

Town of Mukwonago
Town Board Minutes
Wednesday, February 19, 2014

Chairman Dubey called the meeting to order at 6:30 p.m. and the Pledge of Allegiance was recited.

Chairman Dubey stated the meeting was noticed.

Present: Chairman Dubey; Supervisors Hintz, Nicoson, Stefanowski and Topczewski. Also present: Kathy Karalewitz, Administrator/Clerk-Treasurer; John Macy, Town Attorney; Tim Schwecke, Town Planner; Toby Monogue, Parks and Recreation Director; Rick Peterson, Public Works Supervisor; Tom Czarnecki, Police Chief; Scott Johnson, Building Inspector.

PUBLIC COMMENTS

There were no public comments.

MINUTES

Supervisor Nicoson the following corrections: The last paragraph strike the word "grant" and replace with "letter".

Page 2 the fourth paragraph: Add period after "shortly" and delete the remainder of the paragraph.

Page 4 the fourth paragraph: Change 2013 to 2014

Motion by Supervisor Nicoson, second by Supervisor Hintz to approve the minutes with the changes stated above. All ayes; motion carried.

REQUEST BY MR. TIMOTHY GORSUCH TO AMEND SECTION 42-7 OF THE TOWN CODE TO INCLUDE USE OF SNOWBLOWERS

Mr. Gorsuch appeared at the board meeting and spoke regarding his request. Chairman Dubey asked the board if anyone had any interest in looking at amending the Ordinance. There was no action due to lack of motion.

CHANGE ORDER NO. 2 FINAL FOR STONE BROOK HOLLOW SURFACE COURSE

Motion by Supervisor Hintz, second by Supervisor Nicoson to approve Change Order No. 2 in the amount of \$28,202.96. Chairman Dubey took a roll call vote. Supervisor Stefanowski voted "no". The rest voted "aye". Motion carried by supermajority.

REPORTS

BUILDING INSPECTOR

ESTABLISHMENT OF ACCESSORY DWELLING UNIT IN VIOLATION OF TOWN'S ZONING CODE W330S7050 CTH E; MUKT1896.996

Building Inspector stated property owner is working with him to become compliant.

ESTABLISHMENT OF ACCESSORY DWELLING UNIT IN VIOLATION OF TOWN'S ZONING CODE; W315S8790 CTH EE; MUKT1935.995.001

Building Inspector working with property owner to make modification and should be in compliance by the end of the week.

MUNICIPAL CODE VIOLATION FOR PROPERTY LOCATED AT W328S8082 SOUTH OAK TREE DR;
MUKT1938.070

Property owner was present at the meeting. Having difficulty replacing windows on dwelling in winter months. Motion by Supervisor Stefanowski, second by Supervisor Topczewski to grant an extension of time to March 19 to become compliant and property owner to appear at the meeting if property is not in compliance. All ayes; motion carried.

FINANCE/PERSONNEL

MONTHLY BILLS

Motion by Supervisor Nicoson, second by Supervisor Hintz to approve the monthly bills. Supervisor Stefanowski questioned the \$576 for Waukesha County for Hazardous Waste drop-off and if we are paying only for the Town residents. All ayes; motion carried.

EXPENDITURES/REVENUES

Supervisor Nicoson questioned the delay in monthly reports. Administrator to check with accountant to get these reports back on track.

PLAN COMMISSION

CERTIFIED SURVEY MAP (CSM) MERGING TWO LOTS ON PROPERTY LOCATED OFF OF PHANTOM WOODS ROAD IN SECTION 35, T5N, R18E; BRIAN AND CYNTHIA DOBBERKE LIVING TRUST, APPLICANT (Application 2013-36)

Motion by Supervisor Stefanowski, second by Supervisor Nicoson based on Plan Commission recommendation to approve the certified survey map (CSM) merging two lots on property located off of Phantom Woods Road in Section 35, T5N, R18E; Brian and Cynthia Dobberke Living Trust, applicant (application 2013-36), subject to the planner's recommendation. All ayes; motion carried.

RURAL STRUCTURE DETERMINATION OF VARIOUS AGRICULTURAL STRUCTURES LOCATED AT S92W32635 CTH NN (MUKT1951999002), ROBERT HARBOLD, APPLICANT (APPLICATION 2014-02)

Motion by Supervisor Topczewski, second by Supervisor Nicoson based on Plan Commission recommendation to approve the designation of the 10 agricultural structures as rural accessory structures based on the required findings enumerated in Section 82-25(a)(2)(b) and Section 82-25(c)(2) of the Town of Mukwonago zoning code, provided the petitioner records a deed restriction with the Waukesha County Register of Deeds office, as approved by the town planner, within six (6) months of the date of the Town Board's approval. In addition to the standard provisions typically included in the deed restriction, there must be a provision indicating that additional accessory structures may only be built with Town Board approval. All ayes; motion carried.

PETITION TO AMEND THE TEXT OF THE ZONING CODE (CHAPTER 82 OF THE MUNICIPAL CODE) TO ALLOW THE EXPANSION OF A LEGAL NONCONFORMING BUILDING IN THE OFFSET AREAS IN CERTAIN SITUATIONS; TOWN OF MUKWONAGO PLAN COMMISSION; APPLICANT (Application 2013-30)

Motion by Supervisor Stefanowski, second by Supervisor Nicoson based on recommendation from the Plan Commission to approve amendment to the text of the zoning code (Chapter 82 of the municipal code) to allow the expansion of a legal nonconforming building in the offset areas in certain situations, subject to review by town attorney. All ayes; motion carried.

PROPOSED REVISIONS TO THE TOWN'S ZONING CODE REGARDING REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

Motion by Supervisor Nicoson, second by Supervisor Stefanowski based on Plan Commission's recommendation to approved revisions to the Town's zoning code regarding reasonable accommodations for persons with disabilities. All ayes; motion carried.

SCHEDULING OF A PUBLIC HEARING FOR THE PROPOSED REVISION OF CHAPTER 34 OF THE MUNICIPAL CODE ENTITLED 'LAND DIVISION AND DEVELOPMENT'

Tim Schwecke, Town Planner gave an overview of this revision. This item to be on the March Joint Plan Commission/Town Board meeting to schedule a public hearing.

PROTECTIVE SERVICES

There was no action on items for Protective Services as the Committee cancelled the meeting due to bad weather. A Special Protective Services Committee meeting to be set.

PUBLIC WORKS

REPORT OF PUBLIC WORKS BY PUBLIC WORKS SUPERVISOR

Supervisor Stefanowski asked about looking at the snow plow contract to possibly amend the contract. Rick Peterson, Public Works Supervisor also gave update on the septic system issue.

RECREATION/HEALTH COMMITTEE

REPORT OF PARKS AND RECREATION BY PARKS AND RECREATION DIRECTOR

There were no comments.

MINUTES OF VILLAGES OF MUKWONAGO AND NORTH PRAIRIE

There were no comments.

ADJOURNMENT

Motion by Supervisor Nicoson, second by Supervisor Topczewski to adjourn at 7:25 p.m. All ayes; motion carried.

Respectfully submitted,

Kathy Karalewitz
Administrator/Clerk-Treasurer

Approved 3-19-14