Common Council Meeting Minutes
Monday, June 20, 2016

In attendance: Mayor S. Klein, Aldermen B. Bergman, S. Bierce, J. Kara, R. Grosch. C. Brown, J. Wamser were absent and excused. Also present were Clerk/Treasurer K. Tarczewski, DPW Director J. Weigel, Attorney S. Riffle, Fire Chief K. Bierce, and City Planner H. Clinkenbeard.

1.0 Call to Order and Pledge of Allegiance - Mayor Klein called the meeting to order at 7:00 p.m.

2.0 Public Comment – None.

3.0 <u>Consent Agenda – Action</u>

3.1 Approval of Common Council Meeting Minutes dated June 6, 2016
3.2 Accounts Payable Summaries
3.3 Bartender Licenses
3.4 Adoption of the City's 2050 Land Use / Transportation Plan for the North Bluemound Neighborhood as Approved and Recommended by the City Plan Commission (PC 6/1/2016)
3.5 Approval of the Holding Tank Agreement as Requested by Kave Enterprises for the Property Located at W237 N689 Oakridge Lane (PWC 0967-979-001)
3.6 Approval of **Resolution 16-06-07** Related to the DNR Annual Sewer System Compliance Maintenance Annual Report (CMAR)
3.7 Approval of **Ordinance 16-19** Regarding the Rezoning of the Jaeschke Property Located at W239 N3368 Pewaukee Road (PWC 0907-997 & PWC 0907-996) from RS-3 Single Family Residential to B-6 Mixed Use Business ***(Third reading)***
3.8 Approval of Certified Survey Map PC #160519-2 (Revised) to Combine the Janssen Office Property with Two (2) Vacant Lots
3.9 Approval of **Ordinance 16-20** Regarding the Rezoning of the Yench LLC / Mierow Property Identified as PWC 0885-996 from RS-2 Single Family Residential to A-2 Agricultural ***(Third reading)***
3.10 Approval of Certified Survey Map PC #160519-1 to Divide the Yench LLC / Mierow Property into Three (3) Lots

Mayor Klein noted the minutes were not completed as of yet and pulled them from the consent agenda. Mr. Bergman asked that the Items 3.9 and 3.10 be removed for discussion.

<u>**A motion was made and seconded, (S. Bierce, R. Grosch) to approve the remaining items on the consent agenda**</u>. Motion Passed: 4-For, 0-Against.

3.9 Approval of **Ordinance 16-20** Regarding the Rezoning of the Yench LLC / Mierow Property Identified as PWC 0885-996 from RS-2 Single Family Residential to A-2 Agricultural.

3.10 Approval of Certified Survey Map PC #160519-1 to Divide the Yench LLC / Mierow Property into Three (3) Lots

Mr. Bergman wanted to verify that the Engineering Department was satisfied with their storm water management plan. Mr. Weigel confirmed everything was submitted properly and they are satisfied.

A motion was made and seconded, (B. Bergman, J. Kara) to approve Ordinance 16-20 and Certified Survey Map PC #160519-1. Motion Passed: 4-For, 0-Against.

4.0 Discussion and Possible Action Regarding the Outdoor Entertainment Permit Requests (PC 5/19/2016)

4.1 5 O'Clock Club
4.2 Boomer's Sports Pub & Grill
4.3 Curly's Waterfront
4.4 Duplainville Station
4.5 Edgewater of Pewaukee
4.6 Gina's Sports Dock
4.7 Waukesha Gun Club
4.8 Wonderland Tap (PC 6/16/16)

Mr. Bierce stated he noticed that Boomer’s wanted to increase the time for their outdoor music. He stated he felt the time should be consistent with the other bars. Mr. Bergman agreed, especially because it was so close to residential areas.

A motion was made and seconded, (S. Bierce, R. Grosch) to approve the outdoor entertainment permits; limiting Boomer’s Sports Pub and Grill music permit to 9:00 p.m. during the week (Sunday – Thursday). Taylor Pasdera was present for this item and he stated he only listed those times for the purpose of using lights. He stated he is not planning on having any live music. Motion Passed: 4-For, 0-Against.

5.0 Public Hearing Regarding the Liquor License Applications for the 2016 – 2017 Licensing Period and Possible Action to Issue

Mr. Bierce noted a couple of concerns; he said the Building Inspection Department has been trying to make contact with the Edgewater Bar concerning their remodeling project and no one has been responsive to their attempts. He also said the Point Burger Bar has to go before the Plan Commission again to revise their Conditional Use Permit. He said when it originally went before the Plan Commission there was no discussion regarding a game room or their intention to serve food and alcohol on their patio. Attorney Riffle advised not to table these items, but instead make them contingent upon meeting all City code requirements and appropriate zoning codes. In the instance of the liquor license renewal of Edgewater they could be shut down on July 1st if they fail to meet any of the City codes. A representative from the Point Burger Bar was present. He asked if there would still be a license available if it was tabled to a later date. Attorney Riffle stated the license should be contingent upon them meeting the zoning codes to ensure they get it.

A motion was made and seconded, (S. Bierce, R. Grosch) to approve the liquor licenses with the noted conditions/contingencies. Motion Passed: 4-For, 0-Against.

6.0 Discussion and Possible Action Regarding the City Hall Roof, HVAC Replacement Contract Bids

Mayor Klein explained the scope and phases of the proposed projects. He said the 1st phase consisted of repairing the leaking roof over the City Hall offices, replacing the failing HVAC system and other minor things and the 2nd phase of the project would be to repair the roof over the highway garage, repair the bowing wall and internal remodeling in the garage area. He stated the project has been bid twice due to irregularities related to the form, the low bidder didn't meet qualifications, and there was general confusion as to what the different phases actually consisted of. He recommended to reject the bids and have the consultant clearly identify the different phases and rebid the 1st phase again.

Mayor Klein noted that the electrical work has been done; the service was relocated, the transformer was swapped out by WE Energies and the internal back feeding of the panels has been completed. He said since we will be excavating the pad that the HVAC will sit on, it will expose the bowing wall in the highway garage so that will need to be repaired as part of phase 1 and louvers in the mechanical room will be installed.

A motion was made and seconded, (B. Bergman, S. Bierce) to reject all the bids received for the City Hall repairs and rebid the project for phase 1 consisting of the City Hall portion only. Motion Passed: 4-For, 0-Agaisnt.

7.0 Discussion and Possible Action Regarding the Request of Johns Disposal to Consider an Amendment to the Garbage and Recycling Contract as it Relates to the Annual Rate Calculation Associated with Service Via Compressed Natural Gas (CNG) Fleet Vehicles

Brian Jongetjes from Johns Disposal was present for this item. Mr. Weigel stated Johns Disposal would like to switch to a compressed natural gas fuel fleet. He stated the formula in the current contract bases the next year's rate on what trucks are on line as of the first of the year. Johns would like to order 2 new trucks right away and take control of them as of January 1st 2017 and then they would order another 2 new trucks in 2017 to be operational in 2018, if the city would consider making an amendment to the contract now.

A motion was made and seconded, (S. Bierce, B. Bergman) to authorize staff to discuss possible amendments to our garbage and recycling contract. Motion Passed: 4-For, 0-Against.

8.0 Update on the WISDOT Plans to Reconstruct the Capitol Drive Bridge (STH 190) over Redford Blvd. (CTH F) in 2017

Mr. Weigel explained the Department of Transportation (DOT) will be replacing the bridge next summer. The work will be very restrictive, traffic will be open to one lane going both ways. Mr. Weigel stated they anticipate 3-4 weeks of overnight work will be performed as well. He also mentioned that Duplainville Road will be shut down from time to time as well. Mr. Weigel reported Lieutenant Ripplinger has contacted the DOT looking for alternative resources to fund additional police coverage this matter.

9.0 Status of the Well No. 5 Radium Non-compliance Meeting with the Department of Natural Resources (June 17, 2016)

Mr. Weigel stated they met with the Department of Natural Resources and the City's well is back in compliance. He said they indicated they will be sending a release from the order. He stated the water utility will continue to pump at the current level, and we will continue to look into design options and permits to loop the system within the next 3-5 years. Mr. Bergman asked for confirmation that Well No. 5 was in the Bluemound Industrial Park. Mr. Weigel concurred.

10.0 Public Comment

Bernie Kook from Edgewater apologized for arriving to the meeting late. He asked if any derogatory comments were made towards his establishment pertaining to the issuance of his alcohol license. Mayor Klein stated the issuance of his liquor license was contingent upon successfully meeting all City codes.

11.0 Adjournment

A motion was made and seconded, (R. Grosch, J. Kara) to adjourn the meeting at 7:49 p.m. Motion Passed: 4-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer