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

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. Consent Agenda
   3.1. Approval of the Accounts Payable Listing Dated August 1, 2022
   3.2. Approval of the Special Event Permit for Lake Country Canine Carnival with Recommendation from the Joint Parks and Recreation Board

   Ms. Brown asked that Item #3.2 be removed for discussion.

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

   3.2 Approval of the Special Event Permit for the Lake Country Canine Carnival with Recommendation from the Joint Parks and Recreation Board

   Ms. Brown asked about having dogs, alcohol, no fencing, no garbage cans, or security in the park. She was concerned with how they would be monitoring who was 21, who is not, and if people would be drinking all over the park. She asked how they are going to handle events when dogs are not allowed in the park, but they are for special events. Ms. Brown asked if there would be an extra fee and who would be responsible for cleaning up after their dogs.

   Mr. Phalin stated the parks have a no dog policy, although it is not strongly enforced. He said the City made concessions last year for the Woman's Club special event at Kiwanis Park which included a dog walk. Mr. Phalin stated fencing would not be needed because they were using the baseball side of the complex and people would be inside the ball diamonds. He noted there would be dog competitions, a dog/owner look-a-like contest and different things that would generate revenue. Mr. Phalin said concessions and alcohol sales would be on the extra slab of driveway or potentially in the building, although it had not been finalized. He noted they could put in delineations for alcohol. Mr. Phalin stated it is not a party, it's a four-hour event that will include approved bartenders who will be checking ID's. Ms. Brown asked if the Police Department had been notified and if the Fire

Department has signed off on the event. Mr. Phalin stated the special event has not been sent out yet.

Mr. Reinbold asked if there was a larger deposit for the event due to dogs being destructive. He also noted the responsibility should be on the dog owners to clean up, and not Park and Recreation staff. Mr. Phalin stated the group using the park is The Friends of the Park and any revenue they generate is donated back to the park 100 percent. Mr. Phalin stated the expectation is all dogs are leashed.

Mr. Clark stated 300 is a lot of people and cars. He felt the event may need police involvement due to the amount of traffic. He noted that Taste of Lake Country had a heavy police presence and feels there should be security at the event. Mr. Phalin noted the Sports Complex has over 500 parking spots and there should not be an issue with the flow of traffic. He said 300 people is not a large volume of people for that park on any given weekend and additional security has not been required. Mr. Phalin noted the Sheriff's Department does consistent park checks.

A motion was made and seconded (C. Brown, B. Dziwulski) to approve the special event for the Lake Country Canine Carnival contingent on securing alcohol to a specific area, providing wrist bands, Sheriff's Department approval and waiving fees. Motion Passed: 6-For, 0-Against.

4. Discussion and Possible Action Regarding Funds from Parks and Recreation Sales Tax Amendment

Mr. Phalin stated recreation agencies are not forced to file sales tax on instructional programs. He said prior to him starting here the City of Pewaukee was paying five percent sales tax to the Department of Revenue on every program the City ran. He noted it was corrected in 2020. Mr. Phalin said he came across information that an amendment could be filed back four years. He said he worked with Ms. Sazama in the Clerk's office and submitted the documentation back to 2017. Mr. Phalin said this led to a reimbursement of $38,929 and he would like to use the funds towards the splash pad and all-inclusive playground.

Mayor Bierce stated he thought the all-inclusive playground and splash pad was using no tax funds and would be funded 100 percent through donations. Mr. Phalin said the City is trying to find funding sources creatively and would like to fund it 100 percent through donations and sponsorships but felt that since this wasn't previously allocated funds it might be a good use for the funds.

Ms. Brown felt since Mr. Phalin found out about it and worked so hard to get it back that it should be put towards something.

Mr. Clark asked about the security cameras at the parks and if the funds could be put towards that. He also asked what the total was for adding security at the parks and if this amount could offset the cost. Mr. Phalin stated with contingencies, the camera installation and key card access was about $110,000-$115,000. He said there was already a motion and second to fund the security cameras.

Mr. Vetterkind felt this was taxpayers' money and he was not sure about using the money towards the splash pad.

Mayor Bierce requested to push this to a future meeting.

Mr. Klein stated the City always knew there would be a playground at the Sports Complex. He noted the City has outfitted other parks with playgrounds using taxpayers' money. Mr. Klein thought some of the ARPA money could be used as matching donations for the Sports Complex inclusive playground and felt some of the infrastructure work for the playground would be part of park development. If the City would have built a playground there the City would have been putting in rubber mating, slides, and other things. He felt this was offsetting what the City would have spent.

Ms. Brown felt Mr. Klein's points were valid and she did not have a problem with the money going towards the all-inclusive park and splash pad.

Discussion took place regarding taxpayers funding the park.

A motion was made and seconded (C. Brown, J. Wamser) for Park and Recreation to keep the 70 percent and put it towards what the Park and Recreation Board felt it should go towards. Motion Passed: 5-For, 1-Against (P. Vetterkind).

5. **PUBLIC HEARING**, Discussion and Possible Action Regarding the Conditional Use Permit for William & Beverly Waltz for Property Located at W277 N2531 Rocky Point Road (PWC 0934-035) for the Purpose of Constructing a Boathouse

Mr. Fuchs noted the application was for a new 432 square foot boat house. He stated staff recommended approval and approved a mitigation plan that would allow the proposed lot coverage.

Mayor Bierce opened the public hearing.

Bill Bachman (W278N2619 Rocky Point Road) said he was in favor of this and feels it enhances the lake.

Mayor Bierce closed the public hearing.

Mr. Wamser stated he would like to see consistency with what the City allows and what the DNR allows. He feels there is a lack of that here. Attorney Riffle stated to accomplish that, the ordinance needs to be changed. Mr. Fuchs noted staff is working on an amendment that should be on the August Plan Commission and would move to Common Council in September. He said it is more in line with what the County requires.

Mr. Reinbold asked if there would be a rail structure. Mr. Fuchs noted there was not.

Ms. Brown asked if there were stairs to a top deck and if Plan Commission had anything against stairs going up to a party area or additional space. Mr. Fuchs stated there were no concerns, but it must be within the height requirements.

A motion was made and seconded (I. Clark, P. Vetterkind) to approve the Conditional Use Permit. Motion Passed: 6-For, 0-Against.

6. Discussion and Possible Action Regarding a Certified Survey Map for Rodger and Rita Fedel for Property Located N4 W27327 Hilltop Drive (PWC 0984-058 & PWC 0984-060) for the Purpose of Moving the Common Lot Line and Creating Two Lots, and Removing the Outlot Designation of Outlot 2 of the Arrowhead Trails Subdivision Addition No. 2

Mr. Fuchs stated the owner owns two lots within the subdivision. The owner would like to shift the property line so that he has a treed area and would sell the other property. Mr. Fuchs noted it still conforms to the Rs-4 district standards and he recommended approval.

Mr. Wamser asked if there were assessments on the sewer. Ms. Wagner noted municipal sewer was brought in around 2005 or 2006 and assessments have been paid. She said they would have to put in a well.

A motion was made and seconded (I. Clark, R. Reinbold) to approve the Certified Survey Map for the purpose of moving the common lot line and creating two lots and removing the outlot designation of outlot 2 of the Arrowhead Trails Subdivision Addition No. 2. Motion Passed: 6-For, 0-Against.

7. Discussion and Possible Action Regarding the Final Plat for Woodleaf Reserve Addition No. 4 (PWC 0865-992 & PWC 0865-175)

Mr. Fuchs stated this plat contains 27 lots and 7 outlots and all lots conform to the Rs-6 district minimums. He said staff recommended approval with a few conditions related to the flood plain set back on the final plat.

A motion was made and seconded (C. Brown, I. Clark) to approve the final plat for Woodleaf Reserve. Motion Passed: 6-For, 0-Against.

8. Discussion and Possible Action to Change the Address Style from Coordinates (W240N3065) to a More Traditional Style (1234)

Mr. Vetterkind stated he was approached by City of Pewaukee business owner Duane Maas who is interested in changing addresses from coordinates to a 123 Main Street type address.

Mr. Maas stated he has talked to business owners over the years about the addresses in the City. He said he doesn't know what exactly needs to be done and knows it isn't a simple solution, but feels it is worth investigating.

Mayor Bierce did not see the pros equal up to the time, effort, and money it would take.

Mr. Dziwulski stated the cost will be substantial to businesses and individual residents.

Mr. Klein stated everyone would have to make so many changes and it would be a tremendous undertaking.

Mr. Maas commented that the addresses affect property values. Mr. Dziwulski stated it does not.

Mr. Reinbold asked if there has been a cost analysis done. Mr. Klein stated no.

Mr. Wamser stated he agrees with Mr. Maas on the business sense.

No action was taken.

9. Discussion and Possible Action to Approve the Second Reduction of Woodleaf Reserve Phase 5 Letter of Credit from $1,436,472.46 to $1,290,427.21 (A reduction of $146,045.25)

Ms. Wagner stated this is a second reduction for Woodleaf Reserve Phase 5. She noted there is adequate letter-of-credit remaining for the remainder of the project and staff recommends approval.

A motion was made and seconded (B. Dziwulski, I. Clark) to approve the second reduction of Woodleaf Reserve Phase 5 letter of credit. Motion Passed: 6-For, 0-Against.

10. Discussion and Possible Action to Approve the Final Engineer's Report for the Bluemound East Industrial Park Paving Project and **Resolution 22-08-24**, Finalizing the Special Assessments

    Ms. Wagner requested the City adopt the final Engineers report and final resolution.

    Mr. Wamser asked how the City finalizes it when water is coming over the road and flooding out the property. Ms. Wagner stated that is a different project.

    A motion was made and seconded (I. Clark, R. Reinbold) to approve the final Engineers report and Resolution 22-0-24. Motion Passed: 6-For, 0-Against.

11. Discussion and Possible Action Regarding Phase 2 of the Public Works Facility
    - 11.1 Award the Construction of a New Salt Shed Building to the Lowest Qualified Bidder, J.H. Hassinger.
    - 11.2 Award the Construction of a New Fueling Island to the Lowest Qualified Bidder, Walt's Petroleum Service.

    Mr. Klein noted these bids were for Phase II of the DPW project construction after acquiring the Quad Graphics land. He said the salt shed came in under the estimate that was put in the budget by $35,000. He said the fueling island was never in the original budget because the City was not sure if they would acquire the Quad Graphics land. They did get an estimate that came in $20,000 lower than estimated. Mr. Klein stated he is asking for approval to proceed.

    Mr. Vetterkind stated it was good to hear it came in under budget, but disappointed there was only one bidder. He asked if it was a reputable company. Mr. Klein stated Waltz does most of the projects in the area.

    Ms. Brown asked about the alternate for the salt shed. Mr. Klein stated the salt shed in the yard is heavy timber post columns and the horizontal post are thick treated lumber. He said the new one will have a concrete lower level, covered with plywood so salt does not touch the concrete. Further discussion took place regarding the esthetics of the building. Ms. Brown asked about the $400,000 that was put into capital expense for the current salt shed and where the money is coming from for the fuel island. Ms. Wagner noted the money was reallocated to Public Works. Mr. Klein stated the fuel island was included in the borrowing and it is in line with the budget.

    A motion was made and seconded (B. Dziwulski, J. Wamser) to award the construction bids. Motion Passed: 6-For, 0-Against.

12. Discussion and Possible Action Related to the Proposed Projects that could be Potentially Borrowed for

    Mr. Klein stated he sat down and went over all the projects Ms. Wagner is proposing and feels they can be accomplished. He noted they are needed projects and if they get put off, the City could have to borrow later at a higher rate. Mr. Klein asked Ehlers what happens if you can’t complete the proposed projects. He said Ehlers advised him that the $27 million borrowing are bonds and must be used for that project or similar projects. Mr. Klein noted it can also be applied to debt service.

Ms. Brown noted she asked for this discussion because she didn't feel comfortable not knowing what projects were being done or borrowed for.

No action was taken.

13. Discussion Related to **Ordinance 22-16** Pertaining to Fair Housing *(First Reading)*

Mr. Riffle noted that in 2021 legislature changed definitions and broadened those who are covered.

A motion was made and seconded (C. Brown, R. Reinbold) to approve and wave the second reading. Motion Passed: 6-For, 0-Against.

14. Discussion and Possible Action Regarding Appointments to Various Board, Committees and Commissions

Mayor Bierce stated he had no recommendations at this time.

15. Discussion and Possible Action to Determine Whether or Not the September 5th, 2022 Common Council will be Cancelled or Rescheduled Due to the Labor Day Holiday

After a brief discussion it was determined the first meeting in September is typically cancelled unless there is something pressing.

16. Discussion and Possible Action to Establish the 2023 Budget Schedule

Mr. Klein went over the budget schedule.

17. Public Comment - None.

18. Adjournment

A motion was made and seconded (I. Clark, P. Vetterkind) to adjourn the meeting at 7:46 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer