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 M. Wagner, 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 5:01 p.m.

2. Public Comment - None.

3. Consent Agenda
   - 3.1. Approval of the Common Council Meeting Minutes Dated August 3rd, 2020
   - 3.2 Approval of the Accounts Payable Listing Date October 5th, 2020
   - 3.3 Approve the Reassignment of Park Capital Funds in the Amount of $18,070.50 Due to the Cost Savings Related to the Recent Purchase of Truck #81 and Plow: Assign $6,591.50 to Truck #72 and Unassign the Remaining Funds in the Amount of $11,479.00 to be put into the Capital Fund Balance at the End of the Year

   Mr. Dziwulski asked that Item #3.1 be removed for discussion and Mr. Kara asked that the remaining items also be pulled for discussion.

   3.1 Approval of the Common Council Meeting Minutes Dated August 3rd, 2020

   Mr. Dziwulski stated page 2 references that Mr. Giese spoke at the meeting but stated he never spoke nor did he ask about decibel levels. He also noted on page 4 there was a word misquoted. He said the minutes were typed “loom” and it should be “ruined”.

   A motion was made and seconded (J. Kara, B. Dziwulski) to approve the minutes dated August 3rd, 2020 with the noted changes. Motion Passed: 6-For, 0-Against.

   3.2. Approval of the Accounts Payable Listing Dated October 5th, 2020

   Mr. Kara stated he had a conversation with Ms. Tarczewski regarding the new accounting software system. Mr. Kara mentioned that it is rolling up the amounts for multiples entries that occur on the same day. Ms. Tarczewski will check with the software company

   A motion was made and seconded (J. Kara, B. Dziwulski) to approve the accounts payable listing date October 5th, 2020. Motion Passed: 6-For, 0-Against.

   3.3. Approve the Reassignment of Park Capital Funds in the Amount of $18,070.50 Due to the Cost Savings Related to the Recent Purchase of Truck #81 and Plow: Assign $6,591.50 to Truck #72 and Unassign the Remaining Funds in the Amount of $11,479 to be put into the Capital Fund Balance at the End of the Year

Mr. Kara stated he does not necessarily object but he was not sure why it was being put in capital unassigned and why an item wouldn't be tracked and then put in general fund unassigned. Mr. Klein stated it is general procedure and in the past the City has had much more in the capital fund balance and paired it way down this year. Mr. Klein stated it was done in case of slight overages or other things that may come up. Mr. Kara stated there was no problem leaving it there if it was done consciously. Ms. Brown stated it is good to monitor.

<u>A motion was made and seconded (B. Dziwulski/B. Bergman) to approve the reassignment of Park Capital Funds.</u> Motion Passed: 6-For, 0-Against.

4. Discussion and Possible Action Regarding a Certified Survey Map for the Pewaukee 16-94 South Proposed Industrial Development Located at N17 W25045 Bluemound Road (PWC 0948-985-003 & PWC 0945-989-001) in Order to Reconfigure Two Lots Into One Lot and an Outlot

Mr. Fuchs stated this was originally discussed during the September 21st meeting, but issues and concerns came up regarding the proposal. He said staff was directed to provide clarification which was outlined in the staff report. Mr. Fuchs stated future uses are reviewed and approved by Plan Commission and at times tenants are known, but it was not uncommon to not know tenants. Mr. Fuchs stated often approvals can be done but fall through. The building is there and then a new tenant comes in, which is where individual uses and businesses get approved separately from building and site plans. Mr. Fuchs stated this is done through either a Business Plan of Operation application or conditional use process, and it depends on how the use is classified in the zoning district.

Mr. Fuchs stated the Traffic Impact Analysis (TIA) was discussed and completed in 2016 which included a 215,000 square foot building warehouse and office. He stated there is more background in the report.

Mayor Bierce stated the amount of dock doors was a concern and asked if the TIA took into account the number of dock doors. He questioned if the amount of dock doors changes the zoning from general industrial into a different category.

Mr. Fuchs stated what's on the building is typical of other industrial buildings regardless of the use. Based off the City's code and definition, distribution is called out under warehouse. Mr. Fuchs felt there was nothing that would cause an issue to the M1 and M2 uses. The uses of warehouse, wholesale and distribution is discussed as a permitted use.

Mr. Wamser thanked the staff and Council for the extra work on this. The quality the developer provided the City is outstanding. Mr. Wamser stated his concern was with the long term residents and the building orientation. He was concerned about 32 docks facing Harkin Drive/Bluemound Road and did not find it acceptable. Mr. Wamser stated he will hold everyone to the plan regarding the trees and screening.

Mr. Fuchs stated building orientation was difficult. Staff did speak with the applicant and used the existing tree line which could be filled in easier. The landscaping condition was approved and the City will work with the applicant after the tree line is disturbed and new planting is done.

Mayor Bierce asked if there was a deposit or line of credit set aside for landscaping that the City held onto until everything was completed. Mr. Fuchs stated the City did not require a bond or letter of credit, but noted they would not get an occupancy permit until all conditions were satisfied. Mr. Fuchs stated the landscape, architecture and building plans need to be consistent and match what was approved.

Mr. Fuchs stated the CSM meets Chapter 18 and State statutes and he recommended approval.

A motion was made and seconded (B. Dziwulski, J. Kara) to approve the two lot Certified Survey Map for the Pewaukee 16-94 South development. Motion Passed: 5-For, 1-Against (J. Wamser)

5. Discussion and Possible Action to Approve the First Reduction of the Swan View Farms Phase 1 Letter of Credit from $5,706,294.00 to $4,117,620.10 (Reduction of $1,588,673.90).

   Ms. Wagner stated development is moving forward. There is currently quite a bit of grading work completed, with 95 percent of sewer and 90 percent of the water main installed. Ms. Wagner proposed the first reduction in the letter of credit to reflect the value of the infrastructure, which is worth $1.5 million. Ms. Wagner recommend the first reduction of the letter of credit in the amount of $4,117,620.10.

   A motion was made and seconded (J. Wamser, R. Grosch) to approve the first reduction to the Swan View Farms Phase I letter of credit from $5,706,294.00 down to $4,117,620.10. Motion Passed: 6-For, 0-Against.

6. Discussion and Possible Action Regarding the Pewaukee Industrial Development South
   6.1 Approval of the Early Grading Agreement.
   6.2 Establish the Letter of Credit / Cash Deposit in the Amount of $189,450.00.

   Ms. Wagner stated this is the same property that was previously discussed and the certified survey map was just approved. The developer wants to fill in the land ahead of getting permits and approval for the development due to the amount of fill needed. Ms. Wagner mentioned the developer has a grading agreement and posted a letter of credit for the value of the work, plus an additional 20 percent contingency, which yields $189,450.00.

   Ms. Wagner recommended approval of the agreement contingent on the final form being approved by the City Attorney and Engineering, approval of the letter of credit in the amount of $189,450.00 and approval of the form of the letter of credit by the City Attorney. Ms. Wagner mentioned this would be contingent on the approval of the early grading and erosion control by the City Engineer.

   Mayor Bierce asked what would happen if the developer decided not to build. Ms. Wagner stated the City could draw on the letter of credit and either remove fill or stabilize it on site. Mayor Bierce asked if there was any cost for the extra work. Ms. Wagner stated all costs are billed monthly and paid back by the developer.

   Discussion took place regarding the wetland areas. Mr. Kara asked what the potential hidden costs were related to staff, inspecting and storm management. Ms. Wagner stated she was reviewing the plan in conjunction with existing plan, but she didn't see any major impact.

   Mr. Wamser stated it's important to step forward and get the grading done with 95,000 tons of fill that needs to be put in so it can sit over the winter and this was a challenging site to build on.

A motion was made and seconded (B. Dziwulski, C. Brown) to approve the early grading agreement contingent upon the final approval of the City Attorney and City Engineer and establishing a letter of credit or a cash deposit in the amount of $189,450.00. Motion Passed: 6-For, 0-Against.

7. Public Comment – None.

8. Adjournment

A motion was made and seconded (C. Brown, R. Grosch) to adjourn the meeting at 5:36 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer