
MEETING MINUTES
Monday, November 20, 2017
7:00 PM

Common Council Chambers ~ Pewaukee City Hall
W240 N3065 Pewaukee Road, Pewaukee, WI 53072

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, IT Director B. Kewan, 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 Approval of the Common Council Meeting Minutes Dated November 6, 2017
 - 3.2 Approval of the Accounts Payable Summaries
 - 3.3 Approval of Bartender Licenses
 - 3.4 Approval of ***Resolution 17-11-14*** Accepting the Public Improvements of the Victoria Station IV Development and to Approve the Expiration of the Letter of Credit (Midland State Bank) in the Amount of \$8,827.60 on November 21, 2017
 - 3.5 Approval of ***Resolution 17-11-13*** Accepting the Public Improvements of the Prairie Grass Apartments

A motion was made and seconded, (J. Wasmer, J. Kara) to approve the items in the consent agenda.
Motion Passed: 6-For, 0-Against.

4. Discussion and Possible Action Regarding Replacement of the Backup Air Conditioning Unit in the Server Room at City Hall.

Mr. Kewan was present for this item. He stated the backup air conditioner failed and he was asking for a replacement unit which would not exceed \$11,000. He stated there is money left over from the Novus Agenda project that he would like to utilize for this purchase.

A motion was made and seconded, (R. Grosch, B. Dziwulski) to approve the purchase of a backup air conditioning unit that will not exceed \$11,000 and utilizing a portion of the unused funds from the Novus Agenda project per the recommendations of the IT Director. Motion Passed: 6-For, 0-Against.

5. Discussion and Possible Action Regarding the Request to Authorize Delay of the Kleinhans Property at N31 W22080 Shady Lane (PWC 0912-048-001) Required Connection to Sanitary Sewer Until Connection Becomes Available in Shady Lane

Mr. Weigel was present for this item. He stated back in 1997 two properties were combined into one lot, which are currently owned by the Kleinhans. He said the house fronts Shady Lane and the rear lot is adjacent to Hill 'n Dale. Mr. Weigel added sewer is available in Hill 'n Dale for years but it is not available in Shady Lane at this time. He said back when the lots were combined there were State regulations requiring properties to connect to sewer within a year if it was available. He said in 2000 there was a change in State regulations and it was left up to the local municipality to manage the requirements. At the time, the Town determined it was more equitable to allow for property owners to hook up within a 15 year time frame. He stated the City of Pewaukee lost track of this parcel as it relates to the sewer connection and it had not been taken care of as of yet and is past due.

Attorney Jim Guyette and his client Mrs. Kleinhans were present for this item. Attorney Guyette requested the deferral be continued and allow the Kleinhans to have the ability to hook up to the sewer when it becomes available in Shady Lane since it would be more cost effective.

There was additional discussion among the aldermen. Attorney Riffle stated when water and sewer is put in Shady Lane there will be special assessment costs that the Kleinhans will be responsible to pay and there is a law that would require them to hook up to the services

A motion was made and seconded, (B. Dziwulski, R. Grosch) to enter into a new deferral per the property owner's request and require the property owner to hook up to sewer within a year when it becomes available.

Motion Passed: 6-For, 0-Against.

6. Discussion and Possible Action on the Request of Oak Street Residents to Change the Intersection of Oak Street and Woodland Drive to a Three-Way Stop from a One-Way Stop.

Doug Piszezek (W275 N2789 Oak Street) and other residents of the street were present for this item and requested a three-way stop at the intersection of Oak Street and Woodland Drive. He stated there are numerous traffic concerns in this area which are evident by the Waukesha County Sheriff's statistics.

Laura Guirajani (W275 N2755 Oak Street) stated she has serious safety concerns for her child playing in their own yard concerning the traffic.

A motion was made and seconded, (J. Kara, C. Brown) to move forward and amend the traffic map and installation of two additional stop signs on Oak Street north and south at the intersection of Woodland Drive.

Motion Passed: 6-For, 0-Against.

7. Update on Deer Management Initiative

Mr. Kara briefly summarized the previous discussion originally held on September 18, 2017. He stated it was his belief that the Council agreed to fund some sort of program to actively manage deer.

Mr. Klein stated DNR funding was no longer available. He said a meeting will be scheduled after deer hunting season. He added it would be more cost effective to manage the deer population utilizing nuisance tags. Mr. Wamser stated this program needs to be City wide.

Mark Buschman (W278 N2897 Lincoln Avenue) voiced his concerns that extra tags for bow hunting was not the answer, he said it is very rare that there is a kill shot, and the deer often wanders off. He stated a sharp shooter makes more sense.

Tom Perz (W278 N2955 Rocky Point Road) asked if DNR would give us enough tags beyond the normal hunting season. Mr. Klein stated he will know more after discussions with the DNR. Mr. Perz volunteered to serve on the committee.

8. Discussion and Possible Action to Adopt ***Ordinance 17-10*** to Prohibit the Feeding of Wild Animals and Waterfowl (***First Reading***)

A motion was made and seconded, (J. Kara, B. Dziwulski) to suspend the rules and waive the second reading and approve Ordinance 17-10. Motion Passed: 6-For, 0-Against.

9. Discussion and Possible Action to Approve ***Resolution 17-11-11*** Regarding Committing Unassigned Funds

A motion was made and seconded, (B. Dziwulski, C. Brown) to approve Resolution 17-11-11.

Motion Passed: 6-For, 0-Against.

10. Discussion and Possible Action to Approve ***Resolution 17-11-12*** Committing and Uncommitting 2017 Funds

A motion was made and seconded, (J. Kara, R. Grosch) to approve Resolution 17-11-12 revising the totals to allow for the purchase of the backup air conditioning unit as previously discussed.

Motion Passed: 6-For, 0-Against.

11. Discussion and Possible Action to Approve **Resolution 17-11-15** Accepting the Auburn Ridge Development Public Improvements and to Establish the 1 Year Warranty with a \$12,000 Surety of Either a Letter of Credit or a Cash Deposit with Attendant Cash Escrow Agreement

Mr. Weigel was present for this item. He stated the Auburn Ridge development removed the pavement and replaced it. It now sets the 1-year warranty and the cash deposit or surety of \$12,000.

A motion was made and seconded, (C. Brown, B. Bergman) to approve Resolution 17-11-15.

Motion Passed: 6-For, 0-Against.

12. Discussion and Possible Action Regarding Sidewalk Winter Maintenance as Presented by the City Attorney

Attorney Riffle stated the State Statutes cover the winter maintenance of sidewalks and recommends the City not amend its ordinance.

13. Discussion and Possible Action to Authorize City Staff to Contact Lake Pewaukee Sanitary District (LPSD) to renegotiate the 2000 Sewer Service Agreement

Mr. Weigel stated the agreement ends this year and he asked for permission to renegotiate the agreement to cover the utility costs better. Attorney Riffle asked to be included.

A motion was made and seconded, (B. Bergman, B. Dziwulski) to authorize staff to make contact with the LPDS and renegotiate an agreement. Motion Passed: 6-For, 0-Against.

14. Public Comment – None.

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

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

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

A motion was made and seconded, (J. Kara, J. Wamser) to adjourn into closed session at 8:33 p.m.

Motion Passed by Roll Call Vote: 6-For, 0-Against.

16. Adjournment

From closed session, a motion was made and seconded, (B. Dziwulski, J. Kara) to adjourn the meeting at 8:54 p.m.

Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer