



Office of the Clerk/Treasurer

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

**COMMON COUNCIL
MEETING NOTICE AND AGENDA
Monday, March 5, 2018
7:00 PM**

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

-
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 Dated February 5, 2018
 - 3.2 Approval of Common Council Meeting Minutes Dated February 19, 2018
 - 3.3 Approval of Accounts Payable Summaries
 - 3.4 Approval of Bartender Licenses
 - 3.5 Approval of **Ordinance 18-02** Related to the Zoning Board of Appeal (*Second Reading*)
 - 3.6 Concur with the Plan Commission (11/16/2017) to Approve 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)
 - 3.7 Concur with Plan Commission (2/22/2018) to **Deny** the request of Neumann Development to rezone the properties located at N28W25206 Bluemound Road (PWC 0925-993), N27 W25284 Bluemound Road (PWC 0925-990) and N27 W25250 Bluemound Road (PWC 0925-992) from RS-1 Single Family Residential to RS-6 Single-Family Residential.
 - 3.8 Concur with Plan Commission (2/22/2018) to **Deny** the preliminary plat for the proposed Neumann Development located at N28 W25206 Bluemound Road (PWC 0925-993), N27 W25284 Bluemound Road (PWC 0925-990) and N27 W25250 Bluemound Road (PWC 0925-992)
 4. Discussion and Possible Action on the Fourth of July Fireworks [Mayor Bierce]
 5. Discussion and Possible Action Related to Reimbursements for Deer Management Activities [Klein]
 6. Discussion and Possible Action Regarding **Ordinance 18-03** Repealing and Recreating §6.02 (2) (b) of the City Code Related to Weapons Discharge / Safety (*First Reading*) [Klein/Riffle]
 7. 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.

8. Adjournment

Kelly Tarczewski
Clerk/Treasurer

March 1, 2018

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.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.1**

DATE: March 5, 2018

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of Common Council Meeting Minutes Dated February 5, 2018

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Minutes 2.5.2018

In attendance:

Mayor S. Bierce, Aldermen B. Bergman, C. Brown, B. Dziwulski and R. Grosch. Aldermen J. Kara and J. Wamser were absent and excused.

Also in Attendance:

Attorney S. Riffle (arrived at 7:07 p.m.), Administrator S. Klein, DPW Director J. Weigel, Utility Manager J. Mueller, Lieutenant B. Ripplinger, and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance – Mayor Bierce called the meeting to order at 7:03 p.m.
2. Public Comment – None.
3. Consent Agenda
 - 3.1 Approval of Common Council Meeting Minutes Dated December 18, 2017.
 - 3.2 Approval of Common Council Meeting Minutes Dated January 15, 2018
 - 3.3 Approval of Accounts Payable Summaries
 - 3.4 Approve Bartender Licenses
 - 3.5 Concur with the Plan Commission (1/18/2018) to Approve the Conditional Use Permit for River Glen Church to Locate a Church at W229 N1400 Westwood Drive in a B-5 Commercial District (PWC 0959988004)
 - 3.6 Concur with the Plan Commission (1/18/2018) to Approve the 2050 Land Use/Transportation Plan for the Hillside/Glacier Neighborhood (Map 1)
 - 3.7 Concur with the Plan Commission (1/18/2018) to Approve the 2050 Land Use/Transportation Plan for the South Lake Neighborhood (Map 13)
 - 3.8 Concur with the Plan Commission (1/18/2018) to Approve the 2050 Land Use/Transportation Plan for the Meadowbrook Creek Neighborhood (Map 14)
 - 3.9 Concur with the Plan Commission (1/18/2018) to Approve the 2050 Land Use/Transportation Plan for the Northview Hills Neighborhood (Map 15)
 - 3.10 Approval of the Waukesha County/City of Pewaukee Agreement that would install EVP (Emergency Vehicle Pre-Emption) to the traffic signals planned to be installed as a part of the CTH JK & CTH KF Intersection Reconstruction this year.
 - 3.11 Common Council establishes the 2018 Sanitary Sewer Reserve Capacity Assessment (RCA) rate at \$2,843.00 per RCA.

Ms. Brown requested Items 3.1 and 3.6 be removed for discussion. Mr. Bergman requested Items 3.5 and 3.11 also be pulled.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to approve the remaining items on the consent agenda. Motion Passed: 4-For, 0-Against.

- 3.1 Approval of Common Council Meeting Minutes Dated December 18, 2017.
Ms. Brown stated she felt there was a typo in the minutes related to vote totals on page 3. She asked the Clerk to verify the information.

A motion was made and seconded, (C. Brown, B. Dziwulski) to direct the Clerk to verify the minutes and make any necessary changes and approve based on her

findings and/or corrections. Motion Passed: 4-For, 0-Against.

- 3.5 Concur with the Plan Commission to Approve the Conditional Use Permit for River Glen Church to Locate a Church at W229 N1400 Westwood Drive in a B-5 Commercial District

Mr. Bergman noted representatives from the Church stated that there may be some activities on weeknights. He asked if the Business Plan of Operation was revised because the original document only indicated activity at that location on Saturday and Sundays. Ms. Tarczewski stated she was not aware of any revisions. Ms. Brown stated she requested Item #3.6 to be pulled for discussion in error. It was actually this item she wanted to discuss. She said she was concerned about potential parking issues since there were other businesses at this address and the parking lot will be over crowded. Mr. Bergman stated the Wednesday car show was specifically discussed in that regard.

A motion was made and seconded, (B. Bergman, R. Grosch) to approve the Business Plan of Operation and the Conditional Use for the River Glen Church and Item 3.6. Motion Passed: 4-For, 0-Against.

- 3.6 Concur with the Plan Commission to Approve the 2050 Land Use/Transportation Plan for the Hillside/Glacier Neighborhood

See discussion and motion above.

- 3.11 Common Council Establishes the 2018 Sanitary Sewer Reserve Capacity Assessment Rate at \$2,843.00

Mr. Bergman stated he pulled this item because he had questions but feels they will be answered later in the agenda. **A motion was made and seconded, (B. Bergman, B. Dziwulski) to approve the 2018 assessment rate for the sanitary sewer reserve capacity.** Motion Passed: 4-For, 0-Against

4. Presentation of Waukesha County Sheriff's Department 4th Quarter Status Report

Lieutenant Ripplinger was present for this item. He stated the Department is out in the subdivisions more per the direction of the Common Council and noted that calls for service are up by 200 calls over last year. He said they are seeing an increase of participants in the Community Service programs and they are about ready to launch the "Coffee with a Cop" program, which will get a deputy out into the public to mutually share information and address concerns.

5. Discussion and Possible Action Regarding **Resolution 18-02-01** Related to the Personal Property Palpable Error for QRS Group Previously Located at W238 N4719 Woods Edge Drive (Q004) and Rescind \$183.55 in Taxes

This item will be taken up at the next meeting.

6. Discussion and Possible Action Regarding **Resolution 18-02-02** Related to the Personal Property Palpable Error of Blackhawk Industries Previously Located at N16 W23390 Stoneridge Drive Suite B (P305) and Rescind \$639.86 in Taxes

This item will be taken up at the next meeting.

7. Discussion and Possible Action Regarding **Resolution 18-02-03** Amending the Final Resolution Levying Special Assessment on the Brittain-Czyz Property (PWC 0925-994-001)

Attorney Riffle stated last year this property was rezoned to create two parcels and then rezoned again to create four parcels which activated all the special assessments. The property owners now want it to go back to one parcel so as to reduce the special assessment charges owed. He said there is a provision in this resolution to charge them for the full assessment amounts even if they come back and subdivide the property after the sunset date on the original assessment agreement.

A motion was made and (C. Brown, B. Dziwulski) to approve Resolution 18-02-03.

Motion Passed: 4-For, 0-Against.

Mayor Bierce stated Ms. Brown has to leave the meeting early tonight and the items will be taken out of order to accommodate more pressing issues since we will be losing our quorum at that time.

16. Discussion and Possible Action to Appoint a Liaison to the Waukesha/Pewaukee Convention and Visitors Bureau (CVB)

Mayor Bierce stated he was approached by Tammy Tritz of the CVB because she felt there was some tension at the last Tourism Commission meeting where the budget was being discussed. She asked for a liaison to be appointed to their Board to open communication between the two entities. Mr. Klein stated it was in the CVB by-laws to have an alderman appointed. Ms. Brown stated she was not in favor of this. She doesn't want the appointed alderman to feel as if they would have to fight for things the CVB wants. She said there is only so much money that is available and she said everyone should abide by the rules. Ms. Brown noted that CVB was given money two years ago to hire a part-time employee that was never used and she wanted more. Ms. Brown noted that the Tourism Commission significantly cut her budget this year. Ms. Brown suggested someone other than a Council member serving on the Tourism Commission. No one expressed interest to appoint a liaison to the CVB Board. It was noted that Mr. Kara volunteered to serve if that was the decision of the Council. No action was taken.

17. Discussion and Possible Action to Appoint Gary Majeskie to the Joint Park & Recreation Board

Mayor Bierce stated Mr. Majeskie is an arborist in the City of Brookfield. He said he is waiting for Mr. Majeskie's resume before recommending his appointment. This item was table until that information is received.

18. Discussion and Possible Action to Disallow the Claim of BCF Construction Corp. Related to the Contract/Worked Performed at the Pewaukee Sports Complex

Attorney Riffle stated this contractor did not satisfactorily fulfil the terms of the contract to get grass growing out at the Sports Complex and City staff took over the project. The City withheld a portion of the payment and put their bonding company on notice. BCF Construction in return filed a notice of claim that we are in breach of the contract, which is the first preamble to starting a lawsuit. Attorney Riffle stated the City's insurance legal counsel has recommended that the City send out a notice of disallowance. He said it will start the statute of limitations clock and reduce the time BCF has to file a formal lawsuit down to six months from six years.

A motion was made and seconded, (B. Dziwulski, C. Brown) to send out a notice of disallowance to BCF Construction Corp. Motion Passed: 4-For, 0-Against.

19. Discussion and Possible Action to Disallow the Claim of BCF Construction Corp. Related to the Contract/Worked Performed for the Pewaukee Commerce Circle Manhole Repair and Sanitary Sewer Relay

Attorney Riffle stated this is the same contractor and is basically the same story. He said there were issues with a manhole and three crushed sewer pipes going in to it. BCF was hired to reline and replace all three lines. BCF decided on its own that fixing only one pipe would be sufficient. Attorney Riffle stated Ruekert and Mielke reviewed that work and recommended to close out the project and only offer to pay them for the work they performed. Attorney Riffle stated the City's insurance legal counsel is recommending to send them a letter of disallowance. Ms. Brown asked if BCF would be allowed to bid on future projects. Attorney Riffle stated they are no longer a qualified bidder.

A motion was made and seconded, (C. Brown, R. Grosch) to send out a letter of disallowance to BCF Construction Corp. Motion Passed: 3-For, 0-Against, 1-Abstain (B. Bergman).

15. Discussion and Possible Action to Authorize Staff to Pursue the Installation of a Street Light at the Intersection of Elmwood Drive & North Avenue

Mr. Weigel stated last year an alderman was requested by his constituents to look into installing street lights at this location. It was always believed the City only had 14 street lights and it was a City policy not to install anymore. He said he actually found out that the City has 63 street lights and it is costing the City approximately \$14 - \$21 per light. He presented an inventory list from WE Energies. He said there is a request for a street light at Elm and North. He said other communities recommended street lights at major/collector streets, hopefully to show stop signs. Mr. Weigel stated he hasn't looked into the costs yet. He said it was last discussed back in 2012 and the request was denied. He said it appears that power is available at that location. The Council directed him to look into the matter further.

8. Discussion of the Financial Status of the Water Utility

Mr. Weigel stated there are deep financial concerns even though the Water & Sewer Utility has \$11 million in the bank. He said the Public Service Commission (PSC) regulates the water utility rates. They have questioned the viability of the reserve capacity assessments. Utilities are established on a rate basis vs. cash basis. He said the rates that we set have to satisfy more intensive looks, studies and modeling than just to pay the bills next year. He said the thought process has to change when looking at future projects.

9. Discussion and Possible Action to Implement the Collection of Water Pipe Special Assessments from Properties that have had the Water System Available for at Least Five Years

Mr. Weigel stated the Utility has put millions of dollars of pipes into the ground. He said in most cases the projects have deferred assessments and don't require hook up. He said in some cases there are "forever dispensations". Our auditors have told us to stop this practice. The PSC can't understand how we operate that way. He said these improvements depreciate every year.

Mr. Weigel stated that previously the Utility did not separate funds by water and sewer. Our auditing firm went back to the 1970's and determined the Water Utility has used about \$5 million of the Sewer Utility's funds.

He asked the Common Council to concur with the Public Works Committee to enact a policy change to implement the collection of water pipe infrastructure special assessment payments upon a date-certain after the water has been installed.

10. Discussion and Possible Action to Implement Policies to Extend Municipal Water Infrastructure to Properties Only if the Special Assessments Become Payable Within an Established, Consistent Timeframe

Mr. Weigel asked the Common Council to concur with the Public Works Committee to enact a policy change where the City would only consider the expansion or extension of municipal water into an area if those properties were required to pay the special assessments within a specific timeframe, such as five years. He said it would also require taking a harder look at new developments to determine their short term benefits vs. long term risks.

11. Discussion and Possible Recommendation to Establish a Formalized Reporting of Water and Sewer Financials to the Common Council or a Committee of Appropriate Expertise in the Evaluation of the Fiscal Impacts of Proposed Projects Prior to Authorization

Mr. Weigel stated these aforementioned items are serious enough to have the Common Council review the status on a regular basis.

12. Discussion and Possible Action to Establish a Review Process of Development Proposals and the Impact on the Water Utility Prior to the Approval of Development at the Common Council

13. Discussion and Possible Action to Authorize the Water and Sewer Utility to Hire a Financial Consultant to Assist the Utilities to Determine Best Financial Practices and Policies in Operation of Rate Based Water and Sewer Utilities

Mr. Weigel stated there was a need to do a sewer and water facility plan and they would like to have the aid of a consultant. Mr. Grosch asked if he had anyone in mind. Mr. Weigel stated Baker & Tilly have been at numerous utility conferences and seem to be knowledgeable on the subject. He added Ehlers is another. He said this is not a budgeted item.

Ms. Brown stated she'd like to also discuss terms for people who have had the pipes in front of their homes for long periods of time and have not hooked up to the service or have paid for the pipes. She thought that would be more fair and equitable. Mr. Weigel stated Mr. Tormey and Mr. Swan from the Public Works Commission were against doing that.

A motion was made and seconded, (R. Grosch, B. Dziwulski) to authorize the Water and Sewer Utility to put together a Request for Proposal (RFP) to determine the best financial practices and policies in operation of rate based water and sewer utilities. Motion Passed: 4-For, 0-Against.

14. Discussion and Possible Action to Authorize Staff to Obtain Proposals from Consultants to Prepare a Separate Water and Sewer Facility Plan

Mr. Weigel stated this is very similar to above and is only a request for a RFP.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to authorize staff to prepare a RFP for a Water and Sewer facility plan. Motion Passed: 4-For, 0-Against.

Mayor Bierce stated this is going to be a difficult process if the City is going to go back on decisions made on past projects. Mr. Weigel stated having consistencies will lessen errors. Mr. Bergman voiced his concerns that this would cause issues with new developments and started asking follow up questions.

Ms. Brown left at 8:47 p.m. ending the quorum. No further discussion or action was taken.

20. Public Comment

21. Adjournment

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.2**

DATE: March 5, 2018

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of Common Council Meeting Minutes Dated February 19, 2018

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Minutes 2.19.2018

In attendance:

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

Also in Attendance:

Attorney S. Riffle, Administrator S. Klein, DPW Director J. Weigel, Utility Manager J. Mueller, Community Development Director K. Woldanski, and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance – Mayor Bierce opened the meeting at 7:00 p.m.
2. Public Comment – None.
3. Consent Agenda
 - 3.1 Approval of Common Council Meeting Minutes Dated February 5, 2018
 - 3.2 Approval of Accounts Payable Summaries
 - 3.3 Concur with the Human Resources Committee Recommendation (2/14/2018) Approve Changing the Utility Billing Specialist Position from Eighty-Percent to Full-Time

Mayor Bierce removed the meeting minutes from the consent agenda and stated they would be moved to the next meeting because they were not completed at this time. Ms. Brown asked that Item 3.3 be removed for discussion.

A motion was made and seconded, (B. Dziwulski, J. Wamser) to approve the accounts payable summaries. Motion Passed: 6-For, 0-Against.

- 3.3 Concur with the Human Resources Committee Recommendation (2/14/2018) Approve Changing the Utility Billing Specialist Position from Eighty-Percent to Full-Time

Ms. Brown stated there should be discussion on this topic since there is a fiscal impact. Mr. Klein stated the work load warrants the full-time status. Mr. Weigel stated this position is shared among different departments. He added this employee will not be receiving a raise. There was additional discussion.

A motion was made and seconded, (B. Bergman, B. Dziwulski) to approve increasing the 80% utility position to full-time with 100% benefits and reclassifying the job description. Motion Passed: 6-For, 0-Against.

4. Discussion and Possible Action Regarding the 2nd Annual Car Show at Point Burger Bar Located at W229 N1400 Westwood Drive from May 23rd, 2018 to September 5th, 2018 and Possibly Reducing the Special Event Fee.

Ms. Tarczewski stated Point Burger Bar would like to host the classic car show on Wednesday evenings again. She said to her knowledge there were no issues that came up last year that would be a concern for this year. Jack Holt from Point Burger Bar was present for this item. He stated everything is going to remain the same as last year and the actual days could be less due to the weather. Mr. Bergman noticed the application is requesting that they go until 10:00 p.m. and last year it only went to 9:00 p.m. Mr. Bergman stated their “security” needs to better police carry-ins.

A motion was made and seconded, (C. Brown, J. Wamser) to approve Point Burger Bar's special event permit to host the classic car show on Wednesday evenings from May 23rd to September 5th from 4:00 p.m. to 9:00 p.m. contingent upon the final approval of Lieutenant Ripplinger and reducing the permit fee to \$1,500.00. Motion Passed: 6-For, 0-Against.

5. Discussion and Possible Action to Establish the 2018 Residential Paving Cap

Jeff Weigel was present for this item. He stated the rate change is based on the published construction cost index.

A motion was made and seconded, (J. Kara, B. Dziwulski) to approve the recommended residential paving cap for 2018 and set the amount at \$2,562.00 per house/lot. Motion Passed: 6-For, 0-Against.

6. Discussion and Possible Action Regarding Preliminary **Resolution 18-02-05** Declaring Intent to Exercise Special Assessment Powers Authorizing the Construction of Roundy's Industrial Park Phase II and Pewaukee Business Center Area Rehabilitation and Related Facilities Under Section 66.0703, Wisconsin Statutes

Mr. Weigel stated this was standard protocol to present a preliminary resolution, prior to a project going out for public bidding. He said this project is budgeted for this year.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to approve Resolution 18-02-05 declaring intent to exercise special assessment powers for the Roundy's Industrial Park Phase II and Pewaukee Business Center Area Rehabilitation project.

Motion Passed: 6-For, 0-Against.

7. Discussion and Possible Action Regarding Preliminary **Resolution 18-02-06** Declaring Intent to Exercise Special Assessment Powers Authorizing the Construction of Steeplechase Phase I Subdivision Pavement Reconditioning and Related Facilities Under Section 66.0703, Wisconsin Statutes

Mr. Weigel stated this was the same situation as the last agenda item.

A motion was made and seconded, (C. Brown, B. Bergman) to approve Resolution 18-02-06 declaring intent to exercise special assessment powers for the construction of the Steeplechase Phase I subdivision pavement reconditioning project. Motion Passed: 6-For, 0-Against.

8. Discussion and Possible Action Regarding **Ordinance 18-02** Related to the Zoning Board of Appeals *First Reading*

Ms. Woldanski stated there have been changes in legislation due to Act 67 and this ordinance change will bring the City's code into compliance. It will require the petitioner to specify whether or not they are requesting an area variance or a use variance.

9. Pewaukee Sports Complex

9.1 Update and review of development thus far and plans for 2018.

9.2 Discussion and action regarding the approval to hire Wellspring Construction Group to assist with bidding and construction oversight of the two concession stands.

9.3 Discussion and action regarding the recommendation of the Joint Parks and Recreation

Ms. Woldanski was present for this item. She discussed the upcoming concession stand projects and the need to raise funds. She said she received a proposal from AFFIRM, a local business, to create marketing pieces for a capital fundraising campaign. She said she would be able to update the information as needed for future projects. She said this would be paid from the Sports Complex Fund. Ms. Woldanski also stated the Joint Park & Recreation Board was in favor of hiring a firm to manage the construction project and spoke briefly about Wellspring Construction Group.

A motion was made and seconded, (J. Kara, B. Dziwulski) to approve the contracts of AFFIRM in the amount of \$6,500.00 and Wellspring Construction Group in the amount of 4% of the concession stand construction costs. Motion Passed: 6-For, 0-Against.

10. Discussion and Possible Action to Appoint Gary Majeskie to the Joint Park & Recreation Board
Mayor Bierce recommended Gary Majeskie for the position.

A motion was made and seconded, (B. Dziwulski, J. Wamser) to concur with the Mayor's recommendations and appoint Gary Majeskie to the Joint Park and Recreation Board.

Motion Passed: 6-For, 0-Against.

11. Discussion and Possible Action Regarding **Resolution 18-02-01** Related to the Personal Property Palpable Error for QRS Group Previously Located at W238 N4719 Woods Edge Drive (Q004) and Rescind \$183.55 in Taxes

Ms. Tarczewski stated QRS Group moved to the City of Waukesha and should not have been assessed and issued a tax bill.

A motion was made and seconded, (B. Dziwulski, B. Bergman) to approve Resolution 18-02-01 and rescind the personal property taxes for QRS Group in the amount of \$183.55.

Motion Passed: 6-For, 0-Against.

12. Discussion and Possible Action Regarding **Resolution 18-02-02** Related to the Personal Property Palpable Error of Blackhawk Industries Previously Located at N16W23390 Stoneridge Drive Suite B (P305) and Rescind \$639.86 in Taxes

Ms. Tarczewski stated Blackhawk Industries moved to another location in the City of Pewaukee and was being assessed twice. She stated the account for P305 had the wrong assessment value due to being "doomed" and stated this account should be removed from the assessment roll.

A motion was made and seconded, (J. Kara, J. Wamser) to approve Resolution 18-02-02 and rescind the personal property taxes for Blackhawk Industries (PWC P305) in the amount of \$639.86. Motion Passed: 5-For, 0-Against, 1-Abstain (B. Bergman).

13. Discussion and Possible Action Regarding **Resolution 18-02-04** Related to the Personal Property Palpable Error for Flagship Sails RX, LLC (PWC F450) Previously Located at N19W24400 Riverwood Drive and Rescind \$32.21 in Taxes

Ms. Tarczewski stated Flagship Sails RX moved their business out of the City and should not have been assessed and issued a tax bill.

A motion was made and seconded, (B. Dziwulski, R. Grosch) to approve Resolution 18-02-04 and rescind the personal property taxes for Flagship Sails RX, LLC in the amount of \$32.21.

Motion Passed: 6-For, 0-Against.

14. Public Comment – None.

15. Adjournment

A motion was made and seconded, (C. Brown, B. Dziwulski) to adjourn the meeting at 8:10 p.m.

Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.3**

DATE: March 5, 2018

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of Accounts Payable Summaries

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

City & W/S AP Listing

AP Summary 2017 Bills

AP Summary 2018 Bills

City & WS Accounts Payable for:

3/5/2018

Vendor Name	Document Date	Document Amount	Transaction Description
ALL CITY COMMUNICATIONS INC.	2/1/2018	\$43.00	ANSWERING SERVICE
AUTOMOTIVE PARTS & EQUIPMENT	1/30/2018	\$35.74	OIL-GENERATOR STILL RIVER WELL
AUTOMOTIVE PARTS & EQUIPMENT	1/11/2018	\$91.02	FILTER/OIL
BROOKFIELD, CITY OF	2/27/2018	\$355,298.64	4TH QTR 2017 OPERATING
BROOKFIELD, CITY OF	2/27/2018	\$64,717.28	4TH QTR 2017 PROCESS CHARGES
C&M HYDRAULIC TOOL SUPPLY INC	1/30/2018	\$13,272.16	SUPPLIES
CLINKENBEARD, HARLAND	2/22/2018	\$4,488.00	FEBRUARY PLANNER WAGES 2018
ELLIOTT ACE HARDWARE	1/5/2018	\$10.74	FASTENERS/HARDWARE
ELLIOTT ACE HARDWARE	1/18/2018	\$62.95	PLIER/BUCKET
ELLIOTT ACE HARDWARE	1/8/2018	\$4.69	COMP UNION
ELLIOTT ACE HARDWARE	1/18/2018	\$43.98	WRENCH
ELLIOTT ACE HARDWARE	1/31/2018	\$64.53	MARK-IT SPRAY
FASTENAL	1/23/2018	\$4.04	UV BLACK CABLE TIES
GRAINGER	2/8/2018	\$336.50	SUBMERSIBLE SEWAGE PUMP
HAWKINS, INC.	2/6/2018	\$1,323.59	AZONE15/SODIUM SILICATE
HYDROCORP	1/27/2018	\$892.00	CROSS CONNECT JAN 2018
LARSON, CHERRIE	2/22/2018	\$50.00	BRUNCH & BRUSHES CLASS
MENARDS	2/5/2018	\$19.99	GLOVES
MENARDS	2/7/2018	\$12.99	THERMOSTAT
MENARDS	2/7/2018	\$12.99	(CM) THERMOSTAT
MENARDS	2/2/2018	\$27.96	RECTANGLE GLIDE
NATIONWIDE RETIREMENT SOLUTIONS	2/27/2018	\$1,895.09	DEFERRED COMP
PEWAUKEE SCHOOL DISTRICT	2/20/2018	\$13,549.24	OMITTED TAXES 2017
PEWAUKEE, VILLAGE OF	2/27/2018	\$65,941.41	MARCH LIBRARY
ROTHOFF JEANSON & CO.	2/4/2018	\$7,305.00	AUDIT 2017 FINANCIAL STMTS
SWWBIA	2/26/2018	\$194.00	CLASS-DWELLING/COMM BLDG BCODE-BIER
SWWEIA	2/26/2018	\$45.00	CLASS-1&2 FAM ELECTRICAL COE-BIERCE
T&T TREE SERVICE	12/30/2017	\$1,750.00	TREE REMOVAL N20W22040
TD AMERITRADE TRUST COMPANY	2/27/2018	\$50.00	LOAN REPAYMENT
USA BLUEBOOK	1/26/2018	\$55.92	METER GASKETS
USA BLUEBOOK	1/29/2018	\$38.98	(CM) METER GASKETS TOO SMALL
VERIZON	2/1/2018	\$163.59	CELL SERVICE
VISU-SEWER	1/26/2018	\$2,243.75	GUN CLUB CLEANING
WAAO	2/22/2018	\$40.00	SIEBERS ASSESSOR TRAINING
WAUKESHA CO TECHNICAL COLLEGE	2/20/2018	\$486.85	OMITTED TAXES 2017
WAUKESHA COUNTY TREASURER	2/20/2018	\$2,860.35	OMITTED TAXES 2017
WAUKESHA COUNTY TREASURER	2/21/2018	\$10,516.69	PWC 918998017 TAX BILL
WAUKESHA COUNTY TREASURER	2/21/2018	\$10,516.69	PWC 918998017 TAX BILL
WAUKESHA PROFESSIONAL FIREFIGHTERS ASSO	2/27/2018	\$1,493.87	MARCH UNION DUES
WIESER CONCRETE PRODUCTS INC	2/18/2020	\$25.00	ROMENS SEMINAR/PORTAGE
WISCONSIN CENTRAL	1/30/2018	\$300.00	PIPELINE SANI SEWER
		\$560,284.22	

ACCOUNTS PAYABLE MARCH 5, 2018			
2017 BILLS			
Vendor Name	Document Date	Document Amount	Transaction Description
COMMUNICATIONS ENGINEERING CO	01/31/2018	\$ 4,430.18	IT FINAL INVOICE FOR AV UPGRAD
PEWAUKEE, VILLAGE OF	12/31/2017	\$ 44,307.88	CT FINAL P&R TRUE UP
PIPER, SCHMIDT & WIRTH	02/13/2018	\$ 2,887.50	EN LEGAL FEES
PIPER, SCHMIDT & WIRTH	08/25/2017	\$ 6,470.00	EN LEGAL FEES
	TOTAL	\$ 58,095.56	

ACCOUNTS PAYABLE MARCH 5, 2018			
2018 BILLS			
Vendor Name	Document Date	Document Amount	Transaction Description
ASSESSMENT TECHNOLOGIES LLC	02/07/2018	\$ 218.75	IT PROGRAMMER SUPPORT
AT&T CAROL STREAM IL	02/01/2018	\$ 277.62	CT PHONE STATEMENT
BREDAN MECHANICAL SYSTEMS	02/10/2018	\$ 265.00	IT MAINT BOILER, HEATER
COMMUNICATIONS ENGINEERING CO	01/31/2018	\$ 330.00	IT SECURITY SERVICE
GALLAGHER, KAREN	02/14/2018	\$ 18.00	PR PROGRAM REFUND
GNI CARTRIDGE PRO	02/02/2018	\$ 80.00	CO INK
HEARTLAND BUSINESS SYSTEMS	02/02/2018	\$ 436.00	IT NETWORK MONITORING SUPPORT
HEARTLAND BUSINESS SYSTEMS	01/02/2018	\$ 436.00	IT NETWORK MONITORING SUPPORT
HUMPHREY SERVICE PARTS, INC	01/30/2018	\$ 3.19	PR OIL FILTER
IS OUTFITTERS	02/12/2018	\$ 1,718.75	IT CONSULTATION, SUPPORT
KASKEY, MONICA	02/14/2018	\$ 54.00	PR SUPPLY REIMBURSEMENT
KINDERMUSIK AT BRIGHTRISING, LLC	02/12/2018	\$ 490.00	PR REGISTRATIONS
KURZ, THOMAS	02/09/2018	\$ 375.00	CO THEFT CITATION
MENARDS	02/12/2018	\$ 13.32	PR SCREWS, BRUSHES
NIEHAUSEN, LAUREN	02/12/2018	\$ 25.00	PR CONTRACTED SERVICES
OFFICE COPYING EQUIPMENT, LTD	01/31/2018	\$ 29.49	CO COPIER AGREEMENT
OFFICE DEPOT	02/06/2018	\$ 22.94	BI TAPE
PIPER, SCHMIDT & WIRTH	02/13/2018	\$ 9,405.00	EN LEGAL FEES
STATE OF WI COURT FINES & ASSMTS	02/09/2018	\$ 6,422.03	CO ST SH CT COSTS & ASSM
US CELLULAR	02/02/2018	\$ 123.10	PR PHONE SERVICE
US HEALTHWORKS MEDICAL GROUP	01/31/2018	\$ 180.00	CT ANNUAL FEE
US HEALTHWORKS MEDICAL GROUP	01/16/2018	\$ 97.00	CT DRUG SCREEN
WAUKESHA CO SHERIFF'S DEPT	02/09/2018	\$ 180.00	CO WARRANT FEE
WAUKESHA CO TREASURER	02/13/2018	\$ 200.00	IT DIGITAL DATA
WAUKESHA CO TREASURER	02/09/2018	\$ 1,693.67	CO CO JL ASSMTS & DVR IMP SU
WAUKESHA STATE BANK	02/09/2018	\$ 413.07	CO THEFT CITATION
WI LEGAL BLANK CO., INC.	02/08/2018	\$ 83.00	BI PERMITS
WI MUNICIPAL COURT CLERKS ASSOC.	02/09/2018	\$ 120.00	CO CT CLERK ASS DUES
WI SUPREME COURT	02/09/2018	\$ 700.00	CO CONT JUDICIAL ED
	TOTAL	\$ 24,409.93	
Vendor Name	Document Date	Document Amount	Transaction Description
ARMAO, SHARON	02/20/2018	\$ 129.63	EL ELECTION PAYROLL
BERNARDS, RAYMOND	02/20/2018	\$ 123.25	EL ELECTION PAYROLL
BROOKS, RAY	02/20/2018	\$ 177.88	EL ELECTION PAYROLL
CONSIGNY, BARBARA	02/20/2018	\$ 162.50	EL ELECTION PAYROLL
DE COSTE, PHYLLIS	02/20/2018	\$ 123.25	EL ELECTION PAYROLL
EICHENSEER, JAMES	02/20/2018	\$ 165.00	EL ELECTION PAYROLL
FREYER, JANET	02/20/2018	\$ 112.63	EL ELECTION PAYROLL
GUIDINGER, LOIS	02/20/2018	\$ 68.00	EL ELECTION PAYROLL
JERKE, MARIANNE	02/20/2018	\$ 131.75	EL ELECTION PAYROLL
KARPFINGER, BARBARA	02/20/2018	\$ 125.38	EL ELECTION PAYROLL
LA PORTA, CHARLENE	02/20/2018	\$ 162.50	EL ELECTION PAYROLL
LUCHT, DONNA	02/20/2018	\$ 125.38	EL ELECTION PAYROLL
LUCHT, ROBERT	02/20/2018	\$ 125.38	EL ELECTION PAYROLL
MOLENDAN, JULIEANN	02/20/2018	\$ 80.75	EL ELECTION PAYROLL
NAMES, JOSEPH	02/20/2018	\$ 123.25	EL ELECTION PAYROLL
NAMES, MARILYN	02/20/2018	\$ 123.25	EL ELECTION PAYROLL

ACCOUNTS PAYABLE MARCH 5, 2018			
2018 BILLS			
Vendor Name	Document Date	Document Amount	Transaction Description
NEITZEL, DON	02/20/2018	\$ 129.63	EL ELECTION PAYROLL
PFEIFFER, RICHARD	02/20/2018	\$ 63.75	EL ELECTION PAYROLL
PFEIFFER, SANDIE	02/20/2018	\$ 55.25	EL ELECTION PAYROLL
PRAEGER, JANET	02/20/2018	\$ 40.38	EL ELECTION PAYROLL
ROBINSON, GWENN	02/20/2018	\$ 220.00	EL ELECTION PAYROLL
ROBINSON, MAURICE	02/20/2018	\$ 136.00	EL ELECTION PAYROLL
ROGAHN, SHIRLEY	02/20/2018	\$ 123.25	EL ELECTION PAYROLL
RUF, SALLY	02/20/2018	\$ 47.50	EL ELECTION PAYROLL
SEVERSON, BILL	02/20/2018	\$ 116.88	EL ELECTION PAYROLL
SIEGERT, SUSAN	02/20/2018	\$ 57.38	EL ELECTION PAYROLL
SLESAR, PAULA	02/20/2018	\$ 131.75	EL ELECTION PAYROLL
SMITH, GEORGE	02/20/2018	\$ 123.25	EL ELECTION PAYROLL
SMITH, NINA	02/20/2018	\$ 123.25	EL ELECTION PAYROLL
THARMAN, JUDY	02/20/2018	\$ 131.75	EL ELECTION PAYROLL
THOMAS, BRIAN	02/20/2018	\$ 68.00	EL ELECTION PAYROLL
THOMAS, ELNETTA	02/20/2018	\$ 61.63	EL ELECTION PAYROLL
WEBER, ROGER	02/20/2018	\$ 61.63	EL ELECTION PAYROLL
WEBER, SUSAN	02/20/2018	\$ 61.63	EL ELECTION PAYROLL
WIMMER, LISA	02/20/2018	\$ 131.75	EL ELECTION PAYROLL
ZIEGERT, JIM	02/20/2018	\$ 97.75	EL ELECTION PAYROLL
	TOTAL	\$ 4,042.19	

Vendor Name	Document Date	Document Amount	Transaction Description
ADP, LLC	02/16/2018	\$ 2,200.00	HR MGMT, ACTIVATION
ADP, LLC	02/09/2018	\$ 2,319.20	HR IMPLEMENTATION FOR BENEFITS
AECOM	02/05/2018	\$ 3,339.30	EN EMERALD LANE FLOODING
AIRGAS	02/06/2018	\$ 69.64	FD OXYGEN
ARROW INTERNATIONAL	02/02/2018	\$ 659.92	FD NEEDLES, BOX
AT&T CAROL STREAM IL	02/10/2018	\$ 218.42	CT PHONES
AUTOMOTIVE PARTS & EQUIPMENT	02/20/2018	\$ 90.10	FD OIL DRY
BERKHAHN, MARK	02/28/2018	\$ 268.63	CT TAX REFUND
BOND TRUST SERVICES CORP	02/21/2018	\$ 150.00	CT PROMISSORY NOTES
BOUNDTREE MEDICAL	02/07/2018	\$ 414.32	FD EMS SUPPLIES
BOUNDTREE MEDICAL	02/13/2018	\$ 10.00	FD EMS SUPPLIES
BOUNDTREE MEDICAL	02/13/2018	\$ 10.00	FD EMS SUPPLIES
BOUNDTREE MEDICAL	02/12/2018	\$ 570.85	FD EMS SUPPLIES
BOUNDTREE MEDICAL	02/12/2018	\$ 36.43	FD EMS SUPPLIES
BOUNDTREE MEDICAL	02/08/2018	\$ 63.98	FD EMS SUPPLIES
BUELOW VETTEER BUIKEMA OLSON & VLIET	02/12/2018	\$ 752.00	HR GENERAL LABOR
CIVICPLUS	02/19/2018	\$ 400.00	IT NEW BUTTON
DAN PLAUTZ CLEANING SERVICE	02/14/2018	\$ 2,383.50	HR JANITORIAL
DIVERSIFIED BENEFIT SERVICES	02/20/2018	\$ 259.02	CT FLEX SPENDING
FIRE SAFETY USA, INC.	01/30/2018	\$ 210.00	FD BRACKETS
FIRST AYD	02/06/2018	\$ 388.64	PR BAGS
FROEDTERT HEALTH INC	01/31/2018	\$ 7,500.00	HR HEALTH RISK ASSMT
G&K SERVICES	01/01/2018	\$ 106.70	FD MATS
GRAINGER	02/13/2018	\$ 65.50	FD DANGER TAG
HALEN HOMES	02/19/2018	\$ 500.00	BI OCCUPANCY BOND RETURN

ACCOUNTS PAYABLE MARCH 5, 2018			
2018 BILLS			
Vendor Name	Document Date	Document Amount	Transaction Description
HETT, STEFANIE	02/22/2018	\$ 50.00	PR PROGRAM REFUND
INTERNATIONAL CODE COUNCIL	02/09/2018	\$ 135.00	FD MEMBERSHIP
J.F. AHERN COMPANY	02/01/2018	\$ 912.36	FD FIX LEAK
JEFFERSON FIRE & SAFETY, INC.	02/07/2018	\$ 162.71	FD CAMERA REPAIR
JOERS, STACI	02/20/2018	\$ 306.00	PR CLASS
JOHN'S DISPOSAL SERVICE	02/05/2018	\$ 11,550.17	EN LANDFILL CHGS
JOHN'S DISPOSAL SERVICE	02/25/2018	\$ 48,332.94	EN CONTRACTED BILLING
KMB ELECTRIC	02/18/2018	\$ 205.00	IT WORK PERFORMED
KMB ELECTRIC	02/18/2018	\$ 50.00	IT WORK PERFORMED
KMB ELECTRIC	02/18/2018	\$ 115.00	CT BALLAST TESTER
MARKETNET ASSOCIATES DIVISION	02/20/2018	\$ 239.50	CT LOTION SOAP
MENARDS	02/22/2018	\$ 183.97	PR PLUMBING
MENARDS	02/22/2018	\$ 54.98	PR PLIERS, HAMMER
MENARDS	02/13/2018	\$ 33.67	FD RIVET GUN
MENARDS	02/12/2018	\$ 30.45	FD TAPE, BITS, TOILET REPAIR
MENARDS - WAUKESHA	02/22/2018	\$ 399.00	PR NAIL GUN
OFFICE DEPOT	02/07/2018	\$ 101.96	FD SCAN CARD
OFFICE DEPOT	02/06/2018	\$ 155.15	FD OFFICE SUPPLIES
OFFICE DEPOT	02/03/2018	\$ 14.50	FD OFFICE SUPPLIES
OFFICE DEPOT	02/05/2018	\$ 31.58	FD GEL PENS
OFFICE DEPOT	02/06/2018	\$ 9.53	CT OFFICE SUPPLIES
OFFICE DEPOT	02/20/2018	\$ 159.64	CT OFFICE SUPPLIES
OFFICE DEPOT	02/13/2018	\$ 3.90	CT OFFICE SUPPLIES
PEWAUKEE, VILLAGE OF	02/26/2018	\$ 186.00	CT FIRE INSPECTIONS
PREMIUM WATERS, INC	02/21/2018	\$ 36.75	PR WATER
QRS GROUP	01/18/2018	\$ 183.55	CT TAX REFUND
RAMAKER & ASSOCIATES	02/15/2018	\$ 450.00	CT MAINT PROGRAM
RUNDLE-SPENCE	02/19/2018	\$ 8.66	CT URINAL SPONGE
SAFEBUILT	01/31/2018	\$ 715.00	BI INSPECTIONS
SPRINGSTED	02/05/2018	\$ 900.00	HR POSITION EVALUATION
STICKYBOYZ	02/18/2018	\$ 120.00	AD VEHICLE DECALS
TIM O'BRIEN HOMES	01/31/2018	\$ 500.00	BI OCCUPANCY BOND RETURN
TRI-TOM, LLC	01/31/2018	\$ 11.95	FD SHIPPING
TTP ACADEMY	10/31/2017	\$ 295.60	PR CLASS
VERIZON	02/12/2018	\$ 265.57	FD AIR CARDS
VERIZON	02/12/2018	\$ 35.23	FD PHONE
WAUKESHA CO TREASURER	02/14/2018	\$ 274.24	AD PRISONER HOUSING
WAUKESHA CO TREASURER	02/14/2018	\$ 198,302.52	AD MUNICIPAL PATROL
WI LEGAL BLANK CO., INC.	02/19/2018	\$ 122.55	CT VOTER PADS
WI LEGAL BLANK CO., INC.	02/12/2018	\$ 104.00	CT BUSINESS CARDS
WI LEGAL BLANK CO., INC.	02/14/2018	\$ 418.00	CT ENVELOPES
ZEP MANUFACTURING CO.	02/09/2018	\$ 216.58	PR HAND SOAP
	TOTAL	\$ 289,369.36	

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

DATE: March 5, 2018

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of Bartender Licenses

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Bartender Licenses

<u>Individual Name</u>	<u>Establishment Name</u>	<u>Type</u>
Lloyd, Megan A.	Sabr Lazer Tag	New
Reinke, Ashley A.	Boomers	New
Rich, Kellie R.	Marriott Hotel	New

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

DATE: March 5, 2018

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of **Ordinance 18-02** Related to the Zoning Board of Appeal (*Second Reading*)

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Ordinance 18-02

ORDINANCE NO. 18-02**AN ORDINANCE TO REPEAL AND RECREATE SECTIONS OF CHAPTER 17.1000
OF THE CITY OF PEWAUKEE MUNICIPAL CODE REGARDING
ZONING BOARD OF APPEALS**

WHEREAS, the 2017 Wisconsin Act 67 known as the “Landowners Bill of Rights” has been passed and has imposed a number of preemptions on municipal regulation of land use; and

WHEREAS, the City Attorney’s office has reviewed Wisconsin Act 67 and has recommended the following changes.

NOW THEREFORE, the Common Council of the City of Pewaukee, Waukesha County, Wisconsin, DOES ORDAIN AS FOLLOWS:

SECTION 1: Repeal and Recreate Chapter 17.002c under the title of “Membership” as follows:

SECTION 17.002 – MEMBERSHIP

c. In order that there be a quorum of voting members at all times, two Alternate Members shall be appointed by the Mayor for a term of three (3) years and shall act only when a regular member is absent or refuses to vote because of a conflict of interest. The Chairman may require that alternate members attend all meeting of the Board as observers and so they are present in the event of unannounced absence or conflict of interest and so there is a quorum of voting members at all times.

SECTION 2: Repeal and Recreate Chapter 17.1004b under the title of “Powers” as follows:

b. Variances: To hear and grant appeals for area and use variances, as defined below, as will not be contrary to the public interest, when, owing to special conditions, a literal enforcement will results

- i. Area Variance: request for modification to a dimensional, physical, or locational requirement such as a setback, frontage, height, bulk or density restriction for a structure.
- ii. Use Variance: request for authorization for the use of land for a purpose that is otherwise not allowed or is prohibited by the applicable zoning ordinance.

SECTION 3: SEVERABILITY

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

portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 5th day of March 2018.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, Clerk/Treasurer

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.6**

DATE: March 5, 2018

DEPARTMENT: PRCS - Planning

PROVIDED BY:

SUBJECT:

Concur with the Plan Commission (11/16/2017) to Approve 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)

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Payne & Dolan CSM

11.16.17 Plan Commission Minutes

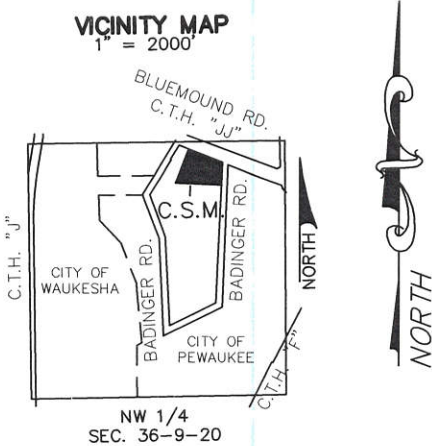
CERTIFIED SURVEY MAP NO. _____

PARCEL 1 AND 2 OF CERTIFIED SURVEY MAP NO. 183, AND LANDS IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

PREPARED FOR:
PAYNE AND DOLAN INC.
N3 W23650 BADINGER RD.
WAUKESHA, WI

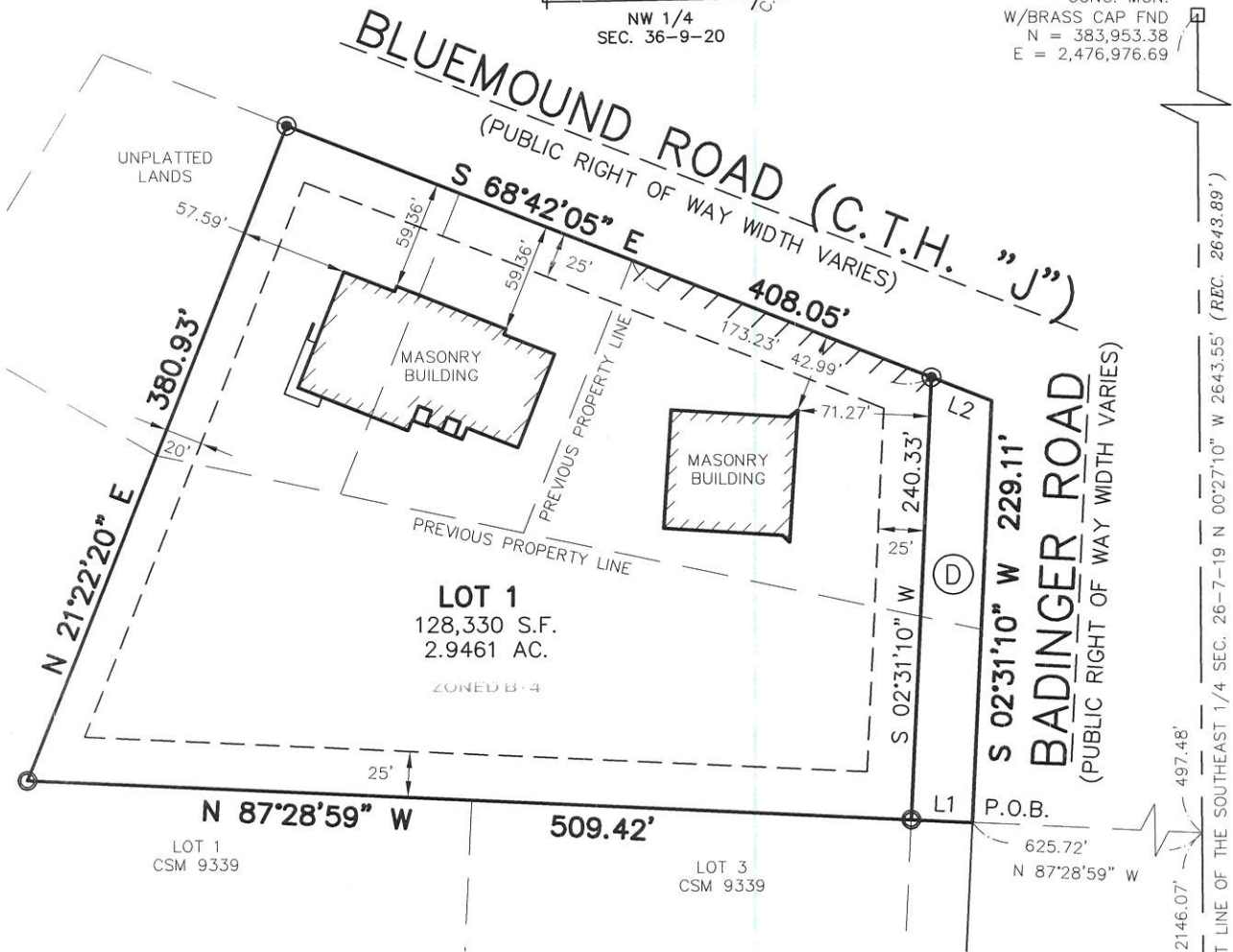
- INDICATES 1 INCH DIA. IRON PIPE, 18 INCHES IN LENGTH, WEIGHING 1.68 LBS PER LINEAL FOOT, SET.
- INDICATES 1 INCH DIA. IRON PIPE, FOUND.

VICINITY MAP
1" = 2000'



CSE
CAPITOL SURVEY ENTERPRISES
220 REGENCY CT STE 210
BROOKFIELD, WI 53045
PH: (262)-786-6600
WWW.CAPITOLSURVEY.COM

NE CORNER
SW 1/4
SEC 26-7-19
CONC. MON.
W/BRASS CAP FND
N = 383,953.38
E = 2,476,976.69



- INDICATES 7,746 SQUARE FEET DEDICATED TO THE PUBLIC RIGHT OF WAY FOR ROAD PURPOSES.

INDICATES AREA OF RESTRICTED VEHICULAR ACCESS TO BLUEMOUND ROAD.

SUBJECT PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN, PER INFORMATION FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 55133C0211G, WITH A DATE OF IDENTIFICATION OF NOVEMBER 5, 2014, AND FLOOD INSURANCE RATE MAP NO. 55133C0212G IN COMMUNITY NO. 550192, CITY OF PEWAUKEE, WHICH IS THE COMMUNITY IN WHICH THE SUBJECT PROPERTY IS SITUATED.

P.O.C.
SE CORNER
SW 1/4
SEC 26-7-19
CONC. MON.
W/BRASS CAP FND
N = 381,309.80
E = 2,476,997.58

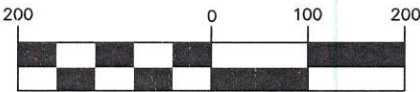
ALL BEARINGS REFER TO THE EAST LINE THE SOUTHWEST 1/4 OF SECTION 26-7-19, WHICH HAS A BEARING OF N 00°27'10" W.

SUBJECT PROPERTY ZONED: B-4 OFFICE DISTRICT AND RS-3 SINGLE FAMILY RESIDENTIAL DISTRICT

SETBACKS FOR AREAS ZONED B-4:
STREET = 25'
SIDES = 20'
REAR = 25'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 87°28'59" W	33.00'
L2	S 68°42'05" E	34.86'

GRAPHIC SCALE



1 inch = 100 ft.

WISCONSIN
MICHAEL J. BERRY
STATE OF WISCONSIN
BROOKFIELD, WI
REVISED: JUNE 1, 2016
REVISED: JUNE 6, 2016
REVISED: AUGUST 5, 2016
REVISED: DECEMBER 29, 2017

CERTIFIED SURVEY MAP NO. _____

PARCEL 1 AND 2 OF CERTIFIED SURVEY MAP NO. 183, AND LANDS IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, MICHAEL J BERRY, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, MAPPED AND DEDICATED, PARCEL 1 AND 2 OF CERTIFIED SURVEY MAP NO. 183, AND LANDS, IN THE SOUTHWEST 1/4 OF SECTION 26, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING THE SOUTHWEST CORNER OF SAID 1/4 SECTION, THENCE N 00°27'10" W 2148.07 FEET ALONG THE EAST LINE OF SAID 1/4 SECTION; THENCE N 87°28'59" W 625.72 FEET TO THE NORTHEAST CORNER OF CERTIFIED SURVEY MAP NO. 9339 AND THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE N 87°28' 59" W 509.42 FEET ALONG THE NORTH LINE OF SAID CSM; THENCE N 21°22' 20" E 380.93 FEET TO THE NORTHWEST CORNER OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 183; THENCE S 68°42'05" E 408.05 FEET ALONG THE SOUTH LINE OF BLUEMOUND ROAD AS LAID OUT TO A POINT ON THE CENTERLINE OF BADINGER ROAD; THENCE S 02°31'10" W 229.11 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

CONTAINING: 136,076 SQUARE FEET OR 3.1239 ACRES

THAT I HAVE MADE SUCH SURVEY, LAND DIVISION, DEDICATION, AND MAP BY THE DIRECTION OF PAYNE AND DOLAN, INC. , OWNER OF SAID LAND.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE STATUTES OF THE STATE OF WISCONSIN AND CHAPTER 18 OF THE CITY OF PEWAUKEE CODE OF ORDINANCES IN SURVEYING, DIVIDING, AND MAPPING THE SAME.

DATED THIS 29TH DAY OF DECEMBER, 2017.


MICHAEL J BERRY
PROFESSIONAL LAND SURVEYOR,
S-2545
STATE OF WISCONSIN



REVISED: JUNE 1, 2016
REVISED: JUNE 6, 2016
REVISED: AUGUST 5, 2016
REVISED: DECEMBER 29, 2017

CERTIFIED SURVEY MAP NO. _____

PARCEL 1 AND 2 OF CERTIFIED SURVEY MAP NO. 183, AND LANDS IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

CORPORATE OWNER'S CERTIFICATE

PAYNE AND DOLAN INC., A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, CERTIFIES THAT SAID CORPORATION CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED ON THIS MAP, AND SUBMITTED TO THE CITY OF PEWAUKEE AS REQUIRED IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF PEWAUKEE.

IN WITNESS WHEREOF, THE ABOVE NAMED CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY MARK FILMANOWICZ, ITS PRESIDENT, AT Waukesha, WISCONSIN, THIS 8th DAY OF February, 2018.

Mark E. Filmanowicz
MARK FILMANOWICZ, PRESIDENT

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

PERSONALLY CAME BEFORE ME THIS 8th DAY OF February 2018, MARK FILMANOWICZ, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

KELLY S HETHERINGTON
Notary Public
State of Wisconsin

Kelly S. Hetherington
NOTARY PUBLIC
STATE OF WISCONSIN
MY COMMISSION EXPIRES: 1.19.20

CITY OF PEWAUKEE PLAN COMMISSION APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE PLAN COMMISSION OF THE CITY OF PEWAUKEE ON THIS DAY _____ OF _____, 2018.

STEVE BIERCE, CHAIRMAN

DATE

BRANDON BERGMAN, SECRETARY

DATE

CITY OF PEWAUKEE COMMON COUNCIL APPROVAL

THIS CERTIFIED SURVEY MAP, BEING A DIVISION OF PARCEL 1 AND 2 OF CERTIFIED SURVEY MAP NO. 183, AND LANDS IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN, HAVING BEEN APPROVED BY THE PLAN COMMISSION BEING THE SAME, IS HEREBY APPROVED AND ACCEPTED BY THE COMMON COUNCIL OF THE CITY OF PEWAUKEE ON THIS _____ DAY OF _____, 2018.

STEVE BIERCE, MAYOR

DATE

KELLY TARCZEWSKI, CLERK TREASURER

DATE

WISCONSIN
MICHAEL J. BIERCE
S. 2745
BROOKFIELD, WI
REVISED: JUNE 1, 2016
REVISED: JUNE 6, 2016
REVISED: AUGUST 5, 2016
REVISED: DECEMBER 29, 2017

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.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.7**

DATE: March 5, 2018

DEPARTMENT: PRCS - Planning

PROVIDED BY:

SUBJECT:

Concur with Plan Commission (2/22/2018) to **Deny** the request of Neumann Development to rezone the properties located at N28W25206 Bluemound Road (PWC 0925-993), N27 W25284 Bluemound Road (PWC 0925-990) and N27 W25250 Bluemound Road (PWC 0925-992) from RS-1 Single Family Residential to RS-6 Single-Family Residential.

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Neumann Development Rezoning

- NOTICE OF ZONING MAP AMENDMENT PUBLIC HEARING -

**PLEASE TAKE NOTICE THAT THERE WILL BE A PUBLIC HEARING ON THE PETITION OF:
NEUMANN DEVELOPMENT TO REZONE FROM: RS-1 SINGLE-FAMILY RESIDENTIAL
TO: RS-6 SINGLE-FAMILY RESIDENTIAL.**

THE FOLLOWING PROPERTY IN THE CITY OF PEWAUKEE:

Legal description of the property to be rezoned:

PWC 0925993: PT NE1/4 SEC 16 T7N R19E COM E1/4 COR N 634.00 FT THE BGN S86 32'W 904.30 FT S83 23'W 480.15 N12 56'W 250.00 FT N83 23'E 479.80 FT N86 32'E 962.90 FT S 247.15 FT TO BGN 7.10 AC REM EX HY R2384/830

PWC 0925990: PT NE1/4 SEC 16 T7N R19E COM AT E1/4 COR S88°08'W 894.6 FT N12°56'W 381 FT S88°08'W 350 FT N12°56'W 80 FT N88°08'E 470 FT N86°32'E 883.5 FT S0°31'W 477.49 FT TO BGN EX R347/1109 DOC# 3898298

PWC 0925992: PT NE1/4 SEC 16 T7N R19E COM E1/4 COR N00°31'E 477.49 FT THE BGN N00°31'E 156.51 FT S86°32'W 904.3 FT S83°23'W 480.15 FT S12°56'E 118.23 FT N88°08'E 470 FT N86°32'E 883.5 FT TO BGN EX HWY DOC# 4183013

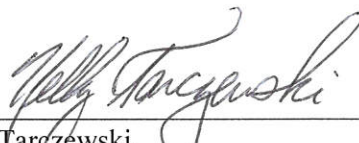
Common Description: N28W25206 Bluemound Road, N27W25284 Bluemound Road & N27W25250 Bluemound Road

Tax Key Number: PWC 0925993, PWC 0925990, PWC 0925992

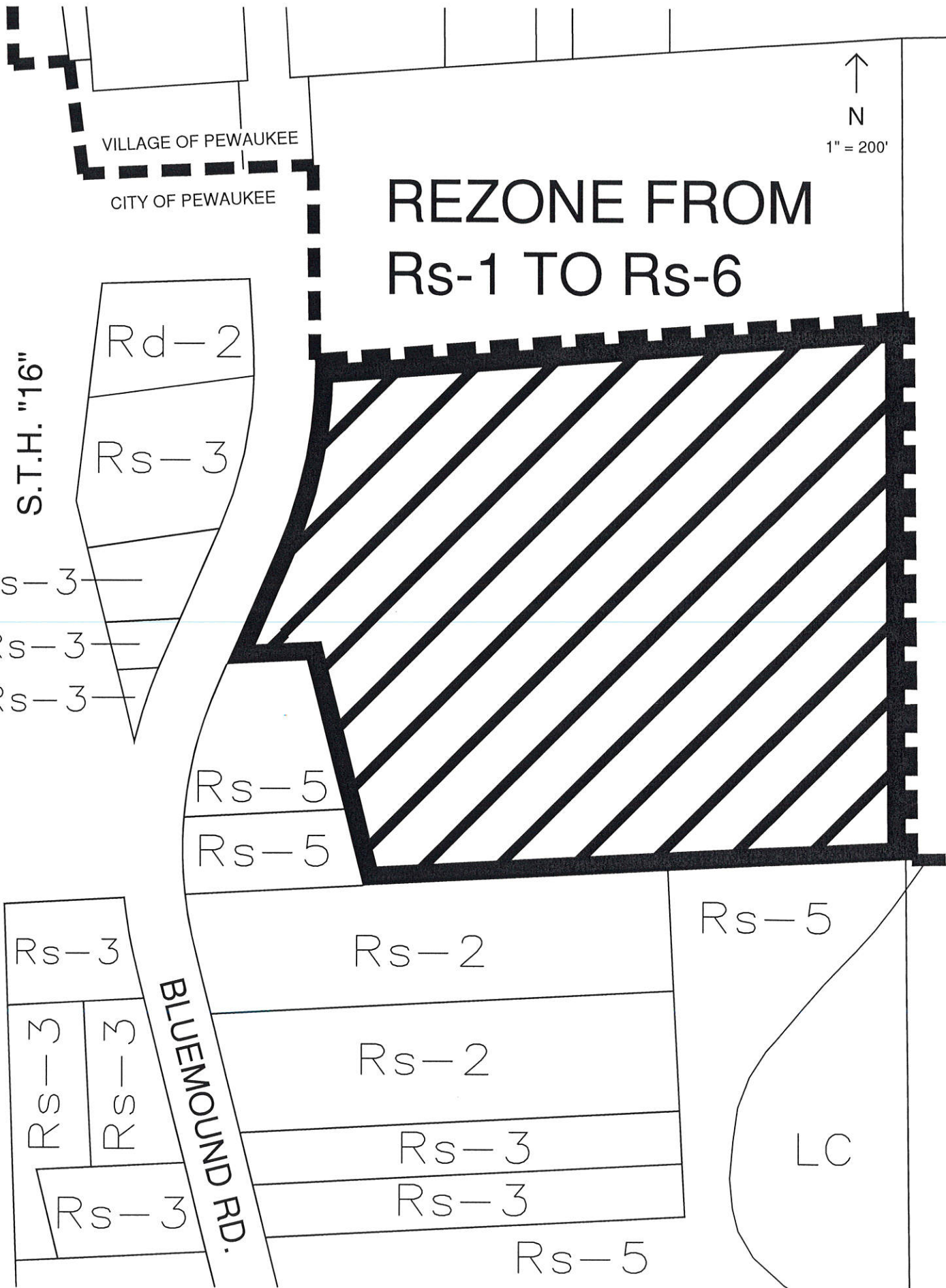
This Amendment to the Zoning Map (Change in zoning) is being proposed for the purpose of: developing a single-family residential subdivision.

THE PUBLIC HEARING will be held at a meeting of the City Plan Commission in the City Hall Common Council Chambers on **Thursday, January 18th, 2018** at or after **7:00 PM**.

Dated this 18th day of December, 2017.



Kelly Tarzowski,
Clerk/Treasurer, City of Pewaukee



**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.8**

DATE: March 5, 2018

DEPARTMENT: PRCS - Planning

PROVIDED BY:

SUBJECT:

Concur with Plan Commission (2/22/2018) to **Deny** the preliminary plat for the proposed Neumann Development located at N28 W25206 Bluemound Road (PWC 0925-993), N27 W25284 Bluemound Road (PWC 0925-990) and N27 W25250 Bluemound Road (PWC 0925-992)

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Neumann Development Preliminary Plat

NOTES

1. SETBACKS SHALL BE PER THE APPROVED ZONING RS-5 AND SHALL BE AS FOLLOWS:

FRONT YARD - 30 FEET (UNLESS NOTED OTHERWISE)
SIDE YARD - 12 FEET
REAR YARD - 35 FEET

2. EACH INDIVIDUAL LOT OWNER SHALL HAVE AN UNDIVIDED FRACTIONAL OWNERSHIP IN OUTLOTS 1, 3-6. WAUKESHA COUNTY SHALL NOT BE LIABLE FOR ANY FEES OR SPECIAL ASSESSMENTS IN THE EVENT THEY BECOME THE OWNER OF ANY LOT IN THE SUBDIVISION BY REASON OF TAX DELINQUENCY.

3. OUTLOTS 1, 3, 4 AND 5 TO BE ENCOMPASSED BY A DRAINAGE EASEMENT GRANTED TO CITY OF PEWAUKEE AND MAINTAINED BY THE LOT OWNERS.

4. OUTLOT 6 IS RESERVED FOR OPEN SPACE, TO BE MAINTAINED BY THE LOT OWNERS.

5. OUTLOT 2 IS RESERVED FOR UTILITY AND PUBLIC PURPOSES.

6. TOTAL SITE AREA 856,370 S.F. OR 19.66 ACRES.

7. SITE FALLS WITHIN THE PEWAUKEE SCHOOL DISTRICT.

8. EXISTING BUILDINGS ON SITE TO BE RAZED.

LEGEND

2.375" O.D. IRON PIPE SET, 18" LONG, WT. = 3.65 LBS./LIN. FT.
11/16" REBAR SET AT ALL OTHER LOT & OUTLOT CORNERS, WT. = 1.13 LBS./LIN. FT.

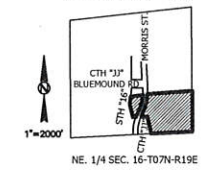
CONCRETE MONUMENT W/ BRASS CAP FOUND

1" IRON PIPE FOUND (UNLESS OTHERWISE STATED)

PRELIMINARY PLAT OF PARKWAY RIDGE

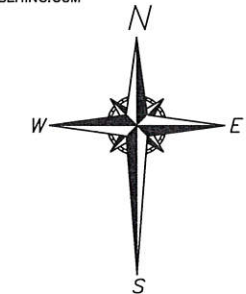
ALL OF LOT 1 OF PROPOSED CERTIFIED SURVEY MAP, BEING A PART OF THE SE. 1/4 OF THE NE. 1/4 OF SECTION 16, T.7N., R.19E., CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN.

LOCATION MAP



SURVEYOR:
KEITH A. KINDRED, PLS S-2082
SEH, INC.
501 MAPLE AVE.
DELAFIELD, WI 53018
(414) 949-8919
KKINDRED@SEHINC.COM

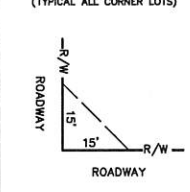
SURVEY FOR:
NEUMANN DEVELOPMENTS, INC.
N27 W24025 PAUL CT.,
STE 100
PEWAUKEE, WI, 53072
(262) 542-9200



BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927) GRID NORTH ON THE SOUTH LINE OF THE NE 1/4 OF SECTION 16-7-19 AS N87°04'25"E

SCALE: 1" = 60'

VISION CORNER DETAIL (N.T.S.)



CURVE DATA
L=311.13'
R=766.20'
CH=309.00'
CH BRG=N11°53'06"E
DELTA=23°15'58"
TAN IN=N23°31'05"E
TAN OUT=N0°15'07"E

LOT 2
PROPOSED CSM

EXISTING CURB

EXISTING DWELLING

UNPLATTED LANDS
OWNER: BRIAN & SUSAN LEWAND

ZONE CLASS: RS-5

UNPLATTED LANDS
OWNER: JOSEPH & KATHERINE GRIGER III

ZONE CLASS: RS-5

UNPLATTED LANDS
OWNER: TERRENCE A. GORDE

ZONE CLASS: RS-2

EXISTING SHED

UNPLATTED LANDS
OWNER: WAUKESHA COUNTY PARKS & LAND USE

ZONE CLASS: LC

FOUND CONC MON
W/BRASS CAP
EAST 1/4 CORNER
SECTION 16
T7N, R19E
ELEV. 850.27

UNPLATTED LANDS
OWNER: WAUKESHA COUNTY

ZONE CLASS: RS-5

UNPLATTED LANDS
OWNER: WAUKESHA COUNTY

ZONE CLASS: RS-5

UNPLATTED LANDS
OWNER: WAUKESHA COUNTY

ZONE CLASS: RS-5

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ZONE CLASS: RS-5

UNPLATTED LANDS
OWNER: WAUKESHA COUNTY

ZONE CLASS: RS-5

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

DATE: March 5, 2018

DEPARTMENT: Administration

PROVIDED BY:

SUBJECT:

Discussion and Possible Action on the Fourth of July Fireworks [Mayor Bierce]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

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

DATE: March 5, 2018

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Related to Reimbursements for Deer Management Activities [Klein]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

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

DATE: March 5, 2018

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding **Ordinance 18-03** Repealing and Recreating §6.02 (2) (b) of the City Code Related to Weapons Discharge / Safety (*First Reading*) [Klein/Riffle]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Ordinance 18-03

ORDINANCE NO. 18-03**AN ORDINANCE REPEALING AND RECREATING §6.02 (2) (b)
OF THE CITY CODE REGARDING WEAPONS DISCHARGE/SAFETY**

WHEREAS, the City of Pewaukee enacted §6.02 (2) (b) of the City Code of Ordinances which established regulations for the discharge of bows and similar weapons in the City; and

WHEREAS, based on revisions to State law relating to permitted discharge of bows and similar weapons that are binding upon and less restrictive than the current provisions of §6.02 (2) (b), the City must repeal and recreate this ordinance.

NOW THEREFORE, the Common Council of the City of Pewaukee hereby repeals §6.02 (2) (b) of the City Code of Ordinances as follows:

SECTION 1:

§6.02 (2) (b) of the City Code of Ordinances shall provide:

No bows, crossbows or other like weapon or instruments designed and used to propel an arrow, dart or other similar missile shall be discharged on or onto lands less than 100 yards from a building on any other adjacent property, unless the owner of such adjacent property or habitable building has given written permission to be closer. Any person who hunts with a bow and arrow or crossbow shall discharge the arrow or bolt from the respective weapon toward the ground.

SECTION 2: Effective Date.

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

Dated this ____ day of _____ 2018.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly Tarczewski, City Clerk

This ordinance posted or published _____.