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

Also in Attendance:
Attorney R. Bitar, Administrator S. Klein, DPW Director M. Wagner, Utility Manager J. Mueller, Fire Chief K. Bierce, 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 - Please limit your comments to two (2) minutes, if further time for discussion is needed please contact your District Alderperson prior to the meeting.

   Richard Carr (W268 N2433 Meadowbrook Road) stated it has been two years since he came before the Common Council. He said after two years, litigation is over and it cost him $45,000 to save $1,200 a year in taxes. He added it went 100 percent his way as he originally stated. Mr. Carr stated he filed a motion for two sanction motions. He stated they pulled the two cow per acre rule. Mr. Carr stated the rule wasn't in the law or in the manual. He added he does not trust the Attorney, Assessor, or City staff to give accurate information on what the decision was. Mr. Carr said the sanctions motion was filed to have the Attorney pay his legal fees and the judge granted the motion. Mr. Carr noted the Attorney for the City's insurance company needs to pay him $28,000 for making invalid arguments. He said he condensed the 20-page decision into a 10-page summary. Mr. Carr stated after he deposed the assessor the City Attorney called his Attorney to come up with a settlement. He said he negotiated a settlement and someone in the City refused the settlement. He added that litigation went on for an additional year and the arguments made by the City Attorney were so frivolous that now he must pay $28,000. Mr. Carr stated he gave notice in January that he was suing the City in a separate lawsuit for abusive process. He added this lawsuit allows him up to $200,000 in damages and he is asking for all of it. Mr. Carr said it is important for the Council to read the brief, so they know what is happening. He added it's not over and he hasn't even started.

3. <u>Consent Agenda</u>
   - 3.1 Approve Common Council Meeting Minutes Dated March 20, 2023
   - 3.2 Approve Common Council Meeting Minutes Dated June 19, 2023
   - 3.3 Approve of Accounts Payable Listing Dated July 17, 2023

   Mr. Clark stated he did not attend the March 20, 2023 meeting and he would be abstaining from Item #3.1.

   Mr. Reinbold stated he did not attend the June 19, 2023 meeting and he would be abstaining from Item #3.2.

   <u>A motion was made and seconded (B. Dziwulski, J. Wamser) to approve the consent agenda</u>. Motion Passed: 6-For, 0-Against.

4. Discussion and Possible Action Regarding the Request of Point Burger Bar to Hold a Car Show with Amplified Music and Outside Alcohol Sales on September 16, 2023 *(Rain Date September 23, 2023)* in the Parking Lot

Ms. Tarczewski stated Point Burger Bar applied for a Special Event Permit and it was reviewed by the Fire Chief and Sheriff's Lieutenant and neither of them had concerns. She noted they still need to pay the permit fee of $300.

Ms. Brown stated she was concerned about people driving into other establishments and asked if there would be fencing. Lora Schaefer from Point Burger Bar stated she can put up fencing and will work with Chief Bierce

A motion was made and seconded (J. Wamser, C. Brown) to approve the Special Event Permit for Point Burger Bar contingent upon receiving the permit fee and putting up a fence. Motion Passed: 6-For, 0-Against.

5. Discussion and Possible Action Regarding Relocation Order **Resolution 23-07-09** for the Gun Club Lift Station Replacement.

Ms. Wagner stated the City continues to work on the replacement Gun Club lift station which includes a capacity upgrade and improvements to the operation. She said the City will be able to build the building on the site and will not need to require any additional land but will require a temporary grading easement. She said this is the first step in obtaining the easement from adjacent property owners and is asking for Council's approval of the relocation order.

Ms. Brown asked if it would be free. Ms. Wagner stated she will come back to the Council when she has a number. She stated it is a temporary impact and should not cost much and will be included as part of the project cost.

A brief discussion took place regarding the placement and location of the lift station.

Mayor Bierce asked if there was any advantage to holding on to the old station. Ms. Mueller stated it will be an all-concrete building and substantially different than current operations. She added it will have a dual chamber system with four pumps versus the three pumps it currently has. Ms. Mueller stated there is no reason to keep it.

Mayor Bierce asked if it would go before Plan Commission. Ms. Wagner stated the building will go before Plan Commission in August.

A motion was made and seconded (C. Brown, I. Clark) to approve Resolution 23-07-09. Motion Passed: 6-For, 0-Against.

6. Discussion and Possible Action Regarding Water Quality Testing Results, Specifically Related to Well #8

Ms. Mueller stated Water Utility is required to sample water throughout all 12 wells. This year they asked the City to monitor PFAS. She stated several wells have small levels but well #8, the Still River well, has a large hit of PFAS. She added it exceeds the health and hazard index as it relates to the Department of Health Services. Ms. Mueller said the City was notified in June that the well was contaminated, and the City met with the DNR on June 21. The City was given the choice to either take the well out of service and maintain it with a quarterly notice stating there was PFAS contamination found in the well or take the well out of service with a onetime notice and proceed with a treatment plan for the facility. Ms. Mueller stated after speaking with a consultant, it was determined the City could operate without the well in service for a period of time.

Ms. Mueller stated the City will start looking at pilot testing and a treatment process for continuing the operation down the road. She added the public notice has not gone out to customers yet and the well has been out of service since the City was notified as they felt comfortable waiting until the Common Council meeting. She noted the notice will go out at the end of the week. Ms. Wagner stated the language in the packet is required in the notice and follows the DNR and Department of Health format and criteria.

Mayor Bierce asked if they offered a remedy or if the City needs to come up with their own remedy. Ms. Mueller stated there are such low limits on the levels that labs cannot test accurately for the four percent they are trying to achieve. She said it's going to be extremely difficult and expensive to put a treatment process together.

Mr. Vetterkind asked if the City was given any ideas on how to mitigate it. Ms. Mueller stated granular activated carbon and reverse osmosis are things they have identified. Mr. Reinbold asked if they have tested multiple times. Ms. Mueller stated it is the first round and testing is just beginning.

A brief discussion took place regarding testing and entry point samples.

Mr. Clark asked if the letter will be distributed to only people who draw from these wells. Ms. Mueller stated all the City's wells run through the same set of piping, so all water customers will receive the letter along with people who are charged private fire protection. Mr. Reinbold asked about a flyer going in with the notice or on the website. Ms. Mueller stated she is gathering information for the website. She said she considered keeping the well in service, but customers are also being notified about the radium exceedance and felt it would be too complicated and confusing with two notifications in one letter. Ms. Mueller stated the City could use the well if needed, and if used, the City would need another public notice done within 30 days of use.

Mayor Bierce asked what would happen if seven of the eight wells tested positive. Ms. Mueller stated the City would go with a quarterly notice stating the levels found in the wells.

Mr. Vetterkind asked if other communities are having this issue. Ms. Mueller stated she has not heard anything publicly.

Ms. Mueller stated this is informational only and she will be meeting with a consultant on Thursday to see what the next course of action will be.

7. Discussion and Possible Action to Award the Pilgrim Rest Cemetery Road Reconstruction to the Lowest Qualified Bidder [Wagner]

Ms. Wagner stated the Pilgrims Rest Cemetery road was part of the 2023 budget and 2022 borrowing. She said it was bid out recently and five bids were received. The project will be removing and replacing the asphalt and base, and she added that they will be installing a geogrid which will bridge the soft areas that are underneath the existing pavement. She added that they will be placing conduit underneath the edge of the roadway for future camera or electrical. Ms. Wagner stated it was allocated for $400,000, and the lowest bid was $198,575 from Parking Lot Maintenance. She noted the project will be completed this year.

Mr. Reinbold asked if they would be closing the entrances and if there was a plan in place if they found anything while digging up the old roads. Ms. Wagner noted the entrances will remain open and will be temporarily closed when the project is done. She added that they have the notification process that needs to be followed in the contract and will meet with the contractor and foreman when on site.

Ms. Wagner noted it is phenomenal price and a local business, and it has been a dry season and contractors have been looking for additional work.

A motion was made and seconded (B. Dziwulski, R. Reinbold) to award the Pilgrim Rest Cemetery road reconstruction to the lowest qualified bidder. Motion Passed: 6-For, 0-Against.

8. Discussion and Possible Action Regarding the Selection of the 2024 Health Insurance Plan for all City Employees. [Woldanski]

Ms. Woldanski noted Humana is leaving the commercial market at the end of the year. She said the City has been doing some shopping and has looked at the State Health Plan and plans the broker has provided. She said the numbers she provided are as if we were going with them as of this year. Ms. Woldanski said the two options she brought to leadership were the State Plan PO14 and a commercial plan called Group Health Trust. She noted Group Health Trust matched Humana's Plan and did a little better on coinsurance. Ms. Woldanski noted that the City went with a high deductible account many years ago, which helped the City get better rates, but the HRA was hit hard. She said Humana had a 35 percent renewal in 2023 and the only way to bring it down was to change the co-insurance to 50 percent, and the City is picking up more this year than last year. Ms. Woldanski stated when she shopped commercially, she wanted to get the co-insurance back up to 80 percent.

Ms. Woldanski stated the State Plan is very different. She said it is not a high deductible plan and employees pay $500 out of pocket for an individual and $1,000 out of pocket for family. She noted the employee will only pay a copay until the deductible is met. She said the only caveat is that durable medical equipment, hearing aids and cochlear implants have a higher deductible. She said the City had to go through an underwriting program to see if the City is at risk and it came back as we are. The plan came back with a surcharge for year one. In year two, the surcharge could be reduced 50 percent, and in year three it would go away, and the City would be required to stay with them for three years. Ms. Woldanski said the surcharge would be an additional $240 a month for an individual and $600 for a family. She noted the City would have to go through the underwriting process again since the numbers they provided were as of September 1. Ms. Woldanski noted the City can cover up to 88 percent of the premiums under the State Plan and 85 percent for Group Health Trust.

Ms. Woldanski stated there is also an All-Access Plan that has no restrictions and allows employees to go anywhere, although the cost is higher.

Ms. Woldanski said the surcharge affects the City and employees in the first year. She noted the City cannot pick up the surcharge because the City is getting hit with it also. Ms. Woldanski stated once the surcharge goes away, more often there is a savings. She said there were two other programs the City looked at. One program had an increase of 25 percent and the other was 40 percent. Ms. Woldanski stated the City budgets $1.7 million, and she said with the surcharge, the City would pay $17,000 more than we do right now and without the surcharge the City would save $170,000. Ms. Woldanski noted the State plan can offer retirees insurance until Medicare kicks in. She added the City still plans to offer the five percent wellness rebate.

Ms. Woldanski stated the cons to the State Plan include the requirement of a 65 percent participation rate, although the City is at 88 to 90 percent, the surcharge, limitations to plans available in an employee's county, and any WRS employees must be offered insurance. She said the City currently offers a 25 percent buy out to employees who do not take the City's insurance, and in 2023 the buyout amount was $2,000. She added that employees changing from single to family enrollment during the initial enrollment must take the All Access Plan the first year.

Ms. Woldanski stated the Group Health Trust Plan provider coverage is very much like Humana, as they have a national cooperative non-profit pharmacy network, and doctors included are zero pay. She stated the cons include subject to price increases, the City would have to continue utilizing the HRA, and they have mandatory generic medication requirements. She said when she presented the options to the leadership group, they were in favor of the State Plan.

A discussion took place regarding deductible amounts.

Mr. Klein stated Ms. Woldanski checked with peers in local government and their response to the State Plan was very positive. Mr. Klein added the State Plan increase has only been a two to four percent increase annually, and Humana typically starts at 30 percent and then the City must make big changes to get it down to 18 percent.

Ms. Brown stated she appreciated all the work that went into putting all the data together.

A motion was made and seconded (C. Brown, B. Dziwulski) for the City to go with the PO14 ETF plan and to remind the Council at budget time of the surcharge. Motion Passed: 5-For, 1-Against (Wamser).

9. Public Comment - None.

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)(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, specifically related to the Joint Fire/EMS 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 (J. Wamser, B. Dziwulski) to go into closed session at 7:35 p.m. Motion Passed: 6-For, 0-Against by roll call vote.

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

A motion was made and seconded (B. Dziwulski, I. Clark) to approve the contract for fire services with the Village as presented. Motion Passed: 6-For, 0-Against.

11. Adjournment

A motion was made and seconded (C. Brown, J. Wamser) to adjourn the meeting at 7:48 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer