



Office of the Clerk/Treasurer

W240N3065 Pewaukee Road
Pewaukee, WI 53072
(262) 691-0770 Fax 691-1798

**COMMON COUNCIL
MEETING NOTICE AND AGENDA
Monday, September 18, 2023
6:30 PM**

Common Council Chambers ~ Pewaukee City Hall
W240 N3065 Pewaukee Road ~ Pewaukee, Wisconsin

-
1. Call to Order and Pledge of Allegiance
 2. Public Comment - Please limit your comments to two (2) minutes, if further time for discussion is needed please contact your District Alderperson prior to the meeting.
 3. Consent Agenda
 - 3.1. Approval of Accounts Payable Listing Dated September 18, 2023
 - 3.2. Approval of the Common Council Meeting Minutes Dated August 7, 2023
 4. Discussion and Possible Action Regarding **Resolution 23-09-15** for Inclusion Under the Wisconsin Public Employer's Group Health Insurance Program [Woldanski]
 5. Discussion and Possible Action Regarding a **Resolution 23-09-16** Accepting a Land and Water Conservation Fund (LWCF) Grant for the All-Inclusive Playground Project at the Pewaukee Sports Complex in the amount of \$488,913 [Fuchs / Phalin]
 6. Discussion and Possible Action Regarding a Storm Water Easement for Yench Road Culvert [Wagner].
 7. Discussion and Possible Action to Award the Yench Road Culvert Replacements to the Lowest Qualified Bidder, UPI LLC, in the Amount of \$159,719.50 [Wagner].
 8. Discussion and Possible Action Establishing the 2024 Garbage and Recycling Collection Rates with Johns Disposal, and Moving Recycling Collection to Weekly [Wagner].
 9. Discussion and Possible Action to Awarding the Wagner Park Pond Retrofits to the Lowest Qualified Bidder, All Ways Contractors, Inc., in the Amount of \$164,767.00 [Wagner]
 10. Public Comment - Please limit your comments to two (2) minutes, if further time for discussion is needed please contact your district Alderperson prior to the meeting.
 11. 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, specifically related to the Joint Library Contract with the Village of Pewaukee.

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.

12. Adjournment

Kelly Tarczewski
Clerk/Treasurer

September 15, 2023

NOTICE

It is possible that members of other governmental bodies of the municipality may be in attendance to gather information that may form a quorum. At the above stated meeting, no action will be taken by any governmental body other than the governmental body specifically referred to above in this notice.

Any person who has a qualifying disability under the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible format must contact the Clerk/Treasurer, Kelly Tarczewski, at (262) 691-0770 three business days prior to the meeting so that arrangements may be made to accommodate your request.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.1.**

DATE: September 18, 2023

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of Accounts Payable Listing Dated September 18, 2023

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

A/P 9.18.2023

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 1/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 100 GENERAL FUND							
09/01/2023	100	1330 (E)	ADP, LLC		52160	51600	504.39
09/01/2023	100	1335 (E)	DIVERSIFIED BENEFIT SERVICES, INC.	FLEX SPEND			** VOIDED **
09/01/2023	100	1337 (E)	HUMANA	HEALTH INSURANCE CLEARING	21901	00000	120,037.52
09/05/2023	100	138774#	MUNICIPAL LAW & LITIGATION GROUP	GENERAL AFFAIRS ATTORNEY	52100	51300	7,726.00
				GENERAL AFFAIRS ATTORNEY	52100	51300	5,992.00
				GENERAL AFFAIRS ATTORNEY	52100	51300	6,514.00
				POLICE - ATTORNEY	52100	52100	2,460.00
				POLICE - ATTORNEY	52100	52100	2,677.50
				POLICE - ATTORNEY	52100	52100	2,697.50
CHECK 100 138774 TOTAL FOR FUND 100:							28,067.00
09/12/2023	100	1343 (E)	WI DEPT OF REVENUE/SALES TAX	SALES TAX DUE STATE	24213	00000	1,122.01
				SALES TAX DISCOUNT	41220	00000	(10.00)
CHECK 100 1343 (E) TOTAL FOR FUND 100:							1,112.01
09/15/2023	100	1342 (E)	ADP, LLC		52160	51600	378.44
09/15/2023	100	138775*#	A&M CLEANING SOLUTIONS	HIGHWAY - CONTRACTED JANITORIAL	52400	53100	1,020.00
09/15/2023	100	138777	AIR ONE EQUIPMENT	FIRE PROTECTIVE SERVICES - EQUIP REPAIR	52430	52230	1,065.00
09/15/2023	100	138778	AIRGAS USA	FIRE PROTECTIVE SERVICES - EMS	53450	52230	267.78
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	302.73
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	276.51
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	123.33
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	195.26
CHECK 100 138778 TOTAL FOR FUND 100:							1,165.61
09/15/2023	100	138781	ANDREAS RED ROOSTER	COURT PENALTIES	45110	00000	50.00
09/15/2023	100	138782	ARAMARK	HIGHWAY - UNIFORMS	53410	53100	93.87
				HIGHWAY - UNIFORMS	53410	53100	93.87
				HIGHWAY - UNIFORMS	53410	53100	93.87
				HIGHWAY - UNIFORMS	53410	53100	93.87
CHECK 100 138782 TOTAL FOR FUND 100:							375.48
09/15/2023	100	138783	ARROW TERMINAL, LLC	HIGHWAY - OPERATING SUPPLIES	53400	53100	208.00
09/15/2023	100	138784	ASSESSMENTS USA	FIRE ADMINISTRATION - EMPLOYMENT	52150	52210	1,854.00

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 2/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 100 GENERAL FUND							
09/15/2023	100	138785	ASSOCIATED BAG COMPANY	PARKS - BUILDING REPAIRS & MAINT	52410	55200	239.94
				PARKS - GROUNDS MAINTENANCE	52420	55200	500.00
				CHECK 100 138785 TOTAL FOR FUND 100:			739.94
09/15/2023	100	138786	AT&T MOBILITY	FIRE ADMINISTRATION - PHONE & CELL	52260	52210	2,617.00
				FIRE ADMINISTRATION - PHONE & CELL	52260	52210	729.12
				CHECK 100 138786 TOTAL FOR FUND 100:			3,346.12
09/15/2023	100	138787*#	BAKER TILLY US LLP	AUDIT SERVICES	52120	51510	1,500.00
09/15/2023	100	138789	BATZNER PEST CONTROL	PARKS - BUILDING REPAIRS & MAINT	52410	55200	82.50
09/15/2023	100	138790	BEACHSIDE BOAT & BAIT	RECREATION PROGRAM - PROGRAM EXPENSES	53430	55300	520.00
09/15/2023	100	138791	BIEBEL'S TRUE VALUE AND JUST ASK	HIGHWAY - OPERATING SUPPLIES	53400	53100	56.72
09/15/2023	100	138792	BUELOW VETTER BUIKEMA OLSON &	EMPLOYEE SERVICES - ATTORNEY	52100	51430	2,857.50
09/15/2023	100	138793*#	BUMPER TO BUMPER HARTLAND	BUILDING SERVICES - VEHICLE REPAIR &	52440	52400	40.55
				HIGHWAY - EQUIP REPAIR & MAINT	52430	53100	652.99
				HIGHWAY - EQUIP REPAIR & MAINT	52430	53100	97.75
				HIGHWAY - EQUIP REPAIR & MAINT	52430	53100	580.63
				CHECK 100 138793 TOTAL FOR FUND 100:			1,371.92
09/15/2023	100	138794	CHARLIE DWYER	BUILDING SERVICES - MILEAGE & FUEL	53300	52400	210.26
09/15/2023	100	138795	CERRIE LARSON	RECREATION PROGRAM - CONTRACTED	52190	55300	72.00
09/15/2023	100	138797	CON-COR	HIGHWAY - EQUIP REPAIR & MAINT	52430	53100	57.46
09/15/2023	100	138798	CONCENTRA MED COMPLIANCE ADMIN	EMPLOYEE SERVICES - EMPLOYMENT EXAMS	52150	51430	60.00
09/15/2023	100	138799	CONWAY SHIELD	FIRE PROTECTIVE SERVICES - NEW	53950	52230	4,815.30
09/15/2023	100	138801	COREY OIL	HIGHWAY - FUEL	53420	53100	687.08
				HIGHWAY - FUEL	53420	53100	1,804.20
				CHECK 100 138801 TOTAL FOR FUND 100:			2,491.28
09/15/2023	100	138802#	COUNTY WIDE EXTINGUISHER, INC	CITY HALL - BUILDING REPAIRS & MAINT	52410	51600	270.53
				FIRE ADMINISTRATION - BUILDING REPAIRS	52410	52210	339.01
				FIRE ADMINISTRATION - BUILDING REPAIRS	52410	52210	145.50
				HIGHWAY - BLDG REPAIRS & MAINT	52410	53100	245.07

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 100 GENERAL FUND							
				PARKS - BUILDING REPAIRS & MAINT	52410	55200	464.13
				CHECK 100 138802 TOTAL FOR FUND 100:			1,464.24
09/15/2023	100	138805	DIVERSIFIED BENEFIT SERVICES, INC.	INSURANCE CONSULTANT	52150	51930	359.87
09/15/2023	100	138807*#	ELLIOTTS ACE HARDWARE	FIRE ADMINISTRATION - OPERATING	53400	52210	54.98
				FIRE ADMINISTRATION - OPERATING	53400	52210	14.99
				CHECK 100 138807 TOTAL FOR FUND 100:			69.97
09/15/2023	100	138808	EMERGENCY LIGHTING & ELECTRONICS	FIRE ADMINISTRATION - MDC AIR CARDS	52270	52210	41.77
09/15/2023	100	138809	FEI BEHAVIORAL HEALTH	EMPLOYEE SERVICES - EAP EMPLOYEE ASSIST	51370	51430	602.55
09/15/2023	100	138811	FIRE & POLICE SELECTION, INC	FIRE ADMINISTRATION - OPERATING	53400	52210	140.00
09/15/2023	100	138812	FIRST STUDENT	RECREATION PROGRAM - FIELD TRIPS	53460	55300	412.50
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	825.00
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	412.50
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	412.50
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	487.50
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	412.50
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	487.50
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	450.00
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	450.00
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	412.50
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	825.00
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	412.50
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	412.50
				RECREATION PROGRAM - FIELD TRIPS	53460	55300	450.00
				CHECK 100 138812 TOTAL FOR FUND 100:			6,862.50
09/15/2023	100	138813#	FORWARD TS	COURT - OPERATING SUPPLIES	53400	51200	20.38
				POLICE - OPERATING SUPPLIES	53400	52100	20.38
				FIRE ADMINISTRATION - OPERATING	53400	52210	34.52
				BUILDING SERVICES - OPERATING SUPPLIES	53400	52400	96.50
				CHECK 100 138813 TOTAL FOR FUND 100:			171.78
09/15/2023	100	138814	GALLS	FIRE PROTECTIVE SERVICES - UNIFORMS	53410	52230	8.37
				FIRE PROTECTIVE SERVICES - UNIFORMS	53410	52230	67.93
				CHECK 100 138814 TOTAL FOR FUND 100:			76.30
09/15/2023	100	138817	Halen Homes LLC	BEB21-0022	23173	00000	2,000.00

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 4/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 100 GENERAL FUND							
09/15/2023	100	138818	Halen Homes LLC	BEB21-0023	23173	00000	2,000.00
09/15/2023	100	138819	Halen Homes LLC	BEB21-0024	23173	00000	2,000.00
09/15/2023	100	138820	Halen Homes LLC	BEB21-0025	23173	00000	2,000.00
09/15/2023	100	138823	HEARTLAND BUSINESS SYSTEMS	IT - OTHER PROFESSIONAL SERVICES	52190	51450	23.00
09/15/2023	100	138824	HECKEL DANCE LLC	RECREATION PROGRAM - CONTRACTED	52190	55300	440.00
09/15/2023	100	138828	IS OUTFITTERS	IT - OTHER PROFESSIONAL SERVICES	52190	51450	560.00
09/15/2023	100	138829	J&L TIRE AND SERVICE CENTER	FIRE PROTECTIVE SERVICES - VEHICLE	52440	52230	146.00
09/15/2023	100	138830	JEFFERSON FIRE & SAFETY, INC.	FIRE ADMINISTRATION - NEW EQUIPMENT	53950	52210	8,296.53
09/15/2023	100	138831	JOE IGL	EROSION/DITCH DEPOSIT	23173	00000	2,000.00
09/15/2023	100	138832	JOHNSON'S NURSERY	HIGHWAY - GROUNDS MAINTENANCE	52420	53100	257.25
09/15/2023	100	138833	Kaerek Homes Inc	BEB22-0006	23173	00000	2,000.00
09/15/2023	100	138835	KAREK HOMES INC	EROSION/DITCH DEPOSIT	23173	00000	2,000.00
09/15/2023	100	138836	KM SPORTS	RECREATION PROGRAM - PROGRAM EXPENSES	53430	55300	148.00
09/15/2023	100	138837	KMB ELECTRIC	CITY HALL - BUILDING REPAIRS & MAINT	52410	51600	638.06
09/15/2023	100	138839	KUJAWA ENTERPRISES INC	PARKS - EQUIPMENT PURCHASED WITH	53900	55200	1,028.00
09/15/2023	100	138840	LANGE ENTERPRISES, INC	HIGHWAY - EQUIP REPAIR & MAINT	52430	53100	76.85
				HIGHWAY - ROAD SIGNS & MARKINGS	53720	53100	68.80
				HIGHWAY - ROAD SIGNS & MARKINGS	53720	53100	1,159.50
				CHECK 100 138840 TOTAL FOR FUND 100:			1,305.15
09/15/2023	100	138842	LIFE-ASSIST INC	FIRE PROTECTIVE SERVICES - EMS	53450	52230	948.30
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	374.77
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	632.46
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	384.64
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	283.50
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	46.57
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	4.40
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	907.84
				FIRE PROTECTIVE SERVICES - EMS	53450	52230	(45.40)
				CHECK 100 138842 TOTAL FOR FUND 100:			3,537.08
09/15/2023	100	138845*#	MENARDS	FIRE ADMINISTRATION - OPERATING	53400	52210	25.58
				HIGHWAY - OPERATING SUPPLIES	53400	53100	23.92

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 5/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 100 GENERAL FUND							
				HIGHWAY - OPERATING SUPPLIES	53400	53100	53.44
				HIGHWAY - OPERATING SUPPLIES	53400	53100	11.71
				HIGHWAY - ROAD SIGNS & MARKINGS	53720	53100	20.81
				PARKS - GROUNDS MAINTENANCE	52420	55200	36.73
				PARKS - NEW EQUIPMENT	53950	55200	61.97
				CHECK 100 138845 TOTAL FOR FUND 100:			234.16
09/15/2023	100	138849	NASSCO INC	PARKS - BUILDING REPAIRS & MAINT	52410	55200	52.49
09/15/2023	100	138852	Pieper Electric Inc	Village Electrical	24400	00000	14.70
				Village Electrical	24400	00000	27.30
				Village Electrical	47380	00000	27.30
				Village Electrical	47380	00000	50.70
				CHECK 100 138852 TOTAL FOR FUND 100:			120.00
09/15/2023	100	138854	PORT-A-JOHN	PARKS - BUILDING REPAIRS & MAINT	52410	55200	104.00
				PARKS - BUILDING REPAIRS & MAINT	52410	55200	104.00
				PARKS - BUILDING REPAIRS & MAINT	52410	55200	104.00
				PARKS - BUILDING REPAIRS & MAINT	52410	55200	1,350.00
				PARKS - BUILDING REPAIRS & MAINT	52410	55200	104.00
				PARKS - BUILDING REPAIRS & MAINT	52410	55200	104.00
				PARKS - BUILDING REPAIRS & MAINT	52410	55200	104.00
				CHECK 100 138854 TOTAL FOR FUND 100:			1,974.00
09/15/2023	100	138855	PREMIUM WATERS, INC	COURT - OPERATING SUPPLIES	53400	51200	86.99
09/15/2023	100	138856	PROHEALTH CARE MEDICAL GROUP	FIRE ADMINISTRATION - EMPLOYMENT	52150	52210	282.00
09/15/2023	100	138857*#	R&R INSURANCE SERVICES	PROPERTY & LIABILITY	55120	51930	14,730.00
				FIRE PROTECTIVE SERVICES - PROPERTY &	55120	52230	9,436.00
				RECREATION PROGRAM - PROPERTY &	55120	55300	1,879.00
				CHECK 100 138857 TOTAL FOR FUND 100:			26,045.00
09/15/2023	100	138858	REMY BATTERY CO INC	FIRE PROTECTIVE SERVICES - VEHICLE	52440	52230	220.00
				FIRE PROTECTIVE SERVICES - VEHICLE	52440	52230	(110.00)
				CHECK 100 138858 TOTAL FOR FUND 100:			110.00
09/15/2023	100	138860#	RUNDLE-SPENCE	CITY HALL - BUILDING REPAIRS & MAINT	52410	51600	12.96
				HIGHWAY - BLDG REPAIRS & MAINT	52410	53100	58.01
				HIGHWAY - BLDG REPAIRS & MAINT	52410	53100	207.93

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 6/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 100 GENERAL FUND				CHECK 100 138860 TOTAL FOR FUND 100:			278.90
09/15/2023	100	138861	SAFETY-KLEEN CORP	RECYCLE - HAULING RECYCLABLES	52900	53635	298.85
09/15/2023	100	138864	SHAWNS DEER PICK UP	DEER CONTROL - CONTRACTED SERVICES	52990	54160	720.00
09/15/2023	100	138865	SHP VI WSLG Pewaukee JV LLC	BOB21-0049	23175	00000	500.00
09/15/2023	100	138866	SHP VI WSLG Pewaukee JV LLC	BOB21-0051	23175	00000	500.00
09/15/2023	100	138867	SHP VI WSLG Pewaukee JV LLC	BOB21-0037	23175	00000	500.00
09/15/2023	100	138868	SHP VI WSLG PEWAUKEE JV LLC	BOB21-0050	23175	00000	500.00
				09/15/2023 100 138870*# SITEONE LANDSCAPE SUPPLY LLC	HIGHWAY - GROUNDS MAINTENANCE	52420 53100	271.05
					PARKS - GROUNDS MAINTENANCE	52420 55200	48.45
				CHECK 100 138870 TOTAL FOR FUND 100:			319.50
				09/15/2023 100 138871 SOFT WATER, INC.	FIRE ADMINISTRATION - OPERATING	53400 52210	60.00
					FIRE ADMINISTRATION - OPERATING	53400 52210	12.00
				CHECK 100 138871 TOTAL FOR FUND 100:			72.00
09/15/2023	100	138872	STATE OF WI COURT FINES & ASSMTS	COURT PENALTIES	45110	00000	5,888.28
				09/15/2023 100 138873 STRYKER SALES CORPORATION	FIRE PROTECTIVE SERVICES - EQUIP REPAIR	52430 52230	424.08
					FIRE PROTECTIVE SERVICES - EQUIP REPAIR	52430 52230	488.98
					FIRE PROTECTIVE SERVICES - EMS	53450 52230	177.23
				CHECK 100 138873 TOTAL FOR FUND 100:			1,090.29
				09/15/2023 100 138875 TRUGREEN PROCESSING	CITY HALL - BUILDING REPAIRS & MAINT	52410 51600	52.00
					CITY HALL - GROUNDS MAINTENANCE	52420 51600	329.88
				CHECK 100 138875 TOTAL FOR FUND 100:			381.88
09/15/2023	100	138876	UNIFIRST CORP	FIRE ADMINISTRATION - OPERATING	53400	52210	95.27
09/15/2023	100	138877	VARITECH INDUSTRIES	HIGHWAY - EQUIP REPAIR & MAINT	52430	53100	1,339.62
				09/15/2023 100 138878 VERIZON	FIRE ADMINISTRATION - PHONE & CELL	52260 52210	109.79
					FIRE ADMINISTRATION - PHONE & CELL	52260 52210	80.02
				CHECK 100 138878 TOTAL FOR FUND 100:			189.81
				09/15/2023 100 138879# VILLAGE OF PEWAUKEE	BUILDING SERVICES DUE TO VILLAGE	24400 00000	8,941.21
					AMBULANCE RUNS	46230 00000	33,150.46

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 7/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 100 GENERAL FUND							
				SHARED PARK & RECREATION PROGRAMS	47370	00000	17,432.76
				CONTRACTED BUILDING INSPECTION	47380	00000	(1,248.48)
				LIBRARY - OPERATING SUPPLIES	53400	55110	72,649.58
				CHECK 100 138879 TOTAL FOR FUND 100:			130,925.53
09/15/2023	100	138880	WASTE MANAGEMENT	RECYCLE - HAULING RECYCLABLES	52900	53635	2,828.74
				RECYCLE - HAULING RECYCLABLES	52900	53635	2,834.08
				CHECK 100 138880 TOTAL FOR FUND 100:			5,662.82
09/15/2023	100	138882#	WAUKESHA CO TREASURER	COURT PENALTIES	45110	00000	1,628.80
				PARKS - GROUNDS MAINTENANCE	52420	55200	1,050.00
				CHECK 100 138882 TOTAL FOR FUND 100:			2,678.80
09/15/2023	100	138886	WILL ENTERPRISES	PARKS - UNIFORMS	53410	55200	1,128.50
09/15/2023	100	138887	WILLOW SPRINGS NURSERY &	HIGHWAY - GROUNDS MAINTENANCE	52420	53100	437.21
09/15/2023	100	138888	WPRA	RECREATION PROGRAM - WPRA TICKETS	53450	55300	6,796.50
				Total for fund 100 GENERAL FUND			403,394.90

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 8/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 230 STORM WATER MANAGEMENT							
09/15/2023	100	138775*#	A&M CLEANING SOLUTIONS	CONTRACTED JANITORIAL	52400	53650	510.00
09/15/2023	100	138780	ALL-WAYS CONTRACTORS, INC	DITCH & CULVERT MAINT - CULVERT	53510	53652	112.50
				DITCH & CULVERT MAINT - CULVERT	53510	53652	405.00
				CHECK 100 138780 TOTAL FOR FUND 230:			517.50
09/15/2023	100	138803	CRETEX SPECIALTY PRODUCTS	CATCH BASIN MAINT - CATCH BASIN	53510	53655	365.32
				CATCH BASIN MAINT - CATCH BASIN	53510	53655	520.68
				CHECK 100 138803 TOTAL FOR FUND 230:			886.00
09/15/2023	100	138834	KAESTNER AUTO ELECTRIC CO.	OPERATING SUPPLIES	53400	53650	409.94
09/15/2023	100	138841	LANNON STONE PRODUCTS	DITCH & CULVERT MAINT - CULVERT	53510	53652	351.83
09/15/2023	100	138843#	LINCOLN CONTRACTORS	OPERATING SUPPLIES	53400	53650	32.99
				OPERATING SUPPLIES	53400	53650	161.72
				OPERATING SUPPLIES	53400	53650	(32.99)
				CATCH BASIN MAINT - CATCH BASIN	53510	53655	179.99
				CHECK 100 138843 TOTAL FOR FUND 230:			341.71
09/15/2023	100	138845*#	MENARDS	BUILDING REPAIRS & MAINT	52410	53650	37.52
				GROUNDS MAINTENANCE	52420	53650	32.88
				OPERATING SUPPLIES	53400	53650	73.29
				OPERATING SUPPLIES	53400	53650	15.96
				CHECK 100 138845 TOTAL FOR FUND 230:			159.65
09/15/2023	100	138847	MILLER-BRADFORD & RISBERG, INC	EQUIPMENT REPAIR & MAINT	52430	53650	158.91
09/15/2023	100	138848	MOTION & CONTROL ENTERPRISES LLC	EQUIPMENT REPAIR & MAINT	52430	53650	56.51
				EQUIPMENT REPAIR & MAINT	52430	53650	270.61
				EQUIPMENT REPAIR & MAINT	52430	53650	138.92
				CHECK 100 138848 TOTAL FOR FUND 230:			466.04
09/15/2023	100	138851	PAYNE & DOLAN	DITCH & CULVERT MAINT - CULVERT	53510	53652	389.47
09/15/2023	100	138857*#	R&R INSURANCE SERVICES	PROPERTY & LIABILITY	55120	53650	1,229.00
09/15/2023	100	138863	SERWE IMPLEMENT MUNICIPAL SALES	EQUIPMENT REPAIR & MAINT	52430	53650	640.36
09/15/2023	100	138870*#	SITEONE LANDSCAPE SUPPLY LLC	GROUNDS MAINTENANCE	52420	53650	307.40

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 9/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount			
Fund: 230 STORM WATER MANAGEMENT										
09/15/2023	100	138874	TOTAL TOOL	OPERATING SUPPLIES	53400	53650	186.15			
09/15/2023	100	138885	WESTERN CULVERT & SUPPLY	DITCH & CULVERT MAINT - CULVERT	53510	53652	1,773.20			
09/15/2023	100	138890	Z BUILDERS SUPPLY	STORM SEWER MAINT - CURB & GUTTER	53530	53651	80.00			
09/15/2023	100	138891	ZIGNEGO READY MIX	CATCH BASIN MAINT - CATCH BASIN	53510	53655	510.00			
				CATCH BASIN MAINT - CATCH BASIN	53510	53655	890.00			
				CHECK 100 138891 TOTAL FOR FUND 230:					1,400.00	
Total for fund 230 STORM WATER MANAGEMENT							9,807.16			

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 10/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 300 DEBT SERVICE							
09/15/2023	100	138826	HERITAGE TITLE SERVICES INC	SPECIAL ASSESSMENTS PRINCIPAL COLLECTED	42300	00000	93.68
09/15/2023	100	138838	KNIGHT BARRY TITLE INC	SPECIAL ASSESSMENTS PRINCIPAL COLLECTED	42300	00000	93.68
09/15/2023	100	138862	SERVICELINK NLS	SPECIAL ASSESSMENTS PRINCIPAL COLLECTED	42300	00000	93.68
09/15/2023	100	138884	WELLS FARGO REAL ESTATE TAX	SPECIAL ASSESSMENTS PRINCIPAL COLLECTED	42300	00000	93.68
Total for fund 300 DEBT SERVICE							374.72

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 490 CAPTIAL EQUIPMENT							
09/15/2023	100	138821	HASTINGS	FIRE ADMINISTRATION - CAPITAL EQUIPMENT	58100	57220	3,413.00
				FIRE ADMINISTRATION - CAPITAL EQUIPMENT	58100	57220	28,861.00
				CHECK 100 138821 TOTAL FOR FUND 490:			32,274.00
09/15/2023	100	138825	HEIMAN FIRE EQUIPMENT	FIRE ADMINISTRATION - CAPITAL EQUIPMENT	58100	57220	4,498.00
				Total for fund 490 CAPTIAL EQUIPMENT			36,772.00

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 12/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 600 WATER UTILITY							
09/15/2023	100	138776*#	ACTION FIRE & ALARM	BUILDING AND GROUNDS	52310	00623	429.00
09/15/2023	100	138779*	ALL CITY COMMUNICATIONS INC.	ANSWERING SERVICE	52331	00921	40.77
09/15/2023	100	138787*#	BAKER TILLY US LLP	OPS - AUDITOR/ACCOUNTANT	52120	00923	4,500.00
09/15/2023	100	138793*#	BUMPER TO BUMPER HARTLAND	TRANSPORTATION EXPENSE - REPAIR &	52400	00933	(10.69)
09/15/2023	100	138796*#	CINTAS CORP	UNIFORMS	53410	00641	51.25
				UNIFORMS	53410	00641	51.25
				UNIFORMS	53410	00641	51.25
				CHECK 100 138796 TOTAL FOR FUND 600:			153.75
09/15/2023	100	138800	CORE & MAIN LP	REPAIRS - TRANSMISSION LINES	52400	00651	733.73
09/15/2023	100	138804	DEPT OF NATURAL RESOURCES	Utility Memberships & Continuing	53200	00930	45.00
09/15/2023	100	138810	FERGUSON ENTERPIRSES #1550	REPAIRS - MAINTENANCE OF SERVICES	52400	00652	20.50
09/15/2023	100	138816*	GS SYSTEMS, INC.	SCADA/TELEMETARY	52100	00950	2,450.00
09/15/2023	100	138822#	HAWKINS, INC.	CHEMICALS	53200	00631	3,204.89
				REPAIRS AND MAINTENANCE	52400	00635	226.16
				CHECK 100 138822 TOTAL FOR FUND 600:			3,431.05
09/15/2023	100	138827	HYDROCORP	CROSS CONNECTION INSPECTION	52381	00641	1,171.00
09/15/2023	100	138844*	LITHO-CRAFT	BILLING	53300	00903	531.50
09/15/2023	100	138845*#	MENARDS	OPERATING SUPPLIES & EXPENSES	53400	00602	24.89
				REPAIRS-PUMPING EQUIPMENT	52400	00625	16.07
				REPAIRS-PUMPING EQUIPMENT	52400	00625	16.82
				CHECK 100 138845 TOTAL FOR FUND 600:			57.78
09/15/2023	100	138846#	MID CITY CORPORATION	DIST & TRANSMISSION LINES - CONTRIBUTED	18581	00343	14,942.95
				REPAIRS - TRANSMISSION LINES	52400	00651	16,183.73
				CHECK 100 138846 TOTAL FOR FUND 600:			31,126.68
09/15/2023	100	138850	NORTHERN LAKE SERVICE, INC	WATER TESTING	52310	00632	1,027.20

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 13/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 600 WATER UTILITY							
09/15/2023	100	138853*	POMP'S TIRE SERVICE, INC.	TRANSPORTATION EXPENSE - REPAIR &	52400	00933	676.48
09/15/2023	100	138857*#	R&R INSURANCE SERVICES	INSURANCE - PROPERTY & LIABILITYWATER-	55120	00924	1,000.00
09/15/2023	100	138859	ROTROFF JEANSON & CO.	OPS - AUDITOR/ACCOUNTANT	52120	00923	2,538.00
09/15/2023	100	138869*	SIGNARAMA	TRANSPORTATION EQUIP.	18568	00392	98.50
09/15/2023	100	138881	WATER REMEDIATION TECHNOLOGY	RADIUM TREATMENT	52210	00631	4,091.19
09/15/2023	100	138889*	XEROX CORPORATION	OFFICE SUPPLIES & EXPENSES	53100	00921	156.35
Total for fund 600 WATER UTILITY							54,267.79

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 14/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 650 SEWER UTILITY							
09/15/2023	100	138776*#	ACTION FIRE & ALARM	MAINTENANCE OF GENERAL PLANT STRUCTURE	52400	01834	429.00
09/15/2023	100	138779*	ALL CITY COMMUNICATIONS INC.	ANSWERING SERVICE	52331	00921	40.78
09/15/2023	100	138787*#	BAKER TILLY US LLP	OPS - AUDITOR/ACCOUNTANT	52120	00923	500.00
09/15/2023	100	138788	BATTERIES PLUS LLC	MAINTENANCE/SCS - CONTROL PANEL	52430	01831	25.15
09/15/2023	100	138793*#	BUMPER TO BUMPER HARTLAND	TRANSPORTATION EXPENSE - REPAIR &	52400	00933	(10.69)
09/15/2023	100	138796*#	CINTAS CORP	Uniforms & Protective Equipment	53410	01827	51.25
				Uniforms & Protective Equipment	53410	01827	51.25
				Uniforms & Protective Equipment	53410	01827	51.25
				CHECK 100 138796 TOTAL FOR FUND 650:			153.75
09/15/2023	100	138806	EDUCATION & TRAINING SERVICES	UTILITY MEMBERSHIPS & CONTINUING	53200	00930	549.00
				UTILITY MEMBERSHIPS & CONTINUING	53200	00930	499.00
				CHECK 100 138806 TOTAL FOR FUND 650:			1,048.00
09/15/2023	100	138807*#	ELLIOTTS ACE HARDWARE	MAINTENANCE OF PUMPING EQUIPMENT	52400	01832	4.68
09/15/2023	100	138815	GRAINGER	SUPPLIES AND EXPENSES	53400	01827	79.52
09/15/2023	100	138816*	GS SYSTEMS, INC.	SCADA/TELEMETARY	52100	00950	2,450.00
09/15/2023	100	138844*	LITHO-CRAFT	BILLING	53300	00903	531.50
09/15/2023	100	138845*#	MENARDS	SUPPLIES AND EXPENSES	53400	01827	52.11
				SUPPLIES AND EXPENSES	53400	01827	65.96
				SUPPLIES AND EXPENSES	53400	01827	14.99
				SUPPLIES AND EXPENSES	53400	01827	24.90
				CHECK 100 138845 TOTAL FOR FUND 650:			157.96
09/15/2023	100	138853*	POMP'S TIRE SERVICE, INC.	TRANSPORTATION EXPENSE - REPAIR &	52400	00933	676.48
09/15/2023	100	138857*#	R&R INSURANCE SERVICES	INSURANCE - PROPERTY & LIABILITY	55120	00924	1,000.00

09/15/2023 08:18 AM
User: OMAN
DB: City Of Pewaukee

CHECK DISBURSEMENT REPORT FOR PEWAUKEE
CHECK DATE FROM 09/01/2023 - 09/15/2023

Page 15/15

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 650 SEWER UTILITY							
09/15/2023	100	138869*	SIGNARAMA	TRANSPORTATION EQUIP.	18568	00392	98.50
09/15/2023	100	138883	WAUKESHA WATER UTILITY	SEWER SERVICE CHARGE - WCC	52344	01827	27,465.16
09/15/2023	100	138889*	XEROX CORPORATION	OFFICE SUPPLIES & EXPENSES	53100	00921	156.35
				Total for fund 650 SEWER UTILITY			34,806.14
TOTAL - ALL FUNDS							539,422.71

'*'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE FUND

'#'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE DEPARTMENT

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.2.**

DATE: September 18, 2023

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of the Common Council Meeting Minutes Dated August 7, 2023

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

CC Minutes 8/7/2023

In Attendance:

Mayor S. Bierce, Aldermen C. Brown, I. Clark, B. Dziwulski, R. Reinbold and P. Vetterkind. J. Wamser was absent and excused.

Also in Attendance:

Attorney S. Riffle, Administrator S. Klein, DPW Director M. Wagner, Utility Manager J. Mueller, Park & Recreation Director N. Phalin, 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 6:30 p.m. and asked everyone to stand for the Pledge of Allegiance.

2. Public Comment – None.

3. Discussion and Possible Action to Approve the Accounts Payable Listing Dated August 7, 2023

A motion was made and seconded (P. Vetterkind, R. Reinbold) to approve the accounts payable listing. Motion Passed: 5-For, 0-Against.

4. Discussion and Possible Action Regarding Bids Received for Conversion of Ball Diamonds to Synthetic Field Turf at Pewaukee Sports Complex

Mr. Phalin stated the project only received one bid. He said he was disappointed with the bid; he was anticipating between \$1-\$1.2 million and it came in at \$1.58 million. Mr. Phalin said the cost may have to do with the timeline, and that most construction companies have their schedules full for fall. He added that RA Smith recommended rejecting the bid and rebidding the project in fall. He said they will put a start construction date of July 29, 2024, and, completion date of November 2024.

A motion was made and seconded (B. Dziwulski, I. Clark) to reject the bid received and instruct staff to rebid the project in fall. Motion Passed: 5-For, 0-Against.

5. **PUBLIC HEARING**, Discussion and Possible Action to Approve the Class B - Beer and Class C - Wine Licenses for AGAM Restaurant Inc. Doing Business as the Crossings Located at N20W22951 Watertown Road and Naming Ramandeep Chanana as Agent

Ms. Tarczewski stated the petitioner filed the application a few weeks ago and the necessary background check was completed and there were no concerns to issue this license.

Mayor Bierce opened the public hearing. No one expressed interest in speaking so the public hearing immediately closed.

A motion was made and seconded (B. Dziwulski, I. Clark) to approve the Class B – Beer and Class C – Wine license and name Ramandeep Chanana as agent. Motion Passed: 5-For, 0-Against.

6. Discussion Related to the Fire Protection Fee [Clark / Mueller / Wagner]

Mr. Clark stated Mr. Drollinger reached out to him regarding the fire hydrant fee and how it is assessed. Mr. Clark noted residents who live within 500 feet of a fire hydrant are assessed the fee for maintenance and care. Mr. Drollinger's concern is that it puts an undue burden on residents who are within 500 feet of a fire hydrant when all residents are beneficiaries of fire protection.

Mark Drollinger (W268 N2759 Platt Street) said 95-99 percent of users get City or hydrant water to fight fires. He said the rate is not related to the cost of the service. He said the rate charge for the fire hydrant is related to the assessed value of the house and he does not see the relation between property value and the hydrant maintenance fee. He added that not all beneficiaries are paying the cost for the services.

Ms. Mueller stated prior to 2005, the fire protection charge was on the property tax bill and was distributed to the entire community, except for tax exempt properties. She said when it was removed from the property tax bill it went to the Public Service Commission and they decided it would be customer based, which means the cost was distributed and directly charged to residents within the 500-foot perimeter. She added this was per the previous Fire Chief and was determined as the crow flies. Ms. Mueller said the Public Service Commission sets the rate based on the property tax. She said if the City would like to revisit the issue it would need to go to the Public Service Commission to evaluate how the fee would be established.

Ms. Wagner stated it was on the property taxes as a general tax levy that was converted to a special charge to assist in making sure everyone is paying their fair share, including tax exempt properties. She added there are rules and regulations that need to be followed by the Public Service Commission. If it remains a special charge, a study will need to be completed and will take time to complete.

Mayor Bierce stated he does not want it put back on the tax bill.

Ms. Wagner stated the maximum hydrant spacing is 600 feet between hydrants.

Mr. Reinbold asked if a resident is billed twice if they have two hydrants on their lot. Ms. Mueller stated they are only charged once.

Mr. Vetterkind asked how many homes are within 500 feet. Ms. Mueller stated roughly 50-60 percent get the fee.

Ms. Brown asked what the fee is used for and if it is used in completion every year. Ms. Mueller stated the funds are used for repairs and use of the wells, and they are not being banked. Ms. Brown stated she had concerns in 2005 and now if it goes back on the tax bill some of the bigger nonprofits are not contributing and the community is absorbing the cost. She added that she does not agree with putting it back on the tax roll.

Attorney Riffle stated a rate change would have to be approved by the Public Service Commission.

Mr. Klein stated it is different fighting fires directly from the hydrant versus from a distance away. He added that the City does not have tanker trucks anymore and when we have those fires, other departments get called in. Mr. Klein added water comes from the same source, but the service is not the same.

Mr. Dziwulski felt it was worth looking into.

Mayor Bierce asked if there were records available to see how it was previously determined. Ms. Mueller noted she will investigate the past minutes.

Mr. Dziwulski noted that the Common Council had revisited this issue in January of 2009.

Mr. Clark stated he would direct staff to do more research regarding the rationale behind how the Common Council decided on the rates and then bring it back to the Council. Mayor Bierce stated Chief Bierce should be looped in so he could give some input on how much benefit people on the water supply are gaining versus not on the water.

7. Discussion and Possible Action Regarding an Amendment to the Professional Services Contract Between the City of Pewaukee and EPLEX, LLC (DBA E-Plan Exam) for Plan Review Services and the City Becoming a Delegated Agent of the Wisconsin Department of Safety and Professional Services for the Review of Variances

Mr. Fuchs noted the City currently uses E-Plan as an option for State Plan reviews. He said this would amend the current agreement to also include variance review approvals. He said they would work with the State on the City's behalf, and they would review and approve variances for building codes. He said there is a fee and if approved he will bring forward an amendment to the fee schedule. Mr. Fuchs added that the applicant pays for the fee.

A motion was made and seconded (B. Dziwulski, I. Clark) to approve the amendment to the Professional Services contract with EPLEX, LLC to include plan review services for variance requests. Motion Passed: 5-For, 0-Against.

8. **PUBLIC HEARING**, Discussion and Possible Action Regarding the Conditional Use Permit for The Inn Bed and Breakfast Located at N4 W22496 Bluemound Road (PWC 0963-998)

Mr. Fuchs stated the Conditional Use Permit is for a bed and breakfast. He added there are several uses on site and the new use includes three bedrooms, a kitchen, dining room and living room in the farmhouse and a fourth bedroom in an adjacent building. Mr. Fuchs said there are no site improvements or building changes. He added staff is recommending approval with the condition that the applicant obtain the proper licenses from the Clerk's office and appropriate State and County licenses.

Mayor Bierce opened the public hearing. No one expressed interest in speaking so the public hearing immediately closed.

Ms. Brown added the motion should include that the applicant needs to collect room taxes for the year she unknowingly ran the bed and breakfast without City of Pewaukee permits.

A motion was made and seconded (B. Dziwulski, I. Clark) to approve the Conditional Use Permit for the Inn Bed and Breakfast and collect back taxes for room stays. Motion Passed: 5-For, 0-Against.

9. **PUBLIC HEARING**, Discussion and Possible Action Regarding the Conditional Use Permit for Steny's Lake Country for Property Located at N29 W24483 Watertown Road (PWC 0922-987-001) for the Purpose of Operating a Restaurant and Bar

Mr. Fuchs stated the draft Conditional Use Permit for Steny's Lake Country located at the former Boomer's Sports Bar includes the hours of operation. He said the outdoor dining, drinking, music and

events are being limited to Sunday through Thursday from 10 am until 9 pm and Friday and Saturday from 10 am until 10 pm. He added lighting will be shut off within 30 minutes of those hours. Mr. Fuchs stated the volleyball courts will be removed and returned to green space, and he noted there is a condition regarding bus parking on site. He said there are no buses currently proposed, but there may or not be in the future. Mr. Fuchs added the applicant is adding a 3,286 square foot addition to the building. He said there will be no changes to the lighting and the applicant will be adding some landscaping. Mr. Fuchs noted staff and Plan Commission recommended approval with the conditions.

Andrew Toby (N28W24376 Watertown Road) stated he supports Steny's and feels it's a good use of the building and a good establishment.

No one else indicated an interest in speaking and the Mayor closed the public hearing.

Ms. Brown stated there were concerns about the lack of parking. She noted that Steny's agreed to more parking if there were complaints. Mr. Fuchs stated the Council should add it as a condition.

A motion was made and seconded (C. Brown, P. Vetterkind) to approve the Conditional Use Permit for Steny's Lake Country adding the contingency to add additional parking if it is needed. Motion Passed: 5-For, 0-Against.

10. **PUBLIC HEARING, Discussion and Possible Action Regarding Ordinance 23-05 Amending Section 17.0435 F-1 Floodplain District, Creating of a New Floodplain Ordinance Section, and Adoption of the Updated Flood Insurance Study and Flood Insurance Rate Maps**

Mr. Fuchs noted it is a required amendment to stay within Federal Flood Insurance and is based off the State ordinance. He added there was a track change version in the packet but felt there were four key items to discuss. 1) mitigation requirement of 2 to 1 remain, 2) the 75-foot setback from the flood plain and 100-year boundary will remain, 3) include or exclude act 175 language related to non-conforming uses. He said if you included the language, it would make it possible for structures to remain in flood plain and if you exclude the language then the 50 percent rule applies. He added that the Plan Commission recommended that language be left out, making it more restrictive. 4) a community rating system program which is a voluntary program that would reduce premiums for those who have flood insurance within the City. Mr. Fuchs stated the Plan Commission recommended the City be part of the community rating system.

Mayor Bierce opened the public hearing. No one indicated an interest in speaking so the public hearing was immediately closed.

Mr. Dziwulski asked if he understood correctly that the City would be more restrictive than required. Mr. Fuchs stated yes.

Ms. Brown stated the Plan Commission wanted to keep the standards that the City has and felt it kept buildings safe.

A motion was made and seconded (I. Clark, B. Dziwulski) to approve amending Section 17.0435 F-1 Floodplain District, creating a New Floodplain Ordinance Section, and Adoption of the Updated Flood Insurance Study and Flood Insurance Rate Maps. Motion Passed: 5-For, 0-Against.

11. **Discussion and Possible Action Regarding The Water Development Request to Occupy the City's Right-of-Way with Lighting and Landscaping**

Ms. Wagner stated while making the final punch list it was determined that landscaping and lighting were installed in the City's right-of-way without permission. She said it was noted in the punch list notes that it needed to be removed, but the developer is requesting the landscaping and lighting to remain in the right-of-way. Ms. Wagner stated City staff object to the request for six reasons which she included in the packet. 1) When Plan Commission reviewed the landscaping plan, the trees, lighting and sidewalks were outside of the public right of way, and the sidewalk still is, 2) the location of the trees and light poles are near the back of curb and will interfere with winter operations, 3) by law the City is required to mark out all utilities in the public right-of-way, and in the spring 60-80 percent of the workload is spent on hotline requests and the City does not have the staff time, 4) we are required by State law to permit other utilities to be placed within that right-of-way. The additional utilities creates a risk of damage and the City would be responsible for repair, 5) if there is any damage to lights or trees it adds a workload the City can't accommodate, 6) sidewalks are private, they are outside of the right-of-way, and should have been permitted by the community if they were going to be in the right of way. Ms. Wagner recommended that the Council reject the request and require these items be removed from the right-of-way.

Mr. Bierce said the City can negotiate with the property owners to accommodate most of the items but doesn't know what to do about the snow plowing.

Mr. John Hunsicker, representative for The Waters stated the photometric plans were submitted, approved, and permitted. He said they followed all the requirements to put together a comprehensive plan to have it reviewed and approved. He added it has taken forever to get through a lot of layers to get it right. Mr. Hunsicker stated all the infrastructure has been installed and it is walkable and feels it is punitive to remove.

Mr. Vetterkind asked if the approved construction set was what was installed. Mr. Hunsicker stated the approved set was installed. He noted Ms. Wagner was referencing the Plan Commission site plan that didn't have any light poles on it. He said building permits were submitted over a year later and had over 100 changes. He added they shifted during the planning approval and final plans between a private street or public street. Mr. Hunsicker said the Fire Chief insisted it be a public street to be more accessible and plowed properly. Mr. Hunsicker added that it was possible during that shift that someone lost track of what was in the plan, and it wasn't intentional.

Ms. Brown stated she is concerned that this is the third development in the last year that has come to the Council where a developer has put something in the right-of-way and asks for forgiveness. She noted the tree situation can be figured out and asked if the light post could be moved back. Ms. Brown noted she does not want to go against Ms. Wagner's wishes but asked if the City could make some concessions.

Joe Lucas, General Contractor representative from Continental Building Company, noted the light poles in question are located on one side of the street and the same side as the fire hydrants. He recommended snow plowing to the inside of the street, which is also the inlet side for storm water runoff. He added that relocating the light poles would be an astronomical task given the infrastructure and status of construction.

Mayor Bierce asked how much discussion has taken place to compromise on the issue. Ms. Wagner stated there has not been any discussion except their request to leave it in the right-of-way. Ms. Wagner noted the City could draft an agreement addressing the trees, requiring them to become a member of

Diggers Hotline and stating the City is not liable. She would then bring it back to the Council and if the developer is willing to take on that liability, the City could support it.

Attorney Riffle noted there may be more they should be doing.

Mayor Bierce recommended the Council not act on it and allow Ms. Wagner to come up with a plan that the City is protected with, and then it can be taken to the developer.

Mr. Hunsicker noted he is sensitive to timing and the last step in completing public infrastructure is the last coat of asphalt. It is scheduled for the middle of August, and he was concerned about the cost and timing if it needs to be rescheduled. He asked that they be allowed to proceed with finishing so the infrastructure can be completed in a timely fashion.

Ms. Wagner stated she will need to look at the plans, and she briefly discussed her concerns with paving.

Mayor Bierce directed Ms. Wagner to come back with a proposed agreement.

Mr. Fuchs stated regarding Ms. Brown's comment, he felt this was a building permit issue and will look at that internally.

Ms. Brown noted if landscape plans come in without the City right-of-way, it may be difficult to distinguish how far off the sidewalk things are. Mr. Fuchs stated there have been a lot of iterations of the plans.

Mr. Vetterkind was surprised there wasn't a site utility plan with lighting.

Mr. Klein stated there is a gap between what Plan Commission approves versus what is approved when it goes in for plan review. He added that when the State does the review, the City's review isn't as detailed because the City relies on the State to pick up on all code issues. Mr. Klein stated putting off paving has a big impact and he recommended they be allowed to pave. He said if there is any damage, the City won't accept it and they will have to mill it off, make the repairs, and then it would be in their hands. Ms. Wagner agreed.

Mr. Reinbold asked if the City reviewed the landscape and lighting plans when it was changed from a private road to a public road. Mr. Fuchs stated reviews were done following Plan Commission and there was some back and forth on private road versus public road.

A brief discussion took place regarding the paving being done on Saturday and the right-of-way agreement.

12. Discussion and Possible Action Regarding Utility Extension to Shady Lane and Shady Nook

Ms. Wagner noted the recommendation is to do Shady Lane and Shady Nook as a road construction project only, and to remove utilities. She said when bids were rejected, the direction was to bid as a road project. Ms. Wagner noted she wanted to make sure everyone was aware of the risk, which includes the septic system failing and wells potentially going bad due to contamination. She added the City will not look at this area for 20-30 years and said it is a long time for contaminated ground water. Ms. Wagner gave full disclosure that the test results show contamination is still elevated in the groundwater. She noted the road construction project would be bid on next year.

Mayor Bierce noted it was not unanimous at the Public Works meeting. He asked Ms. Wagner to go over the conditions of the roads, and what the financial impact would be on the City. Ms. Wagner

noted that the City put a temporary cap on the roadway to buy some time. She said regardless of when the road project is done, it will be a complete reconstruction.

Ms. Wagner discussed different alternatives and the concerns with each of them.

Mr. Dziwulski asked about the bedrock. Ms. Wagner said the sewer and water main were above the bedrock and the biggest concern was access issues and ground water contamination.

Ms. Brown stated Council was very clear to the residents that they are on their own and feels terrible that the costs were that high.

Mayor Bierce asked if Ms. Wagner was looking for confirmation to put this on the road project list for next year. Ms. Wagner stated it's the City's job to provide safe drinking water and septic relief to areas. She wanted to make sure everyone is on the same page and understands the risk.

Mr. Klein asked if the DNR can force the City to go on water and hook up to sanitary sewers if it is available, which it is. Ms. Wagner said it is within their regulations.

No action was taken.

13. Discussion and Possible Action Regarding Easements for the Cardinal Meadow Subdivision

Ms. Wagner stated as part of the developments, there have been discussions when easements come forward that there needs to be clear definition as to what is included on plats. She said the easement document outlines what the easement on the plat is for, who is responsible, and what people can and cannot do. She recommended approval of the easement documents contingent on final review of the City Attorney and City staff. Ms. Wagner added the City is only concerned about adopting the public easements.

Ms. Brown asked if this was specific to Cardinal Meadows Subdivision. Ms. Wagner said yes.

A motion was made and seconded (B. Dziwulski, R Reinbold) to approve the easements for the Cardinal Meadow Subdivision contingent on final review by the City Attorney and City staff.

Motion Passed: 5-For, 0-Against.

14. Discussion and Possible Action Regarding Interstate Partners Green Road Developers Agreement and to Establish the Financial Guarantee Value for the Green Road and Redford Ramp Intersection Improvements

Ms. Wagner noted the Council had approved intersection improvements to allow the weight limit to be lifted from Duplainville Road to the Redford Boulevard ramp. She said the developer has agreed to move forward with the improvements the City has approved and noted they have the permits from the County. Ms. Wagner stated the agreement allows the work to be done and establishes the financial guarantee. She added the amount of the cash deposit is \$94,600.

Mayor Bierce asked about signage. Ms. Wagner stated the City will purchase and install the signage so that it is consistent with other signage in our community and will bill the developer to reimburse us.

A motion was made and seconded (P. Vetterkind, B. Dziwulski) to approve the Interstate Partners Green Road Developers Agreement and establish the cash deposit in the amount of \$94,600. Motion Passed: 5-For, 0-Against.

15. Discussion and Possible Action to Authorize Submittal of the Notice of Intent for the Quiet Zones at Green Road, Duplainville Road, Watertown Road, and Weyer Road

Ms. Wagner stated quiet zone studies have been completed at all intersections on the east side of the City and noted Springdale Road is being completed by the City of Brookfield. Ms. Wagner stated she discussed improvements with the Federal Railroad Administration, the Railroad and the DOT Railroad Division. She said there was one accident in the study over the last five years at Watertown Road. Ms. Wagner noted it wasn't really an accident, but a drunk driver who abandoned their vehicle on the tracks.

She said the one thing the study revealed is that there aren't any improvements required at Green Road. She recommended, even though improvements aren't required at Green Road, that the City still makes some improvements so the City would still qualify for quiet zones. Ms. Wagner stated the next step is to file a Notice of Intent with the railroad. They will review, comment on the study, and then approve the improvements that need to occur. She feels it would take a year to a year and a half because there are a couple of crossings that do not meet the standards and the City would have to petition for a variance. Ms. Wagner asked for the Council's authorization to submit and then budget for the required improvements in the 2024 budget.

Ms. Brown asked what the amount would be. Ms. Wagner stated if there are no major changes, she estimates \$150,000. She said Watertown Road will need a special permit from Waukesha County and may cost more. She added it may be more if the City needs to move signals at that intersection. Ms. Brown asked about the crossing at Duplainville Road and Weyer Road. Ms. Wagner stated Weyer Road is shared with the Town of Lisbon and is split 50/50 with the City of Pewaukee. She noted they support quiet zones but haven't given a hard yes that they will share in the cost until they know the cost.

A motion was made and seconded (C. Brown, B. Dziwulski) to authorize Submittal of the Notice of Intent for the Quiet Zones at Green Road, Duplainville Road, Watertown Road, and Weyer Road. Motion Passed: 5-For, 0-Against

16. Discussion and Possible Action to Select the 2023 Trick or Treat Date and Time

Discussion took place related to the various Trick or Treat options.

A motion was made and seconded (B. Dziwulski, P. Vetterkind) to set the 2023 Trick or Treat hours for Saturday, October 28th, 2023, from 4:00 p.m. to 7:00 p.m. Motion Passed: 5-For, 0-Against.

17. Discussion Related to the Proposed 2024 Budget Schedule

Mr. Klein handed out a calendar for the next few months listing different benchmarks for the upcoming budget process.

18. Notification of the First Meeting in September is Moved to Tuesday, September 5, 2023 at 6:30 p.m.

Mayor Bierce stated it appears staff needs the first meeting in September to be rescheduled instead of cancelling it. Mr. Reinbold stated he would not be available on the 5th.

19. Discussion and Possible Action to Appoint a Member or Members to the Ethics Board

Mayor Bierce offered the names of Jeff Kara, a previous Alderman and Marty Van Hulle, longtime resident and former Principal of the Pewaukee High School and current Principal at Saint Anthony's on the Lake, to serve on the Ethics Board.

A motion was made and seconded (B. Dziwulski, R. Reinbold) to appoint Jeff Kara and Marty Van Hulle to the Ethics Board. Motion Passed: 5-For, 0-Against.

20. Public Comment - None.

21. Adjournment

A motion was made and seconded (P. Vetterkind, R. Reinbold) to adjourn the meeting at 8:25 p.m. Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 4.**

DATE: September 18, 2023

DEPARTMENT: Employee Services

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding **Resolution 23-09-15** for Inclusion Under the Wisconsin Public Employer's Group Health Insurance Program [Woldanski]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Resolution 23.09.15

RESOLUTION #23-09-15**A RESOLUTION FOR INCLUSION UNDER THE WISCONSIN PUBLIC EMPLOYERS' GROUP HEALTH INSURANCE PROGRAM**

RESOLVED, by the Common Council of the City of Pewaukee, Wisconsin, that pursuant to the provisions of Wisconsin Statute § 40.51 (7) hereby determines to offer the Wisconsin Public Employers (WPE) Group Health Insurance Program to eligible personnel through the program of the State of Wisconsin Group Insurance Board (Board), and agrees to abide by the terms of the program as set forth in the Local Employer Health Insurance Standards, Guidelines and Administration Manual (ET-1144).

All participants in the WPE Group Health Insurance Program will need to be enrolled in a program option. An employer may elect participation in program options listed below, with each program option to be offered to different employee classifications (pursuant to collective bargaining). Individual employees cannot choose between program options.

We choose to participate in the (check applicable options):

- ☐ Traditional HMO-Standard PPO W/Dental, P02
- ☐ Deductible HMO-Standard PPO W/ Dental, P04
- ☐ Coinsurance HMO-Standard PPO W/Dental, P06
- ☐ High Deductible Health Plan HMO-Standard HDHP PPO W/ Dental, P07
- ☐ Traditional HMO-Standard PPO W/O Dental, P12
- ☒ **Deductible HMO-Standard PPO W/O Dental, P14**
- ☐ Coinsurance HMO-Standard PPO W/O Dental, P16
- ☐ High Deductible Health Plan HMO-Standard HDHP PPO W/O Dental, P17

The large group (50 or more employees) underwriting and enrollment process takes 120 days. (Small groups of 49 or less employees do not go through underwriting and take 60 days.) All groups are eligible to enroll effective January 1, April 1, July 1 or October 1.

RESOLUTION EFFECTIVE DATE: January 1, 2024

The proper officers are herewith authorized and directed to take all actions and make salary deductions for premiums and submit payments required by the Board to provide such Group Health Insurance.

FOR THE COMMON COUNCIL OF THE CITY OF
PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, Clerk/Treasurer

CERTIFICATION

I hereby certify that the foregoing resolution is a true, correct and complete copy of the resolution duly and regularly passed by the above governing body on the 18th day of September, 2023 and that said resolution has not been repealed or amended, and is now in full force and effect.

I further certify that we offered insurance to our employees immediately prior to joining this program.

Dated this _____ day of September, 2023.

I understand that Wisconsin Statute §943.395 provides criminal penalties for knowingly making false or fraudulent statements, and hereby certify that, to the best of my knowledge and belief, that above information is true and correct.

Federal Tax Identification Number (FEIN/TIN): 39-6008531
ETF Employer Identification Number: 69-036-4525000
Number of Eligible Employees: 88
Employer County: Waukesha

Authorized Employer Representative Signature
Kelley Woldanski – Director of People and Culture
City of Pewaukee
W240 N3065 Pewaukee Road
Pewaukee, WI 53072
woldanski@pewaukee.wi.us

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 5.**

DATE: September 18, 2023

DEPARTMENT: Planning

PROVIDED BY: Nick Fuchs

SUBJECT:

Discussion and Possible Action Regarding a **Resolution 23-09-16** Accepting a Land and Water Conservation Fund (LWCF) Grant for the All-Inclusive Playground Project at the Pewaukee Sports Complex in the amount of \$488,913 [Fuchs / Phalin]

BACKGROUND:

The City of Pewaukee was awarded a Land and Water Conservation Fund grant by the Wisconsin Department of Natural Resources in the amount of \$488,913 for the Pewaukee Inclusive Playscape project at the Pewaukee Sports Complex. A letter from the WDNR is attached for review as well as a draft resolution accepting the grant.

Note this is a matching grant and the City is able to match these funds with the fundraising that has already been received and committed to this project (see attached funding status narrative).

FINANCIAL IMPACT:

RECOMMENDED MOTION:

A motion to accept the Land and Water Conservation Fund Grant for the all-inclusive playground project at the Pewaukee Sports Complex in the amount of \$488,913.

ATTACHMENTS:

Description

Resolution 23-09-16

LWCF Grant Award Letter

Playground and splash pad fundraising narrative

RESOLUTION NO. 23-09-16

A RESOLUTION AUTHORIZING ACCEPTANCE OF THE LAND AND WATER CONSERVATION FUND (LWCF) GRANT FOR THE ALL-INCLUSIVE PLAYGROUND PROJECT AT THE PEWAUKEE SPORTS COMPLEX IN THE AMOUNT OF \$488,913.00

WHEREAS, the Common Council of the City of Pewaukee authorized the application for a grant for the all-inclusive playground and splash pad project via **Resolution 23-04-04**, passed and adopted on April 17, 2023; and,

WHEREAS, the City of Pewaukee Needs Assessment Study and Impact Fees Analysis for Parks, Fire Department, and Trails was approved at the January 4, 2021 Common Council meeting and includes the all-inclusive playground and splash pad project at the Pewaukee Sports Complex with a cost estimate of \$1,500,000 or greater; and,

WHEREAS, financial aid is required to carry out the project; and,

WHEREAS, the City of Pewaukee has received a significant amount of funds in donations, and is continuing to fundraise for this project, and has collected impact fees, which may be utilized for park improvements.

NOW, THEREFORE, BE IT RESOLVED, that the City of Pewaukee accepts the LWCF grant funding awarded by the Wisconsin Department of Natural Resources in the amount of \$488,913.00; and,

HEREBY AUTHORIZES, Nick Phalin (Parks & Recreation) and Nick Fuchs (Planning) to act on behalf of the City of Pewaukee to officially accept the Land and Water Conservation Fund Grant and proceed with the necessary steps required to secure the funding, and take the necessary action to undertake, direct and complete the approved project.

PASSED and ADOPTED this 18th day of September, 2023.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, City Clerk



August 24, 2023

Dear Mr. Phalin,

This is to advise you that the 2023 (Fiscal Year 2024 Funding) project rankings and recommendations for outdoor recreation grant assistance funding for State Stewardship, Federal Recreational Trails Program (RTP) and Federal Land & Water Conservation (LWCF) programs are now complete.

I am pleased to inform you that the **City of Pewaukee application** for the **Pewaukee Inclusive Playscape** project has been tentatively selected to receive a Land and Water Conservation Fund (LWCF) grant in the amount of **\$488,913**. The 2023 grant cycle was very competitive. The Department received 95 applications statewide requesting more than \$28 million in grant assistance for public outdoor recreation projects.

This letter represents tentative selection of your project for grant funding. Prior to execution of final grant agreements, I will work closely with you to update project details (set scope of work) and complete all reviews, approvals, and consultations required under applicable federal laws, state statutes, and administrative rules. These awards are contingent on successful completion of the review and approval process. Please note that the final grant amount may change based on updated project information and detailed review of eligible project costs. I will contact you soon to discuss next steps. ***The City should not start construction, prior to execution of signed grant agreement unless it is willing to assume the risk of absorbing those costs.***

The LWCF funding has these additional requirements you need to be aware of before accepting these funds:

1. The LWCF encumbrance and maintenance of the property is in perpetuity.
2. The federal Build American Buy America requirements are required to be met for projects that exceed \$250,000.
3. If the property is undisturbed, a Phase 1 Archeological and Cultural Resources study may be required. This is an eligible expense but adds to the approval timeline.
4. Additional grant conditions may apply if protected species are identified in proximity to the project area.
5. LWCF grants take approximately 12-18 months from the time you submitted your application.

If you are no longer interested in receiving these grants, please let me know as soon as possible so that the Department can contact other applicants on the ranked list of projects regarding tentative grant awards.

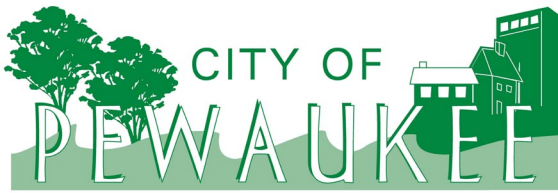
I will remain as your primary Department point of contact for this project. Please email me at Sara.deBruijn@wisconsin.gov at any time.

Again, congratulations on the tentative selection of your project. I look forward to working with you.

Sincerely,

Sara deBruijn

Sara deBruijn
Grant Project Manager
Bureau of Community Financial Assistance



Office of the Planner & Community Development Director
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072
Phone (262) 691-0770 Fax (262) 691-1798
fuchs@pewaukee.wi.us

All-inclusive Playground and Splash Pad Funding Status

Below is a table illustrating the status of current fundraising efforts for the all-inclusive playground and splash pad project.

Current Funding	Funding Source	Anticipated Funding	Source
\$12,250.00	Lannon Stone	\$4,000.00	River Glen Church
\$3,500.00	Woodmans	\$20,000.00	Stackner Family Foundation
\$17,500.00	Waterstone Bank	\$5,000.00	Friends of the Park GoFundMe
\$27,550.00	Sales Tax Refund	\$200,000.00	Impact Fees
\$188.00	50/50 Employee Recognition Raffle	\$50,000.00	Anonymous
\$11,275.00	League of WI Municipalities	\$50,000.00	Friends of the Park
\$250,000.00	Rick Fuhry 10-year term Splash Pad Naming Rights Agreement	\$329,000	
\$488,913.00	LWCF Grant		
\$811,176.00			

Based on the above funding, a total of \$1,140,176 is either secured or strongly committed to this project. The project costs are estimated at about \$2,000,000, leaving a balance of about \$859,824 remaining.

Future Funding Options

Staff plans to continually fundraise and seek donations and sponsorships for this project. This would be to both construct the project, but to also maintain it in the future.

With that said, Staff also intends to recommend that an additional \$500,000 be committed to this project through the ARPA funding received from the Federal Government. The City received a total of \$1,531,405.62 and is committing about \$1,000,000 to install ground mounted solar panels at City Hall and the DPW facility site. The City anticipates receiving bids for these projects later this year, and then would request the remaining balance be dedicated to the all-inclusive playground and splash pad project.

Staff would also request that the City provide funding in the amount that would have been needed to install the two planned playgrounds at the Pewaukee Sports Complex. As a result of this project, the two planned playgrounds (one on the soccer side of the facility and one on the baseball side) would be replaced with this larger playground. The types of playgrounds planned would typically cost around \$150,000 each.

Any remaining funds needed would be provided through additional sponsorships and donations.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 6.**

DATE: September 18, 2023

DEPARTMENT: PW - Stormwater

PROVIDED BY: Magdelene Wagner

SUBJECT:

Discussion and Possible Action Regarding a Storm Water Easement for Yench Road Culvert [Wagner].

BACKGROUND:

The replacement of the Yench Road culvert is required to incorporate some energy dissipation per our Department of Natural Resource permit. As such we have contact Lake Pewaukee Sanitary District (LPSD) (the adjacent landowner) to request an easement to install and maintain this energy dissipation. Attached is the easement agreement which allows the installation and maintenance moving forward.

LPSD has agreed to this work and this formalizes the agreement.

FINANCIAL IMPACT:

RECOMMENDED MOTION:

Council approve the easement agreement contingent on final City Engineer and City Attorney review.

ATTACHMENTS:

Description

Easement Agreement

Document Number	PERMANENT DRAINAGE EASEMENT	
THIS AGREEMENT, made by and between the undersigned Lake Pewaukee Sanitary District, "Grantor", and the City of Pewaukee, "Grantee". WITNESSETH: For good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows: Grantor conveys a permanent drainage easement as described below to the City of Pewaukee, Wisconsin, Grantee, for use as a public utility. [See attached exhibit and legal description] This easement is for the construction, reconstruction, maintenance, operation, and replacement of outlet protection for the storm water drainage culverts under Yench Road.		This space is reserved for recording data Return to City of Pewaukee W240 N3065 Pewaukee Road Pewaukee, WI 53072 PWC 0888.996.002 Parcel Identification Number (PIN)

Grantor consents to the entry by the servants, employees, workmen, agents or independent contractors of Grantee for and incidental to the construction, reconstruction, maintenance, operation, and replacement of outlet protection but reserves itself the right to make such use of land included in said easement, subject to the ordinances of the City of Pewaukee and the statutes of the State of Wisconsin, as will not disturb or interfere with such property or prevent ingress and egress thereto for the purpose of the construction of said outlet protection.

Grantee agrees to the construction, reconstruction, maintenance, operation, and replacement of the outlet protection according to the design standards required by Grantee elsewhere in the City.

It is agreed by the Grantor and Grantee that the outlet protection will be constructed, reconstructed, maintained, operated, and replaced in the easement area and that Grantee does thereby agree to initially construct the required outlet protection and maintain and repair the outlet protection in the future at no cost to Grantor. It is also agreed by Grantor that no structure shall be placed within the easement area and that changing the grade by filling or cutting in said easement is prohibited.

The Grantee agrees to indemnify and hold the Grantor harmless from all claims or causes of action for personal injury or property damage arising out of any activity undertaken by the Grantee, or any of its agents, employees, contractors or assigns, and will indemnify, defend and hold harmless Grantor from and against any and all claims, actions, losses, liabilities, costs and expenses, including reasonable attorneys' fees, resulting from injury (including death) to the person or damage to or loss of the property of anyone (including Grantee and employees of Grantee) arising out of or in connection with use, pursuant to this easement, whether such claims, actions, damages, losses and liabilities are based upon or result in whole or in part from the active or passive negligence of Grantee, its employees or agents, or Grantee's strict liability in tort, breach of warranty, breach of contract, or any other basis or cause whatsoever, whereby Grantee might be liable.

The Grantor, its successors, heirs and assigns, agrees to indemnify and hold the Grantee harmless from all claims or causes of action for personal injury or property damage arising out of any activity undertaken by the Grantor, or any of its agents, employees, contractors or assigns, and will indemnify, defend and hold harmless Grantee from and against any and all claims, actions, losses, liabilities, costs and expenses, including reasonable attorneys' fees, resulting from injury (including death) to the person or damage to or loss of the property of anyone (including Grantee and employees of Grantee) arising out of or in connection with use, pursuant to this easement, by Grantor, its employees, agents, contacts or business guests of the Premises, any adjacent areas, and any other property of Grantor, whether such claims, actions, damages, losses and liabilities are based upon or result in whole or in part from the active or passive negligence of Grantor,

its employees or agents, or Grantor's strict liability in tort, breach of warranty, breach of contract, or any other basis or cause whatsoever whereby Grantor might be liable.

This agreement sets forth the entire understanding of the parties and may not be changed except by a written document executed and acknowledged by all parties to this agreement and duly recorded in the office of the Register of Deeds for Waukesha County, Wisconsin.

If any term or condition of this agreement, or the application of this agreement to any person or circumstance, shall be deemed invalid or unenforceable, the remainder of this agreement, or the application of the term or condition to persons or circumstances other than those to which it is held invalid or unenforceable, shall remain in effect to the fullest extent permitted by law.

No delay or omission by any party in exercising any right or power arising out of any default under any of the terms or conditions of this agreement shall be construed to be a waiver of the right or power. A waiver by a party of any of the obligations of the other party shall not be construed to be a waiver of any branch of any other terms or conditions of this agreement.

Enforcement of this agreement may be by proceedings of law or in equity against any person or persons violating or attempting or threatening to violate any term or condition of this agreement, either to restrain or prevent the violation or to obtain any other relief. If a suit is brought to enforce this agreement, the prevailing party shall be entitled to recover its costs, including reasonable attorney fees, from the non-prevailing party.

It is not the intent of the parties that this grant of easement be a dedication of the land over which the easement is granted; however, it is intended that the easement be granted, and the easement area be for a public utility.

The Grantor acknowledges that they have rights under public law and Chapter 32 of the Wisconsin Statutes, and they are hereby waiving their rights.

This easement shall be binding and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

City of Pewaukee, a Wisconsin Municipal Corporation, Grantee

BY: Scott Klein, Administrator

STATE OF WISCONSIN)
)
 SS
 _____ COUNTY)

Notary Public, State of Wisconsin
My commission expires: _____

IN WITNESS WHEREOF, Grantor has executed this Agreement this _____ day of _____, 2023

BY: _____
Lake Pewaukee Sanitary District , Grantor

BY: _____
Lake Pewaukee Sanitary District , Grantor

ACKNOWLEDGEMENT & APPROVAL

STATE OF WISCONSIN)
)SS
_____ COUNTY)

Personally came before me this _____ day of _____, 2023, the above named person(s),
_____, to me known to be the person(s) who executed the foregoing instrument and acknowledge the
same.

Notary Public, State of Wisconsin
My commission expires: _____

This document was drafted by Richard Wirtz, P.E., CFM, City of Pewaukee

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 7.**

DATE: September 18, 2023

DEPARTMENT: PW - Stormwater

PROVIDED BY: Magdelene Wagner

SUBJECT:

Discussion and Possible Action to Award the Yench Road Culvert Replacements to the Lowest Qualified Bidder, UPI LLC, in the Amount of \$159,719.50 [Wagner].

BACKGROUND:

Yench Road has 3 culverts that are failing and need replacement. In addition, there is a failed culvert/storm sewer along the west side of the road from STH 16 ditchline to the Coco Creek culverts.

The project will replace the two culverts for Coco Creek and the one culvert near the intersection of Yench Road and Capitol Drive (CTH JJ). The culvert/storm sewer along the west side of the road will be replaced with a drainage swale.

The project was bid and had 6 bidders. The bids range from a low bid of \$159,719.50 to a high bid of \$297,965.00. The low bid was UPI LLC at a cost of \$159,719.50.

We are recommending award of this project.

FINANCIAL IMPACT:

The project had a 2023 budget of \$450,000.

RECOMMENDED MOTION:

Council award the Yench Road Culvert Replacements to the Lowest Qualified Bidder, UPI LLC, in the Amount of \$159,719.50.

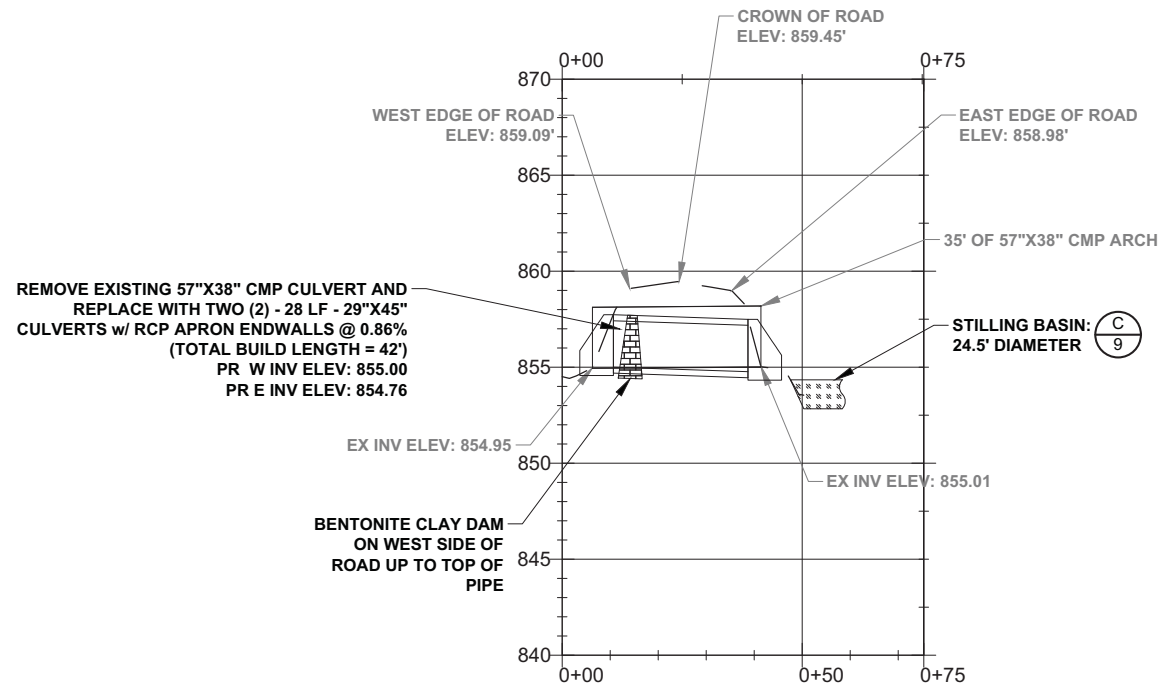
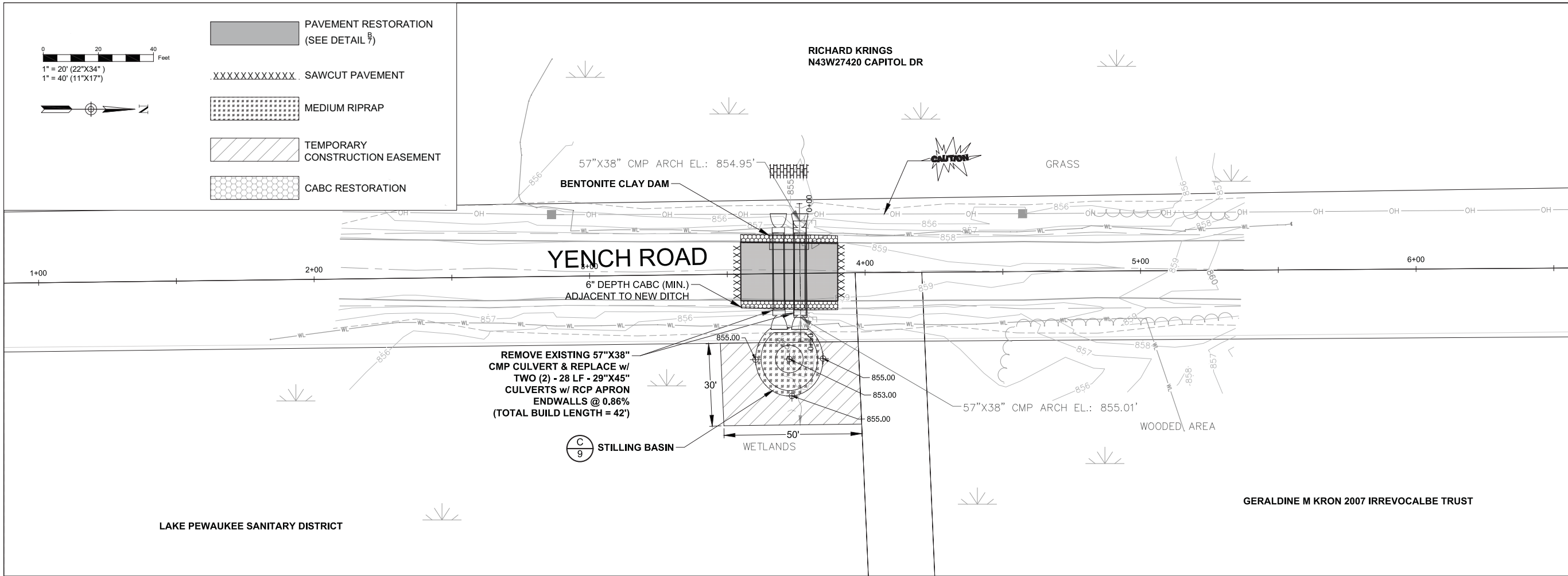
ATTACHMENTS:

Description

Plans

Bid Summary

Filename: C:\ONEDRIVE\ONEDRIVE - AECOM\DOCUMENTS - SWM REVIEWS\PEWAUKEE\02.2 YENCH ROAD DRAINAGE\000_CAD_GIS\910_CAD\913_SHEETS\YENCH RD PLAN P&P.DWG Last saved by: BUETOWA Last Plotted: 2023-09-01



AECOM

PROJECT

YENCH ROAD
DRAINAGE
IMPROVEMENTS

CLIENT

**CITY OF
PEWAUKEE**

W240 N3065 PEWAUKEE ROAD
PEWAUKEE, WI 53072
TELE: 262-691-0770

CONSULTANT

AECOM
1555 NORTH RIVERCENTER DRIVE
SUITE 214
MILWAUKEE, WI 53212
414.944.6080 tel 414.944.6081 fax
www.aecom.com

REGISTRATION

ISSUE/REVISION

I/R	DATE	DESCRIPTION

KEY PLAN

PROJECT NUMBER

60339891

SHEET TITLE

PLAN & PROFILE SHEET

SHEET NUMBER

3

Bids Received: 10:00 AM
September 14, 2023

YENCH ROAD CULVERTS
PEWAUKEE, CITY OF

BID TABULATION SUMMARY

Bidder and Address	Bid Bond or Guarantee	Addenda Acknowledged	Lump Sum Bid
Musson Brothers Inc	✓	✓	\$170,698. ⁰⁰ \$184,338. ⁰⁰
CWPurpero Inc.	✓	✓	\$197,400. ⁰⁰ \$202,360. ⁰⁰
Globe Contractors	✓	✓	\$297,965. ⁰⁰ \$304,940. ⁰⁰
UPI	✓	✓	\$159,719. ⁵⁰ \$ - 13485. ⁰⁰
Terry's Excavating	✓	✓	\$261,478. ⁶⁸ \$273,379. ²⁴
All Ways Contractors	✓	✓	\$173,640. ⁰⁰ \$171,315. ⁰⁰

UPI Apparent Low Bidder

Reviewed by: _____

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 8.**

DATE: September 18, 2023

DEPARTMENT: Public Works

PROVIDED BY: Magdelene Wagner

SUBJECT:

Discussion and Possible Action Establishing the 2024 Garbage and Recycling Collection Rates with Johns Disposal, and Moving Recycling Collection to Weekly [Wagner].

BACKGROUND:

Beginning in 2015 the City has contracted residential garbage and recycling collections with Johns Disposal. That contract contains seven billable services, four of which experience cost adjustments annually based Consumer Price Index (CPI) and Fuel Index (diesel) changes published in July. Under our contract the CIP index change of 7.72% (plus) accounts for 75% of the price adjustment and the Fuel Index change of 52.45% (plus) accounts for 25% of the price adjustment, for total price change of positive 6.200%; however, the contract provides for a maximum annual increase or decrease "cap" of no more than 2.65%. The 2.65% increase for all or portions of the four adjustment categories have been applied as shown on the attached spreadsheet. As we project and estimate the 2024 costs, it should be noted that several categories change annually: 1) the number of residential customers is estimated to increase; 2) landfill disposal tons continues to increase at about 100 tons per year due to residential growth. However, it appears to be leveling off based on the last two years. The landfill disposal amounts in 2021 (4,060 tons), in 2022 (4,060 tons), and the first half of 2023 is 1,770 tons which lead us to predict 4,400 tons again in 2024; 3) we received a County recycling "dividends" recycling operations which will reduce the per house rate.; 4) City recycling collection costs at City Hall have averaged \$70,000 for the last several years so this cost is now incorporated into the garbage rate; 5) John's Disposal has requested a rate increase of 2.65% for 2024. All the above factors result in a rate of \$183.00 per home.

Due to a large volume of recycling being brought to City Hall and at the request of a City Alderperson, Staff requested a quote for moving recycling collections to weekly rather than every other week. The weekly recycling collection would increase the cost per household to \$5.95 per unit per month. This is an increase of \$2.26 per unit per month. This would result in a garbage fee rate of \$210 per home. The feedback I have received from a few residents and our vendor (based on driver feedback) is that this would be beneficial and appreciated from our residents. This would also assist in reducing the collection at City Hall.

The Public Works Committee is recommending moving recycling collection to weekly therefore is recommending the fee to be \$210 per home.

FINANCIAL IMPACT:

The requested residential recycling and garbage collection fee of \$183 per home or \$210 per home would make the collections of garbage and recycling, both by Johns and City staff at the City Hall Campus 100% paid via the residential fee.

RECOMMENDED MOTION:

Common Council to establish the 2024 Residential Recycling and Garbage Collection Fee at \$210.00 per home per the contract and approve the weekly recycling collection.

ATTACHMENTS:

Description

2024 Garbage rate per contract

2024 Garbage rate with weekly recycling collection

2024 Budget Estimate

Garbage & Recycling Collections Rate

2.65% increase per contract

Assume: 205 up the drive; 5061 curbside.

5266 Total collection units

	Service Item	2023 per hm/month	2024 rate formula	No. units		
Garbage	Garbage Cart	\$ 0.70	\$ 0.70	5061	\$ 42,512	
	Gargage collections	\$ 4.63	\$ 4.75	5266	\$ 300,162	
	Bulky Items	\$ 1.02	\$ 1.05	5266	\$ 66,352	
	Landfill	\$ 47.38	\$ 48.29	4400	\$ 212,476	\$ 621,502 Garbage costs
Recycling	96 gal recycling cart	\$ 0.75	\$ 0.75	5061	\$ 45,549	
	32 gal recycling cart	\$ 0.40	\$ 0.40	205	\$ 984	
	recycling collections	\$ 3.59	\$ 3.69	5266	\$ 233,178	
	On site Recycling*				\$ 69,728	\$ 349,439 Recycling costs

\$ 970,941 \$ 970,941

County reimbursements for recycling

Per House/month	\$0.00	5100	\$ -
96 gal recycling cart	\$ -	5,027.00	\$ -
32 gal recycling cart	\$ -	213.00	\$ -
Total County Reimbursement 5,100 units			\$ -

per home (3.93% increase) with County

\$ 970,941 \$ 184.38 Recycling Incentive of \$0.00

County Recycling Incentive (2023 June) \$ 10,948.00

\$ 10,948

per home (2.81% increase) with County

\$ 959,993 \$ 182.30 Recycling Incentive of \$10,948.00

*Waukesha County will no longer sponsor the large recycling dumpsters at City Hall. Cost shown is 2022 expenses.

\$963,678.00

2024 Budget Estimate

Garbage & Recycling Collections Rate

2.65% increase per contract

Add \$2.26 per unit for weekly recycling pick up

Assume: 205 up the drive; 5061 curbside.

5266 Total collection units

	Service Item	2023 per hm/month	2024 rate formula	No. units			
Garbage	Garbage Cart	\$ 0.70	\$ 0.70	5061	\$ 42,512		
	Gargage collections	\$ 4.63	\$ 4.75	5266	\$ 300,162		
	Bulky Items	\$ 1.02	\$ 1.05	5266	\$ 66,352		
	Landfill	\$ 47.38	\$ 48.29	4400	\$ 212,476	\$ 621,502	Garbage costs
Recycling	96 gal recycling cart	\$ 0.75	\$ 0.75	5061	\$ 45,549		
	32 gal recycling cart	\$ 0.40	\$ 0.40	205	\$ 984		
	recycling collections	\$ 3.59	\$ 5.95	5266	\$ 375,992		Additional cost for weekly recycle pick up
	On site Recycling*				\$ 69,728	\$ 492,253	Recycling costs

\$ 1,113,755 \$ 1,113,755

County reimbursements for recycling

Per House/month	\$0.00	5100	\$ -			
96 gal recycling cart	\$ -	5,027.00	\$ -	\$ 178.00	2023	
32 gal recycling cart	\$ -	213.00	\$ -			
Total County Reimbursement 5,100 units			\$ -	\$ -		

per home (19.1% increase) with County

\$ 1,113,755 \$ 211.50 Recycling Incentive of \$0.00

County Recycling Incentive (2023 June) \$ 10,948.00

\$ 10,948

per home (17.98% increase) with County

\$ 1,102,807 \$ 209.42 Recycling Incentive of \$10,948.00

*Waukesha County will no longer sponsor the large recycling dumpsters at City Hall. Cost shown is 2022 expenses.

\$1,105,860.00

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 9.**

DATE: September 18, 2023

DEPARTMENT: PW - Stormwater

PROVIDED BY: Magdelene Wagner

SUBJECT:

Discussion and Possible Action to Awarding the Wagner Park Pond Retrofits to the Lowest Qualified Bidder, All Ways Contractors, Inc., in the Amount of \$164,767.00 [Wagner]

BACKGROUND:

The Wagner Park Pond Retrofits project consists of rehabilitating the three ponds in Wagner Park. Brush and trees will be removed from the pond edges, storm sewer end sections will be reset, sections of damaged storm sewer replaced, restoration of the pond edges, bioretention basin repairs, and restoration. The south pond has muskrats living along the waters edge which is damaging the pond and creating erosion issues. These corrections were identified in our MS4 Permit Audit and needed to be corrected.

The Wagner Park Pond Retrofits project was bid and received 4 bids. The bids ranged from a low of \$164,767.00 to a high of \$276,625.00. The lowest bidder is All Ways Contractors, Inc. in the amount of \$164,767.000.

Staff recommends awarding the project.

FINANCIAL IMPACT:

The 2023 Budget has \$350,000 allocated to this project.

RECOMMENDED MOTION:

Council award the Wagner Park Pond Retrofits to the Lowest Qualified Bidder, All Ways Contractors, Inc., in the Amount of \$164,767.00

ATTACHMENTS:

Description

Plans

Bid Summary



PROJECT
WAGNER PARK
POND RETROFITS

CLIENT
CITY OF PEWAUKEE

W240 N3065 PEWAUKEE ROAD
PEWAUKEE, WI 53072
TELE: 262-691-0770

CONSULTANT
AECOM
1555 NORTH RIVERCENTER DRIVE
SUITE 214
MILWAUKEE, WI 53212
414.944.6080 tel 414.944.6081 fax
www.aecom.com

REGISTRATION

ISSUE/REVISION

I/R	DATE	DESCRIPTION

KEY PLAN

PROJECT NUMBER
60339891
SHEET TITLE
OVERVIEW

SHEET NUMBER
3



PROJECT
WAGNER PARK
POND RETROFITS

CLIENT
CITY OF PEWAUKEE

W240 N3065 PEWAUKEE ROAD
PEWAUKEE, WI 53072
TELE: 262-691-0770

CONSULTANT
AECOM
1555 NORTH RIVERCENTER DRIVE
SUITE 214
MILWAUKEE, WI 53212
414.944.6080 tel 414.944.6081 fax
www.aecom.com

REGISTRATION

ISSUE/REVISION

I/R	DATE	DESCRIPTION

KEY PLAN

PROJECT NUMBER
60339891

SHEET TITLE
PROPOSED CONDITIONS NORTH
POND

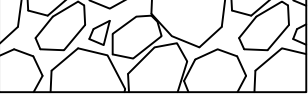
SHEET NUMBER
4

Filename: C:\ONEDRIVE\ONEDRIVE - AECOM\DOCUMENTS - SWM\REVIEWS\PEWAUKEE\22.6 WAGNER PARK POND\900_CAD\912_SHEETS\900\PEWAUKEE POND_P&P_V2_90% DWG Last saved by: VINCE CHRISTENSEN Last Plotted: 2023-09-01

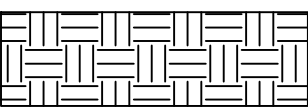
Filename: C:\ONEDRIVE\ONEDRIVE - AECOM\DOCUMENTS - SWM REVIEWS\PEWAUKEE\22.6 WAGNER PARK POND\900_CAD_GIS\910_CAD\912_SHEETS\900\PEWAUKEE POND_P&P_V2_900.DWG Last saved by: VINCE CHRISTENSEN
Last Plotted: 2023-09-01



LEGEND



REMOVE AND SALVAGE
EXISTING RIPRAP



INSTALL TOPSOIL, CLASS 1 URBAN
TYPE B EMAT, & INFILTRATION
SWALE SEED MIX



PROJECT

WAGNER PARK
POND RETROFITS

CLIENT

CITY OF PEWAUKEE

W240 N3065 PEWAUKEE ROAD
PEWAUKEE, WI 53072
TELE: 262-691-0770

CONSULTANT

AECOM
1555 NORTH RIVERCENTER DRIVE
SUITE 214
MILWAUKEE, WI 53212
414.944.6080 tel 414.944.6081 fax
www.aecom.com

REGISTRATION

NO.	DATE	DESCRIPTION

ISSUE/REVISION

NO.	DATE	DESCRIPTION

KEY PLAN

PROJECT NUMBER

60339891

SHEET TITLE

PROPOSED CONDITIONS CROSS
CULVERT

SHEET NUMBER

5



PROJECT
WAGNER PARK
POND RETROFITS

CLIENT
CITY OF PEWAUKEE

W240 N3065 PEWAUKEE ROAD
PEWAUKEE, WI 53072
TELE: 262-691-0770

CONSULTANT
AECOM
1555 NORTH RIVERCENTER DRIVE
SUITE 214
MILWAUKEE, WI 53212
414.944.6080 tel 414.944.6081 fax
www.aecom.com

REGISTRATION

ISSUE/REVISION		
I/R	DATE	DESCRIPTION

KEY PLAN

PROJECT NUMBER
60339891

SHEET TITLE
PROPOSED CONDITIONS SOUTH
AND DRY PONDS

SHEET NUMBER
6

Bids Received: 11:00 AM
September 14, 2023

WAGNER PARK POND RETROFIT
PEWAUKEE, CITY OF

BID TABULATION SUMMARY

Bidder and Address	Bid Bond or Guarantee	Addenda Acknowledged	Base Bid	Bid Alternate #1
Musson Bros	✓	✓	\$245,104.00	\$255,104.00
All ways Contractors	✓	✓	\$164,767.00	\$164,367.00
CW Purpero	✓	✓	\$197,796.00	\$199,796.00
Globe Contractors	✓	✓	\$276,625.00	\$279,625.00

All Ways Contractor Apparent Low Bidder

Reviewed by: _____

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM •**

DATE: September 18, 2023

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

§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, specifically related to the Joint Library Contract with the Village of Pewaukee.

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION: