In Attendance:
Mayor Steve Bierce, Aldermen C. Brown, I. Clark, B. Dziwulski, R. Reinbold, P. Vetterkind and J. Wamser.

Also in Attendance:
Administrator S. Klein, DPW Director M. Wagner, Fire Chief K. Bierce, IT Director B. Kewan, Director of People and Culture K. Woldanski, 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 Regarding **Resolution 22-09-27** Related to the Exemption from the County Library Tax

   Mr. Klein stated this was a standard resolution that the City passes annually to be exempt from the Waukesha County library levy and recommended it be approved.

   Mayor Bierce noted that there was a typo in the resolution that needed to be corrected prior to it being signed. The three-year average equates to $836,493 but the language in the "therefore" section only listed $36,493.

   A motion was made and seconded (B. Dziwulski, I. Clark) to approve Resolution 22-09-27 with the noted correction. Motion Passed: 6-For, 0-Against.

4. Approval of the Accounts Payable Listing Dated September 6, 2022

   A motion was made and seconded (I. Clark, J. Wamser) to approve the accounts payable listing. Motion Passed: 6-For, 0-Against.

5. Discussion and Possible Action Regarding the Reassignment of Funds within the 2022 Capital Purchases for Parks and Recreation Equipment and Remaining Budget Neutral

   Mr. Klein stated the Parks Department purchased a pick-up truck which was slightly over budget and a trailer and a wing mower that were purchased slightly under budget. He requested the funds be reassigned to even out the expenditures.

   A motion was made and seconded (C. Brown, J. Wamser) to approve the reassignment of Parks and Recreation 2022 capital purchases as requested. Motion Passed: 6-For, 0-Against.

6. Discussion and Possible Action Regarding **Resolution 22-09-28** Pertaining to IT Capital Budget Items

Mr. Kewan was present for this item. He stated as he was reviewing his 2023 budget there was an item to improve conferencing abilities at the fire station. He said they were no longer interested in that upgrade. Mr. Kewan requested the money be used this year towards additional Aquos boards in the conference rooms at City Hall in the amount of $6,500.00. He said the remainder of the funds in the amount of $7,388.00 would be reprogrammed into upgrading the Fire Department's dispatch equipment for the new ambulances. Mr. Kewan stated the City's Firewalls were scheduled to be replaced next year but it was discovered that they are at their end of life this year. He said $15,000 has already been set aside and he would only need to spend $12,000 of the funds. He asked that the remaining balance of $3,000 continued to be set aside for future fire wall replacement.

A motion was made and seconded (C. Brown, I. Clark) to approve Resolution 22-09-28 reprograming IT capital budget expenses. Motion Passed: 6-For, 0-Against.

7. Notification of Temporary Lifting of the Green Road Weight Restriction from Duplainville Road to Springdale Road (CTH SR)

Ms. Wagner notified the Council that due to the construction work there was a need to temporarily lift the heavy weight restrictions on sections of Green Road. She said once the project is completed, the weight restrictions will be reinstated.

8. Update Related to Discussion with Waukesha County and Possible Action Regarding the Intersection at Redford Blvd and Lindsay Road

Mr. Klein stated he and the City's Director of Public Works Magdelene Wagner met with County Executive Paul Farrow, Waukesha County's Director of Public Works Allison Bussler and Engineering Manager Karen Braun. He added a few local businessmen, Jeff Mierow, Brandon Bergman and Jeff Hoffmann also attended.

Mr. Klein stated if the City suspends the project we would be responsible to pay approximately $100,000 in engineering and planning fees and the State funding would most likely go away even if a later decision would be made to continue the project. He said the County was opposed to changing the plan to anything other than an R-Cut. According to Mr. Klein, they do not feel signals at that intersection are warranted based on the traffic study that was completed.

Mr. Klein stated that intersection is dangerous to cross and ending a bike path on Lindsay Road would endanger the safety of pedestrians and bicyclists. The County agreed that is not a safe intersection for pedestrians or bicyclists and that's why the County was opposed to have any crossing there.

Mr. Klein stated there was discussion related to other options, such as a signal at that intersection but the County does not have that in their future plans and there is no funding for that project. He said the next time it could be added to their plan would be five years from now, but again they have no interest in doing so.

He said the businessmen tried to appeal to the County as far as the negative economic impact that intersection has if no signal lights were installed, which could further lead to those properties not being developed. Mr. Klein asked the County to consider lights at that intersection if the City was willing to pay for the signal. Ms. Bussler responded she was still not in favor of that option. The County Executive stated he can overrule her, although he doesn't like to do that, so no assurances were given.

Mr. Klein suggested this intersection could be the City's first TIF district if it would promote significant development.

Mr. Klein stated the County sent a letter in response to the meeting that was held asking the City to make a final determination on what we want to do. He said they ready to purchase the additional land needed to complete the R-Cut.

Mayor Bierce asked what the cost of a signaled intersection would be. Mr. Klein stated it would be approximately $1.2 million.

Ms. Wagner stated the Department of Transportation is doing their final review of the project. Ms. Wagner stated if the City does not make a decision, the County will continue with the project per the agreement.

Mayor Bierce asked if any of the Council members were ready to render a decision or if they were waiting on any additional information that should be considered.

Mr. Clark thought knowing more about acceptable TIF projects would be helpful before committing to the project.

Ms. Brown stated that doesn't make a difference as far as she is concerned. She said then the project doesn't get done and the intersection stays exactly how it is currently. She said she understands that Mr. Klein wants assurances from the County that they would allow signals at the intersection, but if not would allow the R-Cut to go through. She said according to the news the residents were against the R-Cut, so it would make no sense to put one in.

Mr. Reinbold stated he knows people who are in favor of the R-Cut. It would create a safer intersection.

Mayor Bierce stated he does not see the R-Cut being a safe situation for the larger trucks in the area. He said he is against the R-Cut.

Mr. Dziwulski stated an R-Cut is safer than having nothing. He said there were residents who wanted something done.

Mr. Clark stated he has concerns about the tight turn and having to cut across three lanes of traffic could potentially be an issue.

Mr. Vetterkind asked if any of the money spent to date could be used in the future if the City decides to move forward and improve the intersection. Ms. Wagner stated the survey could certainly be used, the wetland delineation could be used, and the soil boring could potentially be used as well.

Ms. Brown stated the all or nothing stance may show the County how serious the City is to have lights installed and not settling for the R-Cut intersection, "just in case".

Mr. Wamser said the County spoke highly of the R-Cut in Plymouth, but they don't have the traffic volume that the City has.

Ms. Wagner stated there were potential options to consider. One, to continue on-schedule with the R-Cut project. Two, revisit the traffic study to see if there were new factors to warrant a traffic signal. In that case, the City could apply for a different HISSUP grant to fund a portion of the project. She said there are no guarantees that we will meet those warrants. Three, redo the traffic counts. She said that option could not be completed until Duplainville Road is reopened. She said if the City decides to discontinue the R-Cut now the City could apply for another grant, but the construction would be significantly delayed because there is typically a three to five year cycle.

Ms. Wagner stated she did not feel the traffic study would change significantly because the growth of the North-East Quadrant, including the proposed splash pad, was factored into traffic study.

Ms. Brown called the question.

A motion was made and seconded (C. Brown, J. Wamser) to discontinue the R-Cut intersection and start proceeding on installing traffic lights at that intersection.

Mr. Klein requested that the motion be revised to receive the County Executive's commitment to the traffic lights before stopping the R-Cut completely.

Mr. Clark stated he agreed with Mr. Klein and suggested pursuing joint funding as well.

Ms. Brown stated she was not willing to revise her motion. She admitted she was fully aware that the motion could leave the intersection unchanged, and no improvements may be done.

Ms. Wagner asked if a new traffic study should be made as part of the motion. Ms. Brown stated that could be discussed at a later time.

After no further discussion, the Motion Passed: 6-For, 0-Against.

9. Public Comment

Gwenn Robinson (N41 W22812 Sunder Creek Drive) thanked the Council for listening to the concerns of the residents and their willingness to reconsider their position. Ms. Robinson asked that the City notify the HOA's when items come up that would concern them.

Reece Robinson (N41 W22812 Sunder Creek Drive) reiterated his wife's statements and also thanked the Council for their consideration. He asked if the City considered the impact of lifting the weight restrictions on Green Road since significant damage could potentially happen on the new road.

Larry Marincic (N30 W22121 Green Road) stated he has been listening to the audio of the meetings he hasn't been able to attend. He stated he was concerned that at each of the meetings there were public hearings based on the amount of comments allowed and was worried about disenfranchising other residents because they did not get notified of this topic.

10. Closed Session – You are hereby notified that the Common Council and staff of the City of Pewaukee will convene into closed session after all regular scheduled business has been concluded

and upon motion duly made and seconded and acted upon by roll-call vote as required under §19.85(1)(a), Stats. The purpose of the closed session is for the following:

- §19.85(1)(c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility specifically related to the 2022-2024 Collective Bargaining Agreement between the City of Pewaukee and the International Association of Firefighters Local 5241, A.F.L. – C.I.O.
- §19.85(1)(e): Deliberating or negotiation the purchase 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 Emergency Services 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.

A motion was made and seconded (C. Brown, I. Clark) to go into closed session at 7:29 p.m. Motion Passed Via Roll: 6-For, 0-Against.

A motion was made and seconded (B. Dziwulski, I. Clark) to go back into open session at 7:47 p.m. Motion Passed 6-For, 0-Against.

A motion was made and seconded (C. Brown, B. Dziwulski) to approve the Collective bargaining agreement with the International Association of Firefighters Local 5241 A.F.L. – C.I.O. for the years of 2022 through 2024. Motion Passed: 6-For, 0-Against.

A motion was made and seconded (B. Dziwulski, R. Reinbold) to approve the extension of the emergency services contract with the Village of Pewaukee for up to one year. Motion Passed: 6-For, 0-Against.

11. Adjournment

A motion was made and seconded to adjourn the meeting at 7:49 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer