

Office of the Clerk/Treasurer

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

**COMMON COUNCIL
MEETING NOTICE AND AGENDA
Monday, December 18, 2017
7:00 PM**

Common Council Chambers ~ Pewaukee City Hall
W240N3065 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 Common Council Meeting Minutes
 - 3.1.1 Meeting Minutes Dated November 20, 2017
 - 3.1.2 Meeting Minutes Dated December 4, 2017
 - 3.2 Approve Accounts Payable Listings
 - 3.3 Approve Bartender Licenses
 - 3.4 Authorize Submitting the Emerald Acres Flooding Alternative Analysis to DNR with the Preferred Option as the Original Project Scope Alternative (Table 2)
 - 3.5 Award of the Annual Sewer Cleaning Contract
 4. Swear In Pewaukee Fire Department Lieutenant [Chief Bierce]
 5. Acceptance of Pewaukee Firefighters' Auxiliary Donation [Chief Bierce]
 6. Discussion and Possible Action to Approve **Resolution 17-12-17** Establishing the 2018 Fee Schedule [Tarczewski]
 7. Public Hearing Regarding the Class A Beer and Wine License for Stoneridge Market Located at W240N1485 Pewaukee Road and Possible Action to Approve the Licensed and Appoint Sukhdeep Garcha as Agent [Tarczewski]
 8. Discussion and Action to Concur with the Recommendation of the Public Works Committee (12/7/17) to Establish Two Tiers (Districts) Within the City. [Weigel]
 9. Discussion and Possible Action to Designate the Common Council as the "General Authority" of the Water Utility for PSC Reporting [Weigel]
 10. Discussion and Possible Action to Authorize the Application Process for a Department of Natural Resources Deer Nuisance Permit [Klein]
 11. Discussion and Possible Action Regarding **Ordinance 18-01** Repealing and Recreating Portions of

Section 6.035 of the Municipal Code Concerning Residency Restrictions for Sex Offenders (***First Reading***) [Riffle]

12. Discussion and Action to Concur with the Plan Commission (11/16/2017) Approve Certified Survey Map PC #171019-1 for the Gene Brittain Property Located on Bluemound Road (PWC 0925994002 & PWC 0925994003) [Klein]
13. 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.
14. 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.
 - Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session as authorized under §19.85(1)(e), Stats. , specifically regarding First Offers for the Hill'n Dale Flood Easements and the Shady Lane Sewer and Water Easement acquisitions.

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.

15. Adjournment

Kelly Tarczewski
Clerk/Treasurer

December 14, 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 20, 2017
7:00 PM

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

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, IT Director B. Kewan, and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance - Mayor Bierce called the meeting to order at 7:00 p.m.
2. Public Comment - None.
3. 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

A motion was made and seconded, (J. Wasmer, J. Kara) to approve the items in the consent agenda.
Motion Passed: 6-For, 0-Against.

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

Mr. Kewan was present for this item. He stated the backup air conditioner failed and he was asking for a replacement unit which would not exceed \$11,000. He stated there is money left over from the Novus Agenda project that he would like to utilize for this purchase.

A motion was made and seconded, (R. Grosch, B. Dziwulski) to approve the purchase of a backup air conditioning unit that will not exceed \$11,000 and utilizing a portion of the unused funds from the Novus Agenda project per the recommendations of the IT Director. Motion Passed: 6-For, 0-Against.

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

Mr. Weigel was present for this item. He stated back in 1997 two properties were combined into one lot, which are currently owned by the Kleinhans. He said the house fronts Shady Lane and the rear lot is adjacent to Hill 'n Dale. Mr. Weigel added sewer is available in Hill 'n Dale for years but it is not available in Shady Lane at this time. He said back when the lots were combined there were State regulations requiring properties to connect to sewer within a year if it was available. He said in 2000 there was a change in State regulations and it was left up to the local municipality to manage the requirements. At the time, the Town determined it was more equitable to allow for property owners to hook up within a 15 year time frame. He stated the City of Pewaukee lost track of this parcel as it relates to the sewer connection and it had not been taken care of as of yet and is past due.

Attorney Jim Guyette and his client Mrs. Kleinhans were present for this item. Attorney Guyette requested the deferral be continued and allow the Kleinhans to have the ability to hook up to the sewer when it becomes available in Shady Lane since it would be more cost effective.

There was additional discussion among the aldermen. Attorney Riffle stated when water and sewer is put in Shady Lane there will be special assessment costs that the Kleinhans will be responsible to pay and there is a law that would require them to hook up to the services

A motion was made and seconded, (B. Dziwulski, R. Grosch) to enter into a new deferral per the property owner's request and require the property owner to hook up to sewer within a year when it becomes available.

Motion Passed: 6-For, 0-Against.

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.

Doug Piszezek (W275 N2789 Oak Street) and other residents of the street were present for this item and requested a three-way stop at the intersection of Oak Street and Woodland Drive. He stated there are numerous traffic concerns in this area which are evident by the Waukesha County Sheriff's statistics.

Laura Guirajani (W275 N2755 Oak Street) stated she has serious safety concerns for her child playing in their own yard concerning the traffic.

A motion was made and seconded, (J. Kara, C. Brown) to move forward and amend the traffic map and installation of two additional stop signs on Oak Street north and south at the intersection of Woodland Drive.

Motion Passed: 6-For, 0-Against.

7. Update on Deer Management Initiative

Mr. Kara briefly summarized the previous discussion originally held on September 18, 2017. He stated it was his belief that the Council agreed to fund some sort of program to actively manage deer.

Mr. Klein stated funding was no longer available. He said a meeting will be scheduled after deer hunting season. He added it would be more cost effective to manage the deer population utilizing nuisance tags. Mr. Wamser stated this program needs to be City wide.

Mark Buschman (W278 N2897 Lincoln Avenue) voiced his concerns that extra tags for bow hunting was not the answer, he said it is very rare that there is a kill shot, and the deer often wanders off. He stated a sharp shooter makes more sense.

Tom Perz (W278 N2955 Rocky Point Road) asked if DNR would give us enough tags beyond the normal hunting season. Mr. Klein stated he will know more after discussions with the DNR. Mr. Perz volunteered to serve on the committee.

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

A motion was made and seconded, (J. Kara, B. Dziwulski) to suspend the rules and waive the second reading and approve Ordinance 17-10. Motion Passed: 6-For, 0-Against.

9. Discussion and Possible Action to Approve ***Resolution 17-11-11*** Regarding Committing Unassigned Funds

A motion was made and seconded, (B. Dziwulski, C. Brown) to approve Resolution 17-11-11.

Motion Passed: 6-For, 0-Against.

10. Discussion and Possible Action to Approve ***Resolution 17-11-12*** Committing and Uncommitting 2017 Funds

A motion was made and seconded, (J. Kara, R. Grosch) to approve Resolution 17-11-12 revising the totals to allow for the purchase of the backup air conditioning unit as previously discussed.

Motion Passed: 6-For, 0-Against.

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

Mr. Weigel was present for this item. He stated the Auburn Ridge development removed the pavement and replaced it. It now sets the 1-year warranty and the cash deposit or surety of \$12,000.

A motion was made and seconded, (C. Brown, B. Bergman) to approve Resolution 17-11-15.

Motion Passed: 6-For, 0-Against.

12. Discussion and Possible Action Regarding Sidewalk Winter Maintenance as Presented by the City Attorney

Attorney Riffle stated the State Statutes cover the winter maintenance of sidewalks and recommends the City not amend its ordinance.

13. Discussion and Possible Action to Authorize City Staff to Contact Lake Pewaukee Sanitary District (LPSD) to renegotiate the 2000 Sewer Service Agreement

Mr. Weigel stated the agreement ends this year and he asked for permission to renegotiate the agreement to cover the utility costs better. Attorney Riffle asked to be included.

A motion was made and seconded, (B. Bergman, B. Dziwulski) to authorize staff to make contact with the LPDS and renegotiate an agreement. Motion Passed: 6-For, 0-Against.

14. Public Comment – None.

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.

A motion was made and seconded, (J. Kara, J. Wamser) to adjourn into closed session at 8:33 p.m.

Motion Passed by Roll Call Vote: 6-For, 0-Against.

16. Adjournment

From closed session, a motion was made and seconded, (B. Dziwulski, J. Kara) to adjourn the meeting at 8:54 p.m.

Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer

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, Community Development Director K. Woldanski, City Planner H. Clinkenbeard, and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance - Mayor Bierce called the meeting to order at 7:00 p.m.
2. Public Comment - None.
3. Consent Agenda
 - 3.1 Approval of Common Council Meeting Dated November 20, 2017
 - 3.2 Approval of Accounts Payables
 - 3.3 Approval of Bartender Licenses
 - 3.4 Approval of **Resolution 17-12-16** Appointing Poll Workers
 - 3.5 Concur with the Plan Commission (11/16/2107) to Approve **Ordinance 17-11** Rezoning the Gene Brittain Property Located at the Intersection of Bluemound Road and STH 16 at Morris Street from RD-2 Two-Family Residential to RS-3 Single-Family Residential (PWC 0925-994-002 & PWC 0925-994-003) (**Second Reading**)
 - 3.6 Concur with the Plan Commission (11/16/2017) to Approve the 2050 Land Use / Transportation Plan for the Quarry Neighborhood (Map 9)
 - 3.7 Concur with the Plan Commission (11/16/2017) to Approve the 2050 Land Use / Transportation Plan for the Office / Industrial Neighborhood (Map 10)
 - 3.8 Concur with the Plan Commission (11/16/2017) to Approve the 2050 Land Use / Transportation Plan for the City Center Neighborhood (Map 11)
 - 3.9 Concur with the Plan Commission (11/16/2017) to Approve Certified Survey Map PC #171019-3 for Payne & Dolan / Waukesha Lime & Stone for a Combination of Properties on Bluemound Road for a New Asphalt Plant (PWC 0962-995-006 & 007, PWC 0968-998 & 999, PWC 0968-994-001)

Mayor Bierce removed the meeting minutes from the consent agenda because they had not been completed as of yet. Mr. Wamser requested items 3.5 and 3.9 be removed for discussion. Ms. Brown asked that item 3.6 also be removed for discussion.

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

- 3.5 Concur with the Plan Commission (11/16/2107) to Approve **Ordinance 17-11** Rezoning the Gene Brittain Property Located at the Intersection of Bluemound Road and STH 16 at Morris Street from RD-2 Two-Family Residential to RS-3 Single-Family Residential (PWC 0925-994-002 & PWC 0925-994-003) (**Second Reading**)

Mr. Wamser asked who was paying for all the changes to the zoning and maps. Mr. Klein stated Mr. Brittain was responsible. Mr. Dziwulski stated according to the Plan Commission minutes this should be approved contingent upon the CSM approval. Mr.

Klein stated they will bring it before the Common Council next time and it really doesn't matter because it is just reverting back to what it was originally.

A motion was made and seconded, (Jerry Wamser, Ray Grosch) to approve Ordinance 17-11 contingent upon the approval of the certified survey map.

Motion Passed: 6-For, 0-Against.

- 3.6 Concur with the Plan Commission (11/16/2017) to Approve the 2050 Land Use / Transportation Plan for the Quarry Neighborhood (Map 9)

Ms. Brown stated she just wanted to go on record to state she was not in favor of having a link to the audio of the Plan Commission proceedings, she'd much rather have a draft of the written minutes. Ms. Tarczewski stated they were currently being worked on and that was the only thing that was available at the time.

A motion was made and seconded, (Colleen Brown, Brian Dziwulski) to approve the 2050 land use transportation plan for the quarry neighborhood.

Motion Passed: 6-For, 0-Against.

- 3.9 Concur with the Plan Commission (11/16/2017) to Approve Certified Survey Map PC #171019-3 for Payne & Dolan / Waukesha Lime & Stone for a Combination of Properties on Bluemound Road for a New Asphalt Plant (PWC 0962-995-006 & 007, PWC 0968-998 & 999, PWC 0968-994-001)

Mr. Wamser stated he has been getting complaints regarding the asphalt odor. Mr. Clinkenbeard stated there are chemicals that can be added to the mix to cut down on the smell. He would discuss it with Payne & Dolan. Mr. Clinkenbeard stated this was coming before the Council again because the certified survey map was not recorded at the County in a timely fashion.

A motion was made and seconded, (Jerry Wamser, Jeff Kara) to approve CSM #171019-3. Motion Passed: 0-For, 0-Against.

4. Discussion and Possible Action Regarding Proposal from Rotroff Jeanson for 2017 Audit

Mr. Rotroff was present for this item. He stated there was a slight increase of approximately 2% to prepare the audit and file the required state reports.

A motion was made and seconded, (Brandon Bergman, Ray Grosch) to approve the 2017 audit service contract. Motion Passed: 6-For, 0-Against.

5. Discussion and Possible Action Regarding the 2018 Agreement for Building Inspection Services with the Village of Pewaukee

Ms. Woldanski was present for this item. She stated this is an annual contract and there were no proposed changes.

A motion was made and seconded, (Brian Dziwulski, Colleen Brown) to approve the 2018 building service agreement with the Village of Pewaukee.

Motion Passed: 6-For, 0-Against.

6. Discussion and Possible Action Regarding the Contract for City Planner Services

Mr. Clinkenbeard was present for this item. He stated it was the same basic contract as in previous years. He said the contract amount was reduced.

A motion was made and seconded, (Jeff Kara, Jerry Wamser) to approve the 2018 City Planner contract. Motion Passed: 6-For, 0-Against.

7. Discussion and Possible Action to Either Cancel or Reschedule the First Meeting in January Due to the Holiday.

The Common Council decided to cancel the first meeting in January since it has typically been a light agenda in previous years.

8. Discussion and Possible Action Regarding *Ordinance 17-12* regarding the Salaries for Non-Union Employees in 2018 (*Suspension of the Rules – First and Second Reading*)

A motion was made and seconded, (Brian Dziwulski, Jerry Wamser) to suspend the rules and approve Ordinance 17-12. Motion Passed: 6-For, 0-Against.

9. Discussion and Possible Action Regarding *Ordinance 17-13* Related to the 2018 Salaries for Union Employees (*Suspension of the Rules – First and Second Reading*)

A motion was made and seconded, (Brian Dziwulski, Colleen Brown) to suspend the rules and approve Ordinance 17-13. Motion Passed: 6-For, 0-Against.

10. Public Comment - None.

11. Adjournment

A motion was made and seconded, (Jeff Kara, Jerry Wamser) to adjourn the meeting at 7:30 p.m. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer

ACCOUNTS PAYABLE DECEMBER 18, 2017			
Vendor Name	Document Date	Document Amount	Transaction Description
ADVANCED DISPOSAL	10/31/2017	\$ 4,977.84	HI EXCHANGES
AILCO EQUIPMENT FINANCE GROUP	12/01/2017	\$ 412.00	IT SCANNER
AIRGAS	11/28/2017	\$ 79.84	FD OXYGEN
AIRGAS	11/14/2017	\$ 91.72	FD OXYGEN
AIRGAS	11/30/2017	\$ 144.85	FD OXYGEN
AIRGAS	11/30/2017	\$ 82.01	FD OXYGEN
ALESCI HOMES	11/15/2017	\$ 2,000.00	BI EROSION BOND RETURN
ALPHA OMEGA CLEANING, INC.	12/01/2017	\$ 120.00	PR JANITORIAL SERVICES
ARAMARK	11/09/2017	\$ 61.47	HI SHOP TOWELS, UNIFORMS
ARAMARK	11/23/2017	\$ 60.67	HI SHOP TOWELS, UNIFORMS
ARAMARK	11/16/2017	\$ 58.27	HI SHOP TOWELS, UNIFORMS
ARAMARK	11/30/2017	\$ 57.47	HI SHOP TOWELS, UNIFORMS
ASSOCIATED APPRAISAL	12/01/2017	\$ 5,601.42	AD PROFESSIONAL SERVICES
AT&T CAROL STREAM IL	12/01/2017	\$ 288.68	CT PHONE BILL
AUTOMOTIVE PARTS & EQUIPMENT	11/27/2017	\$ 51.96	HI OIL
AUTOMOTIVE PARTS & EQUIPMENT	11/06/2017	\$ 17.94	HI OIL FILTER
AUTOMOTIVE PARTS & EQUIPMENT	12/01/2017	\$ 84.30	FD OIL DRY
AUTOMOTIVE PARTS & EQUIPMENT	11/22/2017	\$ 9.22	FD LIGHT BULBS
AUTOMOTIVE PARTS & EQUIPMENT	12/12/2017	\$ 15.96	FD WINDSHIELD WASHER
BAYCOM	11/15/2017	\$ 896.00	FD PAGER
BEIER, MELISSA	12/18/2017	\$ 24.61	CT MILEAGE
BOUCHER CADILLAC GMC OF WAUKESHA	11/15/2017	\$ 77.36	PR OIL, FILTER
BOUNDTREE MEDICAL	11/21/2017	\$ 275.13	FD EMS SUPPLIES
BOUNDTREE MEDICAL	11/20/2017	\$ 5.19	FD EMS SUPPLIES
BOUNDTREE MEDICAL	11/21/2017	\$ 11.75	FD EMS SUPPLIES
BOUNDTREE MEDICAL	11/13/2017	\$ 445.62	FD EMS SUPPLIES
BOUNDTREE MEDICAL	11/13/2017	\$ 175.60	FD EMS SUPPLIES
BOUNDTREE MEDICAL	11/13/2017	\$ 10.24	FD EMS SUPPLIES
BOUNDTREE MEDICAL	11/14/2017	\$ 491.90	FD EMS SUPPLIES
BOUNDTREE MEDICAL	11/28/2017	\$ 484.81	FD EMS SUPPLIES
BOUNDTREE MEDICAL	12/05/2017	\$ 210.12	FD MEDICAL SUPPLIES
BRAUN THYSSENKRUPP ELEVATOR	12/01/2017	\$ 215.06	CT ELEVATOR LUBE, SERVICE
CINTAS FIRST AID	11/08/2017	\$ 84.38	HI FIRST AID SUPPLIES
CINTAS FIRST AID	12/04/2017	\$ 55.79	HI FIRST AID SUPPLIES
COMMUNICATIONS ENGINEERING CO	12/05/2017	\$ 1,800.00	IT MAINT BLDG SECURITY SOFTWARE
COREY OIL	11/29/2017	\$ 1,205.96	HI DIESEL
COREY OIL	11/29/2017	\$ 476.23	HI DIESEL
COREY OIL	11/15/2017	\$ 726.75	HI GAS
COREY OIL	11/15/2017	\$ 824.92	HI DIESEL
COREY OIL	11/01/2017	\$ 712.50	HI GAS
COREY OIL	11/01/2017	\$ 569.77	HI DIESEL
CUMMINS NPOWER, LLC	09/15/2017	\$ 733.15	IT GENERATOR REPAIR
DIVERSIFIED BENEFIT SERVICES	12/01/2017	\$ 299.92	CT HEALTH REIMBURSEMENT
DJ'S LAWN SPRINKLERS	02/13/2017	\$ 270.00	PR LOCATE PIPING, WIRE
DRAGO, WENDY	11/30/2017	\$ 2,000.00	BI EROSION BOND RETURN

ACCOUNTS PAYABLE DECEMBER 18, 2017			
Vendor Name	Document Date	Document Amount	Transaction Description
DWYER, CHARLIE	11/30/2017	\$ 157.29	BI MILEAGE
ELLIOTT ACE HARDWARE	11/16/2017	\$ 1.29	HI FASTENERS
ELLIOTT ACE HARDWARE	11/09/2017	\$ 10.58	HI CORD WRAP
ELLIOTT ACE HARDWARE	11/15/2017	\$ 48.67	HI MAGLITE, BATTERIES
ELLIOTT ACE HARDWARE	11/20/2017	\$ 29.99	FD SURGE BLOCK
ELLIOTT ACE HARDWARE	11/15/2017	\$ 8.99	FD STORAGE BOXES
ELLIOTT ACE HARDWARE	11/07/2017	\$ (7.99)	FD CREDIT
ELLIOTT ACE HARDWARE	11/06/2017	\$ 17.28	FD VALVES, RING
ELLIOTT ACE HARDWARE	11/02/2017	\$ 25.65	FD SPRAYS, WIRE, FASTENERS
EMBELLISHMENTS	11/10/2017	\$ 121.44	FD SHIRTS
FIRE RESCUE SUPPLY LLC	11/20/2017	\$ 1,800.00	FD PUMP UPGRADE
G&K SERVICES	11/27/2017	\$ 60.78	FD MATS
G&K SERVICES	12/04/2017	\$ 106.70	FD MATS
G&K SERVICES	10/02/2017	\$ 60.78	FD MATS
GIBBS, JOHN	11/30/2017	\$ 529.12	BI MILEAGE
HALEN HOMES	11/30/2017	\$ 2,000.00	BI EROSION BOND RETURN
HALQUIST STONE	11/10/2017	\$ 288.00	HI RIP RAP
HALQUIST STONE	11/17/2017	\$ 45.00	HI FILL
HALQUIST STONE	11/17/2017	\$ 585.00	HI CLEAN FILL
HALQUIST STONE	11/16/2017	\$ 135.00	HI CLEAN FILL
HALQUIST STONE	11/13/2017	\$ 270.00	HI CLEAN FILL
HALQUIST STONE	11/10/2017	\$ 135.00	HI CLEAN FILL
HALQUIST STONE	11/20/2017	\$ 405.00	HI CLEAN FILL
HALQUIST STONE	11/14/2017	\$ 675.00	HI CLEAN FILL
HALQUIST STONE	11/15/2017	\$ 405.00	HI CLEAN FILL
HEPPE, ANDREW	12/04/2017	\$ 125.00	HI BOOTS
HETHERINGTON, TIM	11/10/2017	\$ 104.64	FD MILEAGE, LODGING
HUMANE ANIMAL WELFARE SOCIETY	12/07/2017	\$ 6,699.00	CT HUMANE SOCIETY PICK UP
HUMPHREY SERVICE PARTS, INC	11/15/2017	\$ 33.78	HI FILTER
HUMPHREY SERVICE PARTS, INC	11/09/2017	\$ 11.57	HI OIL FILTER
HUMPHREY SERVICE PARTS, INC	11/28/2017	\$ 11.57	HI FILTERS
HYDRAULIC SOLUTIONS	11/21/2017	\$ 713.00	HI PLOW CYLINDER
INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS	11/22/2017	\$ 100.00	CT RENEWAL
JEFFERSON FIRE & SAFETY, INC.	11/16/2017	\$ 168.75	FD AIRPAK, KIT
JEFFERSON FIRE & SAFETY, INC.	11/15/2017	\$ 9,984.00	FD THERMAL IMAGER
JENSEN EQUIPMENT	12/01/2017	\$ 7,000.00	PR TRAILER
JENSEN EQUIPMENT	12/01/2017	\$ 2,977.54	PR LIGHT PKG, TIE DOWN, GATE
JENSEN EQUIPMENT	12/01/2017	\$ 3,000.00	PR RAMP
JENSEN EQUIPMENT	12/01/2017	\$ 836.20	PR BLOWER, ATTACHMT
JENSEN EQUIPMENT	12/01/2017	\$ 1,386.00	PR MOWER, GENERATOR
JERRY'S AUTOMOTIVE SERVICE, INC	11/21/2017	\$ 462.23	FD OIL CHANGE, LAMP, BRAKES
JK LAWN SERVICE	11/09/2017	\$ 103.00	FD LAWN SERVICE
JOERS, STACI	11/29/2017	\$ 306.00	PR CLASS
JOHN P LOCHEN CO. INC	11/30/2017	\$ 16,200.00	PR SEEDER, PRE SEEDER
JOHN'S DISPOSAL SERVICE	12/05/2017	\$ 14,541.35	EN LANDFILL CHGS
JOHN'S DISPOSAL SERVICE	11/24/2017	\$ 44,534.85	EN CONTRACTED BILLING

ACCOUNTS PAYABLE DECEMBER 18, 2017			
Vendor Name	Document Date	Document Amount	Transaction Description
JOHN'S DISPOSAL SERVICE	10/25/2017	\$ 44,470.96	EN CONTRACTED BILLING
JOHN'S DISPOSAL SERVICE	11/06/2017	\$ 11,482.12	EN LANDFILL CHARGES
JX ENTERPRISES, INC.	11/08/2017	\$ 2,687.57	HI STEERING REPAIR
JX ENTERPRISES, INC.	11/10/2017	\$ 194.26	HI REPAIR
KAESTNER AUTO ELECTRIC CO.	12/08/2017	\$ 39.25	FD AC DEL PIGTA
KORNDORFER HOMES	11/30/2017	\$ 2,000.00	BI EROSION BOND RETURN
LOOS HOMES	11/17/2017	\$ 500.00	BI OCCUPANCY BOND RETURN
M&M OFFICE INTERIORS, INC.	11/16/2017	\$ 2,034.80	FD DESK, CHAIR
M&M OFFICE INTERIORS, INC.	11/16/2017	\$ 3,091.47	FD NEW OFFICE FURN, TACKBOARD
M.L. CONDON CO INC	12/06/2017	\$ 1,225.00	PR REPLACE POSTS
MATCHIE, JASON & SARAH	11/17/2017	\$ 2,000.00	BI EROSION BOND RETURN
MAYER REPAIR	11/09/2017	\$ 655.33	FD REPAIR VALVE, KIT
MAYER REPAIR	11/15/2017	\$ 561.18	FD REPAIR COOLANT LINES
MENARDS	11/16/2017	\$ 66.42	PR WIPER BLADES
MENARDS	12/01/2017	\$ 153.60	PR CHRISTMAS LIGHTS
MENARDS	12/08/2017	\$ 48.03	PR CLAMPS FOR PLUMBING
MENARDS	12/01/2017	\$ 18.47	PR TIMERS
MENARDS	12/18/2017	\$ 57.02	CT STEP WORK
MENARDS	11/09/2017	\$ 203.90	HI MARKERS
MENARDS	11/16/2017	\$ 10.89	HI FILTER
MENARDS	11/15/2017	\$ 41.51	HI CLIPS
MENARDS	11/08/2017	\$ 99.00	HI MARKERS
MENARDS	11/07/2017	\$ 128.98	HI FILTER, MARKERS
MENARDS	11/28/2017	\$ 349.92	HI SHOP RACKING
MENARDS	11/22/2017	\$ 45.21	HI CABLE, RECEP
MENARDS	11/12/2017	\$ 41.97	FD BATTERIES
MENARDS	12/03/2017	\$ 51.97	FD BATTERIES, SOAP
MENARDS	11/26/2017	\$ 11.56	FD BATTERIES
MILWAUKEE LAWN SPRINKLER CORP	11/15/2017	\$ 2,179.74	PR IRRIGATION SERVICES
MILWAUKEE LAWN SPRINKLER CORP	11/15/2017	\$ 350.00	PR WINTERIZE IRRIGATION SYSTEM
MONTE EWING CONSULTING	11/17/2017	\$ 160.00	BI CONTINUING ED
MONTE EWING CONSULTING	11/17/2017	\$ 160.00	BI TRAINING
NEW BROOK WINDOW CLEANING	10/17/2017	\$ 15.00	FD WINDOW CLEANING
NEW BROOK WINDOW CLEANING	10/17/2017	\$ 80.00	FD WINDOW CLEANING
NFPA	11/15/2017	\$ 330.80	FD SPRINKLER SYSTEMS, EL CODE
NORTH CENTRAL UTILITY	11/15/2017	\$ 81.43	HI HOOKS, CHAIN
OFFICE COPYING EQUIPMENT, LTD	11/30/2017	\$ 94.05	EN COPIES
OFFICE COPYING EQUIPMENT, LTD	11/30/2017	\$ 157.16	BI COPIES
OFFICE COPYING EQUIPMENT, LTD	11/30/2017	\$ 94.41	CT COPIES
OFFICE COPYING EQUIPMENT, LTD	11/30/2017	\$ 6.42	CT COPIES
OFFICE COPYING EQUIPMENT, LTD	11/30/2017	\$ 65.65	FD COPIER AGREEMENT
OFFICE DEPOT	11/28/2017	\$ 2.72	PR PENS
OFFICE DEPOT	11/22/2017	\$ 3.59	PR PENS
OFFICE DEPOT	11/21/2017	\$ 60.38	PR NAME BADGES
OFFICE DEPOT	11/10/2017	\$ 7.66	BI WIPES
OFFICE DEPOT	11/17/2017	\$ 22.92	BI TISSUE
OFFICE DEPOT	11/30/2017	\$ 9.14	BI PADS

ACCOUNTS PAYABLE DECEMBER 18, 2017			
Vendor Name	Document Date	Document Amount	Transaction Description
OFFICE DEPOT	12/07/2017	\$ 62.26	CT TOWELS
OFFICE DEPOT	12/01/2017	\$ 52.78	CT URINAL BLOCKS
OFFICE DEPOT	11/30/2017	\$ 8.49	CT TAPES
OFFICE DEPOT	11/25/2017	\$ 31.49	CT BAGS
OFFICE DEPOT	11/17/2017	\$ 35.47	FD TOWELS
OLSON, SHAWN	11/30/2017	\$ 112.35	BI MILEAGE
ONE CALL NOW	12/01/2017	\$ 439.88	HI RENEWAL
PARKING LOT MAINTENANCE	11/30/2017	\$ 1,000.00	HI REPAIR ON LOT
PAUL CONWAY SHIELDS	11/27/2017	\$ 4,800.00	FD TRAINING
PEAK SOFTWARE SYSTEMS, INC	11/17/2017	\$ 104.00	PR MAGSTRIPE READER
PEWAUKEE, VILLAGE OF	12/07/2017	\$ 3,135.31	CT PARK REC INCOME SPLIT
PEWAUKEE, VILLAGE OF	12/07/2017	\$ 7,712.32	CT EMS COLLECTION
POMP'S TIRE SERVICE, INC.	11/21/2017	\$ 725.50	HI TIRE, SERVICE CALL
POMP'S TIRE SERVICE, INC.	09/28/2017	\$ 904.00	HI FLAT REPAIR, SERVICE CALL
POMP'S TIRE SERVICE, INC.	09/14/2017	\$ (400.00)	HI CREDIT
POMP'S TIRE SERVICE, INC.	03/31/2016	\$ (267.26)	HI CREDIT
PREMIUM WATERS, INC	12/06/2017	\$ 15.50	PR SHOP WATER
PREMIUM WATERS, INC	11/20/2017	\$ 27.50	PR SHOP WATER
PREMIUM WATERS, INC	11/06/2017	\$ 13.25	HI SHOP WATER
PREMIUM WATERS, INC	11/17/2017	\$ 35.75	HI SHOP WATER
R.A. SMITH & ASSOC., INC.	11/29/2017	\$ 703.90	PR PROFESSIONAL SERVICES
RED LEAF CONSTRUCTION	11/30/2017	\$ 2,000.00	BI EROSION BOND RETURN
RITTER TECHNOLOGY, LLC	11/27/2017	\$ 19.69	HI STR THR
ROMENS, RANDY	11/30/2017	\$ 501.30	BI MILEAGE
SCHWAAB, INC	11/13/2017	\$ 41.00	PR STAMP
SCHWAAB, INC	11/22/2017	\$ 73.50	BI DATER
SCHWAAB, INC	11/09/2017	\$ 6.00	BI STAMP
SERWE IMPLEMENT MUNICIPAL SALES	11/17/2017	\$ 650.68	HI LABOR
SHAWNS DEER PICK UP	11/01/2017	\$ 52.00	HI DEER REMOVAL
SIMPLEXGRINNELL	11/01/2017	\$ 403.00	IT ANNUAL BILLING
SKEBBA, RITA	10/02/2017	\$ 6.12	FD REPORT COVERS
SOFT WATER, INC.	11/30/2017	\$ 7.50	FD SALT
SOFT WATER, INC.	11/30/2017	\$ 22.50	FD SALT
SOUTHWESTERN WI BUILDING INSP ASSOC	11/30/2017	\$ 40.00	BI MEMBERSHIP
SOUTHWESTERN WI BUILDING INSP ASSOC	11/30/2017	\$ 384.00	BI REGISTRATION
STARK PAVEMENT CORP SUSSEX	11/15/2017	\$ 72.38	HI STONE
STILL RIVER BUILDERS	11/30/2017	\$ 2,000.00	BI EROSION BOND RETURN
STRAEHLER, JACK	12/01/2017	\$ 438.06	EN RIPARIAN CR
STUTZMAN, JOHN	12/07/2017	\$ 2,000.00	BI EROSION BOND RETURN
THREE RIVERS BILLING	12/04/2017	\$ 17.94	FD EMS BILLING
TIM O'BRIEN HOMES	11/30/2017	\$ 500.00	BI OCCUPANCY BOND RETURN
TREDROC TIRE SERVICES	11/17/2017	\$ 710.38	FD SERVICE CALL, SERV
TRI-TOM, LLC	09/30/2017	\$ 20.85	FD SHIPPING
TRUCK SERV	11/30/2017	\$ 434.58	HI FILTERS, OIL, GREASE
TRUCK SERV	11/08/2017	\$ 363.39	HI SERVICE
TRUCK SERV	11/09/2017	\$ 384.25	HI SERVICE
TRUCK SERV	11/07/2017	\$ 360.72	HI SERVICE

ACCOUNTS PAYABLE DECEMBER 18, 2017			
Vendor Name	Document Date	Document Amount	Transaction Description
TRUCK SERV	11/06/2017	\$ 369.81	HI SERVICE
TRUCK SERV	11/16/2017	\$ 421.89	HI SERVICE
VARITECH INDUSTRIES	11/09/2017	\$ 1,052.31	HI BRINE PUMP
VERIZON	11/23/2017	\$ 22.14	FD MODEM
VERIZON	11/12/2017	\$ 265.59	FD AIR CARDS
VERIZON	11/12/2017	\$ 32.08	FD PHONES
WAUKESHA CO TREASURER	12/05/2017	\$ 415.00	AD PRISONER HOUSING
WAUKESHA CO TREASURER	11/22/2017	\$ 495.00	PR LEARN TO SKATE
WAUKESHA CO TREASURER	11/10/2017	\$ 98.31	FD PROGRAMMING, UPGRADE
WAUKESHA MEMORIAL HOSPITAL	11/30/2017	\$ 451.33	FD OCT SUPPLY PURCHASE
WAUKESHA PHARMACY	11/30/2017	\$ 782.90	FD EMS MEDS
WE ENERGIES	11/29/2017	\$ 28.64	PR ENERGY USAGE
WEIGEL, JEFFREY	10/31/2017	\$ 216.67	EN TRAVEL EXPENSE
WI LEGAL BLANK CO., INC.	11/17/2017	\$ 2,389.00	PR NEWSLETTER
WI LEGAL BLANK CO., INC.	12/01/2017	\$ 147.00	PR ENVELOPES
WI LEGAL BLANK CO., INC.	11/30/2017	\$ 225.00	BI ENVELOPES
WI LEGAL BLANK CO., INC.	11/17/2017	\$ 98.00	BI PLUMBING PERMITS
WI LEGAL BLANK CO., INC.	11/17/2017	\$ 85.00	BI ENVELOPES
WI LEGAL BLANK CO., INC.	11/17/2017	\$ 223.00	FD BUSINESS CARDS
WIRTZ, RICHARD	10/31/2017	\$ 270.04	EN TRAVEL EXPENSE
WOLF CONSTRUCTION COMPANY	11/30/2017	\$ 333.83	HI COLD MIX
	TOTAL	\$ 259,846.76	

City & WS Accounts Payable for:

12/18/2017

Vendor Name	Document Date	Document Amount	Transaction Description
CASH	12/9/2017	\$20.00	PR BUS DRIVER TIP
CORE & MAIN LP	11/10/2017	\$1,900.08	WATER HYDRANT/MAIN/ETC
COTTERELL, PAM	12/12/2017	\$202.12	WS 12903 REFUND
FASTENAL	11/7/2017	\$107.72	SUPPLIES
FERGUSON WATERWORKS	11/17/2017	\$208.00	RITE HITE ADPT SLIP TYPE
FERGUSON WATERWORKS	11/17/2017	\$176.25	THRUST NUT/PINS
HACH COMPANY	11/20/2017	\$183.00	CHLORINE
HACH COMPANY	11/17/2017	\$470.52	SILICA HIGH RANGE
HAWKINS, INC.	11/14/2017	\$3,098.43	AZONE 15/SODIUM SILICATE
HAWKINS, INC.	11/15/2017	\$108.88	OD TUBING
JENSEN EQUIPMENT	11/20/2017	\$6.22	GOLD FRAME SHADE LENS
KWIK TRIP	12/2/2017	\$3,497.65	AMBO/ENGINE FUEL
LARSON, RICHARD	12/14/2017	\$515.20	PR CLASS HANDMADE HOLIDAY GIFTS
MENARDS	11/20/2017	\$8.99	CHAINSAW GLOVES
MENARDS	11/15/2017	\$38.94	RETURN CELL CORE PVC PIPE
MENARDS	11/15/2017	\$24.48	SEWER PIPING
MENARDS	11/9/2017	\$25.46	SUPPLIES
MENARDS	11/9/2017	\$126.85	SUPPLIES
MENARDS	11/15/2017	\$9.99	WATT COPPER ELEMENT
MINER, LYNN	12/7/2017	\$100.00	SENIOR HOLIDAY ENTERTAINMENT
NATIONWIDE RETIREMENT	11/29/2017	\$1,820.09	DEFERRED COMP
NATIONWIDE RETIREMENT SOLUTIONS	12/4/2017	\$1,820.09	DEFERRED COMP
OFFICE COPYING EQUIPMENT, LTD	11/14/2017	\$95.55	COPIER LEASE
PETTY CASH	12/11/2017	\$500.00	2017 TAX COLLECTION CASH
PEWAUKEE, VILLAGE OF	12/4/2017	\$62,011.92	DECEMBER LIBRARY 2017
PHOENIX FABRICATORS & ERECTORS, INC.	11/16/2017	\$24,633.25	CITY HALL ELEVATED TANK
PITNEY BOWES	11/15/2017	\$1,681.53	FOLDING MACHINE
PRO KLEEN	11/30/2017	\$199.00	PR AIR DUCT CLEANING
PUBLIC SERVICE COMMISSION OF WI	11/15/2017	\$636.47	PSC DIRECT ASSMT#4625
ROTROFF JEANSON & CO.	11/17/2017	\$160.00	FIN ASSURANCE RADIUM REMOVAL
TD AMERITRADE	11/29/2017	\$50.00	LOAN REPAYMENT
TD AMERITRADE TRUST COMPANY	12/4/2017	\$50.00	LOAN REPAYMENT
TRI-COUNTY WATERWORKS ASSOCIATION	12/4/2017	\$40.00	CHRISTMAS MEETING NOTICE
VISU-SEWER	11/20/2017	\$4,412.50	GUN CLUB SWR CLEANING
WATER REMEDIATION TECH., LL	12/1/2017	\$3,311.92	BASE TREATMENT CHARGE
WAUKESHA PROFESSIONAL FIREFIGHTERS ASSO	12/4/2017	\$1,493.87	DECEMBER UNION DUES
WE ENERGIES	11/29/2017	\$280.49	WATER TOWER HEATER ELECTRIC
		<u>\$114,025.46</u>	

<u>Individual Name</u>	<u>Establishment Name</u>	<u>Type</u>
Krueger, Haley E.	Thunder Bay	New
Ludwig, Sophia L.	Edgewater	New
Michels, Christine S.	Gina's Sports Dock	New
Thomas, John C.	Gina's Sports Dock	New
Williams, Alexandria E.	Andrea's Red Rooster	New

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

DATE: December 18, 2017

DEPARTMENT: PW - Engineering

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

SUBJECT:

Authorize Submitting the Emerald Acres Flooding Alternative Analysis to DNR with the Preferred Option as the Original Project Scope Alternative (Table 2)

BACKGROUND:

The City has identified the Emerald Acres Flooding project as a high priority project within the Storm Water Utility.

FINANCIAL IMPACT:

The project is currently budgeting for 2018 at \$1.85 M. The alternatives analysis, required as a part of our DNR permitting projects the costs of the project, depending on the alternative, to be between \$2M and \$13M. The requested action simply follows the permitting process. Construction authorization would require reprogramming or re-budgeting funds according to the final approved alternative. We do not anticipate the completion of the permitting and construction to occur in 2018, so the 2019 budget could possibly account for the addition cost authorizations.

RECOMMENDED MOTION:

Common Council concurs with the recommendation of the Public Works Committee (12/7/17) to authorize the staff to submit the Emerald Acres alternative analysis with our preference for approval of the original scope of the project as outlined in Table 2 of the analysis.

to Approve the Consent Agenda

ATTACHMENTS:

Description

Draft Alternative Analysis

City of Pewaukee

Emerald Acres Flooding Alternatives Analysis

Introduction

The significant rain events in 2008, 2009, 2010 and 2015 in the City of Pewaukee have demonstrated the level of development in the area of Emerald Lane and Green Road has outpaced the capacity of the existing storm water management systems to effectively convey the excess runoff. This lack of capacity leads to excessive ponding within Wagner Park, periodic overtopping of Green Road, standing water in Emerald Lane and basement flooding in the Emerald Acres Condominium development. Resident complaints in addition to observations by City Staff led to the initiation of a flood study to provide possible alternatives to resolve the flooding problems within this area.

Background

The study area lies within the southern half of Section 11 and the northeast quarter of Section 14, Township 7 North, Range 19 East, in the City of Pewaukee, Waukesha County, Wisconsin. More generally, the study area is bounded by Capitol Drive to the north, Redford Boulevard to the east, Pewaukee Road to the west and the Canadian Pacific Railroad to the south. The study area is comprised predominately of single family and multi-family residential development along with recreational land uses. Storm water management systems servicing the area consist of curb and gutter streets and storm sewers in conjunction with various wet detention facilities. Storm water for the study area drains to a small un-named tributary of the Fox River which begins on the south side of Green Road, west of Emerald Lane, and flows south and west to a an irregular shaped 4.5 x 4.5 foot concrete culvert crossing the Canadian Pacific Railway. From there the stream flows to an existing 54 inch concrete storm sewer which conveys the stream flows around the Gustave Larson property (west and south) to a manmade open channel which flows south across Paul Road to a manmade detention pond on the Waukesha Gun Club Property, through the Gun Club property, across Watertown Road and Redford Boulevard, before ultimately discharging to the Fox River.

The drainage area to the culvert crossing Green Road, and discharging to the un-named tributary, is approximately 240 acres and the area tributary to the culvert crossing the Canadian Pacific Railway is roughly 263 acres.

The rainfall events of June 7 to 9, 2008, and June 18 to 20, 2009, brought observed rainfall amounts of approximately 7.9 inches and 6.2 inches, respectively, to the study area. These events caused considerable flooding to the study area with reports of flooded basements within the Emerald Acres Condominium development and the Five Fields subdivision. The existing 38 x 60 inch corrugated metal culvert beneath Green Road was submerged, resulting in overtopping of the roadway. The waterway in between the Canadian Pacific Railway and Green Road flooded beyond its banks and into Emerald Lane. Storm water inundating Wagner Park and the various storm water management ponds within the park and the Five Fields Subdivision backed up into homes.

The rainfall event of July 14 to 15, 2010, brought an observed rainfall total of approximately 4.7 inches to the study area which again led to flooding within Wagner Park and bank full conditions within the stream between Green Road and the Canadian Pacific Railway. This repeated itself again on April 9 and 10, 2015 after approximately of 2.7 inches of rainfall was observed over the study area.

In 2010 the City authorized its consultant, AECOM, to undertake a study of the drainage area to identify potential deficiencies in the storm water management system resulting in the flooding problems within the study area and to provide recommendations to resolve those deficiencies found. The study conducted by AECOM is attached as Appendix A. The study identified two primary sources for the flooding within the region: first, the culvert underneath the Canadian Pacific Railroad had insufficient capacity to pass the runoff from the 100 year storm event; and second the 54 inch storm sewer downstream of the railroad

crossing also had insufficient capacity. The reduced capacity at each location served to raise the water surface elevations within the upstream reaches by more 2 feet, thereby inundating portions of Emerald Lane, Wagner Park and portions of Five Fields. The study determined the potential water surface elevation within the stream adjacent to the Emerald Acres Development during the 100 year storm event would exceed the elevations of the basement window sills of three of the condominiums, resulting in structure flooding.

Alternatives Considered Under the AECOM Study

Storm Water Detention

Detaining storm water runoff can be an effective means of reducing the peak rate of runoff from an upstream area. By doing so, undersized downstream drainage facilities may be better able to adequately convey the flows. Detention is provided by creating areas where storm water runoff can be stored for long periods of time while downstream facilities are allowed to slowly convey the storm water runoff out of the system.

The study area already contains a number of existing private and public ponds. AECOM, as a part of its analysis looked at expanding detention within the existing Five Fields storm water ponds as well as the existing ponds in Wagner Park. The modelling under each of the options considered indicated there was not enough additional storage gained within the park or the existing subdivision to reduce peak discharges enough to lower the water levels in the downstream system. Additionally, the increased storm water volume stored within the park or the subdivision served to exacerbate flooding within those areas. Therefore, detention storage was ruled out as a viable alternative.

Floodproofing

Floodproofing is a means of reducing the potential for a structure to be damaged during a flood event. Typical flood proofing approaches include: elevating the structure above a specific (i.e. flood) elevation; relocating the structure outside of the flood prone area; constructing barriers such as flood walls or levies to protect the structure from flood waters; and structure modifications to either seal out flood waters (dry floodproofing) or to safely allow water in with minimal damage to structure or contents (wet floodproofing).

Floodproofing of the affected structures in Emerald Acres was ruled out as a viable alternative as the measures would not be comprehensive in nature. In other words, floodproofing measures would not address flooding of streets, yards and the City park as well as the resultant damages there from or emergency access issues due to flooded streets. Additionally, floodproofing is effective only to the flood event for which it was designed. Consequently, the structure could still be damaged should flood waters exceed the depth the floodproofing measure was designed.

Acquisition

Structures which incur significant or repetitive flood damages with no feasible or affordable means of relief, are good candidates for subsequent purchase and removal of the structure by the local municipality. Property acquisition is typically an alternative of last resort. Like floodproofing, this option would not alleviate the other flooding issues within the study area. Unlike floodproofing, this option is a viable solution for resolving flood damages to structures. Although not considered as an alternative solution under the AECOM study, this alternative was considered during the planning process. The study identified three structures between the stream and Emerald Lane which incurred flood damage during the 2008 storm event. The structures (W232 N3077, W232 N3043, and W232 N3021) are two unit condominiums with an average estimated fair market value of \$241,750.00 per unit.

Conveyance

Storm water conveyance alternatives generally look to increase the size or available open area of a conduit or channel in order to move large volumes of runoff through or out of a given area. The AECOM study looked at the impacts of implementing individual conveyance system upgrades individually to determine their impacts of the overall system. They then combined the individual upgrades into a cohesive, comprehensive plan. System components that were looked at consisted of: increasing the size of the Green Road cross culvert; increasing the depth and width of the stream in between Green Road and the Canadian Pacific Railway; installation of additional culverts under the Canadian Pacific Railway; and construction of an additional storm sewer downstream of the railroad crossing.

Increasing the capacity of each of the system components by themselves would not significantly reduce the extent of the flooding within the study area. However, if taken as a whole, the water surface elevation attributable to the 100 year storm event would be reduced approximately 2 feet in the Emerald Acres area thereby precluding flooding of Emerald Lane and the condominiums adjacent to the un-named tributary. The only system component which was not recommended to be modified was the stream between Green Road and the Canadian Pacific Railway which was found to have adequate capacity.

The recommended alternative proposed by AECOM is shown in Figure 20 of the study in Appendix A. The recommended alternative called for: replacing the existing 36 x 60 inch corrugated metal arch pipe under Green Road with approximately 67 foot long, 3 x 6 foot concrete box culvert; installing an additional 72 inch diameter concrete culvert (approximately 60 feet) under the Canadian Pacific Railway; and installing approximately 1200 feet of new 48 x 76 inch storm sewer from the railroad right-of-way, south to Roundy Circle, along Roundy Circle and daylighting at an existing drainage ditch leading back to the un-named tributary.

The City decided to pursue this alternative in spring of 2012 and authorized its engineer to start the design of the project and acquire the necessary approvals from the Canadian Pacific Railway. Through the approval process with the railroad and discussions with affected business owners along Roundy Circle, the design of the recommended alternative was revised to: include 3 new 60 inch corrugated metal pipe culverts (approximately 90 feet each in length) beneath the Canadian Pacific Railway in addition to the existing culvert; replacing the existing 36 x 60 inch corrugated metal arch pipe under Green Road with approximately 67 feet of 3 x 6 foot concrete box culvert; and install approximately 1100 feet of new 60 inch reinforced concrete storm sewer parallel to the existing 54 inch concrete storm sewer on the Gustave Larson property. This revised conveyance alternative is shown on Figure 1.

The storm sewer component was revised over the study layout after conversations with representatives of the Gustave Larson property and their concerns regarding disruption of operations during installation of the storm sewer across their driveway. As an existing 100 foot drainage and utility easement already existed around the facility, it made sense to relocate the proposed storm sewer to this area. The number of culverts beneath the Canadian Pacific Railway increased due to limitations on the separation distance required between the bottom of the steel rails and the top of the casing pipe (there for two 60 inch culverts were required versus one 72 inch culvert). Additionally, the railroad wanted the City to take over the maintenance responsibilities/ownership for the existing, 100 year old culvert. Rather than take responsibility and liability for an aging structure with an unknown maintenance record, the City opted to install an additional new culvert (bringing the total number of new culverts to three).

A meeting was held in December 2014 between staff of the Wisconsin Department of Natural Resources, the City of Pewaukee and the City's consultant AECOM. At that time it was determined that the existing storm sewer on the Gustave Larson parcel was never permitted, and likely would not have been allowed as

it represented an enclosure of a navigable waterway. Therefore, it would be unlikely that installing an additional parallel storm sewer would not be permissible. Consequently, the City investigated three additional conveyance options under this project.

The first option would be to remove the existing 54 inch concrete storm sewer and replace it with an open channel large enough to convey the anticipated flows for the 100 year storm event (see Figure 2). The new channel would generally be contained within the existing drainage easement, but would require some temporary grading easements. The second option, shown on Figure 3, would be to purchase the Gustave Larson property in total, remove the existing building and infrastructure, abandon the existing 54 inch concrete storm sewer and install a new channel (generally following the historic channel alignment) through the property to connect into the existing channel in the southwest corner of the property. The third option, shown on Figure 4, would be to be similar to Option 2, however the existing Gustave Larson facilities and the existing storm sewer would be left in place. The channel would be built to carry the flows from more frequent storms while allowing large events to flow through both the existing storm sewer and the new channel. This option would require the addition of a 60 inch driveway culvert as well as some parking replacement. A benefit to this option would be the ability to downsize one of the railroad crossing culverts from 60 inches to 54 inches.

Costs of Alternatives Considered by the City

An opinion of probable cost has been compiled for each of the alternative solutions investigated during the development of this project. As this project has been in development over a number of years, with construction cost estimates having been prepared by different project engineers at different times, we have made an effort to bring the estimates up to date and to keep costs for similar components consistent from alternative to alternative. This should provide a fair comparison of each alternative based on the estimated probable cost of each. It is important to note that a component of each of the conveyance type alternatives was installed as a part of the City's Green Road Project. This component was the 3x5 foot concrete box culvert and large box inlet which conveys runoff from the north side of Green Road to the head waters of the navigable waterway on the south side of Green Road. The culvert was installed at that time as the City was intending to move forward with the primary conveyance alternative; to take advantage of costs savings by incorporating the work into a larger project; and to prevent having to re-open a newly reconstructed roadway. The construction cost for the concrete box culvert, headwalls, box inlet and inlet frame and grate was \$73,000.

The acquisition of the three condominium buildings was considered during the development of the project. As described earlier, acquisition of flood prone structures is an effective tool in reducing costs due to repetitive flood damages. The estimated cost to acquire, remove and restore the land associated with the three buildings is estimated to be approximately \$3,149,838.00 and is detailed in the Table 1 below and Figure 5. The area occupied by the existing buildings would be restored with a lawn type turf to match in to the surrounding landscape.

Table 1 Acquire and Remove 3 Condominium Buildings

Description	Units	Cost per Unit	Cost
Acquisition and Relocation Costs for 6 Condominium Units/3 Buildings	6 condominium units	\$415,640 per unit	\$2,493,840
Demolition of Buildings	3 buildings	\$41,125 per building	\$123,375
Pavement Removal	1 LS	\$1850	\$1,850
Restoration (lawn turf)	1 LS	\$5800	\$5,800
Subtotal			\$2,624,865
20% Contingencies			\$524,973
Total Estimated Cost			\$3,149,838

The primary or initial conveyance alternative described previously would consist of increasing the capacity of the crossing underneath the Canadian Pacific Railway and the installation of a 60 inch diameter parallel storm sewer within the existing 100 foot drainage easement around the Gustave Larson property. The estimated cost of this alternative is approximately \$2,040,636.00 and is shown in Table 2 below.

The second conveyance alternative would be to increase the capacity of the crossing underneath the Canadian Pacific Railway and to remove and replace the existing 54 inch downstream storm sewer with an open channel. The open channel would follow the same alignment as the current storm sewer, be roughly 10 feet wide with a 0.5 foot, v-notch invert. Side slopes would be 3 feet horizontal to 1 foot vertical. The estimated cost of this alternative is approximately \$2,195,304.00 and is detailed in Table 3.

The third conveyance alternative would consist of increasing the capacity of the crossing underneath the Canadian Pacific Railway, the abandonment of the existing 54 inch storm sewer, and the purchase and removal of the Gustave Larson facility for the purposes of reconstructing the channel in its relative historic alignment. The new channel would be roughly 8 feet wide with a 0.25 foot deep, v-notch invert. The channel side slopes would be 3 feet horizontal to 1 foot vertical. The remainder of the open property when completed would be restored with native type grasses which accounts for the higher restoration cost. The estimated cost of this alternative is approximately \$13,107,072.00 and is detailed in Table 4.

The fourth conveyance alternative would consist of many of the same elements as the third conveyance alternative, with the exception that the Gustave Larson business would remain and a small storm channel would be built to the south of the facility leaving the existing 54 inch diameter storm sewer to remain to provide increased large storm capacity. Land would have to be acquired from the existing business to construct the new channel. The new channel would be approximately 6 feet wide with a 0.25 foot deep, v-notch invert. The side slopes of the new channel would be 3 feet horizontal to 1 foot vertical. A benefit of this configuration is that one of the crossing culverts beneath the Canadian Pacific Railway will be able to be reduced from 60 inch to 54 inch. The estimated cost of this alternative is approximately \$2,251,128.00 and is detailed in Table 5.

Table 2 Install New Railroad Culverts and 60 inch Parallel Storm Sewer

Description	Units	Cost per Unit	Cost
3 New 90 foot long, 60" Dia. CMP Culverts Bored Beneath Railroad	270 lineal feet	\$3,502 per lineal foot	\$945,540
Launch Setup/Crane Pad/Crane Rental	1 LS	\$51,500 per LS	\$51,500
Reinforced Concrete Endwalls at Culvert Crossing	2 each	\$41,200 per each	\$82,400
Grading and Rip rap at the Culvert Crossing	1 LS	\$46,350 per LS	\$46,350
Railroad Flagging	1 LS	\$75,190 per LS	\$75,190
Clearing and Tree Trimming in Easement	1 LS	\$30,900 per LS	\$30,900
60" Dia. RCP Parallel Storm Sewer	1100 lineal feet	\$309 per lineal foot	\$339,900
60" End-sections and Storm Manholes	1 LS	\$30,900 per LS	\$30,900
Surface Restoration	1 LS	\$25,750 per LS	\$25,750
Mobilization	1 LS	\$72,100 per LS	\$72,100
Subtotal			\$1,700,530
20% Contingencies			\$340,106
Total Estimated Cost			\$2,040,636

Table 3 Install New Railroad Culverts and Remove/Replace Existing 54 inch Storm Sewer with Open Channel

Description	Units	Cost per Unit	Cost
3 New 90 foot long, 60" Dia. CMP Culverts Bored Beneath Railroad	270 lineal feet	\$3,502 per lineal foot	\$945,540
Launch Setup/Crane Pad/Crane Rental	1 LS	\$51,500 per LS	\$51,500
Reinforced Concrete Endwalls at Culvert Crossing	2 each	\$41,200 per each	\$82,400
Grading and Rip rap at the Culvert Crossing	1 LS	\$46,350 per LS	\$46,350
Railroad Flagging	1 LS	\$75,190 per LS	\$75,190
Clearing and Tree Trimming in Easement	1 LS	\$30,900 per LS	\$30,900
Excavation, Grading & Material Disposal	28,400 cubic yards	\$15 per cubic yard	\$426,000
Landscaping & Restoration (channel)	10,770 square yards	\$8 per square yard	\$86,160
Channel Bottom Stone	108 cubic yards	\$60 per cubic yard	\$6,480
Rip rap for channel	170 square yards	\$40 per square yard	\$6,800
Mobilization	1 LS	\$72,100 per LS	\$72,100
Subtotal			\$1,829,420
20% Contingencies			\$365,884
Total Estimated Cost			\$2,195,304

**Table 4 Install New Railroad Culverts and Acquire Gustave Larson Property,
Abandon Existing Storm Sewer and Construct New Channel**

Description	Units	Cost per Unit	Cost
3 New 90 foot long, 60" Dia. CMP Culverts Bored Beneath Railroad	270 lineal feet	\$3,502 per lineal foot	\$945,540
Launch Setup/Crane Pad/Crane Rental	1 LS	\$51,500 per LS	\$51,500
Reinforced Concrete Endwalls at Culvert Crossing	2 each	\$41,200 per each	\$82,400
Grading and Rip rap at the Culvert Crossing	1 LS	\$46,350 per LS	\$46,350
Railroad Flagging	1 LS	\$75,190 per LS	\$75,190
Clearing and Tree Trimming in Easement	1 LS	\$30,900 per LS	\$30,900
Excavation, Grading & Material Disposal	12,000 cubic yards	\$15 per cubic yard	\$180,000
Landscaping & Restoration (channel)	7,970 square yards	\$8 per square yard	\$63,760
Channel Bottom Stone	117 cubic yards	\$60 per cubic yard	\$7,220
Rip rap for channel	170 square yards	\$40 per square yard	\$6,800
Building Acquisition	1 LS	\$8,563,380 per LS	\$8,563,380
Building, Concrete and Pavement Removal	1 LS	\$308,890 per LS	\$308,890
Restoration of Building and Pavement area with Native Seeding	1 LS	\$486,730 per LS	\$486,730
Abandon Existing Storm Sewer/Seal Ends	2 ea	\$1,000 per each	\$2,000
Mobilization	1 LS	\$72,100 per LS	\$72,100
Subtotal			\$10,922,560
20% Contingencies			\$2,184,512
Total Estimated Cost			\$13,107,072

**Table 5 Install New Railroad Culverts and Acquire New Easement for
channel and Construct New Channel**

Description	Units	Cost per Unit	Cost
2 New 90 foot long, 60" Dia. CMP Culverts Bored Beneath Railroad	180 lineal feet	\$3,502 per lineal foot	\$630,360
1 New 90 foot long 54" Dia. CMP Culvert Bored Beneath Railroad	90 lineal feet	\$3,402 per lineal foot	\$306,180
Launch Setup/Crane Pad/Crane Rental	1 LS	\$51,500 per LS	\$51,500
Reinforced Concrete Endwalls at Culvert Crossing	2 each	\$41,200 per each	\$82,400
Grading and Rip rap at the Culvert Crossing	1 LS	\$46,350 per LS	\$46,350
Railroad Flagging	1 LS	\$75,190 per LS	\$75,190
Clearing and Tree Trimming in Easement	1 LS	\$30,900 per LS	\$30,900
Excavation, Grading & Material Disposal	10,700 cubic yards	\$15 per cubic yard	\$160,500
Landscaping & Restoration (channel)	7,690 square yards	\$8 per square yard	\$61,520
Channel Bottom Stone	91 cubic yards	\$60 per cubic yard	\$5,460
Rip rap for channel	280 square yards	\$40 per square yard	\$11,200
Easement Acquisition	1 LS	\$266,100 per LS	\$266,100
60" RCP Driveway Culvert with Endsections	80 lineal feet	\$225 per lineal foot	\$18,000
Driveway Restoration and Parking Lot Replacement	948 square yards	\$35 per square yard	\$33,180
Misc. Utility Relocations	1 LS	\$25,000 per LS	\$25,000
Mobilization	1 LS	\$72,100 per LS	\$72,100
Subtotal			\$1,875,940
20% Contingencies			\$375,188
Total Estimated Cost			\$2,251,128

Discussion of Alternatives and Recommended Alternative

The primary objective of the engineering effort to date was to determine the cause and provide a solution for the flooding occurring within the Wagner Park region north of Green Road and the Emerald Lane area south of Green Road. The root cause of the flooding, apart from significant rainfall, is the restriction provided primarily at the Canadian Pacific Railway, the 54 inch storm sewer downstream of the railway crossing and to a lesser extent the culvert 38 x 60 inch culvert that used to cross Green Road. A number of alternative approaches were considered to alleviate the issues. Although acquisition of the affected condominium units was contemplated at times during the development of the conveyance type alternatives, it was realized that this approach was generally more costly than the conveyance approaches and more importantly would not resolve the overall flooding occurring within the region.

As the project has developed, the primary conveyance alternative was refined to address the capacity deficiencies of the existing railroad crossing and the downstream conveyance of the flood flows. The estimated cost of this alternative, \$2, 040,636.00, represents the lowest estimated cost of the conveyance alternatives considered. It would also have the least amount of disturbance, approximately 0.12 acres of wetland. The primary reason for considering the other approaches is that: the existing 54 inch storm sewer represents an unpermitted enclosure of a navigable water way and the installation of a parallel storm sewer would represent a continuing violation; and enclosures are not typically allowed at this time by the Department of Natural Resources as they impede navigation and fish passage and limit access to a natural resource.

Consequently the three alternate conveyance approaches were developed to resolve the flooding issue at hand and to potentially provide an approach that would be permissible under the current WDNR rules. Of the three alternative approaches, the removal and replacement of the existing 54 inch storm with an open channel has the lowest estimated probable cost of \$2,195,304.00, and would disturb approximately 0.19 acres of wetland. The channel alternative requiring the acquisition and removal of the Gustave Larson building and abandonment of the existing 54 inch storm sewer would represent the most expensive alternative at an estimated probable cost of \$13,107,072 and impact 0.36 acres of wetlands.

The remaining conveyance alternative which included using the existing 54 inch storm sewer during high flows with the establishment of a low flow type channel while leaving the Gustave Larson facility intact had an estimated probable cost of \$2,251,128.00 and impact 0.36 acres of wetlands. This alternative, however, is likely not viable as it continues to perpetuate the unpermitted stream enclosure by leaving the existing storm sewer in place.

Each of the conveyance alternatives were designed based upon the 100 year recurrence interval storm event and evaluated against estimated water surface elevations utilizing XP Solutions XPSWMM software program. Table 6 briefly summarizes the results of the analysis. Results for each of the proposed conveyance alternatives investigated show relatively similar results with no single alternative standing out as being significantly better.

Table 6 Summary of Water Surface Elevations for the 100 year storm Event at Selected Locations for Each of the Conveyance Alternatives Analyzed

Location	Existing Condition (NGVD29)	Primary Alternative (NGVD 29)	Alternative 1 (NGVD 29)	Alternative 2 (NGVD 29)	Alternative 3 (NGVD 29)
Upstream of CP Railway	861.9	860.1 (drop 1.8 ft)	860.1 (drop 1.8 ft)	860.1 (drop 1.8 ft)	860.0 (drop 1.9 ft)
Downstream of CP Railway	859.7	859.4 (drop 0.3 ft)	859.5 (drop 0.2 ft)	859.4 (drop 0.3 ft)	859.3 (drop 0.4 ft)
Inlet of Storm Sewer	859.6	858.7 (drop 0.9ft)	858.5 (drop 1.1 ft)	NA	858.7 (drop 0.9 ft)
Outfall of Storm Sewer	854.6	855.1 (rise 0.5 ft)	855.0 (rise 0.4 ft)	855.1 (rise 0.5 ft)	855.1 (rise 0.5 ft)
Upstream of Paul Road	853.7	853.8 (rise 0.1 ft)	853.8 (rise 0.1 ft)	853.9 (rise 0.2 ft)	853.8 (rise 0.1 ft)
Downstream of Paul Road	850.3	850.4 (rise 0.1 ft)	850.4 (rise 0.1 ft)	850.5 (rise 0.2 ft)	850.4 (rise 0.1 ft)

Given the alternative approaches and alternatives investigated to date to resolve the flooding issues in the Wagner Park region, the City would still wish to pursue the primary alternative. The primary alternative is estimated to be the least expensive of the conveyance approaches (at approximately \$2,040,636.00) as well as to have the least amount of wetland impacts (approximately 0.12 acres). Additionally, given the location and configuration of the un-named tributary between Watertown Road and the Canadian Pacific Railway, it is the City's belief the stream represents limited natural resource and recreational uses. North of Watertown Road the stream runs through the Waukesha Gun Club and an online detention facility. Waukesha Gun Club is a long standing skeet and trap facility; for safety reasons there is no public access to the stream at the gun club and the lead shot used at the facility would likely represent an impairment to any contact uses with the waterway. Between the detention facility and Paul Road, the stream contains a concrete bed or invert. A concrete invert or stream bed limits instream habitat and raises stream velocities within the channel making it difficult for fish to swim upstream. From Paul Road to the downstream end of the existing 54 inch storm sewer/enclosure is approximately 880 feet of a somewhat "natural" stream section. Storm water runoff between Watertown Road and the Canadian Pacific Railroad is attributed from predominately manufacturing land uses developed prior to current water quality requirements (pre- 2004). Runoff from these land uses would likewise be an impairment to the stream.

Figure 1

Primary Alternative

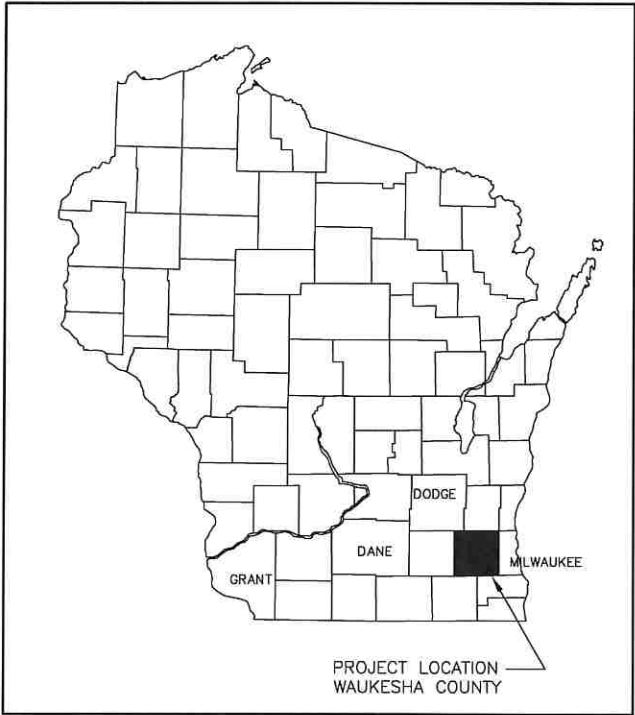
EMERALD ACRES FLOOD MITIGATION PROJECT

PEWAUKEE, WISCONSIN

DRAFT
AUGUST 2013

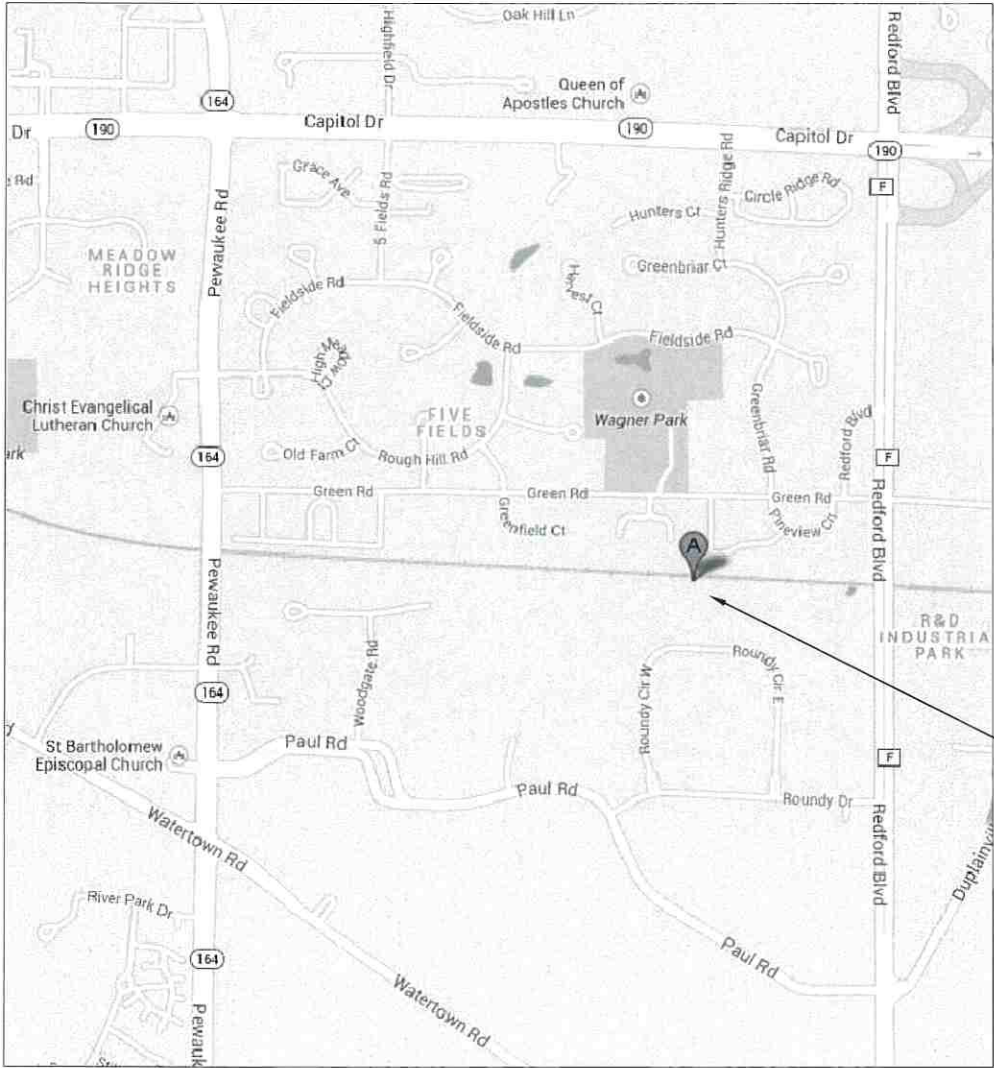
Figure 1
Primary Alternative

VICINITY MAP



WISCONSIN

LOCATION MAP



NOT TO SCALE
SOURCE: WWW.GOOGLE.COM

PEWAUKEE, WI

DRAWING INDEX

DWG NO.	SHEET TITLE
GENERAL	
G-1	COVER
G-2	GENERAL NOTES, LEGEND, AND SHEET INDEX
CIVIL	
ST-1	60-INCH STORM SEWER PLAN AND PROFILE
ST-2	60-INCH STORM SEWER PLAN AND PROFILE
ST-3	60-INCH STORM SEWER PLAN AND PROFILE
ST-4	DUAL 54-INCH CULVERT PLAN AND PROFILE

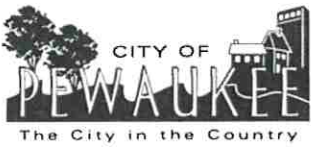


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PARTICIPANTS' UNDERGROUND
FACILITIES BEFORE YOU
DIG IN WISCONSIN

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TOLL FREE

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TDD (FOR HEARING IMPAIRED) 1-800-542-2289

WIS. STATUTE 182.0175 (1974)
REQUIRES MIN. OF 3 WORK DAYS
NOTICE BEFORE YOU EXCAVATE.



W240 N3065 PEWAUKEE ROAD
PEWAUKEE, WI 53072
1-262-691-0770

WWW.CITYOFPEWAUKEE.US

PREPARED BY:

AECOM

1555 NORTH RIVER CENTER DRIVE
SUITE 214
MILWAUKEE, WI 53212
1-414-944-6080

AECOM PROJECT NO. 60155461

OWNER: CITY OF PEWAUKEE, RICHARD J. WIRTZ, P.E.
DESIGNER: AECOM, RICHARD J. KLEIN, P.E.

262-691-0804
414-944-6150

FILE NAME: L:\WORK\60155461\001_CAD\001_DRAWINGS\SHS\SHS\REV2\GN REV2.DWG LAST SAVED BY: MROZZ PLOT DATE: 8/27/2013 11:02:16 AM

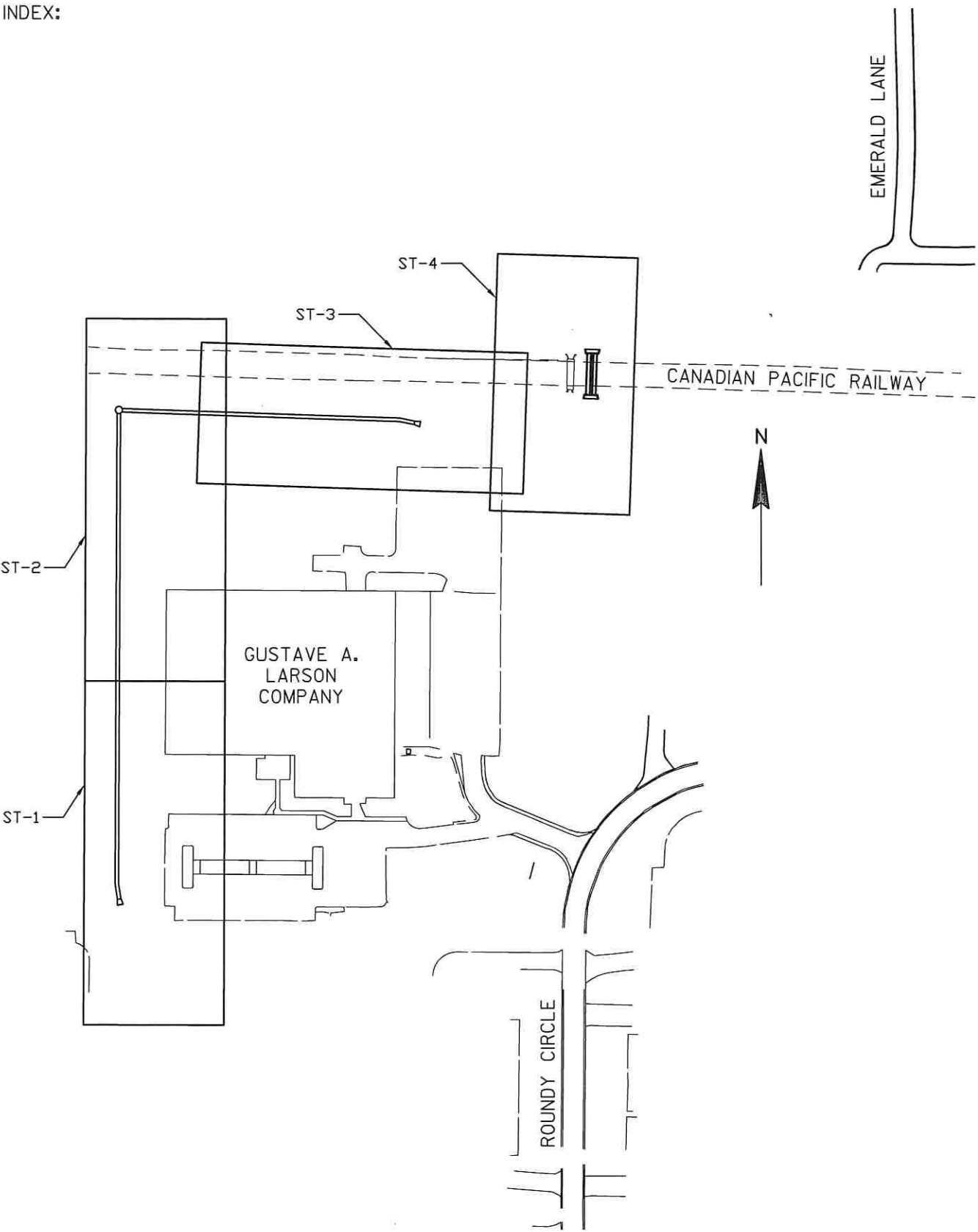
GENERAL NOTES:

- 1. SOIL BORING LOCATIONS SHOWN ARE APPROXIMATE.
- 2. COMPLETE SOIL BORING LOGS ARE INCLUDED IN THE CONSTRUCTION SPECIFICATION APPENDIX.

LEGEND AND ABBREVIATIONS:

----- P/L -----	PROPERTY LINE
----- P/E -----	PERMANENT EASEMENT
----- 64" SS -----	EXISTING STORM SEWER
----- 15" SAN -----	EXISTING SANITARY SEWER
----- FO -----	EXISTING FIBER OPTIC
----- E -----	EXISTING ELECTRIC
----- 60" SS -----	PROPOSED STORM SEWER
~~~~~	TREE LINE
-X-X-	FENCE
-----	GRADING LIMITS
~~~~~	WETLAND AREA

SHEET INDEX:



SURVEY CONTROL:

MARK	DESCRIPTION	DATE

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DRAFT AUGUST 2013

REV. 2

CITY OF PEWAUKEE
EMERALD ACRES FLOOD MITIGATION PROJECT

GENERAL NOTES, LEGEND, AND SHEET INDEX

DRN:	DSN:	CHK:	APP:
ZTM			

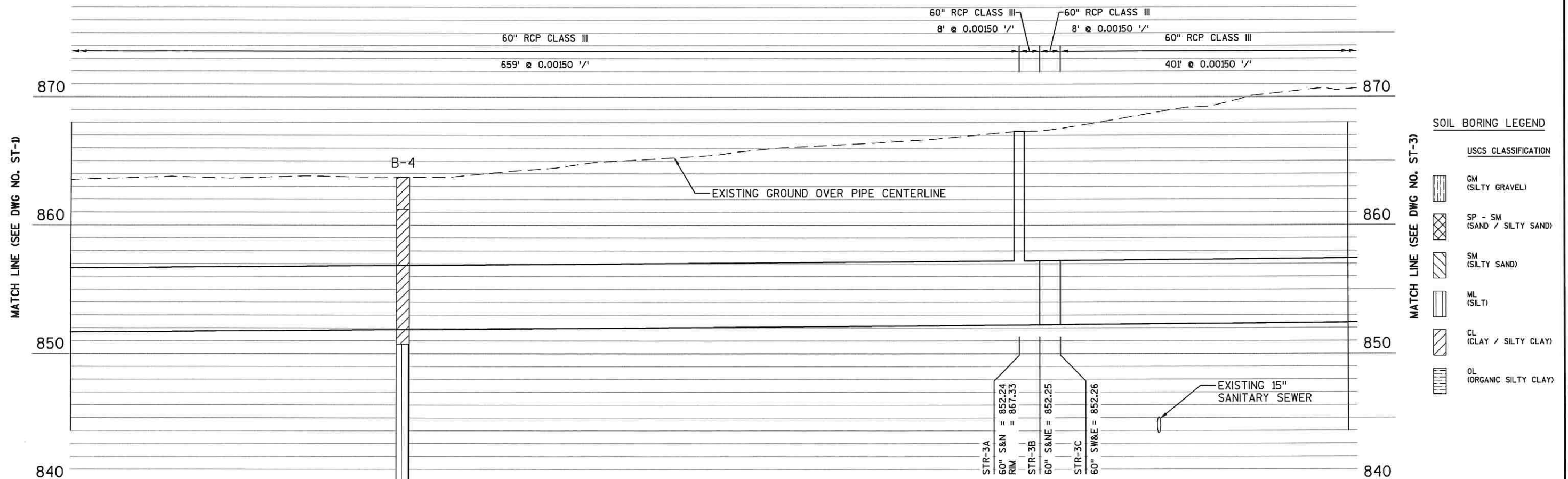
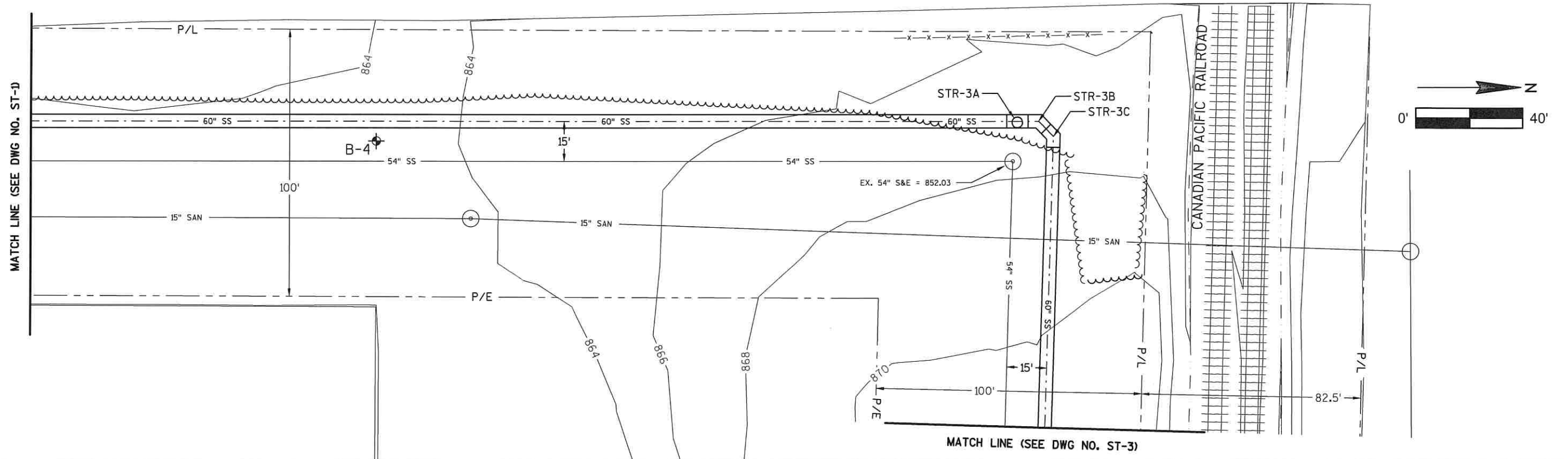
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PROJECT NUMBER: 60155461

DRAWING NUMBER:
G-1

SHEET OF

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REV. 2

CITY OF PEWAUKEE
EMERALD ACRES FLOOD MITIGATION PROJECT
60-INCH STORM SEWER PLAN AND PROFILE

DRN	DSN	CHK	APP
ZTM			

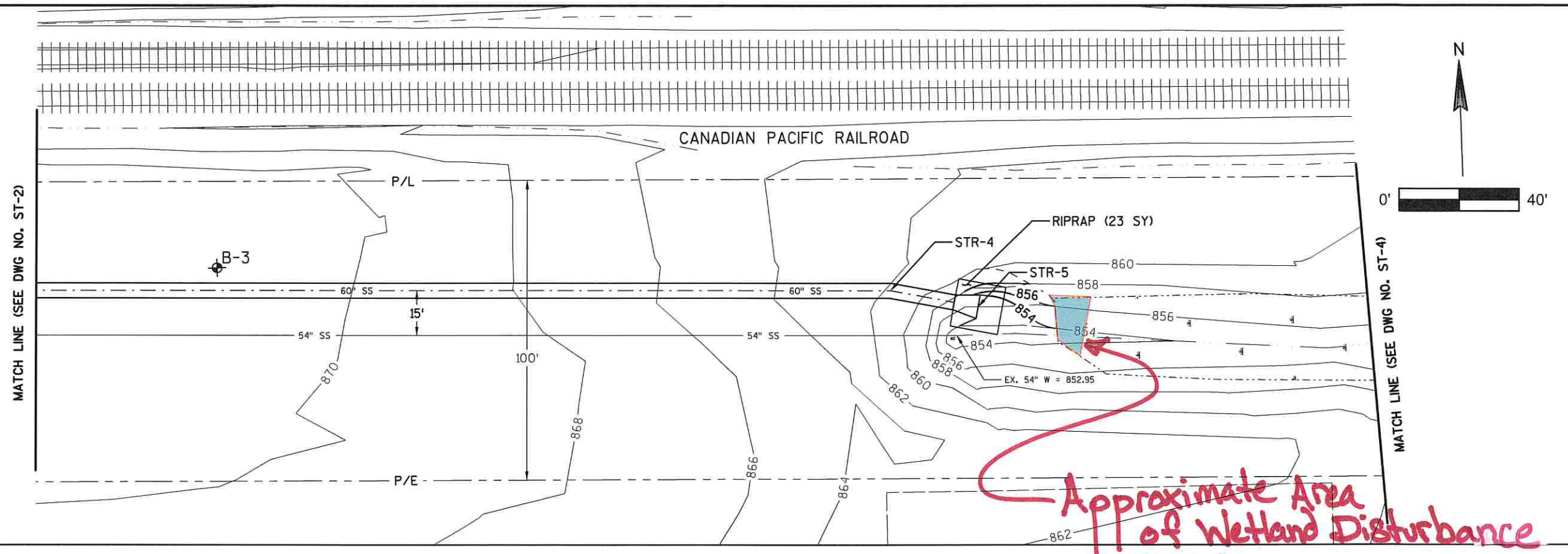
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PROJECT NUMBER: 60155461

DRAWING NUMBER:
ST-2

SHEET OF

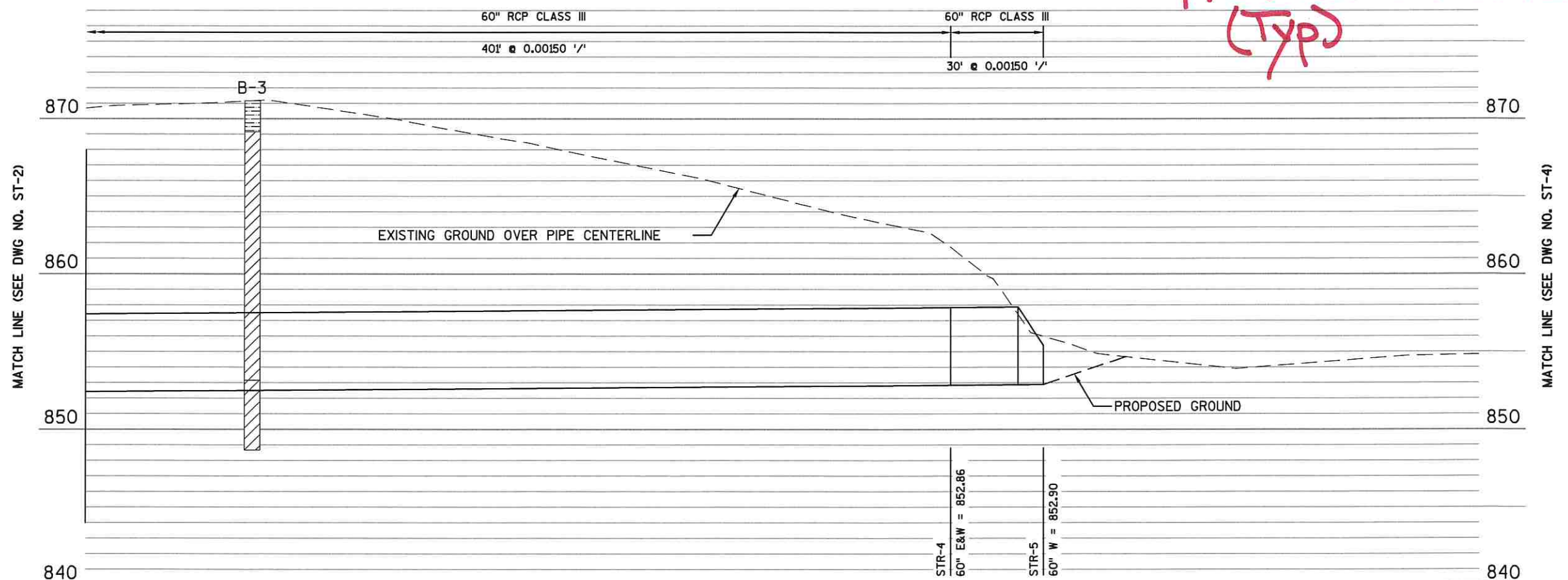
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SOIL BORING LEGEND

USCS CLASSIFICATION

- GM (SILTY GRAVEL)
- SP - SM (SAND / SILTY SAND)
- SM (SILTY SAND)
- ML (SILT)
- CL (CLAY / SILTY CLAY)
- OL (ORGANIC SILTY CLAY)



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DRAFT AUGUST 2013

CITY OF PEWAUKEE
EMERALD ACRES FLOOD MITIGATION PROJECT

60-INCH STORM SEWER PLAN AND PROFILE

REV. 2

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ZTM			
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PROJECT NUMBER: 60155461			
DRAWING NUMBER: ST-3			
SHEET OF			

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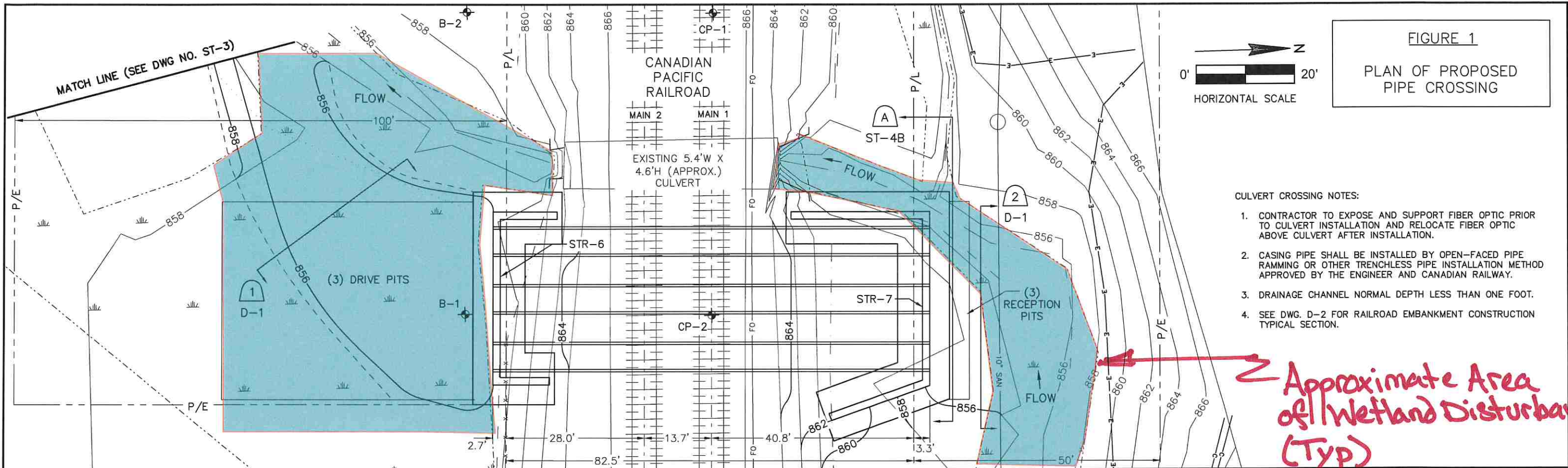


FIGURE 1
PLAN OF PROPOSED
PIPE CROSSING

- CULVERT CROSSING NOTES:
1. CONTRACTOR TO EXPOSE AND SUPPORT FIBER OPTIC PRIOR TO CULVERT INSTALLATION AND RELOCATE FIBER OPTIC ABOVE CULVERT AFTER INSTALLATION.
 2. CASING PIPE SHALL BE INSTALLED BY OPEN-FACED PIPE RAMMING OR OTHER TRENCHLESS PIPE INSTALLATION METHOD APPROVED BY THE ENGINEER AND CANADIAN RAILWAY.
 3. DRAINAGE CHANNEL NORMAL DEPTH LESS THAN ONE FOOT.
 4. SEE DWG. D-2 FOR RAILROAD EMBANKMENT CONSTRUCTION TYPICAL SECTION.

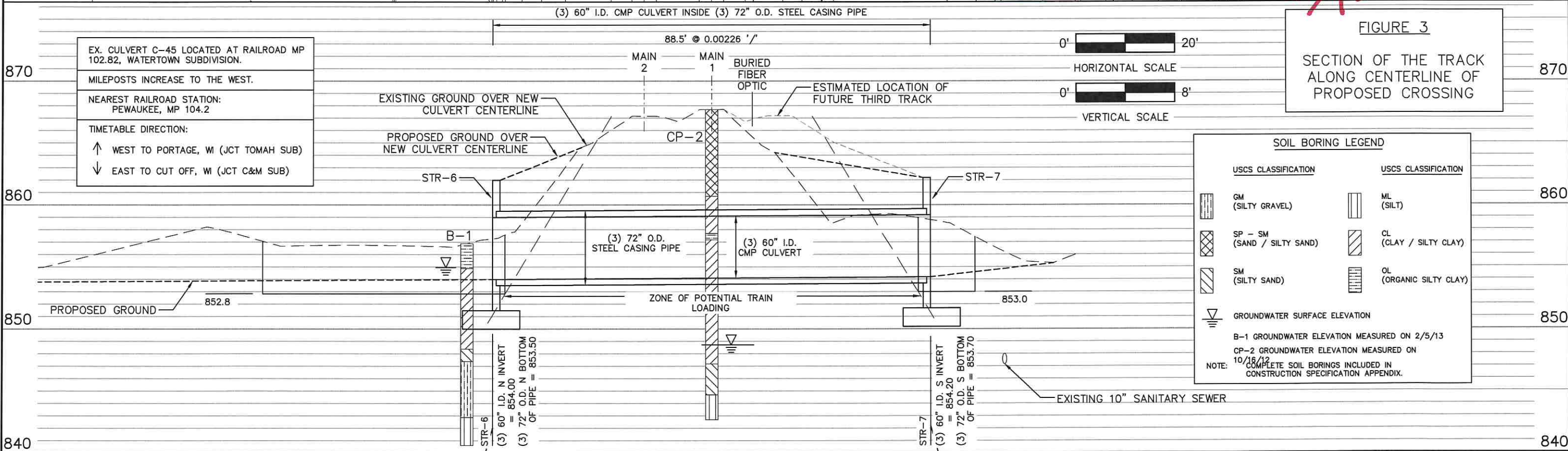


FIGURE 3
SECTION OF THE TRACK
ALONG CENTERLINE OF
PROPOSED CROSSING

SOIL BORING LEGEND	
USCS CLASSIFICATION	USCS CLASSIFICATION
GM (SILTY GRAVEL)	ML (SILT)
SP - SM (SAND / SILTY SAND)	CL (CLAY / SILTY CLAY)
SM (SILTY SAND)	OL (ORGANIC SILTY CLAY)
GROUNDWATER SURFACE ELEVATION	
B-1 GROUNDWATER ELEVATION MEASURED ON 2/5/13	
CP-2 GROUNDWATER ELEVATION MEASURED ON 10/16/12	
NOTE: COMPLETE SOIL BORINGS INCLUDED IN CONSTRUCTION SPECIFICATION APPENDIX.	

AECOM AECOM 1555 N. RiverCenter Dr., Suite 214 Milwaukee, WI 53212 414.944.6080 www.aecom.com		DRAFT SEPTEMBER 2014		CITY OF PEWAUKEE EMERALD ACRES FLOOD MITIGATION PROJECT TRIPLE 60-INCH CULVERT PLAN AND PROFILE REV. 5		DRN: ZTM DSN: CHK: APP: Do not scale this document. All measurements must be obtained from stated dimensions. PROJECT NUMBER: 60155461 DRAWING NUMBER: ST-4A SHEET OF	
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Figure 2

Channel Alternative 1

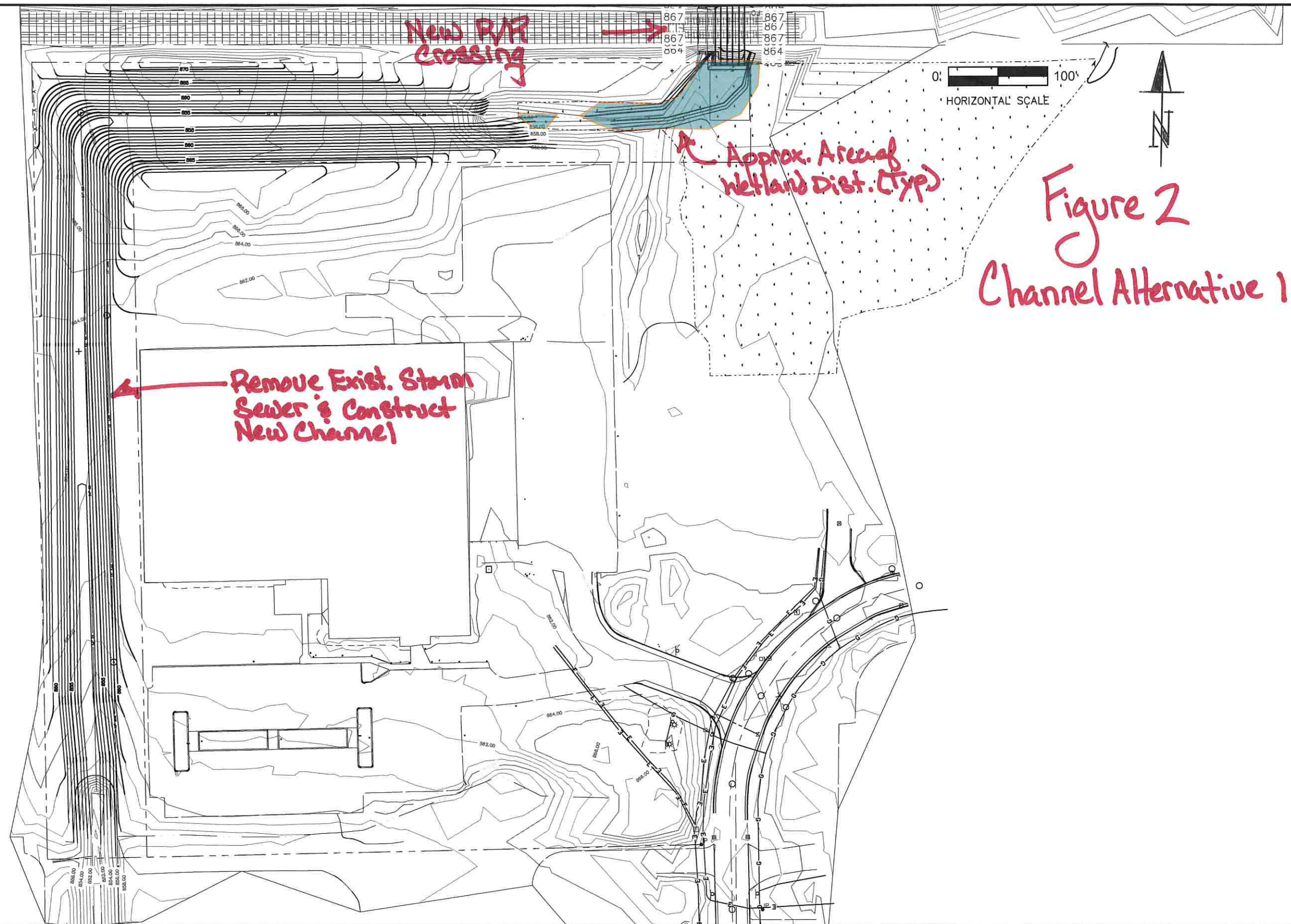


Figure 3

Channel Alternative 2

Figure 4

Channel Alternative 3

Figure 5

Acquisition Alternative



1 inch = 80 feet

Figure 5
Acquisition
Alternative

Appendix A

Emerald Acres Flooding Study City of Pewaukee, WI



Final Report

Emerald Acres Flooding Study City of Pewaukee, Wisconsin

Prepared For:

City of Pewaukee
W240N3065 Pewaukee Road
Pewaukee, WI 53072

Prepared By:

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

April 2, 2012

AECOM Project No. 60185225

INTRODUCTION

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

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

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

EXISTING CONDITIONS

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



Channel Description

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

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

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



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



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

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



Figure 4
Upstream (north) end of railroad culvert



Figure 5
Downstream (south) end of railroad culvert



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

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



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

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

Flooding Observations

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

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



Figure 8
Looking south on Emerald Lane from midblock



Figure 9
Floodwater overtopping Green Road (looking NW)



Figure 10
South end of Emerald Lane



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

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

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

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

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

Hydrologic/Hydraulic Modeling - Procedures

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

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

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

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

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

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

Hydrologic/Hydraulic Modeling – Results of Existing Conditions

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

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

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

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

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

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

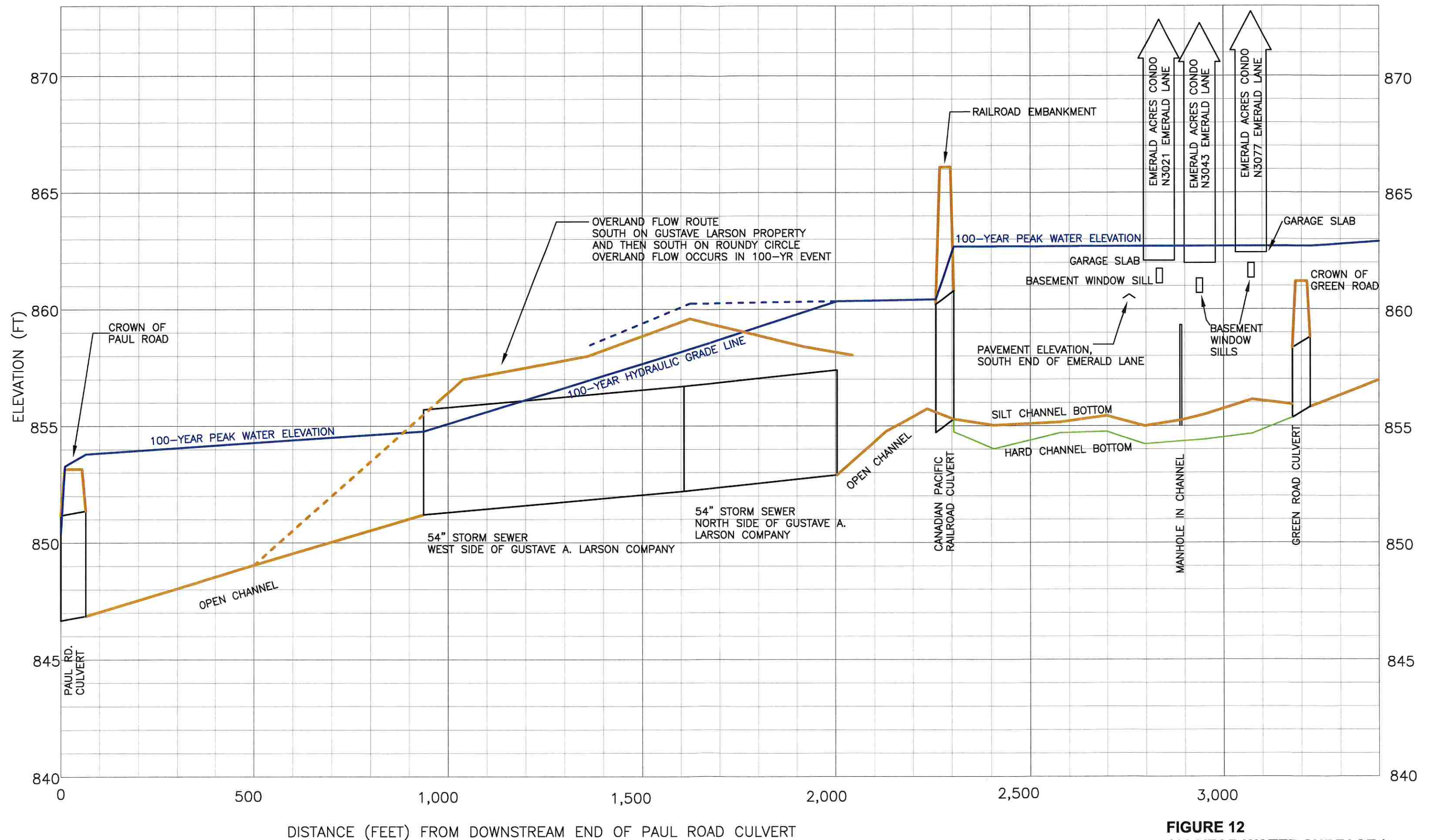


FIGURE 12
100-YEAR WATER SURFACE /
HYDRAULIC GRADE LINE PROFILE
EMERALD LANE FLOODING STUDY

EVALUATION OF STORMWATER FLOOD RELIEF ALTERNATIVES

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

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

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

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

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

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

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

Specific Alternatives Evaluated

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

Increase hydraulic capacity under Canadian Pacific railroad embankment

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

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

Increase capacity of open channel between railroad and Green Road

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



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

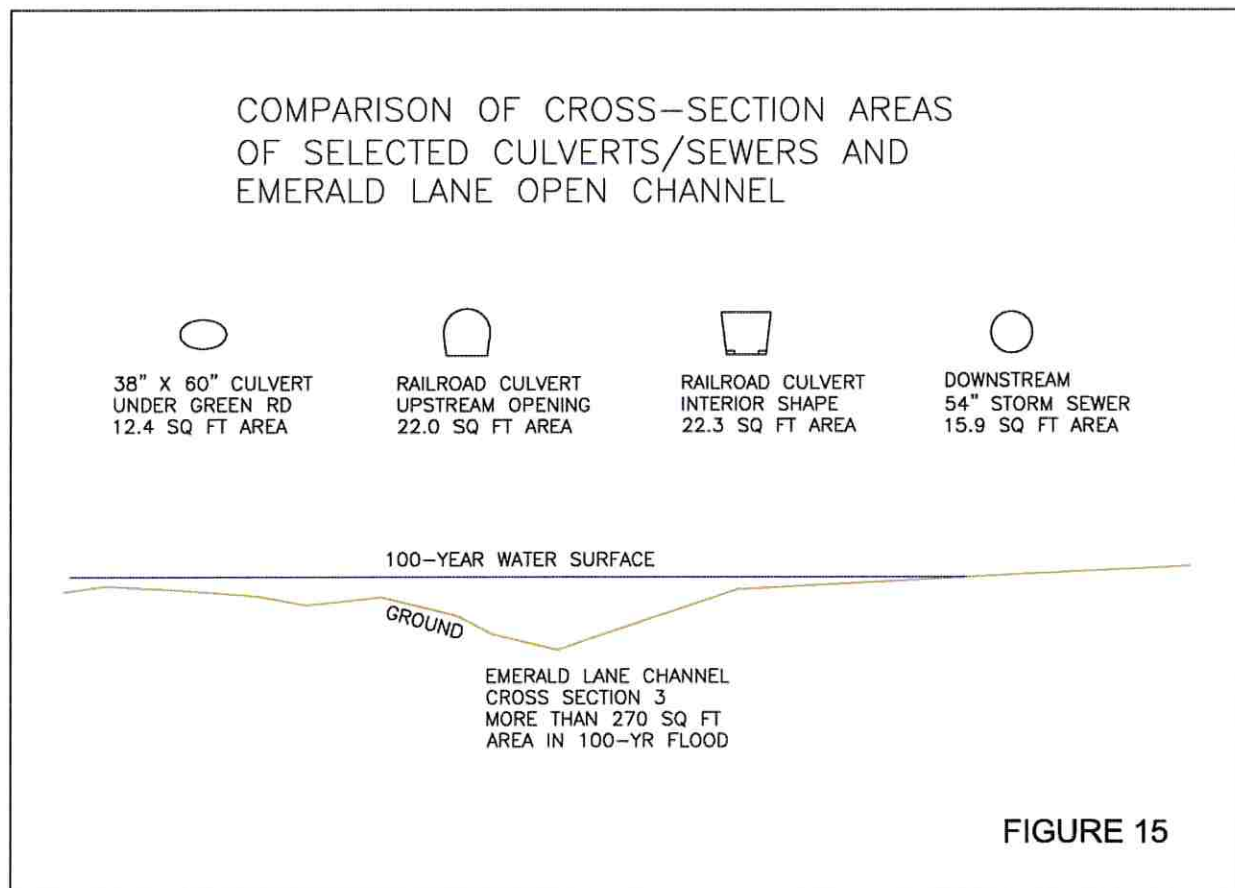


Figure 14
Channel along north side of railroad
embankment, looking east from near culvert
toward Emerald Acres

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

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

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



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

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

Increase capacity of Green Road culvert

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

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

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

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

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

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

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

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

Increase capacity of open channel downstream of railroad culvert

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

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

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

Increase of conveyance in/parallel to Roundy Circle storm sewer

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

Stormwater storage / detention

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

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



Figure 16
Wagner Park – South Detention Pond



Figure 17
Wagner Park – North Detention Pond

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

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

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

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

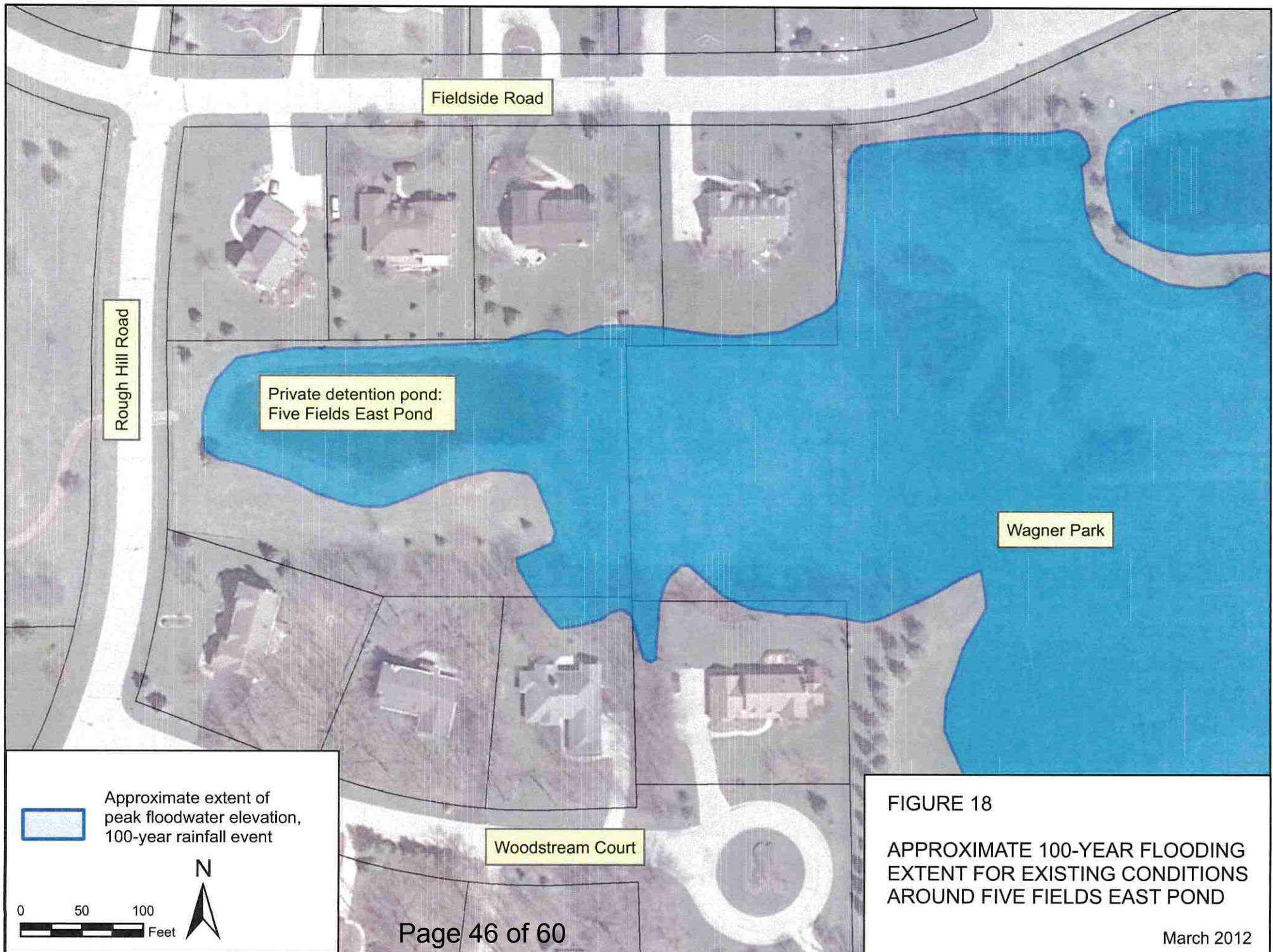


FIGURE 18

APPROXIMATE 100-YEAR FLOODING
EXTENT FOR EXISTING CONDITIONS
AROUND FIVE FIELDS EAST POND

March 2012



Floodproofing of selected Emerald Lane condominiums

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

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

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

RECOMMENDATIONS AND IMPLEMENTATION

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

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

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

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

The estimated construction costs of these projects are:

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

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

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

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

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

New culvert under Canadian Pacific Railroad tracks/embankment

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

Hydrologic/hydraulic modeling indicates that an additional 72" diameter concrete culvert is required to convey the necessary 100-year design flow. Trenchless installation of the culvert is required by Canadian Pacific Railroad. The railroad also requires a casing pipe in addition to the concrete culvert. The casing pipe will be of slightly larger diameter than the concrete culvert and is anticipated to be steel

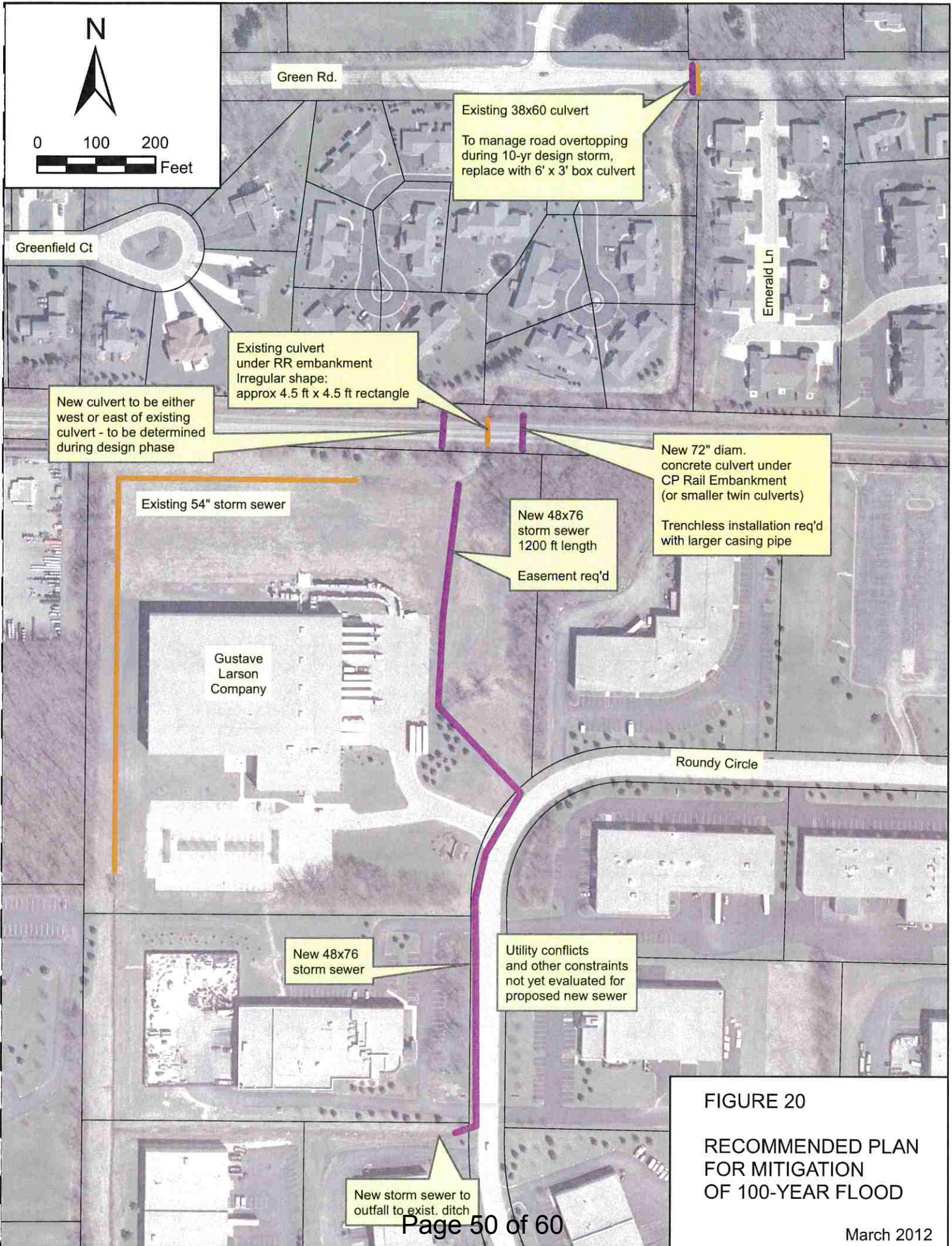


FIGURE 20

RECOMMENDED PLAN
FOR MITIGATION
OF 100-YEAR FLOOD

pipe. It is anticipating that boring/jacking will be used to install the pipe under the railroad embankment. The estimated length of the new culvert is 50 to 60 feet.

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

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

Figure 21 shows the probable culvert locations in more detail.

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

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

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

New Roundy Circle storm sewer

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

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

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

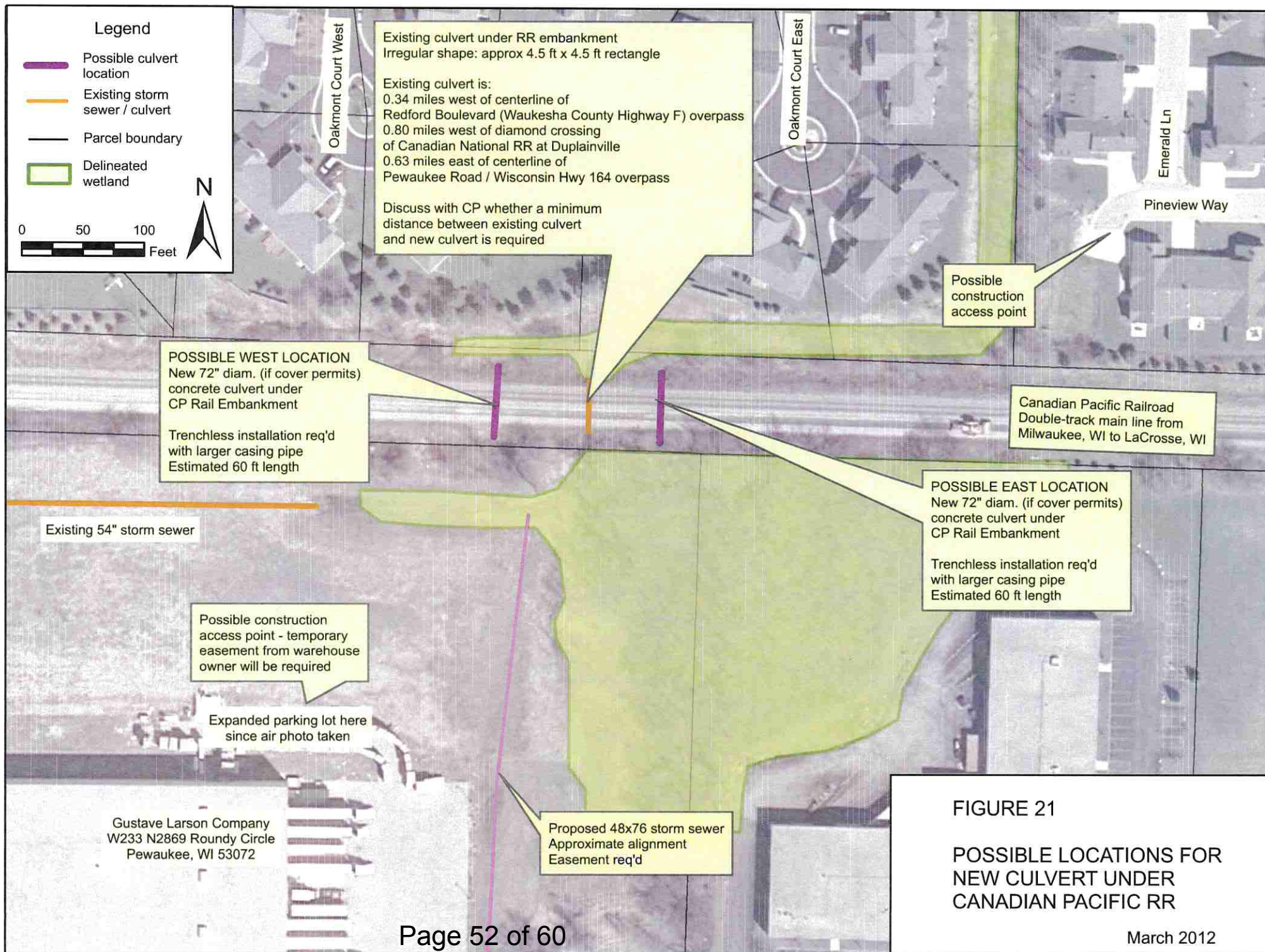


FIGURE 21

POSSIBLE LOCATIONS FOR
NEW CULVERT UNDER
CANADIAN PACIFIC RR

March 2012

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

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

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

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

New Green Road culvert

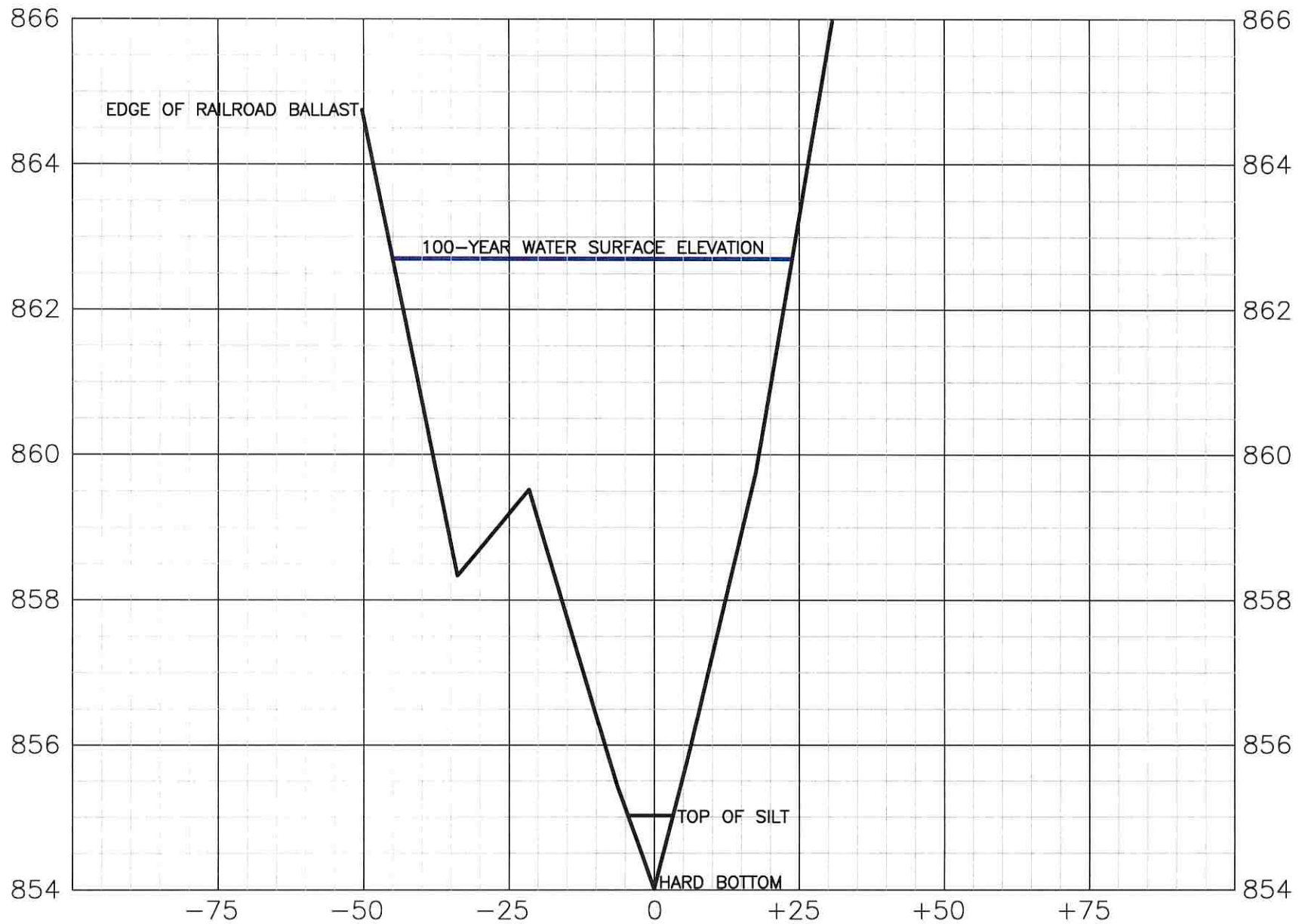
As the final design of the Green Road reconstruction project was in progress, AECOM provided City staff with additional recommendations on the sizing of a new Green Road cross culvert, and necessary intake/inlet capacity on the north side of Green Road, to capture the large amount of surface flow and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

APPENDIX A

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

Field survey performed by Ruekert/Mielke, 2010

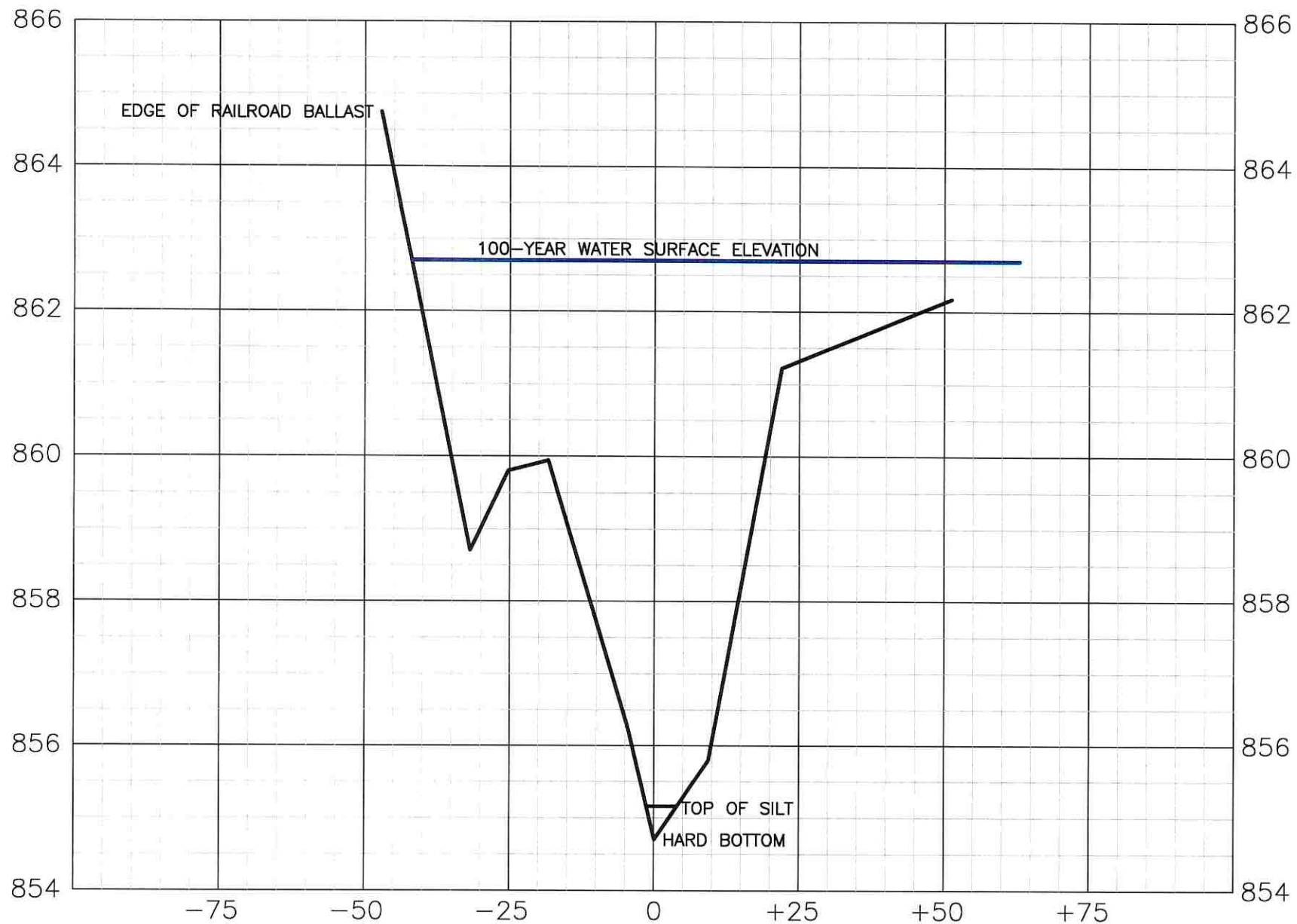
100-year water surface elevations shown represent existing conditions,
before proposed flood control improvements



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

SURVEYED CROSS SECTION: RAILROAD NORTH CHANNEL 1

Approximately 65 ft east of railroad culvert

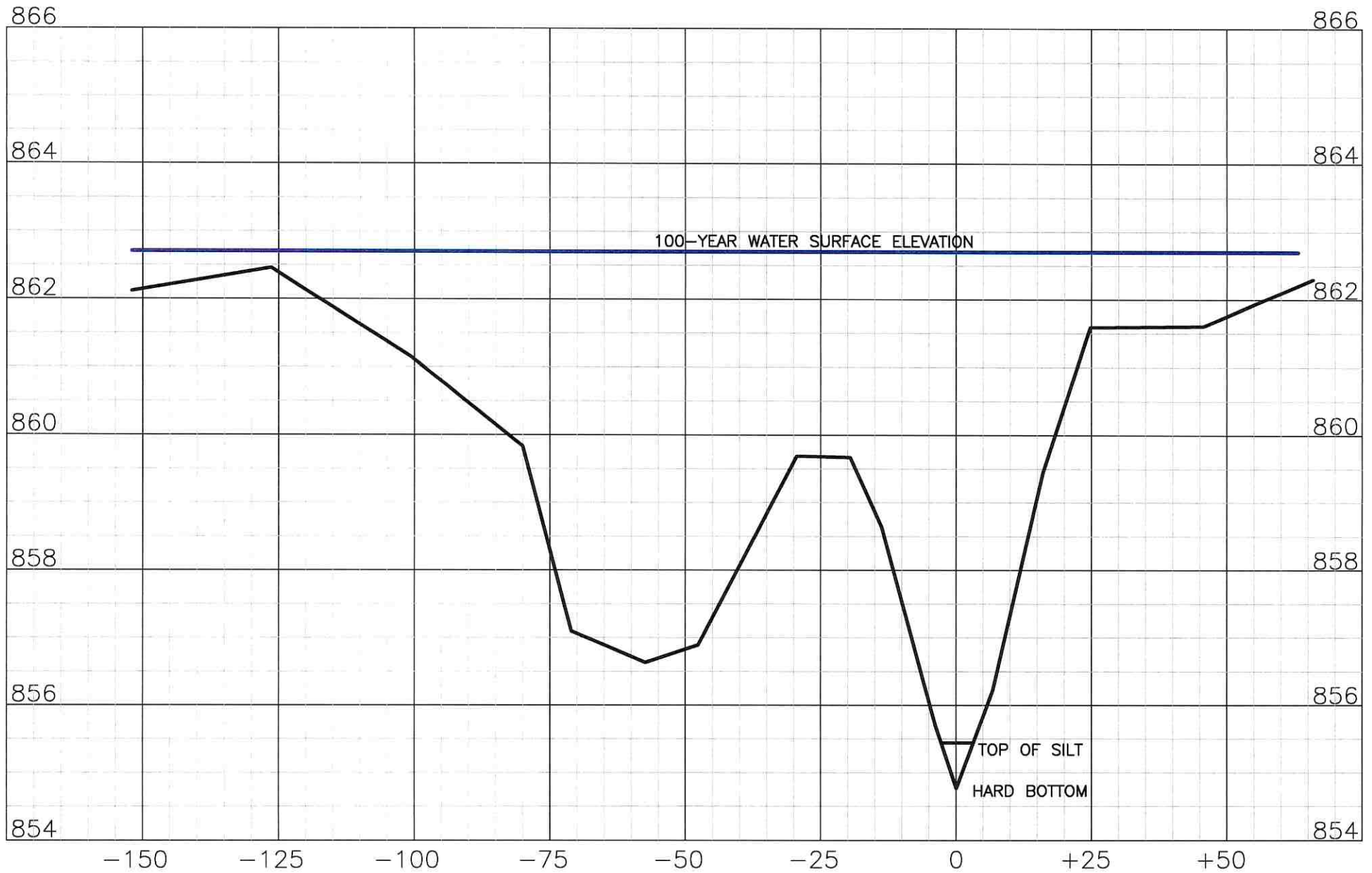


HORIZONTAL SCALE: 1 INCH = 25 FT
VERTICAL SCALE: 1 INCH = 2 FT
VIEW LOOKING DOWNSTREAM (TO WEST)

**SURVEYED CROSS SECTION:
RAILROAD NORTH CHANNEL 2**

Approximately 240 ft east of railroad culvert

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

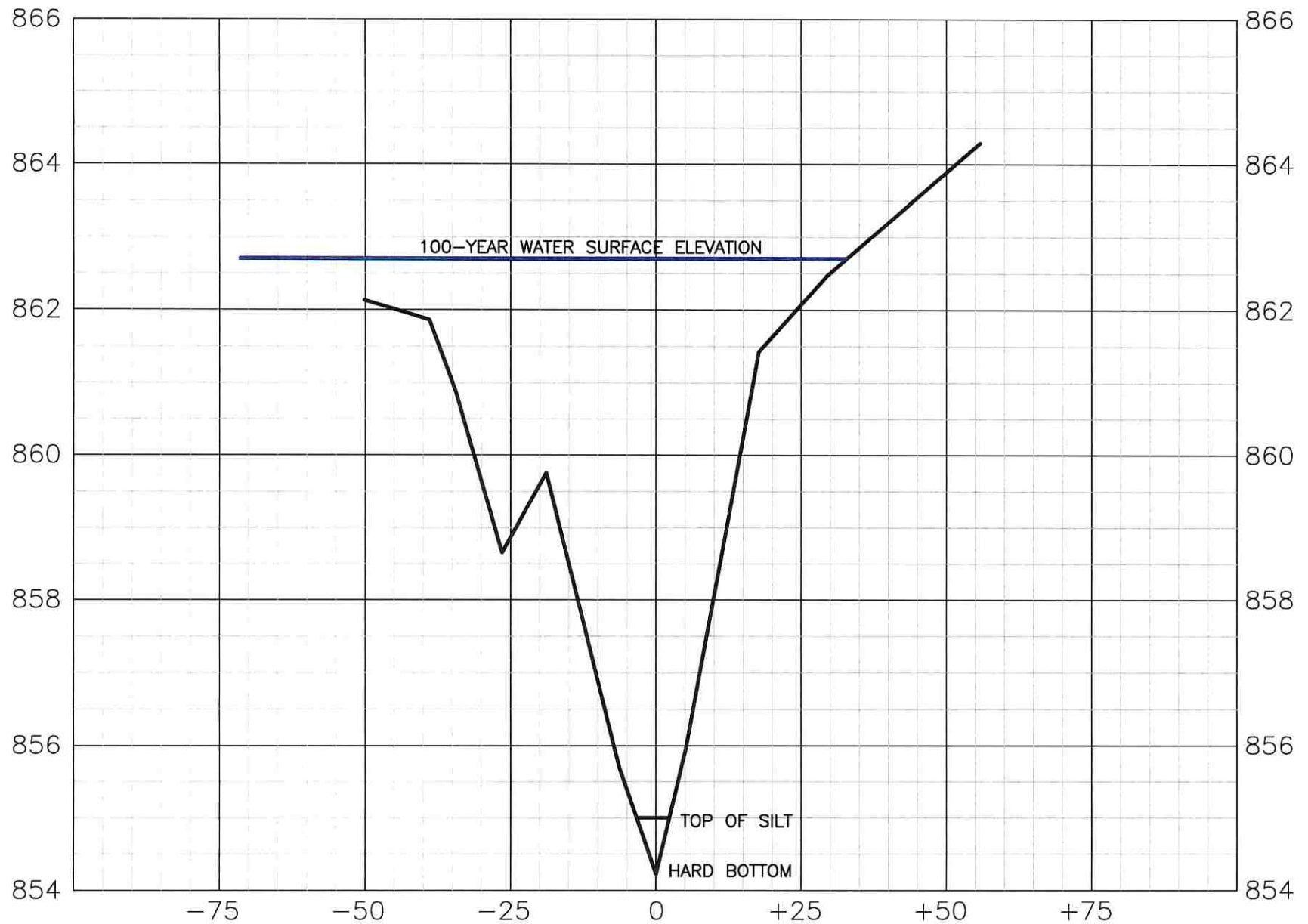


HORIZONTAL SCALE: 1 INCH = 25 FT
 VERTICAL SCALE: 1 INCH = 2 FT
 VIEW LOOKING DOWNSTREAM (TO SOUTH)

SURVEYED CROSS SECTION: EMERALD LANE CHANNEL 1

Approximately 490 ft south of Green Rd centerline

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

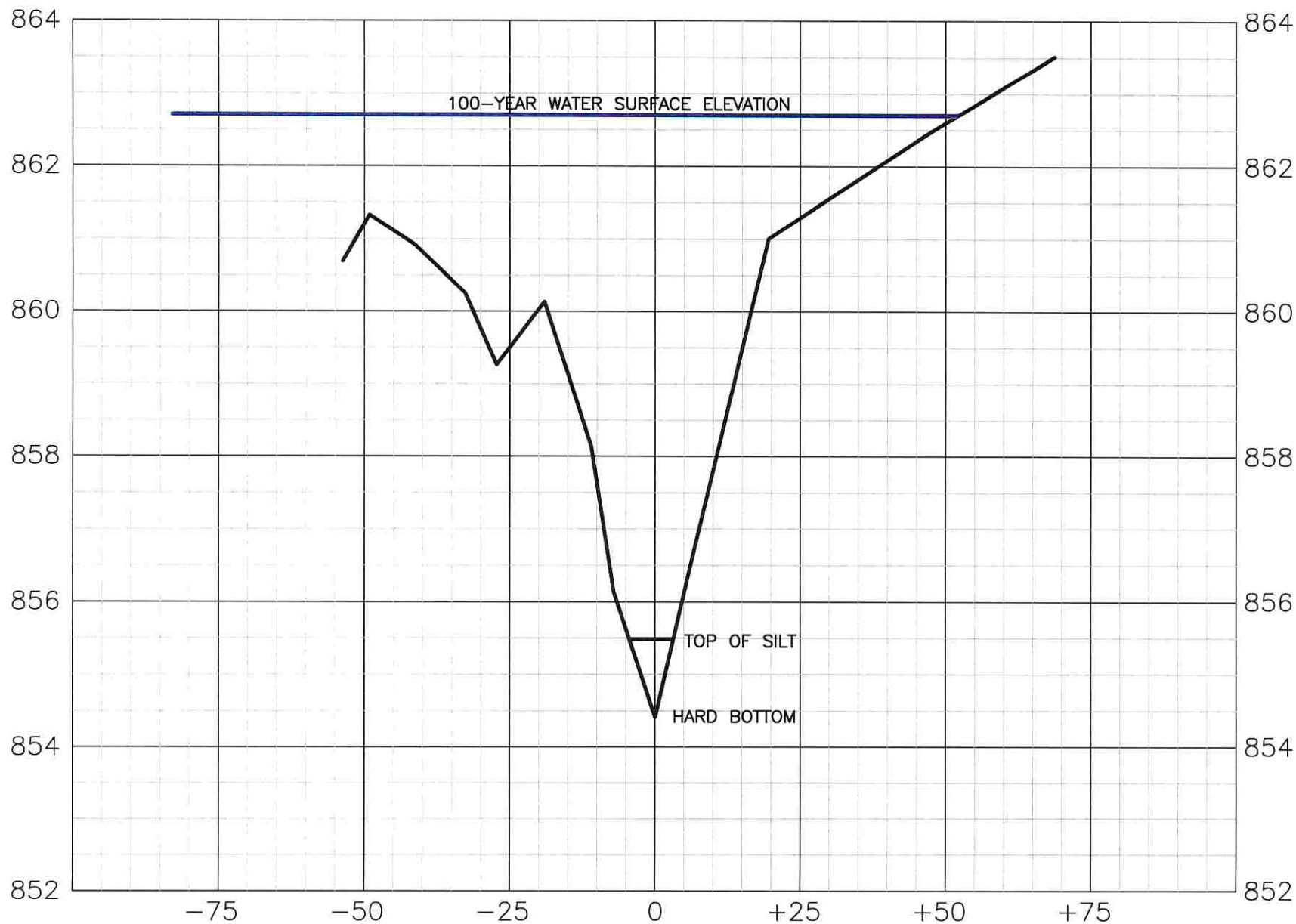


HORIZONTAL SCALE: 1 INCH = 25 FT
 VERTICAL SCALE: 1 INCH = 2 FT
 VIEW LOOKING DOWNSTREAM (TO SOUTH)

SURVEYED CROSS SECTION: EMERALD LANE CHANNEL 2

Approximately 385 ft south of Green Rd centerline

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

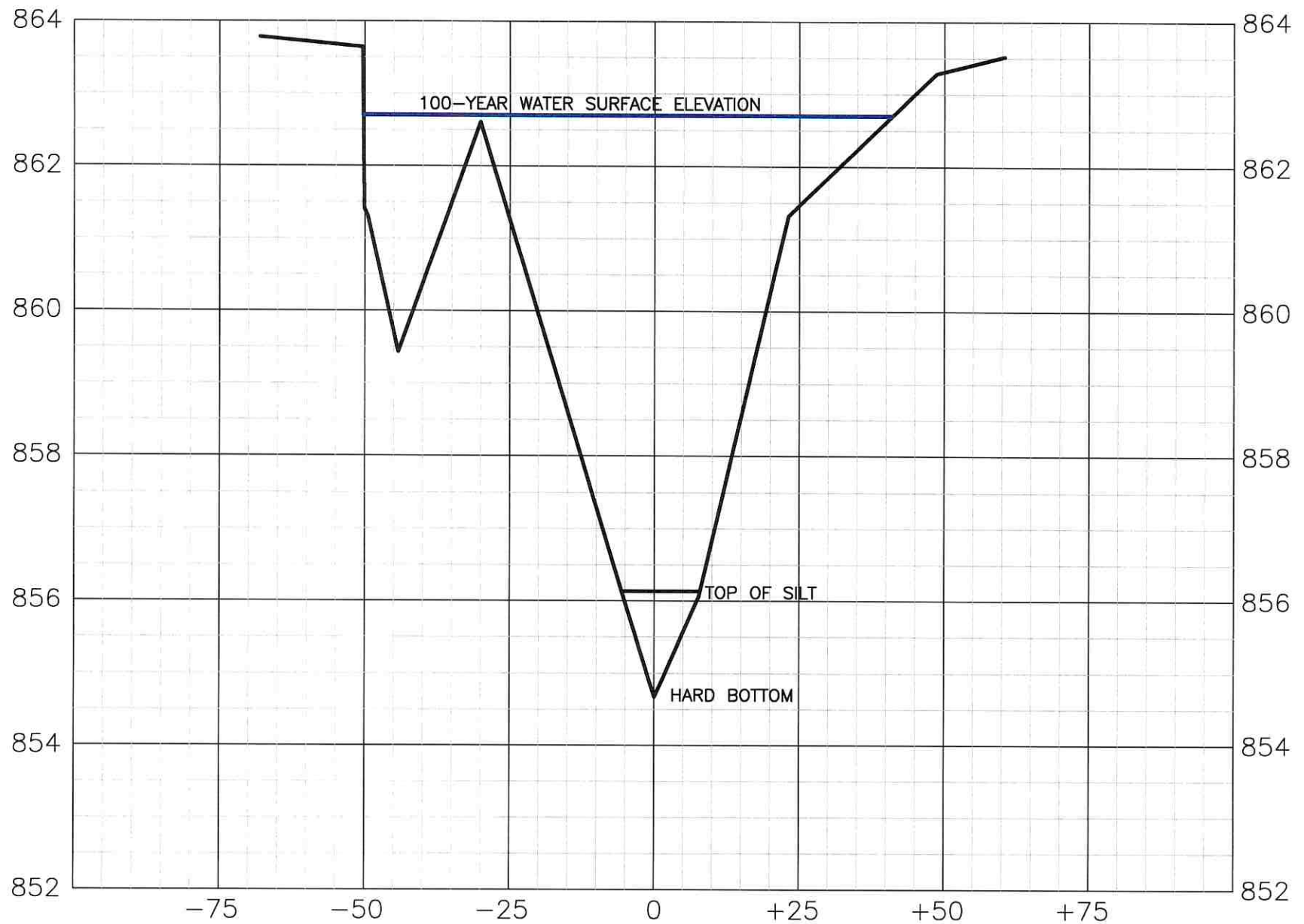


HORIZONTAL SCALE: 1 INCH = 25 FT
VERTICAL SCALE: 1 INCH = 2 FT
VIEW LOOKING DOWNSTREAM (TO SOUTH)

SURVEYED CROSS SECTION: EMERALD LANE CHANNEL 3

Approximately 235 ft south of Green Rd centerline

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



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

**SURVEYED CROSS SECTION:
EMERALD LANE CHANNEL 4**

Approximately 115 ft south of Green Rd centerline

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

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

DATE: December 18, 2017

DEPARTMENT: PW - Water/Sewer

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

SUBJECT:

Award of the Annual Sewer Cleaning Contract

BACKGROUND:

See Attachment

FINANCIAL IMPACT:

RECOMMENDED MOTION:

to Approve the Consent Agenda

ATTACHMENTS:

Description

Sewer cleaning/Television bid tabulation

low bid

BID SUMMARY

Sanitary Sewer Cleaning, Project M-17-0996

City of Pewaukee, Waukesha County, Wisconsin

Bids Open: December 14, 2017, 1:00 p.m.

CONTRACTOR	BASE BID
Green Bay Pipe + TV LLC	204167.10
Great Lakes TV Seal	235973. ⁹⁵
Visu Sewer	115991. ⁰⁰

LOW BID: \$115991. ⁰⁰
LOW BIDDER: Visu Sewer

BID PROPOSAL FORM

PROJECT M-17-0996

SANITARY SEWER CLEANING

THIS BID PROPOSAL IS SUBMITTED TO: City of Pewaukee Water and Sewer Utility, W240 N3065 Pewaukee Road, Pewaukee, Wisconsin 53072, herein referred to as 'Owner'.

BIDS DUE: 1:00 P.M., December 14, 2017

1. The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an agreement with OWNER in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Bid Price and within the Bid Times indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.
2. BIDDER accepts all of the terms and conditions of the Advertisement and Instructions to Bidders. This Bid will remain subject to acceptance for 60 days after the day of Bid opening. BIDDER will sign and deliver the required number of counterparts of the Agreement and other documents required by the Bidding Requirements within ten (10) days after the date of Owner's Notice of Award.
3. In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

A. BIDDER has examined and carefully studied the Bidding Documents and the following Addenda receipt of all which is hereby acknowledged:

<u>Addendum Number</u>	<u>Date</u>	<u>Addendum Number</u>	<u>Date</u>
<u>NONE</u>			

B. BIDDER has visited the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance and furnishing of the Work;

C. BIDDER is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress, performance and furnishing of the Work.

D. The undersigned, having become familiar with the local conditions affecting the cost of the work and with the Contract Documents, including Advertisement for Bids, Instructions to Bidders, Plans, Drawings, Specifications, Addenda and Exhibits issued and attached to the Contract Documents, on file in the Office of the City Engineer of the City of Pewaukee Water and Sewer Utility, Wisconsin, hereby propose to perform everything required to be performed and to provide and furnish all the labor, materials, necessary tools, expendable equipment and all utility and transportation services necessary to perform and complete in a workmanlike manner all of the work required for and the work described in the following Bidding Schedule, all in accordance with the Plans and Specifications for the sum set forth in the following Schedule of Unit Prices:

Contract 1 - 2017 Cleaning Contract

Item No.	Item	Estimated Quantity	Unit	Unit Price	Cost
1	8" Sanitary Sewer Cleaning	13,113.00	LF	.28	3,671.64
2	8" Sanitary Sewer Televising	672.00	LF	.94	631.68
3	Sanitary Manhole Inspection	70.00	EA	29.00	2,030.00
Subtotal Contract 1:					6,333.32

Contract 2 - 2017 Cleaning Contract

Item No.	Item	Quantity	Unit	Unit Price	Cost
4	8" Sanitary Sewer Cleaning	34,543.00	LF	.28	9,672.04
5	10" Sanitary Sewer Cleaning	3,731.00	LF	.28	1,044.68
6	12" Sanitary Sewer Cleaning	2,112.00	LF	.28	591.36
7	15" Sanitary Sewer Cleaning	575.00	LF	.28	161.00
8	8" Sanitary Sewer Televising	15,044.00	LF	.94	14,141.36
9	Sanitary Manhole Inspection	204.00	EA	29.00	5,916.00
Subtotal Contract 2:					31,526.44

Contract 3 - 2017 Cleaning Contract

Item No.	Item	Quantity	Unit	Unit Price	Cost
10	8" Sanitary Sewer Cleaning	27,169.00	LF	.28	7,607.32
11	8" Sanitary Sewer Televising	1,120.00	LF	.94	1,052.80
12	Sanitary Manhole Inspection	132.00	EA	29.00	3,828.00
Subtotal Contract 3:					12,488.12

Contract 4 - 2017 Cleaning Contract

Item No.	Item	Quantity	Unit	Unit Price	Cost
13	8" Sanitary Sewer Cleaning	16,862.00	LF	.28	4,721.36
14	10" Sanitary Sewer Cleaning	2,719.00	LF	.28	761.32
15	Sanitary Manhole Inspection	89.00	EA	29.00	2,581.00
Subtotal Contract 4:					8,063.68

Contract 5 - 2017 Cleaning Contract

Item No.	Item	Quantity	Unit	Unit Price	Cost
16	8" Sanitary Sewer Cleaning	7,256.00	LF	.28	2,031.68
17	10" Sanitary Sewer Cleaning	11,802.00	LF	.28	3,304.56
18	12" Sanitary Sewer Cleaning	2,009.00	LF	.28	562.52
19	15" Sanitary Sewer Cleaning	1,561.00	LF	.28	437.08
20	8" Sanitary Sewer Televising	6,823.00	LF	.94	6,413.62
21	10" Sanitary Sewer Televising	2,777.00	LF	.94	2,610.38
22	Sanitary Manhole Inspection	102.00	EA	29.00	2,958.00
Subtotal Contract 5:					18,317.84

Contract 6 - 2017 Cleaning Contract

Item No.	Item	Quantity	Unit	Unit Price	Cost
23	8" Sanitary Sewer Cleaning	2,117.00	LF	.28	592.76
24	10" Sanitary Sewer Cleaning	1,204.00	LF	.28	337.12
25	12" Sanitary Sewer Cleaning	1,087.00	LF	.28	304.36
26	Sanitary Manhole Inspection	21.00	EA	29.00	609.00
Subtotal Contract 6:					1,843.24

Contract A - Storm Sewer Contract

Item No.	Item	Quantity	Unit	Unit Price	Cost
27	12" Storm Sewer Televising	1,516.00	LF	1.96	2,971.36
28	15" Storm Sewer Televising	1,993.00	LF	1.96	3,906.28
29	18" Storm Sewer Televising	1,096.00	LF	1.96	2,148.16
30	21" Storm Sewer Televising	467.00	LF	1.96	915.32
31	24" Storm Sewer Televising	734.00	LF	1.96	1,438.64
32	27" Storm Sewer Televising	347.00	LF	1.96	680.12
33	30" Storm Sewer Televising	246.00	LF	1.96	482.16
34	36" Storm Sewer Televising	141.00	LF	1.96	276.36
Subtotal Contract A:					12,818.40

Contract B - Storm Sewer Contract

Item No.	Item	Quantity	Unit	Unit Price	Cost
35	12" Storm Sewer Televising	905.00	LF	1.96	1,773.80
36	15" Storm Sewer Televising	977.00	LF	1.96	1,914.92
37	18" Storm Sewer Televising	1,408.00	LF	1.96	2,759.68
38	21" Storm Sewer Televising	733.00	LF	1.96	1,436.68
39	24" Storm Sewer Televising	623.00	LF	1.96	1,221.08
40	27" Storm Sewer Televising	119.00	LF	1.96	233.24
41	30" Storm Sewer Televising	639.00	LF	1.96	1,252.44
42	36" Storm Sewer Televising	819.00	LF	1.96	1,605.24
43	42" Storm Sewer Televising	404.00	LF	1.96	791.84
Subtotal Contract B:					12,988.92

Contract C - Storm Sewer Contract					
No.	Item	Quantity	Unit	Unit Price	Cost
44	12" Storm Sewer Televising	526.00	LF	1.96	1,030.96
45	15" Storm Sewer Televising	94.00	LF	1.96	184.24
46	18" Storm Sewer Televising	1,063.00	LF	1.96	2,083.48
47	21" Storm Sewer Televising	437.00	LF	1.96	856.52
48	24" Storm Sewer Televising	1,072.00	LF	1.96	2,101.12
49	27" Storm Sewer Televising	87.00	LF	1.96	170.52
50	30" Storm Sewer Televising	1,342.00	LF	1.96	2,630.32
51	36" Storm Sewer Televising	355.00	LF	1.96	695.80
52	42" Storm Sewer Televising	408.00	LF	1.96	799.68
Subtotal Contract C:					10,552.64
Contract D - Storm Sewer Contract					
Item No.	Item	Quantity	Unit	Unit Price	Cost
53	12" Storm Sewer Televising	32.00	LF	1.96	62.72
54	24" Storm Sewer Televising	464.00	LF	1.96	909.44
Subtotal Contract D:					972.16
Contract E - Storm Sewer Contract					
Item No.	Item	Quantity	Unit	Unit Price	Cost
55	36" Storm Sewer Televising	44.00	LF	1.96	86.24
Subtotal Contract E:					86.24
Total Contracts 1, 2, 3, 4, 5, 6, A, B, C, D, and E:					115,991.00

WRITE OUT TOTAL: ONE HUNDRED FIFTEEN THOUSAND NINE HUNDRED NINETY ONE AND 00/100 DOLLARS

5. SUBSTANTIAL COMPLETION: BIDDER agrees that all work for Contracts 2, B, & C shall be substantially completed by February 23, 2018 and all work for Contracts 1, 3, 4, 5, 6, A, D, & E shall be substantially completed by May 25, 2018 with the date to start work established in the written order from the Utility. Final completion is considered to be the receipt of three copies of the written reports and videos (Pipe Tech View Compatible or approved equal). Preliminary reports and videos for Contracts 2, B & C shall be submitted to the Utility by March 16, 2018. The final reports and videos shall be submitted to the Utility by June 29, 2018. Reports must be sorted by the Contract.

6. LIQUIDATED DAMAGES: BIDDER accepts the following provisions as to liquidated damages in the event of failure to complete the Work within the times specified.

BIDDER recognizes that time is of the essence of this Agreement and that OWNER will suffer financial loss if the Work is not completed within the times specified in paragraph 5 above. BIDDER also recognizes the delays, expense and difficulties involved in proving the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof, BIDDER agrees that as liquidated damage for delay (but not penalty) BIDDER shall pay OWNER \$150.00 for each calendar day that expires after the time specified in paragraph 5 for Substantial Completion until the Work is substantially complete. After Substantial Completion, if BIDDER shall neglect, refuse or fail to complete the remaining Work within the time specified in paragraph 5 for completion and readiness for final payment or any proper extension thereof granted by OWNER, BIDDER shall pay OWNER \$100.00 for each calendar day that expires after the time specified in paragraph 5 for completion and readiness for final payment. Damages will not be additive.

7. The following documents are attached to and made a condition of this Bid:

- A. Bidder's Official Title Signature
- B Sworn Statement of Bidder

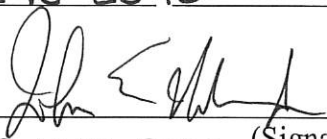
BIDDERS OFFICIAL TITLE SIGNATURE

This proposal is submitted by JOHN E. NELSON JR.
BIDDER, VISU-SEWER, INC., a CORPORATION at
W230 N4855 BETKER DR., PEWAUKEE, WI, 53072,
(Street No.) (City) (State) (Zip code)

this 14TH day of DECEMBER, 2017.

If a corporation, answer the following: Incorporated under the laws of what state? WISCONSIN

Phone No. (262) 695-2340 VISU-SEWER, INC.
(Name of Bidder)

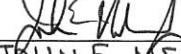


JOHN E. NELSON JR., VICE . PRESIDENT (Signature & Title)
AFFIDAVIT

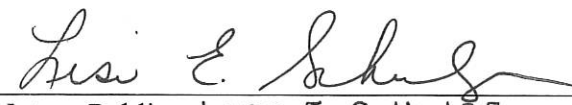
**SWORN STATEMENT OF BIDDER
AS REQUIRED BY WISCONSIN STATUTES**

I, being duly sworn at PEWAUKEE, WI on oath state:

1. That I have examined and carefully prepared this Proposal Form, the plans, Specifications and other Contract Documents and have checked the same in detail before submitting this proposal.
2. That I am financially able to have under my jurisdiction the organization and personnel to complete work as shown and specified in strict accord with the terms of the contract.
3. This sworn statement is hereby made a part of the following:

Signature:  Title: VICE-PRESIDENT
JOHN E. NELSON JR

Subscribed and sworn to before me
this 14TH day of DECEMBER, 2017.



Notary Public, LISA E. SCHULZE

County WAUKESHA

State WISCONSIN

My Commission Expires: 2/15/2019

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that VISU-SEWER, INC., (hereinafter referred to as Corporation), by KEITH M. ALEXANDER, its President, of W230 N4855 Betker Drive, Pewaukee, County of Waukesha, State of Wisconsin, have made, constituted and appointed and by these presents do make, constitute and appoint JOHN E. NELSON, JR., an employee and agent of VISU-SEWER, INC., the Corporation's true and lawful attorney, for it and in its name, place and stead:

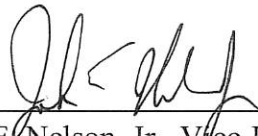
1. To exercise or perform any act, power, duty, right or obligation whatsoever that the Corporation now has, or may hereafter acquire the legal right, power, or capacity to exercise or perform, in connection with, arising from, or relating to any person, item, transaction, thing, business property, real or personal, tangible or intangible, or matter whatsoever;
2. To request, ask, demand, sue for, recover, collect, receive, to hold and possess all such sums of money, debts, dues, commercial papers, checks, drafts, accounts, deposits, legacies, bequests, devises, notes, interests, stock certificates, bonds, dividends, certificates of deposit, annuities, pension and retirement benefits, insurance benefits and proceeds, any and all documents of title, choses in action, personal and real property, intangible and tangible property and property rights, and demands whatsoever, liquidated or unliquidated as now are, or shall hereafter become, owned by, or due, owing, payable or belonging to, the Corporation or in which the Corporation has or may hereafter acquire interest, to have, use, and take all lawful means and equitable and legal remedies, procedures, and writs in its name for the collection and recovery thereof, and to adjust, sell, compromise, and agree for the same, and to make, execute, and deliver to it, on its behalf, and in its name, all endorsements, acquittances, releases, receipts, or other sufficient discharges for the same;
3. To lease, purchase, exchange, and acquire, and to agree, bargain, and contract for the lease, purchase, exchange, and acquisition of, and to accept, take, receive, and possess any real or personal property whatsoever, tangible or intangible, or interest thereon, on such terms and conditions, and under such covenants, as said attorney in fact shall deem proper;
4. To maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens, mortgage, subject to deeds of trust and hypothecate, and in any way or manner deal with all or any part of any real or personal property whatsoever, tangible or intangible, or any interest therein, that it now owns or may hereafter acquire, for it, in its behalf, and in its name and under such terms and conditions, and under such covenants, as said attorney in fact shall deem proper;
5. To conduct, engage in, and transact any and all lawful business of whatever nature or kind for the Corporation, on its behalf, and in its name;

6. To make, receive, sign, endorse, execute, acknowledge, deliver, and possess such applications, contracts, agreements, options, covenants, conveyances, deeds, trust deeds, security agreements, bills of sale, leases, mortgages, assignments, insurance policies, bills of lading, warehouse receipts, documents of title, bills, bonds, debentures, checks, drafts, bills of commercial paper, receipts, withdrawal receipts and deposit instruments relating to accounts or deposits in, or certificates of deposit of, banks, savings and loan or other institutions or associations, proofs of loss, evidences of debts, releases, and satisfaction of mortgages, liens, judgments, security agreements and other debts and obligations and such other instruments in writing of whatever kind and nature as may be necessary or proper in the exercise of the rights and powers herein granted.

7. This instrument is to be construed and interpreted as a general power of attorney. The enumeration of specific items, rights, acts, or powers herein is not intended to, nor does it, limit or restrict, and is not to be construed or interpreted as limiting or restricting, the general powers herein granted to said attorney in fact.

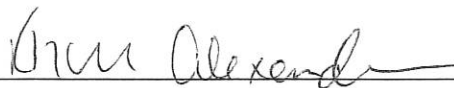
8. The rights, powers, and authority of said attorney in fact herein granted shall commence and be in full force and effect on February 1, 2013 and such rights, powers, and authority shall remain in full force and effect thereafter until further notice.

Dated this 5th day of February, 2013.



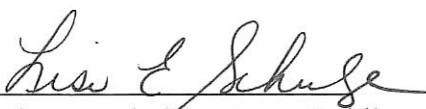
John E. Nelson, Jr., Vice-President

VISU-SEWER, INC.



Keith M. Alexander, President

Subscribed & sworn to before
me this 5th day of February, 2013.



Lisa E. Schulze, Notary Public
Waukesha County, WI
My commission expires: 02/15/15

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

DATE: December 18, 2017

DEPARTMENT: Fire Department

PROVIDED BY: Kevin Bierce, Fire Chief

SUBJECT:

Swear In Pewaukee Fire Department Lieutenant [Chief Bierce]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

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

DATE: December 18, 2017

DEPARTMENT: Fire Department

PROVIDED BY: Kevin Bierce, Fire Chief

SUBJECT:

Acceptance of Pewaukee Firefighters' Auxiliary Donation [Chief Bierce]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

Acceptance of Pewaukee Firefighters' Auxiliary Donation

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

DATE: December 18, 2017

DEPARTMENT: Clerk/Treasurer

PROVIDED BY: Kelly Tarczewski, Clerk / Treasurer

SUBJECT:

Discussion and Possible Action to Approve **Resolution 17-12-17** Establishing the 2018 Fee Schedule [Tarczewski]

BACKGROUND:

N/A

FINANCIAL IMPACT:

See Attachment

RECOMMENDED MOTION:

to Approve **Resolution 17-12-17** Establishing the 2018 Fee Schedule

ATTACHMENTS:

Description

Resolution 17-12-17

RESOLUTION 17-12-17

**A RESOLUTION TO ESTABLISH A PERMIT FEE SCHEDULE FOR 2018
FOR THE CITY OF PEWAUKEE
PURSUANT TO SECTIONS 62 AND 236 OF WISCONSIN STATUTES**

WHEREAS, the City of Pewaukee Common Council has created a City Code of Ordinances; and

WHEREAS, the City of Pewaukee requires certain fees for services provided by the city as currently outlined in the sections of the Municipal Code. From time to time, these fees for such approved activities within the City may be modified by the City Common Council by resolution; and

WHEREAS, the City Common Council has an obligation to the taxpayers in the City of Pewaukee to establish fair fees, cash bonds, and letters of credit requirements to offset the services and actual cost of City employees for review and inspection; and

WHEREAS, the City Common Council wishes to create for the benefit of property owners and citizens, by this resolution, a full schedule of fees, cash bonds, and letters of credit related to the aforementioned activities that will be reviewed on an annual basis.

NOW THEREFORE, the Common Council of the City of Pewaukee, **DOES HEREBY RESOLVE AS FOLLOWS**:

I. ADMINISTRATIVE PERMITS AND FEES

A. HOTEL, ENTERTAINMENT AND ALCOHOLIC BEVERAGE LICENSES

1. Hotel license (§11.04)	No Charge
2. Class A Beer license (§11.01)	\$100.00/year or fraction thereof
3. Class A Liquor license (§11.01)	\$500.00/year or fraction thereof
4. Class B Beer license (§11.01)	\$100.00/year or fraction thereof
5. Class B Liquor license (§11.01)	\$500.00/year or fraction thereof
6. Class C Wine license (§11.01)	\$100.00/year or fraction thereof
7. Temporary Class B license (§11.01)	\$10.00
8. Partial Year Licensing fee (§11.01)	\$25.00/year Minimum
9. Reserve Alcohol Beverage Sales license (§11.01)	\$10,000 (one-time fee)
10. Petition for Appeal of Suspension/Revocation of Operators license (§11.01)	\$100.00
11. Change of Agent (§11.01)	\$10.00
12. Publication Fee (§11.01)	\$30.00
13. Original Bartenders license (§11.01)	\$30.00/year
14. Renewal of Bartenders license (§11.01)	\$25.00/year
15. Provisional Bartenders license (§11.01)	\$10.00/year

16. Temporary Bartenders license (§11.01)	\$10.00/year
17. Replacement Bartender license (§11.01)	\$5.00
18. Outdoor Entertainment (§11.02)	\$30.00/year
19. Cigarette license (§11.13)	\$100.00/year
20. Amusement Device license (§11.03)	\$10.00/device/year
21. License for Adult-Oriented Establishment (§11.12)	\$500.00/year
22. Background Investigation Fee for Establishment (§11.12)	\$75.00/year
23. Name Change Fee for Adult-Oriented Establishment (§11.12)	\$500.00/year
24. License for Employees of Adult-Oriented Establishment (§11.12)	\$50.00/year
25. Background Investigation Fee for Employee License (§11.12)	\$60.00/year
26. Escort or Escort Service License (§11.10)	
Initial	\$250.00/year
Renewal	\$250.00/year
Late Renewal Penalty (in addition to renewal fee)	\$100.00/year

B. DOG LICENSES

1. Dog license (§11.05)	\$12.00/year/spayed – neutered
	\$17.00/year/unspayed/unneutered
2. Late Payment penalty (§11.05)	\$5.00 April 1 st or Later
3. Commercial Kennel license (3 or more dogs) (§11.05)	\$45.00/year after Plan Commission Approval
4. Hobby Kennel license (4 or more dogs) (§11.05)	\$35.00/year after Plan Commission Approval
5. Replacement Tag	\$1.00 each

C. OTHER ADMINISTRATIVE LICENSES/FEES

1. Peddler License Application (§11.06)	\$10.00 investigation fee \$20.00 per day; \$100.00 per week; \$250.00 per month; \$1,000 per year
2. Special Event Permit (<i>Required if more than 150 people</i>) (§11.07)	
Class I Event	\$300 per day
Class II Event	\$150 per day
Electrical Inspection	\$60 per inspection
EMS Service (ambulance on site)	\$250.00 per hour
Barricades	Up to 6 barricades \$35; over 6 barricades \$70
Fireworks Permit (§6.13)	No Charge, State & Local Permit Required
Garbage Cans (55 gallon)	\$5.00 per garbage can
Park Rental Permit	To Be Determined by Joint Park/Rec Board
Pre-event Safety Inspection	\$75.00 per hour
Security Deposit	\$200.00 per day, addtl. if using a park facility
Temporary Bartender License	\$10.00
Temporary Class B (Picnic) Beer & Wine Lic.	\$10.00

Tent Inspection	\$31.65 if under 2500 sq.ft.; per tent/per inspection
Fee for Filing of Application less than 90 days from date of event/Failure to File Application	
Non-Residential	\$500.00 plus permit costs

With regard to Class I events that are held over a period in excess of five days, the Common Council may limit the total assessment of the daily fee to five days upon a showing that the impact on City services justifies the reduction.

4. Copy Charge -

Photocopy	
Less than 11"x17"	\$0.25 per page plus tax
11"x17" photocopy	\$1.00 per page plus tax
Larger than 11"x17" photocopy	\$10.00 per page plus tax
CD	\$10.00 minimum per disk/CD plus staff time (No outside media will be accepted)
Cassette	\$10.00 per tape if no tape supplied (incl. staff time) \$5.00 per tape if supply 90min. tape (incl. staff time)
5. NSF or Overdraft charge \$29.00
6. Burning permit (§4.16) No Charge
7. Fireworks permit (§6.13) No Charge
8. Maps - Zoning, School District, Aldermanic District \$10.00 each
9. Street Atlas Map \$1.00 each
10. Special Assessment Letter (Completion in
3 to 5 business days) \$50.00 (split 50/50 with Water/Sewer)
11. Charges/Fees for Pilgrim's Rest Cemetery (§20)
 - a. Grave Site

Resident	\$400.00* <u>plus</u> \$500/site opening/closing charge
Non-resident	\$600.00* <u>plus</u> \$500/site opening/closing charge
 - b. Crematory Niche (includes bronze plaque)

Resident	\$710.00* plus \$125/site opening/closing charge
Non-resident	\$810.00* plus \$125/site opening/closing charge
 - c. Infant Grave Site

Resident	\$200.00* plus \$250/site opening/closing charge
Non-resident	\$300.00* plus \$250/site opening/closing charge
 - d. Opening/Closing on Weekends & City-Recognized Holidays
or any time outside normal business hours \$500/site Additional Charge

Two-thirds (2/3) of the fee for every full size site sale shall be allocated to the perpetual care fund. One-half (1/2) of the fee for every crematory and infant grave site sale is allocated to the perpetual care fund.
* - Includes Perpetual Care.
12. Special Meeting with Common Council \$500.00

II. BUILDING/CONSTRUCTION/DEVELOPMENT FEES AND CHARGES

Re-Inspection Fee for Inspections that are scheduled
but not ready for inspection and require
return inspection(s) \$75.00/inspection

A. RESIDENTIAL BUILDING PERMITS/FEES - (Chapter 14 and Chapter 17)

1. Minimum Permit Fee All Permits \$60.00 minimum/inspection.
2. State Seal \$43.00
3. New Residential Building & Additions,
Finished Areas & Garages Base Fee \$50 plus \$0.35/square foot/floor
Unfinished areas – attached decks, porches, Base Fee \$50 plus \$0.25/square foot/floor
Basement, crawl spaces. Minimum per item A.1.
4. Detached Accessory Buildings or structures Base Fee \$50 plus \$0.25/square foot/floor
Minimum per item A.1.
5. Plan Review – New Residential Buildings \$225.00 plus \$25.00/unit for multi-family
units
Additions to Residential Buildings \$125.00 plus \$25.00/unit for multi-family
units
Alterations to Residential Buildings \$100.00
Accessory Buildings & Structures > 180 sq. ft. \$50.00
Minimum per item A.1.
6. Remodel and Alteration to Residential Buildings Base Fee \$50 plus \$0.30/square foot
Minimum per item A.1.
7. Early Start \$150.00
8. Occupancy Certification \$50.00/unit for new building & additions
9. Erosion Control (Sites of less than 1.0 acres and
a storm water management plan is not required) \$0.05/square foot of all estimated disturbed
land surface – Minimum \$50.00,
maximum \$2,000.00
10. Impact Fee – Also Zoning Ordinance §17.0302 -
Impact Fee to be used for Parks, Playgrounds and Athletic fields:
Residential buildings: ~~\$1034~~ **\$1041**/dwelling unit
Impact Fee to be used for Fire and Rescue facilities:
Non-residential buildings: \$0.12/square foot
Residential buildings: ~~\$335~~ **\$337**/dwelling unit
Impact Fee to be used for Hike/Bike Trails:
Non-residential buildings: \$0.05/square foot
Residential buildings: ~~\$133~~ **\$134**/dwelling unit
11. Garbage Collection/Recycling Rate (\$6.145) - ~~\$144.00~~ **\$135.00** per unit for applicable properties
Up-the-Drive Service – Additional Subscription Rate \$251.52 per year
Residents can apply for Special Hardship if Handicapped or Disabled

B. NON-RESIDENTIAL BUILDING PERMITS - (Chapter 14 & 17)

1. Minimum Permit Fee All Permits	\$100.00 minimum
2. New Buildings/Additions – Unfinished Areas/Warehouse Areas, Shells	Base Fee \$100 plus \$0.25/square foot/floor
Finished Areas, Office, Retail, etc.	Base Fee \$100 plus \$0.35/square foot/floor Minimum per item B.1.
3. Remodel/Alterations/Build-outs	Base Fee \$100 plus \$0.30/square foot Minimum per item B.1.
4. Detached Accessory Building and/or Structures	Base Fee \$50 plus \$0.25/square foot/floor Minimum per item B.1.
5. Plan Review – New Non-Residential Buildings	\$300.00
Additions, Accessory Buildings & Structures & Alterations	\$150.00
6. Agricultural Buildings and Additions	\$0.25/square foot Minimum per item B.1.
7. Early Start	\$300.00
8. Occupancy Certification	\$50.00/unit per Multi-Family. \$150.00 for Commercial buildings
9. Erosion Control (Sites of less than 1.0 acres and a storm water management plan is not required)	\$0.05/square foot of all estimated disturbed land surface – Minimum \$75.00 – maximum \$2,000.00

C. PLUMBING PERMITS – (Chapter 14)

Minimum Permit Fee All Permits	\$60.00/inspection
1. <u>GENERAL</u>	
1. 1&2 Family New Building Base Fee	\$125.00 each
2. 1&2 Family Addition Base Fee	\$ 75.00 each
3. 1&2 Family Alteration Base Fee	\$ 50.00 each
4. 3or More family Residential Building New/ Additions Base Fee	\$150.00 plus \$5.00 per unit
5. Non-Residential/Commercial Building New Or Addition Base Fee	\$250.00 each
6. Non-Residential/Commercial Building Alteration Base Fee	\$125.00 each
2. <u>WATER SYSTEM</u>	
a. Water Service Lateral	\$60.00/inspection
b. Back Flow Device – Fire, R.P. Valves, etc.	\$60.00/inspection
c. Water Distribution System (domestic)	\$60.00/inspection
3. <u>SANITARY SYSTEM</u>	
a. Sanitary Sewer Lateral	\$60.00/inspection
b. Sanitary Building Drain Underground - Interior	\$60.00/inspection
c. Sanitary Drain & Vent System - Interior	\$60.00/inspection

4. **STORM SEWER SYSTEM**

- a. Storm Sewer Lateral \$60.00/inspection
- b. Sewer Drain System – Interior \$60.00/inspection

5. **PLUMBING FIXTURES**

- a. All plumbing fixtures including, but not limited to, faucets, lavatories, toilets, tubs, AAV's, dishwashers, hose bibs, etc. \$12.00/fixture

6. **MISCELLANEOUS PLUMBING**

- a. Gas Piping Inspections \$60.00/inspection
- b. Private Well Inspection – Inspection or or Abandonment ~~\$125.00~~ **\$60.00**/inspection
- c. Fire Suppression – Check Valves ~~\$50.00~~ **\$60.00**/inspection

D. ELECTRICAL PERMITS – (Chapter 14)

1. **GENERAL**

- a. Minimum Permit Fee All Permits \$60.00 minimum/inspection
- b. All Building Types – New Buildings & Additions \$100.00 base fee plus \$0.07/sq. ft./floor, not including electric service
- c. Alterations \$60.00 per inspection
- d. Services & Feeders \$75.00 first 200 amps
\$10.00 per 100 amps above 200 amps
- e. Low Voltage-Multi-Family & Non-Residential Buildings \$50.00 plus \$0.01/sq.ft.

E. HEATING, VENTILATION AND AIR CONDITIONING (HVAC) PERMITS (Chapter 14)

1. **GENERAL**

- a. Minimum Permit Fee All Permits \$60.00/inspection
- b. Commercial Buildings - New Buildings, Additions & Alterations \$50.00 base fee plus \$0.05/sq. ft./floor
- c. Residential Buildings – New Buildings and Additions \$50.00 base fee plus \$0.05/sq.ft./floor
- d. Residential Buildings – Alterations \$60/inspection
- e. New Furnace unit, additions or replacements \$60.00/unit
- f. New A/C unit, additions or replacements \$60.00/unit
- g. Fireplaces, Wood burning Appliances \$60.00 each
- h. Commercial Exhaust Units \$150.00 first unit
\$25.00 each additional unit
- i. Commercial Application/Review – New or additions to commercial buildings \$75.00

F. CONSTRUCTION SITE EROSION CONTROL PERMITS - (Chapter 19)

1. GENERAL

- | | |
|---|--|
| a. For sites less than 1.0 acre of disturbance or 15 or less cubic yards of fill or excavation, a storm water management plan or permit is not required. | See sections II.A. and II.B. of this resolution. |
| b. For sites disturbing more than 1.0 acres or more than 15 cubic yards of fill, or requiring a Notice of Intent (NOI), or requiring a storm water management plan. | \$50 base fee plus a fee equal to the actual cost to the City for all work incurred in connection with the review of the submittal or as otherwise specified in a developers agreement |

2. LETTER OF CREDIT OR CASH BOND*

- | | |
|--|---|
| a. For sites less than 1.0 acre of disturbance or 15 or less cubic yards of fill or excavation, a storm water management plan is not required. | See sections II.A. and II.B. of this resolution. |
| b. For sites disturbing 1.0 to 10.0 acres or more than 15 cubic yards of fill or excavation, requiring a Notice of Intent (NOI), or requiring a storm water management plan. | \$2,000.00, or as otherwise specified in a developer's agreement. |
| c. For sites disturbing 10.1 to 25.0 acres, requiring a Notice of Intent (NOI), or a storm water management plan. | \$3,500.00, or as otherwise specified in a developers agreement. |
| d. For sites disturbing in excess of 25.0 acres, requiring a Notice of Intent (NOI), or requiring a storm water management plan. | \$5,000.00, or as otherwise specified in a developers agreement. |

G. STORM WATER MANAGEMENT - (Chapter 19)

1. GENERAL

- | | |
|---|---|
| a. For sites less than 1.0 acre of disturbance <u>or 15 or less cubic yards of fill or excavation</u> , a storm water management plan is not required. | See sections II.A. and II.B. of this resolution. |
| b. For sites disturbing in excess of 1.0 acres <u>or 15 cubic yards of fill or excavation</u> , requiring a Notice of Intent (NOI), or requiring a storm water management plan. | \$50 base fee plus a fee equal to the actual cost to the City for all work incurred in connection with the review of the submittal or as otherwise specified in a developers agreement. |

2. LETTER OF CREDIT OR CASH BOND*

- | | |
|---|---|
| a. For sites less than 1.0 acre of disturbance - storm water management plan is not required. | See sections II.A. and II.B. of this resolution. |
| b. For sites disturbing in excess of 1.0 acres, requiring a Notice of Intent (NOI), or requiring a storm water management plan. | As set forth in Sections or as otherwise specified in a developers agreement. |

***PLEASE NOTE:** ALL OR PART OF CASH PERFORMANCES BONDS MAY BE REIMBURSED IF NO COST HAS BEEN INCURRED BY THE CITY. EROSION BONDS SHALL BE FORFEITED IF COMPLAINT IS NOT MET WITHIN 12 MONTHS OF OCCUPANCY.

H. MISCELLANEOUS BUILDING/STRUCTURE FEES

1. GENERAL

a. Razing of Principle Buildings	\$200.00
Accessory Buildings > 180 sq. ft.	\$ 75.00
Commercial Buildings	\$300.00
b. Moving of Buildings > 180 sq. ft.	\$300.00
Submit bond plus proof of insurance	
c. Miscellaneous Permits – minor repairs	\$60.00/inspection
d. Re-inspections	\$60.00
e. Special Inspections	\$100.00
	\$80.00/hour
f. Pools – above ground pools	\$100.00
in-ground pools	\$150.00
g. Re-roofing or Residing	\$ 60.00
h. Erosion Control – Development Major Land	
Division > 5 lots	\$500.00
i. Development Minor Land Division < 5 lots	\$200.00
j. Misc. Land Division over 2000 sq. ft.	\$100.00
k. Foundation repairs/damp proofing	\$100.00
l. Filling Permit (§6.10(4))	\$100.00
m. Culverts	\$150.00

PLEASE NOTE: Fees double if work is begun without a permit.

IN ADDITION:

- A Minimum Permit Fee is \$60.00 per inspection unless otherwise stated.
 - Building square footage calculations shall include all floor levels, crawl spaces, basements, open and closed porches. The measurement shall be outside perimeter dimensions.
 - Accessory structures are structures without roofs and walls such as decks.
 - Accessory buildings are structures with roofs and/or walls such as gazebos, sunrooms, porches, garages, and sheds.
 - Applicable City impact fees will be assessed at time of building permit application.
-

III. PLANNING REVIEW AND ZONING ADMINISTRATION

A. ZONING - (Chapter 17)

1. Zoning ordinance or district map amendment	\$400.00 plus Cost for Publication, Notice & All Attorney Fees Related to Project
2. Conditional Use Permit	\$400.00 plus Cost for Publication, Notice & All Attorney Fees Related to Project
3. Zoning Board of Appeals	\$400.00 plus Cost for Publication, Notice & All Attorney Fees Related to Project
4. Special Meeting with Plan Commission	\$500.00
5. Signs (<u>requiring a permit</u>)	\$50.00 plus \$2.00/square foot – Maximum \$500.00 (electric permit not included)
6. Fences	\$75.00
7. Zoning Compliance Letter *	\$25.00 \$35.00

*Additional Fee for Processing Letter to be
Available within two business days \$25.00

8. Accessory Buildings & Structures
(i.e. Gazebos, Boat Houses, Detached Garages) \$75.00

9. Lot Line Adjustment, Lot Split \$250.00

B. LAND DIVISION - (Chapter 18)

1. Preliminary Plat \$750.00 plus \$20.00 for each proposed lot or parcel created
2. Final Plat \$350.00 plus \$10.00 for each proposed lot or parcel created
3. Final CSM with No Public Facilities \$200.00 plus \$10.00 for each lot or parcel created
4. Final CSM with Public Facilities \$350.00 plus \$10.00 for each lot or parcel created
5. Replat Same as final plat

C. CASH PERFORMANCE BONDS*

1. Occupancy Cash Bond \$ 500.00 – Residential
\$2,500.00 - Commercial
2. Erosion Cash Bond - 1 & 2 Family \$2,000.00
3. Erosion Cash Bond – Commercial & Other Construction \$5,000.00
4. Erosion Cash Bond – Major Land Division –
Plats, Subdivisions \$4,000.00
5. Erosion Cash Bond – Minor Land Division – (CSM)
Less than 6 parcels \$2,500.00

***PLEASE NOTE:** ALL OR PART OF CASH PERFORMANCES BONDS MAY BE REIMBURSED IF NO COST HAS BEEN INCURRED BY THE CITY. EROSION BONDS SHALL BE FORFEITED IF COMPLIANCE IS NOT MET WITHIN 12 MONTHS OF OCCUPANCY.

IV. FIRE/RESCUE EMERGENCY FEES/CHARGES

A. FIRE/RESCUE CALL CHARGES – (\$4.19)

1. ALS1 (Advanced Life Saving) **Emergency** Rescue Charge

Resident	\$850.00	\$1,050.00
Non-Resident	\$950.00	\$1,100.00
2. ALS2 (Advanced Life Saving) Base Rate

Resident	\$1,050.00
Non-Resident	\$1,150.00
3. ALS (Advanced Life Saving) On Scene Care

Resident	\$300.00
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Non-Resident		\$400.00
4. BLS (Basic Life Saving) Rescue Charge		
Resident	\$600.00	\$700.00
Non-Resident	\$700.00	\$800.00
5. BLS (Basic Life Saving) On Scene Care		
Resident		\$200.00
Non-Resident		\$250.00
6. Mileage Charge for Rescue	\$25.00	
7. Supply Charge for Rescue	\$100.00	
8. Drugs/IV Charge for Rescue	\$100.00	
6. Treatment/No Transport	\$150.00	See Items 3 & 5 Above

B. FIRE ALARM ACTIVATION CHARGE - (\$4.12)

False Alarm Activations within Calendar Year

First False Alarm Activation	No Charge
Second or Third False Alarm Activations	\$350.00 each
Four or More False Alarm Activations	\$750.00 each

C. INSPECTION AND SPECIAL SERVICES – (\$4.17)

1. Storage Tank Installation/Relining	
a. Plan review	\$175.00
b. 2 nd thru 10 th system	\$60.00 each
c. Component	\$100.00 each (\$150.00 max)
d. Site inspection	\$100.00/each tank system or component
e. Relining (includes Inspection Fee)	\$150.00/tank
f. New Construction/Conversion to Self-service Key card Code	\$135.00/tank
2. Storage tank Upgrade for leak, spill, corrosion, & overfill protection	
a. Plan review	\$35.00/tank
b. Site inspection	\$100.00/tank
c. Plan revision review	\$100.00
d. UST/AST removal inspection	\$150.00/tank

D. UNIFORM FEE STRUCTURE FOR FIRE APPARATUS RESPONSE ON STATE AND FEDERAL HIGHWAYS – (\$4.25)

1. Engine Company (minimum staffing 3)	\$558.00/hour
Ladder Company (minimum staffing 3)	\$742.00 /hour
Tanker (minimum staffing 1)	\$369.00/hour
Ambulance <u>Other</u> (minimum staffing 2)	\$184.00/hour
Ambulance BLS (minimum staffing 2)	\$250.00/hour
Ambulance ALS (minimum staffing 3)	\$350.00/hour
Other Apparatus	\$184.00/hour
Command Vehicle	\$250.00/hour

E. SPRINKLER SYSTEMS – (\$4.15)

1. Basic Fire Sprinkler/Alarm Plan Review Fee	\$325.00
2. Fire Sprinkler with Fire Pump*	\$475.00

3. Fire Sprinkler Plans Review with Hydraulic Calculations	\$275.00
4. Fire Sprinkler Hydraulic Calculations – Verification Only	\$185.00
5. Each Additional Review of the Same System	\$185.00
6. Site Inspection of Fire Sprinkler Installations during Installation	\$225.00/visit
7. Witness Final Acceptance Tests of Fire Sprinkler Systems	\$225.00/visit
8. Small Additions and Changes	\$175.00
9. Small Additions and Changes under 20 heads	\$175.00
* previously had not listed fire pumps as a separate charge, more a clarification than a new charge.	

F. FIRE INSPECTION OF COMMERCIAL STRUCTURES (TWO PER YEAR) – (§4.22)

All buildings that fall under the Wisconsin Commercial Code shall be assessed a charge based on the square footage of the building (square footage is the total floor area of any building or structure):

1. Up to 2,500 square feet	\$ 31.65
2. 2,501 to 5,000 square feet	\$ 47.44
3. 5,001 to 10,000 square feet	\$ 94.82
4. 10,001 to 25,000 square feet	\$ 189.67
5. 25,001 to 50,000 square feet	\$ 379.28
6. 50,001 to 100,000 square feet	\$ 758.56
7. 100,001 square feet and over	\$1,517.12
8. Residential Multi-Family Structures	\$12.00 per unit

V. LAW ENFORCEMENT

A.	False Alarms (excluding Fire Alarms)	
	First three (3) False Alarms	No Charge
	Fourth False Alarm	\$50.00 plus court costs
	Fifth False Alarm	\$75.00 plus court costs
	Sixth and Subsequent False Alarms	\$100.00 plus court costs
B.	Winter Parking Restrictions (§5.09)	\$20.00
	Improper Parking; No Parking Zone; Parked On Private Property; No Boat Launch Permit; And Other Violations	\$20.00
	Parked at Fire Hydrant; Parked in Handicapped Zone	\$50.00
C.	Pewaukee Lake (§21.01 & §21.02)	
	Launch Fee	\$7.00 each launch
	Seasonal Launch Permit	\$50.00
	Permit for Summer Recurrent and Lake Activities	\$20.00 per year
	Permit for Winter Recurrent Activities	\$20.00 per year
D.	Forfeiture Amount for Violations Regarding E 9-1-1 Calls (§6.15):	
	First three unintentional E 9-1-1 Calls	No Charge
	Fourth unintentional E 9-1-1 Call	\$50.00 plus court costs
	Fifth unintentional E 9-1-1 Call	\$75.00 plus court costs
	Sixth and subsequent unintentional E 9-1-1 Calls	\$100.00 plus court costs
E.	Municipal Court Costs Assessed on Each Citation (§23.09(2))	\$38.00

F.	Community Police Program	\$6.00 - \$10.00/program/occurrence for Non-Residents
G.	Violation of Watercraft Launch Restrictions (\$21.06)	
	First Occurrence	\$1,000.00 plus court costs
	Second and Subsequent Occurrences	\$2,000.00 each plus court costs

VI. PARKS DEPARTMENT FEES & CHARGES*

A. BUILDING RESERVATIONS

	<u>Resident</u>	<u>Non-Resident</u>	<u>Bus-Res</u>	<u>Bus-Non-Res</u>	<u>Deposit</u>
Wagner	\$30/hr	\$60/hr	\$50/hr	\$180/hr	\$200
Nettesheim	\$20/hr	\$40/hr	\$40/hr	\$160/hr	\$200
South	\$20/hr	\$40/hr	\$40/hr	\$160/hr	\$200
Balmer	\$50/day	\$100/day	\$85/day	\$430/day	\$200

B. PICNIC AREA RENTALS

	<u>Resident</u>	<u>Non-Resident</u>	<u>Bus-Res</u>	<u>Bus-Non-Res</u>	<u>Deposit</u>
50 people	\$50	\$150	\$100	\$400	\$100
100 people	\$70	\$210	\$140	\$600	\$100
200 people	\$125	\$375	\$250	\$1,000	\$200

*** - Does not include individual recreation programs/project fees**

VII. PUBLIC WORKS FEES AND CHARGES

A.	Public Street/Highway Opening Permit (\$10.05)	\$50.00
B.	Sewerage Sludge Disposal Permit (\$9.07)	\$300.00 per site/year
C.	Holding Tank Deposit (\$9.08)	Based on Size of Tank and Use
	1. Residential	\$500.00
	2. Commercial or Industrial	\$1,000.00
	3. Commercial or Industrial Dispensing Food	\$1,500.00
D.	Noxious Weed Abatement	All Labor Costs (at the minimum of 2 hours) & Equipment Costs

VIII. WATER/SEWER FEES AND CHARGES

As outlined in §16.0401 of the Municipal Code, Reserve Capacity Assessments (RCA) is an area assessment being served by the reserve capacity of the system. The rate for 2012 is four thousand eight dollars (\$4,008.00) per residential equivalent unit (REU) and shall change annually according to the construction cost index of the Municipal Cost Indexes for the year published in the December issue of a previous year of American City & County (ISSN 0149-337X). A detailed fee schedule for (RCA) and Interceptor Capacity Assessments (ICA) is available from the Water/Sewer Utility.

SECTION 2: SEVERABILITY.

The several sections of this resolution 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 resolution. The remainder of the resolution shall remain in full force and effect. Any other resolutions whose terms are in conflict with the provisions of this resolution are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This resolution shall take effect January 1, 2018.

Dated this 18th day of December, 2017.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, Clerk/Treasurer

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

DATE: December 18, 2017

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Public Hearing Regarding the Class A Beer and Wine License for Stoneridge Market Located at W240N1485
Pewaukee Road and Possible Action to Approve the Licensed and Appoint Sukhdeep Garcha as Agent [Tarczewski]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Stoneridge Market Application

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning
ending

June 30

20 17
20 18

TO THE GOVERNING BODY of the:

- ☐ Town of
☐ Village of
☒ City of

County of Waukesha

Aldermanic Dist. No. (if required by ordinance)

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☒ LIMITED LIABILITY COMPANY
☐ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): STONE RIDGE MARKET LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member			
Vice President/Member			
Secretary/Member			
Treasurer/Member			
Agent	<u>SUKHDEEP GARCHA</u>		<u>WI 53916</u>
Directors/Managers	<u>RATWINDER SINGH</u>		<u>53916</u>

3. Trade Name STONE RIDGE MARKET, LLC Business Phone Number (262) 549-5099
4. Address of Premises W 240, N 1485 Pewaukee Rd, Waukesha Post Office & Zip Code 53188 store

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☐ Yes ☒ No
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 10/17/17 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☒ Yes ☐ No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Coolers, Building, Basement

10. Legal description (omit if street address is given above):

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☐ Yes ☒ No
(b) If yes, under what name was license issued?

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5d) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No

13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No

14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 27 day of November, 20 17

Ami Hurd
(Clerk/Notary Public)

My commission expires 11/18/19

X Ray-chu
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

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

DATE: December 18, 2017

DEPARTMENT: PW - Water/Sewer

PROVIDED BY: Jeffrey Weigel, Public Works Director and City Engineer; Jane Mueller W/S Manager

SUBJECT:

Discussion and Action to Concur with the Recommendation of the Public Works Committee (12/7/17) to Establish Two Tiers (Districts) Within the City. [Weigel]

BACKGROUND:

To date, the City Sewer Utility has charged one fee throughout the City. The City incurs sewer costs from four systems: 1) the area of the City served by the City sewer system; 2) the area of the City served by the Lake Pewaukee Sanitary District (LPSD); 3) the area served by the City of Waukesha; and 4) a small number of homes on Glacier Road that are served by the Village of Pewaukee.

Until recently, the lower costs that we incurred from LPSD essentially balanced out with the higher costs that we incurred from Waukesha; however, Waukesha's rates have increased significantly the past two years and is anticipated to increase again in 2018 and beyond.

The Public Works Committee at their meeting of Dec. 7, 2017 moved unanimously to recommend to the Common Council that the City develops, initially, two sewer rates: 1) one for the City area/LPSD area/Village area; and 2) one for the Waukesha area, and consideration that the Waukesha fee be a "pass through" fee containing no administration charges.

We have contacted LPSD pursuant to the Council's previous action to open negotiations on our service contract, including the credit or cost offset of our administration and billing costs. The requested action would authorize staff to implement the "pass through" of Waukesha's higher fees to those customers connecting to the Waukesha system, or connecting to the Pewaukee system that connects to the Waukesha system (Rolling Ridge subdivision, Cloverland Farms, etc.).

FINANCIAL IMPACT:

Approval of the recommended motion would begin the process for the City to eliminate what is estimated to be a \$56,000 loss in recovering the costs in that Waukesha service area.

RECOMMENDED MOTION:

Common Council concurs with the Public Works Committee recommendation of Dec. 7, 2017 to develop two sewer billing districts, one for the Waukesha service area and to "pass through" the Waukesha fees without any administration costs; and the second to incorporate the fees and customers of the City of Pewaukee, LPSD and Village service areas.

ATTACHMENTS:

Description

Jane's memo on multiple sewer rates



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
Pewaukee, WI 53072
(262) 691-0804 Fax (262) 691-5729

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.

6-20-2017 1064 statements							
		2018 anticipated rate					
		2017 Lake Pewaukee		2017 City of Pewaukee			
Billing Charges:	charges per rec	\$108.00	\$110.16	charge per rec	\$100.30	\$106,719.20	at 1064 REU's
				admin fee	\$9.70	\$9,467.20	976 acct's
					\$110.00	\$116,186.40	
Customers		\$114,912.00	\$117,210.24			\$1,274.40	difference
976						\$209.90	shortage on admin credit
Residential Equivalent Unit						\$1,064.50	difference
1064							
				2018 shortfall		(\$1,023.84)	
City costs: print, mail and process invoices from LPSD for customers							
UMS Billing Software maintenance				0.29		\$283.04	
Cost per statement:		Statement		0.07			
		#9 return env		0.04			
		#10 Windo Env		0.05			
		postage		0.46			
				0.91		\$888.16	
Misc. & paper for bill register						\$30.00	
Folding machine		\$0.32	per piece			\$312.32	
Staff		\$0.05				\$48.80	
Credit per rec	(\$1.00)	\$1,064.50				\$1,562.32	per quarter costs
						-1064.50	credit
						\$497.82	City of Pewaukee shortage
Additional, 8.5 hours staff time spent on administration of LPSD							
Accounts per quarter		\$29.63	Aver. Wage/hr			\$251.86	
						\$749.68	shortfall per qtr 2017
Forcasted inflation	2% increase	ask Rita				\$2,998.70	annual loss
		2018 Lake Pewaukee	City	Balances			
Billing Charges:	charge per rec	\$110.16	charge per rec	\$100.30			
			admin fee	\$9.70			
customers		\$107,516.16		\$107,360.00			
976							

Waukesha Service Area Rates

Estimated customer count 2018 Waukesha sewer service area		2017 sewer rate- City of Pewaukee	2017 Average sewer rate- Waukesha	9.25% requested rate increase	2018 Rate			
		\$110.00	\$174.17	\$16.11	\$190.28			
175 customers					\$33,299.13	per quarter Waukesha Rate		
City of Pewaukee - 2017 rate								
per Quarter collected		\$19,250.00						
City of Waukesha - 2017 rate								
per Quarter charged to Pewaukee			\$30,479.75					
2017 Loss to the City of Pewaukee per quarter					\$11,229.75			
					\$44,919.00	2017 annual loss		
Anticipated loss to the City of Pewaukee 2018 per quarter					\$14,049.13			
					\$56,196.51	Anticipated 2018 annual loss		

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

DATE: December 18, 2017

DEPARTMENT: PW - Water/Sewer

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

SUBJECT:

Discussion and Possible Action to Designate the Common Council as the "General Authority" of the Water Utility for PSC Reporting [Weigel]

BACKGROUND:

The Town of Pewaukee Sanitary District No. 3 had full authority over the Town Water and Sewer Utilities prior to incorporation as the City. After incorporation in 1999, the City in its charter ordinance created the Public Works Committee in lieu of a Board of Public Works. In fact, the Public Works Committee was named the Public Works Commission for a number of years until the City Administrator noticed the error (Committee or Commission). In fact, the Committee/Commission has functioned strictly as a recommending committee for the final decision by the Common Council.

Each year the Water Utility must file an annual report with the Public Service Commission of Wisconsin (PSC) and that report contains one of two "boxes" to check to identify the General Authority (see attached page). As the Common Council makes all decisions for the Water Utility, historically through the City Budget process, we believe it prudent with the 2017 report to the PSC to accurately report where that governing authority lies.

Note that the memo to the Public Works Committee contained several issues and recommended actions. Those actions will come forward to the Council in early 2018.

FINANCIAL IMPACT:

There is no fiscal impact as the issue relates to accurate reporting.

RECOMMENDED MOTION:

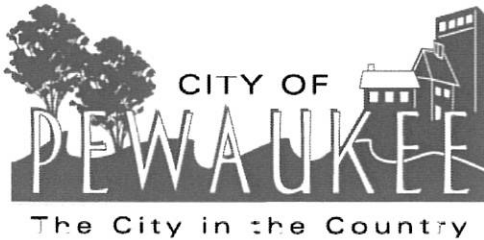
Common Council concurs with the recommendation of the Public Works Committee from the Dec. 7, 2017 meeting that designates the Pewaukee Common Council as the Water Utility General Authority for PSC reporting purposes.

ATTACHMENTS:

Description

memo to Public Works Committee

page for PSC annual report



Department of Public Works

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TO: Public Works Committee

FR: Jeffrey Weigel, Public Works Director

DT: November 29, 2017

RE: Financial Status of the Water Utility

Requested Actions:

1) Agenda Item 6.3.a.

The Public Works Committee recommends to the Common Council that the Pewaukee Common Council becomes the designated authority for the Water Utility for PSC reporting. As the Town Sanitary District, the Sanitary District Commission had full authority over the operations of the Water and Sewer District.

2) Agenda Item 6.3.b.

Public Works Committee recommends that the Common Council enacts a policy change to implement the collection of water pipe infrastructure special assessment payments upon a date certain after the water has been installed and determined to be available. We suggest that special assessment payments begin upon connection or at five years after the date of availability with payments allowed over a 10-year period, all similar to the pipe special assessment payment timeframe for sanitary sewer.

3) Agenda Item 6.3.c.

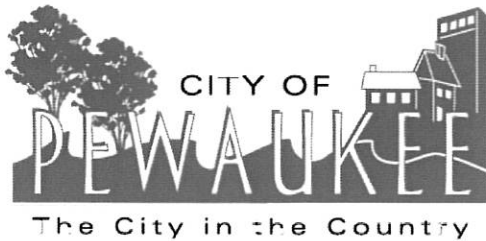
Public Works Committee recommends that the Common Council enacts a policy change that would only consider the expansion or extension of municipal water into an area if those properties in the area were required to begin payment of the special assessments within a specific timeframe, such as the 5 years discussed in (2) above.

4) Agenda Item 6.3.d.

Public Works Committee recommends that the Common Council develops a formal reporting process to the Common Council specific to the Water Utility regarding ongoing fiscal issues, the evaluation and authorization of specific capital expenditures (i.e. projects) prior to authorization.

5) Agenda Item 6.3.e.

Public Works Committee recommends that the Common Council establishes a process beginning in the initial stages of staff development review where the fiscal impacts of a development on the Water Utility are identified and considered prior to authorizing actions on the development by the Common Council.



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6) Agenda Item 6.3.f.

Public Works Committee recommends that both the Water Utility and Sewer Utility utilizes an expert to consult on the financial issues in the utilities, including the development of best financial practices; and continues with the consultant on the final version of the Water RCA study.

7) Agenda Item 6.3.g.

Public Works Committee recommends that the Water Utility updates its facilities plan, and that the Sewer Utility develops a facilities plan, both with the aid of consultants. These facilities plans will provide an important elements in the financial analysis.

Rationale:

Over the past two years, we have learned and better understood some of fiscal issues relating to the Water Utility, some which have been in place since the inception of Utility as the Town of Pewaukee Sanitary District No. 3 in the 1970's, and some which have become more apparent over the past decade. Briefly,

Wisconsin Public Service Commission (PSC) staff have questioned whether our Water Reserve Capacity Assessments (RCA's) are sufficient to recapture costs

DNR staff have questioned the low level of cash reserves in the Water Utility

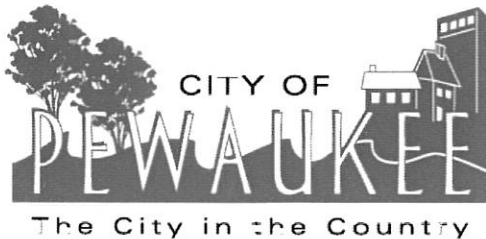
The Water Utility annual budget presents an annual loss each year

The auditors have researched the Water Utility and Sewer Utility cash reserves and found that the Water Utility has utilized about \$5 M of the Sewer Utility cash reserves.

Earlier this year we prepared a summary briefing as staff began the research on the many components relating to the Water Utility finances—see the attached Feb. 10, 2017 memo to City Administrator/Planner Scott Klein. It is time, in my opinion, that the City take a close look at the fiscal status of the Water Utility and make changes in the way Water Utility capital projects are approved and financed, changes in the way the Water Utility undertakes capital projects, and changes to how the Utility collects reimbursements for capital expenditures, an in particular special assessments.

Historical Perspective.

Since its inception in the 1970's, the practice of the Town of Pewaukee Sanitary District No. 3 and its successor City of Pewaukee Water and Sewer Utility have essentially comingled funds in the bank account and operated day-to-day under a Cash Basis and not a Utility Basis, similar to how the Town of Pewaukee and City of Pewaukee continue to operate. At its simplest level, under a Cash Basis the



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Utility makes sure it has enough cash in the bank to pay the routine bills and capital projects, borrowing only when deemed necessary. Recently, the financial auditors researched the Utility records back to inception, and found that the funds were used to finance water infrastructure construction that were collected for both the Water Utility and Sewer Utility, and that about \$5 M in Sewer Utility funds were expended for Water Utility construction. Said another way, the Sewer Utility has subsidized the Water infrastructure expenditures by about \$5 M.

Cash Basis vs. Utility Basis.

Attached is a summary from a portion of a memo to the City Rochester, MN (2/26/14) from Ms. Susan Perkins, Director of Corporate Services that may be useful in better understanding cash based and rate based utilities. Our Water Utility and Sewer Utility are rate based, and the PSC regulates rates in the Water Utility; the Pewaukee Common Council regulates the rates in the Sewer Utility. Note that rate based utilities need to build cash reserves for future asset replacements.

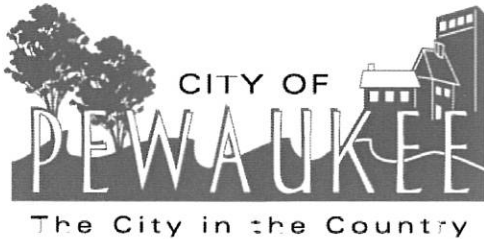
Water Utility Revenue Sources.

The Water Utility revenue sources are only two: 1) water rates billed quarterly and are regulated by the PSC; and 2) special assessments composed of Reserve Capacity Assessments (RCA's) often referred to as "hook up fees: and special assessments related to pipes and infrastructure installed to provide water services to a specific property. All special assessments are regulated by the Pewaukee Common Council. In recent years, the PSC staff have become concerned about the funding in Pewaukee, and in particular whether the RCA's have been calculated to sufficiently recover the infrastructure costs, especially mindful that what the City does not collect through special assessments cannot, generally, be repaid through rates.

Rates.

A simplistic view of rate based utilities may be illustrated with the electric company. When the electric company needs to raise revenues to build a new power generation facility, it submits a rate application to the regulatory agency, PSC in Wisconsin, and if approved, starts collecting higher fees (rates) from its customers to pay for that new generation facility, a small amount on each monthly bill. Debt is often incurred for the construction and over time that debt is paid, and depreciated as an expense on the financial reports.

The Water Utility functions in many ways like the electric utility. When major projects come forward, permits must be obtained from both the Department of Natural Resources (DNR) and the Wisconsin Public Service Commission (PSC), and in the PSC permitting process, the applicant (City) must identify the intended funding source: rates or other (special assessments). An example of a recent application would be for the new City Hall Water Tower, where PSC issued its Certificate of Authority and Order (see enclosure) where the tower was approved at a total cost of \$2,771,500 with 61% paid through rates and the remaining 39% paid through RCA's.



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Many of the capital improvements filed with PSC in the past may have assigned all of the cost to the RCA's, where in retrospect rates should have been included as a partial funding source.

Special Assessments-RCA's.

Commonly referred to as hookup fees, the RCA's are paid at the time of connection to the water system and are intended to pay for the cost of water towers, wells and storage tanks. In 2015 the City presented a report on the status of the RCA's to PSC, at PSC's request and a copy of that report is attached. As of this date, PSC has questions on that summary report; however, this report is useful for tracking the RCA's collected and reconciling any differences between the estimated costs of infrastructure construction and the actual cost annually, an important evaluation that was not undertaken on a regular schedule.

One way to think of the RCA's is to think about the new City Hall Water Tower. We planned that about \$1 M of the new tower would be paid by RCA's or future water connections. At the 2017 rate of \$4,517 per RCA about 239 homes would have to connect to pay this RCA dedicated cost. Note that there are many other improvements planned for RCA in addition to the water tower.

The first attached spreadsheet is intended to illustrate the status of residential lots that are available for home construction today (Feb. 2017) and predicted to be available within the next ten years.

- There are 142 vacant single family lots that could generate \$641,414 in RCA's (2017 rate)

- There are 79 vacant condo lots that generate \$356,843 in RCA's (2017 rate)

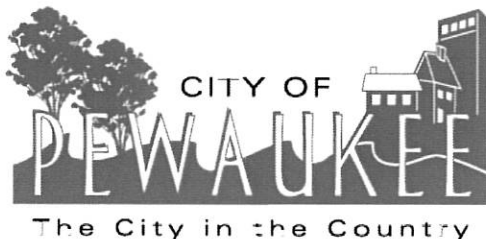
- There are 2090 existing and potential home sites in the areas of current water service

 - 821 existing homes shaded in yellow that could generate \$3, 7 M in RCA's (2017 rate)

 - 1,269 potential homes (not shaded) that could generate \$5.7 M in RCA's (2017 rate)

Another source of RCA's where water has been installed, primarily in existing neighborhoods, but homes have neither connected to the water system nor paid the RCA's. Examples of these neighborhoods are the Hill n Dale Subdivision, the Seaview Estates Subdivision and the Takoma Hills Subdivision. There are approximately 200 homes that have water available, some for more than 20 years, yet no connections and no RCA payments.

It is important to look at these potential RCA's in these areas as it is likely that development will occur in the future, say 10-25 years in these areas with only local water main extensions, and this information will be useful as we begin evaluating any changes to the recovery of RCA's.



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Pipe Special Assessments.

Pipe special assessments are those costs assessed against the property for providing the water in the neighborhood—the main line pipe in the street, the valves and the laterals (from the main line to the property line). Those costs can vary from around \$5,000 per home to as much as \$18,000 per home.

Beginning in 2004 the City began extending water main ahead of road construction projects for Pewaukee Road (Green Road to Swan Road), Swan Road (Pewaukee Road to Lindsay Road), and Lakefield Drive; and for connections to developing areas such as College Avenue/Bluemound Road, Lindsay Road, and the Lindsay Road/Duplainville Road/Weyer Road all resulting in large stretches of water with very few existing homes to connect. For projects such as these, we develop special assessments for the existing homes and calculate assessments for parcels that we anticipate to develop at some future date called “deferred assessments”. For example, think of a farm house on a 50 acre parcel. If we were to extend the water past this parcel, we would typically calculate a 1-unit water assessment for that existing home (say \$10,000) and defer 70 additional units ($70 \times \$10,000 = \$70,000$) for the case that the farm subdivides into 70 single family lots. For financial reporting deferred assessments are not booked as anticipated revenues as the number of deferred assessments and date of payment are unknown.

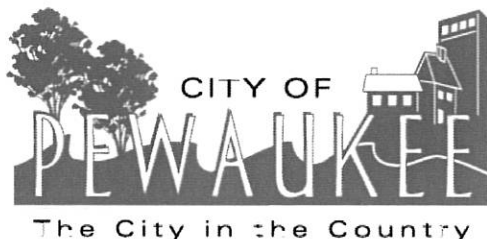
The second attached spreadsheet illustrates that about \$4.4 M in sewer pipe assessments (\$5.998 M less \$1.591 M of non-assessable pipe) have been installed on these projects, all with no requirement for payment short of connection or development. Significant cost would be recovered over time, but that time is unknown but presumed to occur in the next 17 years if the area develops by 2035.

The “Pewaukee Way”.

The City of Pewaukee and its predecessor Town of Pewaukee are very proud of doing business its own way, often differing from many of our peers. This Pewaukee Way was structured to protect the long standing residents from having to pay for sewer and water services, relying on developers to promulgate those services. We are now seeing some of the drawbacks in the short term, along with the long term consequences of developing lands and extending public utilities in this manner, including:

The City of Pewaukee does not require residents to connect to the water services, leaving us today with thousands of feet of water main paid for by the Water Utility for some day when the lands develop or when the existing homes choose to connect and begin the repayment of this infrastructure. This is not true for the Pewaukee Sewer Utility which has mandatory connection timeframes, and it is probably not a coincidence that the sewer utility with its mandatory connection requirements is in better financial condition than the water utility.

The City of Pewaukee encourages the use of special assessments for nearly every public infrastructure extension. There are over one hundred special assessment districts levying costs



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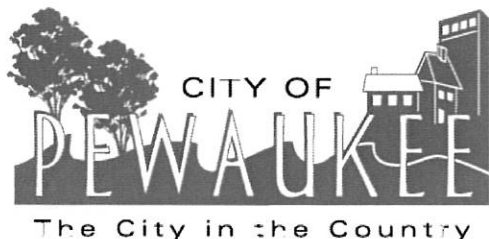
for roadway construction, sewer construction, water construction, water well construction, water storage tank construction, and even speed humps. The terms of special assessment payments or reimbursements vary by project: some have to connect in fifteen years, and some never. Some have compounding interest and some no interest. The result is a complex, often confusing array of opportunities for errors in tracking, collecting and responding to the many public inquiries on the assessments.

The City of Pewaukee has approved developments located far from the availability of sewer and water facilities, requiring developers to expend significant funds to extend the sewer/water facilities. Those facilities may or may not be fully funded by the developers. Those developments also cause the Water Utility to plan for and construct additional service pipes as design principles require water to be reinforced, or “looped” whereas sewer rarely needs this secondary support. Other communities either delay these remotely located developments until the services are closer or use other tools, such as Tax Incremental Finance districts (TIF’s) to fund these very expensive infrastructure expansions.

The City needs to recognize that a change of this paradigm of fiscal management, from a cash based mindset to a rate based mindset, and to change how municipal water is expanded in the community and how the costs are recovered for those expansions.

Our initial recommendations are as follows:

- 1) Agenda Item 6.3.a. The Pewaukee Common Council becomes the designated authority for the Water Utility for PSC reporting. As the Town Sanitary District, the Sanitary District Commission had full authority over the operations of the Water and Sewer District. After our incorporation into the City of Pewaukee, the Sanitary District ceased to exist, and the Pewaukee Common Council created the Public Works Committee, originally referred to as the Public Works Commission, to take on the statutory responsibilities of the Board of Public Works. Over time the Committee has deferred financial decisions to the Common Council as the Common Council has budgetary authority. Each year the Water Utility must file an annual report with the Public Service Commission of Wisconsin and identify in that report the Governing Authority. It is more correct, in my opinion, that with the next report that we identify the Utility Governing Authority as the Pewaukee Common Council, and for purposes of financial reporting, formally identify that the Utility reports directly to the Common Council. The Public Works Committee would remain a committee that makes recommendations to the Common Council.



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- 2) Agenda Item 6.3.b. Enact a policy change and implement the collection of water pipe infrastructure special assessment payments upon a date-certain after the water has been installed and determined to be available. We suggest that special assessment payments begin upon connection or at five years after the date of availability with payments allowed over a 10-year period, all similar to the pipe special assessment payment timeframe for sanitary sewer. This would mean that areas such as Takoma Hills, Hill n Dale, Seaview Estates and others would now have to begin the payment of the pipe special assessments at some specific date. Public Hearings would be necessary prior to making a change for any special assessment district where other connection/payment terms were established.
- 3) Agenda Item 6.3.c. Enact a policy change that would only consider the expansion or extension of municipal water into an area if those properties in the area were required to begin payment of the special assessments within a specific timeframe, such as the 5 years discussed in (3) above. Two examples: 1) The proposed Oak Street/Peninsula Drive road project (see attached draft letter to the residents; and 2) the Lakefield Drive road paving project where water was extended as a part of the road project but no one is required to connect to the water.
- 4) Agenda Item 6.3.d. Develop a formal reporting process to the Common Council specific to the Water Utility regarding ongoing fiscal issues, the evaluation and authorization of specific capital expenditures (i.e. projects) prior to authorization. Alternatively, a special committee with expertise could be designated to act for the Common Council on these issues.
- 5) Agenda Item 6.3.e. Establish a process beginning in the initial stages of staff development review where the fiscal impacts of a development on the Water Utility are identified and considered prior to authorizing actions on the development by the Common Council. This may not apply to many development proposals, but it is important that the City now recognizes that developments have their challenges and costs.
- 6) Agenda Item 6.3.f. Both the Water Utility and Sewer Utility need an expert to consult on the financial issues in the utilities, including the development of best financial practices. In addition, the City needs to continue with the consultant on the final version of the Water RCA study. We request authorization to continue with the RCA Study consultant, and to seek a financial consultant to work with us on the various financial issues.
- 7) Agenda Item 6.3.g. The Water Utility needs to update its facilities plan, and the Sewer Utility needs to develop a facilities plan, both with the aid of consultants. These facilities plans will provide an important elements in the financial analysis.

Identification and Ownership - Governing Authority and Audit Information

Utility Governing Authority

Select the governing authority for this utility.

☒ Reports to utility board/commission☐ Reports directly to city/village council**Audit Information**Are utility records audited by individuals or firms other than utility employees? ☒ Yes ☐ No

Date of most recent audit report: 05/26/2015

Period covered by most recent audit: YEAR ENDED DECEMBER 31, 2014

Individual or firm, if other than utility employee, auditing utility records

Name: HOWARD JEANSON

Title: CPA

Organization Name: ROTROFF JEANSON & COMPANY, SC

USPS Address: 385 WILLIAMSTOWNE, SUITE 204

City State Zip DELAFIELD, WI 53018

Telephone: (262) 303-4701

Email Address: howard@rotroffjeanson.com

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

DATE: December 18, 2017

DEPARTMENT: Clerk/Treasurer

PROVIDED BY: Scott Klein, City Administrator / Planner

SUBJECT:

Discussion and Possible Action to Authorize the Application Process for a Department of Natural Resources Deer Nuisance Permit [Klein]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

to Authorize the Application Process for a Department of Natural Resources Deer Nuisance Permit

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

DATE: December 18, 2017

DEPARTMENT: Clerk/Treasurer

PROVIDED BY: H. Stanley Riffle, City Attorney

SUBJECT:

Discussion and Possible Action Regarding **Ordinance 18-01** Repealing and Recreating Portions of Section 6.035 of the Municipal Code Concerning Residency Restrictions for Sex Offenders (***First Reading***) [Riffle]

BACKGROUND:

See Attachment

FINANCIAL IMPACT:

RECOMMENDED MOTION:

Discussion and Possible Action Regarding **Ordinance 18-01** Repealing and Recreating Portions of Section 6.035 of the Municipal Code Concerning Residency Restrictions for Sex Offenders

ATTACHMENTS:

Description
Sex Offender Residency Ordinance
Map Adopted 10/2015

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WHEREAS, the Common Council of the City of Pewaukee, Waukesha County, Wisconsin, deems it a priority to act in the interest of public safety within our community, particularly in the interest of our children: and

WHEREAS, all convicted child sex offenders have proven themselves to be dangerous²; and

WHEREAS, research in this area has established sex offenders are rearrested for sex crimes four times more frequently than non-sex offenders³; and

WHEREAS, the reduction of crime and criminal recidivism are inextricably linked to public safety within our community; and

WHEREAS, the risks posed by sex offenders against children, are nationally recognized in such landmark legislation as the 1994 Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act; 1996 Megan's Laws; and the 2006 Adam Walsh Child Protection and Safety Act; and these risks are also recognized by legislation in every State in the United States of America including Wisconsin; and

WHEREAS, the Common Council finds that the data concerning child sex offenders is horrific and demonstrates the need for action, including the following⁴:

- “sex crimes are unfortunately fairly common in the United States.”
- “It is estimated that one in every five girls and one in every seven boys are sexually abused by the time they reach adulthood.”

¹ Sex Offender Management Assessment and Planning Initiative, July 2015, “This includes offenders returning to the community upon release from incarceration as well as offenders who are serving or who have been discharged from community-based sentences.”

² Kester, 2013 WI App 50, ¶ 30.

³ Sex Offender Management Assessment and Planning Initiative, July 2015, Langan, P., Schmitt, E., & Durose, M. (2003). Recidivism of Sex Offenders Released from Prison in 1994.

⁴Center for Sex Offender Management (CSOM) statistics. CSOM is a collaborative effort of the U.S. Department of Justice, Office of Justice Programs, the National Institute of Corrections, the State Justice Institute, and the American Probation and Parole Association, and these quoted statistics are from its “Fact Sheet: What You Need to Know about Sex Offenders”.

- “Children are particularly vulnerable. Approximately 67% of all victims of reported sexual assaults are under the age of 18, and more than half of these victims are under the age of 12.”
- “Most sexual offenses are committed by someone the victim knows ... or acquaintance.”
- “No single factor or combination of factors can fully explain why someone offends sexually, though some factors may combine to increase people’s tendency to offend. These factors are ... [physiological, sociocultural, developmental] and situational/circumstantial (e.g. having easy access to victims...).”
- “About 12% to 24% of sex offenders will reoffend.”

WHEREAS, the Common Council also finds these statistics of the U.S. Department of Justice to be shocking and a call to action⁵:

- “Approximately 1.8 million adolescents in the United States have been victims of sexual assault.”
- “An estimated 60% of perpetrators of sexual abuse are known to the child but are not family members, e.g. family friends, babysitters, child care providers, neighbors.”

WHEREAS, in September of 2015 the State of Wisconsin Department of Corrections conducted an extensive study of sex offender recidivism between 1997 and 2010, and found that in total there were 631 instances (4.9% of all releases) of sexual re-offending, and the top two types of re-offense were second degree sexual assault of a child (103 offenses), first degree sexual assault of a child (100 offenses); and within the top 10 re-offenses also were sex with a child ages 16 or older (46 offenses) and repeated sexual assault of the same child (33 offenses); and the study concludes that of all the repeat offenses committed by sex offenders, “sex offenses that specifically reference children represent a greater proportion of the whole;”⁶

WHEREAS, data within the City of Pewaukee may not provide a large enough sample size for statistical analysis, however, there is no reason to believe the outcomes would be different in the City than were demonstrated statewide by the Department of Corrections data; and

WHEREAS, the creation of Sex Offender Residency Restrictions and Safety Zones by municipal ordinance around locations where children regularly congregate is a reasonable step toward protecting children and deterring recidivism by reducing the opportunity for new offenses within our community; and

⁵ U.S. Department of Justice, National Sex Offender Public Website “Facts and Statistics”

⁶ Joseph R. Tatar II, Ph.D. and Anthony Streveler, M.S.W., Sex Offender Recidivism After Release from Prison, Office of the Secretary, Research and Policy Unit. State of Wisconsin Department of Corrections (September 2015).

1 **WHEREAS**, the Common Council has reviewed many studies and reports concerning
2 recidivism of sex offenders and the effectiveness of sex offender residency restrictions⁷,
3 and has been fully advised in the matter; and
4

5 **WHEREAS**, the literature on the subject includes some studies that support the practice
6 of imposing sex offender residency restrictions and others that are critical of the
7 practice; and
8

9 **WHEREAS**, the Common Council finds it to be significant that some of the key studies
10 that have concluded that sex offender residency restrictions have limited effectiveness
11 have added significant qualifications to that conclusion; e.g. in “An Evaluation of Sex
12 Offender Residency Restrictions in Michigan and Missouri,” (Huebner, et al., 2013), the
13 authors generally do not support sex offender residency restrictions, but nevertheless
14 find that following adoption of sex offender residency restrictions “the rate of recidivism
15 for technical violations significantly decreased for Missouri sex offenders...” (id. at 9)
16 and “the number of sex offense convictions did decline...” in Missouri (id. at 10); and
17

18 **WHEREAS**, in review of the residency restrictions of communities throughout
19 Waukesha County and its environs, the Common Council finds that many of such
20 communities have an “original domicile restriction,” which allows each community to
21 take back its own while not adding an additional burden of more than its own sex
22 offenders to its community; such burdens including neighborhood and citizen concerns
23 and responses, risks of recidivism, and potential property value impacts⁸; and

⁷ These include but are not limited to: Recidivism of sex offenders released from prison in 1994, U.S. Department of Justice, Office of Justice Programs, copyright November 2003; The final report of the Commission to Improve Community Safety and Sex Offender Accountability, of the State of Maine, dated January 2004; Sex Offender Recidivism Prediction, Correctional Service of Canada dated October 14, 2004; Recidivism of Sex Offenders, May 2001, Center for Sex Offender Management; Treating Sex Offenders, Wisconsin Lawyer Magazine, October 1994; The Impact of Residency Restrictions on Sex Offenders and Correctional Management Practices: A Literature Review, Marcus Nieto and Professor David Jung, California Research Bureau, California State Library, August 2006; Sex Offenders: You Are Now Free to Move About the Country, and Analysis of Doe v. Miller’s Effects on Sex Offender Residential Restrictions, UMKC Law Review, Spring 2005; There Goes the Neighborhood? Estimates of the Impact of Crime Risk on Property Values from Megan’s Laws, Linden and Rockoff, National Bureau of Economic Research, May 2006; The Effect of Proximity to a Registered Sex Offender’s Residence on Single-Family Housing Selling Price, Goliath Appraisal Journal, July 2003; Sex Offenders, Sexually Violent Predators, Punishment, Residence Restrictions and Monitoring, California Proposition 83, Analysis by the Legislative Analyst; An Evaluation of Sex Offender Residency Restrictions in Michigan and Missouri, Huebner, et al., 2013.

⁸ Property value impacts have been noted in numerous studies, including “The Effect on Proximity to a Registered Sex Offender’s Residence on Single-Family House Selling Price,” Larsen, J., Lowery, K., & Coleman, J. (2003), *The Appraisal Journal*, 71(3), 253-65; and “Neighborhood Tipping and Sorting Dynamics in Real Estate; Evidence from the Virginia Sex Offender Registry,” Wentland, Bain, Brastow, Stoll, Waller, *Social Science Research Network*, April 2013. Property values are only one such impact. Stop it Now, a non-profit organization devoted to sex offender research, offers this advice to those concerned about sex offenders moving into a neighborhood, among others: Create a family safety plan; attend notification meetings; notify the police of suspicious activity; and don’t wait to take action for prevention. At a minimum, this heightened awareness and activity burdens the families and neighbors

1
2 **WHEREAS**, if the City of Pewaukee would not have an original domicile restriction, the
3 City would have open doors for non-resident sex offender residency when other
4 communities have closed doors, inviting a substantial increase in child sex offender
5 placements, with the related adverse impacts on the health, safety and welfare of the
6 City and its residents; and
7

8 **WHEREAS**, the Common Council recognizes the merits, mentioned in some studies, of
9 individualized consideration of the risks and benefits of residency restrictions on an
10 offender-by-offender basis, and the City has carefully considered how it can best
11 provide this individualized consideration, and hereby intends to create an Appeals
12 Board with sufficient jurisdiction to consider the original domicile restrictions to ensure
13 that the ordinance does not banish sex offenders from the City; and
14

15 **WHEREAS**, the Common Council recognizes that it cannot eliminate all risk of child sex
16 offender re-offense, and it must balance all of the competing public policies, but intends
17 by these regulations to strike the legislative balance that is appropriate for the
18 circumstances of the City of Pewaukee; and
19

20 **WHEREAS**, it is not the intent of this ordinance to banish sex offenders from residing
21 within the City of Pewaukee, and careful attention has been given to ensure that there
22 are ample locations for sex offenders to reside within the City of Pewaukee in
23 compliance with the requirements of this ordinance:
24
25

26 **NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF PEWAUKEE,**
27 **WAUKESHA COUNTY, WISCONSIN DOES ORDAIN AS FOLLOWS:**
28
29

30 **SECTION 1:** Chapter 6 of the City of Pewaukee Municipal Code entitled, "Public Peace
31 and Good Order," Section 6.035 entitled, "Sexual Offender Residency Restrictions;
32 Child Safety Zones," Subsection (1) entitled "Purpose and Intent" is hereby repealed
33 and re-created as follows:
34

35 **(1) PURPOSE & INTENT**

36 This chapter is a regulatory measure aimed at protecting the health and safety of
37 children in Pewaukee from the risk that convicted sex offenders may reoffend in
38 locations close to their Residences. The Common Council has closely
39 considered this question and had made numerous findings and expressions of
40 intent within the preamble to the Ordinance which adopts this Code Section
41 which are incorporated herein by reference. The City of Pewaukee finds and
42 declares that sex offenders are a serious threat to public safety. When convicted

where sex offenders are placed, and collectively this burdens the City staff and resources, for every Sex Offender placement.

1 sex offenders reenter society, they are much more likely than any other type of
2 offender to be rearrested for a new rape or sexual assault. Given the high rate of
3 recidivism for sex offenders and that reducing opportunity and temptation is
4 important to minimizing the risk of reoffense, there is a need to protect children
5 where they congregate or play in public places in addition to protections afforded
6 by state law near schools, day-care centers and other places children frequent.
7 The City finds and declares that in addition to schools and day-care centers,
8 children congregate or play at public parks.
9

10 **SECTION 2:** Chapter 6 of the City of Pewaukee Municipal Code entitled, "Public Peace
11 and Good Order," Section 6.035 entitled, "Sexual Offender Residency Restrictions;
12 Child Safety Zones," Subsection (2) entitled "Definitions," Subsection (a) entitled,
13 "Crimes Against Children" is hereby repealed:
14

15 **~~(a) Crimes Against Children~~**

16 ~~Any of the following offenses set forth within the Wisconsin Statutes, as~~
17 ~~amended, or the laws of this or any other state or the federal government, having~~
18 ~~like elements necessary for conviction, respectively:~~

19 ~~940.225(1) First degree sexual assault~~

20 ~~940.225(2) Second degree sexual assault~~

21 ~~940.225(3) Third degree sexual assault~~

22 ~~940.22(2) Sexual exploitation by therapist~~

23 ~~940.30 False Imprisonment-victim was minor and not the offender's child~~

24 ~~940.31 Kidnapping-victim was minor and not the offender's child~~

25 ~~944.01 Rape (prior statute)~~

26 ~~944.06 Incest~~

27 ~~944.10 Sexual intercourse with a child (prior statute)~~

28 ~~944.11 Indecent behavior with a child (prior statute)~~

29 ~~944.12 Enticing child for immoral purposes (prior statute)~~

30 ~~948.02(1) First degree sexual assault of a child~~

31 ~~948.02(2) Second degree sexual assault of a child~~

32 ~~948.025 Engaging in repeated acts of sexual assault of the same child~~

33 ~~948.05 Sexual exploitation of a child~~

34 ~~948.055 Causing a child to view or listen to sexual activity~~

35 ~~948.06 Incest with a child~~

36 ~~948.07 Child enticement~~

37 ~~948.075 Use of a computer to facilitate a child sex crime~~

38 ~~948.08 Soliciting a child for prostitution~~

39 ~~948.095 Sexual assault of a student by school instructional staff~~

40 ~~948.11(2)(a) Exposing child to harmful material-felony sections or (am)~~

41 ~~948.12 Possession of child pornography~~

42 ~~948.13 Convicted child sex offender working with children~~

43 ~~948.30 Abduction of another's child~~

44 ~~971.17 Not guilty by reason of mental disease-of an included offense~~

45 ~~975.06 Sex Crimes Law, commitment~~
46

1 **SECTION 3:** Chapter 6 of the City of Pewaukee Municipal Code entitled, "Public Peace
2 and Good Order," Section 6.035 entitled, "Sexual Offender Residency Restrictions;
3 Child Safety Zones," Subsection (2) entitled "Definitions," Subsection (b) entitled,
4 "Offender" is hereby repealed and re-created as follows:
5

6 (b) **Offender** shall mean: is a person who has been convicted of or has been
7 found delinquent of or has been found not guilty by reason of disease or mental
8 defect of a sexually violent offense and/or a crime against children

9 1. Any person who is required to register under §301.45, Wis. Stats., for any
10 offense against a child or any person who is required to register under
11 §301.45, Wis. Stats., and who is subject to the Special Bulletin Notification
12 process set forth in §301.46(2) and (2m), Wis. Stats.;

13 2. Any person subject to the sex crimes commitment provisions of §975.06,
14 Wis. Stats.;

15 3. Any person found not guilty by reason of disease or mental defect placed
16 on lifetime supervision under §971.17(lj), Wis. Stats.
17

18 **SECTION 4:** Chapter 6 of the City of Pewaukee Municipal Code entitled, "Public Peace
19 and Good Order," Section 6.035 entitled, "Sexual Offender Residency Restrictions;
20 Child Safety Zones," Subsection (4) entitled "Original Domicile Restriction," is hereby
21 repealed and re-created with the heading "Original Domicile Restriction; and Appeal" as
22 follows:
23

24 **(4) ORIGINAL DOMICILE RESTRICTION; AND APPEAL**
25 Original Domicile Restrictions; and Appeal.

26 (a) In addition to and notwithstanding the foregoing, but subject to the
27 residency restrictions above, no offender and no individual who has been
28 convicted of a sexually violent offense ~~and/or a crime against children~~
29 shall be permitted to reside in the City of Pewaukee, unless such person
30 was domiciled in the City of Pewaukee at the time of the offense resulting
31 in the person's most recent conviction for committing the sexually violent
32 offense ~~and/or crime against children~~. "Domicile" shall mean an
33 individual's fixed and permanent home where the individual intends to
34 remain permanently and indefinitely and to which whenever absent the
35 individual intends to return, except that no individual may have more than
36 one domicile at any time. Domicile is not a residence for any special or
37 temporary purpose. An offender does not violate this Subsection if the
38 Sex Offender Residence Board has granted an exemption.
39

40 **(b) PETITION FOR EXEMPTION.**

41
42 1. An offender may seek an exemption from Subsection (4)(a) by
43 petitioning to the Sex Offender Residence Board ("Residence
44 Board").
45

1 2. The Residence Board shall consist of three citizens residing in
2 the City. Members shall be selected by the Mayor subject to the
3 confirmation of the City of Pewaukee Common Council.
4 Members shall serve for a term of five (5) years and shall serve
5 no more than two (2) consecutive terms. The terms for the
6 initial members of the Residence Board shall be staggered with
7 one member serving one (1) year, a second member serving
8 three (3) years and the third member serving five (5) years.
9

10 3. The Residence Board shall approve an official petition form.
11 The offender seeking an exemption must complete the petition
12 and submit it to the City Clerk who shall forward it to the
13 Residence Board. The Residence Board shall hold a hearing
14 on each petition, during which the Residence Board may review
15 any pertinent information and accept oral or written statements
16 from any person. The Residence Board shall base its decision
17 on factors related to the City's interest in promoting, protecting
18 and improving the health, safety and welfare of the community.
19 Applicable factors for the Residence Board's consideration shall
20 include, but are not limited to:
21

- 22 a. Nature of the offense that resulted in offender status
- 23 b. Date of offense
- 24 c. Age at time of offense
- 25 d. Recommendation of probation or parole officer
- 26 e. Recommendation of Police Department
- 27 f. Recommendation of any treating practitioner
- 28 g. Counseling, treatment and rehabilitation status of
29 offender
- 30 h. Remorse of offender
- 31 i. Duration of time since offender's incarceration
- 32 j. Support network of offender
- 33 k. Relationship of offender and victim(s)
- 34 l. Presence or use of force in offense(s)
- 35 m. Adherence to terms of probation or parole
- 36 n. Proposals for safety assurances of offender
- 37 o. Conditions to be placed on any exception from the
38 requirements of this Ordinance
- 39

40 4. The Residence Board shall decide by majority vote whether to
41 grant or deny an exemption. An exemption may be
42 unconditional or limited to a certain address or time, or subject
43 to other reasonable conditions. The Residence Board's
44 decision shall be final for purposes of any appeal. A written
45 copy of the decision shall be provided to the offender and the
46 City of Pewaukee Police Department.

1
2 **SECTION 5:** Chapter 6 of the City of Pewaukee Municipal Code entitled, "Public Peace
3 and Good Order," Section 6.035 entitled, "Sexual Offender Residency Restrictions;
4 Child Safety Zones," Subsection (7) entitled "Exception for Placements under Chapter
5 980 of the Wisconsin Statutes," is hereby created as follows:
6

7 **(7) Exception for Placements under Chapter 980 of the Wisconsin**
8 **Statutes.**
9

10 To the extent required by Section 980.135 of the Wisconsin Statutes, and
11 notwithstanding the foregoing provisions of this chapter, the City of
12 Pewaukee hereby exempts and may not enforce any portion thereof that
13 restricts or prohibits an offender from residing at a certain location or that
14 restricts or prohibits a person from providing housing to an offender
15 against an individual who is released under Wisconsin Statutes Section
16 980.08, or against a person who provides housing to such individual, so
17 long as the individual is subject to supervised release under Chapter 980
18 of the Wisconsin Statutes, the individual is residing where he or she is
19 ordered to reside under Section 980.08 of the Wisconsin Statutes, and the
20 individual is in compliance with all court orders issued under Chapter 980
21 of the Wisconsin Statutes.
22

23 **SECTION 6: SEVERABILITY.**
24

25 The several sections of this ordinance are declared to be severable. If any section or
26 portion thereof shall be declared by a court of competent jurisdiction to be invalid,
27 unlawful or unenforceable, such decision shall apply only to the specific Section or
28 portion thereof directly specified in the decision, and shall not affect the validity of any
29 other provisions, sections or portions thereof of the ordinance. The remainder of the
30 ordinance shall remain in full force and effect. Any other ordinances whose terms are in
31 conflict with the provisions of this ordinance are hereby repealed as to those terms that
32 conflict.
33

34 **SECTION 7: EFFECTIVE DATE.**
35

36 This ordinance shall take effect and be in full force from and after its passage and
37 posting according to law.
38

39
40 PASSED and ADOPTED this ____ day of _____, 2017.
41
42
43

44 _____
45 Steve Bierce, Mayor
46

1 Countersigned:

2

3

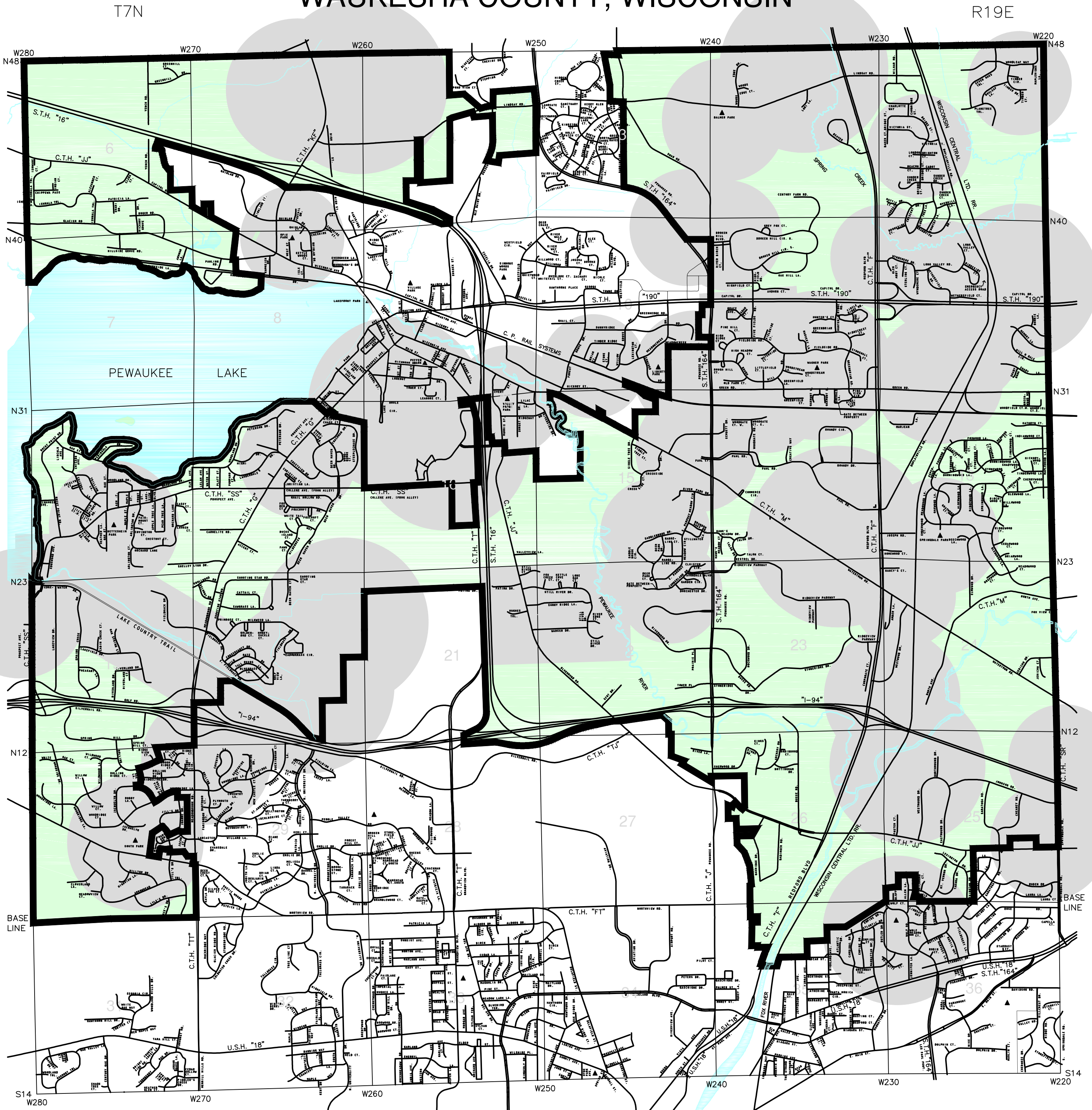
4 _____
Kelly Tarczewski, City Clerk

5

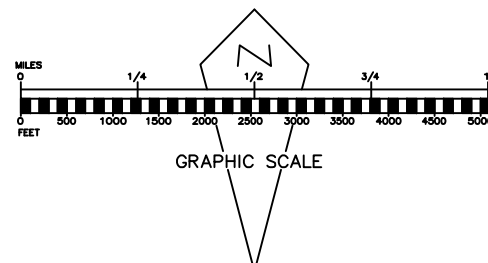
6

CITY OF PEWAUKEE

WAUKESHA COUNTY, WISCONSIN



Residency Restricted/Child Safety Zone



PREPARED BY:
WAUKESHA COUNTY PARK & PLANNING DEPARTMENT
JULY 1959
AMENDED: BY THE CITY DECEMBER, 2000.
UPDATED: FEB., 2004; JAN., 2005; JAN., 2006; NOV., 2006; JAN., 2010; JUL., 2013.

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

DATE: December 18, 2017

DEPARTMENT: PRCS - Planning

PROVIDED BY:

SUBJECT:

Discussion and Action to Concur with the Plan Commission (11/16/2017) Approve Certified Survey Map PC #171019-1 for the Gene Brittain Property Located on Bluemound Road (PWC 0925994002 & PWC 0925994003) [Klein]

BACKGROUND:

Plan Commission Audio for this topic is available at:

<https://pewaukee.novusagenda.com/AgendaPublic/VODPreview.aspx?meetingVideoID=0796a7c4-adf2-4ab9-b192-0ff44fc42527&index=186>

FINANCIAL IMPACT:

RECOMMENDED MOTION:

to Approve Certified Survey Map PC #171019-1 for the Gene Brittain Property Located on Bluemound Road (PWC 0925994002 & PWC 0925994003)

ATTACHMENTS:

Description

Brittain CSM

PC Minutes 11.16.17

Lot 1 and Lot 2 of Certified Survey Map No. 11369 as recorded October 26, 2015, being part of the Southeast 1/4 and part of the Southwest 1/4 of the Northeast 1/4 of Section 16, Town 7 North, Range 19 East, in the City of Pewaukee, Waukesha County, Wisconsin.



December 10, 2017
Sheet 1 of 2 sheets


CERTIFIED SURVEY MAP NO. _____

Lot 1 and Lot 2 of Certified Survey Map No. 11369 as recorded October 26, 2015, being part of the Southeast 1/4 and part of the Southwest 1/4 of the Northeast 1/4 of Section 16, Town 7 North, Range 19 East, in the City of Pewaukee, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE:

Gene A. Brittain, as owner, does hereby certify that said they caused the land described on this map to be surveyed, divided and mapped as represented on this map.

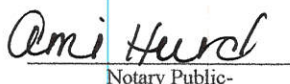
IN WITNESS WHEREAS, Gene A. Brittain, has caused his presents to be signed by Gene Brittain, owner of said land, this 15 day of December, 2017


Gene A. Brittain, Owner

STATE OF WISCONSIN)ss
COUNTY OF WAUKESHA)

Personally came before me this 15 day of December, 2017, the above named Gene Brittain, to me known and the person who executed the foregoing instrument and acknowledged the same.

My commission expires 1/18/19


Notary Public-



PLAN COMMISSION APPROVAL:

Approved by the Plan Commission, City of Pewaukee, this _____ day of _____, 2017

Steve Bierce – Mayor

Brandon Berman – Secretary

COMMON COUNCIL APPROVAL:

Approved by the Common Council, City of Pewaukee, this _____ day of December, 2017

Steve Bierce – Mayor

Kelly Tarczewski – Clerk/Treasurer

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)ss
WAUKESHA COUNTY)

I, Michael R. Kotlarek, Professional Land Surveyor, do hereby certify:

That Part of the Southeast 1/4 and part of the Southwest 1/4 of the Northeast 1/4 of Section 16, Town 7 North, Range 19 East, in the City of Pewaukee, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said NE ¼ of Section 16; thence S.87°04'25"W. along the south line of said NE ¼ of section a distance of 1,306.12 feet; thence N.02°55'35"W. a distance of 821.83 feet. Said point being the point of beginning; thence N.06°46'44"E. along the east line of S.T.H 16 a distance of 188.90 feet to the south line of C.T.H. JJ; thence N.88°10'18"E along said south line a distance of 242.92 feet to the west line of C.T.H. JJ which runs southeasterly at this point; thence S.03°30'17"E. along said west line a distance of 98.08 feet; thence southeasterly 61.32 feet along an arc of a curve to the right whose long chore bears S.00°52'04"E. a distance of 61.30 feet with a radius of 666.20 feet; thence S.82°25'57"W. a distance of 274.41 feet to the point of beginning. More particularly known as Lot 1 and Lot 2 of Certified Survey Map No. 11369 as recorded October 26, 2015. Said lands containing 1.02 Acres, more or less, or 44,629.16 square feet, more or less.

THAT I have made this survey, land division and map by the direction of Gene A. Brittain, owner of said land.

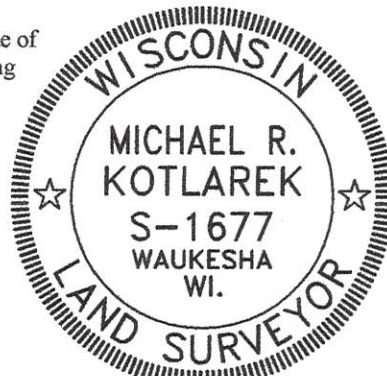
THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236 of the Statutes of the State of Wisconsin pertaining to Certified Survey Maps (section 236.34) and the Land Division and Platting Regulations of the City of Pewaukee in surveying, dividing and mapping the same.



Michael R. Kotlarek
Professional Land Surveyor S-1677
December 10, 2017

This instrument was drafted by Michael R. Kotlarek
Professional Land Surveyor S-1677



Sheet 2 of 2 sheets

In Attendance

Mayor S. Bierce, C. Coursin, T. Janka, D. Linsmeier, S. Sullivan and C. Wunder.

Also in attendance:

City Planner H. Clinkenbeard, Deputy Clerk A. Hurd, Administrator S. Klein, Department of Public Works Director J. Weigel and Community Services Director K. Woldanski.

1. Call to Order and Pledge of Allegiance

Chairman Bierce called the meeting to order at 7:00PM and requested everyone stand for the Pledge of Allegiance.

2. Discussion and Action Regarding Approval of Meeting Minutes Dated July 20th, 2017

A motion was made and seconded (C. Coursin, T. Janka) to approve the minutes of the July 20th, 2017 meeting. Motion Passed: 6-For, 0-Against.

3. Discussion and Action Regarding a Petition for a Rezoning PUBLIC HEARING for Gene Brittain to Rezone Property Located at the Intersection of Bluemound Road and STH 16 at Morris Street From Rd-2 Two-Family Residential to Rs-3 Single-Family Residential (PWC 0925994002 & PWC 0925994003)

The petitioner, Steve Czysz, stated he wants to get the property back to the zoning it used to be. Mr. Brittain and Mr. Czysz came forward several months ago to rezone the parcel from single-family to Rd-2 and divide it into two half-acre parcels in order to put a duplex on each of the half-acre parcels. The petitioners now want to go back to square one and turn the entire lot back to Rs-3 single-family.

Administrator Klein stated that Attorney Riffle has prepared a rescission ordinance which makes this go back to the way it was. All the Plan Commission has before them tonight is if they agree to put this back to one lot and rezone it. He stated the Council must make the final decision on this. Mr. Clinkenbeard stated the Common Council would worry about getting back to one lot with the CSM.

Mr. Weigel noted that the certified survey map has now been recorded at the Register of Deeds office as two lots. Mr. Klein suggested going thru the rezoning tonight and making it contingent upon submitting the certified survey map.

Chairman Bierce opened the public hearing at 7:07pm. No one in the audience wished to speak and the public hearing was closed.

A motion was made and seconded (C. Coursin, C. Wunder) to approve the rezoning contingent upon the CSM. Motion Passed: 6-For, 0-Against.

4. Discussion and Action Regarding Certified Survey Map PC #171019-1 for the Gene Brittain Property Located on Bluemound Road (PWC 0925994002 & PWC 0925994003)

Discussion took place during item #3.

5. Discussion and Action and PUBLIC HEARING Regarding the 2050 Land Use/Transportation Plan for the Quarry Neighborhood (Map 9)

Mr. Clinkenbeard noted there would be a proposed change to a transition area on Bluemound Road, and it would be either commercial or offices. There is also an area along the west side of Badinger Road that is shown as industrial on the 2035 plan but has been changed to all offices on the 2050 plan.

The only change on the north side shows that we are keeping the woodlands next to Busse Road on the north side of Bluemound Road as forest land where the new industrial building is going in.

Chairman Bierce opened the public hearing at 7:15pm. No one in the audience wished to speak and the public hearing was closed.

A motion was made and seconded (D. Linsmeier, S. Sullivan) to approve the 2050 Land Use/Transportation Plan for the Quarry Neighborhood. Motion Passed: 6-For, 0-Against.

6. Discussion and Action and PUBLIC HEARING Regarding the 2050 Land Use/Transportation Plan for the Office/Industrial Neighborhood (Map 10)

Mr. Clinkenbeard stated this neighborhood was bounded on the south by I-94, on the west side by STH 164, on the east by CTH F/Redford Boulevard, and on the north by the CP Railroad. The area on the 2035 plan shows a cul-de-sac that has now been built with houses on both sides of street. The farm property proposed is an extension of the Fox Meadow subdivision.

Chairman Bierce opened the public hearing at 7:18pm.

Beth Yenerick from Sussex stated her grandparents and parents own the farm and she questioned if it would be zoned residential or industrial or if it would be changed. Mr. Clinkenbeard stated the proposal is to keep it the same as single-family residential.

Chairman Bierce closed the public hearing at 7:20pm.

A motion was made and seconded (D. Linsmeier, C. Coursin) to approve the 2050 Land Use/Transportation Plan for the Office/Industrial Neighborhood. Motion Passed: 6-For, 0-Against.

7. Discussion and Action and PUBLIC HEARING Regarding the 2050 Land Use/Transportation Plan for the City Center Neighborhood (Map 11)

Mr. Clinkenbeard stated the neighborhood is bounded by STH 164, the Pewaukee River on the west side of the neighborhood and I-94 on the south end of the neighborhood. The only change from the adopted 2035 plan is the area on the south side of Watertown Road in the northwest corner of the neighborhood. The 2035 plan shows it as all residential next to Boomers, but for the 2050 plan it

could go either residential or industrial because there is so much industrial surrounding the neighborhood.

Chairman Bierce opened the public hearing at 7:23pm. No one in the audience wished to speak and the public hearing was closed.

A motion was made and seconded (T. Janka, C. Wunder) to approve the 2050 Land Use/Transportation Plan for the City Center Neighborhood. Motion Passed: 6-For, 0-Against.

8. Discussion and Action Regarding the Redo of Certified Survey Map PC #171019-2 for Payne & Dolan/Waukesha Lime & Stone for a Combination of Properties on Bluemound Road and Badinger Road for a New Office Building (PWC 0912980)

Mr. Clinkenbeard stated the CSM was approved back in June of 2016. The idea was to combine the three lots and rezone the property so that Waukesha Lime and Stone could build a new office building on the site. The CSM shows a frame building which has already been torn down and the new office building has already been built. The lots need to be combined but the CSM was never recorded and the County won't take a certified survey map after 60 days.

A motion was made and seconded (T. Janka, C. Coursin) to approve CSM PC #171019-2 for Payne & Dolan/Waukesha Lime & Stone for Properties on Bluemound Road and Badinger Road. Motion Passed: 6-For, 0-Against.

9. Discussion and Action Regarding the Redo of Certified Survey Map PC #171019-3 for Payne & Dolan/Waukesha Lime & Stone for a Combination of Properties on Bluemound Road for a New Asphalt Plant

Mr. Clinkenbeard stated this was combining three properties to build a new asphalt plant. The plant is already up and running. This was initially discussed in the fall of 2016 but was not recorded.

A motion was made and seconded (D. Linsmeier, T. Janka) to approve CSM PC #171019-3 for Payne & Dolan/Waukesha Lime & Stone for Property on Bluemound Road. Motion Passed: 6-For, 0-Against.

10. Discussion and Action Regarding the Site and Building Plans for a Columbarium for the Fox River Church Located at N34 W23575 Capitol Drive (PWC 0907999001)

Mr. Coursin recused himself at this point.

Mr. Jason Talbot, the lay leader of the church, stated they would be using an Icoff columbarium and it is the same model as Galilee Lutheran Church in Pewaukee. The plan is to build a memorial garden adjacent to the parking lot. It would be a granite manufactured product.

The intent is to hire Stier Construction to build the columbarium and the lead time is about six months. The landscape plan will match architecturally with the rest of the property.

A motion was made and seconded (D. Linsmeier, T. Janka) to approve the columbarium for the Fox River Church. Motion Passed: 5-For, 0-Against, 1-Abstain (Coursin).

11. Discussion and Action Regarding the Proposed Concession and Rest Room Facilities Building at the Sports Complex on Lindsay Road to Serve the General Field Sports Area of the Complex (PWC 0869999002)

Park Director Kelley Woldanski stated the soccer club has agreed to build a concession stand on the soccer side of the park. The same architect that did the baseball side is doing this side so there will be consistency between the two buildings.

There have been some minor tweaks in the layout of the building by Joint Board, but the Board recommends that the Plan Commission approve of this.

Ms. Woldanski stated they have not yet determined when it will be built because they needed Plan Commission approval in order to bid the project out, and it also depends on the funding. It is a partnership between the Park Department and the soccer club. Ideally, it would be next year, but it all depends.

It was noted that they are waiting on the final civil drawings.

A motion was made and seconded (D. Linsmeier, C. Wunder) to approve the concession and rest room facilities building at the Sports Complex. Motion Passed: 6-For, 0-Against.

12. Discussion and Action Regarding a 39 Lot Single-Family Residential Subdivision Located on Bluemound Road Adjacent to State Highway 16

Mr. Clinkenbeard stated there are three properties to this. The northern property is all wooded, there is a narrow strip owned by Charlie Borisch, and there is a larger site on the south side. The idea is to purchase the three lots, combine them, and build a subdivision.

The neighborhood plan for this area calls for it to be medium density single-family.

Mr. Sullivan questioned if there has been any storm water management discussion? The petitioners stated they do not have a plan at this time, but that would be the next step with a preliminary plat. That would get submitted together along with the rezoning.

Mr. Clinkenbeard noted that outlot 3 would be a natural to collect water, but the question was if there would be enough capacity in the three outlots to handle storm water drainage of the site? It cannot be run into the County lands or into the lands to the south, as there is some single family development in that area.

Chairman Bierce was under the impression that we did not want to build subdivisions with only one entrance. Mr. Clinkenbeard stated the only way to get out was to the south and they could not put more than one entrance on a County trunk highway.

Discussion took place regarding the various lots and the street possibilities.

Mr. Weigel pointed out that there are three regions in the City where developers have contributed funds for infrastructures such as sewer lift stations and transmission mains. In all three areas, there are agreements with the funding developer that we would collect special assessments at time of subdivision and sale. The developers would be looking at over \$540,000 in special assessments just at the platting process.

Administrator Klein commented that the site has some heavily wooded areas and he questioned if they would really want the sites clear cut and graded to make the lots conform. He questioned if they should be looking at something else in this area so that they are not destroying a nice, natural woods.

Chairman Bierce took a straw poll of the Plan Commission members and everyone was open to moving ahead with this plan.

13. Discussion and Possible Action Regarding the Chicken Issue and Possible Alternatives

Mr. Clinkenbeard stated the Common Council said no to the idea. The proposal was to allow chickens on two-acre and one-acre lots.

Chairman Bierce felt there was very little interest in chickens at the Council and he did not think bringing it back would do any good.

14. Adjournment

A motion was made and seconded (T. Janka, D. Linsmeier) to adjourn the meeting at 8:05pm. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk