



SPECIAL AMENDED VILLAGE BOARD MEETING

Mukwonago Municipal Building / Board Room
440 River Crest Court, Mukwonago, WI 53149
July 1, 2026 at 6:00 PM

AGENDA

Special Village Board meeting will start at 6:00 p.m. or immediately following the adjournment of the Committee of the Whole

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Comments from the Public**

The Public Comment Session shall last no longer than fifteen (15) minutes and individual presentations are limited to three (3) minutes per speaker. These time limits may be extended at the discretion of the Chief Presiding Officer. The Village Board may have limited discussion on the information received, however, no action will be taken on issues raised during the Public Comment Session unless they are otherwise on the Agenda for that meeting.

5. **Consent Agenda**

All items listed are considered routine and/or have been unanimously recommended by the Committee of the Whole and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent agenda and be considered on the regular agenda.

- 5.1 Approving the bid award to LevelUp Construction INC for the Indianhead Park Concession Barn project in an amount not to exceed \$330,150.22
- 5.2 Approve **Resolution 2026-46** a resolution approving a three-party cost-sharing agreement between Waukesha County, Village of Vernon, and the Village of Mukwonago

6. **Other Business**

- 6.1 Discussion/Action regarding **Resolution 2026-42** a resolution confirming the Village President's appointment to various committees and commissions for the Village of Mukwonago
- 6.2 Discussion/Action to approve **Resolution 2026-43** A Resolution to approve the amendment to the general development plan for the PUD for the Maple Centre business mixed-use development, Family Ventures of Mukwonago, LLC.

- 6.3 Discussion/Action to approve **Resolution 2026-44** A Resolution to the Final Development Plan for the PUD for the first phase of the Maple Centre business mixed use development, Family Ventures of Mukwonago, LLC.
- 6.4 Discussion/Action to approve **Resolution 2026-45** the Final Development Plan for the PUD for the second phase of Maple Centre business mixed use development, Family Ventures of Mukwonago, LLC
- 6.5 **Discussion/Action authorizing the Public Works Director to bid on a 2014 New Holland TS6.110 Tractor with Boom Mower and Rear Flail Attachments**

7. Adjournment

It is possible that a quorum of, members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note, upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request this service, contact the Municipal Clerk's Office, (262) 363-6420.

June 19, 2026

Ms. Diana Dykstra, ICMA-CM, MMC
Administrator
Village of Mukwonago
440 River Crest Court
Mukwonago, WI 53149

RE: Indianhead Park Concession Barn

Dear Ms. Dykstra:

Bids for the above project were opened on June 18, 2026, at 11:00 AM at the Village Hall and were as listed on the attached Bid Tabulation.

We reviewed the documentation submitted by the apparent low bidder and found that:

1. The Bid Form has been appropriately completed.
2. We have no objections to the low bidder, nor to the proposed major subcontractors and suppliers.
3. Low bidder has successfully completed similar projects over the last few years.

On these bases, we recommend that Level Up Construction, Inc. be awarded the Indianhead Park Concession Barn contract, in the amount of \$330,150.22. This amount is based on the bid unit prices and estimated quantities. Actual quantities, and therefore the final contract price, may vary. On all construction projects, and especially complex ones like this, unpredictable factors may increase the final contract amount. For this reason, we recommend that the Village of Mukwonago include a 10 percent contingency when preparing the financial plan for this work.

Our review did not include an evaluation of bidder's current financial condition nor of their permanent safety program.

Should you decide to accept our recommendation, we have prepared the enclosed Notice of Award for your use. After Village approval has been received, please have the appropriate official sign where indicated and forward a signed copy of the Notice of Award to our office. We will then fill in the date at the top of page one and forward it, with contracts for execution, to the Contractor. One fully completed Notice of Award will be returned to you for your records.

Bids remain subject to acceptance until August 17, 2026, unless Bidder agrees to an extension. Please advise us of your award decision or call if there are any questions.

Respectfully,

RUEKERT & MIELKE, INC.



Michael E. Michalski
Project Engineer
mmichalski@ruekert-mielke.com

MEM:cal

Encl: Bid Tabulation
Notice of Award

cc: Lana Kropf, WCMC/CMC, Village of Mukwonago
Kelley Graf, CPA, Village of Mukwonago
Ronald Bittner, Village of Mukwonago
Wayne Castle, Village of Mukwonago

NOTICE OF AWARD

Date of Issuance: _____

Contract: Indianhead Park Concession Barn	Owner:	Village of Mukwonago
Bidder: Level Up Construction, Inc.	Engineer:	Ruekert & Mielke, Inc.
Address: N60 W14361 Kaul Avenue Menomonee Falls, WI 53051	Engineer's Project No.:	12-10258

TO BIDDER:

You are notified that your Bid dated June 18, 2026 for the above Contract has been accepted by Owner and you are the Successful Bidder and are awarded a Contract for:

Indianhead Park Concession Barn

The Contract Price of your Contract is: \$ 330,150.22

Two (2) copies of the proposed Contract Documents (except Drawings) accompany this Notice of Award, or have been transmitted or made available to Bidder electronically.

Two (2) sets of the Drawings will be delivered separately, or otherwise made available to Bidder electronically.

Bidder must comply with the following conditions precedent within 15 days of the date of issuance of this Notice of Award:

1. Deliver to Engineer two (2) fully executed counterparts of the Contract Documents.
2. Deliver with the executed Agreement the Performance Bond, Payment Bond as specified in the Instructions to Bidders (Article 21), General Conditions (Paragraph 6.01), and Supplementary Conditions (Paragraph SC-6.01).
3. Deliver with the executed Agreement certificates and other evidence of insurance as specified in the General Conditions (Article 6) and the Supplementary Conditions modifying Article 6 of the General Conditions.

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Engineer will return to you one fully executed counterpart of the Agreement.

Owner: _____ Village of Mukwonago _____

Signature: _____
Authorized Signature

Title: _____

Date: _____

Copy: Engineer

COST COMPARISON OF BIDDERS

OWNER: Village of Mukwonago
PROJECT: Indianhead Park Concession Barn
BID OPENING DATE: June 18, 2026

BASE BID				Level Up Construction, Inc.		Campbell Construction, Inc.		Platt Construction, Inc.	
ITEM #	ITEM DESCRIPTION	UNIT	QTY.	UNIT \$	TOTAL	UNIT \$	TOTAL	UNIT \$	TOTAL
1	Mobilization	L.S.	1	\$5,000.00	\$5,000.00	\$2,700.00	\$2,700.00	\$5,300.00	\$5,300.00
2	Traffic control	L.S.	1	\$3,000.00	\$3,000.00	\$500.00	\$500.00	\$3,650.00	\$3,650.00
3	Tracking pad	S.F.	500	\$7.00	\$3,500.00	\$7.00	\$3,500.00	\$12.00	\$6,000.00
4	Manufactured perimeter control device	L.F.	775	\$5.00	\$3,875.00	\$2.05	\$1,588.75	\$3.00	\$2,325.00
5	Barrier fence	L.F.	520	\$7.00	\$3,640.00	\$3.65	\$1,898.00	\$5.00	\$2,600.00
6	Temporary seed and mulch	S.Y.	1,000	\$0.75	\$750.00	\$0.75	\$750.00	\$2.00	\$2,000.00
7	Concession barn building concrete footings and foundation	L.S.	1	\$12,500.00	\$12,500.00	\$18,216.00	\$18,216.00	\$45,000.00	\$45,000.00
8	Concession barn building	L.S.	1	\$170,000.00	\$170,000.00	\$145,257.00	\$145,257.00	\$135,000.00	\$135,000.00
9	Provide all other concession barn building Work	L.S.	1	\$5,721.00	\$5,721.00	\$46,390.00	\$46,390.00	\$60,000.00	\$60,000.00
10	2-inch sanitary sewer lateral	L.F.	124	\$78.00	\$9,672.00	\$67.78	\$8,404.72	\$160.00	\$19,840.00
11	Core into existing sanitary manhole for 2-inch sanitary lateral	EA.	1	\$500.00	\$500.00	\$750.00	\$750.00	\$5,000.00	\$5,000.00
12	Sanitary manhole inside drop	EA.	1	\$500.00	\$500.00	\$500.00	\$500.00	\$5,500.00	\$5,500.00
13	Sanitary grinder pump system	EA.	1	\$2,000.00	\$2,000.00	\$6,015.00	\$6,015.00	\$8,000.00	\$8,000.00
14	2-inch water service	L.F.	424	\$83.00	\$35,192.00	\$72.05	\$30,549.20	\$92.00	\$39,008.00
15	2-inch curb valve and curb box	EA.	1	\$1,300.00	\$1,300.00	\$1,146.00	\$1,146.00	\$6,500.00	\$6,500.00
16	Electrical conduit assembly	EA.	2	\$1,500.00	\$3,000.00	\$3,685.00	\$7,370.00	\$365.00	\$730.00
17	Outdoor electrical receptacle pedestal	EA.	2	\$1,500.00	\$3,000.00	\$3,685.00	\$7,370.00	\$2,500.00	\$5,000.00
18	Construct multi-use path to subgrade	L.S.	1	\$2,600.00	\$2,600.00	\$13,588.00	\$13,588.00	\$5,600.00	\$5,600.00
19	Construct concrete patio to subgrade	L.S.	1	\$2,600.00	\$2,600.00	\$8,492.00	\$8,492.00	\$12,000.00	\$12,000.00
20	Excavation below subgrade (EBS), if required	C.Y.	75	\$30.00	\$2,250.00	\$18.13	\$1,359.75	\$73.00	\$5,475.00
21	Geotextile subgrade stabilization, if required	S.Y.	225	\$10.00	\$2,250.00	\$3.63	\$816.75	\$30.00	\$6,750.00
22	Excavation below subgrade (EBS) backfill, if required	TON	150	\$65.00	\$9,750.00	\$36.72	\$5,508.00	\$60.00	\$9,000.00
23	3-inch Asphaltic concrete multi-use path	TON	35	\$502.72	\$17,595.20	\$245.00	\$8,575.00	\$360.00	\$12,600.00
24	Concrete patio	S.F.	2,885	\$6.74	\$19,444.90	\$8.10	\$23,368.50	\$12.00	\$34,620.00
25	Concrete sidewalk and ADA ramp	S.F.	36	\$26.67	\$960.12	\$8.10	\$291.60	\$12.00	\$432.00
26	Detectable warning fields	S.F.	12	\$50.00	\$600.00	\$50.00	\$600.00	\$73.00	\$876.00

COST COMPARISON OF BIDDERS

OWNER: Village of Mukwonago
PROJECT: Indianhead Park Concession Barn
BID OPENING DATE: June 18, 2026

BASE BID				Level Up Construction, Inc.		Campbell Construction, Inc.		Platt Construction, Inc.	
ITEM #	ITEM DESCRIPTION	UNIT	QTY.	UNIT \$	TOTAL	UNIT \$	TOTAL	UNIT \$	TOTAL
27	Crushed aggregate driveway replacement	S.F.	1,100	\$1.50	\$1,650.00	\$4.00	\$4,400.00	\$6.00	\$6,600.00
28	Topsoil, turf grass seed, fertilizer and hydromulch	S.Y.	1,250	\$5.84	\$7,300.00	\$8.25	\$10,312.50	\$12.00	\$15,000.00
TOTAL OF ALL ESTIMATED PRICES (ITEMS 1 - 28)					\$330,150.22 *		\$360,216.77 **		\$460,406.00

* Error on Level Up Construction, Inc.: Contractor's Bid Price shows \$315,880; actual Price is \$330,150.22

** Error on Campbell Construction, Inc.: Contractor's Bid Price shows \$360,219; actual Price is \$360,216.77

VILLAGE OF MUKWONAGO

Agenda Item Report for the Village Board



Topic:			
Topic:		Approve Resolution 2026-46 a resolution approving a three-party cost-sharing agreement between Waukesha County, Village of Vernon, and the Village of Mukwonago	
Date:		July 1, 2026	
Presenter:		Ron Bittner, DPW Director, Diana Dykstra, Adminstrator	Department: Public Works
Conformance with Strategic Plan:			
Balanced Development Responsible Finances Quality of Life			
Overview / Background Information			
Additional traffic from I-43 has brought congestion concerns to the forefront. Waukesha County has applied for a grant to construct a roundabout at this location, but receiving the funding is not guaranteed. In the meantime, installing a signal would address the immediate issue and may also support future grant opportunities for construction of the roundabout.			
Key Issues			
Participation in a cost-sharing agreement for the signalization of the Edgewood and CTH ES intersection.			
Fiscal Note / Budget Impact			
A three-way cost-sharing arrangement is proposed, with contributions of \$50,000 each from Waukesha County, the Village of Mukwonago, and the Village of Vernon. In addition, potential participation from WisDOT could further reduce costs and/or help cover expenses that exceed the current project estimate.			
Action Requested / Recommendation			
Recommendation to approve the cost sharing agreement for the signal installation at CTH ES and Edgewood Ave...			

RESOLUTION NO. 2026- 46

A RESOLUTION TO APPROVING A THREE-PARTY COST SHARING AGREEMENT BETWEEN WAUKESHA COUNTY – VILLAGE OF VERNON – AND VILLAGE OF MUKWONAGO

WHEREAS, action by the Village Board of the Village of Mukwonago is required to approve a cost sharing agreement, and

WHEREAS, the Village of Mukwonago has been working with Waukesha County and Village of Vernon officials to mitigate long traffic delays and vehicle queues on CTH ES and Edgewood Avenue, and

WHEREAS, the Agreement is attached herein as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED the Village Board of the Village of Mukwonago, Wisconsin, hereby approves the Three Party Cost Sharing Agreement as attached hereto and incorporated by reference as Exhibit A, and all provisions therein.

Passed and dated this 1st day of July, 2026.

Village of Mukwonago

By: _____
Fred Winchowky, Village President

Attest: _____
Lana Kropf, Village Clerk-Treasurer

**THREE-PARTY AGREEMENT
BETWEEN
WAUKESHA COUNTY, THE VILLAGE OF MUKWONAGO, THE VILLAGE OF
VERNON.**

This Three-Party Agreement (“Agreement”) is made and executed by and between Waukesha County, a governmental entity, with a principal place of business located at Waukesha County Administration Center, 515 W. Moreland Blvd., Waukesha, WI 53188 (“County”), the Village of Mukwonago, a governmental entity, with a principal place of business located at 440 River Crest Ct, Mukwonago, WI 53149 (“Mukwonago”), and the Village of Vernon, a governmental entity, with a principal place of business located at W249S8910 Center Drive, Big Bend, WI 53103 (“Vernon”) (collectively referred to as the “Parties”), and provides for the construction of a traffic signal at the intersection of CTH ES and Edgewood Avenue (“Intersection”) which is located in the Village of Vernon, Waukesha County.

WHEREAS, traffic volumes on CTH ES and Edgewood Avenue are creating long traffic delays and vehicle queues on Edgewood Avenue; and

WHEREAS, County has completed a traffic signal warrant analysis and the Intersection meets MUTCD warrants 1, 2 and 3; and

WHEREAS, Intersection has substandard intersection sight distance for drivers on Edgewood Avenue; and

WHEREAS, the multi-year WisDOT I 43 pavement replacement project has diverted significant additional traffic through the Intersection which has increased the traffic delays and vehicle queues on Edgewood Avenue; and

WHEREAS, the installation of a traffic signal will address the existing traffic delays, vehicle queues and safety issues; and

WHEREAS, the Parties agree to enter into this agreement regarding the design and construction of a traffic signal at the Intersection.

NOW, THEREFORE, the Parties accept and understand the purpose and terms of this Agreement, including the responsibilities and the funding of the items as described below:

A. The Village of Mukwonago shall:

1. Pay for one-third (1/3) of the actual, total design, equipment and construction costs, which are presently estimated to be One Hundred and Fifty Thousand and 00/100 Dollars (\$150,000.00). Share of costs not to exceed \$50,000. At the completion of the project and upon invoicing from the County, Mukwonago shall make payment within thirty (30) days.

2. Designate a representative to act for Village under this Agreement. The representative shall be: Ron Bittner.

B. The Village of Vernon shall:

1. Pay for one-third (1/3) of the actual, total design, equipment and construction costs, which are presently estimated to be One Hundred and Fifty Thousand and 00/100 Dollars (\$150,000.00). Share of costs not to exceed \$50,000. At the completion of the project and upon invoicing from the County, Vernon shall make payment within thirty (30) days.
2. Designate a representative to act for Village under this Agreement. The representative shall be: Karen Schuh.

C. The County shall:

1. Design and install a permanent traffic signal at the Intersection.
2. Reduce the posted speed limit on CTH ES between the Fox River and Hidden Lakes Drive to 35 mph by ordinance with the installation of the new permanent traffic signal.
3. Pay for one-third (1/3) of the actual, total design, equipment and construction costs which is presently estimated to be One Hundred and Fifty Thousand and 00/100 Dollars (\$150,000.00).
4. Agree that any WisDOT cost share contributions to the project will reduce the final cost share for the Village of Mukwonago and Village of Vernon equally, unless the final project cost is greater than \$150,000. In the event of the final project cost exceeding \$150,000, the WisDOT cost share contribution will be first applied to Waukesha County to cover any costs above \$150,000 and second to reduce Mukwonago and Vernon cost share equally.
5. Invoice the Village of Mukwonago and Village of Vernon for their share of the final cost at the completion of the project.
6. Own and maintain the traffic signal at the Intersection.
7. Designate a representative to act for the County under this Agreement. The representative shall be: Brett Wallace, PE.

OTHER TERMS:

1. Assignment: The Parties agree that there shall be neither an assignment or transfer of this Agreement nor of any interests, rights or responsibilities contained herein without a written amendment agreed to by both Parties.
2. Amendment: The Parties, by mutual consent, may amend this Agreement in writing at any time.
3. Severability: If any provision of this Agreement is held invalid under any applicable law, such invalidity shall not affect any other provision of this Agreement that can be given effect without the invalid provision and, to this end, the provisions hereof are severable.

APPROVAL

This Agreement will be effective on the date of the County’s signature.

VILLAGE OF MUKWONAGO

By: _____

Title: _____

Date: _____

VILLAGE OF VERNON

By: _____

Title: _____

Date: _____

WAUKESHA COUNTY

By: _____

Paul F. Farrow
County Executive

Date: _____

RESOLUTION 2026-42

A resolution confirming the Village President's appointments to various committees and commissions for Village of Mukwonago

WHEREAS the appointments are as follows:

Joint Protective Services Committee

Trustee Aaron Rooker; term to expire 2027

Judicial Committee

Trustee Aaron Rooker; term to expire 2027

BE IT RESOLVED by the Village Board for the Village of Mukwonago, that the proper official(s) confirm the Village President's appointments to various committees and commissions for Village of Mukwonago.

Dated and approved this 15th day of July, 2026.



Fred Winchowky, Village President

Attest: _____
Lana Kropf, WCMC, Village Clerk-Treasurer

VILLAGE OF MUKWONAGO
WAUKESHA/WALWORTH COUNTIES

RESOLUTION NO. 2026 - 43

RESOLUTION APPROVING THE AMENDMENT TO THE GENERAL DEVELOPMENT PLAN FOR THE
PUD FOR THE MAPLE CENTRE BUSINESS MIXED USE DEVELOPMENT, FAMILY VENTURES OF
MUKWONAGO, LLC

WHEREAS, the Village of Mukwonago and Family Ventures of Mukwonago, LLC entered into a Settlement Agreement and Release of Claims approved by the Village Board on June 17, 2026, resolving litigation related to the Maple Centre Development; and

WHEREAS, pursuant to the terms of the Settlement Agreement, the Village agreed to approve an amendment to the General Development Plan subject to the conditions set forth therein; and,

WHEREAS, in accordance with Sections 100-53 and 100-54 of the Mukwonago Municipal Code, a General Development Plan was approved for the Maple Centre Development via Resolution 2019-018 at the April 17, 2019 Village Board Meeting, and

WHEREAS, the approved resolution prescribed conditions for the entirety of the business mixed use overlay area containing two separate business parcels and a parcel containing residential multi-family with two business outlots, and

WHEREAS, more than five (5) years have passed since the approval of the original General Development Plan in 2019, and

WHEREAS, the multi-family portion of the Business Mixed Use development area identified four 3-story buildings with one level of underground parking and six 4-story buildings with two levels of underground parking, and a clubhouse with two on-site units for site managers, totaling 676 units, and

WHEREAS, Family Ventures of Mukwonago, LLC desires to construct all four buildings in phase one as 4-story buildings with two levels of underground parking which will add 48 units, increasing the total on-site residential unit count to 724 units, and

WHEREAS, Family Ventures of Mukwonago, LLC does not intend to change any other on-site features that were already approved, and

WHEREAS, the Village Board rejected the request to expand the number of units in 2025, and

WHEREAS, Family Ventures of Mukwonago, LLC initiated litigation over the denial of the additional units, and

WHEREAS, the parties entered into a settlement agreement of this dispute which was approved by the Village Board at its meeting on June 17, 2026, that resolution provided that the four buildings comprising phase one would be permitted to be constructed as four story buildings and that as to the two remaining three story buildings the Village and Family Ventures of Mukwonago would discuss the expansion of the number of units at the time that application is made for building permits for said buildings, and

WHEREAS, the on-site parking ratio is improved with the addition of more underground parking, and

WHEREAS the General Development Plan must be amended to reflect the change to the buildings and the increase in residential units on-site, and

WHEREAS the Planning Commission of the Village of Mukwonago held a public hearing on this matter on July 8, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Mukwonago, Wisconsin hereby approves the amendment to the General Development Plan for the Maple Centre Development to increase the total residential units to 724 units by changing the originally planned 3-story buildings in phase one to 4-story buildings with two levels of underground parking for a total of eight (8) 4-story multi-family residential buildings with two levels of underground parking each. The remaining two buildings shall remain three stories subject to further discussion between the parties at the time of application for building permits as to possible expansion to four stories.

NOW, THEREFORE, BE IT FURTHER RESOLVED that all other conditions enumerated in Resolution 2019-018 shall apply with the exception of condition 4.f which is modified to require a parking ratio of 2.07 spaces per unit inclusive of the future parking expansion area.

Passed and adopted by the Village of Mukwonago Village Board this ___ day of July, 2026

VILLAGE OF MUKWONAGO

By: _____
Fred Winchowky, Village President

Attest: _____
Lana Kropf, Village Clerk

**VILLAGE OF MUKWONAGO
WAUKESHA/WALWORTH COUNTIES**

RESOLUTION NO. 2026 - 44

**RESOLUTION APPROVING THE AMENDMENT TO THE FINAL DEVELOPMENT PLAN FOR THE PUD
FOR THE FIRST PHASE OF THE MAPLE CENTRE BUSINESS MIXED USE DEVELOPMENT, FAMILY
VENTURES OF MUKWONAGO, LLC**

WHEREAS, the Village of Mukwonago and Family Ventures of Mukwonago, LLC entered into a Settlement Agreement and Release of Claims approved by the Village Board on June 17, 2026, resolving litigation related to the Maple Centre Development; and,

WHEREAS, pursuant to the terms of the Settlement Agreement, the Village agreed to approve and amendment to the General Development Plan subject to the conditions set forth therein; and,

WHEREAS, in accordance with Sections 100-53 and 100-54 of the Mukwonago Municipal Code, a General Development Plan was approved for the Maple Centre Development via Resolution 2019-018 at the April 17, 2019 Village Board Meeting, and

WHEREAS, Family Ventures of Mukwonago had originally proposed to increase the total residential units to 772 units by constructing all ten multi-family residential buildings as 4-story buildings with two levels of underground parking, and

WHEREAS, the Village Board of the Village of Mukwonago denied the proposed General Development Plan amendments on July 16, 2025, and

WHEREAS, Family Ventures of Mukwonago initiated litigation against the Village as a result of this denial, and

WHEREAS, the Village and Family Ventures of Mukwonago entered into a settlement agreement to resolve this dispute which was approved by the Village Board at its meeting on June 17, 2026, and

WHEREAS, the first phase of the Maple Centre Development received a Final Development Plan approval via Resolution 2022-38 at the June 15, 2022 Village Board meeting which contained two 3-story buildings and two 4-story buildings, a clubhouse, a maintenance building, and site amenities and Final Development Plan must be amended to reflect the approved change to the buildings in the General Development Plan amendment, and

WHEREAS, the settlement agreement provides that all four buildings in phase one would become four stories resulting in an additional 48 units being added to the development for a total of 724, and

WHEREAS the settlement agreement provides that when application for building permits are made for the remaining two three story buildings proposed for phase two that the parties would agree to

discuss the possibility of expansion of the two remaining buildings to four stories, no other modifications to the originally approved plans are proposed, and

WHEREAS, the Planning Commission of the Village of Mukwonago held a public hearing on this matter on July 8, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Mukwonago, Wisconsin hereby approves the amendment to the Final Development Plan for the first phase of Maple Centre Development finding that the proposal conforms to the amended General Development Plan and the standards and criteria for Planned Unit Development approval as specified in Section 100-53 of the Village's zoning regulations.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this amendment approval shall be subject to the following terms and conditions which mimic the terms and conditions of Resolution 2022-38, updated to reflect the current status of the project:

1. Nothing in this approval or in the submitted plans shall supersede or void any requirement in the adopted or amended Developer Guaranty Agreement or the Amended General Development Plan.
2. Prior to any land-disturbing activity on the subject property, the developer shall submit all construction plans for public infrastructure to the Village Engineer and obtain approval of the same and comply with all conditions of construction identified in said approvals.
3. Prior to any land-disturbing activity on the subject property, the Developer shall address all outstanding civil plan and storm water management plan comments from the Village Engineer and Department Heads and submit final and complete construction plans and storm water management plan to be approved in writing by the Village Engineer and Department Heads and the Developer shall comply with all conditions of construction identified in said approvals.
4. A final storm water maintenance agreement shall be submitted for approval by the Village Board.
5. Prior to any land-disturbing activity, the Developer shall provide a surety for the value of the on-site storm water management improvements in accordance with the storm water maintenance agreement and for the value of the public infrastructure extensions.
6. Prior to any land-disturbing activity on the subject property, the Fire Chief must approve, in writing, the fire access and turning movements within the project as well as revised fire calculations to reflect the additional underground parking and additional floors of residential units.
7. The Developer understands that fire protection services may be impeded to some extent if the fire truck turning movement analysis shows slight encroachments into parking stalls.
8. The subsequent phases of the PUD development must be reviewed as set forth in the amended General Development Plan, amended Developer Guaranty Agreement, Village of Mukwonago code of ordinances, and all other applicable rules and regulations.
9. Timing for the construction of buildings and site improvements shall comply with paragraph 2(f) of the approved Developer Guaranty Agreement.

Passed and adopted by the Village of Mukwonago Village Board this ____ day of July, 2026

VILLAGE OF MUKWONAGO

By: _____
Fred Winchowky, Village President

Attest: _____
Lana Kropf, Village Clerk

**VILLAGE OF MUKWONAGO
WAUKESHA AND WALWORTH COUNTIES**

**RESOLUTION NO. 2026 - 45
RESOLUTION APPROVING THE FINAL DEVELOPMENT PLAN FOR THE PUD FOR THE SECOND
PHASE OF THE MAPLE CENTRE BUSINESS MIXED USE DEVELOPMENT, FAMILY VENTURES OF
MUKWONAGO, LLC**

WHEREAS the Village of Mukwonago and Family Ventures of Mukwonago LLC entered into a Settlement Agreement and Release of claims approved by the Village Board on June 17, 2026 resolving litigation related to the Maple Centre Development; and

WHEREAS, pursuant to the terms of the Settlement Agreement, the Village agreed to approve an amendment to the General Development Plan subject to the conditions set forth therein; and,

WHEREAS, in accordance with Sections 100-53 and 100-54 of the Mukwonago Municipal Code, a General Development Plan was approved for the Maple Centre Development via Resolution 2019-018 at the April 17, 2019, Village Board Meeting and amended via Resolution 2025-21 at the July 16, 2025 Village Board Meeting, and

WHEREAS, the PUD is for a Business Mixed Use Development consisting of eight 4-story and two 3 story multi-family residential buildings with two levels of underground parking, a club house, a maintenance facility, on-site amenities, two business outlots on the parcel containing residential development, and two separate business parcels immediately west of the multi-family residential parcel, and

WHEREAS, Family Ventures of Mukwonago has submitted the required plans and documentation for the Final Development Plan of phase two of the development, generally described as the northern half of the multi-family residential parcel, which shall consist of six buildings, four of which are to be four story and two to be three stories, and

WHEREAS, Family Ventures of Mukwonago intends to develop and construct the entirety of the multi-family residential development as prescribed in the Developer Guaranty Agreement, with buildings and site improvements in phase two being constructed immediately upon completion of the buildings and site improvements in phase one, and

WHEREAS, Village Staff and Department Heads have reviewed the submitted documents and find that they generally conform to the requirements of the PUD, Developer Guaranty Agreement, and Village of Mukwonago Municipal Code with the exception of minor revisions to the construction plans and storm water documents that will not substantially change the layout or improvements presented in the phase two Final Development Plan documents, and

WHEREAS, the Village and Family Ventures of Mukwonago have entered into a settlement agreement for the purposes of resolving the dispute between the parties as to the total number of units to be constructed in the development, said agreement allows for four four story buildings to

be constructed in phase one of the development and (4) four - four story buildings and (2) two - three story buildings to be constructed in phase two of the development, and

WHEREAS, the parties have agreed that at the time application is made for building permits to construct the remaining two three story buildings in phase two, good faith discussions will be had as to the possibility of expanding said two remaining three story buildings to four stories, and

WHEREAS, the Planning Commission of the Village of Mukwonago held a public hearing on this matter on July 8, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Mukwonago, Wisconsin that it hereby approves the Final Development Plan for the second phase of Maple Centre Development finding that the proposal conforms to the amended General Development Plan and the standards and criteria for Planned Unit Development approval as specified in Section 100-53 of the Village's zoning regulations.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that this approval shall be subject to the following terms and conditions:

1. Nothing in this approval or in the submitted plans shall supersede or void any requirement in the adopted or amended Developer Guaranty Agreement or the Amended General Development Plan.
2. Prior to any land-disturbing activity on the subject property, the developer shall submit all construction plans for public infrastructure to the Village Engineer and obtain approval of the same and comply with all conditions of construction identified in said approvals.
3. Prior to any land-disturbing activity on the subject property, the Developer shall address all outstanding civil plan and storm water management plan comments from the Village Engineer and Department Heads and submit final and complete construction plans and storm water management plan to be approved in writing by the Village Engineer and Department Heads and the developer shall comply with all conditions of construction identified in said approvals.
4. A final storm water maintenance agreement shall be submitted for approval by the Village Board.
5. Prior to any land-disturbing activity, the Developer shall provide a surety for the value of the on-site storm water management improvements in accordance with the storm water maintenance agreement and for the value of the public infrastructure extensions.
6. Prior to any land-disturbing activity on the subject property, the Fire Chief must approve, in writing, the fire access and turning movements within the project as well as revised fire calculations to reflect the additional underground parking and additional floors of residential units.
7. The Developer understands that fire protection services may be impeded to some extent if the fire truck turning movement analysis shows slight encroachments into parking stalls.
8. The subsequent phases of the PUD development, which include the four business/retail lots, must be reviewed as set forth in the amended General Development Plan, amended Developer Guaranty Agreement, Village of Mukwonago code of ordinances, and all other applicable rules and regulations.
9. Timing for the construction of buildings and site improvements shall comply with paragraph 2(f) of the approved Developer Guaranty Agreement.

Passed and adopted by the Village of Mukwonago Village Board this ____ day of July, 2026

VILLAGE OF MUKWONAGO

By: _____
Fred Winchowky, Village President

Attest: _____
Lana Kropf, Village Clerk