

**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 3, 2018**

**7:00 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 Common Council Meeting Minutes Dated November 19, 2018
    - 3.2. Approve Accounts Payable Listings
    - 3.3. Approve Bartender Licenses
  4. Discussion and Possible Action to Approve the Rotroff/Jeanson Audit Service Proposal for 2018 Financial Statements [Rotroff/Klein]
  5. Conditional Use Public Hearing and Possible Action Regarding the Request of Stoneridge of Pewaukee LLC Located at N16 W23390 Stoneridge Drive (PWC 0956-999-022) to Allow M-1, M-2, or M-3 Permitted Accessory or Conditional Use in a M-4 Zoning District for the Purpose of Storage of Equipment and/or Vehicles Used in Conjunction with the Operation of the Business Along with Administrative Offices [N. Fuchs]
  6. Discussion and Possible Action Regarding a Certified Survey Map for Tom Mueller Located on Duplainville Road for the Purpose of Subdividing the Parcel Into Three Separate Lots (PWC 0867-994-003) [N. Fuchs]
  7. Discussion and Possible Action Regarding a Certified Survey Map for Christ Evangelical Lutheran Church Located at W240 N3103 Pewaukee Road for the Purpose of Combining Three Existing Parcels (PWC 0904-994-001, PWC 0904-994-002, PWC 0904-995) [N. Fuchs]
  8. Discussion and Possible Action to Waive the Second Reading and Approve **Ordinance 18-09** for Non-Union Salary Wages [Klein]
  9. Discussion and Possible Action to Waive the Second Reading and Approve **Ordinance 18-10** Establishing Union Wages [Klein]
  10. Discussion and Possible Action to Accept the Sanitary Sewer Relocation and Conditional Release of the \$200,000 Cash Deposit Associated with the Zilber Building Located at N24 W23501 Watertown Road / CTH M (PWC 0919-993-003) [Weigel].

11. Discussion and Possible Action to Approve **Resolution 18-12-34** Establishing the City's 2019 Fee Schedule [Tarczewski]
12. Discussion and Possible Action to Clarify Previous Common Council Action (June 18, 2018) Authorizing the Installation of LED Lighting in the City Hall Parking Lot in the Amount of \$20,905.06 from Unassigned Funds to be More Specific and Stating Funds are coming out of the Capital Equipment Fund Balance [Klein]
13. Discussion and Possible Action Regarding the Letter from Judge Glojek Requesting Payment for Substitution Services Rendered [Klein].
14. Discussion and Possible Action to Authorize Ruekert & Mielke to Prepare the Public Service Commission (PSC) Water Rate Application Pursuant to Their Proposal of November 21, 2018 [Weigel]
15. 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.
16. 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 Section 19.85(1)(g), Stats., specifically with regard to the City's Commerce Circle Manhole Repair contract #26-10002.200 with BCF Construction Corp.

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.

17. Adjournment

Kelly Tarczewski  
Clerk/Treasurer

November 30, 2018

#### **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 3, 2018

**DEPARTMENT:** Clerk/Treasurer

**PROVIDED BY:**

***SUBJECT:***

Approve Common Council Meeting Minutes Dated November 19, 2018

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

**ATTACHMENTS:**

Description

CC Minutes 11.19.2018

**In attendance:**

Mayor Steve Bierce, Aldermen C. Brown, B. Dziwulski, R. Grosch, J. Kara, and J. Wamser. Alderman B. Bergman was absent and excused.

**Also in Attendance:**

Attorney S. Riffle, Administrator S. Klein, DPW Director J. Weigel, Community Development Director K. Woldanski, City Planner N. Fuchs, Court Clerk B. Vick and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance – Mayor Bierce called the meeting to order at 7:00 p.m.
2. Public Comment - None.
3. Consent Agenda
  - 3.1. Approve Common Council Meeting Minutes Dated September 24, 2018
  - 3.2. Approve Common Council Meeting Minutes Dated October 15, 2018
  - 3.3. Approval of Common Council Meeting Minutes Dated November 5, 2018
  - 3.4. Approve Accounts Payable Listings
  - 3.5. Approve Bartender Licenses
  - 3.6. Approve First Reduction of the Woodleaf Reserve Addition No. 2 Letter of Credit, from \$1,297,475 to \$672,777 (Resulting in a Reduction of \$624,698).
  - 3.7. Release of the Auburn Ridge development \$12,000 surety

Ms. Brown and Mr. Dziwulski requested Item #3.1 be removed for discussion.

**A motion was made and seconded, (J. Wamser, R. Grosch) to approve the remaining items on the consent agenda.** Motion Passed: 5-For, 0-Against.

- 3.1 Approve Common Council Meeting Minutes Dated September 24, 2018

It was noted that Mayor Bierce was referenced as ‘Chairman Bierce’ and the minutes indicated that seven members voted when the number should reflect only six members voted.

**A motion was made and seconded, (C. Brown, B. Dziwulski) to approve the meeting minutes dated September 24, 2018 with the recommended corrections.**

Motion Passed: 5-For, 0-Against.

4. Discussion and Possible Action to Fill the Municipal Court Judge Vacancy Based on Judge Glojek's Resignation

Mayor Bierce stated two people came forward expressing their interest in the interim Municipal Judge position. He said he has heard good things about Mr. Fuchs, but hasn't heard anything about Mr. Petterson. Mr. Kara stated they both appear to be qualified and meet the City's requirements to hold the position. He questioned whether or not there were any conflicts of interest since Mr. J. Fuchs is the father of the City Planner. Attorney Riffle responded no. Mr. Kara asked if Mr. Fuchs would have to give up his position as Chairman on the Zoning Board of Appeals, Attorney Riffle



also responded no. Mr. Kara again asked if there would be any conflicts. Attorney Riffle stated he would no longer be able to do union negotiations for the fire department.

The term of office would start December 1<sup>st</sup>, 2018 and would run until April 30<sup>th</sup>, 2019.

A question was raised as to why Mark Powers could not continue filling in for Judge Glojek. It was stated he was not a resident of the City.

Ms. Tarczewski requested the resolution associated with this item be numbered 18-11-32 and the next item for consideration be 18-11-33 so that the resolutions are in chronological order for tracking purposes.

**A motion was made and seconded, (B. Dziwulski, C. Brown) to concur with the Mayor's recommendations to appoint John Fuchs as interim Municipal Court Judge and approve Resolution 18-11-32.** Motion Passed: 5-For, 0-Against.

5. Discussion and Possible Action to Approve **Resolution 18-11-32** Ordering a Special Election to Fill the Municipal Court Judge Vacancy

**A motion was made and seconded, (C. Brown, J. Kara) to approve Resolution 18-11-33 ordering a special election to fill the municipal court judge vacancy.**

Motion Passed: 5-For, 0-Against.

6. Discussion and Possible Action Regarding the 2019 Agreement for Building Inspection Services with the Village of Pewaukee

Ms. Woldanski and Mr. N. Fuchs were present for this item. Ms. Woldanski stated there are no proposed changes to the contract. The Village will pay \$1,000 per month for the services and the City will receive 60% of all permit fees collected and the Village will receive the other 40%. The Village will also pay \$55 per hour for any property maintenance issue that needs attention.

Mr. Kara asked if there were any hardships felt by the department without a building inspector. Ms. Woldanski stated they are utilizing Safe Built, an inspection firm, as a substitution at this time. Mr. Klein added that Chief Bierce has been filling in as well. There was concern voiced that the City is losing money on this contract.

**A motion was made and seconded, (B. Dziwulski, J. Wamser) to approve the 2019 building inspection services contract with the Village of Pewaukee.** Motion Passed: 5-For, 0-Against.

7. Discussion and Possible Action to Authorize Various Expenses Out of the Contingency Fund Totaling \$46,348.00

Mr. Klein explained this action was basically to clean up some accounting issues. He said the financial management study, in the amount of \$15,500, and the impact study, in the amount of \$12,600 were talked about during the budget process but were never officially put in the budget. He stated the work will begin this year so the funds should be taken out of contingency. He said the Planner's furniture, in the amount of \$2,433, and the new washer and dryer for the Fire Department in the amount of \$15,815 should also come out of the contingency fund.

**A motion was made and seconded, (B. Dziwulski, R. Grosch) to take \$46,348 out of contingency to pay for the two studies, the Planner's furniture and the Fire Department's washer and dryer.** Motion Passed: 5-For, 0-Against.

8. Discussion and Possible Action to Reconsider Common Council Action on November 5, 2019 to Conditionally Release the Woodleaf Reserve Addition No. 1 and Consider a \$9,000 Reduction with a Conditional Release on the Remaining \$1,000

Mr. Weigel stated the previous action was to release the letter of credit once the needed repair to the settlement near the water valve was completed, but the temperatures are no longer conducive to doing so without risk of it prematurely failing in the near future. He now asked that \$9,000 be refunded to the developer and the City retain \$1,000 until the repair is completed.

**A motion was made and seconded, (J. Wamser, J. Kara) to concur with the DPW Director and release \$9,000 of the developer's funds and retain \$1,000 until the repair is satisfactorily completed.** Motion Passed: 5-For, 0-Against.

9. Public Comment - None.
10. Adjournment

**A motion was made and seconded, (B. Dziwulski, C. Brown) to adjourn the meeting at 7:21 p.m.** Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski  
Clerk/Treasurer

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

**DATE:** December 3, 2018

**DEPARTMENT:** Clerk/Treasurer

**PROVIDED BY:**

***SUBJECT:***

Approve Accounts Payable Listings

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

**ATTACHMENTS:**

Description

Accounts Payable Summary

|                                 |                      |                        |                                |
|---------------------------------|----------------------|------------------------|--------------------------------|
| <b>ACCOUNTS PAYABLE FOR:</b>    | <b>12/03/2018</b>    | <b>TOTAL:</b>          | <b>\$ 2,526,480.91</b>         |
| <b>Vendor Name</b>              | <b>Document Date</b> | <b>Document Amount</b> | <b>Transaction Description</b> |
| 1ST AYD                         | 10/24/2018           | \$ 307.22              | HWY SHOP SUPPLIES              |
| 5 BUGLE TRAINING & CONSULTING   | 11/15/2018           | \$2,500.00             | FD STRATEGIC PLAN UPDATE ACTIV |
| ACROSS THE STREET PRODUCTIONS   | 11/06/2018           | \$6,237.00             | FD 18 50HR ONLINE TRAINING PRO |
| ADP SCREENING & SELECTION SVCS. | 10/29/2018           | \$ 179.06              | HR PRE-EMP EXAMS               |
| ADP, LLC                        | 10/26/2018           | \$ 812.80              | PROCESSING CHGS                |
| ADVANCED DISPOSAL               | 10/31/2018           | \$ 4,097.44            | RECYCLABLE HAULING             |
| AECOM                           | 11/08/2018           | \$ 6,750.81            | SWM EM LN FLOOD ANALYSIS       |
| AILCO EQUIPMENT FINANCE GROUP   | 11/01/2018           | \$ 412.00              | IT ENG PLOTTER                 |
| AIRGAS                          | 10/30/2018           | \$76.19                | FD AMBO OPS OXYGEN             |
| AIRGAS                          | 10/31/2018           | \$104.04               | FD AMBO OPS OXYGEN             |
| AIRGAS                          | 10/31/2018           | \$155.98               | FD OP SUP OXYGEN               |
| ALESCI HOMES                    | 11/19/2018           | \$ 2,000.00            | BLD EROSION BOND REFUND        |
| ALESCI HOMES                    | 11/19/2018           | \$ 2,000.00            | BLD EROSION BOND REFUND        |
| ALL-WAYS CONTRACTORS, INC       | 10/15/2018           | \$ 40.00               | SWM SCREENED FILL              |
| ALL-WAYS CONTRACTORS, INC       | 10/22/2018           | \$850.00               | PSC SOCCER FLD TOP SOIL        |
| ALL-WAYS CONTRACTORS, INC       | 11/08/2018           | \$40.50                | TOPSOIL 11/7 SCREENED PICKUP   |
| ALPHA OMEGA CLEANING, INC.      | 11/01/2018           | \$130.00               | PRK WAGNER JANITORIAL NOV      |
| ALTUS BUILDING CO               | 11/19/2018           | \$ 5,000.00            | BLD EROSION BOND REFUND        |
| ARAMARK                         | 10/11/2018           | \$ 71.87               | HWY UNIFORMS WKLY 10/11        |
| ARAMARK                         | 10/18/2018           | \$ 71.87               | HWY UNIFORMS WKLY 10/18        |
| ARAMARK                         | 11/07/2018           | \$ 71.87               | HWY UNIFORMS WKLY 11/01        |
| ARMAO, SHARON                   | 11/14/2018           | \$191.25               | ELECTION PAYROLL 11-6-2018     |
| ARROW INTERNATIONAL             | 09/07/2018           | \$1,115.50             | FD EMS SUPPLIES                |
| ARROW TERMINAL, LLC             | 07/09/2018           | \$182.78               | PKS HARDWARE                   |
| ASPEN HOMES                     | 11/19/2018           | \$ 2,000.00            | BLD EROSION BOND REFUND        |
| ASSESSMENT TECHNOLOGIES LLC     | 11/05/2018           | \$ 17.50               | IT MARKET DRIVE SFTWR SUPPORT  |
| AT&T CAROL STREAM IL            | 11/01/2018           | \$ 294.66              | CH Monthly Phone Svc           |
| AT&T CAROL STREAM IL            | 11/10/2018           | \$254.93               | FD FAX/FWD & PK SPNGDL/STH     |
| AUBURN RIDGE                    | 11/19/2018           | \$ 2,000.00            | BLD EROSION BOND REFUND        |
| AUTO ZONE                       | 10/06/2018           | \$26.59                | FD VEH REP H11 STD TWIN BULBS  |
| BADGER HOME BUILDERS            | 11/19/2018           | \$ 2,000.00            | BLD EROSION BOND REFUND        |
| BANK OF FLOWERS                 | 11/02/2018           | \$110.00               | FD FUNERAL ARNGMNT             |
| BATTERIES PLUS                  | 11/13/2018           | \$8.99                 | BATTERIES                      |
| BEACON ATHLETICS                | 11/19/2018           | \$4,339.00             | PSC BENCH, BLCHR, BASES, SHPNG |
| BECHTHOLD, CHRISTOPHER          | 11/16/2018           | \$662.26               | CRT REFUND-DISMISSED           |
| BIELINSKI HOMES                 | 11/19/2018           | \$ 2,000.00            | BLD EROSION BOND REFUND        |
| BIELINSKI HOMES                 | 11/19/2018           | \$ 2,000.00            | BLD EROSION BOND REFUND        |
| BLANKENHEIM, KATHRYN            | 11/14/2018           | \$182.75               | ELECTION PAYROLL 11-6-2018     |
| BOTIC, TRUDY                    | 11/14/2018           | \$123.25               | ELECTION PAYROLL 11-6-2018     |
| BOUNDTREE MEDICAL               | 10/23/2018           | \$626.78               | FD AMBO MEDICAL SUPPLIES       |
| BOUNDTREE MEDICAL               | 10/29/2018           | \$252.80               | FD AMBO EMS SUPPLIES           |
| BOUNDTREE MEDICAL               | 11/05/2018           | \$492.01               | FD AMBO EMS SUPPLIES           |
| BOUNDTREE MEDICAL               | 11/07/2018           | \$24.90                | FD EMS SUPPLIES                |

|                                           |            |              |                                |
|-------------------------------------------|------------|--------------|--------------------------------|
| BREDAN MECHANICAL SYSTEMS                 | 10/26/2018 | \$ 2,426.86  | CH BOILER REPAIR HWY           |
| BREZONICK, MADELYN                        | 11/14/2018 | \$38.25      | ELECTION PAYROLL 11-6-2018     |
| BROWN, CAROLYN                            | 11/14/2018 | \$116.88     | ELECTION PAYROLL 11-6-2018     |
| BS&A SOFTWARE                             | 11/20/2018 | \$17,225.00  | IT SFTWR DB SETUPS/DATA CONV   |
| BUELOW VETTEER BUIKEMA OLSON & VLIET, LLC | 11/13/2018 | \$ 2,850.50  | HR FIRE BARG & GEN LABOR       |
| BUMPER TO BUMPER HARTLAND                 | 10/11/2018 | \$ 293.98    | HWY EQ REP-BATTERIES           |
| BUMPER TO BUMPER HARTLAND                 | 11/02/2018 | \$ 36.00     | HWY EQ REP BATTERY CORE        |
| BUMPER TO BUMPER HARTLAND                 | 11/06/2018 | \$79.04      | PKS 5900 EQ REPAIR             |
| BURKE TRUCK & EQUIPMENT                   | 10/22/2018 | \$ 61.16     | HWY EQ RPR BODY UP SWITCH      |
| CARLIN HORTICULTURAL SUPPLIES             | 10/25/2018 | \$1,727.30   | PKS PROGRN ELITE ATHLETIC MIX  |
| CHICAGO TITLE COMPANY                     | 10/29/2018 | \$350.00     | ENG LETTER REPORT              |
| CINTAS CORP.                              | 10/25/2018 | \$ 163.64    | HWY FRST AID KIT SVC           |
| CINTAS CORP.                              | 10/25/2018 | \$ 712.43    | HWY SFTY EQUIP-GLOVES          |
| CINTAS CORP.                              | 10/29/2018 | \$57.63      | FD BLD MNT MATS ST2            |
| CINTAS CORP.                              | 11/05/2018 | \$ 102.18    | HWY FRST AID KIT SVC           |
| CINTAS CORP.                              | 11/05/2018 | \$44.51      | PKS SAFETY CABINET RESTOCK     |
| CINTAS CORP.                              | 11/05/2018 | \$112.06     | FD BLD MNT MATS ST1            |
| CORE & MAIN LP                            | 11/07/2018 | \$927.26     | HYDRANT SUPPLIES               |
| CRACK FILLING SERVICE                     | 10/22/2018 | \$ 18,200.00 | HWY CRACK SLNG BRKN HILL       |
| CRACK FILLING SERVICE                     | 10/22/2018 | \$ 24,880.00 | HWY CRACK SEALING              |
| CRACK FILLING SERVICE                     | 10/24/2018 | \$ 24,985.00 | HWY SPOT SEALING               |
| CRACK FILLING SERVICE                     | 10/24/2018 | \$3,000.00   | PKS CRACK SEALING - 2 PARKS    |
| DAN PLAUTZ CLEANING SERVICE               | 11/15/2018 | \$2,383.50   | CH JANITORIAL NOVEMBER         |
| DARIN, PATTY                              | 11/14/2018 | \$93.50      | ELECTION PAYROLL 11-6-2018     |
| DARLING, JULIA                            | 11/14/2018 | \$55.25      | ELECTION PAYROLL 11-6-2018     |
| DE COSTE, PHYLLIS                         | 11/14/2018 | \$133.88     | ELECTION PAYROLL 11-6-2018     |
| DEMLANG BUILDERS                          | 12/03/2018 | \$500.00     | BLD OCCUPANCY BOND REFUND      |
| DIAMOND VOGEL                             | 09/26/2018 | \$ 206.25    | HWY                            |
| DIVERSIFIED BENEFIT SERVICES              | 11/02/2018 | \$ 297.22    | Nov HRA Admin Svc Mailings     |
| DIVERSIFIED BENEFIT SERVICES              | 11/16/2018 | \$201.25     | NOVEMBER FSA ADMIN & MAILINGS  |
| DREES, TAYLOR                             | 11/14/2018 | \$42.50      | ELECTION PAYROLL 11-6-2018     |
| DUO-SAFETY LADDER CORPORATION             | 10/09/2018 | \$83.16      | FD EQ REP HEAT SENSOR LABEL    |
| DWYER, CHARLIE                            | 11/19/2018 | \$ 145.52    | BLD INSPECTOR MILEAGE          |
| EALLES, RICH                              | 09/26/2018 | \$125.00     | PKS SAFETY SHOE REIMBURSEMENT  |
| ELLIOTT ACE HARDWARE                      | 10/04/2018 | \$9.16       | PKS LAKEFRONT SIGN REPAIR      |
| ELLIOTT ACE HARDWARE                      | 10/09/2018 | \$ 3.29      | IT GLUE                        |
| ELLIOTT ACE HARDWARE                      | 10/15/2018 | \$20.98      | FD OP SUPP BATTERIES           |
| ELLIOTT ACE HARDWARE                      | 10/23/2018 | \$33.36      | FD OP SUPP PLIERS - NDL & LONG |
| ELLIOTT ACE HARDWARE                      | 10/31/2018 | \$ 25.98     | IT BATTERIES                   |
| ENTERS, CHERI                             | 11/14/2018 | \$46.75      | ELECTION PAYROLL 11-6-2018     |
| EQUAL RIGHT DIVISION                      | 11/03/2018 | \$7.50       | REC WORK PERMIT FEES OCTOBER   |
| ESO SOLUTIONS                             | 12/02/2018 | \$4,995.00   | IT FIREHOUSE EHR SOFTWARE      |
| EXTENDOBED                                | 09/30/2018 | \$5,328.00   | FD MIDVALE S CARRIER NEW 2802  |
| FABICK RENTS                              | 10/20/2018 | \$ 951.50    | HWY EQ RENTAL RDWDNR           |
| FABICK RENTS                              | 10/20/2018 | \$ 1,506.50  | HWY EQ RENTAL TRACK LDR        |
| FASTENAL                                  | 10/22/2018 | \$ 87.55     | HWY SFTY EQ-GLOVES             |

|                                   |            |              |                                |
|-----------------------------------|------------|--------------|--------------------------------|
| FERGUSON, JEFF & NANCY            | 11/19/2018 | \$ 500.00    | BLD OCC BOND REFUND            |
| FIRE SAFETY USA, INC.             | 09/28/2018 | \$1,866.30   | FD REPAIR 2861,2863,PLTFRM2871 |
| FIRE SAFETY USA, INC.             | 10/26/2018 | \$840.00     | FD REPAIR 2862 PUMP TEST       |
| FLEMMING, ELIZABETH               | 11/14/2018 | \$116.88     | ELECTION PAYROLL 11-6-2018     |
| FREYER, JANET                     | 11/14/2018 | \$119.00     | ELECTION PAYROLL 11-6-2018     |
| FRIEDEL, DONNA                    | 11/14/2018 | \$97.75      | ELECTION PAYROLL 11-6-2018     |
| FROEDTERT HEALTH/WORKFORCE HEALTH | 10/31/2018 | \$ 260.00    | HR HLTH COACHING               |
| FURST, MARTHA                     | 11/13/2018 | \$30.00      | REC YOGA SUB CLASS 11/13       |
| GALLS                             | 10/31/2018 | \$60.99      | FD UNIFORMS MOUDRY             |
| GALLS                             | 10/31/2018 | \$44.99      | FD UNIFORMS MOUDRY             |
| GILPIN, DONALD                    | 11/14/2018 | \$170.00     | ELECTION PAYROLL 11-6-2018     |
| GLEASON, ROBIN                    | 11/14/2018 | \$70.13      | ELECTION PAYROLL 11-6-2018     |
| GLOBE CONTRACTORS                 | 11/19/2018 | \$288,668.00 | SWM PEW WOODS CULVERT REP      |
| GRADING CREATIONS LLC             | 11/01/2018 | \$3,277.50   | PSC & PKS REGRD, TOPSOIL, GRDG |
| GUIDINGER, LOIS                   | 11/14/2018 | \$68.00      | ELECTION PAYROLL 11-6-2018     |
| HALEN HOMES                       | 11/19/2018 | \$ 2,000.00  | BLD EROSION BOND REFUND        |
| HALEN HOMES                       | 11/19/2018 | \$ 2,000.00  | BLD EROSION BOND REFUND        |
| HALEN HOMES                       | 11/19/2018 | \$ 2,000.00  | BLD EROSION BOND REFUND        |
| HAWKINS, INC.                     | 11/02/2018 | \$1,789.95   | AZONE 15/SODIUM SILICATE       |
| HAWKINS, INC.                     | 11/13/2018 | \$1,895.60   | AZONE 15/SODIUM SILICATE       |
| HEARTLAND BUSINESS SYSTEMS        | 10/09/2018 | \$ 334.00    | IT NTRWK MNTHLY SUPPORT NOV    |
| HECKEL DANCE LLC                  | 11/11/2018 | \$693.00     | REC FALL DANCE                 |
| HEIN ELECTRIC SUPPLY              | 10/22/2018 | \$28.01      | FD BLD REP ST1 OUTSIDE BULB    |
| HILTUNEN, MARIANNE                | 11/19/2018 | \$202.20     | ENG/SWM MILEAGE                |
| HOLLMANN, MOLLY                   | 11/14/2018 | \$114.75     | ELECTION PAYROLL 11-6-2018     |
| HUMPHREY SERVICE PARTS, INC       | 10/09/2018 | \$ 27.32     | HWY #1 & 56 OIL FILTERS        |
| HUMPHREY SERVICE PARTS, INC       | 10/24/2018 | \$ 86.98     | HWY #16 FILTERS, BELTS         |
| HUMPHREY SERVICE PARTS, INC       | 10/24/2018 | \$11.74      | PKS FILTER                     |
| HUMPHREY SERVICE PARTS, INC       | 11/06/2018 | \$3.91       | OIL FILTER                     |
| HURD, AMI                         | 11/08/2018 | \$ 28.34     | CT Election Mileage            |
| HUSCHKA, JUDY                     | 11/14/2018 | \$310.26     | ELECTION PAYROLL 11-6-2018     |
| ILLINGWORTH-KILGUST               | 10/31/2018 | \$293.00     | FD BLD REP ST2 CLEAR SWR DRAIN |
| IMEG CORP                         | 09/07/2018 | \$157.00     | ENG/SWM PLOTTER INK            |
| IMEG CORP                         | 11/12/2018 | \$1,680.00   | ENG BIENNIAL BRIDGE INSPECTION |
| INFORMATION TECH. PROF. LLC       | 11/12/2018 | \$ 1,875.00  | IT NTRWK MON VIRTUAL SRVRS     |
| INFORMATION TECH. PROF. LLC       | 11/12/2018 | \$ 39,796.40 | IT VIRTUAL SRVRS DWNPMNT       |
| INTL. INST. OF MUNICIPAL CLERKS   | 11/05/2018 | \$110.00     | CT 2019 IIMC RENEW HURD        |
| J.F. AHERN COMPANY                | 11/06/2018 | \$1,520.00   | CH SPRINKLER SYS REPAIR        |
| J.F. AHERN COMPANY                | 11/06/2018 | \$3,170.00   | CH SPRINKER SERVICE & ANNUAL   |
| JAMES CRAIG BUILDERS              | 11/20/2018 | \$ 2,000.00  | OVERCHARGED BLDG PERMIT 181582 |
| JEFFERSON FIRE & SAFETY, INC.     | 08/28/2018 | \$7,410.00   | FD NEW EQ - NCL GRAPHICS FIRE  |
| JEFFERSON FIRE & SAFETY, INC.     | 10/16/2018 | \$406.97     | FD EQ REP CALIBRATION KIT X4   |
| JERKE, MARIANNE                   | 11/14/2018 | \$136.00     | ELECTION PAYROLL 11-6-2018     |
| JK LAWN SERVICE                   | 11/04/2018 | \$228.00     | FD LAWN SVC OCT ST2            |
| JK LAWN SERVICE                   | 11/04/2018 | \$220.00     | FD LAWN SVC OCT ST1            |
| JOE WILDE CO                      | 10/22/2018 | \$130.00     | CH GARAGE DOOR REPAIR          |

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| JOE WILDE CO                   | 11/14/2018 | \$130.00     | CH GARAGE DOOR REPAIR          |
| JOERS, STACI                   | 11/17/2018 | \$396.00     | REC COOKING DEMO 11/14         |
| JOHN'S DISPOSAL SERVICE        | 10/25/2018 | \$ 48,733.15 | PW CONTRACTED & BULK BILLING   |
| JOHN'S DISPOSAL SERVICE        | 11/05/2018 | \$ 12,036.38 | PW OCT LANDFILL CHGS           |
| JOHN'S DISPOSAL SERVICE        | 11/15/2018 | \$306.25     | YARD WASTE SALE 10/17 TO 11/15 |
| JOHNSON CONTROLS-DISTRICT #336 | 11/01/2018 | \$403.00     | IT ST #2 ANNUAL FIRE ALARM MON |
| JOHNSON'S NURSERY              | 10/25/2018 | \$ 370.00    | FORESTRY - TULIPTREES          |
| JOHNSTONE SUPPLY               | 10/17/2018 | \$59.36      | PKS FILTERS                    |
| JUDI WELCH SIGNS               | 10/29/2018 | \$126.00     | PKS LAKEFRONT RULES SIGN       |
| JURIK, KAREN                   | 11/14/2018 | \$123.25     | ELECTION PAYROLL 11-6-2018     |
| JX TRUCK CENTER                | 11/14/2018 | \$208.59     | FD REP 2851 COOLANT LEAKS      |
| KAEREK HOMES INC               | 11/19/2018 | \$ 500.00    | BLD OCC BOND REFUND            |
| KAEREK HOMES INC               | 12/03/2018 | \$2,000.00   | BLD EROSION BOND REFUND        |
| KAESTNER AUTO ELECTRIC CO.     | 11/06/2018 | \$508.67     | PKS SHOP SUPPLIES              |
| KAESTNER AUTO ELECTRIC CO.     | 11/13/2018 | \$75.35      | PKS BATTERY BOOSTER            |
| KAINE, DAWN                    | 11/14/2018 | \$68.00      | ELECTION PAYROLL 11-6-2018     |
| KARPFINGER, BARBARA            | 11/14/2018 | \$80.75      | ELECTION PAYROLL 11-6-2018     |
| KEOUGH, TOM                    | 11/14/2018 | \$65.88      | ELECTION PAYROLL 11-6-2018     |
| KEVIN GAERTNER                 | 11/14/2018 | \$5.00       | REC REFUND LOW ENROLLMENT      |
| KIMBALL MIDWEST                | 10/16/2018 | \$ 16.85     | HWY EQ REPAIR                  |
| KINGS WAY HOMES                | 11/19/2018 | \$ 2,000.00  | BLD EROSION BOND REFUND        |
| KINGS WAY HOMES                | 11/19/2018 | \$ 2,000.00  | BLD EROSION BOND REFUND        |
| KLEIN, DEANNA                  | 11/14/2018 | \$110.50     | ELECTION PAYROLL 11-6-2018     |
| KMB ELECTRIC                   | 11/11/2018 | \$ 457.50    | CH ELECTRICAL FOR MSG BRDS     |
| KOEPP, TOM                     | 11/05/2018 | \$ 607.40    | DEER MANAGEMENT REIMB          |
| KWIK TRIP                      | 11/16/2018 | \$124.50     | CRT RESTITUTION DEF M PIERCE   |
| LANGE ENTERPRISES, INC         | 10/26/2018 | \$ 2,664.00  | HWY SIGN POSTS, BRACKETS       |
| LARSON, CHERRIE                | 11/21/2018 | \$ 460.80    | PR ART SCIENCE MASH UP CLASSES |
| LAWN BOYZ                      | 10/30/2018 | \$ 2,670.83  | CEM MONTHLY SVC CONTRACT       |
| LEVEL UP CONSTRUCTION          | 11/15/2018 | \$53,263.00  | PR BASEBALL CONCESSIONS        |
| LEVEL UP CONSTRUCTION          | 11/15/2018 | \$50,863.00  | PR SOCCER CONESSIONS           |
| LICHTE, MARK & JENNIFER        | 11/01/2018 | \$ 11.00     | SWM/GARBAGE REFUND             |
| LINCOLN CONTRACTORS            | 10/25/2018 | \$ 320.87    | HWY NEW BANDSAW, BLADES        |
| LUCHT, ROBERT                  | 11/14/2018 | \$131.75     | ELECTION PAYROLL 11-6-2018     |
| MALQUIST, DARRYL               | 11/14/2018 | \$97.75      | ELECTION PAYROLL 11-6-2018     |
| MC CARTHY, KATHRYN             | 11/14/2018 | \$114.75     | ELECTION PAYROLL 11-6-2018     |
| MENARDS                        | 10/20/2018 | \$31.47      | FD PTRAP, EXT TUBE, LTCH ST2   |
| MENARDS                        | 10/24/2018 | \$ 19.99     | HWY POST ANCHOR                |
| MENARDS                        | 10/25/2018 | \$11.73      | FD OP SUPP - FABRIC, STENCILS  |
| MENARDS                        | 10/29/2018 | \$ 32.70     | HWY NUTS & BOLTS FOR SIGNS     |
| MENARDS                        | 10/31/2018 | \$57.91      | PKS LITTER PICKERS, TIE DOWNS  |
| MENARDS                        | 10/31/2018 | \$6.55       | PKS NETTESHEIM CAULK           |
| MENARDS                        | 11/03/2018 | \$85.36      | FD TRAINING PROP ST2           |
| MENARDS                        | 11/04/2018 | \$67.78      | PSC WINTERIZING                |
| MENARDS                        | 11/09/2018 | \$ 8.49      | CH POSTING BOARD MV            |
| MENARDS                        | 11/10/2018 | \$35.98      | PKS SPRINGDALE BULBS           |

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| MENARDS                                | 11/12/2018 | \$ 39.95     | CH POSTING BOARD MOVE          |
| MIDWEST METER INC.                     | 11/16/2018 | \$1,056.00   | PLASTIC METER BASE             |
| MIEROW BUILDING CO                     | 11/19/2018 | \$ 2,000.00  | BLD EROSION BOND REFUND        |
| MILLER-BRADFORD & RISBERG, INC         | 10/21/2018 | \$ 1,860.00  | HWY SK55 & BUCKET RENTAL       |
| MILWAUKEE LAWN SPRINKLER CORP          | 10/31/2018 | \$510.00     | PSC SPRINKLER SYSTEM           |
| MILWAUKEE LAWN SPRINKLER CORP          | 10/31/2018 | \$916.14     | PSC REPAIR SUPPLY MAIN         |
| MILWAUKEE LAWN SPRINKLER CORP          | 11/13/2018 | \$539.66     | PSC IRRIGATION LINE REPAIR     |
| MOLEND, JULIE                          | 11/14/2018 | \$136.00     | ELECTION PAYROLL 11-6-2018     |
| MOORE, DONA                            | 11/14/2018 | \$68.00      | ELECTION PAYROLL 11-6-2018     |
| MORGAN ROOFING                         | 10/24/2018 | \$100.00     | PKS WAGNER ROOF REPAIR         |
| MUNICIPAL LAW & LITIGATION GROUP, S.C. | 09/20/2018 | \$10,641.75  | ATTORNEY SEPTEMBER             |
| MUNICIPAL LAW & LITIGATION GROUP, S.C. | 10/17/2018 | \$8,429.75   | ATTORNEY OCTOBER 17            |
| MUNICIPAL LAW & LITIGATION GROUP, S.C. | 11/15/2018 | \$7,041.45   | ATTORNEY NOVEMBER 15           |
| MUSHEL, CLAUDIA                        | 11/14/2018 | \$28.00      | ELECTION PAYROLL 11-6-2018     |
| MUSSON BROTHERS                        | 11/20/2018 | \$143,141.84 | SWM STORM INLET REPAIRS        |
| MYERS, ANN                             | 11/14/2018 | \$68.00      | ELECTION PAYROLL 11-6-2018     |
| NAGA ADDUSUMILLI                       | 11/19/2018 | \$ 2,000.00  | BLD EROSION BOND REFUND        |
| NAPA                                   | 11/02/2018 | \$79.80      | FD OIL DRY ST1                 |
| NAPA                                   | 11/08/2018 | \$2.88       | FD VEH RPR-MARKER LIGHTS ST2   |
| NAPA                                   | 11/14/2018 | \$119.70     | FD OIL DRY ST1                 |
| NATIONAL ELEVATOR INSP. SERVICES       | 11/13/2018 | \$80.00      | OVERHILL LIFT ROUTINE INSPECTI |
| NATIONAL ELEVATOR INSP. SERVICES       | 11/13/2018 | \$80.00      | STILL RIVER LIFT STATION INSPE |
| NATIONAL ELEVATOR INSP. SERVICES       | 11/13/2018 | \$240.00     | GUN CLUB/NORTHMND/MEADOWBRK    |
| NATIONWIDE RETIREMENT SOLUTIONS        | 11/20/2018 | \$ 1,875.09  | DEFERRED COMP                  |
| NEITZEL, DON                           | 11/14/2018 | \$136.00     | ELECTION PAYROLL 11-6-2018     |
| NETTESHEIM THOMAS J                    | 11/14/2018 | \$63.75      | ELECTION PAYROLL 11-6-2018     |
| NFPA                                   | 10/18/2018 | \$415.62     | FD NEW EQ-CODE BK/MANUALS ST1  |
| NOLL, CAROL                            | 11/14/2018 | \$59.50      | ELECTION PAYROLL 11-6-2018     |
| NOLL, DALE                             | 11/14/2018 | \$97.75      | ELECTION PAYROLL 11-6-2018     |
| OFFICE COPYING EQUIPMENT, LTD          | 10/29/2018 | \$ 7.11      | CT OCT COPY CHGS B402SC        |
| OFFICE COPYING EQUIPMENT, LTD          | 10/29/2018 | \$ 365.24    | CT OCT COPY CHGS 6240N         |
| OFFICE COPYING EQUIPMENT, LTD          | 10/29/2018 | \$ 197.79    | BLD COPIER/COPIES              |
| OFFICE COPYING EQUIPMENT, LTD          | 10/29/2018 | \$15.71      | CRT & PS COPIER CHARGES        |
| OFFICE COPYING EQUIPMENT, LTD          | 10/29/2018 | \$123.37     | ENG/SWM COPIER OCTOBER         |
| OFFICE COPYING EQUIPMENT, LTD          | 10/29/2018 | \$33.79      | FD COPIER AGREEMENT ST1        |
| OFFICE COPYING EQUIPMENT, LTD          | 11/16/2018 | \$106.41     | METERED COPIES                 |
| OFFICE DEPOT                           | 10/17/2018 | \$25.44      | FD OP SUP-DISHWASHER SOAP      |
| OFFICE DEPOT                           | 10/19/2018 | \$56.69      | FD OP SUPP-DISH SOAP           |
| OFFICE DEPOT                           | 10/23/2018 | \$ 56.77     | BLD PAPER, CALENDARS           |
| OFFICE DEPOT                           | 10/23/2018 | \$191.97     | PKS PRINTER TONER CARTRIDGES   |
| OFFICE DEPOT                           | 10/25/2018 | \$23.16      | FD OFC-MOUSEPAD                |
| OFFICE DEPOT                           | 10/26/2018 | \$ 578.61    | CH JANITORIAL SUPPLIES         |
| OFFICE DEPOT                           | 10/26/2018 | \$113.00     | FD OFC-DOC COVERS              |
| OFFICE DEPOT                           | 10/26/2018 | \$60.99      | FD OFC-PRINTER TONER ST2       |
| OFFICE DEPOT                           | 10/27/2018 | \$53.94      | FD OFC-CERTIFICATE PAPER       |
| OFFICE DEPOT                           | 10/31/2018 | \$ 49.47     | BLD TISSUES, BATTERIES         |



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| OFFICE DEPOT                       | 11/06/2018 | \$ 57.68     | CT OFFICE SUPPLIES               |
| OFFICE DEPOT                       | 11/08/2018 | \$10.02      | REC TAPE/MK CALENDARS            |
| OFFICE DEPOT                       | 11/09/2018 | \$28.04      | FD OP SUP-IBUPROFEN              |
| OFFICE DEPOT                       | 11/21/2018 | \$36.77      | CH LUNCH ROOM & CT OFFICE SUPP   |
| OFFICE DEPOT                       | 11/21/2018 | \$15.78      | CH LUNCH ROOM SUPPLIES           |
| OFFICE DEPOT                       | 11/21/2018 | \$11.04      | CH LUNCH ROOM SUPPLIES           |
| ORLOVSKY, ARLINE                   | 11/14/2018 | \$72.25      | ELECTION PAYROLL 11-6-2018       |
| ORLOVSKY, RICHARD                  | 11/14/2018 | \$72.25      | ELECTION PAYROLL 11-6-2018       |
| PARKING LOT MAINTENANCE            | 11/06/2018 | \$ 9,780.00  | SWM STILL RIVER PATCHING         |
| PASCUCCI, GREG                     | 11/14/2018 | \$135.00     | ELECTION PAYROLL 11-6-2018       |
| PAYNE & DOLAN                      | 10/22/2018 | \$408,695.60 | ENG DEERHAVEN PHS 2              |
| PAYNE & DOLAN                      | 10/22/2018 | \$288,000.30 | ENG STEEPLECHASE PHS 1           |
| PEREIRA, BOB                       | 11/14/2018 | \$136.00     | ELECTION PAYROLL 11-6-2018       |
| PETERSON, MARY                     | 11/14/2018 | \$46.75      | ELECTION PAYROLL 11-6-2018       |
| PEWAUKEE AREA ARTS COUNCIL         | 11/12/2018 | \$100.80     | REC ART CANVAS CLASS 11/10/18    |
| PEWAUKEE, VILLAGE OF               | 11/01/2018 | \$ 21,964.92 | FD EMS OCT COLLECTIONS           |
| PEWAUKEE, VILLAGE OF               | 11/07/2018 | \$ 930.80    | PARK & REC OCT 2018              |
| PEWAUKEE, VILLAGE OF               | 11/20/2018 | \$ 65,409.91 | NOVEMBER LIBRARY                 |
| PFEIFFER, RICHARD                  | 11/14/2018 | \$70.13      | ELECTION PAYROLL 11-6-2018       |
| PFEIFFER, SANDIE                   | 11/14/2018 | \$76.50      | ELECTION PAYROLL 11-6-2018       |
| PIPER, SCHMIDT & WIRTH             | 10/22/2018 | \$ 18,097.93 | SWM SPRNG CRK CH                 |
| PITNEY BOWES GLOBAL FINANCIAL SVCS | 11/15/2018 | \$1,681.53   | LEASING CHARGES                  |
| POMP'S TIRE SERVICE, INC.          | 11/14/2018 | \$3,176.00   | FD VEH REP-2863 TIRES ST1        |
| PRAEGER, JANET                     | 11/14/2018 | \$95.00      | ELECTION PAYROLL 11-6-2018       |
| PREMIUM WATERS, INC                | 10/22/2018 | \$ 45.00     | HWY H2O DISPENSER REFILLS        |
| PREMIUM WATERS, INC                | 11/05/2018 | \$ 36.75     | HWY H2O DISPENSER REFILLS        |
| PREMIUM WATERS, INC                | 11/05/2018 | \$20.25      | PKS SHOP WATER REFILLS           |
| PREMIUM WATERS, INC                | 11/19/2018 | \$28.50      | PKS SHOP WATER DISP REFILLS      |
| PROHEALTH CARE MEDICAL ASSOC.      | 11/01/2018 | \$ 279.00    | FD PRE-EMP EXAMS                 |
| PROHEALTH CARE MEDICAL ASSOC.      | 11/01/2018 | \$ 279.00    | FD PRE-EMP EXAMS                 |
| PROHEALTH CARE MEDICAL ASSOC.      | 11/01/2018 | \$ 279.00    | FD PRE-EMP EXAM                  |
| PROHEALTH PHARMACY WAUKESHA        | 10/31/2018 | \$1,326.09   | FD AMBO EMS SUPP OCTOBER         |
| QUEST HOME REMODELING              | 11/19/2018 | \$ 500.00    | BLD OCC BOND REFUND              |
| ROGAHN, SHIRLEY                    | 11/14/2018 | \$201.88     | ELECTION PAYROLL 11-6-2018       |
| ROMENS, RANDY                      | 11/19/2018 | \$ 130.26    | BLD INSPECTOR MILEAGE            |
| ROTROFF JEANSON & CO.              | 11/06/2018 | \$ 1,407.00  | 2019 BUDGET, ELECTION PYRL       |
| ROTROFF JEANSON & CO.              | 11/06/2018 | \$1,552.00   | RCA/PSC CASH FLOW/MOODY'S CREDIT |
| RUEKERT & MIELKE, INC.             | 07/10/2015 | \$2,272.58   | ENG CLVRLND FRMS CONSTR SVCS     |
| RUEKERT & MIELKE, INC.             | 03/02/2017 | \$3,566.05   | WTR LIN/SWN/RED WTR MN DESIGN    |
| RUEKERT & MIELKE, INC.             | 04/13/2017 | \$135.00     | SWM WDLF RES PH 2 CONST RVW      |
| RUEKERT & MIELKE, INC.             | 04/13/2017 | \$1,017.50   | ENG CLVRLND FRMS CONSTR SVC      |
| RUEKERT & MIELKE, INC.             | 04/13/2017 | \$1,138.97   | ENG ZILBER IND CONSTR RVW        |
| RUEKERT & MIELKE, INC.             | 06/12/2017 | \$1,925.00   | N. CENTRAL SANI SEWER STUDY      |
| RUEKERT & MIELKE, INC.             | 10/02/2018 | \$ 19,549.79 | ENG WDLF RES ADD #2-TOWNE        |
| RUEKERT & MIELKE, INC.             | 10/02/2018 | \$ 1,588.89  | ENG CLVRLND FRMS-NEUMANN         |
| RUEKERT & MIELKE, INC.             | 10/02/2018 | \$ 677.21    | SWM PRAIRIE GRS APTS             |

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| RUEKERT & MIELKE, INC.           | 10/02/2018 | \$ 552.80    | SWM MDWBRK VLG 18/19           |
| RUEKERT & MIELKE, INC.           | 10/02/2018 | \$ 863.41    | ENG PWK INDUSTRIAL-BRIOHN      |
| RUEKERT & MIELKE, INC.           | 10/02/2018 | \$ 421.72    | ENG HAMACHER                   |
| RUEKERT & MIELKE, INC.           | 10/02/2018 | \$ 767.02    | ENG SPRNG CRK CHURCH           |
| RUEKERT & MIELKE, INC.           | 10/02/2018 | \$ 4,184.75  | WS FINANCIAL PLNG              |
| RUEKERT & MIELKE, INC.           | 10/02/2018 | \$ 5,526.20  | SWM FINANCIAL PLNG             |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$540.00     | FINANCIAL PLANNING             |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$2,047.57   | ENG PEW WDS CONSTR RVW         |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$60.00      | ENG DEERHAVEN CONSTR RVW       |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$635.00     | ENG CONSTR RVW FV FLD/DRHVN    |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$660.00     | SWM STORM INLET CONSTR SVCS    |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$14,945.60  | SWM PEW WDS CONSTR RVW         |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$876.75     | ENG LNDYS MNTNC DES & BID      |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$2,161.50   | SWM HILL N DALE DRNG IMP DESIG |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$587.75     | SWM FINANCIAL PLNG SW REVIEW   |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$9,037.44   | ENG WDLF ADD 2 PHS 3 CONST RVW |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$401.67     | SWM MDWBRK ERSN CNTRL INSP     |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$1,839.98   | SWM BRIOHN EC & UTIL INST RVW  |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$417.54     | SWM HAMACHER ERSN CNT INSP     |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$1,038.33   | SWM SPR CRK CH EROS CNTRL INSP |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$281.95     | SWM PRAIRIE GRS CONST RVW      |
| RUEKERT & MIELKE, INC.           | 10/29/2018 | \$5,107.69   | ENG CLVRLND SUBD CONSTR SVC    |
| RUF, JOHN                        | 11/14/2018 | \$115.00     | ELECTION PAYROLL 11-6-2018     |
| RUF, SALLY                       | 11/14/2018 | \$180.00     | ELECTION PAYROLL 11-6-2018     |
| RUNDLE-SPENCE                    | 11/06/2018 | \$ 31.79     | CH ADA RESTROOM                |
| SAFEBUILT                        | 10/31/2018 | \$2,437.50   | BLD CONTRACT INSPECTOR         |
| SAWALL, BRENDA                   | 11/14/2018 | \$133.88     | ELECTION PAYROLL 11-6-2018     |
| SCHOLTKA, JENNIFER               | 11/27/2018 | \$300.00     | REC ZUMBA OCT-NOV              |
| SCHWAAB, INC                     | 11/14/2018 | \$75.24      | EL & CT CUSTOM STAMPS          |
| SCHWAAB, INC                     | 11/15/2018 | \$78.25      | CT DATED CT RCVD STAMP         |
| SEVERSON, BILL                   | 11/14/2018 | \$176.38     | ELECTION PAYROLL 11-6-2018     |
| SHAWNS DEER PICK UP              | 10/01/2018 | \$ 104.00    | HWY DEER REMOVAL - 2           |
| SHIELD SOLUTIONS                 | 11/01/2018 | \$390.00     | FD EQ REP-PAIL CLEAN GEAR/PPE  |
| SIEGERT, SUSAN                   | 11/14/2018 | \$110.50     | ELECTION PAYROLL 11-6-2018     |
| SIEGMAN, LAURA                   | 11/14/2018 | \$133.88     | ELECTION PAYROLL 11-6-2018     |
| SIGNS & LINES BY STRETCH         | 10/09/2018 | \$1,980.47   | FD GRAPHICS, REMOVAL & INSTALL |
| SJ JANIS CO                      | 11/12/2018 | \$2,000.00   | BLD EROSION BOND REFUND        |
| SMILEY, LAURA                    | 11/14/2018 | \$115.00     | ELECTION PAYROLL 11-6-2018     |
| SMITH, GEORGE                    | 11/14/2018 | \$133.88     | ELECTION PAYROLL 11-6-2018     |
| SMITH, NINA                      | 11/14/2018 | \$133.88     | ELECTION PAYROLL 11-6-2018     |
| SOFT WATER, INC.                 | 10/31/2018 | \$30.00      | FD BLD MNT-ST1 SOLAR SALT      |
| SOFT WATER, INC.                 | 10/31/2018 | \$45.00      | FD BLD MNT-ST1 SOLAR SALT      |
| STAAB CONSTRUCTION CORP          | 10/31/2018 | \$451,377.88 | WELL #1 RADIUM FILTRATION FACI |
| STATE OF WI COURT FINES & ASSMTS | 11/16/2018 | \$12,628.26  | CRT OCT COSTS & ASMNT SHARE    |
| STEINMETZ, MALLORY               | 11/14/2018 | \$63.75      | ELECTION PAYROLL 11-6-2018     |
| STONERIDGE MART                  | 11/16/2018 | \$25.09      | CRT RESTITUTION DEF J FENCEROY |

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| SUNBELT RENTALS                   | 11/09/2018 | \$557.70     | PSC DEHUMIDIFIER RENTAL       |
| SUSSEX, VILLAGE                   | 11/05/2018 | \$684.81     | REC CRANBERRY FEST TRIP       |
| TANNER BUELOW                     | 11/16/2018 | \$861.00     | CRT CIR CT DISMISSED          |
| TARGET SOLUTIONS LEARNING         | 11/14/2018 | \$ 4,860.37  | IT 2019 TARGET SOLUTIONS      |
| TBA DISTRIBUTORS                  | 10/20/2018 | \$720.00     | PKS TIRES #89                 |
| TBA DISTRIBUTORS                  | 10/20/2018 | \$788.00     | PKS TIRES #78                 |
| TD AMERITRADE TRUST COMPANY       | 11/20/2018 | \$ 50.00     | LOAN REPAYMENT                |
| TDS AUTOMATIC DOOR LLC            | 11/02/2018 | \$ 200.00    | CH ADA DOOR REPAIRS           |
| THOMAS, BRIAN                     | 11/14/2018 | \$68.00      | ELECTION PAYROLL 11-6-2018    |
| THOMAS, ELNETTA                   | 11/14/2018 | \$123.25     | ELECTION PAYROLL 11-6-2018    |
| TIM O'BRIEN HOMES                 | 11/19/2018 | \$ 2,000.00  | BLD EROSION BOND REFUND       |
| TIM O'BRIEN HOMES                 | 11/19/2018 | \$ 2,000.00  | BLD EROSION BOND REFUND       |
| TIM O'BRIEN HOMES                 | 11/19/2018 | \$ 500.00    | BLD OCC BOND REFUND           |
| TIM O'BRIEN HOMES                 | 11/19/2018 | \$ 2,000.00  | BLD EROSION BOND REFUND       |
| TLM SOLUTIONS                     | 11/19/2018 | \$276.85     | CH TIME CARDS                 |
| TOEPEL, SUE                       | 11/14/2018 | \$303.88     | ELECTION PAYROLL 11-6-2018    |
| US CELLULAR                       | 11/05/2018 | \$164.33     | PKS CELL PHONE                |
| VERIZON                           | 11/01/2018 | \$219.75     | CELL SERVICE                  |
| VESCIO, MARCEY                    | 11/14/2018 | \$116.88     | ELECTION PAYROLL 11-6-2018    |
| VITALE, JOHN                      | 11/14/2018 | \$46.75      | ELECTION PAYROLL 11-6-2018    |
| WASHBURN MACHINERY, INC.          | 10/26/2018 | \$11,861.25  | FD NEW WASH/EXTR & DRY CAB    |
| WAUK CO HISTORICAL SOC MUSEUM     | 11/20/2018 | \$ 100.00    | PR KNOCK KNOCK PRESENTATION   |
| WAUKESHA CO SHERIFF'S DEPT        | 11/16/2018 | \$180.00     | CRT WARRANT FEE OCTOBER       |
| WAUKESHA CO TECHNICAL COLLEGE     | 10/26/2018 | \$5.00       | FD TRAINING-BLS CARD          |
| WAUKESHA CO TECHNICAL COLLEGE     | 10/30/2018 | \$ 184.42    | PP CHGBKS COLLECTED           |
| WAUKESHA COUNTY TREASURER         | 10/30/2018 | \$ 386.05    | PP CHGBKS COLLECTED           |
| WAUKESHA COUNTY TREASURER         | 11/06/2018 | \$ 3,018.20  | Q4 TAX BILLING                |
| WAUKESHA COUNTY TREASURER         | 11/08/2018 | \$198,302.52 | PS DECEMBER POLICE SVCS       |
| WAUKESHA COUNTY TREASURER         | 11/16/2018 | \$3,447.37   | CRT CO JAIL ASMT & DRIVER IMP |
| WAUKESHA LIME & STONE CO.         | 10/01/2018 | \$ 958.70    | HWY CRUSHED RAP               |
| WAUKESHA LIME & STONE CO.         | 10/18/2018 | \$ 1,299.20  | HWY CRUSHED RAP               |
| WAUKESHA MEMORIAL HOSPITAL        | 11/14/2018 | \$455.50     | FD OP SUPP-IV SUPPLIES        |
| WAUKESHA PROF. FIREFIGHTERS ASSOC | 11/20/2018 | \$ 1,703.87  | NOVEMBER UNION DUES           |
| WAUKESHA SCHOOL DISTRICT          | 10/30/2018 | \$ 1,731.77  | PP CHGBKS COLLECTED           |
| WE ENERGIES                       | 11/07/2018 | \$37.10      | PKS FLAG LIGHT-VILLAGE PARK   |
| WE ENERGIES                       | 11/19/2018 | \$323.46     | PSC ELECTRIC SVC 9.27-10.26   |
| WE ENERGIES                       | 11/19/2018 | \$16.99      | PSC GAS SVC 9.10-10.29        |
| WEBER, ROGER                      | 11/14/2018 | \$57.38      | ELECTION PAYROLL 11-6-2018    |
| WEBER, SUSAN                      | 11/14/2018 | \$57.38      | ELECTION PAYROLL 11-6-2018    |
| WESTERN CULVERT & SUPPLY          | 10/22/2018 | \$ 273.00    | HWY SWM CULVERT PIPE          |
| WI DEPT OF JUSTICE-RECORDS CHECK  | 11/01/2018 | \$ 10.00     | FD PRE-EMP EXAMS              |
| WI LEGAL BLANK CO., INC.          | 10/25/2018 | \$ 90.00     | BLD ENVELOPES                 |
| WI LEGAL BLANK CO., INC.          | 10/31/2018 | \$ 184.00    | EL ABSENTEE ENVELOPES         |
| WI LEGAL BLANK CO., INC.          | 11/15/2018 | \$2,695.00   | REC PROGRAM GUIDE-WNT/SPR     |
| WROBLEWSKI, SUE                   | 11/14/2018 | \$133.88     | ELECTION PAYROLL 11-6-2018    |
| YEKO, JANE                        | 11/14/2018 | \$136.00     | ELECTION PAYROLL 11-6-2018    |

|                 |            |          |                            |
|-----------------|------------|----------|----------------------------|
| ZEPHIRIN, VICKI | 11/14/2018 | \$68.00  | ELECTION PAYROLL 11-6-2018 |
| ZIEGERT, JIM    | 11/14/2018 | \$123.25 | ELECTION PAYROLL 11-6-2018 |

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

**DATE:** December 3, 2018

**DEPARTMENT:** Clerk/Treasurer

**PROVIDED BY:**

***SUBJECT:***

Approve Bartender Licenses

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

**ATTACHMENTS:**

Description

Bartender Licenses

| <b><u>Individual Name</u></b> | <b><u>Establishment Name</u></b> | <b><u>Type</u></b> |
|-------------------------------|----------------------------------|--------------------|
| Erkes, Rebekah M.             | Machine Shed                     | New                |
| Kallas, Leah M.               | Andrea's Red Rooster             | New                |

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

**DATE:** December 3, 2018

**DEPARTMENT:** Clerk/Treasurer

**PROVIDED BY:**

***SUBJECT:***

Discussion and Possible Action to Approve the Rotroff/Jeanson Audit Service Proposal for 2018 Financial Statements [Rotroff/Klein]

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

**ATTACHMENTS:**

Description

Rotroff Engagement Letter



Certified Public Accountants & Consultants

December 3, 2018

To the Mayor and Common Council  
City of Pewaukee  
W240N3065 Pewaukee Road  
Pewaukee, WI 53072

Dear Mayor and Council Members:

We are pleased to confirm our understanding of the services we are to provide the City of Pewaukee for the year ended December 31, 2018. We will audit the financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the City of Pewaukee as of and for the year ended December 31, 2018.

Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City of Pewaukee's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City of Pewaukee's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis,
- 2) Budgetary comparison schedules for the general fund and all major special revenue funds, and
- 3) Schedules of the City's proportionate share of net pension liability (asset) and pension contributions – Wisconsin Retirement System

We have also been engaged to report on supplementary information other than RSI that accompanies the City of Pewaukee's financial statements, such as combining and individual fund financial statements. We will subject the supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditors' report on the financial statements.



## **Audit Objective**

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the preceding paragraph when considered in relation to the financial statements as a whole.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of the City of Pewaukee's financial statements. Our report will be addressed to the Common Council of the City of Pewaukee.

We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or may withdraw from this engagement.

## **Audit Procedures—General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

## **Audit Procedures—Internal Control**

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

## **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City of Pewaukee's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

## **Other Services**

We will also propose year-end adjusting journal entries and prepare the financial statements of the City of Pewaukee in conformity with U.S. generally accepted accounting principles based on information provided by you. We will provide assistance with preparation of various regulatory reports, including the Wisconsin Financial Report Form C and the Water Utility's Public Service Commission Report as well as providing tax roll, budgetary and accounting assistance. We will perform the services in accordance with applicable professional standards. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

## **Management Responsibilities**

Management is responsible for designing, implementing and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws and regulations.

You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon.

Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

You agree to assume all management responsibilities for financial statement preparation services and any other nonattest services we provide; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them. These services include the following:

- Budgetary, tax roll and accounting assistance and consulting
- Assistance with preparation of various regulatory reports (i.e. State of Wisconsin Financial Report C, Public Service Commission report...).

### **Engagement Administration, Fees, and Other**

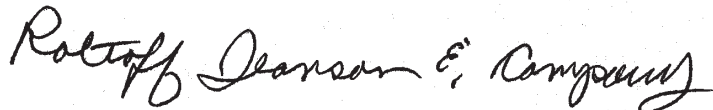
Michael Rotroff is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it. Our fees for these services are as follows:

|                          |          |
|--------------------------|----------|
| City:                    |          |
| Audit                    | \$44,730 |
| State Financial Report   | 3,100    |
| Water and Sewer Utility: |          |
| Audit                    | \$28,000 |
| PSC Report               | 4,900    |

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. The above fees are based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. Unexpected circumstances would include but not be limited to: changes in accounting personnel, implementation of new auditing requirements, new financial reporting standards... If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to the City of Pewaukee and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



**Rotroff Jeanson & Company, S.C.**

RESPONSE:

This letter correctly sets forth the understanding of the City of Pewaukee.

By: \_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

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

**DATE:** December 3, 2018

**DEPARTMENT:** Clerk/Treasurer

**PROVIDED BY:**

***SUBJECT:***

Conditional Use Public Hearing and Possible Action Regarding the Request of Stoneridge of Pewaukee LLC Located at N16 W23390 Stoneridge Drive (PWC 0956-999-022) to Allow M-1, M-2, or M-3 Permitted Accessory or Conditional Use in a M-4 Zoning District for the Purpose of Storage of Equipment and/or Vehicles Used in Conjunction with the Operation of the Business Along with Administrative Offices [N. Fuchs]

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

**ATTACHMENTS:**

Description

Stoneridge Conditional Use Application

Stoneridge Staff Report

Stoneridge Conditional Use Permit

APPENDIX A-4

Page 3 of 4

PETITION FOR A

- CONDITIONAL USE PERMIT -

TO THE HONORABLE MAYOR AND COMMON COUNCIL  
OF THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN:

The undersigned do(es) hereby petition the Common Council of the City of Pewaukee, Waukesha County, Wisconsin for a **Conditional Use Permit** for the purpose of: TO ALLOW A M-1, M-2, OR M-3 PERMITTED ACCESSORY, OR CONDITIONAL USE IN A M-4 ZONING DISTRICT FOR THE PURPOSE OF THE STORAGE OF EQUIPMENT AND/OR VEHICLES USED IN CONJUNCTION WITH THE OPERATION OF THE BUSINESS ALONG WITH ADMINISTRATIVE OFFICES.

Legal description of property on which the conditional use is to be located:

Parcel 11 CERT SURV 7949 VOL 08/309 PT SE 1/4 & NE 1/4 SEC 23 T7N  
R19E R21W5/1059

Please attach extra pages or other information if needed.

Common property description or name: Crestview Building

Tax key number: PWC 956,999.022 Address: N116W23390 Stoneridge Drive

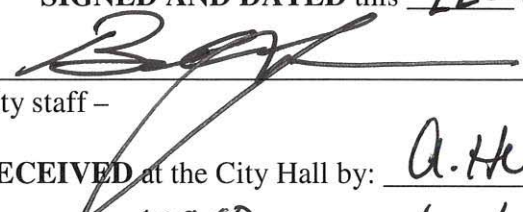
Property owners name/address: Stoneridge of Pewaukee, LLC.  
Property currently zoned: M-4

Signature of person(s) petitioning for permit: \_\_\_\_\_

Address of person(s) petitioning for permit (if not property owner): \_\_\_\_\_

17280 W. NORTH AVENUE, SUITE 101, BROOKFIELD, WI 53045

SIGNED AND DATED this 22<sup>nd</sup> day of October, 2018.

City staff – 

RECEIVED at the City Hall by: A. Hurd on 10/22/18

Fees paid: \$ 400.00 Date: 10/22/18

(Please go to page 4)



APPENDIX A-4

Page 4 of 4

CITY OF PEWAUKEE

STATE OF WISCONSIN

WAUKESHA COUNTY

- NOTICE OF CONDITIONAL USE PUBLIC HEARING -

PLEASE TAKE NOTICE THAT THERE WILL BE A PUBLIC HEARING ON THE  
PETITION OF (Name) Stoneridge of Pewaukee, LLC. FOR A **CONDITIONAL USE**  
**PERMIT** ON THE FOLLOWING PROPERTY IN THE CITY OF PEWAUKEE:

Legal description of property: Parcel 11 CERT SUBV 7949 VOL 08/309 PT  
SE 1/4 & NE 1/4 SEC 23 T7N R19E R21W5/1059

\_\_\_\_\_. Please attach extra pages, CSM or  
other information if needed.

Common Description or name: Crestview Building

Tax Key Number(s): PWC 950.999.022 Current zoning: M-4

This conditional use permit is requested in order to allow a M-1, M-2, or M-3 permitted  
accessory or conditional use in a M-4 zoning district for the purpose  
of the storage of equipment and/or vehicles used in conjunction with  
the operation of the business along with administrative offices.  
City staff –

**THE PUBLIC HEARING** will be held at a meeting of the City Plan Commission in the City Hall  
Common Council Chambers\* on \_\_\_\_\_ at or after \_\_\_\_\_ **PM.**

**ACTION BY THE COMMON COUNCIL** on the petition is scheduled to be made at a meeting in the  
Common Council Chambers\* on \_\_\_\_\_ at or after \_\_\_\_\_ **PM.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Kelly Tarczewski, Clerk/Treasurer

\* Please park in lower (south) parking lot.



Office of the Planner & Community Development Director  
W240 N3065 Pewaukee Road  
Pewaukee, Wisconsin 53072  
Phone (262) 691-0770 Fax (262) 691-1798  
[fuchs@pewaukee.wi.us](mailto:fuchs@pewaukee.wi.us)

## REPORT TO THE PLAN COMMISSION

Meeting of November 15, 2018

---

**Date:** November 6, 2018

**Project Name:** Spancrete Conditional Use

**Project Address/Tax Key No.:** N16W23390 Stone Ridge Drive/Tax Key No. 0956999022

**Applicant:** Stoneridge of Pewaukee, LLC

**Property Owner:** Stoneridge of Pewaukee, LLC

**Current Zoning:** M-4 Industrial Park District

**Proposed Zoning:** Same

**2050 Land Use Map Designation:** Manufacturing / Fabrication / Warehousing

**Use of Surrounding Properties:** M-4 zoned properties to the north, east and west and B-4 zoned properties to the south

---

### Project Description

The applicant filed a Petition for a Conditional Use Permit requesting approval for Spancrete to locate within an existing tenant space at N16W23390 Stone Ridge Drive. Spancrete plans to utilize the space primarily for warehousing and storage as part of their wholesale distribution business use. Note that no outdoor storage is proposed.

The subject property is zoned M-4 Industrial District, which allows B-4 and M-2 permitted uses and M-1, M-2 and M-3 uses as Conditional Uses. Generally, the B-4 District allows office type uses and the M-2 District allows uses involved in the manufacturing of goods or fabrication of materials.

The proposed use is most appropriately allowed within the M-1 District as the M-1 District permits wholesaling and storage. Therefore, a Conditional Use Permit is required along with the Business Plan of Operation Application.

### Recommendation

A motion recommending approval of the Conditional Use for Spancrete to locate within existing tenant space at N16W23390 Stone Ridge Drive.

**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-18-11-1**

**PWC 0956999022**

**LEGAL DESCRIPTION:**

PARCEL 11 CERT SURV 7949 VOL 68/309 PT SE1/4 & NE1/4 SEC  
23 T7N R19E R2165/659

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

Stoneridge of Pewaukee, LLC

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 has held a meeting on November 15, 2018; has reviewed the various elements of the petitioners proposal; and has recommended that a Conditional Use Permit be granted to the above named petitioner for the property/parcel identified above; and,

**WHEREAS,** The City Common Council, held a public hearing meeting held on December 3, 2018.

**NOW, THEREFORE,** let it be known that the City Common Council by its action on December 3, 2018 has, hereby, granted a Conditional Use Permit for the following use(s):

allow a M-1, M-2, or M-3 permitted accessory or conditional use in a M-4 zoning district for the purpose of the storage of equipment and/or vehicles used in conjunction with the operation of the business along with administrative offices.



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

No conditions.

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 \_\_\_\_\_, 2018 by Steve Bierce, Mayor and Kelly Tarczewski, Clerk.

(Seal)

\_\_\_\_\_  
Ami Hurd

My Commission expires \_\_\_\_\_

This instrument was drafted by Ami Hurd, Deputy Clerk

**CITY OF PEWAUKEE  
COMMON COUNCIL AGENDA ITEM 6.**

**DATE:** December 3, 2018

**DEPARTMENT:** PRCS - Planning

**PROVIDED BY:**

***SUBJECT:***

Discussion and Possible Action Regarding a Certified Survey Map for Tom Mueller Located on Duplainville Road for the Purpose of Subdividing the Parcel Into Three Separate Lots (PWC 0867-994-003) [N. Fuchs]

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

**ATTACHMENTS:**

Description

Mueller CSM

Mueller CSM Staff Report

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

Sheet 1 of 4

Being a redivision of Outlot 2 of Certified Survey Map No. 10777 and being part  
of the NE 1/4 of the SW 1/4 of Section 1, Town 7 North, Range 19 East  
CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN



SCALE IN FEET



**LEGEND:**

- -IRON PIPE 18" x 1" DIA.  
(PLACED)  
1.13+ LBS. PER LIN. FT.
- -IRON PIPE (FOUND)
- CONC. MON. (FOUND)

**SURVEYOR/ENGINEER:**

JOHN R. STIGLER, RLS  
JAHNKE & JAHNKE ASSOC., INC.  
711 WEST MORELAND BLVD.  
WAUKESHA, WI. 53188-2479  
PHONE: (262) 542-5797

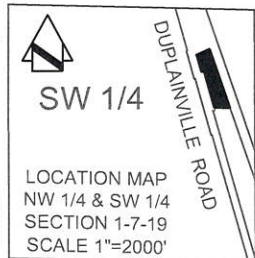
**OWNER:**

MAPLE CREEK FARMS, LLC  
C/O TOM MUELLER  
W225 N4226 DUPLAINVILLE ROAD  
PEWAUKEE, WI. 53072-2809  
PHONE: (262) 691-1780

**REFERENCE BEARING:** THE EAST  
LINE OF THE SOUTHWEST (SW 1/4) OF  
SECTION 1, T7N, R19E WAS USED AS  
THE REFERENCE BEARING AND HAS A  
BEARING OF SOUTH 00°18'38" EAST  
BASED ON WISCONSIN STATE PLANE  
COORDINATE SYSTEM (SOUTH ZONE).

**OUTLOT 1**  
C.S.M. No. 10777

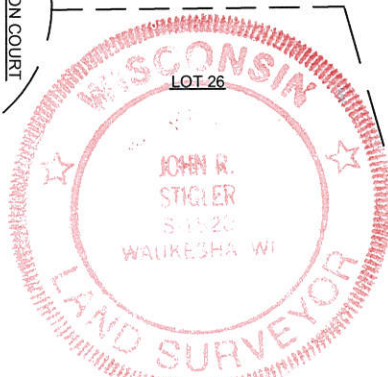
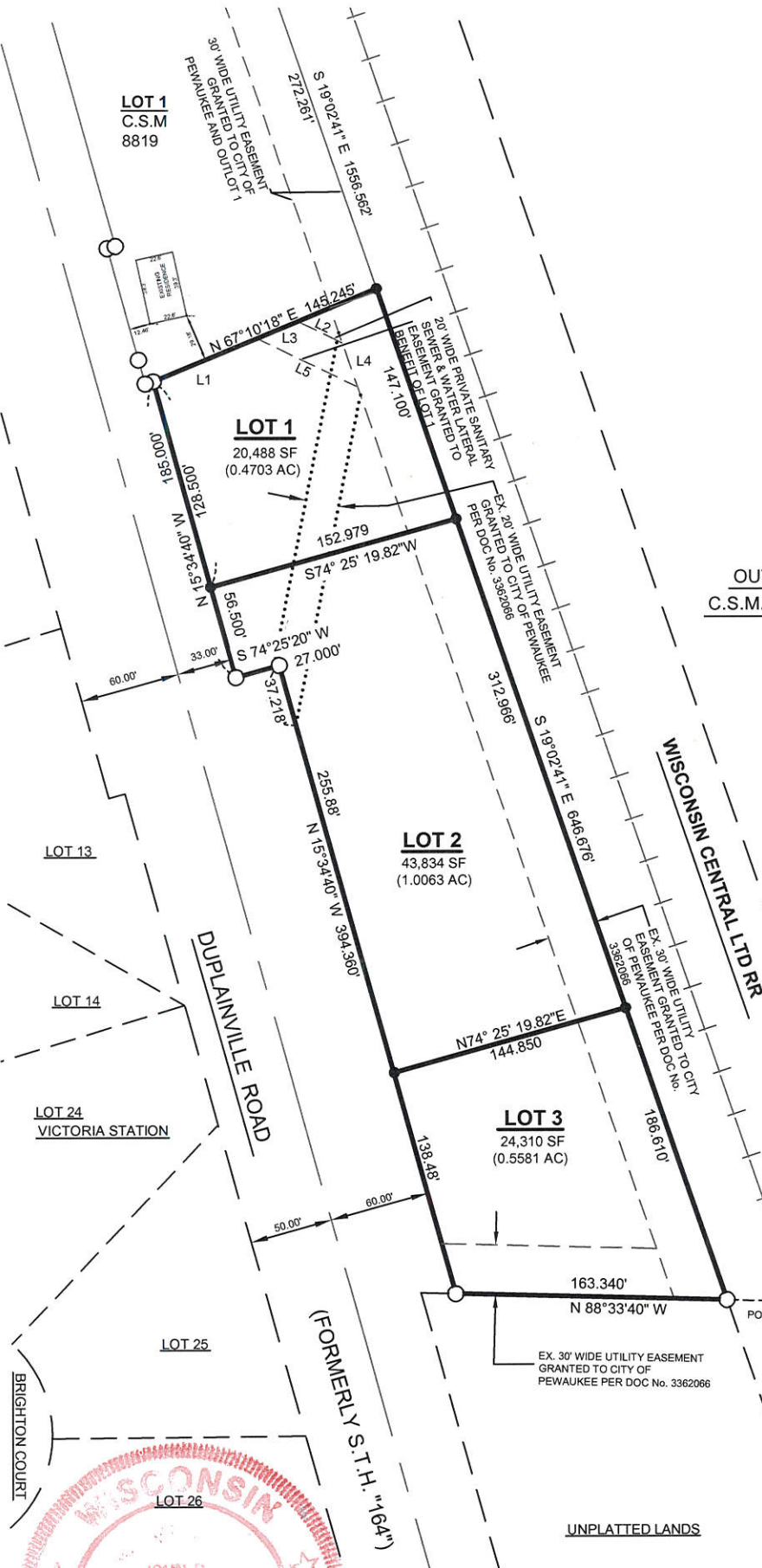
CEN SEC.  
1-7-19  
CONC. MON.  
W/BRASS CAP



| EASEMENT LINE TABLE |         |               |
|---------------------|---------|---------------|
| LINE                | LENGTH  | BEARING       |
| L1                  | 67.661' | N 67°10'18" E |
| L2                  | 26.588' | N 67°10'18" E |
| L3                  | 29.536' | S 64°02'41" E |
| L4                  | 28.284' | S 19°02'41" E |
| L5                  | 67.055' | N 64°02'41" W |

SE. COR.  
SW 1/4 OF  
SEC. 1-7-19  
CONC. MON.  
W/BRASS CAP

JOHN R. STIGLER - Wis. Reg. No. S-1820  
DATED this 12th DAY of OCTOBER, 2016



**CERTIFIED SURVEY MAP NO.** \_\_\_\_\_

Sheet 2 of 4

Being a redivision of Outlot 2 of Certified Survey Map No. 10777 and being part  
of the NE 1/4 of the SW 1/4 of Section 1, Town 7 North, Range 19 East  
CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

**SURVEYOR'S CERTIFICATE:**

I, John R. Stigler, professional land surveyor, being duly sworn on oath, hereby depose and say that I have surveyed, divided and mapped the following land bounded and described as follows:

A redivision of Outlot 2 of Certified Survey Map No. 10777 as recorded in Volume 104 of Certified Survey Maps on Pages 166 - 169 inclusive as Document No. 3742775 and being part of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 1, Town 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin further described as follows: Beginning at the southeast corner of Outlot 2 Certified Survey Map No. 10777; thence North 88°33'40" West along the south line of said Outlot 2, 163.340 feet to the east right-of-way line of Duplainville Road; thence North 15°34'40" West along said right-of-way line 394.360 feet; thence South 74°25'20" West along said right-of-way line 27.000 feet; thence North 15°34'40" West 185.000 feet; thence North 67°10'18" East 145.245 feet to the west right-of-way line of the Wisconsin Central Ltd Railroad; thence South 19°02'41" East along the west line of said Wisconsin Central Ltd Railroad right-of-way line 646.676 to the place of beginning. Containing a net area of 88,634 square feet or 2.0348 acres of land.

I further certify that I have made such survey, land division and map by the direction of the owners of said land; that such map is a correct representation of the exterior boundaries of the land surveyed and map thereof made; and that I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes pertaining to Certified Survey Maps (Section 236.34) and the regulations of the City of Pewaukee in surveying, dividing and mapping the same.



John R. Stigler  
JOHN R. STIGLER – Wis. Reg. No. S-1820

STATE OF WISCONSIN)ss  
WAUKESHA COUNTY)

The above certificate subscribed and sworn to me this 12<sup>th</sup> day of DECEMBER, 2018.

My commission expires July 05, 2019.

Peter A. Muehl  
PETER A. MUEHL – NOTARY PUBLIC



OWNER: MAPLE CREEK FARMS, LLC

Instrument drafted by John R. Stigler

P.S. Pewaukee 3532



**CERTIFIED SURVEY MAP NO.** \_\_\_\_\_

Sheet 3 of 4

Being a redivision of Outlot 2 of Certified Survey Map No. 10777 and being part  
of the NE 1/4 of the SW 1/4 of Section 1, Town 7 North, Range 19 East  
CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

**OWNER'S CERTIFICATE:**

MAPLE CREEK FARMS, LLC, duly organized and existing under and by virtue of the laws of the State of Wisconsin, does hereby certify that it caused the land described on this map to be surveyed, divided and mapped as represented on this map. It also certifies that this Certified Survey Map is required to be submitted to the following for approval: City of Pewaukee

MAPLE CREEK FARMS, LLC

\_\_\_\_\_  
THOMAS E. MUELLER – MEMBER

\_\_\_\_\_  
MARCIA K. MUELLER - MEMBER

STATE OF WISCONSIN)ss  
WAUKESHA COUNTY)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, the above named THOMAS E. MUELLER and MARCIA K. MUELLER, of the above named Limited Liability Company, to me known to be the persons who executed the foregoing instrument and to me known to be such Member, and acknowledged that they executed the foregoing instrument as such member as the deed of said Limited Liability Company, by its authority.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC -



\_\_\_\_\_  
JOHN R. STIGLER - Wis. Reg. No. S-1820

Dated this 12<sup>TH</sup> day of OCTOBER, 2018

OWNER: MAPLE CREEK FARMS, LLC

Instrument drafted by John R. Stigler

P.S. Pewaukee 3532

**CERTIFIED SURVEY MAP NO.** \_\_\_\_\_

Sheet 4 of 4

Being a redivision of Outlot 2 of Certified Survey Map No. 10777 and being part  
of the NE 1/4 of the SW 1/4 of Section 1, Town 7 North, Range 19 East  
CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

**PLAN COMMISSION APPROVAL:**

Approved by the Plan Commission, City of Pewaukee, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
STEVE BIERCE – CHAIRMAN

\_\_\_\_\_  
MICHAEL HASSLINGER – SECRETARY

**COMMON COUNCIL APPROVAL:**

Approved by the Common Council, City of Pewaukee, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
STEVE BIERCE – MAYOR

\_\_\_\_\_  
KELLY TARCZEWSKI – CLERK/TREASURER



\_\_\_\_\_  
JOHN R. STIGLER - Wis. Reg. No. S-1820

Dated this 12<sup>TH</sup> day of OCTOBER, 2018

OWNER: MAPLE CREEK FARMS, LLC

Instrument drafted by John R. Stigler

P.S. Pewaukee 3532



**Office of the Planner & Community Development Director**  
W240 N3065 Pewaukee Road  
Pewaukee, Wisconsin 53072  
Phone (262) 691-0770 Fax (262) 691-1798  
[fuchs@pewaukee.wi.us](mailto:fuchs@pewaukee.wi.us)

## REPORT TO THE PLAN COMMISSION

Meeting of November 15, 2018

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**Date:** November 6, 2018

**Project Name:** Maple Creek Farms, LLC Certified Survey Map

**Project Address/Tax Key No.:** Not Assigned/PWC0867994003

**Applicant:** Tom Mueller and Chris Hansen

**Property Owner:** Maple Creek Farms, LLC

**Current Zoning:** Rs-4 Single-Family Residential District

**Proposed Zoning:** Same

**2050 Land Use Map Designation:** Low Density Residential (1/2 AC. – 2AC. / DU) and Flood Plains, Lowland & Upland Conservancy, and Other Natural Areas

**Use of Surrounding Properties:** Single-family residential to the north, south and west and Canadian National Railroad to the west

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### **Project Description**

The applicant recently submitted a Certified Survey Map requesting to subdivide the subject parcel into three separate lots. The existing property is Outlot 2 of CSM No. 10777. If approved and recorded, the CSM will remove the outlot designation and create three potentially buildable lots.

Lot one has an area of 20,488 square feet, Lot 2 has an area of 43,834 square feet and Lot 3 has an area of 24,310 square feet. It is anticipated that single-family homes will be constructed upon Lot 1 and Lot 2. Lot 3 will be retained by the current property owner. It is staff's understanding that there are no present development plans for Lot 3.

The Rs-4 District requires a minimum lot area of 20,000 square feet and a minimum lot width of 110 feet at the building setback line, which are both met by all three lots. Any proposed homes must comply with Rs-4 District development standards. The development will also be subject to compliance with any applicable storm water management regulations. Also see recommended Condition No. 2 below.

### **Potential ROW Vacation**

The applicant has discussed with staff the potential of acquiring a portion of Duplainville Road right-of-way to attach to the existing parcel. The properties to the north and south extend approximately 27-feet and 25-feet further west, respectively. The area of right-of-way between these points is the land that would be requested to be vacated.

A formal request has not yet been received for the proposed acquisition. If now or in the future, any right-of-way is requested to be vacated, the applicant must make a formal request to the City and the

required process to vacate right-of-way must be completed by the City. If this is done prior to recording of the CSM, the CSM must be revised accordingly.

Staff has preliminary reviewed the right-of-way width of Duplainville Road at this located and finds that, if vacated, Duplainville Road would continue to have sufficient right-of-way for an arterial street.

### **Recommendation**

A motion recommending approval of a 3 Lot Certified Survey Map subdividing Outlot 2 of CSM No. 10777, subject to addressing the following conditions prior to recording with the Waukesha County Register of Deeds:

1. Per Section 18.0603, the information below shall be shown on Sheet 1 of the proposed certified survey map.
  - Setbacks or Building Setback Lines required by the Plan Commission or other City or County Ordinances;
  - A Required Preliminary CSM shall include existing and proposed contours as set forth in Section 18.0601.
  - The Elevation at each lot; and,
2. Lot 1, Lot 2 and Lot 3 shall each be limited to no more than 0.33 acres of land disturbance. This requirement shall be noted on the face of the CSM and recorded as a deed restriction for each lot. Alternatively, storm water management facilities may be provided to accommodate development of all three parcels.
3. Any wetlands on the property shall be shown on the CSM and include the date of delineation and the name of the person that completed the delineation.
4. Brighton Court shall be revised to "Cabot Court."
5. The applicant shall verify that existing property lines to the south are shown correctly.

There is currently an adjacent property boundary to the south of the subject parcel that may not be shown. Per the Waukesha County GIS mapping, an approximately 40-foot wide parcel exists to the south, which is currently shown as all unplatted lands. The parcel not shown is 0.1625 acres and owned by H & F Properties LLC, which also owns an over 120-acre parcel on the east side of the railroad tracks (PWC0868994).



**CITY OF PEWAUKEE  
COMMON COUNCIL AGENDA ITEM 7.**

**DATE:** December 3, 2018

**DEPARTMENT:** PRCS - Planning

**PROVIDED BY:**

***SUBJECT:***

Discussion and Possible Action Regarding a Certified Survey Map for Christ Evangelical Lutheran Church Located at W240 N3103 Pewaukee Road for the Purpose of Combining Three Existing Parcels (PWC 0904-994-001, PWC 0904-994-002, PWC 0904-995) [N. Fuchs]

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

**ATTACHMENTS:**

Description

Christ Evangelical CSM

Christ Evangelical CSM Staff Report

CERTIFIED SURVEY MAP

Sheet 1 of 4

A COMPILATION OF CERTIFIED SURVEY MAP 8673 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE IN VOLUME 76 OF RECORDS AT PAGE 316 AS DOCUMENT 2387749 AND PARCEL NO. 0904995 LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

LEGEND

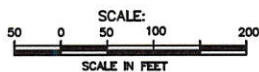
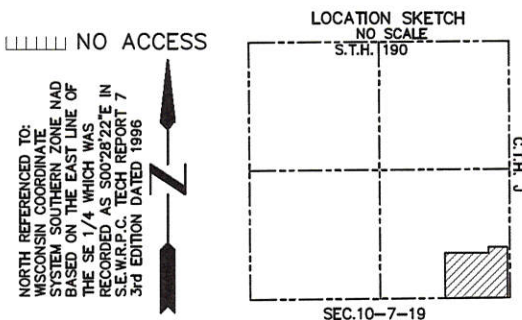
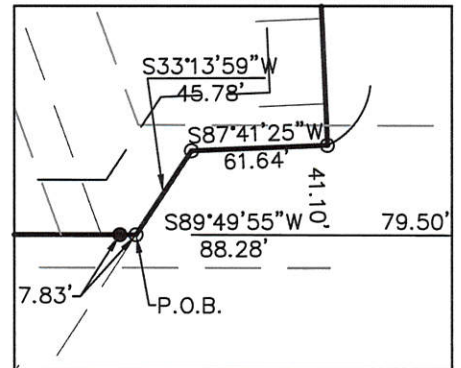
- DENOTES 1"(O.D.) IRON PIPE FOUND
- DENOTES 1" (O.D.) IRON PIPE SET weighing 1.13 lbs/linear foot
- ALUM CAP/CONC.

ZONE I-1

TAX ID: PWC 0904994001  
& PWC 0904994002

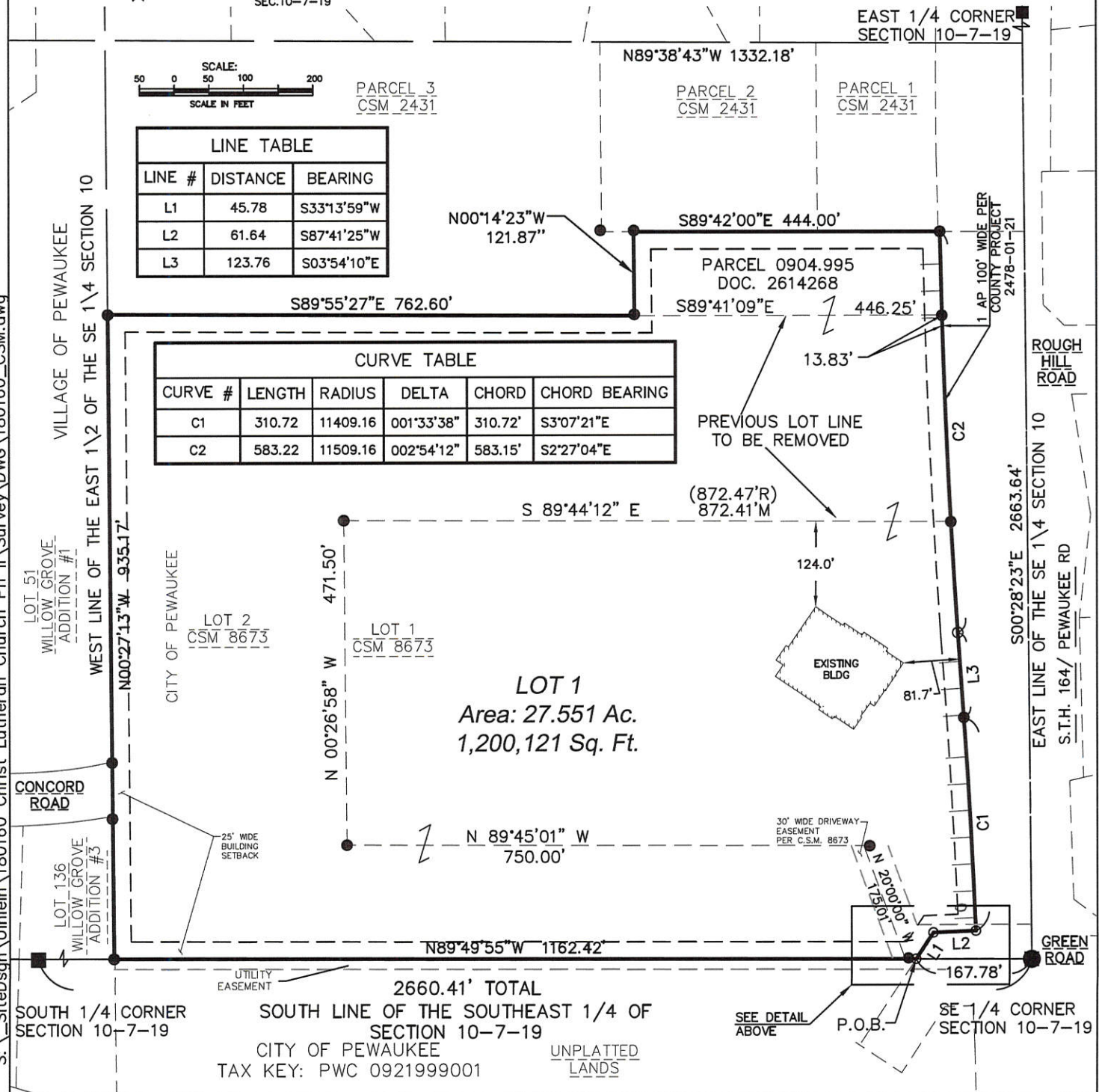


DETAIL NOT TO SCALE



| LINE TABLE |          |             |
|------------|----------|-------------|
| LINE #     | DISTANCE | BEARING     |
| L1         | 45.78    | S33°13'59"W |
| L2         | 61.64    | S87°41'25"W |
| L3         | 123.76   | S03°54'10"E |

| CURVE TABLE |        |          |            |         |               |
|-------------|--------|----------|------------|---------|---------------|
| CURVE #     | LENGTH | RADIUS   | DELTA      | CHORD   | CHORD BEARING |
| C1          | 310.72 | 11409.16 | 001°33'38" | 310.72' | S3°07'21"E    |
| C2          | 583.22 | 11509.16 | 002°54'12" | 583.15' | S2°27'04"E    |





# CERTIFIED SURVEY MAP

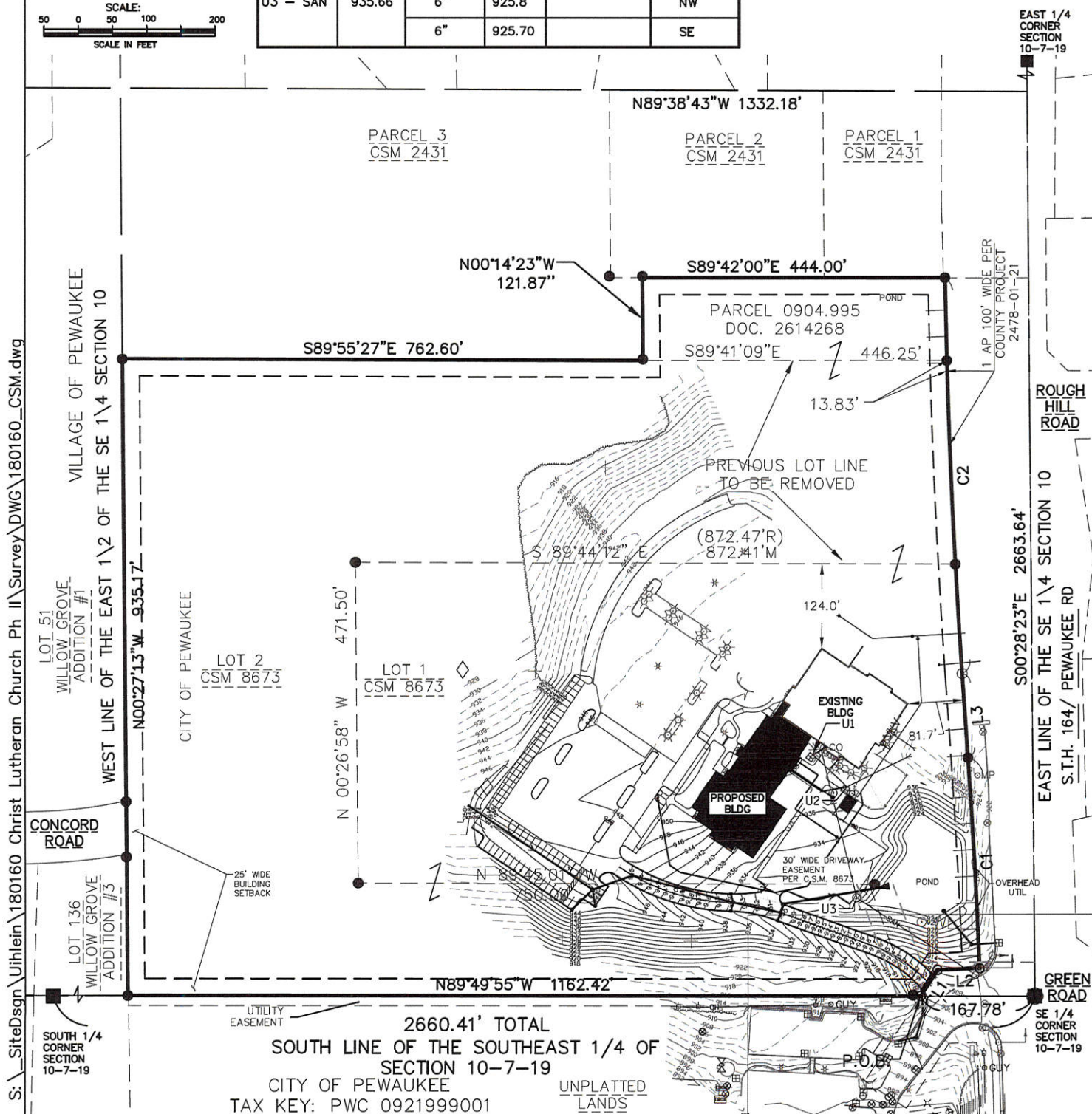
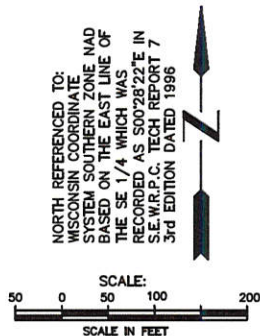
Sheet 2 of 4

A COMPILATION OF CERTIFIED SURVEY MAP 8673 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE IN VOLUME 76 OF RECORDS AT PAGE 316 AS DOCUMENT 2387749 AND PARCEL NO. 0904995 LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

## NOTES

- BUILDINGS SHOWN ON THIS PAGE ARE PROPOSED.
- PARCEL IS IN ZONE X PER FEMA MAP 55133C0203G EFFECTIVE DATE: 11/05/2014

| UTILITY INFORMATION |         |           |         |           |           |
|---------------------|---------|-----------|---------|-----------|-----------|
| STRUC #             | RIM EL. | PIPE SIZE | PIPE IE | PIPE MATL | PIPE DIR. |
| U1 - STRM           | 937.42  | 4"        | 934.62  | PVC       | NE        |
|                     |         | 6"        | 934.42  | PVC       | E         |
|                     |         |           | 933.02  |           | BOTTOM    |
| U2 - STRM           | 936.51  | 6"        | 936.51  | PVC       | W         |
|                     |         | 18"       | 933.36  | PVC       | NNE       |
| U3 - SAN            | 935.66  | 6"        | 925.8   |           | NW        |
|                     |         | 6"        | 925.70  |           | SE        |





A COMPILATION OF CERTIFIED SURVEY MAP 8673 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE IN VOLUME 76 OF RECORDS AT PAGE 316 AS DOCUMENT 2387749 AND PARCEL NO. 0904995 LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, Brian Sandberg, a Wisconsin professional land surveyor, do hereby certify:

That I have surveyed, divided and mapped a parcel of land being part of the Southeast 1/4 of the Southeast 1/4 of Section 10, Township 7 North, Range 19 East, in the City of Pewaukee, Waukesha County, Wisconsin, bounded and described as follows:

Lots 1 & 2 of Certified Survey Map 8673 recorded in Waukesha County Register of Deeds Office in Volume 76 of records, at Page 316 as Document 2387749 and and a portion of unplatted land located in the Southeast 1/4 of the Southeast 1/4 of Section 10, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin, being more particularly described as:

That part of the Southeast 1/4 of the Southeast 1/4 of Section 10, in Township 7 North, Range 19 East, in the City of Pewaukee, Waukesha County, Wisconsin, more particularly described as follows:  
Commencing at the Southeast corner of said Section 10; thence N 89°49'55" W along the South line of the Southeast 1/4 of said Section 10, 167.78 feet to the point of beginning; thence continuing N 89°49'55" W along said south line 1162.42 feet to the West line of the East half of the Southeast 1/4 of said Section 10; thence N 00°27'13" W along said West line 935.59 feet to the Northwest corner of Certified Survey Map 8673 recorded in the Waukesha County Register of Deeds office in Volume 76 of records, at Page 316 as Document 2387749; thence S 89°45'01" E along the North line of said Certified Survey Map 762.90 feet to the east line of Parcel 3 Certified Survey Map 2431 recorded in the Waukesha County Register of Deeds office in Volume 17 of records, at Page 279 as Document 930108; thence N 00°28'22" W along said east line 121.76 feet to the South line of Parcel 2 of said Certified Survey Map 2431; thence S 89°57'51" E along said South line 444.33 feet to the Westerly right of way line of S.T.H. "164" and being a point of a non-tangent curve to the left having a radius of 11,509.16 feet and a chord of 583.15 feet bearing S 02°27'04" E; thence Southeasterly along said west line and the arc of said curve 583.22 feet; thence S 03°54'10" E along said west line 123.76 feet to a point on a curve to the left having a radius of 11,409.16 feet and a chord of 310.72 feet bearing S 03°07'21" E; thence Southeasterly along said west line and the arc of said curve 310.72 feet; thence S 87°41'25" W 61.64 feet; thence S 33°13'59" W 45.78 feet to the point of beginning.

Said Parcel contains 27.551 acres 1,200,121 S.F.

I have made this survey, land division and map by the direction of the land owners of said land.

That such map is a correct representation of all exterior boundaries of the land surveyed and the division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes pertaining to Certified Survey Maps (Section 236.34) and the Regulations of the Town of Pewaukee in surveying, dividing and mapping the same.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Brian Sandberg,  
Wisconsin Land Surveyor (S-2500)



S:\\_SiteDsgn\Uihlein\180160 Christ Lutheran Church Ph II\Survey\DWG\180160\_CSM.dwg

A COMPILATION OF CERTIFIED SURVEY MAP 8673 RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE IN VOLUME 76 OF RECORDS AT PAGE 316 AS DOCUMENT 2387749 AND PARCEL NO. 0904995 LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

OWNER’S CERTIFICATE

As owner, I hereby certify that we caused said lands to be certified, divided, mapped and dedicated, as shown on this map.

WITNESS the hand and seal of said Christ Lutheran Church, Owners, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

In the presence of:

\_\_\_\_\_  
Rod Winter, President



State of Wisconsin)

Waukesha County)

PERSONALLY came before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above named Rod Winter, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public:  
\_\_\_\_\_ County, Wisconsin  
My commission expires: \_\_\_\_\_

CITY OF PEWAUKEE PLAN COMMISSION APPROVAL

APPROVED by the City of Pewaukee Planning Commission this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Steve Bierce, Chairman

\_\_\_\_\_  
Brandon Bergman, Secretary

CITY OF PEWAUKEE COMMON COUNCIL APPROVAL:

APPROVED, by the City of Pewaukee Common Council on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Steve Bierce, Mayor

\_\_\_\_\_  
Kelly Tarczewski, Clerk

S:\\_SiteDsgn\Uihlein\180160 Christ Lutheran Church Ph II\Survey\DWG\180160\_CSM.dwg



**Office of the Planner & Community Development Director**  
W240 N3065 Pewaukee Road  
Pewaukee, Wisconsin 53072  
Phone (262) 691-0770 Fax (262) 691-1798  
[fuchs@pewaukee.wi.us](mailto:fuchs@pewaukee.wi.us)

## REPORT TO THE PLAN COMMISSION

Meeting of November 15, 2018

---

**Date:** November 6, 2018

**Project Name:** Christ Evangelical Lutheran Church Certified Survey Map

**Project Address/Tax Key No.:** Approximately W240N3103 Pewaukee Road, Tax Key Nos. 0904994001, 0904994002 and 0904995

**Applicant:** Christ Evangelical Lutheran Church of Pewaukee Inc.

**Property Owner:** Christ Evangelical Lutheran Church of Pewaukee Inc.

**Current Zoning:** I-1 Urban Institutional District

**Proposed Zoning:** Same

**2050 Land Use Map Designation:** Governmental / Institutional

**Use of Surrounding Properties:** Single-family residential to the north, east and west and City Hall to the south

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### **Project Description**

At their July 19, 2018 meeting, the Plan Commission passed a motion “to approve the site and building plans and business plan of operation for Christ Evangelical Lutheran Church subject to staff comments and engineering review and approval of their plans and review of the secondary exit based on the slope and closeness to the intersection.”

As staff recommended that the three existing properties owned by the church and part of the subject development be combined, the applicant has submitted the attached Certified Survey Map for City review and approval.

With approval of the CSM, the church development will exist on one 27.551-acre site. The land combination will eliminate existing parking lot and building setback issues.

All three properties are zoned I-1 Urban Institutional District and designated as Governmental / Institutional on the City’s 2050 future land use map.

### **Recommendation**

A motion recommending approval of a 1 Lot Certified Survey Map combining the three existing properties located at approximately W240N3103 Pewaukee Road and bearing Tax Key Nos. 0904994001, 0904994002 and 0904995.

**CITY OF PEWAUKEE  
COMMON COUNCIL AGENDA ITEM 8.**

**DATE:** December 3, 2018

**DEPARTMENT:** Clerk/Treasurer

**PROVIDED BY:**

***SUBJECT:***

Discussion and Possible Action to Waive the Second Reading and Approve **Ordinance 18-09** for Non-Union Salary Wages [Klein]

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

**ATTACHMENTS:**

Description

Ordinance 18-09 Non-Union

**ORDINANCE NO. 18-09****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, 2019, 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                      | \$ 7,590.00  |
| Mayor Elect (4/16/2019)    | \$ 10,500.00 |
| Alderspersons              | \$ 5,040.00  |
| Aldermen Elect (4/16/2019) | \$ 6,500.00  |
| Municipal Judge            | \$ 16,028.00 |

**(B) ELECTION OFFICIALS****PER HOUR**

|                  |         |
|------------------|---------|
| Chief Inspectors | \$10.00 |
| Poll Workers     | \$ 8.50 |

**(C) APPOINTED OFFICIALS****ANNUAL**

|                                        |                                      |
|----------------------------------------|--------------------------------------|
| Administrator                          | \$104,000.00                         |
| Assessor                               | \$ 75,000.00 - \$77,250.00 (1/16/19) |
| Clerk/Treasurer                        | \$ 83,466.00                         |
| Chief of Fire Department               | \$116,449.00                         |
| Assistant Fire Chief                   | \$ 99,913.00                         |
| Fire Division Chiefs FT                | \$ 81,347.00 - \$87,150.00           |
| Engineer/DPW Director                  | \$109,882.00                         |
| Civil Engineer                         | \$ 70,587.00                         |
| Street Superintendent                  | \$ 77,598.00                         |
| HR Director                            | \$ 95,520.00 - 96,929.00             |
| IT Director                            | \$ 84,004.00                         |
| Park/Recreation Director               | \$ 70,970.00 - \$81,099.00           |
| Planner/Community Development Director | \$ 96,500.00 - \$99,233.00 (9/17/19) |
| Recreation Supervisor                  | \$ 66,373.00                         |
| Parks Maintenance Supervisor           | \$ 73,095.00                         |
| Utility Manager                        | \$ 82,447.00                         |

**(D) HOURLY EMPLOYEES****HOURLY**

|                                            |                    |
|--------------------------------------------|--------------------|
| Assistant City Engineer                    | \$ 42.66           |
| Building Services Administrative Assistant | \$ 22.31           |
| Building Inspector – FT                    | \$ 30.50 - \$33.64 |
| Commercial Electrical Inspector – PT       | \$ 33.62           |
| Accountant                                 | \$ 33.80           |



| <b>(D) HOURLY EMPLOYEES (CONTINUED)</b>  | <b><u>HOURLY</u></b>          |
|------------------------------------------|-------------------------------|
| Clerk Treasurer Administrative Assistant | \$ 20.50                      |
| Court Administrator                      | \$ 24.75                      |
| Clerk – Court PT                         | \$ 18.48 - \$19.00            |
| Deputy City Clerk                        | \$ 26.81                      |
| Deputy Treasurer                         | \$ 24.01                      |
| Clerical Floater                         | \$ 16.45                      |
| Park and Rec Administrative Assistant    | \$ 16.70                      |
| Senior Engineering Technician            | \$ 27.29                      |
| Engineering Technician                   | \$ 24.89                      |
| Administrative Clerk – Police            | \$ 19.00                      |
| HR Generalist PT                         | \$ 25.00                      |
| Assessing Staff                          | \$ 25.00 - \$30.00            |
| Fire Inspector – PT                      | \$ 21.98                      |
| Fire Administrative Assistant            | \$ 23.30                      |
| Fire Paid-On Premise ~ EMT/FF            | \$ 12.00                      |
| Fire Paid-On Premise ~ Paramedic         | \$ 15.00                      |
| Fire Paid-On Premise ~ Paramedic/Driver  | \$ 18.00                      |
| Paid-On-Premise ~ Holiday Stipend        | \$ 75.00 per 12-hr Duty Shift |
| Division Chief Shift Premium             | \$250.00 per 12-hr Duty Shift |
| Fire Paid-On-Premise Division Chief      | \$ 24.65                      |
| Parks Foreman                            | \$ 25.28                      |
| Parks/Facilities Foreman                 | \$ 25.93                      |
| Parks Laborer                            | \$ 20.14                      |
| Parks Maintenance – Seasonal PT          | \$ 9.00 - \$14.00             |
| Recreation Staff – Seasonal PT           | \$ 8.00 - \$20.00             |
| Recycling Attendant – PT                 | \$ 15.00                      |
| Highway – Seasonal                       | \$ 25.00 - \$26.00            |
| Highway – Mechanic                       | \$ 29.99                      |
| Highway – Laborer                        | \$ 25.93 - \$29.50            |
| Water Superintendent                     | \$ 34.05                      |
| Water Operator                           | \$ 27.89 - \$28.22            |
| Utility Billing Specialist               | \$ 24.28                      |
| Public Works – Administrative Assistant  | \$ 21.35 - \$22.23 (5/14/19)  |

**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, 2019 is 6.55% 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, 2019.

Dated this 3<sup>rd</sup> day of December, 2018.

CITY OF PEWAUKEE

ATTEST:

\_\_\_\_\_  
Steve Bierce, Mayor

\_\_\_\_\_  
Kelly Tarczewski, City Clerk

**CITY OF PEWAUKEE  
COMMON COUNCIL AGENDA ITEM 9.**

**DATE:** December 3, 2018

**DEPARTMENT:** Clerk/Treasurer

**PROVIDED BY:**

***SUBJECT:***

Discussion and Possible Action to Waive the Second Reading and Approve **Ordinance 18-10** Establishing Union Wages [Klein]

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

**ATTACHMENTS:**

Description

Ordinance 18-10 Union

**ORDINANCE NO. 18-10****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, 2019, 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<br/>RATE</u> |
|--------------------------------|------------------------|
| <u>Firefighter</u>             |                        |
| 1 <sup>st</sup> year           | \$19.93                |
| 2 <sup>nd</sup> year           | \$20.93                |
| 3 <sup>rd</sup> year           | \$21.90                |
| 4 <sup>th</sup> year           | \$22.87                |
| 5 <sup>th</sup> year           | \$24.79                |
| <u>Inspection Technician</u>   |                        |
| 1 <sup>st</sup> year           | \$20.42                |
| 2 <sup>nd</sup> year           | \$21.45                |
| 3 <sup>rd</sup> year           | \$22.45                |
| 4 <sup>th</sup> year           | \$23.44                |
| 5 <sup>th</sup> year           | \$24.90                |
| <u>EMT-P</u>                   |                        |
| 1 <sup>st</sup> year           | \$20.93                |
| 2 <sup>nd</sup> year           | \$21.96                |
| 3 <sup>rd</sup> year           | \$23.00                |
| 4 <sup>th</sup> year           | \$24.01                |
| 5 <sup>th</sup> year           | \$25.50                |
| <u>Lieutenant</u>              |                        |
| 1 <sup>st</sup> year           | \$21.97                |
| 2 <sup>nd</sup> year           | \$23.06                |
| 3 <sup>rd</sup> year           | \$24.14                |
| 4 <sup>th</sup> year           | \$25.20                |
| 5 <sup>th</sup> year           | \$26.76                |
| Lieutenant-Paramedic Allowance | \$750.00 per year      |
| Paramedic Preceptor Allowance  | \$250.00 per year      |
| 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, 2019 is 10.55% 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, 2019.

Dated this 3<sup>rd</sup> day of December, 2018.

CITY OF PEWAUKEE

ATTEST:

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Steve Bierce, Mayor

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Kelly Tarczewski, City Clerk

**CITY OF PEWAUKEE  
COMMON COUNCIL AGENDA ITEM 10.**

**DATE:** December 3, 2018

**DEPARTMENT:** PW - Engineering

**PROVIDED BY:** Jeffrey L. Weigel, PE Public Works Director & City Engineer

***SUBJECT:***

Discussion and Possible Action to Accept the Sanitary Sewer Relocation and Conditional Release of the \$200,000 Cash Deposit Associated with the Zilber Building Located at N24 W23501 Watertown Road / CTH M (PWC 0919-993-003) [Weigel].

***BACKGROUND:***

In 2015 the Zilber Corporation sought an early grading and sewer relocation agreement at the Council to commence on the industrial building on the south side of Watertown Road opposite the Waukesha Gun Club. That work was completed in 2015; however, several issues were brought to the developer's attention to address, and the developer has been working on those issues. At this time we are recommending approval, acceptance and release of the cash deposit conditioned on 1) confirmation of recording of the affidavit of easement correction approved by the Common Council in June of 2017; and 2) developer providing Engineering with the cost breakdown of the installation for accounting purposes.

***FINANCIAL IMPACT:***

The indirect impact of the requested action is that the City Utility takes ownership responsibilities for the sanitary sewer.

***RECOMMENDED MOTION:***

We are recommend approval of the acceptance of the relocated sanitary sewer and release of the cash deposit conditioned on 1) confirmation of recording of the affidavit of easement correction approved by the Common Council in June of 2017; and 2) developer providing Engineering with the cost breakdown of the installation for accounting purposes.

**ATTACHMENTS:**

Description

2015 Early Grading and Sewer Relocation Agreement

Map of relocated sewer easement

Pinnacle letter

June 2017 CC minutes on affidavit of correction



AGREEMENT BETWEEN  
CITY OF PEWAUKEE AND TOWNE-LAAKA INDUSTRIAL NO. 1 LLC  
FOR RELOCATION OF SEWER MAIN

City of Pewaukee ("City") and TOWNE-LAAKA INDUSTRIAL NO. 1 LLC, or its assigns, ("Towne") a Wisconsin Limited Liability Corporation under the provisions of Chapter 183, Wisconsin Statutes, hereby agree as follows:

WHEREAS, Towne is the owner of real property located at N24 W23501 WATERTOWN ROAD (CTH M), Pewaukee, Wisconsin Tax Key #PWC 0919 993 003; and

WHEREAS, a 12" sewer main owned by the City lies on the real property; and

WHEREAS, Towne, wishes to construct a building over the existing main location and relocate the existing main to the east of the building to allow for access to the main after the construction of the building has been completed; and

WHEREAS, Towne has applied for but has not yet received all state approvals allowing for the relocation of the main; and

WHEREAS, the City has agreed to allow site preparation work involving filling and grading and commencement of the construction of the site utilities, footings and foundations only, pending the relocation of the 12" sanitary sewer main (the "Relocation Work"), conditioned upon an agreement providing for an escrow for payment of the costs associated with the Relocation Work and/or to restore the site to the current condition ("Restoration Work") in the event Towne fails, refuses or neglects to relocate the sewer main or abandons the project; and

WHEREAS, Towne has estimated the costs for the Relocation Work; and

WHEREAS, Towne has agreed to pay the reasonable costs of the Relocation Work; and

NOW THEREFORE, the parties agree as follows:

I. RELOCATION WORK OF SEWER MAIN

1. The parties agree that the Relocation Work will occur as soon as practicable.
2. The Relocation Work is further detailed on the attached Exhibit A.
3. Towne shall be solely responsible for bidding, contracting and supervising the Relocation Work. The City shall have the right to inspect the Relocation Work.
4. Towne shall perform the Relocation Work and Towne shall dedicate the public improvements to the City within an easement, provided that said public improvements are constructed in accordance with municipal specifications, applicable government regulations, per the terms of this Agreement and as reasonably required by the City Engineer.

## II. PAYMENT

1. Towne shall pay all reasonable costs of the Relocation Work.
2. To ensure the Relocation Work is installed correctly, Towne shall provide a cash deposit in the amount of Two Hundred Thousand (\$200,000) ("Cash Deposit"). The Cash Deposit shall only be utilized should Towne (1) fail to complete the construction of the Relocation Work correctly according to municipal specifications, all applicable government regulations, per the terms of this Agreement and as required by the City Engineer or (2) cease construction of the building such that the Relocation Work becomes unnecessary. Upon completion of the Relocation Work, City shall inspect the installation and upon satisfactory approval of such installation by the City and the passage of twelve (12) months (the "Guaranty Period") the City shall accept the Relocation Work ("Final Acceptance"). During the Guaranty Period, Towne shall guarantee the Relocation Work against defects due to faulty materials or workmanship. Towne shall pay for any damages to the Relocation Work from such faulty materials or workmanship, and should it fail to pay for such costs, the City shall be entitled to effectuate repairs utilizing the Cash Deposit. This guarantee shall not be a bar to any action the City might have for negligent workmanship or materials. In the event Towne ceases construction of the building such that the Relocation Work becomes unnecessary and fails, refuses or neglects to perform the Restoration Work, City shall be entitled to perform the Restoration Work utilizing the Cash Deposit. The City shall return the entire remaining balance of the Cash Deposit to Towne following the Final Acceptance, or following substantial completion of the Restoration Work, as the case may be. Any interest accrued on a Cash Deposit may be utilized to pay any of Towne's obligations and shall be returned to Towne with the balance remaining should there be any.
3. Any amount remaining due to the City for the completion or correction of the Relocation Work after utilizing the Cash Deposit, if not paid when requested by the City, shall be processed as a special charge and ultimately placed on the tax bill for the property as provided for under §66.0627, Stats.

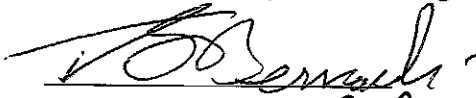
## III. GENERAL PROVISIONS

1. This Agreement contains the complete terms agreed to by the parties and anything not contained herein as a result of discussions, meetings or other documents is specifically excluded.
2. This Agreement is not transferable by Towne to any other person or entity that does not contain the same controlling members as does Towne-LAAKA Industrial No. 1 LLC without the written approval of the City, which shall not be unreasonably withheld.

3. This Agreement is effective as of the date of the last signature contained herein.

TOWNE-LAAKA INDUSTRIAL NO. 1 LLC

By: Towne Realty, Inc., manager

  
Name THOMAS G. BERNACCHI

6/19/2015  
Date

Attest (if required):

Signature \_\_\_\_\_

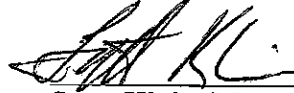
Printed name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

CTHM Sewer Relocation Agreement BKLN 06.15.15.doc

CITY OF PEWAUKEE

  
Scott Klein, Mayor

ATTEST:

  
Kelly Tarczewski, Clerk

6-26-15  
Date



| Invoice #               | Invoice Date   | Reference                 | Invoice Amt | Discount | Retention | Net Amt    |
|-------------------------|----------------|---------------------------|-------------|----------|-----------|------------|
| 150618                  | 06/18/2015     | PERFORMANCE DEPOSIT       | 200,000.00  | 0.00     | 0.00      | 200,000.00 |
| RV001 1                 | 01240          | G Deposits CM4575 2005000 | 200,000.00  | 0.00     | 0.00      | 200,000.00 |
| PEWCTY CITY OF PEWAUKEE | Check # 289974 | Totals:                   | 200,000.00  | 0.00     | 0.00      | 200,000.00 |

ORIGINAL CHECK HAS COLORED BACKGROUND WITH OPTICALLY VISIBLE SECURITY FEATURES, MICROPRINTING IN THE BORDER AND AN ARTIFICIAL WATERMARK ON THE BACK.

Towne Realty, Inc.  
Commercial Division  
710 N Plankinton Avenue  
Milwaukee, WI 53203

U.S. Bank  
Havre, MT 59501

93-455/929

DATE  
6/19/2015

CHECK NO.  
289974

AMOUNT  
\*\*\*\$200,000.00\*\*

\*\*Two Hundred Thousand Dollars Exactly\*\*

PAY  
TO THE  
ORDER OF

CITY OF PEWAUKEE  
W240 N3065 PEWAUKEE ROAD  
PEWAUKEE WI 53072

*Jon R. Miller*

*Sen K. Loeke*

⑈ 289974 ⑈ ⑆ 092904554 ⑆ 150080661955 ⑈

CITY OF PEWAUKEE  
Waukesha County  
State of Wisconsin

TREASURER'S  
GENERAL RECEIPT

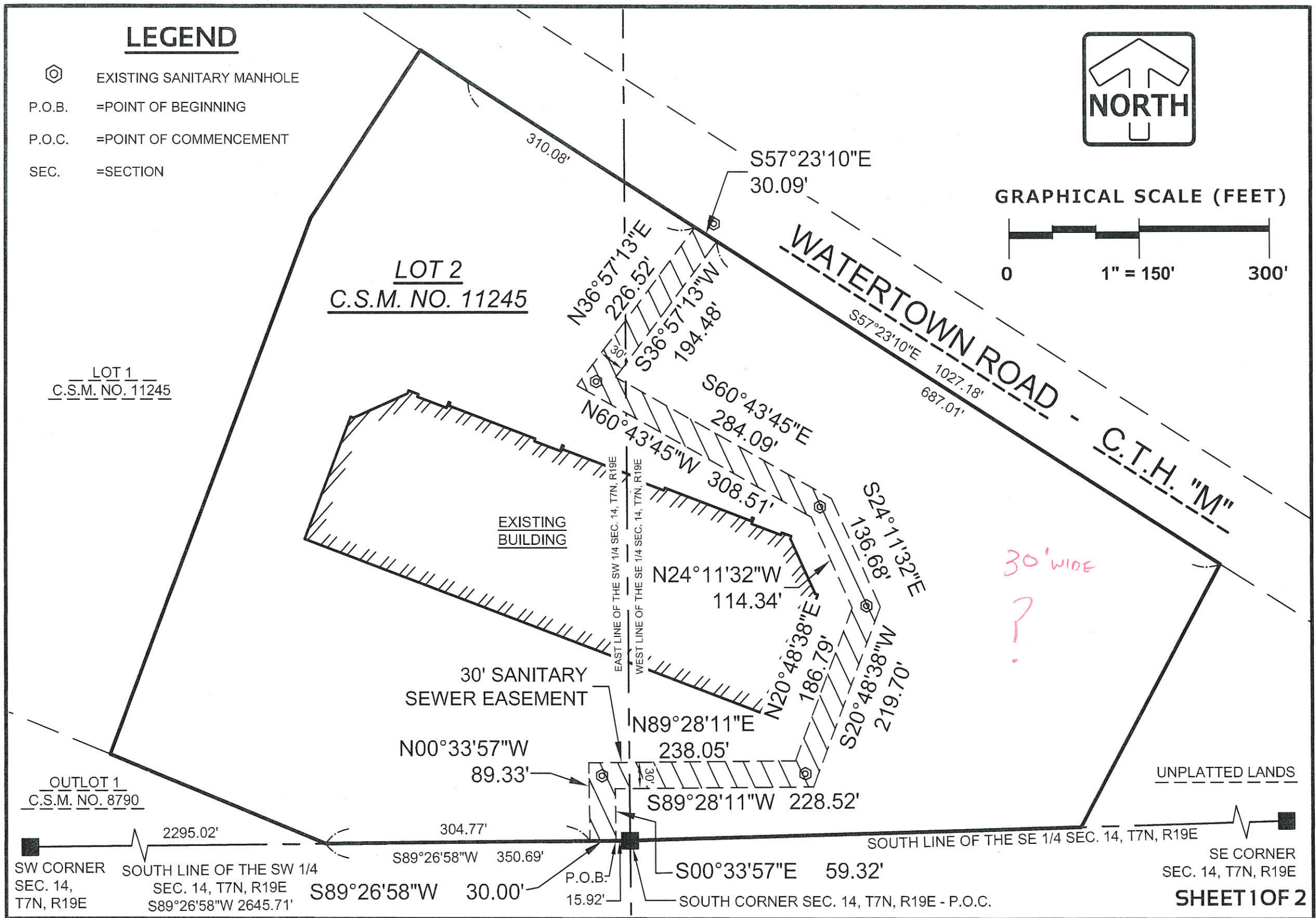
94567

Pewaukee, WI, 6-19 2015

RECEIVED OF Towne Realty, Inc  
two hundred thousand DOLLARS \$ 200,000<sup>00</sup>  
FOR Deposit  
for Zilber - early grade

TREASURER

STATE UNIFORM SYSTEM  
IF PAYMENT IS MADE BY CHECK, THIS RECEIPT IS NOT VALID UNTIL CHECK HAS CLEARED ALL BANKS.



# SANITARY SEWER EASEMENT EXHIBIT

03/09/2016

**PINNACLE ENGINEERING GROUP**

**PLAN | DESIGN | DELIVER**

15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005

WWW.PINNACLE-ENGR.COM PEG PEG JOB#396.00



## LEGAL DESCRIPTION

Being a part of Lot 2 of CERTIFIED SURVEY MAP NO. 11245, recorded in the Office of the Register of Deeds for Waukesha County on October 23, 2014, as Document No. 4106676, being part of the Southeast 1/4 of the Southwest 1/4 and the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, State of Wisconsin, more particularly described as follows:

Commencing at the south corner of said Section 14; thence South 89°26'58" West along the south line of the Southwest 1/4 of said Section 14, 15.92 feet to the Point of Beginning;

Thence continuing South 89°26'58" West along said south line, 30.00 feet; thence North 00°33'57" West, 89.33 feet; thence North 89°28'11" East, 238.05 feet; thence North 20°48'38" East, 186.79 feet; thence North 24°11'32" West, 114.34 feet; thence North 60°43'45" West, 308.51 feet; thence North 36°57'13" East, 226.52 feet to the southerly right of way of Watertown Road - County Trunk Highway "M"; thence South 57°23'10" East along said southerly right of way, 30.09 feet; thence South 36°57'13" West, 194.48 feet; thence South 60°43'45" East, 284.09 feet; thence South 24°11'32" East, 136.68 feet; thence South 20°48'38" West, 219.70 feet; thence South 89°28'11" West, 228.52 feet; thence South 00°33'57" East, 59.32 feet to the Point of Beginning.

Containing in all 34,295 square feet (0.7873 acres) of land, more or less.

SHEET 2 OF 2

### SANITARY SEWER LEGAL DESCRIPTION

PINNACLE ENGINEERING GROUP

15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005

WWW.PINNACLE-ENGR.COM PEG

PLAN | DESIGN | DELIVER

PEG JOB# 396.00

03/09/2016



April 23, 2018

Jason Lueders  
Director of Construction  
Zilber Property Group  
Kenosha, WI

Re: Zilber Industrial I – Ridgeview Sanitary Sewer Review

Dear Mr. Lueders,

Per your request we have reviewed the materials provided pertaining to the integrity of the installation of the Sanitary Sewer on the Ridgeview project located in the City of Pewaukee. We have reviewed the provided materials and offer the following comments:

**General**

1. The Ridgeview project includes the installation of approximately 860-feet of 12-inch sanitary sewer to provide room for the installation of a new industrial warehouse facility. The installation replaces an existing sanitary sewer which originally bisected the site. The sewer was installed in accordance with plans approved by the City of Pewaukee dated August 4, 2015 and prepared by Pinnacle Engineering Group.
2. The work was installed by Joe DeNoble Plumbing under contract to Berghammer Construction. The work occurred between October 2<sup>nd</sup> till October 13<sup>th</sup>, 2015. On this date the sewer was short of its connection point at MH 4 and was subject to testing consisting of mandrel, air, and televising. The final connection to the existing system was made on October 23<sup>rd</sup> of 2015 where the line from MH 4 to MH 3 was again subject to testing consisting of air, mandrel, and televising. Manhole vacuum testing was also performed on October 23, 2015. All testing was performed by Northern Pipe Equipment based out of Green Bay. From the testing reports provided it appears that the sanitary sewer has passed all testing performed.
3. It is our understanding that Inspection was performed during installation. Giles Engineering staff was onsite during construction to monitor soils conditions and compaction during construction. It appears that staff from Ruekert Mielke was also present according to notes taken by Giles and indicated in their reports. Pinnacle staff was not present for inspection and therefore cannot comment on in situ installation procedures.
4. From review of the documents submitted the sewer has still not been accepted officially by the City of Pewaukee citing numerous items. In response to this several additional inspections, testing, and clarifications besides those previously noted have been performed.

5. The sewer has been in active service since October 23<sup>rd</sup> of 2015. Not known as of our review are any historical issues since its activation regarding pipe failures, leakage, backups or otherwise. To our knowledge, the sewer has been in use performing as designed for nearly 2 and a half years.

**Sanitary Televising by Northern Equipment Dated 10-13-15 & 10-23-15**

1. We reviewed the sewer televising from MH 4 to the Existing MH along with the Sanitary Sewer Punch list generated by the City dated 12-9-15.
2. Regarding the comment about pushing the pipe home, we also reviewed the pipe installation procedures provided by the North American Pipe Corporation. The comment is that the pipe was not pushed fully home and therefore not providing a smooth transition to the following pipe which would leave a gap that would allow grease and debris to build up. The pipe installation guide goes into detail on this matter where proper installation does not butt the pipe together and recommends only pushing to the home line. This would leave a small depression in the line because of the bell. Our observation of the video is that the pipes appear to be installed correctly in accordance with the installation procedures outlined by North American Pipe.
3. In review of the televising the joint "bumps" noted appear to be typical for PVC pipe installation. What is notable is that the pipe condition appears to be sound and retains its shape and pitch throughout the entire run. This is indicated by watching the width of flow and water marks along the pipe walls. Our experience is that for defective or poor flowing sewers the video would show in inconsistent flow pattern that would "climb" the walls up and down. During the televising the flowlines stayed very consistent in the 5 to 7 o'clock position which indicates that the pipe is stable and is holding grade.

**Sanitary Testing Reports Dated 10-13-15 & 10-23-15**

1. As previously stated the sewer was subjected to mandrel, air, televising, and manhole vacuum testing. The reports submitted all indicated passing results. The testing and test reports were performed by Northern Pipe Equipment. In a letter dated 3/29/16 from Northern Pipe to Joe DeNoble Construction it was noted that the testing was performed by an experienced certified individual and all testing was done in the presence of a representative from Ruekert-Mielke. Our only comment is the testing agency appears to have followed procedures and has a background regarding sanitary testing in the state of Wisconsin. Based on this we would have no justification questioning the veracity of the submitted testing results for the sewer.

**Soil/Trench Stabilization – ECS Ltr. Dated 8-21-15, Giles Ltr. Dated 3-31-16, & ECS Ltr. Dated 4-6-16**

1. Pinnacle defers all matters regarding soil stability to the site geotechnical engineers. We only offer comment regarding our relationship with both Giles and ECS. We have done numerous projects with both firms on multiple sites in Southeast Wisconsin and have no objections to the opinions either firm has expressed and consider them both to be reputable companies. From review of the submitted letters and reports it appears that they have addressed any soil stability concerns brought forward. As noted previously from review of the televising tapes, there does not appear to be any stability issues with the sewer.

**Joint Testing Report & Televising by Visu-Sewer Dated 1-29-18**

1. Under direction from the City joint testing was performed on fourteen (14) pipe joints. The test consists of a cylindrical airbag that is pulled into position by a motorized camera. The airbag is inflated to seal around the joint and subject the individual joint to an air test similar to the air testing outlined in Chapter 3.7.3 of the Wisconsin State Sewer and Water Specifications.
2. All tests appeared to have passed by holding various pressures for a specified time. Our comment is that it appears that the pressures tested far exceeded those outlined in Chapter 3.7.3 of the State Standards. It is noteworthy that it appears that this test is more stringent than the one outlined by the State of Wisconsin which is a test for allowable leakage in a sewer system. Based on comparison of the testing procedures it appears the noted joints are not defective.
3. Also note worthy from the televising video is the water marks along the walls of the pipe. The marks indicate the typical flow pattern in the pipe and show an average flow of about one third (1/3) of the pipe. The pattern is consistent throughout all segments of the televising which reside in the 4 to 8 o'clock position. As noted previously from the televising taken over two years prior, if the pipe had settled or had crushed in some manner the water marks would climb the walls of the pipe. Based on these observations it appears the pipe has not settled and is holding a stable slope as designed.

**Conclusion**

1. Based on the observations noted above it appears that the sewer is currently operating as intended. It also appears that it has been operating in its intended use for almost two and half years since installation.

Should you have any further questions about this subject, please do not hesitate to contact us.

Sincerely,

PINNACLE ENGINEERING GROUP



Christopher J Palmer, PE (WI, IL)  
Senior Project Manager

In attendance: Aldermen B. Bergman, C. Brown, J. Kara, J. Wamser and R. Grosch. Mayor S. Bierce was absent and excused. Also present were Clerk/Treasurer K. Tarczewski, City Administrator S. Klein, Attorney S. Riffle, Parks, Recreation & Community Services Director K. Woldanski, Administrative Assistant M. Beier, IT Director B. Kewan, DPW Director J. Weigel and City Planner H. Clinkenbeard.

1.0 Call to Order and Pledge of Allegiance ĩ in the absence of Mayor Bierce, Ms. Brown called the meeting to order at 6:34 p.m.

2.0 NovusAgenda Training

Mr. Kewan, with the assistance of K. Woldanski and M. Beier, introduced the Council members to the new software for minutes that will be implemented in a few months. The training and review of the functions took approximately 20 minutes.

3.0 Public Comment ĩ None.

4.0 Consent Agenda ĩ Action

4.1 Approval of Common Council Meeting Minutes Dated June 5, 2017

4.2 Approval of Accounts Payable Summaries

4.3 Approval of Bartender Licenses

4.4 Approval of **Resolution 17-06-05** Pertaining to the 2016 Compliance Maintenance Annual Report (CMAR)

Mr. Weigel asked that Item 4.4 be removed and be placed on the next Common Council agenda. He stated the report was not complete at this time.

**A motion was made and seconded, (J. Kara, J. Wamser) to remove Item 4.4 and approve the remaining items on the consent agenda.** Motion Passed: 4-For, 0-Against.

5.0 Public Hearing Regarding the Liquor License Applications for the 2017 ĩ 2018 Licensing Period and Possible Action to Issue

Ms. Tarczewski noted that she had some concerns related to some of the premise descriptions and stated the Deputy Clerk made contact with the various establishments for clarification and revisions. She also noted that Mrs. Laimon stopped at City Hall last week and revised her liquor license description to allow for consuming alcoholic beverages outside on her property and since it was a late change, it was not included on the Council's spreadsheet.

The Council discussed the ongoing issues with the Laimon property specific to the nonconforming pergola that was put up without a permit. Mr. Klein stated it was going to be removed by the end of this month. After a brief discussion, the Council agreed that they would like Mrs. Laimon to get everything into compliance and maybe next year they would reconsider the request to have alcohol outside.

**A motion was made and seconded, (B. Bergman, J. Wamser) to approve the liquor license applications for the 2017 – 2018 licensing period with the noted contingencies by the City Clerk and omit the outside area in Mrs. Laimon's premise description.**

Motion Passed: 4-For, 0-Against.



6.0 Discussion and Possible Action to Consider the Sale of Beer and/or Alcohol at Area Gas Stations.

Representatives from Kwik Trip and BP were present for this item. The manager from Kwik Trip stated their Waukesha location has a beer cave and the door locks automatically and the cash register won't allow ringing up any alcohol sales after hours. He said all his employees undergo responsible beverage serving training. He said they would love to be able to have liquor behind the counter but would be satisfied to have the opportunity to sell beer and wine. He said underage personnel will not be able to sell alcohol and typically there are at least five people working a shift. He estimated they would see a 10% increase in sales.

The manager of BP asked what the requirements would be to be able to sell alcohol. Mr. Clindenbeard stated they would need to revise their Business Plan of Operation, and the City will have to change the zoning ordinance to allow for the sale of alcohol. It was also noted those who were interested would have to fill out the application and a public hearing would need to be held.

**A motion was made and seconded, (J. Wamser, B. Bergman) to allow gas stations to sell beer and wine only and direct staff to put everything in place so that they can properly make application to do so.** Motion Passed: 4-For, 0-Against.

7.0 Discussion and Possible Action to Approve the Temporary Beer Permit for the Friends of Matt Event to be Held on August 5<sup>th</sup>, 2017 at Wagner Park, Located at N31 W23320 Green Road (PWC 0908-993)

**A motion was made and seconded, (J. Wamser, R. Grosch) to approve the temporary beer permit for the Friends of Matt Event to be held on August 5<sup>th</sup>, 2017 at Wagner Park.** Motion Passed: 4-For, 0-Against.

8.0 Discussion and Possible Action to Approve the Affidavit of Correction for the Sanitary Sewer Easement that Accommodated the Construction of the Zilber Industrial Building at N24 W23501 Watertown Road (PWC 0919-993-003)

Mr. Weigel was present for this item. He stated the developer split the parcel into two and as part of that process mapped a sewer easement around the location of an anticipated new building. The plan review revealed that the sewer would be better off if it was moved slightly. Mr. Weigel requested adopting the new map showing the revised sewer easement, and vacating the old easement. He stated the City Attorney reviewed the document and recommends approval upon the Engineer review of the legal description.

**A motion was made and seconded, (B. Bergman, J. Kara) to approve the affidavit of correction for the sanitary sewer easement contingent upon staff's final review.** Motion Passed: 4-For, 0-Against.

9.0 Discussion and Possible Action to Approve the Requested Utility Easement that Would Provide for City Water and Sewer Utility Access to the City Utilities Associated with the Pewaukee Industrial Building Project (Briohn Builders on Bluemound Road) (PWC 0948-995)

Mr. Weigel stated as part of the plan review by the Engineering Department they recommended that the developer grant an easement to the City for water and sewer utility maintenance.

**A motion was made and seconded, (B. Bergman, R. Grosch) to approve the requested utility easement for access to the City water and sewer utilities associated with the Pewaukee Industrial Building Project.** Motion Passed: 4-For, 0-Against.

- 10.0 Discussion and Possible Action Regarding **Ordinance 17-06 (second reading)** to Rezone the Land Outside of the F-1 Floodplain Delineation on the Gaggl Property Located at W275 N2337 Oak Court (PWC 0935-979-004) from Rs-2 Residential to A-2 Agriculture (Plan Commission 6/15/2017)

Mr. Klein stated the Plan Commission recommended approval.

**A motion was made and seconded, (J. Kara, R. Grosch) to approve Ordinance 17-06 to rezone the land outside of the F-1 Floodplain delineation on the Gaggl property located at W275 N2337 Oak Court from Rs-2 Residential to A-2 Agriculture on the condition the Council approves their Conditional Use Permit.** Motion Passed: 4-For, 0-Against.

- 11.0 Discussion and Possible Action Regarding the Conditional Use Permit of Wolfgang and Alexandra Gaggl to be Allowed to Keep Miniature Goats on their Property Located at W275 N2337 Oak Court (PWC 0935-979-004) Within a Platted Single-Family Subdivision (Plan Commission 6/15/2017)

Mr. Klein stated the Plan Commission recommended approved of the conditional use permit with the following contingencies: 1) the City approves the rezoning, 2) there will be no more than five miniature goats, 3) the goats will be kept within a fenced area (a movable fence is acceptable), 4) there will be no additions to the home due to the 100 year floodplain, 5) submit a site plan showing location of fence, clean drinking water, shelters (portable shelters are acceptable) and food storage, 6) staff to approve waste management plan, and 7) written permission from the Gaggl's three closest neighbors.

**A motion was made and seconded, (J Wamser, B Bergman) to approve the Conditional Use Permit of Wolfgang and Alexandra Gaggl to allow miniature goats to be kept on their property located at W275 N2337 Oak Court with the noted contingencies.** Motion Passed: 4-For, 0-Against.

- 12.0 Discussion and Possible Action to Approve the Continuation of Assessment Services Provided by Associated Appraisal Consultants, Inc.

Mr. Klein requested no action be taken on this item. He believes the City should have an in-house professional for assessment services. He stated he'd create a budget for 2018 showing the anticipated expenses.

- 13.0 Discussion and Possible Action Regarding the Special Event Permit of the Pewaukee Chamber of Commerce to hold their Farmers Market on Wednesdays from June 14 to September 27, 2017 at the Christ Lutheran Church Located at W240 N3103 Pewaukee Road (PWC 0904-994-001) and Possibly Waive Permit Fees

Nancy Waters was present for this item. She stated the vendors are individuals or small business people and she hopes the Council would consider waiving the fee. She stated due to the construction on Capitol Drive and on the grounds of Spring Creek Church they had to move to a different location this year. Mr. Bergman stated they have a good track record and the crowds are reasonably small and don't require City services.

**A motion was made and seconded, (J. Kara, J. Wamser) to approve the special event permit of the Pewaukee Chamber of Commerce to hold their Farmers Market on Wednesdays from June 14 to September 27, 2017 at the Christ Lutheran Church located at W240 N3103 Pewaukee Road and waive the permit fees.**

Motion Passed: 4-For, 0-Against.

14.0 Public Comment i None.

15.0 Adjournment - **A motion was made and seconded, (J. Wamser, R. Grosch) to adjourn the meeting at 7:58 p.m.** Motion Passed: 4-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski  
Clerk/Treasurer



**CITY OF PEWAUKEE  
COMMON COUNCIL AGENDA ITEM 11.**

**DATE:** December 3, 2018

**DEPARTMENT:** Clerk/Treasurer

**PROVIDED BY:**

***SUBJECT:***

Discussion and Possible Action to Approve **Resolution 18-12-34** Establishing the City's 2019 Fee Schedule  
[Tarczewski]

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

**ATTACHMENTS:**

Description

Resolution 18.12.34 Fee Schedule

## RESOLUTION 18-12-34

**A RESOLUTION TO ESTABLISH A PERMIT FEE SCHEDULE FOR 2019  
FOR THE CITY OF PEWAUKEE  
PURSUANT TO SECTIONS 62 AND 236 OF WISCONSIN STATUTES**

**WHEREAS**, the City of Pewaukee Common Council has created a City Code of Ordinances; and

**WHEREAS**, the City of Pewaukee requires certain fees for services provided by the city as currently outlined in the sections of the Municipal Code. From time to time, these fees for such approved activities within the City may be modified by the City Common Council by resolution; and

**WHEREAS**, the City Common Council has an obligation to the taxpayers in the City of Pewaukee to establish fair fees, cash bonds, and letters of credit requirements to offset the services and actual cost of City employees for review and inspection; and

**WHEREAS**, the City Common Council wishes to create for the benefit of property owners and citizens, by this resolution, a full schedule of fees, cash bonds, and letters of credit related to the aforementioned activities that will be reviewed on an annual basis.

**NOW THEREFORE**, the Common Council of the City of Pewaukee, **DOES HEREBY RESOLVE AS FOLLOWS**:

**I. ADMINISTRATIVE PERMITS AND FEES**

**A. HOTEL, ENTERTAINMENT AND ALCOHOLIC BEVERAGE LICENSES**

|                                                                                   |                                               |
|-----------------------------------------------------------------------------------|-----------------------------------------------|
| 1. Hotel license (§11.04)                                                         | No Charge                                     |
| 2. Class A Beer license (§11.01)                                                  | \$ 100.00 / year or fraction thereof          |
| 3. Class A Liquor license (§11.01)                                                | \$ 500.00 / year or fraction thereof          |
| 4. Class B Beer license (§11.01)                                                  | \$ 100.00 / year or fraction thereof          |
| 5. Class B Liquor license (§11.01)                                                | \$ 500.00 / year or fraction thereof          |
| 6. Class C Wine license (§11.01)                                                  | \$ 100.00 / year or fraction thereof          |
| 7. Temporary Class B license (§11.01)                                             | \$ 10.00                                      |
| 8. Partial Year Licensing fee (§11.01)                                            | \$ 25.00 / year Minimum                       |
| 9. Reserve Alcohol Beverage Sales license (§11.01)                                | \$10,000.00 (one-time fee)                    |
| 10. Petition for Appeal of Suspension/Revocation<br>of Operators license (§11.01) | \$ 100.00                                     |
| 11. Change of Agent (§11.01)                                                      | \$ 10.00                                      |
| 12. Publication Fee (§11.01)                                                      | <del>\$ 30.00</del> Actual Cost to be billed. |
| 13. Original Bartenders license (§11.01)                                          | \$ 30.00 / year                               |
| 14. Renewal of Bartenders license (§11.01)                                        | \$ 25.00 / year                               |
| 15. Provisional Bartenders license (§11.01)                                       | \$ 10.00 / year                               |

|                                                                    |                        |
|--------------------------------------------------------------------|------------------------|
| 16. Temporary Bartenders license (§11.01)                          | \$ 10.00 / year        |
| 17. Replacement Bartender license (§11.01)                         | \$ 5.00                |
| 18. Outdoor Entertainment (§11.02)                                 | \$ 30.00 / year        |
| 19. Cigarette license (§11.13)                                     | \$100.00 / year        |
| 20. Amusement Device license (§11.03)                              | \$ 10.00 / device/year |
| 21. License for Adult-Oriented Establishment (§11.12)              | \$500.00 / year        |
| 22. Background Investigation Fee for Establishment (§11.12)        | \$ 75.00 / year        |
| 23. Name Change Fee for Adult-Oriented Establishment (§11.12)      | \$500.00 / year        |
| 24. License for Employees of Adult-Oriented Establishment (§11.12) | \$ 50.00 / year        |
| 25. Background Investigation Fee for Employee License (§11.12)     | \$ 60.00 / year        |
| 26. Escort or Escort Service License (§11.10)                      |                        |
| Initial                                                            | \$250.00 / year        |
| Renewal                                                            | \$250.00 / year        |
| Late Renewal Penalty (in addition to renewal fee)                  | \$100.00 / year        |

#### **B. DOG LICENSES**

|                                                           |                                                                                  |
|-----------------------------------------------------------|----------------------------------------------------------------------------------|
| 1. Dog license (§11.05)                                   | \$12.00 / year for spayed – neutered<br>\$17.00 /year for unsprayed – unneutered |
| 2. Late Payment penalty (§11.05)                          | \$ 5.00 April 1 <sup>st</sup> or Later                                           |
| 3. Commercial Kennel license<br>(3 or more dogs) (§11.05) | \$45.00 / year after Plan Commission Approval                                    |
| 4. Hobby Kennel license<br>(4 or more dogs) (§11.05)      | \$35.00 / year after Plan Commission Approval                                    |
| 5. Replacement Tag                                        | \$ 1.00 each                                                                     |

#### **C. OTHER ADMINISTRATIVE LICENSES/FEEES**

|                                                                              |                                                                                                                    |
|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| 1. Peddler License Application (§11.06)                                      | \$ 10.00 investigation fee<br>\$ 20.00 / per day; \$100.00 / per week;<br>\$250.00 / per month; \$1,000 / per year |
| 2. Special Event Permit ( <i>Required if more than 150 people</i> ) (§11.07) |                                                                                                                    |
| Class I Event                                                                | \$300.00 / per day                                                                                                 |
| Class II Event                                                               | \$150.00 / per day                                                                                                 |
| Electrical Inspection                                                        | \$ 60.00 / per inspection                                                                                          |
| EMS Service (ambulance on site)                                              | \$250.00 / per hour                                                                                                |
| Barricades                                                                   | Up to 6 barricades \$35.00<br>Over 6 barricades \$70.00                                                            |
| Fireworks Permit (§6.13)                                                     | No Charge, State & Local Permit Required                                                                           |
| Garbage Cans (55 gallon)                                                     | \$ 5.00 per garbage can                                                                                            |
| Park Rental Permit                                                           | To Be Determined by Joint Park/Rec Board                                                                           |
| Pre-event Safety Inspection                                                  | \$ 75.00 per hour                                                                                                  |
| Security Deposit                                                             | \$200.00 per day, additional if using a park facility                                                              |

|                                                 |                                                           |
|-------------------------------------------------|-----------------------------------------------------------|
| Temporary Bartender License                     | \$ 10.00                                                  |
| Temporary Class B (Picnic) Beer & Wine Licences | \$ 10.00                                                  |
| Tent Inspection                                 | \$ 31.65 if under 2500 sq. ft.; per tent / per inspection |

Fee for Filing of Application less than 90 days  
from date of event / Failure to File Application  
Non-Residential

\$500.00 plus permit costs

*With regard to Class I events that are held over a period in excess of five days, the Common Council may limit the total assessment of the daily fee to five days upon a showing that the impact on City services justifies the reduction.*

4. Copy Charge -

Photocopy

Less than 11"x17"

~~\$0.25~~ .10¢ per page plus tax

11"x17" photocopy

~~\$1.00~~ .25¢ per page plus tax

Larger than 11"x17" photocopy

~~\$10.00 per page plus tax~~ TBD ?????

CD

\$10.00 minimum per disk/CD plus staff time  
(No outside media will be accepted)

~~Cassette~~ ~~\$10.00 per tape if no tape supplied (incl. staff time)~~

~~\$5.00 per tape if supply 90min. tape (incl. staff time)~~

5. NSF or Overdraft charge

\$29.00

6. Burning permit (§4.16)

No Charge

7. Fireworks permit (§6.13)

No Charge

8. Maps - Zoning, School District, Aldermanic District

\$10.00 each

9. Street Atlas Map

\$ 1.00 each

10. Special Assessment Letter (Completion in  
3 to 5 business days)

\$50.00 (split 50/50 with Water/Sewer)

11. Charges/Fees for Pilgrim's Rest Cemetery (§20)

a. Grave Site

Resident

\$400.00\* plus \$500 / site opening/closing charge

Non-resident

\$600.00\* plus \$500 / site opening/closing charge

b. Crematory Niche (includes bronze plaque)

Resident

\$710.00\* plus \$125 / site opening/closing charge

Non-resident

\$810.00\* plus \$125 / site opening/closing charge

~~e. Infant Grave Site~~

~~Resident~~

~~\$200.00\* plus \$250/site opening/closing charge~~

~~Non resident~~

~~\$300.00\* plus \$250/site opening/closing charge~~

d. Opening/Closing on Weekends & City-Recognized Holidays

or any time outside normal business hours

\$500.00 / site Additional Charge

Two-thirds (2/3) of the fee for every full size site sale shall be allocated to the perpetual care fund. One-half (1/2) of the fee for every crematory and infant grave site sale is allocated to the perpetual care fund.

\* - Includes Perpetual Care.

12. Special Meeting with Common Council \$500.00

## **II. BUILDING/CONSTRUCTION/DEVELOPMENT FEES AND CHARGES**

Re-Inspection Fee for Inspections that are scheduled  
but not ready for inspection and require  
return inspection(s) \$75.00 / inspection

### **A. RESIDENTIAL BUILDING PERMITS/FEES - (Chapter 14 and Chapter 17)**

1. Minimum Permit Fee All Permits \$ 60.00 minimum/inspection.
2. State Seal \$ 43.00
3. New Residential Building & Additions,  
Finished Areas & Garages Base Fee \$50.00 plus .35¢ / square foot / floor  
Unfinished areas – attached decks, porches, Base Fee \$50.00 plus .25¢ / square foot / floor  
Basement, crawl spaces. Minimum \$60.00 per item A.1.
4. Detached Accessory Buildings or structures Base Fee \$50.00 plus .25¢ / square foot/floor  
Minimum \$60.00 per item A.1.
5. Plan Review – New Residential Buildings \$225.00 plus \$25.00 / unit for multi-family  
units  
Additions to Residential Buildings \$125.00 plus \$25.00 / unit for multi-family  
units  
Alterations to Residential Buildings \$100.00  
Accessory Buildings & Structures > 180 sq. ft. \$ 50.00  
Minimum \$60.00 per item A.1.
6. Remodel and Alteration to Residential Buildings Base Fee \$50.00 plus .30¢ / square foot  
Minimum \$60.00 per item A.1.
7. Early Start \$150.00
8. Occupancy Certification \$ 50.00 / unit for new building & additions
9. Erosion Control (Sites of less than 1.0 acres and  
a storm water management plan is not required) .05¢ / square foot of all estimated disturbed  
land surface – Minimum \$50.00,  
maximum \$2,000.00
10. Impact Fee – Also Zoning Ordinance §17.0302 -  
Impact Fee to be used for Parks, Playgrounds and Athletic fields:  
Residential buildings: \$1041.00 / dwelling unit TBD  
Impact Fee to be used for Fire and Rescue facilities:  
Non-residential buildings: .12¢ / square foot  
Residential buildings: \$337.00 / dwelling unit TBD  
Impact Fee to be used for Hike/Bike Trails:  
Non-residential buildings: .05¢ / square foot  
Residential buildings: \$134.00 / dwelling unit TBD
11. Garbage Collection/Recycling Rate (\$6.145) - \$139.00 per unit for applicable properties  
Up-the-Drive Service – Additional Subscription Rate \$251.52 per year \$21.38 / per month  
Residents can apply for Special Hardship if Handicapped or Disabled

**B. NON-RESIDENTIAL BUILDING PERMITS - (Chapter 14 & 17)**

|                                                                                                        |                                                                                                       |
|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| 1. Minimum Permit Fee All Permits                                                                      | \$100.00 minimum                                                                                      |
| 2. New Buildings/Additions –<br>Unfinished Areas/Warehouse Areas, Shells                               | Base Fee \$100.00 plus .25¢ / square foot / floor                                                     |
| Finished Areas, Office, Retail, etc.                                                                   | Base Fee \$100.00 plus .35¢ / square foot / floor minimum \$100.00 per item B.1.                      |
| 3. Remodel/Alterations/Build-outs                                                                      | Base Fee \$100.00 plus .30¢ / square foot minimum \$100.00 per item B.1.                              |
| 4. Detached Accessory Building and/or Structures                                                       | Base Fee \$50 plus .25¢ / square foot / floor minimum \$100.00 per item B.1.                          |
| 5. Plan Review –<br>New Non-Residential Buildings                                                      | \$300.00                                                                                              |
| Additions, Accessory Buildings &<br>Structures & Alterations                                           | \$150.00                                                                                              |
| 6. Agricultural Buildings and Additions                                                                | .25¢ / square foot<br>minimum \$100.00 per item B.1.                                                  |
| 7. Early Start                                                                                         | \$300.00                                                                                              |
| 8. Occupancy Certification                                                                             | \$ 50.00 / unit per Multi-Family<br>\$150.00 for Commercial buildings                                 |
| 9. Erosion Control (Sites of less than 1.0 acres and<br>a storm water management plan is not required) | .05¢ / square foot of all estimated<br>disturbed land surface minimum \$75.00 –<br>maximum \$2,000.00 |

**C. PLUMBING PERMITS – (Chapter 14)**

|                                                                    |                               |
|--------------------------------------------------------------------|-------------------------------|
| Minimum Permit Fee All Permits                                     | \$60.00 / inspection          |
| 1. <u>GENERAL</u>                                                  |                               |
| 1. 1&2 Family New Building Base Fee                                | \$125.00 each                 |
| 2. 1&2 Family Addition Base Fee                                    | \$ 75.00 each                 |
| 3. 1&2 Family Alteration Base Fee                                  | \$ 50.00 each                 |
| 4. 3or More family Residential Building New/<br>Additions Base Fee | \$150.00 plus \$5.00 per unit |
| 5. Non-Residential/Commercial Building New<br>Or Addition Base Fee | \$250.00 each                 |
| 6. Non-Residential/Commercial Building<br>Alteration Base Fee      | \$125.00 each                 |
| 2. <u>WATER SYSTEM</u>                                             |                               |
| a. Water Service Lateral                                           | \$60.00 / inspection          |
| b. Back Flow Device – Fire, R.P. Valves, etc.                      | \$60.00 / inspection          |
| c. Water Distribution System (domestic)                            | \$60.00 / inspection          |
| 3. <u>SANITARY SYSTEM</u>                                          |                               |
| a. Sanitary Sewer Lateral                                          | \$60.00 / inspection          |

|                                                                                                                                 |                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| b. Sanitary Building Drain Underground - Interior                                                                               | \$60.00 / inspection                                                               |
| c. Sanitary Drain & Vent System - Interior                                                                                      | \$60.00 / inspection                                                               |
| 4. <u>STORM SEWER SYSTEM</u>                                                                                                    |                                                                                    |
| a. Storm Sewer Lateral                                                                                                          | \$60.00 / inspection                                                               |
| b. Sewer Drain System – Interior                                                                                                | \$60.00 / inspection                                                               |
| 5. <u>PLUMBING FIXTURES</u>                                                                                                     |                                                                                    |
| a. All plumbing fixtures including, but not limited to, faucets, lavatories, toilets, tubs, AAV's, dishwashers, hose bibs, etc. | \$12.00 / fixture                                                                  |
| 6. <u>MISCELLANEOUS PLUMBING</u>                                                                                                |                                                                                    |
| a. Gas Piping Inspections                                                                                                       | \$60.00 / inspection                                                               |
| b. Private Well Inspection – Inspection or or Abandonment                                                                       | \$60.00 / inspection                                                               |
| c. Fire Suppression – Check Valves                                                                                              | \$60.00 / inspection                                                               |
| <b>D. <u>ELECTRICAL PERMITS – (Chapter 14)</u></b>                                                                              |                                                                                    |
| 1. <u>GENERAL</u>                                                                                                               |                                                                                    |
| a. Minimum Permit Fee All Permits                                                                                               | \$60.00 minimum / inspection                                                       |
| b. All Building Types – New Buildings & Additions                                                                               | \$100.00 base fee plus .07¢ / square foot / floor not including electric service   |
| c. Alterations                                                                                                                  | Residential \$120.00 base fee<br>Commercial \$50.00 base fee plus .07¢ per sq. ft. |
| d. Services & Feeders                                                                                                           | \$75.00 first 200 amps<br>\$10.00 per 100 amps above 200 amps                      |
| e. Low Voltage-Multi-Family & Non-Residential Buildings                                                                         | \$50.00 plus .01¢ / square foot                                                    |
| <b>E. <u>HEATING, VENTILATION AND AIR CONDITIONING (HVAC) PERMITS (Chapter 14)</u></b>                                          |                                                                                    |
| 1. <u>GENERAL</u>                                                                                                               |                                                                                    |
| a. Minimum Permit Fee All Permits                                                                                               | \$ 60.00 / inspection                                                              |
| b. Commercial Buildings - New Buildings, Additions & Alterations                                                                | \$ 50.00 base fee plus .05¢ / square foot / floor                                  |
| c. Residential Buildings – New Buildings and Additions                                                                          | \$ 50.00 base fee plus .05¢ / square foot / floor                                  |
| d. Residential Buildings – Alterations                                                                                          | \$ 60.00 / inspection                                                              |
| e. New Furnace unit, additions or replacements                                                                                  | \$ 60.00 / unit                                                                    |
| f. New A/C unit, additions or replacements                                                                                      | \$ 60.00 / unit                                                                    |
| g. Fireplaces, Wood burning Appliances                                                                                          | \$ 60.00 each                                                                      |
| h. Commercial Exhaust Units                                                                                                     | \$150.00 first unit<br>\$ 25.00 each additional unit                               |



- i. Commercial Application / Review – New or additions to commercial buildings \$ 75.00

**F. CONSTRUCTION SITE EROSION CONTROL PERMITS - (Chapter 19)**

**1. GENERAL**

- a. For sites less than 1.0 acre of disturbance or 15 or less cubic yards of fill or excavation, a storm water management plan or permit is not required. See sections II.A. and II.B. of this resolution.
- b. For sites disturbing more than 1.0 acres or more than 15 cubic yards of fill, or requiring a Notice of Intent (NOI), or requiring a storm water management plan. \$ 50.00 base fee plus a fee equal to the actual cost to the City for all work incurred in connection with the review of the submittal or as otherwise specified in a developers agreement

**2. LETTER OF CREDIT OR CASH BOND\***

- a. For sites less than 1.0 acre of disturbance or 15 or less cubic yards of fill or excavation, a storm water management plan is not required. See sections II.A. and II.B. of this resolution.
- b. For sites disturbing 1.0 to 10.0 acres or more than 15 cubic yards of fill or excavation, requiring a Notice of Intent (NOI), or requiring a storm water management plan. \$2,000.00, or as otherwise specified in a developer's agreement.
- c. For sites disturbing 10.1 to 25.0 acres, requiring a Notice of Intent (NOI), or a storm water management plan. \$3,500.00, or as otherwise specified in a developers agreement.
- d. For sites disturbing in excess of 25.0 acres, requiring a Notice of Intent (NOI), or requiring a storm water management plan. \$5,000.00, or as otherwise specified in a developers agreement.

**G. STORM WATER MANAGEMENT - (Chapter 19)**

**1. GENERAL**

- a. For sites less than 1.0 acre of disturbance or 15 or less cubic yards of fill or excavation, a storm water management plan is not required. See sections II.A. and II.B. of this resolution.
- b. For sites disturbing in excess of 1.0 acres or 15 cubic yards of fill or excavation, requiring a Notice of Intent (NOI), or requiring a storm water management plan. \$50.00 base fee plus a fee equal to the actual cost to the City for all work incurred in connection with the review of the submittal or as otherwise specified in a developers agreement.

**2. LETTER OF CREDIT OR CASH BOND\***

- a. For sites less than 1.0 acre of disturbance - storm water management plan is not required. See sections II.A. and II.B. of this resolution.
- b. For sites disturbing in excess of 1.0 acres, requiring a Notice of Intent (NOI), or requiring a storm water management plan. As set forth in Sections or as otherwise specified in a developers agreement.

**\*PLEASE NOTE:** ALL OR PART OF CASH PERFORMANCES BONDS MAY BE REIMBURSED IF NO COST HAS BEEN INCURRED BY THE CITY. EROSION BONDS SHALL BE FORFEITED IF COMPLAINT IS NOT MET WITHIN 12 MONTHS OF OCCUPANCY.

## **H. MISCELLANEOUS BUILDING/STRUCTURE FEES**

### **1. GENERAL**

|                                                               |                       |
|---------------------------------------------------------------|-----------------------|
| a. Razing of Principle Buildings                              | \$200.00              |
| Accessory Buildings > 180 sq. ft.                             | \$ 75.00              |
| Commercial Buildings / <b>Interior</b>                        | \$300.00              |
| b. Moving of Buildings > 180 sq. ft.                          | \$300.00              |
| Submit bond plus proof of insurance                           |                       |
| c. Miscellaneous Permits – minor repairs                      | \$ 60.00 / inspection |
| d. Re-inspections                                             | \$ 60.00              |
| e. Special Inspections                                        | \$100.00              |
|                                                               | \$ 80.00 / hour       |
| f. Pools – above ground pools                                 | \$100.00              |
| in-ground pools                                               | \$150.00              |
| g. Re-roofing or Residing                                     | \$ 60.00              |
| h. Erosion Control – Development Major Land Division > 5 lots | \$500.00              |
| i. Development Minor Land Division < 5 lots                   | \$200.00              |
| j. Misc. Land Division over 2000 sq. ft.                      | \$100.00              |
| k. Foundation repairs/damp proofing                           | \$100.00              |
| l. Filling Permit (§6.10(4))                                  | \$100.00              |
| m. Culverts                                                   | \$150.00              |

**PLEASE NOTE:** Fees ~~double~~ **quadruple** if work is begun without a permit.

### **IN ADDITION:**

- A Minimum Permit Fee is \$60.00 per inspection unless otherwise stated.
- Building square footage calculations shall include all floor levels, crawl spaces, basements, open and closed porches. The measurement shall be outside perimeter dimensions.
- Accessory structures are structures without roofs and walls such as decks.
- Accessory buildings are structures with roofs and/or walls such as gazebos, sunrooms, porches, garages, and sheds.
- Applicable City impact fees will be assessed at time of building permit application.

## **III. PLANNING REVIEW AND ZONING ADMINISTRATION**

### **A. ZONING - (Chapter 17)**

|                                               |                                                                                   |
|-----------------------------------------------|-----------------------------------------------------------------------------------|
| 1. Zoning ordinance or district map amendment | \$400.00 plus Cost for Publication, Notice & All Attorney Fees Related to Project |
| 2. Conditional Use Permit                     | \$400.00 plus Cost for Publication, Notice & All Attorney Fees Related to Project |
| 3. Zoning Board of Appeals                    | \$400.00 plus Cost for Publication, Notice & All Attorney Fees Related to Project |
| 4. Special Meeting with Plan Commission       | \$500.00                                                                          |

|                                        |                                                                                         |
|----------------------------------------|-----------------------------------------------------------------------------------------|
| 5. Signs ( <u>requiring a permit</u> ) | \$ 50.00 plus \$2.00 / square foot –<br>Maximum \$500.00 (electric permit not included) |
|----------------------------------------|-----------------------------------------------------------------------------------------|

|           |          |
|-----------|----------|
| 6. Fences | \$ 75.00 |
|-----------|----------|

Is there a better place for this?  
It seems like an odd place to be.

|                                                                                   |                             |
|-----------------------------------------------------------------------------------|-----------------------------|
| 7. Zoning Compliance Letter *                                                     | <del>\$ 35.00</del> \$50.00 |
| *Additional Fee for Processing Letter to be<br>Available within two business days |                             |
|                                                                                   | \$ 25.00                    |

|                                                                                      |          |
|--------------------------------------------------------------------------------------|----------|
| 8. Accessory Buildings & Structures<br>(i.e. Gazebos, Boat Houses, Detached Garages) | \$ 75.00 |
|--------------------------------------------------------------------------------------|----------|

|                                   |          |
|-----------------------------------|----------|
| 9. Lot Line Adjustment, Lot Split | \$250.00 |
|-----------------------------------|----------|

|                                 |          |
|---------------------------------|----------|
| 10. Business Plan of Operations | \$100.00 |
|---------------------------------|----------|

|               |          |
|---------------|----------|
| 11. Site Plan | \$500.00 |
|---------------|----------|

|                         |          |
|-------------------------|----------|
| 12. Site Plan Amendment | \$250.00 |
|-------------------------|----------|

|                                 |          |
|---------------------------------|----------|
| 13. Minor Site Plan / Amendment | \$ 75.00 |
|---------------------------------|----------|

|                                |          |
|--------------------------------|----------|
| 14. Concept Review Application | \$200.00 |
|--------------------------------|----------|

**B. LAND DIVISION - (Chapter 18)**

|                                        |                                                                  |
|----------------------------------------|------------------------------------------------------------------|
| 1. Preliminary Plat                    | \$750.00 plus \$20.00 for each proposed lot or<br>parcel created |
| 2. Final Plat                          | \$350.00 plus \$10.00 for each proposed lot or<br>parcel created |
| 3. Final CSM with No Public Facilities | \$200.00 plus \$10.00 for each lot or parcel<br>created          |
| 4. Final CSM with Public Facilities    | \$350.00 plus \$10.00 for each lot or parcel<br>created          |
| 5. Replat                              | Same as final plat                                               |

**C. CASH PERFORMANCE BONDS\***

|                                                                                    |                                                    |
|------------------------------------------------------------------------------------|----------------------------------------------------|
| 1. <u>Occupancy Cash</u> Bond                                                      | \$ 500.00 – Residential<br>\$2,500.00 - Commercial |
| 2. <u>Erosion Cash</u> Bond - <u>1 &amp; 2 Family</u>                              | \$2,000.00                                         |
| 3. <u>Erosion Cash</u> Bond – <u>Commercial &amp; Other Construction</u>           | \$5,000.00                                         |
| 4. <u>Erosion Cash</u> Bond – <u>Major Land Division –<br/>Plats, Subdivisions</u> | \$4,000.00                                         |

- |                                                           |            |
|-----------------------------------------------------------|------------|
| 5. <u>Erosion Cash Bond – Minor Land Division – (CSM)</u> |            |
| Less than 6 parcels                                       | \$2,500.00 |

**\*PLEASE NOTE:** ALL OR PART OF CASH PERFORMANCES BONDS MAY BE REIMBURSED IF NO COST HAS BEEN INCURRED BY THE CITY. EROSION BONDS SHALL BE FORFEITED IF COMPLIANCE IS NOT MET WITHIN 12 MONTHS OF OCCUPANCY.

#### **IV. FIRE/RESCUE EMERGENCY FEES/CHARGES**

##### **A. FIRE/RESCUE CALL CHARGES – (\$4.19)**

- |                                                        |            |
|--------------------------------------------------------|------------|
| 1. ALS1 (Advanced Life Saving) Emergency Rescue Charge |            |
| Resident                                               | \$1,050.00 |
| Non-Resident                                           | \$1,100.00 |
| 2. ALS2 (Advanced Life Saving) Base Rate               |            |
| Resident                                               | \$1,050.00 |
| Non-Resident                                           | \$1,150.00 |
| 3. ALS (Advanced Life Saving) On Scene Care            |            |
| Resident                                               | \$ 300.00  |
| Non-Resident                                           | \$ 400.00  |
| 4. BLS (Basic Life Saving) Rescue Charge               |            |
| Resident                                               | \$ 700.00  |
| Non-Resident                                           | \$ 800.00  |
| 5. BLS (Basic Life Saving) On Scene Care               |            |
| Resident                                               | \$ 200.00  |
| Non-Resident                                           | \$ 250.00  |
| 6. Mileage Charge for Rescue                           | \$ 25.00   |
| 7. Supply Charge for Rescue                            | \$ 100.00  |
| 8. Drugs/IV Charge for Rescue                          | \$ 100.00  |

##### **B. FIRE ALARM ACTIVATION CHARGE - (\$4.12)**

- |                                              |                |
|----------------------------------------------|----------------|
| False Alarm Activations within Calendar Year |                |
| First False Alarm Activation                 | No Charge      |
| Second or Third False Alarm Activations      | \$ 350.00 each |
| Four or More False Alarm Activations         | \$ 750.00 each |

##### **C. INSPECTION AND SPECIAL SERVICES – (\$4.17)**

- |                                                                           |                                           |
|---------------------------------------------------------------------------|-------------------------------------------|
| 1. Storage Tank Installation/Relining                                     |                                           |
| a. Plan review                                                            | \$ 175.00                                 |
| b. 2 <sup>nd</sup> thru 10 <sup>th</sup> system                           | \$ 60.00 each                             |
| c. Component                                                              | \$ 100.00 each (\$150.00 max)             |
| d. Site inspection                                                        | \$ 100.00 / each tank system or component |
| e. Relining (includes Inspection Fee)                                     | \$ 150.00 /tank                           |
| f. New Construction/Conversion to Self-service Key card Code              | \$ 135.00 / tank                          |
| 2. Storage tank Upgrade for leak, spill, corrosion, & overfill protection |                                           |
| a. Plan review                                                            | \$ 35.00 / tank                           |
| b. Site inspection                                                        | \$ 100.00 / tank                          |

- |                               |                  |
|-------------------------------|------------------|
| c. Plan revision review       | \$ 100.00        |
| d. UST/AST removal inspection | \$ 150.00 / tank |

**D. UNIFORM FEE STRUCTURE FOR FIRE APPARATUS RESPONSE ON STATE AND FEDERAL HIGHWAYS – (\$4.25)**

- |                                             |                  |
|---------------------------------------------|------------------|
| 1. Engine Company (minimum staffing 3)      | \$ 558.00 / hour |
| Ladder Company (minimum staffing 3)         | \$ 742.00 / hour |
| Tanker (minimum staffing 1)                 | \$ 369.00 / hour |
| Ambulance <u>Other</u> (minimum staffing 2) | \$ 184.00 / hour |
| Ambulance BLS (minimum staffing 2)          | \$ 250.00 / hour |
| Ambulance ALS (minimum staffing 3)          | \$ 350.00 / hour |
| Other Apparatus                             | \$ 184.00 / hour |
| Command Vehicle                             | \$ 250.00 / hour |

**E. SPRINKLER SYSTEMS – (\$4.15)**

- |                                                                        |                   |
|------------------------------------------------------------------------|-------------------|
| 1. Basic Fire Sprinkler/Alarm Plan Review Fee                          | \$ 325.00         |
| 2. Fire Sprinkler with Fire Pump                                       | \$ 475.00         |
| 3. Fire Sprinkler Plans Review with Hydraulic Calculations             | \$ 275.00         |
| 4. Fire Sprinkler Hydraulic Calculations – Verification Only           | \$ 185.00         |
| 5. Each Additional Review of the Same System                           | \$ 185.00         |
| 6. Site Inspection of Fire Sprinkler Installations during Installation | \$ 225.00 / visit |
| 7. Witness Final Acceptance Tests of Fire Sprinkler Systems            | \$ 225.00 / visit |
| 8. Small Additions and Changes                                         | \$ 175.00         |
| 9. Small Additions and Changes under 20 heads                          | \$ 175.00         |

**F. FIRE INSPECTION OF COMMERCIAL STRUCTURES (TWO PER YEAR) – (\$4.22)**

All buildings that fall under the Wisconsin Commercial Code shall be assessed a charge based on the square footage of the building (square footage is the total floor area of any building or structure):

- |                                        |                     |
|----------------------------------------|---------------------|
| 1. Up to 2,500 square feet             | \$ 31.65            |
| 2. 2,501 to 5,000 square feet          | \$ 47.44            |
| 3. 5,001 to 10,000 square feet         | \$ 94.82            |
| 4. 10,001 to 25,000 square feet        | \$ 189.67           |
| 5. 25,001 to 50,000 square feet        | \$ 379.28           |
| 6. 50,001 to 100,000 square feet       | \$ 758.56           |
| 7. 100,001 square feet and over        | \$1,517.12          |
| 8. Residential Multi-Family Structures | \$ 12.00 / per unit |

**V. LAW ENFORCEMENT**

- |                                                                                                                  |                           |
|------------------------------------------------------------------------------------------------------------------|---------------------------|
| A. False Alarms (excluding Fire Alarms)                                                                          |                           |
| First three (3) False Alarms                                                                                     | No Charge                 |
| Fourth False Alarm                                                                                               | \$ 50.00 plus court costs |
| Fifth False Alarm                                                                                                | \$ 75.00 plus court costs |
| Sixth and Subsequent False Alarms                                                                                | \$100.00 plus court costs |
| B. Winter Parking Restrictions (\$5.09)                                                                          | \$ 20.00                  |
| Improper Parking; No Parking Zone; Parked<br>On Private Property; No Boat Launch Permit;<br>And Other Violations | \$ 20.00                  |

|    |                                                                    |                                                               |
|----|--------------------------------------------------------------------|---------------------------------------------------------------|
|    | Parked at Fire Hydrant; Parked in Handicapped Zone                 | \$ 50.00                                                      |
| C. | Pewaukee Lake (\$21.01 & \$21.02)                                  |                                                               |
|    | Launch Fee                                                         | \$ 7.00 / each launch                                         |
|    | Seasonal Launch Permit                                             | \$ 50.00                                                      |
|    | Permit for Summer Recurrent and Lake Activities                    | \$ 20.00 / per year                                           |
|    | Permit for Winter Recurrent Activities                             | \$ 20.00 / per year                                           |
| D. | Forfeiture Amount for Violations Regarding E 9-1-1 Calls (\$6.15): |                                                               |
|    | First three unintentional E 9-1-1- Calls                           | No Charge                                                     |
|    | Fourth unintentional E 9-1-1 Call                                  | \$ 50.00 plus court costs                                     |
|    | Fifth unintentional E 9-1-1 Call                                   | \$ 75.00 plus court costs                                     |
|    | Sixth and subsequent unintentional E 9-1-1 Calls                   | \$ 100.00 plus court costs                                    |
| E. | Municipal Court Costs Assessed on Each Citation (§23.09(2))        | \$38.00                                                       |
| F. | Community Police Program                                           | \$ 6.00 - \$10.00 / program<br>/ occurrence for Non-Residents |
| G. | Violation of Watercraft Launch Restrictions (§21.06)               |                                                               |
|    | First Occurrence                                                   | \$1,000.00 plus court costs                                   |
|    | Second and Subsequent Occurrences                                  | \$2,000.00 each plus court costs                              |

## **VI. PARKS DEPARTMENT FEES & CHARGES\***

### **A. BUILDING RESERVATIONS**

|            | <u>Resident</u> | <u>Non-Resident</u> | <u>Business Resident</u> | <u>Business Non-Resident</u> | <u>Deposit</u> |
|------------|-----------------|---------------------|--------------------------|------------------------------|----------------|
| Wagner     | \$30.00 / hour  | \$ 60.00 / hour     | \$50.00 / hour           | \$180.00 / hour              | \$200.00       |
| Nettesheim | \$20.00 / hour  | \$ 40.00 / hour     | \$40.00 / hour           | \$160.00 / hour              | \$200.00       |
| South      | \$20.00 / hour  | \$ 40.00 / hour     | \$40.00 / hour           | \$160.00 / hour              | \$200.00       |
| Balmer     | \$50.00 / day   | \$100.00 / day      | \$85.00 / day            | \$430.00 / day               | \$200.00       |

### **B. PICNIC AREA RENTALS**

|            | <u>Resident</u> | <u>Non-Resident</u> | <u>Business Resident</u> | <u>Business Non-Resident</u> | <u>Deposit</u> |
|------------|-----------------|---------------------|--------------------------|------------------------------|----------------|
| 50 people  | \$ 50.00        | \$150.00            | \$100.00                 | \$ 400.00                    | \$100.00       |
| 100 people | \$ 70.00        | \$210.00            | \$140.00                 | \$ 600.00                    | \$100.00       |
| 200 people | \$125.00        | \$375.00            | \$250.00                 | \$1,000.00                   | \$200.00       |

### **C. FIELD USE FEES AND FEES FOR SPORTS COMPLEX**

#### **Single Ball Diamond:**

Un-prepped ~ \$15.00 resident / \$20.00 non-resident per hour

Prepped ~ \$25.00 resident / \$30.00 non-resident per hour

#### **Single Soccer Field:**

Up to U8 size ~ \$10.00 resident / \$15.00 non-resident per hour

Size U8 & over ~ \$15.00 resident / \$20.00 non-resident per hour

#### **Sports Complex:**

Ball Diamond fees – see Single Ball Diamond.  
Single soccer field fee – see Single Soccer Field.  
Entire soccer side for a day is \$1,400.00 resident / \$2,100.00 non-resident.  
Concession stand ~ \$500.00 for a day tournament otherwise \$50.00 per hour.  
Security deposits will range from \$300.00 - \$500.00 dependent upon portions of park used.

**\* - Does not include individual recreation programs/project fees**

## **VII. PUBLIC WORKS FEES AND CHARGES**

|                                                   |                                                               |
|---------------------------------------------------|---------------------------------------------------------------|
| A. Public Street/Highway Opening Permit (\$10.05) | \$ 50.00                                                      |
| B. Sewerage Sludge Disposal Permit (\$9.07)       | \$ 300.00 per site / year                                     |
| C. Holding Tank Deposit (\$9.08)                  |                                                               |
| 1. Residential                                    | \$ 500.00                                                     |
| 2. Commercial or Industrial                       | \$1,000.00                                                    |
| 3. Commercial or Industrial Dispensing Food       | \$1,500.00                                                    |
| D. Noxious Weed Abatement                         | All Labor Costs (at the minimum of 2 hours) & Equipment Costs |

## **VIII. WATER/SEWER FEES AND CHARGES**

As outlined in §16.0401 of the Municipal Code, Reserve Capacity Assessments (RCA) is an area assessment being served by the reserve capacity of the system. The rate for 2012 is four thousand eight dollars (\$4,008.00) per residential equivalent unit (REU) and shall change annually according to the construction cost index of the Municipal Cost Indexes for the year published in the December issue of a previous year of American City & County (ISSN 0149-337X). A detailed fee schedule for (RCA) and Interceptor Capacity Assessments (ICA) is available from the Water/Sewer Utility.

### **SECTION 2: SEVERABILITY.**

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

### **SECTION 3: EFFECTIVE DATE.**

This resolution shall take effect January 1, 2019.

Dated this 3<sup>rd</sup> day of December, 2018.

CITY OF PEWAUKEE

\_\_\_\_\_  
Steve Bierce, Mayor

ATTEST:



---

Kelly Tarczewski, Clerk/Treasurer

**CITY OF PEWAUKEE  
COMMON COUNCIL AGENDA ITEM 12.**

**DATE:** December 3, 2018

**DEPARTMENT:** Clerk/Treasurer

**PROVIDED BY:**

***SUBJECT:***

Discussion and Possible Action to Clarify Previous Common Council Action (June 18, 2018) Authorizing the Installation of LED Lighting in the City Hall Parking Lot in the Amount of \$20,905.06 from Unassigned Funds to be More Specific and Stating Funds are coming out of the Capital Equipment Fund Balance [Klein]

***BACKGROUND:***

The Common Council action stated the money to pay for this project would come out of 'unassigned funds'. The Accountant would like more specific instruction and requests the funds to be further identified as coming out of the Capital Equipment Fund Balance.

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

Concur with the City Accountant and further stipulate the funds for the LED parking lot lighting project in the amount of \$20,905.06 are coming out of the capital equipment fund balance.

**ATTACHMENTS:**

Description

6.18.2018 Minute Excerpts

**In attendance:**

Mayor Steve Bierce, Aldermen B. Bergman, C. Brown, B. Dziwulski, R. Grosch, J. Kara, and J. Wamser.

**Also in Attendance:**

Attorney V. Anderson, Administrator S. Klein, DPW Director J. Weigel, Utility Manager J. Mueller, Community Development Director K. Woldanski, and Clerk/Treasurer K. Tarczewski.

9. Discussion and Possible Action Regarding the Contract for Planning Services by Wrayburn Consulting, LLC

Mr. Klein stated we have brought in Nick Fuchs as a consultant. He is currently the Planner for the City of Franklin and runs Wrayburn Consulting. He said this is a budgeted item. He said his responsibilities may be expanded next year.

Mr. Bergman stated Mr. Fuchs does very good summary reports for the Plan Commission that are thorough and well prepared. Mr. Grosch asked what type of hours he would have. Mr. Klein stated they were still trying to work out those arrangements.

No action was taken as this was an update only.

10. Discussion and Possible Action to Approve the Installation of LED Invue Style Lights in the Parking Lot at City Hall in the Amount of \$20,905.06 and Determine Funding

Mr. Klein stated the “house electrician” has tried to maintain the lighting in the parking lots but the fixtures are from 1996 and they are no longer made, parts are not available and they are not energy efficient. This is the middle of the pack. He said this project is necessary and asked for the Council’s approval.

**A motion was made and seconded, (J. Wamser, R. Grosch) to approve the installation of LED lighting in the City Hall parking lot in the amount of \$20,905.06 from unassigned funds.**

Motion Passed: 6-For, 0-Against.

11. Discussion and Action to Approve the Water Reserve Capacity Study (RCA) June 1, 2018 Proposal of Ruekert & Mielke with an Initial Cost of \$15,000

Mr. Weigel stated the water reserve capacity study needs to be finished. He said in 2015 one was prepared and it was thought to have been approved but there were additional questions that staff could not answer and our consultants were too busy with other major City projects that took precedent. He said the Public Service Commission (PSC) will not look at any rate change cases unless this is completed and they said it should be a priority for the utility.

**A motion was made and seconded, (R. Grosch, J. Wamser) to approve the water reserve capacity study by Ruekert & Mielke in the amount of \$15,000.** Motion Passed: 6-For, 0-Against.

12. Discussion and Action to Approve the June 1, 2018 Proposal from Ruekert & Mielke to Evaluate the Sewer Utility Rate, the Storm Water Utility Rate, and Develop a Plan for the Repayment of Sewer Utility Funds.

**CITY OF PEWAUKEE  
COMMON COUNCIL AGENDA ITEM 13.**

**DATE:** December 3, 2018

**DEPARTMENT:** Municipal Court

**PROVIDED BY:**

***SUBJECT:***

Discussion and Possible Action Regarding the Letter from Judge Glojek Requesting Payment for Substitution Services Rendered [Klein].

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***

**ATTACHMENTS:**

Description

Recommendation Letter from Judge Glojek



# *City of Pewaukee*

## MUNICIPAL COURT

W240N3065 PEWAUKEE ROAD  
PEWAUKEE, WISCONSIN 53072  
(262) 691-9083  
FAX: (262) 691-6074

HONORABLE  
GARY A. GLOJEK  
JUDGE

RECEIVED  
NOV 28 2018

CITY OF PEWAUKEE  
CLERK'S OFFICE

November 26, 2018

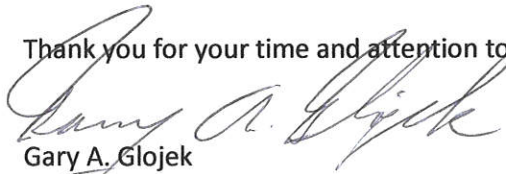
Dear Common Council,

As you are aware, by order of the Chief Judge and at my request, Municipal Judge Mark Powers has substituted in the City of Pewaukee Municipal court during September, October and November of this year. Over the nearly 30 years that I served the City of Pewaukee, it has only been necessary to have a Judge substitute for me on two previous occasions.

My request is that the City pay Judge Powers as an independent contractor for his service to the City in the amount of \$1200.00. This is fair to the City as well as Judge Powers. In light of the unusual circumstances and rarity of this event, it would be appropriate to pay this from the City's contingency fund.

If you have any questions with regard to my request, please contact me.

Thank you for your time and attention to this matter.



Gary A. Glojek  
City of Pewaukee Municipal Judge

CC: MAYOR BIERCE  
SCOTT KLEIN

**CITY OF PEWAUKEE  
COMMON COUNCIL AGENDA ITEM 14.**

**DATE:** December 3, 2018

**DEPARTMENT:** PW - Water/Sewer

**PROVIDED BY:** Jeffrey Weigel, PE, Public Works Director & City Engineer

***SUBJECT:***

Discussion and Possible Action to Authorize Ruekert & Mielke to Prepare the Public Service Commission (PSC) Water Rate Application Pursuant to Their Proposal of November 21, 2018 [Weigel]

***BACKGROUND:***

The Water Utility is regulated by the Public Service Commission (PSC). Recent projects (new Water Tower and Well 1 Radium mitigation) anticipate cost recoveries through the water rates. The time has come to begin the water rate application to PSC.

In the past Rotroff-Jeanson performed these rate applications. In this case, we recommend using Ruekert & Mielke as the lead consultant for three reasons: 1) Ruekert Mielke (R&M) are active in our Water fiscal studies; 2) R&M staff are former PSC staff, and have obvious working relations with PSC; 3) R & M have recommended seeking a rate case as soon as is possible, preferably in the first part of 2019. Rotroff-Jeanson is often focused on audit work during this time period. Even though Rotroff will not be the lead agency working on this application, their services may be required as supplemental to the rate case application.

***FINANCIAL IMPACT:***

The 2019 Water Budget includes \$15,000 for this rate case. We believe the \$7,000 R & M cost proposal and Rotroff assistance can be accomplished within this budget amount.

***RECOMMENDED MOTION:***

Common Council authorizes the City of Pewaukee Water Utility to prepare a Water Rate Case Application to the PSC with consultant services as outlined in the R & M letter proposal of Nov. 21, 2018 with assistance from Rotroff Jeanson.

**ATTACHMENTS:**

Description

Nov 21 2018 R & M Letter Proposal

4001 Nakoosa Trail, Suite 200 • Madison, WI 53714-1380 • Tel. (608) 819-2600

November 21, 2018

Mr. Jeffrey L. Weigel, P.E., Director of Public Works  
Ms. Jane E. Mueller, Utility Supervisor  
City of Pewaukee  
W240 N3065 Pewaukee Road  
Pewaukee, WI 53072

Re: Water Rate Application Proposal

Dear Mr. Weigel and Ms. Mueller:

Thank you for granting Ruekert & Mielke, Inc., (R/M) the opportunity to apply to the Public Service Commission (PSC) for a water-rate increase on behalf of the City of Pewaukee's water utility (City). Applying for a water-rate increase will aid the water utility in achieving a more sustainable financial position.

### **Project Scope**

R/M proposes undertaking the following tasks:

1. Prepare and send an initial data request to the City.
2. Attend and lead an in-person, kickoff meeting with the City to establish a communication process and review the project scope, timeline, and initial data request.
3. Request an application from the PSC.
4. Complete the application for 2019 using the data provided by the City, in conjunction with data from the utility's annual reports. We will target a rate of return based on the City's guidance and input.
5. Revise the cash-flow forecast provided to the City as part of our 2018 utility financial review report. The cash-flow forecast will include the water utility's debt repayment to the wastewater utility, unless the City directs us not to include it.
6. Provide a summary of the revised forecast and the application to the City, allowing for feedback and one revision by R/M, if required.
7. Submit the application.



Mr. Jeffrey L. Weigel, Ms. Jane Mueller  
Water Rate Application Proposal  
November 21, 2018  
Page 2

8. Promptly answer all queries from the PSC about the application, with data provided by the City as needed. This includes addressing any outstanding concerns about reserve capacity assessments, and the separation of water and wastewater financial records.
9. Review revenue requirements and the water rate exhibits prepared by PSC staff. Provide basic analysis of the proposed water rates impact on water affordability.
10. Attend the public hearing in Pewaukee in person after the application has been approved. We will arrive before the hearing to answer questions and familiarize attendees with the hearing process. During the hearing, we will sponsor the exhibits we prepared.

### **Proposed Fee**

R/M proposes to complete the listed project components for an estimated price of \$7,000, including reimbursable expenses. These services would be performed in accordance with the attached terms and conditions. If it appears that project fee may exceed \$7,000, we will immediately inform the City. We will not perform any work in excess of \$7,000 without your approval.

R/M will proactively communicate with you throughout the duration of the project at an agreed-upon frequency. Our updates will keep you apprised of the project status in regards to the scope; tasks completed and remaining; the timeline we anticipate for remaining tasks; and any changes to the project.

### **Scope Assumptions**

Our proposed scope assumes that you possess the data needed to complete the application and that you will provide it in a timely fashion. An in-person, kickoff and data gathering meeting will help R/M to gather the data efficiently.

Our proposal assumes that the City has documented the assumptions and justifications for accounting records of the water and wastewater utilities. Our scope excludes reviewing the records or creating new assumptions and justifications. Our proposal assumes that the City's accounting records comply with PSC requirements. Our scope further excludes making any adjustments to the City's accounting records.

Mr. Jeffrey L. Weigel, Ms. Jane Mueller  
Water Rate Application Proposal  
November 21, 2018  
Page 3

Our scope also includes two trips to Pewaukee for the kickoff and the public hearing. It does not include making more than two trips, participating in a contested water-rate proceeding, or updating the application to a 2020 test year.

With your approval, we would provide additional services outside the proposed scope, such as making more than two trips, participating in a contested proceeding, updating the application to 2020, doing a cost-of-service analysis, or providing a detailed evaluation of affordability; we would perform these services at our standard rates active at the time of work.

We look forward to working with you to ensure the City's financial sustainability and efficient service to the residents of Pewaukee. Please call us to further discuss your needs, our proposed scope, or anything else in this proposal.

Very truly yours,

RUEKERT & MIELKE, INC.



Edward F. Maxwell, MBA

Economic Consultant

[EMaxwell@ruekert-mielke.com](mailto:EMaxwell@ruekert-mielke.com)

EFM:rsf  
Enclosure

cc: Kenneth R. Ward, P.E., Ruekert & Mielke, Inc.  
File

Mr. Jeffrey L. Weigel, Ms. Jane Mueller  
Water Rate Application Proposal  
November 21, 2018  
Page 4

CLIENT NAME:

City of Pewaukee

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Designated Representative:

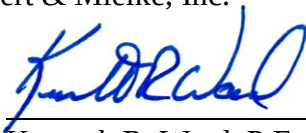
Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

ENGINEER:

Ruekert &amp; Mielke, Inc.

By:  \_\_\_\_\_  
Kenneth R. Ward, P.E.Title: Vice PresidentDate: November 21, 2018

Designated Representative:

Name: Edward F. MaxwellTitle: Economic Consultant

Phone Number: (262) 953-4162

**A. Standards of Performance**

The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with any services performed or furnished by Engineer.

**B. Authorized Representative**

With the execution of this Agreement, Engineer and Owner shall designate specific individuals to act as Engineer's and Owner's representatives with respect to the services to be performed or furnished by Engineer and duties and responsibilities of Owner under this Agreement. Such individuals shall have authority to transmit instructions, receive information, and render decisions relative to the Assignment on behalf of the respective party whom the individual represents.

**C. Payments to Engineer**

Invoices will be prepared in accordance with Engineer's standard invoicing practices and will be submitted to Owner by Engineer monthly, unless otherwise agreed. Invoices are due and payable within 30 days of receipt. If Owner fails to make any payment due Engineer for services and expenses within 30 days after receipt of Engineer's invoice therefore, the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day. In addition, Engineer may, after giving seven days written notice to Owner, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges.

**D. Ownership and Reuse of Documents**

All documents prepared or furnished by Engineer pursuant to this Agreement are instruments of service, and Engineer shall retain an ownership and property interest therein (including the copyright and the right of reuse at the discretion of the Engineer) whether or not the Project is completed. Engineer grants Owner a limited license to use the documents on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by Engineer of full payment due and owing for all services relating to preparation of the documents. Such limited license shall not create any rights in third parties. Reuse of any documents pertaining to this Agreement by Owner shall be at Owner's sole risk; and Owner agrees to indemnify, defend, and hold Engineer harmless from all claims, damages, and expenses including reasonable attorney's fees arising out of such reuse of documents by Owner or by others acting through Owner.

**E. Owner Provided Information**

Engineer shall have the right to rely on the accuracy of any information provided by Owner. Engineer will not review this information for accuracy.

**F. Permits and Approvals**

It is the responsibility of the Owner to obtain all necessary permits and approvals for the Project. Engineer will assist the Owner as mutually agreed to in writing.

**G. Limit of Liability**

To the fullest extent permitted by law, the total liability, in the aggregate, of Engineer and Engineer's officers, directors, partners, employees, agents, and consultants, or any of them to Owner and anyone claiming by, through, or under Owner, for any and all injuries, losses, damages and expenses, whatsoever arising out of, resulting from, or in any way related to this Agreement from any cause or causes including but not limited to the negligence, professional errors or omissions, strict liability or breach of contract or warranty, express or implied, of Engineer or Engineer's officers, directors, partners, employees, agents, and consultants, or any of them, shall not exceed the total amount of \$2,000,000.

**H. Insurance**

Engineer will maintain insurance coverage for Workers' Compensation, General Liability, and Automobile Liability and will provide certificates of insurance to Owner upon request.

**I. Termination of Contract**

Either party may at any time terminate this Agreement with 7 days written notice for cause in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. Owner may terminate this Agreement for convenience with 30 days written notice, or the Project may be suspended by Owner with 30 days written notice. In the event of suspension or cancellation for convenience by Owner, Owner shall pay to Engineer all amounts owing to Engineer under this Agreement, for all work performed up to the effective date of notice.

**J. Indemnification and Allocation of Risk**

1. To the fullest extent permitted by law, Engineer shall indemnify and hold harmless Owner, Owner's officers, directors, partners, and employees from and against costs, losses, and damages (including but not limited to reasonable fees and charges of engineers, architects, attorneys, and other professionals, and reasonable court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of Engineer or Engineer's officers, directors, partners, employees, and consultants in the performance of Engineer's services under this Agreement.

2. To the fullest extent permitted by law, Owner shall indemnify and hold harmless Engineer, Engineer's officers, directors, partners, employees, and consultants from and against costs, losses, and damages (including but not limited to reasonable fees and charges of engineers, architects, attorneys, and other professionals, and reasonable court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of Owner or Owner's officers, directors, partners, employees, and consultants with respect to this Agreement.

3. To the fullest extent permitted by law, Engineer's total liability to Owner and anyone claiming by, through, or under Owner for any injuries, losses, damages and expenses caused in part by the negligence of Engineer and in part by the negligence of Owner or any other negligent entity or individual, shall not exceed the percentage share that Engineer's negligence bears to the total negligence of Owner, Engineer, and all other negligent entities and individuals.

4. The indemnification provision of paragraph J.1. is subject to and limited by the provisions agreed to by Owner and Engineer in paragraph G. "Limit of Liability," of this Agreement.

**K. Independent Contractor**

All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and Engineer and not for the benefit of any other party. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either Owner or the Engineer. Engineer's services under this Agreement are being performed solely for the Owner's benefit, and no other entity shall have any claim against Engineer because of this Agreement or the performance or nonperformance of services hereunder. Owner agrees to include a provision in all contracts with contractors and other entities involved in this Project to carry out the intent of this paragraph.

**L. Force Majure**

Engineer shall not be liable for any loss or damage due to failure or delay in rendering any service called for under this Agreement resulting from any cause beyond Engineer's reasonable control.

**M. Severability and Waiver of Provisions**

Any provision or part of the Agreement held to be void or unenforceable under any Laws or Regulations shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Engineer, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision. Non-enforcement of any provision by either party shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

**N. Dispute Resolution**

Owner and Engineer agree that they shall first submit any and all unsettled claims, counterclaims, disputes, and other matters in questions between them arising out or relating to this Agreement or the breach thereof ("disputes") to mediation as a condition precedent to litigation.

**O. Public Records**

Engineer agrees to comply with the requirements of Wisconsin Statutes Sections 19.32 to 19.39 and Sections 19.81 to 19.98 – Wisconsin Public Records Law and Open Meetings Law.

**END OF DOCUMENT**

**CITY OF PEWAUKEE  
COMMON COUNCIL AGENDA ITEM •**

**DATE:** December 3, 2018

**DEPARTMENT:** Clerk/Treasurer

**PROVIDED BY:**

***SUBJECT:***

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 Section 19.85(1)g), Stats., specifically with regard to the City's Commerce Circle Manhole Repair contract #26-10002.200 with BCF Construction Corp.

***BACKGROUND:***

***FINANCIAL IMPACT:***

***RECOMMENDED MOTION:***