

In attendance:

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

Also in Attendance:

Attorney S. Riffle, Administrator S. Klein, DPW Director J. Weigel, City Planner N. Fuchs, Fire Chief K. Bierce and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance

Mayor Bierce called the meeting to order at 7:00 p.m.

2. Public Comment – None.

3. Consent Agenda

- 3.1. Approve Common Council Meeting Minutes Dated December 3, 2018
- 3.2. Approval of the Common Council Meeting Minutes Dated January 7, 2019
- 3.3. Approval of Accounts Payable Listings
- 3.4. Approval of Bartender License
- 3.5. Concur with the Plan Commission (12/20/2018) and Approve **Ordinance 19-01** (*Second Reading*) Revising Chapter 14 Building and Mechanical Code
- 3.6. Concur with the Plan Commission (12/20/2018) and Approve **Ordinance 19-02** (*Second Reading*) Revising Chapter 17 Zoning Code
- 3.7. Concur with the Plan Commission (1/17/2019) and Approve **Ordinance 19-03** (*Second Reading*) Rezoning Property Located at N37 W26991 Kopmeier Drive (PWC 0894-976) From F-1 Floodplain District to Rs-7 Single-Family Residential for the Purpose of Properly Identifying Areas That Do Not Reside Within the 100 Year Floodplain at the Request of Dan & Nicole Ladwig
- 3.8. Concur with the Plan Commission (12/20/2018) and Approve **Ordinance 19-05** (*Second Reading*) to Rezone the Property Located on Bluemound Road (PWC 0928-980) From A-2 Agricultural to Rs-6 Single-Family Residential for the Purpose of Creating a 24 Lot Single-Family Development Known as Cardinal Meadow at the Request of Pauline S. Hurst
- 3.9. Concur with the Plan Commission (12/20/2018) and Approve the Preliminary Plat for the Proposed 24 Lot Single-Family Subdivision Known as Cardinal Meadow Located on Bluemound Road (PWC 0928-980)

Mayor Bierce removed Item #3.1 because they have not been completed as of yet. Mr. Kara asked that Items #3.5 and #3.7 be removed for discussion.

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

3.5 Concur with the Plan Commission and Approve **Ordinance 19-01** Revising Chapter 14 Building and Mechanical Code

Mr. Kara asked why the fees were doubling for individuals who failed to apply for the proper permits. He also asked what constitutes an emergency.

Mr. Fuchs stated there are issues with contractors who constantly do not pull

permits and we hope this will get their attention. He stated an emergency may be a hot water heater that bursts on a Saturday and we wouldn't want to penalize the property owner for not pulling a permit prior to doing the work in this situation. He said staff will use their discretion and be consistent.

A motion was made and seconded, (J. Kara, R. Grosch) to approve Ordinance 19-01 revising Chapter 14 Building and Mechanical Code.

Motion Passed: 6-For, 0-Against.

- 3.7 Concur with the Plan Commission and Approve Ordinance 19-03 Rezoning Property Located at N37 W26991 Kopmeier Drive from F-1 Floodplain District to Rs-7 Single-Family Residential for the Propose of Properly Identifying Areas That Do Not Reside Within the 100 Year Floodplain at the Request of Dan & Nicole Ladwig

Mr. Kara asked if Lake Pewaukee Sanitary District's concerns were satisfied. Mr. Fuchs stated they questioned the surveyor's boundary, where the floodplain and wetland delineation on the property were mapped. Those items have been verified and are correct in the applicant's materials. It is being rezoned to match a field delineated boundary and staff feels it is appropriate. He said the applicant is required to file a map amendment with FEMA as well.

A motion was made and seconded, (J. Kara, B. Dziwulski) to approve Ordinance 19-03 rezoning the property located at N37 W26991 Kopmeier Drive from F-1 Floodplain District to Rs-7 Single-Family Residential.

Motion Passed: 6-For, 0-Against.

4. Update Related to Deer Management Activities

Mr. Klein reported that the study advisory committee met this past Friday. He said they received the permit from the DNR to cull the heard, as well as 50 nuisance authorizations, Chronic Wasting Disease (CWD) medallions and head bags. He said he still has to check on two properties to verify there is enough distance to hunt in the Rocky Point area. He stated the Lake Pewaukee Sanitary District (LPSD) and Rick Carr thought they would start culling the heard this past weekend. He added the Rocky Point Homeowners Association has agreed to allow hunters on their common land. They will be responsible to give permission to the hunters, not the City of Pewaukee.

Mr. Klein stated currently they comply with the 100 yard distance but Mr. Kara is looking to change the ordinance. He said the City can't be more restrictive than State law. He added, the Sheriff's department has voiced their concerns about being less restrictive.

The Mayor asked how many deer the City was limited to. Mr. Klein stated we were authorized to cull 50 but we could get more if we needed. Mr. Klein stated he would like to see hunting in the Deer Haven subdivision and possibly on the golf course, but he hasn't made contact with anyone yet.

Mr. Kara stated this topic feeds into the next item. Highlights of the 2019 deer management program which describes what will be done in the LPSD area and Rocky Point were provided to the Council. He also provided State DNR standard nuisance deer permit conditions. He said they address the contracted sharpshooters and the non-contracted hunters. He stated Mr. Humcke will be coordinating the efforts.

Mr. Kara stated in the next item he is proposing an amendment to the Weapons Discharge and Safety Ordinance. He said there are three exceptions that exempt individuals for distance and types of weapons

that can be discharged. He listed law enforcement officers, target ranges and shooting clubs and contracted deer management programs.

Mr. Kara stated when the City organized the deer management efforts in 2014 many of the property owners in the Rocky Point subdivision signed waivers allowing hunters to shoot closer than the 100 yards. This is an ongoing permission until the property is sold or it is rescinded.

5. Discussion and Possible Action Regarding **Ordinance 19-07** (*First Reading*) Revising Chapter 6 Public Peace and Good Order, Specifically Related to Weapons Discharge and Safety

A motion was made and seconded, (C. Brown, B. Dziwulski) to waive the second reading and approve Ordinance 19-02. Motion Passed: 6-For, 0-Against.

6. Discussion and Possible Action to Authorize the Wastewater Capacity Study of the Proposed Lake Country Commons Development Project

Mr. Weigel was present for this item. He stated there is a proposal to develop the Willow Run golf course. He said there is significant concern on how wastewater is to be conveyed through our system, through the LPSD interceptor, through the Village of Pewaukee lift station and finally to the City of Brookfield treatment plant. He said the City is bound to agreements limiting the amount of wastewater through those systems.

Mr. Weigel brought forward two different agreements. He stated Strand Engineering out of Madison, Wisconsin would be willing to do the study for \$10,000.00, but the City of Pewaukee will only proceed if the developer agrees to pay the City up front for the study with a small amount to cover legal fees and in-house administrative costs.

Mayor Bierce asked if the study would cover our future capacity needs in that area. Mr. Weigel stated the study is specific to that area only and would compare existing flows and projected flows of the undeveloped area and compare it to the purchased capacity.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to authorize the City to sign the Strand agreements to do the wastewater capacity study contingent upon the City and developer for to the Lake Country Commons signing a developer agreement that provides for the payment of this study contingent upon the final approval of the City Attorney and Engineer.

Motion Passed: 5-For, 1-Against (J. Wamser).

7. Public Comment - None.
8. Adjournment

A motion was made and seconded, (J. Kara , B. Dziwulski) to adjourn the meeting at 8:12 p.m.

Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer