

In attendance:

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

Also in Attendance:

Attorney S. Riffle, Administrator S. Klein, DPW Director J. Weigel, City Planner/Community Development Director N. Fuchs, 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 November 19, 2018

3.2. Approve Accounts Payable Listings

3.3. Approve Bartender Licenses

A motion was made and seconded, (C. Brown, J. Wamser) to approve the consent agenda.

Motion Passed: 6-For, 0-Against, 1-Abstain (B. Bergman) from Item #3.1 only.

4. Discussion and Possible Action to Approve the Rotroff/Jeanson Audit Service Proposal for 2018 Financial Statements

Mike Rotroff was present for this item to answer any questions the Common Council had regarding the proposed audit services.

A motion was made and seconded, (C. Brown, B. Dziwulski) to approve audit services for the 2018 financials. Motion Passed: 6-For, 0-Against.

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

Mr. Fuchs was present for this item. He stated Spancrete is requesting to occupy an existing tenant space within a building. He said it will require a conditional use. He said they operate a wholesale and distribution business. He said the M-4 District allows for M-1 uses as a conditional use and it would be an allowable use.

Mayor Bierce opened the public hearing. Attorney Riffle stated he hopes to hear from the applicant on how this falls into the objective standards of that particular district.

Mr. Bergman stood down from the dais to address the Council. Mr. Fuchs stated staff is not objecting to this use. He said there would be no outside storage. No one indicated an interest in speaking regarding this matter. Mayor Bierce closed the public hearing.

Attorney Riffle stated staff indicated that they believe this conditional use meets all object standards associated with that particular zoning district and Plan Commission concurred.

Mr. Kara asked for clarification on the zoning variations and asked what would be stored in the building. Brandon Bergman from 2000 Development Corporation stated it is an office and warehouse space. He said the current zoning allows for heavier storage uses and Spancrete wanted to use it for lighter construction material storage.

A motion was made and seconded, (J. Wamser, B. Dziwulski) to concur with staff recommendations and approve the conditional use permit of Stoneridge of Pewaukee LLC.

Motion Passed: 5-For, 0-Against, 1-Abstain (B. Bergman).

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)

Mr. Fuchs stated this parcel is being subdivided into three single-family buildable parcels. It includes removing the outlot designation. He said the applicant has mentioned that he may want to acquire right-of-way along Duplainville Road. Mr. Fuchs said they would need to revise their CSM and would require Common Council approval. Mr. Fuchs stated the Plan Commission recommended approval contingent upon a few minor technical corrections before the document can be recorded with the Register of Deeds.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to approve the three-lot certified survey map, subdividing outlot 2 of CSM #10777 contingent upon staff recommendations. Motion Passed: 6-For, 0-Against.

7. Discussion and Possible Action Regarding a Certified Survey Map (CSM) 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)

Mr. Klein stated this is recommended to clean up buildings and parking lots that cross different parcels. Mr. Wamser asked about the 30-foot easement. Mr. Weigel stated a second drive would connect to the City's driveway.

A motion was made and seconded, (J. Wamser, R. Grosch) to approve the certified survey map for Christ Evangelical Lutheran Church and combine three existing parcels.

Motion Passed: 6-For, 0-Against.

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

Mr. Klein stated the non-union wages in this ordinance are reflected in the budget.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to waive the second reading and approve Ordinance 18-09 establishing the 2019 wages for non-union employees.

Motion Passed: 6-For, 0-Against.

9. Discussion and Possible Action to Waive the Second Reading and Approve **Ordinance 18-10** Establishing Union Wages

Mr. Klein stated the union wages in this ordinance are reflected in the 2019 budget.

A motion was made and seconded, (J. Kara, B. Dziwulski) to waive the second reading of the ordinance and approve Ordinance 18-10 establishing the 2019 wages for union employees.

Motion Passed: 6-For, 0-Against.

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).

Mr. Weigel was present for this item. He said back in 2015 an early grading agreement and relocation of a sewer main was approved. He said \$200,000 was deposited for surety on the sewer. Mr. Weigel stated the funds can be released based on two contingencies; 1) that they provide the City with a detailed list of capital costs for the sewer and 2) a copy of the 2017 recorded affidavit to relocate the easement.

A motion was made and seconded, (B. Bergman, B. Dziwulski) to accept the relocated sanitary sewer and release Zilber's cash deposit of \$200,000 contingent upon staff recommendations.

Motion Passed: 6-For, 0-Against.

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

Ms. Tarczewski asked for this item to be tabled. She stated more figures need to be finalized by staff and she would bring the resolution back for further consideration at the next meeting.

A motion was made and seconded, (B. Bergman, J. Kara) to table this item until the next meeting. Motion Passed: 6-For, 0-Against.

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

Mr. Klein explained the City's Accountant is preparing for the audit and wants to make sure everything is clearly and properly identified.

A motion was made and seconded, (B. Dziwulski, J. Wamser) to authorize the funds for the LED Lights at City Hall to come out of the Capital Equipment Fund Balance. Motion Passed: 6-For, 0-Against.

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

Mr. Klein stated Judge Powers has substituted for Judge Glojek in his absence and thought it would be fair to reimburse him for his time.

A motion was made and seconded, (J. Kara, B. Dziwulski) to authorize the payment of \$1,200 to substitute Judge Powers with the funds to be taken out of the contingency fund.

Motion Passed: 6-For, 0-Against.

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

Mr. Weigel stated the utility is overdue for water rate application to the Public Service Commission (PSC). He said the new water tower should be partially funded from rates and the new water filtration plant should be funded exclusively out of rates. He said they contacted the economic evaluation team from Ruekert & Mielke to give us a proposal and they could do the rate application. Mr. Weigel added \$15,000 is in the water budgeted for 2019.

A motion was made and seconded, (R. Grosch, J. Wamser) to authorize Ruekert & Mielke to prepare the PSC water rate application pursuant to their proposal

Motion Passed: 6-For, 0-Against.

15. Public Comment - None.

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.

A motion was made and seconded, (B. Dziwulski, J. Wamser) to go into closed session at 8:04 p.m. Motion Passed by Roll Call Vote: 6-For, 0-Against.

17. Adjournment

A motion was made and seconded, (B. Dziwulski, J. Kara) to adjourn the meeting from closed session at 8:16 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer