



Office of the Clerk/Treasurer

W240N3065 Pewaukee Road
Pewaukee, WI 53072
(262) 691-0770 Fax 691-1798

**COMMON COUNCIL
MEETING NOTICE AND AGENDA
Monday, December 19, 2022
6:30 PM**

Common Council Chambers ~ Pewaukee City Hall
W240 N3065 Pewaukee Road ~ Pewaukee, Wisconsin

-
1. Call to Order and Pledge of Allegiance
 2. Public Comment - Please limit your comments to two (2) minutes, if further time for discussion is needed please contact your District Alderperson prior to the meeting.
 3. Consent Agenda
 - 3.1. Approve Accounts Payable Listing Dated December 19, 2022
 - 3.2. Approval of Common Council Meeting Minutes Dated November 7, 2022
 - 3.3. Approve **Ordinance 22-28** Related to Sex Offender Residency Requirements (*Second Reading*)
 - 3.4. Waive the Second Reading and Approve **Ordinance 22-29** Establishing the 2023 Pay Rates for Non-Union Employees
 - 3.5. Waive the Second Reading and Approve **Ordinance 22-30** Establishing the 2023 Payrates for Union Employees
 4. Discussion and Possible Action to Approve the First Reduction of Cardinal Meadow Development Letter of Credit from \$1,677,734.00 to \$461,128.57 (A reduction of \$1,216,606.19) [Wagner]
 5. Discussion and Possible Action to Either Reschedule the First Common Council Meeting In January or Cancel It [Mayor Bierce]
 6. Public Comment - Please limit your comments to two (2) minutes, if further time for discussion is needed please contact your district Alderperson prior to the meeting.
 7. Adjournment

Kelly Tarczewski
Clerk/Treasurer

December 15, 2022

NOTICE

It is possible that members of other governmental bodies of the municipality may be in attendance to gather information that may form a

quorum. At the above stated meeting, no action will be taken by any governmental body other than the governmental body specifically referred to above in this notice.

Any person who has a qualifying disability under the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible format must contact the Clerk/Treasurer, Kelly Tarczewski, at (262) 691-0770 three business days prior to the meeting so that arrangements may be made to accommodate your request.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.1.**

DATE: December 19, 2022

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approve Accounts Payable Listing Dated December 19, 2022

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

A/P 12/19/2022

Check Date	Check	Vendor Name	Description	Amount
Bank 100 GENERAL FUND CHECKING				
12/03/2022	992 (E)	LEASING SERVICES	ENGINEERING - OPERATING SUPPLIES	275.50
12/05/2022	1004 (E)	AUTHNET	RECREATION PROGRAM - CREDIT CARD FEES	160.81
12/05/2022	1006 (E)	DELTA DENTAL	DENTAL CLEARING	1,181.20
12/05/2022	1007 (E)	DIVERSIFIED BENEFIT SERVICES, INC.	FLEX SPEND	4,830.40
12/06/2022	1008 (E)	ADP, LLC	CITY HALL - DATA PROCESSING	935.50 V
12/08/2022	136327	AIR ONE EQUIPMENT	FD-DETECTOR, ALTAIR 2X	618.00
12/08/2022	136328	AIRGAS USA	FD-EMS OPERATING - OXYG TANK	108.68
			FD-EMS OPERATING - OXYG TANK	217.12
			FD- EMS OPERATING - OXYGEN	211.05
				536.85
12/08/2022	136329	ALL-WAYS CONTRACTORS, INC	HWY-TOPSOIL - MATERIALS	2,470.50
			HWY-MATERIALS - TOPSOIL	204.00
				2,674.50
12/08/2022	136330	AMERICAN LITHO	P&R - PEWAUKEE WINTER/SPRING 2023	5,311.00
12/08/2022	136331	ARAMARK	HWY-SUPPLIES	104.22
12/08/2022	136332	AT&T CAROL STREAM IL	P&R-PARK INTERNET	69.55
			P&R-PARK INTERNET	58.85
			P&R-PARK INTERNET	85.60
				214.00
12/08/2022	136333	BADGER TRUCK CENTER	HWY-REPAIR & MAINTENANCE	1,131.50
12/08/2022	136334	BIEBEL'S TRUE VALUE AND JUST ASK RE	HWY-CHAINSAW & CASE	1,617.97
12/08/2022	136335	BOUNDTREE MEDICAL	FD-OP SUPPLIES - GLOVES	118.70
12/08/2022	136336	BREDAN MECHANICAL SYSTEMS	CH-BLD REPAIR & MAINT-GARAGE BOILER REPL	1,622.00
12/08/2022	136337	BUELOW VETTER BUIKEMA OLSON & VLIET	HR - EMPLOYEE SERVICES -ATTORNEY	250.00
12/08/2022	136338	BUMPER TO BUMPER HARTLAND	HWY - OIL AND AIR FILTER	38.84
12/08/2022	136339	CHALLENGE ISLAND GREATER MILWAUKEE	P&R-REC PROGRAM - FIELD TRIPS	235.20
12/08/2022	136340	CHARLIE DWYER	BLD-MILEAGE REIMBURSEMENT	171.88
12/08/2022	136341	CHERR	P&R - PRESCHOOL MUSICAL RIOT	336.00 V
12/08/2022	136342	CHERRIE LARSON	P&R - LEARN & PLAY SESSION 3	218.40
12/08/2022	136343	CHERRIE LARSON	P&R- PRESCHOOL - MUSART MUSICAL RIOT	336.00
12/08/2022	136344	CINTAS CORPORATION #184	SW-UNIFORMS	95.19
12/08/2022	136345	CNA SURETY	CT-AMI HURD NOTARY	30.00
12/08/2022	136346	COMPLEX SECURITY SOLUTIONS INC	P&R - CARD ACCESS - CITY PARKS	4,084.13
			P&R - EXTERIOR CAMERA INSTALL ESTIMATE	2,209.44
				6,293.57
12/08/2022	136347	CONTINENTAL UTILITY SOLUTIONS, INC	SW-BANK ACCOUNT & ROUTING# VALIDATION	27.00
12/08/2022	136348	CONWAY SHIELD	FD- EQUIPMENT	1,007.00
12/08/2022	136349	CORE & MAIN LP	SW-HYDRANT EXTENSION	1,500.00
12/08/2022	136350	COREY OIL	HWY-CLEAR DIESEL	2,442.57
			HWY-UNLEADED REFORMULATED GASOLINE	1,730.46
				4,173.03
12/08/2022	136351	CRACK FILLING SERVICE	HWY-2022 CRACK SEALING	24,100.00
			HWY-2022 CRACK SEALING	22,900.00
				47,000.00

Check Date	Check	Vendor Name	Description	Amount
12/08/2022	136352	CUMMINS SALES & SERVICE	SW-GUN CLUB LIFT STATION - MAINTENANCE	661.07
			SW-NORTH - WELL #6 MAINTENANCE	754.86
			SW-DEER HAVEN - WELL #3 MAINTENANCE	1,362.55
				<u>2,778.48</u>
12/08/2022	136353	DAN NEUBAUER	P&R-ROGANS SHOES - SAFETY TOE REIMBURSEM	194.25
12/08/2022	136354	DIVERSIFIED BENEFIT SERVICES, INC.	DEC HRA	354.73
12/08/2022	136355	DTN LLC	HWY-PREPAYMENTS FOR NEXT YEAR	4,140.00
12/08/2022	136356	ELLIOTT ACE HARDWARE	HWY-OIL	31.08
			IT-POWER STRIP	39.99
				<u>71.07</u>
12/08/2022	136357	FERGUSON WATERWORKS	SW-HYD - SWAN FARMS	193.72
12/08/2022	136358	FORCE AMERICA, INC.	HWY-POWER CONTACTOR	167.58
12/08/2022	136359	FORWARD TS	FD-COPY MACHINE 10/30-11/29/22	14.75
			CT-BASE RATE 10/30-11/29/22 COPIES	14.88
			BLD-COPIER 10/30-11/29/22	60.60
				<u>90.23</u>
12/08/2022	136360	GALLS	FD-UNIFORMS - BELT	18.19
			FD-UNIFORS - SHIELD BADGE	158.48
				<u>176.67</u>
12/08/2022	136361	GINNY LOCKMAN	P&R-REFUND - NOT ABLE TO ATTEND	10.00
12/08/2022	136362	HAWKINS, INC.	SW-REPAIR & MAINTENANCE	109.73
			SW-CHEMICALS	5,956.41
				<u>6,066.14</u>
12/08/2022	136363	HUMANE ANIMAL WELFARE SOCIETY	CT-IMPOUNDING SERVICES FOR 2023	6,699.00
12/08/2022	136364	HUMPHREY SERVICE PARTS, INC	SW-FILTER & FILTER PANEL	5.39
			HWY-FUEL FILTER	5.36
			HWY-REPAIR & MAINTENANCE	33.28
			HWY-AIR FILTERS	171.65
			HWY-DUAL FOOT GAUGE WITH GRIP	26.71
				<u>242.39</u>
12/08/2022	136365	INT'L INSTITUTE OF MUNICIPAL CLERKS	CT-ANNUAL MEMBERSHIP FEE - AMI - 2023	125.00
12/08/2022	136366	JAMES IMAGING SYSTEMS	IT-HP SECURITY MANAGER ONE 11/15-12/14/2	65.00
12/08/2022	136367	JAN DASSOW	P&R- LINE DANCING - SESSION 1	66.00
12/08/2022	136368	JK LAWN SERVICE	SW-BROADLEAF SPRAY	53.00
			SW-SUMMER DRY FERTILIZER	53.00
			SW-BROADLEAF SPRAY	53.00
			SW-WINTER FERTILIZER	53.00
				<u>212.00</u>
12/08/2022	136369	JOHNSON CONTROLS FIRE PROTECTION	FD-FIRE ALARM MONITORING	403.00
12/08/2022	136370	JX ENTERPRISES, INC.	HWY-COVER-HORN	93.98
12/08/2022	136371	LAKE PEWAUKEE SANITARY DISTRICT	CT-LAKE MGMT OPERATIONS FOR 2023	244,230.00
12/08/2022	136372	LANGE ENTERPRISES, INC	HWY-ROAD NAME SIGN	126.20
			HWY-ROAD NAME SIGN	109.20

Check Date	Check	Vendor Name	Description	Amount
			HWY-SIGNS	205.30
			HWY-ROAD SIGNS	143.70
				584.40
12/08/2022	136373	LEAGUE OF WI MUNICIPALITIES	CT-2023 MEMBERSHIP RENEWAL ID#24671	9,036.11
12/08/2022	136374	LIFE-ASSIST INC	FD-EMS SUPPLIES	201.35
			FD-EMS SUPPLIES	395.70
				597.05
12/08/2022	136375	MACQUEEN EQUIPMENT	HWY-MACQUEEN EQUIPMENT-SWEEPER	494,022.75
12/08/2022	136376	MATRIX TRUST COMPANY	CT-LOAN REPAYMENT FOR 12/02/22	50.00
12/08/2022	136377	MENARDS	P&R-GROUNDS MAINTENANCE-SUPPLIES	40.61
			PLC-FOR B&B ARCHERY	17.31
			P&R-REPAIRS & MAINTENANCE - SUPPLIES	57.79
			HWY-SUPPLIES	71.76
			HWY-SUPPLIES	57.95
			HWY-SUPPLIES	14.47
			HWY-SUPPLIES	101.96
			HWY-SUPPLIES	6.46
			HWY-SUPPLIES	68.96
			HWY-SUPPLIES	32.96
			HWY-SUPPLIES	24.99
			FD-OPERATING SUPPLIES	21.70
			FD-SUPPLIES	140.47
				657.39
12/08/2022	136378	MILLER-BRADFORD & RISBERG, INC	HWY-CAMERA ANTENNA	27.74
12/08/2022	136379	MOTION & CONTROL ENTERPRISES LLC	HWY-REPAIR & MAINTENANCE	28.50
12/08/2022	136380	NANCY TEAS	P&R-LINE DANCING - SESSION 1	66.00
12/08/2022	136381	NATIONWIDE RETIREMENT SOLUTIONS	CT-RETIREMENT PAY DATE 12/2/22	2,069.00
12/08/2022	136382	NOVATECH	BLD-COPIER 11/1-11/30/22	35.82
12/08/2022	136383	NU-LOOK FLOORING SYSTEMS	P&R-BLD REPAIR-FLOORING-NETTESHEIM PARK	4,020.00
12/08/2022	136384	ODP BUSINESS SOLUTIONS LLC	BLD-ENVELOPES	31.58
12/08/2022	136385	PARTNER2LEARN, LLC	FD- TRAINING - COACHING SESSIONS	9,279.86
12/08/2022	136386	POMP'S TIRE SERVICE, INC.	HWY-TIRES & DISPOSAL	2,794.26
12/08/2022	136387	POSTMASTER	SW-DPW NEWSLETTER	1,664.11
12/08/2022	136388	PREMIUM WATERS, INC	HWY-WATER	28.50
12/08/2022	136389	RANDY ROMENS	BLD-BOOT REIMBURSEMENT	183.75
12/08/2022	136390	ROBERT HALF	CT-TEMP EMPL WK END 12/02/22 R. LEU	2,537.60
12/08/2022	136391	RUEKERT & MIELKE, INC.	SW-HOURLY SCADA SERVICE 8/13 - 9/9/22	687.50
12/08/2022	136392	SHAWNS DEER PICK UP	HWY-DEER PICK UP	840.00
12/08/2022	136393	STACI JOERS	P&R-FRENCH BISTRO CLASS	520.00
12/08/2022	136394	STATE OF WI COURT FINES & ASSMTS	CT-ST. SHARE OF COURT COSTS & ASSESSMENT	5,001.19
12/08/2022	136395	STRAND ASSOCIATES, INC	SW-WATER SYSTEM MASTER PLAN	10,500.00
			SW-GUN CLUB PUMPING STN. SITE INVESTIGAT	677.90
				11,177.90
12/08/2022	136396	VILLAGE OF PEWAUKEE	CT-JOINT LIBRARY BUDGET JANUARY 2023	72,649.62
12/08/2022	136397	WASTE MANAGEMENT	HWY-WASTE PICK-UP	5,529.64
12/08/2022	136398	WATER REMEDIATION TECHNOLOGY	SW-BASE TREATMENT CHARGE	3,812.88
12/08/2022	136399	WAUKESHA CO TECHNICAL COLLEGE	FD-TRAINING	123.00
12/08/2022	136400	WAUKESHA CO TREASURER	CT-CO. JAIL ASSESSMENT & DRIVER	1,671.23
12/08/2022	136401	WAUKESHA COUNTY TREASURER	P&R - LEARN TO SKATE NAGA-WAUKEE ICE ARE	720.00
12/08/2022	136402	WE ENERGIES	ENG-GAS SERVICE 10/04-11/02/02	905.39
12/08/2022	136403	WISCONSIN DEPARTMENT OF	HR-TRANSACTIONS 11/1-11/30/22	21.00

Check Date	Check	Vendor Name	Description	Amount
12/08/2022	136404	WOLF PAVING	HWY-COLD MIX	258.00
			HWY-COLD MIX	271.20
				529.20
12/09/2022	1009(E)	ADP, LLC	CITY HALL - DATA PROCESSING	935.50
12/09/2022	1010(E)	ADP, LLC	IT - SOFTWARE MAINTENANCE & UPDATES	460.00
12/09/2022	136405	BOUNDTREE MEDICAL	FD-EMS SUPPLIES	413.81
			FD-EMS SUPPLIES	49.01
			FD-EMS SUPPLIES	431.90
			FD-EMS SUPPLIES	59.70
				954.42
12/09/2022	136406	CHERR	P&R - PRESCHOOL MUSICAL RIOT	336.00 V
12/09/2022	136407	ELLIOTT ACE HARDWARE	FD-SUPPLIES	13.50
			FD-SUPPLIES	27.97
				41.47
12/09/2022	136408	GALLS	FD-UNIFORMS	57.85
12/09/2022	136409	GRENZ SERVICE CO. LLC	FD-AIR FILTERS	301.06
			FD-REPLACE BOILER INDUCER AIR FILTER-STA	275.00
				576.06
12/09/2022	136410	KWIK TRIP INC.	FD- FUEL PURCHASES	5,336.42
12/09/2022	136411	NFPA	FD-TRAINING	257.45
12/09/2022	136412	OCCUPATIONAL HEALTH CENTERS	HR-EXAMS	96.00
12/09/2022	136413	PROHEALTH CARE MEDICAL ASSOCIATES	HR-DRUG TESTING	300.00
12/09/2022	136414	RENEE REED	MISDIRECTED DIRECT DEPOSIT	150.00
12/09/2022	136415	VERIZON	FD-MDC AIR CARDS	42.12
12/09/2022	136416	VILLAGE OF PEWAUKEE	BLD-NOVEMBER VILLAGE PERMITS	3,655.73
			P&R SHARED PARK & RECREATION PROGRAM	1,578.56
				5,234.29
12/11/2022	997(E)	LEASING SERVICES	BUILDING SERVICES - OPERATING SUPPLIES	116.00
12/12/2022	1011(E)	WE ENERGIES	POWER/ELECTRICITY	3,855.92
			ELECTRICITY	346.54
				4,202.46
12/13/2022	1014(E)	WISCONSIN RETIREMENT SYSTEM	WRS GENERAL EMPLOYOYEEES	34,888.42
			WRS FIRE EMPLOYEES	43,190.20
			WRS VOLUNTARY CONTRIBUTIONS	141.79
				78,220.41
12/15/2022	1015(E)	DELTA DENTAL	DENTAL CLEARING	2,631.40
12/15/2022	1016(E)	DIVERSIFIED BENEFIT SERVICES, INC.	FLEX SPEND	2,274.12
12/15/2022	136417	1ST AYD	FD-SUPPLIES	827.11
12/15/2022	136418	AECOM TECHNICAL SERVICES, INC	ENG-PROJECT# 60339891	35,323.92
12/15/2022	136419	ALL CITY COMMUNICATIONS INC.	SW-ANSWERING SERVICE	96.60
12/15/2022	136420	ARC DOCUMENT SOLUTIONS LLC	ENG-PLOTTED PAPER	20.50
12/15/2022	136421	AT&T	CH-TELEPHONE	220.51
12/15/2022	136422	AT&T CAROL STREAM IL	P&R-DECEMBER PARK INTERNET	69.55
			P&R DECEMBER PARK INTERNET	85.60

Check Date	Check	Vendor Name	Description	Amount
				155.15
12/15/2022	136423	AT&T MOBILITY	SW-PHONES	1,366.56
12/15/2022	136424	BAKER TILLY MUNICIPAL ADVISORS LLC	SW-SERVICES 42.25 HOURS	5,000.00
12/15/2022	136425	CINTAS	SW-UNIFORMS	95.19
12/15/2022	136426	CITY OF PEWAUKEE	CT-GARBAGE/RECYCLING FEE FOR 0934042	178.00
12/15/2022	136427	CONTINENTAL UTILITY SOLUTIONS, INC	SW-1/31/23-1/31/24 PREPAID EXPENSE	9,250.00
12/15/2022	136428	CONWAY SHIELD	FD-NEW EQUIPMENT	221.16
12/15/2022	136429	CUMMINS SALES & SERVICE	CH-HEATER ENGINE COOLANT	1,005.73
12/15/2022	136430	DIVERSIFIED BENEFIT SERVICES, INC.	COBRA OPEN ENROLLMENT PACKS	100.00
12/15/2022	136431	ELLIOTT ACE HARDWARE	SW-SUPPLIES	13.58
			SW-SUPPLIES	9.98
				<u>23.56</u>
12/15/2022	136432	EQUAL RIGHT DIVISION	P&R-NOV 22 WORK PERMIT ISSUANCE SUMMARY	7.50
12/15/2022	136433	FERGUSON WATERWORKS	SW-SEWER CLEANING	96.00
12/15/2022	136434	FORWARD TS	ENG-COPIES CHARGE 10/30-11/29/22	114.64
			FD-COPIERS - 9/30-10/29/22	15.50
			FD-COPIERS 5/30-6/29/22	38.86
			CT-COPIER 6/30-7/29/22	214.74
			CT-COPIER 10/30-11/29/22	371.16
			ENG-COPIER 11/30-12/29/22	50.43
				<u>805.33</u>
12/15/2022	136435	FROEDTERT HEALTH /	HR-HEALTH COACHING EDUCATION	325.00
12/15/2022	136436	GILES ENGINEERING ASSOCIATES, INC	SW-SETTLEMENT MONITORING PROGRAM	500.00
12/15/2022	136437	HYDROCOP	SW-CROSS CONNECTION CONTROL PROGRAM	1,171.00
12/15/2022	136438	IS OUTFITTERS	IT-NETWORK PROTECTION	2,452.79
			IT-UPDATED MODEMS & FIREWALL IMPLEMENATA	562.50
				<u>3,015.29</u>
12/15/2022	136439	JOHN'S DISPOSAL SERVICE	ENG-GARBAGE & DISPOSAL	54,052.20
			ENG-NOVEMBER LANDFILL CHARGES	15,907.02
				<u>69,959.22</u>
12/15/2022	136440	KUSTOM SIGNALS	ENG-SIGNS	8,457.00
12/15/2022	136441	LIFE-ASSIST INC	ENG-EMS SUPPLIES	114.00
12/15/2022	136442	LITHO-CRAFT	SW-ENVELOPES	1,017.00
12/15/2022	136443	MARIANNE HILTUNEN	ENG-MILEAGE REIMBURSEMENT	156.25
12/15/2022	136444	MENARDS	P&R-SUPPLIES	27.30
			P&R-ORANGE CHAPS	49.99
			P&R-SUPPLIES	373.36
				<u>450.65</u>
12/15/2022	136445	MICHAELIS GABBEY	ENG-MILEAGE REIMBURSEMENT	66.88
12/15/2022	136446	MIDWEST TESTING LLC	SW-WATER METER TESTING	1,545.00
12/15/2022	136447	MUNICIPAL LAW & LITIGATION GROUP S.	CT-LEGAL FEES	9,917.20
12/15/2022	136448	NORTHERN LAKE SERVICE, INC	SW-PROJECT 395309	46.00
			SW-SAMPLES PROJECT 395463	46.00
			SW-SAMPLES PROJECT 395618	23.00
			SW-SAMPLES PROJECT 395699	23.00
			SW-SAMPLES PROJECT 395707	115.00
			SW-SAMPLES PROJECT 396104	92.00

Check Date	Check	Vendor Name	Description	Amount
			SW-SAMPLES PROJECT 396533	69.00
				414.00
12/15/2022	136449	ODP BUSINESS SOLUTIONS LLC	SW-PAPER	97.84
			CT-TONER CARTRIDGES	1,006.65
			CT-SUPPLIES	278.64
				1,383.13
12/15/2022	136450	PARKING LOT MAINTENANCE	P&R-LAYOUT & STRIPE	2,800.00
12/15/2022	136451	PETER JENSEN	HR-MEDICAL REIMBURSEMENT	100.00
12/15/2022	136452	PREMIUM WATERS, INC	P&R-WATER	61.49
12/15/2022	136453	ROBERT HALF	HR-TEMP EMLP WK END 12/9/22 R. LEU	2,537.60
12/15/2022	136454	ROTROFF JEANSON & CO.	CT-ASSIST W/PREP OF 2022 PROPERTY TAX BI	791.00
12/15/2022	136455	RUEKERT & MIELKE, INC.	ENG-STEEPLECHASE & FOXVIEW CT PROJECT	487.00
			ENG-PROJ# 26-10019 PEWAUKEE C	116.66
			ENG-PROJ# 26-10019 PEWAUKEE C	583.30
			ENG-PROJ# 26-10029 PEWAUKEE C	2,253.00
			ENG-PROJ# 26-10046 PEWAUKEE C	1,361.82
			ENG-PROJ# 26-10059 PEWAUKEE C	609.14
			ENG-PROJ# 26-10095 PEWAUKEE C	3,065.04
			ENG-PROJ# 26-10107 PEWAUKEE C	565.64
			ENG-PROJ# 26-10115 PEWAUKEE C	802.50
			ENG-PROJ# 26-10118 PEWAUKEE C	523.64
			ENG-PROJ# 26-10118 PEWAUKEE C	3,047.39
			ENG-PROJ# 26-10120 PEWAUKEE C	145.16
			ENG-PROJ# 26-10125 PEWAUKEE C	1,568.00
			ENG-PROJ# 26-10128	116.66
			ENG-PROJ#26-10137 PEWAUKEE C	145.16
			ENG-PROJ#26-10138 PEWAUKEE C	8,612.01
			ENG-PROJ#26-10141 PEWAUKEE C	33,240.13
			ENG-PROJ# 26-10145 PEWAUKEE C	3,488.50
			ENG-PROJ# 26-10146 PEWAUKEE C	523.64
			ENG-PROJ#26-10148	609.14
			ENG-PROJ# 26-10150 PEWAUKEE C	4,545.02
			ENG-PROJ# 26-10151 PEWAUKEE C	534.00
			ENG-PROJ# 26-92203 PEWAUKEE C	2,821.00
				69,763.55
12/15/2022	136456	SOFT WATER, INC.	FD-SALT DELIVERY	21.55
			FD-SALT DELIVERY	42.50
				64.05
12/15/2022	136457	ST. BARTHOLOMEW'S EPISCOPAL CHURCH	P&R-RENTAL FEES	275.00
12/15/2022	136458	TRUCK & AUTO ELEGANCE	HR-VEHICLE REPAIR	985.64
12/15/2022	136459	ULINE	P&R-PRIVACY SCREEN	540.66
12/15/2022	136460	USPS	SW-UTILITY BILLING	2,525.00
12/15/2022	136461	VILLAGE OF PEWAUKEE	LIFEQUEST AMBO COLLECTIONS	16,154.35
12/15/2022	136462	WACHTEL TREE SCIENCE	ENG-2022 UF GRANT PROJECT	2,375.00
12/15/2022	136463	WAUKESHA CO DEPT OF PUBLIC WORKS	ENG-PERMIT APPLICATION	200.00
12/15/2022	136464	WAUKESHA COUNTY TREASURER	P&R-NAGA-WAUKEE ICE ARENA WEDS 11/16-12/	720.00
12/15/2022	136465	WAUKESHA WATER UTILITY	SW-SEWER WATER CHARGES - NOVEMBER	24,132.64
12/15/2022	136466	WISCONSIN DEPARTMENT OF TRANSPORTAT	ENG-PROJECT - DUPLAINVILLE ROAD	512.49
			ENG-DUPLAINVILLE ROAD	75,394.30
				75,906.79

Check Date	Check	Vendor Name	Description	Amount
12/15/2022	136467	WISCONSIN RURAL WATER ASSOC.	HR-SAFETY ANNUAL REFRESHER TRAINING	56.17
12/15/2022	136468	WOLF PAVING	ENG-PROJ# 26-10145.300	495,745.71
			ENG- PROJ# 26-10125.300	194,473.76
				<u>690,219.47</u>
12/15/2022	136469	XEROX BUSINESS SERVICES	SW-COPIER CHARGES	254.99
				<u><u>254.99</u></u>
100 TOTALS:				
Total of 155 Checks:				2,127,296.28
Less 3 Void Checks:				<u>1,607.50</u>
Total of 152 Disbursements:				<u><u>2,125,688.78</u></u>

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.2.**

DATE: December 19, 2022

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of Common Council Meeting Minutes Dated November 7, 2022

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

CC Minutes 11.7.2022

In Attendance:

Mayor S. Bierce, Aldermen C. Brown, I. Clark, B. Dziwulski, R. Reinbold, P. Vetterkind and J. Wamser.

Also In Attendance:

City Planner & Community Development Director N. Fuchs, Park & Recreation Director N. Phalin, Clerk/Treasurer K. Tarczewski, DPW Director M. Wagner and Director of People & Culture K. Woldanski.

1. Call to Order and Pledge of Allegiance

Mayor Bierce called the meeting to order at 6:30 p.m. and asked everyone to stand for the Pledge of Allegiance.

2. Public Comment - None.

3. Consent Agenda

3.1. Approval of Common Council Meeting Minutes Dated September 19, 2022

3.2. Approval of the Common Council Budget Workshop Meeting Minutes Dated October 10, 2022

3.3. Approval of the Accounts Payable Listing Dated November 7, 2022

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

4. **PUBLIC HEARING** Related to the 2023 Budget and Setting the City's Tax Levy

Mr. Klein noted there have been two changes since the budget workshop. He said the assessed value went up by \$78 million and health insurance went up 14 percent. Mr. Klein noted the City has been conservative on other estimates. He said the City can always make up over the next year or get a budget transfer if needed. He noted there have been no other changes since the budget workshop.

Mayor Bierce opened the public hearing. No one expressed interest in speaking so he immediately closed the public hearing.

Mayor Bierce noted Common Council will approve the budget on Wednesday, November 9th at 5:30 p.m.

5. **PUBLIC HEARING**, Discussion and Possible Action Regarding the Conditional Use Permit for Keith Tubin for Property Located at N37 W26745 Kopmeier Drive (PWC 0894-014) for the Purpose of Constructing a Boathouse

Mr. Fuchs noted Plan Commission recommended approval of the 84 square foot boathouse at the October 20, 2022, meeting with the condition that the applicant remove some concrete on the property to stay within the lot coverage requirements. He stated Plan Commission recommended it not be metal and said the applicant will remove the metal siding and replace with LP smart side.

Mayor Bierce opened the public hearing.

Dan Reik spoke on behalf of his in-laws Charles and Clare Schweitzer (N37W26731 Kopmeier Drive). He said his in laws are neighbors with the property, He said there is already 1700 square feet of garage space which includes a 1100 square foot garage that was built a few years ago. He added there is no need to build an additional structure. He noted it is not a boathouse but a shed and stated based off dimensions a boat will not fit in the structure. He said per City ordinance variances are only granted in situations where it will not create a substantial detriment to the adjacent property. He feels this boat house will greatly impact his in laws enjoyment of their property and recommended that the variance be denied.

Mayor Bierce closed the public hearing.

Mayor Bierce noted there are concerns with what a boat house is and isn't. He stated this one qualifies as a boathouse.

Mr. Reinbold asked if the property owner took down the existing shed that was to be removed. Mr. Fuchs said he thought it was verified and the City will make sure it has been removed prior to issuing anything else, along with verifying the concrete has been removed.

Ms. Brown noted she wishes the property owner would have come to the Plan Commission meeting. She said it was challenging because it is not very big and to put things in there will be difficult but calling it a boat house versus a shed gets it closer to the lake. Ms. Brown noted there is a lot of stuff on the property that could be used to store things.

Attorney Riffle stated to approve a Conditional Use Permit the burden is on the applicant. They must show that it meets all the criteria under the ordinance to allow it.

Mr. Fuchs read the definition of a boathouse per the staff report. He noted if a building can fit a watercraft, he interprets it as it meets the broad definition, which is why staff did not object and recommended approval.

Mr. Clark asked if the homeowner stated what type of watercraft they intended to store in the building. Mr. Fuchs said he did not recall. Mr. Clark felt until the City knows what he intends to store in the building it cannot be considered a boathouse and should be denied. Attorney Riffle noted he did not agree.

Mr. Vetterkind asked if the homeowner would have to reapply if it is denied. Attorney Riffle stated yes. Mr. Fuchs stated there would be a waiting period before they can come back.

A brief discussion took place regarding the structure sitting in the driveway during the waiting period.

A motion was made and seconded (J. Wamser, I. Clark) to deny the Conditional Use Permit for the property located at N37W26745 Kopmeier Drive for the purpose of building a boathouse. Motion Passed: 6-For, 0-Against.

Mr. Klein questioned the definition of a boathouse and asked where we go with this. He noted a paddle board and small kayak would fit in the structure. Mr. Klein feels we need to give the Planner more direction.

Attorney Riffle stated the City is very loose about the new Conditional Use law. He noted the petitioner should be at the hearing telling why they meet all the criteria under the law, not the Zoning Administrator. He said this is a lesson we need to learn.

Mr. Fuchs noted the County does have a minimum size, although he intentionally did not propose a minimum size.

Ms. Brown stated his letter said it was a prebuilt boathouse and thought it originally stated shed. She felt it was a switch of words to get what he wanted.

6. Discussion and Possible Action Regarding the Final Plat for Woodleaf Reserve Addition No. 5 (PWC 0865-992 & PWC 0865-175)

Mr. Fuchs stated Phase 4 consisted of 11 lots along the Timber Court extension. He noted it meets substantial conformance with the Preliminary Plat and all lots meet requirements. He added there are no conditions and staff recommends approval.

A motion was made and seconded (B. Dziwulski, R. Reinbold) to approve the Final Plat for the Woodleaf Reserve (Addition #5). Motion Passed: 6-For, 0-Against

7. Discussion and Possible Action Regarding **Ordinance 22-22** Rezoning the Vacant Land Located on Green Road (PWC 0914-987) from M-6 Mixed Industrial to M-2 Limited Industrial for the Purpose of Developing a 150,000 Square Foot Industrial Building (*Previously Recommended for Approval at the 12/19/2019 Plan Commission Meeting*) as Requested by Interstate Partners
8. Discussion and Possible Action Regarding **Ordinance 22-23** Rezoning the Property Located on Green Road (PWC 0914-980) from Rs-3 Single-Family Residential to M-2 Limited Industrial for the Purpose of Developing a 150,000 Square Foot Industrial Building (*Previously Recommended for Approval at the 12/19/2019 Plan Commission Meeting*) as Requested by Interstate Partners
9. Discussion and Action Regarding a Certified Survey Map for Interstate Partners for Property Located on Green Road for the Purpose of Combining Two Existing Parcels (PWC 0914980 & PWC 0914987)

Items 7, 8 and 9 were discussed at the same time.

Mr. Fuchs stated the items are all related around the proposed construction of an industrial building. He noted the applicant reduced the size of the building. Mr. Fuchs stated Plan Commission recommended approval of the Rezoning and Certified Survey Map and approved the site and building plan application for the development.

Mr. Reinbold asked if there was a more detailed landscaping plan. Mr. Fuchs noted there is a condition that the landscaping plan be submitted to staff for final approval. Mr. Reinbold also asked about additional truck traffic signage from Highway F to Highway 164. Mr. Fuchs stated the applicant is willing to add additional signage if Common Council requested it.

A brief discussion took place regarding truck traffic.

A motion was made and seconded (J. Wamser, P. Vetterkind) to approve Items 7, 8 and 9. Motion Passed: 6-For, 0-Against.

10. Discussion and Possible Action Regarding the Award of the 2022 Sewer Cleaning Contracts

Ms. Wagner stated the City received three bids for sewer cleaning. She noted the City tries to clean out a third of the system annually. She said the lowest bidder was Visu-Sewer in the amount of \$87,073.59. She recommended approval and award of that contract.

Mr. Vetterkind asked if the City has a relationship with the company. Ms. Wagner noted they are a local company and do it every year and noted they do it as fill in work.

A motion was made and seconded (B. Dziwulski, R. Reinbold) to approve the 2022 sewer cleaning contracts. Motion Passed: 6-For, 0-Against.

11. Discussion and Possible Action Regarding the Gun Club Lift Station Rehabilitation Project

11.1 **Resolution 22-11-44** Declaring Official Intent to Reimburse Expenditures for Clean Water Fund Program.

11.2 **Resolution 22-11-45** Acknowledging Authorized Representative for the City of Pewaukee.

11.3 **Resolution 22-11-46** Intent of Reimburse Expenditures for the Gun Club Lift Station Rehabilitation Project

Ms. Wagner stated the lift station across from the Gun Club is reaching end of life due to capacity, maintenance, and pumping issues. She noted the City is looking to do either rehabilitation or replacement of the lift station. Ms. Wagner noted the City is applying for a Clean Water Loan Fund.

Ms. Brown asked if the City is fining the facilities who are gumming up the lift stations. Ms. Mueller noted the company that had some questionable practices has installed a pre-treatment facility and a lot of the grease from that facility has been taken care of. She said a lot of homeowners contribute to the grease issues.

A motion was made and seconded (I. Clark, B. Dziwulski) to approve the Gun Club Rehabilitation Project. Motion Passed: 6-For, 0-Against.

12. Discussion and Possible Action Regarding Resolution 22-11-47 Pertaining to the Bluemound Road Water Main Loop Relocation Order

Ms. Wagner stated the City needs to acquire permanent easements for access and utility easements where the infrastructure is going to be placed on private property. She said the relocation order starts the process for the properties in question.

Mr. Wamser asked how many properties are being included. Ms. Wagner stated four.

Ms. Brown asked the cost. Ms. Wagner stated she will not know until she receives the appraisals.

A motion was made and seconded (I. Clark, P. Vetterkind) to approve Resolution 22-11-47. Motion Passed: 6-For, 0-Against.

13. Discussion and Possible Action Regarding Ordinance 22-21 (First Reading) Amending Section 6.02 of the Municipal Code Related to an Exception to Allow for a Geese Management Program

Mr. Fuchs stated the Pewaukee Golf Club requested hunting geese on the property. He noted staff drafted an ordinance if Council would like to approve it. Mr. Fuchs mentioned it was on a previous

agenda and Council wanted the City Attorney to review it. He noted the Attorney has reviewed the ordinance and it mimics the deer management program. Mr. Fuchs added the City Attorney did make a change to specifically reference the tax key number of the golf course where the hunting will occur.

Ms. Brown voiced her concern regarding the lack of representation from the golf course to address the council and be available for questions.

A motion was made and seconded (B. Dziwulski, J. Wamser) to waive the second reading and to approve Ordinance 22-11-47. Motion Failed 0-For, 6-Against.

14. Public Comment – None.

15. Adjournment

A motion was made and seconded (B. Dziwulski, L. Clark) to adjourn the meeting. Motion Passed: 6-For, 0-Against

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.3.**

DATE: December 19, 2022

DEPARTMENT: Administration

PROVIDED BY:

SUBJECT:

Approve **Ordinance 22-28** Related to Sex Offender Residency Requirements (*Second Reading*)

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Ordinance 22-28

ORDINANCE NO. 22-28**AN ORDINANCE REPEALING AND RE-CREATING PORTIONS OF
SECTION 9.28 OF THE MUNICIPAL CODE CONCERNING RESIDENCY RESTRICTION FOR
SEX OFFENDERS.**

WHEREAS, the Common Council of the City of Pewaukee, Waukesha County, Wisconsin, deems it a priority to act in the interest of public safety within our community, particularly in the interest of our children: and

WHEREAS, according to the U.S. Department of Justice, there are a record number of convicted sex offenders living in our communities¹; and

WHEREAS, all convicted child sex offenders have proven themselves to be dangerous²; and

WHEREAS, research in this area has established sex offenders are rearrested for sex crimes four times more frequently than non-sex offenders³; and

WHEREAS, the reduction of crime and criminal recidivism are inextricably linked to public safety within our community; and

WHEREAS, the risks posed by sex offenders against children, are nationally recognized in such landmark legislation as the 1994 Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act; 1996 Megan's Laws; and the 2006 Adam Walsh Child Protection and Safety Act; and these risks are also recognized by legislation in every State in the United States of America including Wisconsin; and

WHEREAS, the Common Council finds that the data concerning child sex offenders is horrific and demonstrates the need for action, including the following⁴:

- "sex crimes are unfortunately fairly common in the United States."
- "It is estimated that one in every five girls and one in every seven boys are sexually abused by the time they reach adulthood."
- "Children are particularly vulnerable. Approximately 67% of all victims of reported sexual assaults are under the age of 18, and more than half of these victims are under the age of 12."

¹ Sex Offender Management Assessment and Planning Initiative, July 2015, *"This includes offenders returning to the community upon release from incarceration as well as offenders who are serving or who have been discharged from community-based sentences."*

² Kester, 2013 WI App 50, ¶ 30.

³ Sex Offender Management Assessment and Planning Initiative, July 2015, Langan, P., Schmitt, E., & Durose, M. (2003). *Recidivism of Sex Offenders Released from Prison in 1994.*

⁴Center for Sex Offender Management (CSOM) statistics. CSOM is a collaborative effort of the U.S. Department of Justice, Office of Justice Programs, the National Institute of Corrections, the State Justice Institute, and the American Probation and Parole Association, and these quoted statistics are from its "Fact Sheet: What You Need to Know about Sex Offenders".

- “Most sexual offenses are committed by someone the victim knows ... or acquaintance.”
- “No single factor or combination of factors can fully explain why someone offends sexually, though some factors may combine to increase people’s tendency to offend. These factors are ... [physiological, sociocultural, developmental] and situational/circumstantial (e.g. having easy access to victims...).”
- “About 12% to 24% of sex offenders will reoffend.”

WHEREAS, the Common Council also finds these statistics of the U.S. Department of Justice to be shocking and a call to action⁵:

- “Approximately 1.8 million adolescents in the United States have been victims of sexual assault.”
- “An estimated 60% of perpetrators of sexual abuse are known to the child but are not family members, e.g. family friends, babysitters, child care providers, neighbors.”

WHEREAS, in September of 2015 the State of Wisconsin Department of Corrections conducted an extensive study of sex offender recidivism between 1997 and 2010, and found that in total there were 631 instances (4.9% of all releases) of sexual re-offending, and the top two types of re-offense were second degree sexual assault of a child (103 offenses), first degree sexual assault of a child (100 offenses); and within the top 10 re-offenses also were sex with a child ages 16 or older (46 offenses) and repeated sexual assault of the same child (33 offenses); and the study concludes that of all the repeat offenses committed by sex offenders, “sex offenses that specifically reference children represent a greater proportion of the whole;”⁶

WHEREAS, data within the City of Pewaukee may not provide a large enough sample size for statistical analysis, however, there is no reason to believe the outcomes would be different in the City than were demonstrated statewide by the Department of Corrections data; and

WHEREAS, the creation of Sex Offender Residency Restrictions and Safety Zones by municipal ordinance around locations where children regularly congregate is a reasonable step toward protecting children and deterring recidivism by reducing the opportunity for new offenses within our community; and

⁵ U.S. Department of Justice, National Sex Offender Public Website “Facts and Statistics”

⁶ Joseph R. Tatar II, Ph.D. and Anthony Streveler, M.S.W., Sex Offender Recidivism After Release from Prison, Office of the Secretary, Research and Policy Unit. State of Wisconsin Department of Corrections (September 2015).

WHEREAS, the Common Council has reviewed many studies and reports concerning recidivism of sex offenders and the effectiveness of sex offender residency restrictions⁷, and has been fully advised in the matter; and

WHEREAS, the literature on the subject includes some studies that support the practice of imposing sex offender residency restrictions and others that are critical of the practice; and

WHEREAS, the Common Council finds it to be significant that some of the key studies that have concluded that sex offender residency restrictions have limited effectiveness have added significant qualifications to that conclusion; e.g. in “An Evaluation of Sex Offender Residency Restrictions in Michigan and Missouri,” (Huebner, et al., 2013), the authors generally do not support sex offender residency restrictions, but nevertheless find that following adoption of sex offender residency restrictions “the rate of recidivism for technical violations significantly decreased for Missouri sex offenders...” (id. at 9) and “the number of sex offense convictions did decline...” in Missouri (id. at 10); and

WHEREAS, in review of the residency restrictions of communities throughout Waukesha County and its environs, the Common Council finds that many of such communities have an “original domicile restriction,” which allows each community to take back its own while not adding an additional burden of more than its own sex offenders to its community; such burdens including neighborhood and citizen concerns and responses, risks of recidivism, and potential property value impacts⁸; and

⁷ These include but are not limited to: Recidivism of sex offenders released from prison in 1994, U.S. Department of Justice, Office of Justice Programs, copyright November 2003; The final report of the Commission to Improve Community Safety and Sex Offender Accountability, of the State of Maine, dated January 2004; Sex Offender Recidivism Prediction, Correctional Service of Canada dated October 14, 2004; Recidivism of Sex Offenders, May 2001, Center for Sex Offender Management; Treating Sex Offenders, Wisconsin Lawyer Magazine, October 1994; The Impact of Residency Restrictions on Sex Offenders and Correctional Management Practices: A Literature Review, Marcus Nieto and Professor David Jung, California Research Bureau, California State Library, August 2006; Sex Offenders: You Are Now Free to Move About the Country, and Analysis of Doe v. Miller’s Effects on Sex Offender Residential Restrictions, UMKC Law Review, Spring 2005; There Goes the Neighborhood? Estimates of the Impact of Crime Risk on Property Values from Megan’s Laws, Linden and Rockoff, National Bureau of Economic Research, May 2006; The Effect of Proximity to a Registered Sex Offender’s Residence on Single-Family Housing Selling Price, Goliath Appraisal Journal, July 2003; Sex Offenders, Sexually Violent Predators, Punishment, Residence Restrictions and Monitoring, California Proposition 83, Analysis by the Legislative Analyst; An Evaluation of Sex Offender Residency Restrictions in Michigan and Missouri, Huebner, et al., 2013.

⁸ Property value impacts have been noted in numerous studies, including “The Effect on Proximity to a Registered Sex Offender’s Residence on Single-Family House Selling Price,” Larsen, J., Lowery, K., & Coleman, J. (2003), *The Appraisal Journal*, 71(3), 253-65; and “Neighborhood Tipping and Sorting Dynamics in Real Estate; Evidence from the Virginia Sex Offender Registry,” Wentland, Bain, Brastow, Stoll, Waller, *Social Science Research Network*, April 2013. Property values are only one such impact. Stop it Now, a non-profit organization devoted to sex offender research, offers this advice to those concerned about sex offenders moving into a neighborhood, among others: Create a family safety plan; attend notification meetings; notify the police of suspicious activity; and don’t wait to take action for prevention. At a minimum, this heightened awareness and activity burdens the families and neighbors where sex offenders are placed, and collectively this burdens the City staff and resources, for every Sex Offender placement.

WHEREAS, if the City of Pewaukee would not have an original domicile restriction, the City would have open doors for non-resident sex offender residency when other communities have closed doors, inviting a substantial increase in child sex offender placements, with the related adverse impacts on the health, safety and welfare of the City and its residents; and

WHEREAS, the Common Council recognizes the merits, mentioned in some studies, of individualized consideration of the risks and benefits of residency restrictions on an offender-by-offender basis, and the City has carefully considered how it can best provide this individualized consideration, and has created an Appeals Board with sufficient jurisdiction to consider the original domicile restrictions to ensure that the ordinance does not banish sex offenders from the City; and

WHEREAS, the Common Council recognizes that it cannot eliminate all risk of child sex offender re-offense, and it must balance all of the competing public policies, but intends by these regulations to strike the legislative balance that is appropriate for the circumstances of the City of Pewaukee; and

WHEREAS, it is not the intent of this ordinance to banish sex offenders from residing within the City of Pewaukee, and careful attention has been given to ensure that there are ample locations for sex offenders to reside within the City of Pewaukee in compliance with the requirements of this ordinance:

Now, Therefore, The Common Council of The City of Pewaukee, Waukesha County, Wisconsin DOES ORDAIN AS FOLLOWS:

SECTION 1: Chapter 6 of the City of Pewaukee Municipal Code entitled, "Public Peace and Good Order," Section 6.035 entitled, "Sexual Offender Residency Restriction; Child Safety Zones," is hereby repealed and re-created as depicted in attached Exhibit A, which is incorporated herein by reference.

SECTION 2: CONTINUATION OF EXISTING PROVISIONS.

The provisions of this ordinance, to the extent that they are substantively the same as those of the ordinances in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinances. In addition, the adoption of this ordinance shall not affect any action, prosecution or proceeding brought for the enforcement of any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance for the time that such provision was in effect, and the repeal of any such provisions is stayed pending the final resolution of such actions, including appeals.

SECTION 3: SEVERABILITY.

The several sections of this Ordinance are declared to be severable. If any section or provision thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such declaration shall apply only to the specific section(s) or portion(s) thereof directly specified in said declaration, and shall not affect the validity of any other provisions, sections, or portions of the Ordinance, which shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its passage and posting/publication as provided by law.

PASSED and ADOPTED this 19th day of December, 2022.

CITY OF PEWAUKEE

Steve Bierce, Mayor

Attest:

Kelly Tarczewski, City Clerk

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.4.**

DATE: December 19, 2022

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Waive the Second Reading and Approve **Ordinance 22-29** Establishing the 2023 Pay Rates for Non-Union Employees

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

22-29 Non Union Salary Ordinance

ORDINANCE NO. 22-29**ORDINANCE TO FIX AND ESTABLISH THE AMOUNT OF SALARIES, WAGES AND ALLOWANCES WHICH SHALL BE PAID BY THE CITY OF PEWAUKEE TO ITS NON-UNION EMPLOYEES**

The Common Council of the City of Pewaukee does ordain as follows:

SECTION 1. Beginning January 1, 2023, and every two weeks thereafter, the annual, bi-weekly, and hourly rates of the elected and appointed officials of the City of Pewaukee, and certain special allowances to be paid, are hereby fixed at the following rates:

(A) ELECTED OFFICIALS**ANNUAL**

Mayor	\$ 10,500.00
Aldermen	\$ 6,500.00
Municipal Judge Elect	\$ 16,589.00

(B) ELECTION OFFICIALS**PER HOUR**

Chief Inspectors	\$12.00
Special Voting Deputy	\$10.00
Poll Workers	\$ 8.50

(C) APPOINTED OFFICIALS**ANNUAL**

Administrator	\$114,750.00
Assessor	\$ 94,876.00
Deputy Assessor	\$ 75,108.00
Clerk/Treasurer	\$ 96,013.00
Chief of Fire Department	\$136,109.00
Assistant Fire Chief	\$118,270.00
Deputy Fire Chief	\$106,380.00
Division Chief EMS	\$100,423.00
Battalion Chiefs FT	\$ 95,117.00 – \$100,473.00
DPW Director	\$123,695.00
Chief Engineer - Utility	\$ 95,180.00
Chief Engineer – Streets & Development	\$ 92,400.00
Civil Engineer	\$ 66,092.00
Director of People & Culture	\$112,533.00
IT Director	\$ 97,564.00
Park/Recreation Director	\$ 90,389.00
Recreation Supervisor	\$ 77,047.00
Parks Maintenance Supervisor	\$ 71,364.00
Planner/Community Development Director	\$113,090.00
Utility Manager	\$ 96,230.00

(D) HOURLY EMPLOYEES

	<u>HOURLY</u>
Appraiser	\$ 26.78
Building Services Office Coordinator	\$ 26.13
Building Inspector – FT	\$ 34.33 - \$40.30
Accountant	\$ 38.41
Clerk Treasurer Administrative Assistant	\$ 23.28
Court Administrator	\$ 29.18
Clerk – Court PT	\$ 21.91 - \$22.34
Deputy Clerk/Comm. Dev. Coordinator	\$ 31.65
Park and Rec/Building Insp. Administrative Assistant	\$ 22.22
Senior Engineering Technician	\$ 31.61 - \$32.71
Engineering Technician	\$ 28.93
Administrative Clerk – Police/Fire	\$ 22.23
Employee Services Coordinator PT	\$ 28.99
Fire Paid-On Premise ~ EMT/FF	\$ 22.27
Fire Paid-On Premise ~ Paramedic	\$ 22.82
Paid-On-Premise ~ Holiday Stipend	\$ 75.00 per 12-hr Duty Shift
Battalion Chief Shift Premium	\$395.00 per 12-hr Duty Shift
Parks Foreman	\$ 28.17
Parks Laborer	\$ 21.14 - \$22.31
Parks Maintenance – Seasonal PT	\$ 9.00 - \$14.00
Recreation Staff – Seasonal PT	\$ 8.00 - \$35.00
Recycling Attendant – PT	\$ 16.18 - \$16.73
Street Superintendent	\$ 43.34
Highway – Seasonal	\$ 25.75 - \$29.17
Highway – Streets Crew Leader	\$ 33.86 - \$34.11
Highway – Mechanic	\$ 33.42
Highway – Laborer	\$ 25.80 - \$32.81
Utility Superintendent	\$ 39.06
Water Operator	\$ 30.17 - \$33.55
Utility Billing Specialist	\$ 27.66
Public Works – Administrative Assistant	\$ 25.75

SECTION 2. The amounts herein before specified shall be the salaries and wages in full per year, per bi-weekly, per hour, or as specified, for the various officials and employees, subject to the following:

MILEAGE: Reimbursement for mileage shall be paid to all employees who are authorized by their department head/supervisor to use their personal vehicles for city purposes, and who do not currently receive a monthly/ quarterly car allowance. Reimbursement shall be made at the current federal rate, for actual mileage incurred. A Mileage Reimbursement form shall be filed with the City Clerk on a monthly basis for all reimbursement requests before any such payment shall be made.

The Mayor will receive an annual mileage stipend of \$1,350.00 and each Common Council Members will receive an annual mileage stipend of \$800.00.

SECTION 3. Employees shall be covered under the State of Wisconsin Retirement System (“WRS”) effective January 1, 2011. The City will pay the employer contribution to the WRS as required by law, which effective January 1, 2023 is 6.80% for general employees.

SECTION 4. Effective January 1, 2013, all non-union employees opting to participate in the City’s health, dental and/or vision insurance plans, shall contribute fifteen (15%) percent towards their monthly health, dental and vision insurance premium costs via payroll deduction on a biweekly basis. If the employee (and spouse where applicable) participates in the City’s wellness program, benefited non-union employees may qualify for health insurance premium discounts as outlined in the City’s wellness plan.

SECTION 5. This ordinance shall not be printed or published as part of the Pewaukee Municipal Code.

SECTION 6. This ordinance shall take effect beginning January 1, 2023.

Dated this 19th day of December, 2022.

CITY OF PEWAUKEE

ATTEST:

Steve Bierce, Mayor

Kelly Tarczewski, City Clerk

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.5.**

DATE: December 19, 2022

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Waive the Second Reading and Approve **Ordinance 22-30** Establishing the 2023 Payrates for Union Employees

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

22-30 Union Salary Ordinance

ORDINANCE NO. 22-30**ORDINANCE TO FIX AND ESTABLISH THE AMOUNT OF SALARIES, WAGES AND ALLOWANCES WHICH SHALL BE PAID BY THE CITY OF PEWAUKEE TO ITS UNION EMPLOYEES**

The Common Council of the City of Pewaukee does ordain as follows:

SECTION 1. Beginning January 1, 2023, and every two weeks thereafter, the hourly rates of the union employees of the City of Pewaukee, and certain special allowances to be paid, are hereby fixed at the following rates:

<u>FIRE DEPARTMENT</u>	<u>HOURLY RATE</u>
<u>Base</u>	
1 st year	\$22.27
2 nd year	\$23.39
3 rd year	\$24.47
4 th year	\$25.55
5 th year	\$27.14
<u>EMT-A</u>	
1 st year	\$22.82
2 nd year	\$23.97
3 rd year	\$25.09
4 th year	\$26.19
5 th year	\$27.81
<u>EMT-P</u>	
1 st year	\$23.39
2 nd year	\$24.53
3 rd year	\$25.70
4 th year	\$26.83
5 th year	\$28.49
<u>Lieutenant/Paramedic</u>	
1 st year	\$25.38
2 nd year	\$26.65
3 rd year	\$27.90
4 th year	\$29.13
5 th year	\$30.92
Paramedic Preceptor Allowance	\$1/hour on top of pay rate
Uniform Allowance	\$450.00 per year

SECTION 2. The amounts herein before specified shall be the salaries and wages in full per year, per bi-weekly, per hour, or as specified, for the various officials and employees, subject to the following:

MILEAGE: Reimbursement for mileage shall be paid to all employees who are authorized by their department head/supervisor to use their personal vehicles for city purposes, and who do not currently receive a monthly/ quarterly car allowance. Reimbursement shall be made at the current per mile reimbursement rate in effect for the State of Wisconsin employees, for actual mileage incurred. A Mileage Reimbursement form shall be filed with the City Clerk on a monthly basis for all reimbursement requests before any such payment shall be made.

SECTION 3. Employees shall be covered under the State of Wisconsin Retirement System (“WRS”) effective January 1, 2011. The City will pay the employer contribution to the WRS as outlined in Acts 10 and 32, which effective January 1, 2023 is 13.2% for protective services.

SECTION 4. Effective January 1, 2013, all benefited union employees opting to participate in the City’s health, dental and/or vision insurance plans shall contribute fifteen (15%) percent towards their monthly health, dental and vision insurance premium costs via payroll deduction on a biweekly basis. If the employee (and spouse where applicable) participates in the City’s wellness program, benefited union employees may qualify for health insurance premium discounts as outlined in the City’s wellness plan.

SECTION 5. This ordinance shall not be printed or published as part of the Pewaukee Municipal Code.

SECTION 6. This ordinance shall take effect beginning January 1, 2023.

Dated this 19th day of December, 2022.

CITY OF PEWAUKEE

ATTEST:

Steve Bierce, Mayor

Kelly Tarczewski, City Clerk

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 4.**

DATE: December 19, 2022

DEPARTMENT: Public Works

PROVIDED BY: Magdelene Wagner

SUBJECT:

Discussion and Possible Action to Approve the First Reduction of Cardinal Meadow Development Letter of Credit from \$1,677,734.00 to \$461,128.57 (A reduction of \$1,216,606.19) [Wagner]

BACKGROUND:

The Cardinal Meadow Subdivision grading and utility construction began this year and to date the work has involved grading, public utility (storm, sanitary sewer and water) construction and road base. We recommend the requested reduction. The remaining letter of credit value of \$461,128.57 is sufficient to finish the project.

FINANCIAL IMPACT:

RECOMMENDED MOTION:

Council Approve the First Reduction of Cardinal Meadow Development Letter of Credit from \$1,677,734.00 to \$461,128.57 (A reduction of \$1,216,606.19)

ATTACHMENTS:

Description

LOC Reduction Request



Date: December 5th, 2022

City of Pewaukee- via email

Kelly Tarczewski

City Clerk-Treasurer

W240 N3065 Pewaukee Rd.

Pewaukee, WI 53079

Re: Letter of Credit Reduction Request #1: Cardinal Meadow Subdivision in the City of Pewaukee.

Dear Maggie Wagner:

Due to the completion of the work described below, Bielinski is requesting a reduction on the work performed to date related to the Letter of Credit in place for the Cardinal Meadow Subdivision:

Requesting the following letter of credit reductions:

Description of Work	LOC Amount	Reduction Amount	Balance
Grading & Erosion Control, Incl. Site Stabilization	\$576,100.00	\$476,100.00	\$100,000.00
Complete Sanitary Sewer Construction	\$226,765.00	\$226,765.00	\$0.00
Complete Water System Construction	\$222,803.00	\$222,803.00	\$0.00
Complete Storm Sewer Construction	\$172,879.00	\$172,879.00	\$0.00
Road Pavement: Stone, Curb/Gutter/Flumes, Binder & Surface Course	\$199,565.00	0.00	\$199,565.00
	NA	NA	NA
Subtotal	1,398,112.00\$	\$1,098,547.00	\$299,565.00
Contingencies (20%):	\$279,622.40	\$219,709.40	\$59,913.00
Total Letter of Credit Amount:	1,677,734.40	\$1,318,256.40	\$359,478.00

ORIGINAL LETTER OF CREDIT AMOUNT: \$ 1,677,734.40

NET REDUCTION THIS REQUEST: \$ 1,318,256.40

BALANCE OF LETTER OF CREDIT: \$ 359,478.00

By copy of this letter, we hereby request a reduction of the above amount.

Bielinski Homes, Inc.:  Title: Development Manager

Exhibit C

Cardinal Meadow subd.

Letter of Credit Value

New Berlin Grading	1 LS	\$ 16,550.00	\$ 16,550.00
Clear and Grub	1 LS	\$ 21,000.00	\$ 21,000.00
Strip Topsoil	1 LS	\$ 34,400.00	\$ 34,400.00
Rough Grading	1 LS	\$ 86,800.00	\$ 86,800.00
Move Onsite Pile	1 LS	\$ 115,200.00	\$ 115,200.00
Compaction of Site Fills	1 LS	\$ 20,000.00	\$ 20,000.00
Compaction of Imported Fill	1 LS	\$ 45,550.00	\$ 45,550.00
Clay Line Ponds	1 LS	\$ 16,000.00	\$ 16,000.00
Mix & Place Infiltration Mix	1 LS	\$ 38,500.00	\$ 38,500.00
Finish Grade to subgrade	1 LS	\$ 34,700.00	\$ 34,700.00
Respread 6" of salvaged Topsoil	1 LS	\$ 68,600.00	\$ 68,600.00
Place Rip Rap at FES	1 LS	\$ 7,200.00	\$ 7,200.00
Seed and Erosion Mat	1 LS	\$ 41,800.00	\$ 41,800.00
Seed, Fertilize and Mulch	1 LS	\$ 24,400.00	\$ 24,400.00
Place Ditch and Rock Bags Checks	1 LS	\$ 5,400.00	\$ 5,400.00

\$ 576,100.00

476,100. 100,000.

Sanitary Sewer

48" Precast Concrete Manhole	10 EA
Connection to Existing Manhole	2 EA
8" SDR-35 PVC Sanitary Sewer	1357 LF
6" PVC sanitary lateral (24)	730 LF

\$ 226,765.00

Water Main

Connection to Existing	2 EA
Hydrant & Valve Assembly	4 EA
8" C-900 PVC Water Main	1411 LF
6" C-900 PVC Hydrant Lead	40 LF
8" Gate Valves	4 EA
1 1/4" Corp, curb stop, & Box	24 EA
1 1/4" Water Lateral (24)	778 LF

\$ 222,803.00

Storm Sewer

Curb Inlet w/ Frame & Grate	12 EA
48" Precast Concrete Manhole	9 EA
36" Precast Concrete OCS Pond MH	4 EA
18" CL III RCP Storm Sewer	252 LF
15" CL IV RCP Storm Sewer	450 LF
15" CMP Storm Sewer	60 LF
12" CL V RCP Storm Sewer	1234 LF
18" RCP End Section w/ Trash Rack	3 EA
15" RCP End Section	2 EA
15" CMP End Section	4 EA
12" RCP End Section	6 EA
Anti Seep Collar	6 EA

\$ 172,879.00

Granular Backfill

13320 Ton	\$ 11.00	\$ 146,520.00
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Pavement & Shoulder Restoration in Road	1 LS	\$ 22,000.00	\$ 22,000.00
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Pavement

Stone Placing	3733 SY	\$ 14.28	\$ 53,300.00
Binder Course	3733 SY	\$ 17.13	\$ 63,931.00
Surface Course	3733 SY	\$ 10.50	\$ 39,200.00
Curb & Gutter/Flumes	2730 LF	\$ 15.80	\$ 43,134.00

\$ 199,565.00

\$ 1,398,112.00

\$ 1,677,734.40

EXHIBIT "A"

CARDINAL MEADOW

LEGAL DESCRIPTION:

All that part of the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 16, Town 7 North, Range 19 East, in the City of Pewaukee, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the Southeast Corner of said Section 16; Thence South 87°34'14" West and along the South line of the said Southeast 1/4 Section, 680.76 feet to a point on the Southwest Right-of-Way line of "Bluemound Road" (C.T.H. "JJ") and the place of beginning of lands hereinafter described;

Continuing thence South 87°34'14" West and along the said South line of the said Southeast 1/4 Section, 720.93 feet to a point on the East Right-of-Way line of "U.S.H. 16"; Thence North 01°57'46" West and along the said East Right-of-Way line, 1123.14 feet to a point; Thence North 87°35'14" East and along the South line of Unplatted Lands, 490.45 feet to a point on the said Southwest Right-of-Way line of said "Bluemound Road" (C.T.H. "JJ"); Thence South 13°34'46" East and along the said Southwest Right-of-Way line, 1144.57 feet to the point of beginning of this description.

Said Parcel contains 680,205 Square Feet (or 15.6154 Acres) of land, more or less.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 5.**

DATE: December 19, 2022

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Discussion and Possible Action to Either Reschedule the First Common Council Meeting In January or Cancel It
[Mayor Bierce]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

January 2023 Calendar

JANUARY 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2 NEW YEAR'S DAY Observed Offices Closed	3	4	5	6	7
8	9	10	11 Joint Park & Recreation Meeting <i>6:30 p.m.</i>	12	13	14
15	16 Common Council Meeting <i>6:30 p.m.</i>	17	18 Bike & Pedestrian Planning Committee <i>4:30 p.m.</i> Joint Library Board Meeting <i>6:30 p.m.</i>	19 Plan Commission Meeting <i>6:00 p.m.</i>	20	21
22	23	24	25	26 Public Works Meeting <i>4:00 p.m.</i>	27	28
29	30	31				

Kelly Vacation

Carol Vacation

Ami Vacation

Tia Vacation