



Regular Village Board Meeting Agenda

October 4, 2016 – 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 Hearing.
 - a. Public Hearing on Ordinance No. 2016-15, Ordinance to Create Section 86.114(d) of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation on High Street North of Capitol Drive
3. Approval of Minutes of Previous Meeting.
 - Minutes of the Special Village Board Meeting – September 20, 2016
 - Minutes of the Regular Village Board Meeting – September 20, 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. **Remove from Table**, Ordinance No. 2016-12, Ordinance to Create Chapter 28 of the Municipal Code of the Village of Pewaukee Relative to the Disclosure of Economic Interest
 - b. Ordinance No. 2016-15, Ordinance to Create Section 86.114(d) of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation on High Street North of Capitol Drive
6. Resolutions.
 - a. None.
7. Old Business.
 - a. Discussion and Direction on Draft 2017 General Fund Budget, Joint Park & Recreation Budget, Joint Library, Joint Lake Patrol, and Draft 2017 – 2019 Capital Plan
8. New Business.
 - a. Discussion and Possible Action on Appointments to Zoning Board of Appeals – 1 regular member and 1 alternate member
 - b. License Approvals and Vendor Permits
 1. Operator Licenses – New, Renewal(s) and Denial(s)
 - c. Discussion and Possible Action on Approval of Election Inspectors
 - d. Discussion Related to Meeting with Multi-tenant Building Owners
9. 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.*



Regular Village Board Meeting Agenda

10. Closed Session. – The Village Board of the Village of Pewaukee will enter into closed session 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 negotiation strategy regarding Fire/EMS Agreement; 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 to consider employment of Court Clerk candidate.
11. Reconvene Into Open Session
12. Action Out of Closed Session
Possible Action on Offer of Employment for Municipal Court Clerk
13. 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: September 30, 2016

**VILLAGE OF PEWAUKEE
SPECIAL VILLAGE BOARD MEETING
September 20, 2016**

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call

President Knutson called the meeting to order at approximately 6:31 p.m. The Pledge of Allegiance was recited followed by a moment of silence.

Village Board members present on Roll call: Trustee Tom Calder, Trustee Heather Gergen, Trustee Cathy Baumann, Trustee Paul Evert, and President Jeff Knutson; Trustee Joe Zompa and Trustee Kevin Yonke were excused.

Also Present: Village Attorney, Mark Blum; PD Chief, Tim Otto; PD Captain, Jay Iding; PD Lieutenant, Mark Garry; Pewaukee Library Director, Jennie Stoltz; Department of Public Works Director & Engineer, Dan Naze; Village Planner, Mary Censky; Village Administrator, Scott Gosse; Village Clerk, Chaz Schumacher.

2. New Business

a. Discussion and Direction on Draft 2017 General Fund Budget and Draft 2017-2019 Capital Plan

Trustee Calder asked when the new fire numbers will be given to the Village. Administrator Gosse stated the City of Pewaukee's financial committee is meeting on Thursday.

Pewaukee Library Director Stoltz stated her budget is straight forward but there will be some changes after the Library Board meets tomorrow due to health insurance costs going down \$1,500. Stoltz stated the Village did a salary study a year ago and overall the Library budget increased 0% with the exception of salaries and benefits. She stated the increase is because she's working towards getting her employees to the midpoint range. She has reviewed staff evaluations, their placements and longevity, and their education to help make judgements on how fast they need to get to the midpoint level of pay. Stoltz stated the current budget request would increase about a third of staff to the midpoint level. Stoltz stated she is concerned about getting staff higher salaries because they see jobs in other communities that pay \$5-\$6 more than their current wage. President Knutson asked if the salary study helped. Stoltz replied it did and that it was very enlightening and informative and very much worth it. She stated now that they know they are in the lower scale in the county they can take steps to get employees to the midpoint target, she can't do it all now but is looking to phase in over time. Trustee Calder asked how long until she would be at midpoint. Stoltz replied that it's hard to keep up with the cost of living increases but she hopes to get them to midpoint but she doesn't know if these levels of increases are realistic, maybe this coming year and then again in a few years. President Knutson stated that no one on the Board wants the Library to lose key people and hopefully they understand that we are trying to get them increased as soon as possible. Trustee Calder stated Stoltz is playing catch up, we paid to do the study and now adjustments need to be made. Calder stated it will be the same picture next year and support needs to be extended to the Library and other departments. Stoltz stated her biggest concern is the huge turnover in the Library world because employees that didn't retire during the recession are retiring now. She stated there are a lot of job ads and she fears losing people. President Knutson asked Administrator Gosse if the Village at midpoint or higher in other departments based on the study. Gosse stated there were some on the low range. Stoltz stated the library had 16 people not on the scale and now all are on the scale but most are on the bottom half or quarter of the scale.

President Knutson asked if the Board would be okay with Stoltz coming back with higher numbers for those on the center that the library may lose and bring them up now and not wait. Discussion followed.

Department of Public Works Director & Engineer Naze stated his budget is pretty much the same as the 2016 budget.

Police Chief Otto reviewed the PD budget. Otto stated they have the same number of employees. He stated at the Lake Patrol meeting earlier today, they approved their budget, the Village share is the same. Otto stated the revenue numbers are higher and he's projecting \$20,000 or more in grants from the DOT. He stated a 2% salary increase has been included for all sworn in officers and was carried through for supervisors. Otto stated the secretarial employees' increases are different due to staff changes in the future but overall they're the same.

President Knutson moved discussion on to the capital budget. Administrator Gosse stated the worksheet includes proposed equipment replacement and road/utility projects for a 3 year period. DPW Director & Engineer Naze reviewed the proposed equipment replacements. Naze stated the capital projects are nothing new from what was reviewed and approved in October 2015 at the Public Works & Safety Committee meeting. Trustee Gergen asked if Naze planned until 2018/2019. Naze stated yes. Trustee Calder asked if all of the road plans are part of the budget. Naze stated yes. Trustee Evert asked why there wasn't anything under the water or storm water utilities. Naze stated it depends on the project, some lines don't need replacing. President Knutson asked if Naze was comfortable with the numbers. Naze stated yes. Knutson asked Gosse if water and sewer is borrowed under water and sewer. Gosse stated the Village is looking at cash instead of borrowing.

Trustee Calder asked Chief Otto if PD about the PD capital budget and if PD was looking to downsize their suburban. Otto replied a vehicle with longer wheel base is needed because they need to haul a trailer. Discussion followed.

Trustee Gergen stated she would like to look at and discuss capital outlay

3. Adjournment

Trustee Baumann moved, seconded by Trustee Evert to adjourn the September 20, 2016 Special Village Board meeting. Motion carried 5-0.

Meeting adjourned at approximately 7:06 p.m.

Respectfully Submitted,

Chaz Schumacher
Village Clerk

**VILLAGE OF PEWAUKEE
VILLAGE BOARD MEETING
September 20, 2016**

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call

President Knutson called the meeting to order at approximately 7:09 p.m. The Pledge of Allegiance was recited followed by a moment of silence.

Village Board members present on Roll call: Trustee Tom Calder, Trustee Heather Gergen, Trustee Cathy Baumann, Trustee Paul Evert, and President Jeff Knutson; Trustee Joe Zompa and Trustee Kevin Yonke were excused.

Also Present: Village Attorney, Mark Blum; PD Chief, Tim Otto; PD Captain, Jay Iding; PD Lieutenant, Mark Garry; Pewaukee Library Director, Jennie Stoltz; Department of Public Works Director & Engineer, Dan Naze; Village Planner, Mary Censky; Village Administrator, Scott Gosse, Village Clerk, Chaz Schumacher.

2. PUBLIC HEARING

a. Ordinance No. 2016-13, Ordinance to Amend Section 40.131 of the Municipal Code of the Village of Pewaukee Regarding the Composition of the Zoning Board of Appeals

President Knutson closed the Public Hearing at approximately 7:11 p.m.

3. Approval of Minutes of Previous Meetings

a. Minutes of the Regular Village Board Meeting – September 6, 2016

Trustee Calder asked why a new copy of the minutes was handed out. Clerk Schumacher responded an addition was made to the last paragraph on page 1 reading, "Calder stated it would be good to know who owns Yonke Funeral Home." Calder asked why the addition was made. President Knutson stated he requested the addition. Calder stated he would rather changes be done at the board meetings so everyone is aware of the changes.

Trustee Baumann moved, seconded by Trustee Gergen to approve the September 6, 2016 minutes with the presented changes. Motion carried 5-0.

4. Citizen Comments

Heather Mangold – Mangold Creative, 126 Main Street – Ms. Mangold stated her comments are in regards to Resolution No. 2016-05 which was discussed 2 weeks ago at the Village Board meeting and the Board wanted to wait until there was full board, but there isn't a full board tonight. She stated this isn't a banking program; it's a program to attract businesses. She stated the Village has been accused of not being business friendly. Mangold stated they (Mangold Creative) have invested half a million dollars, she doesn't want to dwell, but she can only afford to do one project this fall and it's either the furnace or the landscaping. She asked the Board to approve Resolution No. 2016-05 but to waive under Section IV A "Any expense incurred prior to written notification of approval of loan" so she can proceed with the 2 projects she needs to complete this fall.

Robbyn Marcinkevic – 324 High Street – Ms. Marcinkevic stated her comments are about Ordinance 2016-15 regarding the no parking designation on High Street. She has a small driveway and no garage. She asked where the parking would end under the proposed ordinance. Marcinkevic stated she uses the street for parking when she has company.

Jeff Thorson – 320 High Street – Mr. Thorson stated he was just made aware of the no parking ordinance being considered, he would like more detail and to take a closer look at it and where they are limited to park.

Tim McManus – 340 High Street – Jim stated he would like more clarification and time to discuss it with his neighbors on the street.

5. Ordinances

a. Ordinance No. 2016-12, Ordinance to Create Chapter 28 of the Municipal Code of the Village of Pewaukee Relative to the Disclosure of Economic Interest

President Knutson stated that Trustee Yonke asked for this item to be deferred due to comments made in the minutes.

President Knutson moved, seconded by Trustee Baumann to table item 5.a until the next board meeting. Motion carried on Roll Call vote 3-2, Trustee Evert and Trustee Calder voting Nay.

b. Ordinance No. 2016-13, Ordinance to Amend Section 40.131 of the Municipal Code of the Village of Pewaukee Regarding the Composition of the Zoning Board of Appeals

Administrator Gosse stated there are challenges to hold Zoning Board of Appeals meetings. He stated the State Statutes allow for up to 2 alternates, the Village Code allows for 1 alternate. Gosse stated the Plan Commission considered it and approved the recommendation to the Village Board. He stated it's been a unique year with more meetings than usual and this would allow flexibility in order to have a quorum.

Trustee Baumann stated this appears to be unique to this board; there haven't been issues in the past. She stated she's okay with adding an alternate but if there are problems with the current board maybe other people need to be considered, but with people not interested that would be hard. She stated her concern for changing an ordinance because of something specific that could be changed. Administrator Gosse stated he doesn't know if it's disinterest or schedule conflicts. Baumann asked what the notification time is. Gosse stated 3-4 weeks.

Trustee Calder stated maybe look at who's serving on the board. He stated something should be put on the website, the website should be utilized. He asked if the Village Board should be asked to find someone who's willing to serve.

Trustee Evert stated he concurs with what has been said, it seems who's on the committee doesn't want to serve and they need to be told it's an important function. He doesn't know if 2 alternates will solve the problem.

Trustee Calder moved, seconded by Trustee Gergen to approve Ordinance No. 2016-13, an Ordinance to Amend Section 40.131 of the Municipal Code of the Village of Pewaukee Regarding the Composition of the Zoning Board of Appeals. President Knutson stated he does want the Board to know that a letter was sent the Zoning Board of Appeals members to see if there were any problems with being on the ZBA. He got 1 response back that a member didn't want to serve on the ZBA anymore, so the Village would be looking for 2 people to fill spots. Trustee Calder asked if something could be put on the website for people interested in serving on the ZBA and they would attend meetings as needed. Attorney Blum stated that staff does contact ZBA members but that in each instance people just don't show up. Trustee Baumann stated those members need to be replaced. **Motion carried 5-0.**

c. Ordinance No. 2016-14, Ordinance to Repeal and Recreate Chapter 70 of the Village of Pewaukee Code of Ordinances Regarding Signs

Village Planner Censky stated in 2015 the Supreme Court took a case on signage and the outcome established that moving forward laws for allowing signs based on content were not allowed. Communities are reviewing their codes and seeing permissions based on content. She stated staff refurbished the language so it serves the same purposes but any disparity on content is removed. She stated that in the Village's special event locations, an abundance of organizations not necessarily in the Village would be permitted to use those locations too. Censky stated additional signs are allowed during election periods plus 2 days. The content is not regulated but the number of signs and maximum size are limited to the number of voting items on the ballot.

Trustee Baumann asked if the number of election signs allowed are based on the number of items on the ballot, for a local race for trustees, would that be 1 item or 4 signs for 4 different people. Attorney Blum stated there would 3 trustee positions open, so 3 signs would be allowed, each position is an item.

Censky reviewed Section 70.115(b) stating that instead of building identification signs, it is now sign allocation for R-M and R-6, the content is not prescribed, only sign allocation. She reviewed changes in Section 70.115(c) stating that instead of subdivision signs, they are now referred to as contiguous project area signs and they are allowed a 40 square foot sign with offsets, etc. What it says is up to the applicant. Censky reiterated that the Village can no longer regulate the content, only the size and allocation. She reviewed Section 70.111(11) and that it covers miscellaneous signs in the residential areas such as rummage sale signs, for sale signs. The Plan Commission allowed for residential areas to have signs for not more than 12 cumulative days but not more than 4 consecutive days, less than 7 feet high and less than 6 square feet, with election signs being a bonus. Censky stated that what is on those signs is up to the property owner, so if they are allowed 4 signs than any 1 day counts towards the 12 allowed days, with signs marketing the property for sale starting when the property goes on the market and concluding when it is sold.

Trustee Gergen asked where the 12 days came from and what if a parent has a sign for their child, it seems ridiculous. Censky replied the 12 days was in the code as a way of controlling rummage sale signs. Gergen replied that 12 days seems short and restrictive and the Village should be supporting community pride. Censky stated the discussion came up at the Plan Commission level but the Village can't regulate content. She stated the signs we desire to see can be matched by signs you may not want to see the content on and that is where the duration came from.

Trustee Baumann stated her agreement with Trustee Gergen and that she understands things were out of control but this seems oppressive. She understands it's been cleaned up but she sees this to be heavy handed.

Trustee Calder stated he sees this as cleaning up the sign code.

Trustee Calder moved to approve Ordinance No. 2016-14, an Ordinance to Repeal and Recreate Chapter 70 of the Village of Pewaukee Code of Ordinances Regarding Signs. Attorney Blum stated the Village can regulate the location, lighting, and area but not the content. Blum stated you can't say one is okay and one is not okay, unfortunately that is what the law requires. Blum stated the only consideration is if there is substantial public purpose for doing so that is the least restrictive; and it is very rare that the Supreme Court agrees with local government. Trustee Evert stated he can see it's hard

to regulate and asked who's going to enforce all these ordinances. Someone would have to know the first and tenth day. **President Knutson seconded Trustee Calder's motion.** President Knutson stated his agreement with Trustee Calder and the rest of the Board, he stated that if a neighbor puts up something offensive you don't have the right to remove it but if it's the fifth day you can now. Trustee Gergen stated she would be supportive if the cumulative days were 20 or more, 12 seems restrictive. Trustee Baumann stated her agreement with the rest of the Board but also with Trustee Evert; she asked who is going to regulate, Administrator Gosse, the Police Department, who's going to pick up the signs. Censky stated that none of the signs or regulations has been changed in substance; the Village currently limits rummage and temporary signs. Discussion followed. **Roll Call vote taken:**

Trustee Calder	Aye	Trustee Gergen	Nay
Trustee Baumann	Nay	Trustee Evert	Nay
President Knutson	Aye		

Motion failed 2-3.

President Knutson asked what the Board should do now. Attorney Blum stated the Board needs to provide direction on what to do because the Village needs to bring its ordinances in line with the court decision or the Village opens itself up to being sued for content restrictions. Blum asked what the Board finds okay.

Trustee Baumann stated the ordinance needs to come into compliance but wherever the number of days is considered, enforcement needs to be considered. Attorney Blum stated the ordinance says these are in compliance, zoning code matters are dealt with on a complaint basis. Staff doesn't log them but if they get a complaint about a rummage sale sign that has been up for 2 weeks than they can do something about it, unless there is money in the budget for a compliance person. President Knutson stated Administrator Gosse currently goes out and writes letters to properties violating the code. Baumann stated she doesn't have a problem with the size of signs; it's the number of days, that's non-enforceable. She stated the Village pays a good salary for someone to go and pull signs. She has a problem with restricting days; it needs to be realistic. Attorney Blum stated that members of the public express to the Police Department for example about someone selling 300 days out of the year with signs up, if we have complaints than we can enforce, if there is no restriction on the duration it is taking an important enforcement tool away. President Knutson asked if 20 days would good. Trustee Gergen stated she would like it to be 30 days and you can break down the 30 days however you want. Discussion followed.

Trustee Gergen moved to change Section 70.111 (11) from 4 days to shall not exceed 30 accumulative days and to also remove "Not more than 4 temporary signs may be displayed simultaneously on any one residentially zoned property." President Knutson asked for clarification. Gergen stated there can be 1 sign for 30 days or 10 different signs for 30 days, but not all at once. Attorney Blum asked how many would be allowed at once. Gergen stated 1. Blum asked if a property is for sale and has a sign but then also has a sign for a rummage sale, it would be prohibited. Gergen stated no. **Gergen amended the motion to only change to not exceed a 30 day accumulative period.** Trustee Evert seconded the amended motion. Motion carried on Roll Call vote, 4-1, Trustee Baumann voting Nay.

d. Ordinance No. 2016-15, Ordinance to Create Section 86.114(d) of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation on High Street North of Capitol Drive

Trustee Calder moved, seconded by Trustee Baumann to have item 5.d reconsidered at the next Village Board meeting and that mailings are sent to property owners within 500 feet of the affected

properties. Trustee Gergen stated she would like more information about what's being proposed. Chief Otto stated that in that particular area when cars park on both sides, it makes it impassible by 2 cars on the curve. He stated the Public Works & Safety Committee approved the restriction going up to 340 High Street and it's for the safety of people and motorists going up and down the road. Trustee Baumann stated, to quote Bob Rhode, are we taking a sledge hammer to go after a fly. Baumann asked if when there is an event like Taste of Lake Country, can we post temporary no parking signs in that area. Otto stated they did that this year and then kept the signs up for 90 days, he has seen cars parked there and it isn't safe, and there is not a safe area of passage if two cars are parked. **Trustee Evert asked that the motion include a public hearing. Trustee Baumann asked for a friendly amendment to the motion, to have Chief Otto go up to the area in question and re-evaluate the situation. Motion carried 5-0.**

6. Resolutions

a. Resolution No. 2016-05, Resolution to Approve Façade Improvement Loan Application for Mangold Holdings LLC and Heather and Michael Mangold

Trustee Calder moved, seconded by Trustee Gergen to approve Resolution No. 2016-05, a Resolution to Approve Façade Improvement Loan Application for Mangold Holdings LLC and Heather and Michael Mangold. Trustee Calder said his only comment is that when borrowing public funds, he wants to know what is being done with the money borrowed; the Village is in a situation where they have to borrow money all the time too. Trustee Baumann stated her agreement with Calder; she asked if it would be for the full amount or the capped amount. Trustee stated to let it go with the amount listed in the resolution. Baumann asked if the money would be repaid into the fund balance or the façade loan. Administrator Gosse stated it would be repaid into the façade loan and into the fund balance if the Board wants it to. **Trustee Baumann asked to amend the motion to say the money will be paid back into the fund balance. Trustee Gergen asked to amend the motion to include the repayment amount of \$16,197.08. Motion carried 5-0.**

b. Resolution No. 2016-06, Resolution to Acknowledge and Accept the Van Horn Family and Friends Donation for the Pewaukee River Pedestrian Bridge Project

Clerk Schumacher read Resolution No. 2016-06 into the record, "a Resolution to Acknowledge and Accept the Van Horn Family and Friends Donation for the Pewaukee River Pedestrian Bridge Project.

WHEREAS, the Pete Van Horn Family and Friends have offered a donation of \$100,000 for the construction of a wooden covered bridge across the Pewaukee River as outlined in their offer letter dated February 17, 2016 (copy attached); and

WHEREAS, the Van Horn Family and Friends have reaffirmed their donation on September 6, 2016 (copy attached); and

WHEREAS, the Pewaukee River Partnership has offered to coordinate the efforts and perform the work necessary to move forward with the construction of the bridge to be constructed through the Van Horn Family's donation.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Village Board of the Village of Pewaukee that it hereby accepts and acknowledges the generous donation from the Van Horn Family and Friends for the Pewaukee River Pedestrian Bridge project.

BE IT FURTHER RESOLVED, that the Village Board extends its appreciation to the Van Horn Family for its civic philanthropy through the offer of this donation."

Trustee Calder moved, seconded by Trustee Evert to approve Resolution No. 2016-06, a Resolution to Acknowledge and Accept the Van Horn Family and Friends Donation for the Pewaukee River Pedestrian Bridge Project. Motion carried 5-0.

c. Resolution No. 2016-07, Resolution to Amend the Downtown Building Façade Renovation Loan Program Policy Guidelines

Administrator Gosse stated the Board requested to update the policy to cap the loan amount at \$15,000.

Trustee Baumann stated this loan has only been given out a couple of times and there was a time when 2 neighboring properties owned by the same person were given loans. She asked for the Board's thoughts on capping the number of times a person can take out a loan. Trustee Gergen stated if they do a great job and added beauty the Village, if someone takes out a loan, pays it back, and wants to take out another one, she would be okay with that, as long as it is paid back it's not a concern. Trustee Evert stated he thinks it's good but doesn't think they should get a loan every 2 years, if they pay back their loan and come back, that's a different case.

Attorney Blum asked that the Board consider adding into Section III "...within this policy, in the reasonable discretion of the Village Board, and only..."

Trustee Calder moved, seconded by Trustee Evert to approve Resolution No. 2016-07, a Resolution to Amend the Downtown Building Façade Renovation Loan Program Policy Guidelines with the addition of Attorney Blum's comments. Motion carried 5-0.

President Knutson asked for item 8.a to be heard first.

8. New Business

a. Discussion and Possible Action on Revaluation Agreement with Associated Appraisal Consultants, Inc.

Administrator Gosse stated Christopher Campbell and Dean Peters with Associated Appraisal are present to answer any questions the Board may have. Gosse stated the funds for the revaluation have been included in the draft budget.

President Knutson asked if property owners would be notified before Associated Appraisal came to the property and how is that person presented, Dean Peters stated there would be information for the website and letters to the individual property owners letting them know how they can identify staff members of the company. Peters stated he doesn't know the exact times they will be at each property but if they are not there the first time staff visits a hanger will be left on the door letting the owner's know to contact Associated Appraisal for a follow up.

Trustee Baumann asked if when property owners are notified if they are given a window of time like 10-4. Peters responded that they don't have phone numbers so they have to use the mailing address to contact property owners and they are contacted about 2 weeks prior to staff coming out to the area. Baumann asked if the process was counter-intuitive and how many people are actually home. Peters stated they do it this way because staff needs to be productive during the day and it allows them to get the exterior work done. Baumann asked if the Village is charged for each trip. Peters responded that the Village does not pay for gas or mileage, they pay the contracted amount. Discussion followed.

Trustee Calder moved, seconded by Trustee Evert to approve the Revaluation Agreement with Associated Appraisal as presented in the amount of \$167,800. Motion carried 5-0.

7. Old Business

a. Discussion/Direction Related to Preliminary Draft 2017 General Fund Budget and Draft Capital Plan

Trustee Calder asked if the next early session would be at the next meeting. President Knutson asked if 6:30 p.m. worked. Administrator Gosse stated yes and if the Board has questions before then to let him know. Calder asked if there was information about health insurance. Gosse stated that premiums in Waukesha County went down and the lowest cost plan changed also. Discussion followed. Calder asked if there were any preliminary fire numbers. Gosse stated he would contact the City of Pewaukee to see.

8. New Business

b. Discussion and Possible Action on Setting Date and Time for Trick or Treat

Trustee Evert moved, seconded by Trustee Calder to approve the Village of Pewaukee Trick or Treat for October 30, 2016 from 4 p.m. to 7 p.m. Motion carried 5-0.

c. License Approvals and Vendor Permits

i. Operator License – New and Renewals

Trustee Calder moved, seconded by Trustee Evert to approve New Operator Permits as presented for the remainder of the July 1, 2016-June 30, 2017 license term for the following applicants:

Angela Corona	Bradley Eynon	Lisa Cato	John Wardman
Deborah Enteminger	Breanna Beich		

Motion carried 5-0.

Trustee Baumann moved, seconded by Trustee Gergen to approve the renewal Operator Permit as presented for the remainder of the July 1, 2016-June 30, 2017 license term for Rebecca Van Aacken. Motion carried 5-0.

ii. Temporary Class "B" License

Trustee Calder moved, seconded by Trustee Evert to approve the Temporary Class "B" Retailer's License as presented for Armed Forces Challenge for an Oktoberfest event hosted by VeloCity Cycling located at 203 West Wisconsin Avenue on October 1, 2016. Motion carried 5-0.

d. Discussion and Possible Action on Donation Agreement with Pewaukee River Partnership for Pewaukee River Pedestrian Bridge

Administrator Gosse stated the Board moved at the last meeting to turn over the bridge project to Pewaukee River Partnership. He has included a form used in the past to outline a donation agreement for a picnic shelter and it would be the same for the bridge.

Trustee Baumann moved, seconded by Trustee Gergen to approve the Donation Agreement with Pewaukee River Partnership for the Pewaukee River Pedestrian Bridge as presented. Motion carried 5-0.

e. Possible Action on Agreement with R.A. Smith National for Legal Description for Pedestrian Bridge/Path Easement

Administrator Gosse stated this is for surveying work and legal description for possible pedestrian path and would document the easement location. Trustee Calder asked if they would do a survey. Gosse stated yes and it's used for other documents. Calder asked where the funds come from. Gosse stated the TIF fund.

Trustee Calder moved, seconded by Trustee Evert to approve the agreement as presented with R.A. Smith National for Legal Description for Pedestrian Bridge/Path Easement. Motion carried 4-1, Trustee Baumann voting Nay.

f. Monthly Approval of Checks and Invoices for all funds – August 2016

Trustee Evert moved, seconded by Trustee Calder to approve the August 2016 Treasurer's Report in the amount of \$474,926.50. Motion carried 5-0.

g. Discussion and Possible Action on Establishing In-Person Absentee Voting Hours for the 2016 Presidential Election

Clerk Schumacher stated there was a change to laws regarding the election process and that municipalities can now choose when to hold their in-person absentee voting. She stated there have been a wide variety of choices in the County, with some municipalities opting for starting on September 26th and others choosing to stay with the 2 weeks prior and starting on October 24th. President Knutson asked what the preference is. Schumacher stated it is ultimately up to the Board but if they choose to do the 2 weeks prior to the election with absentee voting by appointment starting September 26th, it would be a reasonable choice and she's comfortable with it.

Trustee Baumann moved, seconded by Trustee Calder to approve establishing the in-person absentee voting hours for the 2 weeks prior to the election and by appointment only before then. Motion carried 5-0.

9. Citizen Comments

Charlie Shong – 116 Highland – Mr. Shong thanked the Board on behalf of Pewaukee River Partnership, for moving forward with the project. He stated he sent a report and if the Board has any questions they can call him. He stated an effort was made regarding the easement and it was unsuccessful.

10. Close Session – *The Village Board of the Village of Pewaukee will enter into closed session 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 negotiation strategy regarding Fire/EMS Agreement.*

Trustee Evert moved, seconded by Trustee Baumann to move into Closed Session at approximately 9:00 p.m. Motion carried on Roll Call vote, 5-0.

President Knutson called a recess at approximately 9:01 p.m. Closed Session resumed at 9:05 p.m.

11. Reconvene Into Open Session

Trustee Evert moved, seconded by Trustee Baumann to reconvene into Open Session at approximately 9:08 p.m. Motion carried on Roll Call vote, 5-0.

12. Adjournment

Trustee Baumann moved, seconded by Trustee Evert to adjourn the September 20, 2016 Village Board Meeting. Motion carried 5-0.

Meeting adjourned at approximately 9:09 p.m.

Respectfully Submitted,

Chaz M. Schumacher
Village Clerk



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: September 26, 2016

Re: Agenda Item 5a, **Remove from Table**, Ordinance No. 2016-12, Ordinance to Create Chapter 28 of the Municipal Code of the Village of Pewaukee Relative to the Disclosure of Economic Interest

BACKGROUND

Attached for your review and consideration please find a copy of a draft ordinance prepared by Village Attorney Mark Blum regarding adopting the statement of economic interest discussed and directed by the Village Board at its September 6, 2016. This matter was tabled by the Village Board at its September 20th meeting. A motion will need to be adopted to remove this matter from the table.

ACTION REQUESTED

The action requested of the Village Board is to review the attached draft ordinance and, should it meet with the desire of the Village Board, to proceed with its adoption.

ANALYSIS

Per the direction of the Village Board, the draft ordinance adopts the requirement for all elected officials as well as appointees to Village Boards, Committees or Commissions to file the statement of economic interest forms with the Village Clerk during May of each year.

Attachments

ORDINANCE NO. 2016-12**Ordinance to Create Chapter 28 of the Municipal Code of the Village of Pewaukee
Relative to the Disclosure of Economic Interest**

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

SECTION I

Chapter 28 of the Municipal Code of the Village of Pewaukee is hereby created to read as follows:

Chapter 28 – Economic Interest.

Section 28.100 – Statement of Interest.

All elected officials, as well as all appointees, to any Village of Pewaukee Board, Committee or Commission shall be required to file a Statement of Economic Interest.

Section 28.101 – Requirements of Filing.

Each public official required to file a Statement under this Chapter shall do so during the month of May of each year commencing in the first full calendar year following adoption of this Ordinance. Public officials who are elected or appointed after April 30th of the calendar year shall file, within thirty (30) days of assuming such responsibilities, a Statement of Economic Interest.

Section 28.102 – Public Records.

The Statements of Economic Interest are considered public records and shall be open to public inspection. Statements of Economic Interest shall be filed with the Village Clerk.

Section 28.103 – Content of Statement

The Village Board shall prescribe the format for the Statement of Economic Interest provided for hereunder, including the content thereof. Said Statement of Economic Interest form shall be maintained and on file with the Village Clerk's Office.

SECTION II

The Village Board does hereby adopt the form of the Statement of Economic Interest, which is attached hereto and marked as Exhibit A.

SECTION III

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

SECTION IV

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 V

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



This form must be filed with:
Village of Pewaukee Clerk
235 Hickory Street
Pewaukee, WI, 53072

Information must be current as of this reporting date: **January 1, 2016**

OFFICE USE ONLY:
Date Rec'vd: _____

**VILLAGE OF PEWAUKEE
STATEMENT OF ECONOMIC INTERESTS**

Name: _____
(Last Name) (First Name & Initial)

Address: _____
(Street Address) (City) (State & Zip)

Spouse's Name: _____
(Last Name) (First Name & Initial)

Address (If different from above): _____
(Street Address) (City, State & Zip)

Position Held: _____

DEFINITIONS AND EXPLANATORY MATERIAL

Income: Means gross income from whatever source derived as provided in Section 61 of the Internal Revenue Code. Address questions about "income" to your tax advisor.

Immediate Family: Refers to your spouse or legal dependent for federal income tax purposes.

Organization: Refers to all corporations, partnership, associations, trusts and other legal entities organized for profit regardless of form – except governments and individual people.

Trust: If you or your immediate family, separately or together, are the only beneficiaries of a trust, treat the trust's assets as if you own them directly. If you or your immediate family has a proportional interest in a trust, treat that proportion of the trust's assets as if you won them directly. For example, if you and your family have a 1/3 interest in a trust, complete your Statement as if you won 1/3 of each of the trust's assets.

If you or a member of your immediate family created a trust and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

Public Records: Statements of Economic Interest are open for public inspection.

Report to the Best of Your Information and Belief. Information required on this Statement must be provided on the basis of the best knowledge, information and belief of the individual filing the Statement.

1. **EMPLOYERS:** List the names of all employers of the public official and his/her spouse.
(If your employer is the Village of Pewaukee, list all Departments)

2. **REAL PROPERTY:** List the address of all real property located in the Village of Pewaukee, in which you or your spouse has an ownership interest.

Address

3. **OFFICES and DIRECTORSHIPS:** List the names of all corporations and other business interests, both profit and nonprofit, in which the official or his/her spouse hold any office or directorship or own or control, directly or indirectly, more than twenty (20%) percent of the outstanding stock or more than twenty (20%) percent of other business ownership.

Name of Corporation	City and State

If, after filing this Statement, the filer becomes aware of any change in the information contained in his/her current Statement, he/she shall amend, as soon as possible, his/her statement to accurately reflect the change.

STATEMENT OF ECONOMIC INTERESTS ARE OPEN FOR PUBLIC INSPECTION

By signing this form, I certify that the information contained in this Statement of Economic Interests and information I have filed with it is true, correct and complete to the best of my knowledge, information and belief.

Signature of Person Filing

Date

Telephone number at which you can be reached during normal business hours.



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: September 26, 2016

Re: Agenda Item 2.15b, Ordinance No. 2016-15, Ordinance to Create Section 86.114(d) of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation on High Street North of Capitol Drive

BACKGROUND

This matter was deferred to the October 4th Village Board meeting by the Village Board to allow for information to be mailed to residents along and adjacent to High Street regarding the proposed ordinance. The following is a review of the information presented to the Village Board with its September 20th meeting material.

Earlier this year, staff investigated concerns regarding parking along the curve and hill on High Street just north of Capitol Drive. This matter was reviewed at the August Public Works & Safety Committee meeting. Attached for your review and reference please find a copy of an area map along with a staff study/report prepared by Police Officer Steven Chochola that was reviewed with the Public Works & Safety Committee.

ACTION REQUESTED

The action requested of the Village Board by the Public Works & Safety Committee is to adopt Ordinance No. 2016-15, Ordinance to Create Section 86.114(d) of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation on High Street North of Capitol Drive.

ANALYSIS

Attached for your review and reference please find a copy of an area map along with a staff study/report prepared by Police Officer Steven Chochola regarding parking along the curve and hill on High Street just north of Capitol Drive. After reviewing the matter, the Public Works & Safety Committee adopted a motion to forward to the Village Board recommendation for the adoption of an ordinance to restrict parking on High Street from the intersection with Capitol Drive to the driveway of 340 High Street. The ordinance has been drafted to specifically reference a distance of 395 feet from the crosswalk north on High Street.

Attachments

The question at hand is whether or not to allow parking on High street near the curve by the intersection of High St. and Capitol Rd. I feel that there should be no parking on this corner as it poses a great safety risk for not only those parking there, but for other motorists trying to use the road, and for emergency personnel that may need to utilize the road. In the following few paragraphs is outlined the major safety concerns that I have found while researching the possibility of allowing parking on the curve. I feel that allowing people to park on the curve is unwise, and the slight benefit of a few more parking spots will greatly be outweighed by the potential for injury and putting others at risk.

The main point I would like to make about the curve is the physical size of the road as it comes to the corner. The road is not that wide as it is, and it is just wide enough now to allow normal traffic to flow up and down the road. If you were to allow vehicles to park on the side of the curve, the available space between the vehicles would be approximately 13.8'. This small space would bottleneck traffic into a single lane, and the results could be disastrous. It would not only lead to confusion on part of the drivers, but could also lead to accidents that would be very difficult to get to.

For example, if two cars were parked on either side of the curve on High St., and an emergency vehicle such as a squad car needed to make it up the road, there would be approximately four feet of room on either side of the squad to travel in if it was attempting to travel down the center of the road. This seems like a lot of space, but there is also the fact that there would be no other room for other vehicles to travel in, and this also does not account for parked vehicles attempting to open their doors or pedestrian traffic attempting to return to their parked vehicles. Another example is another emergency where a fire engine or ambulance would need to travel on High St. past the curve. An average width of a fire engine or ambulance is anywhere from 8'-9', which would only allow for approximately one foot on either side of the emergency vehicle if it was traveling on High St. on the curve. This would make maneuvering the vehicle very difficult if not impossible. The alternative would be to send the emergency vehicles a different route, but this could lead to a longer response time, which in turn would delay the assistance for those that need it.

Not all traffic traveling on High St. is emergency traffic, and the same idea seen above can be applied to normal traffic traveling on the curve. If a person was driving a large truck, or even a minivan, they would only have approximately three and one half feet on either side of their vehicle to maneuver in. This again is based upon the vehicle traveling down the center of the road, and not accounting for pedestrian traffic returning to their vehicles, or individuals opening their doors to exit or enter their parked vehicle. I know that not all drivers would feel comfortable with such little room to operate their vehicle in and could be a potential cause for some accidents.

After careful review of the subject, it is in my respectful opinion that no parking is allowed on the curve of High St. The street would essentially be turned into one way traffic with no control measures in place. This would lead to a preverbal nightmare and cause more work for officers as we would constantly be responding to accidents due to the traffic on High St, or there would have to be an officer there to direct traffic constantly to avoid accidents.

Respectfully Submitted, Officer Steven Chochola #442

MEASUREMENTS PAGE

~30.6' TOTAL FEET ACROSS STREET ON EAST WISCONSIN WHERE PARKING IS ALLOWED NEAR Morris St.

~28.6' TOTAL FEET ACROSS STREET ON HICKORY WHERE PARKING IS NOT ALLOWED NEAR EATON Electric.

17.8' BETWEEN CARS PARKED BEFORE CURVE ON HIGH STREET

13.8' BETWEEN PARKED CARS ON HIGH AT CURVE

6.6' WIDTH OF FORD EXPLORER (SQUAD CAR)

6.8' WIDTH OF DODGE RAM 1500

5.8' WIDTH OF PRIUS

6.6' WIDTH OF CHRYSLER TOWN AND COUNTRY VAN

8-9' WIDTH OF FIRE TRUCK/AMBULANCE

ORDINANCE NO. 2016-15**Ordinance to Create Section 86.114(d) of the Village of Pewaukee Code of Ordinance Regarding No Parking Designation on High Street North of Capitol Drive****SECTION I**

WHEREAS there is a desire to restrict parking on High Street north of Capitol Drive due to traffic concerns regarding the corner.

SECTION II

NOW, THEREFORE, the Village Board does hereby ordain as follows:

Sec. 86.114(d). Specific Areas.

(d) High Street. No person shall park any vehicle or permit any vehicle to be or to remain parked in the village on either side of High Street from Capitol Drive to a point 395 feet north of the crosswalk.

SECTION III

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

SECTION IV

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 V

This ordinance shall take effect upon passage and publication or posting 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:

Jeffrey Knutson, Village President

Countersigned:

Chaz Schumacher, Village Clerk



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: September 30, 2016

Re: Agenda Item *8a*, Discussion and Possible Action on Appointments to Zoning Board of Appeals – 1 regular member and 1 alternate member

BACKGROUND

This matter is on the Village Board agenda in the event there are appointments for Village Board consideration related to the Zoning Board of Appeals for a regular and an alternate member (one each).

ACTION REQUESTED

The action requested of the Village Board is to consider any appointments related to these two positions.



To: Jeff Knutson, Village President
Village Board

From: Chaz Schumacher
Village Clerk

Date: September 30, 2016

Re: Agenda Item 8b, Issue Operator License Approval

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

Billy Ho's
Hudson Kramer

Carlee's Bar & Grill
Katelyn Beardslee

Walgreens
Cary Davidson

Buffalo Wild Wings
Alexis Panaro

Stop-N-Go
Jeannette Hickey

No Employer Listed
Vincent Millevolte
Jonathan Beaudry
Scott Hoggatt

Renewal Operator Permits

Dickey's
Deondra Povolo

Walgreens
Lindsey Schwartz

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 for the remainder of the current license term through June 30, 2017.



To: Jeff Knutson, Village President
Village Board

From: Chaz Schumacher
Village Clerk

Date: September 30, 2016

Re: Agenda Item 86, Operator License Denial

BACKGROUND

The Village Board is the ruling body responsible for approval/denial of Operator License applications.

ACTION REQUESTED

To deny the Bartender License as listed.

New Operator Permit

Pewaukee Corner Pump

James Garner III

ANALYSIS

The bartender license application listed above is being presented for denial. A background check has been performed and the applicant does not meet the requirements to hold a license in the Village of Pewaukee.

Staff recommends denial of the license as presented above.



To: Jeff Knutson, Village President
Village Board

From: Chaz Schumacher
Village Clerk

Date: September 30, 2016

Re: Agenda Item 8c, Appointment of Election Inspector(s) for the 2016-2017 Election Cycle

BACKGROUND

Each municipality is required to approve/appoint Election Inspectors, Chief Inspectors, and Board of Canvass members for the duration of the current election cycle.

ACTION REQUESTED

To appoint the following Election Inspectors for the remainder of the 2016-2017 Election Cycle.

Janis Lenz	152-G Westfield Way, Pewaukee
Joyce Fulcer	106 Sunset Drive, Pewaukee
Lolly Manahan	1008 Lilac Lane, Pewaukee
John Manahan	1008 Lilac Lane, Pewaukee
John Weier	1021 Ridgeway Drive, Pewaukee
Melody Weier	1021 Ridgeway Drive, Pewaukee
Jim Fisher	130 West Wisconsin Avenue, Pewaukee

These can be approved/appointed in one motion.

ANALYSIS

The Village Board is being presented with a list of citizens interested in serving the Village of Pewaukee through the election process. I will be conducting trainings prior to each election to ensure new election workers understand the process and are confident in their abilities on Election Day.

I respectfully request the Board's approval and appointment of the presented list of election workers.



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: September 30, 2016

Re: Agenda Item 8d, Discussion Related to Meeting with Multi-tenant Building Owners

BACKGROUND

This matter is on the Village Board agenda at the request of President Knutson. As the Village Board may recall, staff solicited interest from owners of commercial properties to arrange a meeting to discuss challenges they may be facing to fill vacant tenant spaces. Out of the six letters that were sent, a response was received from two owners.

ACTION REQUESTED

This matter is on the agenda at the request of President Knutson to allow for his review of the meeting with the Village Board.

ANALYSIS

A meeting was set with the two owners this past July along with Village President Knutson and myself. The conversation was wide ranging from green space concerns (may too much required); signage restrictions; better marketing of the school district; the need for brick and mortar for certain business types is going down due to e-commerce growth; the need for evening and weekend draws in the community; concerns regarding the political approval process; and the desire to maintain better access, visibility and signage.