



Regular Village Board Meeting Agenda

April 7th, 2015 – 7:00 pm
Village Hall, 235 Hickory Street, Pewaukee, WI 53072

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call.
2. Public Hearings.
 - a. Resolution No. 2016-02, Resolution to Amend the Master Plan/Comprehensive Plan, Land Use Plan Map element to Change the Land Use Designation of 1023 and 1057 Cecelia Drive from Single-Family Residential to Office
 - b. Ordinance No. 2016-04, Ordinance to Amend the Official Zoning Map of the Village of Pewaukee to Change the Zoning Designation of 1023 and 1047 Cecelia Drive from R-5 Single-Family Residential District to B-3 Office and Service District
 - c. Ordinance No. 2016-05, Ordinance to Repeal and Recreate Section 54.132 of the Municipal Code of the Village of Pewaukee Relative to Sex Offender Loitering and Placement
3. Approval of Minutes of Previous Meeting.
 - Minutes of the Regular Village Board Meeting – March 15, 2016
4. Citizen Comments. – *Comments should be addressed directly to the Village Board and should be limited to a maximum of three minutes per speaker. Speakers are asked to state name and address for the record.*
5. Ordinances.
 - a. Ordinance No. 2016-04, Ordinance to Amend the Official Zoning Map of the Village of Pewaukee to Change the Zoning Designation of 1023 and 1047 Cecelia Drive from R-5 Single-Family Residential District to B-3 Office and Service District
 - b. Ordinance No. 2016-05, Ordinance to Repeal and Recreate Section 54.132 of the Municipal Code of the Village of Pewaukee Relative to Sex Offender Loitering and Placement
 - c. Ordinance No. 2016-06, Ordinance to Create Section 2-160 of the Village of Pewaukee Municipal Code Regarding Withholding of Licenses
 - d. Ordinance No. 2016-07, Ordinance to Create Section 58.140 of the Municipal Code of the Village of Pewaukee Relating to the Administration of Finances for Laimon Family Lakeside Park
6. Resolutions.
 - a. Resolution No. 2016-02, Resolution to Amend the Master Plan/Comprehensive Plan, Land Use Plan Map element to Change the Land Use Designation of 1023 and 1057 Cecelia Drive from Single-Family Residential to Office
7. New Business.
 - a. Discussion and Possible Action on Armed Forces Challenge Special Event Permit Application
 - b. Discussion and Possible Action on False Fire Alarm Fee Reduction Request for 130 W. Wisconsin Avenue
 - c. License Approvals and Vendor Permits.
 1. Operator Permits - New
 2. Operator Permits - Temporary
 - i. Antique and Classic Boat Show
 3. Food Vendor Permit – Antique and Classic Boat Show & VFW Memorial Day Car Show



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- d. 4. Temporary Liquor License (Class "B"/"Class B" – Antique and Classic Boat Show)
 - e. Discussion and Possible Action Regarding Positively Pewaukee Request for Fireworks for Saturday, July 30th as part of Taste of Lake Country
 - f. Discussion and Possible Action on Award for Contract for Tower Court/Third Street Project
 - g. Discussion and Possible Action on Approval of Contract for Wachtel Tree Science and Service for Tree Inventory, EAB Plan and Urban Forestry Plan
 - h. Discussion and Possible Action Regarding Finance Director Recruitment Advertisement
 - i. Discussion and Possible Action Regarding Director of Public Works/Engineer Recruitment Advertisement
 - j. Discussion and Possible Action on Change of Agent for Noodles & Company Liquor License
 - k. Discussion and Direction Regarding Establishment of a Community Development Authority or Other Committee Focused on Economic Development Within the Village
 - l. Update on Possible Lake Street Speed Radar Sign
 - m. Presentation and Discussion Regarding Tax Base Comparison Between the Village and Other Waukesha County Incorporated Communities
 - n. Discussion of Housing Characteristics from the 2000 Census and How it Relates to the Village of Pewaukee Tax Base
8. Citizen Comments. – *Comments should be addressed directly to the Village Board and should be limited to a maximum of three minutes per speaker. Speakers are asked to state their name and address for the record.*
9. Closed Session. – The Village Board of the Village of Pewaukee will enter into closed session pursuant to Wis. Statute Section 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically the Village Administrator; and pursuant to Wis. Statute Section 19.85(1)(e) for the purpose of 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, specifically to discuss a negotiating strategy regarding a fire and EMS agreement with the City of Pewaukee and to discuss a negotiating strategy regarding a fire and EMS proposal from Metro-Paramedic Services.
10. Reconvene Into Open Session.
11. Adjournment.

Note: Notice is hereby given that a quorum of a Village Committee and/or Commission may be present at the Village Board meeting, and if so, this meeting shall be considered an informational meeting of that Committee or Commission and no formal action of that Committee or Commission shall occur.

Posted: April 1, 2016



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 29, 2016

Re: Agenda Items ²⁰¹⁶⁻⁰⁴, Resolution No. 2016-02, Resolution to Amend the Master Plan/Comprehensive Plan, Land Use Plan Map element to Change the Land Use Designation of 1023 and 1047 Cecelia Drive from Single-Family Residential to Office

BACKGROUND

Attached for your review please find a copy of the Planner's memo and a copy of the draft resolution. This resolution accompanies Ordinance No. 2016-04 to rezone 1023 and 1047 Cecelia Drive from R-5 Single Family to B-3 Office and Service District. The proposed resolution would amend the Master Plan/Comprehensive Plan, Land Use Plan Map element to Change the Land Use Designation of 1023 and 1047 Cecelia Drive from Single-Family Residential to Office.

ACTION REQUESTED

The Plan Commission has recommended approval of the proposal to amend the Comprehensive Land Use Plan for 1035 Cecelia Drive from Single-Family Residential to Office to the Village Board. The action requested of the Village Board by the Plan Commission is to adopt Resolution No. 2016-02, Resolution to Amend the Master Plan/Comprehensive Plan, Land Use Plan Map element to Change the Land Use Designation of 1023 and 1047 Cecelia Drive from Single-Family Residential to Office.

Attachments

STAFF REPORT

To: Village of Pewaukee Plan Commission

By: Mary Censky

Date Prepared: January 14, 2016

General Information:

Agenda Item: **5.c.**

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| Applicant: | Village Initiated |
| Status of Applicant: | N/A |
| Requested Action: | Review, consideration and possible recommendation for a Comprehensive Plan Amendment in the form of Land Use Plan Map Amendment from Single Family Residential to Office for the properties located at 1023 and 1047 Cecilia Drive. |
| Current Zoning: | R-5 Single Family Residential |
| Current Master Plan Classification: | Single Family Residential |
| Recommended Master Plan Classification: | Office |
| Surrounding Zoning/Land Use: | North: R-M Multi-Family Residential South: Capitol Drive East: IPS Institutional and Public Service West: B-3 Office and Business Service |
| Lot Size: | 1023 Cecilia Drive = approx 1.272 acres 1047 Cecilia Drive = approx 1.301 acres |
| Location: | 1023 and 1047 Cecilia Drive |

Background/Discussion:

The small parcel at the center of the two pieces referenced above (i.e. 1035 Cecilia Drive) was recently considered, and ultimately approved, for redesignation from Single-Family Residential, as to the Zoning and Land Use, to Office.

When the Planning Commission had first reviewed and considered the 1035 piece for recommendation to the Village Board, some support was expressed for including these two surrounding pieces for the same redesignation in its recommendation to the Board as well but

ultimately there was reluctance on a couple of fronts,... one being that the surrounding parcels addresses were not specifically included on the Planning Commissions agenda item description and another being that since a public hearing isn't noticed for rezoning and land use plan amendments until the item appears before the Village Board, the Planning Commissioners felt the underlying property owners may object to any such change. The Planner did, and continues, to support an action to redesignate these parcels given the transitional nature of this specific and surrounding area.

In it's deliberation, and ultimately its action to approve the changes for 1035, the Board specifically directed that staff place the other two pieces back onto a Planning Commission agenda for consideration as to making the same zoning and land use designation changes – their motivation principally being to properly reflect the most likely and suitable future reuse/redevelopment scenarios for those pieces but also, to at least some extent, to mitigate the appearance or perception of spot zoning.

As a part of the Board review/consideration to change the designations of 1035, a public hearing notice(s) was published and individual notices were mailed to all property owners within 300 feet of 1035, which mailing did include the owners of both 1023 and 1047 Cecilia Drive. Neither of these owner's contacted Village Hall with questions, comments or concerns, and neither owner appeared at the public hearing.

Recommendation:

The Planner supports a recommendation for Comprehensive Plan Land Use Plan Map Element amendment from Single-Family Residential to Office for 1023 and 1047 Cecilia Drive.

RESOLUTION NO. 2016-02

Resolution to Amend the Master Plan/Comprehensive Plan, Land Use Plan Map element to Change the Land Use Designation of 1023 and 1057 Cecelia Drive from Single-Family Residential to Office

WHEREAS, the properties known as 1023 and 1047 Cecelia Drive are presently designated as Single Family Residential by the Village's Master Plan/Comprehensive Plan, Land Use Plan Map element; and

WHEREAS, the Village has initiated a request for an Amendment to the Master Plan/Comprehensive Plan, Land Use Plan Map element to amend the designation of the properties located at 1023 and 1047 Cecelia Drive and reclassify it as Office instead; and

WHEREAS, the Village Planning Commission did, at their meeting of January 14, 2016, review and consider the request for Master Plan/Comprehensive Plan, Land Use Plan Map element amendment and did recommend such change to the Village Board; and

WHEREAS, the matter was the subject of a public hearing held before the Village Board on April 7, 2016.

NOW, THEREFORE, be it resolved by the Village Board of the Village of Pewaukee Wisconsin:

The Master Plan/Comprehensive Plan, Land Use Plan Map of the Village of Pewaukee is hereby amended as follows:

1. The properties located at 1023 and 1047 Cecelia Drive are hereby redesignated from Single-Family Residential classification to Office classification.

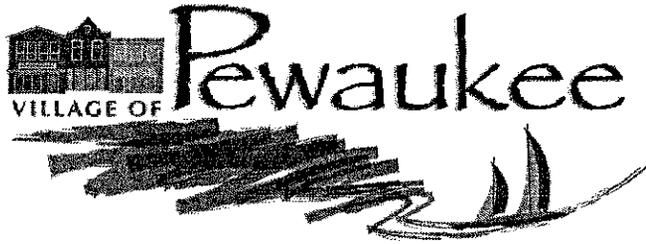
Dated this ____ day of _____, 2016.

VILLAGE OF PEWAUKEE

By: _____
Jeffrey Knutson, Village President

ATTEST:

By: _____
Chaz Schumacher, Village of Pewaukee Clerk



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 29, 2016

Re: Agenda Items ^{2645a}, Ordinance 2016-04, Ordinance to Amend the Official Zoning Map of the Village of Pewaukee to Change the Zoning Designation of 1023 and 1047 Cecelia Drive from R-5 Single Family Residential District to B-3 Office and Service District

BACKGROUND

Attached for your review please find a copy of the Planner's memo and a copy of the draft ordinance. The Village Board requested that the Plan Commission review these two properties for rezoning from R-5 Single Family to B-3 Office and Service when the Village Board reviewed the rezoning recommendation of 1035 Cecelia Drive at its December 15th Village Board meeting.

ACTION REQUESTED

The Plan Commission has recommended approval of the proposal to rezone 1023 and 1047 Cecelia Drive to B-3 Office and Service District to the Village Board. The action requested of the Village Board by the Plan Commission is to approve Ordinance 2016-04, Ordinance to Amend the Official Zoning Map of the Village of Pewaukee to Change the Zoning Designation of 1023 and 1047 Cecelia Drive from R-5 Single Family Residential District to B-3 Office and Service District.

ANALYSIS

The Land Use Plan Map element and the zoning map are to be consistent in nature. Therefore, the Village Board should take similar action regarding the proposed rezoning request as was taken on the resolution to amend the Comprehensive Land Use Plan regarding this same property.

Attachments

STAFF REPORT

To: Village of Pewaukee Plan Commission

By: Mary Censky

Date Prepared: January 14, 2016

General Information:

Agenda Item: **5.d.**

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| Applicant: | Village Initiated |
| Status of Applicant: | N/A |
| Requested Action: | Review, consideration and possible recommendation to rezone the properties from existing residential to office. |
| Current Zoning: | R-5 Single-Family Residential |
| Proposed Zoning: | B-3 Office and Service Business District |
| Current Master Plan Classification: | Single Family Residential |
| Proposed Master Plan Classification: | Office |
| Surrounding Zoning/Land Use: | North: R-M Multi-Family Residential South: Capitol Drive East: IPS Institutional and Public Service West: B-3 Office and Service Business |
| Lot Size: | 1023 Cecilia Drive = approx 1.272 acres 1047 Cecilia Drive = approx 1.301 acres |
| Location: | 1023 and 1047 Cecilia Drive |

Background/Discussion/Recommendation:

The small parcel at the center of the two pieces referenced above (i.e. 1035 Cecilia Drive) was recently considered, and ultimately approved, for redesignation from Single-Family Residential, as to the Zoning and Land Use, to Office.

When the Planning Commission had first reviewed and considered the 1035 piece for recommendation to the Village Board, some support was expressed for including these two surrounding pieces for the same redesignation in it's recommendation to the Board as well but ultimately there was reluctance on a couple of fronts,... one being that the surrounding parcels

addresses were not specifically included on the Planning Commissions agenda item description and another being that since a public hearing isn't noticed for rezoning and land use plan amendments until the item appears before the Village Board, the Planning Commissioners felt the underlying property owners may object to any such change. The Planner did, and continues, to support an action to redesignate these parcels given the transitional nature of this specific and surrounding area.

In it's deliberation, and ultimately its action to approve the changes for 1035, the Board specifically directed that staff place the other two pieces back onto a Planning Commission agenda for consideration as to making the same zoning and land use designation changes – their motivation principally being to properly reflect the most likely and suitable future reuse/redevelopment scenarios for those pieces but also, to at least some extent, to mitigate the appearance or perception of spot zoning.

As a part of the Board review/consideration to change the designations of 1035, a public hearing notice(s) was published and individual notices were mailed to all property owners within 300 feet of 1035, which mailing did include the owners of both 1023 and 1047 Cecilia Drive. Neither of these owner's contacted Village Hall with questions, comments or concerns, and neither owner appeared at the public hearing.

Recommendation:

The Planner supports a recommendation for Rezoning from R-5 Single-Family Residential to B-3 Office and Service Business for 1023 and 1047 Cecilia Drive provided the underlying Land Use Designation shall first have been changed to Office for these same parcels.

ORDINANCE NO. 2016-04

ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF PEWAUKEE TO CHANGE THE ZONING DESIGNATION OF 1023 AND 1047 CECELIA DRIVE FROM R-5 SINGLE-FAMILY RESIDENTIAL DISTRICT TO B-3 OFFICE AND SERVICE DISTRICT

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin, do ordain as follows:

SECTION I

WHEREAS, the Village of Pewaukee allows amendments to the Official Zoning Map pursuant to Article II, Division 2 of Chapter 40 of the Municipal Code of the Village of Pewaukee; and

WHEREAS, the properties known as 1023 and 1047 Cecelia Drive are presently zoned R-5 Single-Family Residential District by the Village's Official Zoning Map; and

WHEREAS, the Village has initiated a request for an Amendment to the Official Zoning Map to amend the designation of this properties known as 1023 and 1047 Cecelia Drive and classify it B-3 Office and Service District; and

WHEREAS, the Village Planning Commission did, at their meeting of January 14, 2016, review and consider the petitioners request for Official Zoning Map amendment and did recommend of such change to the Village Board; and

WHEREAS, the matter was the subject of a public hearing held before the Village Board on April 7, 2016.

SECTION II

The Village Board of the Village of Pewaukee, having reviewed the petition for Official Zoning Map amendment and having considered the recommendation of the Plan Commission as well as the comments of the public made at the public hearing which occurred on April 7, 2016 and further having found that the aforementioned Official Zoning Map amendment satisfies the conditions of Article II, Division 2 of Chapter 40 of the Municipal Code of the Village of Pewaukee. Now therefore, the Official Zoning Map of the Village of Pewaukee is hereby amended as follows:

1. The properties located at 1023 and 1047 Cecelia Drive are hereby rezoned

from R-5 Single-Family Residential District to B-3 Office and Service District classification.

SECTION III

The Village President and Village Clerk are authorized to execute this ordinance on behalf of the Village of Pewaukee.

This ordinance shall take effect upon passage and publication as required by law and the Village Clerk shall so amend the code of ordinances and zoning map of the Village of Pewaukee and shall indicate the date and number of this amending ordinance therein.

SECTION V

The several sections of this ordinance are declared to be severable. If any section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the ordinance.

All ordinances or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

PASSED AND ADOPTED by the Village Board this _____ day of _____, 2016.

APPROVED:

Jeff Knutson, Village of Pewaukee President

Countersigned:

Chaz Schumacher, Village of Pewaukee Clerk



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 30, 2016

Re: Agenda Item ^{2c+5b} Ordinance No. 2016-05, Ordinance to Repeal and Recreate Section 54.132 of the Municipal Code of the Village of Pewaukee Relative to Sex Offender Loitering and Placement

BACKGROUND

Attached for your review and consideration please find a copy of the draft ordinance prepared by Attorney Blum at the Village Board's request. Attached to the draft ordinance you will find a copy of a map illustrating buffer rings from "Child Safety Locations" using 750, 1,000, and 1,500 foot rings. The ordinance has been prepared referencing the 1,500 buffer from the "Child Safety Locations." A public hearing has been noticed and placed on the agenda for this matter at the Village Board's request.

ACTION REQUESTED

The action requested of the Village Board is to review the draft ordinance and verify which distance is desired (or confirm the use of the 1,500 foot distance).

Attachments

ORDINANCE NO. 2016-05**Ordinance to Repeal and Recreate Section 54.132
Of the Municipal Code of the Village of Pewaukee
Relative to Sex Offender Loitering and Residency**

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin, do ordain as follows:

SECTION I

Section 54.132 of the Municipal Code of the Village of Pewaukee is hereby repealed and recreated to read as follows:

Section 54.132 – Sex Offenders.

(a) Findings and Intent.

- (1) The Wisconsin legislature has provided for the punishment, treatment and supervision of persons convicted or otherwise responsible for sex crimes against children, including their release into the community. Indeed, Chapter 980 of the Wisconsin Statutes provides for the civil commitment of sexually violent persons. The purpose of this Ordinance is to protect the public, to reduce the likelihood that convicted sex offenders will engage in such conduct in the future.

The United States Supreme Court has recognized that the risk of recidivism posed by sex offenders is high, and when convicted sex offenders re-enter society, they are much more likely than any other type of offender to be rearrested for a new rape or sexual assault. See Smith v. Doe, 538 US 84, 123 S.Ct. 1140, 155 L.Ed. 2d 164 (2003) and McKune v. Lile, 536 US 24, 34, 122 S.Ct. 2017, 153 L.Ed.2d 47 (2002), citing United States Department of Justice Bureau of Justice Statistics, Sex Offenses and Offenders, 27 (1997) U.S. Department of Justice Bureau of Justice Statistics Recidivism of Prisoners Released in 1983 (1997).

The Village Board has reviewed research on sex offenders, including the findings of a number of states across the United States, including, but not limited to Florida, Georgia, Alabama, Iowa and California as they pertain to laws adopted and which relate to imposing restrictions on sex offenders with respect to residency; and in addition, the United States Court of Appeals for the 8th Circuit Decision on Doe v. Miller, 405 F.3d 700, 716 (8th Cir. 2005) providing, in part, “the record does not support a conclusion that the Iowa General Assembly and the Governor acted based

merely on negative attitudes toward or fear of, or a bare desire to harm a politically unpopular group (citations omitted). Sex offenders have a high rate of recidivism and the parties presented expert testimony that reducing opportunity and temptation is important to minimizing the risk of re-offense. Even experts in the field could not predict with confidence whether a particular sex offender will reoffend, whether an offender convicted of an offense against a teenager will be among those who “cross over” to offend against a younger child, or the degree to which regular proximity to a place where children are located enhances the risk of re-offense against children. One expert in the District Court opined that it is just “common sense” that limiting the frequency of contact between sex offenders and areas where children are located is likely to reduce the risk of an offense. (Citations omitted). The policymakers of Iowa are entitled to employ such “common sense” and we are not persuaded that the means selected to pursue the State’s legitimate interest are without rational basis”.

The Board finds the negative consequences of failing to regulate the movement of sex offenders is a hazard to children and the community. Thus, the Village has a duty and need to regulate where sex offenders reside and loiter within the Village once they are reintegrated into the community. This Chapter is a regulatory measure aimed at protecting the health and safety of the children in the Village of Pewaukee from the risk that convicted sex offenders may reoffend in locations close to their residences. It is the intent of this section not to impose a criminal penalty but rather to serve the Village’s compelling interest to promote, protect, and improve the health, safety, and welfare of the citizens of the village by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from establishing residence; and by regulating certain activities that may be used by sexual offenders to prey on children.

- (2) The Village finds and declares that sex offenders are a serious threat to public safety. When convicted sex offenders reenter society, they are much more likely than any other type of offender to be rearrested for a new rape or sexual assault. Given the high rate of recidivism for sex offenders and that reducing opportunity and temptation is important to minimizing the risk of re-offense, there is a need to protect children where they congregate or play in public places in addition to the protections afforded by state law near schools, day-care centers and other places children frequent. The Village finds and declares that in addition to schools and day-care centers, children congregate or play at public parks.

The Board notes that Wisconsin Statute Section 61.34 authorizes the Village Board to enact legislation for the health, safety and welfare of the public. In addition, Wisconsin Statute Section 61.34(5) notes that the powers, rights and privileges accorded villages under said Chapter are to be liberally construed in order to promote the general welfare, peace, good order and prosperity of the village.

- (3) This Ordinance will not apply to sexually violent persons, as defined in Wisconsin Statute §980.01(7), because these persons are controlled under the regulations of Wisconsin Statute §980.

(b) Definitions. As used in this Chapter and unless the context otherwise requires:

(1) *Child* is a person under the age of 18.

(2) *Child Safety Location* is the site upon which any of the following are located:

- a. A public park, parkway, parkland, park facility;
- b. A public beach;
- c. A public library;
- d. A recreational trail;
- e. A public playground;
- f. A school for children;
- g. Athletic fields used by children;
- h. A day-care center;
- i. A tutoring facility;
- j. Any specialized school for children, including, but not limited to, a gymnastics academy, dance academy or music school;
- k. Any facility for children [which means a public or private school or a group home, as defined in § 48.02(7), Wis. Stats.; a residential care center for children and youth, as defined in § 48.02(15d), Wis. Stats.; a shelter care facility, as defined in § 48.02(17), Wis. Stats.; a foster home, as defined in § 48.02(6), Wis. Stats.; a treatment foster home, as defined in § 48.02(17q), Wis. Stats.; a day-care center licensed under § 48.65, Wis. Stats.; a day-care program established under § 120.13(14), Wis. Stats.; a day-care provider certified under § 48.651, Wis. Stats.; or a youth center, as defined in § 961.01(22), Wis. Stats.].

(3) *Child Safety Zone* is any place within the Village that is physically located within 1,500 feet of any Child Safety Location.

(4) *Crime Against Children* is any of the offenses set forth within the Wisconsin Statutes, as amended, or the laws of this or any other state or the federal government, having like elements necessary for conviction, respectively:

Wisconsin Statute Sections

- | | |
|------------|---|
| 940.225(1) | First Degree Sexual Assault; |
| 940.225(2) | Second Degree Sexual Assault; |
| 940.225(3) | Third Degree Sexual Assault; |
| 940.22(2) | Sexual Exploitation by Therapist; |
| 940.30 | False Imprisonment-victim was minor and not the offender's child; |
| 940.31 | Kidnapping-victim was minor and not the offender's child; |
| 944.01 | Rape (prior statute); |
| 944.06 | Incest; |
| 944.10 | Sexual Intercourse with a Child (prior statute); |
| 944.11 | Indecent Behavior with a Child (prior statute); |

| | |
|----------------------|--|
| 944.12 | Enticing Child for Immoral Purposes (prior statute); |
| 948.02(1) | First Degree Sexual Assault of a Child; |
| 948.02(2) | Second Degree Sexual Assault of a Child; |
| 948.025 | Engaging in Repeated Acts of Sexual Assault of the Same Child; |
| 948.05 | Sexual Exploitation of a Child; |
| 948.055 | Causing a Child to View or Listen to Sexual Activity; |
| 948.06 | Incest with a Child; |
| 948.07 | Child Enticement; |
| 948.075 | Use of a Computer to Facilitate a Child Sex Crime; |
| 948.08 | Soliciting a Child for Prostitution; |
| 948.095 | Sexual Assault of a Student by School Instructional Staff; |
| 948.11(2)(a) or (am) | Exposing Child to Harmful Material-felony sections; |
| 948.12 | Possession of Child Pornography; |
| 948.13 | Convicted Child Sex Offender Working with Children; |
| 948.30 | Abduction of Another's Child; |
| 971.17 | Not Guilty by reason of Mental Disease-of an included offense; and |
| 975.06 | Sex Crimes Law Commitment. |
| 980.01(7) | Sexually Violent Persons |

- (5) *Sex Offender* is a person who has been convicted of or has been found delinquent of or has been found not guilty by reason of disease or mental defect of a sexually violent offense and/or a crime against children.
- (6) *A residence* is where a person sleeps, which may include more than one location and may be mobile or transitory.
- (7) *A sexually violent offense* shall have the meaning as set forth in §980.01(6) Wis. Stats., as amended from time to time.

(c) Residency Restrictions

- (1) *Child Safety Zone Restriction.* Subject to the definitions in Sections (a) above and the exceptions set forth in Section (d) below, no sex offender shall establish a residence within the Village that is within a Child Safety Zone.
- (2) *Original Domicile Restriction.* No person and no individual who has been convicted of a crime against children shall be permitted to reside in the Village of Pewaukee, unless such person was domiciled in the Village of Pewaukee at the time of the offense resulting in the person's most recent conviction for committing a crime against children. Domicile shall mean an individual's fixed and permanent home, where the individual intends to remain permanently and indefinitely and to which, whenever absent, the individual intends to return except that no individual may have more than one domicile at any time. Domicile is not a residence for any special or temporary purpose .

- (3) *Measurement of Distance.* The distance shall be measured from the closest boundary line of the real property supporting the residence of an offender to the closest boundary line of real property that supports or upon which there exists any of the applicable above-enumerated use(s).

(d) Residency Restriction Exemptions:

- (1) A person residing within 1,500 feet of the real property comprising any of the uses enumerated in (b)(2), above, does not commit a violation of this chapter if any of the following apply:
- a. The person is required to serve a sentence at a jail, prison, juvenile facility, or other correctional institution or facility.
 - b. The person is a minor or ward under guardianship.
 - c. The person has established a residence prior to the effective date of this Chapter on __ day of ____, 2016, which is within 1,500 feet of any of the uses enumerated in _____, above, or such enumerated use is newly established after such effective date and it is located within such 1,500 feet of a residence of a person which was established

(e) Renting Real Property:

No person shall let or rent any place, structure, or part thereof, trailer, or other conveyance, with the knowledge that it will be used as a permanent or temporary residence by a sex offender contrary to the provisions of Section (c) above.

(f) Holiday Events and Public Gatherings:

- (1) It is unlawful for a sex offender to actively take part in any public holiday event involving children under 18 years of age where the distributing of candy or other items to children takes place, including but not limited to holiday parades or similar gatherings, Halloween trick or treating, wearing a Santa Claus costume in a public place in relationship to Christmas, wearing an Easter Bunny costume in a public place in relationship to Easter, or wearing any other costume reasonably expected to attract children in a public place, or other similar activities that may, under the circumstances then present, tend to entice a child to have contact with a sex offender.
- (2) Exception. This section does not apply to any event in which the sex offender is the parent or guardian of the child(ren) involved, and the sex offender's child(ren) are the only child(ren) present.

(g) Loitering.

- (1) It shall be unlawful for any sex offender as defined in section (b) above, to loiter or prowl within 1,500 feet of any school or school property, recreational trail, playground or park, any specialized school for children including, but not limited to, gymnastics academy, martial arts academy, dance academy, music school, public

beach or public library in a place at a time or in a manner not usual for law abiding individuals under circumstances that warrant alarm for the safety of children in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the actor takes flight upon appearance of a law enforcement officer, refuses to identify himself or herself or manifestly endeavors to conceal himself or herself or any object.

- (2) Unless flight by an actor or other circumstances makes it impractical, a law enforcement officer shall, prior to any arrest for an offense under this section, afford the actor an opportunity to dispel any alarm which would otherwise be warranted by requesting him or her to identify himself or herself or explain his or her presence and conduct at the aforementioned locations. No person shall be convicted of an offense under this section if the law enforcement officer did not comply with the preceding sentence, or if it appears at trial that the explanation given by the actor was true, and, if believed by law enforcement at the time, would have dispelled the alarm.
- (3) An offender does not commit a violation of loitering in a Child Safety Zone as stated above and the enumerated uses may allow such person on the property supporting such use if any of the following apply:
 - a. The property supporting an enumerated use also supports a church, synagogue, mosque, temple or other house of religious worship (collectively "church"), subject to the following conditions:
 - (i) Entrance and presence upon the property occurs only during hours of worship or other religious program/service as posted to the public; and
 - (ii) Written advance notice is made from the person to an individual in charge of the church, and approval from an individual in charge of the church as designated by the church is made in return, of the attendance by the person; and
 - (iii) The person shall not participate in any religious education programs, which include individuals under the age of 18.
 - b. The property supporting an enumerated use also supports a use lawfully attended by a person's natural or adopted child(ren), which child's use reasonably requires the attendance of the person as the child's parent upon the property, subject to the following conditions:
 - (i) Entrance and presence upon the property occurs only during hours of activity related to the use as posted to the public; and
 - (ii) Written advance notice is made from the person to an individual in charge of the use upon the property, and approval from an individual in charge of the use upon the property as designated by the owner of the use upon the property is made in return, of the attendance by the person.
 - c. The property supporting an enumerated use also supports a polling location in a local, state or federal election, subject to the following conditions:
 - (i) The person is eligible to vote; and
 - (ii) The designated polling place for the person is an enumerated use; and

- (iii) The person enters the polling place property and proceeds to cast a ballot with whatever usual and customary assistance is provided to any member of the electorate, and the person vacates the property immediately after voting; and
 - (iv) The property supporting an enumerated use also supports an elementary or secondary school lawfully attended by a person as a student, under which circumstances the person who is a student may enter upon that property supporting the school at which the person is enrolled, as is reasonably required for the educational purposes of the school..
- (h) **Child Safety Zone Map**

The Village Clerk's Office shall maintain an official map showing the Child Safety Zones within the Village. The Village Clerk's Office shall update the map at least annually to reflect any changes in the location of Child Safety Zones. The map is to be displayed in the office of the Village Clerk. In the event of a conflict, the terms of this ordinance shall control. In no event shall a failure to update the map in compliance with this Ordinance preclude the persecution or conviction of any sex offender under this Ordinance.
- (i) **Violations and Penalties**

If a person violates Section (c), above, by establishing a residence or occupying residential premises within 1,500 feet of those premises as described therein, without any exception(s) as also set forth above, the Village Attorney, upon referral from the Chief of Police and the written determination by the Chief of Police that upon all of the facts and circumstances and the purpose of this chapter such residence occupancy presents an activity or use of property that interferes substantially with the comfortable enjoyment of life, health or safety of another or others, shall bring an action in the name of the Village in the Circuit Court for Waukesha County to permanently enjoin such residency as a public nuisance. If a person violates Section (c) and (g), in addition to the aforesaid injunctive relief, such person shall be subject to the general penalty provisions set forth under Section 1.102 of the Municipal Code. Each day a violation continues shall constitute a separate offense. In addition, the Village may undertake all other legal and equitable remedies to prevent or remove a violation of this chapter

SECTION II

All ordinances or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

SECTION III

The several sections of this ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the ordinance.

SECTION IV

This ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending ordinance therein.

Passed and adopted this _____ day of _____ 2016 by the Village Board of the Village of Pewaukee.

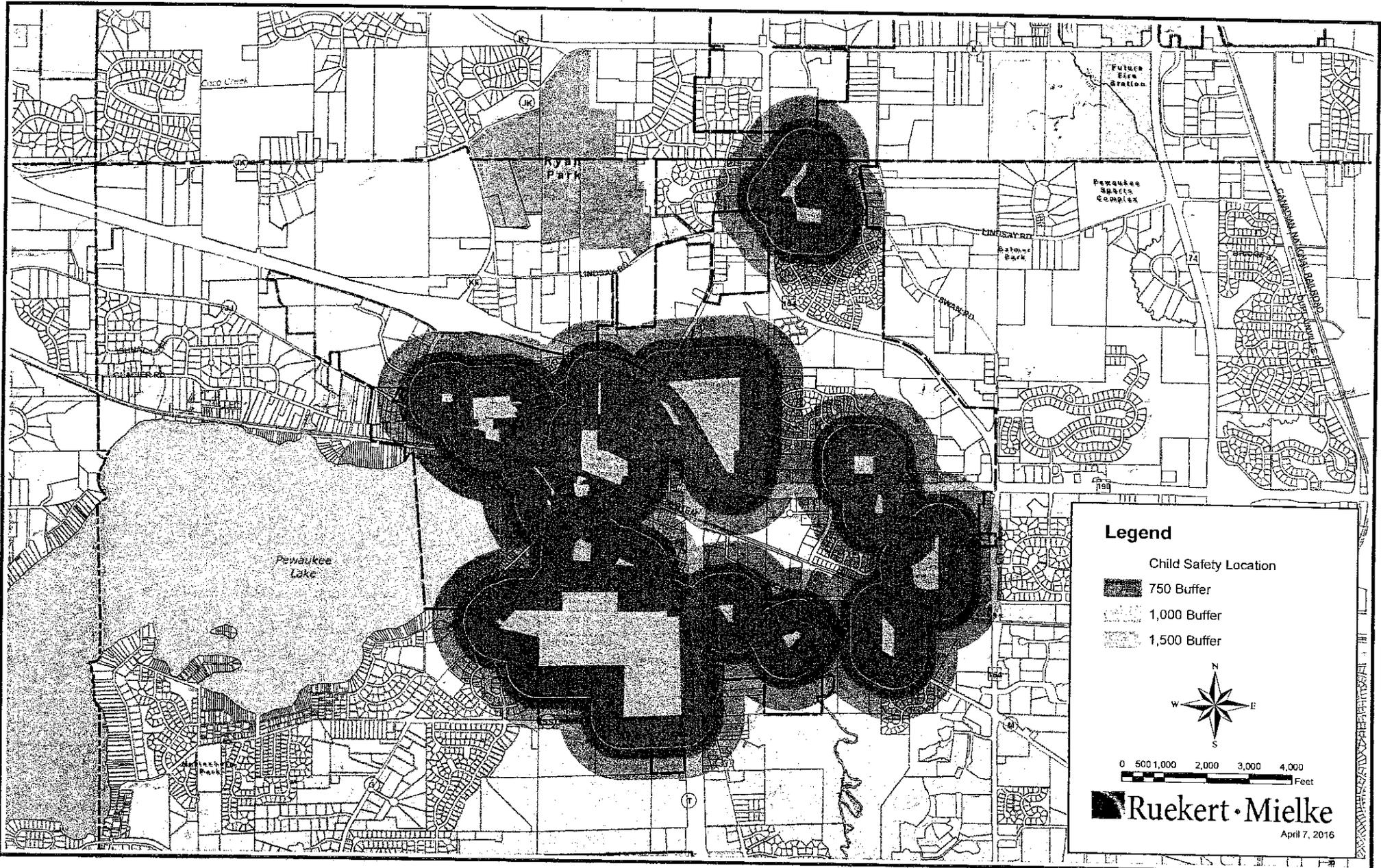
APPROVED:

Jeff Knutson, Village of Pewaukee President

Countersigned:

Chaz Schumacher,
Village of Pewaukee Clerk

DRAFT



**VILLAGE OF PEWAUKEE
VILLAGE BOARD MEETING
March 15, 2016**

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call at 7:00 p.m.

President Jeff Knutson called the meeting to order at approximately 7:01 p.m. The Pledge of Allegiance was recited, followed by a moment of silence.

Roll Call attendance was taken with the following board members present: Trustee Paul Evert, Trustee Pat Nauth, Trustee Heather Gergen, Trustee Cathy Baumann, Trustee Joe Zompa, Trustee Tom Calder, and President Jeff Knutson.

Also Present: Village Administrator, Scott Gosse; DPW Director, David White; PD Captain, Jay Iding; PD Sergeant, Matt Carney; Village Attorney, Mark Blum; Village Clerk, Chaz Schumacher.

2. Approval of Minutes of March 1, 2016

Trustee Zompa moved, seconded by Trustee Evert to approve the March 1, 2016 minutes as presented. Motion carried 5-0-2. Trustee Baumann and Trustee Calder abstained.

3. Citizen Comments

Carole Stamm – 130 West Wisconsin Avenue, Unit 1 – Ms. Stamm stated her appreciation for the lowering of false alarm fees. Ms. Stamm stated she has been told by other fire department chiefs that Pewaukee Shores should not have been billed for false alarm fees.

Resident – 346 Forest Grove – Stated her desire to know what the new rules are for sex offenders. She stated her concern due to the number of young children in the neighborhood walking around.

Jessica Schultz – W245N4742 Swan Road, Pewaukee, WI 53072 – Ms. Schultz stated her concern as a parent with young children in the neighborhood. She wants to be an advocate for youth so they will grow up in a safe environment. She stated she was a victim and wants the victims to be represented.

Tim Bykowski – 479 Westfield Way – Mr. Bykowski stated his concern that a sex offender moved in across the street from his home. He expressed concern about the process of paying for a sex offender to live comfortably while he as a property owner cannot sell his 5 bedroom home due to the sex offender living across the street. He stated frustration for the situation and being a tax paying citizen.

Julie Rupena-Reynolds – 472 Westfield Way – Ms. Rupena-Reynolds stated her concern about having a sex offender as a neighbor and that she is concerned they may have broken their probation rules more than once.

Melissa Springer – 306 Oakton Avenue – Ms. Springer stated she has 2 small children and she wants to be an advocate and protect Pewaukee's good reputation. She stated concern that Pewaukee has recently become the dumping grounds for sex offenders. She stated she wants her children protected.

President Knutson requested that the Board discuss items 6.e and 6.f next

6. New Business

e. Presentation by Village Assessor Regarding the 2015 Village Assessment Report; 2015 Sales Ratio Analysis and 2015 Major Class Comparison.

Dean Peters, representing Associated Appraisal, began the discussion stating the Board has been provided the 2015 annual assessment report. The information provided also included reports from the Department of Revenue. Peters gave an overview of the 2015 annual Village assessment report. Peters went on to explain the 2015 major class comparison report, stating the Village is at 95.6% of market value, indicating a trend of increasing market values and an increase in home values. Peters stated the commercial equalized values are only up 1%, some are more, but as whole it's not comparable to the residential properties. Discussion followed.

f. Review by Village Assessor Regarding Loss of Assessed Value for Existing Properties in the Village Particularly Relating to Commercial Class

Dean Peters stating he wanted to have a discussion about the loss of assessed value. He stated the assessors did more in 2015 and there was a reduction in assessments for various reasons. The Village lost \$5.5 million off the books due to reductions; \$400,000 was in the residential class with the remaining 92% in the commercial class. Peters stated the large decrease is why he wanted to do a reassessment of the Village's Commercial Class properties. Discussion followed.

4. Ordinances

a. Ordinance No. 2016-03, Ordinance to Amend Chapter 14, Storm Water Management and Erosion Control Ordinance, of the Municipal Code of the Village of Pewaukee

DPW Director White stated the ordinance revision is an update to conform to the updated NR151.

Trustee Nauth provided corrections to the Ordinance. Discussion followed.

Trustee Zompa moved, seconded by Trustee Gergen to approve Ordinance No. 2016-03 as amended. Motion carried 7-0.

6. New Business

g. Discussion and Direction Regarding 2015 Wisconsin Act 156

Attorney Blum began the discussion stating that 2015 Wisconsin Act 156 took effect on March 2, 2016 and changes the way violent sex offenders are regulated in the State of Wisconsin but it does not address non-violent sex offenders. Blum stated legislation now provides for placement of violent sex offenders into a community but not within 1,500 feet of specific places, primarily occupied by children. Blum stated the Village currently has an ordinance that provides for no loitering within 1,500 feet of areas occupied by children. Discussion followed.

Trustee Calder asked for a public hearing so the community can have input. Discussion followed.

President Knutson stated that citizens with questions can contact the Police Department and at the next Village Board meeting there will be a public hearing regarding the ordinance.

5. Resolutions

a. Resolution No. 2016-01, A Resolution to Adopt the Classification and Compensation Study

Administrator Gosse began the discussion stating the resolution is a draft policy regarding the Village of Pewaukee salary plan. Gosse stated he is looking for feedback from the Board.

Trustee Zompa stated he did not like the options provided as they would lock the Village into certain percentages. Zompa provided for another option where the total payroll is increased 3% to create a pool that then can be dispersed dependent on merit. The Village Board would control the percentage of increase but then the merit plays into how it's dispersed. Discussion followed.

Trustee Gergen stated her dissatisfaction with how some of the job descriptions are written. Discussion followed.

Trustee Gergen requested that department heads update the forms and the Village Board will review the forms. Gergen stated her agreement with Trustee Zompa's alternative option to create a pool in payroll and determine raises on merit. She stated evaluations need to be done every year if not every 6 months. Discussion followed.

6. New Business

a. Monthly Approval of Checks and Invoices for all funds – February 2016

Trustee Baumann moved, seconded by Trustee Evert to approve the monthly Treasurer's Report as presented, for the total amount of \$3,969,282.78. Trustee Calder inquired about the source of revenue for the Laimon Property expenses. Trustee Gergen stated it comes from several places and there is a separate fund set up for the Laimon Property. Brief discussion followed. Calder asked for clarification regarding the labor attorney expenses on page 23. Administrator Gosse stated it was for employee disciplinary and performance evaluation matters. Trustee Baumann requested a monthly P&L report for the Laimon Property. Motion carried 7-0.

b. License Approvals and Vendor Permits

1. Liquor License – New

Trustee Zompa moved, seconded by Trustee Gergen to approve the liquor license for Beachside Boat & Bait, LLC at 129 Park Avenue. Trustee Evert inquired into the description of premise and if it could be more detailed. Discussion followed. Trustee Zompa amended his motion, seconded by Trustee Gergen to reflect that staff requests a more detailed premise description. Trustee Calder inquired if there was proper insurance to operate this venture on public property. Attorney Blum replied there is. Discussion followed. Motion carried 6-1, Trustee Baumann opposed.

2. Operator Licenses – New

Trustee Calder moved, seconded by Trustee Evert to approve new operator permits for Jessica Kallas and Tanishauh Castrova, as presented. Motion carried 7-0.

c. Review and Acceptance of NR216 Stormwater Report

DPW Director White stated the Village needs to keep the map current and there was a minor change in piping in front of the Siepmann building on West Wisconsin Avenue.

d. Discussion and Possible Action on Installation of Radar Speed Sign on Lake Street at Richmond Drive

DPW Director White stated there have been concerns about speeding on Lake Street. The Police Department was onsite 48 times and issued 4 tickets. White stated the idea is to do a flashing speed sign so motorists are more aware of their rate of travel. White stated the Public Works and Safety Committee reviewed the request and is recommending approval.

Trustee Gergen said the School has stated they are willing to pay for half of the costs.

Trustee Baumann inquired into the effectiveness of installing the proposed sign. Discussion followed.

Trustee Zompa inquired into the use of the mobile flashing radar sign. PD Captain Iding stated it is shared with 4 other municipalities and there are other residents in the Village requesting its use and we need to be sensitive to those requests. Discussion followed.

Trustee Evert stated other communities have used it and they feel it's done some good. Evert stated the neighbors would need to be notified. Discussion followed.

Trustee Baumann stated her concern that approving the sign would set a precedence. Discussion followed.

Trustee Calder stated the School District is responsible for the increased traffic. He stated there is one sign for 15mph at the top of Lake Street but not further down the street. Calder stated this is a school problem and the Village should not pay for it. He stated that because of the flashing lights 7 days a week for 16-17 hours a day, the neighbors should be notified. Discussion followed.

Trustee Gergen moved, seconded by Trustee Nauth to approve the installation of a radar speed sign on Lake Street at Richmond Drive. Trustee Evert stated his concern that the sign will not solve the problem. Trustee Nauth stated suggestions were made to increase the police patrols. Trustee Zompa stated the biggest issue is that the neighbors haven't been notified. **Trustee Calder moved, seconded by Trustee Zompa to amend the original motion to include a request that the school pay for the full costs of the radar speed sign, with a public hearing and property owners within 500 feet approve the flashing radar unit. Roll Call Vote was taken 6-1, Trustee Gergen opposed.** Trustee Evert stated the sign would be legible to 750 feet. **Trustee Calder amended his motion to notify property owners within 750 feet, motion amendment seconded by Trustee Zompa.** Discussion followed. Attorney Blum questioned holding a public hearing after the sign has already been approved. Discussion followed. **Trustee Calder withdrew his motion, seconded by Trustee Zompa. Trustee Gergen withdrew her motion, seconded by Trustee Nauth.**

Staff was directed to draft a letter to the School Board requesting they pay for the radar speed sign in full.

h. Discussion and Possible Action on Approval of Election Inspectors

Trustee Zompa moved, seconded by Trustee Baumann to approve the following list of Election Inspectors for the 2016-2017 Election Cycle as presented:

| | | |
|-----------------|-------------------|-------------------|
| Dawn Kaine | Sydney Kaine | Chinmay Uttangi |
| Abigail Sharpee | Abigail Laskowski | Vinnie Angellotti |
| Sara Fox | Tien Vo | Natalie Worcester |
| Rebecca Groer | Daniel Trotier | Dawnyea Ross |

Motion carried 7-0.

7. Citizen Comments

Megan Hayes – 1261 Timber Ridge – Ms. Hayes stated she lives 2 blocks away from where a registered sex offender lives. She stated she trusts in the justice system and has lived in her home for 7 years and allowed her 9 year old to roam freely. She asked why Pewaukee is attractive to these people and how is it hurting us.

8. **Closed Session** – *The Village Board of the Village of Pewaukee will enter into closed session pursuant to Wis. Statute Section 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically to interview candidates for the Finance Director position; and pursuant to Wis. Statute Section 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically regarding Utility Operator applicants; and pursuant to Wis. Statute Section 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session, specifically to discuss a negotiating strategy regarding a fire and EMS proposal from Metro-Paramedic Services; and pursuant to Wis. Statute Section 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically regarding Village Administrator.*

Trustee Evert moved, seconded by Trustee Nauth to convene into Closed Session at approximately 9:29 p.m. Motion carried by Roll Call Vote, 7-0. Present in closed session were the Village Board members, Village Attorney Blum, Village Administrator Gosse, DPW Director White, Village Clerk Schumacher.

A 5 minute break was taken and Closed Session resumed at approximately 9:34 p.m.

9. **Reconvene Into Open Session**

Trustee Baumann moved, seconded by Trustee Evert to return to Open Session at approximately 10:22 p.m. Motion carried by Roll Call Vote, 7-0.

10. **Action Out of Closed Session**

a. **Discussion and Possible Action on Utility Operator Offer of Employment**

Trustee Baumann moved, seconded by Trustee Evert to approve authorization to hire a Utility Operator in the Department of Public Works. Motion carried 7-0.

11. **Additional Items**

a. **Discussion and Direction Regarding Hiring a Temporary Employee for the Administrative Offices**

Administrator Gosse stated the staff is currently short one person for an undetermined amount of time until a Finance Director is hired. The request is for a part-time temporary person to help with the counter. Discussion followed.

Trustee Calder requested that because of the cash handling, the temporary employees be vetted through the Police Department. He requested that not more than 2 people be hired to and that their wage be less than \$14.00. Discussion followed.

Trustee Zompa requested the temporary employees be capped at 13 hours a week and \$13/hour.

Staff was directed to move forward with hiring not more than 2 temporary employees to work not more than 13 hours a week a piece at no more than \$13.00 an hour, after completing a background check and credit check through the Police Department.

12. Adjournment

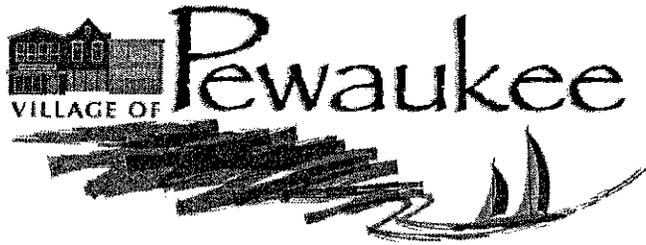
Trustee Baumann moved, seconded by Trustee Evert to adjourn the March 15, 2016 Village of Pewaukee Board meeting. Motion carried 7-0.

Meeting adjourned at approximately 10:30 p.m.

Respectfully submitted,

Chaz M. Schumacher
Village Clerk

DRAFT



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 29, 2016

Re: Agenda Items 5c, Ordinance No. 2016-06, Ordinance to Create Section 2-160 of the Village of Pewaukee Municipal Code Regarding Withholding of Licenses

BACKGROUND

Attached for your review and consideration please find a draft ordinance that would allow for the Village to refuse to issue a license or permit to an applicant if the applicant has any unpaid fees, taxes or citations that are payable to the Village.

ACTION REQUESTED

The action requested of the Village Board is to adopt Ordinance No. 2016-06, Ordinance to Create Section 2-160 of the Village of Pewaukee Municipal Code Regarding Withholding of Licenses.

ANALYSIS

The proposed ordinance would provide a tool to ensure that the Village is enabled to receive payments for outstanding/unpaid bills, taxes (i.e. personal property taxes) or citations prior to a permit or licenses being issued. One example where this may come into play is if there is a business that has unpaid personal property taxes that the Village could then withhold the issuance of an alcohol beverage license until such time that payment of the outstanding bill is made. This is similar to the provision that requires the Village to withhold an alcohol beverage license if an establishment is delinquent on a wholesale distributor account at the time of renewal (WI DOR would advise the Village to withhold the issuance of the license).

This draft ordinance was prepared by Attorney Blum at the request of staff.

Attachment

ORDINANCE NO. 2016-06**Ordinance to Create Section 2-160 of the
Village of Pewaukee Municipal Code Regarding
Withholding of Licenses**

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin do ordain as follows:

SECTION I

Section 2-160 of the Village Code of the Village of Pewaukee is hereby created to read as follows:

Section 2-160. The Village may refuse to issue any license or permit to an applicant who has not paid an overdue forfeiture resulting from a violation of a Village Ordinance and/or any unpaid municipal taxes, assessments or other fees. This Section shall apply to all licenses and permits issued by the Village, including retail alcohol beverage licenses, except as specifically limited by applicable Wisconsin Statutes.

SECTION II

All Ordinances or parts of Ordinances contravening the terms and conditions of this Ordinance are hereby to that extent repealed.

SECTION III

The several sections of this Ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the Ordinance.

SECTION IV

This Ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending Ordinance therein.

Passed and adopted this _____ day of _____ 2016 by the Village Board of the Village of Pewaukee.

APPROVED:

Countersigned:

Jeff Knutson, Village of Pewaukee President

Chaz Schumacher Village of Pewaukee Clerk



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 30, 2016

Re: Agenda Item 5d, Ordinance No. 2016-07, Ordinance to Create Section 58.140 of the Municipal Code of the Village of Pewaukee Relating to the Administration of Finances for Laimon Family Lakeside Park

BACKGROUND

Attached for your review and consideration please find a copy of a draft ordinance codifying the financial administration of the Laimon Family Lakeside Park fund. This operation has been established in a self-supporting enterprise fund with the assistance of the Village's auditors.

ACTION REQUESTED

The action requested of the Village Board is to review the draft ordinance with a staff recommendation to adopt Ordinance No. 2016-07, Ordinance to Create Section 58.140 of the Municipal Code of the Village of Pewaukee Relating to the Administration of Finances for Laimon Family Lakeside Park.

ANALYSIS

The proposed ordinance, created with the assistance of staff, Bob Rohde, Joint Park & Recreation Board Chair and input from Trustee Nauth, outlines the use of funds accrued within the fund and the priority for the use of those funds. The intent of creating an ordinance for this fund is to clearly set forth the financial administration and policies for this fund with the Village Code. If adopted, any changes to the financial policies/administration of this fund would need to be approved by a two-thirds majority vote of the Village Board.

Section 58.140(b)(2), Expenses, outlines the priority in which expenses will be paid from revenues accrued within the fund. The ordinance further requires that a five-year maintenance and capital budget be prepared to reasonably forecast future expenses related to the property and equipment related to this operation.

Attachment

ORDINANCE NO. 2016-07**Ordinance to Create Section 58.140 of the Municipal Code of the Village of Pewaukee
Relating to the Administration of Finances for Laimon Family Lakeside Park**

WHEREAS, the Village has purchased property at 129 Park Avenue for the purpose of operating a boat launch facility, fueling station and Village Park; and

WHEREAS, as part of the acquisition of said lands, the Village received a donation from the Laimon Family; and

WHEREAS, the Village intends to lease both the residential property on said site, as well as the commercial property, which operator will manage the selling of fuel and collecting boat launch fees. Etc.; and

WHEREAS, the Village has also entered into Boat Slip Agreements with various parties for seasonal use of boat slips at said Park, as well as for storage of boat lifts off season; and

WHEREAS, it is the Village's expectation that the operations of the Laimon Family Lakeside Park will be self-sustaining; and

WHEREAS, the Board is desirous of setting forth rules and policies for the financial administration of Laimon Family Lakeside Park.

NOW, THEREFORE, the Village Board of the Village of Pewaukee, Waukesha County, Wisconsin, do ordain as follows:

SECTION I

Section 58.140 of the Municipal Code of the Village of Pewaukee is hereby created to read as follows:

Sec. 58.140 – Laimon Family Lakeside Park – Administration of Finances**(a) General Organization.**

In accordance with Article 2 of this Chapter, the Village hereby authorizes the Joint Park and Recreation Department to administer and operate Laimon Family Lakeside Park, which operations shall be overseen by the Joint Park and Recreation Board and the Village Board of the Village of Pewaukee in accordance with the terms of this Ordinance.

(b) Laimon Park Fund.

(1) Revenues. There is hereby established a Laimon Park Fund to which all revenues from the operation of Laimon Family Lakeside Park shall be deposited, including, but not limited to, lease revenues; fuel sale revenues; boat launch revenues; and any other revenues related to the operation of said Park.

(2) Expenses. From said Park Fund shall be paid the expenses of the operation of the Park, which expenses shall be paid in the following order:

- a. Payment of the mortgage for the acquisition of the Park;
- b. Annual operating expenses of the Park, including but not limited to, maintenance expenses of the Park; fuel purchases; and insurance expenses for the Park; and
- c. Payments to the Village in lieu of real estate tax payments, which the Village would have received had this property remained under private ownership. Said real estate tax reimbursement shall be calculated annually based upon the projected assessed value of the property had the property been taxable, multiplied by the mill rate solely for Village operations. The projected assessed value needs to be requested in writing from the Village's assessment service contractor;
- d. Capital Improvement Plan Funding; and
- e. Additional expenses may be paid from the Laimon Park Fund within the discretion of the Joint Park and Recreation Board.

(c) Maintenance.

The Joint Park and Recreation Board will maintain the Laimon Family Lakeside Park so as to protect the Village's capital investment and to minimize future maintenance and replacement costs. The Joint Park and Recreation Board will further project its equipment replacement and maintenance needs for the next five years and will annually update this projection. From this projection, a maintenance and replacement schedule will be developed and followed.

(d) Capital Budget.

The Joint Park and Recreation Board shall annually establish a capital improvement plan for the Laimon Family Lakeside Park. For purposes of this plan and the resulting capital budget, capital assets shall include those assets with a life expectancy of not less than five years and with a cost of more than \$5,000.00. Said plan shall be incorporated into a five year capital budget for the park which also shall be updated annually. Village Board approval shall be required for any purchases that are a part of the capital budget.

(e) Annual Operating Budget.

The Joint Park and Recreation Board shall establish annual operating budget for the Laimon Family Lakeside Park and disbursements from the Laimon Park Fund shall be made in accordance with said budget, unless approved by the Joint Park and Recreation Board on a two-thirds vote.

- (f) Reporting Responsibilities.
The Joint Park and Recreation Board shall provide annually to the Village Board a report noting the balance in the Laimon Park General Fund, as well as the Laimon Park Donation Fund, a copy of the annual budget, as well as the five year projected capital budget.
- (g) Laimon Park Donation Fund.
There shall be established a Laimon Park Donation Fund in which fund shall be deposited the donation received from the Laimon Family, as well as any other donations which may be made for the operation of the Park in the future. The funds deposited in the Laimon Park Donation Fund shall be used solely for capital expenditures related to the Laimon Family Lakeside Park and in accordance with the terms of the donation from the Laimon Family. Disbursements may be made from the Laimon Park Donation Fund for other than capital purposes, but only if not less than a two-thirds majority of the entire Park and Recreation Board approves such expenditure.
- (h) The Joint Park and Recreation Board shall not be permitted to engage in borrowing for the general operations or capital improvements of the Laimon Family Lakeside Park without the approval of the Pewaukee Village Board. Under no circumstances will borrowing be used for current operations.
- (i) All funds that are established hereunder or which relate to the operations of Laimon Family Lakeside Park shall be deposited, vested and managed in accordance with the rules and policies of the Village of Pewaukee.
- (j) The books and records of the Joint Park and Recreation Board with respect to the operation of Laimon Family Lakeside Park shall be maintained in accordance with National Committee on Government Accounting, as well as other provisions of State Law.
- (k) Regular monthly interim financial statements will be prepared to present a summary of financial activity of the operations of the Park. Appropriate systems of internal control will be maintained to provide reasonable safeguarding of assets and reliability of financial records.
- (l) Funds established and maintained hereunder shall be subject to annual audit by the Village of Pewaukee's auditors. The expense for which shall be an operating expense of Laimon Family Lakeside Park.
- (m) The Joint Park and Recreation Board and Joint Park and Recreation Department shall follow the policies of the Village of Pewaukee with respect to procurement of goods and services for operations of the Laimon Family Lakeside Park. Cooperative purchasing or purchasing through the obtaining of multiple bids is encouraged. Sole purchase may be made without competition, but only when authorized by the Joint Park Recreation Board. Disposal of obsolete supplies or equipment shall be managed in accordance with the procedures of the Village of Pewaukee and the

proceeds of such sales shall be deposited to the Laimon Park Fund.

(n) Modification.

This Ordinance section may only be modified by the Village Board of the Village of Pewaukee with not less than a two-thirds majority of all members of the Village Board.

SECTION II

All ordinances or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

SECTION III

The several sections of this ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the ordinance.

SECTION IV

This ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending ordinance therein.

Passed and adopted this _____ day of _____ 2016 by the Village Board of the Village of Pewaukee.

APPROVED:

Jeff Knutson, Village of Pewaukee President

Countersigned:

Chaz Schumacher,
Village of Pewaukee Clerk



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 29, 2016

Re: Agenda Item 7a, Discussion and Possible Action on Special Event Permit for Armed Forces Challenge

BACKGROUND

Attached for your review and consideration please find a copy of a Special Event Permit Application for the Armed Forces Challenge. The event is proposed for Saturday, May 21, 2016 from 7:45AM – 3:30PM (including Team Captain's meeting and Opening Ceremonies). The beach area is officially closed (i.e. – no lifeguards on duty) at this time so there are no conflicts. The closure of W. Wisconsin Avenue from the Pewaukee Shores condominiums to the Attitude Sports parking lot is proposed as part of this event and attendance is anticipated to be greater than 500 people. At its March 9, 2016, the Joint Park & Recreation Board recommended approval of the event to the Village Board.

ACTION REQUESTED

The action requested of the Village Board is to approve the Armed Forces Challenge Special Event Permit application with the following conditions:

1. Provision of a Certificate of Insurance (1 million dollars minimum coverage) and provision of a copy of the "additional insured" endorsement with each naming the Village of Pewaukee as an additional insured. This is required due to the sale of alcohol at the event and due to the road closure as part of the event. The proof of insurance is required at least 30 days prior to the event.
2. Contacting the Pewaukee Fire Department for tent inspections as may be required by the International Fire Code and National Fire Protection Association Code.
3. Contacting the Pewaukee Building Services Department for any electrical inspections that may be related to any temporary electrical connections.
4. Reimbursement of expenses related to Police Department and Lake Patrol security as part of this event (anticipated need of one Patrol Officer and two Lake Patrol Officers and a patrol boat) within 30 days of invoicing.

ANALYSIS

A Team Hummer Push is proposed to take place on W. Wisconsin Avenue (which necessitates the request for the road closure). Other events include an assault craft paddle relay, obstacle course relay, sniper crawl relay, tire flip relay, and tug of war. Along with a copy of the permit application, please find a draft copy of the event rules and information. The event itself serves as a fundraiser to support the Military and Veterans Resource Center (MAVRC) at UW-Milwaukee and Camp Hometown Heroes. The application was shared with Department Heads and no concerns were raised for this event. The Police Department has advised that an

officer would be assigned for the full duration of the event in addition to Lake Patrol Officers during the Assault Craft Paddle.

I have confirmed with the event coordinator that food and beverages would be sold on private property (parking area between Artisan 179 and Attitude Sports buildings) similar to last year. A temporary sales permit will need to be applied for under a separate permit application and beer/alcohol consumption will need to be contained within the approved temporary sales area by the event coordinator.

Attachments

FEB - 4 2016



235 Hickory Street
Pewaukee, WI 53072
262-691-5660
262-691-5664
www.villageofpewaukee.wi.us

SPECIAL EVENT PERMIT APPLICATION

| | | | |
|--------------------------------|-------|------|-------|
| Permit approved | _____ | Date | _____ |
| Permit fees paid | _____ | Date | _____ |
| Deposit paid | _____ | Date | _____ |
| Deposit returned? | _____ | Date | _____ |
| FEES ARE NON-REFUNDABLE | | | |

Applications are due 90 days PRIOR to the event.

ORGANIZATION INFORMATION

| | | | |
|---|---|---|---|
| Name of Organization Armed Forces Challenge | | | |
| Street Address 203 W Wisconsin Ave | City Pewaukee | State WI | Zip 53072 |
| Phone Number 262-691-7634 | Are you a 501(c)3 Organization? Circle one | | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Event Contact Person (First & Last Name) Matthew Titel | | | |
| Address 325 Oakton Ave | City Pewaukee | State WI | Zip 53072 |
| Email matt@commonwealthmg.com | Phone Number 262 691 6100 | Day of Event Phone Number 414 303 0237 | |

EVENT INFORMATION

| | |
|---|-----------------------------------|
| Name of Event Armed Forces Challenge | Date(s) of Event May 21st 2016 |
| Event Start Time 8:30am | Event End Time 3:30pm |
| Location of the Event* Pewaukee Lakefront - Wisconsin Ave | |
| <p>You MUST attach a detailed map/sketch of your event indicating the specific location, layout of your event, the direction of the route, including all turns and the number of traffic lanes to be used.</p> <p>*If you are using a Village Park, you must reserve the park through the Park/Recreation Department prior to getting your special event permit approved by the Village Board. Call 262-691-7275.</p> | |
| Generally describe your event and its purpose See Attached | |
| Estimated Number of Participants 100 | Spectators 250 - 400 |
| Vendors 10-15 | |

OTHER INFORMATION

Based on the definition described in the Special Event Manual, do you consider your event to be a Public Special Event or a Private Special Event? Please explain why.

Public Special Event. Event is to raise funds for Camp Hometown Heroes MAVRC (UWM Veterans Association)

| | | |
|---|--------------------------------------|-------------------------------------|
| Are you a Local Civic/Nonprofit Group as defined by Village Code? (Copy of code in manual) Circle One | <input checked="" type="radio"/> Yes | No |
| Is there an outdoor bar that will serve alcohol? <i>If yes, alcohol and bartender licenses are necessary under separate application.</i> Circle One. | <input checked="" type="radio"/> Yes | No |
| Is there an outdoor bar that will serve soda? <i>If yes, soda license is required under separate application.</i> Circle One. | <input checked="" type="radio"/> Yes | No |
| Does the event include the sale of food on public property? <i>If yes, a Food Vendor Permit is required under separate application.</i> Circle One. | <input checked="" type="radio"/> Yes | No |
| Does the event include the sale of merchandise? <i>If yes, a Transient Merchant license is required under separate application.</i> Circle One. | Yes | <input checked="" type="radio"/> No |
| Does the event involve fireworks? <i>If yes, please provide a detailed fireworks plan with application.</i> Circle One. | Yes | <input checked="" type="radio"/> No |
| Does the event involve amplified music? | <input checked="" type="radio"/> Yes | No |
| If yes, will the amplified music be a (Circle one): | Band | <input checked="" type="radio"/> DJ |
| Hours of amplified music: | 8 ³⁰ - 3 ³⁰ | |
| Please list the number of security staff you will be providing for the event: | 5 | 2 water 3 Land |
| Will you need barricades provided by the Village for your event, if so, how many? | Yes | <input checked="" type="radio"/> 3 |
| Will you be erecting any tents, canopies or other temporary structure(s)? <i>If yes, the Fire Department and Building Inspection Department will need to inspect these structures prior to the start of your event.</i> Circle One. Tents | <input checked="" type="radio"/> Yes | No |
| Will you be requiring electricity? Circle One. | <input checked="" type="radio"/> Yes | No |
| Will you be providing portable restrooms and wash stations? Circle One. | <input checked="" type="radio"/> Yes | No |
| <i>If yes, how many will you provide and where will they be located?</i> | | |
| (2) located in Parking area 203 Wisconsin Ave | | |
| Will you provide parking for participants? Circle One. | Yes | <input checked="" type="radio"/> No |
| <i>If yes, where will parking be available?</i> | | |
| | | |
| Will you provide a dumpster/clean-up services? Circle One. | <input checked="" type="radio"/> Yes | No |
| Will you need extra 55 gallon garbage cans? <i>If yes, please include the number of cans you would like in your refuse collection plan below.</i> Circle One. (3) | <input checked="" type="radio"/> Yes | No |
| <i>If yes, please describe your clean-up and refuse collection plan.</i> | | |
| Dumpster and clean up crew | | |

OTHER INFORMATION CONTINUED

What other assistance do you foresee needing from the Village (personnel, materials, and/or equipment)?

Have you reviewed and do you have a copy of the Village of Pewaukee Special Events Manual including the Special Events Ordinance? *Circle One.*

Yes

No

INSURANCE REQUIREMENTS

A certificate of insurance (\$1,000,000 minimum coverage) and a copy of the "additional insured" endorsement, each naming the Village of Pewaukee as an additional insured under the event organizer's general liability insurance policy, may be required. Those events that will be required to provide the aforementioned insurance indemnification include, but are not limited to: 1) an event that includes alcohol, or 2) an event that is anticipated to have attendance greater than 500 people per day, or 3) an event that includes a road closure.

Are you able to provide these insurance documents, if required? *Circle One.*

Yes

No

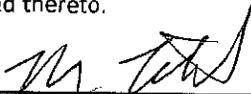
DEPOSIT REQUIREMENTS

The applicant may be required to submit to the Village a cleaning/damage deposit of \$200 per day for each scheduled day of the event (or portion thereof), two weeks prior to the starting date of the event. The deposit shall be refunded to applicant, if, upon inspection, all is in order, or a prorated portion thereof as may be necessary to reimburse the Village for loss or cleaning costs. The Village reserves the right to retain the entire deposit if cleanup is not completed satisfactorily in the time frame as specified in the permit. Unless otherwise stated in the permit, the applicant shall be fully responsible for all necessary cleanup associated with the permitted event to be completed within twelve (12) hours after the conclusion of the event. (This deposit is separate from any deposit required by the Park/Recreation Department for park use).

TERMINATION OF AN EVENT

The Village reserves the right to shut down a special event that is in progress if it is deemed to be a public safety hazard by the Police and/or Fire Department and/or there is a violation of Village Ordinances, State Statutes or the terms of the Applicant's permit. The Village Administrator and/or his/her designee may revoke an approved Special Events Permit if the applicant fails to comply in good faith with the provisions of the permit prior to the event date.

By signing this form, the applicant certifies authorization to act on behalf of their organization and hereby releases the Village of Pewaukee, its employees, agents, subcontractors and assigns indemnified as and against any and all claims, demands, actions, causes of action, costs or expenses made against or incurred by the Village, including, but not limited to, actual attorney fees arising from the approval of this event application and the conducting of the activity set forth therein including, but not limited to, any and all claims for injury or damage to property arising from the event or any activities related thereto.



Signature of Applicant

2/4/16

Date

For staff use only

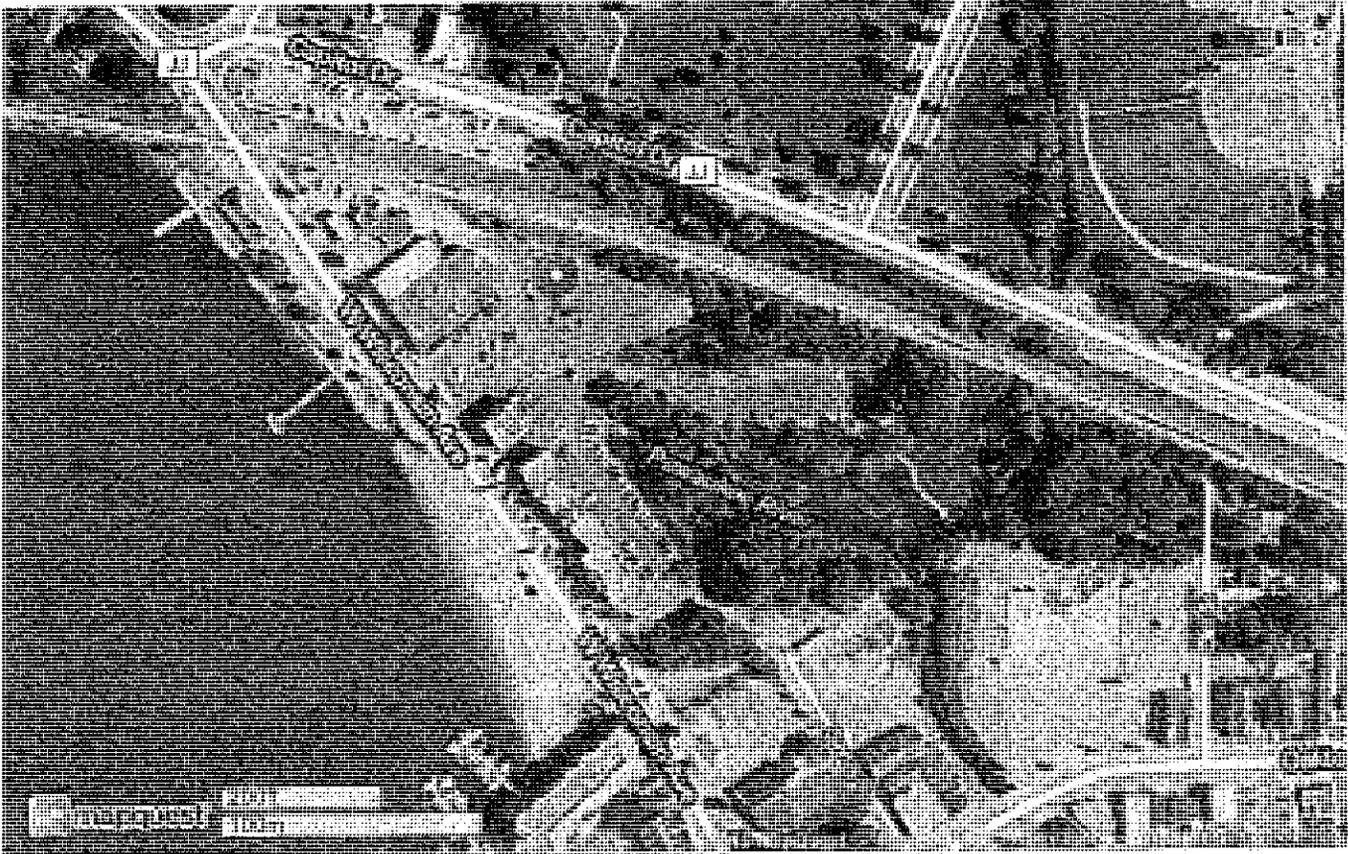
Application forwarded to:

- Building Inspector
- Chief of Police
- Clerk/Treasurer
- Fire Chief
- Park & Recreation Director
- Public Works Director

Notes



Map of:
203 W Wisconsin Ave
 Pewaukee, WI 53072-3435



©2015 MapQuest, Inc. Use of directions and maps is subject to the MapQuest Terms of Use. We make no guarantee of the accuracy of their content, road conditions or route usability. You assume all risk of use. [View Terms of Use](#)

all activities will take place on
 the beach w/ the exception
 of the truck pull to
 take place in front of
 Lakefront Grill - Silly Willz
 Road closed thru Bwt
 open to stores from each end.

ARMED FORCES CHALLENGE
203 West Wisconsin Avenue
Pewaukee, WI 53072
www.afceventpewaukee.com

FOURTH ANNUAL
ARMED FORCES CHALLENGE
RULES & EVENT INFORMATION

Location: Pewaukee Lake Beach, Wisconsin Ave., Pewaukee, WI

Date: May 21, 2016

Time: 8:30 AM to 3:00 PM (Finish time is approximate)

Opening Ceremonies: 8:15 AM

Registration: Registration information is available on the website at www.afceventpewaukee.com. Registrations will be accepted on a first-come, first-served basis. Please copy and send your completed registration form along with your check for the registration fee to Armed Forces Challenge, c/o Janis K. Doleschal, 203 W. Wisconsin Ave., Pewaukee, WI 53072. If a team wishes to register on-line, the registration fee can be paid via PayPal. Only the first thirty(30) teams to sign up will be accepted for the 2016 Challenge. Only one (1) team from a particular agency of a particular composition, e.g., the agency could submit a men's team, a women's team and a coed team, but not more than one team of any given make-up.

Deadline Date: **Before March 1, 2016 - \$75 entry fee.**
Between March 1 and April 1, 2016 - \$100 entry fee.
No entries will be accepted after April 1, 2016.

Arrival Time: Teams must arrive by 7:30 AM and be ready to begin at 8:30 AM.

Meeting: There will be a mandatory meeting for Team Captains in the gym area of Training Solutions at 7:45 AM.

Parking for Teams: Parking for team members will be available on a lot approximately one block from the competition site. Please try to carpool as parking will be at a premium for this event. (See map)

EVENT INFORMATION

Location of Events: Events will be located in various areas located on or in the vicinity of the Pewaukee Lake Public Beach on Wisconsin Avenue in Pewaukee, WI.

Team Composition: Teams will be comprised of five (5) individuals, but only four (4) individuals from a team may participate in a given event. The make-up of the team from event to event may be changed by the Team Captain. Teams representing the five branches of the U.S. Armed Services and teams representing law enforcement or fire fighting are eligible for the Senior Division of the Challenge. If we have registrations for four (4) women's teams, we will run a Women's Senior Division and award gold medals to the winning team members. The Junior Division is open to high school students predominantly in military academies and JROTC programs in grades 9 through 12.

Challenges: There are six challenges:
Assault Craft Paddle Relay
Hummer Push Relay
Obstacle Course Relay
Sniper Crawl Relay
Tire Flip Relay
Team Tug of War

Points: The winners will be determined based on the following point system used for each event:

| | |
|--------------|-----------|
| First Place | 15 points |
| Second Place | 11 points |
| Third Place | 7 points |
| Fourth Place | 3 points |
| Fifth Place | 2 points |
| Sixth Place | 1 points |

Awards: Individual awards will be presented to the members of the top two teams in each division. A traveling trophy will be presented to the winning team in the Senior Division and a plaque will be presented to the winning team in the Junior Division.

Order of Events: The beginning order of teams for each event will be determined by lot prior to the day of the Challenge and will be given to the Captains at the pre-competition meeting. The Head Event Judge at each event has the authority to change the order if it will expedite the speed of the competition. Competition will be continuous with no **scheduled** breaks between events.

Injuries: If a member of any team is injured and unable to compete, the team may continue to compete in the Challenge competition, but may substitute an alternate member for the injured team member. In the event that the number of team members drops below four, no team member may compete in successive legs of any relay, but must wait until at least one team member has competed a leg before competing again in a successive leg.

Tiebreaker: If teams are tied at the end of competition, the tiebreaker will be the number of push-ups, done in the sand, by four team members in 60 seconds. The number of push-ups from each member in each team involved in the tie will be added

together and the most number of push-ups wins. One judge will count and one judge will determine the validity of each push-up.

Disqualification: Any team not finishing a scheduled event will be disqualified from that event. The judges at each event will determine any disqualifications for rules infractions.

Clarifications: Clarifications regarding the rules of any event should be directed to the Head Event Judge at that event. The decision of the Head Event Judge in the case of any unusual circumstances occurring during the event will be final. Any questions regarding the Challenge prior to the day of the event should be directed to Jan Doleschal at 414-708-7024.

Safety: Steps will be taken at each event to ensure the safety of competitors. Water craft manned with trained personnel will be available to handle any emergencies occurring during the Assault Craft Paddle. There will be a first aid station to handle any emergencies occurring on land.

DESCRIPTION OF EVENTS

Team Assault Craft Paddle: This is a timed event. The challenge will start with the craft completely out of the water on the beach. Teams will launch their crafts from the beach and paddle around the buoys indicating a quarter mile course and back to the beach. Upon arriving back at the beach, the team members must exit their craft, and pull the craft completely up onto the beach to finish. Judges located at the finish line will determine when the craft has been pulled completely out of the water. Teams will participate in flights of four craft at a time.

Team Hummer Push: This is a timed event. Each team will push a Hummer with the transmission in neutral a distance of 50 yards. The truck must be behind the starting line at the start and must cross completely over the finish line.

Obstacle Course Relay: This is a timed event. Each team member will run an obstacle course set up on the beach. When each team member is finished, s/he must completely cross the starting line and touch the next competitor who then starts from behind the starting line to run the next quarter mile. The course will be set up on the beach. The Obstacle Course Relay will include running, crawling, scaling a wall, going through an obstacle, and a water event.

Sniper Crawl Relay: This is a timed event comprised of the total time from the first member starting to the last member crossing completely under the final line. Team members may follow closely on the heels of the member in front, but cannot pass that member at any time. Each team member must crawl 25 yards on the sand beneath a chalked line suspended between two stakes with the lines getting consecutively closer to the sand. The last line is close enough to the sand to necessitate digging a bit to avoid the lines. Each time a chalk line is touched, the team will have five (5) seconds

added to their total. Any team that finishes with NO CHALK MARKS on their backs will earn ONE BONUS MINUTE deducted from their final time.

Tire Flip Relay:

This is a timed relay event taking place on the beach. The team members are split 25 yards apart, two behind each line. The starting team member flips a Humvee tire across the 25 yards to the next team member and so on until all team members have flipped the tire the complete distance. Each team member must start and finish behind the marked lines.

Team Tug of War:

Teams will be placed into a single-elimination bracket by lot as drawn by the Captains at the pre-competition meeting. Each team must pull the opposing team over a line drawn in the sand. Teams will begin at a distance of twenty feet apart with the line situated in the middle.

SCHEDULE OF EVENTS

| | |
|---|--|
| Pre-Competition Captains' Meeting | 7:45 AM |
| Opening Ceremonies | 8:15 AM |
| First Three Events | 8:30 AM |
| • Team Assault Craft Paddle | |
| • Sniper Crawl Relay | |
| • Tire Flip Relay | |
| Obstacle Course Relay | The Obstacle Course Relay and the Team Hummer Push will be simultaneous events. |
| Team Hummer Push | |
| Team Tug of War | Culminating event |
| Social Hour immediately following the end of the competition | |
| Closing Award Ceremony | 15 min. after the conclusion of the competition |



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 30, 2016

Re: Agenda Item 76, Discussion and Possible Action on False Fire Alarm Fee Reduction Request
for 130 W. Wisconsin Avenue

BACKGROUND

President Knutson had requested that the Pewaukee Shores Condominiums submit receipts related to work that has been completed to address the cause of fire alarms in 2014. It was indicated that consideration would be given to a possible reduction in the outstanding false alarm charges if it could be demonstrated that work had taken place to address underlying matters with their fire alarm system. Attached for your review please find a copy of the receipts submitted by William Hatcher, President of the Board of Directors for the Pewaukee Shores Condominium Association.

ACTION REQUESTED

The action requested of the Village Board is to review the attached and determine if it desires to adjust the false alarm charges for the Pewaukee Shores Condominiums based upon the information presented.

ANALYSIS

The second sheet of Mr. Hatcher's letter summarizes the work completed by Pewaukee Shores in 2014 and 2015. The last false fire alarm for Pewaukee Shores was 2014. Therefore, it appears that the work that has been completed may have addressed the issues triggering the false alarms.

The association has a \$9,143 balance remaining out of the total amount of \$19,956 with consistent monthly payments of \$1,525 since November 2015.

Attachments

Pewaukee Shores Condominium Association
130 West Wisconsin Avenue
Pewaukee, WI 53072

March 17, 2016

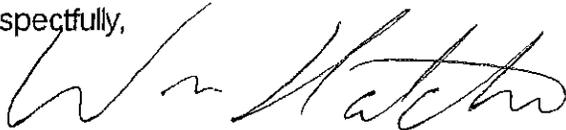
Village of Pewaukee
Honorable Trustees

As President of the Pewaukee Shores Condominium Association and a citizen of the Village of Pewaukee, I want to thank the Village Board Members for working with us to change the previous unfair "False Fire Alarm Call Charge".

Pewaukee Shores is a 25 year old 27 unit condominium facility at 130 W. Wisconsin Ave. in the Village of Pewaukee. In 2014, due to a deteriorating fire safety system, we experienced four false fire alarms and were charged for three false fire alarm calls in the amount of \$19,956. During 2014 and 2015 we have worked diligently with our fire safety system vendors to repair and improve our system, incurring thousands of dollars in costs illustrated in the attached report and its attachments.

By way of this letter, the Pewaukee Shores Condominium Association respectfully requests the Village Board of Trustees to take into consideration the investment we have made to our fire safety system and forgive all or part of the False Alarm Charges we incurred in 2014.

Respectfully,

A handwritten signature in black ink, appearing to read "Wm Hatcher". The signature is fluid and cursive, written over a white background.

William Hatcher, President, Board of Directors
Pewaukee Shores Condominium Association

Report and Exhibits Attached

Pewaukee Shores Condominium
 130 West Wisconsin Ave.
 Fire Alarm System Related Costs
 2014 thru 2015

| 2014 | | | Attachment # |
|------------------------------|----------------------------|--------------------|--------------|
| Design Build Fire Protection | Compressor Replacement | \$1,982.00 | 1 |
| Guetzke | New Alarm Control Panel | \$2,041.00 | 2 |
| Guetzke | New Wireless Monitor | \$895.00 | 3 |
| 2015 | | | |
| Electrical Concepts | Disconnect old Compressor | \$207.50 | 4 |
| FP Solutions | Compressor Replacement | \$1,950.00 | 5 |
| Electrical Concepts | New Compressor Power Feed | \$1,766.60 | 6 |
| Guetzke | Pull Station Replacement | \$630.60 | 7 |
| Secure Fire and Safety | Garage Sprinkler Repair | \$2,259.65 | 8 |
| Secure Fire and Safety | Attic Sprinkler Repair | \$2,381.68 | 9 |
| Secure Fire and Safety | Repair Leak at Compressor | \$388.87 | 10 |
| Secure Fire and Safety | Repair Compressor Control | \$420.00 | 11 |
| Pieper Power | Check Power to Compressor | \$212.05 | 12 |
| Electrical Concepts | Replace Electrical Breaker | \$144.25 | 13 |
| TOTAL | | \$15,279.20 | |

DESIGN BUILD FIRE PROTECTION
17055 W. VICTOR ROAD
NEW BERLIN, WI 53151
262 784-7900

W. J. Jole

①

Invoice 10344

| | |
|---|---|
| Bill to: OGDEN & CO (FAX INVOICES ONLY) FAX # 414-755-0918 1665 N. WATER STREET MILWAUKEE, WI 53202 | Job: S140112 PEWAUKEE SHORES-S.P. 130 W. WISCONSIN AVENUE PEWAUKEE, WI 53072 |
|---|---|

| | | |
|--------------------------------|----------------|-------------------------------|
| Invoice #: 10344 | Date: 04/15/14 | Customer P.O. #: SEE ATTACHED |
| Payment Terms: NET DUE 30 DAYS | | Salesperson: AARON FRISKE |
| Customer Code: OGD COM | | |

Remarks:

| Quantity | Description | U/M | Unit Price | Extension |
|----------|--|-----|------------------|--------------------------|
| | FIRE PROTECTION WORK AT PEWAUKEE SHORES (REPLACE COMPRESSOR) | | | 1,982.00 0.00 0.00 |
| | | | Subtotal: | 1,982.00 |
| | | | Total: | 1,982.00 |

2



GUTZKE & ASSOCIATES, INC.
ENGINEERED LIFE SAFETY SYSTEMS

Phone: 262-548-0100
Fax: 262-548-3710

Original Re-worked
Date: 09/18/13 2/20/2014
Quote Number: 13-SB-489 13-SB-489-1

Job Name: Pewaukee Shores
To: Bill Hatcher
Fax:

Replace Defective Flush Mount Fire Alarm Control Panel

| <u>QTY</u> | <u>Model</u> | <u>Description</u> |
|------------|--------------|--|
| 1 | MS10UD | Fire Alarm Control Panel |
| 2 | SLA-1075 | 12VDC back up batteries |
| 1 | 521B | Smoke Detector (installed above replacement/new control panels per code) |
| 1 | | Installation Materials |
| 1 | | Installation labor by licensed electrician |
| 1 | | Locate and replace End of Line supervision resistors for compatibility with new control panel. |
| 1 | | Program, Test and Commission System by NICET Certified fire alarm technician. |

All the above for \$2,041.00

NOTES:

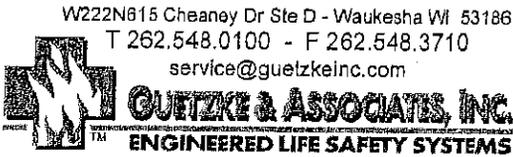
- 1) Tax not included above. Terms Net 30. Quote good for 30 days.
- 2) Owner to arrange access to all areas at time of installation for testing purposes. A return trip will incur additional charges.
- 3) Re-use all existing devices and wiring. Any defects will incur addition charges to remedy.
- 4) Patching and painting by others.
- 5) State or local permits added at cost if required.
- 6) This is just the replacement of the defective control panel to get the system back in its original operation mode. Any additional requirements by the fire department is not included at this time.

Steve Braun
Guetzke & Associates

Mona M. Skiller
Accepted By: *Agent For Pewaukee*
(authorized signature) *Shores Condo*
Assoc.

3/16/14
Date

3



| | |
|--------|-----------|
| Prop # | 14JH 273W |
| Date | 03-21-14 |
| File # | New |
| Cust # | |

Central Station Monitoring Proposal - Wireless

Proposal Valid for (60) Sixty Days From Above Date

| | | | |
|-----------------|-------------------------------------|--------------|--------------|
| Business Name | Pewaukee Shores | Business Tel | 414-270-6375 |
| Contact Name | Monica Mass-Skellie | Cell Number | |
| Add-City-St-Zip | 130 W Wisconsin, Pewaukee, WI 53072 | | |
| Contact Email | monicams@ogdenre.com | | |

Guetzke & Associates, Inc. (GAI) proposes providing a Wireless 24-hour, UL-Certified, Central Station Monitoring Service that **auto-renews annually** following the initial five-year term.

Wireless Monitoring requires installation of a radio and antennae, each the property of GAI. Service may be cancelled anytime by an authorized customer representative providing at least 30 days written notice granting GAI access to recover equipment. If service is cancelled, and GAI is unable to recover equipment in good working condition, a replacement fee will be charged. GAI reserves the right to uninstall radio, antennae and stop monitoring at anytime for reasons not limited to non payment or other violations of **terms and conditions found at guetzkeinc.com**.

Wireless Monitoring may eliminate two telephone lines, saving as much as \$900 per bldg/per year.

Annual Fire Alarm Monitoring Fee \$350.00 per building

Conditions Monitored: Fire Burglary Elevator Medical Process Supervision

Certified Installation and Programming Fee \$895.00 one time fee

Custom Installation Notes

For GAI Use Only (below)

May require a small remote antenna

Terms of Proposal:

Material and labor as required, in accordance with the above specifications. All prices not including tax, permit fees or custom installations, as applicable.

Acceptance of Proposal:

Guetzke & Associates, Inc. is hereby authorized to complete this contract as specified. Payment will be made as outlined within this contract. By signing below I agree to the General Terms and Conditions at www.guetzkeinc.com.

Jim Hackbarth, Monitoring Ops

Authorized Representative, Guetzke & Associates, Inc.

[Signature]
 Signature of Above Representative

* Monica Mass Skellie
 Print Name of Authorized Representative, Title, and Company Name

* Monica Mass Skellie 4/30/14
 Signature of Above Representative Date

We appreciate doing business with you, thank you.



electrical concepts inc

N8 W22520-F Johnson Drive
Waukesha, Wisconsin 53186
(262) 548 0480

INVOICE NO. 32104
DATE 03/25/15
JOB NO. 32104/400
JOB NAME Pewaukee Shores
JOB LOCATION 130 Wisconsin
CUSTOMER P.O.

4

TERMS NET 10 DAYS

Real Estate Specialists
131 E. Wisconsin Ave.
Pewaukee, WI 53072

WJ de
Charge to Repair - Security and Fire Systems

| DESCRIPTION | PRICE | AMOUNT |
|-------------|-------|--------|
|-------------|-------|--------|

- Disconnected existing air compressor for sprinkler system
- Connected wiring to disconnect for new air compressor
- New compressor is same voltage and horsepower as existing
- Tested new compressor and it works

AMP Reading - 13.4A
Voltage - 121.8
Voltage Running - 118.4

Labor 2 1/2 Hours @ \$79.00
Fuel Surcharge

\$197.50
10.00

Total Due This Invoice \$207.50

NOTE: INTEREST CHARGE OF
1 1/2% PER MONTH (18% ANNUALLY)
WILL BE APPLIED ON UNPAID
BALANCE OVER 30 DAYS OLD.

RECEIVED MAR 27 2015

5

Invoice

Secure Fire & Safety LLC

11905 W Ripley Ave
Wauwatosa, WI 53226

*WJok
Change to
Major Repairs*

| | |
|-----------|-----------|
| Date | Invoice # |
| 3/31/2015 | 3560 |

Pewaukee Shores

| |
|---|
| Bill To |
| Real Estate Specialists, Inc 131 East Wisconsin Avenue Pewaukee, WI 53072 |

| |
|---|
| Ship To |
| Real Estate Specialists, Inc 131 East Wisconsin Avenue Pewaukee, WI 53072 |

| P.O. Number | Terms | Rep | Ship | Via | F.O.B. | Project |
|-------------|----------------|-----|-----------|-----|--------|---------|
| | Due on receipt | | 3/31/2015 | | | |

| Quantity | Item Code | Description | Price Each | Amount |
|----------|--------------|---|------------|----------|
| | SPKLR Repair | proposal dated 1-20-15 supply and install a Generaf Air GLT900150A Air Compressor (lubricated, tank mounted, 1.5HP, single phase) | 1,950.00 | 1,950.00 |

| |
|--------------|
| Phone # |
| 414-257-4222 |

| | |
|--------------|-------------------|
| Total | \$1,950.00 |
|--------------|-------------------|



electrical concepts inc

N8 W22520-F Johnson Drive
Waukesha, Wisconsin 53186
(262) 548 0480

INVOICE NO. 32154 6
DATE 03/30/15
JOB NO. 32154/400
JOB NAME Pewaukee Shores
JOB LOCATION 131 W. Wisconsin Ave.
CUSTOMER P.O.

TERMS NET 10 DAYS

Real Estate Specialists
131 E. Wisconsin Ave.
Pewaukee, WI 53072

WJL

*Charge to
Major Repairs*

| DESCRIPTION | PRICE | AMOUNT |
|-------------|-------|--------|
|-------------|-------|--------|

| | | |
|---|--|------------|
| Billing for electrical work provided on attached contract dated March 23, 2015. | | \$1,585.00 |
|---|--|------------|

Additional Work:

- The compressor did not come with the internal wiring done. We have never seen a small single phase compressor with no unit wiring. We had to make a supply house run for special connectors and SO cord Beside the wiring of the compressor for 120V use

| | | |
|-------------------------|--|--------|
| Labor 2 Hours @ \$79.00 | | 158.00 |
| Material | | 23.60 |

Total Due This Invoice \$1,766.60

NOTE: INTEREST CHARGE OF 1 1/2% PER MONTH (18% ANNUALLY) WILL BE APPLIED ON UNPAID BALANCE OVER 30 DAYS OLD.

RECEIVED APR - 3 2015

7

Secure Fire & Safety LLC

11905 W Ripley Ave
Wauwatosa, WI 53226

Invoice

| | |
|-----------|-----------|
| Date | Invoice # |
| 5/15/2015 | 3868 |

| |
|--|
| Bill To |
| Real Estate Specialists, Inc P.O. Box 438 Pewaukee, WI 53072 |

| |
|--|
| Ship To |
| Pewaukee Shores 130 W Wisconsin Ave Pewaukee, WI 53072 |

| P.O. Number | Terms | Rep | Ship | Via | F.O.B. | Project |
|-------------|----------------|-----|-----------|-----|--------|---------|
| | Due on receipt | | 5/15/2015 | | | |

| Quantity | Item Code | Description | Price Each | Amount |
|----------|-------------------|--|------------|--------|
| 1 | Fire Alarm Repair | replacement of old pull stations throughout the building and parking structure sales tax | 600.00 | 600.00 |
| | | | 5.10% | 30.60 |

| |
|--------------|
| Phone # |
| 414-257-4222 |

Total \$630.60

RECEIVED MAY 18 2015

8

Secure Fire & Safety LLC

11905 W Ripley Ave
Wauwatosa, WI 53226

*WJok
Acct # 5066*

Invoice

| | |
|-----------|-----------|
| Date | Invoice # |
| 8/31/2015 | 4671 |

| |
|--|
| Bill To |
| Real Estate Specialists, Inc P.O. Box 438 Pewaukee, WI 53072 |

| |
|--|
| Ship To |
| Pewaukee Shores 130 W Wisconsin Ave Pewaukee, WI 53072 |

| | | | | | | |
|-------------|----------------|-----|-----------|-----|--------|---------|
| P.O. Number | Terms | Rep | Ship | Via | F.O.B. | Project |
| | Due on receipt | | 8/31/2015 | | | |

| Quantity | Item Code | Description | Price Each | Amount |
|----------|--------------|---|------------|-----------|
| | SPKLR Repair | Sprinkler repair - service calls at Pewaukee Shores to find and repair leak. Work was completed 8/17/15 and 8/19/15 (20) field labor hours @ \$105.00 per hour Material - \$50.00 sales tax | 2,150.00 | 2,150.00T |
| | | | 5.10% | 109.65 |

| |
|--------------|
| Phone # |
| 414-257-4222 |

Total \$2,259.65

RECEIVED SEP - 2 2015

Secure Fire & Safety LLC

11905 W Ripley Ave
Wauwatosa, WI 53226

Whole

9

Invoice

| Date | Invoice # |
|-----------|-----------|
| 3/31/2015 | 3559 |

| |
|---|
| Bill To |
| Real Estate Specialists, Inc 131 East Wisconsin Avenue Pewaukee, WI 53072 |

| |
|--|
| Ship To |
| Pewaukee Shores 130 W Wisconsin Ave Pewaukee, WI 53072 |

| P.O. Number | Terms | Rep | Ship | Via | F.O.B. | Project |
|-------------|----------------|-----|-----------|-----|--------|---------|
| | Due on receipt | | 3/31/2015 | | | |

| Quantity | Item Code | Description | Price Each | Amount |
|----------|--------------|---|------------|-----------|
| | SPKLR Repair | Sprinkler repair 3-4-15 - Repair leak on dry system Foreman labor (4) and materials. | 455.00 | 455.00T |
| | SPKLR Repair | Sprinkler repair 3-12-15 - service call for low air alarm. Electrical breaker tripped on the low air alarm Foreman labor (2) | 210.00 | 210.00T |
| | SPKLR Repair | Sprinkler repair 3-23-15 - Service call for system had tripped and air compressor was not functioning. Install temporary air compressor, put system back in service Foreman labor (6.5) Apprentice labor (6.5) material | 1,196.50 | 1,196.50T |
| | SPKLR Repair | 3-23-15 Air compressor - temporary | 404.61 | 404.61T |
| | SPKLR Repair | 3-24-15 Service call for leak in hallway. Leak was in the same spot as 3-23-15 leak Foreman Labor (3) Apprentice labor (3) | 465.00 | 465.00T |
| | Discount 10% | Discount credit 3-24-15 service call at customers request | -100.00% | -465.00 |
| | | sales tax | 5.10% | 115.57 |

| |
|----------------|
| Phone # |
| 414-257-4222 |

| | |
|--------------|------------|
| Total | \$2,381.68 |
|--------------|------------|

RECEIVED APR - 6 2015

Secure Fire & Safety LLC

11905 W Ripley Ave
Wauwatosa, WI 53226

W Sole
Acct # 5046

Invoice

| | |
|-----------|-----------|
| Date | Invoice # |
| 8/19/2015 | 4581 |

| |
|--|
| Bill To |
| Real Estate Specialists, Inc P.O. Box 438 Pewaukee, WI 53072 |

| |
|--|
| Ship To |
| Pewaukee Shores 130 W Wisconsin Ave Pewaukee, WI 53072 |

| P.O. Number | Terms | Rep | Ship | Via | F.O.B. | Project |
|-------------|----------------|-----|-----------|-----|--------|---------|
| | Due on receipt | | 8/19/2015 | | | |

| Quantity | Item Code | Description | Price Each | Amount |
|----------|--------------|--|------------|---------|
| 1 | SPKLR Repair | Sprinkler repair Supply and install new 2" Ball valve on the wet system. work completed 8-10-2015 | 370.00 | 370.00T |
| | | sales tax | 5.10% | 18.87 |

| |
|--------------|
| Phone # |
| 414-257-4222 |

Total \$388.87

RECEIVED AUG 21 2015



electrical concepts inc

N8 W22520-F Johnson Drive
Waukesha, Wisconsin 53186
(262) 548 0480

INVOICE NO. 32152 13
 DATE 03/25/15
 JOB NO. 32152/400
 JOB NAME Pewaukee Shores
 JOB LOCATION 131 W. Wisconsin Ave.
 CUSTOMER P.O.

WJ Sk

*Charger to
Repair General*

TERMS NET 10 DAYS

Real Estate Specialists
131 E. Wisconsin Ave.
Pewaukee, WI 53072

| DESCRIPTION | PRICE | AMOUNT |
|-------------|-------|--------|
|-------------|-------|--------|

3/17/15

- 1 - Checked out existing compressor and the wiring associated with it
- Found the wrong size breaker feeding the motor

3/19/15

- 1 - Returned and replaced 30A breaker with 40A
- Tested voltage at motor because the feeder is 200' and voltage drop could be an issue
- No load voltage was 122V
- Under load voltage was 118V well within the voltage range of 115V motor

| | |
|-----------------------------|----------|
| Labor 1 1/2 Hours @ \$79.00 | \$118.50 |
| Material | 15.75 |
| Fuel Surcharge | 10.00 |

Total Due This Invoice \$144.25

NOTE: INTEREST CHARGE OF
1 1/2% PER MONTH (18% ANNUALLY)
WILL BE APPLIED TO UNPAID
BALANCE OVER 30 DAYS OLD

RECEIVED MAR 25 2015



MAIL REMITTANCE TO:
5070 North 35th Street, Milwaukee, WI 53209 Tel. (414)462-7700 Fax (414)462-7711

IDEAL MECHANICAL
Division of Pieper Electric, Inc.
Milwaukee, Wisconsin
Telephone (414) 358-2605

PIEPER ELECTRIC
KENOSHA OFFICE
Kenosha, Wisconsin
Telephone (262) 658-1888

AUTOMATION CONTROLS & ENGINEERING
IDAC
Division of Pieper Electric, Inc.
Milwaukee, Wisconsin
Telephone (414) 462-7700

SYSTEMS TECHNOLOGIES
Division of Pieper Electric, Inc.
Milwaukee, Wisconsin
Telephone (715) 538-2877

Pewaukee Shores

REAL ESTATE SPECIALISTS INC
PO BOX 438
ATTN: LISA KOMPPA
PEWAUKEE WI 53072

*Change to
Repairs
General
WJOK*

Date 1/30/2015

| Invoice Number | Job Number | Customer # | Dept. Class | Tax Status | Customer P.O. Number |
|----------------|------------|------------|-------------|------------|----------------------|
| 579002 | 118789 | 17166-01 | 17 34 | 0 | |

JOB LOCATION: 130 W WISCONSIN AVE
PEWAUKEE WI 53072

TROUBLESHOOT SPRINKLER SYSTEM

1. CHECK WIRING FOR THE COMPRESSOR THAT OPERATES DRY SYSTEM, EVERYTHING LOOKS GOOD
2. THE DRAW ON COMPRESSOR IS 14.2 AMPS PER WAYNE HE WANTED ME TO RPELACE BREAKER SINGLE POLE 30 AMPS
3. THEY MAY GET A NEW COMPRESSOR, IT RUNS MORE THAN IT SHOULD

| | |
|--|--------|
| TOTAL LABOR | 193.00 |
| TOTAL MATERIAL | 8.76 |
| TAX | 10.29 |
| AMOUNT DUE THIS INVOICE | 212.05 |
| 1.5% LATE PAYMENT CHARGE DUE AFTER 3/01/15 | 3.18 |

Secure Fire & Safety LLC

11905 W Ripley Ave
Wauwatosa, WI 53226

*WJ
Fire System*

11

Invoice

| Date | Invoice # |
|-----------|-----------|
| 2/27/2015 | 3406 |

| |
|---|
| Bill To |
| Real Estate Specialists, Inc 131 East Wisconsin Avenue Pewaukee, WI 53072 |

| |
|--|
| Ship To |
| Pewaukee Shores 130 W Wisconsin Ave Pewaukee, WI 53072 |

| P.O. Number | Terms | Rep | Ship | Via | F.O.B. | Project |
|-------------|----------------|-----|-----------|-----|--------|---------|
| | Due on receipt | | 2/27/2015 | | | |

| Quantity | Item Code | Description | Price Each | Amount |
|----------|--------------|--|------------|---------|
| 1 | SPKLR Repair | Diagnose Air compressor running on 2-11-15 | 200.00 | 200.00T |
| 1 | SPKLR Repair | Repair leaking control valve on 2-11-15 | 200.00 | 200.00T |
| | | sales tax | 5.10% | 20.40 |

Total \$420.40

Phone #

414-257-4222

RECEIVED MAR - 4 2015

3/29/2016 3:54 PM

Account History - Detail
ALL Transactions - ALL Service Types

Page: 1
MISC

Post Date: From: 1/01/2015 Account Nbr: From: 999-1422-00 Group Cd: From:
Thru: 3/29/2016 Thru: 999-1422-00 Thru:

| | | | | |
|--------------|-------------|-------------------------------|------------------------------|--------------------|
| Account Nbr: | 999-1422-00 | Name: | PEWAUKEE SHORES CONDOMINIUMS | Running Balance |
| | | | 12/31/2014 - Balance: | 19,956.00 |
| Post Date: | 3/19/2015 | Trans Date: | 3/18/2015 | Type: Cash Receipt |
| Trans ID: | 72716 | <u>Service Type</u> | <u>Amount</u> | |
| | | VILLAGE FEES | -1,663.00 | 18,293.00 |
| Post Date: | 11/04/2015 | Trans Date: | 11/03/2015 | Type: Cash Receipt |
| Trans ID: | 76028 | <u>Service Type</u> | <u>Amount</u> | |
| | | VILLAGE FEES | -1,525.00 | 16,768.00 |
| Post Date: | 11/17/2015 | Trans Date: | 11/16/2015 | Type: Cash Receipt |
| Trans ID: | 76166 | <u>Service Type</u> | <u>Amount</u> | |
| | | VILLAGE FEES | -1,525.00 | 15,243.00 |
| Post Date: | 12/14/2015 | Trans Date: | 12/14/2015 | Type: Cash Receipt |
| Trans ID: | 76377 | <u>Service Type</u> | <u>Amount</u> | |
| | | VILLAGE FEES | -1,525.00 | 13,718.00 |
| Post Date: | 1/21/2016 | Trans Date: | 1/20/2016 | Type: Cash Receipt |
| Trans ID: | 76860 | <u>Service Type</u> | <u>Amount</u> | |
| | | VILLAGE FEES | -1,525.00 | 12,193.00 |
| Post Date: | 2/17/2016 | Trans Date: | 2/16/2016 | Type: Cash Receipt |
| Trans ID: | 77327 | <u>Service Type</u> | <u>Amount</u> | |
| | | VILLAGE FEES | -1,525.00 | 10,668.00 |
| Post Date: | 3/08/2016 | Trans Date: | 3/07/2016 | Type: Cash Receipt |
| Trans ID: | 77548 | <u>Service Type</u> | <u>Amount</u> | |
| | | VILLAGE FEES | -1,525.00 | 9,143.00 |
| | | | | ===== |
| | | 999-1422-00 - Ending Balance: | | 9,143.00 |



To: Jeff Knutson, Village President
Village Board

From: Chaz Schumacher
Village Clerk

Date: April 7, 2016

Re: Agenda Item 7(e)(1), Issue Operator License Approvals

BACKGROUND

The Village Board is the ruling body responsible for approving Operator License applications.

ACTION REQUESTED

To approve the Bartender Licenses as listed.

New Operator Permits

Applebee's
Ellis Merritt

Stop n' Go
Ted Naparala

KJ's BP
Carrie Degner

Kranky's
Ashlee Dummer
Giovanni Cataldo

Buffalo Wild Wings
Andrew Jambretz

ANALYSIS

The bartender license applications listed above are being presented for approval. A background check has been performed and the applicants meet the requirements to hold a license in the Village of Pewaukee.

Staff recommends approval of the licenses as recommended above.



To: Jeff Knutson, Village President
Village Board

From: Chaz Schumacher
Village Clerk

Date: April 7, 2016

Re: Agenda Item 7(c)(2), Issue Temporary Operator License Approvals

BACKGROUND

The Village Board is the ruling body responsible for approving Operator License applications.

ACTION REQUESTED

To approve the Temporary Bartender Licenses as listed below, specifically for the **Pewaukee Antique & Classic Boat Show** to be held on August 20, 2016.

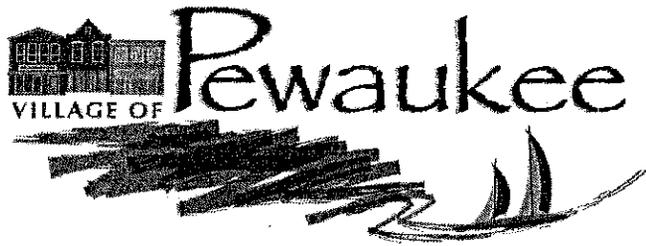
Wilfred 'Wil' Vidal
Robert Stoltz
Cliff Muehlenberg

Staff recommends approval for the period of August 19, 2016 through August 21, 2016

ANALYSIS

The bartender license applications listed above are being presented for approval. A background check has been performed and the applicants meet the requirements to hold a license in the Village of Pewaukee.

Staff recommends approval of the licenses as recommended above.



To: Jeff Knutson, Village President
Village Board

From: Chaz Schumacher
Village Clerk

Date: April 7, 2016

Re: Agenda Item 7(c)(3), Food Vendor License

BACKGROUND

Listed below are Food Vendor License applications received for upcoming events in the Village. The events and dates have been indicated by each applicant.

ACTION REQUESTED

To approve the Food Vendor Permit applications as presented.

Food Vendor's Permits

1. VFW Memorial Day Car Show – Monday, May 30, 2016
(Applicant – VFW Ladies Auxiliary)
License approval for May 29-31, 2016

2. Pewaukee Antique & Classic Boat Show – Saturday, August 20, 2016
(Applicant – Glacier Lakes Chapter of The Antique & Classic Boat Society)
License approval for August 19-21, 2016

ANALYSIS

The Food Vendor applications are being recommended for approval as presented. All forms have been completed and payment has been received.

Staff recommends approval of all licenses as recommended above.



To: Jeff Knutson, Village President
Village Board

From: Chaz Schumacher
Village Clerk

Date: April 7, 2016

Re: Agenda Item 7(c)(4), Approval of Temporary Class "B"/"Class B" Retailer's License(s)

BACKGROUND

The Village Board is the ruling body responsible for approving Temporary Class "B"/"Class B" Retailer's License applications.

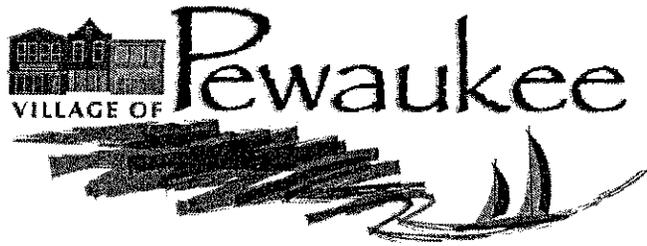
ACTION REQUESTED

To approve the Temporary Class "B" and "Class B" Retailer's License application made by the Glacier Lakes Chapter of The Antique & Classic Boat Society, Inc. for their annual Pewaukee Antique & Classic Boat Show event to be held on August 20, 2016 at the Kiwanis Village Park.

ANALYSIS

This event has been successful in past years and the applicants meet the requirements for a temporary Class "B" and temporary "Class B" retailer's license in the Village of Pewaukee.

Staff recommends approval of the license(s) as recommended above.



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 29, 2016

Re: Agenda Item 7d, Discussion and Possible Action Regarding Positively Pewaukee Request for Fireworks for Saturday, July 30th as part of Taste of Lake Country

BACKGROUND

Positively Pewaukee has submitted a request to add fireworks to their Taste of Lake Country event for Saturday night, July 30th. The Taste of Lake Country has already been approved by the Village Board for Friday, July 29th and Saturday, July 30th.

ACTION REQUESTED

The action requested of the Village Board is to approve the proposed fireworks show for Positively Pewaukee for Saturday, July 30th related to the approved Taste of Lake Country event subject to meeting necessary insurance requirements requested by the Village Attorney.

ANALYSIS

The request for the fireworks was reviewed with the Fire Department, Police Department (including Lake Patrol) and the Village Attorney. The Fire and Police Departments have expressed no specific concerns regarding the event, other than following prudent safety precautions. The Village Attorney has requested additional information related to additional insured language which has been forwarded to Positively Pewaukee for follow-up. The Executive Director is out of the office until April 4th and staff will follow-up with her upon her return to the office.

Attachments



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/15/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

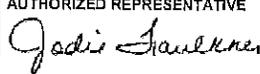
| | | |
|---|--|------------------------------------|
| PRODUCER Ryder Rosacker McCue & Huston (MGD by Hull & Compa 509 W Koenig St Grand Island NE 68802 | CONTACT NAME: Kristy Wolfe PHONE (A/C, No, Ext): 308-382-2330 E-MAIL ADDRESS: kwolfe@ryderinsurance.com | FAX (A/C, No): 308-382-7109 |
| | INSURER(S) AFFORDING COVERAGE | |
| INSURED Bartolotta Fireworks Co., LLP PO Box 5 Genesee Depot WI 53127 | INSURER A: SCOTTSDALE INS CO NAIC # 41297 | |
| | INSURER B: NATIONAL GAS CO 11991 | |
| | INSURER C: | |
| | INSURER D: | |
| | INSURER E: | |
| | INSURER F: | |

COVERAGES **CERTIFICATE NUMBER:** 56713728 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL SUBR INSR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|---------------------------------|---------------|-------------------------|-------------------------|--|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | CPS2261988 | 3/1/2016 | 3/1/2017 | EACH OCCURRENCE \$1,500,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,500,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$ |
| B | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input checked="" type="checkbox"/> Excess Hired | | CAO7760389 | 3/1/2016 | 3/1/2017 | COMBINED SINGLE LIMIT (Ea accident) \$5,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| A | <input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | | CXS0006696 | 3/1/2016 | 3/1/2017 | EACH OCCURRENCE \$3,500,000 AGGREGATE \$3,500,000 \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) if yes, describe under DESCRIPTION OF OPERATIONS below | Y/N <input type="checkbox"/> | N/A | | | <input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Blanket Additional Insured applies to the entities listed below per attached form GLS-150s when required by written agreement.
DISPLAY DATE: JULY 30TH, 2016
DISPLAY LOCATION: BARGE FROM PEWAUKEE LAKE
ADDITIONAL INSURED: POSITIVELY PEWAUKEE, VILLAGE OF PEWAUKEE, COMPLETE PIERS & LIFTS LLC, CITY OF PEWAUKEE, TASTE OF LAKE COUNTRY.

| | |
|--|---|
| CERTIFICATE HOLDER POSITIVELY PEWAUKEE 120 W WISCONSIN AVE PEWAUKEE WI 53072 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |
| | AUTHORIZED REPRESENTATIVE  |

Bartolotta Fireworks LLC

PO Box 5
Genesee Depot, WI 53127
USA

Voice: 262-968-4178
Fax: 262-968-2254

SALES ORDER

Sales Order Number: 073016 TASTE OF LAKE
Sales Order Date: Jul 30, 2016
Ship By: Jul 30, 2016
Page: 1

To:
POSITIVELY PEWAUKEE
120 W WISCONSIN AVE
PEWAUKEE, WI 53072

Ship To:
POSITIVELY PEWAUKEE
120 W WISCONSIN AVE
PEWAUKEE, WI 53072

| Customer ID | PO Number | Sales Rep Name |
|---------------------|---------------------|----------------|
| POSITIVELY PEWAUKEE | 2016 POSITIVELY PKE | |
| Customer Contact | Shipping Method | Payment Terms |
| ELAINE KROENING | Hand Deliver | Net 10 Days |

| Quantity | Item | Description | Unit Price |
|---------------------------|-----------------|--|-------------|
| 3.00 | 3"-SALUTES | 3"-BLUE THUNDER SALUTES W/TAILS | |
| 40.00 | 3"-COLOR SHELLS | 3"-ASSORTED COLOR SHELLS | |
| 30.00 | 4"-COLOR SHELLS | 4"-ASSORTED COLOR SHELLS | |
| 20.00 | 5"-COLOR SHELLS | 5"-ASSORTED COLOR SHELLS | |
| 10.00 | 6"-COLOR SHELLS | 6"-COLOR SHELLS ASSORTED | |
| 4.00 | FINALE-COLOR A | 3" ASSORTED COLOR FINALE GROUPS (STRING OF 10) | |
| 3.00 | FINALE-SALUTE C | 3"-FINALE SALUTE GROUPS (STRING OF 10) | |
| Subtotal | | | 0.00 |
| Sales Tax | | | |
| Freight | | | 0.00 |
| TOTAL ORDER AMOUNT | | | 0.00 |

PERMIT TO POSSESS AND DISPLAY FIREWORKS

_____ County _____ State

_____ 2016

TO WHOM IT MAY CONCERN- GREETINGS:

Application having been made in accordance with the laws of the State of _____,

This permit is issued to _____

Giving them the right to exhibit display fireworks on the _____ day of _____, 2016,

At _____ o'clock P.M. at _____ in said County,

In connection with _____ celebration.

Rain Date (In the event of inclement weather): _____

BARTOLOTTA FIREWORKS COMPANY
P.O. Box 5
Genesee Depot, WI 53127
262-968-4178
Fax: 262-968-2254

SHERIFF OR CHIEF OF FIRE DEPARTMENT

7e

PUBLIC WORKS DEPARTMENT
1000 Hickory Street
Pewaukee, WI 53072
Telephone 262-691-5690
Fax 262-691-5668



Memo

To: Village Board
From: David J. White, P.E., Director of Public Works/Village Engineer *DJW*
Date: 3/30/2016
Re: Bids on Tower Ct - Third Street Reconstruction Project

This proposed project will reconstruct Tower Court and Third Street from Leaneore Court to Lookout Drive a distance of 350'. The work will include replacing 157 feet of storm sewers and installing 7 new catch basins, reconstructing a sanitary manhole, installing a new water valve on the existing water main, removing the existing roadway, installing a new road base, installing new curb and gutter, repaving the road, installing a retaining wall behind the walk on Tower Ct, installing beam guard, and installing sidewalks along the east side of Third Street and south side of Tower Court to connect to the existing sidewalk at Leaneore Court providing a safer pedestrian route to the school district lands.

The following 4 bids were received on March 3, 2016 for the Tower Ct – Third St Reconstruction Project:

| | |
|-------------------------------|--------------|
| Parking Lot Maintenance, Inc | \$163,591.00 |
| All-Ways Contractors, Inc. | \$171,699.65 |
| Payne & Dolan, Inc | \$184,300.40 |
| Mid City Plumbing and Heating | \$211,742.50 |

The Engineer's estimate for the project was \$165,923.00 so the total bid is under budget by 1.4%. The project will be funded from 4 different accounts, roadway capital projects account (\$118,949.75), sanitary sewer outlay account (\$4554.50), water outlay account (\$4509) and storm sewer utility outlay account (\$35,577.75).

This is a unit price contract based on estimated quantities so the final contract amount will be based on the asbuilt quantities. Since the total bid is under the estimate, I recommend awarding the Tower Ct-Third Street Reconstruction Project to Parking Lot Maintenance, Inc for their base bid amount of \$163,591.00.

DJW

Memo



76

PUBLIC WORKS DEPARTMENT
1000 Hickory Street
Pewaukee, WI 53072
Telephone 262-691-5690
Fax 262-691-5668

To: Village Board
From: David J. White, P.E., Director of Public Works/Village Engineer *DJW*
Date: 3/30/2016
Re: Professional Services Agreement with Wachtel Tree Service

The Village applied for and received a DNR Forestry grant in the amount of \$6800 to pay 50% of the cost to create a GIS street and Park Tree Inventory and Database, prepare an Urban Forestry Plan and prepare an Emerald Ash Borer (EAB) Readiness/Response Plan. The 2016 Village DPW budget includes \$6800 for this project.

Wachtel Tree Service will complete the above tasks for an amount not to exceed \$10,500 of which 50% will be reimbursed from the grant.

DNR sent out notice in February 2016 that the EAB has been positively identified in the City of Pewaukee so it will certainly be found in the Village very soon. Having a tree inventory which will identify ash locations and a plan to deal with problems caused by EAB will be highly beneficial to the Village in the upcoming months and years.

I recommend entering into the agreement with Wachtel Tree Service.

DJW

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement, by and between Wachtel Tree Science & Service, Inc. (**WACHTEL**) and the Village of Pewaukee (**VILLAGE**), effective upon the date of signature by **VILLAGE** below, shall provide professional services as stated herein.

The **VILLAGE** and **WACHTEL** in consideration of their mutual understanding herein, agree in respect of the furnishing of professional services by **WACHTEL** with respect to identified project items and the payment for those services by the **VILLAGE** as set forth below.

SCOPE OF SERVICES

WACHTEL will perform the following project items: GIS Street and Park Tree Inventory and Database; Urban Forestry Management Plan; EAB Readiness/Response Plan; as indicated in Exhibit A. The project items will be completed and delivered to the **VILLAGE** as indicated in the "TIMELINE" section of this Agreement. There should be no need for added services in accomplishing the project items.

Additional services that may be requested in writing by the **VILLAGE** will be charged on a time and material basis at the following hourly rates:

| | |
|--------------------------|-----------|
| Project Manager | \$ 140.00 |
| Staff Certified Arborist | \$ 105.00 |
| Clerical Staff Support | \$ 42.00 |

TIMELINE

WACHTEL will complete project items as hereby indicated below unless extenuating circumstances prevent completion in a timely manner.

GIS/Street/Park Tree Inventory and Database – Begin field data collection no later than July 18, 2016 with completion by September 2, 2016.

Urban Forestry Management Plan and EAB Readiness/Response Plan – draft submissions by October 14, 2016 and final plans by October 28, 2016.

VILLAGE will provide **WACHTEL** with the following information by the dates indicated below:

Village Map – Provide an updated Village street map highlighted with all park and public properties to be inventoried – May 13, 2016

GIS Data Release – Provide the necessary orthophotography and shapefile information, including a street name and addressing database to **WACHTEL** to complete the tree inventories – May 13, 2016

Park Naming File - Provide a park naming file to be used to create a Park Name field in the park database – May 13, 2016

BILLING SCHEDULE

Street and Park Tree Field Inventory - Upon delivery of the public tree shapefile and ACCESS database to the **VILLAGE**

Urban Forestry Management Plan – Upon submission of draft copy to the **VILLAGE**

EAB Readiness/Response Plan – Upon submission of draft copy to the **VILLAGE**

Fee for GIS Street and Park Tree Inventory – \$4.00/collected record (including existing tree and vacant planting sites)

COST NOT TO EXCEED -- \$ 6,000.00

Fee for Urban Forestry Management Plan – \$ 3,000.00

Fee for Emerald Ash Borer Readiness/Response Plan – \$ 1,500.00

PAYMENT

Payment will be made for fees identified in the "BILLING SCHEDULE" section. Identified fees should be considered as "Not to Exceed".

INSURANCE

WACHTEL will procure and maintain insurance for protection from claims against **WACHTEL** under workers' compensation acts in an amount required by the State in which the work is performed; claims against **WACHTEL** for damages because of bodily injury including personal injury, sickness or disease or death of any and all employees or of any person other than such employees, and from claims or damages against **WACHTEL** because of injury to or destruction of property including loss of use resulting there from in the following amounts: Commercial General Liability coverage of \$500,000; General Aggregate; Automobile Liability combined single limit of \$500,000; and Excess Liability, umbrella form in an amount of \$1,000,000, each occurrence and aggregate.

WACHTEL will submit to the **VILLAGE** current Certificate(s) of Insurance naming **VILLAGE** as additionally insured and will provide updates if requested.

GENERAL CONSIDERATIONS

- **WACHTEL** shall indemnify, defend and hold **VILLAGE** harmless from any and all claims and liabilities whatsoever, including, but not limited to, judgments, costs, damages, expenses and reasonable attorneys' fees, in any way arising out of or caused by services provided by **WACHTEL** under this contract.
- Obligation to provide further services under this Agreement may be terminated by either party upon thirty days' written notice in the event of substantial failure by the other party to perform in accordance with the terms thereof.
- The **VILLAGE** shall retain an ownership and property interest in all documents including inventory records, reports, drawings, and specifications prepared or furnished by

WATCHEL pursuant to this Agreement. This agreement shall be governed and construed in accordance with the laws of the state of WI. It represents the complete understanding with respect to the subject matter thereof and may only be modified in a written agreement signed by both parties.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the month, day, and year written below.

VILLAGE OF PEWAUKEE

WACHTEL TREE SCIENCE &
SERVICE, INC.

Signature

John S. Bull

Signature

Title

Special Projects Coordinator

Title

Date

March 11, 2016

Date

Address for Giving Notice

Village of Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Address for Giving Notice

Wachtel Tree Science & Service, Inc.
P.O. Box 716
Merton, WI 53056-0716

EXHIBIT A

GIS/Street/Park Tree Inventory and Database

We will provide a comprehensive physical inventory of existing individual trees and vacant planting sites (for vacant sites that meet the criteria established by the VILLAGE), in the public rights-of-way. We will also inventory all existing trees within (7) closely maintained VILLAGE parks. On these properties, all trees within mowed or maintained areas will be inventoried. Inventory does not include native mass vegetation groupings in undeveloped or forested areas. Only trees 8" DBH (stem diameter measured 4.5 feet above ground level) and greater that are within the street r-o-w will be inventoried in these situations.

We will utilize field data collection devices using ESRI ArcPad 10.0 and Wachtel's PinPoint 3.0 mobile tree inventory data collection system software. Inventory data will be seamless and compatible with the VILLAGE's existing web-based GIS System hosted by Ruekert/Mielke.

Inventory data collected will include: tree/growth space ID#, inspection date, location (x, y coordinates), species, growth space size, DBH, height class, percent deadwood, condition rating, tree value (Council of Tree and Landscape Appraisers, 7th edition, basic formula method), maintenance need categories, work priority, clearance issues, overhead utilities present, special conditions, and general notes. We will provide a field for Year Planted, but it will be left blank for the VILLAGE to populate.

Each tree will be located within 5 feet of its actual coordinate location. The VILLAGE will provide a 2015 or newer digital orthophoto file (Mr. SID format, 6" pixel preferred) and shapefiles containing parcels, rights-of-way, pavement edge, structure outlines and corporation limit boundaries. The VILLAGE will also provide a parcel addressing and park naming databases in order for Ruekert/Mielke to perform a spatial join after the data is collected. This will provide the VILLAGE with the ability to use collected data for each tree or vacant site location and have it referenced to the nearest street address or named park property in the GIS database.

The VILLAGE will provide a street map highlighting those streets and parks to be inventoried.

In the field "heads-up" digitizing of all tree locations and potential planting sites using existing digital orthophotography and/or GIS layers as reference with feature points linked to an Access database will be the method of data collection. This will allow for data quality checks at the end of each day's inventory data collection.

This agreement assumes 1,750 street sites (planted and vacant) and 250 park trees. There may be State and County highway routes that pass through the VILLAGE where street tree planting would not be appropriate. A discussion with staff regarding these sites will take place prior to the inventory commencing.

Upon completion of the physical inventory, the VILLAGE will receive a TREES shapefile and associated ACCESS database from us. Data will be Open Database Connectivity compliant and contain unique ID numbers in sequential form. These files will allow the VILLAGE to provide the data to Ruekert/Mielke to be included in the VILLAGE's GIS.

Urban Forestry Management Plan

We will prepare a comprehensive management plan meeting the DNR's minimum requirements. The plan will summarize inventory results including: size class distribution, species frequency, condition, tree value, needed tree maintenance, removals, planting, and percent stocking needed for a five-year planning period. We will solicit from staff, general recommendations on current conditions, problems, and prioritize needed improvements regarding the urban forest in the development of the plan. Long term goals and objectives of the Urban Forestry Management Plan will be determined through solicitation of public input, staff knowledge of the urban forest, and through discussions with the DNR, and other municipalities who have already developed their plans. We will make public, in draft form, an executive summary of the management plan to encourage citizen, staff, committee and council participation and comments.

We will review and evaluate existing VILLAGE ordinances, programs, and procedures to analyze strengths and weaknesses in the existing VILLAGE forestry program, and provide recommendations to improve these programs and procedures. Additionally, we will review and evaluate VILLAGE equipment, staffing, and budgets and recommend any improvements prior to implementing the proposed plan. The plan will include a five-year strategic schedule for pruning, planting, and removing VILLAGE trees, and a phasing period for implementation along with projected budgets. The plan will meet the requirements of the DNR's Technical Guide to Developing Urban Forestry Strategic Plans and Urban Forest Management Plans.

EAB Readiness/Response Plan

1. Establish purpose and scope for the plan. Meet or communicate with VILLAGE staff to develop goals and objectives for the EAB Readiness Plan. The plan will address: steps to be taken before EAB arrives; after it is found in Pewaukee; the replanting of ash-alternative trees; and lessons learned by communities dealing with EAB.
2. Review policies, budgets, equipment inventory and personnel as to adequacy in managing the ash tree resource. Make recommendations for managing generated wood residues, identifying potential marshalling yards and ash wood utilization possibilities.
3. Incorporate findings from the street tree and park tree inventories into determining current ash population, species diversity and improve on that diversity in the future.
4. Included within the report will be an executive summary to comply with DNR "Guidelines for Municipal Emerald Ash Borer Plans".

Deliverables

We will deliver the VILLAGE a CD containing an ESRI tree shapefile of completed inventory data for importing by Ruekert/Mielke into the current GIS system. In addition, linked Microsoft ACCESS database for street and park trees will also be provided. Data will be ODBC compliant and contains unique IDs in sequential form and formatted to allow for the ability to add additional trees/IDs in the future. Spatial data will be delivered in Waukesha County Coordinates.

Electronic copies of the Urban Forestry and EAB Management Plans will also be provided.

All data collected and reports prepared will become the property of the VILLAGE of Pewaukee upon completion of the project.



CERTIFICATE OF LIABILITY INSURANCE

WACHTT1

OP ID: BH

DATE (MM/DD/YYYY)

03/08/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | |
|---|--|----------------|
| PRODUCER First Associated Ins. Agency 12465 Burleigh Road Brookfield, WI 53005-3193 Timothy F. Stolz | CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: | FAX (A/C, No): |
| | INSURER(S) AFFORDING COVERAGE | |
| INSURED Wachtel Tree Science & Service Arbor Associates, LLC P. O. Box 716 Merton, WI 53056-0716 | INSURER A : Cincinnati Ins. Co. NAIC # 10677 | |
| | INSURER B : | |
| | INSURER C : | |
| | INSURER D : | |
| | INSURER E : | |
| | INSURER F : | |

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL SUBR INSR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|----------|--|---------------------------------|---------------|-------------------------|-------------------------|---|---|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC | X | ENP0018834 | 04/15/2013 | 04/15/2016 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPIOP AGG \$ 2,000,000 | |
| A | AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS | | EBA0018804 | 04/15/2015 | 04/15/2016 | COMBINED SINGLE LIMIT (Ea accident) \$ 500,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (PER ACCIDENT) \$ | |
| A | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 0 | | ENP0018834 | 04/15/2013 | 04/15/2016 | EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 | |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N <input type="checkbox"/> | N/A | WC1921166 | 06/09/2015 | 06/09/2016 | <input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000 |
| B | Professional E&O | | MG844395 | 11/21/2015 | 11/21/2016 | Claim/Agg 1,000,000 | |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Certificate Holder is additional insured for general liability (attached GA233)

CERTIFICATE HOLDER**CANCELLATION**

| | |
|---|---|
| VILLAP1 Village of Pewaukee 235 Hickory Street Pewaukee, WI 53072 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Timothy F. Stolz |
|---|---|

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To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 29, 2016

Re: Agenda Item 7g, Discussion and Possible Action Regarding Finance Director Recruitment Advertisement

BACKGROUND

This matter is on the agenda to allow the Village Board to review the proposed recruitment ad for this position. There appeared to be some interest in possibly making changes to the ad, such as possibly including a salary range within the ad. Attached for Village Board review and approval please find a copy of the draft recruitment ad for this position. Also attached is a copy of the position description approved by the Village Board at its November 17, 2015 meeting.

ACTION REQUESTED

The action requested of the Village Board is to review the recruitment advertisement and approve if acceptable.

ANALYSIS

The recruitment advertisement for this position would be sent to the League of Wisconsin Municipalities, Municipal Treasurers Association of Wisconsin, the Wisconsin Government Finance Officers Association as well as the Village's website and other job sites such as Indeed.com.

Attachment

Village of Pewaukee

JOB DESCRIPTION

Position Title: Finance Director
Department: Administration
Reports To: Village Administrator

DUTIES OF POSITION:

1. Responsible for financial records and financial planning of the Village including all the Village of Pewaukee funds, and the Pewaukee Public Library.
2. Compiles financial information for all external reporting (annual audit, State of WI, PSC, IRS, Waukesha County, U.S. Census Bureau) .
3. Prepares all necessary work papers for the annual independent audit.
4. Responsible for maintaining all debt records and advising the Clerk and Treasurer when payments are due and providing the payment instructions for those payments.
5. Maintain records of all Village of Pewaukee assets for both insurance purposes and financial reporting purposes.
6. Work with the Village Administrator to prepare the annual budget, and the long range Plan.
7. Adhere to all generally accepted accounting principals as they apply to governmental accounting.
8. Work with the Treasurer and Clerk who handle the day to day work related to accounts payable, payroll, utility billing, and insurance claims.
9. Assists the administrative staff with general invoicing issues.

EQUIPMENT OPERATION OF POSITION:

Position requires experience with basic office equipment. Computer use and programs including data processing, word, excel, etc. There are several specialized programs including Workhorse accounting, payroll and utility billing software, and PSC annuals reports. 10 key adding machine. Cash Register.

SIMILAR EMPLOYMENT REQUIREMENTS:

Position requires at least six (6) years of public financial management experience. Prefer experience as Department/Division Head of Accounting/Finance Department.

EDUCATION REQUIREMENTS:

College degree in accounting, financial management, or related field, additional management training preferred.

LICENSE REQUIREMENTS:

None. Certified Public Accountant preferred. Should be a member of the professional organization(s) and shall attend continuing education courses relative to the position.

OTHER DUTIES REQUIRED:

Other duties require availability beyond regular office hours, and as assigned by supervisors.

PHYSICAL DEMANDS OF THE ESSENTIAL FUNCTION:

70% of the time is spent sitting, using the phone, and typing with long periods of time looking at a computer screen.
30% of the time is spent standing, walking, talking, hearing, carrying and low handling.

WORKING CONDITIONS WHILE PERFORMING ESSENTIAL FUNCTIONS:

95% of the time is spent inside in an office setting.
5% of the time is spent outside, rarely in extreme elements (heat, cold, etc.)

Approved: November 17, 2015

Finance Director
Village of Pewaukee, Wisconsin

The Village of Pewaukee (pop. 8,138) is looking for a fulltime Finance Director. This is a newly created position that will be responsible for financial records and financial planning of the Village including all the Village of Pewaukee funds. Additionally, the successful candidate will advise the Village Board and staff on financial matters including the development and monitoring of the various operating budgets, financial reports and be the staff lead on the annual audit. Interested parties should be knowledgeable of WI State Statutes and Generally Accepted Accounting Principles. College Degree in accounting, financial management or related field. A CPA would be preferred and a minimum of four years of governmental accounting experience, as well as supervisory experience, is highly desired. Salary [REDACTED] DOQ. Submit Village Application (**required** and available at www.villageofpewaukee.wi.us), letter of interest, three references, and resume to: Finance Director Search, c/o Village Administrator, 235 Hickory Street, Pewaukee, WI 53072. Application deadline May 3, 2016 at 4PM CST.

DRAFT



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 30, 2016

Re: Agenda Item 7h, Discussion and Possible Action Regarding Director of Public Works/Engineer
Recruitment Advertisement

BACKGROUND

As the Village Board is aware, David White has provided notice of his retirement August 1, 2016 as the Director of Public Work/Engineer.

ACTION REQUESTED

The action requested of the Village Board is to authorize the advertisement for the Director of Public Works/Engineer position.

ANALYSIS

Given the importance of this position in relation to the operations of the Village (oversight of water utility, sanitary sewer utility, storm water utility, road maintenance, coordination of public works projects, etc.), staff would like to proceed with an immediate recruitment with the goal of having a candidate selected prior to David's last day. Attached for your review please find a proposed job advertisement for the position along with a copy of the position description. The following is the beginning of range, midpoint and top of range for the DPW/Engineer position per the wage/comp study: \$79,289.90 - \$93,165.63 - \$107,041.36. Staff recommends placing the lower half of the range within the advertisement with a notation of DOQ.

The ability to have an engineer on staff ensures that the Village has an employee that is knowledgeable of the technical aspects of the 24/7 critical operations and who is able to communicate with the specialized engineering skill sets as needed.

David has reviewed the position description and the minor edits in the attached draft position description are offered for Village Board approval.

Attachments

**Village of Pewaukee
Director of Public Works/Engineer**

The Village of Pewaukee (pop. 8,138; approx. 4.5 sq. mi.) is seeking a progressive, energetic person to lead the Department of Public Works. Responsible for managing building maintenance, engineering, water utility, sewer utility, sanitation, recycling, storm sewer, street, forestry, vehicle maintenance, and other public works projects and programs. The incumbent works under the general direction of the Village Administrator. Bachelor's Degree in civil engineering and a minimum of five years of related public works and/or engineering operations required. Applications are available on the Village of Pewaukee website at www.villageofpewaukee.wi.us under Employment Opportunities. The starting salary range is \$79,290 - \$93,165 (DOQ). Village employment application, letter of interest, resume, and a list of three professional references by May 9, 2016 to Village Administrator, 235 Hickory St., Pewaukee, WI 53072. Resumes without an application will not be considered.

DRAFT

VILLAGE OF PEWAUKEE
Job Description
DIRECTOR OF PUBLIC WORKS/ENGINEER

DEPARTMENT: PUBLIC WORKS
DATE: APRIL 2016
REPORTS TO: VILLAGE ADMINISTRATOR

Summary:

The Director of Public Works/Engineer is a registered engineer responsible for the overall management of Village Public Works Department and serves the day-to-day engineering needs of the Village. The position oversees the overall general maintenance and operations of the Village's infrastructure, equipment and facilities. The position is responsible for the professional management of the Public Works Department including water, sewer, lighting division and the storm water and streets division. The position oversees engineering projects related to residential and commercial development in the Village. The position oversees the Public Works Department contracted services. Some design work and preparation of specifications and plans is involved.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

- ~~Oversee~~ Supervise the work, actions and performance of all public works employees.
- Oversee engineering projects in the Village.
- ~~Perform capital improvement planning~~ Assist the Village Administrator in the planning of all public works construction projects in the Village and oversee all phases of construction.
- Respond to customer service requests and concerns/questions related to the public works department.
- Review costs and quality in the department, and modify programs as needed and directed by the Village Administrator.
- Strive to attain maximum efficiency and effectiveness within the department regarding use of Village resources. Establish and maintain relationships with key material suppliers and support contractors.
- Serve as the contact person for consulting engineers regarding public works projects in the Village.
- Ensure proper training of employees of the Department of Public Works.
- Provide long range planning related to the Village's Public Works.
- Provide oversight for the day-to-day activities of the Public Works Department.

VILLAGE OF PEWAUKEE
Job Description
DIRECTOR OF PUBLIC WORKS/ENGINEER

- Prepare and monitor the water utility, sewer utility, storm water utility and general public works department budgets. Makes decisions on purchasing for the department.
- Respond to emergency calls and oversee and supervise the Department's response to emergency situations.
- Ensure department compliance with state, federal and local laws, rules and regulations as they pertain to the operation of the department.

Supervisory Responsibilities

Oversees the supervision of all employees of the Public Works Department and works closely with the Public Works Supervisor who directly supervises the public works crew. Carries out supervisory responsibilities in accordance with the Village's policies, regulations, ordinances, and applicable laws. Responsibilities include training employees, planning and directing work, appraising performance, recommending discipline to the Village Administrator, addressing complaints and resolving problems.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

- A bachelor's degree in Civil Engineering is required.
- A minimum of six years experience in municipal public works setting is required.
- A minimum of two years of experience supervising personnel is required.

Knowledge and Skills

- Knowledge of modern principles and practices of field and office engineering design, drafting, and survey work
- Knowledge of road design, construction, repair and maintenance
- Knowledge of sanitary sewer collection system design, construction, operation, repair and maintenance including pumping stations
- Knowledge of water supply system design, construction, operation, repair and maintenance including wells, well pumps, SCADA, chemical feed systems, meters, reservoirs, booster pumps and towers
- Knowledge of stormwater system design, construction, repair and maintenance of pipes, structures and BMP's
- Knowledge of street lighting system design, construction, operation, repair and maintenance
- Knowledge of building operation and maintenance
- Knowledge of public works contract preparation, specification writing and Wisconsin

VILLAGE OF PEWAUKEE
Job Description
DIRECTOR OF PUBLIC WORKS/ENGINEER

public bidding laws

- Knowledge of Public Works equipment specifications, purchase, operation and maintenance
- Knowledge of trash and recycling collection systems and private hauler contracts
- Knowledge of the Wisconsin Administrative Code pertaining to water supply systems, sanitary sewer collection systems, storm water systems, de-icing salt storage and use, lake weed harvesting and dam operation
- Knowledge of the Standard Specifications for Sewer and Water Construction in Wisconsin, Wisconsin Department of Transportation Standard Specifications for Road and Bridge Construction and the Manual on Uniform Traffic Control Devices (MUTCD)
- Knowledge and familiarity of a personal computer (PC) operation and Microsoft Office software
- Construction plan review
- Construction inspection
- Knowledge of geographic information system (GIS)
- Wisconsin Department of Transportation PASER pavement rating system
- Knowledge of safety policies and practices
- Knowledge of alcohol and drug testing law for CDL's
- Knowledge of environmental regulations
- Must possess excellent communication skills and have strong ability to work with the public
- Plat mapping
- Understanding of basic planning and zoning
- Floodplain and shoreland zoning
- Knowledge of soil types

Language Skills

Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports, and correspondence. Ability to speak effectively with the general public and employees.

Mathematical Skills

Ability to calculate figures and amounts such as fractions, ratios, proportions, percentages, area, circumference, and volume. Ability to apply concepts of basic algebra and geometry.

Reasoning Ability

Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

Registrations, Licenses, Certificates

Registration as a Professional Engineer in Wisconsin is required.

VILLAGE OF PEWAUKEE
Job Description
DIRECTOR OF PUBLIC WORKS/ENGINEER

State of Wisconsin driver's license (valid)
Ability to obtain a commercial driver's license

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand, walk, talk and hear. The employee is often required to sit; use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and taste or smell.

The employee may occasionally lift and/or move up to 25 pounds.

Tools and Equipment

Continuous use of the telephone and computer; frequent use of a base radio and calculator, and occasional use of a copy machine.

~~Conduct training in use of tools, small and heavy equipment, trucks and safety gear utilized in the Public Works Department.~~

Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Supervisory duties may require working outdoors under all ranges of temperatures and weather conditions; however, the majority of duties are performed in a general office setting.

NOTE: The duties listed below are intended as illustrations of the various types of work performed by persons in this position. This list is not all-inclusive. The omission of a particular job duty does not mean that the duty is not one of the essential functions of the job. This job description does not create an employment contract between the Village and the employee and is subject to change by the Village as the needs of the Village and the Department change over time.



To: Jeff Knutson, Village President
Village Board

From: Chaz Schumacher
Village Clerk

Date: April 7, 2016

Re: Agenda Item 7i, Agent Change for Liquor License Holder Approval

BACKGROUND

The Village Board is the ruling body responsible for approving applications for change of Agents for Liquor License Holders.

ACTION REQUESTED

To approve **Amanda Zehe** as the new agent for Noodles & Company located at 1390 Capitol Drive. This will also approve the applicant to hold an operator's permit in the Village of Pewaukee.

ANALYSIS

The applicant listed above is being presented for approval. A background check has been performed and the applicant meets the requirements to hold a license in the Village of Pewaukee.

Staff recommends approval of the licenses as recommended above.



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 30, 2016

Re: Agenda Item 7, Discussion and Direction Regarding Establishment of a Community Development Authority or Other Committee Focused on Economic Development Within the Village

BACKGROUND

This matter is on the agenda at the request of Trustee Gergen. Trustee Gergen has brought this matter forward after the presentation by the assessor at the last Village Board along with meeting with business owners regarding tenant vacancies.

ACTION REQUESTED

The action requested of the Village Board is to provide direction on how to proceed with this matter.

ANALYSIS

Attached for your review please find a copy of a presentation that was shared with the Village Board in 2012 when the Board last discussed the creation of a Community Development Authority (CDA).

Attachment

Community Development Authority ("CDA")



- What is it?
 - Separate political body for the purpose of carrying out blight elimination, slum clearance, urban renewal projects and housing projects
 - Governed by a seven member commission
 - Appointed by Mayor, Village President or Town Chairman and confirmed by governing body
 - All members must be residents and have ability and experience in the field
 - ✓ Two members are Council/Board members
 - ✓ Balance are non-Council/Board members
 - Certain actions of the CDA must also be approved by the governing body such as:
 - Blight determination and spot blight findings
 - Action that would require a taxing authority since CDA has no taxing authority
 - Lease revenue bond issuance

CDA Creation

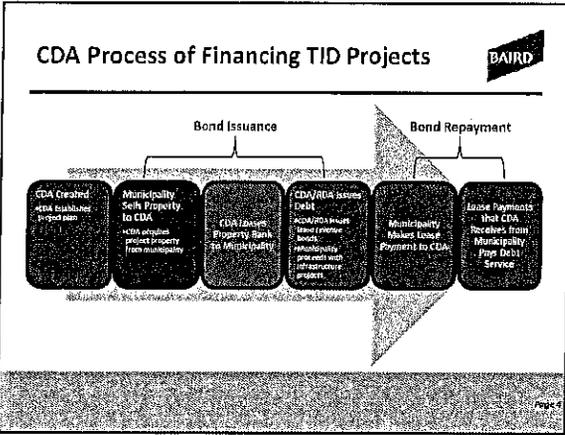


- How is it created?
 - Adoption of Resolution by Common Council, Village Board or Town Board by two-thirds vote stating that the need exists
 - Appointment of Governing Body (Commission)
 - Election of Officers (Chairperson)
 - Adoption of Bylaws
 - Appointment of Executive Director/Secretary

CDA Powers



- What powers does it have?**
- Acquire and hold real and personal property
 - Exercise Eminent Domain
 - Mortgage Property
 - Transfer, Sale or Lease of Property
 - Employ Personnel
 - Enter into Contracts
 - Prepare Plans and Carry Out Projects
 - Invest Funds
 - Obtain Insurance
 - Accept Financial Aid
 - Maintain Records
 - Sue (and be Sued)
 - Issue Bonds



Advantages of CDA Lease Revenue Bond



- Advantages of Financing with CDA Lease Revenue Bonds
 - Interest on CDA Lease Revenue Bonds are exempt from Wisconsin state taxes
 - Interest on CDA Lease Revenue Bonds are exempt from Federal taxes (when issued for public activity)
 - Bonds are attractive to individual investors due to the "double-exempt" nature and therefore marketable to local investors (allows local investors to show support for project)
 - Bonds are payable from lease payments received from the municipality (No pledge of tax levy securing the bonds)
 - Economic development is closely tied to project financing
 - Amortization period can exceed 20 years/more closely match life of TID
 - Does not count toward statutorily allowed debt limit
 - Interest Rates comparable to General Obligation borrowing

Disadvantages of CDA Lease Revenue Bond



- Disadvantages of Financing with CDA Lease Revenue Bonds
 - Higher issuance costs
 - Higher initial borrowing amount
 - Debt Service Reserve Requirement is typical
 - More legally intensive
 - Requires findings of Blight
 - via a Redevelopment Plan or Spot Blight findings
 - Public Hearing Required
 - Longer time to secure funds



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 30, 2016

Re: Agenda Item 7K, Update on Possible Lake Street Speed Radar Sign

BACKGROUND

Trustee Gergen has requested an update on the progress of talks with homeowners and the School District regarding the proposed speed radar sign for Lake Street.

ACTION REQUESTED

This matter is on the agenda for an update on this matter.

ANALYSIS

Staff met with John Gahan, Assistant Superintendent/CFO, to convey the appreciation of the Village Board for the School District offering to contribute half of the cost of a possible speed sign on Lake Street. We also discussed the request of the Village Board that the District consider covering 100% of the cost as the traffic concerns are a result of the School District facilities. Mr. Gahan advised that he would review the request with Superintendent Sternke and anticipated that the request would be forwarded to the School Board for its April 18th meeting.

Upon a review of our meeting notes, staff was directed to send a letter to the School District requesting 100% of the funding for the sign and then to move forward. Therefore, staff has not contacted residents at this time pending a response from the School District.

Attachment



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 30, 2016

Re: Agenda Item *2c*, Presentation and Discussion Regarding Tax Base Comparison Between the Village and Other Waukesha County Incorporated Communities

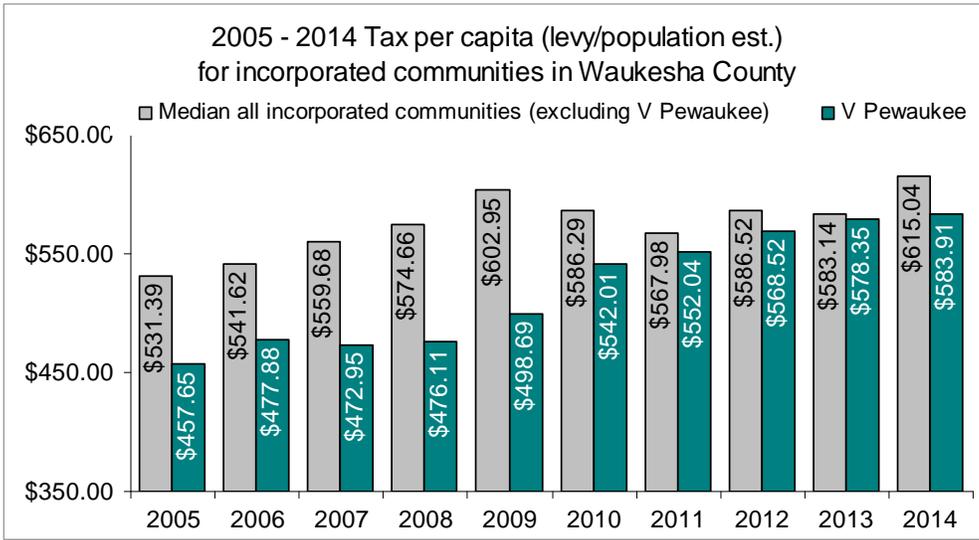
BACKGROUND

This matter is on the agenda at the request of Trustee Nauth for the purpose of reviewing the attached information and data with the Village Board.

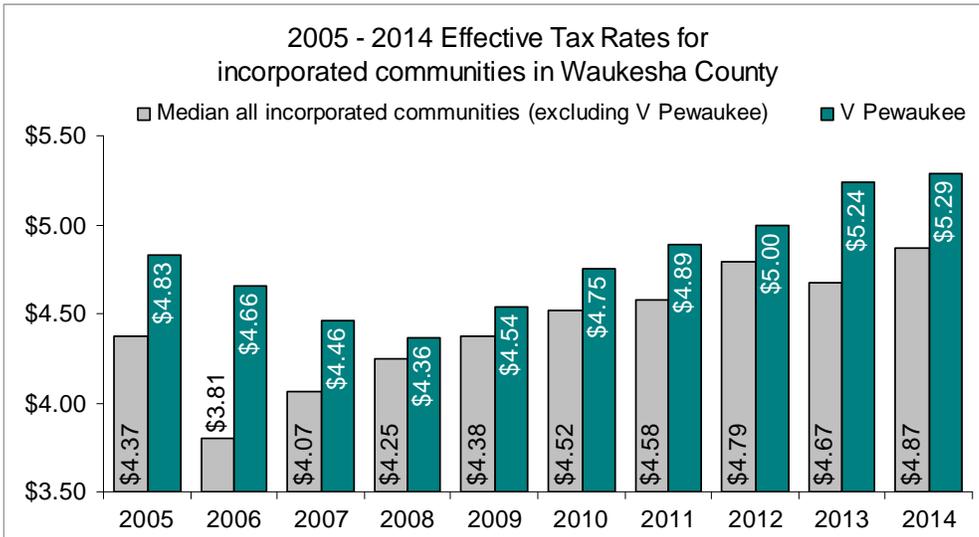
ACTION REQUESTED

The action requested of the Village Board is to review the information which will be discussed by Trustee Nauth at the meeting.

Attachments

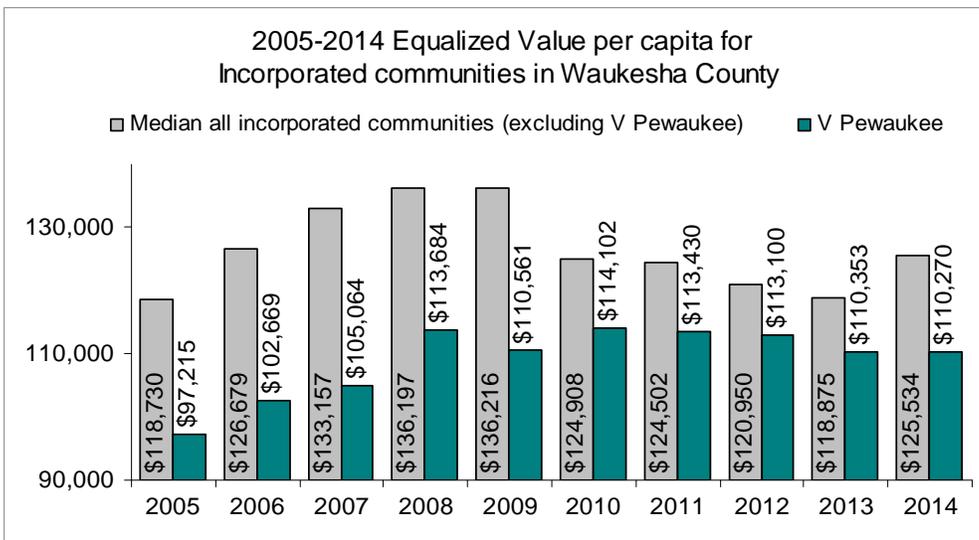


Property taxes are the primary source of revenue for most municipalities in Wisconsin, including the Village of Pewaukee. Between the years 2005 to 2014 the village has taxed less per person than the average for all other incorporated communities in Waukesha County. Excessive spending is not the cause of the higher than average tax rate.



In spite of the lower than average tax per person, the effective tax rate in the Village has been higher than the average for every year from 2005 to 2014. WHY?

Note: The effective tax rate is the primary comparison method used by assessors. It is also one of the tools frequently used by business entities to aid in deciding where to locate a new business. It is computed by multiplying the tax rate by the assessment ratio.



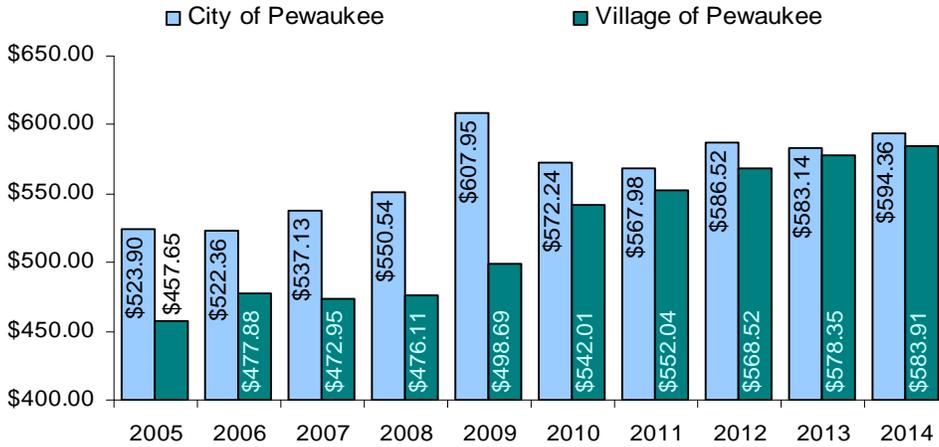
The Village has a per capita equalized value much lower than the average. It is the sole reason for the higher than average tax rate. If the Village does not start making better planning decisions, the tax rate will soar.

Note: Equalized value is an estimate of the total market value for each taxing jurisdiction. It is provided annually by the Dept. of Revenue (DOR).

What most people refer to as a property tax is actually 'ad valorem' taxation, meaning 'according to value' in Latin. If the total assessed value of a community declines, the tax rate will increase even if the levy remains the same. In short, the lower the value, the higher the tax rate. The health of the tax base is the single most important factor in keeping the tax rate low.

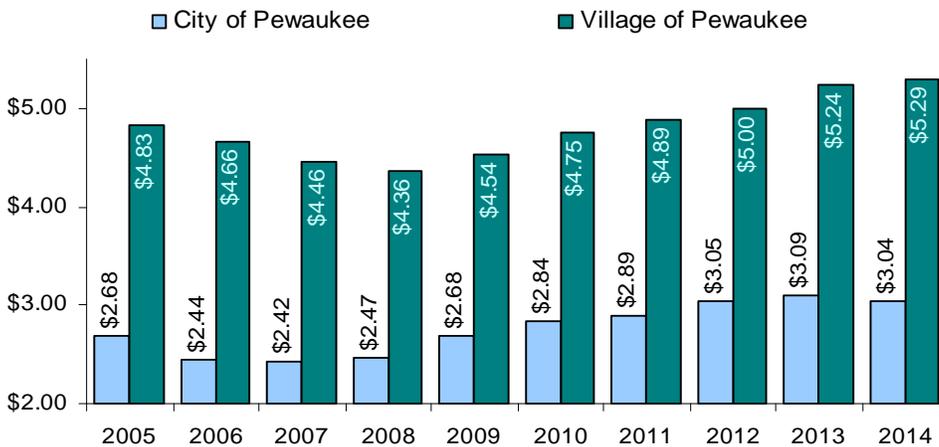
Sources: TAX RATES from Waukesha County web site; Wisconsin Department of Revenue - Summary of Aggregate Ratios, CERTIFICATE OF EQUALIZED VALUE, and Town, Village and City Taxes Bulletin; Waukesha County Treasurer - levy; Demographic Services Center, Time Series of The Final Official Population Estimates and Census Counts for Wisconsin Minor Civil Divisions

2005-2014 Tax per Capita for the Village & City of Pewaukee



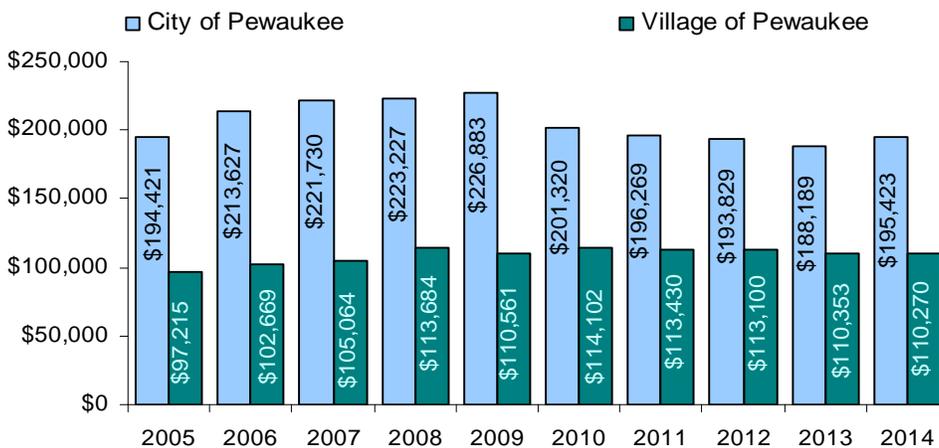
Starting with the 2010 census the Village of Pewaukee has had a population loss every year, totaling 743 people by 2014. The City has gained 1,308 people in the same time frame. In spite of that, the tax per capita in the Village has been consistently lower than the City for every year between 2005 and 2014.

2005-2014 Effective tax rates for the Village & City of Pewaukee



Between 2005 and 2014 the average tax rate in the Village has been over 42% higher than the City. Given that the Village taxes less per capita, why is the Village tax rate so much higher than the City??

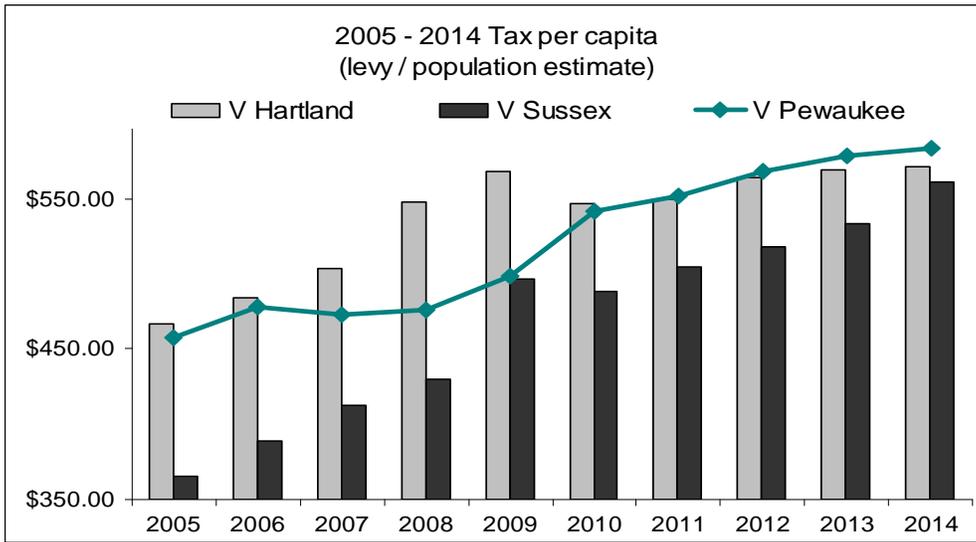
2005-14 Equalized Value per Capita for the Village & City of Pewaukee



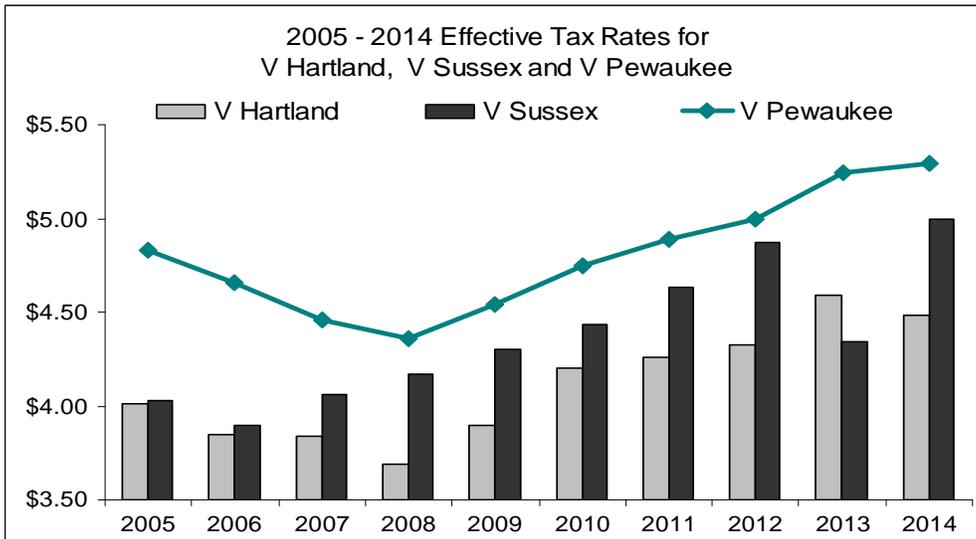
The answer is that the average equalized value per capita in the Village is over 44% lower than the City. The Village taxes less, but has a higher tax rate because the Village tax base is significantly out of balance.

The only way to improve the tax rate in the Village of Pewaukee is to improve the tax base. That will require a significant improvement in decisions made by Village officials. The assessed value of existing property in the Village declined by \$5,495,800 between 2014 and 2015. 92.8% of that loss is in the commercial class which includes retail commercial, multi-family and elderly housing, all of which are overbuilt in the Village.

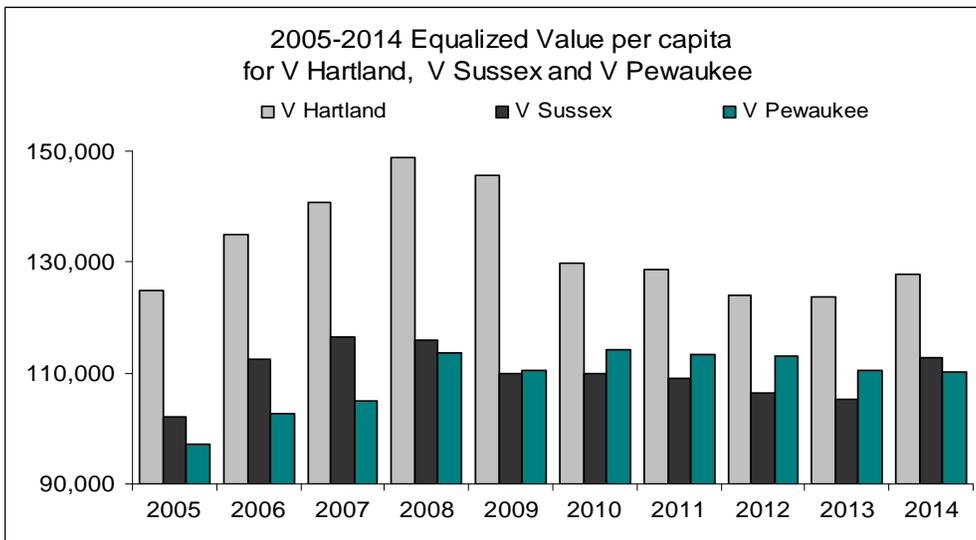
Sources: TAX RATES from Waukesha County web site; Wisconsin Department of Revenue - Summary of Aggregate Ratios, CERTIFICATE OF EQUALIZED VALUE, and Town, Village and City Taxes Bulletin; Waukesha County Treasurer - levy; Demographic Services Center, Time Series of The Final Official Population Estimates and Census Counts for Wisconsin Minor Civil Divisions



The two communities in Waukesha County that are the most similar to the Village of Pewaukee are the Villages of Hartland and Sussex. The tax per person in Sussex has been consistently lower than the Village of Pewaukee. Starting in 2011 the tax per person in Hartland has also been lower, probably due to a decrease in Pewaukee's population and the excessive contract cost of Fire/EMS services charged by the City of Pewaukee.



The effective tax rate in the Village of Pewaukee has been higher than either Hartland or Sussex every year even when the per person spending in Hartland has been significantly more than Pewaukee. Reductions in spending alone cannot reduce the tax rate.



The Village of Hartland has enjoyed a higher than average equalized value per person for every year between 2005 and 2014. Because of that, they have been able to spend more per person, thus providing a higher level of services, while still maintaining a lower than average tax rate. The importance of a balanced tax base cannot be overstated.

Conclusion: A healthy tax base allows a Municipality to provide a higher level of services to its citizens and still maintain a tax rate that is lower than communities with tax bases that are out of balance. Containing spending increases such as the Fire/EMS contract increases in the Village of Pewaukee is vitally important for long-term economic health, but alone will not decrease or even stabilize the tax rate.

Sources: TAX RATES from Waukesha County web site; Wisconsin Department of Revenue - Summary of Aggregate Ratios, CERTIFICATE OF EQUALIZED VALUE, and Town, Village and City Taxes Bulletin; Waukesha County Treasurer - levy; Demographic Services Center, Time Series of The Final Official Population Estimates and Census Counts for Wisconsin Minor Civil Divisions



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: March 30, 2016

Re: Agenda Item 7m, Discussion of Housing Characteristics from the 2000 Census and How it
Relates to the Village

BACKGROUND

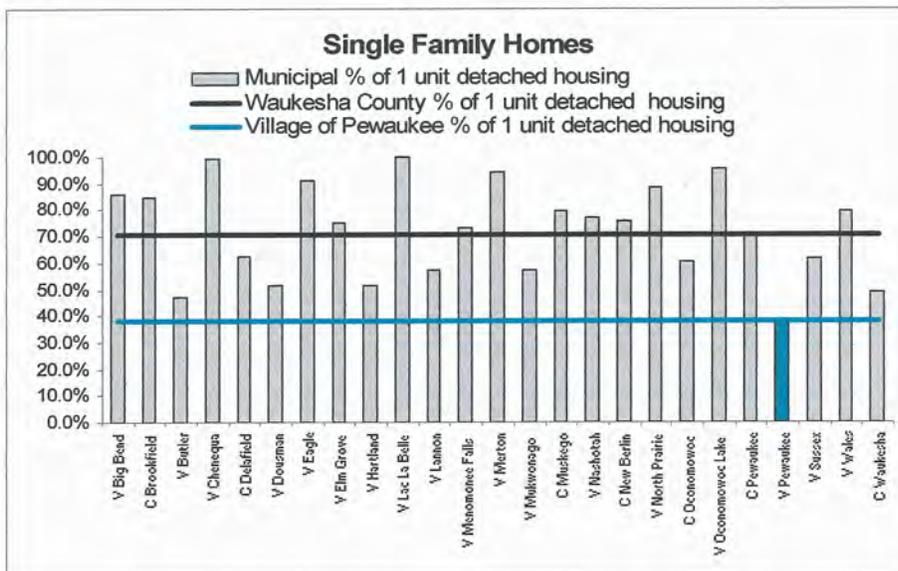
This matter is on the agenda at the request of Trustee Nauth for the purpose of reviewing the attached information and data with the Village Board.

ACTION REQUESTED

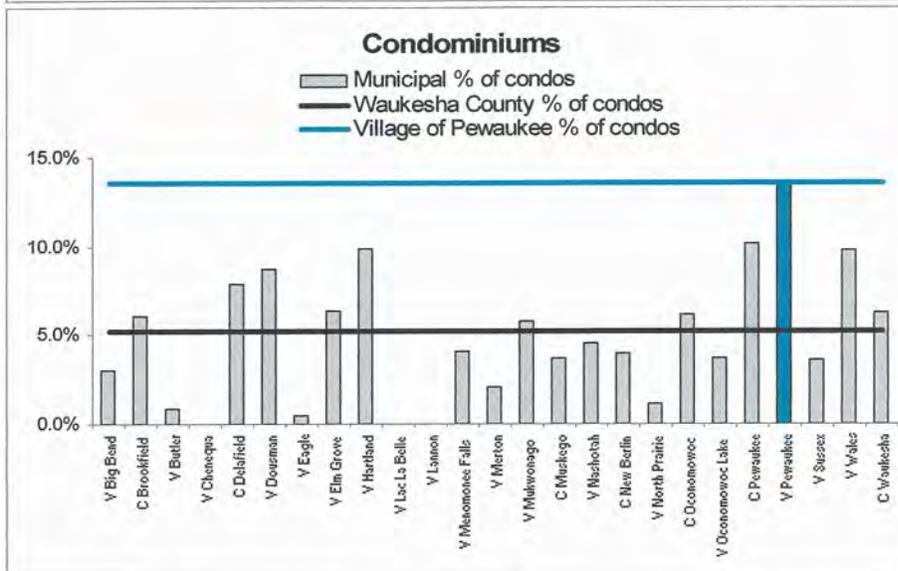
The action requested of the Village Board is to review the information which will be discussed by Trustee Nauth at the meeting.

Attachment

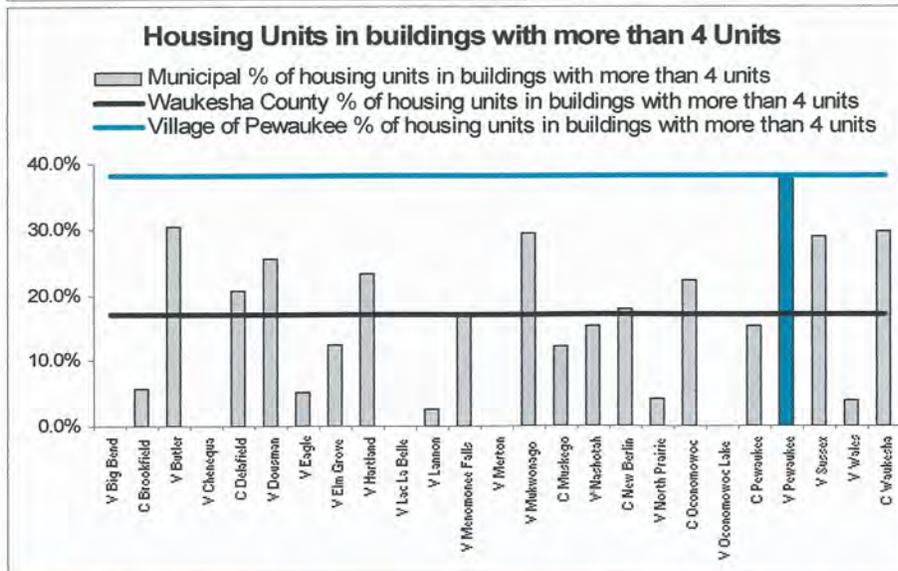
The Village of Pewaukee has a lower percent of single family detached housing (38.3%) than any other incorporated community in Waukesha County. The percent is also lower than the Cities of South Milwaukee, West Allis, Milwaukee, or the State of Wisconsin.



The percent of housing units in condominium projects is almost 14% in the Village of Pewaukee. That is higher than any other community and contributes to the Village's low per capita tax base and high density population.



Almost 40% of the housing units in the Village of Pewaukee are in buildings that have more than 4 units per building. This type of housing tends to have a lower per unit value than any other type of housing. The high percentage in the Village has a negative impact on the Village's tax base.



Owner occupied detached housing is considered to be one of the most important factors in neighborhood and community stability. A high percentage of detached housing has a positive impact on a community's tax base. The composition of the Village's housing is seriously out of balance and has a negative impact on both its tax base and tax rate.