

In attendance: Mayor S. Klein, Aldermen B. Bergman, S. Bierce, C. Brown, J. Kara, D. Noll and J. Wamser. Administrator T. LaBorde was absent and excused. Also present were Clerk/Treasurer K. Tarczewski, DPW Director J. Weigel, Parks, Recreation & Community Services Director K. Woldanski, Fire Chief K. Bierce, HR Director L. Bergersen, City Planner H. Clinkenbeard (Left at 7:11 p.m.) and Attorney S. Riffle.

1.0 Call to Order and Pledge of Allegiance - Mayor Klein called the meeting to order at 7:00 p.m.

2.0 Public Comment – None.

3.0 Consent Agenda – Action

3.1 Approval of Common Council Meeting Minutes dated February 1, 2016

3.2 Accounts Payable Summaries

3.3 Approve **Resolution 16-02-01** Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the Pewaukee Sports Complex

3.4 Approve **Resolution 16-02-02** Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the new City Hall Water Tower Construction Project

Mr. Kara & Ms. Brown both asked that items 3.3 & 3.4 be removed for discussion.

A motion was made and seconded, (C. Brown, S. Bierce) to approve the remaining items on the consent agenda. Motion Passed: 6-For, 0-Against – Mr. Noll stated he was abstaining from the minutes.

3.3 Approve **Resolution 16-02-01** Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the Pewaukee Sports Complex

There was a brief discussion on the differences between a ‘bond’ vs a ‘loan’ and Ms. Brown asked about prior loans that the City has taken out and if the funds were reprogrammed for other projects or if the funds were still available for these projects. After no other discussion a **motion was made and seconded, (J. Kara, D. Noll) to approve Resolution 16-02-01.**

Motion Passed: 6-For, 0-Against.

3.4 Approve **Resolution 16-02-02** Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the new City Hall Water Tower Construction Project.

A motion was made and seconded, (J. Kara, J. Wamser) to approve Resolution 16-02-02. Motion Passed: 6-For, 0-Against.

4.0 Remove from Table. Concur with the Plan Commission to **Approve** Certified Survey Map PC#160121-3 for the Payne & Dolan Properties located at N6 W23673 Bluemound Road Combining Two Parcels Into One (PWC 0967999)

A motion was made and seconded, (J. Wamser, D. Noll) to remove this item from being tabled to allow for discussion. Motion Passed: 6-For, 0-Against.

A motion was made and seconded, (D. Noll, B. Bergman) to concur with the Plan Commission and approve Certified Survey Map PC#160121-3 for the Payne & Dolan properties located at N6 W23673 Bluemound Road combining the two parcels into one (PWC 0967999). Motion Passed: 6-For, 0-Against.

- 5.0 Discussion and Possible Action Regarding **Ordinance 16-12** to Repeal and Recreate Sections of Chapter 14 of the City of Pewaukee Municipal Code Regarding Building and Mechanical Code (**First Reading**)

Mr. Kara suggested listing hot tubs and spas concurrently where the ordinance previously listed where pools could be located to ensure that property owners don't have any of these items in their front yard.

Mr. Bierce asked about why Common Council was removed from those who have termination powers. Attorney Riffle stated Common Council can always direct staff as needed if they feel it is warranted.

Mr. Bergman voiced his concerns about forfeiting erosion control bonds after not establishing 1-year of occupancy if the erosion has not been established. He said the City used to hold on to the funds indefinitely. Ms. Woldanski stated we don't want to hold the money longer than we need to. We want to give it back as soon as possible. It is hopefully incentive to get the job done. Mr. Bergman doesn't want people to forget they paid those funds to the City because they forgot about it. Attorney Riffle suggested sending out a notice after a year and giving the property owner additional time. Ms. Brown suggested an additional 6 months to complete the landscaping. The remaining council members agreed.

- 6.0 Discussion and Possible Action Regarding the Special Event Permit of ABATE to hold their Annual Event at the Wonderland Tap on August 20, 2016

Mr. Tim Tomann was present for this item. He stated this is the third year they have requested to hold this event. To date he stated there have been no complaints. He acknowledged that no camping was allowed on the grounds and stated they have put "heads in beds" at the Airport Hotel.

A motion was made and seconded, (C. Brown, D. Noll) to approve the Special Event Permit of ABATE to hold their annual event at the Wonderland Tap on August 20, 2016 contingent upon final review from the Fire Chief and Sheriff's Lieutenant.

Motion Passed: 6-For, 0-Against.

- 7.0 Discussion and Possible Action to Refund a Portion of HFM Packaging's 2014 Personal Property Taxes Based on the State Board of Assessors Notice of Determination to Lower their Assessment Value (H017M)

A motion was made and seconded (C. Brown, J. Wamser) to authorize the refund of 2014 personal property taxes in the amount of \$996.92 to HFM Packaging. Motion Passed: 6-For, 0-Against.

- 8.0 Discussion and Action to Approve Replacement Heater for Highway Garage

No discussion took place on this item.

- 9.0 Discussion and Action to Award the Annual Sewer Cleaning Contract

Mr. Weigel stated the lowest qualified bidder was Visu-Sewer in the amount of \$187,087.75.

A motion was made and seconded, (C. Brown, B. Bergman) to award the contract annual sewer cleaning contract to Visu-Sewer in the amount of \$187,087.75.

Motion Passed: 6-For, 0-Against.

- 10.0 Discussion and Possible Action to Make Appointments to Various Committees, Commissions or Boards

Mayor Klein offered the name of Jim Tredwell to serve on the Board of Appeals as an alternate member.

A motion was made and seconded, (D. Noll, J. Wamser) to approve the appointment of Jim Tredwell as an alternate member to the Board of Appeals. Motion Passed: 6-For, 0-Against.

Mayor Klein also stated he has asked Mr. Kara and Mr. Bergman to meet with two Trustees of the Village to discuss the fire contract. He stated this is completely outside of the Fire Advisory Committee to air our difference informally.

- 11.0 Discussion and Possible Action Regarding the Condition and Needs of the City Hall After the Sprinkler System Failure

Mayor Klein stated on early Saturday afternoon a faulty sprinkler head let loose on the upper floor of City Hall, within 1 minute of discharging the Fire Department was alerted and responded quickly. He thanked the Fire Department for their quick action in containing the situation. Mayor Klein stated he already met with the insurance adjuster and restoration company and they are working on getting the City Hall back in order.

- 12.0 Public Comment – None.

- 13.0 Adjourn Into 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:

- §19.85(1)(c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility specifically related to the City Administrator.

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, (D. Noll, C. Brown) to go into closed session at 7:37 p.m. Motion Passed by roll-call vote: 6-For, 0-Against.

A motion was made and seconded, (---, ---) to adjourn back into open session at approximately 8:20 p.m. Motion Passed by roll-call vote: 6-For, 0-Against.

A motion was made and seconded, (D. Noll, C. Brown) to direct Attorney Riffle to work with Ms. LaBorde and her legal counsel to secure a resignation agreement within the terms discussed in closed session and once an agreement is made authorize Mayor Klein to sign the document on behalf of the City. Motion Passed: 6-For, 0-Against.

- 14.0 Adjournment – **A motion was made and seconded, (---, ---) to adjourn the meeting at**

approximately 8:22 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer