In attendance: Mayor S. Klein, Aldermen B. Bergman, C. Brown, J. Kara, D. Noll, and J. Wamser. S. Bierce was absent. Also present were Administrator T. LaBorde, DPW Director J. Weigel and Attorney S. Riffle.

1.0 Call to Order and Pledge of Allegiance - Mayor Klein started the meeting at 7:03 p.m.

2.0 Public Comment

Barbara Warp (W278 N2760 Rocky Point Road) stated she was in favor of managing the deer population and hopes the City considers a sharpshooter again.

3.0 <u>Consent Agenda – Action</u>

- 3.1 Approval of Meeting Minutes
  - 3.1.1 Common Council Minutes dated June 1, 2015
  - 3.1.2 Public Hearing Minutes dated June 1, 2015
- 3.2 Accounts Payable Summaries
- 3.3 Bartender Licenses

<u>A motion was made and seconded, (D. Noll, J. Wamser) to approve the consent agenda</u>. Motion Passed: 5-For, 0-Against.

4.0 Public Hearing Regarding the Liquor License Applications for the 2015 – 2016 Licensing Period and Possible Action to Issue

Ms. Tarczewski stated she was requesting approval of the licenses, with a few contingencies.

Mayor Klein opened the public hearing. Tyler Pasdera (Boomers Sports Pub & Grill) stated the elderly gentleman who came out to do the building inspection was extremely rude. He requested a different company to do the inspections next year.

Gina Schwister (Gina's Sports Dock) clarified that the speakers on her patio face down. She stated the only time she receives complaints about the music is when she has a live band. Mayor Klein closed the public hearing.

Ms. Brown asked about the pending outdoor entertainment permits. Mayor Klein stated it was a hefty penalty to limit serving on outdoor patios for a possible oversight. Ms. LaBorde stated they receive the information in February. Attorney Riffle stated these establishments are able to serve alcohol outdoors if it is listed on their premise description exactly as it was the previous year.

<u>A motion was made and seconded, (C. Brown, D. Noll) to approve the liquor license applications for the 2015 – 2016 licensing period with the contingencies that were specified by the Clerk</u>. Motion Passed: 5-For, 0-Against.

5.0 Discussion and Possible Action Regarding Deer Management Plan, Results of Helicopter Flyover and Deer Control

Mr. Kara stated in 2013 the Common Council approved a formal deer management program, the goal listed 30 deer per square mile as an ideal population rate. The flyover in the winter of 2015 indicated the population is 39 deer per square mile. Mr. Kara indicated he would like the Council to reiterate their commitment to managing the deer population by putting money in the 2016 budget to do an annual flyover so that we could chart our progress, hire sharpshooters to thin out the herd more, and apply for DNR grants to help pay for these items. Mayor Klein stated his recollection was that the City would revisit this subject and didn't see an issue with the City applying for the permit if needed, but was not necessarily in favor of committing funding to culling the herd. He stated he didn't think it was a city wide problem requiring all the taxpayers to pay for it. Mayor Klein stated there were other groups willing to help out, privately, with their own tags.

Kelly Van Beek from the Department of Natural Resources (DNR) was present for this item. She stated if these individuals would hunt using their own legal tags they would have to abide by the regulations of the legal hunting season. She stated antlerless tags have become more expensive. She added, these private organizations could possibly be listed as an agent on the City's nuisance permit.

Mr. Bergman asked for a clarification on the new bow hunting laws. Ms. Van Beek stated municipalities cannot be more restrictive than the state. Direct archery hunt cannot be closer than 100 yards from a residential structure unless permission is granted from adjoining property owners.

Mr. Bergman asked whether or not the group/municipality, under the nuisance permit, is required to donate the meat. Ms. Van Beek stated the deer has to be disposed of properly, they don't want it going to waste, so she felt it was possible to negotiate who gets the meat as long as the hunter is fully aware of the potential risks concerning Chronic Deer Wasting Disease. She said the DNR is firm on the restrictions regarding buck harvest, they don't want the nuisance permit to become a trophy hunt, therefore all antlers would be required to be turned over to the DNR.

Mark Bushman (W278 N2897 Lincoln Avenue) stated he appreciates what the city is trying to do. He stated he is in favor of managing the herd and by no means does he desire to wipe out the entire population. He stated he thought 30 deer per square mile was too high and would like the Common Council to consider reducing it. He asked the Council to put money back in the budget to manage and cull the herd.

Tom Perz (W278 N2955 Rocky Point Road) stated there are a lot of deer on Rocky Point and said it is the City's problem. He stated it was apparent that the Mayor doesn't want to spend the money on this problem. He likes the possibility of being able to use the people from the LPSD to reduce the herd, but not before fully knowing what the City's liability would be.

Chris Wolf (W274 N1891 Oak Spring Court) reiterated there is a deer issue, they live next to the conservancy where hunting is allowed.

Jerry Roth (W277 N2547 Rocky Point Road) stated this is going to be an ongoing issue. Mayor Klein stated the City has to consider whether or not it is something it should be managing because there is a cost involved that benefits the property owners in the Rocky Point subdivision but would require all the taxpayers to fund.

Mike Humcke (W278 N2968 Rocky Point Road) stated the harvest worked. His concern is the ongoing cost and would like to see the costs mitigated. He suggested clearing out some of the habitat in the conservancy where the deer are living. He also suggested putting up fencing along Prospect Road to slow them down. He suggested making the habitat less attractive to the deer by planting deer resistant plants and shrubs that will only be eaten as a last resort.

Maile Beres (W279 N2907 Rocky Point Road) asked the Council to consider the health issue of Lyme disease that deer are known to carry. She stated she was in favor of reducing the population. She further went on to say that it is the City's problem.

Ms. Van Beek stated nuisance permits are available anytime, but are typically given after the hunting season to avoid baiting issues. She added the grant application is due in December.

Mr. Bushman asked if the City has a contingency fund to use to cull the heard in the winter of 2016. Mayor Klein stated it could be budgeted for.

Jerry Kostner (W278 N2920 Oak Street) asked if funds were available for 2015. Mayor Klein stated the City has contingency funds.

Mr. Bergman stated culling the herd is best done after the hunting season; which is after the first week of January. Mr. Kara said he brought this item forward to get a sense if it is something the City wants to do so that money can be budgeted for 2016. Mayor Klein cautioned the Council that they should be not taking up individual projects that will be forthcoming in the upcoming budget workshops. It should be taken up in the context of the whole, he advised no action be taken tonight since it won't be binding, until the budget process has been completed.

Mary Bachman (W278 N2619 Rocky Point Road) asked if individuals need permission from the City to hunt. The Mayor stated it was required under the nuisance permit.

Mike Humcke asked if the City puts the word out that people can hunt on our conservancy land. The Mayor responded that the City doesn't own any but there are lands owned by developers as well as the County and Lake Pewaukee Sanitary District. Mr. Humcke then asked if people were allowed to hunt on their private property. The response was it is permissible within bow hunting season following the regulations.

Ms. Van Beek stated if the City could convince owners of conservancies to be open during hunting season there would most likely be a great benefit since they are acting as a refuge to the deer.

The Mayor stated the City would explore the potential use of outside groups to present as part of a deer management plan and when we get to budget time we can debate the program at that time.

6.0 Nancy's Court Development

6.1 Approve ***Resolution 15-06-17*** Accepting the Public Improvements

6.2 Discussion and Possible Action Relating to Letter of Credit No. 218 and One-Year Warranty Financial Guarantee

Mr. Weigel stated after 17 years the final paving has been completed. The only thing missing is a 10-feet section of curb. The developer stated he'd get to it by the end of the month. Mr. Weigel noted that the developer's letter of credit will be expiring on July 3rd and he requested authorization to draw on it if the curb was not in place by that time as well as to draw on it for any other outstanding unpaid bills. He stated he was also requesting the acceptance of the public improvements, contingent upon the 1-year cash surety of $5,920.50.

A motion was made and seconded, (D. Noll J. Wamser) to approve Resolution 15-06-17 accepting the public improvements. Motion Passed, 5-For, 0-Agaisnt.

A motion was made and seconded, (D. Noll, B. Bergman) to concur with the recommendation of the Public Works Director, establishing a 1-year cash surety

of $5,920.50 and authorizing City staff and the City attorney to draw on the letter of credit as legally allowed and necessary. Motion Passed: 5-For, 0-Against.

7.0 Discussion and Possible Action on the Re-programming of 2013 borrowed funds for capital projects for Storm Inlet Repairs and Replacements

Mr. Weigel stated currently the City has a $150,000 budget item for catch basin and storm inlet repairs. The inlets are collapsing and typically have been combined with road paving projects. The repairs typically cost approximately $3,000 - $6,000 each. The City previously borrowed funds for other storm water projects that are currently on hold and Mr. Weigel is requesting the funds to be reprogrammed to service 170 storm inlets that are currently in failure.

A motion was made and seconded, (J. Wamser, D. Noll) to approve re-programming of 2013 borrowed funds for capital projects for storm inlet repairs and replacements with the coordination of the City Administrator and brought back with any potential contracts for final approval. Motion Passed: 5-For, 0-Against.

8.0 Discussion and Possible Action on the Request of the Zilber Property Group for an Early Grading Agreement for the CTH M building site

Mr. Weigel stated this is a challenging site, completely surrounded by wet lands, and the sanitary sewer needs to be relocated. The site plan has not yet been approved.

Attorney Riffle stated the developer doesn't have all the permits they need to relocate the sewer, and they want to start to build up the site, but before we will allow that the City needs assurance that we can complete the job if they abandon the project. The estimate for this work and contingency is $200,000. The agreement will allow the developer to relocate the sanitary sewer, grading and start the building up to the point of footings and foundation only.

The Mayor also noted that there was an erosion control issue that needs to be cleared by the DNR. Attorney Riffle stated the project is limited to footings and foundation only. Chad Navis from Zilber was present for this item.

A motion was made and seconded, (B. Bergman, J. Wamser) to approve the request of the Zilber Property Group for an early grading agreement for the CTH M building site contingent upon receiving a signed agreement and a deposit of $200,000.00.
Motion Passed: 5-For, 0-Against.

9.0 Discussion and Possible Action Regarding the Salt Shed

Mr. Weigel reported the building is compromised and stated we shouldn't be using it due to structural damage. He stated he will meet with a structural engineer to determine what costs are involved. In July the Council will need to decide whether or not it should be repaired or replaced. Attorney Riffle recommended having the Building Inspection Department tag the building so that it is no longer used.

10.0 Discussion and Possible Action Regarding Reprogramming of Water & Sewer Utility Fund projects and Storm Water Fund projects

Ms. LaBorde stated she wants to avoid arbitrage by reprogramming borrowed funds. She provided a list of various projects to consider.

A motion was made and seconded, (C. Brown, D. Noll) to approve the reprogramming of

Water & Sewer Utility Fund projects and Storm Water Fund projects.
Motion Passed: 5-For, 0-Against.

11.0 Discussion and Possible Action Regarding Moving Storage Filing System

Ms. LaBorde stated the Council approved the City Hall project. Part of that includes moving the movable storage system. She said new tracks need to be installed and an additional shelving unit to the back which would extend an area that is missing. She recommended approval of Option #2 not to exceed $14,143.95 with the funds to come out of the contingency account.

A motion was made and seconded, (J. Wamser, D. Noll) to approve the moving storage filing system. Motion Passed: 5-For, 0-Against.

12.0 Discussion and Possible Action Regarding Appointments to Various Boards, Commissions and Committees

Mayor Klein stated he had nothing at this time.

13.0 Discussion and Possible Action Regarding Council Meeting on Monday, July 6, 2015

After a brief discussion, it was determined that the July 6th, 2015 meeting could be cancelled because there was nothing pressing at this time.

14.0 Public Comment – None.

15.0 Adjournment

A motion was made and seconded, (D. Noll, C. Brown) to adjourn the meeting at 9:06 p.m. Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer