

Office of the Clerk/Treasurer

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-SECOND REVISION-
COMMON COUNCIL
MEETING NOTICE AND AGENDA
Monday, May 20, 2019
7:00 PM

Common Council Chambers ~ Pewaukee City Hall
W240 N3065 Pewaukee Road ~ Pewaukee, Wisconsin

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1. Call to Order and 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.
 3. Consent Agenda
 - 3.1. Approval of the Common Council Meeting Minutes Dated April 1, 2019
 - 3.2. Approval of the Common Council Meeting Minutes Dated May 6, 2019
 - 3.3. Approval of Accounts Payable Listings
 - 3.4. Approval of Bartender License
 - 3.5. Designate \$26,966 of Funds to Come Out of the 2019 Contingency Fund Budget Instead of 2018 Contingency Fund Budget for the Financial Management Study and Impact Study
 - 3.6. Concur with Recommendation from the Human Resources Committee to Approve the Recommended Compensation Program for Utility Staff for Obtaining the Collection System and Iron Removal Certifications to Take Effect the Pay Period After it is Approved.
 4. Introduction of the New Pewaukee Library Director, Nan Champe [Kara]
 5. Discussion and Possible Action Regarding the Request of the Town of Brookfield to Establish a Border Agreement [Klein]
 6. Presentation of the Police Services Quarterly Report [Lt. Ripplinger]
 7. Discussion and Possible Action Regarding the Well #6 Rehabilitation and Pump and Motor Replacement [Mueller]
 8. Discussion and Possible Action to Authorize the Execution of the Soo Line/Canadian Pacific License Agreement Attendant to the Emerald Acres Flood Mitigation Project [Weigel]
 9. Discussion and Possible Action to Authorize the Water Rate Case Application Submittal to Public Service Commission [Weigel]
 10. Discussion and Possible Action to Recommend the Consultant to the Wisconsin Department of

Transportation Selected by the Consultant Selection Committee for the Duplainville Road Bridge Replacement Design Services (Bridge ID B-67-009) and to Authorize the Mayor to Sign the Attendant Agreements and Documents with the State/Consultant if Necessary Under the State Grant Process Contingent on the Approval of the Forms by the City Engineer and City Attorney, if necessary, if Required Prior to the June 3rd Common Council Meeting [Weigel]

11. Discussion and Possible Action Regarding the Appointments to Various Boards, Commissions and Committees [Mayor Bierce]
12. 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.
13. Adjournment

Kelly Tarczewski
Clerk/Treasurer

May 17, 2019

NOTICE

It is possible that members of other governmental bodies of the municipality may be in attendance to gather information that may form a quorum. At the above stated meeting, no action will be taken by any governmental body other than the governmental body specifically referred to above in this notice.

Any person who has a qualifying disability under the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible format must contact the Clerk/Treasurer, Kelly Tarczewski, at (262) 691-0770 three business days prior to the meeting so that arrangements may be made to accommodate your request.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.1.**

DATE: May 20, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of the Common Council Meeting Minutes Dated April 1, 2019

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Minutes 4-1-2019

In attendance:

Aldermen B. Bergman, C. Brown, B. Dziwulski, R. Grosch, J. Kara, and J. Wamser. Mayor S. Bierce was absent and excused.

Also in Attendance:

Attorney V. Anderson, Administrator S. Klein, DPW Director J. Weigel, Assistant Engineer M. Wagner, Park and Recreation Director N. Phalin, City Assessor J. Siebers, and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance

In the absence of Mayor Bierce, Council President C. Brown opened the meeting at 7:00 p.m.

2. Public Comment

Kathy Guetenkunst stated her client is the High Point Center Church and would be part of the closed session discussion this evening. She referenced the letter she sent to the City Clerk dated January 25, 2019. She said this property has historically been a church. It was tax exempt up through and including 2017 and on August 23, 2018 her client received a letter stating it was going to be reassessed. The land was going to residential acreage and building improvements / new construction (addition to residence) and would no longer be exempt. Ms. Guetenkunst stated the property remains consistent to its original use; a church.

3. Introduction of the New Joint Park and Recreation Director Nick Phalin

Mr. Klein introduced Nick Phalin to the Members of the Common Council. He said they had a very strong group of applications for this position and Nick was everyone's top choice.

Mr. Phalin stated he is already in week four and Kelley has been a great resource for him. He stated previously he worked the communities of Greendale and Shorewood. He said he was excited to be here and looks forward to serving the community.

4. **PUBLIC HEARING** for Steeplechase Phase Two Road Paving Project

4.1 Discussion of the Engineer's Report and Proposed Special Assessments

Mr. Weigel stated there are two public hearings on tonight's agenda. He said he would talk about them separately even though they were bid out as one large project to save costs. He said the second phase of the Steeplechase subdivision includes Deer Haven Drive, Woodburn Court, part of Coachman Drive, and Crestview Drive. He called attention to the assessment roll and noted that it included all of the members of Steeplechase phase one and two due to the commonly owned outlot. Mr. Weigel stated the homeowner's association representative reached out to him and asked that it be spread out among all the property owners in the area, so the original phase would be adjusted to add the prorated portion of the outlot.

He said the project was bid out on February 27th and two bids were received and Payne and Dolan was the low bidder. He said there are 54 lots in the Engineer's report. The total cost for the project is approximately \$562,000 which would equate to \$10,408 per parcel but the current

City road paving cap for 2019 is only \$2,639. There is additional charges for the outlots; phase one properties will be charged \$83.54 and phase two properties will be charged \$114.74. He said there are additional infrastructure costs such as sanitary sewer at the cost of \$35,505 covered by the Sanitary Sewer Utility, water utility costs of \$30,975.10 paid for by the Water Utility, and storm water utility costs of \$38,726 paid for by the Storm Water Utility. The overall cost of the project, including administrative costs, is \$662,284.

Ms. Brown asked for an explanation of the different charges for the outlots.

Mr. Bergman questioned the budgeted amount vs what the proposed project totals were. Mr. Weigel stated different portions of the project were coming out of different accounts within the budget, such as Storm Water, Sewer and Water Utilities as well as the road budget. Mr. Bergman suggested all future outlot assessments be automatically charged to the various property owners. Attorney Anderson stated that is usually determined by declaration of restrictions for the subdivision.

Mr. Kara recalled an issue with Steeplechase phase one. Ms. Wagner stated there was a workmanship issue with the curbs and they were all replaced. She said it was the fault of the sub-contractor. Mr. Kara asked if Engineering had any reservations about using Payne and Dolan again. Ms. Wagner had no concerns. Mr. Kara asked how the interest rate was determined. Ms. Tarczewski stated it is based on the amount the City was charged the last time they borrowed funds plus an additional 1%.

Mr. Dziwulski asked if Payne and Dolan was still able to complete the work since they just received a large paving project for Foxconn. Mr. Weigel stated he did not think we could ask them to withdraw their bid. Mr. Dziwulski stated there were issues with the Springdale Estates paving job, where the road remained unfinished for a long period of time. Ms. Wagner stated the City's contracts require additional milestones to keep the project moving. Mr. Weigel stated overall the completion dates are contractual. Attorney Anderson stated the City could activate the bond and hire whoever they'd like to complete the work if needed.

Ms. Brown opened the public hearing. Michael Johnson (N28 W26391 Crestview Drive) stated he was willing to pay for the repairs to Crestview Drive but not necessarily for the outlot in the Steeplechase subdivision. He asked if he was actually paying for his fair share. Mr. Weigel stated Mr. Johnson was only paying for one home's worth. Mr. Johnson also asked if the Galilee Lutheran Church was exempt from the assessment charges. Mr. Weigel stated no and they would actually be charged at the full amount of \$10,408. Mr. Johnson asked if the people on Crestview Drive could be given a different rate than those in Steeplechase. Mr. Weigel stated he can't change a contract arbitrarily the contract would have to be rejected and rebid it. Ms. Wagner stated this road project has met the cap, she said he would most likely be paying the same amount if it was bid out separately.

Mark Schmiedel (N27 W26270 Crestview Drive) asked the Engineering Department how they determine when a road actually needs to be replaced. He said most of Crestview Drive is in good shape. He admitted the entrance could use some resurfacing. Mr. Weigel stated the roads are rated and if we go into a neighborhood they want to get it done all at once.

Ms. Brown closed the public hearing at this time. Mr. Weigel asked Common Council to hold off on their determination until after the next public hearing.

5. **PUBLIC HEARING** Regarding the Fox View Court Road Paving Project

5.1 Discussion and Possible Action Regarding the Engineer's Report and Assessment Roll

Mr. Weigel stated this was right off Springdale Road. He said this is a single cul-du-sac and the curbs are breaking apart. The whole center island curb needs to be removed and replaced along with the outside curbs. The pavement showed numerous cracks as well. He said the pavement costs are running approximately \$4,000 per unit, with the cap of \$2,600 and the curb costs is also running about \$2,600 per unit. The storm water utility will pay for half of these costs. He said the City's policy is to assess each element of repair.

Mr. Bergman asked why the owner of the property off of North Avenue is being assessed. Mr. Weigel stated the owner of the property that accesses the driveway that serves the other parcels. He said he and Ms. Wagner discussed it and decided to make them part of the project. It would be easier to take him out if it was determined that should be done. Mr. Weigel stated there are four duplex buildings with two units each. So each parcel is looking at paying \$5,278.00.

Ms. Brown opened the public hearing. Tom Weghorst (N19 W22075 Fox View Court – Unit 1B) stated he was the president of the Fox View condominium association. He said there are only eight members of this group. He said the owner are in favor of the work because the road is in such ill repair. He said he believes the damage is due to the snow plows. Mr. Weghorst stated the road is only 25 years old and has very little traffic. He said they would be paying 57% of the project. Mr. Weghorst asked when the project would start. Ms. Wagner stated it takes approximately 30 days to award the contract and could move forward at that point. They will send notification to the property owners when a schedule is set and would be providing a point of contact if issues come up. Mr. Weghorst stated they want to make sure they can get in and out during the construction and get to their mailboxes. Ms. Wagner stated they will have access to their driveways and mailboxes, but at times there may be delays. There was discussion about blending the curb. Mr. Weghorst asked about the payment plans and interest that would be charged. Mr. Weigel stated it would be detailed and provided when the project is closed. Mr. Weghorst state he thought the property that was being discussed earlier should not be required to pay the assessment. Mr. Weigel stated the Common Council could make that determination, but stated that only three of the duplex owners would be paying for the project and the fourth one would not. Mr. Weghorst asked if the assessment amount would change for the remaining properties. Mr. Weigel stated it would not.

Ms. Brown closed the public hearing at this time. Mr. Kara stated percentage of cost seems high compared to the Steeplechase project. Mr. Bergman stated it is a product of math; the total number of homes in the project.

Mr. Bergman stated he does not feel the property off of North Avenue should to be assessed since they won't reap any benefits of the cul-du-sac being paved. Mike Kreiter (N20 W22133 North Avenue – Unit 4A) stated he'd be willing to bear some of the assessment costs.

6. Discussion and Possible Action to Award Steeplechase Phase 2 and Fox View Court Paving

Contracts to the Lowest Qualified Bidder, Payne and Dolan Based on the Lowest Qualified Bid of \$565,978.84.

A motion was made and seconded, (J. Kara, B. Dziwulski) to award the Steeplechase Phase 2 and Fox View Court paving contracts to Payne and Dolan in the amount of \$565,978.84.

Motion Passed: 5-For, 0-Against.

7. Consent Agenda

- 7.1. Approval of the Common Council Meeting Minutes Dated March 4, 2019
- 7.2. Approval of the Common Council Meeting Minutes Dated March 18, 2019
- 7.3. Approval of Accounts Payable Listings
- 7.4. Approval of Bartender License

Ms. Brown noted that the minutes from March 4th, 2019 have not been completed and should be removed from the consent agenda. Mr. Kara stated he would be abstaining from the March 18th, 2019 minutes.

A motion was made and seconded, (J. Wamser, B. Dziwulski) to approve the remaining items on the consent agenda. Motion Passed: 5-For, 0-Against, 1-Abstain (J. Kara) from the February 18, 2019 meeting minutes only.

8. **PUBLIC HEARING** Regarding the Class B (Beer) and Class C (Wine) Licenses for Battle House MKE LLC Located at W229 N1400 Westwood Drive Unit C and Naming Stacy Gonzales as Agent

Ms. Tarczewski stated the liquor license for this location was originally issued to Sabr Tag and they have recently gone out of business. She said Battle House wishes to take over and they are only requesting a beer and wine license. They have submitted all the other necessary paperwork. At this time Ms. Brown opened the public hearing and no one indicated they wished to speak on the matter. The public hearing was immediately closed.

A motion was made and seconded, (J. Wamser, R. Grosch) to issue the beer and wine licenses to Battle House and name Stacy Gonzales as the Agent. Motion Passed: 5-For, 0-Against.

9. Discussion and Possible Action Related to the 2018 DNR Storm Water Report

Mr. Weigel stated every year a NR216 report needs to be prepared. He said Rich Wirtz provided a brief synopsis of accomplishments. He said the report will tell you what the storm water fees are actually being used for. The report also indicated areas that need attention. No action was needed on this item.

10. Discussion and Possible Actions to Approve a Developers Agreement, Letter of Credit, and Wellhead Protection Special Permitted Use Agreement as Necessary for the Planned Development of Parcel PWC 0962-998-005 Located on Northmound Drive Attendant to the Development Proposal of Briohn Building Corporation to Construct One Multi-Tenant Building as Recommended by the City Plan Commission

Mr. Weigel stated the property owner is currently looking to have the City vacate a portion of right-of-way on Northmound Drive, which they want to acquire to create a cul-du-sac. He said this single building development construction will require a public road to be constructed with large drainage

pipes underneath it and moving of a hydrant. This will require a developer's agreement and letter of credit. He said what is rare about this site is that it is adjacent to one of the City's drinking water wells and wellhead protection areas and there are certain setbacks that need to be followed under state and local code. He added there is a provision within our code also to allow it. He said specifically related to the detention ponds. The setback prohibits holding ponds.

Mr. Weigel provided a report by Strand Engineering which stated the proposed design is appropriate in that location and therefore the City would consider a special permitted use for it. Per the recommendation of the City Attorney it was discussed that the permitted use permit should be folded into the developer's agreement. The signing of the document should be contingent upon the final approval of by the City Engineer, City Administrator, and the City Attorney.

Mr. Kara stated his concern is making sure the well is being protected. Mr. Klein stated that is why they asked for a report from Strand Engineering. Mr. Kara asked if the City did a cost analysis on this project. Mr. Klein stated the City has never weighed one project over another based on what the City will receive in return. Mr. Siebers stated he has worked in different municipalities with TIF districts and developers are required to offer a minimum value guarantee. Mr. Weigel stated taxpayers should not pay for the development and that is why certain costs are billed back to the developer.

Ms. Brown stated one of the concerns she has is that the tenant that wants to go into the building uses various chemicals and she worries about the closeness of well. Mr. Klein stated the chemicals will be discharged to sanitary sewer. Mr. Weigel is also concerned but doesn't have enough knowledge to make a judgement. He said most households use the same chemicals but not at the amount of the proposed tenant.

Mr. Kara asked if the fire chief had any concerns on a hazmat level. It is reasonable to assume that extra precautions should be made since they are potentially dealing with carcinogens. Mr. Weigel stated the property owners need to report the chemicals they use.

Mr. Grosch stated the storm water pond is proposed to be within the wellhead projection and asked what the setbacks were. Mr. Weigel replied 400 feet and the property owner wants to be just beyond 50 feet. Mr. Grosch then asked if it was a shallow or deep well. Mr. Weigel responded it was in between, he said it was a fractured limestone well.

Ms. Brown asked if there were going to be any issues with the construction of the building being so close to the wells. Mr. Weigel stated he was more concerned about the dynamic compaction method to pound the ground. He said particular attention will be paid to the construction oversight and testing and monitoring.

A motion was made and seconded, (J. Kara, B. Bergman) to approve the developers agreement, letter of credit and the wellness protection permit and authorize signature upon the approval of City Administrator, City Engineer and City Attorney. Motion Passed 5-For, 0-Against.

11. Public Comment - None.

12. 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)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Specifically related to the Excessive Assessment Claims for the following:
 - W232 N3471 Hunters Ridge Road (PWC 0908-996)
 - N26 W24511 College Avenue (PWC 0931-999-014)
 - N17 W24300 Riverwood Drive (PWC 0949-991-001)
 - N45 W25338 Lindsay Road (PWC 0877-996-004)

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. Dziwulski, R. Grosch) to go into closed session at 7:51 p.m. Motion Passed by Roll Call Vote: 5-For, 0-Against.

13. Adjournment

While still in closed session, a motion was made and seconded, (J. Wamser, B. Dziwulski) to adjourn the meeting at 8:15 p.m. Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.2.**

DATE: May 20, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of the Common Council Meeting Minutes Dated May 6, 2019

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Minutes 5-6-2019

In attendance:

Mayor Steve Bierce, Aldermen B. Bergman, C. Brown, B. Dziwulski, R. Grosch, J. Kara, and J. Wamser.

Also in Attendance:

Attorney S. Riffle, Administrator S. Klein, Assistant Engineer M. Wagner, Utility Manager J. Mueller, Director of People & Culture K. Woldanski, Planner & Community Development Director N. Fuchs, and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance – Mayor Bierce opened the meeting at 7:00 p.m.
2. Public Comment - None.
3. Consent Agenda
 - 3.1. Approval of the Common Council Meeting Minutes Dated April 1, 2019
 - 3.2. Approval of the Common Council Meeting Minutes Dated April 15, 2019
 - 3.3. Approval of Accounts Payable Listings
 - 3.4. Approval of Bartender License
 - 3.5. Approve **Resolution 19-05-07** Related to the Contacts for Open Records Requests
 - 3.6. Affirm Kelly Tarczewski Continued Appointment as Cemetery Sexton
 - 3.7. Affirm Nick Fuchs Continued Appointment as Zoning Administrator
 - 3.8. Concur with the Recommendation of the Human Resources Committee that the Human Resources Committee be Included on Final Interviews of Department Head Positions and that Final Approval of Department Head Positions be Given by the Common Council.

Mayor Bierce pulled the meeting minutes dated April 1, 2019.

A motion was made and seconded, (J. Wamser, R. Grosch) to approve the remaining items on the consent agenda. Motion Passed: 6-For, 0-Against.

4. Discussion and Possible Action Regarding the Request of the Town of Brookfield to Establish a Border Agreement

Mr. Klein stated representatives from both the City and Town of Brookfield wanted to be present but were not available. He asked that this item be tabled.

A motion was made and seconded, (J. Kara, J. Wamser) to table this item until the next meeting. Motion Passed: 6-For, 0-Against.

5. Discussion and Possible Action to Table/Reschedule the **PUBLIC HEARING** Regarding the Conditional Use for the Property Located on Golf Road and CTH G (PWC 0940-999-001) for the Purpose of Developing the Robert J. Stenz Family Trust Property Consisting of Two and Four-Family Residential Buildings Under the Rm-1 PUD Zoning Designation as Requested by Jim Forester to June 3rd, 2019

A motion was made and seconded, (B. Bergman, R. Grosch) to table the Stenz conditional use public hearing for the residential buildings until June 3rd, 2019. Motion Passed: 6-For, 0-Against.

6. Discussion and Possible Action Regarding Hiring MSDSOnline(C) to Perform a Chemical Inventory and Establish an Online Tracking System for Safety Data Sheets in Accordance with our Safety Program and Regulations.

Ms. Woldanski was present for this item. She stated the City is no longer in compliance with our chemical inventory; it is outdated and has not been kept up. She said Ms. Bergersen has researched a few companies and found this company to have the lowest annual maintenance cost. Ms. Woldanski stated they could do an inventory at all of our buildings and vehicles this year. She said this was not a budgeted item and would cost \$9,500 plus \$1,500 annually. The information would be available on our website. Council members wanted to be sure that the City owns the data in case we wanted to cancel the service. There was additional discussion related to this topic.

A motion was made and seconded, (B. Dziwulski, J. Wamser) to approve hiring MSDSOnline to perform a chemical inventory and establish a tracking system in the amount of \$9,500 with the funds that would come out of the contingency fund. Motion Passed: 6-For, 0-Against.

7. Discussion and Possible Action to Create an Engineering Design Consultant Selection Committee for Project No. 2370-04-00_2370-04-70, the Duplainville Road Bridge Replacement (Spring Creek Bridge B670009)

Ms. Wagner was present for this item. She estimated only one meeting would be needed to review the consultants for the bridge project. Mr. Bergman, Mr. Grosch and Mr. Wamser volunteered to be on the committee.

A motion was made and seconded, (J. Kara, R. Grosch) to appoint Mr. Bergman, Mr. Grosch and Mr. Wamser to the Engineering Design Consultant Selection Committee.

Motion Passed: 6-For, 0-Against.

8. Discussion and Possible Action Regarding a Certified Survey Map for NCL Graphics Located at N29 W22960 Marjean Lane for the Purpose of Combining Five Separate Lots into a Single Parcel (PWC 0914-008)

Mr. Fuchs was present for this item. He stated this is a condition of the site and building plan which was recommended by the Plan Commission. He said it would combine five existing lots into one parcel.

A motion was made and seconded, (C. Brown, B. Dziwulski) to approve the certified survey map for NCL Graphics. Motion Passed: 6-For, 0-Against.

9. Discussion and Possible Action Regarding **Ordinance 19-12** Rezoning the Property From RS-2 Single-Family to M-2 Limited Industrial as Requested by Klein Dickert for the Purpose of Developing a New Manufacturing and Office Facility (PWC 0866-997-001, PWC 0866-997-002, PWC 0866-997-003)

Mr. Fuchs stated items 9 – 12 are related to the Klein Dickert development. He stated they will be constructing a 54,335 square foot industrial building on three existing parcels at the northwest corner of Lindsay and Duplainville Road. He said the Plan Commission already reviewed the site and building plans. Mr. Fuchs stated the southernmost parcel is currently zoned RD-2 and the applicant is asking to rezone it to M-2.

Ms. Brown asked if anyone opposed the project. Mayor Bierce stated no one opposed the rezoning. He said the biggest opposition was the site plan, specifically the landscaping and that has to go back to the Plan Commission. Mayor Bierce stated the residents of Victoria Station were concerned about how this would look. Mr. Bergman gave more detail related to the landscaping. Ms. Brown brought up the need to have Klein Dickert change the Business Plan of Operation to the City of Pewaukee form, because they used the Village's form in error.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to approve Ordinance 19-12 rezoning the property from RS-2 to M-2. Motion Passed: 6-For, 0-Against.

10. Discussion and Possible Action Regarding **Ordinance 19-11** Amending the Comprehensive Master Plan to Change the Year 2050 Land Use/Transportation Plan for Klein Dickert for Property Located at the Northwest Corner of Duplainville Road and Lindsay Road from Medium Density Residential to Manufacturing / Fabrication / Warehousing (PWC 0866-997-003)

Mr. Fuchs stated this was just dealing with the southernmost part of the parcel. He said the zoning needs to be consistent with master plan.

A motion was made and seconded, (C. Brown, J. Kara) to approve Ordinance 19-11 amending the comprehensive master plan. Motion Passed: 6-For, 0-Against.

11. Discussion and Possible Action Regarding **Resolution 19-05-09** Authorizing the Release, Waiver and Vacation of Prior Storm Water Retention Easements Upon Portions of Parcels 1, 2 and 3 of Certified Survey Map Number 8264 for Properties Located at Approximately W227 N4755 Duplainville Road (PWC 0866-997-001, PWC 0866-997-002, PWC 0866-997-003)

Mr. Fuchs stated there are three existing storm water retention easements among the three properties and they cross over property lines. He said he believed it to be due to a previously proposed development that never went through and are no longer needed. The only caveat is that a portion of easement in the southwest corner is requested to remain and be noted on the certified survey map.

Attorney Riffle stated he specifically asked Engineering about this because he had concerns. He said we'd only relinquish the easements once the new certified survey map is recorded with the new easements would we release the old ones.

A motion was made and seconded, (J. Kara, B. Dziwulski) to approve Resolution 19-05-09. Motion Passed: 6-For, 0-Against.

12. Discussion and Action Regarding a Certified Survey Map for Klein Dickert for Property Located at W227 N4755 Duplainville Road for the Purpose of Combining Three Existing Parcels into a Single Lot (PWC 0866-997-001, PWC 0866-997-002, PWC 0866-997-003)

Mr. Fuchs stated this certified survey map combines three lots into one to avoid building and parking setback issues and lot coverage issues.

A motion was made and seconded, (B. Dziwulski, J. Kara) to approve the certified survey map for Klein Dickert. Motion Passed: 6-For, 0-Against.

13. **PUBLIC HEARING** and Possible Action to Approve **Resolution 19-05-10** to Vacate Approximately 0.1320 Acre of City of Pewaukee Right-of-Way and Attach the Entirety to Property Located at W226 N918 Northmound Road For the Purpose of Accommodating the Development of

a 131,400 Square Foot Industrial Building (PWC 0962-998-005) Per the Request of Briohn Building Corporation

Mr. Fuchs stated this has been before the Common Council previously. He said this was the final step in the process. He said Briohn Building would be shifting the unapproved cul-du-sac that leads north to the Sanitary District #3 building to the south, and the City would retain the right of way to have access to the building.

Mayor Bierce opened the public hearing. No one expressed an interest in speaking so the Mayor immediately closed the public hearing.

Ms. Brown asked why some signatures were obtained from nearby property owners. Mr. Fuchs stated the State requires property owners within 2,650 feet from the area to be vacated.

A motion was made and seconded, (B. Bergman, J. Wamser) to approve Resolution 19-05-10.

Motion Passed: 6-For, 0-Against.

14. Discussion and Possible Action Regarding a Preliminary Certified Survey Map for Briohn Building Corporation for Property Located at W226 N918 Northmound Drive for the Purpose of Dedicating the Right-of-Way (PWC 0962-998-005)

Mr. Fuchs stated this certified survey map would dedicate the right-of-way and easements. It is preliminary and final approval should be in June.

A motion was made and seconded, (B. Bergman, B. Dziwulski) to approve the preliminary certified survey map. Motion Passed: 6-For, 0-Against.

15. Discussion and Possible Action Regarding North Avenue Well #6

15.1 Resolution 19-05-11 Declaring an Emergency for Repairs to North Avenue Well #6

Ms. Mueller and Ms. Wagner were present for this item. Ms. Wagner stated there are currently several issues with the well system. She said last month money was transferred from well number #6 to #7. Then within a few days an alarm was received for well #6 notifying us that there was a motor failure and other mechanical issues. Well #1 is still not working at full capacity due to the pumping system and well #2 on Green Road is having issues with the radium treatment system. Ms. Mueller stated the Northmound well is running at a reduced rate, because it is not compliant with the gross alpha. Ms. Wagner stated the Department of Natural Resources (DNR) has been notified and recognizes the dire situation and basically has asked if we have capacity to service our community.

Ms. Wagner stated given these multiply factors, we don't have the time for the full bidding process to repair this well. She said our hardest pumping months are coming up shortly. She asked the Common Council to declare an emergency. Attorney Riffle stated there is a provision within the state statutes that the governing body can declare such an emergency and our situation meets that criteria. He said the DNR is looking at us to determine whether or not we could meet emergency water needs. Ms. Mueller stated the City's water production is reduced by 1/3 to 1/2 at this time.

A motion was made and seconded, (B. Bergman, B. Dziwulski) to approve Resolution 19-05-11 declaring for the emergency repairs to the North Avenue well.

Motion Passed: 6-For, 0-Against.

15.2 Replacement of 14" Motor, Pump, Cable, Column Pipe, and Associated Components Currently Available to Expediently Repair Well #6.

Ms. Mueller stated she provided motor options that are currently available. She recommended going with the rebuilt Byron Jackson motor in the amount of \$119,055. She said if that motor is not available she'd like the ability to pursue the Endar motor based on its availability.

A motion was made and seconded, (C. Brown, R. Grosch) to repair Well #6 in an amount not to exceed \$132,000 with the money to come out of the sewer utility reserves which is to be repaid with the rest of the money that water utility owes the sewer utility.
Motion Passed: 6-For, 0-Against.

16. Discussion and Possible Action Regarding Repairs to the Lakeview Avenue Boat Launch.

Ms. Wagner stated complaints have come in regarding boat props being damaged at our boat launch. She said staff went to the site and saw a pile of stone and muck at the far end of the launch. The equipment we have available could not reach that far in the lake. She said staff decided to close the boat launch on Friday and notified police and the lake patrol. Unbeknownst to staff, Tom Koepp from the Lake Pewaukee Sanitary District noticed the closing and took out a barge and leveled the debris and opened the launch and never reported it to staff.

Mr. Klein stated staff has to verify whether or not it was actually fixed. Ms. Wagner stated staff looked at it and feels the debris was pulled back enough as not to damage anyone's props. However, she said, Mr. Koepp told her he felt something that may indicate there is still an issue on the left side of the launch. She stated she still wants someone to come in and do an inspection of the launch. She also stated we should need to determine if a dredging project is necessary at this time. Ms. Wagner also suggested taking a harder look at who is actually using the boat launch to determine if it is appropriate or not.

Ms. Wagner stated the DNR is aware of what Mr. Koepp did to repair the problem at the launch and it could potentially be an issue that the City will have to come to terms with. The DNR sees it as an environmental issue and regulates such actions. She said what Mr. Koepp did was technically considered a dredging project and should have gotten a permit from the DNR. Ms. Wagner stated she would discuss this further with the DNR warden.

Ms. Wagner concluded that she would still like the funds to do the inspection of the launch and would like a report with recommendations on a potential maintenance schedule, and to determine the capacity of launch. She also wants to know if barges should be restricted and look for suggestions to manage the activity and possibly issue different permit fees for such activities.

A motion was made and seconded, (J. Kara, R. Grosch) approve up to \$4,000 to perform a boat launch inspection and use report related to the capacity with the money to be paid back with boat launch fees collected. Motion Passed: 6-For, 0-Against.

17. Discussion and Possible Action to Approve **Resolution 19-05-08** Authorizing a Supplemental Indenture Relating to Industrial Development Revenue Bonds, Series 2011 (Harken Project), and the Execution Thereof

Attorney Riffle stated back in 2011 the Council approved the Industrial Revenue Bond for the use by Harken. The lenders are saying there may be a change on how LIBOR is calculated in the future and therefore they want to amend the documents to reflect how the interest would be calculated.

A motion was made and seconded, (B. Bergman, B. Dziwulski) to approve Resolution 19-05-08. Motion Passed: 6-For, 0-Against.

18. Discussion and Possible Action to Upgrade Office Furniture for Multiple Departments in the Amount of \$5,113.12 and Taking the Funds Out of Contingency

Mr. Klein stated furniture was purchased and he charged the expenses to the city hall operating supplies account but it was pointed out to him that would not be the appropriate account to use. He asked for the money to be taken out of the contingency fund.

A motion was made and seconded, (B. Dziwulski, R. Grosch) take money out of the contingency fund to pay for the new office furniture. Motion Passed: 6-For, 0-Against.

19. Discussion and Possible Action to Appoint a Common Council President

Attorney Riffle stated this decision should come directly from the Council members. The Mayor should not make any recommendations.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to appoint Ms. Brown as Council President. Motion Passed: 6-For, 0-Against.

20. Discussion and Possible Action Regarding the Appointments to Various Boards, Commissions and Committees

Mayor Bierce stated he did not hear back from everyone as of yet and would take this up at the next meeting.

21. Public Comment – None.

22. Adjournment

A motion was made and seconded, (B. Bergman, R. Grosch) to adjourn the meeting at 8:16 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.3.**

DATE: May 20, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of Accounts Payable Listings

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

A/P 5-20-2019

Additional Check Registry

ACCOUNTS PAYABLE FOR 2019	5/20/2019	TOTAL:	\$ 1,176,580.88
Vendor Name	Document Date	Document Amount	Transaction Description
1ST AYD	4/19/2019	\$ 371.87	P&R TRASH BAGS 55 GAL CAP
1ST AYD	4/24/2019	\$ 265.31	P&R GLOVES, GLASSES
1ST AYD	4/24/2019	\$ 720.61	P&R AERESOL,WIPES,RESTRM CLNR
ADP SCREENING & SELECTION SERVICES	4/29/2019	\$ 1,007.39	HR EMPLOYEE SCREENING
ADVANCED DISPOSAL	4/30/2019	\$ 4,361.16	HWY APRIL 2019 TRASH COLLECTIO
AILCO EQUIPMENT FINANCE GROUP	5/1/2019	\$ 412.00	IT ENG PLOTTER LEASE
AIRGAS	4/30/2019	\$ 101.36	FD OXYGEN
AIRGAS	4/30/2019	\$ 151.96	FD OXYGEN
AIRGAS	4/4/2019	\$ 301.29	HWY WIRE MIG
ALADTEC, INC	5/8/2019	\$ 2,980.00	IT ALADTECONLINE SUBSCRIPTION
ALL CITY COMMUNICATIONS INC.	4/1/2019	\$ 65.35	SW APRIL CHARGES
ALL CITY COMMUNICATIONS INC.	5/1/2019	\$ 65.20	SW MAY 2019 SERVICE
ALPHA OMEGA CLEANING, INC.	5/1/2019	\$ 134.00	P&R JANITORIAL SVCS WAGNER PK
ARAMARK	4/18/2019	\$ 79.73	HWY UNIFORMS
ARAMARK	5/2/2019	\$ 79.73	HWY UNIFORMS
ARAMARK	4/25/2019	\$ 79.73	HWY UNIFORMS
ARAMARK	4/11/2019	\$ 79.73	HWY UNIFORMS
Baker Tilly Search & Staffing, LLC	4/21/2019	\$ 2,503.00	CT TEMP LABOR WE 4/21/19
Baker Tilly Search & Staffing, LLC	4/7/2019	\$ 2,720.00	CT D BERTH W/E 4/7/19
Baker Tilly Search & Staffing, LLC	4/14/2019	\$ 2,601.00	CT D BERTH W/E 4/14/19
Baker Tilly Search & Staffing, LLC	4/28/2019	\$ 1,709.75	CT BERT/LBARR W/E 4/28/19
Baker Tilly Search & Staffing, LLC	3/24/2019	\$ 2,584.00	CT D BERTH W/E 3/24/19
BOND TRUST SERVICES CORP	1/23/2019	\$ 150.00	CT PROMISSORY NOTES
BOUNDTREE MEDICAL	4/23/2019	\$ 563.23	FD EMS SUPPLIES
BOUNDTREE MEDICAL	4/18/2019	\$ 81.00	FD EMS SUPPLIES
BOUNDTREE MEDICAL	4/18/2019	\$ 81.00	FD EMS SUPPLIES
BOUNDTREE MEDICAL	4/29/2019	\$ 289.71	FD EMS SUPPLIES
BOUNDTREE MEDICAL	5/8/2019	\$ 423.85	FD EMS SUPPLIES
BOUNDTREE MEDICAL	5/3/2019	\$ 42.00	FD RECHARGEABLE BATTERY
BROOKFIELD, CITY OF	5/3/2019	\$ 50,982.06	SW FRWPCC O&M AND CAPITAL
BROOKFIELD, CITY OF	5/3/2019	\$ 16,236.23	SW PRETREATMENT SURCHARGES
BUMPER TO BUMPER HARTLAND	4/23/2019	\$ (18.00)	HWY BATTERY CORE CHARGE
BURKE TRUCK & EQUIPMENT	5/1/2019	\$ 1,083.30	HWY POWER PUSHBRACE WING
CINTAS CORP.	5/13/2019	\$ 61.14	FD 3X5 GRAY MAT
CINTAS FIRST AID	4/23/2019	\$ 85.17	SW FIRST AID SUPPLIES
CINTAS FIRST AID	4/23/2019	\$ 135.43	HWY FIRST AID SUPPLIES
COMMUNICATIONS ENGINEERING CO	4/30/2019	\$ 3,416.61	IT COMMON COUNCIL NEW DISPLAY
COREY OIL	5/7/2019	\$ 4,003.41	HWY FUEL
COUNTY WIDE EXTINGUISHER, INC	4/25/2019	\$ 140.00	FD ANNUAL FIR EXT INSPECTION
DEPT OF WORKFORCE DEVELOPMENT	5/3/2019	\$ 1,658.00	CT APR 19 BENEFIT CHARGES
DIVERSIFIED BENEFIT SERVICES	5/1/2019	\$ 310.00	CT MAY 19 REIMB AGRMNT & MAILI
DWYER, CHARLIE	4/30/2019	\$ 150.80	BLD C DWYER MILEAGE APRIL 19
ELLIOTT ACE HARDWARE	4/30/2019	\$ 9.99	IT NEW HEADPHONES FOR AMY
ELLIOTT ACE HARDWARE	4/20/2019	\$ 24.17	FD EMS SUPPLIES
ELLIOTT ACE HARDWARE	4/13/2019	\$ 6.59	FD EMS SUPPLIES
ELLIOTT ACE HARDWARE	5/8/2019	\$ 21.95	HWY CHISEL BLADE
EMBELLISHMENTS	5/1/2019	\$ 55.50	FD EMBROIDERY
EMERGENCY LIGHTING & ELECTRONICS	4/24/2019	\$ 197.90	FD CARSON HANDHELD CONTROLLER
EMERGENCY REPORTING	5/1/2019	\$ 1,584.00	FD YEARLY VISION PLUS SUBSCRIP

EQUAL RIGHT DIVISION	5/1/2019	\$ 22.50	P&R APRIL 2019 WORK PERMITS
FIRE DETECTION GROUP	4/19/2019	\$ 199.00	IT FOLLOW-UP TO DUCT SM REPLAC
FIRE SAFETY USA	5/6/2019	\$ 625,000.00	FD Cab and Body - Fire Engine
FRED PRYOR SEMINARS	5/3/2019	\$ 199.00	CT PRYOR + RENEWAL
GLOBAL RENTAL CO., INC.	4/10/2019	\$ 3,500.00	HWY RNTL UNIT 097-47799447
HARTLAND OVERHEAD DOOR	5/2/2019	\$ 158.75	FD OVERHEAD DOOR REPAIR
HAWKINS, INC.	4/16/2019	\$ 4,810.89	SW TREATMENT CHEMICALS
HILTUNEN, MARIANNE	4/30/2019	\$ 147.32	ENG JAN-APR 2019 MILEAGE
HUMPHREY SERVICE PARTS, INC	5/7/2019	\$ 175.50	HWY VISE
HUMPHREY SERVICE PARTS, INC	5/7/2019	\$ 51.44	HWY BATTERIES
HYDROCORP	4/30/2019	\$ 892.00	SW APR INSP & REPTING
IS OUTFITTERS	5/16/2019	\$ 187.50	IT CONSULTATIONS APR 2019
Jacobus Energy LLC	4/18/2019	\$ 252.03	SW #2 ULSD DYED
JEFFERSON FIRE & SAFETY, INC.	4/23/2019	\$ 8.90	FD REGULATOR LATCH & VALVE SPR
JERRY'S AUTOMOTIVE SERIVCE LLC	4/26/2019	\$ 97.36	FD CHEV TAHOE OIL CHANGE
JERRY'S AUTOMOTIVE SERIVCE LLC	5/3/2019	\$ 1,203.78	FD FRONT BRAKE REPAIR-TAHOE
JK LAWN SERVICE	4/30/2019	\$ 84.00	FD FERTILIZER/CRABGRASS PREV
JK LAWN SERVICE	4/30/2019	\$ 58.00	FD FERTILIZER/CRABGRASS PREV
JOHN'S DISPOSAL SERVICE	5/1/2019	\$ 10.00	CT YARD WASTE STICKER SALES
JX TRUCK CENTER	4/26/2019	\$ 662.94	FD TRUCK SERVICE UNIT 2852
JX TRUCK CENTER	4/10/2019	\$ 19.90	HWY BEEHIVE AMBER
JX TRUCK CENTER	4/9/2019	\$ 106,939.50	HWY NEW TRUCK PTRBLT MODL 348
KAESTNER AUTO ELECTRIC CO.	5/7/2019	\$ 9.12	HWY VELVAC
KALSCHUEER, TAYLOR	5/1/2019	\$ 158.67	P&R REFUND FOR CANCELLED EVNT
KM SPORTS	4/20/2019	\$ 634.80	P&R SOFTBALLS & SCOREBOOK
LAFARGE AGGREGATES ILLINOIS, INC.	4/11/2019	\$ 75.00	SWM DUMP, SMALL HILLSIDE RD
LAFARGE AGGREGATES ILLINOIS, INC.	4/8/2019	\$ 50.00	SWM SMALL DUMP, HILLSIDE RD
LANGE ENTERPRISES, INC	4/18/2019	\$ 74.72	BLD 4&5 DIGIT FRAMES
LARSON, CHERRIE	4/20/2019	\$ 384.00	P&R ARTSY KIDS CLASS-DESERT AR
LAWN BOYZ CUSTOM CARE	4/26/2019	\$ 2,295.84	CT MAY CONTRACT
LEVEL UP CONSTRUCTION	5/10/2019	\$ 10,902.00	P&R BASEBALL CONCESSIONS
LEVEL UP CONSTRUCTION	5/10/2019	\$ 7,405.00	P&R SOCCER CONCESSIONS
MID-AMERICAN RESEARCH CHEMICAL	5/1/2019	\$ 684.37	HWY INSECT REPELLENTS
MILLER-BRADFORD & RISBERG, INC	5/1/2019	\$ 1,680.00	HWY KIT INSTALLED SN PS0412521
MOTION & CONTROL ENTERPRISES LLC	2/14/2019	\$ 59.35	HWY CRIMP HOSE ASSY
MOTION & CONTROL ENTERPRISES LLC	2/14/2019	\$ 216.99	HWY CRIMP HOSE ASSY
NAPA	5/2/2019	\$ 21.68	FD HEADLIGHT REPAIR PARTS
NFPA	5/1/2019	\$ 1,525.50	FD NFPA SUBSCRIPTION RENEWAL
NORTH CENTRAL UTILITY	5/6/2019	\$ 352.86	HWY RACHET CHN, BEEHIVE LMPS
NORTHERN LAKE SERVICE, INC	4/29/2019	\$ 300.00	SW COLIFORM BACTERIA
NORTHERN LAKE SERVICE, INC	4/29/2019	\$ 60.00	SW COLIFORM BACTERIA
NORTHERN LAKE SERVICE, INC	4/29/2019	\$ 80.00	SW COLIFORM BACTERIA
NORTHERN LAKE SERVICE, INC	4/29/2019	\$ 60.00	SW COLIFORM BACTERIA
OFFICE COPYING EQUIPMENT, LTD	4/30/2019	\$ 235.42	CT COPIER USAGE CHARGES
OFFICE DEPOT	4/26/2019	\$ 58.49	SW LABELS & PAPER
OFFICE DEPOT	4/18/2019	\$ 278.73	SW PENS, LABELS, PAPER
OFFICE DEPOT	4/12/2019	\$ 30.69	BLD BATTERIES
OFFICE DEPOT	4/18/2019	\$ 18.88	ENG STAMP
OFFICE DEPOT	4/29/2019	\$ 46.36	FD OFFICE SUPPLIES
OFFICE DEPOT	4/29/2019	\$ 47.63	FD TONER
OFFICE DEPOT	4/30/2019	\$ 179.44	FD OFFICE SUPPLIES
PATRICK KOCHER	5/16/2019	\$ 86.97	CRT CITATION-KOCHER
PEWAUKEE, VILLAGE OF	5/8/2019	\$ 22,845.87	CT APRIL MONTHLY INCOME SPLIT

PEWAUKEE, VILLAGE OF	5/8/2019	\$ 17,304.42	CT APR 19 EMS COLLECTIONS
PROHEALTH PHARMACY WAUKESHA	4/30/2019	\$ 569.79	FD EMS SUPPLIES
QUALITY POWER SOLUTIONS	5/9/2019	\$ 1,923.54	IT UPS (SERVER) BATTERY REPLCE
QUICKSCORES LLC	4/28/2019	\$ 161.00	P&R SFTBLL WEBSITE SERVICES
REINDERS, INC.	4/24/2019	\$ 98.17	P&R FILTERS
REINDERS, INC.	4/23/2019	\$ 85.77	P&R SPIN-ON FILTER
REINDERS, INC.	4/26/2019	\$ 59.10	P&R FILTERS
RELIANT FIRE APPARATUS	4/22/2019	\$ 27.52	FD STANCHION,END.CLOSED,BENT,R
ROBERT HALF ACCOUNT TEMPS	5/6/2019	\$ 2,112.40	CT Acct Temp
ROBERT HALF ACCOUNT TEMPS	4/9/2019	\$ 784.43	CT Acct Temp
ROMENS, RANDY	4/30/2019	\$ 100.92	BLD R ROMAS APR 19 MILEAGE
ROTROFF JEANSON & CO.	5/1/2019	\$ 1,744.00	SW ACCOUNTING-AUDIT 2018
ROTROFF JEANSON & CO.	5/1/2019	\$ 2,625.00	CT 2018 INTERIM AUDIT
RUEKERT & MIELKE, INC.	4/17/2019	\$ 1,189.95	SW SCADA SYSTEM SUPPORT
RUEKERT & MIELKE, INC.	4/17/2019	\$ 1,274.50	SW PROJ 26-10098 WATER RATE AP
RUEKERT & MIELKE, INC.	4/17/2019	\$ 2,263.50	SW PROJ 26-10063 WELL 1 RADIUM
RUEKERT & MIELKE, INC.	4/17/2019	\$ 975.90	SW WISPARK WELL TESTING & REPA
RUEKERT & MIELKE, INC.	4/17/2019	\$ 669.50	SW PROJ 26-10099 SWR TRT FACIL
RUEKERT & MIELKE, INC.	4/17/2019	\$ 231.25	SW PROJ 26-10091 CITY HALL
RUEKERT & MIELKE, INC.	4/17/2019	\$ 285.50	ENG 26-10078 CONSTR REVIEW
RUEKERT & MIELKE, INC.	4/17/2019	\$ 2,839.50	ENG 26-10097 DESIGN & BIDDING
RUEKERT & MIELKE, INC.	4/17/2019	\$ 2,512.05	ENG 26-10096 DESIGN & BIDDING
RUEKERT & MIELKE, INC.	4/17/2019	\$ 2,274.20	ENG 26-10046 DESIGN
RUEKERT & MIELKE, INC.	4/17/2019	\$ 14,381.75	ENG 26-10029 DESIGN & BIDDING
RUEKERT & MIELKE, INC.	4/17/2019	\$ 1,642.41	ENG 26-10084 CUSTR REVIEW
RUEKERT & MIELKE, INC.	4/17/2019	\$ 955.00	ENG 26-10095 DESIGN SVCS
SCHOOL DISTRICT MENOMONEE FALLS	4/9/2019	\$ 520.00	P&R MISS SAIGON CLASS FEES
SOFT WATER, INC.	4/26/2019	\$ 30.00	FD SOLAR SALT DELIVERY
SOFT WATER, INC.	4/5/2019	\$ 30.00	FD SOLAR SALT DELIVERY
STAFFORD ROSENBAUM ATTORNEYS LLP	5/10/2019	\$ 287.00	CT LEGAL SVCS-APR 19 CHGS
STATE OF WI AGRICULTURE, TRADE, AND CONSUMER	4/30/2019	\$ 1,600.00	CT W&M CONTRACT INSPECTION
TIRES PLUS	4/30/2019	\$ 422.16	SW TIRES
ULTIMATE TRUCK & CAR ASSESSORIES	4/24/2019	\$ 260.00	HWY SPRAY BOTH SIDES OF BED
USA BLUEBOOK	3/25/2019	\$ 54.80	SW Supplies
USA BLUEBOOK	3/25/2019	\$ 54.80	SW Supplies
VERIZON	4/23/2019	\$ 22.14	FD PHONE CHARGES
VERMEER - WISCONSIN	3/28/2019	\$ 107.97	HWY EAR MUFFS
VERMEER - WISCONSIN	4/18/2019	\$ 71.98	HWY EAR MUFFS
WALLACE, DEBORAH	5/16/2019	\$ 74.00	CRT CITATION OVERPAYMENT
WATER REMEDIATION TECHNOLOGY	5/1/2019	\$ 3,478.91	SW Base Treatment Charge
WAUKESHA CO TECHNICAL COLLEGE	4/26/2019	\$ 8.00	FD ACLS PROVIDER CARD
WAUKESHA COUNTY TREASURER	4/25/2019	\$ 515.59	CT 2019 SPRING PRIMARY & ELECT
WAUKESHA COUNTY TREASURER	4/1/2019	\$ 2,242.85	FD 2019 PUBLIC SAFETY SYS CHGS
WAUKESHA COUNTY TREASURER	5/7/2019	\$ 323.19	CT INMATE BILLING
WAUKESHA COUNTY TREASURER	5/8/2019	\$ 202,493.61	CT JUNE 2019 POLICE SERVICES
WAUKESHA LIME & STONE CO.	4/11/2019	\$ 335.92	HWY 3/4" TB
WAUKESHA MEMORIAL HOSPITAL	4/30/2019	\$ 539.08	FD EMS SUPPLIES
WE ENERGIES	4/22/2019	\$ 19.32	P&R VILL PK FLAG LIGHT ELECTRI
WI RURAL WATER ASSOCIATION	4/26/2019	\$ 975.45	HR SAFETY TRAFFIC CNTRL TRNING
WISCONSIN LEGAL BLANK	4/24/2019	\$ 619.75	CT RECEIPT BOOKS
WISCONSIN LEGAL BLANK	5/2/2019	\$ 285.00	CT WINDOW ENVELOPES
WMCCA	5/16/2019	\$ 540.00	CRT JUDICIAL ED CERT PROGRAMS
WOLF CONSTRUCTION COMPANY	4/18/2019	\$ 249.29	HWY COLD MIX

XYLEM WATER SOLUTIONS U.S.A. INC	4/24/2019	\$ 389.00	SW FLUSH VALVE REPAIR KIT
XYLEM WATER SOLUTIONS U.S.A. INC	2/20/2019	\$ 252.10	SW WASTEWATER FIXED CHGS

System: 5/13/2019 2:45:14 PM
User Date: 5/13/2019

City of Pewaukee
COMPUTER CHECK REGISTER
Payables Management

Page: 1
User ID: accttemp

Batch ID: 051319
Batch Comment: CHECK RUN 5/13/19

Audit Trail Code: PMCHK00001055
Posting Date: 5/13/2019

Checkbook ID: 100

* Voided Checks

Check Number	Date	Payment Number	Vendor ID	Check Name	Amount
125879	5/13/2019	0000051048	AT&T CAROL STRE	AT&T CAROL STREAM IL	\$335.36
125880	5/13/2019	0000051049	AUBURN RIDGE	AUBURN RIDGE	\$500.00
125881	5/13/2019	0000051050	BATZNER PEST	BATZNER PEST CONTROL	\$275.00
125882	5/13/2019	0000051051	BEACON ATHLETIC	BEACON ATHLETICS	\$599.00
125883	5/13/2019	0000051052	CINTAS	CINTAS CORPORATION #184	\$341.62
125884	5/13/2019	0000051053	D'AMICO PETRULI	D'AMICO PETRULIS, AGATHA	\$38.00
125885	5/13/2019	0000051054	ELLIOTT ACE HDW	ELLIOTT ACE HARDWARE	\$21.73
125886	5/13/2019	0000051055	FIRST AYD	1ST AYD	\$334.74
125887	5/13/2019	0000051056	GREAT AMERICA F	GREAT AMERICA FINANCIAL SERVIC	\$902.52
125888	5/13/2019	0000051057	J.F. AHERN	J.F. AHERN COMPANY	\$285.40
125889	5/13/2019	0000051058	KORNDORFER HOM	KORNDORFER HOMES	\$500.00
125890	5/13/2019	0000051059	KWIK TRIP	KWIK TRIP INC.	\$4,144.63
125891	5/13/2019	0000051060	MID-AMERICAN RE	MID-AMERICAN RESEARCH CHEMICAL	\$155.51
125892	5/13/2019	0000051061	NASSCO	NASSCO INC	\$2,878.80
125893	5/13/2019	0000051062	NATIONWIDE RETI	NATIONWIDE RETIREMENT SOLUTION	\$1,585.09
125894	5/13/2019	0000051063	NS412, LLC	NATURALLY SLIM	\$5,400.00
125895	5/13/2019	0000051064	OFFICE COPYING	OFFICE COPYING EQUIPMENT, LTD	\$180.14
125896	5/13/2019	0000051065	OFFICE DEPOT	OFFICE DEPOT	\$73.82
125897	5/13/2019	0000051066	PORT-A-JOHN	PORT-A-JOHN	\$352.00
125898	5/13/2019	0000051067	R&R INSURANCE	R&R INSURANCE SERVICES	\$27,922.00
125899	5/13/2019	0000051068	R.A. SMITH	R.A. SMITH & ASSOC., INC.	\$1,157.22
125900	5/13/2019	0000051069	STATE OF WI COU	STATE OF WI COURT FINES & ASSM	\$15,563.47
125901	5/13/2019	0000051070	STONERIDGE MART	STONERIDGE MART	\$26.00
125902	5/13/2019	0000051071	TD AMERITRADE	TD AMERITRADE TRUST COMPANY	\$50.00
125903	5/13/2019	0000051072	TIM O'BRIEN HOM	TIM O'BRIEN HOMES	\$2,000.00
125904	5/13/2019	0000051073	WAUKESHA CO SHE	WAUKESHA CO SHERIFF'S DEPT	\$180.00
125905	5/13/2019	0000051074	WAUKESHA COUNTY	WAUKESHA COUNTY TREASURER	\$4,191.63
125906	5/13/2019	0000051075	WAUKESHA PROFES	WAUKESHA PROFESSIONAL	\$1,703.87
125907	5/13/2019	0000051076	WDATCP	WI Dept of Ag, Trade & Consume	\$100.00
125908	5/13/2019	0000051077	WE ENERGIES	WE ENERGIES	\$16.53
125909	5/13/2019	0000051078	WI DEPT JUST-RE	WISCONSIN DEPARTMENT OF	\$265.00
125910	5/13/2019	0000051079	WI RURAL WATER	WISCONSIN RURAL WATER ASSOC.	\$283.15
Total Checks: 32					Checks Total: \$72,362.23

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.4.**

DATE: May 20, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of Bartender License

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Bartender Listing 5.20.2019

<u>Individual Name</u>	<u>Establishment Name</u>	<u>Type</u>
Benedict-Velez, Regina L	Wonderland Tap	Renewal
Beckers, Jennifer H	Loft & Chapel	Renewal
Bonus, Kerry K	Wonderland Tap	Renewal
Brand, James A	Five O’Clock Club	Renewal
Bauer, Melissa	Curlys Waterfront	Renewal
Carrera, Barbara J	Five O’clock Club	Renewal
Chopp, Casey M	Waukesha Gun Club	Renewal
Ernst, Tyler T	The Beer Depot	Renewal
Gerbensky, Karen S	Waukesha Gun Club	Renewal
Gerbensky Patrick A	Waukesha Gun Club	Renewal
Henschel, Steven R	Waukesha Gun Club	Renewal
Hill, Christine M	Five O’Clock Club	Renewal
Hollub, Darcy A	Wonderland Tap	Renewal
Huckbody, Douglas L	Battlehouse	Renewal
Jelle, Tara L	Curlys Waterfront	Renewal
Johnson, Sandra L	Five O’Clock Club	Renewal
Marx, Diane R	Waukesha Gun Club	Renewal
Opper, Scott J	The Beer Depot	Renewal
Rodriguez, Gayle K	The Beer Depot	Renewal
Schoettel Peter D	Thunder Bay Grill	Renewal
Shroble, Andrew J	The Beer Depot	Renewal
Shroble, John A	Five O’Clock Club	Renewal
Wilson, Scott A	Thunder Bay Grill	New
Wolfgram, Lori A	Five O’Clock Club	Renewal

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.5.**

DATE: May 20, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Designate \$26,966 of Funds to Come Out of the 2019 Contingency Fund Budget Instead of 2018 Contingency Fund Budget for the Financial Management Study and Impact Study

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

2018 vs 2019 Contingency

Excerpt from November 19, 2018 Common Council Meeting Minutes

7. Discussion and Possible Action to Authorize Various Expenses Out of the Contingency Fund
Totaling \$46,348.00

Mr. Klein explained this action was basically to clean up some accounting issues. He said the financial management study, in the amount of \$15,500, and the impact study, in the amount of \$12,600 were talked about during the budget process but were never officially put in the budget. He stated the work will begin this year so the funds should be taken out of contingency. He said the Planner's furniture, in the amount of \$2,433, and the new washer and dryer for the Fire Department in the amount of \$15,815 should also come out of the contingency fund.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to take \$46,348 out of contingency to pay for the two studies, the Planner's furniture and the Fire Department's washer and dryer. Motion Passed: 5-For, 0-Against.

Background:

On November 19, 2018 the Common Council approved expenditures out of the 2018 contingency fund for the financial management and impact studies. Only a small portion of the fees were billed and paid for in 2018. Since the audit has been completed and 2018 was officially closed the Council needs to approval all future expenditures for these two project to come out of the 2019 contingency fund.

Financial Management Study	\$15,500 – remains
Impact Study	<u>\$11,466</u> – remains
	\$26,966

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.6.**

DATE: May 20, 2019

DEPARTMENT: Human Resources

PROVIDED BY: Kelley Woldanski

SUBJECT:

Concur with Recommendation from the Human Resources Committee to Approve the Recommended Compensation Program for Utility Staff for Obtaining the Collection System and Iron Removal Certifications to Take Effect the Pay Period After it is Approved.

BACKGROUND:

Please see the attached document prepared by Jane Mueller, Utility Manager ~ this was the original document shared with the Committee.

Two things to note is that the DNR is requiring two additional certifications (Collection System and Iron Removal) and Jane has asked for an incremental raise for her Operators for \$0.50 per hour for each certification obtained.

At the Human Resources Committee Meeting, the Committee discussed whether other departments have seen incremental increases for certifications. It has been, such as in Building Inspection for additional inspection certifications. Jane had mentioned that one of the current Utility Operators already had one of the two certifications now being required from the DNR and asked to retroactively pay that staff member the proposed \$0.50/hr increase. The Committee didn't agree with that proposal stating that the City wasn't aware of this requirement until now so they didn't believe he should be retroactively paid for it. They did agree to allow the Operator to receive the hourly raise during the first pay period after approval is received by the Common Council.

Further discussion included how this would affect the current pay range for these positions and these incremental increases would still keep the pay within the pay range and just past the mid-point so there is still room for pay for performance increases in the future (it will not push them beyond the current pay range).

The Committee also asked about when this would take place and how it would affect the budget which Jane replied that the testing for these two certifications takes place in May and December and it would be likely that her Operators would test in December so the budget effect this year would be minimal but will need to be included for the 2020 budget. (These wages come out of the Utility budget.)

Therefore, the Committee motioned to recommend to move forward with the recommended compensation program for Utility staff for each additional certification to take effect the pay period after it is approved.

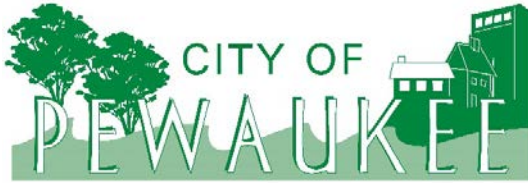
FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Memorandum from Jane Mueller



Department of Public Works

W240N3065 Pewaukee Road

Pewaukee, WI 53072

Phone: (262) 691-0804 • Fax: (262) 691-5729

Email: publicworks@pewaukee.wi.us

MEMORANDUM

TO: Human Resources Committee

FROM: Jane E. Mueller, Utility Manager

DATE: May 2, 2019

RE: Compensation for additional Utility staff certifications

As you may be aware, the Department of Natural Resources requires that water and sewer systems that serve the public provide a level of knowledge and expertise in operating these services. The DNR requires that Operations staff prove their knowledge base with testing and certifications for a variety of skill sets for the operations and maintenance of public water systems and wastewater treatment plants. The certification now extends to sanitary sewer collection systems. These certifications also require continuing education credits to maintain the licensure.

Currently, all 5 of our Operations staff (6 including myself) are required to have a minimum of Ground Water and Distribution System certification. Several of them carry additional levels of water and wastewater treatment certifications. Several staff members currently hold a "training" level of certification for the Iron removal that is required for operating the radium treatment plant. To obtain a full certification for Iron removal, the operator is required to have one year of hands on experience which is documented, summarized and submitted to the DNR for approval.

Last year the DNR completed the preparation of a study guide and exam for the sanitary sewer collection system certification. (One of our operators obtained certification in December 2018.) Additionally, the Utility is now operating the new HMO radium removal treatment system. The operation of this filtration system includes certification for the new treatment plant operations. Exams are offered in May and December annually. I anticipate Utility staff will be preparing to take these exams when they are offered in December of this year.

As our Utility operators are increasing their levels of expertise and certifications in the operations and maintenance of the utility infrastructure, I feel strongly that their compensation should rise to reflect the additional responsibilities to the public. I would propose that each certification carry a \$.50 hourly increase in pay. A review of the 2019 Position Grade Assignments shows even if the operations staff achieve both certifications, an hourly increase

of \$1.00, which would still maintain them at a level slightly above midrange of the scale that was previously adopted by the Common Council. *This would be separate from the annual merit increase/review but reflect the increasing knowledge and responsibilities that are directly related to the certification.*

Fiscal Impact: We anticipate that Utility staff would be testing in December of 2019, with the exception of the staff member that has already obtained the Collection System certification. The remaining staff members potential wage increase would be reflected in the 2020 budget and an increase of approximately \$1,040 would be made in the 2019 budget.

Recommendation: Recommend compensating the Water & Sewer Operations staff \$.50 per hour increase upon obtaining each additional certification of Iron Removal and/or Collection Systems. Additionally recommend retroactively compensating the staff member that obtained the sanitary sewer collection system certification in December of 2018 with increase starting at the beginning of 2019.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 4.**

DATE: May 20, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Introduction of the New Pewaukee Library Director, Nan Champe [Kara]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 5.**

DATE: May 20, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding the Request of the Town of Brookfield to Establish a Border Agreement
[Klein]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Town of Brookfield Request

City of Brookfield Objection

Town of Brookfield
645 N. Janacek Road
Brookfield, WI 53045

Telephone: 262-796-3788
FAX: 262-796-0339



April 9, 2019

CITY OF PEWAUKEE
SCOTT KLEIN
W240 N3065 PEWAUKEE ROAD
PEWAUKEE, WI 53072

RE: Border Agreement

Dear Scott:

It was a pleasure meeting with you a few weeks ago to begin discussions of establishing a border agreement between the City of Pewaukee and the Town of Brookfield. The Town is already actively working on similar agreements with the City of New Berlin and the Town of Lisbon. It is our goal to setup such agreements with all of our neighboring municipal partners.

As you are aware, the Town and the City already work cooperatively along our border with shared sewer and water services. This cooperation has fostered a great relationship between the City and the Town since before the City of Pewaukee incorporated.

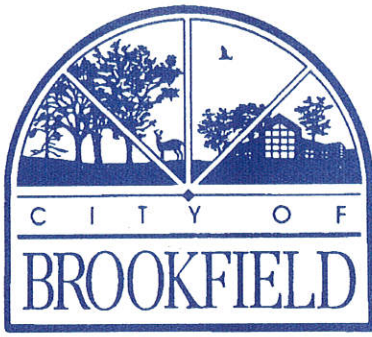
We would like to request the discussion of a border agreement be placed on the next available City Council agenda for consideration by the City Council members. The Town Chairman Keith Henderson and I would be willing to attend this meeting on behalf of the Town.

We look forward to meeting with you and the Council at the next available City Council meeting.

Sincerely,

Tom Hagie, P.E.
Administrator/Treasurer

cc: Keith Henderson, Town Chairman



MAYOR

Steven V. Ponto

2000 North Calhoun Road
Brookfield, Wisconsin 53005-5095
(262) 787-3525 - FAX (262) 796-6671
ponto@ci.brookfield.wi.us

April 5, 2019

Mr. Scott Klein
City Administrator
City of Pewaukee
W240 N3065 Pewaukee Road
Pewaukee, WI 53072

Dear Scott:

This letter is to follow up on our telephone conversation last week in which we discussed the Town of Brookfield's interest in entering into a cooperative boundary agreement with the City of Pewaukee. This interest by the Town is tied to its desire to use a special lapsing statute to incorporate.

In 2015, the Legislature's Joint Finance Committee inserted a provision in the State Budget which became Wis. Stats. Sec. 66.02162 (copy enclosed). The purpose of this provision was to provide a special alternative procedure for the Town of Windsor in Dane County to avoid the requirements of Wis. Stats Secs. 66.0203 and 66.0205 to incorporate, which the Town of Windsor promptly did in November of 2015. This special statute sunsets on June 30, 2020.

The Town of Brookfield has made three unsuccessful attempts to incorporate. The Town's most recent incorporation bid began in 2011 and was decided by the Wisconsin Incorporation Review Board in July of 2015. The Board found that the Town of Brookfield failed to meet three of the six standards for incorporation set forth in the general provision for incorporation in Section 66.0207 of the Wisconsin Statutes. Those three standards are: Homogeneity and Compactness; Impact on the Remainder of the Town; and Impact on the Metropolitan Community.

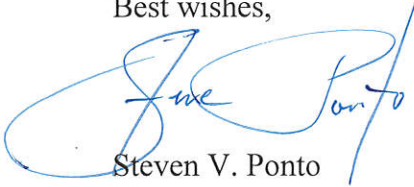
Having been unsuccessful in its efforts to incorporate under the general incorporation provision, I believe the Town of Brookfield is trying to shoe horn an incorporation under the special statute included in the State Budget for the benefit of the Town of Windsor. At this time, the Town of Brookfield will likely argue that it meets six of the eight necessary statutory provisions under the special statute with the population and cooperative boundary agreements being the outstanding requirements. For the census requirement, although the census will not be finalized at the time of the statute's sunset date, the Town of Brookfield will likely argue that it meets the population

requirement under 66.02162(1)(a)1 utilizing its current population because the “most recent decennial census” in the special statute should be interpreted as the 2020 census.. For the cooperative boundary agreement requirement, under Wis. Stats. Sec. 66.02162, the Town must have entered into two separate cooperative boundary agreements with two municipalities under Wis. Stats. Sec. 66.0307. Hence, the Town of Brookfield’s interest in entering into a cooperative boundary agreement with the City of Pewaukee.

I urge the City of Pewaukee not to facilitate this Town of Brookfield incorporation effort by entering into a cooperative boundary agreement. The Town of Brookfield would still fail to meet the requirements of the general statutory provisions for incorporation and the incorporation of the Town’s current boundaries would create an unworkable mess for the area as shown on the enclosed map. The Town of Brookfield should have to go through the regular process for incorporation under Chapter 66 of the Wisconsin Statutes.

I thank you, Mayor Steve Bierce and the City of Pewaukee Common Council for your consideration of this letter.

Best wishes,



Steven V. Ponto
Mayor

Enclosures

66.02162 Incorporation of certain towns contiguous to 3rd class cities or villages.

(1) CONDITIONS. A town board may initiate the procedure for incorporating its town as a village under this section by adopting a resolution providing for a referendum by the electors of the town on the question of whether the town should become a village if on the date of the adoption of the resolution any of the following is satisfied:

(a) All of the following conditions apply:

1. The most recent federal decennial census shows that the resident population of the town exceeds 6,300.

2. The town is contiguous to a 3rd class city.

3. The most recent data available from the department of revenue show that the equalized value for the town exceeds \$600,000,000.

4. In one of the 5 years before the year in which the town board adopts the resolution, the town's equalized value increased more than 7 percent, compared to the town's equalized value for the prior year.

5. The town board of the town is authorized to exercise village powers.

6. The town has entered into, and is bound by, at least 2 separate cooperative boundary agreements under s. 66.0307 with at least 2 municipalities.

7. The town has created at least one tax incremental financing district as authorized under s. 60.23 (32).

8. The town has established at least one town sanitary district under subch. IX of ch. 60.

(b) All of the following conditions apply:

1. The most recent federal decennial census shows that the resident population of the town exceeds 2,300.

2. The most recent data available from the department of revenue show that the equalized value for the town exceeds \$190,000,000.

3. The area of the town exceeds 40 square miles.

4. The town is contiguous to a village to which all of the following conditions apply:

a. The most recent federal decennial census shows that the resident population of the village is less than 300.

b. The area of the village is less than 2 square miles.

c. The aggregate net tax rate of the village, as determined by the department of revenue under s. 70.114 (3), is greater than 36 mills.

5. The village under subd. 4. and the town are located in a county for which the most recent federal decennial census shows that the resident population is less than 150,000.

(2) REFERENDUM RESOLUTION. The resolution of the town board required under sub. (1) shall do all of the following:

(a) Certify that the requirements under sub. (1) are satisfied.

(b) Contain a description of the territory to be incorporated sufficiently accurate to determine its location and a statement that a scale map reasonably showing the boundaries of the territory is on file with the town clerk.

(c) Determine the numbers and boundaries of each ward of the proposed village, conforming to the requirements of s. 5.15 (1) and (2).

(d) Determine the date of the referendum, which may not be earlier than 6 weeks after the adoption of the resolution.

(3) NOTICE OF REFERENDUM. The town clerk shall publish the resolution adopted under sub. (1) in a newspaper published in the town. If no newspaper is published in the town, the town clerk shall publish the resolution in a newspaper designated in the resolution. The town clerk shall publish the resolution once a week for 4 successive weeks, the first publication to be not more than 4 weeks before the referendum.

(4) VOTING PROCEDURE. The referendum shall be conducted in the same manner as elections for town board supervisors. The question appearing on the ballot shall be: "Shall the town of become a village?" Below the question shall appear 2 squares. To the left of one square shall appear the words "For a village," and to the left of the other square shall appear the words "Against a village." The inspectors shall make a return to the town clerk.

(5) CERTIFICATE OF INCORPORATION. If a majority of the votes are cast in favor of a village, the town clerk shall certify that fact to the secretary, together with 4 copies of a description of the legal boundaries of the town, and 4 copies of a plat of the town. The town clerk shall also send the secretary an incorporation fee of \$1,000. Upon receipt of the town clerk's certification, the incorporation fee, and other required documents, the secretary shall issue a certificate of incorporation and record the certificate in a book kept for that purpose. The secretary shall provide 2 copies of the description and plat to the department of transportation and one copy to the department of revenue. The town clerk shall also transmit a copy of the certification and the resolution under sub. (1) to the county clerk.

(6) ACTION. No action to contest the validity of an incorporation under this section on any grounds, whether procedural or jurisdictional, may be commenced after 60 days from the date of issuance of the certificate of incorporation by the secretary. In any such action, the burden of proof as to all issues is upon the person bringing the action to show that the incorporation is not valid. An action contesting an incorporation shall be given preference in the circuit court.

(7) VILLAGE POWERS. A village incorporated under this section is a body corporate and politic, with the powers and privileges of a municipal corporation at common law and conferred by ch. 61.

(8) EXISTING ORDINANCES. Ordinances in force in the territory or any part of the territory, to the extent not inconsistent with this section or ch. 61, continue in force until altered or repealed.

(9) EXISTING INTERGOVERNMENTAL AND COOPERATIVE BOUNDARY AGREEMENTS. Intergovernmental cooperation agreements entered into under s. 66.0301 and cooperative boundary agreements approved under s. 66.0307, to which a town incorporating under this section is a party, that are still in effect on the effective date of the incorporation, shall continue in force until altered or repealed, to the extent allowed under the agreements. When incorporated under this section, a village shall be considered the town's successor with respect to such agreements.

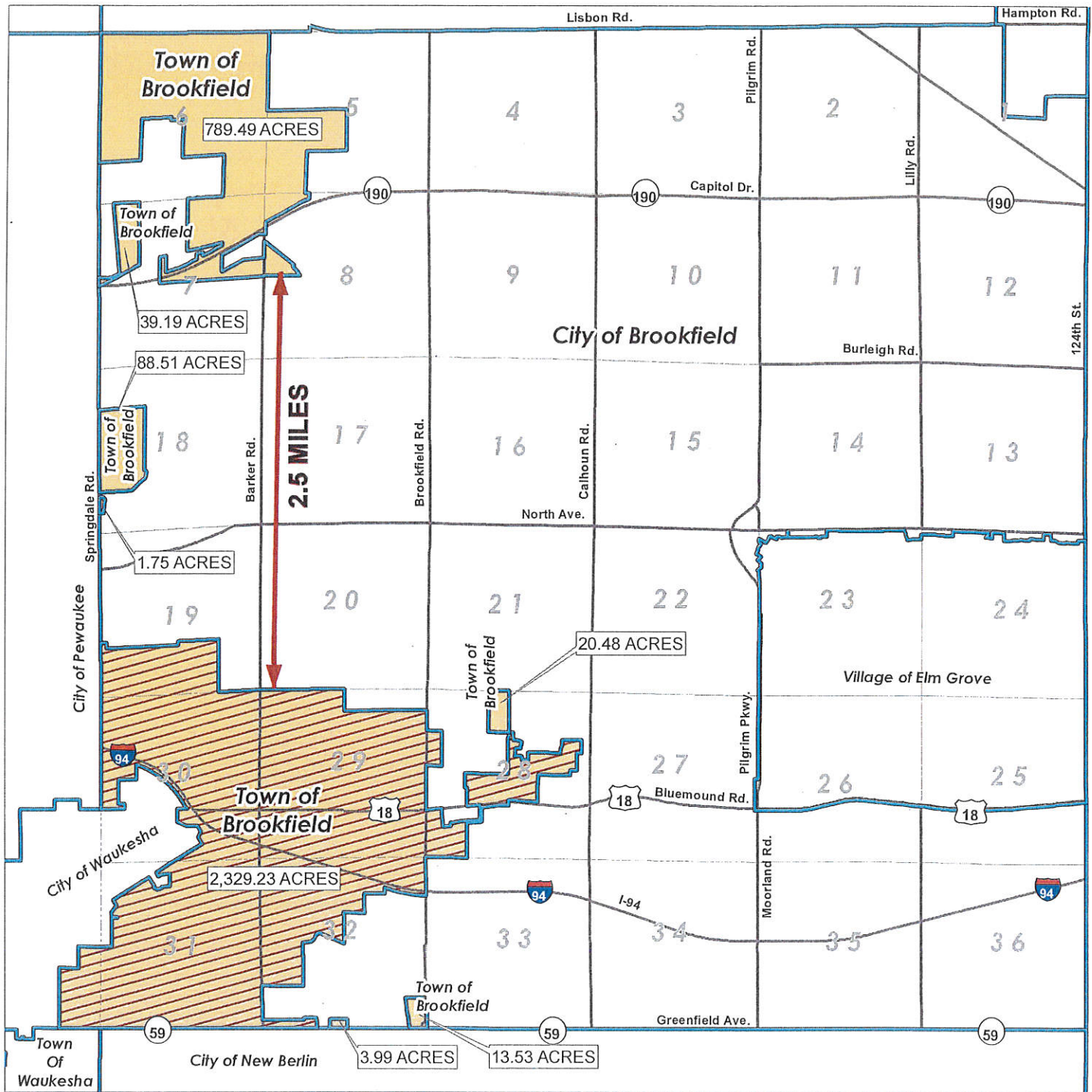
(10) INTERIM OFFICERS, FIRST VILLAGE ELECTION. Section 66.0215 (8) and (9), as it applies to a town that is incorporated as a city under s. 66.0215, applies to a town that is incorporated as a village under this section.

(11) SUNSET. This section does not apply after June 30, 2020.

EXHIBIT MAP

CIVIL BOUNDARIES AND FRAGMENTED TOWN AREAS

TOTAL TOWN OF BROOKFIELD FRAGMENTARY ACREAGE = 3,286.17 +/-



Department of
Community Development
2000 N. Calhoun Road
Brookfield, WI 53005

(262) 796-6695
www.ci.brookfield.wi.us

TO THE USER

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- Major Roads
- PLSS Sections
- Hydrology

- Town of Brookfield Main Island
- Town of Brookfield
- City of Brookfield
- Other Municipalities

0 0.5 1 2
Miles

1 inch = 1 miles

Date Printed: 2/14/2019

Drafted By: JKT



**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 6.**

DATE: May 20, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Presentation of the Police Services Quarterly Report [Lt. Ripplinger]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Stat Sheet

Comparison Stats

CITY OF PEWAUKEE
1st QUARTER COMPARISON STATISTICS

	2014	2015	2016	2017	2018	2019
ADMINISTRATIVE						
GAS GALLONS	5163.5	5,130.30	5331.5	4941.17	5599.9	5821.2
TOTAL MILES	56,492.10	53,332.50	56,296.10	53,193.40	57,116.50	53873.7

ENFORCEMENT						
CITATIONS	1039	1037	736	626	634	584
ORD. CITATIONS (JUV.)	5	5	11	3	3	3
ORD. CITATIONS (ADULT)	45	32	34	131	48	24
WRITTEN WARNINGS	225	105	103	98	146	116
DA REFERRALS (JUV.)	1	0	0	0	0	3
DA REFERRALS (ADULT)	8	15	18	19	32	28

ACTIVITY						
TOTAL CALLS FOR SERVICE	2053	2181	2240	2120	2499	2652
TOTAL IR'S TAKEN	204	204	169	172	233	217
COMMUNITY CONTACTS	1162	1208	1171	801	1439	2052
TRAFFIC STOPS	957	993	874	907	912	677
ASSIST OTHER WSD	148	155	210	255	294	213
ASSIST OTHER AGENCY	97	69	84	140	141	108
BACK-UP REQUESTED	163	150	115	143	193	145
ASSIST FIRE/EMS	172	234	246	259	230	260
PDO ONLY	135	154	145	92	110	169
PERSONAL INJURY	29	30	42	19	27	32
FATAL ACCIDENT	0	0	0	1	0	0
OWI	14	14	10	11	12	13
BUSINESS CHECKS	1759	1534	1574	1413	1337	1679
OPEN DOORS	27	23	23	16	29	19

CITY OF PEWAUKEE
1st QUARTER COMPARISON STATISTICS

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BUSINESS CHECKS	1759	1534	1574	1413	1337	1679
OPEN DOORS	27	23	23	16	29	19

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 7.**

DATE: May 20, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding the Well #6 Rehabilitation and Pump and Motor Replacement [Mueller]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

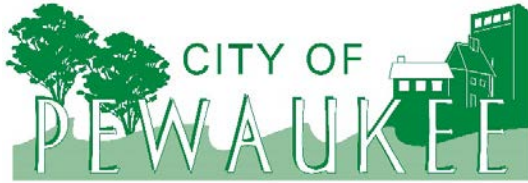
ATTACHMENTS:

Description

Well Rehab

Letter

Motor Options



Department of Public Works

W240N3065 Pewaukee Road

Pewaukee, WI 53072

Phone: (262) 691-0804 • Fax: (262) 691-5729

Email: publicworks@pewaukee.wi.us

MEMORANDUM

TO: Common Council

FROM: Jane E. Mueller, Utility Manager

DATE: May 17, 2019

RE: North Ave. Well #6 Well Rehabilitation & Pump & Motor replacement

Recall, at the May 3rd meeting the Common Council declared a water emergency to allow staff to expedite the replacement of the pump and motor for our Well #6 at North Ave. The Utility was authorized to spend up to \$132,000.00 for the pump and motor replacement. Following the Council meeting our contractor was authorized to order the remanufactured Byron Jackson motor that was available. As is normal practice, the contractor conducted a video of the well to establish the well condition. The inspection revealed a considerable amount of oil had leaked out of the motor as it failed, and an iron and scale build up had developed within well. The well will require bailing to remove the oil, and brushing and chemical treatment to remove the iron and scale which will restore the well's quality and capacity for a cost of approximately \$23,715.00. Fortunately, we have already received DNR approval for this work.

Since the previous Council approvals, additional motor options have become available. As a result of some of the Council's inquiry regarding the value of the existing SS Byron Jackson, the motor repair company has offered two option for the Council to consider:

Available option #1:

A different new INDAR motor that fits our specifications has been located and is readily available. They propose to use the existing SS Byron Jackson as a trade and making the cost for this new standard INDAR motor \$39,840.00. The downfall to this option is that we would have pay a \$2,200.00 restocking fee for the BJ motor that was authorized at the May 3rd CC meeting.

Available option #2:

SME is prepared to rebuild our existing motor and will store and conduct the maintenance on the motor for as long as it is in their shop. They will replace O-rings, gaskets & cable leads if unused after 3 years and will issue a future 1 year warranty for the motor from the date of the future installation. There will be no additional charge to the Utility.

As a result of the motor repair vendor offering to store and maintain the existing SS Byron Jackson motor, we need to reconsider the direction that we would prefer to take on the motor replacement for this site. As we have previously indicated, we have had good luck with the Byron Jackson motors. Our current motor replacement options do not include a stainless steel option. Previous history with motors and our water quality also leads us to consider stainless steel is the preferred motor type for our use. (In the case of this immediate replacement, we cannot wait for the stainless lead time.) Proceeding with the rebuilding of this motor may allow us to control costs and availability with future preventive &/or emergency repairs by having a motor readily available that meets our specifications.

Please refer to the attached and handed out to you this evening is a spreadsheet that compares the most recent options available. The spreadsheet also includes the costs to date for pump/motor removal and the videoing of the well as well as the estimates for the well bailing and rehabilitation. This chart is an effort to show the total costs for the work with either option.

Option #1: New 14" INDAR Motor with trade in of existing SS BJ; inclusive estimate for pump/motor/cable assembly, well bailing and rehabilitation, and motor restock. **\$161,680.00.**

Option #2: Continue with the purchase and installation of remanufactured Byron Jackson **and** rebuild the existing stainless steel motor; inclusive estimate for pump/motor/cable assembly, well bailing and rehabilitation. **\$187,500.00.**

Recommendation: Approve the Utility to pursue the rehabilitation of North Ave. Well #6, rebuild the existing stainless steel Byron Jackson motor, and continue the replacement of the pump and motor as approved at the May 3rd Common Council meeting for an estimated cost of \$187,500.00 with funds borrowed from the Sewer Utility.

05/16/2019

SME-USA will store for City of Pewaukee

- SME-USA will store the Well # 6, Byron Jackson 14", 200HP, 2300/3/60, 4 pole motor out of the elements in a dry area.
- SME-USA will store the motor in a vertical secured position until needed.
- SME-USA will keep the motor leads out of the sunlight (coiled up in a plastic bag with the lead ends tapped).
- SME-USA will rotate the motor shaft extension in a counter clockwise direction every three months.
- SME-USA will take Megger readings and record the readings every three months. The Megger reading should not be less than 1000 Meg ohms at time of installation.
- When our customer needs the motor, SME-USA will ensure that the motor is filled with white mineral oil.
- SME-USA will conduct a no-load test run of the motor and send the results of the test for review before shipping the motor.
- If the motor or motor are in storage for more than three years, SME-USA will replace all elastomers due to possible ozone damage. The elastomers include all "O" Rings, Gaskets, lead cables.
- Once the motor has shipped from SME-USA a one-year warranty will start from the date of installation or 18 months from the date of shipment or whichever comes first.

MOTOR OPTIONS	QTY	Units	Unit Price	Estimated total price	Estimated lead time
BYRON JACKSON OPTIONS #2					
Remanufactured 14" Byron Jackson not stainless	1	each	\$38,130.00	\$38,130.00	
Pump & bowl assembly w/BJ bracket - new	1		\$19,290.00	\$19,290.00	
Armored #2 -kV cable - new	1		\$14,670.00	\$14,670.00	
8" epoxy coated column pipe	745	ft	\$59.39	\$44,245.00	1 week
8"x5' SS pipe - column to pump section	1	each	\$720.00	\$720.00	2 - 3 weeks
8" Ductile surge control check valves	2	each	\$1,000.00	\$2,000.00	
				\$119,055.00	
Page 9 of 9					
Required well treatment & rehabilitation estimate					
Bailing oil, brushing well bore & chemical treat				\$23,715.00	
Estimated motor, pump and treatment costs				\$142,770.00	subtotal
Work completed as of 5/8/19 video & pump removal				\$15,800.00	
Rebuild existing 14" SS Byron Jackson 200hP/2300V	1		\$28,930.00	\$28,930.00	
retain motor in storage at motor shop for future use					
Total estimated work Byron Jackson motor remanf. and rebuild of the existing SS motor.				\$187,500.00	

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 8.**

DATE: May 20, 2019

DEPARTMENT: PW - Stormwater

PROVIDED BY: Jeffrey Weigel, PE Public Works Director

SUBJECT:

Discussion and Possible Action to Authorize the Execution of the Soo Line/Canadian Pacific License Agreement
Attendant to the Emerald Acres Flood Mitigation Project [Weigel]

BACKGROUND:

We have been working on reducing the flooding in the Emerald Acres development on Green Road since about 2010--see attached 2012 report. This project involved the DNR permitting, US Army Corps of Engineers permit, a drainage easement on the Gustaf Larson property (in process) and constructing three large drainage pipes under the railroad. Part of our railroad permitting involves a Utility Occupancy License from the railroad. The attached License is nearly complete (waiting for a railroad correction change the depth of the pipe in the permit). City Attorney Stan Riffle has also reviewed the License, and a copy of his review e-mail is attached.

FINANCIAL IMPACT:

There is a \$500 fee due at submittal of the License. The permit requires flagging and other construction administration tasks at the cost of the City; the permit indicates issues that potentially may have significant future costs, such as 8(c) Relocation of our pipes at our cost if the railroad deems it necessary to require the relocations--however, these are typical for railroad permits and licenses that we have for other City pipes (sewer, water) that cross under the tracks.

Perhaps most important is that this is another step towards the bidding of the work later this year, and that project cost will be around \$2M. But, this license authorization request only has the direct fiscal impact of \$500 for now.

RECOMMENDED MOTION:

Common Council authorizes the City to sign the license agreement, contingent on the approval of the City Engineer and City Attorney, if necessary, that the agreement is in acceptable form.

ATTACHMENTS:

Description
Draft License Agreement
City Attorney Review of Railroad License Agreement
Emerald Acres Flood Study

UTILITY OCCUPANCY LICENSE

NO. 5055601

THIS UTILITY OCCUPANCY LICENSE ("License") is made effective the 1st day of March, 2019, by and between

1. PARTIES:

SOO LINE RAILROAD COMPANY, a Minnesota corporation, doing business as Canadian Pacific, with its general offices at Canadian Pacific Plaza, 120 South Sixth Street, Minneapolis, MN 55402 (hereinafter referred to as ("**CP**"),

and

CITY OF PEWAUKEE, with an office at W240 N3065 Pewaukee Road, Pewaukee, WI 53072 ("**Licensee**").

2. LICENSE

CP hereby licenses and authorizes Licensee to install, maintain and operate the following "**Utility Line**" across, over and/or under its railroad corridor property and tracks, pursuant to the terms and conditions of this License.

(a) Specifications

Utility Type: underground storm sewer culvert

Size/Capacity: (3) 66" outside diameter HDPE carrier pipes inside (3) 72" Steel Casing pipes

Installation: 12.97' minimum depth – top of tie to bottom of casing

Ancillary Items: None

(b) Location

Lat/Long: 43°4'26.90"N 88°12'45.01"W

PLSS: NW ¼ of the NE ¼ S14, T7N, R19E

City, County, State: Pewaukee, Waukesha County, WI

Milepost, Subdivision: Mile Post 102.8 on the Watertown. (BE# WI23)

as shown upon Appendix 3 attached and incorporated herein (the "**Property**").

(c) Applicable Fees

Licensee agrees to pay CP the following charges:

- (i) One-time fee of **\$500** to cover CP's reasonable expenses incurred in reviewing Licensee's notice to occupy CP's right-of-way; and
- (ii) Reimbursement for CP's reasonable and customary charges to have a flagman or watchman present during Licensee's work on the Property, pursuant to Section 10.0(c).

Attachments

The following documents are incorporated in this Agreement:

- (i) Appendix 1 – Contacts
- (ii) Appendix 2 – Insurance Requirements
- (iii) Appendix 3 – Exhibit A

(d) Work; Acknowledgement To Be Available At Work Site:

- (i) "**Work**," shall mean any activity conducted by Licensee relative to the installation, maintenance, repair, replacement, relocation, servicing, or removal of the Utility Line which involves entry onto the Property.

- (ii) **"Work Site,"** shall mean the general location of Licensee's activities relative to the Work. Licensee shall keep a copy of this License at the Work Site and shall make it available upon request by any employee or agent of CP.

3.0 **Effective Date**

The **"Effective Date"** of this Agreement shall be March 1st, 2019.

Notwithstanding the Effective Date, the rights granted to Licensee under this License shall be effective on the later of the Effective Date, or the last date it is executed by a party.

4.0 **Term**

The rights granted Licensee under this License shall remain until terminated by Licensee by providing CP with thirty (30) days' advanced written notice.

5.0 **Mechanics' And Materialmen's Liens**

If any mechanics' or material men's liens, or similar lien, is asserted against the Property, or any other property of CP, as a direct consequence of the Work, Licensee shall immediately take steps to satisfy, defend, or obtain the release of such lien, all at Licensee's cost and expense.

6.0 **Contact; Notices**

(a) **Contact Persons**

Communications pursuant to this License shall be directed to the contact persons listed in Appendix 1, or their designees. Either party may change this contact information by providing written notice to the other party.

(b) **Notices**

Except as otherwise provided in this License, all notices shall be in writing and shall be effective upon delivery to the Contact Person for the party notice is being given to. If notice is given by facsimile, the notice shall not be deemed effective until received in legible form.

(c) **Notification Prior To Beginning Work**

Except in the case of an emergency, Licensee shall notify CP's Engineering contact person by telephone not less than five (5) Working Days before commencing the Work. **"Working Days"** do not include Saturdays, Sundays, or federally recognized Holidays.

7.0 **Permitted & Prohibited Use; Rights of CP**

(a) **Permitted Use**

The use of the Property by Licensee shall be limited to the Work, or such other activity as may be approved by CP in writing. Licensee may permit governmental authorities with jurisdiction of the Work to enter the Property for the purpose of performing applicable governmental functions, including but not limited to inspecting or monitoring the Work.

(b) **Prohibited Uses and Activities**

Licensee shall not use, occupy or permit the Property to be used for any purpose, activity or improvement except as provided in this License, or as may be approved in writing by CP.

Specifically:

- (i) *Advertising* – Licensee shall not permit any advertisements or signs upon the Property (except signs that may be required by applicable governmental law, rule or regulation based on the nature and extent of the Work); and
- (ii) *Use of Hazardous Substances* – Licensee shall not, without prior written disclosure and approval by CP, use or authorize the use of any Hazardous Substances on the Property, including installation of any above or underground storage tanks; subject thereto, Licensee shall arrange at its own cost for the lawful transportation and off-site disposal of any and all Hazardous Substances that it shall use or generate. **"Hazardous Substances"** shall mean any pollutant, contaminant, hazardous substance or waste, solid waste, petroleum product,

distillate, or fraction, radioactive material, chemical known to cause cancer or reproductive toxicity, polychlorinated biphenyl or any other chemical, substance or material listed or identified in applicable regulatory or environmental laws.

8.0 Reservation and Rights of CP

(a) Railroad Activities Take Priority Over Work

All Work by Licensee shall be subordinate to the reasonable needs of CP in connection with the operation, maintenance and movement of railroad trains and equipment on the Property. Notwithstanding the foregoing, the parties agree to cooperate in good faith to schedule their respective work activity on the Property to minimize each other's delays.

(b) Interference With Prior/Future Use

Licensee right to use the Property to perform the Work is subject to any prior easements, licenses, or permits to use the Property for tracks, roads, walkways, poles, wires, pipelines, sewers, billboards, and other improvements. Furthermore, CP reserves the right to place upon, across, above and/or under the Property additional tracks, roads, walkways, poles, wires, pipelines, sewers, billboards, and other improvements in any manner that does not interfere with Licensee's Work or the Utility Line.

(c) Relocation – Licensee shall relocate the Utility Line, at its sole cost and expense, if CP determines that such relocation is reasonably necessary for the current operation of the railroad tracks.

(d) Monitoring

CP may elect to be present at the Property during the Work and to monitor same, at CP's sole cost and expense.

9.0 Investigation; Compliance with Laws; Safety Requirements

(a) Prior Use – Before performing Work on the Property, Licensee shall obtain consent of all persons or entities that are using or occupying any portion of the Property, if such consent is required by applicable laws and/or regulations. CP will cooperate with Licensee in obtaining such consent from any person or entity that unreasonably withholds consent.

(b) Underground Utilities And Structures

- (i) Licensee shall, pursuant to applicable laws and/or regulations, be responsible for determining the location of all underground utilities (e.g. electric lines, telephone lines, gas lines, steam lines, sewer lines, water lines, fiber optic cable), and utility structures.
- (ii) Licensee shall call the Diggers Hotline One Call at (800) 242-8511 and make arrangements to have all applicable underground utilities marked prior to commencing any excavation or boring on the Property.
- (iii) CP will cooperate with Licensee to identify the location of underground utilities and utility structures known to CP, but such cooperation shall not relieve Licensee of its obligations under (i) and (ii) above.
- (iv) Licensee shall call CP's Call-Before-You Dig group at (866) 291-0741, no less than five (5) Working Days prior to the date that Work is to be performed, in order for CP to mark its underground facilities on the Property. CP shall mark all its underground facilities on the Property within this five (5) day period to avoid delaying Licensee.

(c) Permits and licenses; Compliance With Laws

Licensee shall secure, at no expense to CP, any permits or licenses required in connection with the Work, and shall comply with all laws applicable to the Work and the use and operation of the Utility Line, including but not limited to any laws, standards, regulations, and permit requirements relating to environmental pollution and/or contamination, or to occupational health and safety.

(d) Compliance With CP Safety Requirements

While on the Property Licensee shall comply with CP's safety requirements as set forth in the document entitled ***"Minimum Safety Requirements for Contractors Working on Railway Property"***. It is Licensee's responsibility to obtain the most up-to-date copies of these requirements prior to commencement of any Work and ensuring that every person on the Property has access thereto.

10.0 Work in Close Proximity to Railroad Operations; Drainage

(a) Interference With Railroad Operations – Licensee shall keep CP fully apprised of its proposed activities on the Property so as to prevent any interference with the operations of CP's trains or equipment (or the trains and equipment of others lawfully using the tracks) operating on or near the Property.

(b) Clearance – No Work shall be done or any equipment or other obstruction placed over or within 25 feet laterally of the centerline of any track without advanced notification to CP.

(c) Flagging – Licensee shall make arrangements with CP for such flagging or watchmen service as CP deems necessary for the protection of railroad traffic. Pursuant to Section 2(c)(2) above, Licensee will compensate CP for its reasonable and customary charges to provide flagging or watchmen service of. The fact that CP provides such service shall not relieve either party from liability under this License.

(d) Certain Work Close to Track Not Permitted; Lateral Support

- (i) Unless otherwise agreed to in writing by CP, excavations, borings, wells, pits, test holes, probe sites, and the like shall not be located closer than 25 feet from the centerline of the nearest railroad track on or adjacent to the Property, nor will Licensee take, or allow any of its employees, agents or contractors to take, any action on the Property that would materially impair the lateral or sub-adjacent support of adjacent lands or railroad tracks.
- (ii) Unless otherwise agreed to in writing by CP, drilling and excavating equipment (and related equipment) shall not be located closer than 25 feet from the centerline of the nearest railroad track or any railroad track.
- (iii) In the event that CP permits excavations, borings, wells, pits, test holes, probe sites, and the like in close proximity to tracks, embankments or other features providing lateral support or sub-adjacent support to land or tracks, then notwithstanding anything herein to the contrary, Licensee shall be responsible for designing and constructing, at no cost to CP, any measures required to prevent the collapse, erosion or impairment to said land or tracks.

(e) Storm Water – Licensee shall not, unless otherwise agreed to in writing by CP, make any changes to the Property that would either increase the historic flow rate of storm water from the Property, or create an impediment to the historic flow of storm water from the Property.

(f) Fences – If the parties agree that it is necessary for the safety of the railroad operations, employees and/or the public, for a fence to be erected during the Work, Licensee agrees to erect such fencing at its sole cost and expense. Following completion of the applicable Work, Licensee shall remove such fencing and fill and tamp any post holes with clean material.

11.0 Conduct

(a) Property Clean, Safe and Free From Nuisance – During any Work Licensee shall not permit the existence of any nuisance (as defined pursuant to Wisconsin law) upon the Property, and shall at all times during the Work keep the Property in a clean, safe and sanitary condition free from any unreasonable accumulations of waste materials, debris or refuse.

(b) Release of Hazardous Substances – Licensee shall not cause or allow its employees, agents or contractors to cause, the release of any Hazardous Substances on or from the Property.

- (c) **Response Actions** – Licensee shall promptly take all necessary action in response to a release or potential release of Hazardous Substance at the Property, caused by Licensee or attributable to any act and/or omission of Licensee (or its employees, agents or contractors), that could:
- (i) give rise to any claim under applicable environmental laws and/or regulations;
 - (ii) cause a public health or workplace hazard; or
 - (iii) create a nuisance (as defined pursuant to Wisconsin law).
- (e) **Release or Suspected Release** – Licensee shall promptly notify CP of any actual or suspected release of any Hazardous Substances on or from the Property, regardless of the cause of the release.
- (f) **Notices, Summons, Citations, etc.** – Licensee shall promptly provide CP with copies of any all summons, citations, directives, information inquiries or requests, notices of potential responsibilities, notices of violations or deficiencies, orders or decrees, claims, causes of action, complaints, investigations, judgments, or other communications, written or oral, actual or threatened, received by Licensee that is applicable to the Property or Work, including but not limited to notices from the United States Environmental Protection Agency, the United States Occupational Safety and Health Administration, or other federal, state or local agency or authority, or any other entity or individual, concerning:
- (i) any release of a Hazardous Substance on or from the Property;
 - (ii) the imposition of any lien on the Property; or
 - (iii) any alleged violation of or responsibility under any applicable environmental law.

12.0 Liability

- (a) **Damage to Tracks, Facilities, and Equipment** – If any tracks, facilities, or equipment owned, used, or maintained by CP are damaged in connection with the Work or Licensee's use or operation of the Utility Line, CP shall repair (or arrange for the repair of) such damage and Licensee shall pay the full cost of such repair within 30 days after receipt of CP's invoice.
- (b) **Assumption of Risk** – Licensee is fully aware of the dangers of working on and about railroad property and railroad operations and knowingly and willingly assumes the risk of harm (e.g., injury to or death of persons and damage to or destruction of property) that may occur while on and about the Property. Without in any way limiting the scope of the preceding sentence, Licensee assumes the risk that the Utility Line and any Work or appurtenances thereto on the Property may be disturbed, damaged, or destroyed by CP or third persons, and except where arising from the intentional malicious conduct of CP or its employees, agents, or invitees, Licensee shall not make any claim against CP on account of same, even if such disturbance, damage, or destruction arises from the negligence of CP or its employees, agents, or invitees. Licensee assumes full responsibility for protecting its installations and personal property from theft and vandalism while such installations and personal property are on the Property.
- (c) **Indemnity** – As used in this License, “**Indemnified Parties**” means the following businesses and their officers, directors, employees, and agents: Soo Line Railroad Company, Delaware and Hudson Railroad Corporation, Inc., Dakota, Minnesota and Eastern Railroad Corporation, Soo Line Corporation, Canadian Pacific Railway Company, Wyoming Dakota Railroad Properties, Inc., any company doing business as Canadian Pacific, and any railway company or contractor operating trains or rail equipment upon railway tracks in close proximity to the Property or the Utility Line, together with the parent companies, subsidiaries, and affiliated companies of all of the foregoing.

To the maximum extent permitted by applicable law, Licensee shall release, indemnify and defend the Indemnified Parties (as defined below) against all claims, demands, actions, suits, judgments, losses, damages (including, but not limited to, lost profits and other actual, compensatory, direct, consequential, punitive, and exemplary damages), expenses, penalties, fines, sanctions, court costs, litigation costs, and attorneys' fees (collectively, Claims) arising out of or relating to any destruction of (or damage to) any property or natural resource, any injury to

(or death of) any person, or any environmental pollution or contamination whatsoever, where such destruction, damage, injury, death, pollution, or contamination actually or allegedly arises in whole or in part from the presence of the Utility Line on the Property or any Work connected therewith, or any action or omission of Licensee while on or about the Property pursuant to this License, or the exercise by Licensee of the rights and permissions granted by this License.

13.0 Insurance – Prior to commencing any Work, Licensee shall procure and maintain in effect (or cause its contractor to procure and maintain in effect) the insurance coverages set forth in Appendix 2.

14.0 Miscellaneous Provisions

- (a) Amendment/Waiver** – This License cannot be amended, modified or revised unless done in writing and signed by CP and Licensee. No provision may be waived except in a writing signed by both parties. The failure by a party to enforce any provision of this License or to require performance by the other party will not be construed to be a waiver, or in any way affect the right of either party to enforce such provision thereafter.
- (b) Compliance with Law** – Both parties agree to comply with all applicable federal, state and local laws, orders, rules and regulations ("**Laws**").
- (c) Assignment; Binding Effect** – This License may not be assigned by Licensee without first obtaining CP's advance written consent. The terms and conditions contained in this License will bind and inure to the benefit of the parties, their respective heirs, executors, administrators, successors and assigns.
- (d) Entire Agreement** – This License and the appendix attached hereto, all being a part hereof, constitute the entire agreement of the parties hereto and will supersede all prior offers, negotiations and agreements with respect to the subject matter of this License. Except as otherwise stated in this License, each party shall bear its own fees and expenses (including the fees and expenses of its agents, brokers, representatives, attorneys, and accountants) incurred in connection with the negotiation, drafting, execution and performance of this License and the transactions it contemplates.
- (e) Governing Law** – This Agreement will be governed by the laws of the state in which the Property is located, without regard to conflicts of law.
- (f) Interpretation** – Unless otherwise specified, the following rules of construction and interpretation apply:
 - (i) captions are for convenience and reference only and in no way define or limit the construction of the terms and conditions hereof;
 - (ii) use of the term "including" will be interpreted to mean "including but not limited to";
 - (iii) whenever a party's consent is required under this Agreement, except as otherwise stated in the Agreement or as same may be duplicative, such consent will not be unreasonably withheld, conditioned or delayed;
 - (iv) appendix are an integral part of this Agreement and are incorporated by reference into this Agreement;
 - (v) use of the terms "termination" or "expiration" are interchangeable;
 - (vi) reference to a default will take into consideration any applicable notice, grace and cure periods;
 - (vii) to the extent there is any issue with respect to any alleged, perceived or actual ambiguity in this Agreement, the ambiguity shall not be resolved on the basis of who drafted the Agreement;
 - (viii) the singular use of words includes the plural where appropriate; and
 - (ix) if any provisions of this Agreement is held invalid, illegal or unenforceable, the remaining Provisions of this Agreement shall remain in full force if the overall purpose of the

Agreement is not rendered impossible and the original purpose, intent or consideration is not materially impaired.

- (g) **Survival.** Any provisions of this License relating to indemnification shall survive the termination or expiration hereof. In addition, any terms and conditions contained in this License that by their sense and context are intended to survive the termination or expiration of this Agreement shall so survive.
- (h) **Singular and Plural** – As used in this License, the singular form of a word includes the plural form of that word, and vice versa, and this License shall be deemed to include such changes to the accompanying verbiage as may be necessary to conform to the change from singular to plural, or vice versa.
- (i) **Duplicate Copies and Counterparts** – This License may be executed in counterparts, which together shall constitute one and the same. The parties may execute more than one copy of this License, each of which shall constitute an original.

THE PARTIES HERETO have executed this License as evidence of their agreement to the terms contained herein.

CITY OF PEWAUKEE

SOO LINE RAILROAD COMPANY
Doing business as Canadian Pacific

By: _____

By: _____

Printed Name: _____

Printed Name: Nikol Daniels

Its: _____

Its: Leasing Specialist

Date: _____

Date: _____

APPENDIX 1

1. RAILROAD CONTACTS:

A. Real Estate: Processing of License, fees

Address	Contact Info
Canadian Pacific Real Estate US – Utility Permits Canadian Pacific Plaza – Suite 700 120 South Sixth Street Minneapolis, Minnesota 55402	Phone: (612) 904-6143
	Fax: (612) 904-6147
	Email: Real_Estate_US@cpr.ca

B. Risk Management: Submittal of Insurance Coverage Renewals.

Address
Canadian Pacific Risk Management Department 7550 Ogdendale Road Calgary, Alberta T2C 4X9

C. Engineering: Application, Review of Technical Specifications

Address	Contact Info
Canadian Pacific 11306 Franklin Ave Franklin Park, IL 60131	Name: Otis Goodman
	Title: Supervisor Public Works - US West
	Phone: (630) 860-4117
	Fax:
	Email: Otis_Goodman@cpr.ca

D. Scheduling of Flagging:

The following must be contact **no less than 10 Working Days** (excludes Saturday, Sunday and holidays observed by CP) prior to date on that Work is to be performed.

Otis Goodman, contact info in Section C.

E. Utility Locates

CP: **CP Call-Before-You-Dig** 1-866-291-0741: Must be called **no less than 5 Working Days** (excludes Saturday, Sunday and holidays observed by CP) prior to date on that Work is to be performed.

Local: The Licensee must also contact the local **Call-Before-You-Dig** service
The national number for utility locating is **8-1-1**.

In Wisconsin, the utility locating service is called diggers hotline one-call at (800) 242-8511 and, in addition to dialing 8-1-1, can be reached at www.diggershotline.com.

CP does not guarantee the accuracy of the foregoing information. The License is ultimately responsible for contacting and complying with local utility locating requirements and determining the proper contacts or manner of doing so.

2. LICENSEE CONTACTS:

A. Licensee Information

Licensee:	City of Pewaukee		
Type of Entity:	Municipality	State of Formation:	WI
Mailing Address:	W240 N3065 Pewaukee Road Pewaukee, WI 53072		
Delivery Address: (if different)			
Billing Address (if different)			
Telephone No.	262.691.0770	Web Site:	www.cityofpewaukee.us

B. Licensee Contact

THIS IS THE INDIVIDUAL TO WHOM CP SHOULD SEND DOCUMENTS AND OTHER CORRESPONDENCE.

Name:	Jeffrey Weigel, P.E.	Address. Write "Same" if same as above
Company:	Same	
Title:	Director of Public Works	Same
Office Number:	262.691.0804	
Fax Number		
Mobile Number:		
Email:	Weigel@pewaukee.wi.us	

C Construction Contact

THIS IS THE INDIVIDUAL TO WHOM CP SHOULD INTERACT IN CONNECTION WITH ANY WORK WITH THE UTILITY LINE

Name:		Address.
Company:		
Title:		
Office Number:		
Fax Number:		
Mobile Number:		
Email:		

D. Additional Contact

Optional information if needed.

Contact for:		
Name:		Address.
Company:		
Title:		
Office Number:		
Fax Number:		
Mobile Number:		
Email:		

E. Emergency Contact:

In the event that there is an emergency affecting the Utility Line, is there an additional contact that CP could attempt to reach?

Name:	
Office Number:	
Mobile Number:	
Email:	

APPENDIX 2

Insurance Requirements

1. General Insurance Requirements.

The following requirements apply to all insurance coverages required by the License.

- 1.1. Insurance is a prerequisite for the Work: **Licensee shall not enter the Property until all of the required policies have been approved in writing by CP.**
- 1.2. Evidence of Insurance. **No less than Five (5) Working Days** before Licensee or its contactor enters the Property or commences any Work; CP must receive and approve the certificates of insurance evidencing the insurance coverages set forth in this Appendix 2.
- 1.3. Thirty Day Notice of Cancellation. All policies shall be endorsed to require that CP be given not less than 30 days written notice in advance of cancellation or termination of the policy or of any change or amendment to the policy that restricts or reduces coverage. Notices shall be sent to the addresses set forth in Appendix 1 for the Real Estate Department and also the Risk Management Department.
- 1.4. Except for Automobile and Workers Compensation policies, each policy of insurance shall include the following endorsement upon the certificate, or within the binder, policy or other contractual evidence signed by the insurer and in form acceptable to CP:

"It is agreed that the policy or policies of insurance evidenced by this certificate covers the liability assumed by the insured in connection with work pursuant to Utility Occupancy License No. **5055601** dated **March 1st, 2019** by and between Licensee and Soo Line Railroad Company encompassing an **underground storm sewer culvert crossing at Pewaukee, Waukesha County, WI**, including work upon railroad property, within railroad right of way and in close proximity operating railroad tracks."
- 1.5. Cross Liability (severability of interest endorsements). Except for automobile coverage, all policies shall be endorsed with a cross liability (severability of interest) endorsement in substantially the following form:

"This policy shall insure each person, firm, or corporation hereunder in the same manner and to the same extent as if a separate policy had been issued to each, but the inclusion herein of more than one insured shall not operate to increase the limits of the insurance company's liabilities."
- 1.6. Additional Insureds; Waiver of Subrogation. The policy shall be endorsed to add the following as additional insureds:

Soo Line Railroad Company, Soo Line Corporation and Canadian Pacific Railway Company, (collectively, the Protected Parties), and its associated or affiliated subsidiaries (and the Directors, Officers, employees, agents and trustees of all of the foregoing). The policy shall also be endorsed to waive subrogation rights against the Protected Parties.
- 1.7. Coverage amounts subject to increase. The Parties agree that Utility Lines can have a long useful life and that the insurance coverage limits initially set forth in this License may not be adequate during entire life of the Utility Line. Accordingly, the insurance coverages set forth herein shall be subject to change relative change in CP standards. The License shall not be required to comply with increased coverage limits until CP provides the Licensee with 90 days advance written notice of a change in coverage limits, or following notice by CP in connection with any Work by the Licensee that requires flagging.

- 1.8 Renewals. Evidence of renewal of insurance coverage should be sent to the Risk Management contact information set for in Appendix 1.
- 1.9 Copies of Policies. CP reserves the right to demand a certified copy of any required policy, and Licensee or its contractor shall provide such copy within 10 Working Days (excludes Saturdays, Sundays and holidays observed by CP) after CP shall give notice to Licensee demanding such copy.
- 1.10 Insurers to be acceptable to CP. All of the required policies shall be issued by insurers acceptable to CP and shall be acceptable to CP in both form and substance
- 1.11 Policies obtained by Contractors and Sub-contractors. If any commercial general liability and automobile policies are procured by Licensee's contractor, Licensee and CP shall be added as an additional insured party under such policies. If the contractor uses a subcontractor, the contractor shall provide the required policies and shall, in addition, either require the subcontractor to provide insurance equivalent to that described herein or obtain endorsements to the contractor's policies naming the subcontractor as an additional insured party. If a subcontractor uses a sub-subcontractor, the sub-subcontractor shall either provide insurance equivalent to that required of the subcontractor or shall be named as an additional insured party on the contractor's or subcontractor's policies.
- 1.12 Lapse in insurance coverage. In the event any required policy lapses, CP shall have the option of immediately suspending Work or use of the Utility Line. Additionally, any lapse in required insurance shall be deemed a breach of the License and grounds for termination as provided in the License.
- 1.13 Insurance does not limit liability. The insurance coverage obtained pursuant to section 9 and its sub-sections shall in no manner restrict or limit the liabilities assumed by Licensee under this License.
- 1.14 Insurance shall be primary. The insurance coverage required to be maintained pursuant to the License shall be primary and not excess of any other insurance that may be available. Unless otherwise provided, all insurance coverage shall take place in the form of an occurrence basis policy and not a claims made policy.

2. Required Insurance Policies and Limits of Coverage.

Licensee shall obtain and maintain in full force and affect the following policies of insurance:

2.1. Commercial General Liability Insurance – Normal Operation of Utility Line:

So long as the Utility remains in place pursuant to this License in the status of normal operation, Licensee shall obtain Commercial general liability insurance with a policy limit of not less than \$5,000,000 per occurrence for bodily injury, death, and damage to or destruction of property (including the loss of use thereof).

The policy will include those policy extensions commonly referred to as broad form completed operations, blanket contractual, contractor's protective, excavation, collapse, and underground damage. The policy shall by its wording or by endorsement insure those liabilities and obligations which this License contemplates will be assumed by Licensee, including liabilities and obligations to indemnify the Indemnified Parties (defined in Section 12(c)). The policy, also by its wording or by endorsement, shall not exclude operations on or in the vicinity of the railway right of way.

2.2 Automobile Liability and Property Damage Insurance:

During any period in that Work is to be performed on the Utility Line, Licensee or its contractor performing the Work, shall obtain Automobile liability and property damage insurance in an amount not less than \$2,000,000, personal injury and property damage combined, covering

the ownership, use, and operation of any motor vehicles and trailers licensed for use on public highways which are owned, non-owned, leased, or controlled by Licensee or its contractor and used in connection with the Work.

2.3. Workers Compensation Insurance:

During any period in that Work is to be performed on the Utility Line, Licensee or its contractor performing the Work, shall obtain Workers compensation insurance which shall be in strict accordance with the requirements of the most current and applicable state Workers Compensation insurance laws, and Employers' Liability insurance including Occupational Disease insurance with limits of not less than One Million Dollars (\$1,000,000) each accident/each employee, and where appropriate coverage under said policies to be extended for liability under the FELA, USL&H Act, and the Jones Act. The Licensee shall, before any services are commenced under this License submit written evidence that it has obtained full Workers Compensation insurance coverage for persons whom it employs or may employ in carrying out the services under this License. CP and its associated or affiliated companies (and the Directors, Officers, employees, agents and trustees of all of the foregoing) shall be waived of any and all subrogation in the event of injury, death, losses, incidents, claims and potential claims.

2.4. Railroad Protective Liability Insurance:

During any period in that Work is to be performed on the Utility Line, Licensee or its contractor performing the Work, shall obtain Railroad protective liability insurance (occurrence form), in the name of Soo Line Railroad Company and Canadian Pacific Railway Company, with a single limit (personal injury and property damage combined) of not less than Five Million Dollars (\$5,000,000) per occurrence and Ten Million Dollars (\$10,000,000) per aggregate. The Services shall not commence until such time as the evidence of coverage is received and approved by CP. Railroad Protective Liability insurance shall only be applicable during the Term.

2.5 Contractor's Pollution Liability insurance:

During any period in that Work is to be performed on the Utility Line, Licensee or its contractor performing the Work, shall obtain Contractor's Pollution Liability insurance Including naming CP as an additional insured, with a limit of not less than Two Million Dollars (\$2,000,000) for any one loss or pollution event. Coverage shall not be limited to, claims for bodily injury, death, damage to property including the loss of use thereof, clean-up costs and associated legal defense expenses arising from pollution conditions caused by, and/or exacerbated by, services performed by the contractor on behalf of CP. The policy shall be endorsed to contain a blanket contractual liability endorsement. If this policy is written on a "claims-made" basis it shall remain in effect for no less than twelve (12) months after the expiry or termination of this agreement.

APPENDIX 3

Weigel, Jeff

From: Wirtz, Rich
Sent: Wednesday, May 01, 2019 3:19 PM
To: Stan Riffle
Cc: Wagner, Magdelene; Weigel, Jeff; Eilertson, Rick
Subject: RE: Canadian Pacific Railway Utility Permit 5055601

Thanks for the input Stan. I figured it was a take it or leave it agreement but it never hurts to get a legal opinion on such things. This won't be a developer driven project; this will be a City project and the burden for the items you noted will be borne by the Contractor. Like you mentioned, we will need to ensure we include the items in the Contract.

Thanks,

Rich

Rich Wirtz, P.E., CFM
Civil Engineer
City of Pewaukee
W240 N3065 Pewaukee Road
Pewaukee, WI 53072
Phone 262-691-0804

(Licensed Professional Engineer in IA and WI)

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From: Stan Riffle [mailto:sriffle@ammr.net]
Sent: Wednesday, May 01, 2019 2:52 PM
To: Wirtz, Rich
Cc: Wagner, Magdelene; Weigel, Jeff
Subject: Re: Canadian Pacific Railway Utility Permit 5055601

Rich-

I reviewed the draft CP Rail permit. In my experience, theirs is a "take it or leave it" permit, so we either accept their terms or go home.

That being said, the terms are not wholly unreasonable and I have no concerns in executing the permit agreement. However, there are a nuber of actions we need to take and expenses that we will be on the hook for (or more likely, pass on to the developer) which include:

6 (c) Notification Prior To Beginning Work

Except in the case of an emergency, Licensee shall notify CP's Engineering contact person by telephone not less than five (5) Working Days before commencing the Work. "Working Days" do not include Saturdays, Sundays, or federally recognized Holidays.

8 (c) Relocation – Licensee shall relocate the Utility Line, at its sole cost and expense, if CP determines that such relocation is reasonably necessary for the current operation of the railroad tracks.

9 (b)

(i) Licensee shall, pursuant to applicable laws and/or regulations, be responsible for determining the location of all underground utilities (e.g. electric lines, telephone lines, gas lines, steam lines, sewer lines, water lines, fiber optic cable), and utility structures.

(ii) Licensee shall call the Diggers Hotline One Call at (800) 242-8511 and make arrangements to have all applicable underground utilities marked prior to commencing any excavation or boring on the Property.

(iv) Licensee shall call CP's Call-Before-You Dig group at (866) 291-0741, no less than five (5) Working Days prior to the date that Work is to be performed, in order for CP to mark its underground facilities on the Property. CP shall mark all its underground facilities on the Property within this five (5) day period to avoid delaying Licensee.

9 (d) Compliance With CP Safety Requirements

While on the Property Licensee shall comply with CP's safety requirements as set forth in the document entitled "Minimum Safety Requirements for Contractors Working on Railway Property". It is Licensee's responsibility to obtain the most up-to-date copies of these requirements prior to commencement of any Work and ensuring that every person on the Property has access thereto.

10

(c) Flagging – Licensee shall make arrangements with CP for such flagging or watchmen service as CP deems necessary for the protection of railroad traffic. Pursuant to Section 2(c)(2) above, Licensee will compensate CP for its reasonable and customary charges to provide flagging or watchmen service of.

(f) Fences – If the parties agree that it is necessary for the safety of the railroad operations, employees and/or the public, for a fence to be erected during the Work, Licensee agrees to erect such fencing at its sole cost and expense.

13.0 Insurance – Prior to commencing any Work, Licensee shall procure and maintain in effect (or cause its contractor to procure and maintain in effect) the insurance coverages set forth in Appendix 2.

If we are expecting a developer to be responsible for these and all other conditions, we need the developer to agree to assume all responsibilities by written agreement. Please advise if I can be of assistance in that regard.

Stan

H. Stanley Riffle
Municipal Law & Litigation Group, SC
730 N. Grand Ave.
Waukesha, WI 53186
(262) 548-1340
(262) 806-0214 (direct)
(414) 254-5911 (cell)
sriffle@ammr.net
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From: "Wirtz, Rich" <wirtz@pewaukee.wi.us>
Date: Wednesday, May 1, 2019 at 11:51 AM
To: Stan Riffle <sriffle@ammr.net>
Cc: "Wagner, Magdelene" <wagner@pewaukee.wi.us>, "Weigel, Jeff" <Weigel@pewaukee.wi.us>
Subject: FW: Canadian Pacific Railway Utility Permit 5055601

Good afternoon Stan,

Attached is a pdf of an agreement we received from the Canadian Pacific Railway (see email below) for the installation of 3 large culverts underneath the railroad. The agreement includes some revisions recommended by myself and our consultant relative to the project details and contact info. Please review the agreement and advise us accordingly.

Thanks

Rich

Rich Wirtz, P.E., CFM
Civil Engineer
City of Pewaukee
W240 N3065 Pewaukee Road
Pewaukee, WI 53072
Phone 262-691-0804

(Licensed Professional Engineer in IA and WI)

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From: Weigel, Jeff
Sent: Thursday, March 28, 2019 8:00 AM

To: Wirtz, Rich; Wagner, Magdelene; rick.eilertson@aecom.com

Subject: FW: Canadian Pacific Railway Utility Permit 5055601

FYI

Jeffrey Weigel, PE
Public Works Director
City of Pewaukee

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From: Scott Kujawa [mailto:Scott_Kujawa@cpr.ca]
Sent: Thursday, March 28, 2019 7:55 AM
To: Weigel, Jeff <Weigel@pewaukee.wi.us>
Subject: Canadian Pacific Railway Utility Permit 5055601

Hi Jeff,

Enclosed for execution please find permit **5055601** in favor of the City of Pewaukee installing an underground storm sewer on CP property. Please read all provisions of the license carefully before execution and make any corrections or additions to the Licensee contact information in Appendix 1. Please print 2 single-sided copies and execute both.

Once executed, please return to me with a **check in the amount of \$500 made out to "Canadian Pacific Railway" for the one-time permit fee** and also evidence of insurance as may be set forth in Appendix 2 of the license to my address below and I will submit for final approval, then mail you a fully executed agreement. The one-time permit fee is above and beyond any fee paid to CP Engineering Department for the Utility Application review.

Costs for additional expenses (flagging, inspection, repair work, etc.) incurred by the railroad in connection with the licenses are not included in the license fees and will be submitted to you for reimbursement.

Once you have a fully executed agreement returned by First Class mail from the railroad, you may schedule to be on our property with a minimum 10 day notice to our Engineering Department contact Otis Goodman at 630.860.4117 and via email Otis_Goodman@cpr.ca.

Thank you,

Scott Kujawa | U.S. Real Estate Rep. ROW | Suite 700, 120 South Sixth Street, Minneapolis, MN 55402
Direct 612.904.6143 | **Canadian Pacific**

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Final Report

Emerald Acres Flooding Study City of Pewaukee, Wisconsin

Prepared For:

City of Pewaukee
W240N3065 Pewaukee Road
Pewaukee, WI 53072

Prepared By:

AECOM, Inc.
1020 North Broadway, Suite 400
Milwaukee, Wisconsin 53202

March 21, 2012

AECOM Project No. 60185225

INTRODUCTION

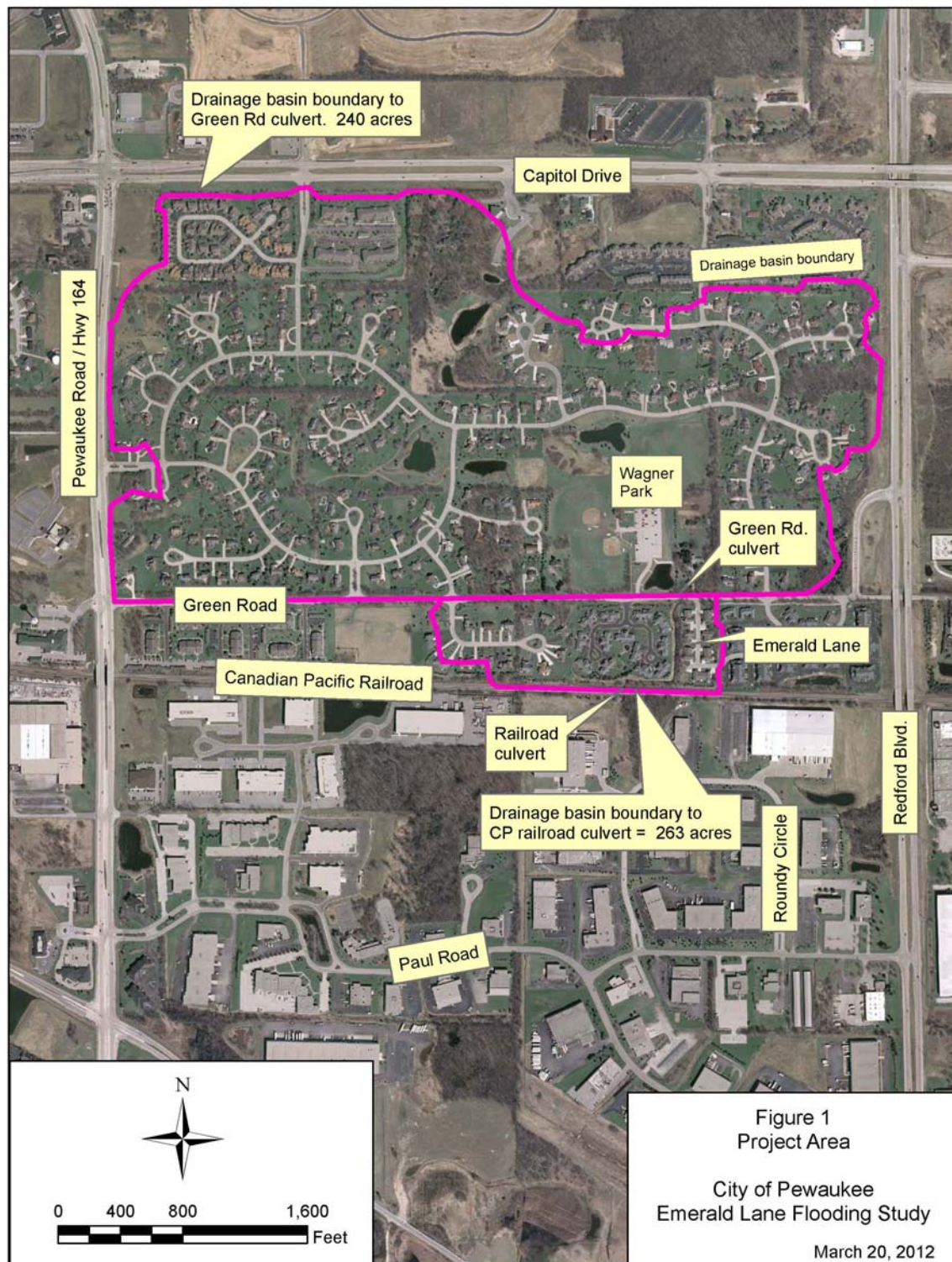
This report summarizes the study of stormwater flooding in the vicinity of the Emerald Acres condominium development. This study was conducted by AECOM for the City of Pewaukee.

The Emerald Acres condominiums are located along Emerald Lane, just south of Green Road, in the City of Pewaukee. Emerald Lane is located approximately 1/4 mile west of Highway 74 (Redford Boulevard). A drainage channel runs along the west side of Emerald Acres. Floodwater from this channel has caused several instances of flooding in the Emerald Acres development.

The study was conducted in two phases. In the first phase, AECOM performed a hydrologic/hydraulic study of this area to assess the probable causes of existing flooding. In the second phase, alternative strategies to reduce this flooding were evaluated, and a recommended plan for flood mitigation in this area was developed.

EXISTING CONDITIONS

This study focuses on stormwater flooding caused by an open channel / storm sewer system that flows from north to south in the northeast/north central part of the City of Pewaukee. The map below shows the project area.



Channel Description

The drainage area tributary to this channel is approximately 240 acres, or 0.38 square miles, at the Green Road culvert crossing. Downstream, where the channel flows through a culvert under the Canadian Pacific railroad, the drainage area is approximately 263 acres (0.41 square miles).

This channel generally flows from north to south. North of Green Road, it drains much of the Five Fields subdivision. There are several detention basins north of Green Road, which a portion of the watershed drains to. The City of Pewaukee owns two detention basins in Wagner Park, and there are also several private detention basins upstream.

Several storm sewers and open channels discharge to a ditch on the north side of Green Road, from which water flows south through a culvert under Green Road. Downstream (south) of Green Road, the channel adjacent to Emerald Acres begins. The channel flows south for approximately 500 feet, before turning west along the embankment for the Canadian Pacific railroad tracks. The channel flows west, parallel to the railroad embankment, for 300 feet before crossing under the railroad tracks in a railroad-owned culvert.



Figure 2
Channel on west side of Emerald Acres,
looking south from near Green Rd



Figure 3
Channel along north side of railroad
embankment, looking west from
Emerald Acres

The opening of the railroad culvert has the shape of an inverted trapezoid, with a height of approximately 4.6 feet and a width ranging from 5.4 feet at the top to 4.2 feet at the bottom. At the upstream (north) end of the culvert, there is a short segment of horseshoe-shaped opening. A datestone on the downstream (south) end of the culvert indicates that it was constructed in 1902.



Figure 4
Upstream (north) end of railroad culvert



Figure 5
Downstream (south) end of railroad culvert



Figure 6
Close up of downstream (south) end
of railroad culvert

Downstream from the Canadian Pacific railroad culvert, the channel flows west for several hundred feet before entering a 54-inch diameter storm sewer. This storm sewer carries the stream underground for approximately 1,100 feet around the Gustave Larson Company building.



Figure 7
Intake to 54" storm sewer,
south of railroad embankment,
north of
Gustave Larson Company

South of the Gustave Larson property, the 54" storm sewer discharges to an manmade channel and flows south for 900 feet to a 54" culvert under Paul Road. The channel continues south to the Gun Club detention pond, crosses under Watertown Road and then Redford Boulevard, before ultimately flowing into the Fox River. The distance from the Emerald Lane flooding area downstream to the Fox River is about 2 ½ miles.

Flooding Observations

On several occasions in recent years, some of the Emerald Acres condominiums have experienced basement flooding and shallow surface flooding. This flooding occurs during and shortly after heavy rainstorms. The flooding has damaged property and impeded vehicle access to the area.

The following photos show some of the flooding experienced in recent years. These photos were provided by Robert Zahn, president of the Emerald Acres Condominium Association.



Figure 8
Looking south on Emerald Lane from midblock



Figure 9
Floodwater overtopping Green Road (looking NW)



Figure 10
South end of Emerald Lane



Figure 11
Front yard of N3021 condo unit
At south end of Emerald Lane

(Note: Flooding of basements may also occur if the sanitary sewer backs up through basement floor drains. Studying flows and capacities of the Emerald Acres sanitary sewer system was not part of this project.)

The surface flooding is occurring because one or more parts of the drainage system do not have the capacity to contain the runoff that occurs during heavy rainfalls. Before this study was conducted, the following questions were unknown:

- Does the drainageway between Green Road and the Canadian Pacific railroad tracks have inadequate capacity?
- Does the culvert under Green Road have inadequate capacity, causing water to overtop Green Road and flow down Emerald Lane?
- Is the culvert under the Canadian Pacific railroad tracks a restriction?
- Does the open drainageway south of the railroad tracks have inadequate capacity?
- Is the 54" storm sewer further south of the railroad tracks (and north of Paul Road) restricting flow?
- Is water backing up from even further south of Paul Road?

In order to answer these questions, it was necessary to conduct numerical computer modeling of the project area, its watershed and drainage system.

Hydrologic/Hydraulic Modeling - Procedures

The hydrologic/hydraulic modeling computer program XPSWMM was selected to perform the analysis.

Hydrologic model input includes areas and surface characteristics of the drainage basins and subbasins in the modeled areas. This information was obtained from several sources including CAD and GIS files.

The land use in the drainage area upstream of the railroad embankment is predominantly residential, with a mix of single family lots and more dense multifamily and condominium housing. There is also

parkland and open space. Downstream of the railroad embankment, the channel flows through a large business/industrial park.

SEWRPC rainfall depths and distributions were used in the hydrologic modeling of design storms.

The hydraulic modeling input includes data related to the drainage system – the storm sewers, channels, culverts, detention basins and surface flow paths in the modeled area. Information such as pipe or channel length, cross-section dimensions, invert elevations and surface roughness are required. This data was obtained from a variety of sources, including field survey, file information, GIS and CAD.

Hydrologic/Hydraulic Modeling – Results of Existing Conditions

The XPSWMM hydraulic model results of existing conditions are presented graphically in the attached view of the 100-year water surface profile (Figure 12 on the following page).

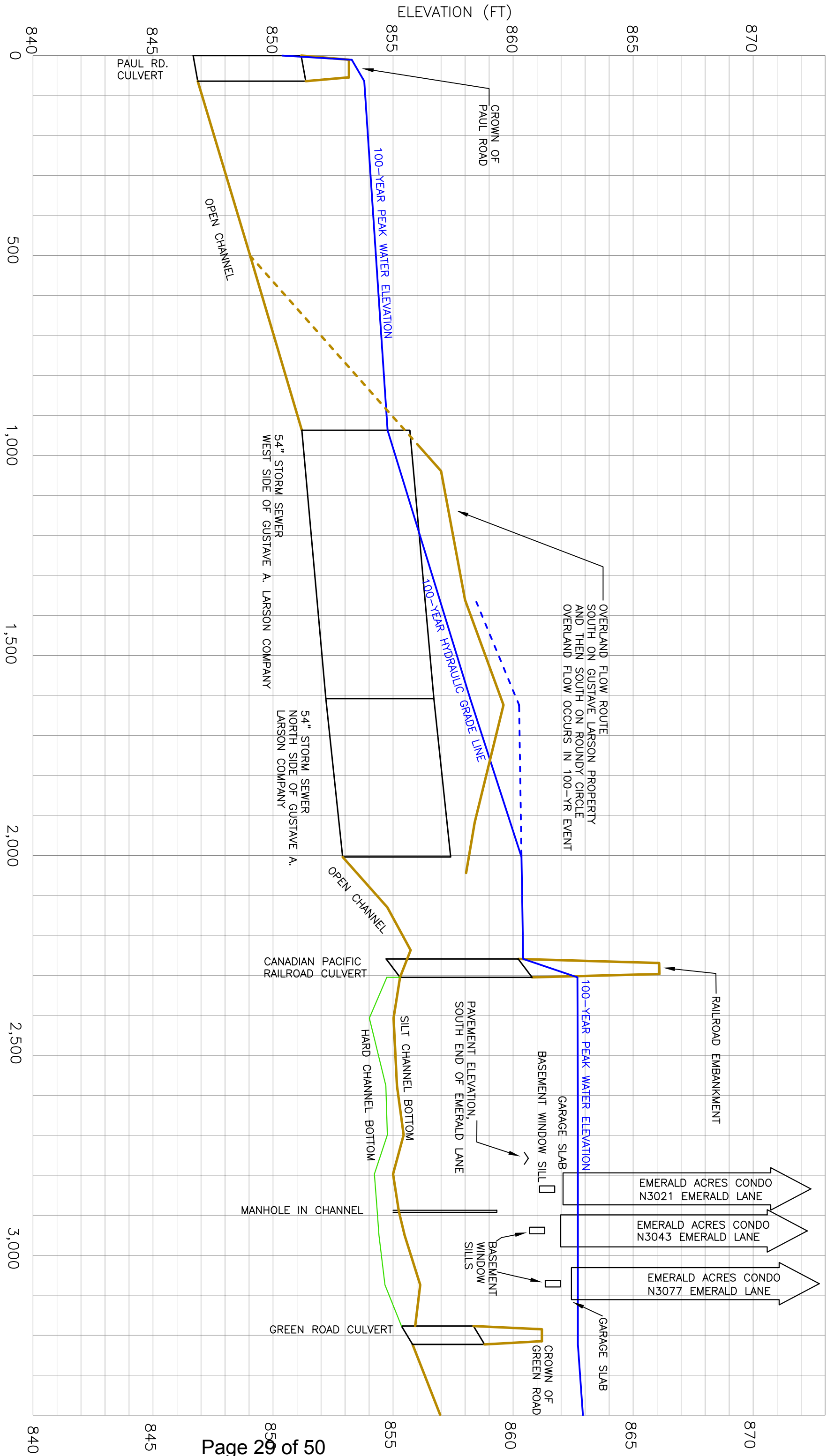
The profile shows that a major reason for the flooding along Emerald Lane is a backwater effect from the Canadian Pacific railroad culvert. The hydraulic modeling indicates that there is an increase in the 100-year peak water surface of more than 2 feet from the downstream end to the upstream end of the railroad culvert. (In other words, there is a hydraulic head loss of more than 2 feet because of this culvert). The estimated 100-year peak water elevation is above the basement window sills and garage slab elevations of all three condominium buildings on the west side of Emerald Lane. The peak 100-year water surface is about 2 feet above the street elevation at the south end of Emerald Lane.

The 54" storm sewer downstream of the railroad, on the Gustave Larson property, also causes a backwater effect, as the profile shows.

The modeled water surface profile is essentially flat upstream from the railroad culvert. This indicates that the channel adjacent to Emerald Acres is not the controlling hydraulic restriction during large storm events. Even if the capacity of this channel were increased, the peak 100-year water surface elevation would not change significantly, unless the downstream culvert capacity was also increased.

The modeling also showed that Green Road is overtopped during the 100-year storm event, but most of this overtopping is caused by backwater from downstream (the water elevation at the railroad culvert is already more than a foot higher than the centerline of Green Road where it overtops).

A selection of existing channel cross sections between Green Road and the railroad culvert is shown graphically in Appendix A.



MARCH 2012

FIGURE 12
100-YEAR WATER SURFACE /
HYDRAULIC GRADE LINE PROFILE
EMERALD LANE FLOODING STUDY

EVALUATION OF STORMWATER FLOOD RELIEF ALTERNATIVES

The second phase of this study was the evaluation of various alternatives to reduce stormwater flooding in the vicinity of Emerald Lane.

Most alternatives to reduce the impact of stormwater flooding fall into the following general categories:

- Storage of floodwater
- Conveyance of floodwater
- Floodproofing
- Acquire / remove flooded properties

Stormwater *storage* or *detention* reduces downstream peak flows by holding back runoff and releasing it downstream at a slower rate. This is usually done in stormwater detention / retention ponds.

Stormwater *conveyance* involves the construction of larger or more storm sewers, culverts or drainage channels to move stormwater away from flooded areas

Floodproofing strategies protect property by either forming barriers or seals to prevent floodwater from entering a building, or reconstructing and protecting interiors/exterior so that if water does enter portions of a building, the damage will be minimized. Note that floodproofing does not lower floodwater elevations on a site or in a neighborhood, unlike storage and conveyance options. But floodproofing reduces the amount of property damage caused by these high water elevations.

If flood damage is severe enough and there are no feasible and affordable alternatives for reducing flood damages using the strategies above, then *property acquisition* may be considered. A public entity acquires flooded structures and then demolishes them, usually converting the parcel to some sort of greenspace. Property acquisition alternatives were not considered in detail in this study, because there appear to be other feasible alternatives that will significantly reduce flood elevations and damages while avoiding the dislocation of residents.

Specific Alternatives Evaluated

Numerous alternatives that fall into the above general categories were evaluated to reduce the peak flood elevations adjacent to Emerald Lane, or mitigate the damage caused by these peak flood elevations. The following sections discuss specific alternatives that were evaluated. In some cases, the alternative was ruled out for further consideration, and this report will briefly discuss why the alternative was ruled out. In other cases, the alternative became part of the overall recommended plan, and more detail on the alternative is presented in the Recommendations section of this report.

Increase hydraulic capacity under Canadian Pacific railroad embankment

The existing 110-year old culvert under the Canadian Pacific railroad embankment is the hydraulic bottleneck that has the most direct impact on flooding at Emerald Lane. Upstream flood elevations can be reduced by enlarging the culvert or adding a second culvert. The existing culvert appears to be in adequate condition (although no structural assessment of the culvert was made) and modification of this culvert is not recommended. It should be left in place to continue to provide some hydraulic

capacity. A second culvert under the railroad embankment is recommended, and should be a cornerstone of any plan to provide upstream flooding relief. This project is discussed in much more detail in the Recommendations section of this report.

Increase capacity of open channel between railroad and Green Road

It had been suggested in the past that increasing the capacity of the channel along Emerald Acres, by clearing vegetation, removing accumulated sediment, or regrading the channel to create a wider cross section, may reduce flooding. However, this study found that modifying this channel is not going to solve the flooding problem that occurs during large storms such as the 100-year event. Water is backing up from the railroad culvert, regardless of the capacity of the upstream open channel. The capacity of this channel is much larger than the capacity of the railroad culvert or the downstream 54" diameter storm sewer.



Figure 13
Channel on west side of Emerald Acres, looking
north from bend near railroad tracks

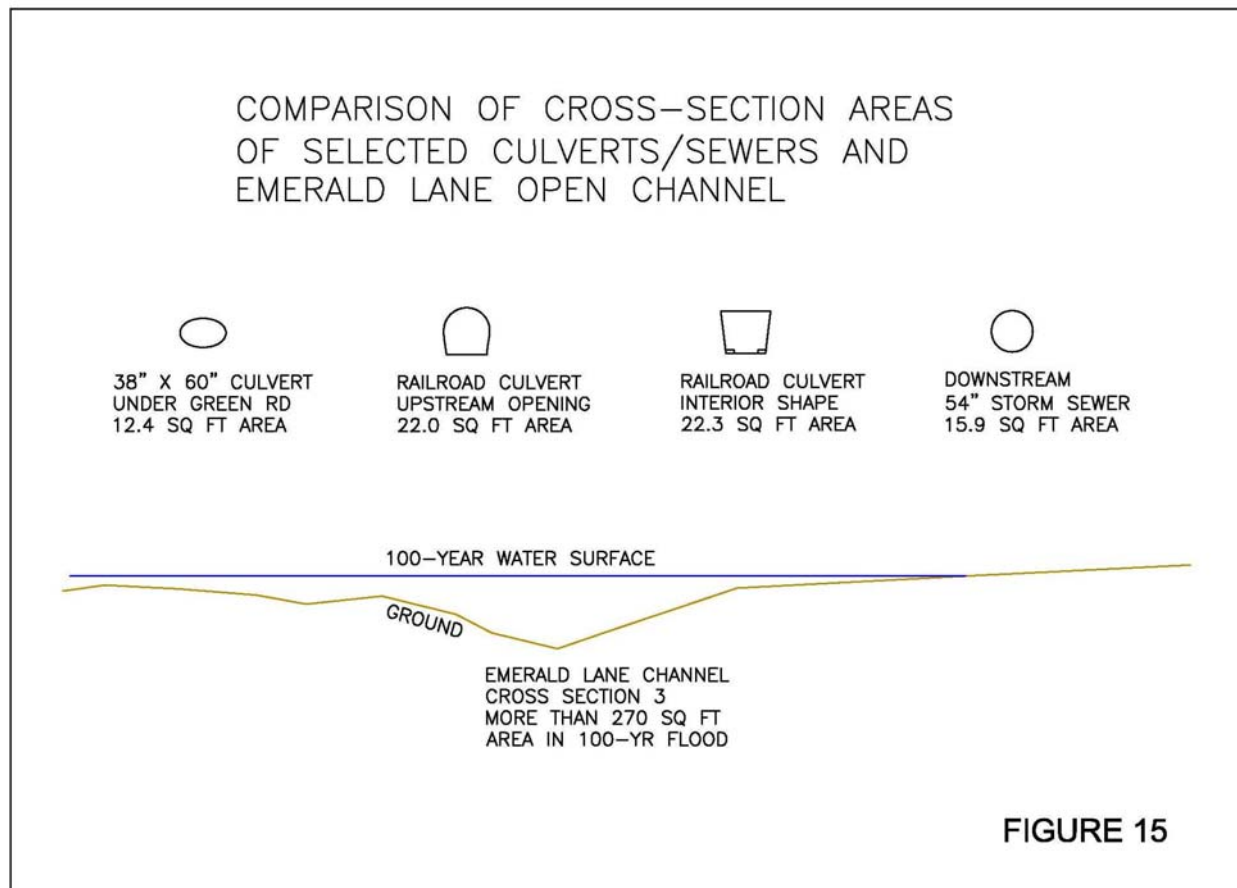


Figure 14
Channel along north side of railroad
embankment, looking east from near culvert
toward Emerald Acres

The drawings of surveyed channel cross sections in the Appendix show that while there was a small amount of silt buildup in the bottom of the channel at the time of survey, this amount is quite small compared to the overall cross sectional area of the channel. The previous profile drawing (Figure 12) also shows that the controlling channel bottom elevation appears to be the invert of the railroad culvert, and that the silt bottom elevation upstream is nearly the same as the culvert invert elevation. Even if

this silt were removed down to the hard bottom elevation, there would be very little decrease in peak water surface elevations.

The following Figure 15 also shows graphically how the areas of the downstream culverts and storm sewers are much less than the area of the open channel. Although there is not an exact relationship between cross section area and hydraulic capacity (other factors such as slope and surface roughness also affect capacity), this graphic helps explain why it is the culvert and storm sewers that are causing backups, not the open channel areas.



Because this channel is considered a navigable waterway by the Wisconsin DNR, there are also restrictions on the amount of channel regrading and modification that can be done. Significant reconstruction of the channel may not be approved by DNR.

For the above reasons, this alternative is not recommended for further consideration.

Increase capacity of Green Road culvert

Currently, floodwater has been observed to overtop Green Road, because of both backwater from downstream (south) and lack of capacity in the culvert under Green Road. Because Green Road will be reconstructed in 2012, an opportunity exists to increase culvert capacity under Green Road if that would

be beneficial to area flooding issues. Therefore, AECOM simulated culvert enlargement using the XPSWMM hydrologic/hydraulic model.

As discussed previously, the primary causes of major flooding in the Emerald Lane vicinity during the 100-yr rainfall event are restrictions downstream such as the culvert under the Canadian Pacific railroad tracks. However, during medium-size design rainfall events such as the 10-year event, there will be runoff overtopping of Green Road that is caused by the limits of capacity of the culvert under Green Road (the culvert that is located east of the Wagner Park entrance and west of Emerald Lane), rather than backwater from further downstream. And even if downstream improvements are made such as an additional culvert under the railroad embankment, there will still be overtopping of Green Rd during the 10-year event.

It appears that a 6' x 3' high rectangular culvert pipe under Green Road will eliminate road overtopping during the 10-year event *if the other recommended downstream improvements are also made*. We were not able to find a feasible culvert size under Green Road that will eliminate all road overtopping during the 100-year event. For example, we modeled a 12' wide x 4' high rectangular concrete box and were still getting road overtopping during the 100-year event. However, road overtopping occurs in many areas in the City during the 100-year event, where cross culverts are designed for small storm events.

If the downstream improvements are not made but the Green Rd culvert is enlarged to the 6x3 box, the 10-year peak water elevation north of Green Road is reduced to 861.5, which is only 0.1 feet higher than the proposed centerline. There would be only about 1 cfs of overtopping of Green Road in the 10-year storm event in this condition. Therefore, our recommendation is that upsizing the Green Road culvert is worthwhile even before other downstream conveyance improvements are made

However, this plan will only be effective if there is capacity to allow a large amount of surface flow into this new pipe, on the north side of Green Road. XPSWMM modeling indicates that 132 cfs of surface flow needs to be captured on the north side of Green Road. Much of this surface flow is coming through Wagner Park. The park's south pond doesn't have much capacity before it overtops; most of the flow from the pond will be coming from surface overtopping rather than the 21" outlet pipe. So a high-capacity inlet structure or open culvert opening is required on the north side of Green Road.

The lowering of the Green Road profile and the shifting of the local low centerline point to align with/near the channel also helps reduce surface overflow down Emerald Lane.

AECOM provided additional information to City staff during the final design of the Green Road project on these recommendations. It is our understanding that they have been incorporated into the final design of Green Road, which will be constructed in 2012.

Increase capacity of open channel downstream of railroad culvert

There is a short stretch of open channel between the railroad culvert (on the north / upstream end) and the opening to the 54" storm sewer on the Gustave Larson property (southwest / downstream end). This segment has adequate capacity to convey the 100-year design flows and no major hydraulic improvements are recommended. But some minor modifications will likely be required as part of the overall recommended plan, to make connections to the new railroad culvert and new downstream

storm sewer. The channel will likely be considered a navigable waterway by the Wisconsin DNR and permitting may be required for modifications.

There is approximately two feet of vertical drop between the invert of the existing railroad culvert and the invert of the existing 54" storm sewer. Lowering the slope of this channel would potentially allow the invert of the new railroad culvert to be lowered, which may further reduce the estimated 100-year flood elevation upstream. This should be evaluated during the design phase of the project.

Increase of conveyance in/parallel to Roundy Circle storm sewer

The hydraulic modeling indicates that the 54" storm sewer on the Gustave Larson Company property is a secondary restriction in the drainage system. If an additional culvert is added under the railroad embankment, then this downstream storm sewer becomes the primary limiting factor. Increasing the capacity of this portion of the drainage system, by installing additional storm sewer or surface drainage routes, would further reduce flooding in the project area. For example, a second storm sewer could be installed from the railroad culvert area, south along the east side of the Gustave Larson driveway, south on Roundy Circle, and eventually reconnecting to the main drainageway. This project is recommended, and further discussion is included in the Recommendations section of this report.

Stormwater storage / detention

The above alternatives are conveyance alternatives: they remove water faster from floodprone areas. Another strategy to reduce flooding is to reduce peak runoff flows getting to these areas, by using stormwater detention / retention basins.

There are already a series of detention basins upstream, including two City-owned basins in Wagner Park, and two privately-owned detention basins in the Five Fields subdivision. These detention basins currently provide some reduction in peak flows in the watershed. Without them, it is likely that existing flooding conditions downstream around Emerald Lane would be even worse.



Figure 16
Wagner Park – South Detention Pond



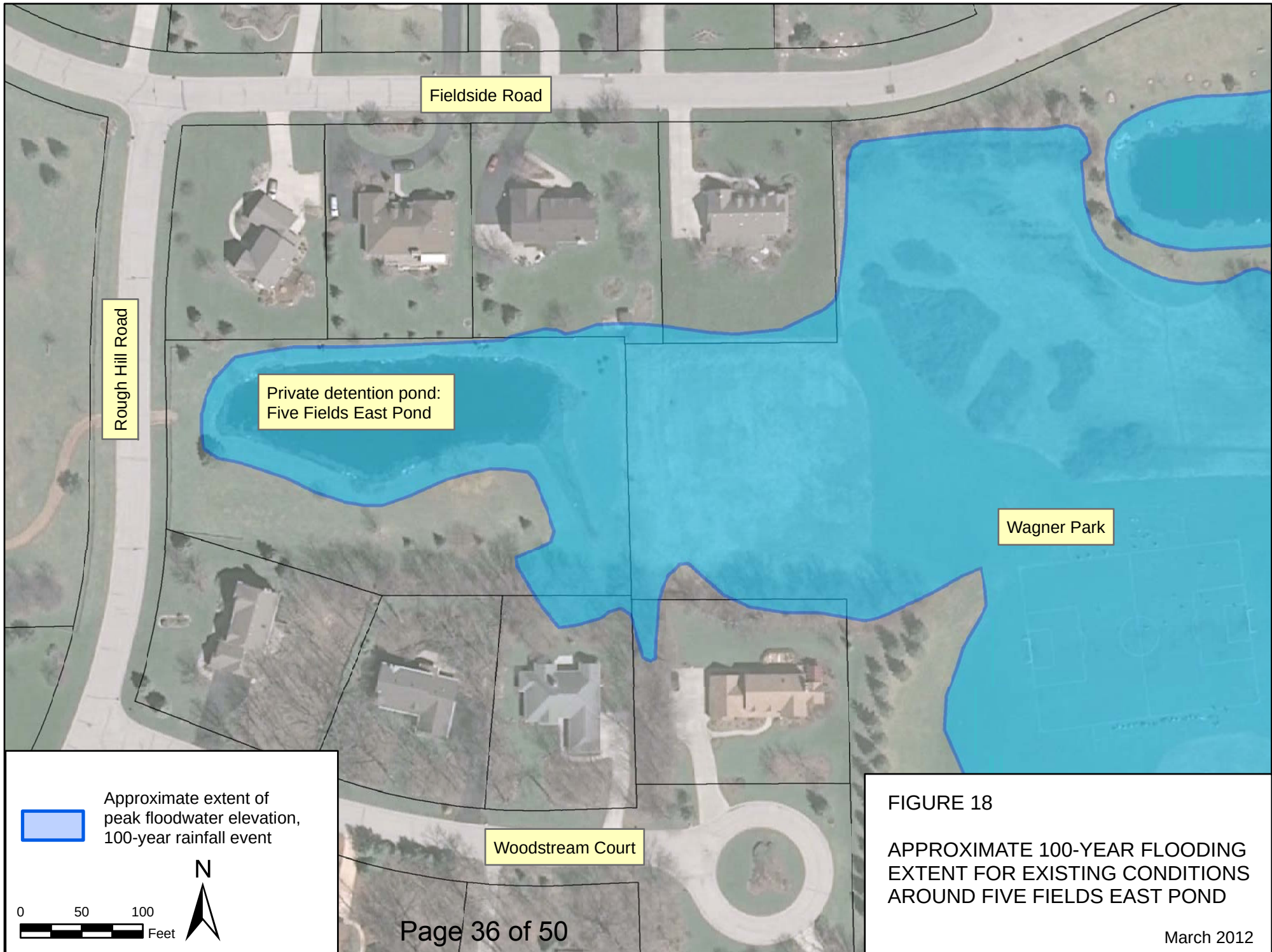
Figure 17
Wagner Park – North Detention Pond

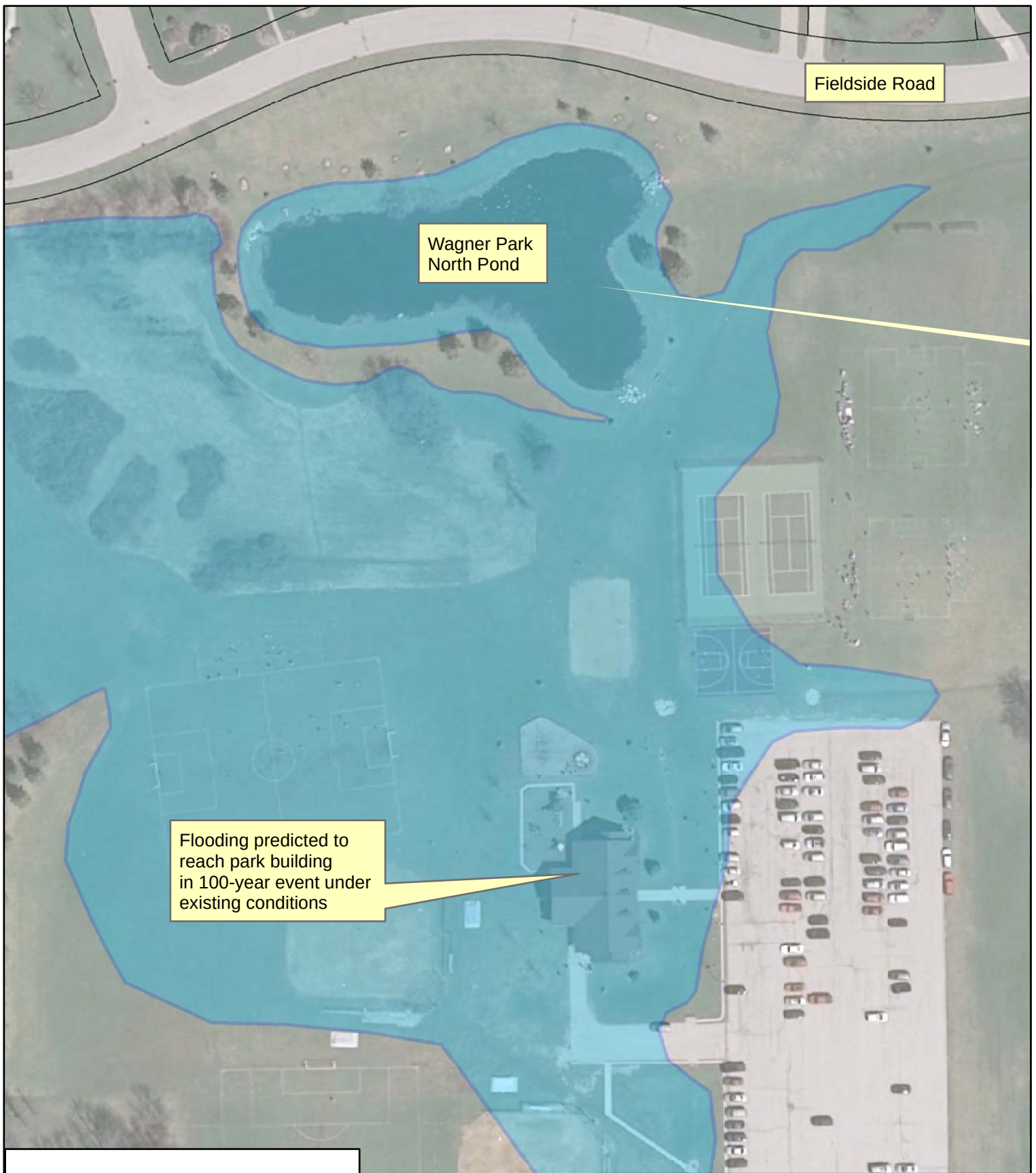
If additional upstream detention were provided, by modifying existing detention basins or by constructing new detention basins, it is possible that peak flows could be reduced enough to provide noticeable flood mitigation.

AECOM evaluated and modeled several concepts for modifying the existing detention basins to store more water, such as raising berms along downstream sides of the basin to increase the depth of water stored in the basin before overflow occurs. Unfortunately, there does not appear to be any feasible alternatives that detain enough additional water to achieve a noticeable reduction in peak flood elevations downstream at Emerald Lane. Because of site constraints, it does not appear desirable to store water at a much greater depth in the existing detention basins. For instance, AECOM evaluated the construction of a berm along the eastern (downstream) end of the “Five Fields East detention basin”, located east of Rough Hill Road. However, as Figure 18 shows, under existing conditions water is already backing up from the detention pond parcel and onto adjacent residential lots. If a berm were constructed to hold significantly more water in the Five Fields East basin, it appears that floodwater would start to approach some of the adjacent houses.

Similarly, we also considered the possibility of doing berming / regrading along the south side of the Wagner Park South detention pond, which is city-owned. The peak water elevation would be increased in the Wagner Park pond and flows would be reduced downstream. However, Figure 19 shows that under existing conditions, a large portion of the park is already predicted to be flooded during the 100-year storm event, including the park building (it is unknown if this situation has occurred historically). Storing water to a higher elevation in the Wagner Park South pond would also increase the peak flood elevation in this area of the park because of backwater effects, making this situation even worse.

There would not be much floodwater storage that would be gained if the existing ponds were excavated deeper. Because of the low slope of the drainage system and surface topography in this area, the outlets of these basins cannot be lowered much. Any excavation done below the outlet elevation is likely to remain full of water at all times, and not be available for effective floodwater storage during a rainfall event.





Fieldside Road

Wagner Park
North Pond

Flooding predicted to
reach park building
in 100-year event under
existing conditions

Approximate extent of
peak floodwater elevation,
100-year rainfall event

0 50 100
Feet

N

FIGURE 19

APPROXIMATE 100-YEAR FLOODING
EXTENT FOR EXISTING CONDITIONS
WAGNER PARK CENTRAL AREA

Floodproofing of selected Emerald Lane condominiums

If it would be acceptable to reduce the amount of floodwater entering basements and ground floors of the condo units, while still allowing the street and yards to flood to the same elevation, then methods of sealing surface water entry points into structures could be evaluated.

Floodproofing is not as comprehensive of a solution as the other alternatives because it does not reduce peak water elevations. The continued flooding of streets and yards still causes some damage and disruption to area residents. Also, the ponding of water adjacent to the structure still creates an elevated flooding risk because no floodproofing method can be guaranteed to be 100% effective and reliable. However, floodproofing can be a cost-effective means of reducing flooding damage when other, more comprehensive alternatives are much more costly or infeasible.

There are several basement window wells, low doors, and other potential points of entry for floodwater in the Emerald Lane condominiums along the east side of the channel. If the City did not wish to pursue the recommended conveyance system improvements, or the improvements are ultimately not able to be constructed in full or in part, then floodproofing of selected condominium units should be considered.

RECOMMENDATIONS AND IMPLEMENTATION

The recommended approach to flooding reduction for the Emerald Lane / Emerald Acres area is a group of projects:

- Construction of a second culvert under the Canadian Pacific Railroad embankment, southwest of Emerald Acres
- Construction of additional storm sewer from the Gustave Larson property south to Roundy Circle to an unnamed open channel
- Enlargement of the existing culvert under Green Road, south of Wagner Park and west of Emerald Lane

The locations of these recommended projects are shown in Figure 20 on the following page. Together, these recommendations reduce the estimated 100-year peak floodwater elevation in the vicinity of Emerald Lane to below the ground elevations adjacent to the currently-flooded condominiums.

Note that there is little flood mitigation benefit to constructing the Roundy Circle storm sewer, unless the additional railroad culvert is also constructed. That is because the existing railroad culvert is the most severe hydraulic restriction in the area. Therefore, we do not recommend proceeding with the Roundy Circle storm sewer there is a high probability that the railroad culvert will also be constructed.

The estimated construction costs of these projects are:

New culvert under Canadian Pacific railroad: \$250,000 - \$500,000

New Roundy Circle storm sewer: \$300,000 - \$600,000

Green Road culvert: By others, including in Green Road reconstruction bid

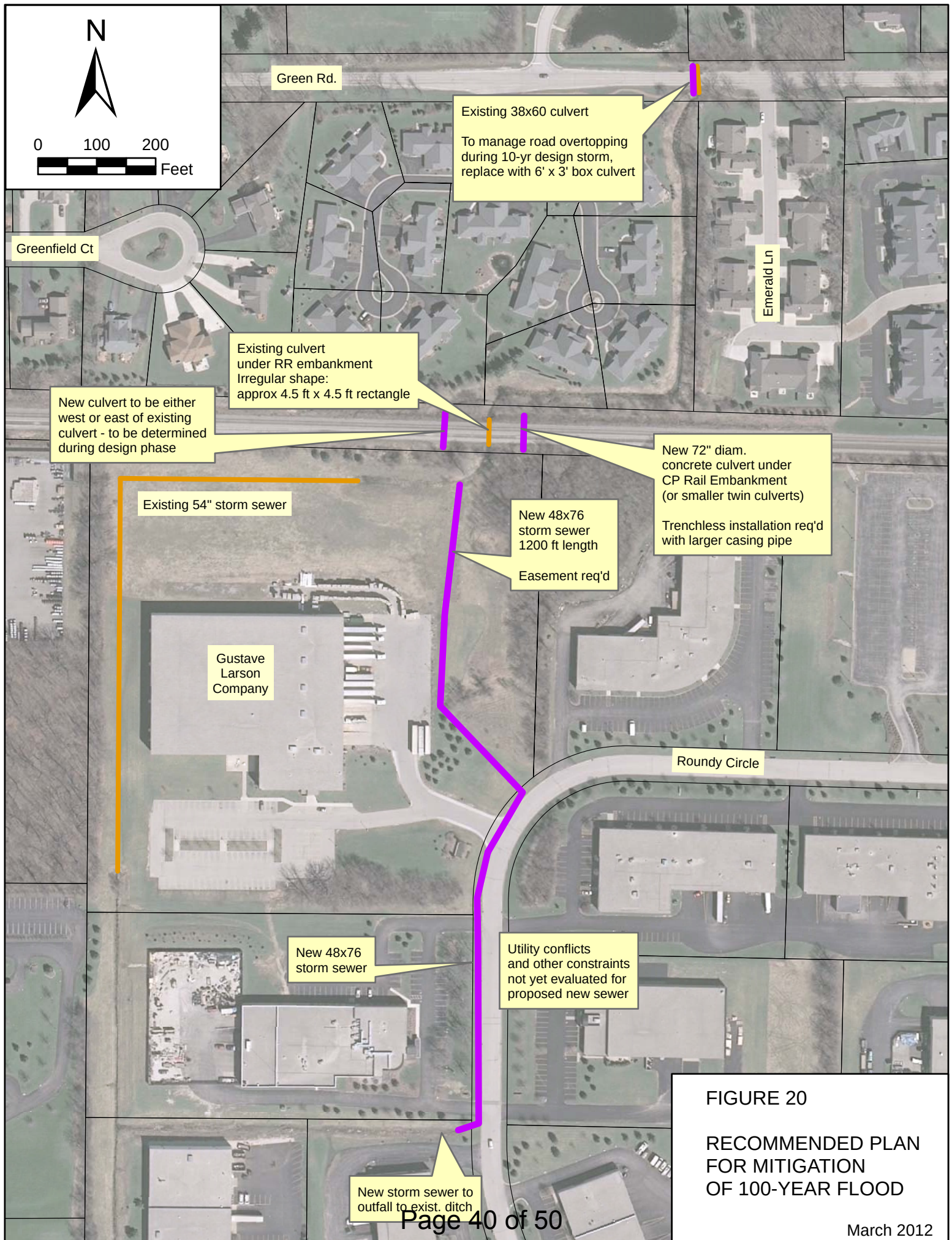
These cost estimates do not including engineering, real estate, permitting or other non-construction costs.

The following sections contain additional details on each of these recommendations.

New culvert under Canadian Pacific Railroad tracks/embankment

The primary cause of surface flooding experienced in the vicinity of Emerald Acres is the limited hydraulic capacity of the existing culvert under the Canadian Pacific railroad tracks and embankment. This stone masonry culvert is approximately 110 years old and does not have the hydraulic capacity to convey the estimated 100-year peak flow on the drainage channel without causing upstream flooding. Therefore, it is recommended that a second culvert crossing be constructed under the railroad embankment. The existing culvert will remain in place and will not be modified.

Hydrologic/hydraulic modeling indicates that an additional 72" diameter concrete culvert is required to convey the necessary 100-year design flow. Trenchless installation of the culvert is required by Canadian Pacific Railroad. The railroad also requires a casing pipe in addition to the concrete culvert. The casing pipe will be of slightly larger diameter than the concrete culvert and is anticipated to be steel pipe. It is anticipated that boring/jacking will be used to install the pipe under the railroad embankment. The estimated length of the new culvert is 50 to 60 feet.



The estimated vertical distance between the top of railroad tracks and the proposed culvert invert is 10 to 12 feet. The design team should evaluate whether adequate cover can be provided between the railroad tracks and the crown of the proposed casing pipe. It may be necessary to install two smaller parallel casing pipes and culverts, rather than one larger one, in order to provide an adequate depth between the culvert and the railroad tracks.

From a hydraulic standpoint, the new culvert can be installed a short distance west or east of the existing culvert, as long as some grading can be done at both ends of the new culvert to connect it to the existing open channel. During the design process, site conditions and constraints, constructability factors, geotechnical information, permitting conditions, land access and easement availability should be reviewed to make a recommendation as to whether the new culvert should be installed west or east of the existing culvert. The railroad may also have minimum required distances between the existing culvert and the new culvert.

Figure 21 shows the probable culvert locations in more detail.

A significant geotechnical investigation should also be conducted, given the nature of the project (trenchless installation of large diameter pipe, railroad main line, close proximity to wetlands and waterways). Canadian Pacific has a permitting process that will need to be met.

Construction of the new culvert will require a state Chapter 30 permit for construction work in/adjacent to a navigable waterway. SEWRPC has also delineated wetlands (in fall 2011) on both the north and south sides of the railroad embankment, and therefore the project will require submittal of a joint state/federal wetlands permit application.

Temporary construction easements will also be required for this project. The most significant temporary easement will be required for setup of the boring/jacking equipment, which may have to be located partially outside of the railroad right of way. The best access for the boring/jacking equipment appears to be from the southwest of the existing culvert, on the Gustave Larson property. In this scenario, boring /jacking will proceed from south to north. Access will also be required on the northern side of the railroad tracks to recover the boring equipment.

New Roundy Circle storm sewer

The second recommended project is the construction of a new storm sewer from the open channel south of the railroad embankment, south through the Gustave Larson property and south on Roundy Circle, to an existing open channel on the north side of W233 N2833 Roundy Circle West. The purpose of this project is to provide additional hydraulic capacity parallel to an existing 54" storm sewer that runs west and then south on the Gustave Larson property. This storm sewer will have a length of approximately 1,200 feet.

Figure 20, on the previous page, showed the route of this proposed storm sewer.

Based on XPSWMM hydrologic/hydraulic modeling, the anticipated size of the storm sewer is a 48" x 76" horizontal elliptical.

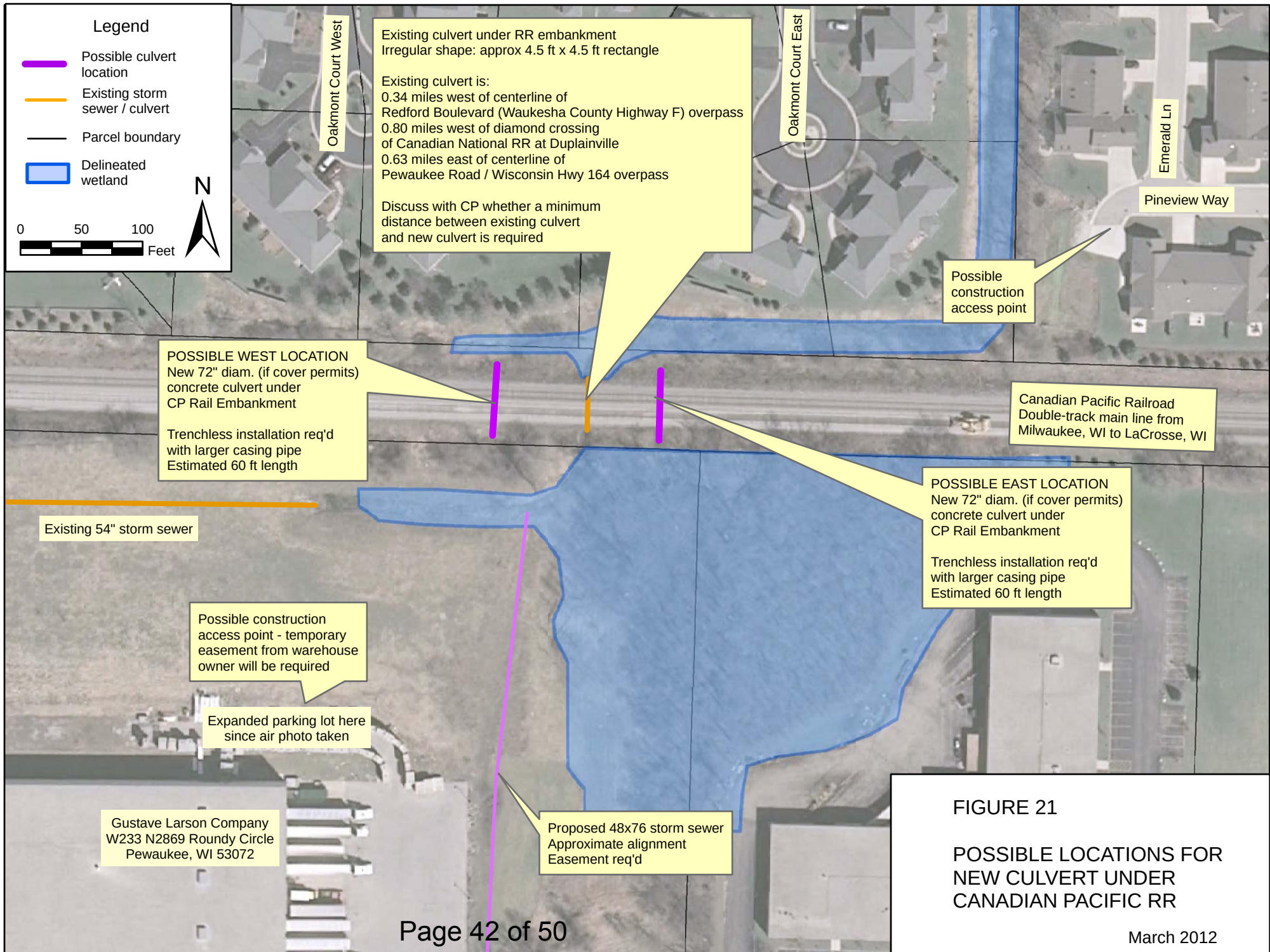


FIGURE 21

POSSIBLE LOCATIONS FOR
NEW CULVERT UNDER
CANADIAN PACIFIC RR

March 2012

Approximately 600' of this storm sewer will need to be located on the Gustave Larson parcel, for which a permanent easement or outright property acquisition will be required. The remaining 600' is anticipated to be located within the public right of way of Roundy Circle West. An easement for the new outfall may also be required.

In order to characterize subsurface conditions for the construction of this large-diameter storm sewer, several soil borings and a geotechnical report are recommended. There may also be need for Chapter 30 (navigable waterway) permitting and wetlands permitting, though that could potentially be combined with the DNR permitting for the new railroad embankment culvert. The storm sewer installed on the Gustave Larson property will need to be routed to the west of the large wetland area if possible.

Conflicts and constraints with other utilities have not been evaluated for this sewer route yet, but will be evaluated during the design phase.

If the new storm sewer cannot be installed along the preferred route, then the City should consider upsizing the existing 54" storm sewer, or installing a second parallel pipe along that same route. It is estimated that construction costs will be higher for this alternative would be higher, especially if the existing 54" to be removed (in that case, there would be a cost for removal and disposal of the pipe, and the new pipe would have to be even larger than 48x76 to make up for the capacity lost when the existing pipe is removed). Excavation depth for this route would be greater since a large amount of fill has been placed above the existing storm sewer. One benefit to this alternative is that the City does have an existing drainage easement along this route.

New Green Road culvert

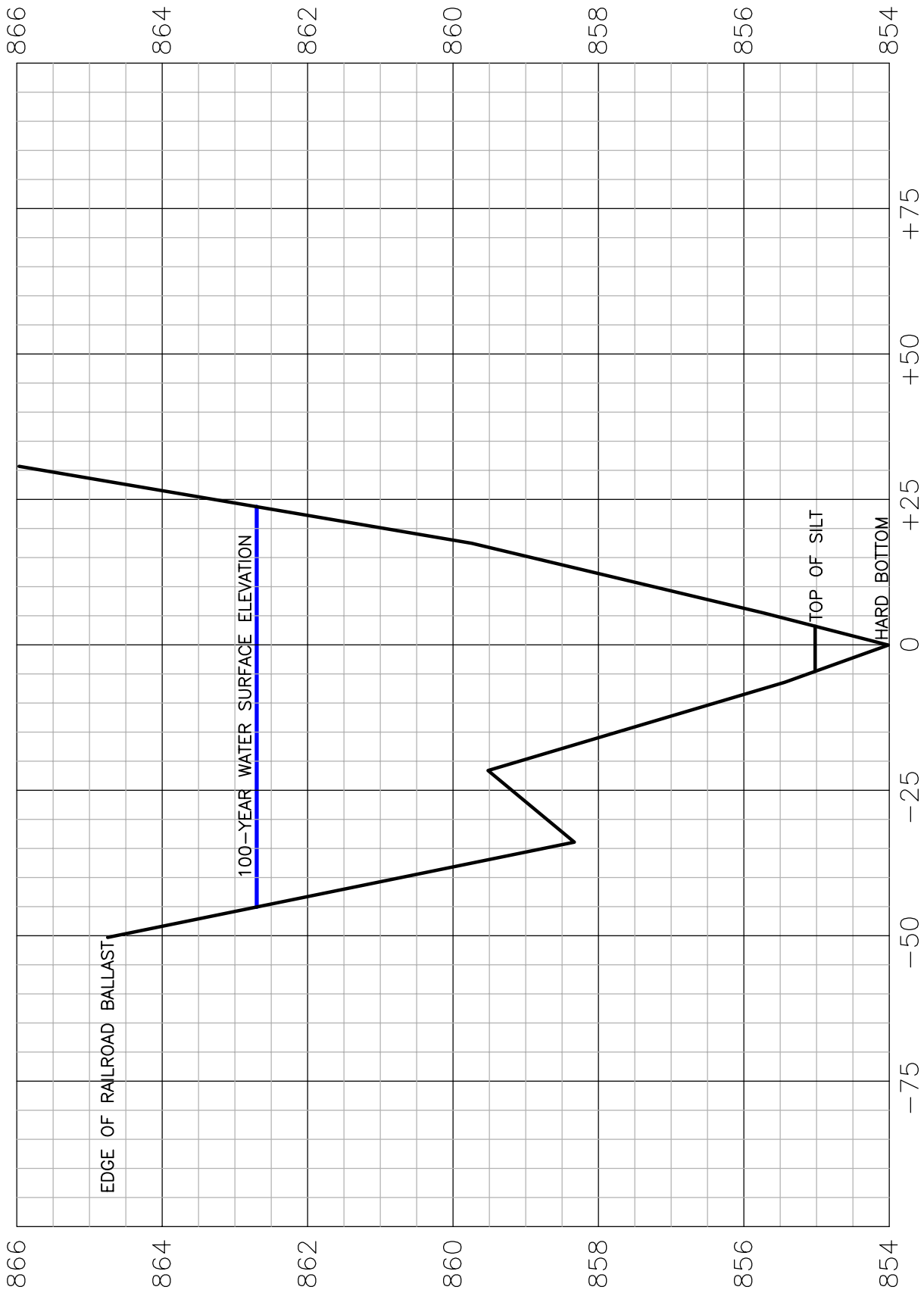
As the final design of the Green Road reconstruction project was in progress, AECOM provided City staff with additional recommendations on the sizing of a new Green Road cross culvert, and necessary intake/inlet capacity on the north side of Green Road, to capture the large amount of surface flow and route it into the culvert. It is our understanding that this information has been incorporated into the Green Road design plans and that no further analysis related to this component is necessary. AECOM would be happy to provide additional modeling and analysis related to the Green Road reconstruction if requested.

APPENDIX A

SURVEYED CROSS SECTIONS: CHANNEL ADJACENT TO EMERALD ACRES AND RAILROAD EMBANKMENT

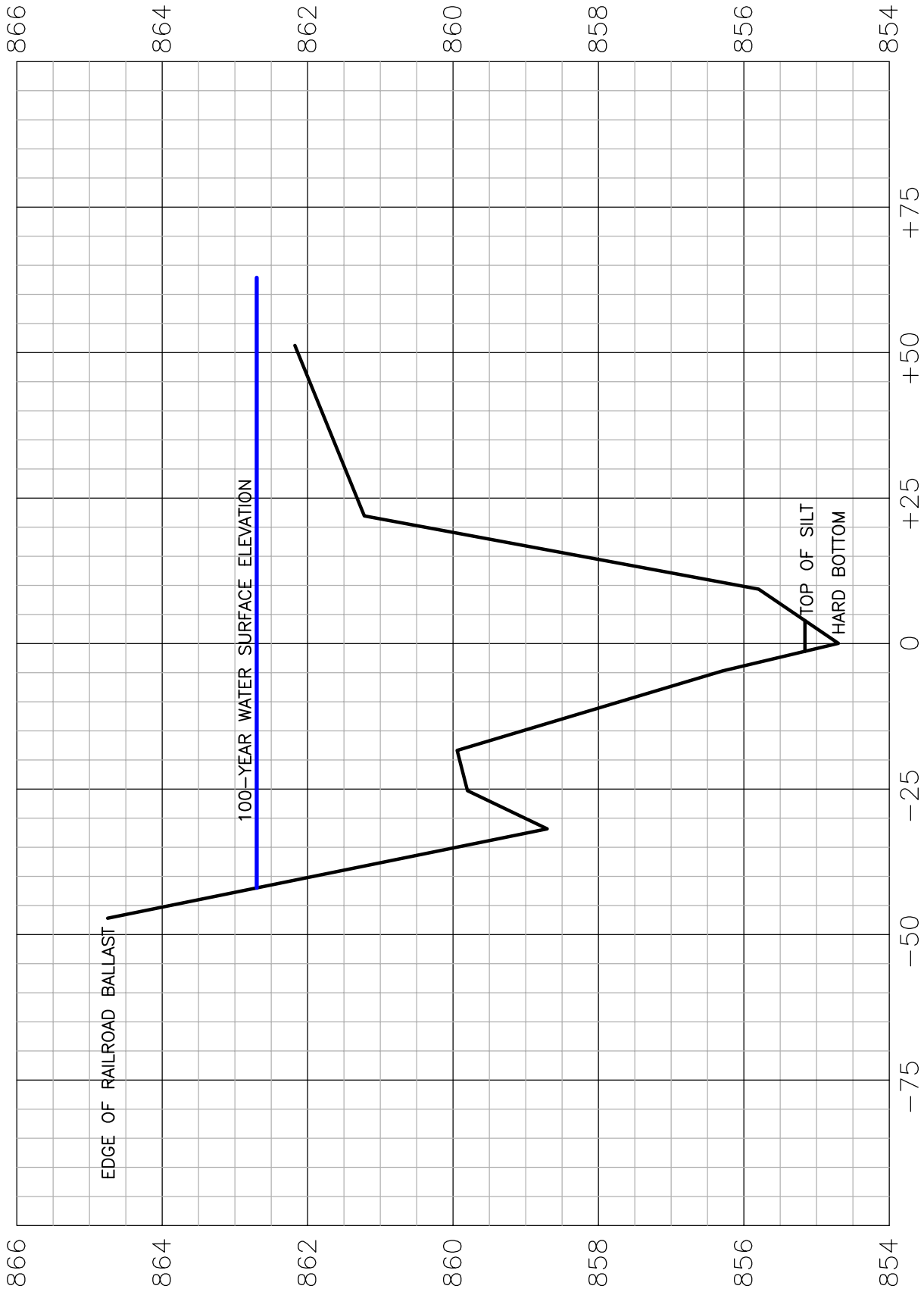
Field survey performed by Ruekert/Mielke, 2010

100-year water surface elevations shown represent existing conditions,
before proposed flood control improvements



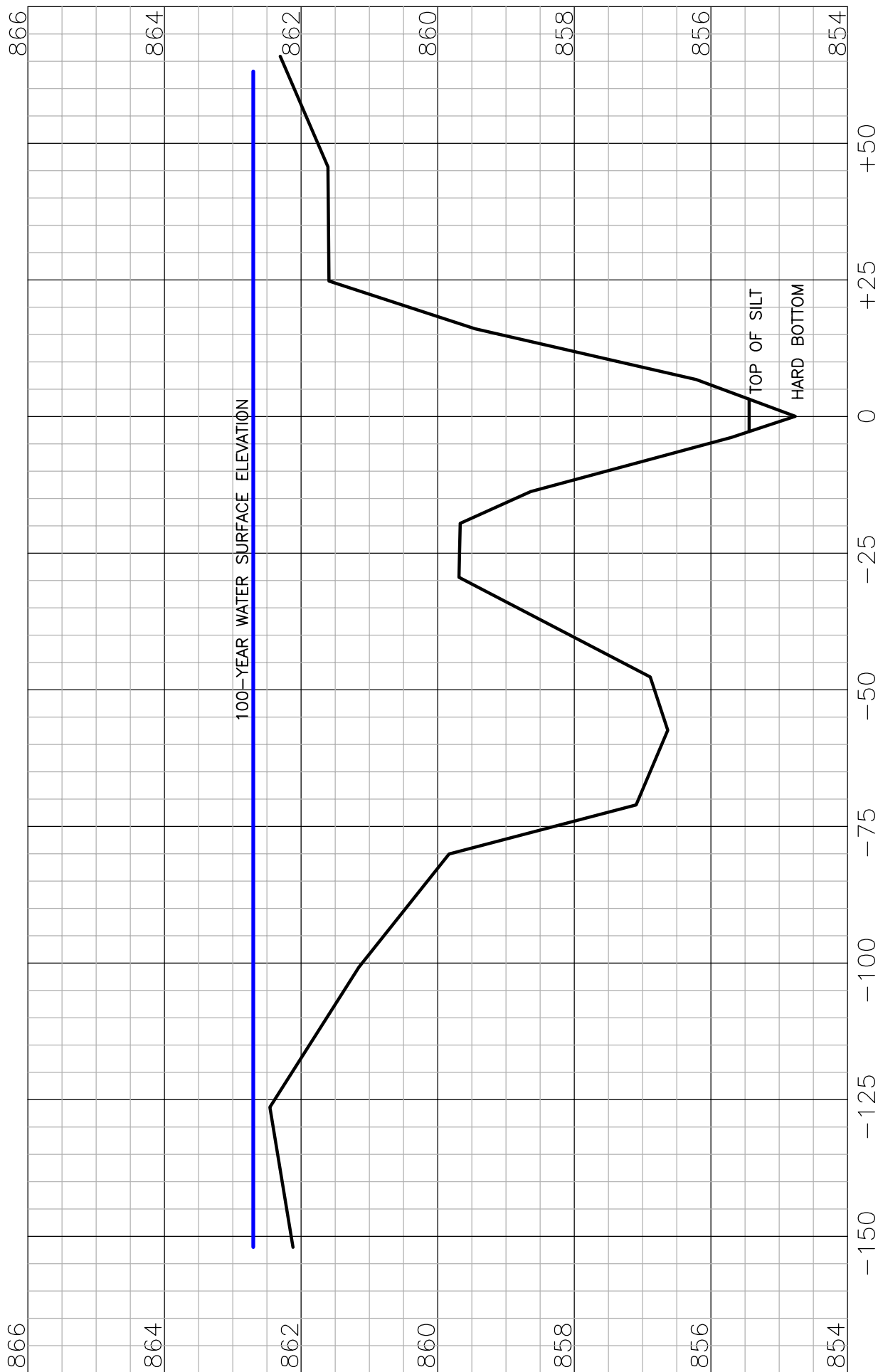
**SURVEYED CROSS SECTION:
RAILROAD NORTH CHANNEL 1**
Approximately 65 ft east of railroad culvert

HORIZONTAL SCALE: 1 INCH = 25 FT
VERTICAL SCALE: 1 INCH = 2 FT
VIEW LOOKING DOWNSTREAM (TO WEST)



**SURVEYED CROSS SECTION:
RAILROAD NORTH CHANNEL 2**
Approximately 240 ft east of railroad culvert

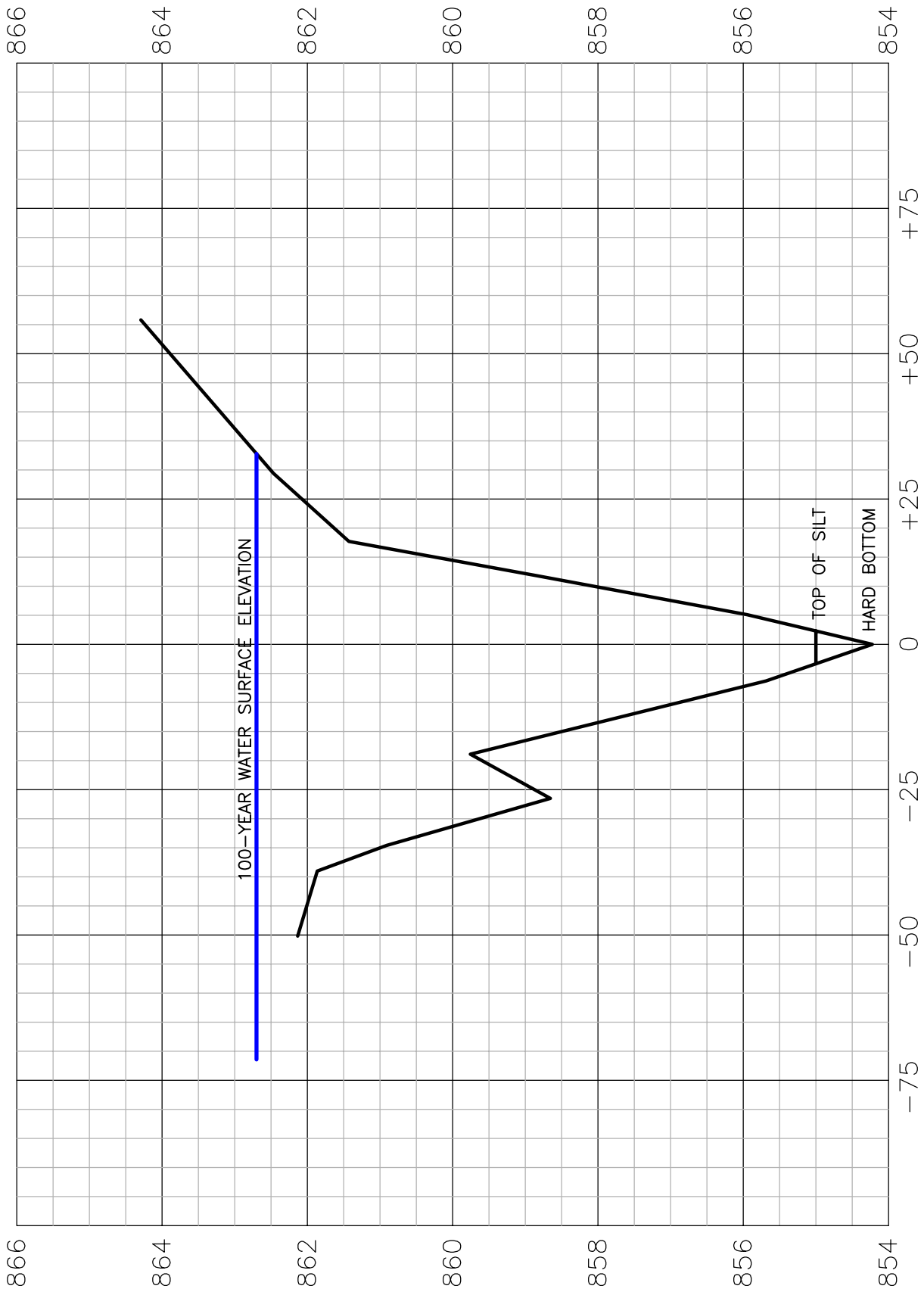
HORIZONTAL SCALE: 1 INCH = 25 FT
VERTICAL SCALE: 1 INCH = 2 FT
VIEW LOOKING DOWNSTREAM (TO WEST)



**SURVEYED CROSS SECTION:
EMERALD LANE CHANNEL 1**
Approximately 490 ft south of Green Rd centerline

HORIZONTAL SCALE: 1 INCH = 25 FT
VERTICAL SCALE: 1 INCH = 2 FT
VIEW LOOKING DOWNSTREAM (TO SOUTH)

Field survey provided by
Ruekert/Mielke, 2010
Drawn by AECOM

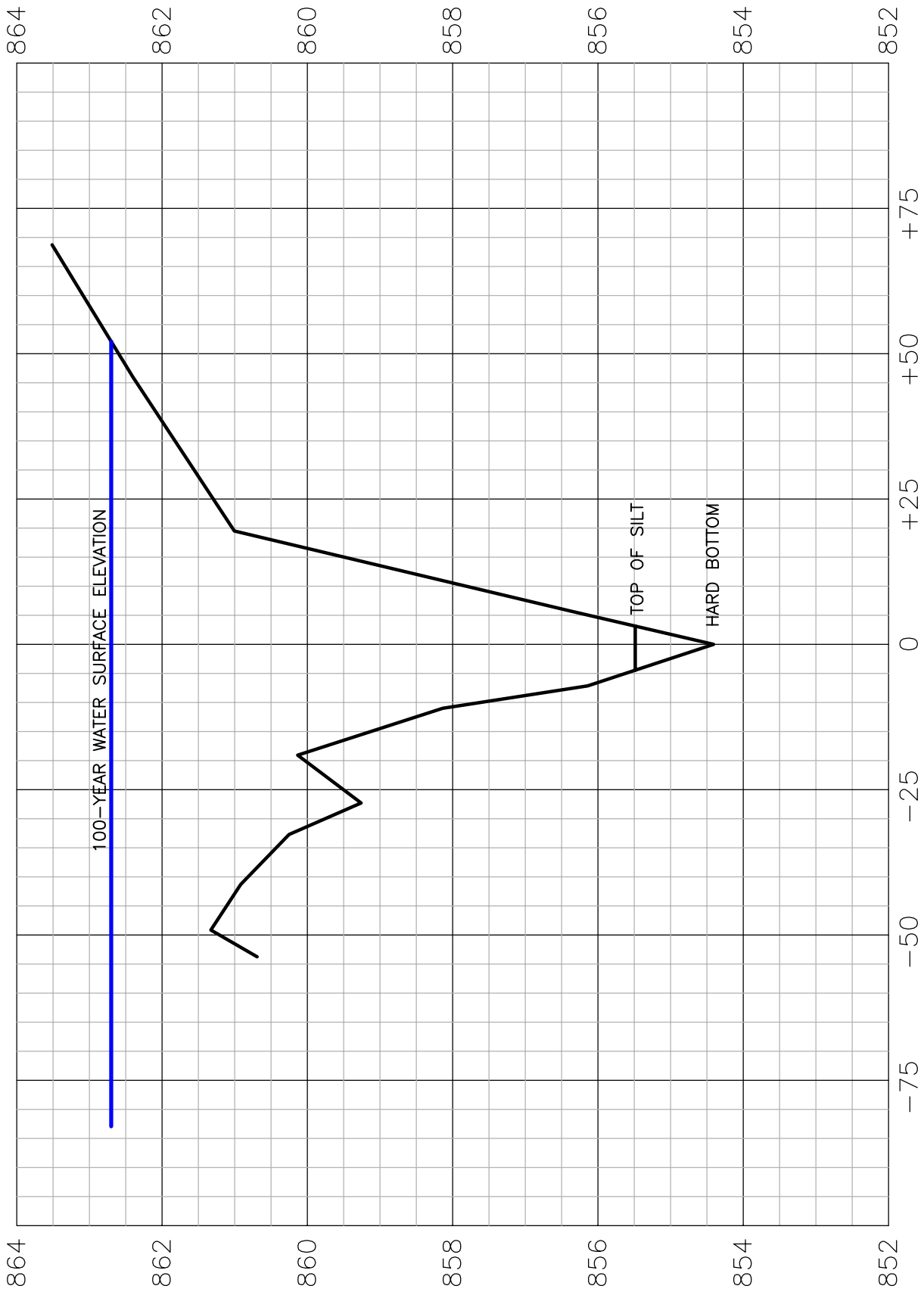


SURVEYED CROSS SECTION:

EMERALD LANE CHANNEL 2

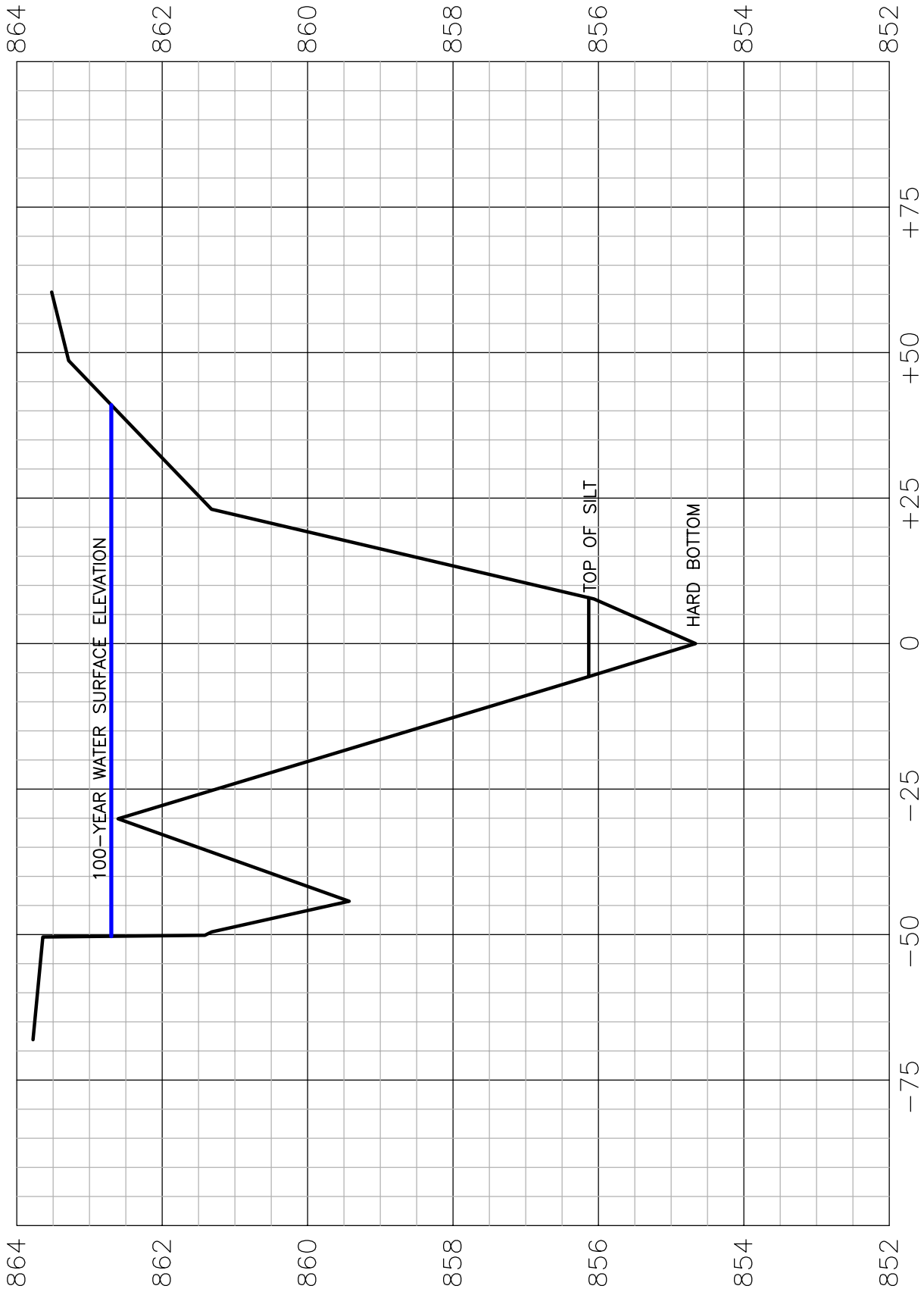
Approximately 385 ft south of Green Rd centerline

HORIZONTAL SCALE: 1 INCH = 25 FT
 VERTICAL SCALE: 1 INCH = 2 FT
 VIEW LOOKING DOWNSTREAM (TO SOUTH)



**SURVEYED CROSS SECTION:
EMERALD LANE CHANNEL 3**
Approximately 235 ft south of Green Rd centerline

HORIZONTAL SCALE: 1 INCH = 25 FT
VERTICAL SCALE: 1 INCH = 2 FT
VIEW LOOKING DOWNSTREAM (TO SOUTH)



**SURVEYED CROSS SECTION:
EMERALD LANE CHANNEL 4**
Approximately 115 ft south of Green Rd centerline

HORIZONTAL SCALE: 1 INCH = 25 FT
VERTICAL SCALE: 1 INCH = 2 FT
VIEW LOOKING DOWNSTREAM (TO SOUTH)

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 9.**

DATE: May 20, 2019

DEPARTMENT: PW - Water/Sewer

PROVIDED BY: Jeffrey Weigel, PE Public Works Director

SUBJECT:

Discussion and Possible Action to Authorize the Water Rate Case Application Submittal to Public Service Commission [Weigel]

BACKGROUND:

Drinking water rates are regulated by the State of Wisconsin Public Service Commission. Earlier this year the Common Council authorized Ruekert & Mielke to prepare a rate case application. Attached is a copy of the summary "Water Revenue Needs Study April 2019" along with the detailed submittal.

FINANCIAL IMPACT:

The Water Utility fiscal struggles have been discussed frequently over the past two or three years. This water rate application is due now, and if passed as submitted, would bring stability to the Water Utility finances. As proposed, water rates could increase as much as 54%. It should be noted that this submittal includes the recognition of a loan from Sewer to Water of \$9.3 M--\$6,880,000 of funds already "borrowed" from Sewer along with \$2.42M additional borrowing from Sewer to pay current expenses and maintain a recommended Water cash reserve.

This application represents the high-end "loan" from Sewer, and does not recognize the planned, but still unknown recapture of water special assessments that have been deferred. In other words, this application provides the most stable means of recapturing costs through quarterly rates. This is a beginning point to discussions with PSC. The final rate determination is via order of an Administrative Law Judge, and not by preference of the City, though the City has opportunities in the process to advocate its view.

For information purposes, we have photo copied pages from the Wisconsin Rural Water Association quarterly magazine which for convenience lists recent PCS Rate Orders, 45 in total. Note that 7 of the 45 had increases of over 50%; and 2 had decreases. The point is that these rate changes are quite variable, and usually only small if the specific utility undertakes frequent rate reviews.

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Water Revenue Needs Study

PSC Submittal

Pewaukee Water Utility
Water Revenue Needs Study

City of Pewaukee
Waukesha County, Wisconsin
May 2019

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Introduction

The following report describes the City of Pewaukee Water Utility's (Pewaukee) cost to provide water service. For Pewaukee to remain financially stable, they need to recover these costs through their water rates. Analysis indicates that Pewaukee ought to increase water rates. This rate increase will help cover the rise in expenses since the last water rate study in 2013, as well as the repayments to the sanitary sewer utility for the funds the water utility has borrowed over the years. The last water rate application was filed by Rotroff Jeanson and requested a rate increase of twenty percent. These rates were implemented following approval.

Revenue

R/M forecasts that Pewaukee's current water rates will generate \$2.1 million for the 2019 calendar year. R/M forecast modest growth in 2019 demand across customer categories of 0.3 percent based on the five-year average growth rate for demand.

To pay for the increased expenses since the last rate case, as well as to fund the repayments to the sanitary sewer utility, Pewaukee needs to increase its rates. This increase can provide adequate cash flow and a sufficient rate of return.

Five-year Forecast

R/M forecasts the following cash flow. The forecast rate increase provides adequate cash for debt service next year, subject to the following assumptions.

Sources of Cash	2019	2020	2021	2022	2023	2024
Revenue from Rates	2,106,071	\$3,258,440	3,258,440	3,258,440	3,258,440	3,258,440
Debt Proceeds	-	-	-	-	-	-
Total Sources	2,106,071	3,258,440	3,258,440	3,258,440	3,258,440	3,258,440
Uses of Cash						
O&M	(1,289,000)	(1,289,000)	(1,315,000)	(1,341,000)	(1,368,000)	(1,395,000)
Tax Equivalent	(595,000)	(595,000)	(607,000)	(619,000)	(631,000)	(644,000)
Capital Expenditure	-	-	-	-	-	-
Existing Debt Service	(635,000)	(635,000)	(635,000)	(635,000)	(630,000)	(625,000)
New Debt Service	420,000	(463,615)	(463,615)	(463,615)	(463,615)	(463,615)
Total Uses	(2,099,000)	(2,982,615)	(3,020,615)	(3,058,615)	(3,092,615)	(3,127,615)
Net Cash Flow	7,071	275,825	237,825	199,825	165,825	130,825
Debt Coverage Ratio	103%	125%	122%	118%	115%	112%

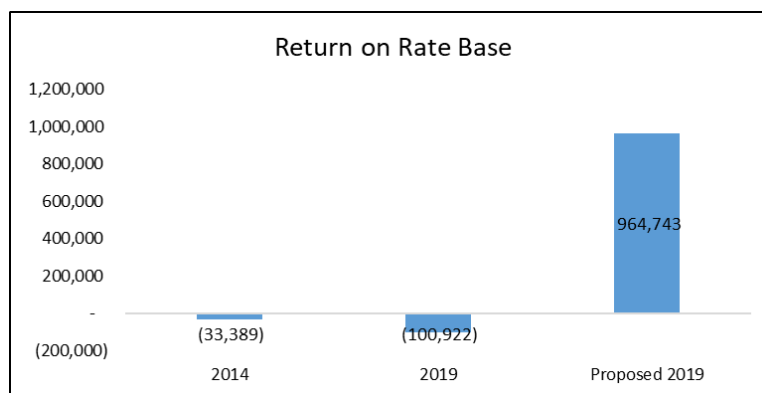
This forecast is based on a rate increase that takes effect at the start of 2020. Without this increase, Pewaukee will not have enough cash for its debt coverage in 2020. Without a significant increase, Pewaukee will continue to lose cash and need to borrow more, likely from the sanitary sewer utility, to stay solvent.

We assume a two-percent annual growth in the Operation and Maintenance expenses, as well as a Tax Equivalent payment to the City of Pewaukee's general fund. The Tax Equivalent payment is what water utilities pay to a municipality in lieu of property taxes. The New Debt Service assumes that the water utility borrows \$2,420,000 this year from the sanitary sewer utility to pay for operating expenses and to build a cash reserve, bringing the water utility's debt to the sanitary sewer utility to a total of \$9.3 million. It also assumes that in 2020, the water utility begins paying the sanitary sewer utility annual uniform interest-free payments over the next twenty years. We assume a minimum debt coverage of 125% in 2020. If expenses follow this trajectory on average, the increases are unlikely to match the smooth trajectory shown above. Our forecast does not include any cash-funded capital investments or debt issuances to fund capital investments.

Return on Rate Base

The PSC allows water utilities to fund capital projects and make debt payments by recovering a return on rate base. The rate base represents the value of the utility's investment in water infrastructure. Pewaukee has earned a negative or inadequate return for several years. At the current rates, R/M forecasts that Pewaukee would lose over \$100,000 for its return on rate base this year, earning a negative 2 percent rate of return.

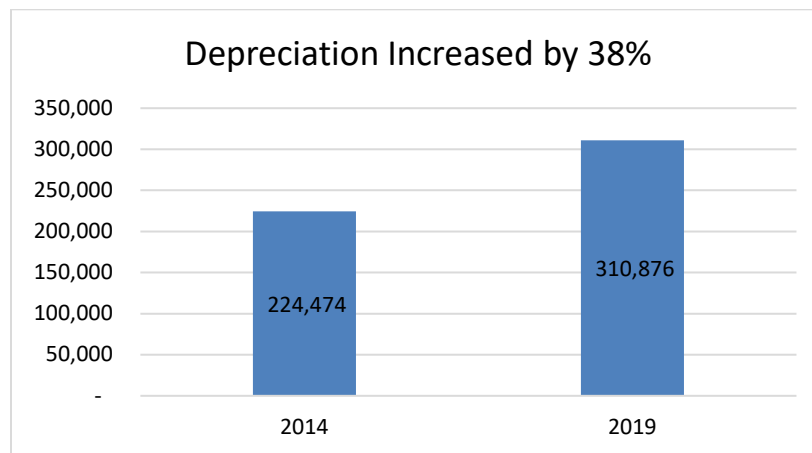
The negative or inadequate return over the years indicates that Pewaukee has been starved of the cash it needs to sustain itself financially for some time. The low return, along with deficits from special assessments for some water infrastructure, has led to a cash shortfall. This cash shortfall has forced the water utility to borrow from the sanitary sewer utility. This deficit cannot easily be overcome. It requires a large increase in rates to pay for the capital projects and debt that Pewaukee has shouldered. The proposed increase assumes a 17.9 percent rate of return, above the PSC's current benchmark rate of return of 5.4 percent, so that Pewaukee will have the cash it needs to fund its operations and service its debt.



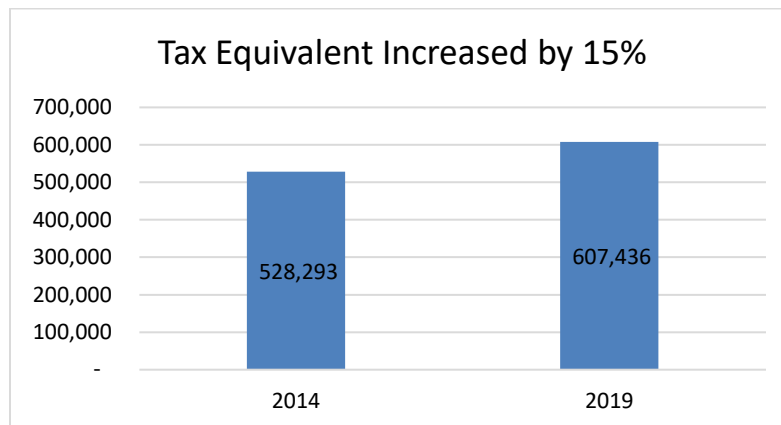
Pewaukee has an unusually small rate base, in addition to its low rate of return. Pewaukee's policy of funding capital projects through special assessments prevented rate base from growing. In 2017, Pewaukee had \$700 of rate base per customer account compared to the City of Muskego with \$2,135 and the City of Burlington with \$3,062. A low rate base reduces Pewaukee's ability to generate cash flow. It drives the high rate of return shown in this study.

Depreciation and Tax Equivalent

In Wisconsin, water rates recover their capital costs through depreciation and a tax equivalent, in addition to the return on rate base. Depreciation is the loss of an asset's value over time that occurs through normal wear and tear. Because Pewaukee has added more assets that it needs to provide service, depreciation has risen. Since 2014, the year following Pewaukee's most recent rate increase, depreciation has gone up by 38 percent.

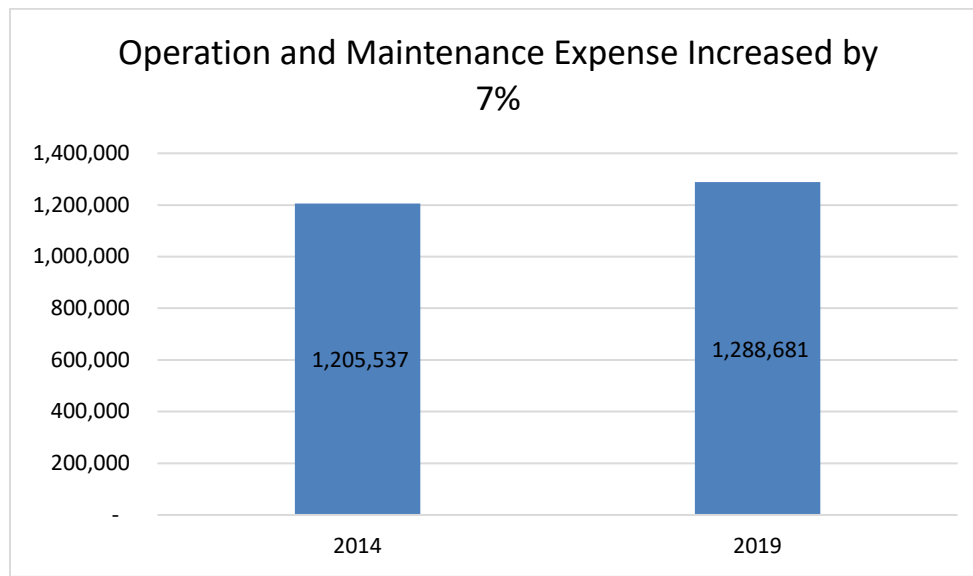


The tax equivalent is comprised mostly of an annual payment from the Pewaukee Water Utility to the City of Pewaukee's general fund. The tax equivalent increases as investment in the water system increases the water system's value. R/M forecasts a 2019 tax equivalent payment of just over \$600,000, which is a 15 percent increase since 2014.



Operation and Maintenance Expenses

Pewaukee forecasts that it will spend almost \$1.3 million on operating and maintenance expenses in 2019. These expenses include electricity and chemicals to operate the system, operations and administrative labor, and water system maintenance. This cost has risen 7 percent since 2014.



Conclusion

Pewaukee needs a substantial rate increase to meet rising expenses and pay off the debt it owes to the sanitary sewer utility. Analysis indicates the rate increase could be as high as 54 percent. After the application is submitted, the PSC will evaluate and decide whether to approve the increase as is or modify it.

Rate Structure and Ancillary Charges

Pewaukee's water rate application to the PSC should request the following specific changes to its water rate tariff.

Tariff Schedule	Change Requested
F-1 Public Fire Protection Service	No change to the methodology. Increase the assessed property value to \$3,248,460,000. Adjust the quarterly mill-rate charges so that annual charges total the PSC's cost-of-service total for public fire protection.
Uf-1 Private Fire Protection Service Unmetered	No change. PSC may propose increases.
Mg-1 General Service Metered	Increase based on cost of service determined by PSC. Keep uniform volume rate and one percent late payment charge.
Am-1 Additional Meter Rental Charge	No change. PSC may propose increases.
OC-1 Other Charges	Keep non-sufficient funds charge at \$29. Add a manual meter-read charge of \$15 per quarter.
Mpa-1 Public Service	No change.
Ug-1 General Water Service Unmetered	No change.
Sg-1 Seasonal Service	No change.
BW-1 Bulk Water	Revise based on change to Schedule Mg-1 and reconnection charges in Schedule R-1.
R-1 Reconnection Charges	No change.
Cz-1 Water Lateral Installation Charge	No change.
X-1 Water Utility Operating Rules	Changes to PSC standard. Talk to PSC staff about specific changes.
X-2 Water Main Extension Rule	No change.
X-3 Water Main Installations in Platted Subdivisions	No change.

**Application to Increase Rates****Public Service Commission of Wisconsin**

Division of Water, Telecommunications, and Consumer Affairs
Hill Farms State Office Building - 6th Floor
4822 Madison Yards Way

3024 (1-1-2014)

(Filling this form out is in accordance with Wis. Stat. § 196.25)

The Public Service Commission of Wisconsin does not discriminate on the basis of disability in the provision of programs, services, or employment. If you are speech, hearing, or visually impaired and need assistance, call (608) 266-5481 or TTY (608)267-1479. We will try to find another way to get the information to you in a usable form.

Name of Utility:

Pewaukee City Of Water Utility

Type of rate increase requested:

☒ Water☐ Sewer☐ Both

Reason for rate increase request:

The water utility has an inadequate rate of return and cash flow. Pewaukee last filed a rate application in 2013 and has since then incurred significant expenditures, including a new water tower. It also owes the sewer utility over \$9 million that it will pay back over the next 20 years. This added debt is why Pewaukee is requesting a higher rate of return than the benchmark.

Contact Personnel Information

	Utility	Consultant
Name	Pewaukee City Of Water Utility	Ruekert & Mielke, Inc.
Contact Person (1)	Jane Mueller, Utility Manager	Ed Maxwell
Contact Person (2)	Jeff Weigel, Director of Public Works	Raquel Forss
Street or P.O. Box	W240 N3065 Pewaukee Road	4001 Nakoosa Trail, Suite 200
City and Zip Code	Pewaukee, WI 53072	Madison, WI 53714
County or Counties	Waukesha	
Telephone Number (1)	(262) 691-0804	(262) 953-4162
Telephone Number (2)		(262) 953-4154
E-Mail Address	JEM@pewaukee.wi.us	emaxwell@ruekert-mielke.com
Fax Number		
Best Hours between 7:30 am & 5:00 pm	7:30 am - 4pm	7:30 am - 4pm
Days Available	Monday - Friday	Monday - Friday

Pewaukee City Of Water Utility

Telephonic Hearing Information

Requests to increase rates require Commission approval. Pursuant to state statutes, a rate increase can only be authorized after public hearing. Municipal utilities are encouraged to hold telephonic hearings. A telephonic hearing is much like a hearing held in Madison except that the utility, Commission staff, the utility's consultant (if applicable), and customers participate via speaker phone from their respective locations. Telephonic hearings are advantageous for both the utility and its customers. Customers have an opportunity to participate with greater ease than afforded by a hearing held at the Commission's offices in Madison. Additionally, the time utility personnel are away from the office is significantly reduced.

In order to participate in a telephonic hearing, the utility must have a location which is handicapped accessible with a capacity of at least 10-15 persons. The utility also needs a speaker phone workable in the room in which the hearing is to be held. FAX and copy machines are also required. The FAX and copiers do not need to be located in the hearing room or even the building in which the hearing is to be held; however, the utility must have ready access. More details will be provided concerning scheduling and administering the telephonic hearing when Commission staff has completed processing your application to increase rates.

Please check one of the following:

- ☒ **Yes**, the utility can arrange a site for a telephonic hearing, either at the utility or at an alternate site. *(Please specify the site including building name, address, room number, and telephone number for the room in the space below.)*

Pewaukee City Hall

n/a

W240 N3065 Pewaukee Road
Pewaukee, WI 53072

(262) 691-0804

- ☐ **No**, it is not feasible for our utility to host a telephonic hearing. We request that the hearing be scheduled in Madison. *(Please provide your specific reasons in the space below.)*

--

Pewaukee City Of Water Utility

PART 1:

Provide consumption data for the four largest customers in each customer class.

1. List the billing units consistent with Schedule Mg-1 in your tariff sheets.

1000 Gallons (Mgal)

2. During the last 12-month period, list the highest consumption billed for each of the four largest customers in each class. Please select four different customers in each class and not multiple bills from the same customer. A customer may be listed more than once only if they are served by more than one meter and the meter sizes are different.

3. List the billing period date that the consumption was billed.

LISTING OF LARGEST CUSTOMERS BILLED

Customer Name	Class	Meter Size	Billing Date	Billed Consumption	Specify Units	No. of Month(s) of Consumption
Residential 1	Res.	3/4"	9/20/2018	225	Mgal	3 months
Residential 2	Res.	3/4"	3/20/2018	166	Mgal	3 months
Residential 3	Res.	3/4"	9/20/2018	163	Mgal	3 months
Residential 4	Res.	3/4"	6/20/2018	160	Mgal	3 months
Multifamily Residential 1	MF	2 1/2"	9/20/2018	1,055	Mgal	3 months
Multifamily Residential 2	MF	2"	6/20/2018	456	Mgal	3 months
Multifamily Residential 3	MF	2"	6/20/2018	422	Mgal	3 months
Multifamily Residential 4	MF	2"	6/20/2018	386	Mgal	3 months
Commercial 1	Com.	4"	9/20/2018	3,730	Mgal	3 months
Commercial 2	Com.	3"	9/20/2018	3,523	Mgal	3 months
Commercial 3	Com.	4"	12/20/2018	2,836	Mgal	3 months
Commercial 4	Com.	3"	6/20/2018	1,556	Mgal	3 months
Industrial 1	Ind.	2"	9/20/2018	2,606	Mgal	3 months
Industrial 2	Ind.	2"	9/20/2018	1,142	Mgal	3 months
Industrial 3	Ind.	2"	3/20/2018	1,142	Mgal	3 months
Industrial 4	Ind.	3"	3/20/2018	787	Mgal	3 months
Public Authority 1	P.A.	2"	3/20/2018	54	Mgal	3 months
Public Authority 2	P.A.	1 1/2"	3/20/2018	43	Mgal	3 months
Public Authority 3	P.A.	1 1/2"	3/20/2018	36	Mgal	3 months
Public Authority 4	P.A.	3"	12/20/2018	17	Mgal	3 months
Irrigation 1	Irr.					
Irrigation 2	Irr.					
Irrigation 3	Irr.					
Irrigation 4	Irr.					

PART 2:

Provide information about your billing procedures.

1. How do you send your water bills?

Envelopes

2. What is your billing frequency for residential customers?

Quarterly

3. How frequently do you read residential customer meters?

Quarterly

4. Which of the following best describes the manner in which you read meters each billing period?

Meters are read continuously on consecutive days until complete.

Please explain if meters read in cycles:

5. What is the estimated start date for reading meters for your next billing period?

6/5/2019

Pewaukee City Of Water Utility

VOLUME SALES

Billing Periods per Year:

4

Actual Latest 12 Months Ending:

December 20, 2018

Does the utility have class-based volume rates?

No

Class-based rates are separate rate schedules for residential, multifamily, nonresidential (commercial, industrial, public authority) or irrigation classes

No

No

No

	Volume Block	Rate
First	-	\$2.83
Next	-	
Next	-	
Next	-	
Over	-	

	Residential Units	Multifamily Residential Units	Commercial Units	Industrial Units	Public Authority Units	Irrigation Units	Total
First	201,738	49,680	121,884	28,470	601	0	402,373
	0	0	0	0	0	0	0
	0	0	0	0	0	0	0
	0	0	0	0	0	0	0
Over	0	0	0	0	0	0	0
Total Units	201,738	49,680	121,884	28,470	601	0	402,373
Unit Revenues	\$ 570,919	\$ 140,594	\$ 344,932	\$ 80,570	\$ 1,701	\$ -	\$ 1,138,716

SERVICE CHARGES

Billing Periods per Year:		4		Actual Latest 12 Months Ending:		December 31, 2018		
		Residential	Multifamily Residential	Commercial	Industrial	Public Authority	Irrigation	
Meter Size	Charge	Average No. of Meters	Average No. of Meters	Average No. of Meters	Average No. of Meters	Average No. of Meters	Average No. of Meters	Totals
5/8"	\$25.20	0	0	0	0	0	0	0
3/4"	\$25.20	3,402	18	71	22	2	0	3,515
1"	\$34.50	26	90	86	25	2	0	229
1 1/4"	\$45.00	0	0	0	0	0	0	0
1 1/2"	\$54.00	0	11	50	12	2	0	75
2"	\$75.00	0	8	42	6	1	0	57
2 1/2"	\$0.00	0	0	0	0	0	0	0
3"	\$126.00	0	0	9	4	1	0	14
4"	\$189.00	0	0	3	0	0	0	3
6"	\$345.00	0	0	0	0	0	0	0
8"	\$528.00	0	0	0	0	0	0	0
10"	\$771.00	0	0	0	0	0	0	0
12"	\$1,011.00	0	0	0	0	0	0	0
Total Meters		3,428	127	261	69	8	0	3,893
Fixed Revenues		\$ 346,510	\$ 19,010	\$ 49,229	\$ 12,076	\$ 1,714	\$ -	428,538
Total Volume Revenue		\$ 570,918.54	\$ 140,594.40	\$ 344,931.72	\$ 80,570.10	\$ 1,700.83	\$ -	\$ 1,138,716
Surcharges, etc.		\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Revenues Per Analysis		\$917,428	\$159,605	\$394,161	\$92,646	\$3,414	\$0	\$1,567,254
Total Actual Billed Revenues		\$914,583	\$161,937	\$391,625	\$94,060	\$3,767	\$0	\$1,565,971
Dollar Variance		\$2,845	(\$2,332)	\$2,536	(\$1,414)	(\$353)	\$0	\$1,283
Percent Variance (B)		0.31%	-1.46%	0.64%	-1.53%	-10.33%	0.00%	0.08%

(A) The annual revenues from meter charges are based upon the number of bills issued annually.

(B) If the percent variance is greater than 3%, the variance must be explained in detail in the Notes, Attachment 19.

**Pewaukee City Of Water Utility
Test Year 2019
Sales Forecast Historical**

Attachment 2C

Residential					Commercial				
<u>Year</u>	<u>Avg. # Customers</u>	<u>Usage (Mgals)</u>	<u>Avg/Cust/Qtr (Mgals)</u>	<u>Change in Customer Ct</u>	<u>Year</u>	<u>Avg. # Customers</u>	<u>Usage (Mgals)</u>	<u>Avg/Cust/Qtr (Mgals)</u>	<u>Change in Customer Ct</u>
2014	3,059	186,593	15.25	0	2014	417	168,974	101.30	0
2015	3,156	205,197	16.25	97	2015	421	168,028	99.78	4
2016	3,269	206,684	15.81	113	2016	273	125,631	115.05	-148
2017	3,359	204,154	15.19	90	2017	267	121,170	113.46	-6
2018	3,428	201,738	14.71	69	2018	261	121,884	116.75	-6
2019	3,438	202,335	14.71	10	2019	261	122,295	117.14	0
Averages:					Averages:				
5-year avg	3,254	200,873	15.43	0.00	5-year avg	328	141,137	107.64	0.00
4-year avg	3,303	204,443	15.47	92.25	4-year avg	306	134,178	109.80	-39.00
3-year avg	3,352	204,192	15.23	90.67	3-year avg	267	122,895	115.07	-53.33
2-year avg	3,394	202,946	14.95	79.50	2-year avg	264	121,527	115.08	-6.00
2018	3,428	201,738	14.71	69.00	2018	261	121,884	116.75	-6.00

Multifamily Residential					Public Authority				
<u>Year</u>	<u>Avg. # Customers</u>	<u>Usage (Mgals)</u>	<u>Avg/Cust/Qtr (Mgals)</u>	<u>Change in Customer Ct</u>	<u>Year</u>	<u>Avg. # Customers</u>	<u>Usage (Mgals)</u>	<u>Avg/Cust/Qtr (Mgals)</u>	<u>Change in Customer Ct</u>
2014			#DIV/0!	0	2014	9	695	19.31	0
2015			#DIV/0!	0	2015	8	564	17.63	-1
2016	163	56,839	87.18	163	2016	7	591	21.11	-1
2017	136	52,143	95.85	-27	2017	7	1,402	50.07	0
2018	127	49,680	97.80	-9	2018	8	601	18.78	1
2019	127	48,737	95.94	0	2019	8	603	18.84	0
Averages:					Averages:				
5-year avg	142	52,887	93.11	0.00	5-year avg	8	771	24.70	0.00
4-year avg	142	52,887	93.11	31.75	4-year avg	8	790	26.32	-0.25
3-year avg	142	52,887	93.11	42.33	3-year avg	7	865	29.48	0.00
2-year avg	132	50,912	96.79	-18.00	2-year avg	8	1,002	33.38	0.50
2018	127	49,680	97.80	-9.00	2018	8	601	18.78	1.00

Irrigation					Industrial				
<u>Year</u>	<u>Avg. # Customers</u>	<u>Usage (Mgals)</u>	<u>Avg/Cust/Qtr (Mgals)</u>	<u>Change in Customer Ct</u>	<u>Year</u>	<u>Avg. # Customers</u>	<u>Usage (Mgals)</u>	<u>Avg/Cust/Qtr (Mgals)</u>	<u>Change in Customer Ct</u>
			#DIV/0!	0	2014	77	26,469	85.94	0
			#DIV/0!	0	2015	75	25,668	85.56	-2
			#DIV/0!	0	2016	78	28,313	90.75	3
			#DIV/0!	0	2017	77	30,137	97.85	-1
			#DIV/0!	0	2018	69	28,470	103.15	-8
			#DIV/0!	0	2019	69	28,554	103.46	0
			0.00	0					
Averages:					Averages:				
5-year avg	#DIV/0!	#DIV/0!	#DIV/0!	0.00	5-year avg	75	27,811	92.46	0.00
4-year avg	#DIV/0!	#DIV/0!	#DIV/0!	0.00	4-year avg	75	28,147	94.14	-2.00
3-year avg	#DIV/0!	#DIV/0!	#DIV/0!	0.00	3-year avg	75	28,973	97.01	-2.00
2-year avg	#DIV/0!	#DIV/0!	#DIV/0!	0.00	2-year avg	73	29,304	100.35	-4.50
0	0	0	#DIV/0!	0.00	2018	69	28,470	103.15	-8.00

Pewaukee City Of Water Utility

VOLUME SALES

Estimates for Test Year

Billing Periods per Year:

4

Does the utility have class-based volume rates?

No

Note: Only change these rates if there has been an SRC or adjustment for purchased water in the last 12 months

	Volume Block	Rate
First	-	\$2.83
Next	-	\$0.00
Next	-	\$0.00
Next	-	\$0.00
Over	-	\$0.00

	Residential Units	Multifamily Residential Units	Commercial Units	Industrial Units	Public Authority Units	Irrigation Units	Total
First	202,335	49,827	122,295	28,554	603	0	403,614
	0	0	0	0	0	0	0
	0	0	0	0	0	0	0
	0	0	0	0	0	0	0
Over	0	0	0	0	0	0	0
Total Units	202,335	49,827	122,295	28,554	603	0	403,614
Unit Revenues	\$ 572,608	\$ 141,010	\$ 346,094	\$ 80,809	\$ 1,706	\$ -	\$ 1,142,227

Pewaukee City Of Water Utility

WATER UTILITY CONSUMER ANALYSIS
 Estimates for Test Year

Billing Periods per Year:

4

		Residential	Multifamily Residential	Commercial	Industrial	Public Authority	Irrigation	
		Average No. of Meters	Average No. of Meters	Average No. of Meters	Average No. of Meters	Average No. of Meters	Average No. of Meters	Totals
Meter Size	Charge							
5/8"	\$25.20	0	0	0	0	0	0	0
3/4"	\$25.20	3,412	18	71	22	2	0	3,525
1"	\$34.50	26	90	86	25	2	0	229
1 1/4"	\$45.00	0	0	0	0	0	0	0
1 1/2"	\$54.00	0	11	50	12	2	0	75
2"	\$75.00	0	8	42	6	1	0	57
2 1/2"	\$0.00	0	0	0	0	0	0	0
3"	\$126.00	0	0	9	4	1	0	14
4"	\$189.00	0	0	3	0	0	0	3
6"	\$345.00	0	0	0	0	0	0	0
8"	\$528.00	0	0	0	0	0	0	0
10"	\$771.00	0	0	0	0	0	0	0
12"	\$1,011.00	0	0	0	0	0	0	0
Total Meters		3,438	127	261	69	8	0	3,903
Fixed Revenues		\$ 347,518	\$ 19,010	\$ 49,229	\$ 12,076	\$ 1,714	\$ -	\$ 429,546.00
Total Volume Revenue		\$ 572,608	\$ 141,010	\$ 346,094	\$ 80,809	\$ 1,706	\$ -	\$ 1,142,227
Surcharges, etc.		\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Estimated Revenues		\$920,126	\$160,021	\$395,323	\$92,884	\$3,419	\$0	\$1,571,773

**Estimated Customer Growth for
the Test Year:**

Customer Class	Number of Customers	Meter Sizes
Residential	10	3/4
Multifamily	0	
Commercial	0	
Industrial	0	
Public Auth.	0	
Irrigation	0	
Total	10	

Pewaukee City Of Water Utility

PUBLIC FIRE PROTECTION REVENUE (SUMMARY)

Estimated for Test Year 2019

MUNICIPAL CHARGE		
Based upon Mains and Hydrants:		
Estimated Test Year Revenue	(Per Attachment 5)	\$0
 MUNICIPAL CHARGE		
Based upon a Flat Charge to Municipality:		
Estimated Test Year Revenue		\$0
 DIRECT CHARGE TO CUSTOMERS		
Based upon Equivalent Meters or Equivalent Services:		
Estimated Test Year Revenue	(Per Attachment 5)	\$0
 DIRECT CHARGE TO CUSTOMERS		
Based upon a Direct Charge Method other than in number 3 above:		
Estimated Test Year Revenue		445,822
Note: Detail Must be Submitted to PSC Supporting this Method.		
 CHARGES TO WHOLESALE CUSTOMERS		
Estimated Test Year Revenue	(Per attachment 3A)	\$0
 OTHER PUBLIC FIRE PROTECTION CHARGES TO CUSTOMERS FOR FIRE PROTECTION		
Based upon Charges for Water Used for Fire Protection (i.e., using Tariff Schedules F-2 or BW-1)		
Estimated Test Year Revenue		\$0
 TOTAL ESTIMATED TEST YEAR PUBLIC FIRE PROTECTION REVENUE		<u><u>\$445,822</u></u>
 TOTAL ESTIMATED TEST YEAR WHOLESALE FIRE PROTECTION REVENUE		<u><u>\$0</u></u>

Revenue - Water for Public Fire Protection

Current rate for public fire protection	\$	0.18020	/ \$1,000 of assessed value/year
---	----	---------	----------------------------------

Quarter 4 2018 assessed value to which public fire charges apply	2,473,931	thousand \$
--	-----------	-------------

Estimated 2018 public fire protection revenue	445,802
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Reported 2018 public fire protection revenue	433,406
--	---------

Variance	1.03
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Variance is the difference between actual billings throughout the year compared to estimate based on only the fourth quarter assessed value.

2019 forecast assessed value; based on first quarter 2019 public fire protection billing	2,474,040	thousand \$
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Forecast 2019 revenue	445,822
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Pewaukee City Of Water Utility

PUBLIC FIRE PROTECTION REVENUE (SUPPORTING DETAIL)
Estimated for Test Year 2019**Municipal Charge**

If Public Fire Protection Revenue is a Municipal Charge based upon mains and/or hydrants, complete the following.
Base charges and units are obtained from the current green tariff sheet, typically Schedule F-1.

Base annual charge (dollars)	\$0
Base estimated transmission and distribution main (number of feet)	
Main size larger than (typically 4 or 6 inches)	
Charge per foot of main over base (dollars)	
Base number of hydrants	
Charge per hydrant over base (dollars)	

Based upon Mains and/or Hydrants:	Mains Inches & Larger	Number of Hydrants	Dollar Amount
Base Units and Charge (Per tariff schedule)	0 feet	0 hyd	\$0
Balance - 12/31/2017	0	0	
2018 NET additions	0	0	
1/2 of test year 2019 NET Routine units added	0	0	
All of Test Year 2019 Major Units Added	0	0	
Test Year Average Units	0	0	
Test Year Units Over Base Units	0 feet	0 hyd	
times Authorized Rates per Unit (per tariff schedule)	\$0.00	\$0.00	
Increase in Revenue Over Base Amount	\$0	\$0	\$0
Estimated Total Test Year Revenue			\$0

Direct Charge to Customers

Based upon Equivalent Meters or Equivalent Services:

Insert Billings per Year if Different	4
---------------------------------------	---

Meter Size	Authorized Rate	Average No. of Meters (per Attachment 3)	Annual Revenue
5/8"	\$0.00	0	\$0
3/4"	\$0.00	3,525	\$0
1"	\$0.00	229	\$0
1 1/4"	\$0.00	0	\$0
1 1/2"	\$0.00	75	\$0
2"	\$0.00	57	\$0
2 1/2"	\$0.00	0	\$0
3"	\$0.00	14	\$0
4"	\$0.00	3	\$0
6"	\$0.00	0	\$0
8"	\$0.00	0	\$0
10"	\$0.00	0	\$0
12"	\$0.00	0	\$0
SUBTOTALS		3,903	\$0
Surcharges or Rounding			\$0
CALCULATED ANNUAL REVENUE			\$0

Pewaukee City Of Water Utility

PRIVATE FIRE PROTECTION REVENUE

Estimated for Test Year 2019

Insert Billings per Year if Different

Fire Connections:

Connection Size	Average Number of Connections Each Billing	Annually	Authorized Rates	Annual Revenue
2" or smaller	3	12	\$12.00	\$144
3"	0	0	\$22.50	\$0
4"	19	76	\$37.50	\$2,850
6"	148	592	\$75.00	\$44,400
8"	49	196	\$120.00	\$23,520
10"	7	28	\$180.00	\$5,040
12"	1	4	\$240.00	\$960
14"	0	0	\$0.00	\$0
16"	0	0	\$0.00	\$0
	227	908		

Total Connection Revenue

\$76,914

General Service Branches Off

The Private Fire Connections

Meter Sizes	Average Number of Meters Each Billing	Annually	Authorized Rates	Annual Amount
5/8"	0	0	\$25.20	\$0
3/4"	0	0	\$25.20	\$0
1"	0	0	\$34.50	\$0
1 1/4"	0	0	\$45.00	\$0
1 1/2"	0	0	\$54.00	\$0
2"	0	0	\$75.00	\$0
2 1/2"	0	0	\$0.00	\$0
3"	0	0	\$126.00	\$0
4"	0	0	\$189.00	\$0
6"	0	0	\$345.00	\$0
8"	0	0	\$528.00	\$0
	0	0		

Total General Branch Connection Revenues

\$0

If Applicable, the Authorized Credit is Usually 30% of Total General Branch Revenues.

(However, the credit may be at a different percentage or if N/A, enter zero)

Insert Authorized Credit Percentage in this box (if applicable):

\$0

Total Estimated Test Year Revenue (Connection Revenue less Credit Amount)

\$76,914

Pewaukee City Of Water Utility

OPERATING REVENUES
Estimated for Test Year 2019

Account Number	Description	2015	2016	2017	Estimated 2018	Test Year 2019
460	Unmetered Sales to General Customers					
	Residential	\$1,966	\$1,260	\$1,336	932	932
	Multifamily Residential	0	0	0	0	0
	Commercial	2,698	7,809	5,865	7848	7848
	Industrial	0	0	0	0	0
	Public Authority	0	0	0	0	0
	Irrigation	0	0	0	0	0
	Total unmetered sales	\$4,664	\$9,069	\$7,201	\$8,780	\$8,780
461	Metered Sales to General Customers					
	Residential	\$903,287	\$924,605	\$919,314	\$914,583	\$920,126 (A)
	Multifamily Residential	0	178,775	168,936	161,937	160,021 (A)
	Commercial	558,829	405,725	396,635	391,625	395,323 (A)
	Industrial	85,722	94,753	99,534	94,060	92,884 (A)
	Public Authority	3,597	2,966	5,416	3,767	3,419 (A)
	Irrigation	0	0	0	-	0 (A)
	Total metered sales	\$1,551,435	\$1,606,824	\$1,589,835	\$1,565,971	\$1,571,773
462	Private fire protection service	\$63,847	\$68,077	\$72,112	\$75,502	\$76,914 (B)
463	Public fire protection service	412,434	415,330	424,709	433,406	445,822 (C)
465	Other water sales	0	0	0	-	0
466	Sales for resale	0	0	0	-	0
467	Interdepartmental sales	0	0	0	-	0
	Total sales of water	\$2,032,380	\$2,099,300	\$2,093,857	\$2,083,659	\$2,103,289
	Other Operating Revenues:					
470	Forfeited discounts	\$10,387	\$10,106	\$7,301	\$8,090	\$9,800
472	Rents from water property	880	0	0	-	0
473	Interdepartmental rents	0	0	0	-	0
474	Other water revenues	6,594	6,838	5,719	5,537	7,200
	Total other operating revenues	\$17,861	\$16,944	\$13,020	\$13,627	\$17,000
	Total Operating Revenues	\$2,050,241	\$2,116,244	\$2,106,877	\$2,097,286	\$2,120,289
NOTE: (A) 2019 test year General Service Revenue estimates must come from ATTACHMENT 3. (B) 2019 test year Private Fire Protection Revenue estimates must come from ATTACHMENT 6. (C) 2019 test year Public Fire Protection Revenue estimates must come from ATTACHMENT 4.						

Pewaukee City Of Water Utility

Taxes (Account 408)
Estimated for Test Year 2019

Instructions for Taxes (Account 408)

The summary should be completed as follows:

- 1) For the years 2016 and 2017 the information is from the PSC Annual Reports, page W-6.
- 2) For Estimated 2018 and Test Year 2019, the Property Tax Equivalent must agree with the Property Tax Equivalent Computation on Attachment 9.
- 3) If the sewer department DOES NOT USE the meter reading of the water utility for determining the sewer bill, then the Meter Balance allocation should not be deducted. **Insert if other than 50%. ==>**

50

Description	Instructions Reference	Actual 2016	Actual 2017	Estimated 2018	Test Year 2019
Property Tax Equivalent Payable for the Year (from Attachment 9)	1) & 2)	\$547,523	\$557,342	\$564,802	\$583,937
Less: Local and school tax equivalent on meters charged to sewer dept.	1) & 3)	\$0	\$0	\$3,741	\$3,776
Net Property Tax Equivalent-Water Utility		\$547,523	\$557,342	\$561,061	\$580,161
Social Security Taxes	1)	\$30,125	\$23,011	\$27,483	\$25,253
PSC Remainder Assessment Tax	1)	\$2,217	\$2,022	\$2,022	\$2,022
Other (specify):	1)	\$0	\$0	\$0	\$0
Total Taxes		\$579,865	\$582,375	\$590,566	\$607,436

Pewaukee City Of Water Utility
Property Tax Equivalent Computation
 Estimated for Test Year 2019

Instructions (Instr.) for the Property Tax Equivalent Computation

- For the years 2016-2017, use actual information reported in the PSC Annual Reports.
- For estimated 2018 and test year 2019:
 - Plant - January 1 must come from Attachment 11 (Utility/Municipal Financed Plant) and Attachment 11a (Contributed Plant).
 - Major Plant Additions (Both Utility Financed and Contributed) are included for the Test Year for rate case purposes.
 - Construction Work In Progress (CWIP) and Plant Held for Future Use - January 1; excluding any amounts included as Major Plant Additions in Test Year.
 - Materials and Supplies - January 1 must come from Attachment 13.
 - Plant Outside Limits-January 1 - State the basis for any change from prior year.
 - The utility must state what assumptions it made with regard to projecting the tax rates and assessment ratio.
- If the municipality has authorized an amount as allowed by Wis. Stat. § 66.0811(2) [formerly § 66.069 (1)(c)], then place that amount on this line. If no authorization, leave blank.
- If the municipality has authorized an amount as allowed by Wis. Stat. § 66.0811(2), then that amount is the tax equivalent payable for the current year. If not, then the tax equivalent payable for the current year is the larger of either the tax equivalent computed for the current year or the 1994 tax equivalent payable in 1995.
- The property tax equivalent is not applicable to Water Sanitary Districts.

<u>Description</u>	<u>Instr.</u>	<u>Actual 2016</u>	<u>Actual 2017</u>	<u>Estimated 2018</u>	<u>Test Year 2019</u>
Add:					
Utility Plant - January 1	1	\$47,953,828	\$50,428,950		
Utility/Municipal Financed Plant - January 1	2a)			\$8,511,888	\$10,454,720
Contributed Plant - January 1	2a)			\$42,683,151	\$42,711,877
Major Plant Additions in Test Year	2b)				\$0
CWIP & Held for Future Use - January 1	2c)			\$229,111	\$0
Materials & Supplies - January 1	1,2d)	\$7,662	\$8,324	\$8,329	\$8,329
Less: Plant Outside Limits - January 1	1,2e)	\$0	\$0	\$0	\$0
Net Taxable Plant		\$47,961,490	\$50,437,274	\$51,432,479	\$53,174,926
Assessment Ratio (show as a decimal)	1,2f)	0.9468	0.9494	0.9040	0.9040
Assessed Plant Value		\$45,411,617	\$47,886,459	\$46,494,561	\$48,069,719
Current Year Net Local & Schools (L&S)					
Mill Rate (Line R below)	1,2f)	12.073714	#N/A	12.147707	12.147707
Tax Equivalent Computed for the Current					
Year (Plant Value times L&S Rate/1000)	1,3	\$548,287	#N/A	\$564,802	\$583,937
1994 Tax Equivalent Payable in 1995	1	\$0	\$0	\$0	\$0
Tax Equivalent Authorized by Municipality	1,3	\$0	\$0		
Tax Equivalent Payable for the Current Year	1,4	\$547,523	\$557,342	\$564,802	\$583,937

<u>Mill Rate Detail</u>	<u>Line Ref.</u>	<u>Actual 2016 Total</u>	<u>Actual 2017 Total</u>	<u>Estimated 2018 Total</u>	<u>Test Year 2019 Total</u>
State tax rate	(A)	0.179230	#N/A	0.000000	0.000000
County tax rate	(B)	2.108427	2.055841	2.093000	2.093000
Local tax rate	(C)	3.091867	3.188664	3.276000	3.276000
School tax rate	(D)	10.080827	#N/A	10.085173	10.085173
Voc. school tax rate	(E)	0.389057	#N/A	0.401000	0.401000
Other tax rates-Local	(F1)	0.000000	#N/A	0.000000	0.000000
Other tax rates-Non-Local	(F2)	0.179230	#N/A	0.000000	0.000000
Total Tax Rate	(G)	16.028638	#N/A	15.855173	15.855173
Less: State Credit	(H)	1.758711	1.893317	1.860000	1.860000
Net Tax Rate	(I)	14.269927	#N/A	13.995173	13.995173
		<u>Utility</u>	<u>Utility</u>	<u>Utility</u>	<u>Utility</u>
Local tax rate (Line C above)	(J)	3.091867	3.188664	3.276000	3.276000
School tax rate (Line D above)	(K)	10.080827	#N/A	10.085173	10.085173
Voc. school tax rate (Line E above)	(L)	0.389057	#N/A	0.401000	0.401000
Other tax rates-Local (Line F1 above)	(M)	0.000000	#N/A	0.000000	0.000000
Total local & schools tax rates	(N)	13.561751	#N/A	13.762173	13.762173
Total tax rate (Line G above)	(O)	16.028638	#N/A	15.855173	15.855173
Ratio of local & school tax rate to					
total tax rate (Line N divided by O)	(P)	84.609503%	#N/A	86.799261%	86.799261%
Net Tax Rate (Line I above)	(Q)	14.269927	#N/A	13.995173	13.995173
Net local and school rate: (Line P times Q)	(R)	12.073714	#N/A	12.147707	12.147707

Pewaukee City Of Water Utility
Contributed Plant
Estimated for Test Year 2019
Contributed Plant Transactions Only

Acct. No.	Plant account	Actual	Estimated 2018			Estimated	Estimate 2019				Estimated
		Contributed				Balance	Major Construction		Routine Construction		Balance
		Plant	Additions	Retirements	Adjustments		Additions	Retirements	Additions	Retirements	
No.		12/31/2017	Note (A)			12/31/2018	Note (A)		Note (A)		12/31/2019
<u>Intangible Plant</u>											
301	Organization	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
302	Franchises and consents	0	0	0	0	0	0	0	0	0	0
303	Miscellaneous intangible plant	0	0	0	0	0	0	0	0	0	0
Total Intangible Plant		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<u>Source of Supply</u>											
310	Land and land rights	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
311	Structures and improvements	0	0	0	0	0	0	0	0	0	0
312	Collecting and impounding reservoirs	0	0	0	0	0	0	0	0	0	0
313	Lake, river, and other intakes	0	0	0	0	0	0	0	0	0	0
314	Wells and springs	2,039,612	0	0	0	2,039,612	0	0	0	0	2,039,612
316	Supply mains	61,226	0	0	0	61,226	0	0	0	0	61,226
317	Other water source plant	0	0	0	0	0	0	0	0	0	0
Total Source of Supply Plant		\$2,100,838	\$0	\$0	\$0	\$2,100,838	\$0	\$0	\$0	\$0	\$2,100,838
<u>Pumping Plant</u>											
320	Land and land rights	\$319,335	\$0	\$0	\$0	\$319,335	\$0	\$0	\$0	\$0	\$319,335
321	Structures and improvements	4,726,201	0	0	0	4,726,201	0	0	0	0	4,726,201
323	Other power production equipment	0	0	0	0	0	0	0	0	0	0
325	Electric pumping equipment	588,115	0	0	0	588,115	0	0	150,000	0	738,115
326	Diesel pumping equipment	0	0	0	0	0	0	0	0	0	0
328	Other pumping equipment	52,303	0	0	0	52,303	0	0	10,000	0	62,303
Total Pumping Plant		\$5,685,954	\$0	\$0	\$0	\$5,685,954	\$0	\$0	\$160,000	\$0	\$5,845,954
<u>Water Treatment Plant</u>											
330	Land and land rights	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
331	Structures and improvements	0	0	0	0	0	0	0	0	0	0
332	Sand and other media filtration Equip	0	0	0	0	0	0	0	0	0	0
333	Membrane Filtration Equipment	0	0	0	0	0	0	0	0	0	0
334	Other Water Treatment Equipment	85,889	0	0	0	85,889	0	0	0	0	85,889
Total Water Treatment Plant		\$85,889	\$0	\$0	\$0	\$85,889	\$0	\$0	\$0	\$0	\$85,889

Pewaukee City Of Water Utility
Contributed Plant
Estimated for Test Year 2019
Contributed Plant Transactions Only

Acct. No.	Plant account	Actual Contributed Plant 12/31/2017	Estimated 2018			Estimated Balance 12/31/2018	Estimate 2019				Estimated Balance 12/31/2019
		Additions	Retirements	Adjustments	Major Construction		Routine Construction		Additions	Retirements	
					Additions	Retirements	Additions	Retirements			
		Note (A)			Note (A)			Note (A)			
<u>Transmission and Distribution Plant</u>											
340	Land and land rights	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
341	Structures and improvements	0	0	0	0	0	0	0	0	0	0
342	Distribution reservoirs and standpipes	3,059,552	4,995	203,895	0	2,860,652	0	0	0	0	2,860,652
343	Transmission and distribution mains	25,116,489	108,394	0	0	25,224,883	0	0	725,000	0	25,949,883
345	Services	3,733,992	112,506	0	0	3,846,498	0	0	0	0	3,846,498
346	Meters	0	0	0	0	0	0	0	48,500	0	48,500
348	Hydrants	2,889,807	6,726	0	0	2,896,533	0	0	0	0	2,896,533
349	Other transmission and distr. plant	0	0	0	0	0	0	0	0	0	0
Total Transmission and Distr. Plant		\$34,799,840	\$232,621	\$203,895	\$0	\$34,828,566	\$0	\$0	\$773,500	\$0	\$35,602,066
<u>General Plant</u>											
389	Land and land rights	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
390	Structures and improvements	0	0	0	0	0	0	0	0	0	0
391	Office furniture and equipment	0	0	0	0	0	0	0	0	0	0
391.1	Office furniture & equip - Computers	0	0	0	0	0	0	0	0	0	0
392	Transportation equipment	0	0	0	0	0	0	0	0	0	0
393	Stores equipment	0	0	0	0	0	0	0	0	0	0
394	Tools, shop and garage equipment	0	0	0	0	0	0	0	0	0	0
395	Laboratory equipment	0	0	0	0	0	0	0	0	0	0
396	Power operated equipment	0	0	0	0	0	0	0	0	0	0
397	Communication equipment	0	0	0	0	0	0	0	0	0	0
397.1	SCADA equipment	0	0	0	0	0	0	0	0	0	0
398	Miscellaneous equipment	10,630	0	0	0	10,630	0	0	0	0	10,630
Total General Plant		\$10,630	\$0	\$0	\$0	\$10,630	\$0	\$0	\$0	\$0	\$10,630
Total		\$42,683,151	\$232,621	\$203,895	\$0	\$42,711,877	\$0	\$0	\$933,500	\$0	\$43,645,377
Note:											
(A) If any of the additions listed above require that Construction Approval be obtained from the PSC, such approval must have been sought in order for this rate increase application to be processed.							Please list the construction docket(s) below:				
NOTE: Construction Approval is required for Contributed Plant as well as Plant Financed by the Utility and Municipality.							not applicable				

Pewaukee City Of Water Utility
DEPRECIATION ACCRUAL AND EXPENSE
 Estimated for Test Year 2019

- A. The Estimated 2018 Depreciation Accrual in Column (A) is to be calculated based upon the current depreciation rates.
 B. The Test Year 2019 Depreciation Accrual in Column (B) is to be based upon the PSC Recommended Depreciation Benchmark Rates (revised March 2, 2000) or upon the Utility Proposed Rates for the test year.

Acct. No.	Plant account	Depr. Rate (A)	Estimated 2018 (per Attach. 11)		Depr. Rate (B)	Test Year 2019 (per Attachment 11)		Depreciation Accrual	Test Year Total
			Avg. Depreciable Balance	Depreciation Accrual		Average Depreciable Balance	Depreciation Accrual		
						Major	Routine	Major	Routine
301-303	Total Intangible Plant	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	<u>Source of Supply</u>								
310	Land and land rights	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
311	Structures and improvements	0.00%	\$0	\$0	3.20%	\$0	\$0	\$0	\$0
312	Collecting and impounding reservoirs	0.00%	\$0	0	1.70%	0	0	0	0
313	Lake, river, and other intakes	0.00%	\$0	0	1.70%	0	0	0	0
314	Wells and springs	2.90%	\$312,523	9,063	2.90%	0	312,523	0	9,063
316	Supply mains	1.80%	\$176,607	3,179	1.80%	0	176,607	0	3,179
317	Other water source plant	0.00%	\$0	0	4.50%	0	0	0	0
	Total Source of Supply Plant			\$12,242					\$12,242
	<u>Pumping Plant</u>								
320	Land and land rights	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
321	Structures and improvements	3.20%	\$1,627,599	\$52,083	3.20%	\$0	\$2,163,066	\$0	\$69,218
323	Other power production equipment	0.00%	\$0	0	4.40%	0	0	0	0
325	Electric pumping equipment	4.40%	\$1,196,398	52,642	4.40%	0	1,240,553	0	54,584
326	Diesel pumping equipment	0.00%	\$0	0	4.40%	0	0	0	0
328	Other pumping equipment	4.40%	\$149,569	6,581	0.00%	0	149,569	0	0
	Total Pumping Plant			\$111,306					\$123,802
	<u>Water Treatment Plant</u>								
330	Land and land rights	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
331	Structures and improvements	0.00%	\$0	\$0	3.20%	\$0	\$0	\$0	\$0
332	Sand or Other Media Filtration Equip	3.30%	\$0	0	3.30%	0	0	0	0
333	Membrane Filtration Equipment	6.00%	\$0	0	6.00%	0	0	0	0
334	Other Water Treatment Equipment	6.00%	\$538,162	32,290	6.00%	0	779,929	0	46,796
	Total Water Treatment Plant			\$32,290					\$46,796

Pewaukee City Of Water Utility
DEPRECIATION ACCRUAL AND EXPENSE
 Estimated for Test Year 2019

Acct. No.	Plant account	Estimated 2018 (per Attach. 11)			Test Year 2019 (per Attachment 11)						Test Year Total
		Depr.	Avg. Depreciable	Depreciation	Depr.	Average Depreciable Balance		Depreciation Accrual			
		Rate (A)	Balance	Accrual	Rate (B)	Major	Routine	Major	Routine		
<u>Transmission and Distribution Plant</u>											
340	Land and land rights	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
341	Structures and improvements	0.00%	\$0	\$0	3.20%	\$0	\$0	\$0	\$0	\$0	\$0
342	Distribution reservoirs and standpipes	1.90%	\$1,656,722	31,478	1.90%	0	1,660,629	0	31,552	31,552	31,552
343	Transmission and distribution mains	1.30%	\$1,158,646	15,062	1.30%	0	1,355,544	0	17,622	17,622	17,622
345	Services	2.90%	\$379,680	11,011	2.90%	0	386,177	0	11,199	11,199	11,199
346	Meters	5.50%	\$684,558	37,651	5.50%	0	695,103	0	38,231	38,231	38,231
348	Hydrants	2.20%	\$534,323	11,755	2.20%	0	544,585	0	11,981	11,981	11,981
349	Other transmission and distr. plant	0.00%	\$0	0	5.00%	0	0	0	0	0	0
Total Transmission and Distr. Plant				\$106,957							\$110,585
<u>General Plant</u>											
389	Land and land rights	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
390	Structures and improvements	0.00%	\$0	\$0	2.90%	\$0	\$0	\$0	\$0	\$0	\$0
391	Office furniture and equipment	5.80%	\$56,275	3,264	5.80%	0	59,947	0	3,477	3,477	3,477
391.1	Office furniture & equip - Computers	26.70%	\$138,477	36,973	0.00%	0	138,477	0	0	0	0
392	Transportation equipment	13.30%	\$290,470	38,633	0.00%	0	277,226	0	0	0	0
393	Stores equipment	0.00%	\$0	0	5.80%	0	0	0	0	0	0
394	Tools, shop and garage equipment	0.00%	\$0	0	5.80%	0	0	0	0	0	0
395	Laboratory equipment	0.00%	\$0	0	5.80%	0	0	0	0	0	0
396	Power operated equipment	7.50%	\$175	13	0.00%	0	175	0	0	0	0
397	Communication equipment	0.00%	\$7,973	0	15.00%	0	15,947	0	2,392	2,392	2,392
397.1	SCADA equipment	9.20%	\$231,222	21,272	9.20%	0	234,722	0	21,594	21,594	21,594
398	Miscellaneous equipment	5.80%	\$132,873	7,707	5.80%	0	156,966	0	9,104	9,104	9,104
Total General Plant				\$107,862							\$36,567
Total			\$8,734,090	\$370,657		\$0	\$10,347,745	\$0	\$329,992	\$329,992	\$329,992
Miscellaneous Credits (Charges) to Accrual				\$0	Miscellaneous Credits (Charges) to Accrual						\$0
Estimated Depreciation Accrual				(To Attachment 13)==> \$370,657	(To Attachment 13)==> \$329,992						
Meter depr. allocated to sewer (deduction)				50 % <=Change if different (18,826)	50 % <=Change if different allocation to sewer (19,116)						
Adjustments & Depreciation charged clearing accounts, etc: add (deduct):				0							0
(Specify)				0							0
(Specify)				0							0
Estimated Depreciation Expense				\$351,831	Test Year Depreciation Expense (To Attachment 14)==>						\$310,876

Pewaukee City Of Water Utility

Estimated for Test Year 2019

Accumulated Depreciation (Account 111.1)				Major Projects	Routine	Total	Test Year Average Balance
January 1, 2018 Balance	(Estimated)					\$2,883,275	
Add: Annual Accrual	(per Attachment 12)	(A)				370,657	
Salvage	(Estimated)				\$0	0	
Less: Retirements	(per Attachment 11)	(B)				87,278	
Cost of Removal	(Estimated)				\$0	0	
Adjustments	increase (decrease)	(C)			0	0	
December 31, 2018 Balance	(Estimated)					\$3,166,654	\$3,166,654
Add: Annual Accrual	(per Attachment 12)	(A)	\$0	\$329,992		329,992	164,996
Salvage	(Estimated)		0	0		0	0
Less: Retirements	(per Attachment 11)	(B)	0	182,434		182,434	91,217
Cost of Removal	(Estimated)		0	0		0	0
December 31, 2019 Balance	(Estimated)					\$3,314,212	
Test Year Average Balance							\$3,240,433

Materials and Supplies Inventory				Test Year Average Balance
Account Balances:				
December 31, 2015	(Actual)		\$7,662	
December 31, 2016	(Actual)		8,324	
December 31, 2017	(Actual)		8,329	
December 31, 2018	(Estimated)	(D)	8,329	\$4,165
December 31, 2019	(Estimated)	(D)	8,329	4,165
Test Year Average Balance				\$8,330

Regulatory Liability and Other Adjustments				Test Year Average Balance
Account Balances:				
December 31, 2017	(Actual)	(E)	\$1,571,936	
December 31, 2018	(Estimated)	(E)	\$1,492,439	\$746,220
December 31, 2019	(Estimated)	(E)	\$1,412,942	\$706,471
Test Year Average Balance				\$1,452,691

- Note: (A) The depreciation accrual totals for 2018 and 2019 must agree with Attachment 12.
For rate case purposes, major construction additions are factored into the calculated accrual as if in service the entire year.
- (B) The plant retirements totals for 2018 and 2019 must agree with Attachment 11.
If test year retirements are being retired as a result of major construction project, indicate that portion in the major projects column.
- (C) Explain adjustments on Attachment 19.
- (D) If there is a variance to the prior year balance of more or less than 15%, please state the basis used for developing the M & S estimates for 2018 & 2019.
- (E) Explain Other on Attachment 19.

Pewaukee City Of Water Utility

Estimated for Test Year 2019

Part One:	Total Operating Revenues	(per Attachment 7)	\$2,120,289
	Total Operation and Maintenance Expenses	(per Attachment 10)	\$1,288,681
	Depreciation Expense	(per Attachment 12)	310,876
	Amortization Expense--Account # 404 (specify):		0
	Taxes	(per Attachment 8)	607,436
	Total Operating Expenses		\$2,206,993
	Net Operating Income (Loss)-Test Year 2019		(\$86,704)
Part Two:	Utility Plant In Service--Financed by Utility or Municipality:		
	Test Year Average Balance	(per Attachment 11)	\$10,558,797
	Materials and Supplies:		
	Test Year Average Balance	(per Attachment 13)	8,330
	Less: Accumulated Depreciation:		
	Test Year Average Balance	(per Attachment 13)	3,240,433
	Regulatory Liability and Other:		
	Test Year Average Balance	(per Attachment 13)	1,452,691
	Average Net Investment Rate Base (NIRB)		\$5,874,003
Part Three:	Average Net Investment Rate Base	(per Part Two above)	\$5,874,003
	TIMES Rate of Return Requested		
	(Enter requested rate in this box.)	17.90%	17.90%
	Return on Average Net Investment Rate Base (NIRB)		\$1,051,447
	Total Operation and Maintenance Expenses	(per Part One above)	\$1,288,681
	TIMES allowance on O&M expenses		6.00%
	Operating Allowance		\$77,321
	Enter the larger of either:		
	The Return on NIRB (A) or the Operating Allowance (B)		\$1,051,447
	Less: Estimated Net Operating Income (Loss)	(per Part One above)	(86,704)
	Increase Requested-Test Year 2019		\$1,138,151
	Overall Percentage Increase in		
	Total Sales of Water <u>at Current Rates:</u>	54.11%	

Sources of Cash	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
Revenue from Rates	2,106,071	\$3,258,440	3,258,440	3,258,440	3,258,440	3,258,440
Debt Proceeds	-	-	-	-	-	-
Total Sources	2,106,071	3,258,440	3,258,440	3,258,440	3,258,440	3,258,440
Uses of Cash						
O&M	(1,289,000)	(1,289,000)	(1,315,000)	(1,341,000)	(1,368,000)	(1,395,000)
Tax Equivalent	(595,000)	(595,000)	(607,000)	(619,000)	(631,000)	(644,000)
Capital Expenditure	-	-	-	-	-	-
Existing Debt Service	(635,000)	(635,000)	(635,000)	(635,000)	(630,000)	(625,000)
New Debt Service	420,000	(463,615)	(463,615)	(463,615)	(463,615)	(463,615)
Total Uses	(2,099,000)	(2,982,615)	(3,020,615)	(3,058,615)	(3,092,615)	(3,127,615)
Net Cash Flow	7,071	275,825	237,825	199,825	165,825	130,825
Debt Coverage Ratio	103%	125%	122%	118%	115%	112%

FINANCING OF PLANT ADDITIONS (Including Contributed Plant)		
Description	Estimated <u>2018</u>	Test Year <u>2019</u>
Contributed Plant by Developers		
Contributed Plant by Customers		
Special Assessments--Collections and Tax Roll	232,621	
Grants for Plant Additions		
Plant Paid for by Municipality		
Plant Paid for by TIF District		
Proceeds from Debt Issued during Year	2,030,109	390,587
Special Construction Funds		
Available Cash or Invested Funds		
Utility Earnings		
Other: (Specify)		
Total	\$ 2,262,730	\$ 390,587
Utility Financed Plant from Attachment 11	2,030,109	390,587
Contributed Plant from Attachment 11a	232,621	933,500
Total	\$ 2,262,730	\$ 1,324,087
The total financing of additions should agree to the total additions to plant as forecast on Attachments 11 and 11a.		

a. List the utility's debt issues. Use only one line for each existing and estimated new debt issue.

- i. Include the corresponding annual interest, either accrued or payable, for each issue.
- ii. A summary in total is acceptable if the utility has debt information available by issue and can scan and/or insert the information to this attachment. An attachment to this email is also acceptable.
- iii. All debt issues for all utility departments and non-utility sewer departments reported in the PSC annual report must be included unless a separate balance sheet and income statement are provided.

b. If necessary, please describe unusual situations in the Notes (Attachment 19).

Note (1): Include as Interest Expense amounts which will be reported in Account 427, Interest on Long Term Debt; in Account 430, Interest on Debt to Municipality; and Account 431, Other Interest Charges.

Pewaukee City Of Water Utility

IMPACT FEES

Is the utility currently collecting impact fees,
capacity assessments, or other such fees?

Yes

If yes, answer the following:

- 1) Describe the facilities to be constructed using the impact fees.

Pewaukee does not have impact fees but does use RCAs to finance some of their capital costs. They do not plan to use any RCA funds in the near future to build anything, however.

- 2) Provide the year the impact fees were adopted.

N/A

- 3) Provide the year the facilities were or will be constructed.

N/A

- 4) Provide a copy of the most recent impact fee study and impact fee ordinance.

Note: If more than one water utility impact fee exists, answer the above questions for each project.
If more space is needed please include an explanation in the footnotes on Attachment 19.

Pewaukee City Of Water Utility

MISCELLANEOUS
Test Year 2019

Part One:

If plant accounts in **Attachment 11 and/or Attachment 11a** (Utility Plant in Service) have transactions for the interim or test year for **Account 343 (Mains)** or **Account 348 (Hydrants)** specify the units added and/or retired for each account.

	Year	Attachment 11		Attachment 11a		Net Units	Indicate diameter(s) and length(s) of main added and retired
		Units Added	Units Retired	Units Added	Units Retired		
Feet of Main	2018	401	401			0	401 feet 12-inch main
Feet of Main-Routine	2019	388	388			0	388 feet 12-inch main
Feet of Main-Major Projects	2019					0	
Hydrants	2018	1	1			0	
Hydrants-Routine	2019					0	
Hydrants-Major Projects	2019					0	

Water Service Installation

Does the utility wish to revise Schedule Cz-1, the charge for installing a water service?

Yes - Based on Actual Cost

Late Fees

The Wisconsin Administrative Code provides alternatives for late payment charges on delinquent bills for service. If the utility is also regulated by the PSC for electric and/or sewer rates, it is recommended that the charge be consistent for all. Please indicate which late payment charge the utility wants to be included in its tariff.

1% per month charge

Other Charges (Schedule OC-1)

Non-Sufficient Funds ☐ Yes Amount: \$ 29.00

Is the Utility also regulated for electric and/or sewer rates? ☐ No - water rates only

Amount charged by your financial institution: \$29.00

Special Billing Charge ☐ No

Special Meter Reading Charge ☐ No

Missed Appointment Charge ☐ No

Real Estate Closing Charge ☐ No

Reconnection Charges (Schedule R-1)

		Field Staff	Admin Staff	Vehicle
Normal Business Hours:	\$ 30.00			
After Hours:	\$ 60.00			
# of Hours				
Hourly Rate				
R-1 Total		\$ -	\$ -	\$ -

Public Fire Protection Charges (Schedule F-1) FAQ/Application to Change PFP Method

How will the utility collect the PFP charge?

Direct Charge on Water Bill Method for calculating direct charges: Property Value

Will direct charges also be applied to non-customers who own property in the municipality?

Yes - including vacant lots Number of lots 4485

Schedule X-4: Deferred Payment Agreements (DPA)

Do you request to amend the utility's tariff related to DPA's for residential customers? ☐ No

Schedule X-4: Continued

1. Do you currently offer leak credits to water customers? If so, please provide your policy on Attach19. ☐ No

Select the rate **option** for billing excess usage due to leak.

Option 1) the lowest volumetric rate provided in the utility's Schedule Mg-1.

Option 2) \$X.YZ per [1,000 gallons/100 cubic feet]. See your records or most recent cost study.

2. Do you currently offer budget billing to water customers? If so, please provide your policy on Attach19. ☐ No

General Service Rate Design (Schedule Mq-1)

Please indicate the preferred rate design for each customer class:

General/Residential	Uniform Rate
Multifamily Residential	Uniform Rate
Non-Residential	Uniform Rate

Please indicate if you would like an irrigation rate or an additional meter charge (choose one or none).

Irrigation Rate	No
Additional Meter Charge (Am-1)	No

Are you interested in rate design to promote conservation goals?

If you decide to pursue an irrigation rate, then please provide the following information:

The Public Service Commission of Wisconsin defines the irrigation customer class as "customers who have water service provided primarily for landscape irrigation. For the purpose of this schedule, landscape irrigation includes the use of water to sustain crops, lawns, or landscapes on any residential, commercial, industrial, or public authority property, including water used for irrigating athletic fields, parks, and golf courses. Irrigation customers include those customers that have multiple meters installed on a single lateral for the purpose of measuring water that is not discharged to the sanitary sewer system. The utility shall classify each additional meter as an irrigation meter and treat each meter as a separate general service customer."

- 1) We will eliminate Schedule Am-1 from your tariff. All existing Am-1 deduct meters will become irrigation meters and
- 2) Please identify all of your irrigation customers. This will become your new irrigation customer class that will receive its own unique uniform water rate. Water for irrigation will have higher volume rates than general service volume rates due
- 3) Update the meter count, fixed revenues, volume revenues, and total actual billed revenues for the irrigation customer class as shown in Attachment 2B. Remember that as you add a meter to the irrigation class, you must subtract it from one of the other customer classes.
- 4) Please identify the annual combined consumption of the irrigation meters by rate block. Update Attachment 2A accordingly. Remember that as you add consumption to the irrigation customer class, you must subtract it from some of the other customer classes. The irrigation usage must be based on your customers that will be reclassified as irrigation customers.

Describe any proposed modifications to the general service rates or list any other proposed tariff or schedule changes below:

Manual meter reading charge of \$15 per quarter. Pewaukee staff spends 30 to 45 minutes of staff time taking and entering manual meter readings. Pewaukee's average hourly labor rate is approximately \$29.

NOTE: Utilities proposing a modified rate structure should submit detailed customer billing information for the most recent 12 months. For each billing period, include an analysis by customer class of the number of customer bills ending in each 1,000 gallon or 100 cubic foot increment, the total number of bills in the billing period, and the total volume of sales in the billing period. For residential customers, it is suggested that the increments be in 1,000's of gallons, up to 25,000 gallons per month (75,000 gallons per quarter), and then by 5,000 gallon increments.

Rebate Programs

Does the Utility wish to establish a new rebate or incentive program for water saving fixtures and/or water efficiency process changes?

If yes, the Utility must obtain PSC approval before spending additional ratepayer-generated funds on these efforts. In general, the PSC allows utilities to spend one to two percent of total operating revenues on water conservation programs. Please provide the PSC with an implementation plan that is consistent with "Implementing Toilet Rebates and Other Incentive Programs" found on our website:

<http://psc.wi.gov/conservation/documents/wc-RebateProgram.pdf>

Once a conservation program is approved, the Utility will be required to report annually on the costs, gallon savings, and other supporting information about its program by completing page W-27 in the WECS Annual Reporting System.

Are there any specific timing constraints that this case is depending on? Are there any external deadlines related to funding or other issues (DNR or safe drinking water) that Commission staff should be aware of?

No.

Pewaukee City Of Water Utility
WATER CONSERVATION SPENDING

Test Year 2019

If the utility has a conservation program that was authorized by the PSC, please complete the deferred expense schedule below.

Deferred Expense Schedule:

Program Year Ending (a)	Beginning Balance (b)	Account 186 Expenditures (c)	Account 253 Collections (d)	End of Year Expenses (e)
December 31,				
December 31,				
December 31,				
December 31,				
Net Balance of Acct. 186 (debit) and Acct. 253 (credit) Last Actual Year				\$0
Amortization Expense (Net Balance Divided by 3)				\$0
Estimated Future Annual Expenditures				\$0
Total Expenses (To be Recorded in Account 906)				\$0

What are the estimated effects of the utility's planned water conservation and efficiency program on water sales for the test year? Estimate the reduction in volumetric sales, by customer class, for the test year. Test year sales in Attachment 3 should reflect adjustments for conservation.

Customer Class	Test Year Sales Without Conservation	Conservation Adjusted Test Year Sales
Residential		
Multifamily		
Commercial		
Industrial		
Public Authority		
Other		

Additional Comments:

Revenue (See 2B)

The variance for public authority revenue stems from two billing system errors. One park was charged for the wrong meter size and another was charged multiple times for the same meter. The errors have been fixed, and the city will be credited for the excess charges.

Expenses (See Attach 10_C)

602, 2018: The Utility estimated to reroof one of the well houses. The project was delayed.

602, 2019: The budget has increased to allow the reroofing of two well houses, instead of one.

605, 2018: \$8,400 was spent on a well rehabilitation.

605, 2019: As buildings and equipment age, more is budgeted to maintain upkeep.

623, 2018: A large tree had to be removed from one site. Several industrial dehumidifiers also had to be replaced.

623, 2019: As buildings and equipment age, more is budgeted to maintain upkeep.

625, 2018: As buildings and equipment age, more is budgeted to maintain upkeep.

630, 2018: As chemical pumping equipment ages, it requires more maintenance. The Utility will also be conducting more water testing within the distribution system.

632, 2018: The Utility conducted two radium removal pilot studies in 2015 and 2017 respectively. The pilot studies required an abundance of radioactivity testing for each treatment study. Sampling was reduced in 2017

632, 2019: The Utility installed a radium removal filter at the end of 2018. Additional testing will be required to ensure radium removal rates. There will be daily water tests to ensure that the chemical addition is optimized.

635, 2018: The chemical equipment is aging and requires more maintenance for upkeep.

635, 2019: The chemical equipment is aging and requires more maintenance for upkeep.

641, 2018: The Utility has dropped the use of a uniform company and are reimbursing staff for uniforms. Also renegotiated new cross connection inspection contract.

641, 2019: In 2018 the Utility purchased clothing for staff instead of a uniform company. We anticipate only providing a limited amount of new clothing in 2019. We also anticipate purchasing fewer general supplies.

650, 2018: The budget is increased to account for four drain down inspections. As the DNR now requires a licensed engineer to conduct the inspections, the price has increased.

650, 2019: The budget is increased to account for four drain down inspections. As the DNR now requires a licensed engineer to conduct the inspections, the price has increased.

651, 2018: Two very costly breaks had to be repaired.

651, 2019: Increased to handle significantly higher costs associated with water main breaks and restoration.

654, 2018: The Utility purchased a hydraulic hydrant repair tool. Staff made significant repairs to hydrants that were difficult to operate/ had been slated for replacement.

654, 2019: The budget includes the replacement costs of at least one hydrant in a swampy region. A detour route will be required for a busy road.

901, 2018: The Utility now uses a fully automated meter reading system, except for four homes. This has been much more cost efficient.

901, 2019: The Utility now uses a fully automated meter reading system, except for four homes. This has been much more cost efficient.

903, 2018: The Utility implemented a system to better coordinate with the US Postal Service delivery. This process reduced our postal rates.

921, 2018: Previously publication & mailing costs for the CCR was charged to account 921-3071. Now it is expensed to 906-3001 Conservation & Public Relations. Cost sharing of medical cabinet with City Hall.

921, 2019: Additional cost for safety equipment i.e., harnesses, reflective winter & rain gear.

923, 2019: Increase is due to anticipation of additional accounting, and consultant costs associated with the PSC rate increase application. Additional consultant costs anticipated because of the implementation of the Water Utility financial review.

925, 2019: The City has received multiple Worker Comp claims in the last several years, leading to a significant increase.

926, 2018/2019: Benefits Charged To/From Other Departments and Pension Expenses GASB 68 added to this

933, 2018/2019: There will be a significant decrease in the depreciation component since it was almost fully depreciated at 12/31/17 (there was only \$10,493 left to be depreciated in 2018).

935, 2018: In 2018 the water utility was charged with their share of the accounting software license and hosting

Depreciation - Attach12

328, other pumping equipment: fully depreciated as of the end of 2018

391.1, computer equipment: fully depreciated as of the end of 2018

392, transportation equipment: fully depreciated as of the end of 2018

396, power-operated equipment: fully depreciated as of the end of 2018

**Pewaukee City Of Water Utility
2019
NOTES**

Required Supplemental Information

Pensions and Benefits Expense

Expense details should be provided for the test year and three prior years for Account 686 (Class D) or Account 926 (Classes AB and C).

	2016	2017	2018	2019
Pensions				
Health Insurance				
Life Insurance				
SEE NEXT TAB				
SEE NEXT TAB				
Total for Account 686 or 926	0	0	0	0

These totals should agree with Attach10

Membership Dues

For each organization the utility belongs to, identify the amount of the dues for the years noted below and indicate what expense account is charged.

	Account	2018	2019
AWWA		180	180
WRWA		292.5	292.5
MEG - water			
Alliance for Water Efficiency			
Tri-County Waterworks		160	160
Other-Explain			

Water Tower Painting

The normalized cost of water tower painting should be included in the forecast for Account 650 (Class C&D utilities) or Account 672 (Class AB utilities). Also, see Instructions - Attachment 10.

Description	Year Last Painted	Next Date To Be Painted	Prior Cost	Current Cost	Number of Years Between Paintings	Annual Normalization
Green Road water reserv	2016	2027	249,282.32		10	
2017 Construct	2017		0			

Other Normalizations

See Instructions for Attachment 10.

Explain on Attachment 19.

Second Meters

Yes/No

Does the utility have rate schedule Am-1, Additional Meter Rental Charge?

No

If yes, fill out the summary below.

Revenues from additional meters should be reported in Account 474, Other Water Revenue on Attachment 7.

Last Actual Year End Count	Residential	Multifamily	Commercial	Industrial	Public Authority
General Service Meters					
Additional Meters					
Total	0	0	0	0	0

The totals should agree with the meter counts reported on page W-23 of Annual Report.

Payroll Allocations

If employees perform work for more than one function, please explain how costs are assigned to the water utility.

For example, when an employee performs work for municipal parks, sewer, water, and private lead service lines, describe how the salary and wages dollars are assigned to the regulated water utility.

Field operators complete daily timesheet. Admin staff's time and hence salary is proportioned out.

	2016	2017	2018	2019
Pensions	24,525	20,685	19,404	20,058
Health Insurance	51,215	47,921	47,821	52,749
Life Insurance	526	50	607	738
Dental Insurance	4,581	4,465	4,132	4,767
Optical Insurance	1,161	711	704	742
Unemployment				
Disability Insurance	1,755	1,860	1,169	1,244
Pension Expenses GASB 68			21,854	21,854
Benefits - Charged To/From Other Depts			17,559	12,710
Total for Account 686 or 926	83,763	75,692	113,250	114,862
These totals should agree with Attach10				

PSC WATER RATE INCREASE ORDERS ISSUED

DECEMBER 1, 2017 – FEBRUARY 28, 2018

UTILITY NAME	ORDER ISSUED	OVERALL% INCREASE
Brillion Muncipal Water Utility	12/1/2017	14%
Cashton Muncipal Electric and Water Utility	12/8/2017	42%
Whitelaw Municipal Water and Sewer Utility	12/14/2017	66%
Redgranite Water Utility	12/28/2017	7%
Sister Bay Water and Sewer Utility	1/22/2018	9%
Browntown Municipal Water Utliity	1/23/2018	10%
New Glarus Light and Water Works	1/24/2018	25%
Durand Municipal Water Utility	1/25/2018	52%
Grafton Water and Wastewater Utility	2/14/2018	9%



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PSC CONSTRUCTION AUTHORIZATIONS ISSUED

DECEMBER 1, 2017 – FEBRUARY 28, 2018

UTILITY NAME	ORDER ISSUED	CONSTRUCTION COST
Sturgeon Bay Utilities	12/13/17	\$371,030
Chaseburg Water & Sewer Utility	12/19/17	\$902,425
Junction City Water Utility	12/21/17	\$1,400,000
Sun Prairie Utilities	12/27/17	\$1,350,180
Harrison Utilities	01/25/18	\$2,037,700
Village of Plainfield Water Utility	01/25/18	\$1,300,000
Greenville Sanitary District	01/30/18	\$1,800,000

► CITY SLOGANS

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Cambridge

- The Umbrella City

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Fond du Lac, WI: 920-923-1850

Superior, WI: 715-392-5121



PSC WATER RATE INCREASE ORDERS ISSUED

SEPTEMBER 1, 2018 – NOVEMBER 30, 2018

UTILITY NAME	ORDER ISSUED	OVERALL% INCREASE
Village of Wheeler Municipal Water Utility	09/07/18	17%
Stoughton Water Utility	09/07/18	12%
Green Bay Water Utility	09/07/18	10%
City of Oshkosh City Of Water Utility	09/14/18	7%
Cameron Village of Municipal Water Utility	10/03/18	49%
Madison Water Utility	11/01/18	31%
Fontana Municipal Water Utility	11/06/18	48%
Cambria Municipal Water Utility	11/06/18	39%
Chaseburg Water & Sewer Utility	11/08/18	120%
Applewood Hill Water Utility	11/12/18	72%
Mukwonago Municipal Water Utility	11/26/18	9%

PSC CONSTRUCTION AUTHORIZATIONS ISSUED

SEPTEMBER 1, 2018 – NOVEMBER 30, 2018

UTILITY NAME	ORDER ISSUED	CONSTRUCTION COST
Denmark Municipal Water Utility	09/10/18	\$204,450
Chaseburg Water and Sewer Utility	09/17/18	\$963,782
Appleton Water Department	10/01/18	\$529,600
Sturgeon Bay Utilities	10/16/18	\$385,550
Waunakee Water and Light Commission	10/19/18	\$435,353
Village Of Somerset Village Water Utility	10/19/18	\$1,722,098
Lincoln Sanitary District #1	10/26/18	\$38,000
Lodi Municipal Light and Water Utility	10/29/18	\$1,789,460
Bear Creek Water Utility	11/06/18	\$1,142,500
New London Electric and Water Utility	11/06/18	\$503,800
City of Colby City Municipal Water Utility	11/30/18	\$576,000

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- Mechanical Bar Screens • Aeration Equipment • Sand Filters • Traveling Water Screens
- Conveyors • Trickling Filters • Screw Pumps • Floatation Thickeners
- Grit Removal Systems • Digesters • Airlift Pumps •
- Clarifiers • Flocculators • Trash Rakes • And More.

We offer professional guaranteed service. We will provide a quotation including equipment requirements and a firm price for the project.

Our customized services allow you the option of having our trained staff work with your personnel or we will provide total turnkey service to complete your equipment installation, repair, or rebuild needs on a timely, competitively priced basis.

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Email PERSLaMont@aol.com

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**Process
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Repair
Services, Inc.**

PSC WATER RATE INCREASE ORDERS ISSUED

JUNE 1, 2018 – AUGUST 31, 2018

UTILITY NAME	ORDER ISSUED	OVERALL% INCREASE
Darien Water Works & Sewer System	06/06/18	23%
Stetsonville Water Utility	06/19/18	53%
Centuria Municipal Water And Sewer Utility	06/25/18	35%
Owen Municipal Water Utility	07/10/18	7%
Rothschild Municipal Water Utility	07/25/18	12%
Village Of Winter Water Utility	08/07/18	14%
Stevens Point Municipal Water Utility	08/08/18	12%
Weston Water Utility	08/14/18	22%
Mindoro Sanitary District Number One	08/16/18	56%
Montreal Municipal Water Utility	08/21/18	63%
Two Rivers Water & Light Utility	08/24/18	11%

PSC CONSTRUCTION AUTHORIZATIONS ISSUED

JUNE 1, 2018 – AUGUST 31, 2018

UTILITY NAME	ORDER ISSUED	CONSTRUCTION COST
Village of Hobart Water Utility	06/06/18	\$2,542,500
Radisson Water and Sewer Utility	06/14/18	\$13,950
Village of Pleasant Prairie Water Utility	06/19/18	\$2,735,000
Verona Water Utility	06/19/18	\$2,500,000
Superior Water Light and Power Company	06/22/18	\$400,000
Junction City Water Utility	07/10/18	\$100,000
Village of Plover Municipal Water Utility	07/10/18	\$2,800,000
Radisson Water and Sewer Utility	07/17/18	\$1,340,000
Bruce Municipal Water & Sewer Utility	08/07/18	\$74,502
Platteville Water & Sewer Utility	08/07/18	\$630,000
Prairie Du Chien Municipal Water Utility	08/07/18	\$723,630
Seymour Municipal Water Utility	08/07/18	\$367,076
Black River Falls Municipal Electric & Water	08/08/18	\$225,508
Redgranite Water Utility	08/08/18	\$925,700
Suamico Water Utility	08/21/18	\$551,519
Sheboygan Water Utility	06/01/18	\$1,000,166
Stevens Point Municipal Water Utility	06/01/18	\$6,269,500
Mukwonago Municipal Water Utility	06/06/18	\$798,179
City of Oconomowoc Utilities	07/06/18	\$1,820,474
Grafton Water & Wastewater Utility	07/09/18	\$1,356,876
Mukwonago Municipal Water Utility	07/31/18	\$1,410,665
Village of Somerset Water Utility	08/07/18	\$600,000
Eau Claire Municipal Water Utility	08/15/18	\$415,000
City of Bloomer Water Utility	08/27/18	\$312,302
Slinger Utilities	08/27/18	\$1,595,288
Woodville Water and Sewer Utility	08/27/18	\$157,360

Wisconsin Rural Water Association

Advertise Online:

- Include company contact information, logo and link to webpage
- All listings subject to WRWA approval.
- 12 month or monthly terms
- **WRWA Members:**
\$700 per year or \$60 per month
- **Non-Members:**
\$1,000 per year or \$85 per month

If your company would like to sponsor the WRWA weekly E-News or advertise on the WRWA website please contact:
Janis Klismith at jklismith@wrwa.org.

www.wrwa.org

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Superior, WI: 715-392-5121



PSC WATER RATE INCREASE ORDERS ISSUED

DECEMBER 1, 2018 – FEBRUARY 28, 2019

UTILITY NAME	ORDER ISSUED	OVERALL% INCREASE
Superior Water Light and Power Company	12/20/18	8.45%
Reeseville Water Utility	12/11/18	21.23%
City of Mauston Municipal Water Utility	12/14/18	34.05%
Lake Mills Light and Water Department	12/14/18	19.88%
Village of Sussex Water Public Utility	12/21/18	27.85%
Village of Sussex Water Public Utility	12/21/18	12.43%
Waterloo Water and Light Commission	01/02/19	28.11%
St. Croix Improvements Inc.	01/16/19	-15.42%
Village of East Troy Municipal Water Utility	01/31/19	-9.87%
Kimberly Municipal Water Utility	02/11/19	23.46%
Sharon Waterworks and Sewer System	02/25/19	7.4%
Burlington Municipal Waterworks	02/26/19	16.12%
Melvina Municipal Water Utility	02/26/19	62.51%
Poynette Municipal Water Utility	02/28/19	10.87%

PSC CONSTRUCTION AUTHORIZATIONS ISSUED

DECEMBER 1, 2018 – FEBRUARY 28, 2019

UTILITY NAME	ORDER ISSUED	CONSTRUCTION COST
Paddock Lake Municipal Water Utility	01/14/19	\$4,438,000
Cobb Municipal Water Utility	02/01/19	\$738,270
Sextonville Waterworks Sanitary District	02/15/19	\$37,520
Lomira Municipal Water Utility	02/22/19	\$2,458,274
Lyndon Station Municipal Water Utility	01/23/19	\$1,003,350
Alma Center Water Utility	01/31/19	\$963,500
Niagara Municipal Water Utility	12/21/18	\$116,227
Spring Valley Waterworks	02/22/19	\$478,452

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- Sand Filters
- Traveling Water Screens
- Conveyors
- Trickling Filters
- Screw Pumps
- Floatation Thickeners
- Grit Removal Systems
- Digesters
- Airlift Pumps
- And More.
- Clarifiers
- Flocculators
- Trash Rakes

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Page 45 of 45

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 10.**

DATE: May 20, 2019

DEPARTMENT: PW - Engineering

PROVIDED BY: Jeffrey Weigel, PE

SUBJECT:

Discussion and Possible Action to Recommend the Consultant to the Wisconsin Department of Transportation Selected by the Consultant Selection Committee for the Duplainville Road Bridge Replacement Design Services (Bridge ID B-67-009) and to Authorize the Mayor to Sign the Attendant Agreements and Documents with the State/Consultant if Necessary Under the State Grant Process Contingent on the Approval of the Forms by the City Engineer and City Attorney, if necessary, if Required Prior to the June 3rd Common Council Meeting [Weigel]

BACKGROUND:

Earlier this month the Common Council created a Consultant Selection Committee in conformance with the State requirements. That Committee is scheduled to meet on Thursday May 16, 2019 at 2:30 PM and staff will report on that meeting.

FINANCIAL IMPACT:

RECOMMENDED MOTION:

We recommend that the Common Council concurs with the recommendation of the Consultant Selection Committee and sends that selection to the Wis DOT for review and agreement preparation.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 11.**

DATE: May 20, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding the Appointments to Various Boards, Commissions and Committees
[Mayor Bierce]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Appointments Needed

PLAN COMMISSION	Original Appointment	Current Term	
		From	To
Karen Salituro	4/2/2018	4/2/2018	5/1/2019
Sullivan, Sean (Engineer)	9/4/2007	5/15/2017	5/1/2018
Janka, Ted	5/1/2003	5/4/2015	5/1/2018
Linsmeier, Dave (Park & Recreation Board)	4/3/2006	8/6/2018	5/1/2019
Wunder, Christine	7/1/2004	5/15/2017	5/1/2020
Bierce, Steve - Mayor	6/6/2016	4/17/2017	Indefinitely
Bergman, Brandon - Alderman	5/17/2017	5/17/2017	Indefinitely

According to Section 1.03(2) of the Pewaukee Municipal Code the membership should be as follows: consisting of (7) members; the mayor (presiding officer), (1) Alderman, (1) representative from the Joint Park & Recreation Board (selected by the Park & Recreation Board) and (4) citizen members with experience and qualifications related to planning matters (1) of which needs to be a full-time City Engineer. (3) of the citizen members are to serve an alternating 3-year term. *The 4th citizen engineer member, the alderman and Joint Park & Recreation Board representative shall be appointed annually in April.* Citizen members are compensated.

ZONING BOARD OF APPEALS	Original Appointment	Current Term	
		From	To
Marlin, Katie - Chairperson (appointed 1/7/2019)	7/18/2016	8/6/2018	5/1/2021
Thomas Matt	5/7/2012	5/21/2018	5/1/2021
Heise, Mike	10/7/2002	5/2/2016	5/1/2019
Welcenbach, Robert	6/1/2015	5/15/2017	5/1/2020
Tuttle, Debra	8/6/2018	8/6/2018	5/1/2019
Tredwell, Jim - Alternate	2/15/2016	2/15/2016	5/1/2019
VACANCY - Alternate			5/1/2022

It consists of (5) regular members. Their terms shall be for a staggered three (3) year period. The Mayor shall appoint the Chairperson. There shall also be (2) alternates for staggered three (3) year term. *The Mayor shall annually designate as 1st and 2nd Alternate.* The 1st alternate will fill any vacancy and complete the regular appointee's term and the 2nd alternate will fill the 1st alternate's term, leaving the 2nd alternate position need to be filled. On 1/2/2007 Ordinance 06-24 was passed revising the membership.

BOARD OF REVIEW	Original Appointment	Current Term	
		From	To
Smiley, Laura	7/15/2013	5/21/2018	5/1/2020
Jaschke, Jim	5/2/2011	8/6/2018	5/1/2020
Robinson, Gwenn	5/2/2011	5/15/2017	5/1/2019
Lorier, Bob	4/18/2016	5/15/2017	5/1/2019
Figurski, Joshua	8/6/2018	8/6/2018	5/1/2019
VACANCY - Alternate			5/1/2021
VACANCY - Alternate			5/1/2020

An all citizen Board of Review was established by Ordinance #06-02 on 02/06/2006. It requires seven (7) citizen members to serve alternating two (2) year terms. Current compensation is \$20 per meeting per action of the Common Council on 8/18/2003. On August 17th, 2009 Ordinance 09-13 was created, recreating section 1.08(1) of the municipal code. The Board now consists of five (5) members and two (2) alternates.

FIRE COMMISSION	Original Appointment	Current Term	
		From	To
Bertoni, Angelo	4/19/2004	8/6/2018	5/1/2023
Goff, Bob	7/18/2011	6/1/2015	5/1/2020
Novack, Kathleen	9/15/2014	9/15/2014	5/1/2019
Millard, Mark	4/19/2004	5/2/2016	5/1/2021
Elaine Kroening	11/5/2014	5/15/2017	5/1/2022

The Fire Commission was originally part of the Police & Fire Commission that was created by Ordinance 04-10 on 4/19/2004. With the anticipated disbanding of the Police Department on 1/1/2010 ordinance 9.21 was created and passed on 12/21/2009. The membership remains as a five (5) citizen members; each to serve an alternating 5 - year term. Compensation is \$20 per meeting.

PUBLIC WORKS COMMITTEE	Original Appointment	Current Term	
		From	To
Swan, David	8/4/2008	5/15/2017	5/1/2020
Tormey, Jeff	10/5/2015	5/2/2016	5/1/2019
Pievach, Michael	10/19/2009	5/18/2015	5/1/2018
Bierce, Steve - Mayor	4/17/2017	4/17/2017	Indefinitely
Wamser, Jerry - Alderman	5/7/2012	6/6/2016	Indefinitely

This Committee was created by Ordinance 99-10 on 4/20/1999. It is to consist of five (5) members; the Mayor, one (1) Common Council member and three (3) citizen members. *The appointments shall be made at the first regular meeting of a newly elected Council* (except for the Mayor's position). No mention of compensation was noted.

JOINT LIBRARY BOARD	Original Appointment	Current Term	
		From	To
Noll, Dale	5/2/2016	5/21/2018	5/1/2021
Muchowski, Laura (<i>nominated by Pewaukee School District</i>)	2/21/2005	5/15/2017	5/1/2020
Wildman, Karen	7/15/2013	5/2/2016	5/1/2019
Kara, Jeff - Alderman	6/6/2016	6/6/2016	Indefinitely
Village Resident			
Village Resident			
Village Trustee			

This Board was created by Ordinance 05-4 on 1/17/2005. The Board consists of (3) members appointed by the Village Board and (3) members appointed by the City Common Council. No more than (1) member from each municipality shall be an elected official. (1) additional member shall be a City of Pewaukee resident and shall be nominated by the Superintendent of the Pewaukee School District and appointed by the Common Council. Members shall serve a staggering 3-year term.

JOINT PARK & RECREATION BOARD	Original Appointment	Current Term	
		From	To
Majeskie, Gary	2/19/2018	2/19/2018	1/1/2019
Kaatz, Del	1/20/2003	5/15/2017	1/1/2020
Linsmeier, Dave	4/3/2006	8/6/2018	1/1/2021
Dziwulski, Brian - Alderman	7/17/2017	7/17/2017	Indefinitely
Village Resident			
Village Resident			
Village Trustee			

This Board was created by Ordinance 96-19 on 11/4/1996. The Board consists of (7) voting members and (2) non-voting ex-officio members. The breakdown of members is as follows: (1) Village Trustee, (2) Village citizens, (1) City Alderman, and (3) City residents. In addition the Administrators from the Village and City may attend meetings and take part in discussions. The terms are 3-years with appointments in January. Although no compensation was listed in the ordinance, citizen members are being paid \$20 for each meeting they attend.

ETHICS BOARD	Original Appointment	Current Term	
		From	To
Farley, Tom	2/7/2008	5/15/2017	4/30/2020
Farrow, Margaret	2/7/2008	5/2/2016	4/30/2019
VACANCY			4/30/2021
VACANCY - Alternate			4/30/2021

The Ethics Board was established by Ordinance 06-16 on 9/5/2006. It consists of (3) regular citizen members and (1) alternate. Once established there will be alternating 3-year terms. There is no compensation for this position

TOURISM COMMISSION	Original Appointment	Current Term	
		From	To
Bierce, Steve - Mayor	1/1/2017	1/1/2017	Indefinitely
Wamser, Jerry - Alderman	9/19/2017	9/19/2017	9/19/2018
Brown, Colleen - Alderman	9/19/2017	9/19/2017	9/19/2018
Grosch, Ray - Alderman	9/19/2017	9/19/2017	9/19/2018
Doresey, Frank - Hotel Representative	10/15/18	10/15/2018	9/19/2019

Created by Ordinance 16-22 on September 19, 2016. It is to consist of the Mayor and (3) Alderman and (1) member who shall represent the Wisconsin hotel & motel industry. **Commissioners shall serve for a one-year term**. Among the members they shall elect a chairperson, vice-chairperson and secretary.

FINANCE COMMITTEE	Original Appointment	Current Term	
		From	To
Bergman, Brandon - Alderman	5/4/2015	6/6/2016	Indefinitely
Brown, Colleen - Alderman	5/6/2013	6/6/2016	Indefinitely
Noyes, Jason	6/1/2015	6/1/2015	Indefinitely
Klein, Scott - Administrator	1/1/2017	1/1/2017	Indefinitely

Created by Ordinance 09-02 on January 19th, 2009. The Committee shall consist of the following: Two (2) Common Council Members & the City Administrator. The appointments are to be made by the first regular meeting of the newly elected Council. The Mayor shall designate the chairman and secretary of the committee. On November 16th, 2009 it was revised by Ordinance 09-18 to add one (1) resident preferably with a financial background and Administrator as staff representative.

HUMAN RESOURCE COMMITTEE	Original Appointment	Current Term	
		From	To
Kara, Jeff - Alderman	6/1/2015	6/6/2016	Indefinitely
Grosch, Ray - Alderman	6/6/2016	6/6/2016	Indefinitely
Bergersen, Lisa - Human Resource Director	1/19/2009	1/19/2009	Indefinitely

Created by Ordinance 09-02 on January 19th, 2009. The Committee shall consist of the following: Two (2) Common Council Members & the Human Resource Director. The appointments are to be made at the first regular meeting of the newly elected Council. The Mayor shall designate the chairman and secretary of the committee. Revised on November 16th, 2009 by Ordinance 09-18 to name the HR Director as staff representative.

PEWAUKEE LAKE PATROL ADVISORY COMMITTEE	Original Appointment	Current Term	
		From	To
Heier, Timothy - Police Chief	5/1/2019		
Twelmeyer, Lucas - Sergeant			
Heyrman, Greg Sergeant			
Kara, Jeff - Alderman	7/17/2017	7/17/2017	Indefinitely
Van Horn, Pete - Town of Delafield - Supervisor			
Hill, Ed - Village of Pewaukee - Trustee			
Koepp, Thomas - Lake Pewaukee Sanitary District	5/2/2011	5/2/2011	Indefinitely

Created upon discussion at the Common Council meeting on 2/2/2009. A termination needs to be made on the make-up of committee members and the purpose of the group. Town of Delafield has different opinion on the appointment of Thomas Koepp and doesn't believe he belongs on the committee. Whereas we wanted someone from the LPSD to serve on the committee for times when the water levels were too high to help determine safety.

BIKE & PEDESTRIAN PATH PLANNING COMMITTEE	Original Appointment	Current Term	
		From	To
Grosch, Ray - Alderman	3/6/2017	3/6/2017	Indefinitely
Blackwood, Jim	9/19/2016	9/19/2016	Indefinitely
Pascucci, Greg	8/6/2018	8/6/2018	Indefinitely
Ford, Ross	9/19/2016	9/19/2016	Indefinitely
Vitale, John	9/19/2016	9/19/2016	Indefinitely

After safety concerns were voiced from several area parents. The Committee was created at the Common Council meeting dated August 15, 2016. Alderman Bierce volunteered to head the committee.

ALCOHOL COMMITTEE	Original Appointment	Current Term	
		From	To
Bierce, Steve - Mayor		6/6/2016	Indefinitely

Origin Unknown

RESIDENCE BOARD	Original Appointment	Current Term	
		From	To
Wagner, K. Scott - District #1	8/6/2018	8/6/2018	5/1/2019
Tuttle, Debra - District #2	8/6/2018	8/6/2018	5/1/2021
VACANCY - District #3			5/1/2023

Created by Ordinance 18-01 Approved on January 15, 2018. The Board shall consist of three (3) citizens residing in the City one (1) from each Aldermanic District. Members shall serve for a term of five (5) years and shall serve no more than two (2) consecutive terms. The terms for the initial members of the Residence Board shall be staggered with one member serving one (1) year, a second member serving three (3) years and the third member serving five (5) years.