

**In Attendance:**

Mayor S. Bierce, Aldermen C. Brown, B. Dziwulski, R. Reinbold, P. Vetterkind and J. Wamser (arrived at 6:07 p.m.). I. Clark was absent and excused.

**Also in Attendance:**

Attorney S. Riffle, Administrator S. Klein, DPW Director M. Wagner, Parks and Recreation Director N. Phalin, and Clerk/Treasurer K. Tarczewski,

1. Call to Order and Pledge of Allegiance

Mayor Bierce called the meeting to order at 6:01 p.m. He asked everyone to stand for the Pledge of Allegiance.

2. Public Comment – None.

3. Consent Agenda

- 3.1 Approval of the Common Council Meeting Minutes Dated December 5, 2022
- 3.2 Approval of the Common Council Meeting Minutes Dated March 6, 2023
- 3.3 Approval of the Accounts Payable Listing Dated March 20, 2023

Ms. Brown asked that Item 3.2 be removed.

**A motion was made and seconded (B. Dziwulski, R. Reinbold) to approve the remaining items on the consent agenda.** Motion Passed: 5-For, 0-Against.

3.2 Approval of the Common Council Meeting Minutes Dated March 6, 2023

**A motion was made and seconded (B. Dziwulski, R. Reinbold) to approve the Common Council meeting minutes dated March 6, 2023.** Motion Passed: 4-For, 0-Against, 1-Abstain (C. Brown).

4. **PUBLIC HEARING**, Discussion and Possible Action Regarding the Meadowbrook Farms Phase 3 Road Rehabilitation Project

- 4.1 Accept the Preliminary Engineering Report and Special Assessments.
- 4.2 Award the Contract to the Lowest Qualified Bidder, Wolf Paving Company, Inc., in the Amount of \$1,151,874.10.

Ms. Wagner stated this project is the third of four phases. It will consist of Goldenrod Court, Honeysuckle Court, Milkweed Lane, Primrose Court and Shooting Star Blvd and Shooting Star Lane. She stated the roads are in poor condition with a PASER rating of 4-5 and require rehabilitation. Ms. Wagner stated the existing asphalt pavement would be removed and replaced with new asphaltic concrete pavement. She said the stone base would be repaired as needed along with fixing any curb damage. In addition, they will be making minor repairs as well to inlets, valve boxes, manholes and stormwater lining. She mentioned Milkweed Lane has three road humps and they will be replaced in the same location.

Ms. Wagner stated three bids were received between the range of \$1.1 to \$1.2 million dollars. She said Wolf Paving had the lowest qualified bid of \$1,151,874.10.

Ms. Wagner said since 1984, all people who abut the roadway or have access to the roadway receive a road assessment. She said this year it is capped at \$3,206.00 for residential units. She said that payment can be spread out over 10 years and would be placed on their tax bill. She said the recommended interest rate is 1% over the rate we were charged for borrowing the funds. Ms. Wagner stated they are recommending 5.5%.

Ms. Wagner stated construction is anticipated to start in the summer of 2023. Letters will be sent out prior to the work beginning to those affected. She warned the residents that everything within the right-of-way would have to be removed prior to the project if they want it to be saved. This includes dog fencing or sprinklers within the right-of-way. They will need to be marked by the property owner to insure they will be repaired if any damage comes to it, but if it isn't marked, the City would not be responsible.

Ms. Wagner stated the project will cause some access delays dependent on the type of construction that is taking place. She assured the residents they would be able to access their driveways at the end of the day.

She warned the residents that if the project is cancelled due to objections by the residents, the paving cap would be removed if the project came back up for consideration.

Mr. Wamser arrived at this time (6:07 p.m.).

Ms. Brown asked where the City of Pewaukee's parcel is. Ms. Wagner said it was the well house. She stated we'd be paying the full paving assessment of \$9,053.25.

At this time, Mayor Bierce opened the public hearing.

Thomas Fischer (W268 N2091 Shooting Star Road) commented on how wonderful the snowplow services have been and has contacted Matt Stevens to tell him that. He called attention to the fact that his name was incorrectly spelled on the special assessment roll and requested it be corrected. He asked if Shooting Star Blvd was going to be done. Ms. Wagner confirmed that it is part of the project. Mr. Fischer asked where they would be able to park when they don't have access to their driveways. Ms. Wagner stated it will only be on a limited basis. She said the longest time will be during the actual paving. She recommended parking in areas that already have been paved, north of Shooting Star Road or Sawgrass Lane.

Mr. Fischer asked about the temporary approaches to their driveways. He said in the first phase the approaches were fantastic but last year they were horrible. He voiced his displeasure with Wolf Paving's work. Mr. Fischer stated he spoke to Ken Ward from Ruekert and Mielke and he concurred that they should have done a better job.

Mr. Fischer stated he observed that an edge of the driveway was broken last time. He said he has a colored and stamped driveway and said if that happens to his driveway, he expects it to be repaired appropriately. He said he would supply pictures.

Mr. Fischer noted that trucks coming off Meadowbrook Road, heading east onto Shooting Star Blvd are cutting the corners too sharp and ruining the lawn. He said he contacted Ken Ward and Steve Bullock from Wolf Paving about the issue and it has yet to be repaired.

Mr. Fischer asked when the anticipated assessments would be due in 2024. Ms. Wagner stated her best estimate would be in August or September.

Mayor Bierce asked if there was a policy regarding reimbursement of driveways. Ms. Wagner stated they would match the existing and on specialty driveways they hope to not even touch it because it will be very difficult to match the color. She said pre-construction photos will be taken of all the driveways.

Mark Geiss (N19 W26543 Milkweed) stated he was unaware that they would be assessed for the road project. He said there is a condominium on the corner of Milkweed Lane and Fieldhack Drive that doesn't appear to be receiving an assessment. Ms. Wagner stated they will when Fieldhack Drive is reconstructed. He then asked about Meadowgrass Circle and the apartments at the end of Fieldhack Drive. Ms. Wagner stated they too will be assessed when Fieldhack is reconstructed. She stated the assessment for the apartments will go directly to the owner of the complex, not the people living in the individual units. She stated their assessment will not be capped. Mr. Geiss asked about the Meadowgrass condominiums. Ms. Wagner stated each unit will receive an assessment. Mr. Geiss brought up the speed humps on Princeton Place. He said they are not in a good spot. He said there is definitely a traffic issue from the condos and apartments on Meadowgrass Circle and he feels the speed humps should be on Milkweed Lane.

John Gettelmen (N19 W26716 Primrose Court - Unit B) said he was amazed at the cost of the assessment since he is a senior citizen on a fixed income. He said he can see paying the fee, but not the interest over the next ten years. He said it would be a burden to him and his wife. He mentioned that he lives on a cul-du-sac and has the least amount of footage. He also voiced his displeasure about having to pay the additional \$40 due to the outlot. He said the City should paid for it.

Ramani Ramchandran (W268 N1999 Shooting Star Road) stated this assessment was a surprise to him. He said he pays a lot of taxes and feels it is unfair. He asked for clarification of the road condition scale. Ms. Wagner stated the PASER scale is from 1 to 10. She added this road is rated as a 4 and is on the lower end of the scale. She said doing the repairs now will ensure that a full reconstruction will not have to be done. She said just replacing the asphalt is four times cheaper than the entire reconstruction.

Bill Wroblewski (N19 W26583 Honeysuckle Court - Unit A) stated he was against the project unless the locations of the speed humps were changed. He said there is a traffic and speed problem on that road. Mr. Wroblewski commended Lieutenant Moonen and said he was doing a great job trying.

Mayor Bierce stated the Council fought against the speed humps and the neighbors fought harder to get them. He said we warned everyone that they wouldn't work. Mr. Wroblewski stated they didn't want them there, and wanted them across the road instead.

Mayor Bierce stated the Sheriff's Department puts the most efforts on that road than anywhere else. He said the speed trailer works great up until people get used to them and then they become less effective.

Ms. Brown stated the speed humps were a way to try to deter people from using Milkweed Lane and diverting them to Fieldhack Drive instead.

Larry Trunec (N19 W26710 Primrose Court – Unit B) asked Ms. Brown to elaborate on what she meant. She stated the apartment building brings a great deal of additional traffic to the area because they are using Milkweed Lane as a shortcut. She said the speed humps were an attempt to get that traffic to use Fieldhack Drive to avoid the speed humps. She said she fought to get these speed humps for five years to deter the traffic, not to keep people from completely using the road. Mr. Trunec stated he wasn't asking to keep these people off the roads he'd like to see them slow down. He said he'd like to see the speed humps spaced further apart. He said they are paying for them so why can't they be installed where they want them. Mr. Trunec asked how the cost of \$9,000 per unit was determined. Ms. Wagner stated the project was bid out and all the various projects were broken down. The proposed project actually consists of road costs, stormwater costs, which is paid by the stormwater utility, fixing of the valves, which is paid for by the water utility and manholes are paid for by the sewer utility. She said the road costs get allocated to the properties that abut or have access to that roadway.

Attorney Riffle stated in the late 70's the City of Pewaukee decided over the long run there is going to be a decision that we have to allocate road improvements amongst the property owners that benefit. At that time, the Town Board made a determination that we are going to cap the assessments that each of the individual residential property owners have to pay to out to spread out the special assessment costs. The cap is determined annually in attempts to equalize what people have to pay and then the City pays the rest. He said it started at approximately \$1,200 and is currently capped at \$3,260 per residential unit.

Ms. Wagner stated the road portion of the project is just over \$800,000 and \$300,000 of it will be special assessed, leaving the City to pay the remaining \$517,000. She said the remainder of the project costs equate to approximately \$700,000 and is either being paid by the stormwater utility, water utility or sewer utility for the infrastructure improvements. She said he is only being assessed for the road.

Mary Winn Bjorkquist (N19 W26686 Milkweed Lane – Unit B) asked how she was going to get home if they were required to park someplace else. She also asked where her mailbox was going to be if she couldn't have anything in the right-of-way. Ms. Wagner stated Ms. Bjorkquist will have access to her property, but there may be some delays depending on what the contractor is working on at the time. She stated the longest delays will be when they are doing the paving because they will need to lay down the asphalt and let it cool so that it can be safely traveled on. She said that will happen twice, once with the binder pavement and the second with the surface payment. She said the property owner will be notified in advance. She said the paving portion will take a half hour to an hour depending on the weather. Other delay times will be 15 -20 minutes depending on what the contractor is working on. Ms. Wagner stated the contractor will work with the garbage and post office to ensure services are not interrupted.

Deb Fischer (W268 N2091 Shooting Star Road) stated they built their house 28 years ago and originally came from the City of Waukesha. She stated they appreciate the low tax in the City of Pewaukee. She said she appreciates the City of Pewaukee taking care of the roads because she often travels through the Village of Pewaukee and their roads are crappy. She said she knows this is a burden, but people can take ten years to pay for the assessment. She said she just wanted to say thank you to the City.

Jerry Hegy (N19 W26738 Milkweed Lane – Unit B) commented that the City Attorney stated the assessments are for the property owners benefiting. He said he has lived on Milkweed Lane for ten years and a few years ago he noticed nothing other than heavy construction traffic because they were building Prairie Grass apartments. He asked how much damage was caused to their streets because of that. He said Prairie Grass is paying approximately \$77,000 a year in taxes and their residents are using their roads, yet the City is special assessing the people on Milkweed Lane.

Ms. Wagner stated she received an email from Judy French (N19 W26702 Milkweed – Unit B) urging the Council to vote “no” on this project. She said the roads are not in need of repair.

Pat Lyddane (N19 W26733 Milkweed Lane – Unit A) asked if Wolf Paving was using recycled materials as part of this project. He asked how much they were saving. Ms. Wagner stated they are able to use a certain percentage of recycled material but does not have the breakdown of how much they are saving.

Karen Ellefson (N19 W26619 Honeysuckle Court – Unit A) asked if the City would be building Milkweed Lane stronger due to the increased traffic from the condominiums and apartments. Ms. Wagner stated there is no plan to build it wider, but they do intend to make it as strong as Fieldhack Drive. She said both roads were built the same, one is just wider than the other. Ms. Ellefson asked if the end of driveways could be changed to taper the end down to street level. Ms. Wagner stated no, they are not replacing the entire apron.

Ken Bjorkquist (N19 W26686 Milkweed Lane – Unit B) stated he has given up on those that speed on that road. He said the issue isn’t controlled well. He asked the City to encourage the Sheriff’s Department to put a squad car out there once a week and issue tickets, as it might have some impact. He said it is dangerous.

At this time, no one else indicated an interest in speaking so Mayor Bierce closed the public hearing.

Mayor Bierce stated he understands nobody likes to pay these bills, but this has been the policy of the City for decades.

Mr. Wamser asked if the apartments will receive the full assessment. Ms. Brown stated they are not part of this project. Ms. Wagner stated when Fieldhack Drive is reconstructed they will be required to pay the full assessment amount. She said industrial and commercial properties are not capped.

Mr. Klein stated back in 1983 it was determined it would be more costly if every road project went on the tax roll so it was determined to assess using a cap for residential properties. It made more sense to have commercial and industrial properties pay 100 percent of the cost. He said these roads are made to last twenty years.

Mr. Wamser added the City became more proactive with preventive road maintenance. He said seal coating and crack filling help the roads last longer. Mr. Klein said if the City catches the roads before the damage gets too far they are less expensive to reconstruct.

Mr. Geise stated the property owners would like the people in the apartment complex using Milkweed Lane to pay their portion of the project too. Mayor Bierce asked where that would end. He said that would be impossible to extend the assessments to others.

Mr. Dziwulski stated it appears the residents don't want the speed humps and he asked if they should be removed. He said it is obvious they are not a deterrent.

Mr. Geise said the residents want them, but they want them in different locations.

Mr. Dziwulski said when this first was proposed they all said it was not going to work either way, spread out or all together. They were installed as a deterrent. He added stop signs don't work either.

Mr. Wamser asked if they could have some input regarding where they are placed.

Mr. Klein stated there was great debate over that already. He said if you were coming off of Fieldhack Drive and using this as a short-cut and had to go over the three speed humps you'd go the long way instead. Mr. Klein recalls the residents on Milkweed Lane not wanting them spread out because they didn't want to go over them either. He said even if you spread them out, speed humps do not slow down traffic, and drivers tend to make up the time lost by speeding up to the next hump.

Mayor Bierce felt everyone is entitled to their opinion, but every time we have this discussion and bring in an expert they say speed humps do nothing.

**A motion was made and seconded (P. Vetterkind, B. Dziwulski) to award the Meadowbrook Farms Phase 3 road rehabilitation contract to the lowest qualified bidder, Wolf Paving, Inc. in the amount \$1,151,874.10 and accept the preliminary Engineers report and special assessments. In addition, reallocate storm water funds up to \$213,497.27 from the Busse Road bridge project to Meadowbrook Farms Phase 3.** Motion Passed: 5-For, 0-Against.

5. Public Hearing, Discussion and Possible Action regarding Shady Lane and Shady Nook Road Reconstruction, Water Main Extension, and Sanitary Sewer Extension Project

5.1 Accept the Preliminary Engineering Report and Special Assessments.

5.2 Award the Contract to the Lowest Qualified Bidder, CW Purpuro, in the Amount of \$2,159,680.00.

Ms. Wagner stated the project will cover Shady Lane and Shady Nook Road. She said the roads are currently rated a three and one half out of ten on the PASER scale. She said the project was bid to remove existing asphalt and base, install sanitary sewer extension and laterals, install water main and service extensions, complete any undercutting of the subgrade that is required, install new base, replace any damaged culverts, regrade the ditches and repave the roadway. She said approximately ten years ago the road was capped to buy some time to work out utilities to come to that area. She stated at that time the road was rated as a two. Ms. Wagner stated they recommended sanitary sewer be installed in this area because the homes were built in the 1950's and 60's with

septic fields. She stated there are concerns that there may be septic failures in the future so they would like to provide municipal sewer as septic relief for that neighborhood. Ms. Wagner stated when this was originally proposed in the 1990's there was a lift station at the end of Shady Lane. She said the western portion of the road had to be pumped up to Springdale Road. She said the Storm Water Utility acquired some land to the west to alleviate some flood control and allowed them to eliminate the lift station and provide gravity service to both sides of the subdivision.

Ms. Wagner stated the sewer is currently designed to have gravity service to the basements even though there are substantial height differences of the road from one side to the other. She said a water main was proposed due to ground water contamination that is known to be in the area. She said it is not clear how many wells are affected or what other mitigation methods have been completed by the Department of Natural Resources or the property responsible for the contamination. Ms. Wagner wanted to ensure safe drinking is a priority, and that is why a water main extension is being suggested.

Ms. Wagner stated this project was bid on in 2022 and two bids were received at approximately \$2.1 million. She said the bid was rejected last year because they were concerned the costs were elevated due to supply chain issues and that it was bid out later in the construction year. Ms. Wagner said the project was bid out earlier this year and provides a secondary access route for the property owners to maintain access to their homes. She said only one bid was received, despite having five or six contractors expressing interest in the job. She said the bid was similar to last year's in the amount of \$2,159,168. She said the project was broken into four components consisting of road, sewer, water and storm water utility. Ms. Wagner stated the special assessments will be charged on a per unit basis which would equate to \$69,511.47. She said there are deferred assessments based on potential development that could take place and they are accounted for in determining the per unit costs. She said the Utility would be covering those costs in the meantime.

Ms. Wagner stated current policy allows the assessment to be paid over 10 years and placed on the annual tax bill. She said the interest rate is 5.5 percent, which is 1 percent over the average rate the money was originally borrowed at. She said the sewer and water has an optional five-year deferment so the payment would not need to be made until year six. She did warn the people in the audience that interest will start right away. Ms. Wagner stated connection to sewer is required and must be done within fifteen years from which the final resolution is approved, which typically lags approximately a year from the project start. She added that connection to the water is required at the time of the sale of the property.

She stated construction is anticipated to start in the summer of 2023 and notices will be sent prior to the start.

Ms. Wagner said any items within the right-of-way, such as landscaping or fencing, would have to be removed by the property owner. She said any dog fencing or sprinklers systems must be marked by the property owner or it will be at the risk of the homeowner if they are damaged.

She said access will be maintained but there will be delays depending on the construction activities. The longest period will be during the paving portion.

Ms. Wagner stated if this project is rejected by the residents, the paving cap could possibly be removed for any future projects that would be proposed.

Ms. Brown asked why there were different "units" between the different aspects of the various portions of the projects and how those were determined. Ms. Wagner stated the road assessment is for anyone who has access to the roadway. There were parcels petitioned to have the sewer come off of Hill N Dale and an agreement was put into place and they already have access to it, so they won't be counted towards that portion of the project.

Ms. Wagner stated the City's parcel to the north is not included because the water main stops at the end of Shady Lane. She said there is a lateral that serves the radio station, but it does not serve our parcel. She said there is no water service available to the City's parcel. She said another parcel has access off of Hill N Dale. Ms. Wagner stated this is a very unique area and that's why the assessments vary.

At this time Mayor Bierce opened the public hearing.

Rhonda Ziegler (N31 W22095 Shady Lane) stated she has the simple mathematic calculation related to the assessment amounts from the 90's. She stated she based the information off historical data collected from the meeting minutes. She said the original project was deferred because there was only one bid received. She said the next time it came forward it was voted down by Shady Lane. Ms. Ziegler asked when the sewer was put into the rest of Hill N Dale. Ms. Wagner stated it was the early 90s but didn't know the exact date. Ms. Ziegler stated the City Attorney commented that all of the projects are assessed equitably. She stated it was her opinion that Shady Lane's assessment is not fair verses the rest of Hill N Dale. She said that's what the issue is really about and now it's gotten more expensive since twenty some years have gone by. She said at the time the Shady Lane assessment was \$21,000 and for the rest of Hill N Dale it was only \$8,500. Ms. Ziegler said it was about dollar and cents back then as it is today. She asked if the City was able to secure government funds to offset this project. Ms. Ziegler stated if there was septic failure there are programs available to recover some of the funds. Ms. Ziegler said there was discussion regarding a three percent annual increase from when the project was first proposed. She said she calculated that out and that would have only been approximately \$51,000 and said that was a big difference below \$69,000. She asked if the City considered going back to the original assessment estimate for Hill N Dale and figure out what the cost was and spread it out between all of the units and figure out what the beta would be now and then do the three percent increase over time. She said this is a hard pill to swallow, and she doesn't feel anyone can afford a \$65,000 assessment. She does not see value when she tries to sell her house. She asked the project to be deferred for another year.

Laura Calderon (N31 W22117 Shady Lane) commented that the assessment amount of \$69,511 does not include hook up from the road to the house and would cost her an additional \$30,000. She said on top of that there would be a five and a half percent interest rate over ten years. Ms. Calderon stated she doesn't see how they could afford it, and she stated they would have to sell their home. She asked the Council to please consider more bids.

Karsten Black (N32 W22216 Shady Lane) stated he can't say more than what his neighbors have already stated but wanted to point out a few items. He said this assessment would more than double his current taxes. He said there are additional costs such as connection and decommissioning his old septic system that could cost up to an additional \$10,000. He stated he has his well and septic inspected on a regular basis and they are good. He said when he purchased the property none of these items were called to his attention. He referred to a 2014 letter he received related to police powers and in the letter, it states that a parcel that a special assessment has been levied for sanitary sewer or water main laid in one of the streets that it abuts is entitled to a deduction or exemption that the governing body finds reasonable. The letter also states the police powers may not exceed the value of the benefits accruing to the property and shall be upon a reasonable basis as determined. Mr. Black said he didn't think \$70,000 was a

reasonable number. He said this is a life altering decision. He said this is appalling. He said the Council should not be considering this project based on receiving only one bid.

Andrew Behling (W222 N3187 Shady Nook) asked to verify his assessment of \$69,511. He wanted to make sure that's all he'd be responsible for. Ms. Wagner stated it would not exceed that. He wanted to verify that would not include the connection fees. Ms. Wagner stated from the right-of-way line to his home would be his responsibility. Mr. Behling asked if that would be \$30,000. Ms. Wagner stated each property is different and since they don't know what that length is, the City does not provide estimates. She suggested he contact a plumber to get that number. Mr. Behling stated he currently has a mound system and asked if it will need to be removed. Ms. Wagner said once he connects to municipal sewer it would need to be abandoned. He stated he was actually talking about the mound itself and inquired if it would have to be scrapped away. Ms. Wagner stated she was not aware of what the regulations are. Mr. Behling stated he has two sump pumps in the basement he asked what would happen to those. Ms. Wagner stated the floor drain would connect to the sanitary sewer, but the footing drain would flow directly outside. Ms. Wagner stated the sewer is being put in at such a depth that his property would be served by gravity sewer. She said it depends how he connects his house. She said he may have to maintain the pump. Mr. Behling said currently the water going to his septic tank goes through a pipe that goes out the side of his basement foundation wall. He asked if that would have to be re-routed to the front foundation wall. She said that was a very specific question related to his house and suggested contacting a plumber. Mr. Behling asked if he would still need a water softener. Ms. Wagner stated connecting to municipal water does not necessarily eliminate the need to have a water softener. Mr. Behling asked where the waste would go. Ms. Wagner stated the City owns seventeen percent of the Brookfield treatment plant, and it will go there.

Mike Sharp (N31 W22039 Shady Lane) reiterated that the project cost was too high. He said friends of his live in Brookfield and they had sewer and water put in for approximately \$7,500 and felt that was more reasonable for a similarly valued property. He asked the City to get more bids. He said it was unreasonable to go with only one bid. Mr. Sharp stated this project will potentially cost one third to one half of everyone's home value, not including the interest and payments for the services. He said this is very impactful. Mr. Sharp asked if anyone reached out to Waukesha County for American Rescue Act funding to supplement the expenses. Mr. Sharp asked if every street in the City of Pewaukee has sewer and water. He asked if it was really necessary to have everyone hooked up. He said the cost is too excessive to bear.

John Kopecky (N31 W22087 Shady Lane) asked the Council to consider pushing this project back another year. He said he works in construction, and it is customary to get at least three bids for a project. Mr. Kopecky stated the City didn't give him a lot of notice of this meeting. He said he needs more time to find \$90,000. He said this project will require disclosure on the condition report when it comes time to sell his home. He said none of the properties could sell now. Mr. Kopecky said he has the oldest septic on the street and will eventually need sewer. He said he felt the road is better than the grade that was given and could wait another year or so.

Cindy Kopecky (N31 W22087 Shady Lane) stated she is a "water pig" when it comes to her garden. She said she realizes she would be charged for the water but questioned if there was a difference in what is an additional charge for the sewer. Ms. Wagner stated the City's sewer charges are not based on water usage. She said sewer is a flat rate. She added there is a meter

on the water and she would be paying for the usage. Ms. Kopecky asked if they could keep the well to water her plants. Ms. Wagner stated the well would need to be abandoned when they connect to municipal water. Ms. Kopecky stated it has taken four years to plant the flowers on the hill on their property. She voiced her displeasure with the City coming in and digging it all up and it being her responsibility to replant. Ms. Wagner stated if it is in the right-of-way there is a chance they may be removed as part of the project. Ms. Kopeck stated she votes “no” against the project.

Pete Labissoniere (N31 W22141 Shady Lane) stated the cost is mind-boggling in comparison to other projects he has heard of. He said this project was rejected five to ten years ago and the roads were resurfaced in a day. He asked if the road could be resurfaced again. Ms. Wagner stated that was a temporary fix and can’t be done like that again. She said it is at the age where it needs to be replaced and has deteriorated past repair. She said when the road was resurfaced the PASER rating went up to an 8 and is currently back down to 3.5. Mr. Labissoniere said the comment was made that if the project is rejected, the caps could be removed. He said the project was previously rejected and asked if that was part of the stipulations at that time and if the project was in fact capped last time. Ms. Wagner stated that was back in the 1990’s and that assessment policy was in place. Mr. Klein stated back then the Council went along with the residents. He said if you as a neighborhood turned it down that was typically the stipulation. He said the Council now has that discussion. Mr. Klein doesn’t believe that would be the case any longer. Mr. Labissoniere asked if he would get any water or sewer charges if he doesn’t connect. Ms. Wagner stated they will get the assessments right away and there is a mandatory connection to sewer within year fifteen years and if they do not, they will be required to pay one and a half times the rate. She said connection to water is mandatory at the time of sale. Mr. Labissoniere stated he is thinking about replacing his driveway and asked if Wolf Paving could do that at the same time they do the project. Ms. Wagner stated he would have to work that out with them it would not be part of the project costs. Mr. Labissoniere asked if he could use the same gravity sewer system that is in place now. Ms. Wagner stated that was very specific to his property and would have to confer with a plumber for that answer. His last comment was that he found it hard to believe that the City could consider doing this project after only receiving one bid.

A gentleman from the audience asked for clarification on the “flat rate” related to the sewer charge. Ms. Wagner stated customers are charged for every drop of water that is used. She said the sanitary sewer is the flat rate charge. She said it is currently \$141 per quarter. Ms. Wagner stated on average, a home uses approximately 8,000 to 10,000 gallons per quarter. Mr. Reinbold stated his average water and sewer bill is \$375 per quarter and he has a family of five. Mr. Dziwulski stated his was \$247 and he has a family of two.

Mr. Labissoniere asked if the City had any plans to develop the land they own on the west side. He also commented that it appeared the City would not be extending sewer there. Ms. Wagner stated that parcel is included in the sewer assessments. She said sewer runs along the back side of the lots. Ms. Wagner stated there are some deferred units as well, but currently there is no proposed development at this time other than a pond.

Mr. Black asked why the City did not seek out additional funding sources or alternatives for this project. He proclaimed the Council is elected and is supposed to be on their side.

Chad Boyles (N31 W22180 Shady Lane) stated he believes the sewer will outlive his lifetime and asked why he would have to pay the entire cost when there could be other people who could pay for this. He said defer it to them. He said he pays taxes, and it doesn't sound as if any of the money is going towards his road or his projects.

Jeff Looyesen (N31 W22104 Shady Lane) stated he lives at the end of the dead-end road and doesn't want to see development past it. He said his water is very clean water. He said the road is fine and doesn't need to be replaced. He said he was not in favor of the sewer due to the expense. Mr. Looyesen voiced his concerns over the beautiful landscaping that could be potentially lost due to this project. He stated the young families who just bought in the area would lose all equity in their home due to this project. He said he was opposed to the project.

Jennifer Looyesen (N31 W22104 Shady Lane) stated she values the water quality. She said the septic is up to the homeowner. She voiced her concerns over the home being devalued due to the loss of mature trees on her property.

Uwe Konopka (N32 W22211 Shady Lane) thanked Ms. Wagner for doing a great job related to the information she supplied. He said he'd like some information regarding the relief fund the City received. He said the City needs to find different avenues to fund this project. Mr. Konopka stated he'd like to see the project postponed for a year and allow for additional bids. He said there are worse roads than Shady Nook and Shady Lane and felt they could wait.

Noel Calderon (N31 W22117 Shady Lane) asked if the connection charge was in addition to the special assessment charges. He asked if he had to pay the connection charges if he sold the house. Ms. Wagner stated the connection charges are paid when he connects to the utility. She said he would be required to connect in year fifteen. The water would need to be connected at the time of sale. Ms. Wagner stated the sewer charges are expected to be paid at the time of sale but would not have to connect until the fifteenth year. Mr. Calderon stated he did not think he would be able to afford it. He requested the City get more bids in hopes to bring the cost down. He said these charges are extreme. He asked when he would be receiving the first bill if the project went through. Ms. Wagner stated the construction would start this year and the project would be finalized towards the end of 2024. She said if he would want to pay for it in full, it would be due by the end of October, otherwise it would be divided into ten installments and placed annually on his tax bill. She said there could be a five-year deferment for water and sewer but interest would accrue.

Ms. Kopecky asked about another subdivision being built at the end of Shady Lane and asked about the deferred assessments. Specifically, she asked if that would affect their assessment charges. Ms. Wagner stated they estimated a potential of seventeen units in that area and those units were used to establish the costs for everyone. Ms. Kopecky stated they were paying for the majority of the project. Ms. Brown stated it was actually lowering their costs Mayor Bierce stated the project costs are divided by the number of all the units; preexisting homes as well as potential development.

Someone from the audience asked why the City bought the property. Ms. Wagner stated it was for flood mitigation.

Mr. Zabel (N31 W22117 Shady Lane) asked how much money was being deferred. Ms. Wagner stated approximately \$280,000 was deferred for the City of Pewaukee and approximately \$453,000 was deferred for the radio station.

Mrs. Calderon asked what the chances are that this project will never get done. Mayor Bierce stated that will be decided tonight. She said she doesn't see being in any different situation a year from now if the project is postponed. She said she'd prefer to remain on well and septic.

Bryan McDermott (N31 W22207 Shady Lane) stated the paperwork submitted to him regarding the public hearing was misleading because he didn't get the entire list of people who would be paying for the project. He said this is a lot of money. He said it makes him nervous that the City is extending utilities to the vacant land because he doesn't believe the City isn't going to develop that land. He said even though the City has legislation to force them to take water and sewer, he doesn't think the City should. He stated none of them asked for this.

Mr. Klein stated the City has no intension to develop the land. He said the person who was selling forced the purchase of the entire parcel because they thought they would not be able to develop it with a pond on it.

Attorney Riffle stated the only reason the City purchased that land was because Hill N Dale was under water. The City had to take care of the stormwater.

Mr. Black asked what happens to their taxes when the project is finally paid for. He questioned if the City would reassess his home and questioned if his taxes would go up. He asked if the project would add value to his home.

Laurie Boyles (N31 W22180 Shady Lane) stated there was previous discussion about extending the payback time from ten years to twenty. She asked if that was an option. Mayor Bierce stated if the project passes it will be discussed in further detail.

Ms. Wagner stated the rate for the quarterly sewer billing is \$141 and there is a \$ 25.20 water meter charge and would be charged \$3.62 per 1000 gallons used.

At this time no one else expressed an interest in speaking so the Mayor closed the public hearing.

Mayor Bierce stated he is struggling with ratio of the project costs verses the value of the homes. He said putting a \$100,000 assessment on a \$300,000 house would be difficult for him. He said he realizes the City is trying to connect their systems to run more efficiently and typically stands behind these actions that are for the good of the City. He said in this case, he can't see doing this project. Mayor Bierce said he doesn't understand why this area has historically been more expensive to bring water and sewer to. He said clearly there is something unusual about this area and something scares the contractors, which drives the costs up. He said he was in favor of only doing the roads and the water and sewer could be revisited in another 20 years. He thanked staff for all their efforts to compile the information and present it.

Mr. Vetterkind stated this was "life altering money" and said he could not get behind this project. He said he calculated it out and people would be paying an extra \$580 on their monthly escrow payments for the next ten years. He said there has to be another way.

Ms. Brown stated the project was delayed a year hoping it was going to be a supply chain issue. She said this was one of the highest assessments the City has ever seen. She agreed this would be a life altering assessment. Ms. Brown said it is the vision of the City to have everyone on water and sewer but to what cost. She said she defers the decision on whether or not to replace the roads to Ms. Wagner if this project doesn't pass.

Mr. Wamser stated he once lived on an "island" and doesn't anymore and understands the residents' point of view. He said ideally it would be good for everyone to be connected to water and sewer but doesn't want to move forward with this project.

Mr. Reinbold stated from a financial standpoint this will economically alter these peoples' households. This could potentially crush families. He said the City does have a vision but sometimes it needs to be altered. He said they were there for the good of the people as well as the good for the City, but it has to be carefully considered.

Mr. Dziwulski stated he tends to agree but back in the 1990's when the property owners voted down the project originally, it cost the people on Hill N Dale and Memory Lane an extra \$5,000. He said they went from \$8,000 to \$13,000 and it didn't seem to bother them then. He said he is just stating a fact and understands some of the residents didn't live there then. Mr. Dziwulski stated if the Council doesn't move forward with water and sewer, at least the road portion should. He said the City has to consider what will happen if the Department of Natural Resources forces the connection in that area. He said every year the City waits costs will continue to go up. He warned the residents they would never have access to water and sewer if their systems fail and could be more costly the more they wait.

**A motion was made and seconded (C. Brown, P. Vetterkind) to deny the reconstruction, water main extension and sanitary sewer extension projects on Shady Lane and Shady Nook Road.** Motion Passed: 5-For, 0-Against.

6. Discussion and Possible Action Regarding the Tourism Commission Recommendations for Funding to Install Turf on the Four Baseball Fields and Cameras to Stream the Games at the Sports Complex

Mr. Phalin stated the Tourism Commission has recommended using some of the tourism fund balance and requests the Council authorize City funds for the remaining balance for the initial installation of new turf at the Sports Complex. He said it also includes a repayment schedule of the City funds that would not exceed the warranty life span of the turf.

He said it would be to replace four ball diamonds in fields with synthetic turf, allowing for more playability. It will also allow them to hold more tournaments and would result in a significant decrease in needed ground maintenance.

Mr. Reinbold asked if he was only doing hardball diamonds or a mixture of hardball and softball. Mr. Phalin said the diamonds are for both youth size which includes base anchors at 60, 65, and 70 feet and two full length fields. Mr. Reinbold asked what grade turf they would be looking to install. Mr. Phalin stated it was going to be a mid-grade. He said they will factor in the crumb rubber, where you can cut places out and replace high traffic areas such as the batter box, first base and the glue and the stitching. He said there will be staff maintenance and training needed. Mr. Phalin stated there will be minimal upkeep needed. Mr. Reinbold stated it was his opinion to start off with the right turf because if we get cheap it will be gone in a couple of years. He'd prefer to get the better turf to be able to do cuts and patches. It might be a little more expensive to start but will be worth it in the long run. Mr. Reinbold

asked if it would include the drainage underneath the fields. Mr. Phalin stated it would be part of it, but it is not included in the estimates.

Ms. Brown stated she wished turf would have been installed to begin with. She questioned why this project would require an outside engineering firm to help us with this, because it is a sizable expense from RA Smith. She asked if our own engineering department could handle this. Mr. Phalin believes this expense would come down because the soccer fields were originally included. He said RA Smith was involved in the initial plan of the park. He said they will be working with our internal engineering staff related to storm water runoff since it is considered impervious surface. Ms. Brown stated, "heads in beds" is important and supports this project being a traveling baseball mom herself. She asked about the streaming. She said as a parent you are paying for that service. She said she is paying \$165 a year to stream her son's volleyball games through Baller TV. She asked if the City would be paid for this service. Mr. Phalin stated it is the intent to have it be an additional revenue stream but does not have the dollar amount at this time. He said it was just added to the project scope. Cameras and point over ethernet to run the cabling directional boring will be by a different vendor. He said they will need additional cable services. Mr. Phalin said his initial thought would be \$5 a day, \$10 a weekend.

Ms. Brown asked what he anticipated the project cost was going to be. Mr. Phalin stated \$1.1 million. He said the Tourism Commission offered an initial \$400,000 toward the project and the City would front the additional \$700,000 which the tourism funds would replenish. He didn't want to interrupt the upcoming baseball season so he thought the project could potentially start in July and be completed by Halloween of this year and the new fields would open in Spring 2024.

Mr. Reinbold asked about Fall ball. Mr. Phalin stated he has been in discussion with KJ Bigler of Bigler Sports who runs the Fall tournaments and he is behind the proposed improvements and understands that he would benefit more by giving up the tournaments this Fall.

The Mayor conducted a straw poll and the Council members were in favor of Mr. Phalin proceeding with the project and sharing the bid results when they are available.

7. **PUBLIC HEARING**, Discussion and Possible Action Regarding the Request of the Waters to Obtain a Beer and Wine License for Their Facility Located at W239 N2540 Dahlia Blvd (PWC 091-999-002) and Naming Dan Budreck Agent

Ms. Tarczewski stated The Waters applied for a beer and wine license to serve/sell in their café, dining room, private dining room, patio and special care dining room. She stated the agent passed his background check and she sees no issues with the license being issued.

Mayor Bierce opened the public hearing. No one indicated an interest in speaking so it was immediately closed.

Mr. Reinbold ask if that would affect the amounts of licenses we could issue. Ms. Tarczewski stated it does not count towards the liquor quota since they only requested a beer and wine license.

**A motion was made and seconded (B. Dziwulski, R. Reinbold) to approve the beer and wine license for The Waters and appoint Dan Budreck as agent.** Motion Passed: 5-For, 0-Against.

8. Public Comment - None.
9. Adjournment

**A motion was made and seconded (B. Dziwulski, P. Vettekind) to adjourn the meeting at 8:41 p.m. Motion Passed 5-For, 0-Against.**

Respectfully Submitted,

Kelly Tarczewski  
Clerk/Treasurer