

In attendance: Mayor S. Bierce, Aldermen B. Bergman, B. Dziwulski, R. Grosch and J. Kara. Aldermen C. Brown and J. Wamser were absent and excused.

Also present: Attorney S. Riffle, Administrator S. Klein, 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 7:02 p.m.
2. Public Comment - None.
3. Consent Agenda
 - 3.1. Approval of Accounts Payable Listings
 - 3.2. Approval of the 2019 Residential Paving Assessment Cap

Item was approved: 4-For, 0-Against

4. Public Hearing and Possible Action Regarding the Parkway Ridge Conditional Use Permit

Mr. Klein stated this allows Parkway Ridge to move forward as a PUD in the RM-1 District. He stated a PUD allows the Plan Commission and Common Council to make adjustments to setbacks in mixed use developments. He stated the street and side yard setbacks will be reduced.

Mr. Grosch asked if that was similar to other developments. Mr. Klein stated it would be similar to Avondale.

Mayor Bierce opened the public hearing. No one indicated an interest in speaking so the public hearing was immediately closed.

A motion was made and seconded, (B. Bergman, J. Kara) to approve the conditional use permit for Parkway Ridge with staff recommendations. Motion Passed: 4-For, 0-Against.

5. Concur with the Plan Commission (1/17/2019) and Approve the Final 2-Lot Certified Survey Map for the Property Located Along the East Side of Bluemound Road (PWC 0925-993, PWC 0925-990, PWC 0925-992) With Public Street Dedications as Requested by Neumann Companies for The Glen at Parkway Ridge Condominium Development

Mr. Klein stated recently three lots were combined and now they are being divided again; one lot is the street right-of-way and the other lot is the condominium plat. Mr. Bergman asked if the petitioner was aware of the staff comments. He stated they were.

A motion was made and seconded, (B. Bergman, R. Grosch) to approve the final 2-lot certified survey map for the property located along the east side of Bluemound Road with street right-of-way as requested by the Neumann Companies contingent upon staff recommendation. Motion Passed: 4-For, 0-Against.

6. Discussion and Possible Action Regarding **Ordinance 19-06** (*Third Reading*) to Rezone the Neumann Development, Inc. Property Located on the East Side of Bluemound Road from Rs-1, Single-Family Residential to Rm-1, Multi-Family Residential for the Purpose of Creating a Condominium Plat (PWC 0925-993, PWC 0925-990, PWC 0925-992)

Mr. Klein stated this is the rezoning of the property to allow for multi-family development.

Mr. Dziwulski noted the map submitted was not correct, it showed 60 lots not 58 lots and only has two 2-units not three.

Mayor Bierce voiced his concerns about circumventing the rules and it appears the City is again circumventing the original circumvention. Mr. Klein explained the City wants to preserve some of the natural characteristics of the land by clustering the homes closer together. He said it still meets the density requirements.

A motion was made and seconded, (B. Dziwulski, J. Kara) to approve Ordinance 19-06 rezoning the property located on the east side of Bluemound Road from Rs-1 Single Family to Rm-1 Multi-Family Residential for the purpose of creating a condominium plat with the stipulation that the condominium plan submitted is incorrect and needs to be replaced with a plat showing only 58 buildings and shall be contingent upon meeting staff recommendations. Motion Passed: 4-For, 0-Against.

7. Discussion and Possible Action Regarding **Ordinance 19-04** (*Second Reading*) Rezoning the Property Located at W220 N1051 Springdale Road (PWC 0961-998) From A-2 Agricultural and UC Upland Conservancy to M-6 Mixed Industrial, UC Upland Conservancy & LC Lowland Conservancy for the Purpose of Building an Office and Light Manufacturing Building at the Request of Briohn Building

Mr. Klein stated they are still in the process of working out details with SEWRPC. He stated they had concerns regarding the steep slopes off of the pavement down to the wetlands.

A motion was made and seconded, (B. Bergman, J. Kara), to approve Ordinance 19-04 rezoning the property located at W220 N1051 Springdale Road from A-2 Agricultural and UC Upland Conservancy to M-6 Mixed Industrial, UC Upland Conservancy & LC Lowland Conservancy contingent upon the developer demonstrating they obtained all required approvals from all agencies and staff recommendations. Motion Passed: 4-For, 0-Against.

8. Discussion and Possible Action Regarding **Resolution 19-02-03** Authorizing Amendments to \$3,875,000 City of Pewaukee, Wisconsin Industrial Development Revenue Bonds, Series 2006 (HFM Packaging, Ltd and JRPM Properties, LLC Project)

Attorney Riffle stated back in 2006 the City authorized the issuance of industrial revenue bonds and was asking for an amendment to allow JRPM Properties to step in place of HFM Packaging for refinancing purposes. He stated he had no concerns.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to approve Resolution 19-02-03 authorizing the amendments to \$3,875,000 City of Pewaukee, Wisconsin Industrial Development Revenue Bonds, Series 2006 contingent upon Bond Counsel's approval.

Motion Passed: 4-For, 0-Against.

9. Discussion and Possible Action to Waive the Second Reading of **Ordinance 19-08** (*First Reading*) Reducing the Distance to Discharge Weapons on the Rocky Point Homeowners' Association Land from 100-Yards to 35-Yards

Mr. Kara stated he thought the amendment to 6.02 he brought forward at last Common Council meeting would grant hunters participating in the City sponsored deer management program exceptions from shooting within certain distances from habitable dwellings. He said the Rocky Point land is very wooded and shooting from a distance of 100 yards would be an issue.

Mr. Klein stated state law says you can't be more restrictive than 100 yards and it should be set by ordinance. Attorney Riffle advised not setting up different zones without having it specifically set in the City's ordinances.

Attorney Riffle recommended changing the language to say, '...guns, bows, crossbows or other weapons or instruments as described herein may be discharged when used pursuant to the terms of a Urban Deer Management program or contract entered into by Common Council, in which case they shall not be discharged on or onto lands within 35 yards from a habitable building, and unless discharged from an elevated stand at least 10 feet above ground level. In no case shall such weapon or instrument be discharged in a direction that could result in the projectile landing upon or flying over any adjacent property unless the owner(s) of such property has given written permission to do so.'

A motion was made and seconded, (J. Kara, B. Dziwulski) to waive the second reading of Ordinance 19-08 and amend 6.02(3)(c) as suggested by the City Attorney.

Motion Passed: 3-For, 1-Against (B. Bergman).

10. Public Comment – None.

11. Adjournment

A motion was made and seconded, (R. Grosch, B. Dziwulski), to adjourn the meeting at 7:53 p.m.

Motion Passed: 4-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer