

President Wagner called the Village Board meeting to order on March 4, 2008 at 7:30 p.m. Members present: PIRES, HOGAN, O'BRYAN, FENNEL, BAKST and WAGNER. Member excused: FICKAU. Also present: Police Chief Winchowky, and Attorney Reilly.

Moved by Fennel and seconded by Hogan to approve the minutes of the February 18, 2008 Board meeting as presented. Motion carried without a negative vote.

## COMMENTS FROM THE PUBLIC

**Lakeland Animal Shelter – Kristin Perry** – Perry brought brochures to pass out. She is the shelter manager. Also present were Russell and Sally Kraus, board members of the shelter. The shelter is located in Delavan and is the animal control contact for Walworth County. They have a seven (7) day hold period before the animals are placed for adoption, humane officer for cruelty investigations and other services they want the Village Board to be aware of. Perry asked for input from the Village and support for their capital campaign.

**Gilbert Yerke, Waukesha County District 25 Supervisor Candidate** – Yerke is running for Waukesha County Board District 25. He wanted to remind the Village Board Members to vote.

**Tom Jones – 401 Lois St.** – Jones stated that he is disappointed with the Mukwonago Shores project regarding the drain tiles in the curb areas. Water is sitting in the middle of the road which is now like an ice skating rink. The job is not done but residents still have to pay.

**Steve Brunette – 436 Park Place Ln.** – Brunette stated that he is not happy with his tax bill. He spoke with Dennis Vedder in the Assessor's Office was told that he will get to the bottom of it. Brunette said he doesn't know what to do. Tom Jones told Brunette that when you see the assessment you still don't know what your taxes will be.

## COMMITTEE REPORTS

### Finance

**Request for Credit on Real Estate Taxes Due to Over-assessment – MUKV 1963.999.042 – Debra Chapman** – Pires stated that she and Hogan talked with Keith Munson from National Appraisal and found that there was no palpable error made. It was concluded that the only remedy was for Chapman to attend the Board of Review. The Finance Committee recommends denying the claim, but will have National Appraisal reassess next year. Moved by Pires and seconded by Hogan to deny the request for credit on the 2007 real estate taxes for MUKV1963.999.042. Motion carried without a negative vote.

**Vouchers Payable** – Moved by Pires and seconded by Hogan to approve the following vouchers: Village \$41,661.62; Fire/Amb \$15,053.17; Recycling \$27.42; Capital Equip \$3,601.52; Library \$8,647.55; 2004 GO \$1,635.00; Water \$70,107.53; Sewer \$23,276.69; Taxroll \$1,270,327.44. Motion carried without a negative vote.

**Request to Waive Building Permit Fees for the Construction of a Wheelchair Ramp at 621 Grand Avenue** – Moved by Pires and seconded by Hogan to deny the request to waive the building permit fees of \$50.00. Pires stated that the VFW needs to build a ramp to comply with the American Disabilities Act. The VFW has already paid \$300.00 to go to the Board of Building and Zoning meeting for a hearing. Pires and Hogan spoke with Supervisor of Inspections Hankovich regarding being consistent with other non-profits in the Village who did not get the permit fees waived. Wagner stated that there were other fees waived, for example the American Legion and the Lion's Club. Pires said that they made direct gifts to the

Village Parks. Wagner commented that he would pay the fee himself, not allowing the VFW to have to pay for it. Attorney Reilly stated that these were only fees for the stairway not a whole house, where the building permit fees would be much higher. Hogan mentioned that the fees were not waived for the Rotary House, but Wagner said there was intent to sell the property for a profit. Motion lost on a vote of 5 nays and 1 aye [Pires voting 'yes']. Moved by Fennel and seconded by O'Bryan to waive the building permit fees for VFW Post 7221 for the construction of a wheelchair ramp. Motion carried on a vote of 5 ayes and 1 nay [Pires voting 'no'].

### **Judicial**

***2008 Application for Temporary Class B Beer and Wine License – March 8, 2008 – St. James School*** – Moved by Bakst and seconded by Fennel to approve the 2008 Application for Temporary Class B Beer and Wine License for the St. James School for March 8, 2008. Motion carried without a negative vote.

### **Personnel**

***Update on Firefighter Negotiations*** – Hogan stated this is only an update. There have been four (4) sessions so far. All have agreed upon policy issues. Remaining to negotiate are economic issues; vacations, insurance, sick leave and compensation. The next meeting is March 27, 2008.

### **Protective Services**

***Phoenix System Software for the Fire Station*** – Item is in committee.

***Request to Discount/Waive Ambulance Bill – Richard Semrow*** – Item is in committee.

***Request to Discount/Waive Ambulance Bill – William Biondi*** – Item is in committee.

***Request to Discount/Waive Ambulance Bill – Christine Behl*** – Item is in committee.

***Request to Discount/Waive Ambulance Bill – Constance Bodilly*** – Item is in committee.

***Request to Discount/Waive Ambulance Bill – Roger Blakely & Ann Creach*** – Item is in committee.

***Discussion of Intercept Fees to Big Bend/Vernon Fire Dept.*** – Item is in committee.

***Charity Care Policy for Ambulance Bills*** – Item is in committee.

### **VILLAGE ATTORNEY**

***Approval to Exercise Option for Caine Well Site*** – Reilly advised the Village Board of the terms of the Agreement with the Caines regarding the well site. He indicated that it is his understanding that the Board desires to proceed with the purchase/lease of the land in order to install the well on the property. Reilly indicated that to proceed, the Village needs to exercise the option to purchase the well site. The Village is required to pay the Caine's \$7,500.00 to exercise the option to purchase the property. Then, the Village will apply for a Conditional Use permit from Walworth County [Shawn Reilly] and the Town of East Troy. Closing on the lease of the property should be in approximately 60 days. Moved by O'Bryan and seconded by Fennel the approval to exercise the option to purchase and to pay the Caines \$7,500.00. Motion carried without a negative vote.

***Resolution 2008-04: A Resolution Acknowledging Palpable Error in the 2007 Assessment Roll, Authorizing a Budget Adjustment to Appropriate Funds for the 2007 Taxes, and Requesting a Charge-back of Taxes to Other Taxing Jurisdictions*** – Reilly stated he is still working on it and would like it on the next Village Board agenda.

***Resolution 2008-06: A Resolution for the Village's General Fund to Pay for a Portion of the Special Assessments Levied Against Specific Benefited Properties for Mukwonago Shores Paving and Utilities-Phase 1*** – Reilly handed out final copy where three (3) properties will be credited. Moved by Fennel and seconded by Hogan to approve Resolution 2008-06 for the Village's General Fund to credit three (3) properties at 410 Field Street, 329 Andrews Street, and 415 Shore Drive for a portion of the special assessment levied for the Mukwonago Shores Paving and Utilities-Phase 1 project. Motion carried without a negative vote.

#### **VILLAGE ENGINEER**

***Approval of Utility Plans for Black Bear Residential Development*** – Village Engineer Peot not present. Item is held until next Village Board meeting.

***Intergovernmental Agreement Between the Village of Mukwonago and Waukesha County for Storm Water Education Program Services*** – Since Peot is not present, Reilly recommends to go through the county, who is putting it together and will ultimately be recommended to sign, but Peot should give his opinion. Item is held until next Village Board meeting.

#### **VILLAGE PRESIDENT**

***Election Officials and Historic Preservation Commission and Library Board Appointments*** – Moved by Bakst and seconded by Hogan to accept the Village President's recommendation for the appointments of Jean Bocker as an election official and Rose Ann Kelly as a deputy chief election official for the 2008-2009 term. Motion carried without a negative vote. Wagner will look at the HPC and Library Board appointments at a later date.

#### **NEW BUSINESS**

***Time Warner Permit – Installation of Cable TV – Mukwonago Drive*** – Moved by Hogan and seconded by O'Bryan. Motion carried without a negative vote.

Moved by Fennel, seconded by O'Bryan, and carried to adjourn at 8:10 pm.

Cathy Millard  
Acting Clerk/Recorder