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, Utility Manager J. Mueller, IT Director B. Kewan 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 Approval of the Common Council Meeting Minutes Dated June 1, 2020
   3.2 Approval of the Accounts Payable Listing
   3.3 Approval of Bartender Listing

   Ms. Brown requested Item #3.2 be removed and Mr. Kara requested Item #3.3 also be removed for discussion.

   A motion was made and seconded (B. Dziwulski, J. Wamser) to approve the meeting minutes dated June 1, 2020. Motion Passed: 6-For, 0-Against.

   3.2 Approval of the Accounts Payable Listing

   Ms. Brown asked if the list submitted was going to be the new format from now on because she found it challenging to read. Ms. Tarczewski stated the new accounting software is now being utilized and that would be the list format from now on.

   A motion was made and seconded (C. Brown, J. Kara) to approve the accounts payable listing. Motion Passed: 6-For, 0-Against.

   3.3 Approval of Bartender Listing

   Mr. Kara commented that the law has changed, giving the Clerk authorization to approve and issue bartender licenses if the Council gives her permission to do so. He asked if there was any value to bringing this list of bartenders to the Council, or if it should just be at the discretion of the Clerk. After a brief discussion it was determined that the Clerk may issue licenses and if there are issues that need attention she should forward those to the Council for discussion.

   A motion was made and seconded (J. Kara, C. Brown) to approve the bartender listing. Motion Passed: 6-For, 0-Against.

4. Discussion and Possible Action Regarding **Resolution 20-06-09** Updating the Investment Policy

   Ms. Tami Olszewski from Ehlers was present. Ms. Olszewski stated interest rates have dropped steadily and the LGIP has dropped over 2 percent in the last year. Discussion took place regarding the City's current portfolio which is a blend of Agency Bonds, CDs, municipals and money market funds. She said there is cash currently being held because there are other investments types available and they want to make sure the investments selected are within the investment policy. Ms. Olszewski stated from January to now, the beginning market value was just over $11 million and the market value is $11.966. Due to some accrued balances, as well as some income that has posted, we have received coupons and income of just over $122,000 year to date. The performance standpoint the prior year was just over 2 percent. The long term strategy is to reinvest in a ladder which allows for some liquidity on a periodic basis for unexpected expenses. Portfolio is diversified among several types of investment and keeps the maturity time under three years with the longest investment just over five years and a 1.7 year average weighted maturity.

Ms. Olszewski stated LGIP stands for Local Government Investment Pool, which is a pool of funds from various municipalities and school districts, similar to cash holding or money market product and is very short term and competitive. Ms. Olszewski discussed a few changes that have been made and noted that it is reviewed every couple of years, to make sure it is in compliance with state statues and in alignment with preferences. Mr. Kara stated the Finance Committee needs to look at it on an annual basis and needs to follow the policy.

A motion was made and seconded (J. Kara, B. Bergman) to recommend that it is required to come to the Finance Committee once a year. Motion Passed: 6-For, 0-Against.

5. **PUBLIC HEARING** Regarding the 2020-2021 Class A and Class B Liquor License Requests and Possible Action to Issue Same

Ms. Tarczewski presented a spreadsheet with last year and this year's premise descriptions. Boomers is asking to serve in the parking lot. Ms. Tarczewski stated last year they were asked to remove that request from their license and they will need to do so again this year. Ms. Tarczewski stated Bernard Kook's restaurant Edgewater has changed how they are doing business and asked for an updated sellers permit, and she noted that there are some issues with the outdoor entertainment, which will go to Plan Commission on June 18th. Most request are the same as the previous years. Ms. Tarczewski stated they may want to put contingencies on Michael's House of Prime and Docks Dry Doc. Mayor Bierce asked if any stings were done at the establishments and Ms. Tarczewski stated she wasn't aware of any operations but is aware that the Sheriff's Department went into establishments to make sure licenses were posted properly and one bar was cited.

Mayor Bierce opened the public hearing.

Tyler Pasdera from Boomers stated he was cited for not having his liquor license posted and stated that during Covid-19, he was doing remodeling and had taken them down. When officers came in they were laying on the counter in the kitchen as he had forgot to repost them. Mr. Pasdera stated the $300 fine is not fair and will be taking it to court. Mr. Pasdera discussed serving in the parking lot which was something they had done for years during car shows. Ms. Tarczewski stated it was removed from the license several years ago and that is why we ask for a Special Event Permit and we won't keep it on the license. Mr. Pasdera stated the officers were rude and need to be more polite so they could get more respect. Mayor Bierce closed the public hearing.

Ms. Brown asked about a letter from a neighbor of Doc's Dry Dock. Mayor Bierce stated the letter voiced concerns about parking. Ms. Brown asked if we have received any noise complaints from Michaels or Docks Dry Doc. Ms. Tarczewski stated there were none that she was aware of.

A motion was made and seconded (J. Wamser, B. Dziwulski) to approve the 2020-2021 Class A and Class B Liquor Licenses with the noted contingencies. Motion Passed: 6-For, 0-Against.

6. Lindsay Road and Redford Boulevard (CTH F) intersection Study
   6.1 Discussion and Possible Action to Begin Discussions with Waukesha County Regarding Final Design of the Intersection Improvements and Establishing Funding or Other Partnership Agreements for the Intersection Improvements.
   6.2 Discussion and Possible Action to Authorize Traffic Analysis & Design, Inc. to Complete an Amended Study in accordance with the Agreement in the amount of $15,912.

Ms. Wagner stated there was discussion at the last meeting regarding the intersection and improvements, and that an additional study of the intersection be done for possible additional alternatives and traffic counts when we factor in future developments that will occur near the intersection.

Ms. Wagner stated John Campbell from Traffic & Design Incorporated went back and put together a scope of services which included a two way stop control (which is what it is currently), a restricted R cut, restricted crossing u turn, traffic signals, and roundabout. The cost for the study was $15,912.00, and Ms. Wagner was looking for authorization of the study. Mr. Campbell stated it will look at eight different developments that are a potential in the area, taking into account all potential future traffic so the best solution is identified since it is a safety issue.

Ms. Wagner stated there has been one additional accident since the last conversation and she took the intersection to the Sheriffs Safety Committee but the discussion was tabled. The County was in attendance and they are doing a speed study along the corridor and wanted to see information from the speed study and to see the follow up study that we are completing to look at the consideration. Ms. Wagner stated she felt they were not in support of signals at the intersection and that the County is firm in its stance that their preferred option is the R-cut. August 12 is the next meeting which puts jeopardy on applying for a highway safety improvement grant because it is due in August and timing is restricted. Ms. Wagner stated we can always apply for it in March, since it opens up twice a year.

Ms. Wagner stated she is asking for $15,912 to be reallocated to complete the study. There currently is nothing in the budget and since a large road project was delayed, we could take from those funds.

Mayor Bierce asked about the R-cut intersection and why the County was so in favor of it. Ms. Wagner stated Redford Blvd. and Hwy F is a major north/south corridor that is conveying the north/south traffic efficiently. There are limited driveways and intersections in this corridor. Ms. Wagner stated they requested to have the speed limit reduced but the County is not supporting that aspect and they feel people are going to go what speed they feel and perceive to be the correct speed. Therefor the County isn't in favor of reducing the speed limit. The County did understand the impact of the Lindsay Road intersection, but it is a low volume roadway and it doesn't justify signals. The study to date doesn't support signals at the intersection and they feel the R-cut is the proper use. It is typically used when you have a high volume roadway going north/south and then a low volume coming into it (east/west) and it allows for traffic to safely make maneuvers and avoid high impact side crashes. Mayor Bierce asked if this is a state road or a county road. Ms. Wagner stated this is a County road and we have to get the county's approval to do anything. Ms. Wagner stated at this time funding hasn't been discussed and she believes we will have a share in whatever costs are associated with intersection.

Mr. Grosch asked what other development would be added to the area or the study. Ms. Wagner stated the rest of Woodleaf Reserve, a five acre development along Duplainville Road, 18 lots where Pro-Bark Mulch and Topsoil is located, the city Sports Complex, Swan View Development on Swan and Lindsay and the additional single family homes on the north side of Lindsay Road east of Swan Road.

Danielle Rath (N45W22858 Charlotte Way) stated she has almost been in several accidents at this intersection and finds it difficult to judge the distance of the cars coming at high speeds. She was very optimistic will all the development going on that it will be high volume in both directions and agrees more data needs to be collected.

George Evert (N45 W24434 Lindsay Road) stated from Redford Blvd. north to the Village of Sussex there is only one piece of land that will be able to be built on the east side of the road, as everything else is quarry land. Mr. Evert stated that when Halquist put high power in the quarry, the electric company dropped trees and left the logs in the river and they have been there for 15 years. If they would be removed there would not be flooding and a roundabout could be put in.

Dave Swan (W239N4050 Swan Road) stated he was disappointed with a round-about and asked why it would be brought forward. Due to the river and the amount of land needed for a roundabout, it would be impossible. He felt the R-cut would be safer. Mr. Swan felt that during busy times people are taking their lives into their own hands.

Brian Miller (W229N4328 Baker Court) stated his son was t-boned a month ago and was rolled over onto the driver's side. The speeds are insane and people drive like they are on I-94. It needs to be slowed down and feels it is a death trap.

Bruce Barnes, Waukesha County Traffic Engineer, stated he wants to reemphasize the perspective the County is coming from. Thus we are in full agreement on the need for safety improvements as the collision data is there. The need for safety is valid and they have done a speed study in the past. The County does concur it is high speed and more so than what is posted, but this issue is not a traffic engineering challenge, it is a police and sheriff function. Traffic signals sounds like a simple solution, but the County is opposed to it due to being a major corridor. A solution the R-cut does offer is you can go a safe distance down to make a U-turn and that process is emphasized by the gaps in traffic that are created by signals upstream or downstream of traffic. Mr. Barnes added that at the safety meeting that the police hold every three months, it was noted by collision records in Madison that several of these have been put in Sheboygan County. People who were opposed to them are now people that use them and love them. Mr. Barnes commented that Waukesha County has no funding allocated for this project now or in the near future.

Mayor Bierce asked why they aren't in favor of reducing the speeds. Mr. Barnes stated they need rigid enforcement and they can't change the posted speed limit in small areas. It has to be in large segments instead. The previous study that the County had done showed 50-55mph is what 85 percent of people travel and it is not the measure but is a component.

Discussion took place regarding why a roundabout is not recommended. Mr. Barnes stated roundabouts are used when there are similar relative volumes of traffic on cross and main streets and balanced volumes from all four approaches. Mr. Dziwulski stated he is in favor of the R-cut, but feels the speed limit should be lowered to 45 mph. Mr. Campbell suggested they could get the study done quicker so the information could be submitted for the grant by taking out the roundabout analysis and just doing a traffic count at the sport complex driveway. This way they could have accurate information about cars coming out. The study would then be done right away so Mr. Barnes and the Council would have the information they need to make decisions about whether to pursue the HSIP (Highway Safety Improvement Program) funding for an R-cut or traffic signal. Ms. Wagner stated she did not believe the Sports Complex was fully operational right now due to Covid 19, but there may be some use of the facility.

A female resident from Victoria Station asked if Klein Dickert was operational yet because once that opens it will increase traffic. Ms. Wagner stated Klein Dickert was included in the study.

Mr. Bergman suggested laser to sense traffic from the other direction. Ms. Brown stated she didn't think that would be this is the best taxpayer funded study, when it looks like the R-cut is the solution. She would not be in favor to throw more money into an additional study.

Jeff Kara stated he was an advocate in the beginning to get the study done and get updated information so we were making good decisions. He felt the R-cut was probably where it will end up and he felt the study needs to be done quickly to get the funding so we can move on this as it is a public safety issue. Mr. Kara stated the R-cut will be safer than what we have now. Ms. Wagner stated the traffic analysis, operation of the R-cut and future projection need to be done to apply for the HSIP grant.

A motion was made and seconded (J. Kara, J. Wamser) to authorize the Director of Public Works and the City Administrator to begin discussions with Waukesha County regarding the final design of the intersection improvements and establishing funding or other partnership agreements for the intersection improvements and applying for the HSIP grant in August and to authorize Traffic Analysis Design to complete an updated study per the discussion, amending the requirements as requested by the Director of Public Works not to exceed the amount of $15,912 and reallocating funds from the Roundy's Project.

Ms. Wagner asked the consultant to also include the estimated budgetary numbers for an R cut and he agreed to do so.

The original maker of the motion and seconder revised the motion to include getting estimated budgetary numbers. Motion Passed: 6-For, 0-Against**.**

7. Discussion and Possible Action Regarding the Clean Water Fund Program (CWFP) for FRWPCC Phosphorus Reduction Project.
   7.1 **Resolution 20-06-11** Declaring Official Intent to Reimburse Expenditures for Clean Water Fund Program Update the FWRPCC for Phosphorus Reduction.
   7.2 **Resolution 20-06-10** Acknowledging Magdelene Wagner, Director of Public Works, as Authorized Representative for the City of Pewaukee Update of the FRWPCC for Phosphorus

Reduction and all related activities.

Ms. Wagner stated the clean water loan we are looking to apply for is for the phosphorous treatment at the Fox River Water pollution control center which treats all of our waste water at the City of Brookfield. Because the city owns 17.49 percent of the plant as per the agreement, we are required to pay 17.49 percent of the improvements. Our share of the phosphorous removal project that Brookfield is completing based on new clean water regulations for the waste water treatment plants is 1.4 million. This will allow us to get a reduced interest rate on loans through the State.

A motion was made and seconded (C. Brown, B . Dziwulski) to apply for the loan for the clean water fund program and approve Resolution 20-06-11 and Resolution 20-06-10 authorizing the Director of Public Works to complete the loan. Motion Passed: 6-For, 0-Against.

8. Discussion and Possible Action regarding the Special Assessment Policy for all projects in the City of Pewaukee.

8.1 Road and Curb Special Assessment Policy

Ms. Wagner stated she was updating the policy to be in conformance with how we practice today. We no longer assess for storm water projects because we adopted the storm water utility and haven't been doing special assessments on storm water projects since 2010. The special assessment cap goes up on an annual basis by the construction cost index. Previously it was published in the preceding December issue of the American City and County Magazine, but the rates aren't published until February or March, so we go several months without having the final number. We use the same index for water assessments so people are waiting for the number and a potential loss of revenue. The City is proposing that we change it to the preceding October issue. So that in December we will know the number and adopt those resolutions starting January 1st , so the curb and gutter is implemented with storm water utility paying for 50 percent and the remaining 50 percent is from storm and gutter assessments. Ms. Wagner stated these are the three changes needed to the road and curb special assessment policy and they are simply looking for concurrence with the policy. The final form and updated Resolution will come at a later date.

8.2 Sanitary Sewer Assessment Policy

Discussion took place during 8.4.

8.3 Water Main Assessment Policy

Discussion took place during 8.4.

8.4 Policy to Revise Existing Assessments, Specifically for Sanitary Sewer and Water Main Assessments.

Ms. Wagner stated there are some drastic changes from what we had previously. The City has been using the unit method for assessment and never updated the policy. It is being added into the assessment policy so the City can officially use it, but will continue to use acreage and front footage, which is already in policy. Ms. Wagner stated the use of units will be restricted because we aren't recovering the full value of assessments as the number of units coming in are less than originally projected this is due to the change in the land use plan, and the primary method going forward is going to be acreage. That assessable acreage will take out any wetlands and undeveloped land. This ensures that when land is developed it is still the same number of acres and it ensures we are able to recapture all of the assessment dollars to recover the cost for utilities. Ms. Wagner stated there are special provisions within the policy for farmland. There is also a homestead credit available in which the owner pays for the equivalent of a homestead and the remainder of the developable acreage would be a deferred until it is developed. Discussion took place regarding the development of land, zoning and assessments going forward.

Ms. Wagner stated there is a mandatory connection for sanitary sewer in 15 years after the final Resolution is passed. This entails a five year deferment window which interest does accrue on the outstanding balance and then ten years to pay the assessment. There is a mandatory connection at the 15 year window and that window came from the average life of a mound system, which is 15 years. Mayor Bierce asked if a homeowner would have time to make payment if they connect immediately or if they would have to pay upfront. Ms. Wagner stated if they connect, they can opt for a 10 year payment window. Discussion took place regarding adopting this procedure for both water and sanitary sewer in order to have a consistent policy across the board.

Ms. Wagner discussed the different assessments. The current road assessment requires when the final assessment is levied and the final resolution is passed there is some deferment if it isn't developed within five years it goes away if they develop in the five year window its paid and due at time of sale.

Sanitary sewer is a five year deferment with a ten year payment and connection in 15 years. This has been the policy in place for several years but the City adopted an official City Sewer ordinance. We will be working with the City Attorney so that if they don't connect to sanitary sewer, we have a way to force that connection or a penalty for not connecting. These also are due at the time of sale.

Ms. Wagner stated with the water policy, we run water past the house. If someone didn't ask for it but the City needed it, the assessments are deferred and no mandatory connection is required. Payment would only be due at time of connection, and there is no way to recapture those funds unless they choose to connect. This is causing the biggest financial issue since we are extending the infrastructure but not getting paid back. Once they do connect, they have 10 years to pay back.

Ms. Wagner stated we are looking for consistency. If there is a five year deferment for sewer, there should be five year deferment for the water. Roads would not have a five year deferment as they are already capped due to the value being pretty low. Further discussion took place regarding the cost for the connection of water and sewer.

Mayor Bierce asked if we would be sending letters to people who would be affected. Attorney Riffle stated it would be a new public hearing and a new assessment. Ms. Wagner stated she will move forward with adopting the policy for old assessments and will work with Attorney Riffle on how that will occur. Ms. Wagner stated there was a 15 year window from the date of the new Resolution for the mandatory connection for old assessments. Discussion took place regarding the policy and the interest being put on the assessment once per year.

Ms. Wagner stated they would like the existing private well to be abandoned at the time of connection to the system. Currently a homeowner can obtain a permit for a private well, which can be used for non-portable water. The permit needs to be renewed every five years. There seems to be issues having owners follow up on the permits. Ms. Wagner discussed the potential contamination of the municipal wells which is why we would like to have them capped. Ms. Wagner asked if these should be done as Resolutions or Ordinances and Attorney Riffle recommended that all assessment policies be done as resolutions.

9. Discussion and Possible Action Regarding the Request for Temporary Beer Licenses for July 17th and August 21st at Nettesheim Park Located at N26 W27495 Prospect Avenue as Requested by Buddies of Environmental Enjoyment and Recreation (BEER) for the Pewaukee Park & Recreation Roll-Up Beer Garden

Ms. Tarczewski stated she received applications for two events that are to take place in City parks. Mr. Bergman asked if we had a count on how many people they were expecting, and he questioned how this gathering was any different than Mugshots anniversary party. Ms. Brown felt we need to be consistent.

A motion was made and seconded (B. Bergman, R. Grosch) to recommend approval of the events under the condition the follow the County's requirements for Covid. Motion Passed: 6-For, 0-Against.

10. Public Comment - None.

11. Adjournment

A motion was made and seconded (B. Dziwulski, R. Grosch) to adjourn the meeting at 9:59 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer