

Office of the Clerk/Treasurer

W240N3065 Pewaukee Road
Pewaukee, WI 53072
(262) 691-0770 Fax 691-1798

**COMMON COUNCIL
MEETING NOTICE AND AGENDA
Monday, November 20, 2017
7:00 PM**

Common Council Chambers ~ Pewaukee City Hall
W240 N3065 Pewaukee Road, Pewaukee, WI 53072

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1. Call to Order and Pledge of Allegiance
 2. Public Comment - Please limit your comments to 2 minutes, if further time for discussion is needed please contact your local Alderperson prior to the meeting.
 3. Consent Agenda
 - 3.1 Approval of the Common Council Meeting Minutes Dated November 6, 2017
 - 3.2 Approval of the Accounts Payable Summaries
 - 3.3 Approval of Bartender Licenses
 - 3.4 Approval of **Resolution 17-11-14** Accepting the Public Improvements of the Victoria Station IV Development and to Approve the Expiration of the Letter of Credit (Midland State Bank) in the Amount of \$8,827.60 on November 21, 2017
 - 3.5 Approval of **Resolution 17-11-13** Accepting the Public Improvements of the Prairie Grass Apartments
 4. Discussion and Possible Action Regarding Replacement of the Backup Air Conditioning Unit in the Server Room at City Hall [Kewan].
 5. Discussion and Possible Action Regarding the Request to Authorize Delay of the Kleinhans Property at N31 W22080 Shady Lane (PWC 0912-048-001) Required Connection to Sanitary Sewer Until Connection Becomes Available in Shady Lane [Weigel]
 6. Discussion and Possible Action on the Request of Oak Street Residents to Change the Intersection of Oak Street and Woodland Drive to a Three-Way Stop from a One-Way Stop [Kara].
 7. Update on Deer Management Initiative [Kara / Klein]
 8. Discussion and Possible Action to Adopt **Ordinance 17-10** to Prohibit the Feeding of Wild Animals and Waterfowl (**First Reading**) [Klein]
 9. Discussion and Possible Action to Approve **Resolution 17-11-11** Regarding Committing Unassigned Funds [Sazama / Klein]
 10. Discussion and Possible Action to Approve **Resolution 17-11-12** Committing and Uncommitting 2017 Funds [Sazama / Klein]
 11. Discussion and Possible Action to Approve **Resolution 17-11-15** Accepting the Auburn Ridge

Development Public Improvements and to Establish the 1 Year Warranty with a \$12,000 Surety of Either a Letter of Credit or a Cash Deposit with Attendant Cash Escrow Agreement [Weigel]

12. Discussion and Possible Action Regarding Sidewalk Winter Maintenance as Presented by the City Attorney [Riffle]
13. Discussion and Possible Action to Authorize City Staff to Contact Lake Pewaukee Sanitary District to renegotiate the 2000 Sewer Service Agreement [Weigel]
14. Public Comment - Please limit your comments to 2 minutes, if further time for discussion is needed please contact your local Alderperson prior to the meeting.
15. 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:
 - 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 as authorized under §19.85(1)(g), Stats., specifically with regard to the City's Contract with John's Disposal.

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.

16. Adjournment

Kelly Tarczewski
Clerk/Treasurer

November 16, 2017

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.

MEETING MINUTES
Monday, November 6, 2017
7:00 PM

Common Council Chambers ~ Pewaukee City Hall
W240 N3065 Pewaukee Road, Pewaukee, WI 53072

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

Also Present: Attorney S. Riffle, Administrator S. Klein, DPW Director J. Weigel, Utility Manager J. Mueller, Fire Chief K. Bierce, Lieutenant B. Ripplinger, HR Director L. Bergersen, Community Development Director K. Woldanski, IT Director B. Kewan, Accountant C. Sazama 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

Mark Buschman (N278 N2897 Lincoln Avenue) spoke in favor of having money in the 2018 budget for deer management.

Tom Perz (W278 N2955 Rocky Point Road) also spoke in favor of having money in the 2018 budget for deer management.

3. Consent Agenda

3.1 Approval of the October 23, 2017 Common Council Meeting Minutes

3.2 Approval of Bartender Licenses

3.3 Approval of the Accounts Payable Listings

3.4 Award of the Sale of the Surplus 2007 Sterling Plow Truck to the Town of Delafield in the amount of \$40,000 as the Highest Qualifying Bid

A motion was made and seconded, (R. Grosch, C. Brown) to approve the consent agenda.

Motion Passed: 6-For, 0-Against.

4. Public Hearing Regarding the 2018 Proposed Budget

Mr. Klein stated the budget in its current form reflects the changes made during the budget workshop including the increases requested by the Library and the Lake Pewaukee Sanitary District. He said the health insurance rate was reduced down to 10% but stated the HR Director is still working on reducing the number. He stated a tractor was taken out of the Park's Department budget because the Village asked Ms. Woldanski to reduce her spending.

Mayor Bierce opened the public hearing and immediately closed it when no one in the audience expressed an interest in speaking.

5. Discussion and Possible Action Regarding the Approval of the 2018 Proposed Budget and Setting the Tax Levy

A motion was made and seconded, (C. Brown, B. Dziwulski) to approve the 2018 budget, and set the tax levy at \$9,085,486 and increases the tax rate 3.2% which is the equal to \$3.189 per \$1,000 of assessed value. Motion Passed: 6-For, 0-Against.

6. Discussion and Possible Action to Approve the Recommendations of the Bike and Pedestrian Planning Committee to Conduct a Survey

Mr. Grosch stated the Bike & Pedestrian Planning Committee would like to conduct an online survey and put a notice in the tax insert. There was discussion amongst the Council members on how to make it a better survey.

A motion was made and seconded, (J. Wamser, B. Dziwulski) to allow the Bike & Pedestrian Planning Committee to move forward with their online survey.

Motion Passed: 6-For, 0-Against.

7. Waukesha Sheriff's Department 3rd Quarter Status Report

Lieutenant Ripplinger was present for this item. He briefly went over the activities of the last few months. He said calls for service were up, and OWIs doubled. He noted that the archery program has been moved to South Park and that they are now working with the DNR.

8. Further Discussion on Establishing a Sidewalk Winter Maintenance Policy

Mr. Weigel was present for this item. He said he conducted a survey of area municipalities and reviewed their snow removal policies. He suggested that the City of Pewaukee recognize that there is a need to adopt an ordinance to clear sidewalks within a 21 day period and designate the City as responsible party to do such.

The Council stated they liked the Village of Germantown's policy and directed Mr. Weigel to draft an ordinance for consideration.

9. Discussion and Possible Action Regarding ***Resolution No. 17-11-10*** to Accept Woodleaf Reserve Addition #1 (Phase 2) Public Improvements

Mr. Weigel stated the final lift of asphalt was installed last month and the City can now formally accept improvement.

A motion was made and seconded, (J. Kara, J. Wamser) to approve Resolution 17-11-10.

Motion Passed: 6-For, 0-Against.

10. Discussion and Possible Action Regarding the Termination of the Woodleaf Reserve Addition #1 (Phase 2) Letter of Credit (#DC112672US23315) in the Amount of \$137,000 Conditioned on the Substitution of a Cash Deposit of \$10,000 and Attendant Cash Deposit Agreement to Act as the Financial Surety for the 1-Year Warranty Period

Mr. Weigel stated it is customary to have a one year warranty period on newly paved roads and was requesting the developer put up a cash deposit or a new letter of credit in the amount of \$10,000.

A motion was made and seconded, (B. Bergman, C. Brown) to reduce the cash deposit down to \$10,000 and allow staff to sign the new agreement contingent upon the attorney's approval. Motion Passed: 6-

For, 0-Against.

11. Discussion and Possible Action Regarding the Cancellation Notification of the Prairie Grass Living

Letter of Credit (# 1115-548) in the Amount of \$31,438.00

Mr. Weigel stated the City received notification that this letter of credit is terminating at the end of this month, but a letter of credit or cash deposit is still needed to cover the warranty period of the final course of asphalt. He requested Council to authorize the City attorney to draw on the letter of credit prior to its termination if a new agreement and cash deposit or letter of credit cannot be established timely.

A motion was made and seconded, (J. Kara, B. Dziwulski) to authorize the attorney to move forward and obtain a new agreement and financial security for the improvements.

Motion Passed: 6-For, 0-Against.

12. Public Comment - None

13. Adjournment

A motion was made and seconded, (B. Dziwulski, J. Wamser) to adjourn the meeting at 7:42 p.m.

Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer

ACCOUNTS PAYABLE NOVEMBER 20, 2017			
Vendor Name	Document Date	Document Amount	Transaction Description
AILCO EQUIPMENT FINANCE GROUP	11/01/2017	\$ 412.00	IT SCANNER
ASSOCIATED APPRAISAL	11/01/2017	\$ 5,601.48	AD PROFESSIONAL SERVICES
BREDAN MECHANICAL SYSTEMS	10/25/2017	\$ 1,523.48	IT LIEBERT UNIT
EXCEL ENGINEERING	10/20/2017	\$ 6,179.60	AD CITY HALL IMPROVEMENTS
HILTUNEN, MARIANNE	10/30/2017	\$ 140.71	EN MILEAGE
J.F. AHERN COMPANY	10/19/2017	\$ 350.00	AD WORK ORDER RESET SYSTEM
STARK PAVEMENT CORP SUSSEX	09/30/2017	\$ 439,677.30	EN CONTRACTORS PMT
	11/8/17 Total	\$ 453,884.57	
Vendor Name	Document Date	Document Amount	Transaction Description
ACE REDI-MIX, INC	10/09/2017	\$ 425.00	HI STONE
ADVANCED DISPOSAL	09/30/2017	\$ 3,741.14	HI EXCHANGES
AIRGAS	10/31/2017	\$ 69.16	FD OXYGEN
AIRGAS	10/17/2017	\$ 131.33	HI ACETYLENE, OXYGEN
ALL-WAYS CONTRACTORS, INC	10/23/2017	\$ 915.50	PR TRENCH FILL DIRT
ALPHA OMEGA CLEANING, INC.	11/01/2017	\$ 120.00	PR JANITORIAL SERVICE
ARAMARK	11/02/2017	\$ 59.87	HI SHOP TOWELS, UNIFORMS
ARAMARK	10/26/2017	\$ 61.07	HI SHOP TOWELS, UNIFORMS
ARAMARK	10/12/2017	\$ 57.47	HI SHOP TOWELS, UNIFORMS
ARAMARK	10/19/2017	\$ 61.07	HI SHOP TOWELS, UNIFORMS
ARAMARK	10/05/2017	\$ 57.47	HI SHOP TOWELS, UNIFORMS
ASSESSMENTS USA	10/28/2017	\$ 996.00	HR JOB RECRUITMENT
AUTOMOTIVE PARTS & EQUIPMENT	10/26/2017	\$ 19.66	HI BULB
AVANT GRAPHICS	08/21/2017	\$ 331.36	SH FRISBEES
BERGERSEN, LISA	10/15/2017	\$ 81.00	HR ROOM
BOUCHER CADILLAC GMC OF WAUKESHA	10/26/2017	\$ 76.66	PR AUTO SERVICE
BOUCHER CADILLAC GMC OF WAUKESHA	10/26/2017	\$ 76.66	PR AUTO SERVICE
BOUCHER CADILLAC GMC OF WAUKESHA	10/27/2017	\$ 37.21	PR AUTO SERVICE
BOUCHER CADILLAC GMC OF WAUKESHA	11/02/2017	\$ 682.31	PR AUTO SERVICE
BOUNDTREE MEDICAL	10/27/2017	\$ 79.85	FD EMS SUPPLIES
BOUNDTREE MEDICAL	10/26/2017	\$ 149.39	FD EMS SUPPLIES
BUMPER TO BUMPER HARTLAND	10/20/2017	\$ 94.67	PR FILTERS
BURKE TRUCK & EQUIPMENT	10/18/2017	\$ 727.92	HI VEHICLE SET UP
CHALLENGER BATTERY SERVICE	11/01/2017	\$ 400.00	FD BATTERIES
CINTAS FIRST AID	11/07/2017	\$ 77.69	PR BATTERIES
CINTAS FIRST AID	11/07/2017	\$ 41.72	PR EAR PLUGS
CINTAS FIRST AID	10/10/2017	\$ 102.48	HI FIRST AID SUPPLIES
COREY OIL	11/02/2017	\$ 3,783.28	HI DIESEL, GAS
DAVID & GOLIATH BUILDERS	10/30/2017	\$ 500.00	BI OCCUPANCY BOND RETURN
DIVERSIFIED BENEFIT SERVICES	11/01/2017	\$ 294.86	CT HEALTH REIMBURSEMENT

ACCOUNTS PAYABLE NOVEMBER 20, 2017			
Vendor Name	Document Date	Document Amount	Transaction Description
DODGE CONCRETE	10/10/2017	\$ 415.00	HI STONE
DWYER, CHARLIE	10/30/2017	\$ 204.37	BI MILEAGE
ELLIOTT ACE HARDWARE	10/20/2017	\$ 8.16	PR BOLTS
ELLIOTT ACE HARDWARE	11/07/2017	\$ 27.96	PR BLOWGUN
ELLIOTT ACE HARDWARE	10/31/2017	\$ 5.69	HI ADHESIVE
ELLIOTT ACE HARDWARE	10/30/2017	\$ 8.49	HI FLAG BRACKET
EMPATHIA, INC	11/01/2017	\$ 324.00	HR EAP SERVICES
FIRE SAFETY USA, INC.	10/31/2017	\$ 855.00	FD HELMETS
FIRNROHR, MARY	11/01/2017	\$ 140.00	PR CONTRACTED EMPLOYEE
FURST, MARTHA	11/01/2017	\$ 400.00	PR CONTRACTED EMPLOYEE
G&K SERVICES	10/30/2017	\$ 60.78	FD MATS
GENGLER, KATY	10/31/2017	\$ 46.67	PR CLASS SUPPLIES
GEO-SYNTHETICS	10/30/2017	\$ 104.43	PR INLET PROTECTION
GIBBS, JOHN	10/30/2017	\$ 546.24	BI MILEAGE
GILLUND ENTERPRISES	11/03/2017	\$ 229.20	PR FUEL STABILIZER
HALEN HOMES	10/30/2017	\$ 2,000.00	BI EROSION BOND RETURN
HENDRY, MARVIN	10/29/2017	\$ 16.27	FD CANDY FOR PUB ED
HUMPHREY SERVICE PARTS, INC	10/09/2017	\$ 3.35	HI OIL FILTER
HUMPHREY SERVICE PARTS, INC	10/09/2017	\$ 3.22	HI OIL FILTER
JEFFERSON FIRE & SAFETY, INC.	10/25/2017	\$ 25.98	FD FREIGHT CHARGES
JEFFERSON FIRE & SAFETY, INC.	10/23/2017	\$ 371.57	FD FIRE HOOKS
JEFFERSON FIRE & SAFETY, INC.	10/23/2017	\$ 7,754.89	FD FAN
JEFFERSON FIRE & SAFETY, INC.	10/25/2017	\$ 547.24	FD HOOKS
JEFFERSON FIRE & SAFETY, INC.	10/31/2017	\$ 10,391.00	FD NOZZLE, VALVES,
JEFFERSON FIRE & SAFETY, INC.	11/08/2017	\$ 4,301.00	FD KEYS
JENSEN EQUIPMENT	10/17/2017	\$ 31.36	HI PROPANE
JERRY'S AUTOMOTIVE SERVICE, INC	11/09/2017	\$ 112.50	FD OIL CHANGE
JK LAWN SERVICE	10/02/2017	\$ 505.00	FD LAWN CARE
JOERS, STACI	11/01/2017	\$ 396.00	PR CONTRACTED EMPLOYEE
JX ENTERPRISES, INC.	11/02/2017	\$ 2,799.99	HI ENGINE REPAIR
KAESTNER AUTO ELECTRIC CO.	10/18/2017	\$ 138.56	HI DRILL
KEN WEBER TRUCK SERVICE	10/31/2017	\$ 225.00	HI TOW
KINDERMUSIK AT BRIGHTRISING, LLC	10/02/2017	\$ 637.00	PR CONTRACTED EMPLOYEE
LANGE ENTERPRISES, INC	10/23/2017	\$ 282.91	BI TILES
LINCOLN CONTRACTORS	10/09/2017	\$ 97.79	HI PULL CRETE
MAAS BROS. CONSTRUCTION CO., INC.	10/31/2017	\$ 304,995.43	CT CITY HALL IMPROVEMENTS
MENARDS	11/02/2017	\$ 3.43	PR HOSE FITTINGS
MENARDS	11/01/2017	\$ 40.96	PR FURNACE FILTERS
MENARDS	11/02/2017	\$ 37.24	PR HOSE FITTINGS
MENARDS	11/07/2017	\$ 34.93	PR STORAGE BIN
MENARDS	10/30/2017	\$ 11.98	FD INDICATOR LED

ACCOUNTS PAYABLE NOVEMBER 20, 2017			
Vendor Name	Document Date	Document Amount	Transaction Description
MENARDS	10/26/2017	\$ 14.94	FD ECO LEMON
MENARDS	10/27/2017	\$ 14.58	FD FURRING
MENARDS	10/25/2017	\$ 29.08	FD TRIGGER
MENARDS	08/28/2017	\$ 29.35	HI COUPLER, CLEANERS
MENARDS	10/18/2017	\$ 119.93	HI NOZZLE, HOSE REEL,
MENARDS	10/19/2017	\$ 9.99	HI LEADER HOSE
MENARDS	10/24/2017	\$ 198.00	HI MARKER
MENARDS	09/29/2017	\$ 103.86	HI GROUT, TROWEL
MENARDS	09/26/2017	\$ 58.79	HI POST MOUNT
MENARDS	09/26/2017	\$ 27.98	HI BATTERIES
MENARDS	10/04/2017	\$ 36.69	HI DESIGNER STEEL
MENARDS	10/05/2017	\$ 18.78	HI HAMMERS
MENARDS	10/09/2017	\$ 44.45	HI BATTERIES
MENARDS	10/06/2017	\$ 61.39	HI GREASE FITTING
MID-AMERICAN RESEARCH CHEMICAL	10/20/2017	\$ 2,507.75	PR WEED KILLER
MID-AMERICAN RESEARCH CHEMICAL	10/18/2017	\$ 147.24	HI SPEED WIPES
MILLER-BRADFORD & RISBERG, INC	10/25/2017	\$ 275.00	PR BUCKET RENTAL
MILLER-BRADFORD & RISBERG, INC	10/23/2017	\$ 375.83	HI SKID STEER
MONFRE, JOSEPH	10/10/2017	\$ 125.00	HI BOOTS
OFFICE COPYING EQUIPMENT, LTD	10/30/2017	\$ 142.03	PR COPIES
OFFICE COPYING EQUIPMENT, LTD	10/30/2017	\$ 5.68	CT COPIER AGREEMENT
OFFICE COPYING EQUIPMENT, LTD	10/30/2017	\$ 43.77	CT COPIER COPIES
OFFICE DEPOT	10/31/2017	\$ 17.99	BI DESKPAD
OFFICE DEPOT	10/31/2017	\$ 51.77	BI DESKPADS
OFFICE DEPOT	10/19/2017	\$ 6.68	BI CORRECTION FLUID
OFFICE DEPOT	11/02/2017	\$ 70.54	CT TONER
OFFICE DEPOT	10/20/2017	\$ (32.96)	FD CREDIT
OFFICE DEPOT	10/31/2017	\$ 31.50	FD OFFICE SUPPLIES
OFFICE DEPOT	10/26/2017	\$ 188.85	FD OFFICE SUPPLIES
PAUL CONWAY SHIELDS	11/01/2017	\$ 86.00	FD PASSPORT SHIELD
PAYNE & DOLAN	10/19/2017	\$ 461.25	HI STONE
PEWAUKEE, VILLAGE OF	11/08/2017	\$ 1,741.16	CT OCT INCOME SPLIT
PEWAUKEE, VILLAGE OF	10/30/2017	\$ 23,243.69	CT EMS COLLECTION
PREMIUM WATERS, INC	11/06/2017	\$ 13.25	PR SHOP WATER
PREMIUM WATERS, INC	10/23/2017	\$ 27.50	HI SHOP WATER
PREMIUM WATERS, INC	10/09/2017	\$ 27.50	HI SHOP WATER
R.A. SMITH & ASSOC., INC.	11/01/2017	\$ 162.50	PR PROFESSIONAL SERVICES
RALLYE PRODUCTIONS, INC	09/01/2017	\$ 25.00	SH AWARDS
REINDERS BROTHERS, INC.	10/30/2017	\$ 594.11	PR REPAIR TORO
REINDERS BROTHERS, INC.	10/26/2017	\$ 1,780.01	PR PARTS
RITEWAY BUS SERVICE	10/31/2017	\$ 135.00	CT CITY WIDE BUS TRIP

ACCOUNTS PAYABLE NOVEMBER 20, 2017			
Vendor Name	Document Date	Document Amount	Transaction Description
RITTER TECHNOLOGY, LLC	10/26/2017	\$ 9.85	HI STR THR W/O RIN
RITTER TECHNOLOGY, LLC	10/04/2017	\$ 77.26	HI FITTING ASSY
ROMENS, RANDY	10/31/2017	\$ 479.90	BI MILEAGE
RUSSO, DAVE & KORRIN	10/31/2017	\$ 2,000.00	BI EROSION BOND RETURN
RYNDERS, MICHAEL	10/23/2017	\$ 75.00	PR SAFETY BOOTS
SERWE IMPLEMENT MUNICIPAL SALES	10/06/2017	\$ 292.48	HI TIE ROD ROLLER
SHEEHY, JAMES COLLEEN	10/31/2017	\$ 2,000.00	BI EROSION BOND RETURN
SHIELD SOLUTIONS	11/08/2017	\$ 260.00	FD WASH TURNOUT GEAR
SOFT WATER, INC.	10/31/2017	\$ 37.50	FD SOLAR SALT
SOFT WATER, INC.	10/31/2017	\$ 30.00	FD SOLAR SALT
TIM O'BRIEN HOMES	10/31/2017	\$ 2,000.00	BI EROSION BOND RETURN
TIM O'BRIEN HOMES	10/31/2017	\$ 2,000.00	BI EROSION BOND RETURN
TIM O'BRIEN HOMES	10/31/2017	\$ 500.00	BI OCCUPANCY BOND RETURN
TIRES PLUS	10/29/2017	\$ 879.84	FD TIRES
U.S. HEALTHWORKS	10/27/2017	\$ 38.00	HR DRUG TESTING
WAUKESHA CO TREASURER	11/03/2017	\$ 90.00	PR TREE CLIMBING CLASS
WAUKESHA LIME & STONE CO.	10/12/2017	\$ 78.30	HI STONE
WAUKESHA LIME & STONE CO.	10/05/2017	\$ 418.65	HI STONE
WAUKESHA PHARMACY	10/31/2017	\$ 848.57	FD EMS SUPPLIES
WE ENERGIES	10/27/2017	\$ 58.74	PR ELECTRIC BILL
WI LEGAL BLANK CO., INC.	11/02/2017	\$ 49.95	BI BUSINESS CARDS
WI LEGAL BLANK CO., INC.	11/02/2017	\$ 297.90	BI STICKERS
TOTAL 11/13/17		\$ 398,935.78	

Vendor Name	Document Date	Document Amount	Transaction Description
ANDRZEJEWSKI, LYNN & BALCEROWSKI, K	11/15/2017	\$ 18.00	CT STORMWATER CREDIT
BARWINSKI D & SCHLEICHERT L	11/15/2017	\$ 38.40	CT STORMWATER OVERPMT
BOGUMILL, LEO & LAVERNE	11/15/2017	\$ 18.00	CT STORMWATER CREDIT
BRIERTON, DENNIS & NANCY	11/15/2017	\$ 9.00	CT STORMWATER CREDIT
BROZYNSKI, GERALD & PAULA	11/15/2017	\$ 52.80	CT STORMWATER CREDIT
DETHLOFF, STEVEN & VIVIAN	11/15/2017	\$ 13.50	CT STORMWATER CREDIT
DOERING, JAMES & TRACI	11/15/2017	\$ 10.00	CT STORMWATER/GARBAGE REFUND
EGGERT, HELEN	11/15/2017	\$ 18.00	CT STORMWATER CREDIT
ESTATE OF JILL SPANBAUER	11/15/2017	\$ 76.80	CT STORMWATER OVERPMT
FUCHS, JOHN	11/15/2017	\$ 18.00	CT STORMWATER CREDIT
GOLKE, GERALD & ANN	11/15/2017	\$ 62.40	CT STORMWATER CREDIT
HILL-CLAUTIER, MELISSA & ERNESTO JR	11/15/2017	\$ 3.00	CT STORMWATER GARBAGE OVERPMT
HONL, COREY & DEBRA	11/15/2017	\$ 27.06	CT STORMWATER CREDIT
HOOYMAN, JOHN	11/15/2017	\$ 9.00	CT GARBAGE OVERPMT
KABRICH, DORA	11/15/2017	\$ 27.06	CT STORMWATER CREDIT
KIMBO, JIMMY & TRACY	11/15/2017	\$ 27.06	CT STORMWATER REFUND

ACCOUNTS PAYABLE NOVEMBER 20, 2017			
Vendor Name	Document Date	Document Amount	Transaction Description
KOLAFA, THOMAS & HELEN	11/15/2017	\$ 13.50	CT STORMWATER CREDIT
KOPLIEN, CRAIG	11/15/2017	\$ 10.00	CT SW OVERPMT
LAMBERT, VINCENT & GIRAUD, SEVERINE	11/15/2017	\$ 27.06	CT STORMWATER CREDIT
LANG, BRIAN WADE & CECILIA ANN LANG	11/15/2017	\$ 27.06	CT STORMWATER CREDIT
LARKIN, RICHARD & CAROLYN	11/15/2017	\$ 23.40	CT STORMWATER CREDIT
LOEW, JOHN & VERBOOMEN, PAULA	11/15/2017	\$ 27.06	CT STORMWATER CREDIT
MARCHESE, SALVATORE & GRAZIELLA	11/15/2017	\$ 9.00	CT GARBAGE OVERPMT
NICHOLAS-GROVES, MARIA & GROVES, G	11/15/2017	\$ 62.40	CT STORMWATER OVERPMT
OLINGER, CRAIG & TRISH	11/15/2017	\$ 27.06	CT STORMWATER CREDIT
PETERSON, GARY & MARY	11/15/2017	\$ 27.06	CT STORMWATER CREDIT
PLOUSSARD, MARTIN	11/15/2017	\$ 132.00	CT STORMWATER GARBAGE REFUND
POELZER, THOMAS & SALLY	11/15/2017	\$ 27.06	CT STORMWATER CREDIT
RETFERFORD, DAVID & CINDY	11/15/2017	\$ 132.00	CT SWG/OVERPMT
RITCHIE, KIP & NANCY	11/15/2017	\$ 27.06	CT STORMWATER REFUND
SANDVIK, THOMAS & NICOLE	11/15/2017	\$ 27.06	CT STORMWATER CREDIT
SCHULTZ, LYNN	11/15/2017	\$ 18.00	CT STORMWATER CR
STADING, NATHAN & KATHRYN	11/15/2017	\$ 27.06	CT STORMWATER REFUND
STAHULAK, JAMIE & ANDREA	11/15/2017	\$ 27.06	CT STORMWATER REFUND
SWENBY, GLEN & KATHLEEN	11/15/2017	\$ 135.00	CT GARBAGE REFUND
TINTI, CYNTHIA	11/15/2017	\$ 27.06	CT STORMWATER GARBAGE REFUND
WE ENERGIES	11/15/2017	\$ 5,304.00	CT STORMWATER DUP PMT
WOLF, TIM & RESZCZYNSKI, TERRIE	11/15/2017	\$ 62.40	CT STORMWATER CREDIT
WOZNIAK, MARK & LISA	11/15/2017	\$ 52.80	CT STORMWATER GARBAGE REF
TOTAL 11/15/17		\$ 6,680.24	

City & WS Accounts Payable for:

11/20/2017

Vendor Name	Document Date	Document Amount	Transaction Description
AARONIN STEEL	10/16/2017	\$25.38	STEEL
AB DATA	11/10/2017	\$2,653.22	2017 EST 2017 TAX BILL POSTAGE
ALL CITY COMMUNICATIONS INC.	11/1/2017	\$52.80	ANSWERING SERVICE
BONK PRINT-N-PROMO	11/13/2017	\$2,623.51	WINTER/SPRING PR PROGRAMS
BROOKFIELD, CITY OF	11/6/2017	\$59,590.09	3RD QTR 2017 PROCESS CHARGES
BROOKFIELD, CITY OF	11/6/2017	\$205,594.08	3RD QTR 2017 OPERATING CHARGES
CITY OF WAUKESHA ENGINEERING	11/2/2017	\$3,665.00	#982004 WAUK SEWER CONNECTION
CITY OF WAUKESHA ENGINEERING	11/7/2017	\$4,748.78	984051007 WAUK SEWER CONNECTIO
COMPUTERIZED STRUCTURAL DESIGN	11/6/2017	\$1,610.00	WATER TOWER CRACK INVESTIGATIO
D.F. TOMASINI, INC	10/18/2017	\$7,460.46	REPAIR WATER SERVICE
EMBELLISHMENTS	10/6/2017	\$1,287.08	SHIRT ORDERS
EMBELLISHMENTS	11/10/2017	\$117.08	UNIFORM ORDER
FERGUSON WATERWORKS	11/7/2017	\$90.00	HYDRAFINDER MARKER
FERGUSON WATERWORKS	11/3/2017	\$36.00	UPPER STEM VALVE
GRAINGER	10/19/2017	\$107.36	COVERALLS
HARTLAND OVERHEAD DOOR	10/26/2017	\$211.50	DOOR REPAIR
HAWKINS, INC.	10/17/2017	\$2,136.56	AZONE 15/SODIUM SILICATE
HAWKINS, INC.	10/31/2017	\$2,406.95	AZONE 15/ SODIUM SILICATE
HYDROCORP	10/26/2017	\$892.00	CROSS CONNECTION OCTOBER 2017
JK LAWN SERVICE	10/2/2017	\$543.00	LAWN SERVICE/WINTER FERT
MIDWEST TESTING LLC	11/6/2017	\$1,180.00	WELL HOUSE WATER METER TESTS
NATIONWIDE RETIREMENT SOLUTIONS	11/8/2017	\$1,820.09	DEFERRED COMP
NORTHERN LAKE SERVICE, INC	10/31/2017	\$140.00	DISINFECTION BYPRODUCTS
NORTHERN LAKE SERVICE, INC	10/31/2017	\$20.00	INVESTIGATION
NORTHERN LAKE SERVICE, INC	10/31/2017	\$80.00	OCTOBER BACTERIA
NORTHERN LAKE SERVICE, INC	10/31/2017	\$300.00	DRINKING WATER
NORTHERN LAKE SERVICE, INC	10/31/2017	\$20.00	NEW TOWER SAMPLE
NORTHERN LAKE SERVICE, INC	10/31/2017	\$80.00	OCTOBER SAMPLE
NORTHERN LAKE SERVICE, INC	10/31/2017	\$60.00	OCTOBER BACTERIA SAMPLES
OFFICE COPYING EQUIPMENT, LTD	10/30/2017	\$88.07	COPIER CONTRACT
OFFICE COPYING EQUIPMENT, LTD	10/18/2017	\$1,057.10	COPIER CONTRACT
OFFICE DEPOT	10/13/2017	\$93.47	SUPPLIES
PARKING LOT MAINTENANCE	11/1/2017	\$3,170.00	REPAIR ASPHALT AT WATER MAIN
PEWAUKEE, VILLAGE OF	11/8/2017	\$62,011.92	NOVEMBER LIBRARY
PEWAUKEE, VILLAGE OF	10/19/2017	\$29,439.96	QUARTERLY USAGE 9/30/17
RUEKERT & MIELKE, INC.	10/26/2017	\$11,473.71	CH ELEVATED TANK
RUEKERT & MIELKE, INC.	10/26/2017	\$880.44	SW AREA SEWER STUDY
RUEKERT & MIELKE, INC.	10/26/2017	\$593.25	WELL 1 RADIUM REMEDIATION
RUEKERT & MIELKE, INC.	10/26/2017	\$395.00	WELL 2 REHABILITATION
RUEKERT & MIELKE, INC.	10/26/2017	\$764.82	SCADA SERVICE WORK
SABEL MECHANICAL LLC.	10/25/2017	\$3,327.13	STILL RIVER WELL SERV PUMP #2
SMITH, JOEL	10/23/2017	\$92.40	BOOT REIMBURSEMENT
TD AMERITRADE TRUST COMPANY	11/8/2017	\$50.00	LOAN REPAYMENT
USPS BELOIT	11/2/2017	\$322.18	DAMAGE DUE TO ROCK
VISU-SEWER	10/30/2017	\$325.00	CLEANING LIFT STATION BLUEMOUN
VISU-SEWER	10/30/2017	\$3,681.25	CLEANING LIFT STATION GUN CLUB
WATER REMEDIATION TECH., LL	11/1/2017	\$3,311.92	BASE TREATMENT CHARGE
WAUKESHA PROFESSIONAL FIREFIGHTERS ASSO	11/8/2017	\$1,493.87	NOVEMBER UNION DUES
WE ENERGIES	10/19/2017	\$17.25	WATER TOWER HEATER
WI DNR	11/1/2017	\$45.00	OPERATOR CERTIFICATION HANSON
		\$422,184.68	

<u>Individual Name</u>	<u>Establishment Name</u>	<u>Type</u>
Zulaica, Theresa L.	5 O'Clock Club	New

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

DATE: November 20, 2017

DEPARTMENT: PW - Engineering

PROVIDED BY: Jeffrey Weigel, PE Public Works Director & City Engineer

SUBJECT:

Approval of ***Resolution 17-11-14*** Accepting the Public Improvements of the Victoria Station IV Development and to Approve the Expiration of the Letter of Credit (Midland State Bank) in the Amount of \$8,827.60 on November 21, 2017

BACKGROUND:

The fourth phase of the Victoria Station development began in 2014. The Common Council approved the reduction of the letter of credit to the 1-year warranty value of \$8,827.60 at the November 21, 2016 meeting; however, we did not prepare the resolution accepting the improvements at that time as is usual protocol. The Council approved the reduction and the warranty period began. At this time we are presenting the resolution of acceptance to complete the file/record.

FINANCIAL IMPACT:

There is no definable fiscal impact; however, the acceptance of these improvements now brings the City responsibility to maintain said improvements from Nov. 21, 2016.

RECOMMENDED MOTION:

We recommend that the Common Council approves the attendant Resolution of Acceptance, understanding that the actual acceptance date was Nov. 21, 2017; and Common Council approves the expiration of the warranty letter of credit to expire on Nov. 21, 2017.

ATTACHMENTS:

Description

Resolution 17-11-14

RESOLUTION NO. 17-11-14

**A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
FOR VICTORIA STATION PHASE IV DEVELOPMENT**

WHEREAS, Victoria Station Phase IV, LLC (developer), and the City of Pewaukee, entered into a Developer's Agreement dated June 15, 2014 and on file in the City Clerk's office, to govern the development of a parcel of real property owned by Victoria Station Phase 4 for residential use more particularly described in Exhibit B (Legal Description and Map) on file in the City Clerk's office and incorporated herein, referred to in said Agreement and herein as the "Property;" and

WHEREAS, the Agreement provides that Victoria Station Phase IV, LLC would construct and install the necessary sanitary sewer facilities, water distribution facilities, public streets, surface and storm water drainage, and street signs and traffic control within the Property; and,

WHEREAS, the public improvements have been completed and dedicated by Victoria Station Phase IV, LLC to the City; and,

WHEREAS, the public improvements have been inspected by the City Engineer who has approved the same.

NOW THEREFORE IT IS HEREBY RESOLVED that the City of Pewaukee Common Council accepts the public improvements referred to above on behalf of and for the benefit of the public and citizens of the City of Pewaukee.

This resolution shall be effective upon publication or posting as provided by law.

Dated this 20th day of November, 2017.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, City Clerk/Treasurer

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

DATE: November 20, 2017

DEPARTMENT: PW - Engineering

PROVIDED BY: Jeffrey L. Weigel, PE Public Works Director

SUBJECT:

Approval of ***Resolution 17-11-13*** Accepting the Public Improvements of the Prairie Grass Apartments

BACKGROUND:

The Prairie Grass Apartment development consists of the apartment constructed at the north end of E. Fieldhack Drive. Consistent with the City protocol, the developer has constructed the development through the final lift of asphalt. The proposed resolution will formally accept the improvements and commence the two (2) year warranty period. Note that the developer has submitted the cash deposit for the 2 year warranty along with the attendant Cash Escrow Agreement for signature.

FINANCIAL IMPACT:

Undertermined. The acceptance of these improvements transfers the maintenance responsibilities to the City from this date forward.

RECOMMENDED MOTION:

We recommend that the Common Council adopts the resolution of acceptance and allows the existing letter of credit to expire.

ATTACHMENTS:

Description

Resolution 17-11-13

RESOLUTION NO. 17-11-13

**A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
PRAIRIE GRASS APARTMENT DEVELOPMENT**

WHEREAS, Prairie Grass Living, LLC. (developer), and the City of Pewaukee, entered into a Developer's Agreement dated November 11, 2015 and amended on March 11, 2016 both on file in the City Clerk's office, to govern the development of a parcel of real property owned by Prairie Grass Living for residential use more particularly described in Exhibit B (Legal Description and Map) on file in the City Clerk's office and incorporated herein, referred to in said Agreement and herein as the "Property;" and

WHEREAS, the Agreement provides that Prairie Grass Living would construct and install the necessary sanitary sewer facilities, water distribution facilities, public streets, surface and storm water drainage, and street signs and traffic control within the Property; and,

WHEREAS, the public improvements have been completed and dedicated by Prairie Grass Living to the City; and,

WHEREAS, the public improvements have been inspected by the City Engineer who has approved the same.

NOW THEREFORE IT IS HEREBY RESOLVED that the City of Pewaukee Common Council accepts the public improvements referred to above on behalf of and for the benefit of the public and citizens of the City of Pewaukee.

This resolution shall be effective upon publication or posting as provided by law.

Dated this 20th day of November, 2017.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, City Clerk/Treasurer

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

DATE: November 20, 2017

DEPARTMENT: IT

PROVIDED BY: Bobby Kewan, IT Director

SUBJECT:

Discussion and Possible Action Regarding Replacement of the Backup Air Conditioning Unit in the Server Room at City Hall [Kewan].

BACKGROUND:

The server room backup air conditioning unit has failed. This unit, which is 10 years old, is used if the primary air conditioning unit is down for repair. The existing backup unit was too small for the server room and when it worked it could only keep the server room cool for a few hours. The replacement unit that is being considered is large enough to keep the server room cool for extended periods of time (several days) if needed.

Keeping the server room cool is critical to our network equipment; if the room is too hot for an extended period of time the equipment will fail. Currently there is an estimated \$250,000 worth of equipment in this room.

FINANCIAL IMPACT:

Cost to replace the backup air conditioning unit will not to exceed \$11,000.

RECOMMENDED MOTION:

Approve replacement of the backup air conditioning unit in the server room, costs not to exceed \$11,000.

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

DATE: November 20, 2017

DEPARTMENT: PW - Water/Sewer

PROVIDED BY: Jeffrey L. Weigel PE, Public Works Director and City Engineer

SUBJECT:

Discussion and Possible Action Regarding the Request to Authorize Delay of the Kleinhans Property at N31 W22080 Shady Lane (PWC 0912-048-001) Required Connection to Sanitary Sewer Until Connection Becomes Available in Shady Lane [Weigel]

BACKGROUND:

In 1997 the Town of Pewaukee approved a Certified Survey Map (CSM) that combined two Hill 'n Dale lots into one lot, having a house that fronts on Shady Lane and the rear lot that previously fronted on Hill 'n Dale Circle South-see air photo. Sanitary sewer is in Hill 'n Dale Circle but not Shady Lane. At that time ('97) the Town and State had a regulation that required properties to connect to sanitary sewer within one year of availability. Prior to the CSM combination, the house on the Shady Lane lot did not have access to sewer, but the vacant lot on Hill n Dale Circle did have access to sewer. The combination of the two lots into one lot created one lot with sewer availability via the rear yard (Hill n Dale Circle). We find no records of discussions at either the Plan Commission or the Town Board regarding the connection to sewer as a condition of this CSM, or dispensation of same.

In year 2000 the City of Pewaukee became aware of a change in the State regulations that no longer required connection to the sewer within one year, leaving the sewer connection issues to the local community. The City opted to extend that connection deadline to within 15 years of sewer availability.

City staff lost track of this issue (sewer connection) until we were contacted by the owner Mr. Kleinhaus inquiring whether he had to connect to sewer, or inform new owners that they had to connect to the sewer up the sale of his home. Mr. Kleinhaus also inquired whether he could revert the one lot to the original two lots, which he can no longer do (City ordinance prohibits the creation of a residential lot less than 2 ac in size without sanitary sewer). Mr. Kleinhaus' attorney, Mr. Guyette continued the conversations with the City, and the attached e-mail summarizes well the issue.

At this time the applicant is requesting the Common Council to continue the deferral from requiring this property to connect to the sewer until the sewer becomes available from Shady Lane.

It should be noted that the City of Pewaukee lost track of this parcel as it relates to sewer connection and that the Pewaukee Common Council had not extended the sewer connection beyond the current 15 year deadline expired in 2011.

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

e-mail train with Attorney Guyette

Request for continued deferral

air photo

Weigel, Jeff

From: Weigel, Jeff
Sent: Thursday, May 18, 2017 1:43 PM
To: 'Jim Guyette'
Subject: RE: Kleinhans property in Pewaukee (City)

Attorney Guyette:

I don't think I can agree to your proposal (question) without approval from the Pewaukee Common Council. We discovered in this case the fact that the property has access to sanitary sewer via Hill n Dale Circle and has not connected to the sewer within the two timeframes for connection that were in place since the lots were combined via CSM (1-year that was in effect up to 2000; 15 years for properties after 2000). The Common Council, I believe, would have to determine that special conditions exist that would allow for the continued deferment. I think an argument could be made that if/when sewer comes to Shady Lane the house would connect and the owner could/would then ask to subdivide the parcel to essentially remap the two parcels, both then with sewer, and both would meet setback requirements for the presumed zoning..... But, that is not in my purview to make that decision.

Just my quick thoughts.

Jeff

Jeffrey Weigel, PE
Public Works Director
City of Pewaukee

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From: Jim Guyette [mailto:jim@gplaw.net]
Sent: Thursday, May 18, 2017 10:25 AM
To: Weigel, Jeff <Weigel@pewaukee.wi.us>
Subject: RE: Kleinhans property in Pewaukee (City)

Jeff

Thank you for your response. I understand the inability to split the property into two lots. Mr. and Mrs. Kleinhans are considering selling the property to a nephew. Could the sale take place with the understanding that the sewer connection would be made at the time the connection is available from Shady Lane?

Thanks for your consideration.

James A. Guyette
Guyette & Poehlmann
12700 W. Bluemound Rd.
Elm Grove, WI 53122
p. 262-432-0671

From: Weigel, Jeff [mailto:Weigel@pewaukee.wi.us]
Sent: Monday, April 24, 2017 8:17 AM
To: jim@gplaw.net
Subject: Kleinhans property in Pewaukee (City)

Attorney Guyette:

I received your letter of April 20 regarding the Kleinhans property. The Shady Lane sewer and water project has been pushed back another year, now planned for 2018; however, the Common Council has pushed this project back each year of the past four as we have not heard much support for the construction. As such, I am at this time not confident that the sewer would be installed next year (2018). Of course, the decision is not mine to make.

I am available to meet the next two weeks, but perhaps City Planner Harlan Clinkenbeard (Clink) should also attend. I asked Clink's advice on dividing this lot earlier this week after receiving your letter, and I have pasted a copy of that e-mail discussion for your information:

*Jeff – Congratulations! You are correct. Once the parcel was made conforming to City ordinance, vis a vis the required provision of public sanitary sewerage facilities on parcels of land under two acres, it cannot be returned to non-conforming status. Furthermore, it appears when looking at the parcel, that dividing the parcel would also render the house non-conforming in regard to rear yard setback, which is 35 feet. The City cannot be a party to the violation of its own laws.
H.E. Clinkenbeard, CDD/Senior City Planner.*

From: Weigel, Jeff

Sent: Thursday, April 20, 2017 10:33 AM

To: Clinkenbeard, Harlan <Clink@pewaukee.wi.us>

Cc: Klein, Scott <sklein@pewaukee.wi.us>; Mueller, Jane <JEM@pewaukee.wi.us>

Subject: Shady Lane & Hill n Dale Circle joint lot

Clink:

Recall that in 1997 the Town approved the combination of two lots and creating one lot that fronted both Hill'n Dale Circle and Shady Lane (CSM 8233) see attached photo.

Sanitary Sewer exits on Hill n Dale Circle but not Shady Lane.

Now, an attorney representing the owner Mr. Kleinhans has contacted me inquiring on how to reverse that CSM and re-create the two lots, both less than 2 acres. The vacant lot would be on Hill n Dale Circle where sewer exists, the house would be on Shady Lane where there is no sewer today, but planned someday.

I told Kleinhans that we could not, per City Ordinance, new create a residential lot of less than 2 acres without sanitary sewer (the exiting home/lot on Shady Lane).

My question to you: am I correct in advising the owner that the City would not now allow the creation or recreation of the of the residential lot without the sewer?

Let me know.

Jeff

Clink only maintains office hours on Wednesdays and Thursdays, so let me know if a Wed or Thurs works for you in the next few weeks.

Jeff

Jeffrey Weigel, PE
Public Works Director
City of Pewaukee

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Guyette & Poehlmann

Attorneys at Law

12700 W. Bluemound Road, Suite 125
Elm Grove, WI 53122
Telephone (262) 432-0671

Jim Guyette
e-mail: jim@gplaw.net

September 26, 2017

Sent Via E-Mail: Weigel@pewaukee.wi.us

Jeff Weigel

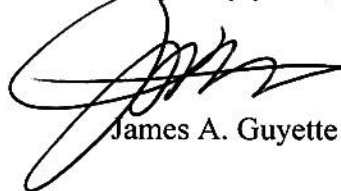
Re: Kleinhans Property Tax Key #PWC 912048001)

Dear Jeff:

Mr. and Mrs. Kleinhans are intending to sell their property. They have no interest in trying to separate the property into two lots. They would like to initiate the process to get approval for a continued deferral of the requirement for sewer hook-up until it is available on Shady Lane. I understand that that would require common council approval. I would appreciate it if you would direct me to the person who could help get that process started. It would obviously be much less expensive to make the connection at Shady Lane.

Thank you for all of your assistance in this.

Very truly yours,



James A. Guyette

cnw



Legend

- Civil Division Boundary
- Parks
- Sanitary Mains
- Water Mains
- Municipal Boundary_1K
- Railroad_1K
- TaxParcel_1K_Labels
- SimultaneousConveyance
- Assessor Plat
- CSM
- Condo Plat
- Subdivision Plat
- TaxParcel_1K
- Cartoline_1K
- <all other values>
- EA-Easement_Line
- PL-DA
- PL-Extended_Tie_line
- PL-IA
- PL-Meander_Line
- PL-Note
- PL-Original_Parcel_Line
- PL-PT
- PL-Tie
- PL-Tie_Line
- ROW_CL
- RR_CL
- RW_Radius
- SD-SD_Block_O_100

0 169.56 Feet

City of Pewaukee Disclaimer

Notes:

Printed: 4/20/2017



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

DATE: November 20, 2017

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Discussion and Possible Action on the Request of Oak Street Residents to Change the Intersection of Oak Street and Woodland Drive to a Three-Way Stop from a One-Way Stop [Kara].

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Petition

WSD Traffic 9/2017

Photo

Locations

PETITION- STOP SIGN ON OAK STREET PEWAUKEE WI

As a 20+ year resident on Oak Street I recently filed a complaint with our aldermen about the speeding traffic daily on our street. In September the Waukesha Sheriff's office installed a 'Black Box' to register numbers of cars and the speed they were traveling (both directions). The device was operational from 9-21-17 to 9-28-17. Results from this effort determined that indeed there is a concerning issue with speeding on the stretch of Oak Street from Prospect Avenue to where it turns west @ Pewaukee Lake. As residents of this stretch of Oak Street you are aware of the ongoing speeding situation and how there has been little regard for others and/or safety. Include the heavy pedestrian traffic and this problem is magnified further.

I've asked our aldermen to vote on installing a 'STOP' sign at the intersection of Oak Street & Woodland. The Stop sign will force all drivers to stop halfway between Prospect & the turn @ lake, thus slowing things down considerably in both directions. The Black Box was the first step to make the City of Pewaukee most aware of the situation. This Petition will be further support of making this happen. Thank you very much for your consideration.

Doug Piszczek

W275n2789 Oak Street

Pewaukee WI 53072

Cell/text: 414.531.8067

dougp@wi.rr.com

Print Name:

Mark Jerling

Address:

W274 N2822 Oak St

Date:

10/21/2017

Phone:

907.903.9383

Signature:

Mark Jerling

Print Name:

Connie Pettit

Address:

W275 N2777 Oak St Pewaukee WI

Date:

10/21/17

Phone:

262 443-9197

Signature:

Connie Pettit

Print Name: ED WIDISH
Address: W275 N2721 OAK ST. PEWAUKEE WI
Date: 10/21/17
Phone: 262-424-4574

Signature: 

Print Name: Barbara Rose
Address: W275 N2733 Oak St. Pewaukee
Date: 10-21-17
Phone: 414-349-1707

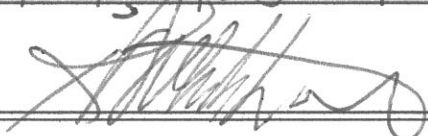
Signature: 


Print Name: WILLIAM SHOCKLEY
Address: W274 N2682 OAK ST
Date: 10.21.17
Phone: 262.695.9466


Signature: 

Print Name: Margaret Croft
Address: W274 N2668 Oak ST
Date: 10/21/17
Phone: 262-691-4971

Signature: 

Print Name: Kirt Whitehouse
Address: W274 N2680 OAK ST.
Date: 10/23/2017
Phone: 414-915-7795
Signature: 

Print Name: Timothy Gulrajani
Address: W275 N2755 OAK ST
Date: 10/25/2017
Phone: 262 720 7085
Signature: 

Print Name: DOUG PISZCZEK
Address: W275 N2789 OAK ST
Date: 10-25-17
Phone: 262.691.4643 / C: 414.531.8067
Signature: 

Print Name: _____
Address: _____
Date: _____
Phone: _____
Signature: _____

**Waukesha County Sheriff
City of Pewaukee
Pewaukee, WI**

Speed Enforcement Evaluator

Location:
Oak Street

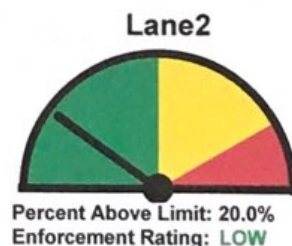
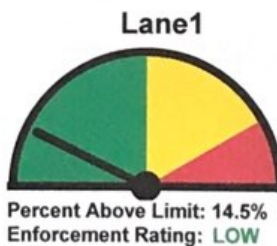
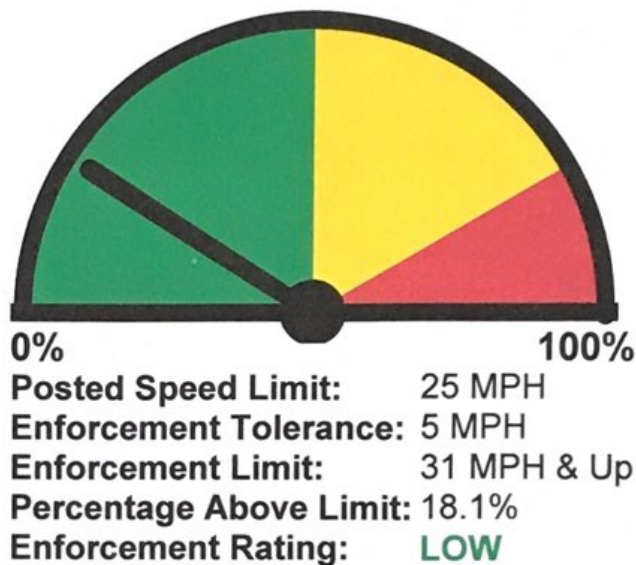
**Total Percentage of
Enforceable Violations**

Closest Cross Street:
Woodland Drive

Analysis Dates:
Thursday, September 21, 2017
Thursday, September 28, 2017

Installed By:
Lt Brian Ripplinger

Requested By:
Alderman Kara



Combined

1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	>65	Total
2	5	56	268	819	1004	397	44	5	2	2	0	2	25	263

85 percentile = 30

*1,150 2,154 2,551
44% 82% 97%*

Lane1

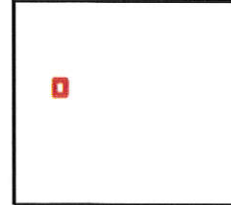
1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	>65
2	3	9	110	302	332	96	11	1	2	2	0	2	15

85 percentile = 30

Lane2

1-5	6-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	>65
0	2	47	158	517	672	301	33	4	0	0	0	0	10

85 percentile = 30



Legend

- Civil Division Bounc
- Parks
- Municipal Boundary
- Railroad_1K
- TaxParcel_1K_Lab
- SimultaneousConv
- Assessor Plat
- CSM
- Condo Plat
- Subdivision Plat
- TaxParcel_1K
- Cartoline_1K
- <all other values>
- EA-Easement_Line
- PL-DA
- PL-Extended_Tie_Li
- PL-IA
- PL-Meander_Line
- PL-Note
- PL-Original_Parcel_
- PL-PT
- PL-Tie
- PL-Tie_Line
- ROW_CL
- RR_CL
- RW_Radius
- SD-SD_Block_O_1K
- SD-SD_Block_O_2K
- Road Centerlines_1
- Waterbodies_1K_L
- Waterlines_1K_Lab
- FlowCenterline
- Other
- UnderRoad
- Visible
- Waterlines_use_1K
- FlowCenterline
- Other

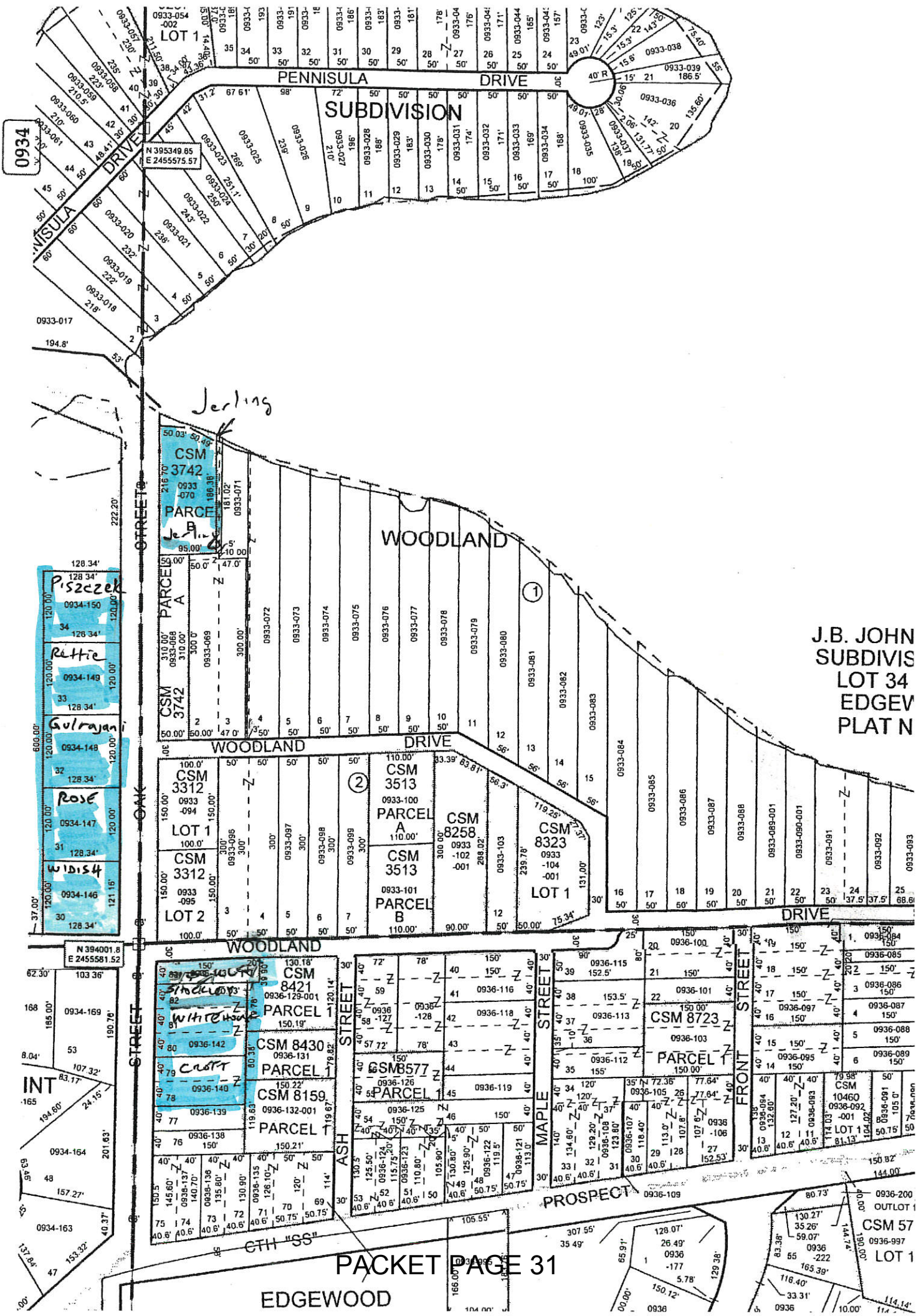
0 421.48 Feet

Notes:

City of Pewaukee Disclaimer:



Printed: 11/8/2017



J.B. JOHN
SUBDIVIS
LOT 34
EDGEV
PLAT N

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

DATE: November 20, 2017

DEPARTMENT: Clerk/Treasurer

PROVIDED BY: Scott Klein, City Administrator

SUBJECT:

Update on Deer Management Initiative [Kara / Klein]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

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

DATE: November 20, 2017

DEPARTMENT: Administration

PROVIDED BY: Scott Klein, City Administrator

SUBJECT:

Discussion and Possible Action to Adopt ***Ordinance 17-10*** to Prohibit the Feeding of Wild Animals and Waterfowl
(First Reading) [Klein]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

N/A First Reading

ATTACHMENTS:

Description

Ordinance 17.10

ORDINANCE NO. 17-10

**AN ORDINANCE TO REPEAL AND RECREATE 7.02(13)(b)
PERTAINING TO ANIMAL NUISANCES AND
PROHIBITING THE FEEDING OF WILD ANIMALS AND WATERFOWL**

WHEREAS, it has been well established that the feeding of wild animals and waterfowl is both detrimental to the animals and causes a public health nuisance and safety hazard that is detrimental to the health and general welfare of the public. Feeding wild animals and/or waterfowl upsets the ecosystem and can lead to property damage; and

WHEREAS, as such, the Common Council has determined that in order to protect the safety of its residents, a prohibition on feeding such animals must be instituted.

NOW, THEREFORE, the Common Council of the City of Pewaukee, Waukesha County, Wisconsin, do ordain as follows:

SECTION 1. 7.02(d)(13) shall be repealed and recreated to read as follows:

~~ANIMALS. Keeping, feeding, harboring, securing or failing to secure any domestic or wild animal in any manner which promotes or causes a nuisance as defined in Section 7.02(A).~~

§7.02(d)(13) ANIMALS

SECTION 2. 7.02(d)(13)(a) shall be created to read as follows:

§7.02(d)(13)(a) Keeping, harboring, securing or failing to secure any domestic or wild animal in any manner which promotes or causes a nuisance as defined in Section 7.02(A).

SECTION 3. 7.02(d)(13)(b) shall be created to read as follows:

§7.02(d)(13)(b) Feeding of wild animals and waterfowl prohibited. No person shall give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting, or enticing wildlife or wild animals, including any animal which is not normally domesticated in this state, including but not limited to bears, coyotes, deer, foxes, rodents, groundhogs, opossums, raccoons, skunks, and the like, or waterfowl, including but not limited to ducks, geese, swans, heron, and egrets. This prohibition shall not include baiting in the legal taking of fish and/or game.

SECTION 4. SEVERABILITY. The sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect.

Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective upon passage and publication as required by law.

Dated this 4th day of December 2017.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, Clerk/Treasurer

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

DATE: November 20, 2017

DEPARTMENT: Clerk/Treasurer

PROVIDED BY: Scott Klein, City Administrator

SUBJECT:

Discussion and Possible Action to Approve ***Resolution 17-11-11*** Regarding Committing Unassigned Funds [Sazama / Klein]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Resolution 17.11.11

RESOLUTION NO. 17-11-11**A RESOLUTION TO COMMIT UNASSIGNED FUNDS
FOR THE PURCHASE OF EQUIPMENT**

WHEREAS, the Common Council approved transferring \$1,000,000 from the General Fund to the Road Projects Fund and \$1,000,000 from General Fund to the Capital Equipment Fund in 2017; and

WHEREAS, the Common Council committed to setting aside funds yearly to properly plan so the replacement of items would not have a financial impact on the annual budget. The funding for 2017 that is to be committed is \$66,191 for Park equipment from the General Fund, \$457,725 for Fire equipment from the Capital Equipment Fund, \$373,944 for Highway equipment from the Capital Equipment Fund and \$5,000 for IT equipment from the Capital Equipment Fund; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Pewaukee Common Council hereby transfers \$1,000,000 from the General Fund to the Road Projects Fund, transfers \$1,000,000 from the General Fund to the Capital Equipment Fund, commits \$836,669 from the Unassigned Capital Equipment fund for the purchase of equipment and commits \$66,191 of the General Fund Balance for Park equipment as detailed in Exhibit A.

PASSED and ADOPTED this 20th day of November, 2017.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, Clerk/Treasurer

Exhibit A

General Fund Commitments

Parks Department

Joint Park/Open Space Plan Update	850.00
#100 Trailer	700.00
#81 4x4 Pickup Truck	5,000.00
#101 2003 Trailer	700.00
Expedition	7,250.00
#86 Wing Mower	14,000.00
#151 Wing Mower	13,125.00
Top Dresser	1,100.00
Aerator	600.00
Parks Playground Equip	22,866.00
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	66,191.00

Capital Equipment Fund Commitments

Fire Department

#2863 Engine	89,666.00
#2862 Engine	49,667.00
#2861 Engine	49,667.00
#2801 Staff Car	7,000.00
#2883 Grass Truck	5,800.00
#2896 Gator Utility	2,500.00
#2899 Hovercraft	7,500.00
#2802 Staff Car	7,500.00
#2805 Staff Car	8,500.00
#2852 Ambulance	32,200.00
#2851 Ambulance	32,200.00
Advanced Airways	4,000.00
Defibrillator 12 lead Wires	10,000.00
Ladder Truck #2871	60,000.00
Ambulance #2853	32,200.00
Inspection Vehicle #2887	5,750.00
Utility/Plow Truck #2885	3,575.00
Station Alerting System	50,000.00
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	457,725.00

(Continued)

Capital Equipment Fund Commitments (continued)

Highway Department

#1 One-Ton Dump Truck	13,000.00
#2 1-Ton Dump Truck	10,000.00
#7 Plow Truck	25,000.00
#8 Plow Truck	43,750.00
#9 Plow Truck	19,450.00
#11 Plow Truck	20,000.00
#12 Plow Truck	29,170.00
#17 Tandem Plow Truck	38,000.00
#19 Plow Truck	22,000.00
#3 Boom Mower	7,000.00
#4 Road Grader	24,000.00
#5 Backhoe	7,500.00
#18 Front End Loader	22,500.00
#25 4x4 Pickup Truck	6,000.00
#29 Chipper	4,000.00
#54 Fork Lift	2,000.00
#58 Skidsteer	8,000.00
Asphalt Hot Box	4,000.00
#28 Highway Mower	18,333.00
#55 1-Ton Dump Truck	9,375.00
#10 Plow Truck	20,000.00
#6 Plow Truck	20,000.00
#52 Shop Pressure Washer	866.00
	<hr/>
	373,944.00

IT Department

Cashiering System	5,000.00
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Total Commitments	<hr/> 902,860.00 <hr/>
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**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 10.**

DATE: November 20, 2017

DEPARTMENT: Clerk/Treasurer

PROVIDED BY: Scott Klein, City Administrator

SUBJECT:

Discussion and Possible Action to Approve ***Resolution 17-11-12*** Committing and Uncommitting 2017 Funds [Sazama / Klein]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description
Resolution 17-11-12

RESOLUTION NO. 17-11-12**A RESOLUTION AUTHORIZING COMMITTING AND UNCOMMITTING
OF 2017 FUNDS**

WHEREAS, the Common Council of the City of Pewaukee approved the 2017 Amended Budget at their meeting held December 12, 2016; and

WHEREAS, the following Capital Equipment amounts will remain unspent in 2017 and committed for future purchasing. Park and Recreation tennis court/basketball court resurfacing \$20,000 and additional playground equipment in the amount of \$5,616. Information Technology audio visual conferencing between stations in the amount of \$4,840 and Common Council audio visual upgrades in the amount of \$17,803; and

WHEREAS, in 2017, \$20,482 was spent to purchase the Novusolutions software, leaving a balance of \$24,518 to be uncommitted and remain in the Unassigned Capital Equipment Fund; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Pewaukee Common Council hereby commits \$48,259 to the Capital Equipment Fund and uncommits \$24,518 with the funds to remain in the Unassigned Capital Equipment Fund.

PASSED and **ADOPTED** this 20th day of November, 2017.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, Clerk/Treasurer

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

DATE: November 20, 2017

DEPARTMENT: PW - Engineering

PROVIDED BY: Jeffrey L. Weigel, PE Public Works Director & City Engineer

SUBJECT:

Discussion and Possible Action to Approve ***Resolution 17-11-15*** Accepting the Auburn Ridge Development Public Improvements and to Establish the 1 Year Warranty with a \$12,000 Surety of Either a Letter of Credit or a Cash Deposit with Attendant Cash Escrow Agreement [Weigel]

BACKGROUND:

The Auburn Ridge development consist of 14 duplexes on a cul-de-sac just north of Capitol Drive near the Broken Hill Subdivision. This year the developer completed the final paving and all public improvements have been constructed.

FINANCIAL IMPACT:

Undefined. The acceptance of the public improvements brings maintenance responsibilities to the City once the warranty period ends.

RECOMMENDED MOTION:

We request:

- 1) Common Council adopts the Resolution of Acceptance of the public improvements and commences the 1-year warranty period;
- 2) Common Council establishes the amount of surety for the 1-year warranty at \$12,000 in the form of either a letter of credit or cash deposit with attendant Cash Escrow Agreement. Either the letter of credit or Cash Escrow Agreement should be approved by the City Attorney as is appropriate.

ATTACHMENTS:

Description

Resolution 17-11-15

Subidvision condo plat

RESOLUTION NO. 17-11-15

**A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
FOR AUBURN RIDGE DEVELOPMENT**

WHEREAS, Auburn Ridge, Inc. (developer), and the City of Pewaukee, entered into a Developer's Agreement dated October 10, 2006 and on file in the City Clerk's office, to govern the development of a parcel of real property owned by Auburn Ridge for residential use more particularly described in Exhibit B (Legal Description and Map) on file in the City Clerk's office and incorporated herein, referred to in said Agreement and herein as the "Property;" and

WHEREAS, the Agreement provides that Auburn Ridge, Inc. would construct and install the necessary sanitary sewer facilities, water distribution facilities, public streets, surface and storm water drainage, and street signs and traffic control within the Property; and,

WHEREAS, the public improvements have been completed and dedicated by Auburn Ridge to the City; and,

WHEREAS, the public improvements have been inspected by the City Engineer who has approved the same.

NOW THEREFORE IT IS HEREBY RESOLVED that the City of Pewaukee Common Council accepts the public improvements referred to above on behalf of and for the benefit of the public and citizens of the City of Pewaukee.

This resolution shall be effective upon publication or posting as provided by law.

Dated this 20th day of November, 2017.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, City Clerk/Treasurer

AUBURN RIDGE CONDOMINIUM ADDENDUM NO. 5


LEGAL DESCRIPTIONS ON SHEET 3.

NOTES:

1. GENERAL COMMON ELEMENTS ARE ALL AREAS WITHIN THE CONDOMINIUM THAT ARE OUTSIDE OF THE UNITS AND LIMITED COMMON ELEMENTS.

2. REFER TO SECTION 2.2b OF THE DECLARATION OF CONDOMINIUM FOR DESCRIPTIONS OF THE LIMITED COMMON ELEMENTS.

3. PURSUANT TO ARTICLE 10 OF THE DECLARATION OF CONDOMINIUM OF AUBURN RIDGE CONDOMINIUM, DECLARANT RESERVES THE RIGHT TO IMPROVE THE EXPANSION LANDS AND ADD SOME OR ALL TO THE CONDOMINIUM, WITH LOCATION, SIZE, QUALITY AND OTHER FEATURES OF IMPROVEMENTS ON THE EXPANSION LANDS, INCLUDING WITHOUT LIMITATION, COMMON ELEMENTS, TO BE IN DECLARANT'S DISCRETION, SUBJECT TO THE DECLARATION.

 LCE = LIMITED COMMON ELEMENT - ALSO SEE SHEETS 4, 5 & 6.
FOUND 1" IRON PIPE

TVR = TRAFFIC VISIBILITY RESTRICTION (SEE CSM # 10479)

I, JOHN P. CASUCCI, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS SURVEY IS AN ACCURATE REPRESENTATION OF THE EXTERIOR BOUNDARY LINES AND THE LOCATION OF THE BUILDINGS AND IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED UPON THE PROPERTY.

THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF AUBURN RIDGE CONDOMINIUM ADDENDUM NO. 5 AS PROPOSED AT THE DATE HEREOF, AND THE IDENTIFICATION AND PROPOSED LOCATION OF EACH UNIT AND THE COMMON ELEMENTS CAN BE DETERMINED FROM THE PLAT. THE UNDERSIGNED SURVEYOR MAKES NO CERTIFICATION AS TO THE ACCURACY OF THE FLOOR PLANS OF THE CONDOMINIUM BUILDING(S) AND UNITS CONTAINED THEREIN AND THE APPROXIMATE DIMENSIONS AND FLOOR AREAS THEREOF.

John P. Casucci
JOHN P. CASUCCI, D.D.

JOHN P. CASUCCI, RLS, S-2055

JULY 14, 2016
DATE

4222310

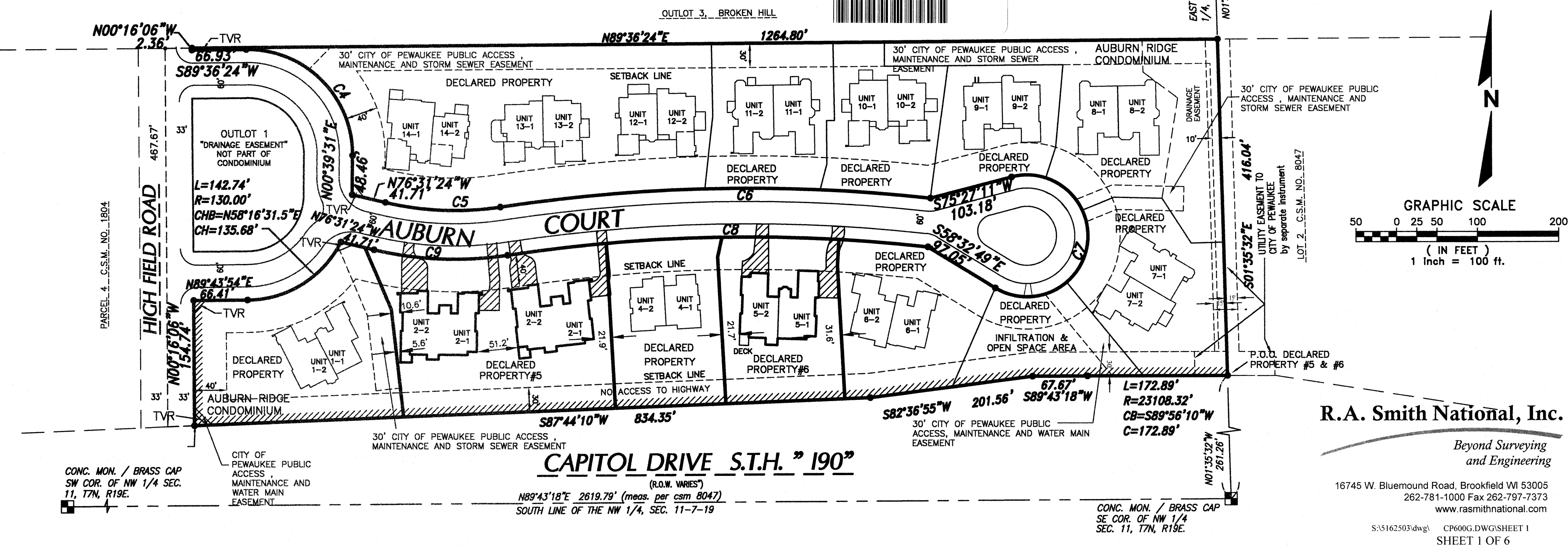
REGISTER OF DEEDS
WAUKESHA COUNTY, WI
RECORDED ON

August 03, 2016 10:10 AM
James R Behrend
Register of Deeds

6 PGS
TOTAL FEE:\$50.00
TRANS FEE:\$0.00

Book 5 Page 1930-1935

CONC. MON. / BRASS CAP
NE COR. OF NW 1/4
SEC. 11, T7N, R19E.



R.A. Smith National, Inc.

Beyond Surveying and Engineering

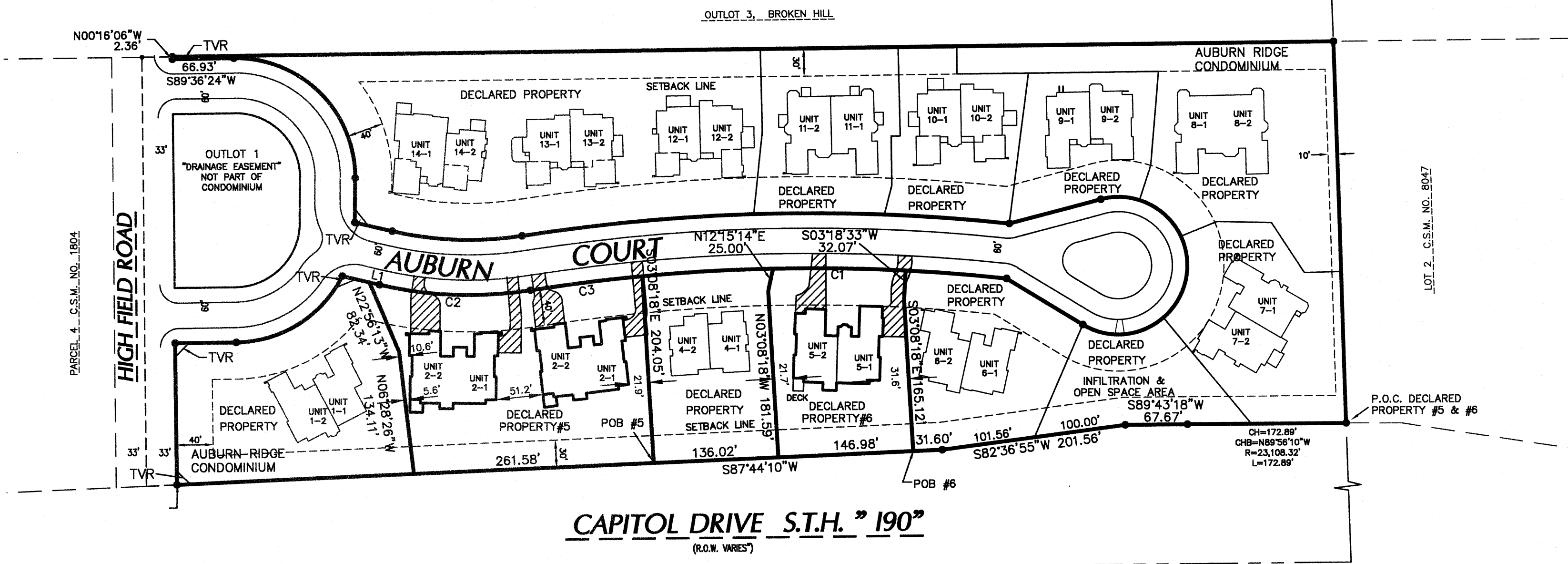
16745 W. Bluemound Road, Brookfield WI 53005
262-781-1000 Fax 262-797-7373
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SHEET 1 OF 6

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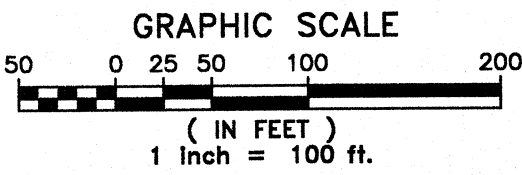
AUBURN RIDGE CONDOMINIUM ADDENDUM NO. 5

CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN



CURVE	LENGTH	RADIUS	CHD BRG	CHD
C1	144.38'	1970.00'	S88°47'26"E	144.35'
C2	165.77'	430.00'	S87°34'02"E	164.74'
C3	122.80'	1970.00'	N83°10'29"E	122.78'
C4	206.59'	130.00'	N44°52'02"W	185.53'
C5	142.64'	370.00'	S87°34'02"E	141.76'
C6	532.53'	2030.00'	S88°54'15"W	531.01'
C7	295.83'	75.00'	N08°27'11"E	138.08'
C8	520.31'	1970.00'	N88°57'19"E	518.80'
C9	165.77'	430.00'	S87°34'02"E	164.74'

LINE	BEARING	LENGTH
L1	S76°31'24"E	11.21



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SHEET 2 OF 6

1932

AUBURN RIDGE CONDOMINIUM ADDENDUM NO. 5

CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

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DECLARED PROPERTY # 5

PART OF LOT 1 OF CERTIFIED SURVEY MAP NO 10479, BEING PART OF THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11, TOWN 7 NORTH, RANGE 19 EAST, CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN AND RECORDED NOVEMBER 20, 2007 IN THE OFFICE OF THE REGISTER OF DEEDS FOR WAUKESHA COUNTY, STATE OF WISCONSIN AS DOCUMENT NO. 3527948, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTHWESTERLY 172.89 FEET ALONG THE SOUTH LINE OF SAID LOT 1 AND THE ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTHEAST, WHOSE RADIUS IS 23108.32 FEET AND WHOSE CHORD BEARS SOUTH 89°56'10" WEST 172.89 FEET TO A POINT; THENCE SOUTH 89°43'18" WEST ALONG SAID SOUTH LINE 67.67 FEET TO A POINT; THENCE SOUTH 82°36'55" WEST ALONG SAID SOUTH LINE 201.56 TO A POINT; THENCE SOUTH 87°44'10" WEST ALONG SAID SOUTH LINE 178.58 FEET TO A POINT; THENCE CONTINUING SOUTH 87°44'10" WEST 136.02 FEET TO THE POINT OF BEGINNING OF THE LANDS TO BE DESCRIBED; THENCE CONTINUING SOUTH 87°44'10" WEST 261.58 FEET TO A POINT; THENCE NORTH 06°28'26" WEST 134.11 FEET TO A POINT; THENCE NORTH 22°56'13" WEST 82.34 FEET TO THE SOUTH LINE OF AUBURN COURT; THENCE SOUTH 76°31'24" EAST ALONG SAID SOUTH LINE 11.21 FEET TO A POINT; THENCE EASTERLY 165.77 FEET ALONG SAID SOUTH LINE AND THE ARC OF A CURVE WHOSE CENTER LIES TO THE NORTH, WHOSE RADIUS IS 430.00 FEET AND WHOSE CHORD BEARS SOUTH 87°34'02" EAST 164.74 FEET TO A POINT; THENCE EASTERLY 122.80 FEET ALONG SAID SOUTH LINE AND THE ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTH, WHOSE RADIUS IS 1970.00 FEET AND WHOSE CHORD BEARS NORTH 83°10'29" EAST 122.78 FEET TO A POINT; THENCE SOUTH 03°08'18" EAST 204.05 FEET TO THE POINT OF BEGINNING. CONTAINING 53,488 SQUARE FEET OR 1.2279 ACRES.

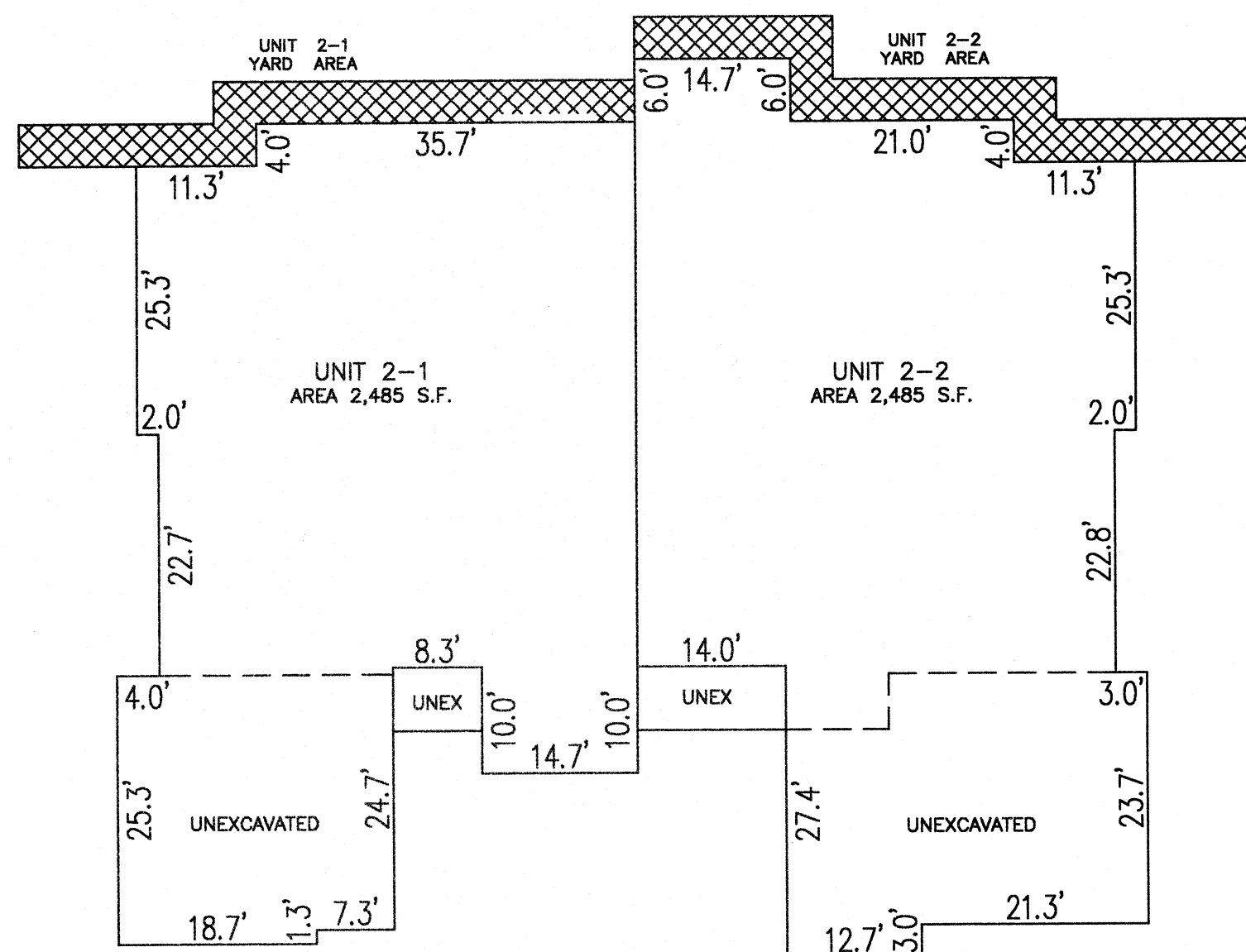
ALSO DECLARED PROPERTY #6

PART OF LOT 1 OF CERTIFIED SURVEY MAP NO 10479, BEING PART OF THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11, TOWN 7 NORTH, RANGE 19 EAST, CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN AND RECORDED NOVEMBER 20, 2007 IN THE OFFICE OF THE REGISTER OF DEEDS FOR WAUKESHA COUNTY, STATE OF WISCONSIN AS DOCUMENT NO. 3527948, BOUNDED AND DESCRIBED AS FOLLOWS:

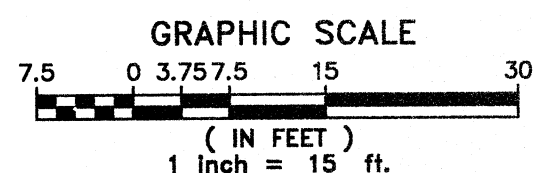
COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTHWESTERLY 172.89 FEET ALONG THE SOUTH LINE OF SAID LOT 1 AND THE ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTHEAST, WHOSE RADIUS IS 23108.32 FEET AND WHOSE CHORD BEARS SOUTH 89°56'10" WEST 172.89 FEET TO A POINT; THENCE SOUTH 89°43'18" WEST ALONG SAID SOUTH LINE 67.67 FEET TO A POINT; THENCE SOUTH 82°36'55" WEST ALONG SAID SOUTH LINE 100.00 FEET TO A POINT; THENCE CONTINUING SOUTH 82°36'55" WEST ALONG SAID SOUTH LINE 101.56 FEET TO A POINT; THENCE SOUTH 87°44'10" WEST ALONG SAID SOUTH LINE 31.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87°44'10" WEST 146.98 FEET TO A POINT; THENCE NORTH 03°08'18" WEST 181.59 FEET TO A POINT; THENCE NORTH 12°15'14" EAST 25.00 FEET TO A POINT; THENCE SOUTHEASTERLY 144.38 FEET ALONG AN ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTH, WHOSE RADIUS IS 1970.00 FEET AND WHOSE CHORD BEARS SOUTH 88°47'26" EAST 144.35 FEET TO A POINT; THENCE SOUTH 03°18'33" WEST 32.07 FEET TO A POINT; THENCE SOUTH 03°08'18" EAST 165.12 FEET TO THE POINT OF BEGINNING. CONTAINING 29,750 SQUARE FEET OR 0.683 ACRES.

AUBURN RIDGE CONDOMINIUM ADDENDUM NO. 5

CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

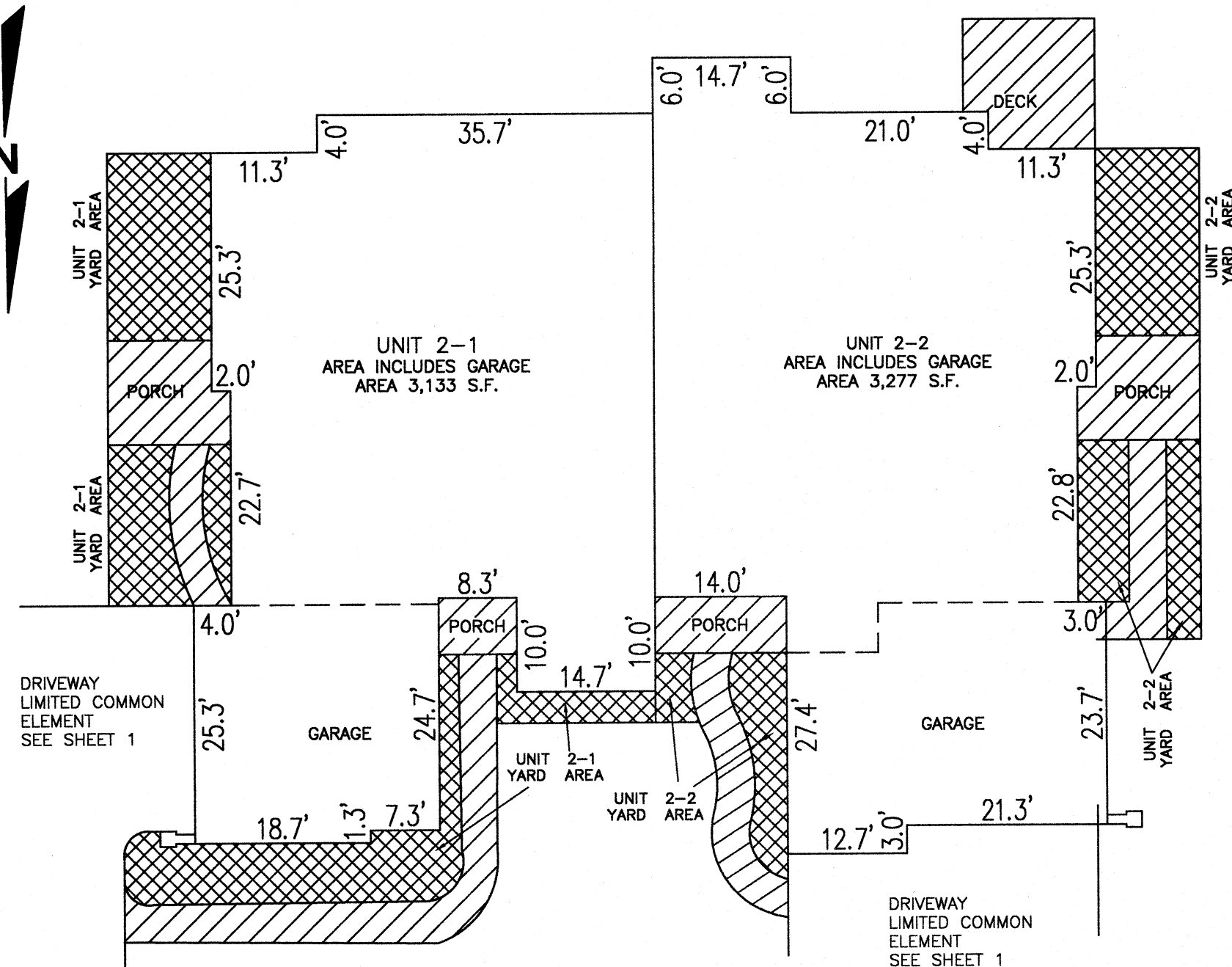


BASEMENT



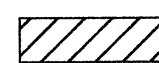

ALL UNIT AREAS ARE BASED ON DRAWINGS PROVIDED BY TDI ASSOCIATES INC.

UNIT	TOTAL AREA (SQ.FT.)
2-1	5,618
2-2	5,762



FIRST FLOOR

BUILDING 2

-  LIMITED COMMON ELEMENT
-  UNIT YARD AREA

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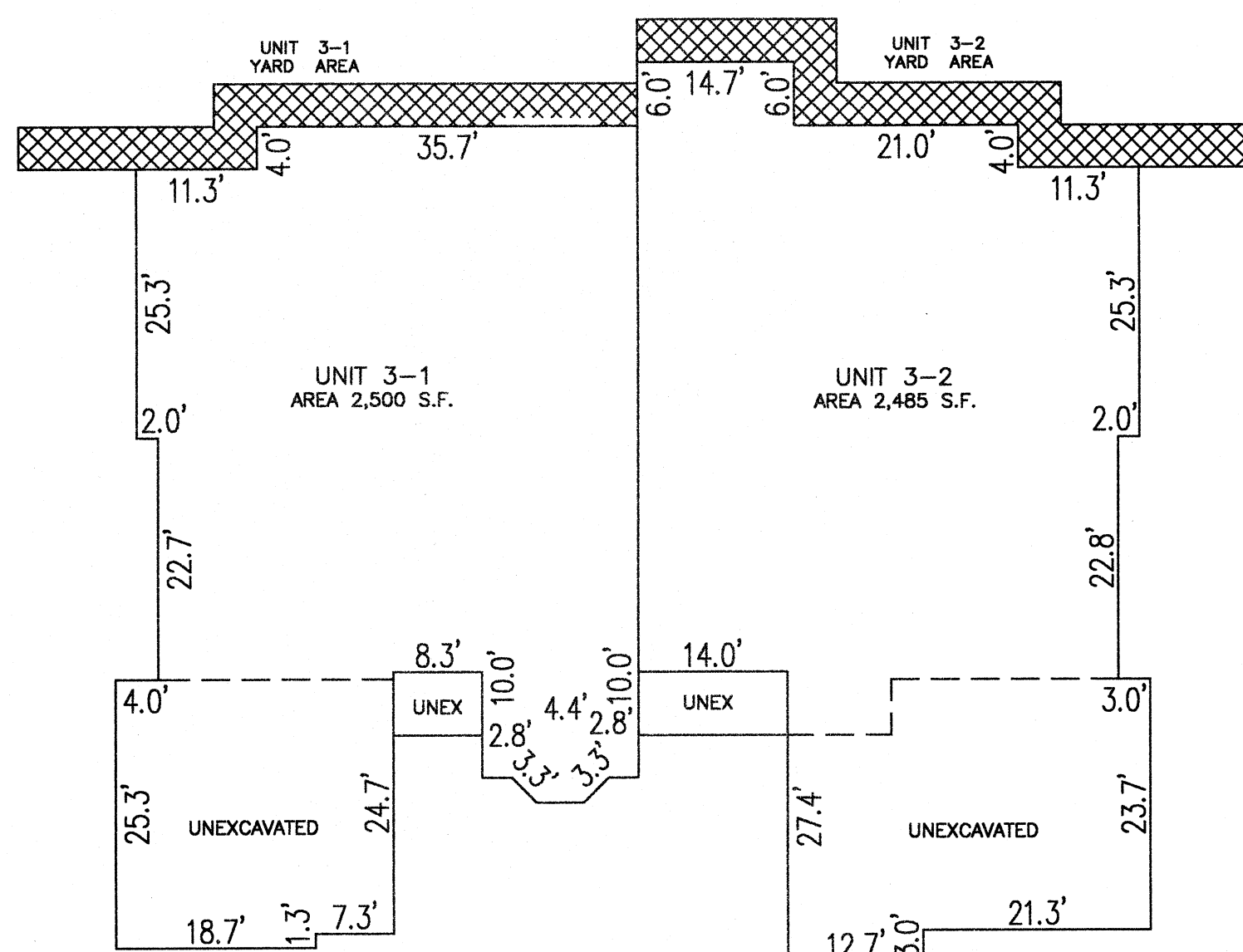
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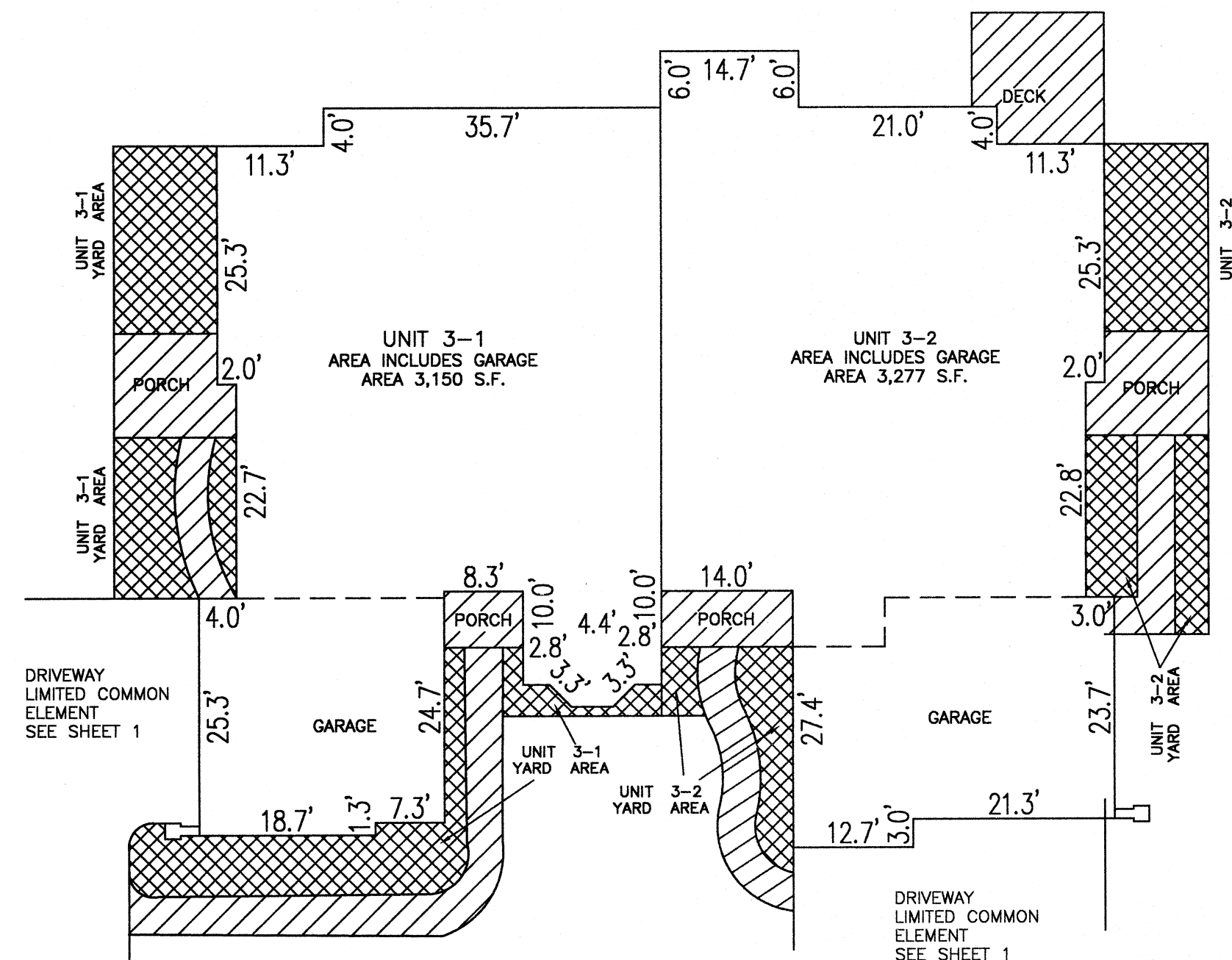
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AUBURN RIDGE CONDOMINIUM ADDENDUM NO. 5

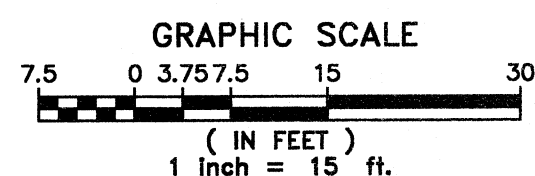
CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN



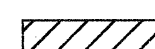

BASEMENT



FIRST FLOOR



BUILDING 3

-  LIMITED COMMON ELEMENT
-  UNIT YARD AREA

ALL UNIT AREAS ARE BASED ON DRAWINGS PROVIDED BY TDI ASSOCIATES INC. AND EDITED BY OWNER.

UNIT	TOTAL AREA (SQ.FT.)
3-1	5,650
3-2	5,762

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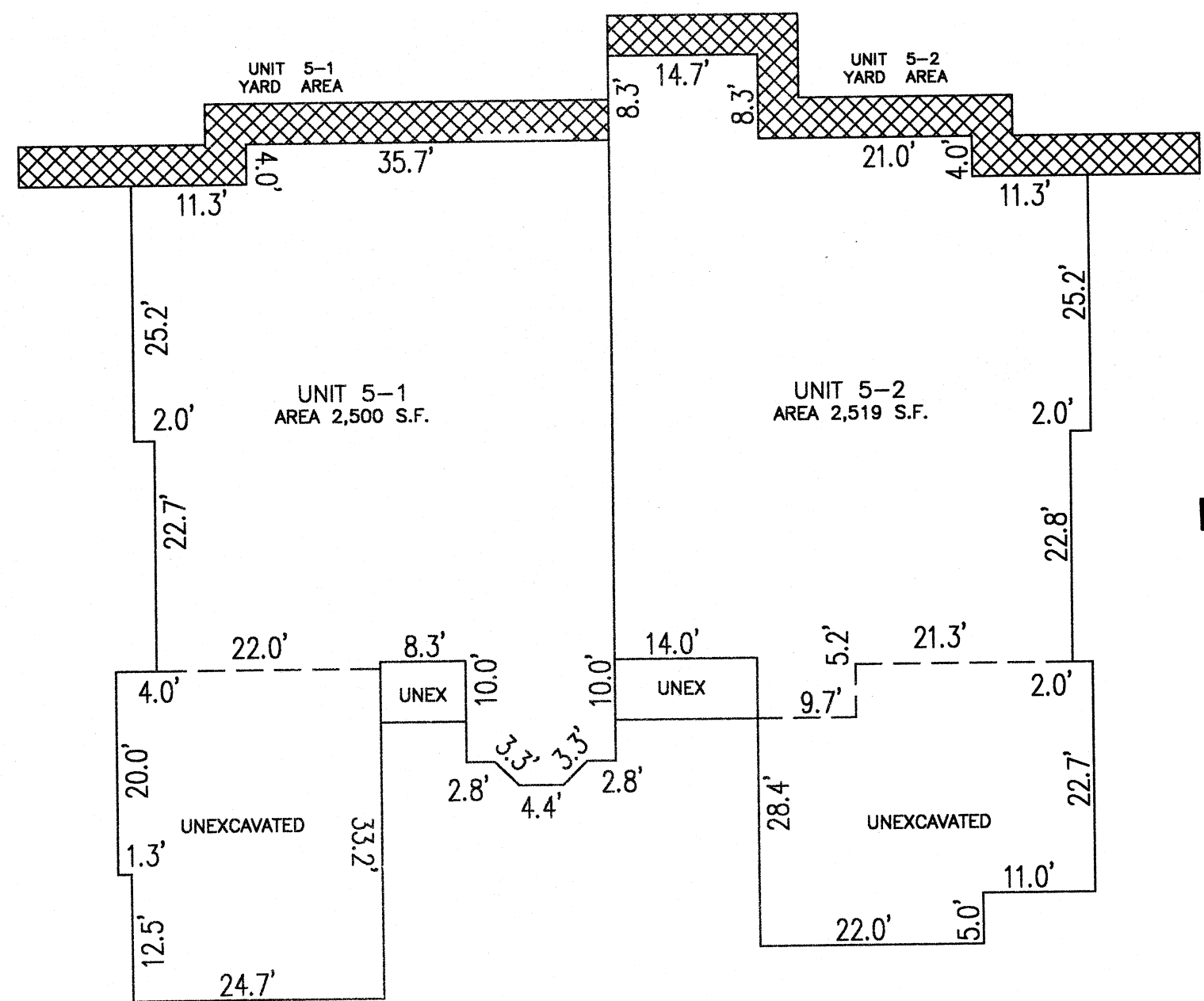
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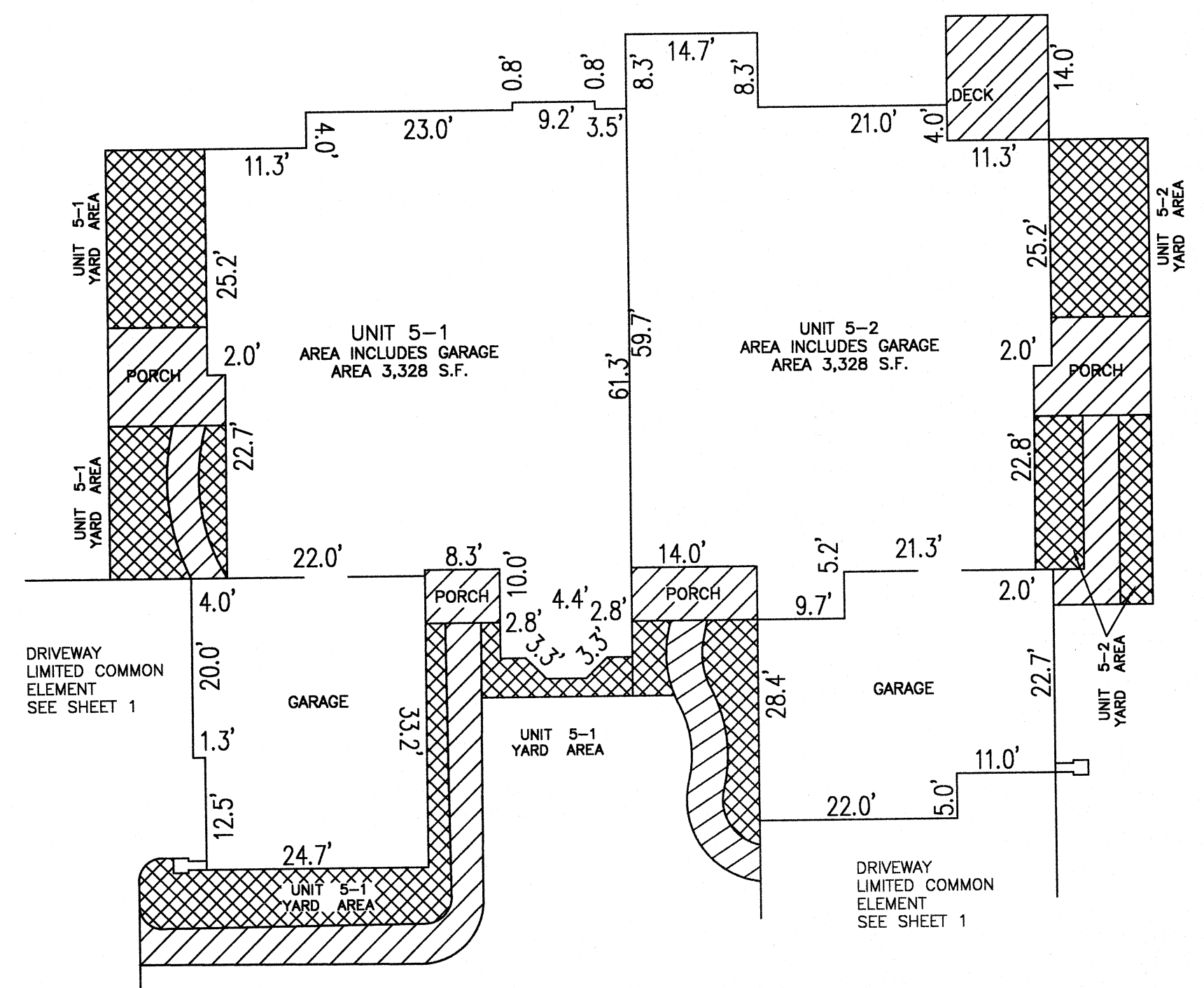
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AUBURN RIDGE CONDOMINIUM ADDENDUM NO. 5

CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

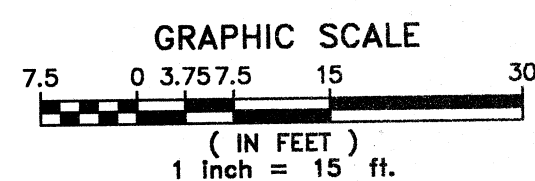


BASEMENT



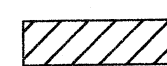

FIRST FLOOR

BUILDING 5



ALL UNIT AREAS ARE BASED ON DRAWINGS PROVIDED BY TDI ASSOCIATES INC. AND EDITED BY OWNER.

UNIT	TOTAL AREA (SQ.FT.)
5-1	5,828
5-2	5,847

-  LIMITED COMMON ELEMENT
-  UNIT YARD AREA

R.A. Smith National, Inc.

*Beyond Surveying
and Engineering*

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SHEET 6 OF 6

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 12.**

DATE: November 20, 2017

DEPARTMENT: PW - Streets

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding Sidewalk Winter Maintenance as Presented by the City Attorney [Riffle]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 13.**

DATE: November 20, 2017

DEPARTMENT: PW - Water/Sewer

PROVIDED BY: Jeffrey Weigel, Public Works Director/City Engineer; Jane Mueller Manager City Water & Sewer Utility

SUBJECT:

Discussion and Possible Action to Authorize City Staff to Contact Lake Pewaukee Sanitary District to renegotiate the 2000 Sewer Service Agreement [Weigel]

BACKGROUND:

In 1999 when the Town of Pewaukee incorporated into the City, the two sanitary districts technically ceased to exist: The Town of Pewaukee Sanitary District No. 3 became the City of Pewaukee Sewer Utility; and the Lake Pewaukee Sanitary District (LPSD) reached an agreement to allow LPSD to continue to own and operate their sewer system within the City under certain cooperative agreements. One agreement is the 2000 Sewer Service Agreement. That agreement expires at the end of 2017, and prior to expiration and automatic extension, we believe it prudent to discuss two areas with LPSD: Section D LPSD User Charge where LPSD bills the City and City staff prepare and administer the individual sewer bills on behalf of LPSD; and Section F Debt Service where City agreed to pay LPSD through 2017 for certain debt commitments LPSD made prior to this agreement. We believe it prudent to open up discussion on the City billing LPSD charges as we estimate that City will incur a loss of about \$3,000 next year without any further action. We believe it prudent that Section F Debt Service be renegotiated as the City agreed to continue funding LPSD that Debt Service amount in 2018, past the obligated date for other reasons, and we think it prudent that neither party construes this agreement/contract to be continued at that funding level in perpetuity.

Note that Jane's Sept. 26th memo to the Public Works Committee contains information on LPSD billings and City of Waukesha billings, but the Waukesha issue is not on this agenda for discussion awaiting input from Public Works Committee.

FINANCIAL IMPACT:

There are two specific fiscal impacts to the requested actions:

- 1) Should the City not change the billing agreement with LPSD, and barring any City rate increases to accommodate the costs of service LPSD billings, then the City projects an approximate \$3,000 additional annual cost moving forward under the current agreements.
- 2) The Pewaukee Common Council agreed to continue funding LPSD at the approximate debt service level in the 2018 budget despite the fact that City had no obligation to continue this funding. We believe it appropriate to amend or change the agreement so that neither party believes that this continued funding is required under this 2000 agreement. That is, remove the debt service commitments since the timeframe for payment has expired.

RECOMMENDED MOTION:

Common Council authorizes City staff to contact LPSD and request a renegotiation of this expiring agreement (expires, but continues if neither side request a renegotiation).

ATTACHMENTS:

Description

2000 LPSD & City Sewer Service Agreement

Draft letter to LPSD

Janes Sept memo to Public Works Committee

**SEWER SERVICE AGREEMENT
CITY OF PEWAUKEE/LAKE PEWAUKEE SANITARY DISTRICT**

INTRODUCTION

This agreement is entered by and between the LAKE PEWAUKEE SANITARY DISTRICT (LPSD) and the City of Pewaukee (City), for the administration of future sewerage services to be provided by the LPSD for an area located in the City (PS #11 service area depicted on the service area map attached as Exhibit A). The areas located within the former Town of Pewaukee serviced through LPSD were previously divided into two sections, those serviced by Pumping Station #14 and those serviced by Pumping Station #11. These service areas were detached from LPSD upon the incorporation of the City as provided for by §60.79(2)(a), Stats. Under §60.79(2)(d), Stats, the sewerage system in both areas is owned by LPSD. LPSD and the City have entered into an agreement to transfer title to all LPSD facilities within the section served by PS #14 to the City, (see Agreement dated October 19, 1999, attached hereto and incorporated herein by reference). This agreement is entered into to provide for the continued operation and maintenance of the LPSD sewer system within the City by the LPSD for the PS #11 service area. This agreement also provides for future connections to the sewer systems serving the PS #11 service area, as well as billing for future operation and maintenance services by LPSD for the PS #11 service area beginning with services provided in the first quarter of 2000.

CONTRACT TERMS AND CONDITIONS

A. Private Property Owner Connection

This provision shall apply to all new individual service lateral connections to existing facilities presently owned by the LPSD within PS #11 service area. Prior to permitting any

new individual service lateral connections, the City shall pay to LPSD a Contribution in Aid of Construction (CAC) charge. The CAC charge effective January 1, 2000 is a \$4,080.00. The CAC charge shall increase annually at the rate of five (5%) percent, or as modified by LPSD, and in any event, shall be the same as charged to Town of Delafield users within the LPSD. CAC charges are based on Residential User Equivalents (RUE's) as determined by LPSD. The City shall pay the CAC charge prior to such property hooking up to the sewer system at the rate then in effect. The City shall in a timely manner advise LPSD of new connections to the originally constructed LPSD sewer systems serving the PS #11 service area.

B. Developers/Subdivision Connections

This provision shall apply to all connections to existing facilities presently owned by LPSD other than those provided for in Paragraph A above, including, but not limited to, subdivision and other multiple lot developments. The City shall not permit construction or connection to any sewer facilities owned by LPSD unless the owner or developer of the lands proposed to be served has executed a developer's agreement in a form reasonably satisfactory to LPSD. At a minimum, the Developer's Agreement shall provide that, upon satisfactory completion, all newly constructed extensions of the public system shall be dedicated to the City, and ownership thereof immediately transferred to the LPSD.

C. Existing CAC Installment Collections

The City of Pewaukee shall assist the LPSD in the collection of LPSD's CAC charges from real estate owners for charges outstanding as of December 31, 1999. The LPSD shall provide the City with the list of all installment charges by November 1 of each year. The City shall collect such outstanding charges through available means as provided by law. The City

shall remit installments/payments collected from real estate owners to LPSD within thirty (30) days of receipt.

D. LPSD User Charge

The LPSD user charge covers costs for the sewer system operated and maintained by LPSD, costs for conveying wastewater through facilities operated and maintained by the Village of Pewaukee, and costs for treatment at the Fox River Water Pollution Control Center. The charge also covers capital expenditures, and replacement costs for any portion of the debt service related to the sewer system. LPSD shall set the rate during their fall budget process. The LPSD shall determine the RUE's within the PS #11 service area and shall invoice the City for providing the above-referenced services and costs. The parties recognize that in fulfilling the terms of this agreement, the City shall be providing administrative assistance on behalf of LPSD. Accordingly, the City shall receive a \$1.00 per unit credit on the quarterly sewer user charge established by LPSD. In the event of a dispute over the reasonableness of the user charge set by LPSD, the City of Pewaukee may appeal the issue for determination by the Wisconsin Public Service Commission (PSC). In the event the PSC declines such review, the issue shall be resolved pursuant to arbitration procedures set forth in Chapter 788 of the Wisconsin Statutes.

The LPSD shall provide the City a list of all sewer users and RUE's within the PS #11 service area, connected as of December 31, 1999, no later than February 22, 2000. Thereafter, LPSD shall provide the City with an updated list of sewer users and RUE's on April 1, July 1, October 1, and January 1 for the preceding quarter. The City shall assist the LPSD in determining new sewer users located within PS #11 service area. The LPSD shall invoice

the City based on the list of sewer users and RUE's. The City shall pay the invoices within 30 days of receipt. Late charges will be added to the City's bill at a rate of 1% per month on any unpaid balance after the due date.

D.1 Billings: The City shall be solely responsible for billing and collection of the charges for individual sewer users within the City, effective for the quarter ending March 31, 2000 and thereafter. LPSD shall notify the City of all changes in sewer users within fifteen days of being notified of such change.

D.2 Computation: The quarterly charge shall be calculated by multiplying the number of PS #11 service area RUE's by the LPSD user charge. Charges for new connections begin on the first day of the quarter immediately following the date of connection. Users that disconnect from the system shall be charged for the full quarter for the quarter in which they disconnect. LPSD shall notify the City of any proposed changes in the billing rate at least fifteen days prior to the date of the public hearing on the LPSD budget.

E. Miscellaneous LPSD Charges/Fees for 1999 and Thereafter

For special charges other than those otherwise provided for herein, respecting all properties located in the City served by LPSD, the LPSD shall provide the City with the list of unpaid balances as of November 1, 1999, November 1, 2000, and prior to November 1 of each subsequent year. The City shall collect the unpaid balances through its tax collection process, special charge process, or other means as provided by law. The City shall remit monies received through the collection process to the LPSD within thirty days of receipt.

F. Debt Service Payment

The City of Pewaukee shall assist the LPSD in the collection of the LPSD's debt service payment relating to City's proportionate share of existing debt of the LPSD sewer system as of January 1 2001. PS #11's service area RUE's shall be the actual number adjusted annually and based upon the most recent past quarter, and PS #14 shall be limited to 111 RUE's for purposes of calculation of the City's share of existing debt service payment. Any cost or debt associated with additional RUE's within PS #14 shall be the sole responsibility of the City. The City's proportionate share of the existing debt service payment shall be determined by multiplying the debt service payment for the upcoming year times a fraction where the numerator is the total of City RUE's as described above and the denominator is the total of all RUE's served by the LPSD system. The City shall collect the unpaid balances through its tax collection process, special charges or other means as provided by law and as determined by City. The LPSD shall provide the City with the listing of all debt service payments for collection by November 1 of each year. The City shall remit such payments collected to LPSD within thirty days of receipt.

G. Term

This agreement shall be effective upon execution, and that portion of this agreement related to debt service (Paragraph F) shall terminate at midnight December 31, 2017. Thereafter, the remaining terms of this agreement shall be extended for a period of ten years, unless either party notifies the other of its intent not to extend, or to seek modification of the terms of this agreement 90 days prior to the termination date. In the event of a modification notice, the terms stated herein shall remain in force until further agreement or

termination.

Dated:

6/8/00

Dated:

05/22/10

CITY OF PEWAUKEE BY:

LAKE PEWAUKEE SANITARY DISTRICT BY:


MAYOR


CLERK


PRESIDENT


SECRETARY

CITY OF PEWAUKEE WAUKESHA COUNTY, WISCONSIN

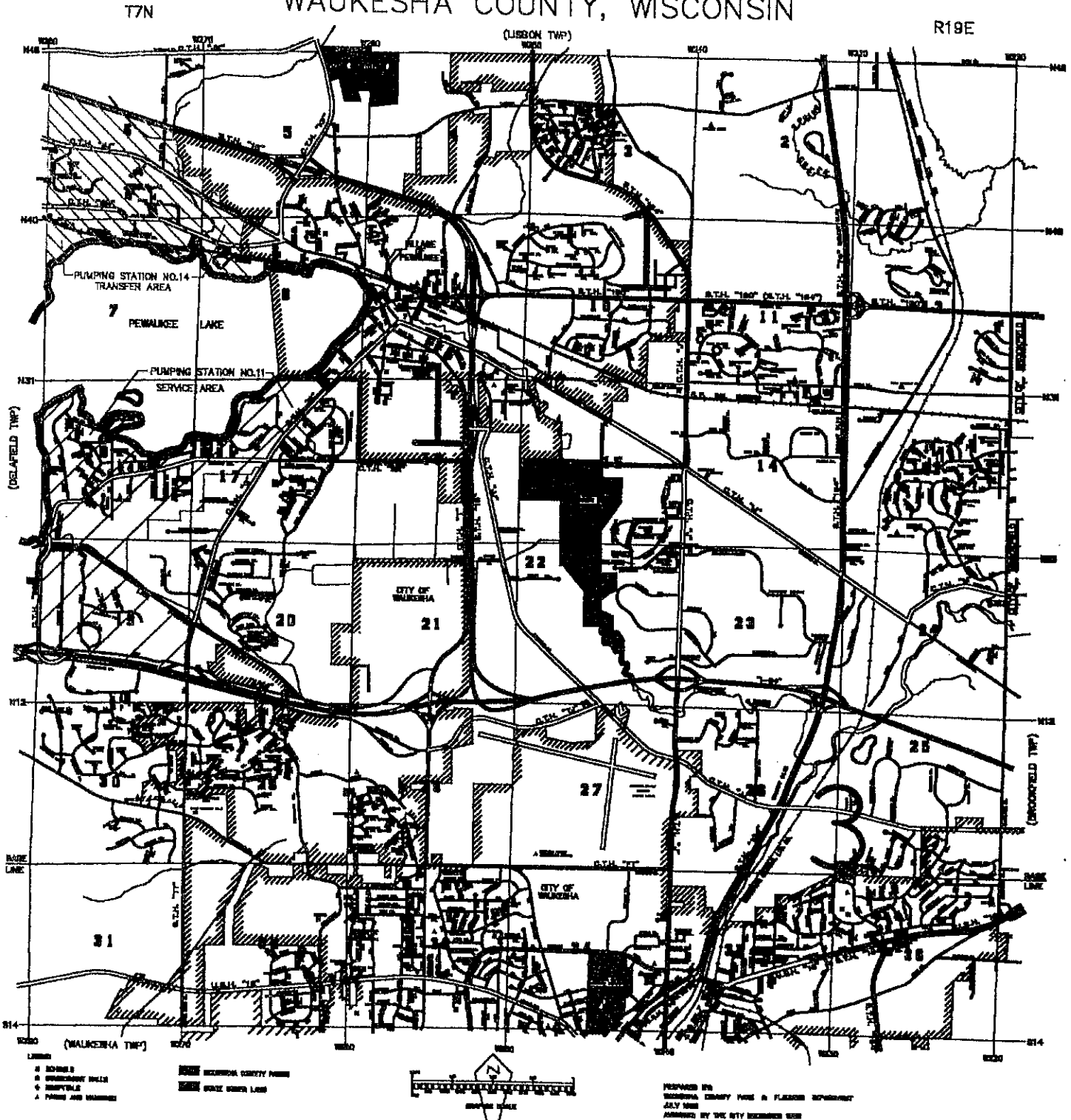
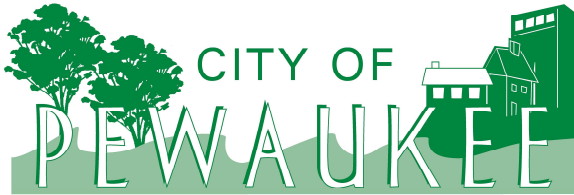


EXHIBIT A

PACKET PAGE 59



Department of Public Works

W240N3065 Pewaukee Road
Pewaukee, WI 53072

DPW Main Office: (262)-691-0804 Fax: 691-5720
Water & Sewer Division 691-0804 Fax: 691-5720
Street Division 691-0771 Fax: 691-1798
Engineering Division 691-0804 Fax: 691-1798

November 14, 2017

Chairman Richard Nowacki
Lake Pewaukee Sanitary District
N25W27534 Oak St.
P.O. Box 111
Pewaukee WI 53072

Re: Reconsideration of the terms of 2000 Sewer Service Agreement City of Pewaukee/Lake
Pewaukee Sanitary District

Dear Chairman Nowacki,

In 2000, the City of Pewaukee was granted "City" status by the Wisconsin Department of Administration. Subsequently, the newly formed City of Pewaukee and Lake Pewaukee Sanitary District entered into a sewer service agreement. LPSD would continue to operate and maintain the sanitary sewer system within the PS#11 service area, while the City would take over the quarterly billing/collections for LPSD in this service area. Other provisions in the agreement include assisting the District in collecting Contribution in Aid of Construction (CAC) fees as well as assisting LPSD with negotiating Developer's Agreements in new developments.

Section F. "Debt Service Payment" will expire at the end of this year. The City of Pewaukee would like to exercise the option to renegotiate some of the terms of the original agreement at this time. Over the last several years we have had situations that need clarification in the existing agreement and need to include details on some other issues that have arisen in the last several years. Also of importance is the need to revisit the \$1.00 per unit credit of the quarterly user charge that is issued to the City Utility for maintaining the sewer accounts.

We respectfully request that City staff be allowed to work directly with District staff to put together a draft revised agreement.

Sincerely,

Jeffrey Weigel
Director of Public Works



City of Pewaukee
WATER AND SEWER UTILITY
W240 N3065 Pewaukee Road
Pewaukee, WI 53072
(262) 691-0804 Fax (262) 691-5729

To: Public Works Committee

From: Jane E. Mueller, Utility Manager

Date: September 26, 2017

Re: Consideration of implementation of multiple sewer service rates for the City of Pewaukee.

The City of Pewaukee provides sanitary sewer service to approximately 4,640 utility customers throughout much of the City. In 1999 as the Town of Pewaukee gained City status, the Utility/City entered into an agreement with Lake Pewaukee Sanitary District to provide for continued operation and maintenance of the LPSD sewer system within the City of Pewaukee. The agreement includes provisions that the City of Pewaukee Water & Sewer Utility will bill/collect fees from those customers located within the LPSD sewer service area. This agreement is up for renewal by December 31, 2017.

LPSD sends a quarterly bill to the City Utility office on a quarterly basis. The current rate for Lake Pewaukee Sanitary District is \$108.00 per residential equivalent unit. The current number of residential equivalent units within LPSD is 1068.5, with a total of 1064 active units for 976 customer bills. (Businesses and multifamily buildings can have multiple REU's assigned depending on the building use.) The Utility receives \$1.00 credit per REU for administrative, postage and stationary. In prior contract years the City Utility was making a small profit from the difference between the two differing rates as the City charged one common rate for all sewer customers. That profit gap has lessened as LPSD's rates have increased annually and the City rates have remained stagnant since 2013, at which time the rate was increased by 3.18% (to fund upgrades for the Brookfield treatment plant.) Casual discussions with LPSD staff indicate that they anticipate a 2% rate increase to \$110.16 per REU per quarter for 2018. We anticipate a loss next year of approximately \$3,000.00.

The Utility staff would like to see the "Agreement" re-opened so that the City could negotiate an increase in the credit that is issued to the City. The billing clerks have determined that this credit is insufficient to recoup the amount of time spent in the administration of these utility accounts. In addition to the time spent during quarterly billing, approximately 8 hours additional time is spent on LPSD accounts in between billing cycles.

Director Jeffrey L. Weigel, P.E.



City of Pewaukee
WATER AND SEWER UTILITY
W240 N3065 Pewaukee Road
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City of Waukesha Sewer Rates

The City of Pewaukee maintains and operates a sanitary sewer collection system in the southwest section of the City. The sanitary sewage flows to the City of Waukesha Wastewater Treatment plant/system. The City of Pewaukee receives sewer bills for each resident that is served by the City of Waukesha. We currently receive and process approximately 175 individual bills from the City of Waukesha. The current average quarterly sewer rate from the City of Waukesha is \$174.17. This leaves a loss to the Utility of approximately \$11,229.75 per quarter in 2017. (2017 loss to the City of Pewaukee Utility- \$44,919.00) This gap will widen in 2018 if the anticipated rate increase of 9.25% passes the City of Waukesha Common Council. We are also aware of significant infrastructure improvements that will need to be constructed in the next several years to meet the requirements to implement Waukesha's quest to receive Lake Michigan water. The anticipated quarterly rate will rise to \$190.20 in 2018 creating a loss of \$56,196.51.

In the past, the City of Pewaukee Water & Sewer Utility could absorb the cost differential a little easier. However, as the cost of doing business is getting more expensive along with large infrastructure maintenance projects we cannot sustain the stagnant rates any longer.

Action/Recommendation:

- 1) The City of Pewaukee Water & Sewer Utility recommend completing an overall review of the current sewer rates.
- 2) Consider implementing a multi-tier sewer rate structure:
 - A. City of Pewaukee – (Main service area?)
 - B. LPSD service area
 - C. City of Waukesha service area.

We recommend implementing a 2 tier system recognizing the significant cost differential to those customers in the Waukesha sewer service area. We recommend phasing in the cost difference with an increase of \$30 - \$40.00 over the City's "Main" rate with the intention that the rate will continue to rise over three years until the rate the City of Pewaukee charges matches the rate that the City of Waukesha will charge out.

At this time we also recommend charging one common rate for the City of Pewaukee main service area and Lake Pewaukee Sanitary District as the current rate is very similar, recognizing that the Sewer Service Agreement should be reevaluated and possibly renegotiated on an annual basis.

Director Jeffrey L. Weigel, P.E.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM •**

DATE: November 20, 2017

DEPARTMENT: Administration

PROVIDED BY:

SUBJECT:

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 as authorized under §19.85(1)(g), Stats., specifically with regard to the City's Contract with John's Disposal.

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION: