<u>In attendance</u>:
Mayor Steve Bierce, Aldermen B. Bergman, C. Brown, B. Dziwulski, R. Grosch, J. Kara and J. Wamser.

<u>Also in Attendance</u>:
Attorney S. Riffle, Administrator S. Klein, DPW Director M. Wagner, Fire Chief K. Bierce, Park & Recreation Director N. Phalin, IT Director B. Kewan, City Planner & Community Development Director N. Fuchs, Library Director N. Champe and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance

   Mayor Bierce called the meeting to order at 7:00 pm and requested everyone stand for the Pledge of Allegiance.

2. Public Comment – None.

3. <u>Consent Agenda</u>
   3.1. Approval of the Accounts Payable Listing Dated September 8th, 2020

   <u>A motion was made and seconded (J. Wamser, R. Grosch) to approve the accounts payable listing</u>. Motion Passed: 6-For, 0-Against.

4. Presentation of the 2019 Audit by Paul Frantz - Baker Tilly

   Paul Frantz of Baker Tilly attended the meeting virtually. A presentation took place regarding Baker Tilly's audit approach and services that will be provided. Discussion took place regarding the general and main operating fund balances. Mr. Frantz stated the City has 40 percent funds in reserves and the City's general fund is in a healthy financial position. Mr. Frantz discussed the storm water management fund and stated there is $3.9 million in the fund balance assigned for storm water projects. Debt service has just under $1.2 million in fund balance and it is restricted to paying down future debt. Mr. Frantz stated the non-major funds encompass special revenue and capital project funds. These balances add up to $5.8 million with the biggest piece being the capital equipment fund, which is just under $5 million.

5. Discussion and Possible Action Related to Fire Protection on Wilson Island as Requested by Property Owner Steven Green

   Steven Green (124 McCall Street, Waukesha and property owner of the island on Pewaukee Lake) stated he spoke with Assistant Chief Hoppe regarding the Fire Department having no capability of putting out a fire on the island. Mr. Green purchased a high pressure water pump and gave it to Station 2 so they could look into a connector for this water pump and the fire station has not purchased anything yet. Mr. Green stated he is paying taxes for fire and police but is not getting service. Mr. Green felt the City should de-annex him from the City or work with the Fire Chief to get fire protection. He also stated people are dumping coals on his property and if the island burns down he will not be able to rebuild. Mr. Green is asking for Common Council to work with the Fire

Chief so fire protection can be provided or lower the taxes. He was also concerned about people using his island and the lake as a bathroom. Mr. Green was looking for Pewaukee Lake to provide floating bathrooms and mentioned that the Clean Water Act provides a 75 percent grant for the purchase and maintenance of floating bathrooms.

Chief Bierce stated he has not spoken to Assistant Chief Hoppe. Mr. Grosch commented that the City's sewer system does not provide service to that area and Lake Pewaukee Sanitary District would be responsible. Mayor Bierce recommended contacting Tom Koepp. Attorney Riffle stated Mr. Green could rebuild if there was a fire, due to it being a legal non-conforming structure. Mayor Bierce stated Chief Bierce will speak with Assistant Chief Hoppe and will get it put back on the agenda for further discussion.

6. Discussion and Possible Action Regarding the Recommendations of the Joint Park and Recreation Board for the Naming Right of Diamond #3 at the Pewaukee Sports Complex

Nick Phalin was present for this item. He was seeking approval per the Joint Park and Recreation Board in regards to the naming rights of diamond #3 at the Pewaukee Sports Complex. Mr. Phalin stated this was brought to his attention through Pewaukee Youth Baseball who is doing this as a memorial for one of their founding members, Mike Sarcia who passed earlier this year. Mr. Sarcia helped Pewaukee Youth Baseball get off the ground and running. In lieu of flowers and a memorial service his family wanted to do something that contributed to something he believed in and further develop the Pewaukee Sports Complex. Mr. Phalin stated a memorial fund was put together and $18,000 was raised for an inning by inning scoreboard. The family was also looking for naming rights and to do more dedicating in the outfield with advertising and sponsorship on the scoreboard. Mr. Phalin stated he utilized the park naming and dedication policy to come up with the donation agreement and commented it would be a 20 year term.

Mayor Bierce thought the Joint Park and Recreation Board had a fee schedule regarding the cost of naming something after a person. Mr. Phalin stated there is not. Mr. Kara stated there was a move towards that but it was never adopted or formalized.

Mr. Bergman stated the Go-Fund Me shows they have raised $23,536.50 and asked what the additional amount was for. Mr. Phalin stated the amount will be used for the scoreboard, controllers, outfield banner and home plate plaque.

A motion was made and seconded (B. Dziwulski, J. Wamser) to approve the donation of $18,000 for the scoreboard and naming rights of Mike Sarcia Field for diamond #3 as defined in the agreement. Motion Passed: 6-For, 0-Against.

7. Discussion and Possible Action Regarding the Propelling Pewaukee Sustainability Plan, Completed by UW-Milwaukee Architecture & Urban Planning Students

Mr. Fuchs recognized the students and their professors. Mr. Fuchs stated they did a nice and professional job on the plan. The task of the students was to look at the long term financial stability of the City and pointed out some of the issues and concerns including limited amount of land for future development and continued protection of natural resources. Mr. Fuchs stated there are three pillars which include environmental sustainability, economic sustainability and social sustainability.

Mr. Fuchs stated initially there was supposed to be a focus group held in April, but due to Covid they were unable to meet and an online survey was done instead. The goals and recommendations were then divided into seven sectors. Discussion took place regarding each of the sectors which included transportation, economic development, housing, affordable parks and open spaces, municipal operations, and community and natural resources.

Mayor Bierce felt it was a great study and had great ideas. Mr. Grosch felt disappointed that due to the pandemic there was a lack of participation. Mr. Grosch asked if the discussion should be done at the Planning Commission or Common Council first. Mr. Fuchs stated it will depend on the recommendation or what the City is looking to do.

8. Discussion and Possible Action Regarding a Certified Survey Map for Swan View Farms Located at W239 N4024 Swan Road (PWC 0871-996 & PWC 0871-999) for the Purpose of Subdividing the Property Into Two Separate Lots in Order to Develop a 83 Lot Single-Family Residential Subdivision

Mr. Fuchs stated the applicant is asking to complete a certified survey map subdividing out the existing farmhouse on the property which will conform to the final plat and will match the subdivision development. Mr. Bergman asked if this was approved at Plan Commission. Mr. Fuchs confirmed that is was. At that time, the revised certified survey map was not included but has been added to the packet. Mr. Bergman wanted Common Council to know it was previously discussed at Plan Commission and it was recommend for approval.

A motion was made and seconded (B. Bergman, B. Dziwulski) to approve the Certified Survey Map for Swan View Farms as presented. Motion Passed: 6-For, 0-Against.

9. Discussion and Possible Action to Approve the Final Engineer's Report for the Pewaukee Woods and Roundy's Industrial Parks Paving Project and **Resolution 20-09-17**, Finalizing the Special Assessments

Ms. Wagner stated there was an error in calculating how the engineering administration contingencies were allocated. The corrections have been made and Ms. Wagner is recommending approval to finalize the final Engineer's report and pass the final resolution which enacts the special assessments. Ms. Wagner stated this was 100 percent assessable as commercial roads.

Mr. Bergman felt this was a perfect example of how the City taxes our businesses differently than residential. It affects him personally because he owns a property in the development. Mr. Bergman stated the assessments for businesses were five figures and residents were $2,500.00. Mr. Bergman felt the burden was placed on businesses.

A motion was made and seconded (C. Brown, J Kara) to approve the final Engineer's report for the Pewaukee Woods and Roundy's Industrial Parks paving project and Resolution 20-09-17, finalizing the special assessments. Motion Passed: 5-For, 1-Abstain (Bergman).

10. Discussion and Possible Action to Approve the Final Engineer's Report for the Five Fields Subdivision Phase 4 Paving Project and Amended **Resolution 20-09-18,** Finalizing the Special Assessments

Ms. Wagner stated the same calculation error occurred in this project. She recommended approval of the amended final Engineer report and amended resolution to enact the assessment report. Mr. Bergman asked if the assessment could be paid over ten years. Ms. Wagner stated yes, with 3.24 percent interest. Ms. Brown asked if the assessment policy was used in the common areas or outlots and if it was capped. Ms. Wagner stated if it was zoned Park there would be no cap, but because it is an outlot and zoned residential, it is capped.

A motion was made and seconded (B. Dziwulski, R. Grosch) to approve the amended final Engineer's report for the Five Fields Subdivision Phase 4 paving project and Resolution 20-09-18. Motion Passed: 6-For, 0-Against.

11. Discussion and Possible Action Regarding the Award of the 2020 Inlet Repair Contract to the Lowest Qualified Bidder of Parking Lot Maintenance in the Amount of $755,549.00 and Attendant Re-Allocation of Funds

Ms. Wagner stated there was a large inlet contract each year as part of the storm water utility. This is done to catch up on the back log of failing inlets from lack of maintenance. The City was made aware of private roads that need to be reconstructed and inlets that need work. Ms. Wagner stated the work would be done before the reconstruction of the roads. These private roads have municipal owned storm sewer, sanitary and water. This includes Avondale, Spice Creek and Milkweed. Ms. Wagner commented moving forward the City would like to do pre-cast inlets which requires less maintenance. Ms. Wagner stated the bid came back at $755,549.00 but, the City had $250,000 allocated for this year. Ms. Wagner asked to reallocate $600,000 from the Emerald Acres flood mitigation project and $95,000 from the Busse Road bridge replacement that has been delayed until 2021.

Ms. Brown asked if previous replacements were still holding. Ms. Wagner mentioned the only issues were the differential settlement between what was repaired and what was existing. The inlets themselves are doing well. Ms. Brown asked if it was the same company, Ms. Wagner stated this is the fourth company that has done inlets and has not seen a difference in the quality.

Mr. Kara stated he did not know much about private streets and asked if the City plows them. Ms. Wagner commented that the City does not plow or provide any maintenance to the road. Roads and curbs are maintained by the condo association. Discussion took place regarding some of the private roads located within the City. Mr. Kara asked if this project will go into next year? Ms. Wagner stated work can go into late November.

A motion was made and seconded (B. Bergman, J. Kara) to award the 2020 inlet repair contract to the lowest qualified bidder of Parking Lot Maintenance in the amount of $755,549.00 and to authorize the reallocation of funds of $600,000.00 from the Emerald Acres flood mitigation project and $95,000.00 from the Busse Road bridge replacement to the 2020 inlet repairs. Motion Passed: 6-For, 0-Against.

12. Discussion and Possible Action to Approve **Resolution 20-09-19** Declaring Official Intent to Reimburse Expenditures for Chicago Avenue, Lincoln Avenue, Oak Street, and Peninsula Drive Road Reconstruction and Water Main Extension

Ms. Wagner stated in order to fully fund Oak Street and Peninsula Drive the City would need to borrow $670,000.00 for the road project. Ms. Wagner was asking Common Council to pass the resolution which authorizes the City to move forward and reimburse the funds that are expended from the borrowing.

A motion was made and seconded (B. Dziwulski, R. Grosch) to approve Resolution 20-09-19 declaring official intent to reimburse expenditures for Chicago Avenue, Lincoln Avenue, Oak Street, and Peninsula Drive road reconstruction and water main extension. Motion Passed: 6-For, 0-Against.

13. Discussion and Possible Action Related to the Duplainville Road Reconstruction and Trail Project
    13.1 Preliminary **Resolution 20-09-20** Declaring Intent to Exercise Special Assessment Powers Authorizing the Construction of Duplainville Road Pavement Recondition, Trail Construction, and Related Facilities Under Section 66.0703, Wisconsin Statutes
    13. 2 **Resolution 20-09-21** Declaring Official Intent to Reimburse Expenditures for Duplainville Road Reconstruction and Trail Construction

    Ms. Wagner stated Duplainville Road bridge will be replaced in 2022. As part of the project, the City would like to do the road reconstruction and piggy back on the detour route. This resolution authorizes the City to spend design dollars that are budgeted for the Duplainville Road project. This project is roughly going to cost $2 million and the City will need to borrow for it. Ms. Wagner stated there is currently $60,000.00 in the 2021 budget. Ms. Wagner would like to start moving on the design with Strand & Associates who is doing the bridge reconstruction and road project. Ms. Wagner mentioned there is $30,000.00 in the budget for the Duplainville Road trail in 2021. The Bike & Pedestrian plan has an off-trail bike system on Duplainville Road and the City considers that when doing road reconstruction. Ms. Wagner stated further discussion will take place at the next Bike & Pedestrian meeting. Ms. Wagner was asking for authorization to start spending design dollars to be prepared for construction in 2022. Discussion took place regarding the where the construction will take place on Duplainville Road and whether water and sewer applies to this project.

    Mr. Bergman asked that Ms. Tarczewski change the resolution number on the first documents to 20 and 21.

    Mr. Kara asked if the cost would fall on several people. Ms. Wagner stated it is a local arterial, and 50 percent is paid by the City and 50 percent is assessed to the property owners.

    A motion was made and seconded (B. Dziwulski, R. Grosch) to approve Resolution 20-9-20 and 20-09-2. Motion Passed: For-6, Against-0.

14. Discussion and Possible Action Regarding Woodleaf Reserve Addition No. 2 (Phase 3) Development
    14.1 Accepting **Resolution 20-09-22** to Accept Woodleaf Reserve Addition No. 2 (Phase 3) Public Improvements.
    14.2 To Approve the Release of the Final Cash Escrow in the Amount of $25,000.

Ms. Wagner stated the standard form for developers is that the City passes a resolution accepting the improvements after the one-year warranty. Ms. Wagner was asking for funds to be released upon finishing the punch list and for approval of the resolution.

A motion was made and seconded (J. Wamser, B. Dziwulski) to approve and accept Resolution 20-09-22 and release the cash escrow for Woodleaf Reserve Phase 3 development contingent on a punch list of items to be completed and approved by the City Engineer. Motion Passed: For-6, Against-0.

15. Discussion and Possible Action Limiting Parking to One Side of the Street in Springdale Estates

Mr. Dziwulski stated Springdale Estates is the largest subdivision in the City of Pewaukee. He said with the curb there are 12 foot lanes. With people parking on both sides of the street, it does not leave much room for cars to get through and felt it was dangerous with no sidewalks. Mr. Dziwulski stated he was not looking to change the winter restrictions, and this would only be from April to November. He has spoken with Chief Bierce who is whole heartedly in favor of this. Mr. Dziwulski felt this would be the first thing that could be done for the Pewaukee Sustainability Initiative to complete the street policy. Mr. Dziwulski stated he was looking for opinions from other Common Council members. Discussion took place regarding ordinance changes and parking signs. Common Council members had no objections. Mr. Kara recommended a public information meeting or public hearing before adopting. Attorney Riffle recommended inviting people in and listening to them. Ms. Wagner suggested a post card survey to get a feel of interest.

16. Discussion and Possible Action to Approve **Resolution 20-09-16** Committing to Required Funding for the Pewaukee Public Library and Requesting Exemption from the 2020 Waukesha County Library Tax Levy for 2021 Purposes

Nan Champe Director of the Pewaukee Public Library, was present for this item. Mr. Klein stated this was an annual procedure to request exemption from the County tax for library and agree to fund the library the last three years.

A motion was made and seconded (J. Kara, B. Dziwulski) to approve Resolution 20-09-16 committing to required funding for the Pewaukee Library and requesting exemption from the 2020 Waukesha County Library tax levy for 2021 purposed. Motion Passed: 6-For, 0-Against.

17. Discussion and Possible Action to Raise the Hotel Tax from 6% up to 8%

There was discussion that the last Tourism Commission meeting was extremely difficult because none of the organizations requesting money were able to get the full amount they asked for.

A motion was made and seconded (C. Brown, J. Wamser) to raise the hotel tax up to 8 percent. Motion Passed: 6-For, 0-Against.

18. Discussion and Possible Action to Start the Regularly Scheduled Common Council Meeting for October 5th, 2020 at 5:00 p.m.

A motion was made and seconded (B. Bergman, B. Dziwulski) to start the regular Common Council meeting scheduled for October 5th, 2020 at 5:00 p.m. Motion Passed: 6-For, 0-Against.

19. Public Comment - None.

20. Adjournment

A motion was made and seconded (J. Kara, R. Grosch) to adjourn the meeting at 8:37 p.m.
Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer