

## TOWN OF MUKWONAGO TOWN BOARD

OCTOBER 21, 2009

The Town of Mukwonago Town Board Meeting was called to order at the Mukwonago Town Hall, W320 S8315 Beulah Road, Mukwonago, WI at 6:31 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, Building Inspector S. Johnson, Treasurer D. Steinke (arrived 7:10 p.m.) and Clerk K. Wilson.

Motion by B. Lawn, seconded by F. Leppin, to approve the September 16, 2009 Town Board Minutes as written. Motion carried.

### COMMENTS FROM THE PUBLIC

**Ginny Brown**, Paradise Lane, read a letter dated October 21, 2009 addressed to the Town Board requesting a Town-wide utility district, an engineering study be done by a firm who has a hydrologist or hydrogeologist on staff, to provide detailed engineering and costs prior to choosing a solution and engineering costs would be reimbursed by the CDBG grant.

**Linda Dykas**, North Oak Tree Court, requested that the Town Board meet with Country Bliss prior to the November Town Board Meeting. She suggested that some monitoring wells be used in Country Bliss and elevations be posted on the Town website. She recommended that the Town apply for additional CDBG grants.

**George Brown**, Paradise Lane, encouraged the Town Board to apply for additional CDBG grants.

**Paul Sadler** letter was read into the record by D. Dubey. Sadler requested an engineering study and a Town-wide utility district.

J. Macy said e-mails were received by the Town regarding Country Bliss from **Brian Falk** and **Jasun and Gina Berka**.

### PLAN COMMISSION

#### **Rezone of Thorncrest Court and Lakecrest Court Properties**

Motion by P. Topczewski, seconded by T. Stefanowski, to approve Ordinance 2009-B (An Ordinance to Amend the Town of Mukwonago Zoning District Map of the Town of Mukwonago Zoning Ordinance by Rezoning Certain Lands in the NW1/4 & SW1/4 of Section 9, T5N R18E, in the Town of Mukwonago) subject to the corrections noted in J. Macy's correspondence dated October 16, 2009. Motion carried.

#### **Town-Wide Rezoning Ordinance**

In his staff report, T. Schwecke said the Plan Commission and Town Board have met in Joint Session regarding revisions to the Town's Zoning Map to comply with the Town's Comprehensive Plan. He said due to the number of parcels affected by the proposed revisions, he and J. Macy believe that it would be best to

repeal and recreate the Zoning Code, along with the Zoning Map, rather than using the amendment process. He said the public notice and ordinance will explain the process being used to change the Zoning Map.

Motion by P. Topczewski, seconded by F. Leppin, to direct the Planner to prepare a Town wide Zoning Ordinance and set a Public Hearing for the ordinance on Wednesday, December 2, 2009 at 6:30 p.m. Motion carried.

**New Lots Created**

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

**TOWN PLANNER**

**TOWN CLERK**

**Billbacks – Possible Special Charges on the Tax Bills**

Motion by F. Leppin, seconded by B. Lawn, to authorize the Clerk 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.

**TOWN ENGINEER**

**Stimulus Fund Update**

D. Dubey said there is no update on the Stimulus Fund.

**Phantom Woods Road Channel Enhancement Project Update**

F. Leppin said the final lift was completed. The landscaping will be completed next spring. He said the leech bed for Reggie's rental house is under the paved parking area.

J. Macy questioned if there should be any weight restrictions in that parking area.

F. Leppin said Wolf Paving saw no signs of any problem in the parking area.

T. Stefanowski said the Phantom Woods Road Bridge was also paved and the cost was split between the Town of Mukwonago, Village of Mukwonago and the East Troy Trolley Museum.

F. Leppin said the costs for the Phantom Woods Road Channel Enhancement Project will be paid by the Town, but then those costs will be reimbursed to the Town by the Fox River Commission.

F. Leppin said the Town will be plowing the parking area on Phantom Woods Roads, but not the parking lots.

**STH 83 Jurisdictional Transfer for the Cul-de-Sac north of the Village of Mukwonago Update**

J. Macy questioned if the Town has signed the paperwork regarding the jurisdictional transfer of the cul-de-sac.

D. Dubey said the State has not given the Town the final paperwork. Final paperwork will be on the November Town Board agenda.

**Lakewood Farms Preserve One-Year Guarantee Period**

Motion by F. Leppin, seconded by B. Lawn, to approve Resolution 2009-R-15 (Resolution to Accept Roads in Lakewood Farms Preserve). Motion carried.

Motion by T. Stefanowski, seconded by B. Lawn, to approve Resolution 2009-R-16 (Resolution to Add Town Roads of Lakewood Farms Preserve Subdivision to Official Traffic Map and Establish Speed Limits). Motion carried.

#### **TOWN ATTORNEY**

##### **Correspondence**

Town Board received a letter from J. Macy regarding prevailing wage rate and hour law changes.

#### **TOWN CHAIRMAN**

##### **Snow Removal Procedures**

The Town Board reviewed the proposed Snow Removal Procedure Policy. F. Leppin said the roads should be plowed if there is any ice on the road. They decided that snow in the center of a cul-de-sac will be removed periodically and the Police and Fire Departments have the authority to override the policy if conditions are deemed not safe.

Motion by B. Lawn, seconded by T. Stefanowski, to adopt the policy with the changes discussed. Motion carried.

Finalized policy will be posted on the Town website.

##### **Public Works Supervisor Job Description, Application and Employment Advertisement**

D. Dubey questioned the job title because it could be confused with Town Board Supervisor title. He emphasized this job is a working job, not just a supervisory position. He said the equal opportunity paragraph needs to be added to the job advertisement.

F. Leppin said he is concerned that the person hired would not be able to get everything done in the job description in a 40-hour work week.

Motion by F. Leppin, seconded by T. Stefanowski, to adopt the Public Works Foreman job description with the advertising schedule as presented subject to any changes recommended by Labor Counsel. Motion carried.

D. Dubey will give documents to Labor Counsel.

##### **Budget Hearing – Thursday, November 19, 2009 at 7:00 p.m.**

D. Dubey said the Budget Hearing/Town Meeting will be held on Thursday, November 19, 2009 at 7:00 p.m. at the Mukwonago Town Hall.

##### **Insert for Tax Bill Paid by Johns Disposal**

Motion by B. Lawn, seconded by F. Leppin, to approve the insert for the tax bill with the calendar showing six times per year bulk pick-up. Motion carried.

##### **Committee for Spring Referendum**

D. Dubey said he has had two people volunteer to be on the Referendum Committee. He said there should be a cross section of the Town on the committee.

R. Bagley suggested the County Clerk could help write the referendum questions.

J. Macy said the referendum would be advisory. He said the wording for changing from an elected Clerk and Treasurer to appointed positions is in the Statutes.

P. Topczewski will represent the Town Board on the Referendum Committee.

There will be a Special Town Board Meeting on November 4, 2009 at 6:20 p.m. to appoint the committee. Committee Chairman will be determined by the committee.

**Johns Disposal Service Contract**

Motion by T. Stefanowski, seconded by B. Lawn, to approve the change in the contract to six times per year bulk pick-up to reduce costs.

Yes: 4. No: T. Stefanowski. Motion carried.

**New Grant Money Available for Flood Mitigation**

D. Dubey said there is an additional \$75,000,000 Community Development Block Grant available for flood assistance.

Motion by T. Stefanowski, seconded by B. Lawn, to authorize the Town Chairman to contact Caryn Stone from the Department of Commerce stating the Town of Mukwonago is interested in additional CDBG funding.

Motion carried.

D. Dubey said a Special Town Board Meeting will have to be set up to deal with all the issues with Country Bliss. Issues include the solution, who designs the solution, funding, timeline and if the utility district is district-wide, Town-wide or subdivision only.

J. Macy said there are two aspects of the project – the project itself and the maintenance of the project.

**FINANCE**

**Pay Bills**

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

Motion carried.

**Resolution to Borrow \$75,000 Short Term**

Motion by F. Leppin, seconded by P. Topczewski, to authorize the Town Chairman and Town Clerk to sign the resolution borrowing \$75,000 from Citizens Bank. Motion carried.

D. Steinke said she received a proposal from Citizens Bank and M&I Bank regarding borrowing \$150,000 next year.

**BUILDING INSPECTOR**

**Michael and Kimberly Rector – W323 S7792 Cherry Lane**

S. Johnson said he received a complaint about too many dogs at the Rector home and sent them a notice on September 28, 2009.

Rectors have filed an application for a Conditional Use to establish a dog rescue operation.

Motion by F. Leppin, seconded by B. Lawn, to table enforcement of the violation of too many dogs until the Conditional Use determination has been made.

Motion carried.

**Fire Damaged Home at S79 W30319 Sugden Road**

S. Johnson has received complaints about the rubble left after the house fire on Sugden Road, but nobody wants to file a written complaint.

T. Stefanowski has been in contact with the property owner.

Motion by P. Topczewski, seconded by F. Leppin, to authorize T. Stefanowski to work with the property owner and if the clean up is not moving along to his satisfaction, T. Stefanowski is authorized to direct J. Macy to commence the razing procedure. Motion carried.

## **FIRE CHIEF**

### **Dorm Room Policy**

Motion by B. Lawn, seconded by F. Leppin, to approve the Dorm Room Policy on a trial basis until December 2011 subject to Labor Counsel review of the policy. Motion carried.

### **Mukwonago Fire Department Union Contract**

Motion by F. Leppin, seconded by T. Stefanowski, to approve the Mukwonago Fire Department and Mukwonago Professional Firefighters, International Association of Firefighters, Local 4385 Master Contract for 2008-2010. Motion carried.

### **Ambulance Fees for the Village of North Prairie Update**

D. Dubey said he is trying to set up a Joint Protective Services Committee Meeting with the Village of North Prairie in early November to revise their fees.

## **POLICE CHIEF**

### **Citation Updates**

#### **Mark Carpender**

D. Dubey said citations were discussed in Closed Session.

#### **Sherry Towns**

G. Turner said S. Towns is not in compliance.

#### **Ralinda Howard**

D. Dubey said citations were discussed in Closed Session.

G. Turner said she is in compliance now.

#### **Joel T. Anderson**

G. Turner said J. Anderson is not in compliance and a citation was issued on September 8, 2009.

### **Town of Waukesha 2009/2010 Joint Municipal Clerical Services Agreement**

Motion by P. Topczewski, seconded by B. Lawn, to approve the Town of Waukesha Joint Municipal Clerical Services Agreements for 2009 and 2010. Motion carried.

### **Humane Animal Welfare Society Service Agreement**

Motion by F. Leppin, seconded by B. Lawn, to approve the Humane Animal Welfare Society Service Agreement including Exhibit A Public Records Responsibilities Contract Terms. Motion carried.

### **2010 Joint Municipal Court Budget**

Motion by B. Lawn, seconded by T. Stefanowski, to approve the 2010 Joint Municipal Court Budget as presented at the October 5 Budget Workshop. Motion carried.

## **TREASURER**

### **Treasurer's Report**

Treasurer's Report was placed on file.

### **Budget Review Process**

No comments on the document.

## **CORRESPONDENCE**

## **COMMITTEE REPORTS**

## **COMMENTS FROM THE PUBLIC**

**Pat Crotty**, Memory Lane, requested the Town Board to get going on making a decision regarding Country Bliss and to have a timeline. He questioned what the Town is going to do about the high snowplowing costs.

**Ginny Brown** said there needs to be specific, detailed information from engineers before any solution is determined.

Motion by T. Stefanowski, seconded by F. Leppin, to adjourn at 8:02 p.m.  
Motion carried.

Katherine W. Wilson  
Town Clerk  
Town of Mukwonago