

TOWN OF MUKWONAGO TOWN BOARD

OCTOBER 15, 2008

The Mukwonago Town Board Meeting was called to order at the Mukwonago Town Hall, W320 S8315 Beulah Road, Mukwonago, WI at 6:30 p.m. with the salute to the flag. Chairman D. Dubey said the meeting was noticed.

Present: Supervisors B. Lawn, F. Leppin, T. Stefanowski, P. Topczewski and Chairman D. Dubey.

Others Present: Attorney J. Macy, Planner T. Schwecke, Police Chief G. Turner and Clerk K. Wilson

Absent: Treasurer D. Steinke.

Motion by P. Topczewski, seconded by F. Leppin, to approve the September 17, 2008 Town Board Minutes as written. Motion carried.

COMMENTS FROM THE PUBLIC

Ron Gasser, Superior Landscaping Supply, questioned what the Town did with the salt supply issue.

D. Dubey said the Snow and Ice Removal Contract was awarded to Wolf Paving and if R. Gasser wanted to supply salt to the Town of Mukwonago he would have to work through Wolf Paving.

BUILDING INSPECTOR – SCOTT JOHNSON

Mark Carpender

T. Schwecke said he inspected the Carpender property on October 15 and as of 10:00 a.m. the manure pile was still there. He reviewed the letter from Carpender's attorney stating a dumpster to remove the manure would not be available until October 16. T. Schwecke said M. Carpender did not sign the amended manure plan.

J. Macy said a ticket has already been issued to M. Carpender for a nuisance ordinance violation.

Motion by B. Lawn, seconded by P. Topczewski, to direct the Police Chief to issue a ticket to Mark Carpender because there is no signed approved manure plan on file as required by the Planning Commission. Motion carried.

J. Macy explained there would be daily tickets until Carpender signs the approved manure plan.

Joe Johnson and Yevonn Priest

S. Johnson said the Johnson/Priest property is in compliance

Sherry Towns

D. Dubey said the Town received a letter from D. Greenwald asking for a variance for S. Towns. D. Dubey said the Town Board does not grant variances. An application must be submitted to the Board of Adjustment.

D. Greenwald said he is submitting an offer to the neighbor to purchase an easement to make the colonnade legal. If that plan fails, he will apply for a variance. If the variance is not allowed, he would try to move the colonnade but needs until mid summer 2009 to complete the plan.

J. Macy said S. Towns' attorney had asked for 120 days to resolve the purchase, but the Town Board did not feel that was reasonable because the neighbor said they would not sell. Thus, by October 10 a compliance plan was to be submitted to the Town or the property was to be in compliance on October 15.

P. Topczewski said this is a timing issue. Removal of colonnade by mid summer 2009 is not satisfactory.

Motion by P. Topczewski, seconded by T. Stefanowski, a variance must be applied for by S. Towns within 10 business days (by October 29 at 3:30 p.m.) If variance is not granted, the colonnade must be removed by 30 days after the final decision of the Board of Adjustment has been mailed. Failure to apply for a variance by October 29 will require the property to be in compliance in 30 calendar days. Motion carried.

S. Johnson will notify S. Towns of the Town Board decision.

J. Macy said any citation that is issued goes back to the date of the first notice of non-compliance sent by the Building Inspector.

Lakeside Inn

S. Johnson reported that the Town Planner and he inspected Lakeside Inn on October 15 regarding the containment of garbage complaint and the Conditional Use complaint. They found the property to be in compliance regarding the two issues.

Kenneth Broberg

S. Johnson said a compliance inspection of the property will be completed on October 16, 2008.

H. Beckman

S. Johnson reported the compliance inspection date is October 16 and H. Beckman said he would have the cleanup completed before the end of the 15-day notice.

Robert Kuss

S. Johnson said the compliance inspection is scheduled for October 16.

Sharon Gamble

S. Johnson said he received notice from the County that a shed and deck were built on the S. Gamble property without permits. He said the County is requiring a zoning permit and a variance.

D. Dubey said S. Gamble should meet with the Building Inspector to determine if she needs a variance from the Town also.

FIRE CHIEF

POLICE CHIEF

Ralinda Howard

Chief G. Turner reported R. Howard had 10 horses on her property and she was in non-compliance. She was issued a citation on October 13, 2008. The dogs were in compliance on October 13. R. Howard has a court date of November 5, 2008.

Sherry Towns

Chief G. Turner said two tickets were issued to S. Towns during the summer.

Cynthia Thornton

Chief G. Turner said C. Thornton was issued a citation for junk cars and yard debris. He said the Building Inspector did an inspection on October 10, 2008 and found the property to be in compliance. She has a November 5, 2008 court date.

Ordinance to Designate No Parking Areas in Lauren Park and Town Park

Chief G. Turner will meet with County Board Supervisor G. Yerke regarding no parking on CTH EE and report back at the November Town Board Meeting.

Robert Kuss

Chief G. Turner said R. Kuss was issued a citation and the dump truck is still on his property.

PLANNING COMMISSION

Lakewood Farms Preserve Conditional Use Amendment

Motion by B. Lawn, seconded by F. Leppin, to approve the Lakewood Farms Preserve Conditional Use Amendment to combine Lots 6 and 7 and allow a maximum of 15,000 square feet of impervious surface.

Yes: 4. No: P. Topczewski. Motion carried.

Harbold/Kusch Rezone

Motion by F. Leppin, seconded by T. Stefanowski, to approve the Harbold/Kusch Rezone from A-1 to R-H. Motion carried.

CenturyTel Conditional Use to Install Utility Cabinets

Motion by P. Topczewski, seconded by T. Stefanowski, to approve the CenturyTel Conditional Use Order to Install Utility Cabinets at S79 W31480 Green Meadow Drive subject to the Planning Commission recommendation and resolution of Conditions 13, 15 and 21.

Motion carried.

T. Schwecke said the next step would be to submit a Site Plan and Plan of Operation for the utility cabinets.

Regency Builders Certified Survey Map

Motion by F. Leppin, seconded by B. Lawn, to approve the Certified Survey Map combining Lots 6 and 7 of Lakewood Farms Preserve dated September 15, 2008 subject to the recommendations of the Planning Commission and the six conditions of the Town Planner letter dated October 9, 2008.

Yes: 4. No: P. Topczewski. Motion carried.

Phantom Lakes Development Company – DNR Public Hearing

The Department of Natural Resources has scheduled a Public Hearing for Thursday, October 16 at 2:00 p.m. at the Mukwonago Town Hall to consider the request of Lakeside Inn to have a marina.

As directed by the Planning Commission, T. Schwecke wrote a letter to the DNR requesting that their decision be consistent with the Town Conditional Use for the Phantom Lakes Development Company (Lakeside Inn) regarding piers and mooring of boats and boat launch.

Motion by F. Leppin, seconded by T. Stefanowski, to ratify the Planning Commission direction for T. Schwecke to write a letter to the DNR requesting their decision be consistent with the Town Conditional Use. Motion carried.

New Lots Created

According to the Assessor’s Report, there were no new lots created in the Town of Mukwonago in the month of September.

TOWN PLANNER

Ruth Vollmer Estate/Marni Lynn Land Division Update

T. Schwecke reported a rezone is being applied for and a draft Certified Survey Map will probably be on the agenda in December.

M. Lynn questioned if she could get a Building Permit to remodel her house.

J. Macy said the property is in violation.

TOWN CLERK

Operator’s Licenses

Motion by F. Leppin, seconded by T. Stefanowski, to approve the following Operator’s Licenses:

Tina M. Ochs at Lakeside Inn

Mark Kuglitsch at Lakeside Inn

Motion carried.

Billbacks – Possible Special Charges on Tax Bills

Motion by F. Leppin, seconded by B. Lawn, to place as a special charge the billback amounts on the tax bills of the three listed property owners who have not paid their billback charges. Motion carried.

From now on, all invoices during the year will indicate the invoiced amount could be placed on the tax bill as a special charge.

At the November Town Board Meeting, the Board will discuss charging interest on the unpaid invoices.

TOWN ENGINEER

TOWN ATTORNEY

TOWN CHAIRMAN

Appointment to Southeastern Wisconsin Fox River Commission

Motion by F. Leppin, seconded by B. Lawn, to approve D. Dubey's appointment of Barb Holtz to the Southeastern Wisconsin Fox River Commission. Motion carried.

Tax Bill Insert

Motion by T. Stefanowski, seconded by B. Lawn, to approve the insert (garbage schedule with Town information) for the tax bills paid by Johns Disposal. Motion carried.

Allocation of Funds

Motion by B. Lawn, seconded by F. Leppin, to table discussion of allocating funds from the contingency fund to pay for the Country Bliss flooding investigation expenses to the November Town Board Meeting. Motion carried.

Budget Hearing and Special Town Meeting

The Town of Mukwonago Budget Hearing will be held on Thursday, November 20 at 7:00 p.m. followed by the Special Town Meeting.

No Wake Ordinance for High Water Conditions on Phantom Lake

K. Wilson reported the ordinance was sent by certified mail to the Department of Natural Resources, Phantom Lakes Management District and the Village of Mukwonago.

D. Dubey said the DNR has 60 days to respond with comments.

Operator's License Fee Increase

Motion by F. Leppin, seconded by B. Lawn, to increase the Operator's License fee to \$15.00 from \$10.00. Motion carried.

Street Opening Fee Increase

Motion by F. Leppin, seconded by T. Stefanowski, to increase the Street Opening Permit Fee to \$150.00 from \$75.00. Motion carried.

Pay Bills

Motion by F. Leppin, seconded by P. Topczewski, to pay the bills. Motion carried.

COMMITTEE REPORTS

Utilities-Recycling

T. Stefanowski said Brian from Johns Disposal will be at the Budget Workshop on October 20 to discuss some garbage options.

Public Works

F. Leppin reported Stone Brook Hollow 1st Addition's pond is being landscaped. B. Lawn said the Mukwonago Chamber of Commerce has been discussing the closing of STH 83 while the road is being expanded.

COMMENTS FROM THE PUBLIC

Motion by F. Leppin, seconded by B. Lawn, to adjourn at 8:20 p.m.
Motion carried.

Katherine W. Wilson
Town Clerk
Town of Mukwonago