

In attendance: Mayor S. Klein, Aldermen B. Bergman, S. Bierce, C. Brown, J. Kara and J. Wamser. D. Noll and T. LaBorde were absent and excused. Also present were Clerk/Treasurer K. Tarczewski, Attorney S. Riffle, Parks, Recreation & Community Services Director K. Woldanski, Fire Chief K. Bierce Assistant Engineer M. Wagner and Utility Superintendent J. Mueller.

1.0 Call to Order and Pledge of Allegiance - Mayor Klein called the meeting to order at 7:02 p.m.

2.0 Swearing in of New Lieutenant Hendry

Chief Bierce and numerous members of the Pewaukee Fire Department were present. Chief Bierce read the official work order regarding Marvin Hendry's promotion to Lieutenant. Attorney Riffle swore Lieutenant Hendry in. Lieutenant Hendry's daughter honored him by pinning his lieutenant badge onto his uniform.

3.0 Public Comment

Brett Estes (Oak Spring South Subdivision) stated the indemnification of Lakewood Baptist Church is putting the homes in the subdivision at risk for flooding since their storm water management plan has not been approved. He asked Common Council to rescind their permit.

Ms. Wagner stated the consultant signed off on the church's plan since it meets all the requirements in accordance to the City's ordinance. She added the overland flow path is still being looked at and will be determining whether or not the swale is properly sized.

Tom Koepp from the Lake Pewaukee Sanitary District (LPSD) stated there was a parcel of land across the street from the wetland that they own and they have noticed that trees are being removed and garbage is being dumped at that site. He said the LPSD has an interest in acquiring the property. He said during the harvesting season it is a critical spot to park equipment in times when the weather gets bad.

Jerel Johnson (N27 W27378 Woodland Drive) also expressed interest in purchasing the land from the City and is willing to put contingencies on the property as to how it is to be used. He asked that his request get fair consideration.

4.0 Consent Agenda – Action

4.1 Approval of Common Council Meeting Minutes dated November 2, 2015

4.2 Accounts Payable Summaries

4.3 Bartender Licenses

4.4 **Approve Ordinance 15-12** to Repeal and Recreate §2.13(2) Regarding Collecting Taxing on Overnight Lodging (**Second Reading**)

4.5 **Approve** partial payment to Super Excavators in the amount of \$94,590.74 for the Green Road project

Mr. Wamser asked that item 4.4 be removed for discussion. Mr. Bergman and Ms. Brown both requested that item 4.5 also be removed for discussion.

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

4.4 Approve Ordinance 15-12 to Repeal and Recreate §2.13(2) Regarding Collecting Taxing on Overnight Lodging

Upon discussion it was determined that this item was brought forth on tonight's agenda because no official action was taken on this item at the last meeting. The discussion at the November 2nd Common Council meeting was to determine what amount of tourism tax should be considered for budgetary reasons.

A motion was made and seconded, (J. Wamser, B. Bergman) to take no action on this item. Motion Passed: 3-For, 2-Against (S. Bierce and J. Kara).

4.5 Approve partial payment to Super Excavators in the amount of \$94,590.74 for the Green Road project

Attorney Riffle stated there have been some disagreements while wrapping up the project. There are issues with punch list items, liquidated damages & restoration. The approval for the payment requested is a part of the project and is not above what was quoted and is owed to Super Excavators. **A motion was made and seconded, (C. Brown, B. Bergman) to approve the payment request.** Motion Passed: 5-For, 0-Against.

5.0 Discussion and Possible Action to Approve Request for Early Purchase of Ladder Truck

Chief Bierce was present for this item. He stated they found a pre-built factory demo that met the specifications they were looking for. He said there would be substantial cost savings to purchase this truck and it would be available after the first of the year. He said the vendor is offering an extended warranty which includes site visits. Chief Bierce added this is a budgeted item in 2016.

A motion was made and seconded, (S. Bierce, J. Wamser) to approve the \$500,000 down payment for the early purchase of ladder truck. Motion Passed: 5-For, 0-Against.

6.0 Discussion and Possible Action Regarding 2016 Building Inspection Services Agreement

Ms. Woldanski was present for this item and asked what the goal of the contract is. She stated the need for this service in the Village has been declining over the past few years. Ms. Woldanski was directed to review the permit information and determine whether or not we are adequately covering all of the City's costs in providing this service and bring it back at the next meeting for further discussion. Mayor Klein reminded Ms. Woldanski that this is a contract not a joint department.

7.0 Discussion and Possible Action to Review the Intergovernmental Cooperation Agreement between the City of Pewaukee and Village of Pewaukee specifically Regarding Capital Expenditures for the Joint Library

Mayor Klein stated leftover funds from the library budget were being put in a capital improvements account. It has been recently determined that the library is now purposely budgeting to put funds in this account.

It was suggested that the City continue funding the library every year, but perhaps at a minimum the City is required to do to maintain the exemption from the County library tax.

Attorney Riffle suggested that the Mayor send a letter to them requesting they consider what a

rational “slush fund” would be to cover unanticipated capital maintenance costs and suggest they use the remaining funds to defray future budget requests.

8.0 Discussion and Possible Action Regarding the Design for New Water Tower

Mr. Bergman stated he wanted the City’s residents to be able to give their opinion on how the water tower is to be painted. The Council decided to go with three (3) color combination choices; light green top / dark green bottom, light blue top / dark blue bottom and white top / black bottom with red lettering. A notice is to be placed in the tax insert and color renderings and voting will be set up on the City’s website. People will be allowed to vote until January 31st.

9.0 Electronic Recycling (PWC 10/29/15)

9.1 Authorize the City to participate in the Waukesha County Electronic Recycling Event plan for 2016

Ms. Wagner was present for this item. She said the County is moving towards an “Event Site” venue. The City of Pewaukee would host a few times out of the year. The users will be expected to pay for the service at the time of use. No costs will be incurred by the City.

A motion was made and seconded, (J. Wamser, B. Bergman) to approve the contract with Waukesha County. Motion Passed: 5-For, 0-Against.

9.2 Authorize staff to begin discussions with Refrigerant Recycling, LLC to collect appliances at the City Hall Campus Recycling Center

Ms. Wagner stated Refrigerant Recycling, LLC has found a way to take the material and make money on it. They are willing to pick up at various collection sites and all we will need to do is call when our container gets full.

A motion was made and seconded, (C. Brown, J. Wamser) to authorize staff to begin discussions with Refrigerant Recycling, LLC to collect appliances at the City Hall Campus Recycling Center. Motion Passed: 5-For, 0-Against.

10.0 Discussion Regarding ***Ordinance 15-14*** to Fix and Establish the Amount of Salaries, Wages and Allowances Which Shall Be Paid by the City of Pewaukee to its Non-Union Employees (***First Reading***)

Mr. Bierce asked if any of the amounts changed from what was previously discussed as part of the budget. Ms. LaBorde was not at the meeting to verify.

11.0 Discussion Regarding ***Ordinance 15-15*** to Fix and Establish the Amount of Salaries, Wages and Allowances Which Shall Be Paid by the City of Pewaukee to its Union Employees (***First Reading***)

There was no discussion regarding this item.

12.0 Discussion and Possible Action Regarding Appointments to Various Boards, Commissions and Committees

Mayor Klein reported that he didn't receive anything from Jim Treadwell as of yet. He'll attempt to contact him again this week.

13.0 Public Comment – None.

14.0 Adjourn Into Closed Session – You are hereby notified that the Common Council 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. Common Council members and staff will attend the closed session. The purpose of the closed session is for the following:

- 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 as authorized under §19.85(1)(e), Stats., specifically with regard to requests received to purchase city-owned land on Oak Street.

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.

A motion was made and seconded, (S. Bierce, B. Bergman) to go into closed session at 8:40 p.m. Motion Passed by roll call vote: 5-For, 0-Against.

15.0 Adjournment - **A motion was made and seconded, (B. Bergman, S. Bierce) to adjourn the meeting from closed session at 8:47 p.m.** Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer