

MINUTES OF THE SPECIAL VILLAGE BOARD MEETING Wednesday, August 1, 2018

Call to Order

Village President Fred Winchowky called the meeting to order at 7:08 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
Jay Vermeulen
Fred Winchowky, Village President
Karl Kettner
Jason Wamser

Board Members excused: Mark Penzkover

Also present: Ron Bittner, Public Works Director
Dave Brown, Utilities Director
Mark Blum, Village Attorney
Rebecca Alonge, Village Engineer
Diana Doherty, Finance Director
Kevin Schmidt, Police Chief
John Weidl, Administrator
Linda Gourdoux, Deputy Clerk-Treasurer

Announcement of Closed Sessions pursuant to Wis. 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*) for an update and discussion on a resignation agreement, for an update and discussion on Police Contract. 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*) discussion concerning the terms of a pre-development agreement with Family Ventures of Mukwonago LLC for the construction of a mixed use commercial and multi-family development, and discussion concerning the terms of an offer to sell land along Boxhorn Dr., as well as a developer guaranty agreement with Quernemoen Mukwonago LLC for the construction of a manufacturing facility. Wis. Stat. **§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*) more specifically, Walmart vs. village of Mukwonago

Committee/Commission Business

Public Works Committee

Recommend to the Village Board to approve an Amendment not to exceed \$40,000 to the DPW 2018 Capital Equipment budget to allow the department to use equipment reserve funds to purchase a replacement pick-up. The budget Amendment Resolution will be presented at the August meeting.

Motion by Johnson/Decker to approve an Amendment not to exceed \$40,000 to the DPW 2018 Capital Equipment budget to allow the department to use equipment reserve funds to

purchase a replacement pick-up, carried

915 Main St

Motion Kettner/Decker to Recommend to the Village Board to Rescind WB-41 Notice Relating to Offer to Purchase, between Ogden Midwest Funding IV, LLC and the Village of Mukwonago, approved at July 18, 2018 Village Board Meeting, carried

Motion Vermeulen/Johnson to Recommend to the Village Board to approve WB-40 Amendment to Offer to Purchase, between Ogden Midwest Funding IV, LLC and the Village of Mukwonago, to expire on August 31, 2018, carried

Motion Decker/Vermeulen Extension of Anderson Commercial contract for six (6) months, until February 28, 2018, carried

Personnel Committee/Protective Services

Recommend to the Village Board to approve the agreement between the Mukwonago Area School District (MASD) and the Police Department for School Resource Officers in the Mukwonago High School and Park View Middle School

Motion by Decker/Vermeulen to approve the Agreement between the Mukwonago Area School District (MASD) and the Police Department for School Resource Officers in the Mukwonago High School and Park View Middle School, carried

Convene into Closed Sessions pursuant to Wis. 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*) for an update and discussion on a resignation agreement, for an update and discussion on Police Contract. 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*) discussion concerning the terms of a pre-development agreement with Family Ventures of Mukwonago LLC for the construction of a mixed use commercial and multi-family development, and discussion concerning the terms of an offer to sell land along Boxhorn Dr., as well as a developer guaranty agreement with Quernemoen Mukwonago LLC for the construction of a manufacturing facility. Wis. Stat. **§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*) more specifically, Walmart vs. village of Mukwonago; upon a roll call vote at 7:35 p.m.

Reconvene into open session 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 upon a roll call vote at 8:20 p.m.

Motion Johnson/Decker to Accept the Settlement Agreement, as drafted by attorneys, in the amount of \$61,202.51, carries

Motion Decker/Kettner to Accept the Resignation Agreement with Officer Ortiz pending final review by the Police Chief and Labor Attorney, carried

Motion Kettner/Decker to have the Police Chief and Labor Attorney Address Article #27 of the 2018-2018 police contract with the Wisconsin Police Association for the purpose of arriving at a mutually satisfactory replacement of this article, carried

Motion Decker/Johnson to Approve the Offer to Purchase and the Developers Guaranty Agreement between Quernemoen Mukwonago, LLC and the Village of Mukwonago as presented subject to final review by the Village Attorney and Village President, carried

Motion Wamser/Kettner to Approve the Pre-Development Agreement between Family Ventures of Mukwonago, LLC and the Village of Mukwonago subject to final review by the Village Attorney and Village President, carried

Motion Decker/Johnson to Approve the Letter of Intent by Briohn Building Corporation by the Village President to execute subject to amendments by Village Attorney, carried

Adjournment

Meeting adjourned at 8:25 p.m.

Respectfully Submitted,

Linda Gourdoux
Deputy Clerk-Treasurer