

**VILLAGE OF PEWAUKEE
VILLAGE BOARD MEETING
November 3, 2015**

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

President Knutson called the meeting to order at approximately 7:00 p.m. The Pledge of Allegiance was recited, followed by a moment of silence.

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

Also Present: Village Administrator, Scott Gosse; DPW Director, David White; PD Chief, Timothy Otto; PD Captain, Jay Iding; PD Lieutenant, Mark Garry; Village Attorney, Mark Blum; Interim Clerk-Treasurer, Chaz Schumacher.

Trustee Cathy Baumann arrived at approximately 7:02 p.m.

a. Presentation for Officers Nate Wright and Brian Foth recognizing their efforts at a fire call in September

Chief Otto thanked the Village Board, the Village of Pewaukee community members, and family members for their support. Otto introduced Devi Reddy and Daya Pillay, residents who were rescued from a burning building by Officer Nathan Wright and Officer Brian Foth.

Devi Reddy and her husband Daya Pillay thanked Officer Wright and Officer Foth for rescuing them that night and saving their lives as well as the lives of other residents in the apartment building. Devi and Daya gave an account of the events that evening that lead to them having to jump from their second story apartment to escape the fire.

Chief Otto thanked Devi and Daya for their very thoughtful presentation. Otto thanked Daya for staying calm while on the phone with dispatch and for his ability to direct emergency services to where the fire was located. Otto stated the call came in at 12:57 a.m. and Officer Wright was on the scene within one minute eighteen seconds, with Officer Foth there shortly afterwards. He thanked Wright and Foth for their ability to implement a plan when faced with the circumstances and no available resources.

Chief Otto stated there are four levels of recognition for the police force; Letter of Appreciation, Letter of Commendation, Distinguished Service Citation, and Citation of Valor. Officer Wright and Officer Foth are each being awarded the Distinguished Service Citation. He commended them for performing to the highest standard of police expectation.

Lieutenant Garry presented Officer Wright and Officer Foth with the Distinguished Service Citation ribbon and medal. He stated the ribbon is worn on the officer's uniform and the medal is worn on their dress uniform.

Captain Iding stated it was an honor to present Officer Wright and Officer Foth this award and presented them each with a plaque. Iding read the plaques, "Distinguished Service Citation November 3, 2015, recognized and appreciative of heroic lifesaving conduct at 1302 Sunnyridge Road."

Chief Otto thanked Officer Wright and Officer Foth.

2. Approval of Minutes of Previous Meetings

a. Minutes of the October 20, 2015 Regular Village Board Meeting

Trustee Evert moved, seconded by Trustee Zompa to approve the October 20, 2015 minutes as presented. Motion carried 7-0.

b. Minutes of the October 23, 2015 Special Village Board Meeting

Trustee Nauth moved, seconded by Trustee Gergen to approve the October 23, 2015 minutes as presented. Motion carried 4-0, with Trustee Baumann, Trustee Evert, and Trustee Calder abstaining.

3. Citizen Comments

Jim Fisher – 130 West Wisconsin Avenue, Unit#24 – Mr. Fisher stated he works as a treasurer and CPA and is a City Council leader in another community and he resents being charged a second time for something already pay for through taxes. He stated the taxes pay for stand-by services and being billed for false alarms and mechanical issues is billing a second time. He stated it's not fair the Village charges the full cost to residents as punishment. As a city council member taking on liability of taking on a false alarm so expensive it could prevent people from calling in. He stated people have a real fear of having to call in a second time. He hopes the board does something to address the fact the Village has a false alarm charge not shared by any other municipality.

Carole Stamm – 130 West Wisconsin Avenue, Unit#1 – Ms. Stamm stated she was walking down the hall of her condo complex and heard an alarm going off in unit#6. She didn't know what it was for and didn't smell smoke. She stated she was afraid to call the fire alarm in so she stayed and watched the unit. Stamm stated the Village of Hartland allows three free false alarms and then they charge \$75.00. If that were to happen in the Village of Pewaukee it would have cost \$23,000, almost 300 times the amount of Hartland. She stated she hates to think of people losing their homes or lives.

Dean Larchman – representing his father a resident of 130 West Wisconsin Avenue, Unit#25 – Mr. Larchman stated his father lives at Pewaukee Shores. He stated he shares Mr. Fisher's concerns and that any financial costs would be difficult for his father. He stated something needs to change regarding the false alarms and he has never seen such high charges like this in another community. He asked when this happened and why.

Pat McHalsky – 130 West Wisconsin Avenue, Unit#16 – Ms. McHalsky asked where the money goes. She stated it's not just Pewaukee Shores, its individuals too. She asked where the money goes.

Robert Jovanovich – 130 West Wisconsin Avenue, Unit#5 – Mr. Jovanovich stated he was at the previous board meeting. He wants to know about the people with individual homes and if they have the kind of money to pay the false alarm charges. He asked if older people have that kind of money. He asked if the Village has considered going to the City of Pewaukee for services.

Carole Stamm – 130 West Wisconsin Avenue, Unit#1 – Ms. Stamm stated the fire department gets none of the money.

4. Ordinances

a. Charter Ordinance 2015-01, Charter Ordinance Repealing Charter Ordinance Section 2 of the Municipal Code of the Charter of the Village of Pewaukee Regarding the Position of Clerk-Treasurer and Establishing the Position of Finance Director-Village Treasurer.

Trustee Gergen stated this was the same ordinance that was passed over at the previous meeting. She asked if this needs to pass in order to post the position. Attorney Blum stated the board has approved the job descriptions and if they want to follow through then they will need to approve changing the Charter Ordinance.

Trusted Gergen moved, seconded by Trustee Evert to adopt the changes to the Charter Ordinance as presented. Trustee Calder stated he was involved with pushing the title of Finance Director and he isn't favorable of the motion unless it is changed to approve the separate Treasurer position. Trustee Gergen asked if the board approved the Finance Director-Treasurer position. Administrator Gosse stated the board adopted the Finance Director-Treasurer and Clerk positions and retaining the Deputy Treasurer position. The changes to the Charter Ordinance reflect that approval. Brief discussion followed. **Roll Call vote was taken:**

Trustee Paul Evert	Aye	Trustee Pat Nauth	Aye
Trustee Heather Gergen	Aye	Trustee Cathy Baumann	Aye
Trustee Joe Zompa	Nay	Trustee Tom Calder	Nay
President Jeff Knutson	Nay		

Motion failed 4-3. Charter Ordinance changes require a two-thirds vote of at least 5-2.

Trustee Calder stated he would like to see the Charter Ordinance redrawn to be reflective of separate Finance Director, Treasurer, and Clerk positions. President Knutson directed staff to place the item on the next agenda as a discussion and possible action item.

President Knutson asked to move agenda item 5.a to the end.

6. New Business

a. Discussion and Possible Action on Assumption of Risk and Release Agreement with Moonshiner's Snowmobile Club, Inc.

Administrator Gosse stated this request is consistent with past years to use the pathway off of the lakefront to Village Park. They do have a certificate of insurance and indemnification. It is the same as last years.

Trustee Nauth stated the insurance expires in February 2016, and asked if could be extended. Attorney Blum stated the village could have it rescinded if the insurance isn't in place.

Trustee Calder moved, seconded by Trustee Baumann to approve the Assumption of Risk and Release Agreement with Moonshiner's Snowmobile Club, Inc. Motion carried 7-0.

b. Discussion and Possible Action on Positively Pewaukee Special Event Permit Applications for 2016

Administrator Gosse stated the list of events being presented is consistent with the events in 2015. He stated the half marathon was rebranded to include men and women. Otherwise there are no new events. The events presented have gone through the different department heads for review and no issues were found. The events will be going before the Parks and Recreation board for approval but no issues were indicated by Parks, Recreation, and Community Services Director Kelley Woldanski.

Positively Pewaukee will be responsible for expenses related to public safety.

Trustee Evert stated his concern that tax payers are paying for the street to be cleaned before and after the Taste of Lake Country event. Administrator Gosse stated it's only completed if it fits into the DPW

schedule and if they are actively cleaning the streets. He stated if DPW isn't cleaning the streets, than it won't happen.

Trustee Gergen moved, seconded by Trustee Calder to approve the events hosted by Positively Pewaukee in 2016 as presented. Motion carried 7-0.

c. Discussion and Direction Regarding Limiting the Number of False Alarm Charges

Trustee Baumann asked if this item could be discussed due to pending litigation and if the board wants to discuss this right now. Attorney Blum stated it's ultimately up to the board but he would suggest they table it for right now.

Trustee Baumann moved, seconded by Trustee Evert to table this item until the November 17, 2015 Village Board meeting. Roll Call vote was taken:

Trustee Paul Evert	Aye	Trustee Pat Nauth	Aye
Trustee Heather Gergen	Aye	Trustee Cathy Baumann	Aye
Trustee Joe Zompa	Nay	Trustee Tom Calder	Nay
President Jeff Knutson	Aye		

Motion carried 5-2.

d. License Approvals and Vendor Permits

1. Operator Licenses

Trustee Evert moved, seconded by Trustee Gergen to approve the new operator license for Bernadette Chevalier as presented. Motion carried 7-0.

e. Discussion and Possible Action on Disposition of Service Handgun as Retirement Gift for Retiring Police Officer

Chief Otto presented the request stating in the past when an officer retires the department has asked if they would like to keep their handgun and if they do it has been gifted to them. He stated the department has taken it to an engraver and had it engraved before being gifted to the retiring officer. He stated if the Village Board does not approve the request the members of the department have stated they will raise the money to pay for the gift. Otto stated the retiring officer is a veteran of 31 years and it would be nice to say the Village Board did this for this employee.

Trustee Zompa moved, seconded by Trustee Nauth to approve the Disposition of Service Handgun as a Retirement Gift for a Retiring Police Officer. Motion carried 7-0.

5. Old Business

a. Discussion and Direction on Draft 2016 Budgets (various funds) and Draft 2016-2018 Capital Plan

Administrator Gosse started the discussion with the general fund budget stating there were no new numbers for expenditures or revenues. He stated there are a couple of things to look at. There will be a retirement in PD which will create an incremental shift with the new hire and a decrease in wages, with a conservative estimated reduction of \$10,000. Gosse stated the lion's share of the budget is outside sources impacting the services and budget. He stated historically the last line item has been the contingency account that operates as a rainy day fund. Gosse indicated there is an approximate \$300,000 deficit in the draft 2016 budget.

Trustee Calder asked what the other options were for dealing with the deficit and if it would involve

using the fund balance, reserves, or the contingency fund. Calder asked if the Village is looking at borrowing again.

Administrator Gosse stated if the board is looking at balancing the \$300,000 deficit, the Board would need to look at staff cuts or the use of fund balance. Trustee Calder stated the Fire and EMS is driving the bus at \$1,700,000. Trustee Zompa stated worse than that is the fact the budget factors in payback of false alarm bills. Zompa stated by removing this number, the deficit is now \$350,000. Discussion followed. The Board asked to have revenue generated from false alarms removed from the budget.

President Knutson asked how much money was in the general fund. Administrator Gosse stated there is \$2,226,000 unassigned. Discussion followed.

Trustee Zompa asked if the Board wanted to borrow money on the 2016 budget to bridge the deficit until the situation is changed with fire and EMS services and then pay it back in 2017. Trustee Calder stated the Village has a track record for living outside its means. Discussion followed.

Trustee Calder stated the Village could cut capital projects. Trustee Nauth asked if the \$319,162 is designated only for capital projects. Administrator Gosse stated the board assigned it for that purpose but the board could change its purpose. President Knutson stated taking the funds from capital projects would be similar to taking from the reserves and paying it back. Discussion followed.

Administrator Gosse stated if the board is looking at capital outlay, the squad cars have already been committed to. Discussion followed.

Trustee Zompa stated the board should schedule more time to discuss the budget in more detail. President Knutson requested a special meeting starting at 6 p.m. on the same night of the next regularly scheduled Village Board meeting. Discussion followed.

7. Citizen Comments

Carole Stamm – 130 West Wisconsin Avenue, Unit#1 – Ms. Stamm stated she was very disappointed. She thought there would be some relief for what is not considered a false alarm. She feels the board should consider selling Smokey's. All of the equipment was taken out of the water and just dumped. She stated the gas tank is blocked and there's no way a fire truck could get to the condos.

Chief Tim Otto – Village of Pewaukee Police Department – Chief Otto stated the same individual who has donated money to fund the D.A.R.E. program has come forward again with a check for the program in 2016.

Carole Stamm – 130 West Wisconsin Avenue, Unit#1 – Ms. Stamm stated there are 27 units in her building and they pay a combined \$116,000 in taxes but the village was happy to charge \$19,000 when there wasn't a fire.

8. Closed Session – *The Village Board of the Village of Pewaukee will move 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 regarding part-time Police Administrative Clerk.*

Trustee Baumann moved, seconded by Trustee Evert to convene into Closed Session at approximately 8:20 p.m. Motion carried by Roll Call vote, 7-0. Present in closed session were the Village Board members, Attorney Blum, Administrator Gosse, Chief Otto, Lieutenant Garry, and Interim Clerk-Treasurer Schumacher.

9. Convene Into Open Session

Trustee Calder moved, seconded by Trustee Baumann to reconvene into Open Session at approximately 8:27 p.m. Motion carried by Roll Call vote, 7-0.

10. Action Out of Closed Session

- a. Discussion and Possible Action on Wage Adjustment for part-time Police Administrative Clerk*

Trustee Zompa moved, seconded by Trustee Nauth to approve a \$2.00 wage increase for part-time Police Administrative Clerk, with consideration for future raises at usual time in January. Motion carried 7-0.

11. Adjournment

Trustee Baumann moved, seconded by Trustee Evert to adjourn the November 3, 2015 Village of Pewaukee Board meeting. Motion carried 7-0.

Meeting adjourned at approximately 8:30 p.m.

Respectfully submitted,

Chaz M. Schumacher
Interim Clerk-Treasurer