

MINUTES OF THE REGULAR VILLAGE BOARD MEETING **Tuesday, January 19, 2016**

Call to Order

Village President Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Board Members present: Arnold Fickau
Darlene Johnson
Jim Decker
Mark Penzkover
Ken Werner
Fred Winchowky, Village President

Board Members excused: Jerry Gasser

Also present: Bruce Kaniewski, Village Planner
Dan Streit, Police Lieutenant
Dave Brown, Interim Utilities Director
Diana Doherty, Finance Director
John Weidl, Administrator
Joe Hankovich, Supervisor of Inspections/Zoning Administrator
Ron Bittner, Public Works Director
Ann Lininger, Library Director
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

Announcement of closed sessions

President Winchowky announced the Board will convene into closed sessions later in the meeting pursuant to Wis. Stat. **§19.85(1)(e)** to discuss potential sale of property and potential purchase of property.

Public Hearings

The Public Hearing to consider a petition on the 2015-16 Original "Class A" Fermented Malt Beverage and Intoxicating Liquors License application of Khasria Two Inc. (Harjinder S. Khasria – Agent), d/b/a Village Express Liquor, for the property located at 712 Main Street Unit 101 in regard to exceeding the quota pursuant to Sec. 6-36 (b) of the Municipal Code of the Village of Mukwonago was withdrawn at the request of the applicant.

The Public Hearing to consider an application of John and Sandra Blott to amend the Comprehensive Plan 2035 for MUKV 1967-999 (no address), MUKV 1967-995 (803 County Road NN East) and MUKV 1967-999-002 (757 County Road NN East) opened at 6:31 p.m. No one appeared for or against. Public hearing closed at 6:32 p.m.

The Public Hearing to consider an application of Mukwonago Area School District to amend the Comprehensive Plan 2035 for MUKT 1959-993-007 (S93 W30375 County Road NN) opened at 6:32 p.m. No one appeared for or against. Public hearing closed at 6:33 p.m.

Monthly Reports

President Winchowky noted the 2015 December Treasurer, Vehicle, Police, Ambulance, Fire, and Library reports are on file in the Clerk's Office.

Comments from the Public

Susan Graczyk, 915 Kims Ln. – Wants clarification on whether or not the Village motion regarding the Library re-organization called for no terminations in 2016.

Kathleen Usarek, S75 W32096 Paul Ln., Town of Mukwonago – Is concerned with the funding given to the Library to create a recreation program.

Consent Agenda

- A. Approval of minutes for the December 15, 2015 regular meeting and December 2 and 22, 2015 and January 4, 2016 special meetings
- B. Granting of 2015-16 Operator's Licenses to Cynthia M. Bakos, John M. Bruner, Cassandra L. Engelberger, Amanda D. Gerou-Hawley, Robert K. Hider, Rebecca M. Morgan-Marham, and Tyler N. Swane
- C. Granting of 2016 Temporary Class B Beer Licenses to Knights of Columbus on January 30 and February 20, 2016
- D. Approval of Vouchers payable batches:
 - 1) AP-1-2016-1 \$ 1,108,192.94
 - 2) M-11-2015-2 \$ 7,020.97
 - 3) M-12-2015-1 \$ 213,531.99
 - 4) M-12-2015-2 \$ 1,413.00
 - 5) OVRPT12-15-1 \$ 17,513.29
 - 6) AP-1-2016-2 \$27,623.15
 - 7) AP-12-2015-4 \$145,431.43
 - 8) TAXSET1-2016 \$7,109,147.28
 - 9) OVPY1-16-1 \$19,363.82
- E. Adoption of **Resolution 2016-001**: A Resolution Amending the 2015 Adopted Budgets for Village General, Fire Dept, TID #3, Recycling, Library, Storm Water, Water Utility, Wastewater Utility, Capital Equipment and Capital Improvement Funds
- F. Adoption of **Resolution 2016-002**: A Resolution Amending the 2016 Adopted Budgets for Village General, Fire Dept, TID #3, Recycling, Library, Storm Water, Water Utility, and Wastewater Utility Funds
- G. Approval of Change Order #1 for River Park Estates Rehabilitation Project in the amount of \$40,633.80 decrease due to adjustment in final contract price to reflect actual quantities of work installed

Motion by Decker/Penzkover to approve the Consent Agenda as presented carried.

Committee/Commission Reports

Judicial Committee

2015-16 Alcohol License Application

Application for a 2015-16 Original "Class A" Fermented Malt Beverage and Intoxicating Liquors Licenses for Khasria Two Inc. (Harjinder S. Khasria – Agent), d/b/a Village Express Liquor, for the property located at 712 Main Street Unit 101 was withdrawn at the request of the applicant.

2015-16 Operator's Licenses

Motion by Decker/Johnson to uphold the Judicial Committee decision and deny the 2015-16 Application for Operator's License for Jessie B. Putnam for the following reasons carried:

1. Omitted Offenses on Application.
2. Habitual Offender. Some of the offenses were substantially related to drug and/or alcohol.
3. Felony Offender.

Motion by Decker/Johnson to uphold the Judicial Committee decision and deny the 2015-16 Application for Operator's License for Wendy L. Stockton for the following reasons carried:

1. Omitted Offenses on Application.
2. Habitual Offender. Some of the offenses were substantially related to drug and/or alcohol.
3. Felony Offender.

Personnel Committee

Mukwonago Community Library personnel policies

Motion made by Decker/Fickau to accept the Judicial Committee recommendation that the Village Board restrict all Board members and staff from having any discussions with the Library Board regarding Mukwonago Community Library personnel policies. This does not restrict the Village Trustee Library Board liaison from communicating with Village Staff, as that Trustee is a member of the Library Board. Staff and Trustees have the opportunity to work with the Village Trustee Library Board liaison. Motion carried (Penzkover voted no).

Plan Commission

Ordinance No. 908

Motion by Decker/Fickau to accept the Plan Commission recommendation and adopt Ordinance No. 908: *An Ordinance to Amend the Comprehensive Plan for the Village of Mukwonago for Property Located on CTH NN Between STH 83 and CTH ES* carried.

Ordinance No. 909

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Ordinance No. 909: *An Ordinance to Amend the Comprehensive Plan for the Village of Mukwonago for Property Located on CTH NN Between CTH EE and CTH I* carried.

Resolution 2016-003

Motion by Fickau/Decker to accept the Plan Commission recommendation and adopt Resolution 2016-003: *Amendment to Conditional Use Permit for the use of property as a Social Service Facility, Mukwonago Food Pantry, 225 Eagle Lake Avenue, MUKV1974009* carried.

GS Global Resources certified survey map

Motion by Decker/Fickau to accept the Plan Commission recommendation and approve the certified survey map requested by John Thornton, GS Global Resources, Inc., for the property located at 926 Perkins Dr., known as MUKV1969988004 and MUKV1969988005 carried.

Extraterritorial certified survey maps

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the extraterritorial certified survey map requested by Olen Johnsen, Phantom Ranch Bible Camp, for the property located at W309S10910 Cty Rd I in the Town of Mukwonago, known as MUKT2007988002, MUKT2007988003, and MUKT2007999001 carried.

Motion by Penzkover/Decker to accept the Plan Commission recommendation and approve the extraterritorial certified survey map requested by Robert C. and Wanda Gene Thompson Joint Revocable Trust for the property located at S100W31476 CTH LO in the Town of Mukwonago, known as MUKT1982999 carried.

Business zoning districts mixed use ordinance

Motion by Penzkover/Johnson to accept the Plan Commission recommendation and postpone consideration of an ordinance to amend Chapter 100 of Municipal Code (zoning), specifically Section 100-152, the B-2 General Business District; Section 100-154, the B-3 Community Business District, Section 100-155, the B-4 Commercial Business Design District; Section 100-156, the Planned Business and Light Industrial Development District; and Section 100-157, Permitted and Conditional Uses of Business Districts, regarding the allowance of mixed use development within business zoning districts including associated amendments to business districts until after such time the amendments to the Comprehensive Master Plan have been approved carried.

Resolution 2016-004

#10 on page 3 of the plan will be revised to state, "When the committee reviews and discusses land use alternatives for a specific property, the property owner or representatives of the property owner may address the committee outside of the time allotted for public comment. Likewise, a representative of neighboring property owners may address the committee outside of the time allotted for public comment. If it is known a specific property will be the subject of a committee agenda, staff will notify the listed property owner and neighboring property owners within 300 feet of the subject property by letter or email." Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Resolution 2016-004: *Public Participation Plan to Update Comprehensive Plan 2035 for the Village of Mukwonago* as amended carried.

New Business

Library Director

Library Directory presented a quarterly report on the activities of the Mukwonago Community Library. Informational only. No action taken.

Village Finance Director

Resolution 2016-005

Motion by Penzkover/Decker to adopt Resolution 2016-005: *A Resolution Amending the 2015 Adopted Budgets for TID #3, Impact Fee, Water Utility, Wastewater Utility, and Parkland Site Funds* carried.

Village President

Letter of Resignation

Motion by Penzkover/Fickau to accept the Village President recommendation and accept the Letter of Resignation from Darlene Johnson from the Mukwonago Community Library Board carried.

Library Board Appointment

Motion by Decker/Fickau to accept the Village President recommendation and appoint Jerry Gasser to the Mukwonago Community Library Board as the Village Trustee position for the remainder of the 2015-6 term carried.

Motion by Decker/Johnson to convene into closed sessions at 7:21 p.m. pursuant to Wisc. Stat. **§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*) to discuss potential sale of property and potential purchase of property carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Penzkover/Decker to adjourn closed session and reconvene into open session at 8:07 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session and/or any unfinished item remaining on the agenda carried unanimously upon roll call vote.

Motion by Penzkover/Decker to direct staff to put together conceptual plans to continue development of the new industrial park carried.

Adjournment

Meeting adjourned at 8:09 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer