

Village of Mukwonago

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, NOVEMBER 5, 2025**

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 5:30 p.m.

Roll Call

Present: Brill, D. Johnson, K. Johnson, Meiners, Porter, and President Winchowky

Absent: Reeves

Comments from the Public

None

Presentations/ Announcements

Announcement of Public Service Commission Water Rate Increase Public Hearing to be held November 18, 2025 at 3:00 pm at Village Hall 440 River Crest Crt.

President Winchowky announced there will be another public hearing regarding the proposed rate increase. The hearing will be held on November 18, 2025 at 3:00 p.m., located in the Board Room of Village Hall. No action taken.

Update from President Winchowky on the Walworth County Intergovernmental Cooperative Council (ICC) Meeting held October 28, 2025 included presentations from Wisconsin Policy Forum on Shared Fire/EMS Services, and rebranding of Walworth County Connect Program. President Winchowky gave an update regarding the Walworth County Intergovernmental Cooperative Council and the Ride Share Program; more information can be found in the packet. No action taken.

Approval of Minutes

Approval of the October 1, 2025 Committee of the Whole Minutes as prepared and distributed Motion by Meiners to approve, second by D. Johnson. No discussion. Motion carried 6-0.

Finance Committee, Trustee Darlene Johnson

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

D. Johnson offered the September 2025 treasury and guideline report. No action taken.

Discussion/Recommendation to the Village Board to approve Accounts Payable Vouchers in the amount of \$1,690,301.87.

Motion by D. Johnson to approve, second by K. Johnson. D. Johnson noted that the majority of the vouchers are accounts payable and payroll. Motion carried 6-0.

Discussion/Recommendation on request for adjusted Village Attorney rates effective January 1, 2026.

Administrator Dykstra noted that she had received the request for the increase and that she would ask that there be an evaluation of the Attorney. Porter stated that the Village should have a conversation to talk about the Attorney rates in general.

Porter stated that he will like to this discussed at the December Committee of the Whole. Motion by D. Johnson to approve, second by Meiners. No discussion. Motion carried 6-0.

Discussion/Recommendation regarding consultant services agreement renewal with Ruekert & Mielke

Administrator Dykstra offered the 2026-2029 Village Engineering Services Agreement to the Committee for recommendation. DPW Director Bittner and Utilities Director Castle expressed extreme satisfaction and would like to continue the relationship.

Motion by D. Johnson to approve, second by Brill. No further discussion. Motion carried 6-0.

Discussion/Recommendation regarding **Resolution 2025-37** to approve the elimination of the letter of credit for Minor's Estates 4 Phase I and Phase II Development

DPW Director Bittner stated there are no issues with the development and the one-year warranty has been fulfilled.

Motion by D. Johnson to approve, second by Meiners. No further discussion. Motion carried 6-0.

Discussion/Recommendation to approve the purchase requisition for street crack sealing to Fahrner Asphalt Sealers in the amount of \$19,379.00.

DPW Director Bittner stated this is annual road maintenance to be completed.

Motion by D. Johnson to approve, second by K. Johnson. No further discussion. Motion carried 6-0.

Discussion/Recommendation to the Village Board to approve **Resolution 2025-38**, a resolution adopting the 2026 Impact Fee Schedule.

Finance Director Doherty explained that this is an increase to the impact fees based on the Construction Cost Index.

Motion by D. Johnson to approve, second by Meiners. No further discussion. Motion carried 6-0.

Discussion/Recommendation to approve **Resolution 2025-39** amending the MissionSquare Retirement 457 Deferred Compensation Plan to Allow In-Service Distributions at Age 59.5

Finance Director Doherty noted that this change would allow employees to take money from the 457 Deferred plan at 59 1/2 instead of 70 1/2.

Motion by D. Johnson to approve, second by Porter. No discussion. Motion carried 6-0.

Discussion regarding the proposed 2026 Budget and notification of the Public Hearing set for November 19, 2025, at 6:30pm.

President Winchowky noted that the budget public hearing will be held on November 19, 2025 during the Regular Village Board meeting. No action taken.

Judicial Committee, Trustee Dale Porter

Discussion/Recommendation regarding a Temporary Alcohol Beverage License Applications (Beer Only) filed by St James Catholic Parish for use at the St James Parish Fish Fry, being held December 5, 2025, February 6, 2026, March 6, 2026, and May 1, 2026, located at 830 E Veterans Way

Motion by Porter to approve, second by K. Johnson. No discussion. Motion carried 6-0.

Library Board of Trustees, Trustee Eric Brill

Announcement regarding Mukwonago Library eliminating late fines/fees

Trustee Brill announced that the Library has eliminating all late fees and fines for most items. The items in the Thingery and passes will still have a late fee. No action taken.

Public Works Committee, Trustee Eric Brill

Discussion/Recommendation to approve a **Resolution 2025-40** for an amendment to GS Global Resources, INC Stormwater Maintenance Agreement

Motion by Brill to approve, second by Meiners. Brill stated that this is a housekeeping item. Motion carried 6-0.

Discussion/Recommendation for approval of **Resolution 2025-41** of the Storm Water Maintenance Agreement for Journey Salon.

Motion by Brill to approve, second by Meiners. This is a standard agreement with no major changes. Motion carried 6-0.

Discussion/Recommendation regarding 120Water Lead Service Line Inventory Contract

Motion by Brill to approve, second by Meiners. Utilities Director Castle explained that the Federal Government and EPA, have mandated that municipalities take inventory of the water lines in the Village. He further adding that the Utility has used vendor in the past. Motion carried 6-0.

Protective Services, Trustee Scott Reeves

Discussion/Recommendation regarding approval of policy revisions for Policy #1, #11, and #31
(Item tabled from the October 15, 2025 Village Board meeting)

Chief Stein addressed the changes of the various policies as presented in the packet. No discussion was held concerning policy #1 and #11. There were concerns expressed with the possible financial impact related to policy #31. Chief Stein explained the costs with the tuition policy. K. Johnson stated that the language should be change to accurately reflect the intention. Motion by K. Johnson to table until the November 19, 2025 Village Board meeting, second by Meiners. Motion carried 6-0.

Discussion/Recommendation to approve submission of application for 2026 Interoperable Radio Grant and to request staff to draft a resolution accordingly.

Assistant Chief DeMotto is requesting permission to apply for the 2026 Interoperable grant. Motion by D. Johnson to approve, second by Winchowky. No further discussion. Motion carried 6-0.

Closed Session

Discussion and possible action to go into closed session pursuant to **Wis. Stats §19.85 (1)(e)** "Deliberating or negotiating the purchasing of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and **Wis. Stats §19.85 (1) (g)** Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or likely to become involved." The basis for the matter to be considered in closed session is more specifically the discussion of an alleged breach of the assignment agreement between the Village and E Love Coffee, LLC regarding the property at **301 Main St** and the discussion of potential terms for a resolution of this breach and the negotiation strategy related thereto.

Attorney Mark Blum addressed the Committee regarding the potential terms for the resolution of a breach of contract. He then explained the need to go into Closed Session.

Motion by Meiners to convene the Board into Closed Session, second by D. Johnson. Motion carried on a roll call vote 6-0. The Board convened into Closed Session at 6:19 p.m.

Motion by Meiners to reconvene the Board into Open Session, second by D. Johnson. Motion carried on a roll call vote 6-0. The Board reconvened in Open Session at 6:44 p.m.

Discussion and possible action to go into closed session pursuant to **Wis. Stats §19.85(1)(e)** "Deliberating or negotiating the purchasing of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and **Wis. Stats §19.85 (1) (g)** Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or likely to become involved." The basis for the matter to be considered in closed session is more specifically the negotiation of the Development Guarantee Agreement with prospective developer for **Parcels MUKV 1963-996-005 and MUKV 1963-996-006.**

Motion by D. Johnson to convene the Board into Closed Session, second by Meiners. Motion carried on a roll call vote 6-0. The Board convened into Closed Session, again, at 6:46 p.m.

Reconvene into Open Session

Motion by Meiners to reconvene the Board into Open Session, second by D. Johnson. Motion carried on a roll call vote 6-0. The Board convened into Open Session at 7:33 p.m.

Adjournment

The meeting adjourned at 7:34 p.m.