

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 M. Wagner, City Planner & Community Development Director N. Fuchs and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance

Mayor Bierce called the meeting to order at 7:07 p.m. and requested everyone to stand for the Pledge of Allegiance.

2. Public Comment - None.

3. Consent Agenda

3.1. Approval of the Common Council Budget Workshop Meeting Minutes Dated September 28, 2020

3.2. Approval of the Accounts Payable Listing Dated February 15th, 2021

Ms. Brown asked that Item #3.2 be removed for discussion.

A motion was made and seconded (J. Wamser, R. Grosch) to approve Consent Agenda item 3.1 meeting minutes from September 28, 2020. Motion Passed: 6-For, 0-Against.

3.2. Approval of the Accounts Payable Listing Dated February 15th, 2021

Ms. Brown questioned pages 3 of 10 and 5 of 10 regarding two different significant entries for Sheriff's Deputy overtime hours. Ms. Brown asked if these numbers were from 2020 or where they are coming from. Ms. Tarczewski stated she would investigate and follow up at the next meeting.

A motion was made and seconded (C. Brown, J. Kara) to approve Consent Agenda item 3.2 accounts payable listing dated February 15, 2021. Motion Passed: 6-For, 0-Against.

4. Discussion and Possible Action Regarding a Conditional Use Permit for the Property Located at N16 W22420 Watertown Road (PWC 0957-986) for a 72-Unit Multiple-Family Apartment Use and an Amendment to the Existing Conditional Use Permit Granted to DBTM Associates, Dated February 24, 1993 and Amended June 25, 1999, to Remove the Property Located at N16 W22420 Watertown Road and the Existing Residential Planned Unit Development Use of 72 Condominium Units Used by the General Electric Medical Systems Division in Exclusive Conjunction with the Training Center Based on the Public Hearing Held on February 1st, 2021

Mr. Fuchs stated the public hearing for this conditional use was held at the last Common Council meeting and was tabled. He said no changes were made to the submittal and staff recommended approval.

A motion was made and seconded (J. Kara, R. Grosch) to approve the conditional use permit for the property located at N16 W22420 Watertown Road for a 72-unit multi-family apartment use and an amendment to the existing conditional use permit granted to DBTM Associates to remove the property. Motion Passed: 6-For, 0-Against.

5. Discussion and Possible Action to Approve the City Waiver of the Lift Station Assessment Agreement Regarding the General Electric Training Center Development

Ms. Wagner stated this was an agreement between DBTM and a private owner regarding a lift station assessment. Ms. Wagner stated the developer wants the City to sign off on the agreement stating there are no additional assessments due. Ms. Wagner said the current development has no assessments due and any future development or changes could have assessments related to the development.

Attorney Riffle stated the bank noted a two-party agreement to divide up the lift station charges when it was put in. He said there was no record of it being paid in the past. He felt this was many years ago and it would not have gone unpaid. Attorney Riffle said the City is not out for anything and the bank wanted to make sure everything is complete. Attorney Riffle noted everything was fine and it was simply a document stating nothing is owed.

Mr. Grosch questioned who owns the lift station. Attorney Riffle noted the lift station is owned by the City. He also said the City of Pewaukee built, paid for, and maintains it.

Ms. Brown asked if the City was protecting themselves in case a future upgrade would be needed. Attorney Riffle stated whether the agreement was in place or not, the City is protected and we can always special assess in the future.

A motion was made and seconded (B. Dziwulski, J. Wamser) to approve the City waiver of the lift station assessment agreement regarding the General Electric Training Center Development. Motion Passed: 6-For, 0-Against.

6. Discussion and Possible Action Regarding a Professional Services Agreement Between the City of Pewaukee and EPLEX, LLC (DBA E-Plan Exam) for Building Permit Plan Review Services and the City Becoming a Delegated Agent of the Wisconsin Department of Safety and Professional Services

Mr. Fuchs stated the City staff were looking to apply to become a delegated municipality with the State of Wisconsin. The City would then contract with E-Plan Exam to complete State plan reviews. He said the State currently does the plan reviews, as the City does not have the authority to do non-residential buildings or buildings of a certain size. Mr. Fuchs stated the State gets backed up and plan reviews are taking much longer to be completed. E-Plan Exam has a time frame of 15 days maximum per the agreement, versus the State taking a month or more. Mr. Fuchs noted that the City will get 10 percent of the plan review fees and the remaining 90 percent will go to E-Plan exam. Currently the City does not receive anything from the State for plan reviews. Mr. Fuchs stated the City will need to adopt and amend the current fee schedule. He said they also need to go through ordinance amendments to update code references. Mr. Fuchs noted the City is not bound to E-Plan Exam for a certain length of time and can pull back if there are any unforeseen issues and could go back to the State for plan reviews if needed.

Mayor Bierce asked if there were any other communities who have used E-Plan Exam and if there was a concern that a for-profit company could be more easily manipulated by builders who are in a hurry and want to cash their checks. Mr. Fuchs noted the City of Waukesha uses E-Plan Exam.

Ed Lisinski and DA Mattox from EPLEX, LLC (DBA E-Plan Exam) were present for this item.

Mr. Mattox stated there is no influence and integrity is one of the founding core principals of the company. He said all direction comes from DSPS and they audit the procedures. The goal of E-Plan is to maintain as much transparency as possible, and the City will have access to their system so the City can see it live.

Mr. Bergman stated this has been a frustrating point of business. He said State reviewers have cut budgets and things are moved 12 to 14 weeks out. He felt the City needed an alternative. Mr. Bergman asked if residential reviews will still be done through Building Services. Mr. Fuchs stated residential reviews will still be done through the City and once the City is delegated depending on staff the City does have the ability to have E-Plan Exam review them.

Mr. Mattox stated the State of Wisconsin requires a community to have a licensed architect or engineer do reviews for fire alarm, fire sprinkler building and HVAC. Plumbing plan reviews require a master plumber. E-Plan has the capability to do all of this in house. Mr. Mattox noted that the goal is to have businesses open sooner and not take 16 weeks for a plan review to be completed.

Discussion took place regarding the amount of plan reviews the City may have per month and businesses opening faster.

Mr. Kara asked if this would impact the Engineering Department. Ms. Wagner stated it could affect the department if someone was adding additional pavement, disturbing more than an acre, or new development, because Engineering would need to do reviews. She was not sure if it would cause more of an issue. She said there may be a back log at first, but once they are into a rhythm, it is something they will be able to handle.

Mayor Bierce asked what an adequate amount of time would be to get back together to decide if this is the way the City wants to go. Mr. Fuchs stated the City can bring it back for review. He said the City needs to go through the delegation application, code amendments and adopt a fee schedule, which will require a public hearing. It may take a couple of months and could possibly be looked at come fall.

A motion was made and seconded (J. Wamser, B. Bergman) to approve the professional service agreement between the City of Pewaukee and EPLEX, LLC doing business as E-Plan Exam.

Motion Passed: 6-For, 0-Against.

7. Discussion and Possible Action Regarding 2020 Assign Capital Funds

Mr. Klein reported where the City closed out for 2020. The assigned funds report shows expenditures that were made and the set asides for capital equipment with a column of proposed expenditures for 2021 that were approved in the budget. Mr. Klein stated some items show they were pushed off and it reflects it was not completed in the year it was planned to be done but is for 2021. This is a recap and summary of the past budget and this year's budget. Ms. Brown asked what was happening with the adjustments. Mr. Klein stated the amount came out of impact fees to close it out.

Mr. Kara asked about an entry for SBICA. Mr. Klein stated it is a breathing apparatus the Fire Department uses. The City had put it in the budget and ended up getting a grant for it, so it was taken out of the budget. Discussion took place regarding the 2020 ending balance and the estimated balance for 2021.

Mr. Kara felt the budget looked nice and Carol should be thanked.

8. Discussion and Possible Action to Determine When the City of Pewaukee Will Go Back to In Person Meetings

Mayor Bierce stated he was happy doing Zoom meetings. Mr. Wamser and Mr. Dziwulski stated they preferred in person. Mr. Bergman recommended we wait three more months. Mr. Kara agreed and felt Common Council should wait to see where we are at the end of March.

Discussion took place about changing the meeting time to 6:00 p.m.

Ms. Brown stated she missed the personal interaction and would like to be together before Mr. Kara steps down from the Council.

It was decided that meetings will start at 6:00p.m. going forward and they will remain virtual.

9. Public Comment - None.

10. Adjournment

A motion was made and seconded (C. Brown, R. Grosch) to adjourn the meeting at 8:00 p.m.

Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer