

TOWN OF MUKWONAGO TOWN BOARD

NOVEMBER 19, 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, Fire Chief J. Rolfe, Treasurer D. Steinke and Clerk K. Wilson.

Motion by B. Lawn, seconded by P. Topczewski, to approve the October 15, 2008 Town Board Minutes as written. Motion carried.

Motion by F. Leppin, seconded by B. Lawn, to approve the October 8, 2008 Special Town Board Minutes as written. Motion carried.

Motion by B. Lawn, seconded by F. Leppin, to approve the November 5, 2008 Special Town Board Minutes as written. Motion carried.

Motion by F. Leppin, seconded by T. Stefanowski, to approve the May 28, 2008 Special Town Board Minutes as written. Motion carried.

COMMENTS FROM THE PUBLIC

The Prairie View Elementary School Flying Fadoodles won the Judges Award at a recent Lego League competition and qualified for the State Tournament. They demonstrated their game show which addresses the challenge of "Climate Connections".

BUILDING INSPECTOR – SCOTT JOHNSON

Mark Carpender

D. Dubey said tickets have been issued and M. Carpender will be in court.

T. Schwecke said he inspected the property on November 19 and the manure pile is still there.

J. Macy said one ticket was for the nuisance and the other ticket was for failure to file an approved manure plan.

T. Schwecke will notify Carpender's attorney that a manure plan has been adopted by the Planning Commission but Carpender has not signed it.

Sherry Towns

D. Dubey said the Board of Adjustment denied the request for a variance for the colonnade. Copies of the final signed decision sheet will be given to the Town Board and Building Inspector. According to the October Town Board motion, the colonnade must be removed by 30 days after the final decision of the Board of Adjustment has been mailed.

Kenneth Broberg

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

H. Beckman

S. Johnson said the unlicensed cars and junk have been removed so the property is in compliance.

Robert Kuss

S. Johnson said the junk cars are still on the property so he referred the complaint to the Police Department so a citation can be issued.

Sharon Gamble

S. Johnson said Waukesha County has extended until November 22 the removal of the shed and deck from her Phantom Lake property.

Ralph A. Mozach, Jr.

S. Johnson said there was a complaint that a septic line was run down to a small pond on Lakeside Drive. S. Johnson said the Waukesha County Environmental Health Division is checking on the system.

R. Mozach said the septic system is good and is pumped out yearly. He said he has not modified the system.

Randy Schuett – Special Use request for an outdoor wood furnace

Randy Schuett would like to install a 62” x 66” x 8’ outdoor wood furnace on his property on River Road. The furnace meets the 2010 Clean Air Regulation Emission Limits and will be located on a 23-acre parcel.

The Town Board was concerned about the closeness of the furnace to buildings, what would be burned and possible respiratory problems of neighbors.

Motion by F. Leppin, seconded by T. Stefanowski, to approve the Special Use request of Randy Schuett for an outdoor wood furnace at S66 W28740 River Road subject to natural products being burned and the furnace being in compliance with the ordinance. Motion carried.

FIRE CHIEF

Town Address Signs

Motion by F. Leppin, seconded by T. Stefanowski, to table discussion of Town address signs. Motion carried.

Waive/Discount Ambulance Bill

Motion by B. Lawn, seconded by P. Topczewski, to waive/discount ambulance bills according to the Charity Care Policy for Maria Capello and Taranjit Phul. Motion carried.

Purchase of Rescue Manikin Act 102 Funds

Motion by B. Lawn, seconded by P. Topczewski, to approve the purchase of a rescue manikin with Act 102 Funds. Motion carried.

POLICE CHIEF

Ralinda Howard

No update but issue is in court.

Sherry Towns

No update.

Cynthia Thornton

No update.

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

F. Leppin volunteered to talk to County Board Supervisor G. Yerke about the no parking area issue.

Robert Kuss

D. Dubey said citations were issued.

Mark Carpender

D. Dubey said citations were issued.

TREASURER

Addition to the End of the Month Payables

Motion by B. Lawn, seconded by F. Leppin, to add the following to the end of the month payables list:

- 1) Postage for tax mailing
- 2) Check for payment of dog licenses to Waukesha County

Motion carried.

PLANNING COMMISSION

AT&T Mobility Conditional Use Amendment

Motion by F. Leppin, seconded by B. Lawn, to approve the Conditional Use Amendment for AT&T Mobility subject to the Planning Commission conditions.

Motion carried.

Grey Hawk Meadows Final Plat dated July 17, 2008

Motion by F. Leppin, seconded by T. Stefanowski, to approve a flag lot for Lot 15 subject to the conditions of the Planning Commission. Motion carried.

Motion by F. Leppin, seconded by T. Stefanowski, to approve the Grey Hawk Meadows Final Plat subject to the Town Planner's memo dated November 13.

Motion carried.

New Lots Created

T. Schwecke is researching the lot created in October by the Register of Deeds Office and he will give a report at the December Planning Commission Meeting.

Smart Growth Comprehensive Plan Public Hearing Comments

D. Dubey reviewed T. Schwecke's summary of the oral and written comments from the Smart Growth Comprehensive Plan Public Hearing.

Motion by P. Topczewski, seconded by F. Leppin, to direct T. Schwecke to make changes in the Smart Growth Comprehensive Plan according to the agreed upon comments. Motion carried.

Ordinance 2008-6 Smart Growth Comprehensive Plan

Motion by F. Leppin, seconded by T. Stefanowski, to adopt Ordinance 2008-6 Smart Growth Comprehensive Plan subject to Town Attorney review.

Motion carried.

TOWN PLANNER

Ruth Vollmer Estate/Marni Lynn Land Division Update

T. Schwecke reported the property owners need to apply for a County rezone and to complete their Certified Survey Map.

Reggie's Lakeview request for Special Events

Motion by F. Leppin, seconded by B. Lawn, to approve the following Special Events at Reggie's Lakeview:

- 1) January 17, 2009 Mukwonago Food Pantry Fishing Jamboree
- 2) January 24, 2009 Snowmobile-ATV Radar Run (Rain date – Feb 14)
- 3) January 31, 2009 George Washington Legion Post Fishing Jamboree

subject to the three conditions of the Town Planner's Staff Report dated November 12, 2008 and address any concerns of the Fire Chief and Police Chief. Motion carried.

TOWN CLERK

Interest Charge for Unpaid Billback Invoices

The Clerk does not think the interest is worth the hassle and the Town Board agreed with her.

Operator's License Approval

Motion by P. Topczewski, seconded by B. Lawn, to approve an Operator's License for Erika L. Maines at Lakeside Inn. Motion carried.

TOWN ENGINEER

Sugden Road Improvements

The Town Board received a letter from residents of Wingate Court off of Lakecrest Drive requesting the Town to clear the easement from Wingate Court to Sugden Road and to maintain the ditches on Sugden Road.

According to the subdivision plat, the easement is a part of a lot.

Town Planner will investigate the ownership and responsibility of the drainage easement.

TOWN ATTORNEY

Correspondence

Insurance – J. Macy said the ACCORD form Certificate of Insurance is useless.

The Town will have to decide if they will accept the ACCORD form.

Open Meetings Law – J. Macy said this letter is a reminder for the Town Board.

Prevailing Wage Rate Determination – J. Macy said this letter applies to construction projects for public improvements not snowplowing.

TOWN CHAIRMAN

Allocation of Funds

Motion by F. Leppin, seconded by B. Lawn, to allocate \$60,866.51 from the contingency fund to the line item Country Bliss Flooding Investigation Expenses. Motion carried unanimously by a roll call vote.

Budget Hearing and Special Town Meeting

D. Dubey said the Budget Hearing will be held Thursday, November 20 at 7:00 p.m. at the Mukwonago Town Hall followed by the Special Town Meeting and Special Town Board Meeting.

D. Dubey said motions from the floor at the Town Meeting would be advisory other than the highway expenditure and tax levy motions which are binding. The Town Board has the final authority regarding the Budget. The \$154 garbage fee is a line item of the Budget.

No Wake Ordinance for High Water Conditions of Phantom Lake

D. Dubey reported the Department of Natural Resources responded to the ordinance regarding Lower Phantom Lake.

D. Dubey said the procedure has to be clarified.

STH 83 Expansion

D. Dubey said Fire Chief J. Rolfe received responses from Representative Scott Gunderson and Senator Neal Kedzie regarding his letter about the ability of emergency vehicles to reach citizens during the construction of the STH 83 expansion. STH 83 would be open to cross traffic and local traffic but not to through traffic. The Town Board considered sending a letter to the Department of Transportation, but decided having STH 83 closed for one year would be better than having STH 83 partially open for three years.

J. Macy said good signage and selling ads in the local newspaper would be very important to the businesses along STH 83.

FINANCE

Pay Bills

Motion by F. Leppin, seconded by B. Lawn, to pay the bills.

Motion carried.

COMMITTEE REPORTS

COMMENTS FROM THE PUBLIC

Duane Thornton, CTH E, asked that the Town Board be sure that Grey Hawk Meadows does not disturb the existing field drain tiles and to have Grey Hawk Meadows have a stormwater and grading plan that does not affect him.

Motion by P. Topczewski, seconded by T. Stefanowski, to adjourn at 8:25 p.m.

Motion carried.

Katherine W. Wilson
Town Clerk
Town of Mukwonago