

Clerk Kahl called the Village Board meeting to order on January 18, 2005 at 7:30 p.m. Members present: FICKAU, PIRES, ODIER, FENNEL, O'BRYAN, & DEBE. Member excused: WAGNER. Also present: DPW Supv Brandemuehl; Fire Chief Rolfe; Engineer Peot; Police Chief Winchowky; Water Supt Walencyk; Planner Kaniewski; WWTP Supt Piquett; & Attorney Reilly.

Moved by Fickau, seconded by Pires, to nominate Trustee Odier as Acting Village President. Motion carried without a negative vote.

Moved by Fickau, seconded by Fennel, to approve the minutes of the December 21, 2004 meeting as presented. Motion carried without a negative vote (Debe abstained). Treasurer, Mileage, Police, Fire, and Library reports for the month of December were placed on file in the Clerk's Office.

COMMENTS FROM THE PUBLIC:

Steve Barber, Phantom Lake, Chair of PLMD – presented petitions opposing construction of a well on YMCA Property.

Three other lake property owners spoke about caution of using lake water.

COMMITTEE REPORTS:

FINANCE – Moved by Pires, seconded by Fickau, to approve the following vouchers: Village \$53,339.20; Fire/Amb \$10,106.36; TID General \$16,490.91; Amb designated \$547.81; Recycling \$31,897.29; Capital Projects \$525.00; Library \$37,862.22; Capital Impvts \$286.84; 2001 GO \$18,722.00; Water \$9,738.16; Sewer \$6,769.15; Taxroll \$2,021,422.11. Motion carried without a negative vote. Moved by Pires, seconded by Fickau, to recommend that the Clerk draft an Ordinance for the Village Attorney to review on User Fees for Assessments. Motion carried without a negative vote.

HEALTH & RECREATION – A presentation was made to the committee for a Public Skate park. Petition signed by 226 Village residents and 395 non-residents and many non-verified signatures were presented to the committee. Committee felt the location would be in Miniwaukan Park. Petitioners must get funding and come back to the committee. Village will check with our insurance carrier. Item will remain in committee. All-Terrain Vehicles issue will remain in committee. Need to review Ordinance that addresses snowmobiles to see if ATV's can be included. Moved by Debe, seconded by Fennel, to accept the grants for Minor Park in the amount of \$96,675.00 and Miniwaukan Park in the amount of \$50,000.00. Both grants are matching grants. Motion carried without a negative vote. Disc Golf Course and Park Master Plan will remain in committee.

JUDICIAL – Moved by Debe, seconded by Pires, to approve the Operator's License for Linda D. Dominguez. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to approve the Temporary Class B Picnic Beer License to St. James School for January 21, 2005. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to recommend the granting of an Operator's License on an annual review to Lucas Hein. Motion carried without a negative vote. Proposed Ordinance pertaining to Loitering will remain in committee. Semi Truck Parking in the Village will be removed from the agenda.

PERSONNEL – Moved by Odier, seconded by Debe, to approve Resolution 2005-01: **A RESOLUTION RELATING TO VILLAGE OF MUKWONAGO WAGE SCHEDULES FOR PART-TIME EMPLOYEES.** Motion carried without a negative vote. Request for calculation of salary increases for Management Staff was informational and can be removed from the agenda.

PROTECTIVE SERVICES - All items will remain in committee.

PUBLIC WORKS – Moved by Fickau, seconded by Fennel, to adopt Ordinance No. 752: **ORDINANCE TO AMEND SECTION 86-191 RE: MAINTENANCE OF SEWER SERVICES.** Motion carried without a negative vote. Signage for MHS Varsity Football State Championship will remain in committee. Ordinance does apply for the Water Quality Plan for the Rigibore Parcel in the Industrial Park. Letter from Paul Cox regarding the street widths of Mukwonago Shores Project cannot be brought before the Board since the Board's Policy is that once action has been

taken and time for reconsideration expires it cannot be voted on again for 6 months. Letter from Diane Brunette regarding Park Place Concerns is being reviewed by the Engineer and will come back to the committee. Water Tower #2 pain problems will remain in committee.

PLAN COMMISSION:

CSM REVIEW-NE CORNER OF MUKWONAGO DR/BAY VIEW RD-CHERYL BERG – Moved by Fickau, seconded by Fennel to accept the Plan Commission recommendation to approve the request subject to the following conditions:

1. Prior to recording of the CSM, all technical revision shall be provided for on the map and reviewed by the Village Engineer.
2. The Village waives the requirement for a rounded intersection, and waives requirements for side lot line to be perpendicular to the street centerline, in accordance to the Land Division Ordinance.
3. A temporary turnaround at the end of Mukwonago Drive that is not on an easement shall be a cul du sac until lot 3 is development and should not be shown on the CSM. It should be handled as a separate document.

Motion carried without a negative vote.

HAWKS RIDGE EAST – Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the revised plans for Hawks Ridge East. Motion carried without a negative vote.

EXTRATERRITORIAL CSM REVIEW-THOMAS BOWITZ, W1326 BEULAH LANE ROAD – Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the CSM as submitted. Motion carried without a negative vote.

HOME DEPOT-REQUEST FOR CHANGE IN CONDITIONAL USE - Request was for outside storage of landscaping material and lumber. Commission members felt that this issue was thoroughly discussed in the preliminary development meetings and did not feel any changes should be made. No change will be made in the conditional use.

RESOLUTION AMENDING RELOCATION ORDER-PLANK ROAD – Moved by Fickau, seconded by Debe, to accept the Plan Commission recommendation to adopt Resolution 2005-03: **AMENDED RELOCATION ORDER RESOLUTION.** Motion carried without a negative vote.

RESOLUTION FOR RELOCATION ORDER-OAKLAND AVE/ES – Moved by Fickau, seconded by Debe, to accept the Plan Commission recommendation to adopt Resolution 2005-04: **RESOLUTION OF NECESSITY.** Motion carried without a negative vote.

EDGEWOOD MEADOW CONDOS-MARK HOLIDAY, HARMONY HOMES – This is informational only. The maximum allowable density is 136 units. Revised plans now show 136 units consisting of 21 buildings on 20.61 acres. Plan Commission conceptually is okay with the plans and the developer can proceed with final plans. Annexation request of an additional 4.3-acre parcel, which shows on the revised plans, will be acted upon at the next Plan Commission meeting. Developer will need to submit plans for storm water management and if additional land is needed for retention than shown, it could affect the number of units that would be allowed on the property. No further action required at this time.

VILLAGE PRESIDENT:

Moved by Odier, seconded by Pires, to accept the Village President's appointment of Georgine Kuehl, Realtor, and Deb Coffelt, Historian, to the Historic Preservation Commission. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to accept the Village President's appointment of Paul Binder, regular member, and Kate Graczyk, 1st Alternate, to the Board of Building and Zoning Appeals. Motion carried without a negative vote.

VILLAGE CLERK:

Moved by Fennel, seconded by Fickau, to approve Resolution 2005-02: **A RESOLUTION TO AMEND RESOLUTION 2004-20(A) AMENDING WARD 10.** Motion carried without a negative vote.

NEW BUSINESS:

Moved by Fickau, seconded by O'Bryan, to approve the WE Energies Permits for 619, 627, & 640 Prairie Hill Avenue and 638 & 646 Stoecker Farm Avenue. Motion carried without a negative vote.

Moved by O'Bryan, seconded by Fickau and carried to adjourn the meeting at 8:09 p.m.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the meeting to order at 7:30 p.m. on February 1, 2005. Members present: ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Members excused: FICKAU & PIRES. Also present: Police Chief Winchowky, Library Director McBride, Fire Chief Rolfe, DPW Supv Brandemuehl, WWTP Supt Piquett, Attorney Reilly, Engineer Peot, & Water Supt Walencyk.

President Wagner announced that the Village would adjourn into closed session at the end of the meeting pursuant to State Statute 19.85(1) (g).

Moved by Fennel, seconded by Odier, to approve the minutes of the January 18, 2005 Village Board meeting as presented. Motion carried without a negative vote.

COMMITTEE REPORTS:

FINANCE – Moved by Odier, seconded by Fennel, to approve the following vouchers: Village \$102,895.87; Fire/Amb \$15,793.53; TID General \$796.09; TID S/W \$9,364.74; Recycling \$1,181.29; Capital Equip \$7,891.00; Library \$13,794.88; Capital Impvts \$996.00; 2001 GO \$1,898.17; 2004 GO \$9,097.18; Water \$32,863.15; Sewer \$19,952.03; & Taxroll \$11,316.18. Motion carried without a negative vote. Moved by Odier, seconded by Fennel, to adopt Ordinance No. 752, as modified: **AN ORDINANCE TO CREATE Section 18-27 of the Village Code pertaining to Property Record Maintenance Fees.** Motion carried without a negative vote.

PROTECTIVE SERVICES – Report from EBIX on Ambulance Billing Account was given to the committee. It showed a collectable rate of 81%. Other items will remain in committee.

PUBLIC WORKS – Moved by O'Bryan, seconded by Fennel, to approve Change Order No. 2 for the Fox River Lift Station. Change is for Time Extension. Motion carried without a negative vote.

VILLAGE ATTORNEY: Moved by Fennel, seconded by O'Bryan, to approve Resolution 2005-05: **A RESOLUTION DECLARING THAT AN EMERGENCY EXISTS PURSUANT TO WI STATS. SECTION 62.15(1b) SO AS TO PERMIT A PUBLIC CONSTRUCTION PROJECT TO PROCEED WITHOUT PUBLICLY BIDDING THE PROJECT.** Estimated cost is \$170,000.00. The Sewer department has funds for this and if at least 3 or more bids are received the Public Works Committee or the Village Board may approve this if the bids don't exceed the estimated cost. Motion carried without a negative vote. Multi-Use Trail on CTH NN was discussed, property owners did not want it to put in the front of their property, and they suggested that it be placed in the rear of their property. The Board concurred with their suggestion and told the Village Attorney to proceed in that manner. Moved by Debe, seconded by Fennel, to authorize an appraisal of the Fritz Property on Plank Road, and that the cost not exceed the prior appraisal. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to approve the Letter of Credit for Hawks Ridge Development in the amount of \$113,920.60. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to approve the Letter of Credit for Fox River View in the amount of \$1,883,396.91. Motion carried without a negative vote.

VILLAGE PRESIDENT: Moved by Fennel, seconded by Odier, to accept the letter of resignation from Sarah Hawks from the Planning Commission. Motion carried without a negative vote. Waukesha Memorial Hospital has donated to the Fire Department a 4th lifepack defibrillator and \$50,000 per year for Fire/EMT training.

NEW BUSINESS: Moved by Fennel, seconded by Debe, to approve the permit request from WE Energies for underground utilities for 1015 S. Main Street. Motion carried without a negative vote. Moved by Odier, seconded by O'Bryan, to approve the permit request from WE Energies for underground utilities for Blood Street. Motion carried without a negative vote.

Moved by Odier, seconded by Fennel, to adjourn at 8:05 p.m. into closed session pursuant to State Statute 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 is likely to become involved – Town of East Troy vs. Village of Mukwonago. Motion carried unanimously upon roll call.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order at 7:30 p.m. on February 15, 2005. Members present: PIRES, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Member excused: FICKAU. Also present: Planner Kaniewski, DPW Supv Brandemuehl, Police Chief Winchowky, Water Supt Walencyk, WWTP Supt Piquett, Supv of Insp Hankovich, Attorney Reilly, & Engineer Wurster.

Treasurer, Mileage, Police, Fire, and Library Reports for January 2005 were placed on file in the Clerk's Office.

Public Hearing regarding the Proposed Resolution for Adoption of a Mukwonago Sanitary Sewer Service Area Amendment was opened at 7:31 p.m.

Planner Kaniewski – This is a joint hearing of the Village Board with SEWRPC. Property size is just over 4 acres and is known as the Jorgensen Property.

Tim McCauley, SEWRPC – This is an amendment to your present plan. Area in question has to be in the Sanitary Sewer Area if the property is to be served by municipal sewer. There are no significant environmental areas. Recommend that Village Board approve the amendment. The Regional Planning Commission will consider this at their meeting on March 2nd if the Village Board approves this tonight.

No one else appeared for or against the proposal. Public Hearing closed at 7:36 p.m.

Moved by Fennel, seconded by Debe, to approve the minutes of the Village Board meeting of February 1, 2005 as presented. Motion carried without a negative vote.

COMMITTEE REPORTS:

FINANCE – Moved by Pires, seconded by Odier, to approve Resolution 2005-07: **A RESOLUTION AUTHORIZING THE BORROWING OF \$5,450,000; PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION SECURITIES THEREFOR; AND LEVYING A TAX IN CONNECTION THEREWITH.** Motion carried without a negative vote. The Village received a rating of MIG 1 by Moody's, the interest rate is 2.75%, and the funds are for TID #3. Moved by Pires, seconded by Odier, to approve Resolution 2005-08: **A RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF NOT TO EXCEED \$5,450,000 BOND ANTICIPATION NOTES.** Motion carried without a negative vote. Moved by Pires, seconded by Odier, to approve Resolution 2005-09: **A RESOLUTION AUTHORIZING THE BORROWING OF \$7,640,000 AND PROVIDING FOR THE ISSUANCE AND SALE OF WATERWORKS SYSTEM AND SEWERAGE SYSTEM REVENUE BOND ANTICIPATION NOTES THEREFORE.** Motion carried without a negative vote. The Village received a rating of MIG 1 by Moody's and an interest rate is 2.80%. Moved by Pires, seconded by Odier, to approve the following vouchers: Village \$37,364.81; Fire/Amb \$16,788.95; TID General \$112.50; Amb designated \$143.00; Recycling \$30,464.10; Capital Projects \$8,077.55; Library \$6,898.71; Capt Impvts \$9,767.00; Water \$15,759.02; Sewer \$1,844.38; Taxroll \$2,233,209.74. Motion carried without a negative vote. Moved by Pires, seconded by Debe, to approve the fee structure amendment to the Property Maintenance Ordinance and authorize the Village Attorney to draft an Ordinance for the next meeting. Motion carried without a negative vote.

HEALTH & RECREATION – YMCA Recreation Program was reviewed by the Committee. It calls for the use of the park from June 14 to August 12, Monday through Wednesday. The Committee suggested that they plan the activities for Miniwaukan Park. Item was referred back to Committee to discuss the Park Fees. Moved by Fennel, seconded by Debe, to approve the request to use Indianhead Park on June 4, 2005 by Jack Henry, Chicago Chapter of the National Railway Historical Society. Motion carried without a negative vote. The request by the Mukwonago Lions Club to install electricity to the new shelter in Field Park should go back to the Board of Building and Zoning Appeals. The Board of Building and Zoning Appeals previously gave approval subject to no electric installed in the shelter building. Moved by Fennel, seconded by Pires, to waive the Board of Building and Zoning Appeals fees. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to waive the park fees for the Mukwonago Lions Club for the Easter Egg Hunt and Summerfeste Days to be held at Field

Park. Motion carried without a negative vote. Request by Town of Mukwonago Recreation Director Toby Monogue to use the Village Baseball Fields and the consideration of a joint Recreation Department will remain in committee. Moved by Fennel, seconded by Debe, to authorize the Planner to apply for \$25,000.00 of the grant funds that were approved for Miniwaukan Park. Motion carried without a negative vote. Disc Golf Course, request for Public Skate Park, and ticketing of All-Terrain Vehicles will remain in committee.

JUDICIAL – Moved by Debe, seconded by Odier, to approve the Operator’s applications for Colleen M. Forecki, Colleen C. Rupp, and Kathleen M. Taft. Motion carried without a negative vote. Moved by Debe, seconded by Odier, to approve the Temporary Class B Picnic Licenses for St. James School, 830 CTH NN for February 18th, March 3rd, & March 12th; Knights of Columbus, 830 CTH NN for February 25th & 27th; and John A. Movrich Lodge #993, 933 N. Rochester St for July 9th. Motion carried without a negative vote. Moved by Debe, seconded by Odier, to authorize the Village Attorney to amend the parking ordinance to include no parking during school hours in the subdivisions near the High School. Motion carried without a negative vote. Moved by Debe, seconded by Odier, to approve the Application for an Original Class B Beer and Reserve Class B Liquor License for El Pueblo Inc., Marco Alarcon, Agent; Antigua Real, 355 Bay View Road. Motion carried without a negative vote. Proposed amendment to Section 54-102 of the Municipal Code will remain in committee.

PUBLIC WORKS – Moved by O’Bryan, seconded by Fennel, to approve TID #3 Change Order #5, making the following changes in the contract documents: Additional costs of \$1,602.11 for additional grading, culvert removal and pavement sawing along STH 83, \$4,363.68 for storm sewer repairs and addition of a bid item for erosion mat for a net increase in the contract of \$6,966.79. Also extend the completion deadlines by 28 days and suspend accrual of liquidated damages retroactive to October 14, 2004. Motion carried without a negative vote. Moved by O’Bryan, seconded by Pires, to accept the Engineer’s recommendation to award the bid for the YMCA Camp Test Well to CTW Corp. for \$55,100.00. Motion carried without a negative vote. Moved by O’Bryan, seconded by Debe, to award the bid to Midwest Engineering Service to perform a Phase 1 (Hazardous Materials) Analysis for the Mukwonago Shores Project in the amount of \$2,150.00. Cost to be included in the project bids. Motion carried without a negative vote. Water consumption dispute for 650 Stoecker Farm Ave, WE Energies work request for Non-Standard Street Lighting for Minor’s Homestead Addition #1 & #2, MHS Varsity Football State Championship signage, Park Place concerns, paint problems on elevated water tower #2, and Ammonia Compliance Schedule Study Report will remain on the Committee agenda. The Committee will not waive the late fees for 350 CTH NN E, Unit 6 and for 103 Baron Road. Request for Street Lighting for Hawks Ridge complex should be down-lighting at the entrance of the subdivision and would be at the developer’s cost. Moved by O’Bryan, seconded by Fennel, to have a letter sent to the Whispering Bay Association explaining that the cost for installation of lights will be special assessed to the property owners and that the cost will be worked on at a later date. Motion carried on a vote of 5 ayes and 1 nay (Debe voting ‘no’).

PLAN COMMISSION – Moved by Debe, seconded by O’Bryan, to accept the Plan Commission recommendation to approve the Extraterritorial CSM Review for Lookout Lane with wording to be added addressing the protection of the Indian Mounds during construction and a letter sent to the Town expressing the Village’s concern of the construction of the driveways to support heaving equipment. Motion carried on a vote of 5 ayes and 1 nay (Odier voting ‘no’). Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the Extraterritorial CSM Review for W302 S10118 Lakeview Drive subject to the Village signing the document after the Town Officials sign the CSM. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the Extraterritorial CSM Review for N9302 Stone School Road as submitted. Motion carried without a negative vote. Moved by Odier, seconded by O’Bryan, to accept the Plan

Commission recommendation to approve the annexation of the Jorgenson property in the Town of Vernon and that the Ordinance (Ordinance No. 753) stipulate that the property owner would pay the real estate tax that is due to the Town as required by State Statutes. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve Resolution 2005-06: **A RESOLUTION FOR ADOPTION OF A MUKWONAGO SANITARY SEWER SERVICE AREA AMENDMENT.** Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to accept the Plan Commission recommendation to approve the Stormwater Maintenance Requirements and the Stormwater Management Maintenance Agreement subject to Village Board, Village Attorney and Village Engineer approvals. Motion carried without a negative vote. Moved by Pires, seconded by Odier, to accept the Plan Commission recommendation approving the Historic Preservation approval for 106 Pearl Avenue. Motion carried without a recommendation. Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the request of the Developer of Hawks Ridge East for occupancy permits for 6 units of building 410, subject to language in the letters from the Developer and from the Supervisor of Inspections. Motion carried without a negative vote.

VILLAGE ATTORNEY: Moved by Debe, seconded by O'Bryan, to approve the reduction in the Letter of Credit for the Orchards of Mukwonago to a new letter of credit amount of \$1,809,536.00. Motion carried without a negative vote.

NEW BUSINESS: Moved by O'Bryan, seconded by Fennel, to approve the permit request from WE Energies for 624 Prairie Hill Avenue. Motion carried without a negative vote.

Moved by O'Bryan, seconded by Debe and carried to adjourn the meeting at 8:55 p.m.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on March 1, 2005 at 7:30 p.m. Members present: PIRES, ODIER, FENNEL, O'BRYAN, DEBE & WAGNER. Member excused: FICKAU. Also present: Police Chief Winchowky, Fire Chief Rolfe, WWTP Supt Piquett, Water Supt Walencyk, BI/Zoning Admin Hankovich, Library Director McBride, Engineer Peot, & Attorney Reilly.

Moved by Fennel, seconded by Odier, to approve the minutes of the February 15, 2005 Village Board meeting as presented. Motion carried without a negative vote.

COMMITTEE REPORTS:

FINANCE – Moved by Pires, seconded by Odier, to approve the following vouchers: Village \$27,034.80; Fire/Amb \$159,474.19; TID General \$75.00; Capital Outlay \$591.60; Library \$8,229.74; Capital Impvts \$287.50; 2001 GO \$11,399.52; Water \$6,588.65; Sewer \$139,954.45; Taxroll \$5,489.25. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to authorize the Finance Committee, after the Village Attorney reviewing the impact ordinance, and the use complies or monies are found elsewhere in the Police Budget, to proceed with the purchase of a Police Radio for about \$3,445.00. Motion carried without a negative vote.

JUDICIAL – Moved by Debe, seconded by Fennel, to approve the application for an Operator's License to Nickole L. Noel. Motion carried without a negative vote.

PROTECTIVE SERVICES – Fire Department Vehicle Analysis and Recommendation will remain in committee. Moved by O'Bryan, seconded by Debe, to approve the charge for Paramedic Intercepts at flat fee of \$400.00 and will include cost for supplies, subject to the Town of Mukwonago approving the charge, and to authorize the Village Attorney to draft an amendment to the Resolution. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to authorize the Village President to sign the Training Agreement with Waukesha Memorial Hospital. Motion carried without a negative vote. 2005 Ambulance Fees will remain in committee. Moved by O'Bryan, seconded by Debe, to approve the No Transport Charge of \$50.00 plus supplies and authorize the Village Attorney to amend the Resolution. Motion carried without a negative vote. Alternating the use of Village and Town Attorneys on Fire & Ambulance issues will remain in committee.

VILLAGE ENGINEER: Moved by O'Bryan, seconded by Fennel, to approve the construction plans for The Orchards of Mukwonago subject to the following three (3) conditions:

1. The final review and approval of the department heads.
2. Any changes to any drawings will require submittal and approval of the Village Engineer.
3. During construction, if high water levels are found, the elevations of the buildings will need to be raised.

Motion carried without a negative vote.

NEW BUSINESS: Moved by Odier, seconded by O'Bryan, to approve a sign for the Mukwonago Community Library to be placed at 801 N. Rochester Street for one year, and if the sign would be placed at that site for additional time after the one year period it would have to come back to the Village Board for approval. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to approve the Time Warner Permit for Underground Utilities on Two Rivers Drive. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to approve the WE Energies permits for 434 Ahrens Drive and 624 Prairie Hill Avenue. Motion carried without a negative vote.

Moved by Fennel, seconded by Odier and carried to adjourn the meeting at 7:54 p.m.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board to order at 7:30 p.m. on March 15, 2005. Present: FICKAU, PIRES, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: WWTP Supt Piquett, DPW Supv Brandemuehl, Engineer Peot, Library Director McBride, Planner Kaniewski, Attorney Reilly, Water Supt Walencyk, and Police Chief Winchowky.

President announced that the Village Board would adjourn into closed session at the end of the regular meeting as stated on the agenda.

Public Hearing for the Change of Zoning from A-1 to R-10 with R-4 PUD Overlay for S93 W27390 Edgewood Avenue was opened at 7:32 p.m. No one appeared for or against the change of zoning. Public Hearing was closed at 7:33 p.m. Mileage, Police, Fire and Library reports for February 2005 were placed on file in the Clerk's Office.

Moved by Fennel, seconded by Odier, to approve the minutes of the March 1, 2005 Board meeting as presented. Motion carried without a negative vote.

COMMITTEE REPORTS:

FINANCE – Moved by Pires, seconded by Fickau, to approve the following vouchers: Village \$121,754.61; Fire/Ambulance \$7,963.32; TID General \$11,068.85; TID S/W \$7,966.50; Recycling \$30,617.80; Capital Outlay \$98,302.68; Library \$4,991.26; Capital Impvts \$4,481.33; 2001 GO \$6,951.00; 2004 GO \$21,685.61; Water \$31,138.17; Sewer \$144,946.32. Motion carried without a negative vote.

HEALTH & RECREATION – Moved by Fennel, seconded by Fickau, to allow the Mukwonago Rotary Club to install park benches and landscaping along Holz Parkway. Motion carried without a negative vote (Debe abstained). Moved by Fennel, seconded by Debe, to allow the YMCA to use the park for Summer Recreation Program and that they will pay the Village a \$5.00 fee per participant and that those funds will be put into the Park Fund. Motion carried without a negative vote. Moved by Fennel, seconded by Debe, to allow the Town of Mukwonago Recreation Department to use the 6 fields in Miniwaukan Park and that Village residents will be charged the same fee as Town residents. Motion carried without a negative vote. Consideration of Recreation Consolidation with the Town of Mukwonago; Disc Golf Course in Miniwaukan Park; Request for Public Skatepark; and ticketing of All-Terrain Vehicles will remain in committee.

JUDICIAL – Moved by Debe, seconded by Fickau, to approve the temporary Class B Beer License for St. James School for March 18, 2005. Motion carried without a negative vote. Moved by Debe, seconded by Odier, to approve the Operator's Licenses to Sarah A. Datka, Christopher J. Kluss, Gloria J. Lau, Amanda J. Mack, Jacqueline R. Morris, Sara L. Saenz, & Korine N. Teeters. Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to adopt Ordinance No. 756: **AN ORDINANCE TO AMEND SECTION 82-207 OF THE VILLAGE OF MUKWONAGO MUNICIPAL CODE PERTAINING TO PARKING RESTRICTIONS.** Motion carried without a negative vote. Moved by Debe, seconded by Odier, to authorize the Village Attorney to draft an amendment to Chapter 54 of the Municipal Code, section 102 pertaining to time and language with 1st amendment rights. Motion carried without a negative vote.

PERSONNEL – Report was given on the Safety Program. Village Hall employees and Library employees need to have training in blood borne pathogens; Police, DPW, Sewer & Water employees will have hearing test; hepatitis test will be offered to all employees. Everything must be documented and we will have the master copy in the Village Hall.

PUBLIC WORKS – Moved by Fickau, seconded by Fennel, to authorize the Village Engineer to submit the Ammonia Effluent Limits & Facility Modifications and Plans for the WWTP to the Wisconsin DNR. Motion carried without a negative vote. Committee recommended placing a Multi-Use Trail along HWY NN and would be 6 foot wide. Church was opposed to a location in the rear of their property, Mr. Douglas was opposed to a location in the front, and the Kiwanis prefer the location in the rear. Moved by Fennel, seconded by Debe, to table the item. Motion carried without a negative vote (Fickau abstained). Water consumption for 650 Stoecker Farm

Avenue can be removed from the agenda. WE Energies work request for non-standard street lighting in Minor's Homestead Addition #1 & #2 located at CTH I and Valhalla Drive was discussed and determined that they will follow what they did in Phase 1. Sidewalk Ordinance update, signage for MHS Varsity Football State Championship, Park Place concerns, and Water Tower #2 Paint problems will remain in committee.

PLAN COMMISSION – Moved by Fennel, seconded by Debe, to accept the Plan Commission recommendation to approve the Site and Architectural Plans and the Developer's Agreement for the Sherwin-Williams Paints property located at the northeast corner of Mukwonago Dr. and Bay View Rd. with the following condition: 1) The approval shall be subject to the Plan of Operation and plans submitted with this application, with modifications allowed for final utility, grading, and storm water management review by Village staff. Motion carried without a negative vote. Moved by Fickau, seconded by Odier, to accept the Plan Commission recommendation to approve the CSM for the property located at 214 Plank Rd. with the following condition: 1) That prior to recording of the Certified Survey Map, all technical revisions shall be submitted for review by the Village Engineer. Motion carried without a negative vote (Pires abstained). Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the sign package for the Wal-Mart Supercenter as submitted with the following condition: 1) Direct Village staff to draft an amendment to the Wal-Mart Supercenter Developer's Agreement to allow the submitted sign package, minus the enter and exit signs on the pharmacy drive-thru. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to approve the attachment of the Burmeister property located on east side of Hwy 83 on the north side of the Village subject to the approval and conditions by the Town of Mukwonago. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to approve the We Energies Sewer Easement on Hwy 83. Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to accept the Plan Commission recommendation to approve the road vacations in the Fox River View Subdivision. Motion carried without a negative vote. Moved by Fickau, seconded by Odier, to accept the Plan Commission recommendation to approve the Fox River View Addition #1 Final Plat with the following conditions: 1) Approval shall be subject to the Village Board approval of an amended Developer's Agreement for Addition #1, with the amended Developer's Agreement to include, but not limited to, restricting two-family development on Lots 86, 87 and 88, submittal of certification that all existing wells on the site are properly capped, and Village staff approval of all final utility, grading, storm water management plans, 2) Approval shall be subject to vacation of the previously platted Foxtail Court cul-de-sac, 3) Developer's Agreement shall include a provision that prior to building permit issuance of Lot 85 and 86, that applicant shall submit a rezoning application to show the proper R-1/R-3 zoning boundary to match the side property lines between said lots, 4) Prior to recording of the final plat, the Village Engineer shall verify that all technical revisions shall be completely revised on the final plat and 5) Approval is subject to the Village Board granting a waiver from the Land Division Ordinance requiring side lot lines to be perpendicular to the right-of-way. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the change of zoning from A-1 To R-10 with R-4 PUD Overlay for the property located at S93 W27390 Edgewood Ave. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to accept the Plan Commission recommendation to approve the Site, Architectural, Utility, Grading and Landscape Plans as submitted on March 14, 2005. The parking and garbage and recycling collection issues will be addressed in the Developer's Agreement. Motion carried without a negative vote. Moved by Fickau, seconded by Pires, to accept the Plan Commission recommendation to approve the removal of the chimney closest to Atkinson St. for safety reasons because the bricks are falling off and for structural reasons because they may collapse

inside the structure for the property located at 201 Main St.. The slate used to replace the spot of the removed chimney on the roof shall match in appearance to the previous slate as presented to the Historic Preservation Commission. The condition is that the other two chimneys shall be inspected by a certified chimney inspector within 90 days and a report shall be submitted in writing to the Historic Preservation Commission. Motion carried without a negative vote. Moved by Fennel, seconded by O'Bryan, to adopt Ordinance No. 755: **AN ORDINANCE TO APPROVE THE ATTACHMENT OF PROPERTY TO THE VILLAGE OF MUKWONAGO FROM THE TOWN OF MUKWONAGO PURSUANT TO THE MUNICIPAL BOUNDARY AGREEMENT WITH THE TOWN OF MUKWONAGO [BURMEISTER PROPERTY]**. Motion carried without a negative vote. Moved by Fennel, seconded by Pires, to adopt Ordinance No. 754: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO [JORGENSEN PROPERTY]**. Motion carried without a negative vote. Moved by Debe, seconded by Odier, to approve the Boundary Agreement with the Town of East Troy with the following change that the Village of Mukwonago shall not be obligated to pay to the Town of East Troy an amount equal to the property taxes that the Town levied on annexed territory as shown by the tax roll pursuant to that which is stated in the Wisconsin State Statutes. Motion carried on a vote of 6 ayes and 1 nay [Debe voting 'no'].

VILLAGE ENGINEER: Moved by Fickau, seconded by Debe, to approve the Engineers recommendation to award the bid for the sewer relocation under the railroad bridge on Highway 83 to Globe Contractors in the amount of \$132,900.00. Motion carried without a negative vote. Bids were received for the Mukwonago Shores project with the low bid being \$3,419,207.50 and bids are being held until further notice.

VILLAGE ATTORNEY: Moved by Fennel, seconded by Fickau, to approve the Village Attorney sending out the letter for early start on the Fox River View Addition #1 and the Hibbard property. Motion carried without a negative vote.

NEW BUSINESS: Moved by Odier, seconded by Fickau, to authorize the signing of the WE Energies permits for 729 Minors Drive and 635 Prairie Hill Avenue. Motion carried without a negative vote. Next Village Board agenda will have the DNR grant listed. Trustee Odier informed the Village Board that the Village of Mukwonago is celebrating its 100th Anniversary of becoming a Village.

Moved by Odier, seconded by Pires, to adjourn into closed session at 8:43 p.m. pursuant to State Statute 19.85(1)(e): Deliberating or negotiating the purchasing or public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. – Fritz Parcel, Plank Road Project. Motion carried unanimously upon roll call.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board to order at 7:30 p.m. on April 5, 2005. Present: FICKAU, PIRES, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: WWTP Supt Piquett, DPW Supv Brandemuehl, Engineer Peot, Library Director McBride, Attorney Reilly, Water Supt Walencyk, Bldg Insp/Zoning Admin, and Police Chief Winchowky.

President announced that the Village Board would adjourn into closed session at the end of the regular meeting as stated on the agenda.

Moved by Fickau, seconded by Fennel, to approve the minutes of the March 15, 2005 Board Meeting as presented. Motion carried without a negative vote.

COMMENTS FROM THE PUBLIC:

Tom Jones, 401 Lois Street – What is the status of the 4-wheel issue? Item is still in committee and a response should be back shortly. The berm that is located by Mukwonago Drive, when will that be completed? Village will check with the developer.

COMMITTEE REPORTS:

FINANCE – Moved by Pires, seconded by Fickau, to approve the following vouchers: Village \$86,472.99; Fire/Amb \$11,742.16; TID General \$675.00; Designated Capital \$499.98; Recycling \$42,885.91; Capital Equip \$2,265.00; Library \$12,127.08; Capital Impvts \$464.00; Water \$26,948.45; Sewer \$20,461.95; Taxroll \$140,682.31. Motion carried without a negative vote.

JUDICIAL – Moved by Debe, seconded by Fennel, to approve the Temporary Operator's License for Jeffrey M. Adler. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to approve the Temporary Class B Beer and Wine License, Mukwonago Lions Club for June 16-19, 2005. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to approve the Temporary Class B Beer License for St. James School, April 15, 2005. Motion carried without a negative vote. Moved by Debe, seconded by Fickau, to approve the Temporary Class B Beer License for American Legion Post #375 for June 11-12, July 16-17, August 20-21, and September 10-11, 2005. Motion carried without a negative vote.

PERSONNEL – Moved by Odier, seconded by Fennel, to approve Ordinance No. 757: **AN ORDINANCE TO DELETE SECTION 2.79(G) OF THE VILLAGE OF MUKWONAGO MUNICIPAL CODE.** Motion carried without a negative vote.

PROTECTIVE SERVICES – Moved by O'Bryan, seconded by Fennel, to accept the Committee recommendation not to forgive the interest on the outstanding ambulance bill. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to authorize the Village President and Village Clerk to sign Resolution 2005-07: **A RESOLUTION TO FIX AMBULANCE FEES.** Motion carried without a negative vote. Moved by O'Bryan, seconded by Odier, to authorize the Fire Chief to sell the tanker truck if he can receive more than \$45,000, that the sale is contingent upon the approval of the Town Board, that funds be placed in the Fire Truck Designated Account and that he will not come back to the Board with a request to purchase a replacement truck in the near future. Motion carried without a negative vote. Usage of contract fees from Waukesha Memorial and alternating the use of Village & Town Attorneys will remain in committee.

VILLAGE ATTORNEY: Moved by O'Bryan, seconded by Fennel, to approve a waiver to the Developer's Agreement for Hawks Ridge on the issuance of Occupancy Permits, contingent upon: 1) The developer for Hawks Ridge shall deposit money for the lighting permit with WE-Energies, 2) Plans must be approved, and the issue will placed on the April Planning Commission agenda, 3) A signed agreement by the developer and WE-Energies shall be given to the Village. All three (3) items must be completed before the April Planning Commission meeting. Motion carried without a negative vote. Moved by Fickau, seconded by O'Bryan, to authorize the Village President to sign the agreement for the Extension of Sewer Services for Rainbow Springs [Mr. Michael Feker & Rainbow Springs Golf Company, Inc.] property for reimbursement to the Village for Professional Fees. Motion carried without a negative vote. They have given the Village a \$3,000.00 deposit and the Village will apply cost sharing from 1½

months ago subtracting from this amount and future bills. When the deposit gets low the Village will ask for additional money. Moved by Fennel, seconded by Fickau, to approve the reduction in Letter of Credit for Meadow Park Estates only if they pay the Village Account Receivable bills. Motion carried without a negative vote.

VILLAGE ENGINEER: Moved by Pires, seconded by Fickau, to reject the bids for the Mukwonago Shores project and to authorize the Engineer to re-bid the project for a smaller area. Motion carried without a negative vote. Bids could be advertised in about two (2) weeks. Original project area would be split into two (2) different contracts with the first contract being started this year.

CORRESPONDENCE: Letter from SEWRPC regarding the Amendment to the Regional Water Quality Management Plan and the letter from WE-Energies regarding Policies on Use of Company Owned Property were placed on file in the Clerk's Office.

NEW BUSINESS: Moved by Fennel, seconded by Fickau, to approve the WE-Energies permit for underground utilities for Blood & Field Streets and Shore Drive. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the WE-Energies permit for overhead utilities for Edgewood Avenue. Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to approve the WE-Energies permit for 606 Crestview Lane and 611 Prairie Hill Avenue. Motion carried without a negative vote.

Moved by Odier, seconded by Fickau, to adjourn into closed session at 8:23 p.m. pursuant to State Statute 19.85(1)(e): Deliberating or negotiating the purchasing or public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. – Negotiations for Oakland Avenue Property Acquisitions. Motion carried unanimously upon roll call.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on April 19, 2005 at 7:30 p.m. Members present: FICKAU, PIRES, HOGAN, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Police Chief Winchowky, WWTP Supt Piquett, Water Supt Walenczyk, DPW Supv Brandemuehl, Library Director McBride, Engineer Peot, Planner Kaniewski, & Attorney Reilly.

Public Hearing for the Change of Zoning for the Burmeister LLC property from A-1 to B-3 located at W298 S8990 STH 83 was opened at 7:31 p.m. No one appeared for or against. Public hearing was closed at 7:32 p.m.

Public Hearing for the Special Assessments for CTH ES from Phantom Lake/Mukwonago River Bridge south to 1050 feet south of the Waukesha/Walworth County Line was opened at 7:32 p.m.

Tom Horter, Horter Chevrolet-Pontiac – The project turned out nice. Sidewalks are used by everyone in the Village so we shouldn't be assessed the full cost for it. What is the proposed pay back, how long for the special assessments if paid in annual installments? I was assessed the full length of my property for sidewalks and I don't have it the full length.

Mike Moseler, E&S Welding – I don't mind paying the impact fee and my share of expenses, but I don't have water on my side. My acreage doesn't match to the sheet.

Joan Krebsbach, Honeywell Road – How will my assessment be handled since my property is in the Town? *It will be a deferred assessment until you come into the Village.*

Mike Tieart, New Life Church – I didn't get a notice of this hearing, Dan Scheel called me about this meeting. Is this a benefit to my property?

Dan Scheel, 1650 S. Main Street, Elegant Farmer – I thought this was going to be paid by the County work. I thought it would be like a mini TIF district. I would like a deferral of the assessment because of the large acreage until the property is developed. My bill is 1/5 of the total cost. What about including the 55 acres south of my property into this assessment? I have 15 acres of wetland, is that included in the assessment? My acreage does not agree with the sheet.

MLG Real Estate, 13400 Elmhurst Pkwy – My bill is \$306,912. We are being assessed for 58.3 acres and we have 56.9 acres. I would like to have only my land along CTH ES included; the one parcel is 1,000 feet from ES. Our wetlands have been identified in our CSM.

Scott Briesath, HWY ES/Phantom Woods Rd – Acreage does not agree with our map.

Moved by Fennel, seconded by Fickau, to have the Engineer review and resubmit the Assessment Report and survey the wetlands, sidewalk length and the acreage. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to amend the public hearing date to June 21, 2005. Motion carried without a negative vote.

The Treasurer, Mileage, Police, Fire, and Library reports for the month of March and the 2004 Annual Police Report were placed on file in the Clerk's Office.

Moved by Fickau, seconded by Fennel, to approve the minutes of the April 5, 2005 Village Board meeting as presented. Motion carried without a negative vote.

COMMENTS FROM THE PUBLIC:

Tom Jones, 401 Lois Street – Asked about the Mukwonago Shores project and that it shouldn't be downsized because those in the second year would pay a higher assessment.

COMMITTEE REPORTS:

FINANCE – Moved by Pires, seconded by Fickau, to approve the following vouchers: Village \$27,353.98; Fire/Amb \$9,253.15; TIF #3 General \$112.50; Recycling \$2.95; Capital Equip \$30,215.87; Library \$6,031.41; Capital Impvts \$75.00; 2001 GO Bond \$4,249.13; 2004 GO Note \$81.82; Water \$91,669.76; Sewer \$102,753.43. Motion carried without a negative vote. Moved by Pires, seconded by O'Bryan, to authorize the expenditure of funds for the Emergency Radio for the Police Department if there is no problem with GRAAP, otherwise pursuing the lease if okay with the Auditors. Motion carried without a negative vote. Moved by Pires,

seconded by O'Bryan, to approve the new fee schedule for Electrical Contractor as submitted by the Building Inspector. Motion carried without a negative vote. Moved by Pires, seconded by Hogan, to approve the fee schedule for Plumbing, Water, Sewer, Stormwater, and services as submitted by Supv of Inspections Hankovich. Motion carried without a negative vote.

HEALTH & RECREATION – Moved by Fennel, seconded by Pires, to send a letter to the Football Association that they should find a parking spot, other than the grass, and shuttle people to the playing fields. Motion carried without a negative vote. There is no problem with the flooding. Moved by Fennel, seconded by Fickau, to authorize the Rotary Club to place a Park Bench and plaque in Field Park. The area will be landscaped and should be done by May 14, 2005. Motion carried without a negative vote [Hogan & Debe abstained]. Moved by Fennel, seconded by O'Bryan, to send a letter to the Town of Mukwonago Recreation Department that the cost to use the Parks is the number of Town kids on the Recreation Program times \$5.00 per head is due the Village as a Park Fee. Motion carried on a vote of 5 ayes and 2 nays [Pires and Debe voting 'no']. Consideration of consolidation of the Town of Mukwonago Recreation with the Village of Mukwonago can be removed from the agenda. The group for the development of the Disc Golf Course for Miniwaukan Park has raised the \$4,500.00 to match the Village. We would buy the equipment and the work would be supervised by DPW Supervisor Brandemuehl. Request for Public Skateboard Park will remain in committee. Cost to build is about \$65,000.00. Moved by Fennel, seconded by Debe, that All Terrain Vehicles will have the same rights as the snowmobiles. Motion carried without a negative vote. Dugout in the Field Park baseball field should be torn out because of wear. A letter should be sent to the Mukwonago Lakers regarding this and if they want to do the repairs they could as long as it meets with DPW Supervisors concerns.

JUDICIAL – Moved by Debe, seconded by Fickau, to approve the 6-month Class B Beer License in Minor Park for the Mukwonago Women's Softball League. Motion carried without a negative vote.

PUBLIC WORKS – Moved by Fickau, seconded by Hogan, to accept the Work Request by WE Energies for the Eastern entrance of Hawks Ridge. Motion carried without a negative vote. Moved by Fickau, seconded by O'Bryan, to approve the non-standard street lighting, option B, for the Hawks Ridge Work Request. Motion carried without a negative vote. Moved by Fickau, seconded by O'Bryan, to charge the full water for the bill at 527 Bay Street but to forgive the sewer cost above what the normal charge is for that property. Motion carried without a negative vote. DPW Supervisor to see about disconnecting the services at the Andler house. The Village still owns the house. Engineer will do as the storm sewer design shows. The lots owned by Tim O'Donnell at W309 S9924 Highway I can be serviced by sewer and water and to obtain those services the property would have to attach to the Village. The Holz Parkway Wetland Mitigation Maintenance and Land Ownership will remain in committee. Letter from WWTP Supt Piquett was read into the minutes regarding Triad non-compliance. Future site for the WWTP expansion was referred to the department heads for further research. NR 216 Compliance Grant has been submitted. Moved by Fickau, seconded by O'Bryan, to recommend that the west end of Blood Street be discontinued, and that no pavement will be placed down to the water line. PLMD will be notified of this decision. Motion carried on a vote of 6 ayes and 1 nay [Debe voting 'no']. Rain gardens are not feasible in the Mukwonago Shores project. Park Place Lane property acquisition will remain in committee. Moved by Fickau, seconded by Hogan, that the Court in the Zess Development will be called Meadowview Court. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the letter of credit, utilities and any warranties for Minors Homestead. Motion carried without a negative vote. Clerk is to put in writing for next committee meeting the events of the street lights in Whispering Bay. Multi-Use trail along Highway NN will remain in committee. Residents would like to see a 4-foot trail instead of a 6-foot. Sidewalk Ordinance update will remain in committee. Signage for the

Champion Football Team will be removed from the agenda. Letter from Diane Brunette regarding Park Place concerns can be removed from the agenda. Committee is looking at power washing both water towers and repainting the north tower.

PLAN COMMISSION – Moved by Pires, seconded by Fickau, to accept the Plan Commission recommendation to approve the size of the sign and letter style and that the color matches the others signs that are on the building. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the 12x12 glazed Zafiro tile for Wal-Mart Supercenter. Motion carried without a negative vote. Moved by Fennel, seconded by O’Bryan, to accept the Plan Commission recommendation to approve the change of zoning as requested for the Burmeister property. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to approve Ordinance No. 759: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO [BURMEISTER]**. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to approve the attachment of the Briesath property to the Village. Motion carried without a negative vote. Moved by Fennel, seconded by O’Bryan, to approve Ordinance No. 758: **AN ORDINANCE TO APPROVE THE ATTACHMENT OF PROPERTY TO THE VILLAGE OF MUKWONAGO FROM THE TOWN OF MUKWONAGO PURSUANT TO THE MUNICIPAL BOUNDARY AGREEMENT WITH THE TOWN OF MUKWONAGO [BRIESATH PROPERTY]**. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to approve the color for the Goodden’s Footwear & Apparel sign as submitted. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Plan Commission recommendation to approve the Extraterritorial CSM for Larry Litwin, CTH NN & CTH I and that the Village sign the CSM after the Town Officials sign it, and all technical corrections are made to the satisfaction of the Town. Motion carried without a negative vote. Moved by Hogan, seconded by Fickau, to accept the Plan Commission recommendation to approve Resolution 2005-09 & 10: **RESOLUTIONS TO DISCONTINUE A PORTION OF FOXTAIL COURT AND GREY FOX RUN**. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Plan Commission recommendation to approve the CSM for Scott Simon at W297 S9090 STH 83 subject to the conditions set forth in the April 12, 2005 letter from Bruce Cross of Ruekert & Mielke. Motion carried without a negative vote.

VILLAGE CLERK: Village President placed the April Municipal Canvass Report on file in the Clerk’s Office. Board members are to let the Clerk know by the end of April if they will be attending the League Workshop and/or the League Regional Dinner.

VILLAGE ATTORNEY: Moved by Fickau, seconded by Fennel, to permit Berg Construction to begin construction of the Sherwin Williams property before adoption of the Developers Agreement but at Berg Construction’s own risk. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to accept the Letter of Credit reduction for Minor’s Homestead Additions #1 & #2. The new Letter of Credit amount will be \$644,383.27. Motion carried without a negative vote.

VILLAGE PRESIDENT: Two complaints of Public Nuisance were forwarded to the Police Chief. Moved by Fickau, seconded by O’Bryan, to accept the President’s Committee appointments as listed:

Economic Development	Business Member	Kevin Sinnett	2008
Plan Commission	Citizen Member	John Bronk	2008
Board of Bldg & Zoning	Regular Member	Paul Binder	2008
	Regular Member	Eliot Bakst	2008
	1 st Alternate	Kate Graczyk	2008
	2 nd Alternate	James Bartlett	2008
Library Board	Member	Richard Hill	2008
Tourism Commission	Member	Patti Muraczewski	2006

	Member	William Kasch	2006
	Member	Marge Stobber	2006
	Member	Bharat Shah	2006
Historic Preservation	Realtor Member	Georgine Kuehl	2008
	Board Member	Rick Debe	2006
Police Commission	Member	Robert Posekany	2008

Tom Berg Community Center, Advisory/Liaison members: Trustee Fickau & Trustee Fennel.

Motion carried without a negative vote. Moved by Fickau, seconded by Pires, to accept the President's Board Committee appointments as listed:

Finance:	Chairperson: Pires	Members: Fickau & Hogan
Public Works:	Chairperson: Fickau	Members: O'Bryan & Fennel
Personnel:	Chairperson: Hogan	Members: O'Bryan & Pires
Protective Services	Chairperson: O'Bryan	Members: Fennel & Pires
Health & Recreation	Chairperson: Fennel	Member: Debe
Judicial:	Chairperson: Debe	Member: Hogan

Motion carried without a negative vote.

NEW BUSINESS: Moved by Fickau, seconded by Fennel, to approve the Time Warner Permit for underground utilities for Meadowview Court. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to approve the WE Energies Permit for underground utilities for Lake Street. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to approve the WE Energies Permit for underground utilities for Wahl Avenue. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the WE Energies Permit for overhead utilities for Plank Road. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve the WE Energies Permit for 700 Swan Drive. Motion carried without a negative vote.

Moved by Fennel, seconded by Fickau and carried to adjourn the meeting at 9:56 p.m.

Bernard W. Kahl, MMC
Administrator-Clerk/Treasurer

President Wagner called the Village Board meeting to order on May 3, 2005 at 7:30 p.m. Members present: FICKAU, PIRES, HOGAN, FENNEL, DEBE, & WAGNER. Member excused: O'Bryan. Also present: Police Chief Winchowky, WWTP Supt Piquett, Water Supt Walencyk, DPW Supv Brandemuehl, Bldg Insp/Zoning Adm Hankovich, & Fire Chief Rolfe. President Wagner made the announcement of a closed session pursuant to State Statute 19.85(1)(e): Purchase of property in TID #3.

Moved by Fickau, seconded by Fennel, to approve the minutes of the April 19, 2005 Village Board meeting as presented. Motion carried without a negative vote.

COMMENTS FROM THE PUBLIC: Greg Hartel of the Mukwonago Chief Publications introduced himself as the reporter who will be covering the Village Board meetings.

OLD BUSINESS: Moved by Pires, seconded by Fickau, to reconsider the previous motion regarding the sale of the Fire Tanker. Motion carried without a negative vote. Chief Rolfe stated that the replacement vehicle could be purchased in 1, 2, or 3 years. It should remain in committee for further review. Sale of the Fire Tanker was referred back to the Protective Services Committee.

COMMITTEE REPORTS:

FINANCE – Moved by Pires, seconded by Fickau, to approve the following vouchers: Village \$72,894.86; Fire/Amb \$4,574.74; TIF #3 General \$2,757.21; TIF #3 s/w \$4,288.52; Designated Capital \$3,590.00; Recycling \$33,333.59; Capital Equip \$22,560.00; Library \$14,007.91; Capital Impvts \$5,236.44; 2001 GO Bond \$6,241.78; 2004 GO Note \$39,736.94; Water \$59,378.50; Sewer \$146,874.58; Taxroll \$6,009.26; Park \$4,900.00. Motion carried without a negative vote. Moved by Pires, seconded by Fickau, to approve Resolution 2005-11: **A RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING WITHDRAWAL OF THE VILLAGE OF MUKWONAGO MONIES.** Motion carried without a negative vote.

JUDICIAL – Moved by Debe, seconded by Fickau, to approve the Class A Beer License for BJ's BP Inc., Baljit S. Gill, Agent; 122 Arrowhead Drive, d/b/a BJ's BP. Motion carried without a negative vote.

PROTECTIVE SERVICES – Presentation of a 911 call – Police Dept will remain on the agenda. Item 2 & 3 are the same issue and it was moved by Fennel, seconded by Debe to approve the increase in fees for the Technical Rescue Services Agreement with the City of Waukesha for the period of June 2005 to June 2006. Motion carried without a negative vote. The NIMS Resolution was for informational purposes and no action is required at this time. Usage of Contract Fee from Waukesha Memorial will be discussed at budget time. Alternating the use of Village and Town Attorneys will remain on the agenda.

VILLAGE ENGINEER: Moved by Fickau, seconded by Fennel, to accept the Village Engineers recommendation to award the Plank Road Project to Wilkomm Excavating & Grading, Inc., for \$1,068,965.02. Motion carried without a negative vote.

VILLAGE PRESIDENT: Moved by Fickau, seconded by Debe, to accept the Village President's appointment of the Mukwonago Chief Publications as the official newspaper of the Village. Motion carried without a negative vote. President Wagner announced that he was going to follow last year's summer meeting schedule, that we would not have the Village Board meetings on the first Tuesday in June & July.

CORRESPONDENCE: Moved by Fennel, seconded by Fickau, to authorize the Village President and Village Clerk to sign the Agreement with the Town of Eagle for the 2005-2006 dispatch rates for Eagle Boat Patrol. Motion carried without a negative vote.

NEW BUSINESS: Moved by Fickau, seconded by Pires, to authorize the Village President to sign the Time Warner Permit for McDivitt Lane. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau, to authorize the Village President to sign the WE Energies Permit for 713 Stoecker Farm Avenue. Motion carried without a negative vote.

Moved by Fennel, seconded by Debe, to adjourn at 8:02 p.m. into closed session pursuant to State Statute 19.85(1)(e): Deliberating or negotiating the purchasing or public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. –Purchase of Property in TID #3. Motion carried unanimously upon roll call.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

The Mukwonago Village Board meeting was called to order on May 17, 2005 by Clerk Kahl at 7:30 p.m. Members present: FICKAU, PIRES, HOGAN, FENNEL, O'BRYAN, & DEBE. Member excused: WAGNER. Also present: Police Chief Winchowky, DPW Supv Brandemuehl, WWTP Supt Piquett, Planner Kaniewski, Engineer Peot, & Attorney Reilly.

Moved by Fennel, seconded by Pires, to nominate Hogan as Acting President. Motion carried without a negative vote. Acting President Hogan announced that the Village Board would be going into closed session at the end of the regular meeting. The Treasurer, Mileage, Police, Library, & Fire reports for April and the 2004 Library Annual report were placed on file in the Clerk's Office. Moved by Fickau, seconded by Pires, to approve the minutes of the May 3, 2005 Village Board meeting as presented. Motion carried without a negative vote.

COMMENTS FROM THE PUBLIC:

Clarence Fox, 437 Blood Street – Questioned why the weed conveyor is still parked on Blood St.
Tom Jones, 401 Lois Street – Questioned the part in the Municipal Code Book, Chapter 34-46 regarding parking of vehicle in excess of 10 days. Item referred to Judicial Committee.

COMMITTEE REPORTS:

FINANCE – Moved by Pires, seconded by Fickau, to approve the following vouchers: Village \$32,530.58, Fire/Amb \$11,192.88, TID #3 General \$877.48, Recycling \$2,937.00, Library \$5,966.18, Capital Impvts \$468.38, 2001 GO Bond \$182.77, 2004 GO Note \$240.00, Water \$14,217.21, Sewer \$79,153.44, Taxroll \$404,315.10. Motion carried without a negative vote. Trustee Pires reported that the Finance Committee has come up with a reference guide for the Finance Committee, and a copy will be given to the Trustees and the Department Heads.

HEALTH & RECREATION – Moved by Fennel, seconded by Debe, to approve the use of Field Park by Rich Madish for a concert/fundraiser for Camp Heartland on May 21, 2005. No fee is required, and he will make a \$100 refundable deposit if the park is cleaned. Motion carried without a negative vote. The Village Board will accept a citizen project to plant flowers in Miniwaukan Park. The Croatian Day Picnic will be July 9, 2005 in Field Park. Request for Public Skate Park will remain in the Committee.

JUDICIAL – Moved by Debe, seconded by O'Bryan, to approve the Temporary Class B Beer and Wine License for St. James School for June 13, 2005. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to approve the Change of Agent for 2004-2005 Class A Beer and Liquor License for Ultra Mart Foods, Dale Sosinski, Agent at 1010 N. Rochester Street. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to approve the application for a Class B Beer, 6-month license to Mukwonago Lakers Baseball Club, Nathan Rebholz, Agent. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to approve the application for a Class B Beer and Reserve Class B Liquor License to Phantom Pub & Bait Shop, LLC, Catherine A. Relish-Armstrong, Agent, at 809 Main Street. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to approve the 2005-2006 Class A Liquor Licenses to: Joyce L. Anderson d/b/a Whatever Baskets, 210 Fox Street; Ye Ole Smokehouse LLC, Thomas A. Materna, Agent at 214C S. Rochester Street. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to approve the 2005-2006 Class A Beer Licenses to: 5 Star Stations and 301 Main Street & 407 S. Rochester Street; BJ's BP Inc, 122 Arrowhead Drive; GK Gas LLC, 201 N. Rochester Street; Village Pumper, 710 Main Street. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to approve the 2005-2006 Class A Beer & Liquor Combination License to: Gerald M. Anich, 411 Main Street; F.A. Lobdell & Sons, 831 Greenridge Drive; Ultra Mart Foods, d/b/a Pick 'n' Save, 1010 N. Rochester Street. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to approve the 2005-2006 Class B Beer & Liquor Combination License to: Phantom Pub & Bait Shop LLC, 809 Main Street; American Legion Community Post #375, 627 CTH NN East; Kona Café, 1005 Main Street; Blue Bay Family Restaurant, 927 Main Street; Jay's Lanes, Inc., 326 Atkinson

Street; Market Square Restaurant, 1015 CTH NN East; Sandy's Miller Time, 701 Main Street; Little Babes Café, 507 Main Street; Fork in the Road Restaurant, 215 N. Rochester Street. Motion carried without a negative vote. Moved by Debe, seconded by Fennel, to approve the 2005-2006 Class B Beer and Class C Wine License to Mario's Natural Roman Pizza, Inc., 225 Bay View Road #500. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to approve the 2005-2006 Operators License Applications except for Randall Jay and Koren M. Henrichs. Motion carried without a negative vote.

PERSONNEL – Moved by Hogan, seconded by Fennel, to approve the amendment to the Employee Handbook, Worker's Compensation section by the adding the words 'for 365 days'. Motion carried without a negative vote. Letter from former Trustee Odier regarding amendments to the Employee Handbook will remain in committee.

PUBLIC WORKS – Moved by Fickau, seconded by Fennel, to approve the request for a 'Deaf Child' sign on Heron Drive & Heron Court. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to allow Paul Shedivy, 1123 Mallard Court, to tile down to the inlet as long as a contractor does the work and that the proper easements are received from property owners whose properties will be crossed. Motion carried without a negative vote. Committee has recommended that the Village not make a change to the ordinance to allow for lawn sprinkling. Moved by Fickau, seconded by Fennel, to approve renaming Mukwonago Drive Extension by an anchor tenant if they become part of the Berg Community Center. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to accept the Engineer's recommendation to award the bid for the Mukwonago Shores Project to C.W. Purpero, Inc. for \$2,178,833.00. Motion carried without a negative vote. The Multi-Use Trail along Highway NN will remain in committee. Holz Parkway Wetland Mitigation Mtce and Land Ownership will remain in committee. Park Place Lane property acquisition will be handled by the residents and can be removed from the agenda. Street lights in Whispering Bay and Sidewalk Ordinance update will remain on the agenda.

PLAN COMMISSION: Moved by Pires, seconded by Fennel, to accept the Plan Commission recommendation to approve Ordinance No. 706: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP** [Moseler property]. Motion carried without a negative vote. Moved by Fickau, seconded by Debe, to accept the Plan Commission recommendation to deny the sign as requested by Wal-Mart Supercenter. Motion carried without a negative vote. Moved by Fickau to recommend to Wal-Mart that the sign be not more than 10 feet in height and be a monument sign. Motion died for lack of a second. Moved by O'Bryan, seconded by Debe, to send back to the Plan Commission asking Wal-Mart to design a monument sign not to exceed 16 feet in height. Motion carried on a vote of 4 ayes and 2 nays [Fickau & Pires voting 'no'].

VILLAGE PRESIDENT: Moved by Pires, seconded by Hogan, to accept the President's appointment of Holly Wray, 520 Division Street, to the Fire Commission for a term ending in 2008 and that Trustee O'Bryan is the Village Board representative as chair of the Protective Services Committee. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fickau, to accept the President's appointment of Tom Loew, 370 CTH NN E, to the unexpired term on the Plan Commission ending in 2007. Motion carried without a negative vote. Moved by Fickau, seconded by Pires, to accept the appointments to the Board of Review of President Wagner, Clerk Kahl, Trustee Hogan, Trustee O'Bryan, and Trustee Fickau as the alternate. Motion carried without a negative vote.

NEW BUSINESS: Moved by Fickau, seconded by Fennel, to authorize the signing of the WE Energies permit for gas main relocation on Andrews Street. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to authorize the signing of the WE Energies permit for 228 McDivitt Lane. Motion carried without a negative vote.

Moved by Fennel, seconded by O'Bryan, to adjourn into closed session at 8:55 p.m. pursuant to State Statute 19.85(1)(e): Deliberating or negotiating the purchasing or public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. – Fritz & Buchholz Parcels – Plank Road Project and Roberts Parcel – Oakland Avenue Project. Motion carried unanimously by roll call vote.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on June 7, 2005 at 7:30 p.m. Members present: FICKAU, PIRES, HOGAN, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Police Chief Winchowky, DPW Supv Brandemuehl, Library Director McBride, WWTP Supt Piquett, Water Supt Walencyk, Building Insp Hankovich, Fire Chief Rolfe, Engineer Peot, and Attorney Reilly.

President announced that the Village Board will adjourn into closed session at the end of the regular board meeting pursuant to State Statute 19.85(1) (e).

Trustee Fickau corrected the minutes of the May 17, 2005 meeting as follows: Under Public Works – *Moved by Fickau, seconded by Fennel, to approve renaming Mukwonago Drive Extension by an anchor tenant if they build on the Berg parcel on the north side of Bay View Road.* It should read as – *Moved by Fickau, seconded by Fennel, to approve renaming Mukwonago Drive Extension by an anchor tenant if they become part of the Berg Community Center.* Moved by Fickau and seconded by Fennel, to approve the minutes of May 17, 2005 as corrected. Motion carried without a negative vote.

COMMITTEE REPORTS:

FINANCE – Moved by Pires, seconded by Fickau, to approve the following vouchers: Village \$70,474.87; Fire/Amb \$6,544.13; TIF #3 General \$3,473.85; TID #3 S/W \$4,068.18; Designated Funds \$5,692.11; Recycling \$31,173.15; Library \$8,260.42; Capital Impvts \$7,783.25; 2001 GO Note \$1,083.64; 2004 GO \$8,927.82; Water \$49,495.44; Sewer \$30,783.61; Taxroll \$5,489.25. Motion carried without a negative vote. Increase of Electrical Permit Fees will be acted upon at the next meeting so Trustees have a chance to review the fees.

JUDICIAL – Moved by Debe, seconded by Fennel, to approve the 2005-2006 list of Operator's License applications. Motion carried without a negative vote.

PROTECTIVE SERVICES – Moved by O'Bryan, seconded by Fennel, to forgive the additional charges on the ambulance bill for John Kemmerling, W3478 Little Prairie Road, East Troy. The additional charges were billed nine months later after the original bill was paid. Motion carried without a negative vote. Committee saw a demonstration on the TASER gun by the City of Waukesha Police Department. Committee discussed a Fire Department Employee Handbook and recommend that the Personnel Attorney review this. Clerk was instructed to get an estimate from the Attorney to perform this work. Amato Ford is considering donating a vehicle to the Fire Department that will be used by the Paramedics. Item will remain in committee. Moved by O'Bryan and seconded by Fennel, to authorize the signing of the MABAS contract. Motion carried without a negative vote. The Fire Department 2004 Annual Report was placed on file in the Clerk's Office. Moved by O'Bryan and seconded by Pires, that we send the information to the Fire Commission Members 'to enforce the nepotism policy of the Village of Mukwonago when hiring full time employees'. A copy of the letter from the Personnel Attorney should also be sent to each member. Motion carried on a vote on 6 ayes and 1 nay [Debe voting 'no']. Exit Poll for personnel leaving a Village Department was referred to the Personnel Committee. Fire Department Vehicle analysis and recommendation; presentation of a 911 Call; and the alternating use of Village and Town Attorneys on Fire & Ambulance Issues will remain in committee.

VILLAGE ENGINEER: Moved by Fickau, seconded by Debe, to approve the site plan and Stormwater management plan for the Berg Community Center with the following conditions:

1. In the event groundwater is encountered during utility construction the representatives of Berg Construction will document the elevation of ground water prior to the start of dewatering operations and prepare a detailed plan showing which lots have proposed building pad elevations within 10-feet of the groundwater level. Lots meeting this criterion are to be raised such that the basement floor elevation is at least 2 feet above the groundwater elevation. For lots with sump pumps that continuously run, a sump

drainage system approved by the Village Engineer is to be installed behind the curb that drains into the storm sewer system.

2. That the storm water management plan and agreement is updated to address concerns from the Village Attorney and review the letter from Ruckert/Mielke dated May 25, 2005.

Motion carried without a negative vote. Moved by Fennel and seconded by O'Bryan, to award the bid for the Oakland Avenue Realignment Project to Berg Construction in the amount of \$110,890.00. Motion is subject to the approval of the offer to Lindengrove. Motion carried without a negative vote. Moved by Fickau, seconded by Hogan, to approve Change Order #3 for the Fox River View Lift Station requesting extension on dates: Substantial completion date will be July 1, 2005 and Final Payment date of July 30, 2005. Motion carried without a negative vote.

VILLAGE ATTORNEY: Moved by Fickau, seconded by Hogan, to approve the Takeover Agreement for the Highway 83 Construction Project. Bonding Company for contractor James Cape & Sons will be contracting the work and the Village will be paying the Bond Company. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan, to approve Resolution 2005-12: *A RESOLUTION TO RELINQUISH VILLAGE EASEMENTS IN PARTIALLY VACATED FOXTAIL COURT* and Resolution 2005-13: *A RESOLUTION TO RELINQUISH VILLAGE EASEMENTS IN GREY FOX RUN*. Motion carried without a negative vote.

VILLAGE PRESIDENT: Moved by Fennel, seconded by O'Bryan, to accept the resignation of Paul Binder from the Board of Building and Zoning Appeals. Motion carried without a negative vote. Moved by Hogan and seconded by Pires, to approve the appointments of Kate Graczyk as a member of Board of Building and Zoning Appeals and James Bartlett as the 1st Alternate. Motion carried without a negative vote. Moved by Fickau and seconded by Pires, to approve the appointment of Donna Rush to the Joint Fire Commission. Motion carried without a negative vote.

NEW BUSINESS: Moved by Fennel and seconded by Fickau, to approve the Time Warner Permit for replacement of damage cable on Jefferson Street. Motion carried without a negative vote. Moved by Fickau and seconded by Hogan, to approve the WE Energies permit for 642 Stoecker Farm Avenue. Motion carried without a negative vote.

Moved by O'Bryan and seconded by Pires, to adjourn into closed session at 8:23 p.m. pursuant to State Statute 19.85(1)(e): Deliberating or negotiating the purchasing or public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. – Fritz parcel – Plank Road Project and Lindengrove parcel – Oakland Avenue Project. Motion carried unanimously by roll call vote.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on June 21, 2005 at 7:30 p.m. Members present: FICKAU, PIRES, HOGAN, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: DPW Supv Brandemuehl, WWTP Supt Piquett, Attorney Reilly, Library Director McBride, Planner Fahl, Water Supt Walenczyk, Engineer Peot, and Lt. LaDue.

President Wagner announced that the Village Board will adjourn into closed session at the end of the regular board meeting pursuant to State Statute 19.85(1) (e).

PUBLIC HEARINGS:

CHANGE OF ZONING FROM A-1 TO B-3-SW CORNER OF PHANTOM WOODS ROAD AND CTH ES-SCOTT & LAURIE BRIESATH - Hearing was opened at 7:31 p.m. Bonnie Wright, W296 S10845 Phantom Woods Road; spoke against the rezoning. She asked the Board to require that a berm, 6-7 feet in height be required and landscaping. She also stated that she had a problem with the noise factor. No one else appeared for or against the change of zoning. Public hearing closed at 7:32 p.m.

CHANGE OF ZONING FROM A-1 TO R-10 WITH R-4 PUD OVERLAY-S92W27800 EDGEWOOD AVE-HEIDI DELSMAN, CEDAR MILL HOMES – Hearing was opened at 7:32 p.m. No one appeared for or against the change of zoning. Public hearing closed at 7:33 p.m.

SPECIAL ASSESSMENT FOR CTH ES FROM PHANTOM LAKE/MUKWONAGO RIVER BRIDGE TO 1050 FEET SOUTH OF WAUKESHA/WALWORTH LINE [continuation from the April 19, 2005 Public Hearing]. – Hearing was opened at 7:33 p.m. No one spoke on the special assessments. Hearing closed at 7:34 p.m.

Treasurer, Mileage, Police, Fire, and Library Reports for May 2005 were placed on file in the Clerk's Office.

Moved by Fickau, seconded by Pires to approve the minutes of the June 7, 2005 board meeting as presented. Motion carried without a negative vote.

COMMENTS FROM THE PUBLIC:

Tom Jones, 401 Lois Street – Passed out information regarding a document on Public Trust Doctrine and locations where the weed harvester could be placed on Phantom Lake. He also showed pictures of other lakes in the area and what those residents did to control access to their lakes, unlike what the Village of Mukwonago does. He then talked about the beautification program for the end of Blood Street. He read a letter from Mr. Clarence Fox, that he wanted to plant grass, flowers and put in a bench [like they have in Minor's Park] and that he would make a donation towards that. Item referred to the Health & Recreation Committee.

COMMITTEE REPORTS:

FINANCE – Mr. Jeff Belongia was present to talk to the Board about the Resolution to borrowing funds for future projects in the next five years. Moved by Fennel, seconded by Hogan, to approve Resolution No. 2005-14: **INITIAL RESOLUTION AUTHORIZING THE BORROWING OF NOT TO EXCEED \$15,000,000.00; PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION SECURITIES THEREFOR; AND LEVYING A TAX IN CONNECTION THEREWITH.** Motion carried with 6 ayes and 1 nay [Fickau voting 'no']. Moved by Pires, seconded by Hogan to approve the following vouchers: Village \$86,635.82; Fire/Amb \$8,119.06; TID #3 General \$4,858.52; TID #3 S/W \$10,312.02; Designated Fund \$590.20; Recycling \$2,952.00; Library \$6,263.57; Capital Impvts \$10,556.02; 2001 GO \$967.48; 2004 GO \$13,564.71; Water \$14,921.27; Sewer \$179,697.70. Motion carried without a negative vote. Moved by Pires, seconded by Hogan to approve the new proposed electrical permit fees. Motion carried without a negative vote. The charge for administrative fee was referred to Public Works. Vouchers Payable Guidelines will on the next agenda for adoption.

HEALTH & RECREATION – The Disc Golf League participants were told that they will be required to pay the standard park fees. Moved by Fennel, seconded by Debe to approve the proposed garbage and recycling fees for new construction. Motion carried without a negative

vote. Use of Park Dedication Fees, Public Site Acquisition & Development fees, and request for public skate park will remain in committee.

JUDICIAL – Moved by Debe, seconded by Fennel to approve Operator’s licenses for Jane K. Evans Krenz, Donna L. Nagy, Parvinder K. Phul, Mari E Silvestri, Jennifer K. Tappendorf, & Sandra M. Wilson. Motion carried without a negative vote. Operator’s license for Koren M. Henrichs is held until the next meeting and for Randall P. Jay is denied. Class A Beer & Liquor license for Wal-Mart will remain in committee. Committee does not see a need to change our ordinance on junk vehicles.

PERSONNEL – The committee has come up with 6 recommendations for minor changes to the employee handbook. Amendment to employee handbook regarding Worker’s Compensation has been done. Committee will be reviewing exit interview issue.

PUBLIC WORKS – Moved by Fickau, seconded by O’Bryan to approve the request for a block party on July 9, 2005 for Prairie Hill Avenue. Kim Anderson is the contact person. Motion carried without a negative vote. No action is required on the request to review the impact fees for sewer and water. Moved by Fickau, seconded by O’Bryan to have the Engineer report for the CTH ES Project special assessments include assessment deferral for agricultural land until it changes ownership, zoning, or development plans are submitted. Motion carried on a vote of 6 ayes and 1 nay [Debe voting ‘no’]. Moved by Fickau, seconded by Hogan to approve the WE Energies work request for non-standard street lighting, Option B, and that Mr. Grascch make a check out to WE Energies within two weeks for \$5,919.50. Motion carried without a negative vote. Moved Fickau, seconded by O’Bryan to send the unpaid bill for Fire Hydrant damage on Holz Parkway to County Collections and to notify the department that an additional amount will be due to the insurance company. Motion carried without a negative vote. Possible claim for water damage due to blown meter base at 114 Apollo Court is for information only. DPW is considering building a pole barn, 55’ x 65’ at a cost of \$55,000-60,000. They have money left in the capital projects account from the addition they put on the building. They will need to advertise for that. Moved by Debe, seconded by Fennel to authorize the expenditure of funds to repair the storm sewer in the TID area at an estimated cost of \$15,000. A letter shall be sent to WE Energies requesting them to repair the storm sewer that was damaged by their crew in the TID area and asking for a response in 30 days and if need be the Engineer may have to negotiate a settlement. Motion carried without a negative vote. Moved by Fickau, seconded by Debe that gravity sewer will serve the first three frontage lots on the Major’s farm on STH 83 and that lot 4 will be served when sewer is installed in the balance of the property. Lot 4 if developed early will have to have a grinder pump, at developer’s expense, until the other sewer is available. Motion carried without a negative vote. Twenty (20) citizens appeared at the Committee meeting regarding the Mukwonago Shores project and nothing new was brought forward. Multi-Use trail along CTH NN and Holz Parkway wetland mitigation were left in committee. Lights in Whispering Bay shall be dropped from the agenda. Any updates to the Sidewalk Ordinance shall be given to the Engineer and then forwarded to the Village Attorney.

PLANNING COMMISSION – Moved by Fickau, seconded by Fennel to approve Ordinance No. 761: **AN ORDINANCE TO CORRECT ORDINANCE NO. 742 (Krogstad annexation ordinance)**. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel to approve Ordinance No. 762: **AN ORDINANCE TO CORRECT ORDINANCE NO. 743 (Hibbard annexation)**. Moved by Fennel, seconded by Hogan to waive the sign permit fee and the electrical permit fee for the sign for the Mukwonago Food Pantry at 325 Eagle Lake Avenue. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel to accept the Plan Commission recommendation to approve the CSM for 304 Park Avenue, Greg Bergmann with the following conditions:

1. Technical revisions shall be made to the CSM pursuant to the letter from David Buechl, P.E. of Ruckert/Mielke.

2. Prior to recording of the CSM, the Village Engineer shall review all technical revision made to the map.

Motion carried without a negative vote.

Moved by Fickau, seconded by Debe to accept the Plan Commission recommendation to adopt Ordinance No. 763: **AN ORDINANCE TO ANNEX CERTAIN PROPERTY TO THE VILLAGE OF MUKWONAGO (Morris annexation)**. Motion carried without a negative vote. Moved by Debe, seconded by O'Bryan to adopt Ordinance 764: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO (Morris rezone)**. Motion carried without a negative vote. [Note: This item will have to be reconsidered at the next meeting as it was not approved by the Plan Commission.] Moved by Fennel, seconded by Fickau to accept the Plan Commission recommendation to adopt Ordinance No. 765: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE VILLAGE OF MUKWONAGO (Briesath rezone)**. Moved by Fennel, seconded by Fickau to accept the Plan Commission recommendation to approve the extraterritorial preliminary plat of Pheasant Fields on STH 83 & Frog Alley - Randolph & Brenda Schuett. Motion carried without a negative vote. Moved by Fickau, seconded by Hogan to accept the Plan Commission recommendation to approve the extraterritorial CSM, W182 County Road L – Lester Horlacher, owner. Motion carried without a negative vote. Village President will review the Historic Preservation Chapter of the Municipal Code.

VILLAGE ENGINEER: Moved by Fickau, seconded by Fennel to approve the storm water management plan for the Village Car Care site with three (3) conditions:

1. The developer sends us copies of any necessary permits.
2. The corresponding storm water maintenance agreement be recorded at Waukesha County.
3. Any changes to the drawings be approved by the Village Engineer.

Motion carried without a negative vote. Move by Debe, seconded by O'Bryan to have the Clerk sent a letter to Village Car Care engineer if they want to try to alternate design for Storm Water runoff, we will consider it and to let us know in 30 days. Motion carried without a negative vote. Moved by Hogan, seconded by O'Bryan to allow Plank Road to be narrowed by 2 feet and this would allow the two electric poles to remain at the Fritz site. Motion carried without a negative vote.

NEW BUSINESS: Moved by Fickau, seconded by Fennel to approve the WE Energies permit for the gas main relocation for Plank Road. Motion carried without a negative vote.

Moved by Fickau, seconded by Fennel to adjourn at 9:12 p.m. into closed session pursuant to State Statute 19.85(1)(e): Deliberating or negotiating the purchasing or public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. – Police & Dispatcher Contracts. Motion carried unanimously upon roll call.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on July 19, 2005 at 7:30 p.m. Members present: FICKAU, PIRES, HOGAN, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: DPW Supv Brandemuehl, WWTP Supt Piquett, Police Lt. LaDue, Attorney Reilly, Engineer Peot, & Planner Kaniewski.

President Wagner opened the public hearing for the change of zoning from A-1 to R-1 and R-10 with R-4 PUD Overlay-Chapman Farm, was opened at 7:31 p.m. No one appeared for or against. Public hearing was closed at 7:32 p.m.

Treasurer, Mileage, Police, Fire and Library reports for June 2005 were placed on file in the Clerk's Office.

Moved by Fickau, seconded by Hogan to approve the minutes of the June 21, 2005 Village Board meeting as presented. Motion carried without a negative vote.

COMMENTS FROM THE PUBLIC:

Patti Muraczewski, 1126 Eastern Trail – spoke against the adoption of Ordinance 767 pertaining to vicious dogs.

Edward Muraczewski, 1126 Eastern Trail – spoke against the adoption of Ordinance 767.

COMMITTEE REPORTS:

FINANCE – Moved by Pires, seconded by Debe to approve Resolution 2005-19: **A RESOLUTION AUTHORIZING THE BORROWING OF \$1,550,000 GENERAL OBLIGATION NOTES.** Motion carried without a negative vote. Moved by Pires, seconded by Fickau to approve the following vouchers: Village \$123,129.59; Fire/Amb \$3,722.45; TIF #3 General \$4,219.71; TIF #3 S/W \$5,624.01; Recycling \$15.39; Library \$5,766.78; Capital Impvts \$6,513.83; 2001 Bond \$3,403.51; 2004 GO \$5,937.82; Water \$24,325.26; Sewer \$9,412.07; Parkland \$2,458.00. Motion carried without a negative vote. Moved by Pires and seconded by Hogan to adopt Ordinance No. 766: **AN ORDINANCE TO AMEND SECTIONS 18-86 AND 18-116 OF THE MUNICIPAL CODE.** Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Resolution 2005-16: **A RESOLUTION TO SET PLUMBING PERMIT FEES.** Motion carried without a negative vote. Moved by Pires and seconded by Fickau to approve Resolution 2005-17: **A RESOLUTION TO SET HEATING AND COOLING PERMIT FEES.** Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Resolution 2005-18: **A RESOLUTION TO SET ELECTRICAL PERMIT FEES.** Motion carried without a negative vote. The Voucher Payables Guidelines was distributed to the Board member and now will be distributed to the departments.

HEALTH & RECREATION – The Blood Street/Phantom Lake Beautification issue will remain in committee, nothing can be done until the weed harvester issue is resolved. Moved by Fennel, seconded by Debe to approve the purchase and installation of bleachers by the Mukwonago Braves Association in Miniwaukan Park Letter to be sent to the Mukwonago Braves thanking them for their donation and that they would be responsible to maintain the structure. Motion carried without a negative vote. Use of Park Dedication Fees, Public Site Acquisition and Development Fee, and the request for Public Skatepark will remain in committee.

JUDICIAL – Moved by Debe, seconded by Fickau to approve Operator's Licenses for Ashley E. Braun, Michael J. Reetz, Donlea P. Roberts, Anna M. Schimke, & Jon J. Wilson. Motion carried without a negative vote. Request to change ordinance regarding parking heavy vehicles in residential areas will remain in committee. Clerk is to draft a letter for the President's signature to the owner of the Phantom Pub & Bait Shop regarding the complaints received from residents concerning the large crowds and loud music. They are to be reminded that when they have such a gathering they must appear before the committee for approval of the activities. Ordinance No. 767 will remain in committee. Clerk to send a letter to the applicants for an Operator License that their request was denied and copy their Attorney. Wal-Mart request for a Class A Beer and Liquor License will remain in committee. Amendment to Section 34-46 is to be removed from the agenda.

PERSONNEL – Employee Exit Interview for the Fire Department will remain in committee. Moved by Hogan, seconded by O’Bryan to approve the amendments to the Employee Handbook and that the amendments be incorporated into the handbook and distributed to the employees. Motion carried without a negative vote. The Committee is still waiting for a response back from the Associations Business Agents for a negotiation date.

PROTECTIVE SERVICES – All items will remain in committee.

PUBLIC WORKS – Move by Fickau, seconded by Pires to approve Change Order #1 for the STH 83 Road Improvements project that increases the completion date to October 1, 2005. Motion carried without a negative vote. Moved by Fickau and seconded by Pires, to approve the committee recommendation to establish a committee of six (6) people to come up with a different location for the weed harvester. Committee will consist of two (2) residents of the Village, two (2) residents from the Town of Mukwonago, and two (2) residents of the Phantom Lake Management District. The conveyor will remain where it is located now until we come up with a permanent home for it. Motion carried without a negative vote. Moved by Debe and seconded by Pires, to accept the President’s appointment of Trustee Fickau and Trustee O’Bryan to the committee for the permanent home for the weed harvester as Village Representatives. Motion carried without a negative vote. The Village Car Care retention pond will remain in committee. After discussion with property owners in the area this retention pond will not be a regional pond, and the committee will now continue the review until the owners of Village Car Care completes this construction. Committee shall make sure that once the pond is constructed that it is not turned over to the Village to maintain. The motion from last meeting regarding this issue is now null and void. Ammonia Compliance Schedule will remain in committee and a recommendation will be on the August 2nd agenda and Public Works will hold their meeting prior to the Village Board meeting. Moved by Fickau, seconded by Fennel to approve Resolution 2005-15: **A RESOLUTION IN COMPLIANCE WITH THE COMPLIANCE MAINTENANCE ANNUAL REPORT OF THE DNR.** Motion carried without a negative vote. Multi-use Trail along Hwy NN and the Holz Parkway Wetland Mitigation site will remain in committee.

PLANNING COMMISSION:

Moved by Fennel and seconded by Fickau to accept the Plan Commission recommendation to adopt Ordinance No. 768: **AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP;** to change the zoning of the Chapman Farm from A-1 to R-1 and R-10 with R-4 PUD Overlay. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel to accept the Plan Commission recommendation to approve the brick for the Antigua Real building, that is identified as Pembroke Tudor of the Tudor Collection, modular 39-09-448. Motion carried without a negative vote. Moved by Fennel, seconded by Fickau to accept the Plan Commission recommendation to approve the CSM for Edgewood Avenue, subject to the following conditions:

1. Prior to recording of the CSM, all technical revisions shall be made to the map and revisions submitted to the Village Engineer for verification of correction. The technical revisions may include adjustments to utility and drainage easements to coordinate with final approved construction plans.
2. Prior to recording of the CSM, the Village Engineer shall approve the final construction plans.
3. Prior to recording of the CSM, a letter of credit must be in place in an amount recommended by the Village Engineer.

Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to accept the Plan Commission recommendation to approve the Orchards of Mukwonago Developers Agreement subject to final review of the language and exhibits by department heads. Motion carried without a negative vote. Moved by Fickau, seconded by Hogan to accept the Plan

Commission recommendation to approve the Wal-Mart Supercenter freestanding standing sign as submitted with the following conditions:

1. The sign shall be subject to the design drawing dated July 18, 2005, prepared by Taylor Scott Architects, designated by Sheet A2.2.
2. The sign shall be subject to the colored rendering dated July 18, 2005, prepared by Taylor Scott Architects, and materials depicted on the rendering shall be consistent with materials utilized on the front of the Wal-Mart Supercenter building.
3. The sign shall be subject to the landscape plan entitled: "Monument Sign Landscape Exhibit" dated May 6, 2005 prepared by National Survey and Engineering.
4. Prior to issuance of the building permit, the plans submitted for building permit shall be subject to showing only the letters on the sign face to be illuminated.

Motion carried without a negative vote. Moved by Hogan and seconded by Fickau to accept the Plan Commission recommendation to approve the amendment to the Wal-Mart Supercenter Developer's Agreement. Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to accept the Plan Commission recommendation to approve setting the public hearing date for the amendment to the Zoning Code relating to residential minimum square footage requirements and to have the Village Attorney draft the ordinance change. Motion carried on a vote of 6 ayes and 1 nay (Debe voting 'no'). Moved by Fennel and seconded by Debe to accept the Plan Commission recommendation to have a public hearing on the Edgewood Avenue Land Use Plan. Motion carried without a negative vote.

VILLAGE ATTORNEY:

Moved by Fennel and seconded by Debe to approve the change in the letter of credit for Fox River View subdivision to the amount of \$1,657,447.33. Motion carried without a negative vote. Moved by Fennel and seconded by Fickau to approve the change in the letter of credit for Meadow Park Estates to the amount of \$28,680.00. Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to approve the change in the letter of credit for the Orchards of Mukwonago-Phase I to the amount of \$987,011.22. Motion carried without a negative vote. Moved by Hogan and seconded by Fennel to approve the change in the letter of credit for the Orchards of Mukwonago-Phase II to the amount of \$410,161.81. Motion carried without a negative vote.

VILLAGE PRESIDENT:

Moved by Debe and seconded by Pires to accept the resignation of Scott Pratt from the Mukwonago Community Library Board. Motion carried without a negative vote. Moved by Debe and seconded by Hogan to accept the Village President's appointment of Gene Eggert to the Historic Preservation Commission as the Architect member. Motion carried without a negative vote.

NEW BUSINESS:

Moved by Debe and seconded by Fennel to approve the permit to construct a water main on CTH NN for Minor's Homestead. Motion carried without a negative vote.

Moved by Fickau and seconded by Debe and carried to adjourn the meeting at 9:07 p.m.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order at 7:21 p.m. on August 2, 2005. Members present: FICKAU, HOGAN, FENNEL, O'BRYAN, DEBE, & WAGNER. Member excused: PIRES. Also present: WWTP Supt Piquett, Attorney Reilly, & Engineer Peot.

Moved by Fickau and seconded by Hogan to approve the minutes of the July 19, 2005 meeting as presented. Motion carried without a negative vote.

Moved by Fickau and seconded by Debe to accept the Public Works Committee recommendation to approve the Ammonia Compliance Schedule for the WWTP as revised by EIMCO and subject to final review by the Village Engineer and Village Attorney and that those funds for this system will be taken from unrestrictive funds in the Sewer Fund. Motion carried without a negative vote.

Moved by O'Bryan and seconded by Hogan to approve the Amended Resolution 2005-20: **AN AMENDED PRELIMINARY RESOLUTION DECLARING THE VILLAGE'S INTENT TO LEVY SPECIAL ASSESSMENTS PURSUANT TO S66.0703(1)(a), STATS., AND VILLAGE ORDINANCE SECTION 70-4(b)**. Motion carried without a negative vote.

Moved by Debe and seconded by O'Bryan and carried to adjourn the meeting at 7:28 p.m.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the meeting of the Village Board to order on August 16, 2005 at 7:30 p.m. Members present: FICKAU, PIRES, HOGAN, FENNEL, DEBE, & WAGNER. Member excused: O'BRYAN. Also present: Fire Chief Rolfe, DPW Supv Brandemuehl, WWTP Supt Piquett, Attorney Reilly, Planner Kaniewski, Engineer Genellie, & Police Chief Winchowky.

President Wagner announced that the Village would adjourn into closed session at the end of the meeting pursuant to State Statute 19.85(1) (g).

Public Hearing for Special Assessments for installation of sanitary sewer, sanitary laterals, and appurtenances, water main, water service, fire protection services, hydrants and appurtenances, concrete sidewalk for CTH ES; was opened at 7:31 p.m. Comments:

Tom Horter; 915 Main Street – He questioned the price of sidewalks, is that cost being completely paid by just the property owners? Yes, including the Village as a property owner. Village benefits from sidewalks, why don't other than the businesses pay towards this? Ordinance states that the benefiting property owner shall pay the assessments.

Mark; representing Joe Grascch – He questioned the acreage of his land, we have not been shown a credit for the wetland. It was deleted from the original estimate. In the assessment, the deferral of payment, we would like to see the deferral until all lots are sold.

New Life Community Church – Our land will be a parking lot. Deferrals are for 10 years and after that it then becomes due in full.

Linda Hafemeister, W295S10874 CTH ES – If you remain in the town, how will you handle the assessment? If you remain in the town you will not pay until such time that you attach to the Village. After you come into the Village, then the assessment comes due. Interest accrues even though assessment is deferred.

Dan Scheel, 1545 Main St & 1650 Main St. – He asked that the agricultural lands be deferred and not be limited for 10 years. He would like the option to use the land rather than sell it for development. He asked that no interest be charged on deferrals. Regarding that small building on Hwy J & CTH ES, Walworth County is going to redo Highway J in 2007; what happens if I lose that building? If the County pays you for the land they should be paying you for the assessment for that which should be included in the price.

No further appearances the public hearing was closed at 8:04 p.m.

The Treasurers, Mileage, Police, Fire, and Library reports for the month of July were placed on file in the Clerk's Office. Moved by Fickau and seconded by Hogan to approve the minutes of the August 2, 2005 meeting as presented. Motion carried without a negative vote.

COMMITTEE REPORTS:

FINANCE – Moved by Pires and seconded by Fickau to accept the 2004 Annual Audit Report by Virchow Krause as submitted. Motion carried without a negative vote. Moved by Pires and seconded by Fickau to approve the following vouchers: Village \$89,259.97; Fire/Amb \$182,239.23; TIF General \$11,297.85; TIF s/w \$5,274.91; recycling \$31,253.10; Capital Equip \$25,453.00; Library \$3,456.95; Capital Impvts \$13,580.19; 2001 GO \$629.18; 2004 GO \$272,848.42; Water \$140,919.43; Sewer \$20,754.99; Taxroll \$580,786.23; Parkland \$237.85. Motion carried without a negative vote. Moved by Pires and seconded by Fickau to accept the request to purchase dive equipment for a difference in cost of \$200.00 from the budgeted amount. Motion carried without a negative vote.

HEALTH & RECREATION – 2005 Fall Fest will be held in and around the center of the Village. Committee chair will work with the Public Works department for getting barricades. Moved by Fennel and seconded by Debe to allow Phantom Pub & Bait Shop to hold a pig roast during the Fall Fest celebrations subject to the Police Chief's approval of plans. Motion carried without a negative vote. Closing of Henry Street for Mount Olive Church picnic was tabled until the next meeting. Fire Department has a concern about the closing of the street with the construction that is going on in the subdivision, this will limit their access if an emergency

should come up. Barricades should not close the entire street width. The rental of Miniwaukan Park for the Disc Golf Course became an issue and the Board wants people to know that even if they rent the park that the people have the right to use the park for walking, etc., as long as it does not interfere with rented use. Moved by Fennel and seconded by Pires to accept the improvement design from Ruckert & Mielke for Miniwaukan Park with ½ of the cost to come from the grant funds. Motion carried without a negative vote. Moved by Fennel and seconded by Debe to accept the bid from Recreation Inc., in the amount of \$24,161.00 for option #2 for the installation of playground equipment at Miniwaukan Park. Motion carried without a negative vote. Moved by Fennel and seconded by Hogan to adopt Ordinance No. 769: **AN ORDINANCE TO CREATE SECTION 66.30 OF THE MUNICIPAL CODE PERTAINING TO THE COLLECTION OF GARBAGE/RECYCLING FEES FROM NEW CONSTRUCTION.** Motion carried without a negative vote. Moved by Fennel and seconded by Debe to adopt the study on the use of Park Dedication Fees. Motion carried without a negative vote. Moved by Fennel and seconded by Debe to approve the Parkland Site Fee and to tie it to the annual inflation rate starting in 2006 of 3.1%. Motion carried without a negative vote. Public Skatepark can be removed from the agenda.

JUDICIAL – Moved by Debe and seconded by Fennel to approve the application for an operator's license for Adam C. Smalley. Motion carried without a negative vote. Moved by Debe and seconded by Fennel to approve amending the parking ordinance to address the use of the parking spaces in front of 809 Main Street. Motion carried without a negative vote. The Wal-Mart issue will stay in committee and placed on the September workshop agenda. Request to change ordinance regarding parking of heavy vehicles in residential areas is to be removed from the agenda. Ordinance pertaining to animals will remain in committee.

PROTECTIVE SERVICES – Quint purchase will be handled in the 2006 budget process. Sale of SCBA equipment on E-Bay will be placed on the Finance Committee agenda and they would like a list of equipment to be sold. Joint Fire Department amendment can be removed by the agenda. Moved by Pires and seconded by Fennel to accept the vehicle donation from Amato Ford subject to the Town accepting the vehicle and titling the vehicle in the Town & Village name and that the 1988 passenger van will be retired from service. Motion carried without a negative vote. Presentation of a 911 call is tabled for now and will be discussed later. Alternating use of Attorneys will be left on the agenda.

PUBLIC WORKS – Committee will review bids at the next meeting for the pole building. Moved by Fickau and seconded by Fennel to deny claim for sewer backup to Debbie Maske, 623 N. Rochester Street for reasons set forth in the letter from our insurance carrier. Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to write a letter to Rainbow Springs that the Village will support providing sewer service to Rainbow Springs contingent upon entering in an agreement with the interested parties. Motion carried without a negative vote. Extraterritorial Sewer Service can be removed from the agenda. Ordinance No. 770 pertaining to impact fees will be held until next meeting for the Public Hearing. Mukwonago Shores Plan Changes for Blood Street will be on the next agenda, is the parcel buildable; and Ruckert & Mielke will provide plans for the subject parcel that will be included in the packet that is mailed. Moved by Fickau and seconded by Fennel that the special assessments for the Mukwonago Shores project phases will each stand on its own. Motion carried without a negative vote. No action was taken or discussed on Village wide assessment method. Moved by Fickau and seconded by Fennel to authorize the Village Engineer to prepare bid documents for option 2 for the WWTP Facility Plan. Motion carried without a negative vote. The Greenwald land lock issue will remain in committee and the Engineer is to have cost estimates prepared. Moved by Fickau and seconded by Debe to accept option #B for the lighting in Orchards of Mukwonago at a cost of \$22,627.37 and monthly cost of \$169.65. Motion carried without a negative vote. Village Car Care retention pond can be removed from the agenda. Multi-use trail along HWY NN will be on the next agenda. Holz Parkway Wetland Mitigation is on hold for response back from the Waukesha Group.

PLAN COMMISSION – Moved by Fennel and seconded by Fickau to accept the Plan Commission recommendation to approve the Moseler Final Plat (5-lot and 1 outlot) subject to the following conditions:

1. Plan Commission shall waive the requirement of filing of a preliminary plat.
2. The Final Plat shall not be recorded until the Developer's Agreement is approved by the Village Board.
3. Prior to recording of the Final Plat, all technical revisions shall be made and submitted to the Village Engineer for approval.
4. Prior to recording of the Final Plat, all Waukesha County objections to the Final Plat shall be satisfied.

Motion carried without a negative vote. Moved by Fennel and seconded by Hogan to accept the Plan Commission recommendation to approve the one-lot extraterritorial Certified Survey Map for a parcel of land located between Pickering Drive and Shady Lane, subject to the following condition:

1. All technical revisions to the Certified Survey Map and conditions required by the Town of Mukwonago shall be completed prior to the Village signing the Certified Survey Map.

Motion carried without a negative vote. Moved by Fickau and seconded by Hogan to accept the Plan Commission recommendation to approve the sign for Sherwin-Williams, not to exceed 45 square feet and subject to the Building Inspector's approval. Motion carried without a negative vote.

Moved by Fennel and seconded by Fickau to accept the Plan Commission recommendation for the approval of the Edgewood Meadows Condominiums Developer's Agreement subject to final review by the Village Engineer, Planner, and Zoning Administrator, and the approval of the request to commence grading contingent upon developer receiving a letter from the Village Engineer regarding storm water drainage and explaining that the developer would be proceeding at his expense. Motion carried without a negative vote. Moved by Fennel and seconded by Fickau to accept the Plan Commission recommendation to send a letter to the BOBZA that the Plan Commission has no objection with concept plan submitted by the Mukwonago Baptist Church and that we support the dormer/window change in the plan. Motion carried without a negative vote.

VILLAGE ATTORNEY: The Village Board addressed what should be in the final resolution for special assessments for Highway ES. The Attorney will work on the agriculture use; Town property owners assessments; interest will accrue; amount of time for deferred assessments and no extension beyond the ten years; and agricultural land will have assessment payment plan of 10 years. Interest rate will be 5.3%. Moved by Debe and seconded by Hogan to approve the reduction in the letter of credit for Meadow Park Estates to \$24,000.00. Motion carried without a negative vote.

Moved by Debe and seconded by Fennel to adjourn into closed session at 10:01 p.m. pursuant to State Statute 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 is likely to become involved – A) Request for mediation by Terra Construction regarding Fox River View Pump Station and B) Damage to Maple Avenue Storm Sewer. Motion carried unanimously upon roll call.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on September 2, 2003 at 7:30 p.m. Members present: FICKAU, COATS, ODIER, FENNEL, O'BRYAN, DEBE & WAGNER. Also present: WWTP Supv Piquett, Police Chief Winchowky, Bldg Insp Hankovich, Water Supv Walenczyk, Planner Kaniewski, Engineer Peot, Library Director McBride, DPW Supv Brandemuehl, Attorney Reilly, and Fire Chief Rolfe.

Public Hearing for the Proposed Amendment to the Sanitary Sewer Service Area for the Village of Mukwonago was opened at 7:31 p.m. Mr. Bill Stauber of SEWRPC was present to discuss and present the item to the public. 875 acres were added to the service area and approximately ½ of the area is in the environmental area and will not be developed. 650 dwelling units could be added here. No one appeared for or against. On September 10th the Regional Plan Commission will meet to discuss the Village's plan. Public Hearing closed at 7:41 p.m.

COMMENTS FROM THE PUBLIC:

Mike Hamilton, 505 Baron Road, presented to the Board a request from neighbors that they are still having problems with the motorist driving in the park area for soccer practice. Item was referred to the Health & Recreation Committee.

OLD BUSINESS:

Train whistle blowing was referred to the Judicial Committee.

COMMITTEE REPORTS:

PERSONNEL – Employee Handbook can be removed from the agenda. Lieutenant evaluations will be handled in closed session of the personnel committee. Assessor's position and assistant; assistant to the Supervisor of Inspection position; and the Village Attorney position will remain in committee.

FINANCE – Moved by Odier, seconded by Fickau, to approve the vouchers in the amount of: Village \$37,710.69; Fire/Amb \$30,479.90; TID \$4,000.41; Recycling \$2,066.58; Library \$6,717.22; Water \$23,271.86; Sewer \$16,755.41; Taxroll \$36,105.00. Motion carried without a negative vote. Moved by Odier, seconded by Fickau, to approve the lighting request of Minor's Homestead if the developer would reimburse the Village for the additional lighting expense of \$756.00 per year for the next 10 years. Motion carried without a negative vote. The Museum has received a CDBG from the County in the amount of \$7,500.00.

JUDICIAL – Moved by O'Bryan, seconded by Odier, to approve the application for operator's license for Donna E. McClain. Motion carried without a negative vote. Moved by O'Bryan, seconded by Fennel, to approve the Temporary Class B Beer for the American Legion Post 375 for September 13 & 14, 2003. Motion carried without a negative vote.

HEALTH & RECREATION – Moved by Fennel, seconded by Odier, to waive the Board of Building and Zoning Appeals fee for the Mukwonago Lions Club for the Pavilion in Field Park. Motion carried without a negative vote.

PROTECTIVE SERVICES – Moved by Coats, seconded by Debe, to authorize the sale of the old Aerial Platform truck through the services of Auction Associates. Advertisement should also be placed in the League and Towns publications. Motion carried without a negative vote. Committee asked the Fire Department to check on the insurance cost and liability if the MFD uses an impounded car for students. Will remain in committee. Fire Board will be removed from the agenda until 2004. Paramedic student contract, paramedic contract (Waukesha Memorial), Dispatch Agreements with Big Bend, Town of Eagle Boat Patrol and Town of Mukwonago Police will remain in committee.

VILLAGE ATTORNEY:

Resolution 2003-27 & 2003-28, resolutions that deal with discontinued use of roads will be placed on the next agenda. Moved by Fickau, seconded by Debe, to adopt Resolution 2003-29: A RESOLUTION APPROVING THE BAIL BOND SCHEDULE AS SET BY THE MUNICIPAL JUDGE OF THE VILLAGE OF MUKWONAGO. Motion carried without a negative vote. Village Attorney gave an update on the Town & Village of East Troy.

VILLAGE ENGINEER:

Moved by Coats, seconded by Debe, to authorize the signing of the contract for the TID #3. September 22, 2003 is the end of the 30-day appeal period for the Chapter 30 permit. Motion carried on a vote of 6 ayes and 1 nay (Fickau voting 'no'). Moved by Fennel, seconded by Fickau, to approve the construction drawings for Pinehurst subdivision. Motion carried without a negative vote. Moved by Fickau, seconded by Fennel, to approve Resolution 2003-26: A RESOLUTION FOR ADOPTION OF A MUKWONAGO SANITARY SEWER SERVICE AREA AGREEMENT. Motion carried without a negative vote.

VILLAGE PRESIDENT:

Moved by Fennel, seconded by Fickau, to approve the appointment of Jason Tetzlaff to the Joint Fire Commission for 1 year. Motion carried without a negative vote. Moved by Debe, seconded by Odier, to appoint Steve Powers as the Real Estate member to the Historic Preservation Commission member. Motion carried without a negative vote. Board of Review members will be President Wagner, Trustees Debe & Coats, and Clerk Kahl. Trustee Fickau will be the alternate.

NEW BUSINESS: Moved by Fickau, seconded by O'Bryan, to approve the WE Energies permit for 741 Small Farm Road. Moved by Wagner, seconded by Odier, to approve Trustee Fickau as the Designated Representative for the Water/Sewer contract for the TID extension. Motion carried without a negative vote.

Moved by Fickau, seconded by Fennel and carried to adjourn the meeting at 8:28 p.m.

Bernard W. Kahl, MMC
Village Clerk

Clerk Kahl called the Village Board meeting to order on September 20, 2005 at 7:30 p.m. Members present: FICKAU, PIRES, HOGAN, FENNEL, O'BRYAN, & DEBE. Member excused: WAGNER. Also present: Library Director McBride, DPW Supv Brandemuehl, WWTP Supt Piquett, Water Supt Walencyk, Engineer Wurster, Planner Kaniewski, Police Chief Winchowky, & Attorney Reilly.

Moved by Fennel and seconded by Fickau to nominate Trustee Debe as Acting Village President. Motion carried without a negative vote.

Public hearing on the amendment to the Impact Fee Ordinance was opened at 7:31 p.m. No one appeared for or against the proposal. Public hearing was closed at 7:32 p.m.

The Treasurer, Mileage, Police, Fire, and Library reports for the month of August were placed on file in the Clerk's Office.

Moved by Fickau and seconded by Fennel to approve the minutes of the August 16, 2005 as amended (name correction). Motion carried without a negative vote.

COMMENTS FROM THE PUBLIC:

County Supervisor Singert reported that the County's proposed Capital Improvement Projects for 2006 included the signal lights at CTH NN & CTH ES. He also reminded the public that a special election will be held on October 18th to elect a new County Executive.

Tom Jones, 401 Lois Street – Addressed the sidewalks being installed on Plank Road. Why is the Village only putting sidewalks on the north side and only having one side pay the cost. Sidewalk construction should be placed on the Taxroll for everyone's benefit. The weed harvester location has been circulating that it will be placed at the end of Andrews Street. Wahl Avenue, Phantom Woods Road, or Lakeside Street would be better locations.

COMMITTEE REPORTS:

FINANCE – Moved by Pires and seconded by Fickau to approve the following vouchers: Village \$131,055.01; Fire/Amb \$13,460.35; TIF-General \$34,751.58; TIF-S/W \$841.47; Debt Service \$41,273.60; Designated \$499.98; Recycling \$31,254.40; Capital Equip \$1,600.00; Library \$7,959.89; Capital Impvts \$26,688.56; 2001 GO \$1,298.45; 2004 GO \$200,370.12; Water \$499,034.23; WWTP \$119,737.51; Parkland \$198.00. Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve the Assessor Services Contract for 2006 & 2007 with National Appraisal Corporation and that Keith Munson is the appointed Assessor. Motion carried without a negative vote. Moved by Pires and seconded by Fickau to approve the signing of the contract with Virchow Krause for a sewer rate study at a cost of \$7-9,000.00. Motion carried without a negative vote.

HEALTH & RECREATION – Moved by Fennel and seconded by O'Bryan to approve the use of Field Park on October 1, 2005 for Hurricane Katrina fundraiser and that the park fee would be waived and that they put down a \$100.00 refundable deposit. They will also be responsible to pay for two Reserve Officers who will be at the fundraiser. The park will be used from noon to 10:00 p.m. Motion carried without a negative vote. Miniwaukan Park Shelter proposal by the Mukwonago Lions Club will be removed from the agenda.

JUDICIAL – Moved by Debe and seconded by Hogan to approve the applications for operator's licenses for Kevin L. Feign, Melissa B. Hanson, & Shannon L. Thornton. Motion carried without a negative vote. Class B Beer License and Class A Beer & Liquor license quotas will be discussed at the board workshop next week and a recommendation should be coming from that workshop to the next Village Board meeting. Complaint regarding Phantom Pub & Bait Shop by Grace Graham was placed on file. The committee did not have a recommendation on the request to hold a Poker Run at Phantom Pub & Bait Shop and can be removed from the agenda. Ordinance No. 767 pertaining to vicious dogs can be removed from the agenda.

PROTECTIVE SERVICES – The following items were left in committee: 1) Sending EBIX ambulance bills to Waukesha County Collections; 2) Review of Mileage Fee for Ambulance Transports; 3) Sale of Haz Mat Trailer; 4) Presentation of a 911 Call; and 5) Alternating the use of Village and Town Attorneys on Fire & Ambulance Issues. Use of Village equipment outside of the Village limits will remain in committee as the committee feels it needs some guidance on this issue. Finance committee also wants guidance on this issue as they are holding a repair bill for the truck and a high monthly gas bill. Village handbook and the Municipal Code address this issue. Used Quint purchase and Fire Department Vehicle analysis and recommendation can be removed from the agenda.

PUBLIC WORKS – Moved by Fickau and seconded by Hogan to approve the Block Party request by Karen Tarantino for the 1100 block of Rainbow Court to be held on September 24th and that they use the barricades provided by the Village. Motion carried without a negative vote. Moved by Fickau and seconded by Hogan to award the contract for the construction of the DPW Pole Building to Berg Construction in the amount of \$62,255.94. Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to waive the fee for the construction of the DPW Pole Building. Motion carried without a negative vote. Moved by Fickau and seconded by O'Bryan to not change the lease agreement with Sprint to reduce the rent by 50%, and if that is unacceptable with them then they must remove the equipment and repair the tower. Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to approve the WE Energies Work Request, Option B, for Meadow View Court (formerly known as Chelsea Court) and that the fee would be paid by the developer. Motion carried without a negative vote. Fiscal Year 2005 WI-DNR Annual Inspection Report was placed on file and it should be noted that as part of the report it is stated that 'the DNR is encouraging the Village to actively find other sources for water'. Moved by Fickau and seconded by O'Bryan to change Chelsea Court to Meadow View Court as this is the extension of Meadow View Lane. Motion carried without a negative vote. Moved by Fickau and seconded by O'Bryan that the Village Clerk ask property owners on each side of CTH LO to CTH I if they would like to have the sewer and water extended to Highway I as a deferred assessment. The length of the mains would run about 1500 feet. Clerk is to report back to the Board. Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to adopt Ordinance 770: **AN ORDINANCE TO AMEND SECTION 86-142(c) OF THE VILLAGE OF MUKWONAGO MUNICIPAL CODE (IMPACT FEE TIME LIMIT)**. Motion carried without a negative vote. Mukwonago Shores plan changes at the end of Blood Street: it will be 30 feet shorter than previously reported. DPW Supv will meet with the construction crew and DNR to discuss placing the bridge on the Greenwald property in the TID area. The Multi-Use Trail along CTH NN from Fairwinds subdivision to STH 83 will remain in committee.

PLANNING COMMISSION:

Moved by Fickau and seconded by Fennel to accept the recommendation of the Plan Commission to approve the Architectural/Site Plan for Hannah Home Health Care as submitted with the following conditions:

1. The addition shall be constructed consistent with the plans submitted by Steven Robert Sharpe, Architect, dated 09-19-2005.
2. The submitted Plan of Operation is made part of this approval.
3. The Plan Commission agrees to waive the parking requirements, pursuant to information submitted in the Plan of Operation.
4. The applicant is aware that future uses may not be allowed if it is deemed those future uses demand a parking requirement beyond existing parking spaces on the site.

Motion carried without a negative vote. Moved by Fennel and seconded by Fickau to accept the Plan Commission recommendation to approve the Mukwonago Family Dentistry revised plans submitted dated 09-19-2005 and that no construction begin prior to the approval of a developer's

agreement for this development and to approve of the Mukwonago Family Dentistry sign as presented in this package plan dated 09-19-2005. Motion carried without a negative vote. Moved by Fennel and seconded by Fickau to accept the Plan Commission recommendation to approve the Preliminary Plat of Chapman Farms as submitted subject to the following conditions:

1. The Final Plat shall include all technical revisions as stated in a letter from David Buechl, P.E., R.L.S. and Bruce Kaniewski, AICP.
2. The Final Plat and Construction Plans shall provide required traffic calming devices.
3. The Final Plat and Developer's Agreement shall state the lots that will not have access to the collector streets.
4. Site Plan and Architectural Plan review is necessary for the condominium portion of this plan.
5. The Final Plat when recorded, the lot widths shall conform to the Village Ordinances.

Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to accept the recommendation of the Plan Commission to approve the Grey Fox Run 3-lot CSM subject to the following condition:

1. Prior to recording of the Certified Survey Map, all technical revision shall be submitted to the Village Engineer for review and approval.

Motion carried without a negative vote. October 17th the Plan Commission will hold a public hearing on the revision to the Land Use Plan for the Edgewood Avenue area.

VILLAGE CLERK:

Moved by Fennel and seconded by Hogan to approve Resolution 2005-22: **A RESOLUTION SUPPORTING AGREEMENTS BETWEEN THE VILLAGE OF MUKWONAGO AND THE WISCONSIN STATE ELECTIONS BOARD REGARDING USE OF THE STATEWIDE VOTER REGISTRATION SYSTEM.** Motion carried without a negative vote. Census figures for 2005 for the Village of Mukwonago are: Village in Waukesha County is 6,506 and Village in Walworth County is 34 for a total population of the Village at 6,540. Report was placed on file in the Clerk's Office.

VILLAGE ENGINEER:

Moved by Hogan and seconded by Fickau to approve change order #1 for Mukwonago Shores Paving and Utilities in the amount of \$40,000.00 for a stormceptor which will be installed at the end of Andrews Street. The bid item for this was added because it was shown in the plans but not in the bid items of the contract and it is required to meet the WisDNR water quality requirements under NR216. Engineer will write off their cost of dealing with this item to the Village. Motion carried without a negative vote. Moved by O'Bryan and seconded by Hogan to approve change order #2 for the STH 83 Road Improvements for items required by WisDOT in the amount of \$26,092.00. Motion carried without a negative vote. Moved by Fennel and seconded by Hogan to approve the Urban Herriges Driveway final payment which has a decrease in the final contract price of \$1,007.24. Motion carried without a negative vote.

VILLAGE ATTORNEY:

Moved by Fennel and seconded by Fickau to approve the Letter of Credit for Edgewood Meadows in the amount of \$1,391,012.16. Motion carried without a negative vote. Moved by O'Bryan and seconded by Hogan to approve the reduction in the Letter of Credit for The Orchards of Mukwonago to \$678,400.90. Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to approve Resolution 2005-21: **A RESOLUTION APPROVING THE BAIL BOND SCHEDULE AS SET BY THE MUNICIPAL JUDGE OF THE VILLAGE OF MUKWONAGO.** Motion carried without a negative vote.

VILLAGE PRESIDENT:

Certified Local Government Agreement between the Village of Mukwonago and the State Historic Preservation Officer will be placed on the next agenda to give Board Members more time to review this item.

CORRESPONDENCE:

Letter from Waukesha Memorial regarding the donation of \$50,000.00 to the Village of Mukwonago was acknowledged and placed on file. SEWRPC 2004 Annual Report was placed on file in the Clerk's Office. Moved by Fennel and seconded by O'Bryan to approve the Centurytel Permit to bury telephone cables on Ahrens Drive, Meadow View Court, and Crestview Lane. Motion carried without a negative vote.

Moved by Fickau and seconded by Pires and carried to adjourn the meeting at 9:05 p.m.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the special meeting of the Village Board to order at 12:00 noon on October 5, 2005. Members present: FICKAU, PIRES, O'BRYAN, & WAGNER. Members excused: HOGAN, FENNEL, & DEBE.

Moved by O'Bryan and seconded by Fickau to approve the hiring of the Davis & Kuelthau Law Firm to investigate the Fire Chief in regards to the use of the fire ladder truck. This will cover the latest incident to the present time. Motion carried without a negative vote.

Moved by Fickau and seconded by Pires to adjourn the meeting at 12:06 p.m.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board to order at 7:30 p.m. on October 18, 2005. Present: FICKAU, PIRES, ODIER, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: DPW Supv Brandemuehl, Engineer Peot, Library Director McBride, Attorney Reilly, Planner Kaniewski, Bldg Insp/Zoning Admin, and Police Chief Winchowky.

President announced that the Village Board would adjourn into closed session at the end of the regular meeting as stated on the agenda.

President Wagner called the joint public hearing with Waukesha County Department of Parks and Land Use for the change of zoning request for The Orchards of Mukwonago-MLG Development at 7:31 p.m. Change of zoning is to C-1 and R-3 County Zoning Overlay. No one appeared for or against the change of zoning. Public hearing was closed at 7:32 p.m.

President Wagner called the public hearing on the request of Marc Tarkowski of Grsch Real Estate for the property at the north corner of Phantom Woods Road and CTH ES. Change of zoning request is from A-1 to R-1 and R-10 with R-4 PUD Overlay. No one appeared for or against the change of zoning. Public hearing was closed at 7:33 p.m.

Treasurer, Mileage, Police, Fire and Library reports for September 2005 were placed on file in the Clerk's Office.

Moved by Fickau and seconded by Fennel to approve the minutes of the September 20, 2005 and October 5, 2005 Village Board meetings as presented. Motion carried without a negative vote.

COMMENTS FROM THE PUBLIC:

Representative from Harmony Homes was present to talk about the building permit issues and that all items that were to be done have been met for permits to be issued. They did notice that they had a deadline of October 1, 2005 for multi-use trail work and asked that that be extended to May 1, 2006. Item was referred to Plan Commission.

COMMITTEE REPORTS:

FINANCE – Moved by Pires, seconded by Fickau to approve the following vouchers: Village \$32,195.14; Fire/Amb \$7,346.57; TID #3 General \$37.50; Recycling \$31,593.32; Capital Equip \$25,810.59; Library \$6,262.77; Capital Impvts \$313,292.49; 2001 GO Bond \$1,257.02; 2004 GO Bond \$198,605.53; Water \$587,681.10; Sewer \$1,211,976.22; Taxroll \$48,992.19; Parkland \$24,161.00. Motion carried without a negative vote. Moved by O'Bryan and seconded by Fennel to approve payment of the Tanker repair bill in the amount of \$1,214.54. Motion carried without a negative vote. Moved by Pires and seconded by Fickau to approve the allocation of \$1.55 million debt proceeds up to \$775,000 to Debt Services Fund (\$300,000 to be applied as fund balance transfer in 2006) and up to \$53,000 to Capital Equipment Fund. Motion carried on a vote of 6 ayes and 1 nay (Debe voting 'no'). Moved by Pires and seconded by Fickau to table the reallocation of required balances. Motion carried without a negative vote. Moved by Pires and seconded by Debe to approve Ordinance No. 771: **AN ORDINANCE TO CREATE DIVISION 3, SECTION 18-66 ENTITLED 'ELECTRICAL CONTRACTOR'S LICENSE' AND SECTION 18-87 ENTITLED 'PERMIT APPLICATIONS'**. Motion carried without a negative vote. Moved by Pires and seconded by Fickau to approve Ordinance No. 773: **AN ORDINANCE TO AMEND SECTION 2-197(e)(1) OF THE MUNICIPAL CODE**. Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Ordinance No. 774: **AN ORDINANCE TO AMEND SECTION 6-31(c) AND 6-56 OF THE MUNICIPAL CODE**. Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Ordinance No. 775: **AN ORDINANCE TO AMEND SECTION 10-2(b),(c) and (d) OF THE MUNICIPAL CODE**. Motion carried without a negative vote. Moved by Pires and seconded by Fickau to approve Ordinance No. 776: **AN ORDINANCE TO CREATE SECTION 14-31 OF THE MUNICIPAL CODE**. Motion carried without a negative vote. Moved by Pires and seconded by Fickau to approve Ordinance No. 777: **AN ORDINANCE TO AMEND SECTION 18-27(c) OF THE MUNICIPAL CODE**. Motion carried without a negative vote. Moved by Pires and seconded by Fickau to approve Ordinance No. 778: **AN ORDINANCE TO AMEND SECTION 22-32, 22-58, 22-83, 22-112, and 22-135 OF THE MUNICIPAL CODE**. Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Ordinance No. 779:

AN ORDINANCE TO AMEND SECTION 38-3 OF THE MUNICIPAL CODE. Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Ordinance No. 780: **AN ORDINANCE TO AMEND SECTION 45-16 OF THE MUNICIPAL CODE.** Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Ordinance No. 781: **AN ORDINANCE TO AMEND SECTION 50-52(2) OF THE MUNICIPAL CODE.** Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Ordinance No. 783: **AN ORDINANCE TO AMEND SECTION 66-30(a) OF THE MUNICIPAL CODE.** Motion carried without a negative vote. Moved by Pires and seconded by Debe to approve Ordinance No. 784: **AN ORDINANCE TO AMEND SECTION 90-44 and 90-48(3) OF THE MUNICIPAL CODE.** Motion carried without a negative vote. Moved by Pires and seconded by Debe to approve Ordinance No. 785: **AN ORDINANCE TO AMEND SECTION 42-6(e) OF THE MUNICIPAL CODE.** Motion carried without a negative vote. Moved by Pires and seconded by Fickau to approve Resolution 2005-23: **A RESOLUTION TO SET A SCHEDULE OF FEES FOR THE VILLAGE OF MUKWONAGO.** Motion carried without a negative vote.

HEALTH & RECREATION – Midnight Magic celebration plans are right on schedule. Moved by Fennel and seconded by Debe to approve the request to use Field Park and have live music on October 28, 2005 for Patrick McGinnis, until 10:00 p.m. Motion carried without a negative vote. Moved by Fennel and seconded by Debe to approve the signing of the service agreement with HAWS. Motion carried without a negative vote. Moved by Fennel and seconded by Fickau to approve Ordinance No. 782: **AN ORDINANCE TO CREATE SECTION 58-6 AND TO AMEND SECTIONS 58-32(b), 58-33(a)(5), 58-33(d)(7) AND 58-34 OF THE MUNICIPAL CODE.** Motion carried without a negative vote.

JUDICIAL – Moved by Debe and seconded by Fennel to approve the Operator’s Licenses for Clayton S. Putnam and Dawn Wetzal. Motion carried without a negative vote. Moved by Debe and seconded by Fickau to approve the Temporary Class B Beer License for St. James Parish for October 21, 2005. Motion carried without a negative vote. Moved by Debe and seconded by Fickau to approve the Temporary Class B Beer License for St. James School for November 6, 2005. Motion carried without a negative vote. Ordinance regarding Outdoor Bands and Other Noise Concerns will remain in committee. Moved by Debe and seconded by Fickau to approve Ordinance No. 767: **AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 82 OF THE VILLAGE OF MUKWONAGO MUNICIPAL CODE.** Motion carried without a negative vote. Letter from Darwin Greenwald, 5 Star Stations, regarding Class A Beer License Quota will remain in committee. Alcohol Beverage License Quotas will remain in committee.

PROTECTIVE SERVICES – All items will remain in committee.

PUBLIC WORKS – Moved by Fickau and seconded by Pires to appoint James Kyler as interim WWTP Supt. Motion carried on a vote of 6 ayes and 1 nay (Debe voting ‘no’). Moved by Fickau and seconded by Debe to have all utility service to 509 Division Street remove and prepare the house for a fire burn next year. Motion carried without a negative vote. Moved by Fennel and seconded by Debe to have the Village Attorney and Village Engineer apply for a Conditional Use permit to the Town of Mukwonago for Test Well #7. Motion carried without a negative vote. Staff paid on-call issue was referred to the Personnel Committee. Moved by Fickau and seconded by O’Bryan to turn the Notice of Termination of Cellular Lease Agreement with Telecorp and if they go ahead with the termination they must restore the property to its original condition within 90 days. Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to approve Final Payment for the STH 83 Sanitary Sewer Relocation of CN Railroad Bridge and Change Order #1 for a deduct of \$10,210.80. Motion carried without a negative vote. Committee is still working on the Multi-Use Trail along CTH NN from Fairwinds Subdivision to STH 83. Committee has heard nothing more from the property owner on CTH I, Tim O’Donnell, about the proposed property development. (Trustee Fickau excused himself at this time, 8:50 p.m.)

PLAN COMMISSION – Moved by Fennel and seconded by O’Bryan to accept the Plan Commission recommendation to recommend to the County Board the approval of the change of zoning to C-1 and R-3 County Zoning Overlay for The Orchards of Mukwonago-MLG Development. Motion carried without a negative vote. Moved by Fennel and seconded by Hogan to accept the Plan Commission that the landlord and owner of the building located at 857 S. Rochester Street present a master plan for the entire site. Motion carried without a negative vote. Moved by Fennel and seconded by O’Bryan to accept the Plan Commission recommendation to approve the Extraterritorial CSM for the Gerald & Diane Gilson property on STH 83 subject to the condition of putting a restriction on the driveway of Lot 3 away from STH 83 so emergency equipment can move in and out of the property comfortably. Motion carried without a negative vote.

VILLAGE ATTORNEY: Sidewalk information was handed out and will be an item on the next Village Board agenda. Moved by Debe and seconded by O’Bryan to approve the Contract for construction of the DPW Pole Building, to waive the bid bond requirement, include the price adjustment, and conditioned upon the approval of the Architects plans. Motion carried without a negative vote. (Trustee Fickau returned at this time, 8:56 p.m.)

VILLAGE ENGINEER: Moved by Debe and seconded by Fickau to approve the Utility drawings for Minor’s Homestead Additions 3 & 4 with the following condition: In the event groundwater is encountered during utility construction the representatives of Minor’s Homestead, LLC will document the elevation of ground water prior to the start of dewatering operations and prepare a detailed plan showing which lots have proposed building pad elevations within 10-feet of the groundwater level. Lots meeting this criteria are to be raised such that the basement floor elevation is at least 2 feet above the groundwater elevation. For lots with sump pumps that continuously run, a sump drainage system approved by the Village Engineer is to be installed behind the curb that drains into the storm sewer system. Motion carried without a negative vote. Moved by Fennel and seconded by Debe to approve the utility plans for Edgewood Meadows. Motion carried without a negative vote.

CORRESPONDENCE: Moved by Fickau and seconded by O’Bryan to approve the WE Energies permit for 706 Stoecker Farm Avenue. Motion carried without a negative vote.

Moved by Debe and seconded by Hogan to adjourn into closed session at 9:06 pursuant to State Statute 19.85(1)(e) Deliberating or Negotiating the Purchasing of Public Properties, the Investing of Public Funds, or Conducting Other Specified Public Business, Whenever Competitive or bargaining Reasons Require a Closed Session. – Dispatcher, Police and Non represented Employees Negotiations. Motion carried unanimously upon roll call.

Bernard W. Kahl, MMC
Administrator/Clerk-Treasurer

President Wagner called the Mukwonago Village Board meeting to order on November 1, 2005 at 7:00 p.m. Members present: FICKAU, PIRES, FENNEL, O'BRYAN, & WAGNER. Members excused: HOGAN & DEBE. Also present: DPW Supv Brandemuehl, Engineer Peot, Water Supt Walencyk, Fire Chief Rolfe, Police Chief Winchowky, and Attorney Reilly.

Moved by Fickau and seconded by Fennel to approve the minutes of the October 18, 2005 meeting as corrected [Moved by Fennel and seconded by Debe to have the Village Attorney and Village Engineer apply for a Conditional Use permit to the Town of Mukwonago for *Test* Well #7]. Motion carried without a negative vote.

COMMENTS FROM THE PUBLIC:

Steven Barber, PLMD – The weed conveyor has been relocated to the new site. PLMD would like the Village to help fund the improvements to the approach at a cost of approximately \$600.00.

Victor Hall, Greenwald Medical Center – Presented a defibrillator to the Village which will be placed at the Village Hall or Municipal Library.

COMMITTEE REPORTS:

FINANCE – Moved by Pires and seconded by Fickau to approve the following vouchers: Village \$31,155.29; Fire/Amb \$11,921.66; TID General \$600.00; Library \$6,595.44; Water \$35,419.93; Sewer \$51,714.88; and Taxroll \$5,489.25. Motion carried without a negative vote. Moved by Pires and seconded by Fickau to transfer funds from the utilities depreciation account to the utilities sick leave account to meet the GASB 45 requirements. Motion carried without a negative vote.

JUDICIAL – Moved by Wagner and seconded by Fennel to approve the operator's licenses for Ondraea R. Bartlett, Charlotte M. Piscitello, Kathryn A. Schafer, Elizabeth M. Schmuki, and Jamie A. Schoolcraft. Motion carried without a negative vote. Moved by Fennel and seconded by Fickau to approve the transfer of Class A Beer and Liquor license from premise to premise for F. A. Lobdell & Sons Inc., Timothy Lobdell, Agent; 545 Bay View Road. Motion carried without a negative vote.

PUBLIC WORKS – Moved by Fickau and seconded by O'Bryan to approve the Oakland Avenue Project price change not to exceed time and material in the amount of \$10,500.00. The connection manhole has a poured concrete collar and brick manhole which was unknown at the time of bidding. Motion carried without a negative vote.

PROTECTIVE SERVICES – Privacy and Security policies was informational and can be removed from the agenda. Moved by O'Bryan and seconded by Fennel to approve the change in policy that Ebix not send outstanding ambulance bills to collection until they are six (6) months old and that an extra letter will be sent out to the outstanding payee of the delinquency at a cost of \$1.00 per letter to the Village. Motion carried without a negative vote. Use of Fire Equipment outside of the municipality can be removed from the agenda. Moved by O'Bryan and seconded by Fennel to increase the ambulance per mile rate from \$9.00 to \$10.00 effective January 1, 2006. Motion carried without a negative vote. Sale of the Haz Mat Trailer will remain on the agenda. Presentation of a 911 call will be removed from the agenda. Alternating of use of Village and Town Attorneys on Fire/Ambulance issues will remain on the agenda.

VILLAGE ENGINEER: Moved by Fickau and seconded by O'Bryan to approve the proposal from Wisconsin Testing Lab for geotechnical investigation for the Mukwonago Shores Utilities and Paving project, Phase 3 in the amount of \$2,695.00. Motion carried without a negative vote.

VILLAGE ATTORNEY: Moved by Fickau and seconded by Fennel to approve the Letter of Credit Reduction for The Orchards of Mukwonago Phase II in the amount of \$317,630.52. Motion carried without a negative vote. Moved by Fickau and seconded by O'Bryan to approve

the Letter of Credit Reduction for Black Bear Boulevard in the amount of \$200,400.00. Motion carried without a negative vote.

Moved by Fennel and seconded by Fickau and carried to adjourn the meeting at 7:34 p.m.

Bernard W. Kahl, MMC
Administration/Clerk-Treasurer

President Wagner called the Mukwonago Village Board to order on November 15, 2005 at 7:30 p.m. Present: FICKAU, PIRES, HOGAN, DEBE, & WAGNER. Excused: FENNEL & O'BRYAN. Also present: Library Director McBride, DPW Supv Brandemuehl, Engineer Peot, Attorney Reilly, Planner Kaniewski, Police Chief Winchowky, and Water Supt Walenczyk. Treasurers, Mileage, Police, Fire, & Library reports for October 2005 were placed on file in the Clerk's Office.

COMMITTEE REPORTS:

FINANCE – Moved by Pires and seconded by Hogan to approve the following vouchers: Village \$113,039.46; Fire/Amb \$6,254.63; TID #3 General \$28,931.28; TID #3 S/W \$6,313.88; Recycling \$34,417.50; Library \$4,619.02; Capital Impvts \$205,263.61; 2001 GO \$733,817.02; 2004 GO \$56,603.19; Water \$37,191.06; Sewer \$63,529.73; & Parkland \$4,448.59. Motion carried without a negative vote.

HEALTH & RECREATION – Moved by Debe and seconded by Fickau to approve the Mukwonago Lions Club request to have a 60' x 100' tent in Field Park for the 2006 Summerfeste celebration contingent upon any concerns that the DPW or the Fire Department have. Motion carried without a negative vote. Proposed truck expenses for garbage contract will remain in committee.

JUDICIAL – Moved by Debe and seconded by Fickau to approve the 2005-06 Operator's license for Tamarra B. Stenberg. Motion carried without a negative vote. Moved by Debe and seconded by Fickau to approve the application for Temporary Class B Beer license to St. James Parish for November 18, 2005. Motion carried without a negative vote. Moved by Debe and seconded by Fickau to approve the transfer of the Class A Liquor license from Premise to Premise for Ye Ole Smokehouse LLC, Thomas A. Materna, Agent, 917 Main Street. Motion carried without a negative vote. Speed limit and passing lane on Honeywell Road; Ordinance regarding outdoor bands and other noise concerns; Class A Beer License Quotas; and Alcohol Beverage License Quotas will remain on the committee agenda.

PUBLIC WORKS – Moved by Fickau and seconded by Hogan to approve the Non-Standard Street Lighting Request for the Orchard of Mukwonago, Phase 1, Option-B, which includes 14 poles at a monthly charge of \$195.00. Motion carried without a negative vote. Moved by Fickau and seconded by Hogan to approve the Non-Standard Street Lighting Request for the Orchards of Mukwonago, Addition #1, which includes 6 poles at \$87.40 per month. Motion carried without a negative vote. Moved by Fickau and seconded by Debe to proceed with the taking of property along the south side of CTH NN just west of the High School and east of CTH I for construction of the Multi-Use Trail. Motion carried without a negative vote. Committee will not waive penalty on delinquent utility bill for 710 Stoecker Farm Ave. Request for break on sewer charge due to evaporation for Seaquist Closures will remain in committee as more information is to be provided by Seaquist. Multi-Use Trail along CTH NN, Fairwinds Subdivision to STH 83, will remain in committee.

PLAN COMMISSION: Moved by Pires and seconded by Debe to accept the Plan Commission recommendation to approve the material request change for the Edgewood Meadows Condominiums. Motion carried without a negative vote. Moved by Hogan and seconded by Fickau to accept the Plan Commission recommendation to approve the extraterritorial CSM for Jesse & Kelly Demski, W298 S10840 Shady Lane. Motion carried without a negative vote. Moved by Debe and seconded by Pires to accept the Plan Commission recommendation to amend the Comprehensive Plan for the Edgewood Avenue Planning Area. Motion carried on a vote of 4 ayes and 1 nay (Fickau voting 'no'). Moved by Debe and seconded by Fickau to adopt Ordinance 772: **AN ORDINANCE TO AMEND SECTION 100-21 OF THE VILLAGE OF MUKWONAGO MUNICIPAL CODE PERTAINING TO VEHICLE SERVICE, FUELING OR WASHING OPERATIONS AND TO CREATE SECTION 100-811 AND 100-859.** Motion carried without a negative vote.

VILLAGE ATTORNEY: Moved by Debe and seconded by Fickau to approve Resolution 2005-24: **FINAL RESOLUTION AUTHORIZING THE LEVYING OF SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY-CTH ES.** Motion carried without a negative vote.

VILLAGE ENGINEER: Moved by Fickau and seconded by Hogan to authorize the signing of the agreement with Traffic Analysis & Design, Inc., for the traffic count on Wolf Run/STH 83 in the TID #3 developments in the amount of \$38,100.00, with corrections. Motion carried without a negative vote.

CORRESPONDENCE: Moved by Fickau and seconded by Debe to approve the WE Energies permit for 417 Augusta Drive. Motion carried without a negative vote. Moved by Fickau and seconded by Debe to approve the WE Energies permit to cap gas service at 509 Division Street. Motion carried without a negative vote. Moved by Debe and seconded by Fickau to approve the WE Energies permit for gas main for Fairwinds. Motion carried without a negative vote. Moved by Fickau and seconded by Hogan to approve the signing of the permit request to Waukesha County for water main installation on CTH NN. Motion carried without a negative vote.

Moved by Debe and seconded by Hogan and carried to adjourn the meeting at 8:03 p.m.

Bernard W. Kahl, WCPC
Administrator/Clerk-Treasurer

President Wagner called the Special Village Board to order at 7:30 p.m. on December 5, 2005. Members present: FICKAU, PIRES, HOGAN, FENNEL, O'BRYAN (entered at 7:35 p.m.), DEBE, and WAGNER. Also present: Library Director McBride, DPW Supv Brandemuehl, & Police Chief Winchowky.

President Wagner announced that the Village Board would adjourn into closed session at the end of the regular meeting.

President Wagner opened the public hearing on the proposed 2006 Village Budgets at 7:31 p.m. Thayne Odier, 954 Park View Lane – Thanked the Board for supporting the Museum and for lowering the tax levy. She also asked the Board to consider next year the possibility of the interceptor being placed in the 2007 budget.

No further appearances the hearing was closed at 7:32 p.m.

Moved by Pires and seconded by Hogan to approve Resolution 2005-25: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2006-GENERAL FUND.** Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Resolution 2005-26: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2006-CAPITAL EQUIPMENT FUND.** Motion carried without a negative vote. Moved by Pires and seconded by Fickau to approve Resolution 2005-27: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2006-RECYCLING FUND.** Motion carried without a negative vote. Moved by Pires and seconded by Fennel to approve Resolution 2005-28: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2006-DEBT FUND.** Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Resolution 2005-29: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2006-FIRE/AMBULANCE FUND.** Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Resolution 2005-30: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2006-LIBRARY FUND.** Motion carried without a negative vote. Moved by Pires and seconded by Fennel to approve Resolution 2005-31: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2006-TAX INCREMENTAL DISTRICT #3 FUND.** Motion carried without a negative vote. Moved by Pires and seconded by Hogan to approve Resolution 2005-32: **A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE VILLAGE OF MUKWONAGO FOR 2006-FUNDS AS LISTED.** Motion carried without a negative vote.

Moved by Fickau and seconded by Hogan and carried unanimously upon roll call to adjourn into closed session at 7:37 p.m. pursuant to State Statute 19.85(1)(c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Results from Independent Investigation Davis & Kuelthau into Allegations Regarding the Fire Chief.

Bernard W. Kahl, WCPC, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board to order on December 6, 2005 at 7:30 p.m. Members present: FICKAU, PIRES, HOGAN, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: DPW Supv Brandemuehl, Fire Chief Rolfe, Police Chief Winchowky, Water Supt Walencyk, Engineer Peot, & Attorney Reilly.

President Wagner opened the Public Hearing at 7:31 p.m. for the special assessment for installation of sanitary sewer, sanitary laterals and appurtenances, water main, water services, fire protection services, and appurtenances in T.I.D. #3 (Phase 1). Christopher Genellie of R&M gave a review of the services for that area. No one appeared for or against the assessments. Public Hearing was closed at 7:43 p.m.

Moved by Fickau and seconded by Hogan to approve the minutes of the November 15th and December 5th meetings as presented. Motion carried without a negative

COMMENTS FROM THE PUBLIC: Tom Jones, 401 Lois Street – commented on the Mukwonago Shores Project. He said that the contractor has poor workmanship, noticed waste of material, poor communications, there are some problems with curb flair at driveways and some of the stormwater drains are covered with blacktop. Asked the Board to review their qualifications for the next phase should they be low bidder.

COMMITTEE REPORTS:

FINANCE – Moved by Pires and seconded by Fickau to pay the following vouchers: Village \$43,131.99; Fire/Amb \$31,045.95; TID General \$9,116.01; TID Sewer/Water \$243.99; Recycling \$34,730.62; Capital Equipment \$3,883.48; Library \$9,332.25; 2001 GO Bond \$960.28; 2004 GO Note \$798,149.09; Water \$42,645.89; Sewer \$49,602.83; Taxroll \$5,489.25. Motion carried without a negative vote.

JUDICIAL – Moved by Debe and seconded by Fennel to approve the operator's licenses for Zachary A. Ruisch and Joshua N. Taber. Motion carried without a negative vote. Moved by Debe and seconded by Pires to approve the Temp Class B Beer License for St. James Parish for December 16, 2005. Motion carried without a negative vote.

PROTECTIVE SERVICES – Moved by O'Bryan and seconded by Fennel to authorize the signing of the Joint Powers Agreement for the County 911 Emergency System. Motion carried without a negative vote. Resolution for Trunked Radio Services was presented for informational purposes only. Trunked Radio Services Non-Charter Member Agreement will be discussed further at the next Protective Services meeting and we should have more information about the program presented at that time. Moved by O'Bryan and seconded by Debe to approve the sale of the Fire Tanker #3491 for \$55,000 to Midway Volunteer Fire Protection District of Midway, Arkansas, as long as the Town Board approves the sale. Motion carried on a vote of 4 ayes and 3 nays (Fickau, Hogan & Fennel voting no.). Sale of the Haz Mat Trailer and alternating the use of Village & Town Attorneys will remain in committee.

VILLAGE ATTORNEY: Moved by Debe and seconded by Hogan to approve Resolution 2005-34: **A RESOLUTION TO APPROVE A MODIFICATION TO THE BAIL BOND SCHEDULE.** Motion carried without a negative vote. Moved by Fickau and seconded by Pires to approve Resolution 2005-33: **A FINAL RESOLUTION AUTHORIZING THE LEVYING OF SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTIES IN THE TID #3, PHASE 1.** Attorney Reilly explained parts of the Resolution so if the Board wished to change anything. Discussion was held on the time period given to pay the special assessment and the Board decided not to change the time that payment must be made or the interest rate. Motion carried without a negative vote. Moved by Debe and seconded by Hogan to approve the Letter of Credit reduction for the Fox River View Subdivision to \$491,858.33. Motion carried without a negative vote.

NEW BUSINESS: Moved by Fennel and seconded by Fickau to approve the WE Energies permits for 418 Brockway Drive; 511 Brockway Drive; 520 Brockway Drive; 536 Brockway Drive; and 636 Prairie Hill Avenue. Motion carried without a negative vote. Moved by Debe and seconded by Fennel to reconsider the previous motion regarding the reduction to the Letter of Credit for Fox River View Subdivision. Motion carried without a negative vote. Moved by Debe and seconded by Fennel to approve the reduction of the Letter of Credit for the Fox River View Subdivision to \$982,365.78. Motion carried without a negative vote. Moved by Fennel and seconded by Fickau to approve the WE Energies permit for underground utilities for Edgewood Avenue. Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to approve the Century Permit to bury telephone cable on Bay View Road. Motion carried without a negative vote.

Moved by Fennel and seconded by Fickau and carried to adjourn the meeting at 8:19 p.m.

Bernard W. Kahl, WCPC, MMC
Administrator/Clerk-Treasurer

President Wagner called the Village Board meeting to order on December 20, 2005 at the village Hall at 7:30 p.m. Members present: FICKAU, PIRES, HOGAN, FENNEL, O'BRYAN, DEBE, & WAGNER. Also present: Fire Chief Rolfe, DPW Supv Brandemuehl, Engineer Peot, Planner Kaniewski, Attorney Reilly, & Police Chief Winchowky.

President Wagner announced that the Village Board at the conclusion of the regular meeting would be adjourning into closed session pursuant to State Statute 19.85(1) (e).

Treasure, Mileage, Police, Fire, and Library reports for the month of November 2005 were placed on file in the Clerk's Office.

Moved by Fickau and seconded by Hogan to approve the minutes of the December 6, 2005 meeting as presented. Motion carried without a negative vote.

COMMITTEE REPORTS:

FINANCE – Moved by Pires and seconded by Hogan to approve the following vouchers: Village \$76,196.29; Fire/Amb \$13,058.03; TID #3 General \$5,626.75; TID #3 S/W \$6,573.49; Designated \$2,118.75; Recycling \$1.48; Capital Equip \$3,597.00; Library \$3,638.15; Capital Impvts \$23,878.82; 2001 GO Bond \$38,358.08; 2004 GO Note \$28,420.31; Water \$24,327.87; Sewer \$266,026.74; Taxroll \$14,917.25; Parkland \$1,197.00. Motion carried without a negative vote. Purchase of the snow blower by the Fire Dept and the use of donated funds to pay for it were informational. Moved by Pires and seconded by Fickau to authorize the auditors to transfer funds at year end. Motion carried without a negative vote.

HEALTH & RECREATION – Moved by Fennel and seconded by Debe to authorize the use of Miniwaukan fields #5 & #6 by the Junior Indians Baseball organization, and they would have the same type of agreement as the Braves Football organization; and the agreement would be reviewed annually. Motion carried without a negative vote. Miniwaukan Improvement design is for information only. The proposed truck cost for John's Disposal can be removed from the agenda.

JUDICIAL – Speed limits & passing lanes on Honeywell Road; Outdoor bands & other noise concerns; and Class A Beer License request will remain in committee. Alcohol Beverage License Quota was discussed and explained to the Board. All applicants will submit applications in April and answer questions on what effect their operation will have on the community. Stores will be required to have a separate wall for sale of liquor & beer from the rest of their operations. Class B Licenses will have extra points added in the review based on seating capacity. The Board will review applications and make a determination. Board members are asked for comments at the next meeting and the ordinance will be adopted at the 2nd meeting in January.

PERSONNEL – Staff Paid On-Call Issues were discussed. There will be additional days with the weekend work with additional pay. They get paid if they respond. It should be part of the job description or department head requirement. Committee will work more on this issue and bring it back to the board for adoption. Moved by Hogan and seconded by Debe to implement the 24/7 staffing at the Fire Department, contingent upon the Town of Mukwonago Board approving the proposal. It will start in January of 2006. With this staffing there are no holidays to be covered; if you are scheduled to work, you work. The work period covers an extra 832 hours annually. It is a 56 hour workweek; 24 hours on and 48 hours off. This will also include 6 paid holidays with a payout at year end. There will be some overtime for mandatory training. Generally four (4) people will respond to an ambulance call and only those who ride in the ambulance are paid. The staffing of the Fire Department 24/7 will be reviewed by the Finance Chairman, Clerk and Fire Chief for the impact it is having on the 2006 budget.

PROTECTIVE SERVICES – Moved by O'Bryan and seconded by Debe to approve Resolution 2005-35: **A RESOLUTION TO FIX AMBULANCE FEES.** Motion carried without a negative vote.

PUBLIC WORKS – Moved to allow WWTP to proceed with the purchase of a portable sampler at an estimated cost of \$2,700.00. Motion carried without a negative vote. Moved by Fickau

and seconded by Fennel to approve Resolution 2005-36: **A RESOLUTION ADOPTING THE 2006 SEWER BUDGET AND 2006 WATER UTILITY BUDGET.** Motion carried without a negative vote. Moved by Fickau and seconded by Fennel to approve the Single Source proposal for Property Acquisition for property along CTH NN for the multiuse trail at a cost of \$9,300.00. Motion carried on a vote of 5 ayes and 2 nays (Hogan and Debe voting 'no'). Moved by Fickau and seconded by Fennel to approve the non-standard street lighting request for Meadow Park Estate located at Small Farm Road and Amanda Court. This will consist of 7 poles and Option 'B' for a monthly cost of \$61.84. Motion carried without a negative vote. Moved by Fickau and seconded by Hogan to approve the non-standard street lighting request for Holz Parkway and STH 83. This will consist of 1 pole and Option 'B' at a monthly cost of \$25.49, installation cost of \$6,438.54, and \$1,339.19 for restoration. Motion carried without a negative cost. Seaquist Closures request for sewer charge reduction due to evaporation and the multiuse trail from Fairwinds to STH 83 will remain in committee. Copy of the letter from Waukesha County regarding soils investigation will be forwarded to the Engineer. Moved by Fickau and seconded by Pires to approve the non-standard street lighting for Fox River View Subdivision. Edgewood Ave and Red Fox Run. The Village selects Option 'B' subject to that page being at the same cost as others for monthly service. Motion carried without a negative vote.

PLAN COMMISSION – Moved by Fennel and seconded by Debe to accept the Plan Commission recommendation to approve the extraterritorial CSM for Frank Nuck at S84 W26678 National Avenue subject to the following conditions:

1. Prior to recording of the Certified Survey Map, revisions shall be made to the Certified Survey Map in accordance with the letter dated December 14, 2005 from Martin Kulinski of Ruckert/Mielke.
2. Prior to recording of the Certified Survey Map, the Village Engineer shall review and approve of all revisions.

Motion carried without a negative vote. Plan Commission discussed the proposed distance between fueling stations and have decided it should be 1500 feet. This will come back to the Board on January 17th for a public hearing and an Ordinance change. Moved by Fickau and seconded by Fennel to accept the Plan Commission recommendation to approve the Black Bear Developer's Agreement subject to the review and approval by the Village Planner and Village Engineer. Motion carried without a negative vote. Moved by Fickau and seconded by Hogan to accept the Plan Commission recommendation to approve the CSM for Horter Chevrolet Pontiac subject to the following conditions:

1. Prior to recording of the CSM, revisions shall be made to the CSM in accordance with the letter dated December 9, 2005 from David Buechi, P.E., R.L.S., of Ruckert & Mielke.
2. Prior to recording of the CSM, the maps shall be revised to show the current existing conditions on the site.
3. Prior to recording of the CSM, the Village Engineer shall review and approve all revisions.

Motion carried without a negative vote. Moved by Fennel and seconded by Debe to accept the Plan Commission recommendation to approve the Architectural and Site Plan for Horter Chevrolet Pontiac, subject to the following conditions and that a new set of prints be given to the Village:

1. The addition shall be constructed consistent with the plans prepared by Anderson Ashton Inc., dated December 15, 2005, which includes sheets C1.1m C1.2, A1.1, A1.2, A2.1, and A2.2; and the materials and color sample board.
2. Prior to issuance of a building permit, a preconstruction meeting shall be held with the Building Inspector and Fire Chief.
3. Prior to issuance of a building permit, applicant shall submit to the Building Inspector a demolition plan and project schedule.

4. Prior to occupancy of the addition, applicant shall submit a full and complete landscape plan for Plan Commission consideration.
5. Prior to occupancy of the addition, applicant shall submit a freestanding and wall signage plan for Plan Commission consideration.
6. Prior to occupancy of the addition, the Zoning Administrator shall approve all exterior lighting, including parking lot lighting and building exterior lighting, to insure that lighting conforms to Section 100-601 of the Zoning Ordinance, including relocation of existing light poles where needed.
7. In the future, any relocation to the exterior of mechanical equipment, satellite dishes, dumpster enclosures, etc., shall be approved by the Zoning Administrator in accordance with Building Code and Zoning Ordinance standards.

Motion carried without a negative vote.

VILLAGE ENGINEER: Moved by Fennel and seconded by Debe to accept the sanitary sewer and water mains for Fairwinds Phase 1 & 2 development as recommended by the Village Engineer and contingent upon the Engineer receiving lien waivers and construction costs. Motion carried without a negative vote. Moved by Hogan and seconded by Fickau to accept the sanitary sewer for Hawk's Ridge development as recommended by the Village Engineer and contingent upon the Engineer receiving lien waivers and construction costs. Motion carried without a negative vote. Moved by Hogan and seconded by Fennel to accept the sanitary sewer and water mains for The Orchards of Mukwonago Phase 1 development as recommended by the Village Engineer and contingent upon the Engineer receiving lien waivers, construction costs, and utility oversizing reimbursement costs. Motion carried without a negative vote. Moved by Hogan and seconded by Debe to accept the sanitary sewer and water main for Chelsea/Meadowview Court development as recommended by the Village Engineer and contingent upon the Engineer receiving lien waivers and construction costs. Motion carried without a negative vote. Moved by Debe and seconded by Fickau to accept the sanitary sewer and water main for Fox River View development as recommended by the Village Engineer and contingent upon the Engineer receiving lien waivers, construction costs, and utility oversizing reimbursement costs. Motion carried without a negative vote.

Moved by Pires and seconded by Fennel to adjourn into closed session at 8:44 p.m. pursuant to State Statute 19.85(1) (e) Deliberating or Negotiating the Purchasing of Public Properties, the Investing of Public Funds, or Conducting Other Specified Public Business, Whenever Competitive or bargaining Reasons Require a Closed Session. – Professional Police Association Contract, Police Dispatcher/Clerk Contract and Wages/Salaries for Non-Represented Employees. Motion carried unanimously upon roll call.

Bernard W. Kahl, WCPC, MMC
Administrator/Clerk-Treasurer