

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING

Wednesday, December 1, 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 5:30pm at the Mukwonago Municipal Building, 440 River Crest Court, Mukwonago.

Roll Call

Board Members Present

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

Excused: Daniel Adler

Also Present

Diana Dykstra, Village Clerk-Treasurer
Diana Doherty, Finance Director
Ron Bittner, Public Works Director
John Fellows, Village Planner
Dan Streit, Police Chief
Dave Brown, Utilities Director
Wayne Castle, Assistant Utility Director
Jerad Wegner, Village Engineer
Mark Blum, Attorney
Tim Ruttenbeck, Building Inspection Supervisor

Comments from the Public

The following Comments were submitted by David Boebel

Regarding:

6. Finance Committee, Trustee Meiners

*6.6 Discussion and possible recommendation to the Village Board to approve **Resolution 2021-99** A resolution related to the annual increase in Impact Fees and Sewer Connection Fees as allowed by Village code.*

Just because the Village code allows annual fee increases for sewer connections doesn't mean taxpayers don't deserve a complete explanation of the increases, including the previous fee and the percentage increase.

The exhibit included with this agenda item is disappointing and shows a lack of respect for taxpayer's right to be kept informed of changes occurring in our Village operations.

Regarding:

6. Finance Committee, Trustee Meiners

6.7 Discussion and possible recommendation to the Village Board to approve [Resolution 2021-100 A Resolution adopting the Annual Tax Increment District Budgets for TID #3, TID #4, and TID #5](#)

TID#4 is outperforming expectations and should close in 2017, not 2018 as shown in the [TID 4 Cumulative History & Projections 06-21-2021 Update](#), which has an unexplained \$111,000 charge in 2023 Admin costs delaying the TID closure until 2018.

Why isn't the entire Tax Increment of \$276,803 being applied to debt service? Surely there is an opportunity to reduce interest charges on the \$1,379,349 Outstanding Debt Principal Balance! Diverting \$111,016 to another use must violate the Village's responsibility to TID#4 overlying district taxpayers.

Please explain why the TID#4 project plan has not been rewritten to facilitate the earliest possible closure.

Regarding:

11. Public Works Committee, Trustee Brill

11.1 Discussion and possible recommendation for the Utilities Department to look into options on eliminating the residential third quarter sprinkler credit

Until the Utilities Department has created a report showing how much money taxpayers will lose by the elimination of the third quarter sprinkler credit, there is no reason to invest any more time on this investigation. The suggested costs for a separate meter prevent the majority of the Village taxpayers from realizing cost savings by installing additional meters.

I know from looking at my own utility bill that I benefitted from the third quarter sprinkler credit by 2 sewer billing units. Even though \$12 is a small savings, I challenge the Utilities Dept to prove that the benefits to a small number of taxpayers with extraordinary usage will outweigh the added cost to the rest of the Village taxpayers who won't be able to justify separate meters.

Michael Reiter was present to express his concerns regarding the Police Department. He feels no one is listening and has made multiple attempts to contact Board members. He noted he knows his rights and feels he is violated.

Approval of Minutes

Motion to approve Committee of the Whole Minutes of November 3, 2021.

Decker/Meiners Motion to approve Committee of the Whole Minutes of November 3, 2021.
Unanimously carried.

Downtown Development Committee, Trustee Adler

Discussion and possible recommendation to the Village Board regarding the Sign and Wayfinding Program formal design.

Planner Fellows described the options that were being presented. The DDC was recommending the green color option 2 design. However, he does have additional color pallets that were presented to him after that meeting.

Trustee Johnson noted she likes Option 2, however questioned the material, doesn't care for the green.

Trustee Brill commented he prefers Option 2 but notes the scope is beyond downtown. He isn't sure what is happening.

Fellows explained this is for the entire village they design a sign family for the village.

Trustee Meiners noted he prefers Option 2, however noted the smaller sign doesn't have stone base he also likes the bear, but not sure of the green.

Trustee Decker commented he prefers the Option 1 color scheme better than green.

It was determined the wayfinding would drop the 1905 listed, and they would move forward with Option 2 and see it in Charcoal or Brown. Fellows noted he can request paint swatches for the next meeting.

Walsh/Brill motion to proceed with Option 2 with the colors to be determined at the next meeting or in January after DDC. Unanimously

Finance Committee, Trustee Meiners

Monthly Treasury Report and Revenue/Expenditure Guideline Report For October

(For information purposes only, no action required)
Discussion and possible recommendation to the Village Board to approve Accounts Payable Vouchers in the amount of \$383,280.15

Meiners/Decker motion to recommend to the Village Board to approve Accounts Payable Vouchers in the amount of \$383,280.15. Unanimously carried.

Discussion and possible recommendation on Resolution 2021-102 A Resolution to adopt the 2022 Fee Schedule for the Village of Mukwonago.

Meiners/Decker motion to recommend approval of on Resolution 2021-102 A Resolution to adopt the 2022 Fee Schedule for the Village of Mukwonago.

Trustee Johnson questioned the Fireworks permit raised. Chief Streit noted the inspections for sales of fireworks require more precipitating this increase.

Unanimously carried.

Discussion and possible recommendation on a contract agreement for Assessment Services with Associated Appraisal Consultants, Inc. for 2022-2023

Meiners/Decker motion to recommend approval of on a contract agreement for Assessment Services with Associated Appraisal Consultants, Inc. for 2022-2023. Attorney Blum noted the concerns of the Village were expressed and corrected.

Trustee Johnson noted she still has concerns for auto renew. Attorney Blum explained the contractor had concerns for filing state reports and it will be very important for the village to calendar these dates in advance. Unanimously carried.

Discussion and possible recommendation to authorize the Village President to sign a 3-year engagement letter with Baker Tilly for the 2021-2023 annual audits.

Meiners/Decker motion to recommend authorizing the Village President to sign a 3-year engagement letter with Baker Tilly for the 2021-2023 annual audits.

Doherty noted the fee went up \$1,200 and each year additional \$1,200

Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2021-99 A resolution related to the annual increase in Impact Fees and Sewer Connection Fees as allowed by Village code.

Meiners/Decker motion to recommend to the Village Board to approve Resolution 2021-99 A resolution related to the annual increase in Impact Fees and Sewer Connection Fees as allowed by Village code.

Trustee Walsh confirmed this is primarily to new construction and expansion.

Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2021-100 A Resolution adopting the Annual Tax Increment District Budgets for TID #3, TID #4, and TID #5.

Meiners/Decker motion to recommend to the Village Board to approve Resolution 2021-100 A Resolution adopting the Annual Tax Increment District Budgets for TID #3, TID #4, and TID #5. Finance Director Doherty noted final numbers based on the TID worksheet after the public hearing. It was noted this may end of at the December 9, 2021 special public hearing to redo the public hearing.

Trustee Walsh questioned what "Other financing sources" were. Doherty noted it is debt proceeds or use of fund balance. Unanimously carried.

Discussion and possible recommendation regarding Legal Services Request for Proposals.

Will be interviewed.

Clerk Dykstra noted this item will be reviewed over the next few weeks as Interim Administrator and the Village President will participate in interviews. No action was required.

Health and Recreation Committee, Trustee Decker

Discussion and possible recommendation on the donation of \$2,500 budgeted in the Celebrations account, to the Phantom Lakes Fireworks display for July 3, 2022.

Decker/Meiners motion to recommend the donation of \$2,500 budgeted in the Celebrations account, to the Phantom Lakes Fireworks display for July 3, 2022.

President Winchowky commented he thought we weren't going to follow through and set a precedent. Ron Bittner noted that this is a stand-alone event not tied to a festival. Phantom Lakes District fronted the whole cost last year and the main donation. The Town has not confirmed yet.

Roll Call: Trustee Brill, Decker, Johnson, Meiners, and Walsh. "No" Winchowky. Motion carried 5-1.

Judicial Committee, Trustee Walsh

Discussion and possible recommendation to approve a Class A combination Liquor and Fermented Malt Beverage License application for the NHI Real Estate Holding LLC d/b/a Village Mini Mart, Harjinder Khasria agent.

Trustee Walsh commented he wanted to disclose he owns properties surrounding this private business and has no direct financial interest and will abstain from voting.

Attorney Blum commented that he does not see a need to recuse himself, however if he chooses to do so, he will not recommend he participate in any discussion. He should either present and vote, or don't do anything.

Trustee Walsh questioned the schedule of agent form was turned in. Clerk Dykstra confirmed with the application the schedule of agent was submitted along with the Auxiliary Questionnaire.

Trustee Walsh questioned the agent pursuant to DFI is Joe Abruzzo.

Attorney Blum confirmed that an Attorney prepares articles of incorporation and may be the LLC agent, which is a legal entity for service but the "agent" under the Liquor License has other requirements and are two different types of agents.

Walsh/ Meiners motion to recommend approval of Class A combination Liquor and Fermented Malt Beverage License application for the NHI Real Estate Holding LLC d/b/a Village Mini Mart, Harjinder Khasria agent. Unanimously carried.

Discussion and possible recommendation to approve a Temporary Class "B" Retailers License to sell fermented malt beverages for the Rotary Club of Mukwonago for the Drive thru Beer Garden Fundraiser on January 8, 2022.

Walsh/Meiners motion to recommend approval of a Temporary Class "B" Retailers License to sell fermented malt beverages for the Rotary Club of Mukwonago for the Drive thru Beer Garden Fundraiser on January 8, 2022. Unanimously carried.

Discussion and possible direction from the Village Board for Village Staff to research and provide options to the Village Board regarding non- discriminatory local municipality limitations on the conditions and number of alcoholic beverage licenses in the Village of Mukwonago.

Trustee Walsh noted that he had requested this item with direction from the board and sometime in 2017 the Village changed the rules and removed the self-imposed quotas. He reviewed the number of licenses issued to these types of establishments and noted we have another license next to this and across the street at Walgreens. He is asking if this a policy they wish to consider.

Trustee Brill noted that property did have a beer license already.

Walsh/Johnson motion to recommend staff to research and provide options to the Village Board regarding non- discriminatory local municipality limitations on the conditions and number of alcoholic beverage licenses in the Village of Mukwonago.

President Winchowky questioned if we were looking to go back to the old system? Would a restaurant need to go back, or hotel will need to go back and request a waiver then?

Trustee Walsh commented he simply is wondering if the number too much for the Village of Mukwonago? He is interested in looking into this not necessarily change this.

Unanimously carried.

Library Board of Trustees, Trustee Brill

Monthly Library Directors Report

Trustee Brill reviewed the Directors report. No action was required.

Personnel Committee, Trustee Johnson

Discussion and possible recommendation on Resolution 2021-101 A Resolution to appoint Election Inspectors for the Village of Mukwonago.

Johnson/Decker motion to recommend approval on Resolution 2021-101 A Resolution to appoint Election Inspectors for the Village of Mukwonago.

Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2021-96 A Resolution approving the 2022 Salary and Wage Schedules for Non-Represented Full-Time and Part-Time Employees.

Johnson/Meiners motion to recommend approval of Resolution 2021-96 A Resolution approving the 2022 Salary and Wage Schedules for Non-Represented Full-Time and Part-Time Employees.

Doherty noted the Wage Ranges increased by 2.37% from last year. Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2021-97 A Resolution relating to a wage exception for the Utilities Lead Operator position.

Johnson/Walsh motion to recommend approval of Resolution 2021-97 A Resolution relating to a wage exception for the Utilities Lead Operator position. Director Doherty noted this resolution reflects the change with utilities director acknowledging what is was the board wants to do.

Unanimously carried.

Discussion and possible recommendation to the Village Board to approve Resolution 2021- 98 A Resolution authorizing annual stipends for the Assistant Fire Chief and Deputy Fire Chief

Johnson/Decker motion to recommend approval of Resolution 2021- 98 A Resolution authorizing annual stipends for the Assistant Fire Chief and Deputy Fire Chief

Unanimously carried.

Public Works Committee, Trustee Brill

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.

Trustee Brill asked there be no action and just table this until further notice.

Discussion and possible recommendation to approve Change Order No. 4 for DeBack Drive Infrastructure in the amount of \$72,200.00

Engineer Wegner noted the Change order is due to increase in injunction week in a half delay by the Contractor. There was over \$13,200 for labor and equipment, then there was remobilization from Rhinelander. The Dam rental was a proprietary item that is \$10,000 a week and costs incurred and dewatering the pond.

Brill/Decker motion to recommend approval of Change Order No. 4 for DeBack Drive Infrastructure in the amount of \$72,200.00

Unanimously carried.

Adjournment

Meeting adjourned at 6:55pm

Respectfully Submitted,

Diana Dykstra, MMC
Village Clerk-Treasurer