



Planning Department

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VIRTUAL ONLY. SEE NOTICE BELOW

R&R HOUSE ADVISORY COMMITTEE MEETING
NOTICE AND AGENDA
Tuesday, December 15, 2020
2:00 PM
VIRTUAL ONLY

-
1. Call to Order and Pledge of Allegiance
 2. Public Comment - Please limit your comments to 2 minutes, if further time for discussion is needed please contact your local Alderperson prior to the meeting.
 3. Discussion and Action Regarding Approval of the September 15, 2020 Meeting Minutes
 4. Discussion and Possible Action regarding the current project status and time frame for occupancy
 5. Review of R&R House Conditional Use Permit and conditions of approval
 6. Public Comment - Please limit your comments to 2 minutes, if further time for discussion is needed please contact your local Alderperson prior to the meeting.
 7. Adjournment

Ami Hurd
Deputy Clerk

December 11, 2020

NOTICE

Due to City Hall being closed to the public due to the COVID virus, this meeting will only be held virtually.

To attend this meeting virtually or by phone please contact Nick Fuchs, City Planner, 262-691-6007, fuchs@pewaukee.wi.us **before 3 P.M. on the date of the meeting** for directions. Meeting materials are available at <https://pewaukee.novusagenda.com/AgendaPublic/>.

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 City Planner, Nick Fuchs, at (262) 691-6007 three business days prior to the meeting so that arrangements may be made to accommodate your request.

**CITY OF PEWAUKEE
R&R HOUSE ADVISORY COMMITTEE AGENDA ITEM 3.**

DATE: December 15, 2020

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion and Action Regarding Approval of the September 15, 2020 Meeting Minutes

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

09.15.2020 minutes

In attendance:

City Planner Nick Fuchs, Director of Prevention Services at Mental Health America Wisconsin/Program Director of R&R House Brian Michel, R&R House Project Coordinator Victor Kilpatrick, Waukesha County Sheriff Lt. M. Moonen, City of Pewaukee Alderman Brandon Bergman, R&R House Representative Mary Kay Wagner (virtually) and City of Pewaukee Administrative Assistant T. Grandinetti.

1. Call to Order and Pledge of Allegiance

Mr. Fuchs called the meeting to order at 2:01 pm.

2. Public Comment - None

3. Introductions

All members of the Committee in attendance introduced themselves.

4. Election of Committee Chairperson and Vice Chairperson

Brian Michel nominated himself as Chairperson. Mr. Bergman asked if it would be an issue to have the applicant as chairperson. Mr. Fuchs recommended it be another member. Mr. Bergman volunteered to be the Chairperson and Lt. Moonen offered to take on the role of Vice Chairperson.

No objections were made.

5. Discussion of R&R House Advisory Committee rules and procedures

Nick Fuchs stated this item is for the Committees rule and procedures. With no objections, the Committee agreed to generally follow Robert's Rules of Order.

6. Review of Committee membership status

Mr. Fuchs stated the conditional use approval included the creation of the Committee to include a MHA staff member, City Alderperson, City staff member and Waukesha County Sheriff Representative. The committee currently does not have a Pewaukee resident, a neighborhood representative or a Waukesha County Health and Human Services representative. Mr. Bergman mentioned he knows several people who would be interested and he will reach out to them. Mr. Fuchs stated that he reached out to the County but there didn't seem to be any interest.

7. Discussion and Possible Action of R&R House Advisory Committee regular meeting schedule

Mr. Fuchs stated per the Conditional Use, unless Common Council were to approve otherwise, the meetings are to be held quarterly. Discussion took place regarding a

schedule and it was decided that meetings will be held quarterly on the third Tuesday of the month at 2:00pm.

8. Discussion and Possible Action regarding the current project status and time frame for occupancy

Mr. Michel stated the anticipated soft opening and the accepting of the first guest from the public would be October 15th, 2020. The grand opening would be the first or second week of November around Veterans week. Discussion took place regarding opening during the Covid pandemic. Mr. Michel stated Servpro came in and did a complete commercial deep clean. Mr. Michel mentioned all staff must have a negative Covid test before entering the house and there are policies in place if there is a suspected case in the house including temperature checks and logs for guests and staff.

Mr. Michel stated at the end of September they will bring in self-selected guests to run staff through the essential activities and processes including check in, orientation, departure and follow up. The guest will have a virtual focus group and go over feedback, which will be shared with staff. This will give staff some time to go over any revisions that may need to be made before opening.

Mr. Bergman asked about the fence at the back of property. Mr. Michel stated he sent the signed fence proposal contract today and will follow up to send them the deposit and get it scheduled. He will make sure they are in compliance before bringing in a guest.

9. Review of R&R House Conditional Use Permit and conditions of approval

The committee reviewed the Conditional Use Permit and conditions of approval.

1. Conditional use is non transferable
2. City can bring applicant back for conditional use review
3. Boilerplate governing laws and statutes
4. Creation of Committee
5. Requirement that parking be off street, not on grass or other unpaved areas, and one ADA parking space be provided.

Mr. Bergman asked if this was completed. Mr. Michel stated it has not been completed yet but he will get it done.

6. Having two trained staff members on site at all times. Mr. Fuchs asked if this was still part of the procedure.

Mr. Michel stated that was the goal and they are currently working through some staffing issues.

Discussion took place regarding capacity being changed to two guest due to Covid, which allows one person on each floor to limit exposure allowing each guest to have their own bathroom. Mr. Michel stated there would be two staff members for first and second shift and one staff person for third shift from midnight until 6:00am. Mr. Kilpatrick commented that the doors close at 9:00pm and there are no intakes after that time. This will eliminate any trouble with people coming in and out. Mr. Michel stated they intend to fill that position so two staff will be on site at all times, but they are hoping to open with the reduced staff and capacity and are looking for a revision. Mr. Fuchs asked how long the reduction in capacity is going to last. Mr. Michel stated at this point it will be indefinite and they would not increase the capacity until another meeting of the Committee. Mr. Fuchs recommended to continue with the conditions and stated this needs to be looked at as a whole to see if these are decisions the Committee can make or if these changes need to be made to the Conditional Use Permit.

7. ADA compliant restrooms facilities and ADA compliant to the home prior to occupancy.

Mr. Michel stated this was all completed. Mr. Fuchs stated he would like to have a Building Inspector out to the location to verify all building codes.

8. Building code violations.

Mr. Fuchs stated it was up in the air as far as what classification the facility falls in and whether it has to meet the commercial building code. It does seem to meet residential building codes. Mr. Fuchs mentioned he would like to have the Building Inspector check for any safety concerns when they go out.

9. Outdoor activities should cease by 10:00pm and noise should not exceed 30 decibels between 10:00pm and 7:00am.

10. No more than three individuals shall reside at the subject dwelling at any given time.

11. No weapons of any kind shall be allowed to enter or be kept on site under any circumstances.

12. Fencing and landscaping shall be installed to screen views from the adjacent properties and to prevent unintentional trespassing beyond the property lines of the subject property.

Mr. Michel stated the fencing plan on the north side was approved at the Planning Commission meeting, the permit was approved and they are moving forward. Mr. Michel stated he visited the site with the neighbors to the south and agreed there is no practical way to create a visible barrier between the two houses due to the slope of the property. Any areas in the wire fence that are pushed down need to be repaired. Mr. Kilpatrick stated they have not fixed the wire fence but have taken

care of the building code and building permits for the fencing on the north side of property.

Mr. Michel stated he understands this needs to be completed before any guests are staying in the house. Mr. Fuchs stated there was previous discussion about building the fence up or making it taller, but it was not a formal requirement. Mr. Bergman recommended fixing the wire fencing.

13. Guest curfew hours.

14. No alcohol or substance use on the premise.

15. Informing guests during phone screening process about sounds from fire range and blasting from nearby quarries.

Mr. Bergman mentioned that page 24 does not include blasting or sounds from local gun ranges. Mr. Michel stated this is a draft that still needs to be compiled with previous policies and procedures.

16. Installing video surveillance and signage at all exterior entrances of the house.

Mr. Michel stated the ring system is being installed at the main entrance. They were not planning on putting cameras at every door, but if they are required, they will have them installed to fully comply. Mr. Fuchs recommended also having cameras in the back.

17. Proof of Liability Insurance.

Mr. Michel stated Proof of Liability will be forwarded to Mr. Fuchs.

Mr. Fuchs stated the staffing question and having a second person on staff at all times is a concern. Discussion took place regarding hiring another full time employee. Mr. Michel stated he would have another employee by the next meeting so that two people would be on staff at all times.

Mr. Bergman asked about contacting the City Attorney about the change in the reduction of guests, staff and conditions. He questioned if this was something the Committee could approve or if it would have to go back to the Plan Commission. Mr. Fuchs stated to change a condition it would have to go through the process of Plan Commission and a public hearing at a Common Council meeting.

Discussion took place regarding options and the possible costs associated. Mr. Fuchs suggested Mr. Michel make a formal request to amend conditions 6 and 10. Mr. Bergman suggested it be a shifting request to change condition 6. Mr. Fuchs recommended stating if there are two or less guests only one third shift staff person would be required.

Mr. Fuchs asked if any press releases have been done. Mr. Michel stated no and nothing will be done until everything has been approved with inspectors and the staffing issues get worked out. Mr. Michel mentioned any press release will come through DHS.

Discussion took place regarding amendments to the Conditional Use Permit and Common Council reviewing the revisions. Mr. Fuchs stated applying for an amendment opens up all possible request.

10. Review of R&R House Policies and Procedure

Discussion took place regarding Covid procedures leading up to the October 15th opening date and following the CDC guidelines.

Mr. Michel stated there is a flow chart and mapping process on page 26 of the Policies and Procedures going through all of the processes. Mr. Michel also stated there is a description of the anxiety distress scale, which informs staff of potential symptoms the guest is experiencing and helps better understand if they are an appropriate fit for the respite. Mr. Fuchs asked what the range or limit is for a guest. Mr. Michel stated the 4-6 range is the appropriate range for a stay at the respite. Below that would be a community referral and above that would be more intensive crisis services.

Mr. Michel stated there is an extensive community resource database on page 31 and there is a resource list with roughly 1,700 entries available around the state.

Mr. Michel asked if R&R House would be prevented from having self-selected guest come thru prior to having a Conditional Use amendment passed. Mr. Fuchs asked who the selected guest would include. Mr. Michel stated the guests are trained mentors and peers from other outreach capacities who can assist in training staff. These stays may last a few days and they are a way to do dry runs before fully opening and operating.

Lt. Moonen asked if the R&R House would be subject to Condition 3 if people are staying in the home. Discussion took place regarding what activities would go on during the stay of the mentors and peers. Lt. Moonen stated his concern in allowing access under the Conditional Use Permit to the property beforehand makes it appear to the public that it is fully operational.

Mr. Fuchs asked if the training could be completed without doing the overnight stay. Mr. Michel felt they could run staff through training without the overnight stay and asked if they could stay until midnight. Mr. Bergman stated that could be a reasonable compromise if they could meet some of the other criteria, including proof of insurance, parking, cameras and Inspector visits. Mr. Michel stated it would not be run as a respite until all the conditions in the Conditional Use Permit were met.

Mr. Fuchs stated if the R&R House has someone there for training purposes and they are not staying overnight it is ok.

Lt. Moonen asked if guests will have personal vehicles parked at the R&R House during a stay and if vehicle information would be obtained during check in. Mr. Michel stated yes vehicles will be parked

at the respite center but they do not currently have a policy in place to obtain the information. Mr. Michel will check with other respite programs and look into this. Lt. Moonen stated it helps the police department to have this information.

11. Public Comment - None
12. Adjournment
Mr. Bergman adjourned the meeting with no objections.

Respectfully Submitted,

Tia Grandinetti

**CITY OF PEWAUKEE
R&R HOUSE ADVISORY COMMITTEE AGENDA ITEM 4.**

DATE: December 15, 2020

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion and Possible Action regarding the current project status and time frame for occupancy

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

**CITY OF PEWAUKEE
R&R HOUSE ADVISORY COMMITTEE AGENDA ITEM 5.**

DATE: December 15, 2020

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Review of R&R House Conditional Use Permit and conditions of approval

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

R&R CU Permit

**A COVENANT
REGARDING THE ISSUANCE OF A
CONDITIONAL USE PERMIT
BY THE
CITY OF PEWAUKEE**

**TAX KEY NUMBER(S)
OR PARCEL(S) INVOLVED:** **CONDITIONAL USE
PERMIT:
NO. CUP-19-11-1**

PWC 0880997

LEGAL DESCRIPTION:

PT SE1/4 SEC 4 T7N R19E COM S1/4 COR E 667.00 FT N16°14'E
1004.60 FT N13°52'E 818.00 FT N38°01'E 128.60 FT THE BGN
N38°01'E 442.65 FT S3°47'W 223.00 FT N89°57'E 200.46 FT
S12°32'W 230.15 FT N76°29'W 420.5 FT TO BGN EX HY DOC#
3633569

**PERSON(S), AGENT(S) OR CORPORATION(S) PETITIONING
FOR PERMIT:**

Mental Health America of Wisconsin

Recording area

Name & Return Address

City of Pewaukee
W240N3065 Pewaukee Rd
Pewaukee, WI 53072

WHEREAS, It is understood by all parties to this covenant that Section 62.23 of WIS. Statutes prescribes the legal basis for the granting of a conditional use permit by a City and Chapter 17 of the City Codes and Ordinances provides for the issuance of such permits as well as the standards by which all such uses will be measured; and,

WHEREAS, The City Plan Commission held a meeting on October 17th, 2019; reviewed the various elements of the petitioners proposal; however, made no recommendation upon the matter; and,

WHEREAS, The City Common Council, held a public hearing meeting held on October 21st, 2019.

NOW, THEREFORE, let it be known that the City Common Council by its action on December 2nd, 2019 has, hereby, granted a Conditional Use Permit for the following use(s):

Operating a peer-run respite for Wisconsin Veterans to support recovery from
mental health and substance abuse challenges.

FURTHER, such approved use of the above designated parcel(s) are hereby allowed based on the following conditions being continually met:

1. The subject Conditional Use is personal to Mental Health America of Wisconsin, does not run with the land, is not transferrable, and is temporal. All rights and approvals granted hereunder shall terminate and become null and void as of December 2, 2021. Upon expiration, the applicant may reapply for a new Conditional Use Permit.
2. The proposed Mental Health America of Wisconsin use shall return to the Plan Commission within 6 months from the date of approval for review of its operation and impacts upon City services and adjacent properties. Subsequently, annual reviews may be conducted as deemed necessary by City of Pewaukee Staff.
3. The approval granted hereunder is conditioned upon Mental Health America of Wisconsin: (i) being compliant with all applicable governmental laws, statutes, rules, codes, orders and ordinances; (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the use; (iii) adhering to its own Policies and Procedures as attached hereto.
4. Creation of an oversight Committee whose membership shall consist of, as may be possible: 1) a Mental Health American staff person; 2) City Alderperson; 3) City staff person; 4) a Waukesha County Sheriff representative; 5) a Pewaukee resident neighborhood representative (to be appointed by the Mayor); and 6) a Waukesha County Health & Human Services (Veteran Services Division) representative. This Committee shall meet at a minimum on a quarterly basis unless otherwise directed by the Common Council.
5. All parking shall be off-street and no vehicle parking shall be allowed on grassed or other unpaved areas. Further, at least one van ADA accessible parking space shall be provided. Said parking space shall be signed and be a minimum of 16-foot wide by 20-foot long.
6. A minimum of two trained staff persons shall be onsite at all times.
7. The property shall provide ADA compliant restroom facilities and ADA compliant access to the home, prior to occupancy.
8. Any and all Building Code violations shall be corrected prior to use or occupancy of the facility by Mental Health America of Wisconsin.
9. Outdoor activities shall cease by 10:00 p.m. and noise shall not exceed 30 decibels between the hours of 10:00 p.m. and 7:00 a.m.
10. No more than three individuals shall reside at the subject dwelling at any given time.
11. As agreed to and required by the applicant's Policies and Procedures, no weapons of any kind shall be allowed to enter or be kept onsite under any circumstances.
12. Fencing and landscaping shall be installed to screen views from the adjacent properties and to prevent unintentional trespassing beyond the property lines of the subject property. A fence and landscape plan shall be reviewed and approved by Staff and must comply with Zoning Code standards.
13. Guest curfew hours shall be from 6:00 a.m. to 10:00 p.m. Residents that fail to return to the house by 10:00 p.m. will be subject to exclusion from the program as may be required by Mental Health America of Wisconsin or the oversight Committee.
14. No alcohol or substance use shall be allowed on the premises. Guests who return to the home who have engaged in alcohol or substance use shall be subject to exclusion from the program as may be required by Mental Health America of Wisconsin or the oversight Committee.
15. Mental Health American of Wisconsin shall inform all potential guests during the phone screening process that individuals staying at the R&R House will hear sounds from the local firearm range, hunting activities, and blasting at nearby quarries.

16. Mental Health America of Wisconsin shall install video surveillance and signage indicating such at all exterior entrances to the R&R House for the security and safety of guests and staff onsite.
17. Mental Health America shall be required to carry and provide proof of liability insurance in the amount of at least \$1,000,000 to operate the subject facility.

The parties hereto, namely the City of Pewaukee and the Equitable Owner of the property for which this conditional use has been sought, set their signatures or the signatures of their representatives below, thereby agreeing to the provisions and conditions set forth in this covenant.

Attest:

Signature of equitable owner

Date

Kelly Tarczewski
City Clerk

Steve Bierce
Mayor, City of Pewaukee

Date

State of Wisconsin
County of Waukesha

Signed or attested before me on _____, 2019 by Steve Bierce, Mayor and Kelly Tarczewski, Clerk.

(Seal)

Ami Hurd
My Commission expires _____

This instrument was drafted by Ami Hurd, Deputy Clerk