

In attendance:

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

Also in Attendance:

Attorney S. Riffle, Administrator S. Klein, DPW Director M. Wagner, Utility Manager J. Mueller, IT Director B. Kewan, City Planner & Community Development Director N. Fuchs, Lieutenant B. Ripplinger, Lieutenant M. Moonen and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance

Mayor Bierce called the meeting to order at 7:01 p.m.

2. Public Comment - None.

3. Consent Agenda

- 3.1 Approval of Common Council Meeting Minutes Dated May 4, 2020
- 3.2 Approval of Accounts Payable Listing Dated June 1, 2020
- 3.3 Approval of Bartender Licenses
- 3.4 Approval of **Resolution 20-05-05** Regarding Inspection of Public Records
- 3.5 Approve **Resolution 20-06-06** Rescinding Personal Property Taxes for Charter Communications, LLC (PWC T465) in the Amount of \$404.41 Due to a Duplicate Assessment

A motion was made and seconded (B. Dziwulski, R. Grosch) to approve the items on the consent agenda. Motion Passed: 6-For, 0-Against.

4. Discussion and Possible Action to Revise the 2019-2020 Liquor License Premise Descriptions for Michaels House of Prime and Doc's Dry Doc to Promote Social Distancing

Ms. Tarczewski stated there were requests from Michael's House of Prime and Doc's Dry Dock that they would like to serve dinner and cocktails on their patios to promote social distancing. These are new requests that will go through June 30, 2020.

A motion was made and seconded (B. Dziwulski, J. Wamser) to approve both amendments to revise the liquor licenses per the premises descriptions through the end of the month. Motion Passed: 6-For, 0-Against.

5. Discussion and Possible Action Regarding the Special Event Permit Request of Craig Werner of Mugshotz Bar and Grill Located at (W270 N2793 Elm Avenue) to Hold Their 10th Anniversary Event on Friday, July 17th and Saturday, July 18th

Ms. Tarczewski stated that a request was received about having a large gathering event at Mugshotz Bar and Grill. The Sheriff's Department and Fire Department had concerns about the social distancing and a neighbor asked that if we grant the permit, it be contingent on a fence being put up so no one can wander into her yard. Lt. Ripplinger voiced concern about the size of the venue, the amount of participants, parking and placement of the tents. Craig Werner, owner of Mugshotz, stated they have

rented Nettesheim Park for parking and will provide a shuttle service to his location. He understood with limits during the pandemic that the event may need to be canceled. Mr. Werner understood the no parking signs extended a few more blocks than they needed to in the past and agreed there are streets that should not be parked on due to the amount of people. Snow fencing will be put in so patrons are isolated in the parking lot and will have only one way in and one way out. Mr. Werner stated neighbors have offered to park cars on their properties and he will clearly follow any guidelines that are suggested including not parking on Elm St.

Mr. Bergman asked about the estimated number of participants (200- 300) and estimated amount of spectators (200-250). Mr. Werner stated this included inside and outside and he isn't quite sure on how many people to expect. Mr. Werner stated the capacity indoors is 94 people and based on square footage of the parking lot, he was estimating 300-400. Mr. Werner stated he will extend the tent to 120x40 and have a separate tent for food only. There will be no carry-ins, no carry-outs and only four boats for pull up parking. Security will be provided on the lake side, at the exit and entrance and at the front.

Mr. Werner also stated he is willing to do fencing for the neighbor. Mrs. Brown asked if Mr. Werner would still have the gathering if the number of participants was cut in half. Mr. Werner stated he would have to cancel the event. Mr. Kara stated the CDC guideline limit is 50 people per gathering in Waukesha County and people's health and safety is what's important. Lt. Ripplinger stated the more you add the less people you can have and due to issues with property lines, building code issues with the tent, lot size and amount of people per square foot. These concerns need to be discussed with Chief Bierce. Mr. Werner withdrew his request to hold a special event. Mayor Bierce recommended that Mr. Werner get together with Chief Bierce to go over a map for tent set up and placement for a future event.

6. Presentation of the 2019 Police Services Report

Lt. Ripplinger discussed the highlights of the 2019 report starting on the page titled City of Pewaukee at a glance. Lt. Ripplinger stated the traffic citations also included state grants, which is why it shows two different numbers. Lieutenant Ripplinger mentioned that the CVS drop box was started in late 2014 and has collected 1,157 pounds of scripts, taking medications off the streets. This is a definite success story. Lt Ripplinger highlighted a picture of squads and a procession that is located in the front of the report. The picture is from the Law Enforcement Memorial that is held every year, but due to Covid it was canceled this year. On the Community Program fishing page, Adam and Eugene from the Fire Department participated. Lt. Ripplinger mentioned the bowling outing was featured on Spectrum 1 news and this outing was Deputy Faith's last outing since he has moved into the court system. Deputy Strandburg has moved into the position. Lt. Ripplinger stated the Badges and Buddies picnic was a wild success this year and it included the Highway Department, and some of their equipment was highlighted as well. Unfortunately due to Covid, Badges and Buddies events have been cancelled and will be going on a month by month basis. Lt. Ripplinger discussed Patriot North, an exercise in emergency management, where you partner up with military and civilian groups, create large scale exercises, and mitigate through the events over three days. There will be future exercises, but due to Covid it did affect this years' event and it was postponed. Lt Ripplinger discussed the numbers regarding calls for service and stated numbers are holding true. Lt Ripplinger introduced Marc Moonen, who will assume control of the contract and Police Services starting Saturday, June 6th. Lt. Ripplinger's last official day is Friday, June 5th and he has thoroughly enjoyed

working in the community the last 28 years and thanked the Council for giving him the opportunity to serve.

7. Discussion and Possible Action to Approve the 2019 DNR Storm Water Report

Ms. Wagner presented the Annual Report of Storm Water prepared by Rich Wirtz and stated it summarizes what we have been doing as part of the NR216 permit with the DNR. This report comes out every year. Ms. Wagner stated the permit expired last year, but it does roll until we get the new permit. There will be some changes with the new permit and it is in the beginning stages of total maximum daily limits (TMDL) on our streams with more comprehensive and quantitative analysis that will be done and programming will be changing as well. Mr. Grosch asked if the City will have to do monitoring of the streams and collect samples with the new permit. Ms. Wagner stated we do it now in partnership with Waukesha County and its part of the education information program. Ms. Wagner stated there may be additional testing that is going to be done and we will continue to partner with Waukesha County.

No formal action needed to be taken on item #7.

8. Discussion and Possible Action Regarding **Ordinance 20-02 [Second Reading]** Rezoning the Property Located at N28 W25206 Bluemound Road (PWC 0925-994-004 & PWC 0925-990-0020) from Rs-3 Single-Family Residential to B-4 Office District and LC Lowland Conservancy as Requested by Green Acres, LLC for the Purpose of Constructing a 24,000 Square Foot Two-Story Office Building

Mr. Fuchs stated items 8, 9 & 10 are related to the same project and he recommended approval. The applicant asked to be tabled due to due diligence to the July 6th meeting depending on item 17. If the meeting is not held, it will be tabled to the July 20th meeting.

A motion was made and seconded (B. Bergman, R. Grosh) to table the item until the next available Common Council meeting in July. Motion Passed: 6-For, 0-Against

9. PUBLIC HEARING, Discussion and Possible Action Regarding a Comprehensive Master Plan Amendment to Change the Year 2050 Land Use/Transportation Plan Use Designation for Green Acres, LLC for Property Located at N28 W25206 Bluemound Road (PWC 0925-994-004 & PWC 0925-990-002) from Medium Density Residential (6,500 SQ. FT. – 1/2 AC. / D. U.) to Office Commercial and Flood Plains, Lowland & Upland Conservancy, and Other Natural Areas

Action taken in item 8.

10. Discussion and Possible Action Regarding a Certified Survey Map for the Property Located at N28 W25206 Bluemound Road (PWC 0925-994-004 & PWC 0925-990-002) as Requested by Green Acres, LLC for the Purpose of Constructing a 24,000 Square Foot Two-Story Office Building

Action taken in item 8.

11. Discussion and Possible Action Regarding **Ordinance 20-03 [Second Reading]** Rezoning the Property Located at N22 W25012 Still River Court (PWC 0950-026) from LC Lowland Conservancy to Rs-4 Single-Family Residential as Requested by Kent & Christine Raabe for the Purpose of Updating the Rear Yard Zoning for Residential Improvements

Mr. Fuchs stated the applicant is requesting to rezone a portion of the property around the outer perimeter which is zoned LC. They would like to rezone a portion to RS4 which is consistent with rest of the lot to construct pool and patio area. Looking at the plat of subdivision, it doesn't appear that any of the natural resources extend onto the property. Plan Commission did recommended approval. Mr. Bergman, asked if anyone reached out to the engineering firm as to why it was platted this way. Mr. Fuchs stated no.

A motion was made and seconded (B. Bergman, J. Wamser) to approve rezoning the property from LC to RS4 as recommended by the Plan Commission. Motion Passed: 6-For, 0-Against.

12. Discussion Regarding the Community Development and Building Services Annual Report for 2019

Mr. Fuchs presented the annual report to the Common Council. There was no discussion, and no action was taken.

13. Discussion and Possible Action Regarding the Safe Drinking Water Loan Program for Well No. 5 HMO Filtration Treatment Facility

13.1 **Resolution 20-06-08** Declaring Official Intent to Reimburse Expenditures for Safe Drinking Water Fund Program for Well No. 5 Water Supply System Improvements.

13.2 **Resolution 20-06-07** Acknowledging Magdelene Wagner, P.E., Director of Public Works, as Authorized Representative for the City of Pewaukee Well No. 5 Water Supply System Improvements and all Related Activities.

Ms. Wagner stated well #5 off Northmound Road has elevated issues with radio activity samples over the last four years and we have reduced the use of the well in order to come into compliance with this standard. Ms. Wagner stated she would like to keep that well in service as a backup.

Ms. Wagner stated we have been moving forward with HMO filtration treatment system on the well to bring it into compliance with the radio activity at full capacity. Last year Mr. Weigel brought the application forward to apply for the safe drinking water loan program, which gives a reduced rate for borrowing, and requires two resolutions. Ms. Wagner asked that Common Council approve both resolutions.

A motion was made and seconded (B. Dziwulski, R. Grosh) to approve both resolutions. Motion Passed: 6-For, 0-Against.

14. Discussion and Possible Action Regarding the Cost for the Installation of a MegAlert System and Surge Snubber for Well No. 6 North Avenue Deep Well

Ms. Mueller stated back in March the well failed after a motor replacement. Several contractors and consultants came out to review our control panel. They found no failure or fault in any of the motor control systems for this well. The rebuilt motor has been re-installed, but she felt additional protection was needed to protect the motor. Ms. Mueller stated the request is just the first two steps out of three or four to protect the motor so it will trip an alarm and stop the motor from running before another catastrophic failure. Ms. Mueller stated the MegAlert system is a device that will be set with parameters to monitor the incoming amp draw on the motor. This will shut the motor down before any failure occurs. The other part of the Snubber would be if there was any type of surges or impulses from WE Energies that weren't identified during testing. As well as replacing the fuses, they would put smaller, more delicate fuses in so the fuses would trip and not blow the motor.

Ms. Mueller stated she would come back in 2021 at budget time with putting in another set of devices that will do the electrical monitoring and recording of data off the motor. Ms. Mueller stated the MegAlert estimate was \$6875.00 from Starnet Technology. Additional parts from Hogen Electric would install the Snubber for \$5,100.00, and the fuses were \$2,100.00. She was asking for approximately \$14,075 to install the first set of protections for the motor. Ms. Wagner stated a claim was filed and it was accepted and had one cautionary note that rates may increase.

Mr. Kara asked if fuses would need to be replaced when they blow, and how much they are. Ms. Mueller stated they would and the charge would run \$700. Currently installed, they are \$1,500 a piece, but replacement ones will be slightly less expensive. Mr. Grosch asked what voltages the motor is running at and if the MegAlert system has any memory or trending data. Ms. Mueller did not have the exact voltage and stated there is no memory or trend data but it does have real time data, which is why we are looking for the next phase for collection data device. Ms. Brown asked if there were any assurance guarantees from these companies. Ms. Mueller stated no one will give any guarantees. Mr. Bergman recommended that we demonstrate to our insurance company that we are putting measures in place for future loss and hopefully that will prevent premiums from going up.

Ms. Wagner stated the money was reallocated from the Northmound project. She recommended moving the process forward.

15. Discussion and Possible Action Regarding the Intermunicipal Agreement Between the City of Pewaukee and the Village of Merton Concerning Road Work Surface Treatments

Ms. Wagner stated the agreement has not been received yet. The Village of Merton is doing a surface treatment similar to what the City of Pewaukee is doing on Northview Road and they are also using the same consultant. They contacted us and asked about combining these, which would save money on contract and administration cost. Projects will be set up separately within the contract, and inspections will be separate as well. The consultant will have two different project numbers, and the only thing shared is the contract cost and some minor bid opening and administrative things. The thought was a better price with a higher volume of work. Ms. Wagner recommended that approving the Intermunicipal Agreement contingent on the City Attorney and City Engineer reviewing and making sure it is to the benefit of us all.

A motion was made and seconded (B. Dziwulski, J. Wamser) to approve the Intermunicipal Agreement with the Village of Merton contingent on City Attorney and City Engineer approval. Motion Passed: 6-For, 0-Against.

16. Discussion and Possible Action Regarding the Mayor's Recommendation to Appoint Doug Kiser to the Plan Commission

A motion was made and seconded (B. Dziwulski, J. Wamser) to appoint Doug Kiser to the Plan Commission, replacing Karen Salituro. Motion Passed: 6-For, 0-Against.

17. Discussion and Possible Action to Cancel the First Meeting in July

There was discussion to not schedule a meeting on July 6th, as it is a slow time of the year. The Council agreed to cancel the meeting.

18. **PUBLIC HEARING**, Discussion and Possible Action Regarding the Conditional Use Permit for the Property Located on Bluemound Road (PWC 0951-995-001) for the Purpose of Constructing a

Combined Warehouse/Office Building for a Landscape and Handyman Service Company as Requested by Arce Handyman LLC

Nick Fuchs stated items 18 and 19 had no action taken at the last Plan Commission meeting and were noticed items for this meeting, so they are requesting to have them tabled until the July 20th meeting.

A motion was made and seconded (B. Bergman, B. Dziwulski) to move items 18 and 19 over to the July 20th Common Council meeting as a tabled item. Motion Passed: 6-For, 0-Against.

19. **PUBLIC HEARING**, Discussion and Possible Action Regarding a Comprehensive Master Plan Amendment to Change the Year 2050 Land Use/Transportation Plan Use Designation for Arce Handyman LLC for Property Located on Bluemound Road (PWC 0951-995-001) From Manufacturing/Fabrication/Warehousing to Manufacturing/Fabrication/Warehousing and Flood Plains, Lowland and Upland Conservancy, and Other Natural Areas (Lot 1); and From Manufacturing/Fabrication/Warehousing to Medium Density Residential (6,500 SQ. Ft. - 1/2 AC/Dwelling Unit) and Floodplains, Lowland and Upland Conservancy, and Other Natural Areas (Lot 2)

Action taken in item 18.

20. Discussion and Possible Action Regarding the Oak Peninsula Road Reconstruction and Water Main Extension Project and Associated Public Hearing

Ms. Wagner stated due to Covid there have been major difficulties locating a facility to host the public hearing potentially for 190 people. The Marriott will host a group of that size, but the fee is extremely costly to rent. Ms. Brown asked about the Pewaukee High School auditorium, but Ms. Wagner stated the schools are not open until July. Mr. Riffle stated a virtual meeting could be done or it could be done outside with a big screen. Mr. Kara mentioned Nettesheim Park would be a logical place to do this. Ms. Wagner suggested either June 23, 24 or 25 to hold this and will look into either Nettesheim Park or here at City Hall.

21. Public Comment – None.
22. Adjournment

A motion was made and seconded (R. Grosch, J. Wamser) to adjourn the meeting at 8:18 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer