

In attendance: Acting Mayor S. Bierce, Aldermen B. Bergman, C. Brown, J. Kara, J. Wamser and R. Grosch. Also present were Clerk/Treasurer K. Tarczewski, DPW Director J. Weigel, Attorney S. Riffle, Fire Chief K. Bierce, HR Director L. Bergersen and City Planner H. Clinkenbeard.

1.0 Call to Order and Pledge of Allegiance - Acting Mayor Bierce called the meeting to order at 7:00 p.m.

2.0 Public Comment – None.

3.0 Consent Agenda – Action

3.1 Approval of Meeting Minutes

3.1.1 Common Council Dated October 31, 2016

3.1.2 Special Common Council Dated November 14, 2016

3.2 Accounts Payable Summaries

3.3 Bartender Licenses

3.4 Award of the Sale of the Surplus 2007 Sterling Plow Truck to the Highest Bidder, the Town of Delafield in the Amount of \$40,000

3.5 Approve the Release of the Steinhafels \$50,000 Deposit for the Early Grading and Construction Agreement (Est. 9/17/2015)

3.6 Approve the Fourth Reduction of the Victoria Station IV Development Letter of Credit from \$85,533.60 to \$8,827.60 (Resulting in a \$76,706.00 Reduction) (Est. 7/15/2014)

Acting Mayor Bierce stated Item 3.1.1 was not available and it was removed from the consent agenda.

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

4.0 Discussion and Possible Action to Appoint Scott Klein as City Administrator and Approve Execution of an Employment Agreement

A motion was made and seconded, (C. Brown, J. Wamser) to appoint Scott Klein as City Administrator/Planner and authorize the execution of an employment agreement effective on November 21st, 2016. Motion Passed: 4-For, 1-Against (J. Kara).

5.0 Discussion and Possible Action Regarding **Resolution 16-11-21** Ordering a Special Election on April 4, 2017 to Fill the Remaining Term of the Mayor

A motion was made and seconded, (J. Wamser, C. Brown) to Resolution 16-11-21 Ordering a Special Election on April 4, 2017 to fill the remaining term of the Mayor. Motion Passed: 5-For, 0-Against.

6.0 Discussion Regarding the WCTC EVOC Training Course Expansion and Impact on City Residents, including Steeplechase Subdivision

Mr. Grosch and Mr. Bergman stated they both received comments from concerned citizens

regarding the increased use of the WCTC truck training facility and increased noise in the area and wanted to see if there was anything the City could do to protect their interests. Mr. Grosch added the Village has tabled this item until a noise study can be completed.

Mr. Bergman asked if the city could pass a resolution asking the Village to strongly consider the request to table the noise issue. Attorney Riffle stated sure but the Village has the control over the use of the area.

Dave Linsmeier (N27 W26033 Steeplechase Drive) stated the expansion is approximately 30 times more than what it currently occupies and he is concerned about the semi-trucks, he said the plan shows up to 21 trucks. He stated he was hoping for the support of the City where ever possible. He stated the original proposed berm was only 6-8 feet high and they have recently increased to 11 feet. He stated he has tried to get a meeting with President of WCTC to voice his concerns and possibly suggest that the area be reconfigured and have a plan for noise abatement.

Jeff Leverans from WCTC stated they have tried to keep the neighborhood involved. He said the sound study was held in December 2015 for 3 weeks and the Village has asked for a predictive sound study. He said the rendering of the 21 trucks will not be used on the track at the same time. He stated the hours are limited from 7 a.m. to 10 p.m. and in January they will restrict the hours more. He stated they feel they have been a good neighbor and want to be responsive to the taxpayers as well.

7.0 Discussion and Possible Action to Establish and Adopt a Formal Policy on Mailbox Replacements or Reimbursements Due to Snow Plowing Operations

Mr. Weigel stated it was not his intension to provide any suggestions on a policy at this time. This is to be a discussion with Public Works Committee first.

8.0 Discussion and Possible Action to Reimburse the Property Owner at N27 W22561 Burningwood Lane \$65.11 for Mailbox Repairs Due to Snow Plowing Operations

Mr. Weigel stated the property owner was not aware that the DPW Department could fix damaged mailboxes due to issues related to the snow plowing operation. He stated the owner fixed on his own and has submitted a request to be reimbursed. Attorney Riffle reminded the Council that the City has an ordinance in which nothing is to be placed in the right of way and suggested submitting a claim with our insurance company.

A motion was made and seconded, (C. Brown, J. Wamser) to reimburse the property owner at N27 W22561 Burningwood Lane in the amount \$65.11 out of the undesignated funds account for mailbox repairs. Motion Passed: 5-For, 0-Against.

9.0 Discussion and Possible Action Regarding the Request of the Victoria Station III Developer for the Release of the \$50,000 Letter of Credit (LOC #SB9817)

Mr. Weigel stated Maggie's recommendation is to approve the release contingent upon receiving a sewer televised report from our contractor and review by City staff to ensure additional work is not needed.

A motion was made and seconded, (B. Bergman, R. Grosch) to approve the request of the Victoria Station III Developer for the release of the \$50,000 Letter of Credit contingent upon of staff review of the televised report confirming that additional work is not needed. Motion Passed: 5-For, 0-Against.

- 10.0 Discussion and Possible Action Regarding the Request of the Cloverland Farms Developer for a Fifth Reduction of the Letter of Credit from \$283,353.91 to \$78,336.53 (Resulting in a \$205,017.38 Reduction) (Est. 5/19/2014)

Mr. Weigel stated Maggie's recommendation is to only release \$164,353.91 of the developer's letter of credit. Ms. Brown expressed her frustration with the condition of the road and wanted assurance that it would be repaired properly. Mr. Weigel stated there will be a seal coat added to the road in the approximate amount of \$20,000 and the pot-holes would be repaired.

Mr. Bergman asked if the engineering department was satisfied with the final grading plan. Mr. Weigel stated it is being brought into compliance with each home that is being built. Mr. Weigel stated it would make sense to wait until the area is more than 75% developed before putting on the top course of asphalt.

A motion was made and seconded, (C. Brown, J. Wamser) to approve the request of the Cloverland Farms Developer for a fifth reduction of the Letter of Credit from \$283,353.91 to \$119,000 per staff recommendation. Motion Passed: 5-For, 0-Against.

- 11.0 Discussion and Possible Action to Reschedule the January 2, 2017 Meeting due to City Hall Holiday Closure in Observance of New Year's Day

After a brief discussion, it was suggested to cancel the meeting unless needed.

- 12.0 Public Comment – None.

- 13.0 Adjourn Into 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. In this instance it is specifically related to contract negotiations for Fire and Emergency Medical Services between the City and 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, (B. Bergman, J. Kara) to enter into Closed Session at 7:48 p.m. By Roll Call Vote Motion Passed: 5-For, 0-Against.

- 14.0 Adjournment – **In closed session, a motion was made and seconded, (---, ---) to adjourn the meeting at --- p.m.**

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer