

TOWN OF MUKWONAGO TOWN BOARD

JANUARY 20, 2010

The Town of Mukwonago Town Board Meeting was called to order at the Mukwonago Town Hall, W320 S8315 Beulah Road, Mukwonago, WI at 6:34 p.m. with the salute to the flag. Chairman D. Dubey said the meeting was noticed.

Present: Supervisors B. Lawn, T. Stefanowski, P. Topczewski and Chairman D. Dubey.

Others Present: Attorney J. Macy, Planner T. Schwecke, Police Lt. T. Czarnecki, Building Inspector S. Johnson, Treasurer D. Steinke and Clerk K. Wilson.

Absent: Supervisor F. Leppin.

Motion by B. Lawn, seconded by T. Stefanowski, to approve the December 16, 2009 Town Board Minutes as written. Motion carried.

PLAN COMMISSION

New Lots Created

D. Dubey said there were two lot splits completed in the Town of Mukwonago.

TOWN PLANNER

TOWN CLERK

A-Team Proposal for Skadoit Online Backup Solution

D. Dubey said the Town is having problems with the tape backup.

Alan Schahczinski, from A-Team, presented a proposal for Skadoit Online Backup Solution at a cost of \$290 per year.

D. Dubey said the Town needs another quote.

A decision will be made at the next Town Board Meeting regarding the backup problem.

TOWN ENGINEER

Rogich Letter of Credit

Motion by P. Topczewski, seconded by B. Lawn, to approve the reduction of the Letter of Credit for Dean Rogich based on the Town Engineer recommendation. Motion carried.

Rainbow Springs Billback

D. Dubey said the Town received correspondence from S. Sullivan stating an invoice was sent to the Town regarding Rainbow Springs development and it was not paid by the Town. The invoice came after the sale of Rainbow Springs to the State. D. Dubey said it is a valid invoice.

J. Macy said the Town can be reimbursed according to the Town Ordinance regarding liquor licenses which states all monies owed the Town have to be paid prior to issuing a liquor license.

TOWN ATTORNEY

TOWN CHAIRMAN

Town Insurance

Motion by B. Lawn, seconded by T. Stefanowski, to renew the Town Insurance with Arthur J. Gallagher Risk Management Services, Inc. and the Local Government Property Insurance Fund at a cost of \$49,144.

Yes: 3. Abstain: P. Topczewski. Motion carried.

Referendum Committee Recommendation

Survey to Address Budget Shortfall and Depletion of Reserve Fund

P. Topczewski thanked the Referendum Committee for all their work.

He said after much discussion, the Referendum Committee concluded it would be more appropriate to have a survey done professionally to see what services the Town residents want rather than by means of a referendum. He said a criticism of this proposal is the length of time it will take to get results and the higher cost.

He checked about Community Block Grants but they have to relate to low/moderate income residents. K. McNelly is checking into other grants.

Committee member Fred Oakland gave an overview of the survey process.

He said the survey completed by the Town regarding Smart Growth, PDR and Conservation Subdivisions took about one year.

P. Topczewski said the cost of the 2002 Survey was approximately \$8,000.

Motion by B. Lawn, seconded by T. Stefanowski, to commission a survey to address the budget shortfall and the depletion of reserve fund.

Motion carried.

P. Topczewski said he would like F. Oakland to head the survey.

F. Oakland will notify D. Dubey of his decision.

The Town Board discussed the possibility of having a referendum to exceed the levy limits.

Arnold's Environmental Services Contract

J. Macy commented on the contract as follows:

#1 and 2 – Town Insurance should be contacted to check for coverage

#4 – payment on receipt of bill is not practical

#5 – strike

#6 – policy decision

#7 – OK

Motion by B. Lawn, seconded by T. Stefanowski, to approve Contract from Arnold's Environmental Services subject to the changes discussed.

Motion carried.

Police Commission Search for a Police Chief

D. Dubey said the Police Commission will be advertising for Lake Patrol and would like to advertise for a Police Chief at the same time.

The Town Board decided to hold off on advertising for a Police Chief.

Public Works Foreman Request for Lap Top Computer

Public Works Foreman R. Peterson asked to have a lap top computer.

D. Dubey asked if R. Peterson discussed this with the Public Works Committee.

B. Lawn said it would be optimal to have a mobile computer for the Public Works Foreman, but it would be best to wait until Windows 7 is completely available.

D. Dubey said R. Peterson could use the extra computer in the Clerk's Office.

D. Steinke offered the counter computer in the Treasurer's Office.
Public Works Committee should meet to discuss the computer and where it would come from in the Budget.

FINANCE

Pay Bills

Motion by B. Lawn, seconded by T. Stefanowski, to pay the bills and to approve the payment of the Ruckert-Mielke invoice of \$689.00.

Motion carried.

BUILDING INSPECTOR

Mark and Tracy Poje

S. Johnson reported the County is holding off enforcement of violations until spring.

Lakeside Inn Complaint

Lt. T. Czarnecki said he spoke to the owners of Reggie's Lakeview and they said they have had signs up for 16 years. They pointed out Lakeside Inn has signs on their side of the road.

J. Macy said the road was just paved so now we know where the right-of-way is. He said if the signs are in the right-of-way, the Town can take down the signs.

D. Dubey will check with S. Sullivan regarding the road right-of-way.

D. Dubey said the Building Inspector recommended that the Town Planner do a Conditional Use inspection of Reggie's Lakeview regarding the complaint letter. The signs will be investigated as part of the Conditional Use review.

Semrow Solar Panels

J. Macy asked if the permit was issued.

S. Johnson said the Planner was supposed to look at the request. T. Schwecke reviewed the request and said the Building Inspector could issue the permit.

FIRE CHIEF

Dorm Room Policy Update

D. Dubey reported the Fire Chief is speaking with Labor Attorney D. Vliet about the dorm room policy.

Revised Contract for Fire, Ambulance and Rescue Service with the Village of North Prairie

P. Topczewski questioned the protocol for dispatching to Sections 4, 5 and 6. He said the protocol needs to be clarified.

D. Dubey will send a letter to the Village of Mukwonago Dispatch clarifying the protocol for fire and rescue.

Motion by P. Topczewski, seconded by B. Lawn, to rescind the previously approved Contract for Fire, Ambulance and Rescue Service with the Village of North Prairie and approved the revised contract. Motion carried.

POLICE DEPARTMENT

Citation Update

Mark Carpender

J. Macy said an offer by Carpender was rejected so the case is set for trial.

Sherry Towns

J. Macy said S. Towns is in compliance, but there has been no settlement offer.

Ralinda Howard

J. Macy said a settlement offer was made.

Joel Anderson

Ice Patrol

D. Dubey said the Town received many requests for an ice patrol after the accident on the ice.

Lt. T. Czarnecki said the enforceable ordinance for ATVs on the ice is when they are near ice shanties. He said there needs to be an ordinance that addresses ATVs, snowmobiles, motorcycles and licensed vehicles on the ice.

Mark Carlson, PLMD Chairman, questioned how any ordinances would be enforced.

Lt. T. Czarnecki said there is nothing in the Budget for an ice patrol.

T. Stefanowski suggested getting information from other communities with lakes regarding their rules and ordinances.

P. Topczewski asked if the Town can be more restrictive than the DNR.

Lt. T. Czarnecki said the Town can be more restrictive.

D. Dubey requested that the PLMD come up with some suggestions and bring them to the Town Board.

TREASURER

Petty Cash During Tax Collection

D. Steinke requested more than \$200 as petty cash during the last two weeks in December.

Motion by B. Lawn, seconded by T. Stefanowski, to authorize the Town Treasurer to have \$500 petty cash for tax collection. Motion carried.

Budget Review Process

There were no questions regarding the forecast.

CORRESPONDENCE

COMMITTEE REPORTS

Public Works

T. Stefanowski reported the Public Works Committee met with Wolf Paving on January 4, 2010. They made some policy changes that streamlined the snowplowing procedure during the last snowstorm.

Protective Services

The Town Protective Services Committee will meet on January 26, 2010 at 5:00 p.m. at the Town Hall.

A Closed Town Board Meeting to discuss the Fire Chief Salary will be held immediately following the Protective Services Committee Meeting.

COMMENTS FROM THE PUBLIC

George Brown, Paradise Lane, read a letter written by **Brian Falk**.

B. Falk encouraged the Town to take another look at a permanent, long-term solution to the ground and storm water problems affecting Country Bliss. He suggested Option 1: Gravity drain (catch basin) at Oak Tree and Memory Lane with a gravity pipe flow in the east road right-of-way running southerly to Stone Brook Hollow (SBH) out-letting above the SBH retention/infiltration ponds

Option 2: Gravity drain at Oak Tree and Memory Lane with a gravity pipe in the west road right-of-way, running southerly through SBH, exiting or out-letting at Campfire into a grass swale/waterway following the natural drainage contours, extending to the vicinity of Jericho Creek.

He stated an engineering analysis is necessary to confirm that a gravity option is the most effective, lowest cost technical solution.

He said if the grant money does not cover the costs, a town-wide assessment should be used to pay the bond/loan payment. A small group of homes should not bear the cost of any solution.

Ginny Brown, Paradise Lane, stated the following are reasons why a Country Bliss solution should be funded:

- 1) Restore some of the value to our permanently damaged homes and to the homes of our adjacent neighbors
- 2) Restore only the original flow of water from this area as it was pre-development
- 3) Allow the water that comes to the Country Bliss area from outside of the subdivision to move on and provide relief for residents north and east of Country Bliss
- 4) Not send away a valuable resource but will send excessive standing water to Jericho Creek before it becomes contaminated, posing a health hazard
- 5) Allow the Town to meet its obligation to keep roads open to emergency and service vehicles and to remain passable for residents

Lynn Kallas, N. Oak Tree Court, listed the following negative impacts of a solution not being funded:

- 1) General stigma to the Town of Mukwonago
- 2) Safety hazards
- 3) Continued health hazards to residents
- 4) Increased costs for road maintenance
- 5) With loss of property value, other Town residents will be forced to pay higher taxes to meet the budget needs of the Town

Linda Dykas, N. Oak Tree Court, showed an aerial picture of the Country Bliss area prior to pumping. She said it is incomprehensible that anyone would think that the flooding is an individual homeowner issue. If the Town Board does not use the funds for a solution, you are sending a message that you do not care about the health, well-being and general welfare of your citizens. She said costs that exceed the \$506,000 grant should be funded by:

- 1) Application for the State Hazardous Mitigation Fund
- 2) Inclusion in the County Hazardous Mitigation Plan
- 3) Receiving additional CDBG funds
- 4) Public Finance Options for Municipalities

George Brown, said a Town-wide utility district could provide excess funds.

Lynn Kallas, said an engineering study is critical not only to the solution but to determine the cost of implementation.

Ginny Brown presented a Hydrology Study for Jericho Ridge West. She said the Town has right-of-way and easement rights through Stone Brook Hollow Addition #1. She said the gravity flow system would have closed pipes. The property owners of Country Bliss

want to work with the Town to implement a solution to the problem.

Pat Crotty, Memory Lane, said Country Bliss residents are the only ones here. Evidently, other residents of the Town are not concerned.

Paul Sadler, Memory Lane, suggested repitching the ditches in Country Bliss to get some of the storm water out.

Motion by T. Stefanowski, seconded by P. Topczewski, to adjourn at 8:30 p.m.

Motion carried.

Katherine W. Wilson
Town Clerk
Town of Mukwonago