

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING

Wednesday, November 3, 2021

Time: **5:30 pm**

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

Call To Order

Meeting was called to order by President Winchowky at 5:51pm at the Mukwonago Municipal Building, 440 River Crest Court, Mukwonago.

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
Brennan McCuen, Asst Public Works Director
John Fellows, Village Planner
Dan Streit, Police Chief
Dave Brown, Utilities Director
Wayne Castle, Assistant Utility Director
Mark Blum, Attorney
Susan Love, Attorney

Comments from the Public

Colleen Farmer, 1455 Applewood Drive, Mukwonago, commented she felt the Board should not sign a contract with an assessor longer than 1 year and ask that Dean Peters be assigned to the municipality. She asked that all members meet with Diana Dykstra to see how the tax roll is put together. The 70.57 adjustment doesn't have the effect it should on their taxes this year because of the growth in the TID 5.

She expressed concerns for the ability to obtain information from the former Administrator, and the Assessor screamed at her that she lives in an area that will always have this problem and she should move. She was promised by the Village they would take a pause and then they pushed for expansion for TID5.

She knew she was right to question the equalized values, reached out to Assessor and Ehlers and was told this was not a big deal. She called DOR and they confirmed it was a big deal, and only 2 letters like that were sent out in the state. She noted that once she found out the cause of this error was based on assessed values in the commercial class, she looked into getting that information. She researched a discrepancy with Malcolm Drilling and TID5. This would normally rectify the errors but because there is so much growth the effects will be nominal and they will not be made whole. She further asked the Board to stop incentivizing bad behavior.

Approval of Minutes

Discussion and possible action to approve Committee of the Whole Minutes of October 6, 2021

Decker/Meiners motion to approve Committee of the Whole Minutes of October 6, 2021. Unanimously carried.

Presentation

Presentation for developer incentives and a request for conceptual review of site and architecture from Vlanznim Islami AKA Viktor Islami, Zani Islami, Blue Bay Restaurant within Tax Increment Financing District Number Four, applicant: 927 Main Street, Parcel Number: MUKV2009964004 and MUKV2009964001.

David Baum, Architect presented the Blue Bay Restaurant expansion and development to the Board. He noted they are looking for an investment of \$1140815 from the Village which will be generated by tax increment in a pay as you go basis of assistance. They are looking to update the restaurant and add apartments with up to 53 units.

Presentation for developer incentives for T&D INVESTMENTS LLC / David Alan Alan within Tax Increment Financing District Number Four, applicant: Bay View Road, Parcel Number: MUKV2009983

John Fellows Village Planner presented the proposal for DAA as they were not able to make the meeting. He reviewed their proposal and design for a two-story restaurant and first floor butcher shop. They have run into issues with space for parking and storm water and therefore their option is to be creative to handle the storm water and that becomes expensive.

They have calculated the difference underground storage will be about \$500,000 with a pond and they have requested from assistance pay as you go in the amount of \$500,000 for storm water retention component.

Finance Committee, Trustee Meiners

Monthly Treasury Report and Revenue/Expenditure Guideline Report For September *(For information purposes only, no action required)*

Discussion and possible recommendation to approve Vouchers in the amount of \$363,387.86.

Johnson/Decker motion to recommend approval of Vouchers in the amount of \$363,387.86. Unanimously carried.

Discussion and final direction on 2022 Proposed Capital Equipment and Capital Improvement Budgets and link to website page containing proposed 2022 budget information. <https://villageofmukwonago.com/budget-reports/>

Finance Director Doherty noted she hadn't provided during the last presentation the Capital Equipment and has included them here. They were previously discussed but wanted everyone to have the final. It is the 5 year plan.

Trustee Walsh questioned what is the policy on the carryover from year to year. Doherty noted if a project didn't get finished they will estimate that cost and carry over the remaining amount. If they don't spend it will go into the reserve fund.

Walsh noted there was nothing placed in for the downtown sewer etc and had some concerns regarding priority. This will be presented to the public hearing.

Discussion and update regarding the current status and requirements for amending the project plan for TID #4.

Planner Fellows noted that he had wanted to provide a general presentation from staff with regard to where the TID is at the moment. He listed specific line items the village was going to do as the project plan described.

Finance Director Doherty noted TID 4 would not have the money and they would have to borrow if they add more items. Project Plan for TID 4 also does not have these items identified. If you choose to modify those line items will require an amendment. If the total dollar amount where to change, that would also require a project plan amendment.

The next step would be the need for a feasibility study, and a Development Agreement.

Trustee Meiners questioned how hard is it to amend the plan. It was noted there are some costs and time, public hearing, and Joint Review Board.

Trustee Johnson questioned in TID 4 what is needed more. Finance Director Doherty noted that pay go is not borrowing money, and is a better option.

Trustee Walsh noted this hasn't gone to plan commission.

Planner Fellows noted they requested a conceptual discussion with the Village Board. Next week they will be appearing before the Plan Commission.

Trustee Walsh confirmed line items in the Plan would be required to be amended.

Trustee Brill noted the TID currently is positive cash flow. Finance Director Doherty noted the only money borrowed at this time is for point apartments, and by amending other properties could be developed as well. The plan would need to be more liberally amended. Next step would be a feasibility study, and the Board directed staff to bring a proposal forward for this item.

Discussion and possible direction to staff regarding a request for developer incentives for Vlanznim Islami AKA Viktor Islami, Zani Islami, Blue Bay Restaurant within Tax Increment Financing District Number Four; applicant: 927 Main Street, Parcel Number: MUKV2009964004 and MUKV2009964001.

Planner Fellows noted no action required.

Discussion and possible direction to staff regarding a request for developer incentives for T&D INVESTMENTS LLC / David Alan Alan within Tax Increment Financing District Number Four, applicant: Bay View Road, Parcel Number: MUKV2009983

Planner Fellows noted no action required.

Discussion and possible recommendation to approve Resolution 2021 - 79 a resolution to authorize the submission of a Community Development Investment (CDI) grant application to the Wisconsin Economic Development Corporation (WEDC) for the Elove Coffee LLC DBA Espresso Love Coffee Project; applicant Elove Coffee LLC dba Espresso Love Coffee, 301 Main Street, Parcel Number MUKVMUKV1976128

Planner Fellows noted that this is a CDI Grant with the state.

Trustee Walsh questioned if matching funds were required? It was confirmed no matching funds were required.

Meiners/Johnson motion to recommend approval of **Resolution 2021 - 79** a resolution to authorize the submission of a Community Development Investment (CDI) grant application to the Wisconsin Economic Development Corporation (WEDC) for the Elove Coffee LLC DBA

Espresso Love Coffee Project; applicant Elove Coffee LLC dba Espresso Love Coffee, 301 Main Street, Parcel Number MUKVMUKV1976128. Unanimously carried.

Discussion and possible recommendation on a Purchase Requisition for Terminal-Andrea Inc. in the amount of \$22,945 for installation of light pole for SCADA service at the Fire Department, remove temporary system from training tower, and installation of mast and SCADA hardware on existing pole at Field Park.

Utility Director Brown noted this is a back up to the village internet system. Two poles were donated from another project and would like to get this installed and complete.

It will also serve all the village and SCADA system.

Meiners/Decker motion to recommend approval on a Purchase Requisition for Terminal-Andrea Inc. in the amount of \$22,945 for installation of light pole for SCADA service at the Fire Department, remove temporary system from training tower, and installation of mast and SCADA hardware on existing pole at Field Park. Unanimously carried.

Discussion and possible recommendation on a T-Mobile Lease Renewal Agreement

Meiners/Deckers motion to recommend approval of a T-Mobile Lease Renewal Agreement.

Utility Director Brown noted this is for the South Tower, same as we did for the north tower.

They are upgrading to 5G and we negotiated an updated and increase in contract price.

Unanimously carried.

Library Board of Trustees, Trustee Brill

Library Director Report for October 2021

Trustee Brill reviewed the report and the statistics. He noted they are working with museum and policy committee has been busy.

Personnel Committee, Trustee Johnson

Hearing and review of Mukwonago Professional Police Association Grievance filed on September 27, 2021.

Kevin Todd, MPPA, noted the affected officer is Chet Wilson he commented they are in constant contact with the public and we think he most likely received from the public. The Association is asking the board to do the right thing and grant the paid leave for the injuries occurred. They were unable to report the dates of the affected event.

Public Works Committee, Trustee Brill

Discussion and possible recommendation to approve 2021 Street Rehabilitation Close-out Change Order and Final Payment request from Wolf Paving Co., Inc. in the amount of \$15,616.71. (Final Contract amount is \$565,805.62)

Brill/Meiners motion to recommend approval of 2021 Street Rehabilitation Close-out Change Order and Final Payment request from Wolf Paving Co., Inc. in the amount of \$15,616.71.

Unanimously carried.

Discussion and possible recommendation on a sewer sprinkler credit for Fredrick and Therese Keyes, 603 Crestview Lane.

Attorney Mark Blum noted the Ordinance is specific for how this credit would be calculated and doesn't allow flexibility to adjust the time period for when it is calculated. The board doesn't have the ability to give relief.

Brill/Meiners motion to recommend denial of a sewer sprinkler credit for Fredrick and Therese Keyes, 603 Crestview Lane. Motion carried 6-1. Trustee Walsh Abstained.

Discussion and possible recommendation for the Utilities Department to look into options on eliminating the residential third quarter sprinkler credit and move to an irrigation meter billing system for outside water use that does not drain to the sanitary sewer.

Utility Director Brown is asking the Board to review. He feels the fairest way is to only have people pay for what they use. Gets rid of quarterly credit. Other communities have moved to such a system. This will return to the next COW for further discussion.

Discussion and possible recommendation on a Letter of Credit Reduction #2 for Box Self Storage Development resulting in a new letter of credit amount of \$105,735

This item is removed from the agenda. It was previously approved.

Discussion and possible recommendation to approve Minor's Estates Phase 4 Letter of Credit Reduction #5 to a new balance of \$428,118.82.

Brill/Meiners motion to recommend approval of Minor's Estates Phase 4 Letter of Credit Reduction #5 to a new balance of \$428,118.82. Unanimously carried.

Discussion and possible recommendation on a Letter of Credit elimination for Orchards of Mukwonago, Addition #2.

Brill/Meiners motion to recommend approval of a Letter of Credit elimination for Orchards of Mukwonago, Addition #2. Unanimously carried.

Discussion and possible recommendation to approve Change Order No. 3 for DeBack Drive Infrastructure in the amount of \$199,516.00.

Brill/Meiners motion to recommend approval of Change Order No. 3 for DeBack Drive Infrastructure in the amount of \$199,516.00.

It was noted this is for pond maintenance we would be conducting with or without the road and since they were mobilized it was cost effective to handle it in this manner. Funding will come from the Storm Water Fund. It doesn't get contributed to Deback Drive but it is being placed on that contract because we have asked the contractor to do this work as they were mobilized. This is a TID 3 pond that is village owned. \$33,000 collected in revenues for stormwater utility each year, and a schedule to payback will be set up. Unanimously carried.

Protective Services, Trustee Adler

Reminder of Special Joint Village and Town Board Meeting for Fire Department on November 15, 2021. 6:00pm Town hall.

Adjournment

Meeting was Adjourned at 7:26pm

Respectfully Submitted,

Diana Dykstra, MMC
Village Clerk-Treasurer