<u>In attendance</u>:
Mayor Steve Bierce, Aldermen B. Bergman, C. Brown, B. Dziwulski, R. Grosch, J. Kara and J. Wamser.

<u>Also in Attendance</u>:
Attorney S. Riffle, Administrator S. Klein, DPW Director J. Weigel, Utility Manager J. Mueller, Lieutenant B. Ripplinger and Clerk/Treasurer K. Tarczewski.

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

2. Public Comment - None.

3. <u>Consent Agenda</u>
   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.

   Mr. Bergman requested Item #3.6 be removed for discussion.

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

   3.6 Concur with Recommendations 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.

   Mr. Bergman asked Ms. Mueller to explain why additional compensation for continued education is being requested. Ms. Mueller stated the Wisconsin Department of Natural Resources (DNR) is now requiring this certification, which in return will give our employees additional responsibilities. Mr. Bergman stated he was leery of compensating people every time they complete a continuing education class. Ms. Mueller stated the increased compensation request is only specifically related to these two categories which are specific to our utility, since they are required. She said moving forward it would be a requirement to have these certifications upon being hired. Mr. Weigel stated it should not be looked at as "continuing education" but instead as licensor. He said in order to maintain the licensor, they will have to take continuing education classes. Mr. Bergman asked who pays for that. Mr. Weigel stated the Utility does. Mr. Bergman asked if there were other examples of where employees received pay increases when they obtained licenses. Mr. Klein stated this has been done in the past with the Building Inspectors. Mayor Bierce asked if this would bump them up to another pay grade. The answer was no. Mr. Kara stated they would be closer to the mid-point of their current pay grade and the compensation would not go askew. Mr. Bergman asked if everyone will need the certification. Ms. Mueller stated technically no, but it will be a requirement for future hiring of Operators. She said it is the department's philosophy that everyone has the same knowledge base. She said they want to cross train their employees so that they always have that coverage when someone is on vacation. Mr. Weigel concurred with Ms. Mueller's statements. Mayor Bierce stated the City has been generous to allow them to get these certifications and would be overly generous to give them more money for the same job. Mr. Weigel disagreed with the Mayor and said it is very important. He said it also serves as an inspiration to others to get additional certification. Mr. Weigel stated certification of the HMO mixing system at City Hall is now a requirement. Ms. Mueller reminded Common Council that her staff is responsible for the City's drinking water health and welfare and this new system requires extra responsibilities.

Mr. Bergman asked about the fiscal impact. Ms. Mueller stated only one of her employees is eligible for the increase and would only be compensated starting the next pay cycle and wouldn't be retroactive from the beginning of the year. She said the State only does testing twice a year and the next opportunity wouldn't be until December, so potentially there may be changes in the budget in 2020. Mayor Bierce stated the City has a plan for pay for performance and this should be considered at that time.

There was additional discussion.

A motion was made and seconded, (J. Kara, B. Dziwulski) to approve the Human Resources Committee proposal. Motion Passed: 4-For, 2-Against (B. Bergman, C. Brown).

4. Introduction of the New Pewaukee Library Director, Nan Champe

Mr. Kara introduced the new Joint Library Director Elizabeth Nan Champe. He said she has 25-years of Library experience and has spent the last five years serving as the Library Director in South Milwaukee. Mr. Kara stated they had several wonderful candidates for the position and she was clearly the best and they are very glad to have her working here.

Ms. Champe stated she was born and raised in Milwaukee. She went to Simons College on the East coast and received her master's degree in Library Science. She said after her marriage and first child, they returned to Wisconsin and settled in Brookfield to be closer to family. She said for most of her career she worked at the Wauwatosa and Brookfield Public Libraries and eventually became the Director in South Milwaukee. She said she is very excited to be at the Pewaukee Library and looks forward to providing continued quality to the community. When Ms. Champe was asked what changes she'd like to make, she mentioned that there is a facility and space issue and the evolution of technology is rapidly changing and would have to be reviewed.

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

Mr. Klein stated the Town of Brookfield wants to establish a border agreement with the City. He said the two communities currently we have an informal agreement that was established when the Town of Pewaukee became a City. We agreed that we would not annex any of their land. He introduced Chairman Keith Henderson and Administrator Tom Hagie of the Town of Brookfield and Mayor Steve Ponto from the City of Brookfield who is objecting to the Town of Brookfield's request.

Mr. Henderson stated he was around when the Town of Pewaukee became a City and was now asking the City to help them by formalizing the border agreement with them. It was determined they did not have enough land to become a City, but they could establish themselves as a Village.

Mr. Henderson mentioned the current relationship the City has with the Town of Brookfield related to sewer, water, police and fire services.

Mayor Ponto stated in 2015 legislation approved a provision, within the budget, to approve an entirely different incorporation procedure than what is in the State Statutes within the budget to allow the Town of Windsor in Dane County to incorporate. Mayor Ponto stated the Town of Brookfield is attempting to follow these same provisions even though it was spelled out for the Town of Windsor exclusively. He said the Town of Brookfield meets all of them except that it needs two boundary agreements and a certain population amount in the most recent decennial census, which they have interpreted to be 2010. He said this special legislation sunsets on June 30, 2020. He said it was their belief that the Town plans to use the 2020 census data which won't be available until the end of that year. Mayor Ponto stated back in 2015 they failed to meet three out of the six requirements established under the normal process. He said they did not meet the homogeneity and compactness standard, the impact on the remainder of the Town standard or the impact of the metropolitan community. He said they have had three corporation attempts. He asked the Council not to contribute to this incorporation.

Mayor Bierce asked if Mayor Ponto wanted to merge with the Town of Brookfield. Mayor Ponto stated that would have to be determined by the citizens but he thought it would be a significant cost savings while providing a higher level of service. Mayor Ponto stated the Town should go through the normal procedures for their incorporation attempts, not the special provision that was created for Windsor. Mayor Ponto said he is a member of the Incorporation Review Board and added as how concerned our State government is regarding local expenditures they should look at the number of separate governments we have.

There was additional discussion reviewing the procedures the Town of Pewaukee went through to become a City as well as past merger discussions.

Mayor Bierce stated it is easy to empathize with the Town of Brookfield because Pewaukee went through the same difficult process, but added the City considers both the Town and City of Brookfield great neighbors and wants to continue with those relationships. Attorney Riffle stated it is a policy decision.

Mr. Kara stated he has no appetite to offend our neighbors and since the City has nothing to gain, he'd like to stay out of it. **A motion was made and seconded, (J. Kara, R. Grosch) to table this item.** Motion Passed: 6-For, 0-Against.

6. Presentation of the Police Services Quarterly Report

Lieutenant Ripplinger was present for this item. He stated the call volume is growing. The Department did truck enforcement for two full weeks which yielded 47 tickets which equated to $190,000 in fines. He said they are continuing with business community relations and safety talks.

Lieutenant Ripplinger also stated Badges & Buddies fishing will start June 18. He said this year the Pewaukee Fire Department will be assisting in the events to keep costs down. He also mentioned Coffee with a Cop will be scheduled soon as well.

He said back on April 23 they worked with one of the City's partner hotels to perform a sting and three arrests were made. Lieutenant Ripplinger stated the criminals are getting wise to their activities due to the dark web. He said they partnered with the metro drug unit, the Women's Center and the detective bureau, to attempt to alleviate some human trafficking and it went very well.

He said we are currently in the middle of the seat belt grant which will end September 30th. He said they are in the process of gearing up for the speed grant. The City along with Sussex, Lisbon and Interstate patrol have been granted $60,000. It will begin June 1st.

Mayor Bierce asked if there was an uptick in accidents because the City has asked the department to be more involved in community involvement instead of enforcement. Lieutenant Ripplinger stated yes, but they are mostly for failure to keep vehicle under control. He said the various grants will provide additional enforcement to cover that.

7. Discussion and Possible Action Regarding the Well #6 Rehabilitation and Pump and Motor Replacement

Ms. Mueller stated the well was recently televised and it is in need of treatment. She said oil from the motor is in the water and it will need to be baled and the iron bacteria needs to be chemically treated. The contractor that has been hired is estimating the cost of the work to be $23,715.

Ms. Mueller said the vendor found another new motor that the City could consider. She said we can use the trade-in value of the existing burnt-out stainless steel Byron Jackson. She said the cost of Option #1 would include the new INDAR motor and restocking costs for the Bryon Jackson motor that was recently ordered. It would cost $161,680. She said Option #2 is continuing the use of the refurbished Bryon Jackson at the cost of $142,770. Ms. Mueller stated they also gave us a new price on rebuilding the old Byron Jackson motor because there is significant value to it, not only for the machinery but because it is such an odd shaped motor for our well. She said the rebuild costs would be $28,930. She said the motor repair company has offered to hold this motor and store it at no additional cost and they are willing to do the quarterly maintenance until we need it again. She said, at that time, we will be given a one year warranty. Ms. Mueller stated due to the water quality, a stainless steel motor is recommended.

Ms. Mueller requested Council approve the continued use of the non-stainless Byron Jackson motor, continue the well rehab work that is required for the $23,715 and rebuilding the old motor for $28,930 and having the motor repair company store the motor until needed, with a total estimated cost of $187,500.

Mr. Bergman voiced his concerns related to the storage of our motor at a remote facility. Ms. Brown stated there should be an agreement that if the company goes out of business the motor remains the property of the City of Pewaukee and should not be loaned out to any other community.

A motion was made and seconded, (C. Brown, B. Dziwulski) to approve Option #2 as long as the expenses don't exceed $187,500. Motion Passed: 6-For, 0-Against.

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

Mr. Weigel stated this project pre-dates some of the Alderman. The project began with two large culverts crossing the tracks and now it is three. He said the Railroad wanted the City to take ownership of a 100 year old culvert which we don't want to do. He said he is very pleased to announce that the City is close to bidding the project. He said the wildcard in this whole situation has been the railroad, because communication has been difficult but has been much better recently. He said there are minor changes to the draft agreement with the Railroad. They are requiring a utility occupancy license as well. He asked Council to authorize the mayor to sign the utility license agreement contingent upon final approval of engineering staff and City Attorney. Mr. Weigel stated the permit fee is $500 permit fee and the project is estimated to be $2 million. He said currently there is $1.9 in the Storm Water budget this year.

A motion was made and seconded, (J. Kara, B. Dziwulski) to authorize the Mayor's signature on the utility license agreement contingent upon approval of the form by the City staff and attorney. Motion Passed: 6-For, 0-Against.

9. Discussion and Possible Action to Authorize the Water Rate Case Application Submittal to Public Service Commission (PSC)

Mr. Weigel stated the water rates are regulated by the PSC. He said the water utility is in poor fiscal condition. He said primarily the construction of the new water tower is indicating the rates will raise 13% and with the HMO chemical treatment system of the well #1 rates would be affect 18-20% and the remainder is based on the customer rate base. He said the worst case scenario is estimating a rate case increase of possibly 54%. Mr. Weigel stated the review could take anywhere from three to six months.

Mr. Weigel stated deferred special assessment collection is a problem. Ms. Brown stated this action will cause water users to pay or subsidize those that have deferred their hook-ups. She said moving forward we can't make the same mistake with our special assessments.

A motion was made and seconded, (B. Bergman, R. Grosch) to authorize the submittal of the water rate case application to the Public Service Commission. Motion Passed: 6-For, 0-Against.

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

Mr. Weigel thanked Alderman Bergman, Grosch and Wamser for volunteering to serve on the Consultant Selection Committee. He said the Department of Transportation doesn't want the City to share the name of the selected consultant until the State confirms that the procedures were met by the City. He said we are in a constrained timeframe due to the State budget ending in another month. He said the State will enact a three party design agreement, if approved, before the end of the budget year.

Mr. Weigel stated $145,000 for this phase was budgeted, $95,000 from the storm water budget and $50,000 from the road budget. He said it is an 80% (State) / 20% (City) split.

A motion was made and seconded, (J. Kara, R. Grosch) to concur with the recommendations of the Bridge Consultant Selection Committee. Motion Passed: 6-For, 0-Against.

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

    Mayor Bierce recommended Karen Salituro and Dave Linsmeier be reappointed to the Plan Commission, Jim Tredwell be reappointed the Zoning Board of Appeals, Gwenn Robinson, Bob Lorier and Joshua Figurski be reappointed to the Board of Review, Kathleen Novack be reappointed to the Fire Commission, Jeff Tormey and Michael Pievach be reappointed to the Public Works Committee, Karen Wildman be reappointed to the Joint Library Board, Gary Majeskie be reappointed to the Joint Park and Recreation Board, Margaret Farrow be reappointed to the Ethics Board, Jerry Wamser, Colleen Brown, Ray Grosch and Frank Dorsey be reappointed to the Tourism Commission and Scott Wagner be appointed to the Residence Board.

    A motion was made and seconded, (J. Kara, B. Dziwulski) to concur with the Mayor's recommendations and reappoint the individuals he named. Motion Passed: 6-For, 0-Against.

12. Public Comment - None.

13. Adjournment

    A motion was made and seconded, (R. Grosch, C. Brown) to adjourn the meeting at 8:56 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer