

**UNAPPROVED  
TOWN OF MUKWONAGO TOWN BOARD**

**AUGUST 19, 2009**

The Town of Mukwonago Town Board Meeting was called to order at the Mukwonago Town Hall, W320 S8315 Beulah Road, Mukwonago, WI at 6:35 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 (arrived 6:40 p.m.) and Chairman D. Dubey.

Others Present: Attorney J. Macy, Planner T. Schwecke, Building Inspector S. Johnson,  
Police Chief G. Turner, Deputy Fire Chief F. Purdy and Clerk K. Wilson.

Absent: Treasurer D. Steinke.

Motion by F. Leppin, seconded by T. Stefanowski, to approve the July 15, 2009 Town Board Minutes with the correction that the Treasurer was not present for the Budget Review Process discussion. Motion carried.

Motion by T. Stefanowski, seconded by F. Leppin, to approve the June 17, 2009 Special Town Board Minutes with the correction of eliminating "allowing for inflation" from the third sentence of Financial Issues and Budget/Forecast. Motion carried.

D. Dubey said Country Bliss and the Utility District were taken off of the agenda until the Town gets more information.

**COMMENTS FROM THE PUBLIC**

**Al Queenen**, Vice President of the Spring Lake Association, said he thought the No-Wake Ordinance was approved.

D. Dubey said the Town Attorney recommended that the Town Board vote on the No-Wake Ordinance after the Town received the DNR recommendation.

J. Macy said, according to the July 15 Town Board Minutes, the ordinance was sent to the DNR on July 2 which was followed by the condition report.

**John Lammers**, Schnitzler Road, said the lake specialists from the DNR have a different opinion than the enforcement arm of the DNR regarding the No-Wake Ordinance.

**Karen Queenen**, Thorncrest Court, thanked the Town Board for paving their road this summer because it really needed it.

**Judy Wagner**, Arbor Drive, said the DNR is only an opinion. She said lakes that are under 50 acres boatable are automatically no-wake lakes.

**John Lammers** said the policy makers and enforcement division are two different departments of the DNR.

**Ginny Brown**, Paradise Lane, thanked the Town Board for their attendance at the informational forums put on by the Country Bliss Water Committee.

She requested that a Madison engineering firm be considered for the project and that the same people at the County level that reviewed the Country Bliss proposal also review the forced main plan.

## **FINAL ADOPTION OF SPRING LAKE NO-WAKE ORDINANCE**

D. Dubey said A. Ramsey requested to table final adoption of the ordinance until the September Town Board Meeting so she could respond to the DNR recommendation. Motion by F. Leppin, seconded by P. Topczewski, to table final adoption of the Spring Lake No-Wake Ordinance and delay signing of the ordinance to the September Town Board Meeting. Motion carried.

P. Topczewski would like comments from both the policy and enforcement branches of the DNR and any comments by Dr. Thornton regarding the DNR letter.

## **BUILDING INSPECTOR – SCOTT JOHNSON**

### **AT&T**

T. Schwecke said a Conditional Use application was received from AT&T and a Public Hearing was held on August 5 and AT&T Conditional Use is on the agenda for tonight.

No citation will be issued at this time because the Conditional Use is in process.

### **Nancy Kind**

F. Leppin said there needs to be erosion control fences or something else placed on the property to control the mud on Mitchell Drive.

N. Kind said round bales were placed in the drainage area and they are planning to seed down the drainage area next spring with oats and alfalfa.

### **Trolley Pub**

S. Johnson reported the building code violations were corrected and the property was in compliance as of July 22, 2009.

### **Joel T. Anderson**

S. Johnson said the compliance date for the building code violations is today.

A 15-day notice will be sent if the property is not in compliance.

## **FIRE CHIEF**

### **Dorm Room Policy**

D. Dubey said the Town Board wanted more information regarding the plans for a dorm room at the Town Fire Station.

Deputy Fire Chief F. Purdy said the plans were going to be discussed at Budget time.

### **Trunked Radio System Contract Addendum**

D. Dubey said we are using the 800 megahertz analog system and the County is going to a digital system. Payment for the new system can either be a lump sum in 2013 or the Town can start paying now.

D. Dubey suggested having a representative from the Communications Center do a presentation to the Town Board.

Motion by B. Lawn, seconded by F. Leppin, to table discussion of the Trunked Radio System Contract Addendum. Motion carried.

The Town Board needs more information about the radio systems from the Police and Fire Department.

### **Update on Discussion with Big Bend/Vernon Fire Department**

B. Lawn questioned if the Town Board could ask for an update, when the meeting was never authorized by the Town Board.

F. Leppin said the Fire Chief should have come to the Town Board.

F. Purdy said three representatives of the Mukwonago Fire Department and three representatives of the Big Bend/Vernon Fire Department met to discuss sharing services and training.

P. Topczewski said he had no problem with them having informal discussions to see if there is interest in sharing training and consolidation before coming to the Town Board.

B. Lawn said the Fire Chief should have come to the Town Board or the Protective Services Committee prior to the joint meeting.

F. Purdy said the information about what was discussed was in a response printed in the August 12 Mukwonago Chief.

D. Dubey said he was notified of the meeting by the Fire Chief and did not object to the meeting of the two Fire Departments.

## **POLICE CHIEF**

### **Citation Update**

#### **Mark Carpenter**

T. Schwecke informed the Police Chief that Carpenter's Manure Plan has been approved and signed and the manure pile that is there now is a berm and is legal.

#### **Sherry Towns**

Police Chief G. Turner said the property is not in compliance so there has not been a court date set.

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

G. Turner said the agreement is identical to the previous agreement and the price is the same as this year for a three year agreement.

He said the Town does not have facilities to hold and care for animals.

Motion by P. Topczewski, seconded by B. Lawn to table discussion of the Humane Animal Welfare Society Service Agreement to allow for G. Turner to meet with HAWS to revise the agreement to include the wire data public records issue. Motion carried.

## **TREASURER**

### **Treasurer's Report**

Treasurer's Report was placed on file.

### **Budget Review Process**

D. Dubey said the forecast indicates the Town will need to do short term borrowing.

The Town Board discussed their difference in opinion as to what a forecast is.

B. Lawn said the Town of Mukwonago has no cash reserves and the Town needs to forecast as close as possible to the real cash number needed.

P. Topczewski said the variable is the weather.

B. Lawn disagreed with the consensus forecast in the June 17, 2009 Special Town Board Minutes.

### **Attorney/Engineer at Meetings**

F. Leppin suggested that any recurring expense such as Bridge Inspection and Paser be included in the Budget.

D. Dubey said he has been getting updates from the Town Engineer so he does not have to attend the Town Board Meetings.

T. Stefanowski suggested doing billbacks for specific agenda items for the time spent at Town Board and Plan Commission by the professional staff. Town Board will discuss at Budget time.

Other suggestions were to have shorter meetings, have Attorney and Engineer first on the agenda and not have them sit through Budget Review Process.

P. Topczewski said the professional staff is needed at Plan Commission.

## **PLAN COMMISSION**

### **Sherry Towns Municipal Code Amendment**

Motion by P. Topczewski, seconded by F. Leppin, to deny the Municipal Code Amendment requested by Sherry Towns based on the recommendation of the Plan Commission. Motion carried.

### **AT&T Conditional Use Modification**

Motion by P. Topczewski, seconded by T. Stefanowski, to approve the Conditional Use request of AT&T based on the recommendation of the Town Planner and the conditions stated in his memo of August 14, 2009. Motion carried.

### **New Lots Created**

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

## **TOWN PLANNER**

## **TOWN CLERK**

### **Budget Workshops and Budget Hearing**

D. Dubey said the Budget Workshops will be on Monday, October 5, 12, 19 and 26 at 6:30 p.m. The Budget Hearing will be held on Thursday, November 19 at 7:00 p.m.

## **TOWN ENGINEER**

### **Stimulus Funds Update**

D. Dubey said there was no update on the Stimulus Fund Grant.

### **Phantom Woods Road Channel Enhancement Project Update**

F. Leppin reported they tried to find the leach bed under Phantom Woods Road but the tank was too full. He said Reggie's will have the tank pumped and he'll have the camera try again.

F. Leppin said the Town share of this project is \$4,514 and it has to be done this year. He said the Town has three choices regarding the project. The project could be done over the leach bed, or the Town could replace the leach bed or the Town could abandon the project.

Motion by T. Stefanowski, seconded by B. Lawn, to move forward with the Phantom Woods Road Channel Enhancement Project subject to the Town Engineer determining the project is feasible. Motion carried.

J. Macy said the Fox River Commission would have to agree to any modification in the project.

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

D. Dubey said the State needs a name for the cul-de-sac. Boundary Line Road and Town Line Cul-de-Sac were suggested.

The Town Board tabled discussion and will ask the Village Board for suggestions.

**Leppin Certified Survey Map – Crossgate Cul-de-Sac**

Motion by B. Lawn, seconded by T. Stefanowski, to approve Resolution 2009-R-12 Resolution to Accept Crossgate Drive Cul-de-Sac on Leppin Certified Survey Map.

Yes: 4. Abstain: F. Leppin. Motion carried.

Motion by P. Topczewski, seconded by T. Stefanowski, to approve Resolution 2009-R-13 Resolution to Add Crossgate Drive Cul-de-Sac to the Official Traffic Map and Establish Speed Limits.

Yes: 4. Abstain: F. Leppin. Motion carried.

**TOWN ATTORNEY**

**Correspondence**

There were no questions on the correspondence from the Attorney entitled, “State Budget Bill – Effects on Local Budgets” and “Wisconsin Budget Bill – Prevailing Wage Rate and Hour Law Change”.

**TOWN CHAIRMAN**

**Trick or Treat Hours**

Motion by P. Topczewski, seconded by F. Leppin, to set Trick or Treat Hours for the Town of Mukwonago for Saturday, October 31 from 4:00 – 7:00 p.m.

Motion carried.

**Johns Contract Revision Affecting 2010 Budget**

T. Stefanowski said Johns Disposal Service, Inc. has proposed two cost savings options for the Town of Mukwonago. The first option is changing the garbage service to every other week which would save about \$50,000. T. Stefanowski said some families may need extra containers. The second option is to change the bulk collection to every other month which would save about \$22,000.

He said he also received a contract proposal from Veolia.

J. Macy said our contract with John’s is through December 2011.

J. Macy said the contract is very specific and if John’s charge is higher than the cost of living rate increase, it gives the Town an out of the contract.

**Assessor Contract 2010-2012**

Cal Magnan proposed a contract with Magnan Assessment Services for three years with no increase in cost in 2010 and 2% increases in 2011 and 2012.

He said J. Macy reviewed the contract they have with the Village of Nashotah.

Motion by F. Leppin, seconded by T. Stefanowski, to approve the contract with Magnan Assessment Services subject to the approval of the Town Attorney.

Motion carried.

**Resolution Stating Intent of the Town of Mukwonago to Use Community Block Grant Funds for Country Bliss Water Issues**

The Town Board directed D. Dubey to draft a Resolution of Intent of the Town of Mukwonago to use Community Block Grant Funds for Country Bliss Water Issues.

A Special Town Board Meeting will be held on Wednesday, September 2, 2009 at 6:20 p.m. to approve the resolution.

## **FINANCE**

### **Pay Bills**

Motion by F. Leppin, seconded by T. Stefanowski, to pay the bills.

Motion carried.

B. Lawn questioned if the Town Board could discuss the dog license fee payments to the Treasurer.

D. Dubey said she wasn't at the meeting and it could be put on the next Town Board Agenda.

## **CORRESPONDENCE**

T. Stefanowski questioned if the Village of Mukwonago got the information they needed regarding the STH 83 cul-de-sac.

## **COMMITTEE REPORTS**

### **Public Works**

F. Leppin reported the 2009 Road Program will be completed in a week.

After Labor Day, the Public Works Committee will meet.

### **Phantom Lakes Management District**

D. Dubey announced the Phantom Lakes Management District Annual Meeting will be held on Thursday, August 27, 2009 at 7:00 p.m.

## **COMMENTS FROM THE PUBLIC**

**Matt Murphy**, Mark Lane, questioned when the ordinance for the utility district would be written.

D. Dubey said probably not until October.

J. Macy has put writing the ordinance on hold until the Town knows what solution they are doing.

**Pat Crotty**, Memory Lane, said 75% of the people at the July meeting wanted a Town-wide utility district and their comments fell on deaf ears. He takes exception to the statement that the people in Stone Brook Hollow paid for the stormwater facility in their subdivision. He said everyone pays for the stormwater facilities in their subdivisions

Motion by T. Stefanowski, seconded by F. Leppin, to adjourn at 8:55 p.m.

Motion carried.

Katherine W. Wilson  
Town Clerk  
Town of Mukwonago

