

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 and Clerk K. Wilson.

Absent: Treasurer D. Steinke

Motion by P. Topczewski, seconded by D. Dubey, to approve the March 19, 2008 Town Board Minutes as corrected. Motion carried.

Motion by P. Topczewski, seconded by D. Dubey, to approve the March 26, 2008 Special Town Board Minutes as written. Motion carried.

### **RECOGNITION OF PAST TOWN BOARD SUPERVISORS**

D. Dubey read Proclamations for Barb Holtz and Ruth Ann Nicoson recognizing their contributions as Town Board Supervisors for the Town of Mukwonago.

### **TOWNS CONDITIONAL USE**

D. Dubey said the Town of Mukwonago received a request from S. Towns to postpone the decision regarding her Conditional Use request to the May Town Board Meeting.

D. Dubey said S. Towns distributed to the Town Board members a petition to allow her Conditional Use. J. Macy said this would be new information and the Public Hearing is closed. He has advised S. Towns' attorney to meet with the Town Planner and Town Attorney during the Town Planner's office hours.

Motion by P. Topczewski, seconded by F. Leppin, to table discussion of S. Towns Conditional Use to the May 21 Town Board Meeting. Motion carried.

### **COMMENTS FROM THE PUBLIC**

**Nan Bach** said she knows S. Towns has some events planned before the next Town Board Meeting. She questioned how the Town is going to enforce their own ordinances. She said S. Towns is breaking the law.

**Craig Mariani** said there is a drainage issue at the intersection of Lakeside and Hillside Drive. It is washing out his driveway and his neighbor's driveway.

**Steve Ikeler** lives in Clydesdale South and said they have a problem with their neighbor's dog attacking their dog. He said the dog needs to be removed. It has been cited a few times. The Animal Control Officer has not been much help. They have called in to the Police Department but the calls have not been documented. He would like the Town Board to look into this problem.

**Diann Ikeler** said she has called the Police Department but they said the Town of Mukwonago does not have a leash law. In another situation, the Police Department follow up is not there.

**Ruth Ann Nicoson** reported the Recycling Grant amount is \$37,608.24.

## **JOHNS DISPOSAL SERVICE, INC. CONTRACT DECISION**

Brian Jongetjes, from Johns, said in the Fall of 2006 Johns asked the Town for an extension of the contract and they offered a \$5,000 cost reduction and the Town agreed to the extension. The contract was never signed so he wrote a new contract including the new carts and automated system. He has worked with the Town Attorney to finalize the contract. He said the only issue is the Town Attorney wants the Pollution Exclusion to be removed from the contract, whereas, his General Liability Insurance said all General Liability Insurance has this exclusion built into the policy.

J. Macy said the prior contract did not include a Pollution Exclusion. The contract is for four years and at the most, he recommends three year contracts.

B. Jongetjes said recyclable values have increased and the Town does an above average amount of recycling. The contract allows Johns to keep the proceeds from the recyclable commodities.

Motion by P. Topczewski, seconded by F. Leppin, to approve Johns Disposal Service, Inc. Contract subject to the verification that the Town Insurance coverage would cover the Pollution Exclusion. Motion carried.

B. Jongetjes said there is a problem with scavengers. Scavengers are people who go through the garbage and leave a mess, especially on bulk pick up days, and then Johns is blamed for it. J. Macy said the Police Department should be called as well as Johns when there is a problem.

## **BUILDING INSPECTOR – SCOTT JOHNSON**

### **Randy and Brenda Schuett**

S. Johnson reported a dumpster is still on the property. The basement has been filled in but the septic needs to be abandoned.

### **Robert and Nadine Schauer**

S. Johnson said R. Schauer obtained permits for his shed which needs to be finished within 12 months.

### **Randy and Peggy Wright**

S. Johnson sent a letter and stopped in and spoke to P. Wright about her wedding chapel idea. He told her she would need a Conditional Use to operate the business.

### **Conditional Use Inspection**

#### **Michael and Cynthia Kutschenreuter**

S. Johnson said M. Kutschenreuter is in compliance with his Conditional Use, except, Kutschenreuter put up a temporary shed (without permits) in a different location than where it was shown on his Conditional Use Site Plan.

S. Johnson to tell M. Kutschenreuter to meet with the Town Planner with a revised Site Plan.

### **CTH I Log Home**

J. Macy questioned if there was an occupancy permit for the log home on CTH I because someone was working on the property tonight.

S. Johnson said the house is completed inside.

J. Macy questioned what the procedure is if the home is not completed in two years. S. Johnson said they need to take out a new permit.

## **FIRE CHIEF**

### **Purchase of Used Fire Truck**

Chief J. Rolfe checked out a used fire truck in Alabama which did meet their specifications. The rescue truck (valued at \$100,000) would be traded in with the cost of \$98,000 being divided by the Town and the Village. The Village Board approved the purchase of the used fire truck at their April 15 Village Board Meeting. The truck is white and he will have in the 2009 Budget to paint the truck red.

Motion by F. Leppin, seconded by B. Lawn, to approve the purchase of the fire truck at a cost to the Town of Mukwonago of \$49,000.

Motion carried unanimously.

### **Address Signs**

Chief J. Rolfe encouraged the Town Board to move forward as soon as possible with the address signs.

F. Leppin said the larger sign is installed in front of the Town Hall. He questioned why the sign is so large and why the Town of Mukwonago is on the sign.

B. Lawn said the Town Board will hear all kinds of cosmetic issues regarding the address signs.

D. Dubey said the Town has an updated price list. The price of the 8"x 20" sign installed would be \$35.04 and would have to be paid this year to get that price. He said galvanized posts would last the longest and an order would need to be placed by June. If the ordinance is passed, a Special Charge would be placed on this year's tax bill. The Town could put the notice of the Special Charge to the public in the Recreation Department's Activity Guide.

R. Nicoson said Clydesdale Farms North would like to put the address signs on their light posts. J. Rolfe said the ordinance addresses special circumstances such as subdivisions.

The 6" and 8" signs will be put up in front of the Town Hall to see the difference in the signs.

D. Dubey said green was the preferred color last month.

T. Stefanowski said he felt frustrated because both the Fire and Police Department are saying they need these signs and the Homeowners Meetings he went to did not have a problem with the signs.

Motion by B. Lawn, seconded by T. Stefanowski, to table discussion of the address signs to the May 21 Town Board Meeting. Motion carried.

## **POLICE CHIEF**

### **Town of Eagle Agreement for Clerical Services Joint Municipal Court**

Motion by P. Topczewski, seconded by T. Stefanowski, to approve the Town of Eagle Agreement for Clerical Services Joint Municipal Court.

Motion carried.

### **Town of Waukesha Agreement for Clerical Services Joint Municipal Court**

Motion by P. Topczewski, seconded by B. Lawn, to approve the Town of Waukesha Agreement for Clerical Services Joint Municipal Court.

Motion carried.

## **TREASURER**

### **Treasurer's Report**

Treasurer's Report was placed on file.

## **PLANNING COMMISSION**

### **Mair Conditional Use**

Motion by T. Stefanowski, seconded by F. Leppin, to approve the Mair Conditional Use subject to the conditions of the Planning Commission and the Town Planner. Motion carried.

### **SBA Network Services**

D. Dubey said the Town Board has two Conditional Uses to consider because one is for SBA, the tower owner, and the other is for Verizon.

D. Trost, representing SBA and Verizon, said Verizon did not purchase PrimeCo. It was just a name change.

Motion by F. Leppin, seconded by B. Lawn, to approve the SBA Network Services Conditional Use subject to the final form being approved by the Town Attorney. Motion carried.

Motion by F. Leppin, seconded by B. Lawn, to approve the Verizon Wireless Conditional Use subject to the final form being approved by the Town Attorney. Motion carried.

J. Macy said as soon as the conditions of the Conditional Use are satisfied, the Building Permits can be applied for.

### **Sarandos**

Motion by B. Lawn, seconded by F. Leppin, to approve the Rural Structure Determination of the Planning Commission subject to the approval of the Town Attorney. Motion carried.

### **Rogich Land Division**

Motion by P. Topczewski, seconded by F. Leppin, to modify the Town of Mukwonago Official Map as requested by D. Rogich based on the Planning Commission recommendation. Motion carried.

Motion by P. Topczewski, seconded by T. Stefanowski, to approve the Rogich Certified Survey Map dated 1/15/08 based on the Planning Commission recommendation. Motion carried.

### **Markowski Certified Survey Map**

Motion by P. Topczewski, seconded by F. Leppin, to approve the Markowski merger of substandard lots of record based on the Planning Commission recommendation. Motion carried.

Motion by P. Topczewski, seconded by F. Leppin, to approve the Markowski Certified Survey Map dated 3/7/08 based on the Planning Commission recommendation. Motion carried.

### **Deadline for Planning Commission Submittals**

Motion by B. Lawn, seconded by F. Leppin, to establish the deadline for new submittals to the Planning Commission to be four weeks prior to the Planning Commission Meeting. Motion carried.

### **New Lots Created**

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

## **TOWN PLANNER**

### **Ruth Vollmer Land Division Update**

There was no update this month.

### **Lambrecht Conditional Use Termination Update**

S. Johnson reported the removal of the in-law unit is complete and area is now a recreation room complete with a pool table and air hockey table.

Lambrecht's Conditional Use Termination document needs to be signed and recorded at the Waukesha County Register of Deeds Office.

### **SBA Penalties**

T. Schwecke said the Town was not notified of the sale of Telecorp to AT&T nor the sale of Voicestream to T-Mobile. He said more research has to be done before penalties can be determined.

Motion by P. Topczewski, seconded by T. Stefanowski, to table discussion of penalties to the May 21 Town Board Meeting. Motion carried.

Town Planner to write to Verizon, AT&T and T-Mobile requesting documentation that would prove they were not in violation of their Conditional Uses. Update from SBA will also be on the Town Board Agenda.

### **Phantom Lake Development Company Conditional Use Update**

T. Schwecke reported the owner of Lakeside Inn can not get the tenant to complete Condition #4 of the most recent Conditional Use.

Town Planner to write to B. Schmidt and T. Schoenrock ordering them to be at the May Town Board Meeting.

## **TOWN ENGINEER**

## **TOWN CLERK**

### **Election Inspector Approval**

Motion by P. Topczewski, seconded by F. Leppin, to approve Richard Koracin as an Election Inspector. Motion carried.

### **Operator's License Approvals**

Motion by P. Topczewski, seconded by F. Leppin, to approve Operator's Licenses for Craig Rosefelt and Andrew Boren at Lakeside Inn.

Motion carried.

## **TOWN ATTORNEY**

## **TOWN CHAIRMAN**

### **Rick Peterson Request**

Motion by T. Stefanowski, seconded by F. Leppin, to approve the request of Rick Peterson to work part-time at Old World Wisconsin on weekends during May through October 2008. Motion carried.

### **Police Lieutenant Contract Approval**

Motion by T. Stefanowski, seconded by B. Lawn, to approve the Terms of Employment as Police Lieutenant for Thomas Czarnecki. Motion carried.

### **Commission and Committee Appointments**

Motion by P. Topczewski, seconded by F. Leppin, to approve D. Dubey's appointment of Roger Schleicher to the Police Commission for a 5-year term to 2013. Motion carried.

Motion by F. Leppin, seconded by P. Topczewski, to approve D. Dubey's appointments of Michael Zens and D. Dubey to the Fire Commission for 1-year terms to 2009. Motion carried.

Motion by F. Leppin, seconded by P. Topczewski, to approve D. Dubey's appointments to the Planning Commission of the following:

Rob Schuett for a 3-year term to 2011

Barb Holtz to complete 3-year term to 2009

Karen McNelly for a 1-year term to 2009

Marlene Hintz for a 1-year term to 2009

Motion carried.

Motion by P. Topczewski, seconded by B. Lawn, to approve D. Dubey's appointment of D. Dubey as the Town Board Representative on the Planning Commission for a 1-year term to 2009. Motion carried.

Motion by P. Topczewski, seconded by B. Lawn, to approve D. Dubey's appointment of D. Dubey as the Phantom Lakes Management District Town Board Representative for a 1-year term to 2009. Motion carried.

Motion by F. Leppin, seconded by T. Stefanowski, to approve D. Dubey's appointment of P. Topczewski as the Spring Brook Lake Management Town Board Representative for a 1-year term to 2009. Motion carried.

Motion by F. Leppin, seconded by P. Topczewski, to approve D. Dubey's appointment of D. Dubey to the Board of Adjustment for a 1-year term to 2009. Motion carried.

Motion by P. Topczewski, seconded by T. Stefanowski, to approve D. Dubey's Town Board Committee assignments as follows:

Finance/Personnel/Building Inspector: B. Lawn, Chrm, D. Dubey and F. Leppin

Public Works: F. Leppin, Chrm, B. Lawn and T. Stefanowski

Protective Services: D. Dubey, Chrm, P. Topczewski and B. Lawn

Health: T. Stefanowski, Chrm, F. Leppin and P. Topczewski

Recreation: P. Topczewski, Chrm F. Leppin and T. Stefanowski

Utilities/Recycling/Judicial: T. Stefanowski, Chrm, B. Lawn and P. Topczewski

Motion carried.

### **Town of Mukwonago Management Study**

D. Dubey said he asked Virchow Krause and Company to give him an estimate for a management study of the Town of Mukwonago similar to the study being done in the Village of Mukwonago. The estimate was \$15,500. He said the Town would have to do a Request for Proposal. The Town Board should think about how they want the Town Hall to be run. The study should include everyone in the Town Hall. D. Dubey said there is not money in the 2008 Budget for a study.

B. Lawn said a management study will find inefficiencies and make suggestions.

### **Country Bliss Request**

J. Macy said Country Bliss Homeowners Association made an open records request regarding the Lambrecht Conditional Use Termination.

Clerk to respond to request by sending the Lambrecht Conditional Use Termination document, notices and letters regarding the Conditional Use Termination to the Homeowners Association.

## **FINANCE**

### **Pay Bills**

Motion by P. Topczewski, seconded by B. Lawn, to pay the bills. Motion carried.

## **CORRESPONDENCE**

D. Dubey announced the Wisconsin DOT STH 83 Expansion Property Owner Meeting will be held at the Mukwonago Town Hall on Thursday, May 1 from 4:00 – 8:00 p.m.

T. Stefanowski questioned if the Border Agreement would be discussed at the meeting. D. Dubey said it is a State meeting, not a Town meeting.

J. Macy said G. Yerke should be notified of the meeting because he represents the Town on the County Board.

B. Lawn said roundabouts do not function. They have been eliminated in New Jersey.

## **COMMITTEE REPORTS**

### **Public Works**

F. Leppin reported that T. Stefanowski and F. Leppin will meet with Wolf on April 17 at 9:00 a.m. to discuss snow plowing issues. They will meet every week until everything is taken care of.

F. Leppin said a roofer is giving us a quote to fix the roof. J. Macy said to be sure the roofer qualifies as an open records bidder.

F. Leppin said the Public Works Committee will ride the roads with the Town Engineer next week.

F. Leppin said there are three issues from the 2007 Road Program that need to be corrected by Wolf.

F. Leppin said the Town Engineer has a short form for bidding for snowplowing that the Town can use this year.

**D. Dubey** said J. Macy has agreed to do a Board of Review Training at no charge to the Town of Mukwonago. The training will be on Tuesday, April 29, 2008 at 7:00 p.m. at the Mukwonago Town Hall.

## **COMMENTS FROM THE PUBLIC**

Motion by T. Stefanowski, seconded by P. Topczewski, to adjourn at 8:46 p.m.  
Motion carried.

Katherine W. Wilson  
Town Clerk  
Town of Mukwonago