

In Attendance:

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

Also in Attendance:

Attorney S. Riffle, Administrator S. Klein, DPW Director M. Wagner and Clerk/Treasurer K. Tarczewski.

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. Presentation, Discussion and Possible Action Regarding the 2022 City Wide Tree Inventory and Report

Ms. Wagner introduced Nate from Wachtel Tree Science. Nate stated Wachtel Tree Science completed a public tree inventory and urban forest management plan in the City in 2022. He said they developed an appropriate management plan that will meet the needs of the City. He noted the project was funded through the 2022 WDNR Urban Forest Grant Cycle and noted it is a 50-50 cost share between the State and City. Nate said they captured 3,825 different types of records, 3,465 existing trees, 300 existing planting spaces, 60 stumps, and 263 ash trees. He added the City is currently selectively treating priority ash trees in the parks. Nate went through the report and discussed the City's options.

Mr. Clark asked about the safety concerns with trees invested with EAB and if he would recommend not planting ash trees in the future. Nate noted ash trees lose up to 60 percent of their structural stability in the first year of mortality and recommended not planting ash trees in the future.

Mr. Wamser asked about diseases affecting spruce trees and what spruces are being affected. Nate noted the City has a lot of spruce trees and the disease being seen is needle cast fungal disease and it is rampant throughout the state. He added it primarily affects Colorado blue spruce and white spruce.

Mr. Vetterkind asked about the five-year estimated cost. Ms. Wagner noted the City will look at it with the 2024 budget, she noted the City would look at grants to assist.

Mayor Bierce asked why the City would treat the ash trees if there was no end in sight. Nate stated treatment plans would preserve the benefits of what the trees provide including beautification of parks, environmental benefits and air quality. He added some municipalities even treat trees to buy time and remove trees on their own time.

4. Discussion and Possible Action Regarding a Request by Interstate Partners to Remove Weight Limit Restrictions Along Green Road Between Redford Boulevard (Highway F) and Duplainville Road

Ms. Wagner stated the item is coming back regarding removing the heavy weight restriction on Green Road. She said she received feedback from Waukesha County regarding their opinion on how the ramps could function with the additional trucking in the area. Ms. Wagner noted without a TIA

completed to determine the number of trucks that could potentially use the ramp, the County will not say if the intersection at the ramp and County Highway F is adequate or not. The County recommended the TIA be done to find out how much trucking will occur. She noted the County does not see anything wrong with the geometry of the intersection. She also added that the County does not have weight restrictions on their roadways and they have no objection to lifting the weight restrictions.

Ms. Wagner noted Interstate Partners was present and stated they offered to do improvements at the intersection.

Mr. Clark asked what the turnaround time would be for the TIA. Ms. Wagner stated the City would need to reach out to someone who specializes in them. Mr. Klein asked how additional truck traffic would be determined. Ms. Wagner noted it would be an estimate.

Mr. Wamser felt all six Council members should be present before deciding.

A brief discussion took place regarding the speed limit and accelerations onto Highway F.

John from Interstate Partners stated the road is weight limited all the way to Duplainville Road and the building needs to go on a weight restricted road whether it is lifted or not. He said from the west entrance it is shorter to go to the ramp and from the east it is shorter to go to Duplainville Road. John asked if there was a way to have an agreement that their building could go in both directions.

Discussion took place regarding weight restrictions and possible alternatives.

Mayor Bierce asked if there are different rules for different weights. Ms. Wagner noted there is a six-ton weight limit. Attorney Riffle stated fines can be six figures.

A motion was made and seconded (J. Wamser, I. Clark) to table this item. Motion Passed: 4-For, 0-Against.

5. Discussion and Possible Action Regarding the Revocable Agreement Authorizing Occupancy of Right of Way for Swan View Farms Development

Ms. Wagner stated Mr. Tomich was not available this evening and asked that this item be tabled to a future meeting.

6. Discussion and Possible Action to Install Snow Fencing on City Land (PWC 0934-021) Along Oak Street to Restrict Access to Pewaukee Lake for Erosion Concerns

Ms. Wagner stated the issue to restrict access to the bay was brought forward by a resident and Alderman Clark. They would like to have snow fencing installed on the strip of land the City owns adjacent to Oak Street. She said the concern is vehicles are using it as an access point to the lake and it has been reported that vehicles are doing tricks off the culvert section and it has created erosion issues. Ms. Wagner noted she has an estimate of \$400 for 250 feet of snow fencing and post. She added that does not include labor.

Mayor Bierce asked if they want all gas-powered vehicles banned from the lake. Ms. Wagner stated the request is to limit where they can access from and to limit where the erosion is occurring along the shoreline. She added truck traffic should not be accessing this portion of the lake.

Mr. Wamser asked about putting boulders in. Ms. Wagner stated it would be expensive, but it could be a long-term solution. Mr. Klein stated something must be done with the shoreline, as it is depleting rapidly.

Mr. Vetterkind felt it was water causing the erosion problems and not traffic. He said a fence would be okay, he didn't feel it should be blocked off so you can't get through.

Mayor Bierce noted the City recently spent a good amount of money rebuilding Oak Street. Ms. Wagner stated the City would be doing a lake stabilization in 2024, which will include hard reinforcement and armoring.

Mayor Bierce opened the meeting up for public comment.

Sandy Grulke (W277N2801 Oak Street) is concerned with safety. She said they come down Oak Street at a high speed and jump off the culver. She said she doesn't want to restrict the ATV's or sleds to go out ice fishing but would like to see a staggered opening. She feels it would limit the trucks.

Mark Buschman (W278N2897 Lincoln Avenue) noted there are a couple of problems. He would like to know the ruling for unlicensed ATV's on public highways. He also stated the area needed to be regraded due to being torn up last winter, and he felt erosion control needs to be addressed.

Mayor Bierce stated this is the first time ATV concerns have been brought up to Common Council. Attorney Riffle noted the City does not have an ordinance allowing ATV's on City roads and he recommended the Sheriff be called.

Bryan Clark (W276N2822 Oak Street) said he doesn't want to restrict access in the summer but would like to ban it in the winter.

Brad Page (W276N2850 Oak Street) said he is opposed to restricting ATV access to the lake in the wintertime. He feels the issue is the destructive activity of a few users. He recommended a more permanent solution other than a snow fence that restricts the inappropriate activity but allows reasonable ATV access.

Spencer Tabber (W276N2744 Trillium Lane) said he is against any action to restrict access. He noted there are neighborhood kids that aren't being safe. He added it is public land and there are riparian rights.

Kyle Haug (W277N2773 Chicory Lane) stated he has accessed this property for ice fishing since 1992 and has used his ATV on the road. He added there are restrictions on the Lake Pewaukee Sanitary District website for ATV usage. He noted this is a law enforcement issue and shouldn't be restricting access to the lake for riparian rights reasons.

Mr. Klein noted the snow fence would be temporary until the City comes up with a permanent solution. He added it is City owned land, much like a park, and people can't say they have a right to use it.

Ryan Kautzer (N27W27721 Jocelyn Court) stated it is about safety but does not want to see it completely restricted and would like to continue to access the lake.

Mayor Bierce stated all the issues could be taken care of when addressing the shoreline erosion issue. He said in the long term something needs to be done to allow access.

Mr. Klein would like to create a situation where ATV's and pedestrians could easily access the lake and stabilize the shore. He noted trucks and cars need to be restricted.

A brief discussion took place regarding creating one access point for next winter.

Ms. Wagner noted she would need to look for a landscape architect to assist with the plan. She said if nothing is budgeted until 2024 she cant start working on it until then.

7. Public Comment - None.

8. Closed Session – You are hereby notified that the Common Council and staff of the City of Pewaukee will convene into closed session after all regular scheduled business has been concluded and upon motion duly made and seconded and acted upon by roll-call vote as required under §19.85(1)(a), Stats. The purpose of the closed session is for the following:

- §19.85(1)(e): Deliberating or negotiating the purchasing of public properties, the investing of public funds or conducting other specified public business, where competitive or bargaining reasons require a closed session. In this instance the Closed Session is specifically related to the contract with the Village of Pewaukee to provide fire and rescue services.

You are further notified that at the conclusion of the Closed Session, the Common Council may convene into open session pursuant to 19.85(2), Stats., for possible additional discussion and action concerning any matters discussed in closed session and for adjournment.

A motion was made and seconded (J. Wamser, I. Clark) to go into closed session at 7:54 p.m.

Motion Passed Via Roll Call Vote: 4-For, 0-Against.

9. Adjournment

A motion was made and seconded (B. Dziwulski, P. Vetterkind) to adjourn the meeting from closed session at 8:08 p.m. Motion Passed: 4-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer