

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

Also Present: Attorney S. Riffle, Administrator S. Klein, Fire Chief K. Bierce, DPW Director J. Weigel and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance – Mayor Bierce called the meeting to order at 7:01 p.m.
2. Public Comment – None.
3. Consent Agenda
 - 3.1 Approval of Common Council Meeting Minutes Dated December 18, 2017
 - 3.2 Approve Accounts Payable Listings
 - 3.3 Approve Bartender Licenses

Mayor Bierce noted that the Common Council meeting minutes were not available. **A motion was made and seconded, (R. Grosch, J. Kara) to approve the remaining items on the consent agenda.** Motion Passed: 5-For, 0-Against.

4. Introduction of Newly Hired Assessor James Siebers

Mr. Klein introduced Mr. Siebers. Mr. Siebers stated he has a long career in public service. He noted he was the Assessor in Stevens Point and Mequon and has experience in assessing various property types. Most recently he worked for CoreLogic, who owns Marshall and Swift, which is the company that establishes various assessment data that are used by Assessors throughout the United States and Canada.

5. Discussion and Possible Action Regarding the Certified Survey Map for James Craig Builders to Divide Their Property on Swan Road into Four Lots (PWC 0876-998-002) (Plan Commission 11/17/16 & Common Council 12/5/16)

Mr. Klein stated he was unsure why this was being brought back this evening. Craig from James Craig Builders stated it was approved over a year ago with the caveat that the Engineering Department would have to review and approve the grading plan and since it took over a year it would need to be approved again so that it could be filed at the County. He said nothing really changed.

Mr. Weigel stated there are still issues that need to be addressed. He had no concerns about the Common Council affirming the original action taken last year with the same contingencies. He suggested that nothing be signed until the special assessments are paid. Craig stated he refused to pay for anything until the document is signed. He said he has hired two engineering firms over the last year to resolve the issues.

A motion was made and seconded, (J. Kara, J. Wamser) to approve the certified survey map contingent upon final approval of the storm water management design and the payment of the special assessment fees for the street and water main for each of the created parcels. Motion Passed: 5-For, 0-Against.

6. Discussion and Possible Action Regarding **Ordinance 18-01** Repealing and Recreating Portions of Section 6.035 of the Municipal Code Concerning Residency Restrictions for Sex Offenders

Attorney Riffle stated the federal court has issued opinions on acceptable residency restrictions and suggested that individuals that may be barred from your municipality be given the opportunity to plead their case to a local Residency Board. Attorney Riffle recommended approval of this ordinance.

There was discussion regarding what the makeup of the Board should be. The Council members agreed that there should be a citywide committee consisting of a citizen member from each of the three aldermanic districts.

A motion was made and seconded, (C. Brown, B. Dziwulski) to approve Ordinance 18-01 with amended language to require the Residency Board to consist of three citizens, one from each aldermanic district, residing the City. Motion Passed: 5-For, 0-Against.

7. Discussion and Possible Action to Allow the Town of Delafield the Temporary Use of a Fire Truck

Chief Bierce stated approximately two months ago the Town of Delafield responded to a mutual aid call in the City of Pewaukee and totaled their engine. He said the City is in the position to lease out their reserve engine while the Town of Delafield is waiting for their replacement. Chief Bierce stated the contract was reviewed by the City Attorney and was acceptable. Attorney Riffle noted the document in the Common Council packet was not the correct document and instructed the Chief to provide the revised document to the Mayor for his signature. The members of the Council supported the efforts to work with other municipalities and potentially save money by sharing equipment.

A motion was made and seconded, (B. Dziwulski, J. Wamser) to approve the agreement with the Town of Delafield which allows for the use of the City's reserve engine.

Motion Passed: 5-For, 0-Against.

8. Discussion and Possible Action Regarding the Request to Split a Parcel of Vacant Land Owned by the Discalced Carmelite Nuns of Milwaukee Known as PWC 0931-976

Attorney Riffle stated the Register of Deeds inquired about a warrantee deed that was sent to them to be recorded. It relates to a parcel that was combined by meets and bounds. He said it is simply a land swap between adjoining neighbors and it does not create a non-conforming parcel. Both under State law and the City's ordinance it is allowed. He said he will be contacting the County Tax Lister to ensure there is only one tax key number assigned to the combined lots. No action on this item was taken.

9. Public Hearing Regarding the Name Change for the Class B Liquor License Previously Licensed as Hard Knocks Milwaukee LLC D/B/A Hard Knocks to Hard Knocks Milwaukee D/B/A SABR Tag Located at W229 N1400 Westwood Drive - Suite C with Carey Catania Continuing as Agent

Ms. Tarczewski stated the Clerk's office is still waiting on the proper paperwork from the state and recommends that the license be approved contingent on receiving the documents.

Mayor Bierce opened the public hearing. No one voiced any interest in speaking, so the Mayor immediately closed the public hearing.

A motion was made and seconded, (J. Wamser, C. Brown) to approve the name change of Hard Knocks Milwaukee D/B/A SABR contingent upon the Clerk's office receiving proper documentation before issuance. Passed: 5-For, 0-Against.

10. Public Comment

Attorney Riffle suggested that the Clerk enter all votes into the system as to not delay the meetings.

11. 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:

- Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved as authorized under §19.85(1)(g), Stats., specifically with regard to the City's Contract with John's Disposal.

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, (B. Dziwulski, C. Brown) to adjourn into closed session at 7:42 p.m. Motion Passed by Roll Call Vote: 5-For, 0-Against.

A motion was made and seconded, (R. Grosch, C. Brown) to go back into open session at 8:04 p.m. Motion Passed: 5-For, 0-Against.

A motion was made and seconded, (B. Dziwulski, C. Brown) to approve the amendment to the Johns Disposal contract and request a \$2,000 credit which will be used to notify the residents of the proposed changes to the bulk item pick up. Motion Passed: 4-For, 1-Against (R. Grosch).

12. Adjournment

A motion was made and seconded, (B. Dziwulski, R. Grosch) to adjourn the meeting at 8:05 p.m. Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer