Town of Mukwonago
Town Board Meeting Minutes
Wednesday, March 19, 2014

Chairman Dubey called the meeting to order at 6:31 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, Attorney; Scott Johnson, Building Inspector; Tom Czarnecki, Police Chief; Jeff Stien, Fire Chief; Rick Peterson, Public Works Supervisor.

ANNOUNCEMENT OF CLOSED SESSION
Chairman Dubey announced the Town Board may go into closed session pursuant to Wis. Stats. 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: regarding address signs.

PUBLIC COMMENTS
There were no public comments.

MINUTES
FEBRUARY 19, 2014
Supervisor Nicoson stated on page 2, in the first paragraph the last sentence change "compliant" to "compliance" and the 5th paragraph in the second to last sentence delete "the". Motion by Supervisor Nicoson, second by Supervisor Hintz to approve the minutes as corrected. All ayes; motion carried.

MARCH 5, 2014
Supervisor Nicoson stated Chief Stien and Diana Doherty from the Village were present. Motion by Supervisor Nicoson, second by Supervisor Hintz to approve the minutes of March 5, 2014 as corrected. All ayes; motion carried.

NEW BUSINESS
BADGER STATE OUTBOARD ASSOCIATION HOSTING POWERBOAT RACING ON LOWER PHANTOM LAKE
Jennifer Przybyla was present and handed out a Plan of Operation. Motion by Supervisor Topczewski, second by Supervisor Stefanowski to allow badger state to exceed the speed limit and conduct a race on Lower Phantom Lake on June 7-8, 2014, subject to the filing of verification of insurance and meeting with the police and fire chiefs and posting on the boat launch. All ayes; motion carried.

Chairman Dubey announced the Board will take up items under the Plan Commission and the Building Inspector.

PLAN COMMISSION
CERTIFIED SURVEY MAP FOR A 2-LOT DIVISION AT S92W32635 CTH NN (MUKT195199002), VICKIE KUSCH FOR ROBERT HARBOLD
Motion by Supervisor Nicoson, second by Supervisor Stefanowski, based on the recommendation by the Plan Commission to approve the Certified Survey Map for a 2-lot division at S92W32635 CTH NN (MUKT195199002), subject to the general conditions and special conditions stated in the March 13, 2014 staff report from the planner. All ayes; motion carried.

UNCLASSIFIED USE DETERMINATION FOR DORMITORIES AND STAFF HOUSING AS CONDITIONAL USE PURSUANT TO SEC 82-21(34), TOWN OF MUKWONAGO ZONING CODE; NATURE'S CLASSROOM INSTITUTE, GEOFFREY BISHOP, APPLICANT
Motion by Supervisor Stefanowski, second by Supervisor Nicoson, based on the recommendation from the Plan Commission to approve unclassified use determination for dormitories and staff housing as conditional use pursuant to Section 82-21(34), Town of Mukwonago Zoning Code; Nature's Classroom Institute, Geoffrey Bishop, Applicant (application 2014-04). This decision does not obligate the Plan Commission or the Town Board to approve the petitioner's Conditional Use application if one is filed. All ayes; motion carried.

BUILDING INSPECTOR
ESTABLISHMENT OF AN ACCESSORY DWELLING UNIT IN VIOLATION OF TOWN'S ZONING CODE; W330S7050 CTH E, MUKT1896.996
Building Inspector stated he is still working with the land owner.

ESTABLISHMENT OF ACCESSORY DWELLING UNIT IN VIOLATION OF TOWN'S ZONING CODE; W315S8790 CTH EE, MUKT 1935.995.001
Building Inspector stated this property is now in compliance.

MUNICIPAL CODE VIOLATION FOR PROPERTY LOCATED AT W328S8082 SOUTH OAK TREE DR, MUKT1938.070
The owner of property was present and stated he replaced one of the two windows and requested a delay to April based on the weather conditions. Motion by Supervisor Topczewski, second by Supervisor Nicoson to allow delay of fixing windows to April due to the weather conditions. Supervisor Stefanowski voted "no". The rest, four in all voted "aye". The motion carried.

RESOLUTION AMENDING THE 2013 BUDGET
Motion by Supervisor Nicoson, second by Supervisor Topczewski to adopt the Resolution Amending the 2013 budget. All ayes; motion carried.

RESOLUTION AMENDING THE 2013 GENERAL FUND
Motion by Supervisor Topczewski, second by Supervisor Nicoson to adopt the Resolution Amending the 2013 General Fund in the amount of $105,605. All ayes; motion carried by unanimously super majority.

RESOLUTION TO COMMIT FUNDS FOR CAPITAL EQUIPMENT PURCHASES FOR THE MUKWONAGO FIRE DEPARTMENT
Motion by Supervisor Nicoson, second by Supervisor Stefanowski to rescind the designation of $35,000 to the fire department capital fund and deny the Resolution to Commit Funds for Capital Equipment Purchases for the Mukwonago Fire Department. All ayes; motion carried unanimously by super majority. Chief Stien asked that the minutes reflect his comment that this action is detrimental to the fire department.

RESOLUTION TO COMMIT FUNDS FOR CAPITAL EQUIPMENT PURCHASES FOR THE POLICE DEPARTMENT, PUBLIC WORKS DEPARTMENT, AND PARKS AND RECREATION DEPARTMENT
Motion by Supervisor Nicoson, second by Supervisor Stefanowski to deny the Resolution to commit funds for capital equipment purchases for the police department, public works department and parks and recreation department. All ayes; motion carried.

REQUEST BY TOWN OF GENESEE TO STORE SALT IN TOWN OF MUKWONAGO SALT SHED
Discussion was held. Town Board directed Administrator to get a draft of the contract and bring back to the board. Town Board does not object to the concept.

FINANCE
MONTHLY BILLS
Motion by Supervisor Nicoson, second by Supervisor Topczewski to approve the bills. All ayes; motion carried.

EXPENDITURES/REVENUES
There was no action taken.

OPERATORS LICENSE FOR DAVID M. ASH
Motion by Supervisor Stefanowski, second by Supervisor Hintz, based on recommendation from the Finance Committee to deny the issuance of operator's license to David M. Ash based on his failure to appear and address questions and based on recommendation of police chief. All ayes; motion carried.

PROTECTIVE SERVICES
ORDINANCE TO ADOPT SEC 23.33 OF WIS. STATS. ENTITLED ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES, AND TO REPEAL AND RECREATE SEC 70-1 ENTITLED STATE TRAFFIC LAWS ADOPTED AND SEC 70-31 ENTITLED DEFINITIONS OF OFF-THE-ROAD VEHICLES
Motion by Supervisor Stefanowski, second by Supervisor Topczewski to adopt an Ordinance to Adopt Section 23.33 of Wis. Stats. Entitled All-Terrain Vehicles and Utility Terrain Vehicles and to Repeal and Recreate Section 70-1 entitled State Traffic Laws Adopted and Section 70-31 entitled Definitions of Off-the-Road Vehicles. All ayes; motion carried.

REQUEST BY TOM AND STACY WINTERS TO WAIVE OUT-OF-POCKET CHARGE ON AMBULANCE BILL
Motion by Supervisor Nicoson, second by Supervisor Topczewski to deny the request by Tom and Stacy Winters to waive the out-of-pocket charge on their ambulance bill as this does not meet the hardship policy, and Village Clerk to send out letter. All ayes; motion carried.

REQUEST TO USE ACT 102 FUNDS IN THE AMOUNT OF $2,575 FOR CRITICAL CARE TRAINING
Motion by Supervisor Nicoson, second by Supervisor Topczewski to approve the use of Act 102 Funds in an amount not to exceed $2,600 for Critical Care Training. All ayes; motion carried.

REPORTS
PUBLIC WORKS REPORT
Discussion was held regarding the inches of snow and the charges for snowplowing. Rick Peterson stated that the town has received bills for $23,955.25 for the hourly rate for plowing in February and $6,794.76 in material ordered in February.

PARKS AND RECREATION REPORT
There was no discussion.

MINUTES OF VILLAGE OF MUKWONAGO AND NORTH PRAIRIE
There was no discussion.

The Town Board did not go into closed session for discussion regarding the address signs. Discussion was held regarding update of Ordinance to change all address signs to be reflective. Administrator to get cost of address signs and report back to the board.

ADJOURNMENT
Motion by Supervisor Stefanowski, second by Supervisor Nicoson to adjourn at 8:16 p.m. All ayes; motion carried.

Respectfully submitted,

Kathy Karalewitz
Administrator/Clerk-Treasurer

Approved: 4-16-14