

## **MINUTES OF THE REGULAR VILLAGE BOARD MEETING** **Wednesday, May 15, 2019**

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### **Call to Order**

Village President Fred Winchowky called the meeting to order at 6:35 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  
Roger Walsh  
Eric Brill  
Jay Vermeulen  
Jason Wamser  
Fred Winchowky, Village President

Also present: Ron Bittner, Public Works Director  
Mark Blum, Village Attorney  
Jerad Wegner, Village Engineer  
Judith Taubert, Clerk-Treasurer  
Diana Doherty, Finance Director  
Dave Brown, Utilities Director  
Robert Harley, Supervisor of Inspections  
Kevin Schmidt, Police Chief  
Jeff Stein, Fire Chief  
John Weidl, Administrator/Economic Development Director

### **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)** (*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 regarding Lis Pendants, Jurisdictional offer and award of damages for the acquisition of lands from the Greenwald Family Limited Partnership, pursuant to 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*) discussion of the Haase House zoning issues and 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*) regarding the hiring of the Community Planner position and discussing the goals for the Village Administrator for 2019

### **Comments from the Public**

**Wayne Haase, 1235 River Park Circle West**, Asked the Board to read all information in the packet that they submitted to the Village regarding the Haase House.

### Consent Agenda

- A. Approval of minutes for the April 17, 2019 regular Village Board meeting
  - B. 1) Vouchers payable batches
    - a. Payments batch AP-05-2019-1 - \$724,792.09
    - b. Payments batch WE-04-2019 - \$41,645.42
    - c. Payments batch US-04-2019 - \$18,296.08
  - 2) Approval of the Purchase Requisition to Core & Main for parts for the Water Dept of \$63,490.
  - 3) Authorize Finance Chair to review and approve an additional AP batch in May outside of the regular process.
  - C. 1) Approval of the Change of Agent for the Kwik Trip #282 to Valerie Brezgel
  - 2) Approval of the Temporary Class "B" fermented malt beverages and Class "B" wine For St James Theater Play at 812 E Veterans Way
  - 3) Approval of the Special Event Permit for Lions Club 2019 Summerfeste June 13 – 16, 2019
  - 4) Approval of the Special Event Permit for American Legion Post #375 – 2019 Maxwell Street Days; June 8-9, July 20-21, August 17-18 and September 14-15
  - D. 1) Recommendation to reject the sole bidder's bid and reopen the bid process.
  - 2) Approval for rerouting of the River Parks Subdivision Sanitary Sewer down Holz Parkway
  - 3) Approval to award Well 5 Iron Filter addition project to Staab Construction Corp for the sum of \$1,517,000
  - 4) Approval of the M.O.P.S. site Phase 1 ESA agreement from Terracon for \$2,200
  - E. 1) Changing the July COW meeting to July 2, 2019
- Motion by Decker/Johnson to approve the consent agenda carried

### Committee Business

#### A. Finance

- 1) Payments batch LIBAP 4-2019 - \$13,770.11
- 2) Payments batch M 04-2019 - \$326,654.17
- 3) Payments batch AP 05-2019-2 - \$437,571.62
- 4) Payments batch M-TAX 5-2019 – \$628,330.62
- 5) Payments batch M 05-2019 - \$166,361.14

Motion by Vermeulen/Johnson to approve the batch payments for \$1,572,687.66 carried.

### New Business

#### A. Finance Committee

- 1) **Amend Ordinance 78-2 (c) to reflect the collection of taxes on real property and improvements on leased land from 3 installments under W.S.A 74.12 to 2 installments under W.S. A 11.**

Motion by Vermeulen/Decker to approve the Village Attorney preparing a draft to amend Ordinance 78-2 (c) to reflect the collection of taxes on real property and improvements on leased land from 3 installments under W.S.A. 74.12 to 2 installments under W.S.A. 11 carried.

- 2) **2018 Financial Statements- Auditor's Report, TID #5 Report, 2018 Report-Communication to Those Charged with Governance and Management**

Wendy Unger, Banker Tilly, gave a presentation of the Auditor's Report on the condition of the Village. Reports are filed in the Clerk's Office. Information only.

**B. Public Works**

**1) Approval of the Acknowledgement Agreement amending the Developer's Agreement with Super Products LLC regarding the Village's acceptance of the excess topsoil**

Motion by Wamser/Decker to approve the Acknowledgement Agreement amending the Developer's Agreement with Super Products, LLC regarding the Village's acceptance of The excess topsoil carried

**2) Approval of the Purchase Requisition for Solar Radio-controlled PED crossing lights from TAPCO for \$6,923.90**

Motion by Wamser/Decker to approve the purchase requisition for Solar Radio-controlled PED crossing lights from TAPCO for \$6,923.90 carried

**3) Modifying the assessment roll for additional parcels that received benefit from the extension of Village infrastructure to Chapman Farms Boulevard with 3 different special assessment options**

Motion by Wamser/Johnson to direct the Village Attorney prepare an updated Preliminary Special Assessment Resolution regarding the parcels that receive benefit from the extension of Village infrastructure to Chapman Farms Boulevard and bring back to the Board carried.

**C. Planning Commission**

**1) Resolution 2019-025**

Motion by Wamser/Decker to adopt **Resolution 2019-025** for the Planned Unit Development for 915 Main Street, MUKV 2010-977, MUKV 2009-965-001 and MUKV 2009-965-002 with the condition that the Planner review the final plans for the individual unit sizes carried. Walsh voted no. Vermeulen recused himself.

**2) Resolution 2019-22**

Motion by Wamser/Decker to adopt **Resolution 2019-22** a resolution to approve the Historic Preservation review for property located at 402 Grand Avenue; MUKV 1973- 047; Regina Westemeier, applicant carried

**3) Resolution 2019-24**

Motion by Wamser/Decker to adopt **Resolution 2019-24** a resolution to approve the Site Plan and Architectural Review for the Riverview Plaza addition, 827 S. Rochester Street; MUKV 2009-978-003; Jentsch-Barrette Properties (Karen Jentsch, agent) applicant carried

**4) Resolution 2019-23**

Motion by Wamser/Decker to adopt **Resolution 2019-23** a resolution to approve the Architectural Review for property at 211 N. Rochester Street; MUKV 1976-089; View Incorporated (Roger Walsh, agent), applicant carried. Walsh recused himself.

**5) Resolution 2019-19**

Motion by Wamser/Decker to approve amending **Resolution 2019-19** a resolution to amend the Village Comprehensive Plan and Rezone to Construct Condominium Residential Units on behalf of Jeff & Tammy Tekaver, approximately 1101 Eagle Lake Avenue (CTH LO); MUKV1979-991 and MUKV 1979-992 subject to a public hearing and change being affective when a building permit is issued carried.

**6) Resolution 2019-20**

Motion by Wamser/Decker to approve amending **Resolution 2019-20** a resolution to amend the Village Comprehensive Plan to allow Business Mixed Use Overlay to Construct Senior Housing with Retail Components on behalf of Greg Petruski, approximately 255 E. Wolf Run; MUKV 2013-995-007 subject to a public hearing and change being affective when a building permit is issued carried

**7) Resolution 2019-021**

Motion by Wamser/Decker to adopt **Resolution 2019-21** a resolution to approve a 2-Lot Certified Survey map on behalf of Waukesha State Bank; 1160 N. Rochester St.; MUKV 1962-990-005 and MUKV 1962-990-006 as directed by staff carried

**D. Protective Services**

**1) Letter of intent to start construction on Pumper-Tender**

Motion by Brill/Decker to approve signing a letter of intent to start construction on the Pumper-Tender and to take delivery and pay for in 2021 carried

**E. Village Attorney**

**1) Ordinance 960 an ordinance to revise Sec. 2-147.Composition of the Ordinance 958 of the Downtown Development Committee**

Motion by Decker/Wamser to adopt **Ordinance 960** an ordinance to revise Sec. 2-147.Composition of **Ordinance 958** of the Downtown Development Committee carried

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**F. Village Administrator**

**1) There will be a training conducted at the Village Hall for all Elected Officials And staff who regularly deal with the public on June 14<sup>th</sup> 8am – 3pm. The Village Hall will be closed to the public.**

If you are interested, please let Intern, Makenzee know. Information only. No action taken

**G. Village President**

**1) Additional 2019 Appointments to the Boards and Committees**

Library- Village Member:	Diane Magolen	
Village Trustee Member -	Eric Brill	
Downtown Development Committee:	Regular Voting Member-Eliza Pautz	2021
	Regular Voting Member-Karl Kettner	2021
Amended DDC Appointments	Non-Voting Member – Ray Goodden	2021
	Voting Member – Scott Reeves	2020
Protective Services:	Alternate - Jay Vermeulen	
Fire Commission	Regular Member – Lee Hau	2022

Motion by Wamser/Walsh to approve the 2019 Board and Committee Appointments carried

**Convene into Closed Session**

Motion by Johnson/Decker to convene into closed sessions at 7:50 p.m. pursuant to Wis. **§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 regarding

Lis Pendens, Jurisdictional offer and award of damages for the acquisition of lands from the Greenwald Family Limited Partnership, pursuant to 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*) discussion of the Haase House zoning issues and 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*) regarding the hiring of the Community Planner position and discussing the goals for the Village Administrator for 2019 carried unanimously upon roll call vote.

Motion by Decker/Johnson to adjourn closed session and reconvene into open session at 8:54 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.

Closed Session items 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*) regarding the hiring of the Community Planner position and goals for the Village Administrator for 2019

Motion by Decker/Walsh to authorize the Village Administrator to negotiate vacation time for the Planner position carried.

No Action taken regarding the Village Administrator.

Closed Session items pursuant to Wis. **§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*)

Motion by Wamser/Decker to direct legal counsel to take action on the Lis Pendens, Jurisdictional offer and award of damages for the acquisition of lands from the Greenwald Family Limited Partnership carried. Walsh voted no.

## **Adjournment**

Meeting adjourned at 8:55 p.m.

Respectfully Submitted,

Judith A. Taubert  
Clerk-Treasurer