

In attendance:

Mayor Steve Bierce, Aldermen B. Bergman, C. Brown, B. Dziwulski, R. Grosch and J. Kara, J. Wamser absent and excused.

Also in Attendance:

Attorney S. Riffle, Administrator S. Klein, DPW Director M. Wagner, Fire Chief K. Bierce, Director of People and Culture K. Woldanski, Lieutenant B. Ripplinger 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

Jack Melvin (Oconomowoc) introduced himself, stating he was running for Circuit Court Judge to replace retiring Judge Dreyfus. He said he has been an attorney for the past 20 years and is currently a staff attorney for the State of Wisconsin doing workmen's compensation appeals. Mr. Melvin said he is also a member of the National Guard.

3. Consent Agenda

- 3.1. Approval of Common Council Meeting Minutes Dated November 18, 2019
- 3.2. Approval of the Common Council Meeting Minutes Dated January 20, 2020
- 3.3. Approval of Accounts Payable Listing Dated February 3, 2020
- 3.4. Approval of Bartenders Licenses
- 3.5. Approve **Ordinance 20-01** (*Second Reading*) Repealing Section 1.01(1)(d) Spending Cap and Referendum Requirements for Building and Public Works Projects

Mayor Bierce removed Item 3.2 because they have not been completed. Ms. Brown asked that Items 3.1 and 3.5 be removed for discussion.

A motion was made and seconded (B. Dziwulski, R. Grosch) to approve the remaining items on the consent agenda. Motion Passed: 5-For, 0-Against.

3.1 Approval of Common Council Meeting Minutes Dated November 18, 2019

Ms. Brown stated she just needs to abstain from this item.

A motion was made and seconded (B. Dziwulski, J. Kara) to approve the Common Council meeting minutes dated November 18, 2019.

Motion Passed: 4-For, 0-Against, 1-Abstain (C. Brown)

3.5 Approve **Ordinance 20-01** Repealing Section 1.01(1)(d) Spending Cap and Referendum Requirements for Building and Public Works Projects

Ms. Brown noted a typographical error in the ordinance and asked for a quick recap on this item. Mr. Klein stated when he took over as Mayor after the recall election, he said there was a lot of controversy over a proposed \$10 million fire station. He said creating this ordinance and setting a limit of \$5 million was the assurance it that would not be built. He said it was created for purely political reasons and doesn't see a reason to keep it. Mr. Klein

noted construction costs have gone up and no updates to the ordinance were ever made. There was discussion that public hearings or information meetings could always be held if the Council desires it.

A motion was made and seconded (B. Dziwulski, R. Grosch) to approve Ordinance 20-01 repealing Section 1.01(1)(d) related to the spending cap and eliminating referendum requirements for building and public works projects.

Motion Passed: 5-For, 0-Against.

4. Presentation of the City of Pewaukee Financial Management Plan

Greg Johnson from Ehlers was present for this item. He said the process to update Pewaukee's financial management plan started approximately one year ago and he has been working with staff. He said the objective of this report is to benefit future budget development. Mr. Johnson indicated the report looks at long-term trends including the City's overall tax levy, tax rate and the levy limit implications. Mr. Johnson stated it combines the operational and capital needs into one financial model.

Mr. Johnson said the City's financial condition is healthy based on a strong fund balance, modest debt and conservative budgeting practices. Mr. Johnson stated the City has an Aa-1 credit rating with Moody's Investment Services.

Mr. Johnson mentioned in future years there may be budget pressures related to the levy limits.

5. Discussion and Possible Action Regarding Winter Parking Restrictions

Mayor Bierce stated he received some phone calls related to parking tickets recently issued. He asked Chief Bierce, Lieutenant Ripplinger and DPW Director Wagner to be present this evening to defend why the City has winter parking restrictions.

Ms. Wagner stated the streets were never designed to allow for parking. The streets are typically two lanes. She said to allow for parking an additional eight feet would be needed on each side. Ms. Wagner stated from a maintenance perspective, plows need to be able to get through and with cars parked on the roads, they can't. She said access is also needed for our residents and emergency vehicles. Mr. Klein stated it is incumbent during snow storms. The roads have to be clear so staff can get the plowing done. Ms. Wagner stated if there are chronic issues, the police are called to assist in clearing the roads.

Lieutenant Ripplinger said consistency is important but they try to apply discretion to this ordinance. He stated if there is no snow they will give out warnings. He said the ordinance allows for people to call and ask for permission to park on the street. He said it is with the understanding that permission may be rescinded based on weather conditions. Lieutenant Ripplinger stated they will continue to enforce the law until April 1st. Lieutenant Ripplinger said this is not a new ordinance, it was created back in the 1970s.

Chief Bierce indicated it was difficult to get through on the roads with the snow. He said the roads narrow with each snow fall. He stated the Fire Department needs to be able to respond quickly.

Nancy Loth (N41 W22715 Sunder Creek Drive) stated she's lived there for approximately nine years and this was the first ticket a family friend received. She said there was no snow on the ground, but a large snow fall was expected. She said other family friends parked in the same spot weeks prior and

didn't received any tickets. Ms. Loth stated her biggest concern was the lack of consistency and suggested more warnings be given.

Laura Dundon (W225 N2772 Fernwood Court) stated they received a ticket for first time as well. She said it was 5:30 p.m. in the afternoon and there was no snow. She said she never paid attention to the sign in the past. She asked if there was something that could be done, to perhaps allow parking on one side of the street. She said she thought no parking at all was extreme.

Mayor Bierce asked the Council members for their opinion. Lieutenant Ripplinger suggest using social media more. He said they post it on the City's website.

Ms. Brown stated she was under the impression that the winter "no parking" restriction was for overnight only.

Attorney Riffle stated the ordinance is clear and he would have no issues getting a conviction. Mr. Bergman suggested that possibly more discretion from the Sheriff's Deputies is needed. Attorney Riffle stated the Council can't expect the Deputies not to enforce the law. Mr. Bergman asked what the cost of the citation was. Mr. Klein stated it is a \$20 ticket. After a brief discussion, it was determined the ordinance was fine as it is but the Council would like to better educate the citizens by utilizing different avenues.

6. Discussion and Possible Action Regarding **Resolution 20-02-03** Authorizing Amendments to \$2,900,000 City of Pewaukee, Wisconsin Midwestern Disaster Area Revenue Bonds, Series 2012 (Building Service, Incorporated Project) Issued on September 21, 2012

Attorney Riffle recommended approval. He said this agreement was originally approved in 2012 and the petitioner has the opportunity to get a better interest rate through this amendment.

A motion was made and seconded (B. Bergman, B. Dziwulski) to approve Resolution 20-02-03.

Motion Passed: 5-For, 0-Against.

7. 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 Chief Engineer.

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 (B. Dziwulski, R. Grosch) to go into closed session at 8:20 p.m. Motion Passed via roll call vote: 5-For, 0-Against.

A motion was made and seconded (C. Brown, B. Dziwulski) to reconvene into open session.

Motion Passed: 5-For, 0-Against.

8. Discussion and Possible Action Regarding the Revised Reorganization of the Public Works

Department Including the Revision of the Engineer Positions to Chief Engineer - Utility and Chief Engineer - Streets & Development and Keeping the City Engineer as Part of the Director of Public Works Title.

A motion was made and seconded (B. Dziwulski, R. Grosch) to approve the revised organizational chart for the Department of Public Works Department. Motion Passed: 5-For, 0-Against.

9. Public Comment – None.

10. Adjournment

A motion was made and seconded (B. Dziwulski, B. Bergman) to adjourn the meeting at 8:48 p.m.
Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer