

The 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: Engineer S. Sullivan, Attorney J. Macy, Planner T. Schwecke, Police Chief G. Turner and Clerk K. Wilson.

Absent: Treasurer D. Steinke.

Motion by P. Topczewski, seconded by T. Stefanowski, to approve the May 21, 2008 Town Board Minutes as corrected. Motion carried.

COMMENTS FROM THE PUBLIC

Fred Oakland, Red Brae Drive, requested that the Town Board reconsider the 911 Addressing Ordinance that was approved last month. The Town should enforce the existing addressing ordinance and use the GPS system to locate addresses in an emergency situation.

Linda Dykas, N. Oak Tree Court, representing the “pumper group” from Country Bliss subdivision asked the Town Board to work on both short term and long term solutions to their flooding issues in their subdivision. She said many residents will lose their homes because of the water situation. She would like the Town Board to keep them notified regarding the progress of the pumping.

Richard Ziebell, Oak Tree Drive, said flooding in Country Bliss is a huge problem. Since April, he has spent over \$4,000 for pumps and pump related expenses and he has no access to his house. He is having a structural engineer check the foundation of his home.

Judy Pallen, N. Oak Tree Court, said the water has to be removed from the roads so that emergency vehicles can get into Country Bliss in an emergency situation.

Patti Confer, Jericho Road, said the ditches in Jericho Ridge subdivision are beginning to fill. She wants both short term and long term solutions to the flooding.

Pat Crotty, Memory Lane, said the Town needs to do something before they lose more roads. He feels there is something happening in Stone Brook Hollow Addition #1. He said the problems will not stop in Country Bliss.

Earl Goll, Memory Lane, said the Town needs to find a way to get the water out of Country Bliss. He said his home is not worth the value put on it in his assessment notice.

Pat Falk, N. Oak Tree Court, said she is concerned for the safety of children who are coming to the tennis courts and culverts to swim.

Paul Sadler, Memory Lane, said there needs to be both a short term and long term solution to the flooding problem. It is also becoming a safety issue. He thanked F. Leppin for all his time and work on the problem.

Jay Bathke, Schnitzler Road, said he lives across the road from Carpenders manure/bedding pile which is a six year accumulation. It reeks and looks terrible. The Town has ordinances which regulate this and he wants the Town to enforce their ordinances.

Mark Carpenders, Schnitzler Road, said the DNR does not have any issues with his manure pile. They only have two horses so it is mostly shavings in the pile.

Johanna Ackmann, Schnitzler Road, said they complained about Carpenders manure pile last year, but Carpenders plan of action has never been followed regarding the manure pile. Carpenders home is up for sale. The manure pile is illegal and it also violates the noxious odor ordinance. The manure pile brings down the value of Ackmanns home.

Rosanne Ricci, Red Oak Circle, said she wanted clarification of off street parking and Conditional Uses. This is the third time in eleven years that she has signed a complaint regarding her neighbors commercial business.

Drew Charpentier, Valley Ridge Drive, said he dumped 5 1/2 loads of clean fill on his property. Waukesha County Parks and Land Use Department told him he was within 1,000 feet of Phantom Lake so he had to remove the fill and seed it which he has done.

Linda Dykas requested that the Town Board fund beyond uncovering the road in Country Bliss.

TOWN CHAIRMAN

Country Bliss Subdivision Pumping

D. Dubey said the Town rented a pump to pump water into the retention ponds of Stone Brook Hollow Addition #1. Early this week, the water overflowed the pond into a nearby field. The Town had to stop pumping because the Town can not pump onto private property without permission. FEMA was on site on Monday night and Waukesha County has been included in the disaster area. He said the goal of FEMA is to make the homes livable.

D. Dubey said the Town Engineer, County and Jahnke and Jahnke have reviewed the flooding site and are trying to find a solution to the problem.

S. Sullivan said we need to find an overland flow path for the water to get to Jericho Creek under CTH E. In the future, the formation of a stormwater utility district may be a solution to the water problem. He said we need an immediate solution and a permanent solution to the water problem.

D. Dubey said the Town has limited financial resources.

J. Macy said any costs of this project that are not paid by grants or FEMA will have to be recouped from the utility district. He said the costs could be \$200,000. He questioned if the DNR will stop the Town from putting the water in Jericho Creek which feeds into the Mukwonago River.

Motion by P. Topczewski, seconded by B. Lawn, to authorize the Town Chairman to meet with the Federal, State and County representatives to review the situation in Country Bliss and he is authorized to use Town professional services in his best judgment in order to work with those agencies to come up with a solution.

Motion carried.

Motion by P. Topczewski, seconded by T. Stefanowski, to authorize Town Chairman D. Dubey and Supervisor F. Leppin to investigate the potentiality of obtaining the necessary easements and to use the professional services and come back to the Town Board with the cost of the easements as soon as possible.

Motion carried.

The Town Board scheduled a Special Town Board Meeting for Friday, June 20 at 6:30 p.m. to update the Town Board on the progress of a solution for the water problem.

Department of Transportation Cul-de-Sac on Hwy 83 Update

D. Dubey said the DOT design meets the Town minimum standards and does not make any of the properties to be non-conforming. It is a short, off-set cul-de-sac. The State will construct the cul-de-sac and the Town of Mukwonago will maintain it.

S. Sullivan will contact the Village of Mukwonago regarding the cul-de-sac design because the cul-de-sac is in the Border Agreement and eventually could be in the Village of Mukwonago.

D. Dubey said the DOT has met with the landowners that would be on the cul-de-sac.

The Town Board directed the Town Engineer and Supervisor F. Leppin to meet with the homeowners on the proposed cul-de-sac to discuss the proposed cul-de-sac design prior to the July 16 Town Board Meeting.

TOWN ENGINEER

2008 Road Program

Motion by P. Topczewski, seconded by B. Lawn, to award the 2008 Road Program to Wolf Paving for \$183,384.52. Motion carried.

BUILDING INSPECTOR – SCOTT JOHNSON

John and Christine Crawley

S. Johnson reported the trailer has been removed so the property is in compliance.

Domenic Lalicata

S. Johnson said the 30-day notice is up and there were no trucks parked when he made inspections.

R. Ricci questioned J. Macy regarding the parking of commercial trucks and having a business in a residential neighborhood. He said if she considers the truck parking a nuisance, she would have to convince the Building Inspector and the Town Board that it is a nuisance and ultimately she would have to convince a judge.

J. Macy said every time there is a truck parked or other problem, file a complaint with the Building Inspector. The Building Inspector responds to zoning code violation complaints. Citations would be issued when the violation can be proven in court.

Drew and Stephanie Charperntier

S. Johnson reported the fill has been removed so the property is in compliance.

Mark Carpender

S. Johnson said there is an unlicensed vehicle on the property. S. Johnson wanted clarification from the Town Board regarding the manure pile. The manure pile is

about 185' x 75' and about 2 1/2' tall. S. Johnson said Carpenter should probably have a refuse plan.

M. Carpenter has 6.3 acres on Schnitzler Road zoned A-1.

Motion by F. Leppin, seconded by P. Topczewski, to ask the Planning Commission to make a determination regarding a Refuse Plan for the M. Carpenter property. Motion carried.

Motion by P. Topczewski, seconded by F. Leppin, to require M. Carpenter to file a Refuse Plan to the Town Planner by June 25 for consideration at the July 2 Planning Commission Meeting. Motion carried.

Conditional Use Inspection Update

Michael and Cynthia Kutschenreuter

S. Johnson reported the structure has not been removed. He will send out a 30-day notice to Kutschenreuter regarding the structure removal.

FIRE CHIEF

Intercept Fee with Big Bend-Vernon Fire Department

D. Dubey said intercept fees are being charged by the Mukwonago Fire Department.

POLICE CHIEF

Ralinda Howard – Update from Humane Officer

Chief G. Turner said the Humane Officer found R. Howard to be in compliance on June 13, 2008.

Sherry Towns Citation

Chief G. Turner reported S. Towns was issued a citation for the wedding reception held on her property on June 7, 2008.

P. Topczewski said if S. Towns holds more than the five events the Town was made aware of, then the Town will need to do another action against her.

TREASURER

Treasurer's Report

Treasurer's Report was placed on file.

PLANNING COMMISSION

Jagdfeld Conditional Use Amendment (Lakewood Farms Preserve)

Motion by F. Leppin, seconded by D. Dubey, to approve the Jagdfeld Conditional Use Amendment (Lakewood Farms Preserve) as recommended by the Planning Commission. Yes: 4. No: P. Topczewski. Motion carried.

Resolution 2008-R-4 Town of Mukwonago Adoption of Design and Construction Standards for Pervious Concrete

Motion by F. Leppin, seconded by B. Lawn, to approve Resolution 2008-R-4 Town of Mukwonago Adoption of Design and Construction Standards for Pervious Concrete. Motion carried.

Lakewood Farms Preserve Request to Combine Lots 6 and 7

D. Dubey said S. Styza withdrew the request to Combine Lots 6 and 7 in Lakewood Farms Preserve.

Andy Maney – Merger of Substandard Lots of Record

Motion by P. Topczewski, seconded by T. Stefanowski, to approve the merger of substandard lots of record owned by A. Maney as recommended by the Planning Commission. Motion carried.

New Lots Created

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

TOWN PLANNER

Lambrecht Conditional Use Termination Update

Lambrecht Conditional Use Termination document was filed at the Register of Deeds Office.

Ruth Vollmer Land Division Update

T. Schwecke said the merger of substandard lots of record will be on the July 2 Planning Commission Agenda.

Penalties

T. Schwecke said PrimeCo notified the Town of the name change to Verizon. Voicestream had a name change in 2002. He said Telecorp merged but did not notify the Town of Mukwonago. The violation began on January 1, 2007 through May 16, 2008 for 502 days.

Motion by B. Lawn, seconded by T. Stefanowski, to direct the Police Chief to issue a "must appear ticket" with daily citations for January 1, 2007 through May 16, 2008. Motion carried.

Phantom Lakes Development Company (Lakeside Inn)

D. Dubey reported the Plan of Operation has been signed by the operator of Lakeside Inn.

Mair Conditional Use Update

T. Schwecke said the Plan of Operation for the four businesses on the Mair property need to be completed. T. Schwecke to contact L. Mair.

TOWN CLERK

Liquor License Renewals

Chief G. Turner said he had no issues with renewing all the Liquor Licenses.

Motion by P. Topczewski, seconded by F. Leppin, to renew the Liquor License for Patti A. Engelke-Oitzinger d/b/a Reggie's Lakeview. Motion carried.

Motion by P. Topczewski, seconded by B. Lawn, to renew the Liquor License for Jay H. Ross d/b/a J. R.'s Resort subject to gas line corrections being completed. Motion carried.

Motion by P. Topczewski, seconded by F. Leppin, to renew the Liquor License for Robert S. Silldorf – Agent d/b/a Rainbow Springs Golf Club. Plan for repair of roof beams must be presented at the January Town Board review of structure. Motion carried.

Motion by P. Topczewski, seconded by F. Leppin, to renew the Liquor License for Tracy R. Hewett d/b/a Lakeside Inn Restaurant subject to the immediate repair of sink drain prior to July 1. Motion carried.

Motion by B. Lawn, seconded by T. Stefanowski, to renew the Liquor License for Dawn K. Hughes d/b/a Trolley Pub subject to immediate repair of the roof to the satisfaction of the Building Inspector. Motion carried.

Operator's License Renewals

Chief G. Turner said he had no issues with any of the Operator's License Renewal requests.

Motion by F. Leppin, seconded by P. Topczewski, to approve Operator's License Renewals for the following:

Reginald L. Otzinger at Reggie's Lakeview
Constance L. Nedved, Letha A. Nero, Laura E. Uttke and
Colleen Huebsch at J.R.'s Resort
Robert S. Silldorf, Janette M. Swenson and Colleen Huebsch
at Rainbow Springs Golf Club
Robert D. Kopatich, Joan M. Varick, Andrew Boren and
Craig Rosefelt at Lakeside Inn Restaurant
Susan J. Venski, Scott J. Mosser, Lynaia M. Gibson, Jennifer E. Fero
and Laura Uttke (from J.R.'s Resort) at Trolley Pub

Motion carried.

New Operator's Licenses

Chief G. Turner said he had no issues with the following Operator's License requests.

Motion by F. Leppin, seconded by P. Topczewski, to approve the following Operator's Licenses:

Denise Bertram at Reggie's Lakeview
Ashley Rae Schreier at Rainbow Springs Golf Club

Motion carried.

TOWN ATTORNEY

TOWN CHAIRMAN

Ordinance to Special Assess for Garbage Service

F. Leppin said to take this matter off the agenda.

Reconsideration of 911 Address Sign Ordinance

B. Lawn requested the reconsideration of the 911 Address Sign Ordinance. He said he did research regarding the ordinance and there was no documentation of the pros and cons of the sign purchase. He would like to table the expenditure of \$87,000 and send the ordinance back to committee for full evaluation.

He requested a presentation on the present condition and the Phoenix program and GPS system.

Motion by B. Lawn, seconded by P. Topczewski, to table the \$87,000 expenditure for address signs and to rescind the adoption of the 911 Address Sign Ordinance and send it back to the Protective Services Committee for evaluation and recommendation to the Town Board.

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

F. Leppin questioned if the Town is going to enforce the present ordinance.

FINANCE

Pay Bills

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

Motion carried.

CORRESPONDENCE

D. Dubey said the Fox River Commission will be meeting on June 19, 2008.

COMMITTEE REPORTS

T. Stefanowski said there will be an energy audit of the Town Hall on June 19, 2008.

COMMENTS FROM THE PUBLIC

Fred Oakland asked if the Town got competitive bids for the address signs.

J. Macy responded that the competitive bid requirement is for construction projects.

Motion by T. Stefanowski, seconded by P. Topczewski, to adjourn at 10:33 p.m.

Motion carried.

Katherine W. Wilson
Town Clerk
Town of Mukwonago