

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, DPW Director J. Weigel, Utility Manager J. Mueller, Fire Chief K. Bierce, Planner and 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

Ken Bjorquist (N19 W26686 Milkweed Lane – Unit B) voiced his concerns over the proposed stadium project. He said there was only one access road and he feels that it would ruin the neighborhood.

3. Consent Agenda

- 3.1. Approval of the Common Council Meeting Minutes Dated March 4, 2019
- 3.2. Approval of the Common Council Meeting Minutes Dated April 1, 2019
- 3.3. Approval of Accounts Payable Listings
- 3.4. Approval of Bartender License
- 3.5. Approve the Second Reduction of the Woodleaf Reserve Addition No. 2 Letter of Credit from \$624,698 to \$60,500

Mayor Bierce pulled the meeting minutes dated April 1st, 2019 from the consent agenda.

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

4. Discussion and Possible Action to Grant Temporary Beer Licenses to Buddies of Environmental Enjoyment and Recreation Summer Roll-Up Beer Garden Events

- 4.1 June 14 and June 15, 2019 at South Park Located at N5 W27300 Northview Road
- 4.2 July 12 and July 13, 2019 at Nettesheim Park Located at N26 W27495 Prospect Avenue
- 4.3 August 16 and August 17, 2019 at Balmer Park Located at N44 W23875 Lindsay Road

Ms. Tarczewski stated these events are sponsored by the Park & Recreation Department. Buddies of Environmental Enjoyment and Recreation (B.E.E.R.) filled out the proper forms and there are no objections.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to approve the temporary beer licenses as requested by B.E.E.R. Motion Passed: 6-For, 0-Against.

5. Discussion and Possible Action to Award the Rehabilitation Contract for Well #7 to the Lowest Qualified Bidder, Municipal Well and Pump in the Amount of \$63,440

Jane Mueller and Jeff Weigel were present for this item. Ms. Mueller stated last October the raw well water bacteria test for Wispark Well #7 came back unsafe. It was chemically treated but continued to test unsafe so it was shut down the first week of November. A specialty lab came up with an action

plan and the work was bid out. Municipal Well and Pump was the lowest qualified bidder. The utility is waiting on approval from the Department of Natural Resources to begin the treatment process to fix the problem because there will be discharge pumped into the storm sewer. Ms. Mueller stated there are some funds in the budget to address this issue but there wasn't enough, they anticipate they will be \$8,000 short and will need to reprograms funds.

A motion was made and seconded, (C. Brown, J. Wamser) to award the rehabilitation contract for Well #7 to Municipal Wall and Pump in the amount of \$63,440.

Motion Passed: 6-For, 0-Against.

6. Approval of the Klein Dickert Development Agreement and Establish the Amount of the Letter of Credit

Jeff Weigel stated this development is an individual site building which will be going before the Plan Commission later this week. He said they were originally scheduled for the March Plan Commission meeting but it was cancelled due to a lack of quorum. Mr. Weigel stated there was not a lot of public infrastructure involved for this project. He said they have to cut the sewer across Lindsay Road and go up a couple hundred feet on Wilhar Lane. They also want to install some accelerate and decelerate lanes at their entrance on Duplainville Road. He said this qualifies for a developer's agreement.

Mr. Weigel stated the City's Attorney prepared the draft agreement and the developer signed it. He said they are recommending a letter of credit in the amount of \$264,000. He asked the Council to approve the developer's agreement conditioned upon any needed changes by city Attorney or Engineer and establishing the recommended letter of credit. It should also be contingent on any action taken by the Plan Commission.

There were questions whether or not there were any opposition from the neighbors in Victoria Station. It was noted they will have their opportunity at the public hearing.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to approve the developer's agreement and establish the letter of credit in the amount for \$264,000 conditioned upon the final approval of the agreement by the City Attorney and Engineer and a positive recommendation from the Plan Commission.

Ms. Brown voiced her concern related to approval being given prior to knowing what takes place at the Plan Commission and she feels uncomfortable.

Motion Passed: 6-For, 0-Against.

7. Discussion and Possible Action Regarding the Lake Country Commons Sewer Capacity Analysis and Impacts Review Study by Strand Associates, Inc.

Mr. Fuchs and Mr. Weigel were present for this item. Mr. Fuchs stated the study concluded there was sufficient capacity for the Lake Country Commons development at this time. However, there is still the question of the overall and future projected shortfall of the sewer capacity. He said the development is estimating the use of 60,000 gallons per day, which could potentially increase depending if buildings are added. Mr. Fuchs stated staff and the developers are looking for additional guidance on how to proceed. He said the developer is at the point where they want to finalize the site plan and do environmental work.

Mr. Weigel brought up three items of concern. 1) will the actual pipes in the ground in this region carry the flows currently being developed and future developments, 2) would the flows from the conceptual development of the Lake Country Commons be too taxing on the Meadowbrook lift station and 3) how do all the flows in this district, that enter into the Lake Pewaukee Sanitary District interceptor sewer, compare with what is allowed.

At this point Mr. Weigel discussed some of the various information provided in the Strand Report.

Mary Lynn Bjorquist (N19 W26686 Milkweed Lane – Unit B) stated she received information this afternoon that said by the year 2024 the City will be at 92.9% of capacity. Mr. Weigel stated that was Citywide and hadn't touched upon that information yet. She said she didn't think the City was planning too far in advance. Mr. Klein stated we are looking at purchasing more capacity. Mrs. Bjorquist also asked the Council to find a different access road other than Milkweed Lane.

Larry Nowakowski (N19 W26514 Milkweed Lane – Unit B) stated he lives in the house next to lift station, and has concerns over the lack of capacity. He said the people in the area don't want the development to go in. He also mentioned that the speed humps that were put in do not work.

Mr. Weigel reviewed overall the City's future capacity needs and the proposed developments currently waiting for approval.

Mr. Kara stated he'd rather wait on the Lake Country Commons development until the future sewer needs of the City are resolved. Mr. Klein stated the City is going to go over anyways. Mr. Kara stated this development exacerbates the need for more capacity.

There was a suggestion to put a moratorium on new construction. Attorney Riffle stated as long as there sewer is available and they have a right to develop under the zoning code; there would be no way to halt development.

Ron Sonderhouse (N16 W26553 Conservancy Drive – Unit G) asked where the board is leaning in regards to the Lake Country Commons development. Mr. Klein stated it is uncertain at this point. Mayor Bierce stated the Council does not have all the facts as of yet.

Mr. Bjorquist stated not all of people in the neighborhood know about the proposed development. He asked Common Council to find out how the people in the neighborhood feel about having a commercial project in the neighborhood. He said it is going to have a negative impact with the increased noise and traffic and will devalue his assessment.

8. Discussion and Possible Action Regarding a Scope of Service Agreement with Ehlers, Inc. for Assistance with the Feasibility and Creation of a Tax Incremental Financing (TIF) District for the Lake Country Commons Development Located at N12 W26506 Golf Road

Mr. Fuchs stated the scope of services agreement from Ehlers was included in the packet information; essentially they will do a feasibility analysis, including a project plan for the district and take the City through the process and would file all the necessary paperwork with the state. He said the project would be developer financed. Mr. Fuchs stated staff is recommending this be funded by the developer. He said this is just a step in the process, it is not approving the development.

Jay Radmer (W233 N3033 Oakmont Court – Unit B) stated he thought TIF districts were only used to encourage development of lands that otherwise wouldn't be developed. He said he understands this

would be the City's first TIF district and felt this would set the precedent for future developers to ask for the same consideration. He asked how the City would be able to say no to the other requests.

Mr. Klein stated TIF districts have been proposed in the past, but this is the first development where the City believes the developer can't reasonably pull off the project without assistance. Mr. Fuchs stated the golf course has not been that successfully and the likelihood is it will be redeveloped at some time.

Mr. Bergman asked if the municipality has to put any money up front for this development. Attorney Riffle stated no, there is no risk. There was further discussion explaining the incremental taxation and who gets the money. Mr. Grosch stated the City would get additional income for providing water and sewer services. Mayor Bierce stated it never occurred to him until now that there will be additional services that the City will have to provide in that area that we will not be collecting taxes on things, such as fire, emergency medical services, police services and street plowing.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to approve the scope of services agreement with Ehlers to perform the TIF feasibility study subject to the developer agreeing to pay for the study. Motion Passed: 4-For, 2-Against (J. Kara and B. Bergman).

9. Discussion and Possible Action to Approve **Resolution 19-04-06** Authorizing a 2018 Budget Amendment Related to the Pewaukee Sports Complex

Mr. Dziwulski reported the City fronted the costs to construct two concession buildings at the Sports Complex. He said there are agreements with the soccer and baseball clubs to reimburse the City over a period of time. This resolution addresses the budget shortcomings for 2018. Mr. Klein stated this was agreed upon when the contracts were approved. He said the money would be coming out of the fund balance at this point.

A motion was made and seconded, (J. Kara, B. Dziwulski) to approve Resolution 19-04-06. Motion Passed: 6-For, 0-Against.

10. Swear In Newly Elected Officials

Attorney Riffle swore in Aldermen Ray Grosch, Colleen Brown, Brian Dziwulski and Mayor Steve Bierce for another term of office.

11. Public Comment

Debra Sonderhouse (N16 W26553 Conservancy Drive – Unit G) stated they bought on the conservancy and was promised nothing would ever be built there. She said this land belongs to the animals. She acknowledge that the developer has been trying to address the concerns of the residents in that area. She suggested the General Electric area would be a better place for the development.

12. Adjournment

A motion was made and seconded, (J. Kara, C. Brown) to adjourn the meeting at 9:08 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer