

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING

Wednesday, January 3, 2024

Time: **5:30 pm**

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

Call to Order

President Winchowky called the meeting to order at 5:30pm.

Roll Call

Board Members Present

Eric Brill
Darlene Johnson
Ken Johnson
John Meiners
Dale Porter
Scott Reeves
Fred Winchowky

Also Present

Fred Schnook, Village Administrator
Diana Dykstra, Village Clerk-Treasurer
Diana Doherty, Finance Director
Dan Streit, Police Chief
Chris DeMotto, Assistant Police Chief
Nathan Bayer, Attorney
Jerad Wegner, Village Engineer
Ron Bittner, Public Works Director
Wayne Castle, Utilities Director
Tim Rutenbeck, Building Inspection Supervisor

Comments from the Public

David Boebel, 815 Parkview Lane, commented regarding the Debt Management Policy. He noted his concerns referring to the 2022 Audit, pages from 22 village audit concerns. He reviewed the Management Discussion and Analysis and felt there is a weak debt and liability profile, carrying charges etc. He noted Page 4 shows the village will pay down GO debt however isn't taking in consideration new debt that is coming out. He reviewed his concerns with the General Debt policy, borrowing, control overall spending, TID spending and Non TID spending.

Approval of Minutes

Minutes of December 6, 2023 Committee of the Whole.

Meiners/K Johnson Motion to approve. Unanimously carried.

Announcements

Announcement the State of the Village is scheduled for January 25, 2024 at 7:30AM at the Mukwonago Community Library.

Finance Committee, Trustee Darlene Johnson

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

Discussion and possible recommendation to the Village Board to approve Accounts Payable Vouchers in the amount of \$534,816.04.

D Johnson/Meiners motion to recommend approval. Unanimously carried.

Discussion and possible recommendation to the Village Board to approve the purchase request of picnic tables from RJ Manufacturing in the amount of \$15,183.

D Johnson/Meiners motion to recommend approval.

DPW Director Bittner noted the current tables are made of wood and are becoming a liability and organizations are moving to more sturdy materials. They are looking to cycle through and changing out about 14-16 each year to more sturdy materials. The current frames become unusable as renters drag the tables and wear them down. The new material will last 50 years and frames have lifetime warranty. Unanimously carried.

Discussion and possible recommendation on Resolution 2024-03 A Resolution to adopt an update to the Village of Mukwonago Debt Management Policy.

Finance Director Doherty noted this has been a 10-year-old policy looking to update. When we update policies, we review other communities and offer clarity to the current one. She noted they took out items that are not necessary and cleaned up the language.

There is nothing against Wisconsin law or how we issue or repay debt. There is a great deal of work at the rating section of any debt structure and the goal is to maintain a level payment in total of all the debt and that is how payments are structured to prevent swings.

The actual state statute number was removed but the reference to state stats was made and she can put it back listing the chapters of the state statutes.

Trustee K. Johnson questioned due to the comments from the public, to assure the village as a whole there are audits that take place to make sure debt is repaid on a timely fashion correct?

Finance Director Doherty noted that is correct.

President Winchowky asked if this was reviewed by the auditors? And it was confirmed. He further asked if they would bring any issues to the attention of Finance Director and the Board. Finance Director Doherty confirmed.

Trustee D. Johnson asked if the attorney reviewed the two policies, or the Administrator.

Administrator Schnook noted he had nothing to add.

Attorney Bayer noted he agrees with the statement and did review at packet and feels it is easier to understand and agrees with removing specific status numbers and general reference makes more sense.

D. Johnson/Meiners motion to recommend approval adding the reference to the State Statute Chapters. Motion carried 6-1. Trustee Porter voted no.

Health and Recreation Committee, Trustee John Meiners

Presentation, Discussion, and possible recommendation to accept the donation of a Sport Court and upgrades for the Washington Ave Park basketball court.

Coach Rick Witte presented the idea of the first outdoor court and funded through the Jendusa family. The Application is completed and they are looking at this investment in the community. DPW Director Bittner noted that Rick started this conversation two years ago, and now it could be a reality.

Trustee Meiners questioned the material used.

Trustee D Johnson appreciates everything you are doing for the kids and the village.

Coach Rick thanked Pat and the Jendusa family. He noted the NBA champion behind this will help this court secure a camp for kids.

Trustee K Johnson asked what the timeline would be. Coach Rick noted it could be ready in the spring.

DPW Bittner commented there is a little bit of preparation on the village to prepare the area for the court.

Meiners/D Johnson motion to recommend approval.

Trustee Reeves asked about winter weather. It was noted there is virtually no maintenance, mainly vandalism if that happens, but not much for maintenance. Unanimously carried.

Discussion and possible recommendation to permit the construction of a 576 SQF cold storage building at Miniwaukan Park.

Meiners/Brill motion to recommend approval.

DPW Bittner noted this is funded and supported by the Soccer club has been active for years. They have been a good partner, There were looking for a project in the village, they met with the high school. Lions will be funding it and the High School will be building it. The Village will provide support logistics and Lions will make a donation toward that purchase. It will be strictly cold storage. Unanimously carried.

Judicial Committee, Trustee Dale Porter

Discussion and possible recommendation on Ordinance 1025 an Ordinance providing for detachment of a portion of the Village of Mukwonago, Waukesha County Wisconsin for the purpose of Attaching to the Village of Vernon, Waukesha County Wisconsin.

Administrator Schnook noted the purpose of this is because Vernon and Mukwonago both villages they have to detach and attach. The Ordinance was written by Attorney Bayer.

Attorney Bayer noted the first step is detach process, notice process, and next step is consider ordinance, then hand over to Vernon and eventually we will have an ordinance to attach what Vernon detached.

Porter/K Johnson motion to recommend approval.

Trustee Brill noted a few things he noticed such as, they are gaining property, and he wondered about the outlots 1 & 2 They are gaining square footage. Also the current lots don't confirm to village ordinance and what is the process, he doesn't feel an actual negotiation took place.

Administrator Schnook noted the lots will have to be made larger to fit, and he didn't feel it was a sticking point.

Rustee K. Johnson questioned the square footage and it was confirmed to be about two lots, and asked what are the property tax ramifications.

Trustee Brill commented this was a concern we brought up and no response was ever received about it. Motion Carried 6-1, Trustee Brill opposed.

Discussion and possible recommendation on an Original Combination Class B Fermented Malt Beverage and Class C Wine License Application from Five Rice Restaurant, 920 Greenwald Ct., Suite 100, Mukwonago, WI 53149.

Porter/Meiners motion to recommend approval. Unanimously carried.

Library Board of Trustees, Trustee Eric Brill

Library Directors Report for the month of December 2023.

(For Information Only, no action required.)

Personnel Committee, Trustee Ken Johnson

Discussion and possible recommendation to approve Resolution 24-01 a Resolution establishing a Crossing Guard Job Description.

K. Johnson/Porter motion to recommend approval.

Chief Streit noted the current crossing guard has retired. They needed to have an approved job description to hire the replacement. Unanimously carried.

Discussion and possible action to grant a residency waiver for a dispatcher.

K Johnson/D Johnson motion to recommend approval.

Chief Streit noted there is a residency restriction of 25 miles. This hasn't been an issue until now, but there is a dispatcher who wishes to purchase a home 31 miles away and these are difficult positions to hire and find these good employees. He supports this. He still has three dispatchers who live in the Village. These situations should be reviewed on a case by case basis. Unanimously carried.

Public Works Committee, Trustee Eric Brill

Discussion and possible recommendation to enter into a service agreement with BARRIENTOS design & consulting for a DPW facility assessment.

Brill/Porter motion to recommend approval.

DPW Bittner noted they are thorough and understands this will also produce a projection from current costs to 10 years out, along with an assessment of where our weaknesses lie. He is looking forward to efficiency and education on what it takes to provide these services. Unanimously carried.

Discussion and possible recommendation to create an all-way stop as requested by the Orchards II homeowner's association.

DPW Bittner noted this item was brought by the Orchards HOA. They did consult with the Village and the Police Department did some investigations. It didn't warrant a stop sign but he asked them to consider purchasing it themselves with approval of the Village Board.

Trustee D Johnson asked for the reason for the request.

Mr. James Pauer from the Orchards Subdivision was present to respond to questions. He noted the safety of children playing and pedestrians. They had a speed board on the road. They did see a few cars at elevated speeds, but majority concluded cars weren't speeding.

Trustee Porter noted he would be in favor of keeping subdivision safe.

Trustee K Johnson asked about postings or monitoring at the request of the HOA.

Chief Streit noted they did utilize a speed board and explained the results. It wasn't speed, and they did follow the manual for uniform traffic devices. He noted that intersection doesn't qualify. This isn't the first time the village has installed a sign when we haven't recommended installation. He does express concerns for the creation of new issues by installing a stop sign.

Chris Starky noted he is a Traffic engineer and lives in the subdivision. He agrees it doesn't meet the volume or crash warrant. It is unique, drivers noticed they are cutting through Honeywell to Main. He is hoping it could be a deterrent. It might reduce the volume of those cutting through that area. Kids from toddlers to high school playing in streets and yards.

Trustee Brill noted he understands, and since it doesn't meet standards he would be in favor of it being installed at the expense of the HOA. If data was there, he would have the village pay. The residents noted the HOA did discuss and does understand that and voted for it.

President Winchowky noted police department recommends no.

Brill/Porter motion to recommend approval for an all way stop. Motion carried 5-2. Meiners and Winchowky voted no.

Discussion and possible recommendation to approve Task Order 2024-01 with Ruekert-Mielke for the replacement of the south gate on the Mukwonago Dam.

Brill/Porter motion to recommend approval.

DPW Director Bittner noted this doesn't require public bidding, he confirmed with Attorney. He did receive estimates last year when they noticed the problem, DNR has already approved the design. The Village is responsible for the maintenance, but the cost is split with the Town. Unanimously carried.

Discussion and possible recommendation on Resolution 2024-02 a Resolution to approve the elimination of Letter of Credit Fairwinds Phase V.

Brill/K Johnson motion to recommend approval. Unanimously carried.

Discussion and possible recommendation on Change Order #4 and Final Close Out of Miniwaukan Park Restroom Building.

Brill/Porter motion to recommend approval. Unanimously carried.

Village President

Discussion and possible recommendation on the possible rescheduling of the July 3rd Committee of the Whole Meeting.

President Winchowky, asking if they wish to move the meeting to July 2nd at 5:30pm

Meiners/Porter motion to approve moving the COW in July to July 2, 2024. Unanimously carried.

Closed Session

D. Johnson/K. Johnson motion to go into Closed session pursuant to **Wis. Stats. § 19.85(1)(c)** (Compensation and Evaluation. Considering employment, promotion, compensation or performance evaluation data of any public employee subject to the jurisdiction or authority of governing body.) concerning annual evaluation of the Village Administrator at 6:45pm.

Roll Call: "Yes" Trustee Brill, D. Johnson, K. Johnson, Meiners, Porter, Reeves, Winchowky. Unanimously carried.

Reconvene into Open Session

D Johnson/K Johnson motion to return to open session pursuant to Wis. Stats. §19.85(2).

Roll Call: "Yes" Trustee Brill, D. Johnson, K. Johnson, Meiners, Porter, Reeves, Winchowky. Unanimously carried.

Adjournment

Meeting was adjourned 6:50pm

Respectfully Submitted,

Diana Dykstra, MMC
Village Clerk-Treasurer