

MINUTES OF THE REGULAR VILLAGE BOARD MEETING

Tuesday, March 15, 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
Jerry Gasser
Ken Werner
Fred Winchowky, Village President

Also present: Bruce Kaniewski, Planner
Kevin Schmidt, Police Chief
Jeff Stien, Fire Chief
John Weidl, Administrator
Dave Brown, Interim Utilities Director
Robert Harley, Building Codes Official
Ron Bittner, Public Works Director
Kurt Peot, Engineer
Steven Braatz, Jr., Clerk-Treasurer

Pledge of Allegiance

Boy Scout Dominic Eisert, Troop 152, led the Village Board in reciting 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)(c)** for discussion and possible action on the Village Administrator performance evaluation and pursuant to Wis. Stat. **§19.85(1)(e)** for discussion and possible action on the potential boundary agreement with the Town of Vernon, for discussion and possible action on the amendment to the Offer to Purchase of the 915 Main St. property, for discussion and possible action involving the Developer Agreement and Developer Guaranty Agreement with ALDI Inc. and I - Mukwonago LLC, for discussion and possible action involving the Two-party Construction Agreement between Waukesha County by the Department of Public Works and the Village of Mukwonago pertaining to the CTH NN Reconstruction Project, and for discussion and possible action involving the Conveyance of Rights of Land between the Village of Mukwonago and Waukesha County.

Public Hearing

The Public Hearing to consider an ordinance to amend chapter 100 of municipal code (zoning) regarding standards for off-street parking, driveways, access, loading and visibility opened at 6:32 p.m. Kaniewski explained that the ordinance change eliminates the 1,000 feet distance requirement between gas stations, as well as allows reviews through conditional use. Language is also clarified regarding the use of conditional uses within 500' of freeways and the I43 interchange. No one appeared for or against. A letter was received via email in opposition.

Public hearing closed at 6:34 p.m.

Comments from the Public

None.

Consent Agenda

- A. Approval of minutes for the February 16, 2016 regular meeting and March 1, 2016 special meeting
 - B. Granting of 2015-16 Operator's Licenses to Richard R. Bauer, Rajpal S. Khasria, Sandra M. Lombardo, Adam J. Mueller, Cecilia M. Pemrich, and Geoffrey A. Smith
 - C. Approval of Vouchers payable batches:
 - 1) TAXSET2-2016 \$3,728,199.84
 - 2) AP-3-2016-1 \$81,864.69
 - 3) M-2-2016-1 \$163,580.44
 - 4) AP-3-2016-2 \$191,921.39
 - D. Adoption of **Resolution 2016-009**: A resolution relating to wage schedules for Election Officials
 - E. Adoption of **Resolution 2016-010**: Village of Mukwonago Building Codes Official Position Description
 - F. Adoption of **Resolution 2016-011**: Village of Mukwonago Supervisor of Inspections Position Description
 - G. Adoption of **Resolution 2016-012**: A Resolution Amending the Village Employee Handbook
 - H. Authorization of the Public Works Director to apply for a permit from WiDOT for Yellow/Black Vertical Panel on State Right-of-way for the placement in the public right-of-way on STH 83 at Atkinson St. of a vertical panel curb system
 - I. Adoption of **Ordinance No. 910**: An Ordinance to Amend Section 74-8 of the Municipal Code of the Village of Mukwonago Pertaining to the Regulation of Streets, Sidewalks and Other Public Places
 - J. Authorization of the Public Works Director to apply for an Urban Nonpoint Source grant with WiDNR to incorporate storm water information into the Village GIS
 - K. Approval of a new deadline date for restoration of the Fairwinds pond to August 1, 2016
 - L. Approval of the CTH NN Water Main Relay Project contingent upon available funds
- Motion by Penzkover/Decker to approve the Consent Agenda as presented carried.

Committee/Commission Reports

Finance Committee

Resolution 2016-008

Motion by Johnson/Decker to accept the Finance Committee recommendation and adopt **Resolution 2016-008**: *A Resolution Amending the 2015 Adopted Budgets for General Fund, Fire, TID #3, Debt Service, Village Designated, Fire Designated and Library Funds* carried.

Resolution 2016-013

Motion by Johnson/Fickau to accept the Finance Committee recommendation and adopt **Resolution 2016-013**: *A Resolution Amending the 2016 Schedule of Fees for the Village of Mukwonago* carried (Johnson voted no).

Update on 2015 Fire Department settlement

Finance Director Doherty met with the Town of Mukwonago on March 2. Information only. No action taken.

Judicial Committee

Resolution 2016-014

Motion by Decker/Johnson to accept the Judicial Committee recommendation and adopt Resolution 2016-014: *Resolution Providing for the Publication, Filing, Inspection, and Adoption of Chapter 2 Articles II and V of the Municipal Code of the Village of Mukwonago* carried.

Plan Commission

Ordinance No. 911

Motion by Penzkover/Decker to postpone the adoption of Ordinance No. 911: *An Ordinance to Amend Section 100-21 of Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Pertaining to the Use Restrictions Near an Interchange, for Fuel Filling Stations and Other Uses* until the April Village Board meeting carried.

Resolution 2016-015

Motion by Penzkover/Decker to accept the Plan Commission recommendation and adopt Resolution 2016-015: *A Resolution Amending the Public Participation Plan to Update Comprehensive Plan 2035 for the Village of Mukwonago, Wisconsin* carried.

New Business

Administrator

Analysis of the Market Potential for Rental Apartment Development

Erik Doersching, Tracy Cross & Associates, Inc., presented the results of the Analysis of the Market Potential for Rental Apartment Development – Horter Property. Information only. No action taken.

Engineer

Chapman Farm Boulevard

Motion by Decker/Johnson to authorize the Village Engineer to proceed with the design of Chapman Farm Boulevard carried.

Fire Chief

Fire Station #1 dorm modifications

Motion by Decker/Johnson to authorize the use of monies from the Fire Designated fund, not to exceed \$1,500, for dorm modifications at Fire Station #1 carried.

Full-time Firefighter/Paramedics

Motion by Penzkover/Decker to authorize the Fire Department to hire up to three full-time EMT/paramedics as time allows, subject to a similar motion by the Town of Mukwonago, carried.

Public Works Director

Resolution 2016-016

Motion by Fickau/Decker to adopt Resolution 2016-016: *A Resolution Accepting Donated Items in Field Park* carried.

Village President

Proclamation

Motion by Johnson/Decker to endorse the signing of the 2016 National Public Safety Telecommunications Week proclamation, April 10-16, 2016, carried.

Appointments

Motion by Decker/Johnson to accept the Village President recommendation and appoint Bobbie Braun, Carla Guckenberger, and Myra Vachon as Election Inspectors for the 2016-17 term carried.

Motion by Decker/Fickau to accept the Village President recommendation and appoint Jason Wamser and Klaus Heitmann to Comprehensive Master Plan Steering Committee carried.

Motion by Decker/Johnson to convene into closed sessions at 7:49 p.m. pursuant to Wisc. Stat. **§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*) to discuss the Village Administrator performance evaluation and pursuant to Wis. 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*) for discussion and possible action on the potential boundary agreement with the Town of Vernon, for discussion and possible action on the amendment to the Offer to Purchase of the 915 Main St. property, for discussion and possible action involving the Developer Agreement and Developer Guaranty Agreement with ALDI Inc. and I - Mukwonago LLC, for discussion and possible action involving the Two-party Construction Agreement between Waukesha County by the Department of Public Works and the Village of Mukwonago pertaining to the CTH NN Reconstruction Project, and for discussion and possible action involving the Conveyance of Rights of Land between the Village of Mukwonago and Waukesha County carried unanimously upon roll call vote. Discussion held in closed session.

Motion by Decker/Johnson to adjourn closed session and reconvene into open session at 8:55 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 approve the revised Two-party Construction Agreement between Waukesha County by the Department of Public Works and the Village of Mukwonago pertaining to the CTH NN Reconstruction Project carried.

Motion by Penzkover/Decker to postpone indefinitely the Conveyance of Rights of Land between the Village of Mukwonago and Waukesha County carried.

Motion by Penzkover/Decker to authorize the Personnel Committee chairperson to discuss the performance evaluation results and applicable compensation adjustment with the Village Administrator as discussed in closed session carried (Johnson voted no).

Adjournment

Meeting adjourned at 9:00 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer