

## MINUTES OF THE REGULAR VILLAGE BOARD MEETING Wednesday, February 28, 2018

### 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: Jim Decker  
Darlene Johnson  
Karl Kettner  
Kelly Klemme  
Jay Vermeulen  
Fred Winchowky, Village President

Board Members excused: Mark Penzkover

Also present: Ron Bittner, Public Works Director  
Mark Blum, Village Attorney  
Judith Taubert, Interim Clerk-Treasurer  
Diana Doherty, Finance Director  
Dave Brown, Utilities Director  
Bruce Kaniewski, Planner/Zoning Administrator  
Kevin Schmidt, Police Chief  
Jeff Stien, Fire Chief  
John Weidl, Administrator/Economic Development Director

### Pledge of Allegiance

The Village Board recited the Pledge of Allegiance.

### Announcement of closed sessions

1. President Winchowky announced the Board will convene into closed sessions later in the meeting 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 Wolf Paving Inc. request to withdraw bid for 2018 street rehab project and whether action is taken to make a claim on their bid bond. pursuant to Wis. Stat. **§19.85(1)(c)** to discuss the review process of the Village Administrator/Economic Development Director and Wis. Stat. **§19.85(1)(e)** for negotiations of purchase of the Sugden property, negotiations for the offer to purchase part of the Sugden by ACG Development.

### Comments from the Public

Kevin McCarthy, 1475 S Rochester Street, had concerns regarding the retention pond near his property.

Marilyn McCarthy, S108W27690 Maple Ave. had concerns regarding the retention pond and Was asking about a fence around the pond.

Jim McCarthy, S108W27690 Maple Ave. had concerns of the location of the retention pond and asked about fencing it in.

### Consent Agenda

- A. Approval of minutes of the January 16, 2018 regular meeting and the February 6, 2018 special meeting
  - B. Approval of Vouchers payable batches:
    - 1) Payments batch AP-2-2018-1 \$129,845.37
    - 2) Payments batch AP-12-2017-5 \$496,486.06
    - 3) Prop Tax OVPY01183 \$3,766.34
    - 4) Payments batch LIBAP12-2017-2 \$2,226.07
    - 5) Payments batch LIBAP1-2018 \$16,585.41
    - 6) Payments batch AP-2-2018-2 \$383,386.06
    - 7) Manuals batch M-1-2018-2 \$85.82
    - 8) Prop Tax OVPY02181 \$4,873.72
    - 9) Tax Settlements TAXSET-2-18 \$2,338,886.40
    - 10) Payments batch LIB2-2018 \$41,992.38
  - C. Approval of award of bid for Boat Launch Improvements Project to Pro-Seal Asphalt Paving & Maintenance Co., Inc. in the amount of \$216,427.90
  - D. Recommend Adoption of Ordinance #945 to amend section 82-1 of the Municipal Code of the Village of Mukwonago regarding adoption of state traffic laws.
  - E. Approval of Funding options for Fire Station #1 Addition Project
  - F. Approval of Request for reduction in 4<sup>th</sup> quarter 2017 sewer charges for 1539 Foxtail Court
  - G. Approval of Change Order #3 for the Chapman Farms Blvd Project
  - H. Approval of Change Order #2 for the 2017 Street Project
  - I. Approval of Closeout Change Order for the Wolf Run Signalization Project
  - J. Approval of Storm Water Management Plan for and issuance of Erosion Control Permit to Aurora Healthcare
  - K. Approval of Fairwinds Storm Water Management Practice Maintenance Agreement
  - L. Approval of Fairwinds Phase 5 letter of credit
  - M. Approval of Engineer Task Order for Well 4 Rehabilitation Project
  - N. Approval of Engineer Task Order for Deback Drive Infrastructure Project
- Motion by Decker/Johnson to approve the consent agenda carried.

**Committee/Commission Business**  
**Protective Services Committee**

Motion by Decker/Klemme to award the bid for Fire Station #1 Addition Project to Magill Construction Company, Inc. in the amount of \$482,600.00 carried

Motion by Decker/Klemme to approve the Contract 2007 or Contract 2017 Between the Village of Mukwonago and Magill Construction upon Legal Review for the Addition to and Remodeling of the Village of Mukwonago Fire Station, 111 Fox Street carried

**Finance Committee**

Fire Settlement

Motion by Johnson/Vermeulen to accept the Fire Departments Settlement for the unfunded liability for the Fire Department carried

**Resolution 2018-006**

Motion by Johnson/Decker to adopt **Resolution 2018-006** A resolution amending the 2017 adopted Budgets for the General Fund carried

**Resolution 2018-007:**

Motion by Decker/Johnson to adopt **Resolution 2018-007** A Resolution Amending the 2017 Adopted Budgets for the Fire Dept Fund carried

**Resolution 2018-008**

Motion by Decker/Johnson to adopt **Resolution 2018-008** A Resolution Amending the 2017 Adopted Budgets for Community Development, Wisconsin Development, TID #3, TID #4, Debt Service, Fire Designated, Village Designated, Recycling, Capital Equipment, Library, Capital Projects, Storm Water Utility, Water Utility and Parkland Site Funds carried

**Plan Commission**

**Resolution 2018-009**

Motion by Decker/Johnson to adopt **Resolution 2018-009** to approve the conditional use permit requested by Andrew Reahm, Storage Werks Mukwonago, for a new Indoor Mini-Warehouse Facility within the B-2, General Business District on the property located on the east side of Mukwonago Dr. and north of Bay View Rd., known as MUKV2009954002 carried

**Resolution 2018-010**

Motion by Decker/Johnson to adopt **Resolution 2018-010** to approve the site plan and architectural review requested by Andrew Reahm, Storage Werks Mukwonago, for a new Indoor Mini-Warehouse Facility within the B-2, General Business District on the property located on the east side of Mukwonago Dr. and north of Bay View Rd., known as MUKV2009954002 carried

**Resolution 2018-011**

Motion by Johnson/Decker to adopt **Resolution 2018-011** to approve the conditional use permit requested by Tom Herlugson, MAH Property LLC, for an Animal Hospital, Grooming and Boarding Facility within the B-2, General Business District to allow a rear addition to the existing facility on the property located at 1065 N. Rochester Street, known as MUKV1963996001 carried

**Resolution 2018-012**

Motion by Johnson/Vermeulen to adopt **Resolution 2018-12** to approve the site plan and architectural review requested by Tom Herlugson, MAH Property LLC, for an Animal Hospital, Grooming and Boarding Facility within the B-2, General Business District to allow a rear addition to the existing facility on the property located at 1065 N. Rochester Street, known as MUKV1963996001 carried

**TID #5 Project Plan**

Motion by Decker/Klemme to approve the Final Draft of the Project Plan for the Creation of Tax Incremental District No. 5 carried

**Resolution 2018-013**

Motion by Decker/Vermeulen to adopt **Resolution 2018-013** A Resolution Approving The Project Plan And Boundaries For Tax Incremental District No. 5 Of The Village Of Mukwonago, Wisconsin, And Making Certain Findings With Respect Thereto carried

## **New Business**

### **Village Administrator/Economic Development Director**

Discussion and possible action regarding the listing agreement with Anderson Commercial Group, LLC for Bear Corp Center for the Sugden site. No Action taken.

### **Village Attorney**

Motion by Decker/Johnson to approve the Well #7 site rezoning request carried

Motion by Decker/Johnson to approve exchange of real estate with Jansen Properties, LLC related to Well #7 carried

Motion by Decker/Johnson to approve the utility easement for Well #7 carried

Discussion Re: 2017 Wisconsin Acts 67 and 68. No action taken. Staff will review each Conditional Use and give a preliminary review of concerns at the Wednesday, April 4, 2018 Committee of the Whole Meeting.

### **Village President**

Motion by Decker/Johnson to approve the Village President's appointment of Eliza Pautz to Mukwonago Community Library Board carried

Motion by Johnson/Decker to change for March, April and May Village Board meeting dates to Wednesdays carried. (COW: 3/7/18,4/4/18 & 5/2/18 VB: 3/21/18, 4/18/18 & 6/16/18)

Motion by Johnson/Decker to convene into closed sessions at 7:55 p.m. 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 Wolf Paving Inc. request to withdraw bid for 2018 street rehab project and whether action is taken to make a claim on their bid bond. pursuant to Wis. Stat. **§19.85(1)(c)** to discuss the review process of the Village Administrator/Economic Development Director and Wis. Stat. **§19.85(1)(e)** for negotiations of purchase of the Sugden property, negotiations for the offer to purchase part of the Sugden by ACG Development.

Motion by Decker/Johnson to adjourn closed session and reconvene into open session at 8:40 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 Johnson/Decker to accept a request from Wolf Paving to withdraw their bid for the 2018 street rehab project upon providing their request in writing carried

## **Adjournment**

Meeting adjourned at 8:42 p.m.

Respectfully Submitted,

Judith A. Taubert  
Interim Clerk-Treasurer