1. Call to Order and Pledge of Allegiance – Mayor Bierce called the meeting to order at 6:00 p.m.

   **Present**:
   Mayor Steve Bierce, Aldermen B. Bergman, C. Brown, B. Dziwulski, R. Grosch, J. Kara, and J. Wamser.

   **Also Present:**
   Attorney V. Anderson, Administrator S. Klein, DPW Director J. Weigel, Assistant Engineer M. Wagner, and Clerk/Treasurer K. Tarczewski.

2. Public Comment – None.

3. Public Hearing for the Deer Haven Phase II Paving Project
   3.1 Discussion of Engineer's Report
   3.2 Discussion and Possible Action to Award the Deer Haven Phase II Paving Project to the Lowest Qualified Bidder, Payne & Dolan of Waukesha, WI in the amount of $474,000

   Jeff Weigel and Maggie Wagner were present for this item. He stated the second phase of Deer Haven is very similar to the first phase of the Steeplechase project that will be presented after this project. He said these roads are approximately 15 - 20 years old and they are stressed from previous construction trucking. He stated they plan on repaving all of Deer Haven Drive, Wilderness Way, Fawn Court, Bucks Island Court and Whitetail Court. He said some sections would be full depth milling and the other would be partial depth milling, where the top 1½ inches would be removed and the base course would remain. Mr. Weigel stated the bids were opened on February 26, 2018. He said the bids were combined, contract "A" is for Deer Haven and contract "B" is for Steeplechase. He stated the Engineers' report predicts the costs for design, administration and contingencies. He said there are 97 single units within the project area and the cost would come out to $5,908.20 per unit, but since there is a paving assessment cap on residential properties, the maximum that could be charged is $2,562 per unit.

   Mr. Weigel stated there are two nonresidential properties within the project area and they belong to the City of Pewaukee Water Utility and they are fully assessable. He said all lots, regardless if they are occupied by a house or not, are facing assessments, as are the out lots with low land conservancy and wetlands properties.

   Mr. Kara asked if the projects were bid together due to their proximity to one another. Mr. Weigel stated yes because it would result in cost savings. He said it was not necessary to accept both bids. He also said none of the bids needed to be accepted either if that was the decision of the Council.

   Mr. Bergman asked about the two large properties to the east. Ms. Wagner stated that was the old sod farm that was subdivided and was rezoned into residential and would be capped.

   Ms. Brown asked about the alternatives. Ms. Wagner stated one of the alternatives was for a full depth mill vs. partial depth mill to be able to compare the prices. The second mandatory bid is for work on the utilities that may be needed. Ms. Brown asked if that would affect the cost that the property owners would need to pay. Ms. Wagner stated it would not add additional costs because

the project is already capped.

Mr. Bergman said he wanted to make sure no one received double assessments for being on a corner lot. Ms. Wagner stated if a home is on a corner lot the assessment is based on where the driveway is. If they have a looped driveway it is based on the property owner's address.

Mr. Kara asked how phase one went. Ms. Wagner stated overall the project went well, but they are having some issues with the contractor. They have noticed issues in areas that there was partial depth milling. There appears to be a great deal of reflective cracking. The contractor, Payne & Dolan, used petro-tack layer and they are researching why there are issues.

The Mayor opened the public hearing.

**Roy Mangano** (N29 W26230 Homestead Road) asked if there were any special provisions for people with special needs or disabilities for egress from their driveways. Mr. Weigel stated it is the contractor's responsibility to provide adequate access to each property. They will do a gravel ramp up to the curb which cars can traverse.

**Walt Christensen** (N29 W26180 Steeplechase Court) asked if other municipalities are doing special assessments. Mr. Weigel stated yes, and named the City of West Allis as an example. Mr. Christensen asked if there was any discussion on how special assessments have a direct impact on the housing market. He stated realtors would have to disclose the special assessments as potential liabilities. Mayor Bierce stated there is always arguments for handling special assessments vs making it part of the tax rate.

**Margaret Farrow** (W262 N2402 Deer Haven Drive) said Steeplechase is newer than Deer Haven. She sees no issues with the pavement on Deer Haven Drive. She noted the catch basins and storm sewers have been worked on over the last couple years and was questioning if they were going to be worked on again. Mr. Weigel stated only the ones that they missed or are currently collapsing. He said there may also be some spot curb repairs. Ms. Farrow stated she is satisfied with the way the City handles the assessments.

**Johnny Smokovich** (N27 W26012 Steeplechase Drive) asked when the anticipated start date would be. Mr. Weigel stated he did not know at this point. The project was bid out earlier than normal because he was anticipating the work load for Foxconn and wanted to make sure the City could get on the work schedule. When we get to that point the residents will be notified. Mr. Smokovich asked how long the project was anticipated to take. Mr. Weigel stated it depended on the weather and if there were complications that would cause further excavation related to the full depth areas. Ms. Wagner stated the best guess, is that it would take a month to a month and a half.

**Paul Wysocki** (N29 W26231 Steeplechase Court) he said is also a member of the association board and had questions so that he could report back to the board. He asked about the "police powers" statement in the special assessment notice. Attorney Anderson stated statutorily there is a procedure for special assessments and the City adopted the code and the police powers for the City. It has to do with maintaining health, safety and welfare. It is the preamble language of the empowering provisions. He asked what would happen if someone refuses to pay. Mr. Weigel stated it would be put on the property owner's tax bill over a ten year period with interest and penalties. The interest rate is 1% over the interest rate the City is charged when it borrows funds. Ms. Wagner stated last year the interest rate was 3.27%. Mr. Wysocki asked if there

would be additional phases for Steeplechase. Mr. Weigel stated yes there would be, phase II would be next year. Mr. Bergman stated he was a member of a homeowner's association before and he wanted to remind Mr. Wysocki to budget for the special assessments on their three lots. Ms. Wagner stated the notice did go to the homeowners' association at a post office box. Mr. Wysocki stated Jim Vetro is the association's president and believes he utilizes a post office box.

Mr. Weigel stated property taxes do pay for the project difference that are not collected through special assessments. He said the longer we wait to do the projects the cost escalate quickly. He said to some it looks like we are doing this prematurely but in fact we're in at the right time, possibly a little late, to be the most cost effective.

**Mike Mikelonis** (W260 N2972 Steeplechase Drive) asked what criteria determines the need for road repair. Mr. Weigel stated the City does an annual condition report of 90 miles of road. The condition rating ranges from "0", a total failure, to "10" being a brand new road. The treatment processes on the higher ratings are usually crack filling. On the lower end ratings they look more closely at the cracks to determine how deep they go and how open they spread. It if caused the base material to freeze and thaw, the repairs get very expensive. Mr. Mikelonis asked why we are considering to use Payne & Dolan again when there were issues with their last job. Mr. Weigel stated we are required to go with the lowest qualified bid. At this point they are not being disqualified because we are still working on the issue.

Mayor Bierce closed the public hearing for Deer Haven.

Mr. Wamser asked if there was a warranty. Ms. Wagner stated it is typically a year from final payment. Mr. Weigel stated the goal is to not come back and do the same project within the first 20 years. If the road should fail within that time there is an offset on loss of life and the cost will be offset.

Mr. Bergman voiced his concern on the partial mill on the south side of Deer Haven due to the amount of traffic. He asked if we'd be better off doing a full mill. Mr. Weigel stated we'd probably be better off but the goal is to be a good steward and save the taxpayers money. Ms. Wagner stated the full depth mill will cost an additional $84,000. Mr. Weigel stated it was a part of the mandatory alternate bids and the Council could choose to award the contract with the alternate bids. Ms. Brown stated she would rather not if it doesn't need it and if at the time the work is started and they feel it needs to be done at that time it should be. Mr. Dziwulski agreed.

4. Public Hearing for Steeplechase Phase I
   - 4.1 Discussion of Engineer's Report
   - 4.2 Discussion and Possible Action to Award the Steeplechase Phase I Paving Project to the Lowest Qualified Bidder, Payne & Dolan of Waukesha, WI in the amount of $284,000

Mr. Weigel and Ms. Wagner were present for this item. Mr. Weigel stated this is a newer subdivision and he was surprised of its current condition. He said the base material is gravel. He said there are 55 units within the first phase at the total cost of $6,286 per unit. He said the project would include repairing the needed curbs and catch basins, adjusting or repairing the sanitary manhole chimneys and the valve boxes in the pavement.

Ms. Brown asked how they determined what sections would be completed first. Ms. Wagner stated they typically do the interior road work first and work their way out and hit one major outlet at a time. Mr. Weigel stated they applied for a grant to the local road improvement program and

were awarded $20,000 to be used towards next year's project.

Mayor Bierce opened the public hearing on the first phase of the Steeplechase paving project. No additional comments were made.

**A motion was made and seconded, (C. Brown, J. Wamser) to award contract "A" for the Deer Haven road project to Payne & Dolan in the amount of $474,000 and award contact "B" for the Steeplechase road project to Payne and Dolan in the amount of $284,000**. Motion Passed: 6-For, 0-Against.

Mr. Weigel stated some major projects have been postponed saving the City approximately $1 million and bringing us closer to having cash on hand for these projects.

5. Consent Agenda
   - 5.1 Approval of Accounts Payable Summaries
   - 5.2 Approval of Bartender Licenses
   - 5.3 Approval of Common Council Meeting Minutes Dated March 5, 2018
   - 5.4 Approve **Ordinance 18-03** Repealing and Recreating §6.02 (2)(b)of the City Code Related to Weapons Discharge / Safety (*Second Reading*)
   - 5.5 Approve **Resolution 18-03-07** Accepting the Public Water Distribution System Associated with the Steinhafels Development

   Ms. Brown requested Item #5.3 be removed so that she could abstain from the minutes.

   **A motion was made and seconded, (B. Dziwulski, J. Wamser) to approve the remaining items on the consent agenda**. Motion Passed: 6-For, 0-Against.

   5.3 Approval of the Common Council Meeting Minutes Dated March 5, 2018

   **A motion was made and seconded, (B. Dziwulski, B. Bergman) to approve the meeting minutes dated March 5, 2018**. Motion Passed: 5-For, 0-Againsnt, 1-Abstain (C. Brown).

6. Discussion and Possible Action to Approve the Proclamation for Eagle Scout Samuel Reinbold

   **A motion was made and seconded, (J. Kara, B. Dziwulski) to approve the proclamation for Eagle Scout Samuel Reinbold**. Motion Passed: 6-For, 0-Against.

   Mayor Bierce asked Samuel to step forward and he presented him with his proclamation plaque.

7. Discussion and Possible Action to Approve the Proclamation as Requested by Waukesha County Drug Free Communities Coalition to Proclaim April as "Parents Who Host, Lose the Most: Don't be a party to underage drinking" month.

   **A motion was made and seconded (B. Dziwulski, C. Brown) to approve the proclamation for the Waukesha County Drug Free Communities Coalition**. Motion Passed: 6-For, 0-Against.

8. Discussion and Possible Action to Award the Well #1 Radium Mitigation Project to the Lowest Qualified Bidder, Staab Construction in the Amount of $1,263,000.

   Mr. Weigel was present for this item. He stated the City was ordered by the Department of Natural Resources (DNR) to bring the well into compliance. He said they went through a pilot testing program to determine what the best process would be. He said they decided on HMO chemical flocculation that

pulls the radium out of the water. He said they chose that process because at the Green Road well the water is run through media in a large tank that attracts the radium. He said that would not work with a chemical called strontium. He said strontium is another chemical on the EPA's list for evaluation. He said the flocculation process could treat both of these chemicals. He said the utility will have to apply to the Public Service Commission for a permit to construct.

Mr. Kara asked if there were other wells that are going through the mitigation processes. Mr. Weigel stated there are. He said they are successfully diluting the amount of radium in our drinking water by blending deep well water and shallow well water. This process is taking place at the North Avenue well near Springdale Estates, the Fire Station, Deer Haven and a small community well near Apple Tree and Pear Tree. He said at the Green Road well they perform a WRT process and the well on North Mound in the Bluemound industrial park has a high level of gross alpha and they are still working on what to do there. Mr. Kara asked if there were ongoing expenses afterwards. Mr. Weigel stated the Green Road waste is transported to Hanford, Washington. The waste from well #1 will go in the sewage waste stream which then will go to the Fox River.

Mr. Kara stated he had concerns related to financing the project. Mr. Weigel stated it will be funded by the rates, paid by our current water customers. Ms. Brown asked if the rates only applied to City of Pewaukee water users. Mr. Weigel stated she was correct.

**A motion was made and seconded, (B. Bergman, R. Grosch) to award the well #1 radium mitigation project to the lowest qualified bidder, Staab Construction in the amount of $1,263,000.**
Motion Passed: 6-For, 0-Agaisnt.

9. Discussion and Possible Action to Approve **Resolution 18-03-08** Declaring Official Intent to Reimburse Expenditures for the Well #1 Radium Mitigation Project

Mr. Weigel stated this was a comfort resolution that would allow the City to reimburse itself for expenses if money was borrowed for this project. He noted the amount in the resolution was slightly higher than the project costs to cover engineering contingencies that may arise.

**A motion was made and seconded, (C. Brown, B. Dziwulski) to approve Resolution 18-03-08 to reimburse expenditure for the well #1 radium mitigation project**.
Motion Passed: 6-For, 0-Against.

10. Discussion Whether or Not There is an Interest to have Quarterly Finance Reports at Future Common Council Meetings

Mr. Kara stated this was a follow up discussion from budget time last fall. He stated they thought it would be useful to get an update on where things are. He said this is the only time, as a group, that this type of discussion can take place. Ms. Brown stated the Council gets monthly reports from the City's Accountant. Mr. Kara suggested quarterly.

Mayor Bierce stated he thought it would be important to also get quarterly reports from Water & Sewer, Storm Water, but not on the same night. The other members agreed. Mayor Bierce directed the Administrator to come up with a schedule to do quarterly finance reports on City Funds, Water & Sewer Utility and the Storm Water Utility each in their own months. Mr. Klein stated the utilities will be more difficult to understand based on PSC reporting and how documents are put together. He said he found it helpful in the past to have had Mike Rotroff come in to explain the reports.

Mr. Kara asked if they could forward questions on to the Administrator related to the finances. Mayor Bierce stated he'd like to start this at the second meeting in April

11. Discussion Whether or Not There is an Interest in Implementing Goals and Evaluation Process for the City Administrator

    Mr. Kara stated he'd like to have the Administrator set goals for himself and have the Council evaluate his progress at least annually. He said there is currently no formal process for this. Ms. Brown stated the Council was very involved in this process for the last Administrator, they even went as far as to determine various training options for her. She asked Mr. Klein if he was going to different training sessions. He stated he doesn't participate in the training sessions as the previous Administrator did. He instead attends the insurance risk conference held by the League of Wisconsin Municipalities. He stated he attends local meetings such as the Chamber. He said he has a different mission than the previous Administrator. He said he is focused on leadership and is doing a lot of reading and getting coaching. Mr. Klein stated his basic goals are what have been spelled out as projects that are currently listed in the budget as well as updating the strategic plan.

    Mayor Bierce suggested to send this to Ms. Bergersen in HR to set up a process in which Mr. Klein can receive an evaluation so that he and the Council knows where he stands and set goals for him. The Council members concurred. Mr. Klein stated we used to have a formal evaluation process and his has been changed to quarterly coaching sessions. Mr. Dziwulski asked Mr. Klein what he does with the department heads. He responded he does somewhat of the same thing.

12. Public Comment

    George Evert (NN45 W24434 Lindsay Road) stated it was very difficult to hear what was being said this evening and said he didn't think the sound system was preforming property.

13. Adjournment – **A motion was made and seconded, (B. Dziwulski, J. Wamser) to adjourn the meeting at 7:43 p.m**. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer