Plan Recommendations made for Immediate Implementation" Reroute of Hwy 83 around Downtown and Police Department Crosswalk Safety Enhancements.**

Trustee Walsh reviewed the history of the Highway 83 project including the downtown strategic plan recommendations. He noted that there is a great deal of federal funding available right now and he would like to see this show up in the capital project plan and get into the DOT funding or project calendar.

Trustee Decker noted that this was discussed previously and it was a 3-5 million dollar price tag to bring this up to the state standards. He felt there were more residents sitting with subpar roadway than just the downtown area. River Park residents can hardly get out of their subdivision. He doesn't want the village to spend another \$100,000 on a discussion with the DOT and get no where.

Trustee Walsh noted that the road was supposed to be at the state standards when it was built. He is asking how does this get budgeted for as a future project, which was suppose to happen 8-9 years ago.

Trustee Brill questioned if this is beyond the DDC committee and if it should go to another committee now at this point for review since it was already a recommendation from the Committee.

President Winchowky asked if the DDC wanted to put something together to reroute 83 and refer to one of the other committees.

Trustee Walsh reviewed pages 23-24 of the Downtown Strategic Plan where it was recommended.

Attorney Blum commented that there were prior discussions regarding this and there were consulting engineers with cost estimates. He found a resolution in 2015 which requested the DOT to place this on the Radar.

It was noted this can return to the next Committee under Public Works.

**Finance Committee, Trustee Meiners**

**Monthly Treasury Report and Revenue/Expenditure Guideline Report For February**  
Monthly report was placed on file.

**Discussion and possible recommendation to the Village Board to approve Vouchers in the amount of \$569,199.81.**

Meiners/Decker motion to approve Vouchers in the amount of \$569,199.81.

Unanimously carried.

**Discussion and possible recommendation to support Resolution 2021-16 a resolution to support a strong state and local partnership in shared revenue funds for critical services.**

Meiners/Decker motion to recommend approval of support Resolution 2021-16 a resolution to support a strong state and local partnership in shared revenue funds for critical services.

Unanimously carried.

**Health and Recreation Committee, Trustee Decker**  
**Presentation of 2020 Annual Recycling Report**

DPW Director Bittner presented the 2020 Annual Recycling Report for information only.

**Discussion and possible recommendation to approve the Special Event Application from the American Legion Post 375 for the 2021 Mukwonago Maxwell Street Days to be held at Field Park on June 12-13, July 17-18, August 21-22, and September 11-12, along with a temporary Class "B" retailer's License from the American Legion Post #375.**

Decker/Johnson motion to recommend approval of the Special Event Application from the American Legion Post 375 for the 2021 Mukwonago Maxwell Street Days to be held at Field Park on June 12-13, July 17-18, August 21-22, and September 11-12, along with a temporary Class "B" retailer's License from the American Legion Post #375.

Chief Stein noted that the COVID plan will be the same as presented last year.

Unanimously carried.

**Discussion and possible recommendation to approve a Park and Special Event permit application from Mukwonago Lions Club for Summerfeste on June 17-20, 2021 at Field Park, along with a temporary Class "B"/"Class B" Retailer's License application.**

Decker/Meiners motion to recommend approval of a Park and Special Event permit application from Mukwonago Lions Club for Summerfeste on June 17-20, 2021 at Field Park, along with a temporary Class "B"/"Class B" Retailer's License application, subject to submission of the COVID plan.

Unanimously carried.

**Discussion and possible recommendation to approve Task Order No. 2021-02 from Ruekert Mielke, Inc. for the Survey, Design, and Bidding of the Indianhead Park Outdoor Performance Stage project in the amount of \$23,460.**

Decker/Meiners motion to recommend approval of Task Order No. 2021-02 from Ruekert Mielke, Inc. for the Survey, Design, and Bidding of the Indianhead Park Outdoor Performance Stage project in the amount of \$23,460.

Bittner noted that R&M will bid and provide site plan preparation. Anderson Ashton is the designer. Unanimously carried.

### **Discussion and possible recommendation on the Concert Series Program**

Village Planner John Fellows presented a memo and reviewed the costs associated with each event. He discussed concerns regarding the Covid Plan, parking capacity, volunteers, and lack of funding. It was noted that the stage will be completed in September and staff has produced several options for the Village Board to review.

Decker/Meiners motion to cancel concerts #1, #2, #3 and keep #4 (Mt. Olive September 11, 2021) It was noted the tent can be canceled and Lynch has confirmed they are not in need of a tent.

President Winchowky asked where the money will come from, and will the parking lots and streets be enough for this performance?

Finance Director Doherty noted some donations if they choose to remain will cover some expenses or they will find the money in the Administrative Budget or have to complete a budget amendment.

Trustee Johnson confirmed the Fireworks are a donation.

Unanimously carried.

Trustee Meiners noted that he would like to see a future Committee meeting discussion regarding the Rotary donation of the materials for the temporary stage.

### **Judicial Committee, Trustee Walsh**

#### **Discussion and possible recommendation to approve an Ordinance to amend Section 74 -8 of the Mukwonago Municipal Code dealing with the removal of snow and ice by property owners around hydrants.**

Walsh/Brill motion to recommend approval of Ordinance to amend Section 74 -8 of the Mukwonago Municipal Code dealing with the removal of snow and ice by property owners around hydrants.

It was noted if a hydrant is contiguous with the property, the Village is responsible for the public buildings. There are approximately 725 public hydrants and over 100 private hydrants. Unanimously carried.

#### **Consideration of an appeal to the decision to deny an Operator's License for Cameron Schroeder.**

Walsh/Meiners motion to deny the appeal for an operators license at this time for Cameron Schroeder.

Chief Schmidt noted that there are still some pending actions and believes it might be premature at this point. His recommendation remains the same, and suggests next year he apply again. Roll Call: "Yes" Trustee Brill, Decker, Johnson, Meiners, Walsh, Winchowky. "No" Trustee Adler. Motion carried 6-1.

### **Library Board of Trustees, Trustee Brill**

#### **Monthly Report of Activities**

Trustee Brill provided an update on activities and announced a \$1,500 technology grant. He noted they will be meeting this week regarding the final two candidates for Director and may have a replacement shortly.

### **Personnel Committee, Trustee Johnson**

**Motion to forward Grievance from the Mukwonago Professional Police Association dated March 4, 2021 to the Regular Village Board Meeting of April 21, 2021.**

Johnson/Decker motion to forward Grievance from the Mukwonago Professional Police Association dated March 4, 2021 to the Regular Village Board Meeting of April 21, 2021 in closed session. Unanimously carried.

**Public Works Committee, Trustee Brill**

Stormwater MS4 Presentation from Public Works Director Bittner  
DPW Director Bittner provided an update on the MS4 Stormwater process and activities throughout the year.

**Discussion and possible recommendation to approve a resolution to approve a Restated Developer's Agreement for Subdivision Improvements with Minors Estates Phase 4.**

Brill/Decker motion to recommend approval of a resolution to approve a Restated Developer's Agreement for Subdivision Improvements with Minors Estates Phase 4.

President Winchowky confirmed utilities are in the correct location.

Attorney Blum noted this is substantially the same agreement from 2016 and there were a few adjustments, however he is comfortable with the Board taking action.

Unanimously carried.

**Discussion and possible recommendation on a Resolution Vacating and Releasing Drainage Easements and Landscape Easement set forth on the Plat of Minor's Estates Recorded December 23, 2015.**

Brill/Decker motion to recommend approval of a Resolution Vacating and Releasing Drainage Easements and Landscape Easement set forth on the Plat of Minor's Estates Recorded December 23, 2015. It was noted there is a change in how they drain along the easement toward the front instead of along the back. Engineer Wegner noted engineering has reviewed and approved.

Unanimously carried.

**Discussion and possible recommendation to approve REBID Pick 'N Save Pond Retrofit Close- out Change Order and Final Payment request from Mudtech, LLC. in the amount of \$254,643.75.**

Brill/Decker motion to recommend approval of the REBID Pick 'N Save Pond Retrofit Close-out Change Order and Final Payment request from Mudtech, LLC. in the amount of \$254,643.75. Unanimously carried.

**Presentation of the Annual Adaptive Management Report, past activities, and next steps.**

Ruekert-Mielke representatives presented the Annual Adaptive Management report which is required by the DNR for achieving phosphorus compliance. It discussed the next steps and what the next six months will bring for our best management practices.

**Discussion and possible recommendation to approve the Intergovernmental Agreement (IGA) between Waukesha County and the Village of Mukwonago related to Adaptive Management Program Assistance and Implementation.**

Brill/Meiners motion to recommend approval of the Intergovernmental Agreement (IGA) between Waukesha County and the Village of Mukwonago related to Adaptive Management Program Assistance and Implementation.

It was noted this document outlines and details the roles that they will take. The County will absorb 300 hours per hour to support our system and then it will be a \$60/hour rate.

Roll Call: "Yes" Trustee Adler, Brill, Johnson, Meiners, Walsh, Winchowky. "No" Trustee Decker. Motion carried 6-1.

**Discussion and possible recommendation to approve Task Order 2021-01 with Ruekert-Mielke for a Risk and Resilience Assessment Emergency Response Plan in the amount of \$10,978.**

Brill/Decker motion to recommend approval of Task Order 2021-01 with Ruekert-Mielke for a Risk and Resilience Assessment Emergency Response Plan in the amount of \$10,978. It was noted this is an important mandate from the State to evaluate and assess our vulnerabilities and risks the water utility can encounter.

Unanimously carried.

**Notification of TID 5 Engineering Excellence State Finalist from American Council of Engineering Companies.** Engineer Wegner noted they have been recognized as a finalist for this award.

**Protective Services, Trustee Adler**

**Discussion and possible recommendation on the Installation of Emergency Vehicle Pre-Emption Devices on traffic standards at STH 83 & CTH LO/Pearl Avenue and authorize the Village President to sign the agreement with the DOT.**

Adler/Johnson motion to recommend approval of the Installation of Emergency Vehicle Pre-Emption Devices on traffic standards at STH 83 & CTH LO/Pearl Avenue and authorize the Village President to sign the agreement with the DOT.

Unanimously carried.

**Village President**

**Proclamation honoring National Public Safety Telecommunicators Week for April 11 to April 17, 2021.**

Johnson/Walsh motion to recommend approval of a Proclamation honoring National Public Safety Telecommunicators Week for April 11 to April 17, 2021.

Unanimously carried.

**Adjournment**

Meeting adjourned at 8:15pm.

Respectfully Submitted,

Diana Dykstra, MMC  
Village Clerk-Treasurer