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

Also in Attendance:
Attorney S. Riffle, Administrator S. Klein, DPW Director M. Wagner, Utility Manager J. Mueller, Fire Chief K. Bierce, Assistant Fire Chief M. Hoppe, City Planner & Community Development Director N. Fuchs, and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance

   Mayor Bierce called the meeting to order at 6:30 p.m. and asked everyone to stand for the Pledge of Allegiance.

2. Public Comment - None.

3. Consent Agenda
   3.1 Approval of Common Council Meeting Minutes Dated January 16, 2023
   3.2 Approval of Common Council Meeting Minutes Dated April 17, 2023
   3.3 Approval of the Accounts Payable Listing Dated May 1, 2023
   3.4 Approval of **Resolution 23-05-05** Regarding Open Records.

   Ms. Brown asked that item #3.1 be removed so that she could abstain from the minutes.

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

   3.1 Approval of Common Council Meeting Minutes Dated January 16, 2023

   A motion was made and seconded (B. Dziwulski, J. Wamser) to approve the Common Council meeting minutes dated January 16, 2023. Motion Passed: 4-For, 0-Against, 1-Abstain (C. Brown).

4. Presentation of the Pewaukee Fire Department's Strategic Plan

   Chief Bierce stated the Fire Department continues to stand by their mission statement since it continues to encompass what the department does in a clear-cut manner.

   Chief Bierce stated the Pewaukee Fire Department is internationally accredited. He said his department is one out of 301 fully accredited fire departments in the nation, out of approximately 25,000 departments. He said it originally took the department four years to obtain this standing and they are required to re-apply every five years to attempt to keep their standing.

   Chief Bierce stated the department's ISO rating is 2, which makes the department top in the State and top three to four percent of the nation. He said the ratings are 1 through 10, and they were only a few points away from being a 1, but that would take serious financial investment to improve the rating. He said the department's original rating was a 7.

He said the department completed the Department of Safety Professional Development Audit. Chief Bierce stated the State comes in and looks at the Department's inspection logs and training records, which allows the Department to receive 2% dues for the City and the Village. It equates to approximately $250,000 annually.

Chief Bierce stated the Department was awarded several State and Federal grants to offset operating costs for advanced life support equipment. He said currently they are applying for another Federal grant to offset staffing costs. He said they are currently looking to hire six additional firefighters. The Chief stated the department believes in the investment of human capital. Training is extremely important, as well as succession planning.

Chief Bierce stated Chief Hoppe worked with the City's stakeholders such as the hospitals, schools, residents andbusiness owners and asked the community what they needed from the Department.

Chief Bierce stated the Department currently has a two-station response model and we've been able to effectively deliver quality service. He stated every station is staffed with ten paramedics with a minimum staffing of seven because there are times when staff are on vacation or out sick. He said we are still a combination agency with a few members of staff being paid-on-call. He said recruiting is very difficult because we are competing with 70 full-time vacancies throughout the area.

Chief Bierce stated the demographic of the community has changed drastically over the last five years, and there are now many senior care facilities. He said there is also a significant transient population using I-94 or Hwy 16. He said the large size homes are a concern too, as they require more staffing when incidents occur. The Chief said there are hazardous commercial businesses coming into the community such as a tire warehouse. He said the Department needs to be able to service these businesses if a need should arise. Chief Bierce said the hazards are more complicated and it has become a challenge for the Department.

The Chief stated the Department has been very fortunate for support received from the elected officials. He praised the excellent culture established here. He said it was all about "total team" from the youngest firefighter to the Chiefs. He said that includes the Administration, Water and Sewer and Human Resources. He said we all work well together and it is an amazing sense of a tight knit government. Chief Bierce said he is incredibly proud of his agency.

Mr. Dziwulski asked if the Chief had any concerns over the amount of false alarms the department receives. The Chief responded no.

Mr. Reinbold asked if the Department was doing any recruiting at the high school level. The Chief stated the Department has a program for the high school students to ride along. He said they also work with WCTC and offer mentorship programs and allow paramedic students to ride along.

Mr. Vetterkind stated it was a great report and it was obvious the success of the Department comes from the top down.

5. Discussion and Possible Action Regarding the Request of Christ Evangelical Lutheran Church to Approve Their Special Event Permit to Hold a Farmers' Market Located at W240 N3103 Pewaukee Road (PWC 0904-994-003) on Wednesdays from June 7th to September 27th and Waive License Fees

Ms. Tarczewski stated this was the Church's second year hosting this event. She said the Fire Chief and Sheriff's Lieutenant signed off on the event and have no concerns. Katie Newman from the church was present and stated there was nothing new this year other than she was managing the event since the pastor was moving to Florida.

A motion was made and seconded (B. Dziwulski, J. Wamser) to approve the Special Event Permit for Christ Evangelical Lutheran Church to hold a farmers' market on their property and waive all the fees. Motion Passed: 5-For, 0-Against.

6. **PUBLIC HEARING,** Discussion and Possible Action to Approve **Resolution 23-05-07** and **Ordinance 23-02** Regarding a Comprehensive Master Plan Amendment to Change the Year 2050 Land Use/Transportation Plan Use Designation for the City of Pewaukee for the Courtyard at Pewaukee for Vacant Land Located at the Northwest Corner of Golf Road and Meadowbrook Road (PWC 0940-999-001) from Low-Medium Density Residential and Floodplains, Lowland & Upland Conservancy and Other Natural Areas to High Density Residential and Floodplains, Lowland & Upland Conservancy and Other Natural Areas (Originally discussed at the 3/16/23 Plan Commission meeting)

7. Discussion and Possible Action Regarding **Ordinance 23-03** to Rezone Vacant Land Located at the Northwest Corner of Golf Road and Meadowbrook Road (PWC 0940-999-001) from A-1 Agricultural, LC Lowland Conservancy, and F-1 Floodplain to Rm-3 Multi-Family Residential, LC Lowland Conservancy, and F-1 Floodplain for the Purpose of Developing the Courtyard at Pewaukee, a Community Based Residential Facility as Requested by Andev Group, LLC (Public hearing opened and closed at the 3/16/23 Plan Commission meeting)

Mayor Bierce stated Items #6 and #7 will be discussed concurrently.

Mr. Fuchs stated the rezoning and master plan request is to accommodate a senior living development with 78 units consisting of 42 assisted apartments and 36 memory care units. He said that is an update from what is currently in the staff report. Mr. Fuchs stated the Plan Commission recommended approval along with development plans for the project. He said staff also recommends approval.

Mr. Fuchs stated the applicant worked with staff regarding the termination of Lakefield Drive and designed the current cul-de-sac in plans.

At this time the Mayor opened the public hearing.

Michael Samuels, Attorney and Director for Development of Advent Group along with Mark Seidl the Civil Engineer, were present to answer any questions. Attorney Samuels thanked the Plan Commission and neighbors for their recommendations.

Lynn Voss (W273 N1525 Lakefield Drive) asked about the restoration of the current cul-de-sac and who was going to cover the costs of taking it out and extending the driveways. She also asked about the proposed lighting going around the development and whether or not the new cul-de-sac was going to be lit. Ms. Voss also asked about how big the turnaround was going to be and asked to see the plans with the dimensions. Ms. Voss also voiced her concerns related to the remaining useable land; she asked if the residents had something to be concerned about in the future. She said this proposed development was better than what was previously proposed but stated the residents in the area would prefer it to stay wooded.

Mr. Fuchs stated the restoration was discussed at Plan Commission and the applicant agreed to complete that. He said the petitioner submitted a landscape plan and no lighting was included. He said he was not aware of any lighting around the cul-du-sac. Mr. Fuchs stated he did send Ms. Voss a site plan. Mrs. Voss confirmed that she received it but could not tell how big it is.

Mark Seidl from Pinnacle Engineering Group stated it was a 58-foot radius. Mayor Bierce asked what the existing radius was. Mr. Seidl stated he speculates the original radius measures 60 to 75 feet.

Ms. Voss asked if it would start at the road ends. Mr. Seidl stated the road will be ripped up where the curb and gutter sits today and the road will extend straight to the property line and then the bulb will start.

Mr. Klein stated there is a slope change there and Mrs. Voss wants it to blend in. He stated she has an inground irrigation system and care should be taken.

Mayor Bierce stated Ms. Voss brought something up that he doesn't think was discussed at Plan Commission. He asked if the applicant would pay for the extension of driveways.

Attorney Samuels stated the City could put any restoration condition on the development and they will commit to that. He continued to say this site has approximately 15 acres of developable land. He said the building and circular drive takes up most of that space and he said there is no more room. He said the property is a bowl. There is a lot of sitework and balancing that have to be done on this property just to get what they want built. It is a difficult property to develop. He said the northern 13 acres are wetlands and they intend to work out an agreement with the Lake Pewaukee Sanitary District to donate that land to them to preserve it. Attorney Samuels stated the property is within the jurisdiction of the airport, so the building height is limited to two stories and there won't be a tower.

Ms. Brown stated the Plan Commission limited the number of units to 78. She said there would be big hurdles to overcome if the developer wanted to put more on the property.

Ms. Voss asked if the 75 feet of tree line was going to stay. Mr. Seidl said it was.

Gerald Glocka (W273 N1582 Lakefield Drive) stated he thought it was going to be 300 feet from his property line to the end of the building. Mr. Seidl stated they were just talking about the screening. He said the first 75 feet of the landscaping will stay. Mr. Glocka asked if their driveways will go out to the street with concrete and if grass will be planted. Mr. Seidl stated they will match the existing pavement. Mr. Glocka then asked if the proposed zoning would still go through if the project doesn't. Attorney Riffle stated it would be rezoned. Attorney Samuels said the rezoning will only take place upon the purchasing of the land. Attorney Riffle stated that was not the case. Project approval is a different issue and would need consideration.

Brett Estes (W275 N1555 Riverland Drive) stated this development will financially change the neighborhood. He said property values within a half mile of a senior living facility will see a significant decrease. Mr. Estes said the research indicates as much as 21.6 percent. He stated he researched the properties surrounding the Andev property in the Village of Sussex that was developed in April of 2020. He said he pulled data on single family homes that sold 24 months prior and 24 months after the development. He said there were approximately 1,250 transactions. He said prior to the development, homes that were 7/10 of a mile from the facility sold and were making approximately $1,700 in profit. Homes outside of that range only saw a $300 profit. Mr. Estes stated after the development was approved the profits flipped. He said the homes inside the 7/10 of a mile were seeing profits of $3,000, and the houses outside 7/10 of a mile were making $4,800 of profit.

Mr. Estes told the Council if they approve the development, they will be saying goodbye to approximately $6 to7 million of property value. He said the Council could find something more creative to put on that property. He suggested putting up a Starbucks there and in ten years their property value will increase 96 percent.

Attorney Samuels stated the Sussex facility didn't open until last May. That property was zoned ahead of time, and all they needed to change was the PUD for a different building. He said that property was subject of a TIF from prior a landowner. He added Andev was still responsible for the guaranteed taxes by the TIF. He stated Mr. Estes presented a poor analogy.

David Glazer, professional real estate broker for Andev, stated Mr. Estes' data assumes that the Andev development was the only thing that affected the property value within 7/10 of a mile. He said other projects were being built and other things being torn down. He said there was a grocery store that was talking about moving. He said these other things could have affected the outcome as well.

Celina Kahn (N16 W27447 Riverland Drive) said she didn't feel the lighting in the parking lot was fully addressed. She said she was under the impression that the lights would be the same height as the lights in the church parking lot. She also asked how long they would be on.

Mr. Seidl said he doesn't know the exact height of the poles but said they are using different fixtures than the church. They propose using a full cutoff fixture which would push the light straight down.

Attorney Samuels stated the timing of the lights is an operational question but anticipates that they will reduce the lighting after 9:00 p.m., still allowing for safety.

Ms. Kahn asked what the construction timeline was going to be.

Attorney Samuels stated construction could start within six months, and would take approximately one year, and then taking care of licensing. He said everything would be complete in just short of two years.

At this time no one indicated any more interest in speaking so Mayor Bierce closed the public hearing.

Ms. Brown stated she was glad to hear more discussion took place related to how to the construction and restoration of the cul-du-sac was going to be handled.

Mr. Wamser stated he concurs with Ms. Brown regarding the cul-du-sac. He said he was unsure if the values would go down. He thought this development would be nice in the neighborhood and thought it would be quiet. He said he was in favor of the development. He said if it was a Starbucks, there would be traffic and litter.

Mr. Vetterkind statied putting a cul-de-sac in the area instead of opening the street will be the best-case scenario.

A motion was made and seconded (P. Vetterkind, J. Wamser) to approve Resolution 23-05-07, and Ordinances 23-02 and 23-03 with the stipulation that the developer meets with Engineering to make sure the yards and cul-du-sac will be designed how they want it. Motion Passed: 5-For, 0-Against.

8. Discussion and Possible Action Regarding a Two-Lot Certified Survey Map for the City of Pewaukee Department of Public Works for Properties Located at W225 N3131 Duplainville Road (PWC 0911-993-006) and W224 N3297 Duplainville Road (PWC 0911-989-001) for the Purpose of the Reconfiguration of Lot Lines for the New DPW Facility

Mr. Fuchs stated this Certified Survey Map reflects changes to the property due to the purchase of land from Quad Graphic. He said staff recommends approval.

A motion was made and seconded (B. Dziwulski, R. Reinbold) to approve the Certified Survey Map for the properties located at W225 N3131 Duplainville Road and W224 N3297 Duplainville Road. Motion Passed: 5-For, 0-Against.

9. Discussion and Possible Action to Award the Proposal to 120 Water to Create a Lead & Copper Rule Revisions (LCRR) Service Line Inventory as Required by EPA Regulations

Ms. Mueller stated at the end of 2021 the EPA required a pipeline inventory on private property lots be conducted. She said staff attempted to do this along with the required meter change and cross connection inspections. She said midway through the process they were no longer able to get new meters due to supply issues. Ms. Mueller stated they are nowhere near completing pipe inventory on 3,000 properties. She said staff was also having difficulty creating the data base.

Ms. Mueller stated she became aware of 120 Water as they have done several inventories throughout the United States. The proposal was $13,791. She said she couldn't even hire a part-time person to do the inventory for that. She said she believes she can find the money within her budget to cover the fees and if not, she'd come back to the Council for additional consideration.

Ms. Brown noticed there were additional costs for postcards and swab kits and asked if Ms. Mueller factored those costs in as well. Ms. Mueller stated they might be able to use their own kits, but again will come back to the Common Council if needed.

Ms. Mueller stated this is the first year of the program and would be able to budget for future needs if necessary.

A motion was made and seconded (C. Brown, B. Dziwulski) to award the contract to 120 Water in the amount of $13,791 to complete a lead and copper pipe inventory, allowing the Water & Sewer Utility to reclassify funding and if such funding is not available, to come back to the Council. Motion Passed: 5-For, 0-Against.

10. Public Comment - None.

11. Adjournment

A motion was made and seconded (J. Wamser, C. Brown) to adjourn the meeting at 7:42 p.m. Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer