

In attendance: Acting Mayor S. Bierce, Aldermen B. Bergman, C. Brown, J. Kara, J. Wamser and R. Grosch. Also present were City Administrator S. Klein, Clerk/Treasurer K. Tarczewski, DPW Director J. Weigel, Fire Chief K. Bierce, Assistant Chief M. Hoppe, City Planner H. Clinkenbeard and Attorney S. Riffle.

1.0 Call to Order and Pledge of Allegiance - Acting Mayor Bierce 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 6, 2017

3.2 Approval of Accounts Payable Summaries

3.3 Approval of Bartender Licenses

3.4 Concur with the Recommendation of the Plan Commission (2/16/17) to **Adopt** the Ryan Road Neighborhood 2050 Land Use/Transportation Plan

3.5 Concur with the Recommendation of the Plan Commission (2/16/17) to **Deny** the Creation of Sub-Section 17.0404A - A-3, Agricultural Zoning District as an Addition to the City Zoning Ordinance.

3.6 Approval of the 2017 Residential Paving Assessment Cap

3.7 Approval of **Resolution 17-03-03** Amending the Relocation Order for the Hill'n Dale Subdivision Utility Easement

3.8 Award of the Well No. 2 Pump, Motor and Control Panel Replacement Contract

Mr. Kara asked that Item 3.5 be removed for discussion and Ms. Brown asked that Item #3.2 also be removed.

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

3.2 Approval of Accounts Payable Summaries

Ms. Brown asked about the format of one of the bill listings. Ms. Tarczewski stated the checks were accidentally printed before the normal information was put into a spreadsheet for their review. That document was the only thing that was available to present to the Council this evening. **A motion was made and seconded, (C. Brown, J. Wamser) to approve the accounts payable summaries.** Motion Passed: 5-For, 0-Against.

3.5 Concur with the Recommendation of the Plan Commission to Deny the Creation of Sub-Section 17.0404A – A-3, Agricultural Zoning District as an Addition to the City Zoning Ordinance.

Mr. Kara asked why this item came before Council just to be denied. Attorney Riffle explained that the Plan Commission can only make recommendations and it is the Council that has the authority to act on the item.

Mr. Klein stated the Plan Commission decided it would be better to change the A-2 zoning and they will discuss those changes at their next meeting and bring it back to the Council for action.

A motion was made and seconded, (R. Grosch, J. Wamser) to concur with the Plan Commission and deny the creation of an A-3 Agricultural Zoning District. Motion Passed: 5-For, 0-Against.

- 4.0 Discussion and Possible Action to Appoint Alderman Ray Grosch to the Bike & Pedestrian Planning Committee

Mayor Bierce made the recommendation to appoint Ray Grosch to the Bike and Pedestrian Planning Committee. **A motion was made and seconded, (B. Bergman, C. Brown) to appoint Ray Grosch to the Bike & Pedestrian Planning Committee.** Motion Passed: 6-For, 0-Against.

- 5.0 Discussion and Possible Action to Authorize the Treasurer to Make Payments to the Tourism Entities as Acted Upon by the Tourism Commission (2/3/2017) – Resulting in a Temporary Negative Balance in the Tourism Fund.

Ms. Tarczewski stated she has received some reimbursement requests and would like to take care of some of the agreed upon obligations even though the account was zeroed out at the end of last year. She said the City is anticipating to collect the necessary funds well before the end of the year. **A motion was made and seconded, (B Bergman, J Wamser) to authorize the Treasurer to make payments to the tourism entities as acted upon by the Tourism Commission on February 3, 2017.** Motion Passed: 5-For, 0-Against.

- 6.0 Discussion and Possible Action to Approve an Architectural Engineering and Space Programming Study by Consortium ae in an Amount not to Exceed \$18,800 for the City Hall / Highway Garage and Yard Complex.

Mr. Klein stated the needs of the complex must be determined. He said this study is an effort to put together a master plan. He said he was pleased with the quote we received for this service because it is less than 5% of the original bid construction costs of \$2 million.

Ms. Brown requested a summary of what has already been spent and how much money still remains in the budget for this project. Mr. Klein stated he'd put something together.

A motion was made and seconded, (R. Grosch, J. Wamser) to approve an architectural engineering and space programming study for the city hall, highway garage and yard complex by Consortium ae in an amount not to exceed \$18,800 to be taken out of the undesignated funds account. Motion Passed: 5-For, 0-Against.

- 7.0 Discussion and Possible Action to Approve a Change Order Agreement with Excel Engineering, in the Amount of \$33,500, for the Redesign of the City Hall Improvement Project.

Mr. Klein stated the project was bid out last year and came back substantially higher than anticipated. He said he was able to rework the plan and feels it would save the City money. He said he anticipated the job to be bid in April and start in May. He said the funds can be taken from the actual project.

A motion was made and seconded, (B Bergman, Ray Grosch) to approve the change order agreement with Excel Engineering, in the amount of \$33,500 to redesign the City

Hall Improvement Project. Motion Passed: 5-For, 0-Against.

8.0 Public Comment – None.

9.0 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)(e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. In this instance it is specifically related to contract negotiations for Fire and Emergency Medical Services between the City and Village of Pewaukee.
- §19.85(1)(g): 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, specifically related to the Breast Diagnostic Center.

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.

The discussion regarding the delinquent personal property tax bills for Breast Diagnostic Center was discussed in open session. Attorney Riffle stated the City could go after the corporation for the past due taxes, but not the individual. **A motion was made and seconded, (R. Grosch, J. Wamser) to direct the City Attorney to contact Waukesha County and authorize the dismissal of the claim against the individual.** Motion Passed: 5-For, 0-Against.

A motion was made and seconded, (R. Grosch, J. Wamser) to go into closed session at 7:37 p.m. Motion Passed by Roll Call Vote 5-For, 0-Against.

10.0 Adjournment – **A motion was made and seconded, (J. Kara, C. Brown) to adjourn the meeting at 8:52 p.m. directly from closed session.** Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer