



Regular Village Board Meeting Agenda

Tuesday, June 3, 2025

The Regular Village Board Meeting will start immediately following the adjournment of the Special Village Board Meeting which Begins at 5:00 PM

Village Hall, 235 Hickory Street, Pewaukee, WI 53072

To view the meeting live:

<https://www.youtube.com/live/1aqbO93h-lo?si=CUJF7IIRn4C6r> XM

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call.
2. Public Hearings/Presentations
 - a. Public Hearing on Ordinance 2025-05: An Ordinance to create section 40.109(c) of the Municipal Code of the Village of Pewaukee regarding reasonable accommodations through special zoning permit waivers.
 - b. Public Hearing on Ordinance 2025-06: An Ordinance amending section 40.419(e)(1) of the Municipal Code of the Village of Pewaukee revising offsets for accessory structures.
3. Approval of Minutes of Previous Meeting.
 - a. Minutes from the May 20, 2025, Special Village Board Meeting.
 - b. Minutes from the May 20, 2025, Regular Village Board Meeting.
4. Citizen Comments. – *This is an opportunity for citizens to share their opinions with Board Members on any topic they choose. However, due to Wisconsin Open Meeting laws, the Board is not able to answer questions or respond to your comments. All comments should be directed to the Board. Comments are limited to 3 minutes per speaker, with time being indicated by an audible alarm. When the alarm sounds, speakers are asked to conclude their comments. Speakers are asked to use the podium and state their name and address.*
5. Ordinances
 - a. Review, discussion and possible action on Ordinance 2025-05: An Ordinance to create section 40.109(c) of the Municipal Code of the Village of Pewaukee regarding reasonable accommodations through special zoning permit waivers.
 - b. Review, discussion and possible action on Ordinance 2025-06: An Ordinance amending section 40.419(e)(1) of the Municipal Code of the Village of Pewaukee revising offsets for accessory structures.
 - c. Review, discussion and possible action on Ordinance 2025-07: An Ordinance to Repeal and Recreate Chapter 98 – Article IV of the Municipal Code of the Village of Pewaukee Regarding The Aquatic Weed Commission.
6. Resolutions
 - a. Review, discussion and possible action on Resolution 2025-08: A Resolution Establishing a Per Diem Rate for Citizen Members of the Aquatic Weed Commission.
7. Old Business –
 - a. Review, discussion and possible action on the Median extension at the Railroad Crossing as part of the East Capital Road Project.



Regular Village Board Meeting Agenda

8. New Business

- a. Review, discussion and possible action to approve a request from the Pewaukee Public Library to replace its water softener.
- b. Review, discussion, and possible action to approve Renewal of Alcohol Licenses.
- c. Review, discussion and possible action on the trapping of muskrats around Bill Bown Island.
- d. Review, discussion and possible action directing staff to revise current burning ordinances to limit the days for burn permits.
- e. Review, discussion, and possible action on status and possible settlement of Waukesha County Case 2024-CV-1242, Cecilia Senior Homes, LLC v. Village of Pewaukee. If required, the Village Board of the Village of Pewaukee will enter into closed session pursuant to Wis. Statute Section 19.85(1)(g) for conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, specifically regarding the aforementioned case. After conclusion of any closed session, the Village Board will reconvene in open session pursuant to Wis. Statute Section 19.85(2) for possible additional review, discussion, and action concerning this agenda item and to address the remaining meeting agenda.

9. Citizen Comments. – *This is an opportunity for citizens to share their opinions with Board Members on any topic they choose. However, due to Wisconsin Open Meeting laws, the Board is not able to answer questions or respond to your comments. All comments should be directed to the Board. Comments are limited to 3 minutes per speaker, with time being indicated by an audible alarm. When the alarm sounds, speakers are asked to conclude their comments. Speakers are asked to use the podium and state their name and address.*

10. 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. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. To request such assistance, contact the Village Clerk at 262-691-5660.

Posted May 29, 2025

**Special Village Board
May 20, 2025 – 5:00 pm
Village Hall
235 Hickory Street, Pewaukee, WI 53072**

<https://youtu.be/lETmvPpzlhl>

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

President Knutson called the meeting to order at approximately 5:01 p.m.

Village Board members present: Trustee Rohde; Trustee Belt; Trustee Pader; Trustee Stauff; Trustee Kreuser; Trustee Grabowski and Village President, Jeff Knutson.

Also present: Village Attorney, Matt Gralinski; Village Administrator, Matt Heiser; and Deputy Clerk, Mackenzie Quigley.

2. New Business –

- a. **Hearing on an Appeal of the 2024 Fire-EMS Protection Fee Filed by Hawthorne Place LLC (c/o Michael Heise) Regarding Real Property Located at 1105 Hawthorne Place and having Tax ID No. PWV 0902996007 and Possible Action Thereon.**
- b. **Hearing on an Appeal of the 2024 Fire-EMS Protection Fee Filed by JM 1405 LLC (c/o Kevin Yonke) Regarding Real Property Located at 205 Prospect Ave (Yonke & Son Funeral Home) and having Tax ID No PWV 0896069 and Possible Action Thereon.**

Heiser stated that both applicants were unable to attend the meeting this evening.

Gralinski recommended giving them one more chance – to reschedule this meeting for a later date to ensure we are giving them a fair attempt at a hearing.

Discussion was held by the board regarding the intent of the hearing and the appeal process.

3. Discussion and Possible Action to Set a Future Meeting Date (if needed).

Discussion was held by the board to determine a future meeting date.

Trustee Rohde motioned/seconded by Trustee Kreuser to schedule the special meeting for June 3rd at 5:00 PM for Hawthorne Place and Yonke Funeral Home.

Motion carried 7-0.

4. Adjournment

Trustee Kreuser motioned/seconded by Trustee Pader to adjourn the May 20, 2025, Special Village Board meeting at approximately 5:11 p.m.

Motion carried 7-0.

Respectfully submitted,

Mackenzie Quigley
Deputy Clerk

**Village Board
May 20, 2025 -
Immediately following the Fire/EMS Fee Waiver Hearings Which Begins at 5:00 PM
Village Hall
235 Hickory Street, Pewaukee, WI 53072**

<https://youtu.be/F3daUs7Qsj4>

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

President Knutson called the meeting to order at approximately 5:17 p.m.

Village Board members present: Trustee Rohde; Trustee Belt; Trustee Pader; Trustee Stauff; Trustee Kreuser; Trustee Grabowski and Village President, Jeff Knutson.

Also present: Village Attorney, Matt Gralinski; Village Administrator, Matt Heiser; Department of Public Works Director, Dave Buechl; Department of Public Works Supervisor, Jay Bickler; and Deputy Clerk, Mackenzie Quigley.

2. Public Hearings/Presentations –

- a. **Public Hearing on Ordinance 2025-04: An Ordinance which, in part, amends Section 40.132(a) and 40.482(a) of the Municipal Code of the Village of Pewaukee regarding per diem for citizen board, commission and committee members (Board of Zoning Appeals and Historic Preservation Commission).**
- No Comment

3. Approval of Minutes of Previous Meeting

- a. **Minutes form the May 6, 2025, Regular Village Board Meeting.**

Trustee Grabowski motioned/seconded by Trustee Rohde to approve the May 6, 2025, Regular Village Board Meeting minutes as presented.

Motion carried 7-0.

4. Citizen Comments – None

5. Ordinances –

- a. **Review, discussion and possible action on Ordinance 2025-04: Ordinance to Create Sections 62.101(G), 2.110(2) C., and 2.113 and, further, to Amend or Repeal and Recreate Sections 2.136, 40.132(A), 42.102, 54.132(I), 40.482(A) of the Municipal Code Regarding a per diem for Citizen Board, Commission and Committee Members.**

Heiser gave a brief overview.

Trustee Rohde motioned/seconded by Trustee Grabowski to adopt Ordinance 2025-04 as presented.

Motion carried 7-0.

6. Resolutions –

- a. Resolution 2025-07: Resolution Establishing a Per Diem Rate for Resident Members of Village Committees, Boards and Commissions.**

Heiser gave a brief overview.

Trustee Grabowski motioned/seconded by Trustee Rohde to approve Resolution 2025-07.

Motion carried 7-0.

7. Old Business – None

8. New Business –

- a. Review, discussion and possible action to approve an agreement allowing an encroachment into the public right-of-way at 115 Maple Avenue tax key PWV 0896089.**

Heiser gave an overview.

Trustee Grabowski motioned/seconded by Trustee Pader to approve the agreement for a Right of Way encroachment.

Motion carried 7-0.

- b. Review, discussion and possible action to approve a 6' wide electrical easement to Wisconsin Electric Power Company on property commonly known as River Hills Park located on the east side of Riverside Drive and south of its intersection with Waterstone Court, tax key PWV: 0925100 and is zoned FC Floodplain Conservancy District.**

Heiser gave an overview of the project and shared a draft of the easement agreement.

Trustee Kriser motioned/seconded by Trustee Grabowski to approve the electrical easement at River Hills Park.

Motion carried 7-0.

- c. Review, discussion and possible action to approve a Sanitary Sewer Lateral Assignment and Assumption Agreement and Permanent Easement with WCTC regarding property located at 800 Main Street, tax key PWV 0925999.**

Heiser gave a brief overview of the agreement.

Trustee Grabowski motioned / seconded by Trustee Rohde to approve the Sanitary Sewer Lateral Assignment and Assumption Agreement and Permanent Easement with WCTC.

Motion carried 7-0.

- d. Discussion and possible action regarding Change Order #1 from Mid-City Plumbing at Well #4 HMO Treatment project.**

Heiser gave an overview.

Discussion was held by the Board regarding clarification on the project. Grabowski stated that this is to be proactive.

Dave Buechl, Department of Public Works Director/Village Engineer joined in that he recommends approving and gave further oversight on the project.

Trustee Grabowski motioned/seconded by Trustee Stauff to approve the Change Order #1 from Mid-City Plumbing at Well #4.

Motion carried 7-0.

- e. Review, discussion and possible action to confirm Committee Appointments and Removals by the Village President:**

- a. Public Works and Safety Committee – 1 Trustee (2-year term)**

Trustee Belt explained why she would like to be removed from the library board.

Trustee Rohde motioned/seconded by Trustee Kreuser to accept Trustee Belt's removal from the Library Board.

Motion carried 7-0.

Trustee Grabowski motioned/seconded Trustee Rohde to appoint Trustee Belt to the Public Works and Safety Committee.

Motion carried 7-0.

- b. Library Board – 1 Trustee (2-year term)**

Trustee Rohde motioned/seconded Trustee Kreuser to appoint Trustee Pader to the Joint Library Board.

Motion carried 7-0.

- f. Review, discussion and possible action for the Village to provide matching funds of \$7,500 for July 4th Fireworks.**

Trustee Rohde gave a brief overview of how this has worked in the past.

Trustee Grabowski motioned/seconded by Trustee Kreuser to approve the matching funds of \$7,500 for the July 4th Fireworks.

Motion carried 7-0.

- g. Review, discussion and possible action to approve Village provision of mobile devices for Village Board Members.**

Discussion of potential options was held amongst the Board.

- h. Review, discussion and possible action to schedule a special meeting of the Village Board to consider Appeals of the 2024 Fire-EMS Protection Fee.**

Heiser gave an overview. This applicant has gone before the Public Works and Safety meeting earlier this month.

Discussion was held by the Board to determine a special meeting date.

Trustee Belt motioned/seconded by Trustee Grabowski to add KKNN Quail Ct to the Special meeting on June 3rd at 5:00 PM.

Motion carried 7-0.

- i. **Review, discussion and possible action to approve checks and invoices from April 2025.**

Trustee Rohde motioned/seconded by Trustee Belt to approve all checks and invoices from April 2025, except the library.

Motion carried 7-0.

Trustee Pader motioned/seconded by Trustee Grabowski - Acknowledge to approve the library checks and invoices from April 2025.

Motion carried 7-0.

9. Citizen Comments –

Jim Sullivan @ 512 Spring St – Applicant for 115 Maple, curious to know if their encroachment into the public right-of-way was approved (agenda item 8a).

10. Adjournment –

Trustee Grabowski motioned/seconded by Trustee Kreuser to adjourn the May 20, 2025, Village Board meeting at approximately 6:00 p.m.

Motion carried 7-0.

Respectfully submitted,

Mackenzie Quigley
Deputy Clerk



To: Jeff Knutson, President
Trustees of the Village Board

From: Matt Heiser
Village Administrator

Date: May 28, 2025

Re: June 3, 2025 Village Board Meeting Agenda Item 5(a)
Review, discussion and possible action on Ordinance 2025-05: An Ordinance to create section 40.109(c) of the Municipal Code of the Village of Pewaukee regarding reasonable accommodations through special zoning permit waivers.

BACKGROUND

A resident in the Village recently had to add a handicapped accessible ramp to their home. The ramp impeded the setbacks as defined by zoning code which required the resident to go through a Conditional Use Grant application process. The Plan Commission considered the request at its meeting on January 9, 2025. The Commission directed staff to propose a revised ordinance that would authorize staff to permit reasonable accommodation of handicapped accessory structures without having to go through the process and expense of the Conditional Use Grant application.

ACTION REQUESTED

The action requested is to approve Ordinance 2025-05. This proposal streamlines the process for handicapped residents and makes the Village more nimble in its ability to respond.

ANALYSIS

This is an amendment of Chapter 40 of the Municipal Code which requires a recommendation from the Plan Commission and a public hearing. The Plan Commission recommended approval of the ordinance at its meeting on March 13, 2025. The proposed ordinance was composed by the Village Attorney.

Attachment:

1. Ordinance 2025-05.

ORDINANCE NO. 2025-05

**ORDINANCE TO CREATE SECTION 40.109(C) OF THE MUNICIPAL CODE OF THE
VILLAGE OF PEWAUKEE REGARDING REASONABLE ACCOMMODATIONS
THROUGH SPECIAL ZONING PERMIT WAIVERS**

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

SECTION I

Section 40.109(c) of the Municipal Code of the Village of Pewaukee is hereby created as follows:

- (c) Reasonable Accommodations through Special Zoning Permit Waiver. For purposes of this subsection, “disability” shall be defined as having the meaning set forth in 42 USC § 12102, Title II of the Americans With Disabilities Act, and all regulations pertaining thereto, as amended from time to time.
- 1. The Village Administrator shall use a zoning permit which waives any provisions of Chapter 40 setting forth regulations on building/structure location, setback, offset, or height or open space regulations, if the administrator or his designee determines, in the administrator’s or designee’s sole reasonable discretion, that all of the following conditions have been met:
 - i. The requested waiver of a provision or provisions under this chapter is a reasonable accommodation which is necessary to afford a person with a disability equal housing opportunity or equal access to public accommodations; and
 - ii. The waiver is the minimum accommodation that will give the person with a disability adequate relief; and
 - iii. The accommodation granted by the waiver will not unreasonably undermine the basic purposes of this Chapter 40.
- 2. The Village Administrator, prior to making the determination required under subsection (c) 1., shall require the following from an applicant
 - i. An application for a special zoning permit waiver on a form created by the Village which includes a written statement from the applicant explaining the reasons for the requested waiver and a statement from a physician or medical professional verifying the need for the requested accommodation.
- 3. The Village Administrator, prior to making the determination required under subsection (c)1., may request a written report from Village staff including, but not limited to, the Village Planner, the Village Engineer, the Director of Public Works, and

the Village Attorney, with such report reviewing the proposed application and setting forth any reasonable conditions which respective staff members determine, in their sole discretion, are necessary to mitigate to the greatest extent possible any detrimental impact to the basic purposes of Chapter 40 posed by the requested waiver.

4. The Village Administrator shall take care to document and affix to any zoning permit and waiver considered under this section a statement summarizing the basis on which any requested waiver has been granted or denied; and, further, any conditions which are attached to such approval.
5. In the event a request under this section is not granted by the Village Administrator, the applicant shall retain the right to pursue a special exception, variance, or conditional use grant, as the case may be, and as otherwise allowed by the Village of Pewaukee Municipal Code for a waiver or exception to the requirements of Chapter 40.
6. A waiver granted under this subsection shall automatically expire upon the termination of the occupancy of the property by the person with a disability named in the application.
7. Any waivers considered or granted under this subsection shall be strictly limited to waivers of regulations of building location, setback, offset, or height or open space regulations as set forth in Chapter 40.

Passed and adopted this 3rd day of June, 2025, by the Village Board of the Village of Pewaukee.

APPROVED:

Countersigned:

Jeff Knutson, Village President

Jenna Peter, Village Clerk



To: Jeff Knutson, President
Trustees of the Village Board

From: Matt Heiser
Village Administrator

Date: May 28, 2025

Re: June 3, 2025 Village Board Meeting Agenda Item 5(b)
Review, discussion and possible action on Ordinance 2025-06: An Ordinance amending section 40.419(e)(1) of the Municipal Code of the Village of Pewaukee revising offsets for accessory structures.

BACKGROUND

The Plan Commission considered a Conditional Use Grant application at its November, 14, 2024 meeting regarding the placement of a shed. The shed was a standard product purchased at a home improvement retail store but was proposed in the set back area as defined by zoning code. In the course of this discussion the Commission directed staff to propose an amended zoning code that would authorize staff to permit such structures in the future.

ACTION REQUESTED

The action requested is to approve Ordinance 2025-06. This revised ordinance streamlines the process for the installation of routine sheds on residential properties.

ANALYSIS

The proposed ordinance is a revision of Chapter 40 of the Municipal Code. It allows a setback of five feet if the proposed shed is under 200 square feet and any accessory structures under 120 square feet only require a zoning permit and not a building permit.

This requires a recommendation by the Plan Commission and a public hearing. The Plan Commission recommended to approve this ordinance at its meeting on May 8, 2025. The proposed ordinance was composed by the Village Planner and reviewed by the Village Attorney.

Attachment:

1. Ordinance 2025-06.

ORDINANCE NO. 2025-06

**ORDINANCE TO AMEND SECTION 40.419(e)(1) OF THE MUNICIPAL CODE OF
THE VILLAGE OF PEWAUKEE REVISING OFFSETS FOR ACCESSORY
STRUCTURES**

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

SECTION I

Section 40.419(e)(1) of the Municipal Code of the Village of Pewaukee is hereby amended to read as follows:

- (1) No building shall be erected, structurally altered or relocated so that any roofed or enclosed portion thereof is closer to any lot line than the offset distance specified by the regulations for the district in which it is located except as follows:
- a. For accessory structures 200 sq. ft. or less, the offset from a side and/or lot line may be reduced to 5 feet. Accessory structure more than 200 sq. ft. shall comply with requirements of the underlying zoning district. Additionally, structures 120 sq. ft. or less shall only require a zoning permit. Accessory structures greater than 120 sq. ft. shall require a building permit.
 - ~~a.~~ **b.** In the case of any lot of record which has a minimum average width less than that required by the district in which it is located, the offset from a side lot line may be reduced proportionally to the ratio of the actual minimum average width and the required minimum average width (i.e., actual width/required width) provided, however, that no offset shall in any case be less than five feet.
 - ~~b.~~ **c.** Where a lot abuts a district boundary line, the offset from such line in the district of less restrictive use shall not be less than that required for the district of more restrictive use.
 - ~~c.~~ **d.** The required offset area on one property may be reduced if the offset area on the adjoining property is increased by deed restriction to include the required offset area plus the equivalent amount of offset area resulting from the adjacent reduction.
 - ~~d.~~ **e.** In the case of attached single-family, row, multifamily, commercial or industrial use structures, two or more buildings on adjoining lots may be erected with common or directly adjoining walls provided the requirements of the State of Wisconsin industrial code relative to such construction are complied with and provided that at both ends of such row type buildings the applicable offset requirements shall be complied with.

e. f. For any single-family residential principal dwelling structure (and including any attached appurtenance thereto such as, for instance, decks, porches, balconies, [etc.]) with frontage on Pewaukee Lake, which property has neighboring existing principal residential structures on each of the adjoining parcels and which adjoining principal residential structures are both within 200 feet of the proposed new or modified principal residential structure, the minimum required offset from the ordinary high water mark (OHWM) of the lake to such new or modified principal residential dwelling structure may be reduced to the average of the lake offsets of the two adjoining principal residential dwelling structures but in no case shall the lake offset be less than 35 feet.

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 3rd day of June, 2025, by the Village Board of the Village of Pewaukee.

APPROVED:

Countersigned:

Jeff Knutson, Village President

Jenna Peter, Village Clerk



To: Jeff Knutson, President
Trustees of the Village Board

From: Matt Heiser
Village Administrator

Date: May 28, 2025

Re: June 3, 2025 Village Board Meeting Agenda Item 5(c)
Review, discussion and possible action to approve Ordinance 2025-07: An Ordinance to Repeal and Recreate Chapter 98 – Article IV of the Municipal Code of the Village of Pewaukee Regarding the Aquatic Weed Commission.

BACKGROUND

The Village President submitted to staff an appointment for the Aquatic Weeds Commission to be confirmed at the May 20, 2025 Village Board Meeting. The Village Attorney noted elements of the existing Municipal Code that were out of date or inconsistent with current Village practices.

ACTION REQUESTED

The action requested is to approve Ordinance 2025-07.

ANALYSIS

The Village Attorney composed Ordinance 2025-07 to bring Chapter 98 up to date.

Attachment:

1. Ordinance 2025-07.
2. Current version of Chapter 98 – Article IV with red-lines to show changes.

ORDINANCE NO. 2025-07

**ORDINANCE TO REPEAL AND RECREATE CHAPTER 98 – ARTICLE IV OF THE
MUNICIPAL CODE OF THE VILLAGE OF PEWAUKEE REGARDING THE
AQUATIC WEED COMMISSION**

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

SECTION I

Chapter 96 – Article IV of the Municipal Code of the Village of Pewaukee is hereby repealed and recreated as follows:

Section 98.112. Established.

An Aquatic Weed Commission advisory to the Village Board is established to consist of one member of the Village Board, who shall be the Commission's presiding officer, and four citizen members. Citizen members shall be residents of the Village of Pewaukee.

Section 98.113. Membership.

- a) All members of the Commission shall be appointed by the Village President subject to the confirmation of the Village Board at the Board's first regular meeting in May, unless otherwise necessary due to a vacancy.
- b) The member of the Commission who is a member of the Village Board shall serve a (2) year term.
- c) Citizen members of the Commission shall serve three (3) year terms, so staggered so that not more than one (1) member shall be appointed in any one year.
- d) All members of the Aquatic Weed Commission except members who are full time employees, officers, or elected officials of the Village shall be paid for each day of attendance at meetings of the commission at such rate as established from time to time by resolution of the Village Board. Citizen members shall take the official oath of office required by law, which shall be filed with the clerk-treasurer.

Section 98.114. Organization.

- a) Previous notice of each commission meeting shall be filed with the clerk-treasurer, shall comply with all public meetings and public records laws as it pertains to notice, and each meeting shall be open to the public. The clerk-treasurer or their designee shall be the non-voting secretary of the Commission and keep a record of the Commission's deliberations. The written record of its proceedings shall include all actions taken. The Commission may

require any village officer to confer with it and supply information needed in connection with any matter pending before the commission.

- b) Any recommendation or action taken by the Commission shall require the approval of a majority of all of the members of the Commission.

Section 98.115. Powers and Duties

- a) The Aquatic Weed Commission shall make recommendations in writing to the Village Board concerning methods of control of the growth of aquatic weeds in waters lying within the Village, together with recommendations designating areas to be controlled, and indicating periods for the exercise of such control, and shall have such other powers and duties not in conflict with statute or ordinance as shall be vested in it from time to time by the Village Board.
- b) Any proposed method, time or area of control of aquatic weeds shall be referred to the Commission for its consideration and report before final action is taken by the Village Board.
- c) In addition to the powers enumerated in this section and other powers granted by statute and the Village Board, the Commission shall make an annual report of its activities to the Village Board before December 1 of each year.

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 3rd day of June, 2025, by the Village Board of the Village of Pewaukee.

APPROVED:

Countersigned:

Jeff Knutson, Village President

Jenna Peter, Village Clerk

ARTICLE IV. AQUATIC WEED COMMISSION¹

Sec. 98.112. Established.

An aquatic weed commission advisory to the village board is established to consist of ~~one member of the Village Board the village trustee in charge of parks and lakes~~, who shall be its presiding officer, and ~~three~~ four citizen members. Citizen members ~~shall be residents of the Village of Pewaukee. will be persons of recognized experience and qualifications.~~

(Code 1967, § 1.08(1))

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Sec. 98.113. Membership.

- (a) ~~The trustee member of the aquatic weed commission shall be a member of the commission for so long as his elective term of office shall run. All members of the Commission shall be appointed by the Village President subject to the confirmation of the Village Board at the Board's first regular meeting in May, unless otherwise necessary due to a vacancy.~~
- (b) ~~One citizen member shall be appointed by the village president subject to confirmation of the village board annually during April for a term of three years. The member of the Commission who is a member of the Village Board shall serve a two (2) year term.~~
- (c) ~~Citizen members of the Commission shall serve three (3) year terms, so staggered so that not more than one (1) member shall be appointed in any one year. All vacancies on the commission shall be filled for the unexpired term in the same manner as appointment for the full term.~~
- (d) ~~No compensation shall be paid for service on the commission. All members of the Aquatic Weed Commission except members who are full time employees, officers, or elected officials of the Village shall be paid for each day of attendance at meetings of the commission at such rate as established from time to time by resolution of the Village Board. Citizen members shall take the official oath of office required by Wis. Stats. § 19.01 law, which shall be filed with the clerk-treasurer.~~

(Code 1967, § 1.08(2))

Sec. 98.114. Organization.

- (a) ~~The aquatic weed commission shall elect a vice-chairman, secretary and such other officers as may in its judgment be necessary. Previous notice of each commission meeting shall be filed with the clerk-treasurer, shall comply with all public meetings and public records laws as it pertains to notice, and each meeting shall be open to the public. The clerk-treasurer or their designee shall be the non-voting secretary of the Commission and keep a record of the Commission's deliberations. The written record of its proceedings shall~~

¹Cross reference(s)—Administration, ch. 2.

State law reference(s)—Control of aquatic nuisances generally, Wis. Stats. § 30.1255; cutting weeds in navigable waters nuisance if weeds not removed, Wis. Stats. § 30.125.

include all actions taken. The Commission may require any village officer to confer with it and supply information needed in connection with any matter pending before the Commission

- (b) Any recommendation or action taken by the Commission shall require the approval of a majority of all of the members of the Commission. The commission shall keep a written record of its proceedings, to include all actions taken, a copy of which will be filed with the clerk-treasurer. All actions taken shall require the approval of a majority of all of the members of the commission.
- (c) As far as possible, the commission shall utilize the services of existing Village of Pewaukee officials and employees.

(Code 1967, § 1.08(3))

Sec. 98.115. Powers and duties.

- (a) The aquatic weed commission shall make recommendations in writing to the village board concerning methods of control of the growth of aquatic weeds in waters lying within the village, together with recommendations designating areas to be controlled, and indicating periods for the exercise of such control, and shall have such other powers and duties not in conflict with statute or ordinance as shall be vested in it by the village board.
- (b) Any proposed method, time or area of control of aquatic weeds shall be referred to the commission for its consideration and report before final action is taken by the village board.
- (c) In addition to the powers enumerated in this section and other powers granted by statute and the village board, the commission shall make an annual report of its activities to the village board before December 1 of each year.

(Code 1967, § 1.08(4))



To: Jeff Knutson, President
Trustees of the Village Board

From: Matt Heiser
Village Administrator

Date: May 28, 2025

Re: June 3, 2025 Village Board Meeting Agenda Item 6(a)
Review, discussion and possible action on Resolution 2025-08: A Resolution
Establishing a Per Diem Rate for Citizen Members of the Aquatic Weed Commission.

BACKGROUND

The Village Board approved Resolution 2025-07 at its May 20, 2025 meeting establishing a per diem rate for citizen members of various commissions and subcommittees. This did not include the Aquatic Weed Commission.

The Municipal Code establishing the Aquatic Weed Commission, Chapter 98- Article IV, needed to be updated. This is accomplished with Ordinance 2025-07 on this same agenda.

ACTION REQUESTED

The action requested is to approve Resolution 2025-08.

ANALYSIS

Resolution 2025-08 will treat citizen members of the Aquatic Weed Commission the same as citizen members of the other Village commission and subcommittees.

Attachment:

1. Resolution 2025-08.

RESOLUTION NO. 2025-08

**RESOLUTION ESTABLISHING A PER DIEM RATE FOR CITIZEN MEMBERS OF THE
AQUATIC WEED COMMISSION**

WHEREAS, the Village of Pewaukee Municipal Code provides, generally, that resident members of Village boards, commissions, and committees shall be paid for each day of attendance at meetings of such boards, commissions, and committees, subject to certain exceptions; and

WHEREAS, the Village of Pewaukee Municipal Code provides, generally, that the rate of compensation for such resident members shall be established from time to time by resolution of the Village Board;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Sections 98.113(d) of the Municipal Code of the Village of Pewaukee, the Village Board establishes the following rate of compensation for citizen members of the Aquatic Weed Commission:

COMPENSATION: A \$20.00 per diem payment, payable for each meeting actually attended by the applicable resident. Such per diem shall be payable once every six (6) months effective with the commencement of the applicable resident's term of appointment. Such payment shall be made pursuant to the Village's normal timecard and/or payroll policies and procedures and any written policy set forth by the Village Administrator.

BE IT FURTHER RESOLVED that the per diem set forth in this Resolution shall be effective until such time as amended by subsequent action of the Village Board.

Dated this 3rd day of June, 2025.

APPROVED:

Jeff Knutson, Village of Pewaukee President

Countersigned:

Jenna Peter, Village Clerk



To: Jeff Knutson, President
Trustees of the Village Board

From: Matt Heiser
Village Administrator

Date: May 28, 2025

Re: June 3, 2025 Village Board Meeting Agenda Item 7(a)
Update on Median Construction Project for Oakton Railroad Crossing.

BACKGROUND

Village staff and engineers have been working on the 2025 road project on East Capital Drive. One of the elements of the project needing to be defined was how to handle the median at the railroad crossing. The Wisconsin Department of Transportation (WisDoT) has had that area under review with its own safety concerns for a while and had added temporary posts to the existing concrete median for additional traffic control. WisDoT staff communicated with Village staff in late 2024/early 2025 requesting the median extension be added to a Village project at Village expense. If the Village chose not to pursue the extension WisDoT was not certain when it could fund and install the project itself.

Village staff were working with the Public Works and Safety Committee to determine if the Village should replace the temporary posts with permanent concrete as part of the East Capital Drive project.

ACTION REQUESTED

The action requested is to remove the extension of the median from the Village street project.

ANALYSIS

Staff developed concerns with possible impacts to traffic patterns after review of a potential extension of the concrete median in project plans. RA Smith reports in their Quiet Zone Study that the median would comply for a Quiet Zone in its current condition. Staff proposed to the Public Works and Safety Committee at their May 13, 2025, meeting to leave the median situation as it is and allow WisDoT to determine/install any permanent feature they think is necessary. If WisDoT wishes to make a change further public outreach and education would benefit the community. The WisDoT project could happen as soon as 2026.

Attachment:

1. Staff Memo from the May 13, 2025 Public Works and Safety Committee Meeting.
2. East Capital Drive Project Original Designs (including median extension).

3. East Capital Drive Project Revised Designs (median extension removed).



PUBLIC WORKS DEPARTMENT
1000 Hickory Street
Pewaukee, WI 53072

To: Public Works and Safety Committee
CC: Matt Heiser, Village Administrator
From: David Buechl, P.E., P.L.S, Director of Public Works/Village Engineer
Date: May 7, 2025
Re: Agenda item 4c. Discussion and possible action regarding the 2025 Road and Utility Improvements and related Railroad Crossing Improvements

BACKGROUND

The 2025 Street and Utility Improvements projects design is being finalized and estimates of costs are being reviewed for comparison to the Village budget. The W. Wisconsin Avenue paving project is fairly straight forward while the Glacier Road and E. Capitol Drive have some design aspects that are still lingering on.

In general, the Village can afford two out of the three projects that are being designed. As of now, it is likely that the E. Capitol Drive project and W. Wisconsin Avenue project will be included in the bid. The concrete options won't be included due to much higher costs

E. Capitol Drive: This street will include milling of asphalt pavement, relay of water main and services, spot removal and replacement of concrete curb and gutter, and some catch basin replacements from Simmons Avenue to where E. Capitol Drive veers to right. There are some safety improvements needed at the Oakton railroad crossing which generally include extension of the concrete medians. The Wisconsin DOT recently told the Village that we have two options.

1. The Village install and fund the median work in 2025.
2. The Wisconsin DOT tentatively install the median work in 2026.

The estimated cost of the concrete median work is \$29,000 from HNTB who is working for the WDOT. The E. Capitol Drive street project was bumped up to coincide with the Wisconsin DOT asking last year if we had an upcoming project that the median work could be completed with. Since we have last discussed this item, the WDOT has completed the draft drawings. I have sent design review comments back to the WDOT but they haven't responded yet. I recommend that this median work should be not included our 2025 Road Program.

Glacier Road: This street will include asphalt milling and a relay of water main and storm sewer. One other design goal is to loop connect the water main from Glacier Road to W. Wisconsin Avenue. We will be contacting the lot owners to discuss the possibility of obtaining a water main easement. The storm sewer relay will also likely require obtaining a storm sewer easement. We will be contacting the affected lot owners to discuss the possibility to obtain a storm sewer easement along the side lot lines. One of the three easements has been signed. Two easements have not been returned signed at this time.

Recommendation

No recommendation is provided at this time.

GENERAL NOTES

CONTRACTOR SHALL CONTACT THE UTILITIES AND DIGGERS HOTLINE TO LOCATE AND FIELD VERIFY UTILITIES PRIOR TO THE START OF WORK. THE LOCATIONS OF EXISTING AND PROPOSED UTILITY INSTALLATIONS AS SHOWN ON THE PLANS ARE APPROXIMATE. THERE MAY BE OTHER UTILITY INSTALLATIONS WITHIN THE PROJECT AREA THAT ARE NOT SHOWN. ANY LOCAL, MUNICIPAL OR OTHER UTILITY THAT IS NOT A MEMBER OF DIGGERS HOTLINE SHALL BE CONTACTED SEPARATELY.

NO TREES OR SHRUBS ARE TO BE REMOVED WITHOUT APPROVAL OF THE ENGINEER.

PROTECT INLETS WITH PROPER INLET PROTECTION AT LOCATIONS EXHIBITING RISK OF BEING IMPACTED BY CONSTRUCTION OPERATIONS AS SHOWN ON THE PLANS, OR AS DIRECTED BY THE ENGINEER.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESHAPING AND SEEDING ANY PREVIOUSLY GRASSED AREAS WHICH ARE DISTURBED BY ANY OPERATION OUTSIDE OF THE NORMAL CONSTRUCTION LIMITS AT THE CONTRACTOR'S EXPENSE.

TEMPORARY STORAGE OF ANY EXCAVATED MATERIAL WILL NOT BE PERMITTED IN WETLANDS, FLOODWAY OR FLOODPLAIN OF ANY WATERWAY.

FILL AND COMPACT ALL HOLES OR OPENINGS BELOW SUBGRADE RESULTING FROM ABANDONMENT OR REMOVAL OF EXISTING STRUCTURES WITH MATERIAL SIMILAR TO EXISTING GROUND OR ENGINEER APPROVED BACKFILL TO AVOID POTENTIAL FROST HEAVING. BACKFILLING IS INCIDENTAL TO CORRESPONDING ABANDONMENT OR REMOVAL ITEM.

SIGNS IN CONFLICT WITH TRAFFIC CONTROL "IN USE" SHALL BE COVERED AS DIRECTED BY THE ENGINEER AND PAID FOR UNDER THE ITEM "TRAFFIC CONTROL COVERING SIGNS TYPE 1 OR TYPE 2."

STATIONING, DISTANCES AND OFFSETS FOR TRAFFIC CONTROL SIGNS SHOWN IN THE PLANS ARE APPROXIMATE AND THE FINAL LOCATION OF SIGNS ARE TO BE DETERMINED BY THE ENGINEER.

RIGHT OF WAY SHOWN IS PER WAUKESHA COUNTY GIS. IT IS +/- 3' ACCURACY. RIGHT OF WAY IN CLOSE PROXIMITY TO CONSTRUCTION LIMITS TO BE CONFIRMED AND PROVIDED BY ENGINEER.

CONTRACTOR TO FOLLOW STATE CODES AND REGULATIONS.

NO EXCAVATED MATERIAL SHOULD BE PLACED ON RAILROAD RIGHT OF WAY.

A SAWED JOINT IS REQUIRED WHERE HMA PAVEMENT MEETS EXISTING ASPHALTIC CONCRETE SURFACE. SAWING ASPHALTIC AND CONCRETE DRIVEWAYS AND/OR PARKING LOTS AT THE MATCHLINE AS SHOWN ON THE PLAN DETAILS OR AS DIRECTED BY THE ENGINEER.

ALIGNMENT IDENTIFIERS

| | |
|----|---------------|
| AK | OAKTON AVENUE |
|----|---------------|

DESIGN CONTACTS

HNTB
CODY JUSTMAN, P.E.
250 E WISCONSIN AVE #2000
MILWAUKEE, WI 53202
PHONE: (608)-294-5010
CJUSTMAN@HNTB.COM

WISCONSIN DEPARTMENT OF TRANSPORTATION

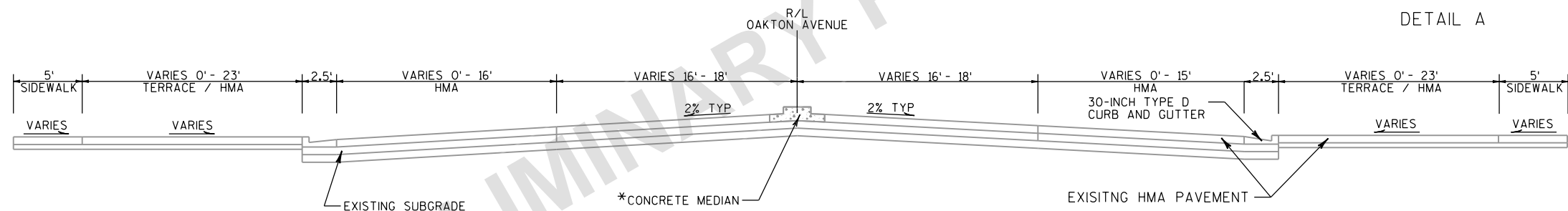
DIGGERS



HOTLINE

Dial  or (800)242-8511

www.DiggersHotline.com

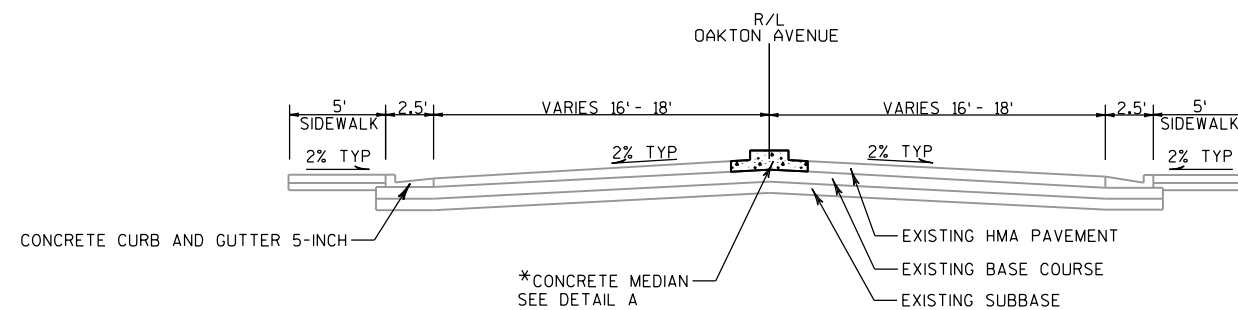


EXISTING TYPICAL SECTION

STA 101AK+73 to 105AK+02

NOTES:

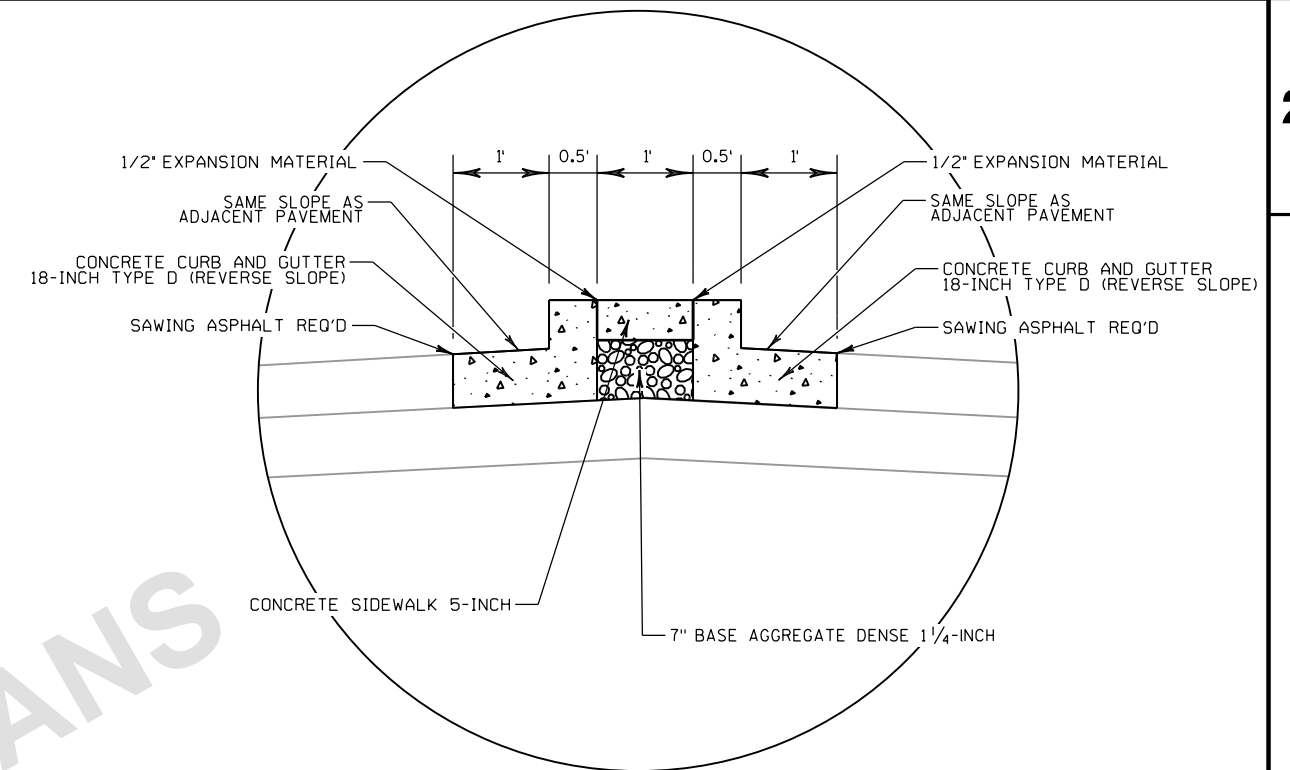
*CONCRETE MEDIAN STA 102AK+49 TO STA 103AK+53
STA 104AK+09 TO 104AK+59



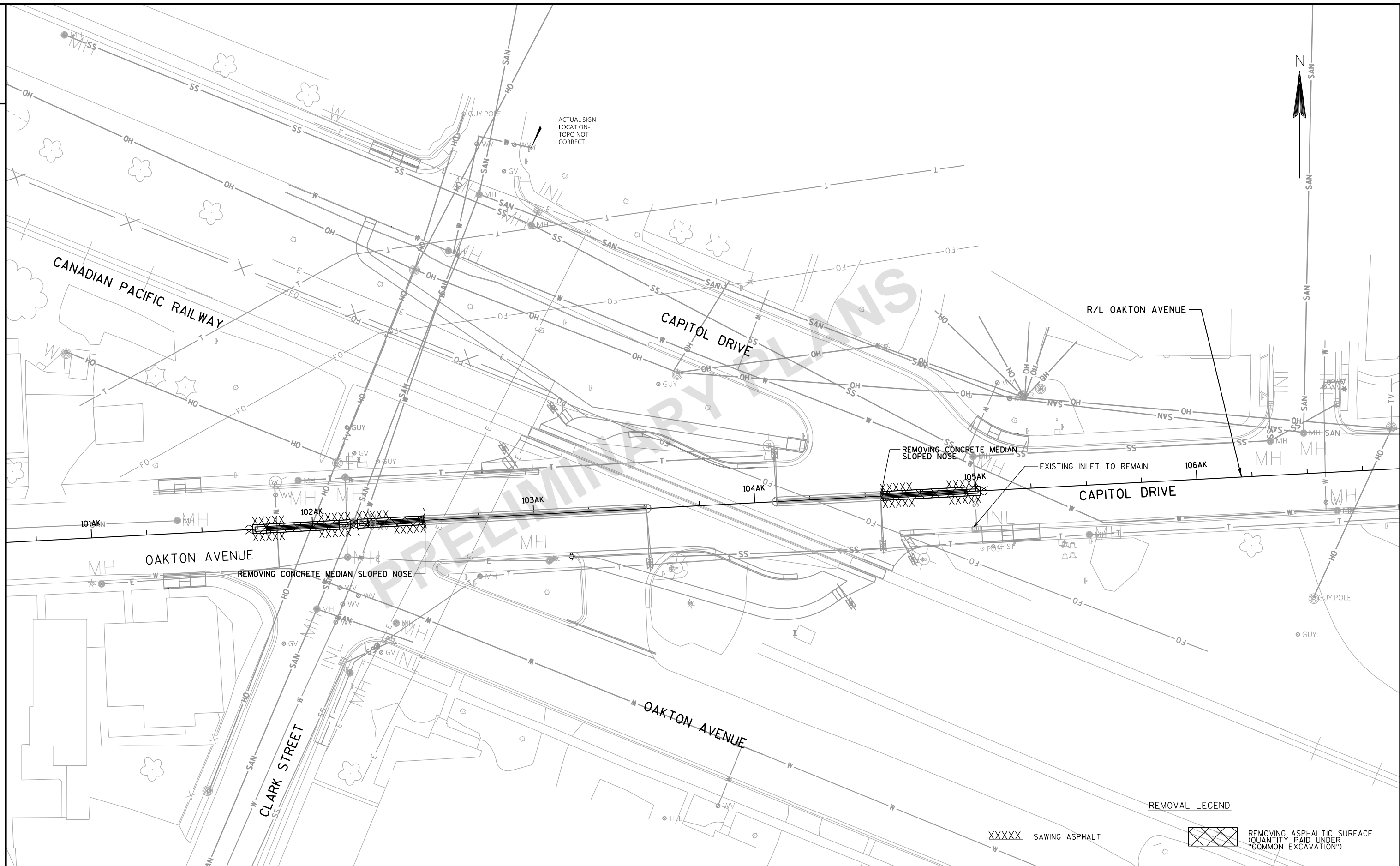
FINISHED TYPICAL SECTION

STA 101AK+73 TO 102AK+51

STA 104AK+57 TO 105AK+02



DETAIL A



PROJECT NO:

HWY:

COUNTY: WAUKESHA

REMOVAL PLAN: OAKTON AVENUE

SHEET

E

FILE NAME : I:\86936 At-Grade Rail Design\1\cads\Oakton Ave - V. of Pewaukee\021101-rm.dgn

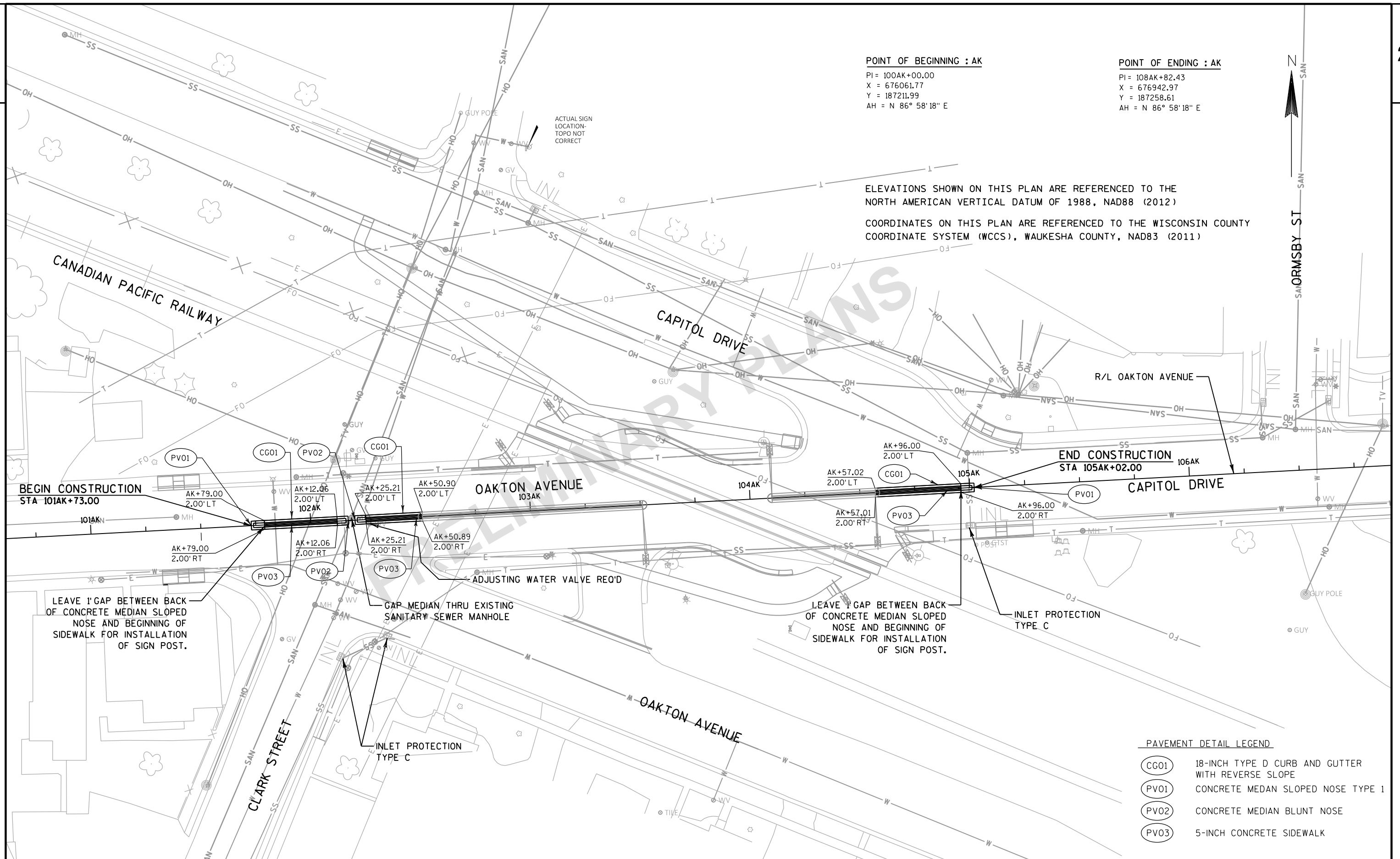
PLOT DATE : 4/7/2025 10:59:02 AM

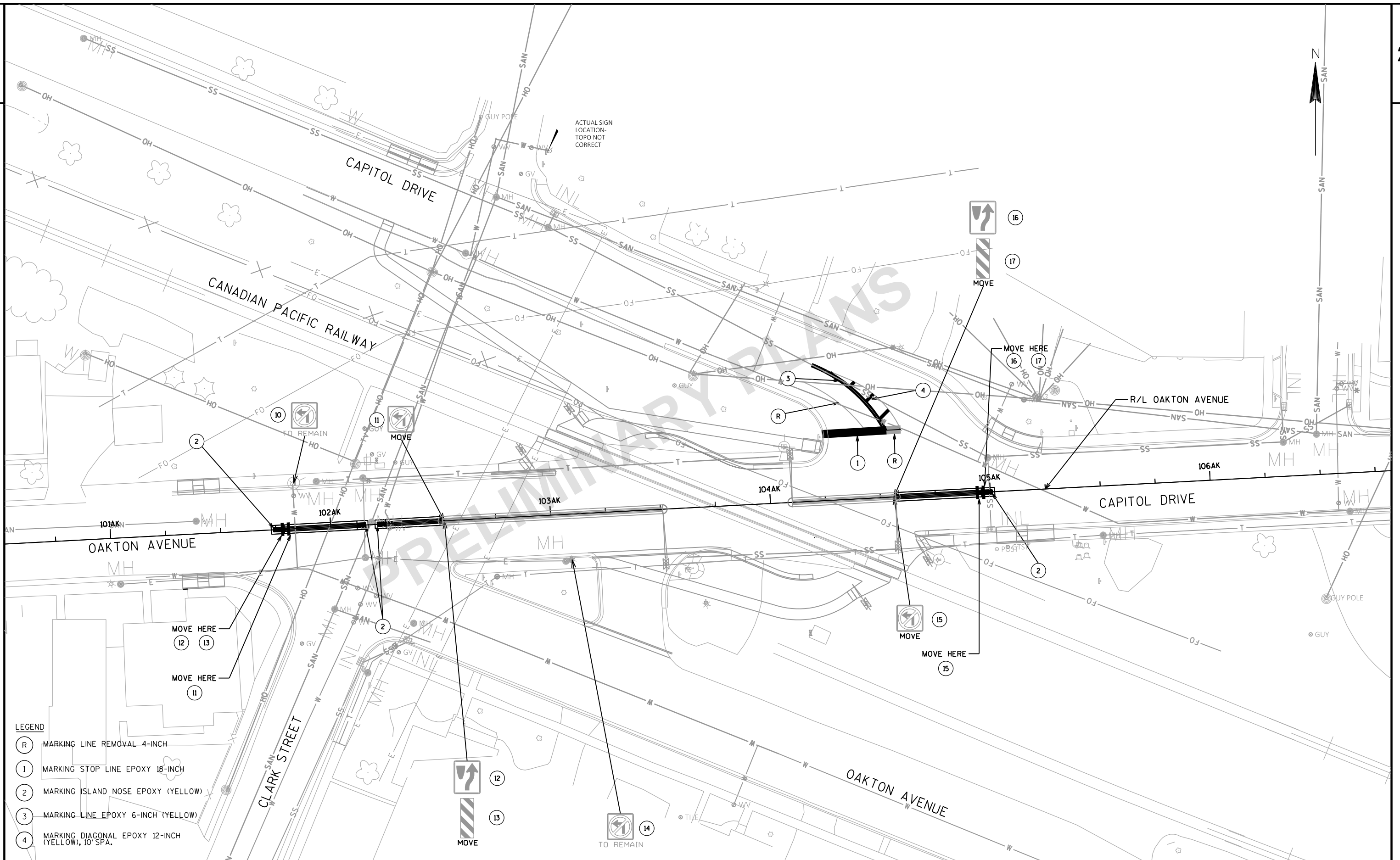
PLOT BY : jalessia

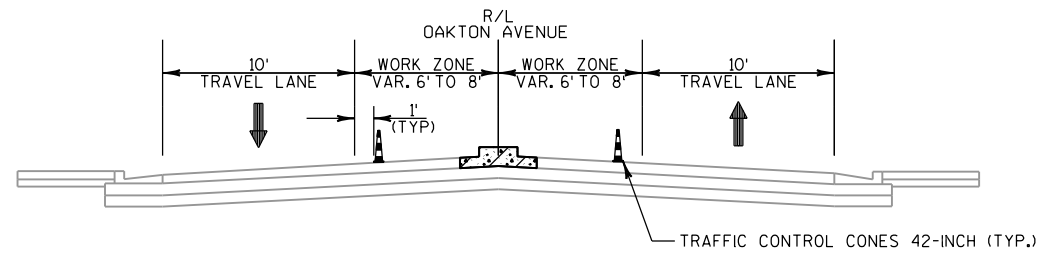
PLOT NAME :

PLOT SCALE : 40:1

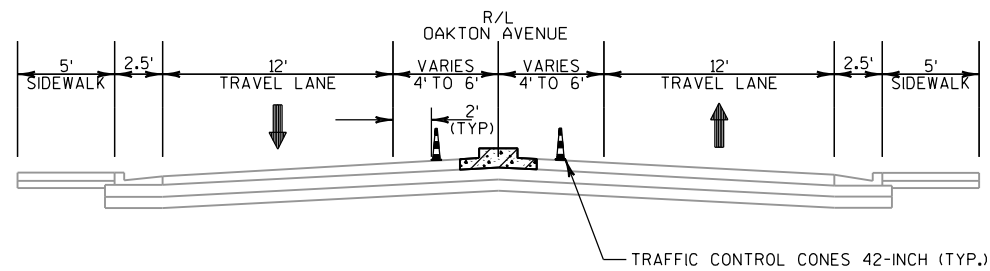
WISDOT/CADDs SHEET 42



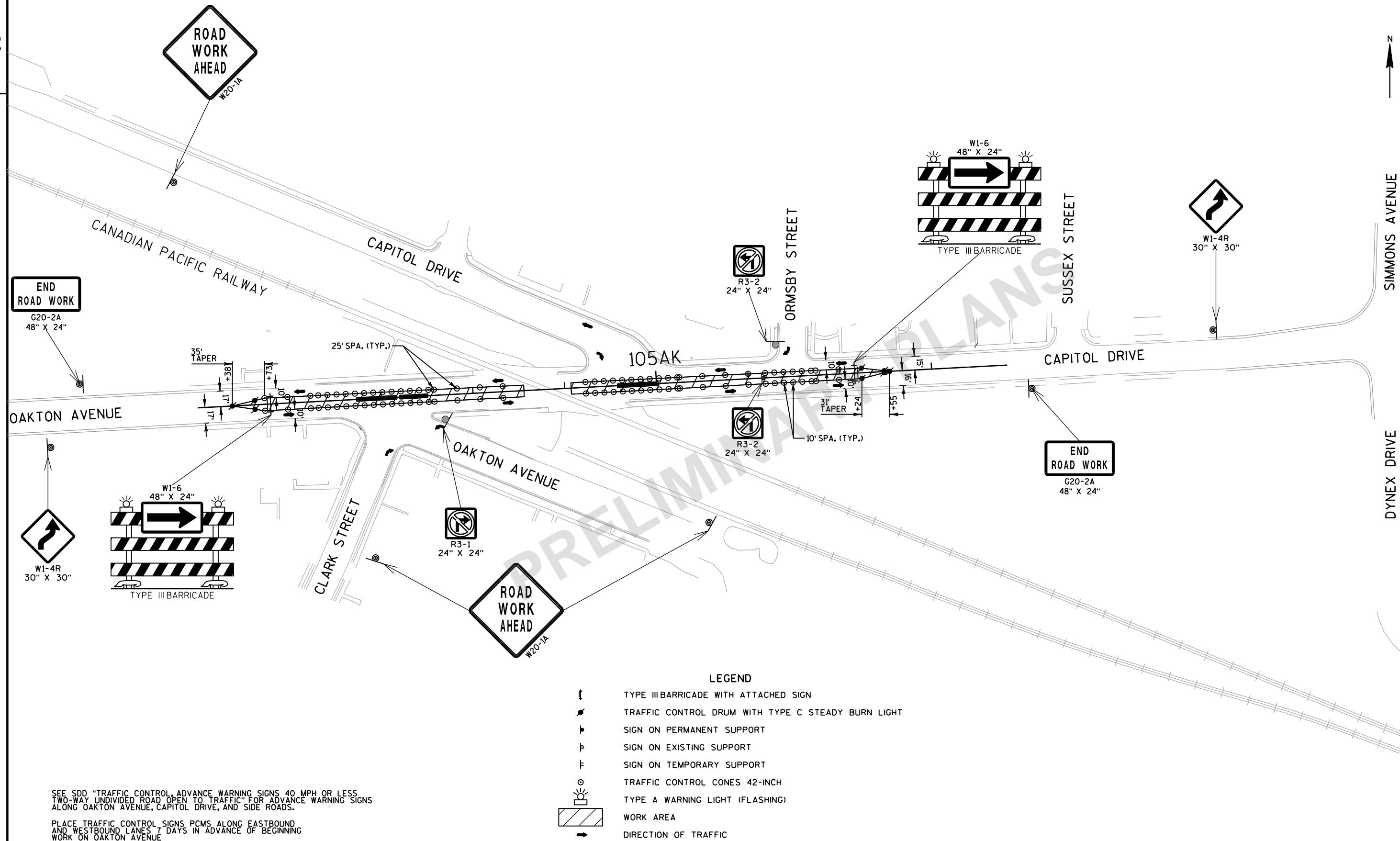




TYPICAL SECTION - ACTIVE WORK ZONE



TYPICAL SECTION - INACTIVE WORK ZONE



EXCAVATION COMMON SUMMARY

| | | | | | |
|---------------|------------|-------------|----|-------------|------------|
| | | | | | 205.0100 |
| | | | | | EXCAVATION |
| | | | | | COMMON |
| CATEGORY | ROADWAY | STATION | TO | STATION | CY |
| 1000 | OAKTON AVE | 101AK+73 | - | 102AK+50.90 | 6 |
| | | 104AK+57.01 | - | 105AK+02 | 4 |
| PROJECT TOTAL | | | | | 10 |

REMOVING FLEXIBLE TUBLAR MARKERS SUMMARY

| | | | | | |
|---------------|------------|-------------|----|-------------|------------------|
| | | | | | 204.9060.S |
| | | | | | REMOVING |
| | | | | | FLEXIBLE TUBULAR |
| | | | | | MARKERS |
| CATEGORY | ROADWAY | STATION | TO | STATION | EACH |
| 1000 | OAKTON AVE | 102AK+17.29 | - | 102AK+48.90 | 18 |
| | | 104AK+59.01 | - | 104AK+70.13 | 8 |
| PROJECT TOTAL | | | | | 26 |

REMOVING CONCRETE MEDIAN SLOPED NOSE SUMMARY

| | | | | | 204.9060.S.01 |
|---------------|------------|-------------|----|-------------|-----------------|
| | | | | | REMOVING |
| | | | | | CONCRETE MEDIAN |
| | | | | | SLOPED NOSE |
| CATEGORY | ROADWAY | STATION | TO | STATION | EACH |
| 1000 | OAKTON AVE | 101AK+48.89 | - | 101AK+50.90 | 1 |
| | | 104AK+57.01 | - | 104AK+59.02 | 1 |
| PROJECT TOTAL | | | | | 2 |

BASE AGGREGATE DENSE SUMMARY

| | | | | | 305.0120 |
|---------------|------------|-------------|----|-------------|----------------|
| | | | | | BASE AGGREGATE |
| | | | | | DENSE |
| | | | | | 1 1/4 INCH |
| CATEGORY | ROADWAY | STATION | TO | STATION | TON |
| 1000 | OAKTON AVE | 101AK+73.00 | - | 102AK+17.21 | 2 |
| | | 102AK+22.20 | - | 102AK+50.90 | 2 |
| | | 104AK+57.01 | - | 105AK+02 | 2 |
| PROJECT TOTAL | | | | | 6 |

CONCRETE MEDIAN, CURB & GUTTER, AND SIDEWALK SUMMARY

| CATEGORY | ROADWAY | STATION | TO | STATION | 601.0407 | 602.0410 | 620.0300 | 620.0300 | NOTES |
|---------------|------------|----------|----------|----------|----------------|----------|-----------------|-----------------|--------|
| | | | | | CONCRETE | CONCRETE | | | |
| | | | | | CURB & GUTTER | SIDEWALK | CONCRETE MEDIAN | CONCRETE MEDIAN | |
| | | | | | 18-INCH TYPE D | 5-INCH | BLUNT NOSE | SLOPED NOSE | |
| 1000 | OAKTON AVE | | 101AK+79 | | -- | | - | 24 | TYPE 1 |
| | | 101AK+79 | - | 102AK+12 | 68 | 34 | -- | -- | |
| | | | | 102AK+12 | | | 24 | | |
| | | | | 102AK+25 | | | 24 | | |
| | | 102AK+25 | - | 102AK+51 | 52 | 26 | -- | -- | |
| | | 104AK+57 | - | 104AK+96 | 78 | 39 | -- | -- | |
| | | | | 104AK+96 | -- | | - | 24 | TYPE 1 |
| PROJECT TOTAL | | | | | 198 | 99 | 48 | 48 | |

CONSTRUCTION STAKING SUMMARY

| | | | | | |
|---------------|------------|-------------|----|-------------|----------------------|
| | | | | | 650.5500 |
| | | | | | CONSTRUCTION STAKING |
| | | | | | CURB GUTTER |
| | | | | | AND CURB & GUTTER |
| CATEGORY | ROADWAY | STATION | TO | STATION | LF |
| 1000 | OAKTON AVE | 101AK+79 | - | 102AK+12.06 | 68 |
| | | 102AK+25.21 | - | 102AK+50.90 | 52 |
| | | 104AK+57.01 | - | 104AK+96 | 78 |
| PROJECT TOTAL | | | | | 198 |

MOBILIZATION SUMMARY

| CATEGORY | ROADWAY | 619.1000 MOBILIZATION | 628.1905 MOBILIZATION EROSION CONTROL | 628.1910 MOBILIZATION EMERGENCY EROSION CONTROL |
|---------------|------------|--------------------------|--|--|
| | | EACH | EACH | EACH |
| 1000 | OAKTON AVE | 1 | 1 | 1 |
| PROJECT TOTAL | | 1 | 1 | 1 |

SIGNAGE SUMMARY

| CATEGORY | ROADWAY | 638.3000 | 638.2102 | 634.0616 |
|---------------|------------|---------------------------------|------------------------|--------------------------------|
| | | REMOVING SMALL SIGN SUPPORTS | MOVING SIGNS TYPE 2 | POSTS WOOD 4x6-INCH x 16-FT |
| | | EACH | EACH | EACH |
| 1000 | OAKTON AVE | 2 | 6 | 2 |
| PROJECT TOTAL | | 2 | 6 | 2 |

INLET PROTECTION TYPE C SUMMARY

| CATEGORY | ROADWAY | STATION | 628.7015 |
|---------------|------------|-------------|----------------------------|
| | | | INLET PROTECTION TYPE C |
| | | | EACH |
| 1000 | OAKTON AVE | 102AK+10.46 | 1 |
| | | 102AK+32.32 | 1 |
| | | 104AK+98.80 | 1 |
| PROJECT TOTAL | | | 3 |

SAWING PAVEMENT SUMMARY

| CATEGORY | ROADWAY | STATION | TO | STATION | 690.0150 |
|---------------|------------|-------------|----|-------------|----------------|
| | | | | | SAWING ASPHALT |
| | | | | | LF |
| 1000 | OAKTON AVE | 101AK+73 | - | 102AK+17.06 | 97 |
| | | 102AK+20.21 | - | 102AK+50.90 | 70 |
| | | 104AK+57.01 | - | 105AK+02 | 98 |
| PROJECT TOTAL | | | | | 265 |

TRAFFIC CONTROL ITEMS SUMMARY

| | | | 643.0300 | | 643.0420 | | 643.0705 | | 643.0715 | | 643.0900 | | 643.1050 | | 643.1070 | |
|----------------|-------|------|----------|------|-----------------|------|-----------------|------|----------|------|----------|------|------------|------|---------------|------|
| | | | TRAFFIC | | TRAFFIC CONTROL | | TRAFFIC CONTROL | | | | TRAFFIC | | TRAFFIC | | TRAFFIC | |
| | | | CONTROL | | BARRICADES | | WARNING LIGHTS | | | | CONTROL | | CONTROL | | CONTROL | |
| STAGE | | | DURATION | | TYPE III | | TYPE A | | TYPE C | | SIGNS | | SIGNS PCMS | | CONES 42-INCH | |
| CATEGORY | STAGE | DAYS | EACH | DAYS | EACH | DAYS | EACH | DAYS | EACH | DAYS | EACH | DAYS | EACH | DAYS | EACH | DAYS |
| 1000 | 1 | 8 | 7 | 56 | 2 | 16 | 4 | 32 | 7 | 56 | 18 | 144 | 2 | 14 | 86 | 688 |
| PROJECT TOTALS | | | | 56 | 16 | 32 | 56 | 144 | 14 | 688 | | | | | | |

PAVEMENT MARKING SUMMARY

| CATEGORY | ROADWAY | 646.2020 MARKING LINE EPOXY 6-INCH | | 646.6120 MARKING STOP LINE EPOXY 18-INCH | | 646.7120 MARKING DIAGONAL EPOXY 12-INCH | | 646.8220 MARKING ISLAND NOSE EPOXY | | 646.9000 MARKING LINE REMOVAL 4-INCH | |
|---------------|------------|------------------------------------|--|--|--|---|--|------------------------------------|--|--------------------------------------|--|
| | | LF | | LF | | LF | | EACH | | LF | |
| | | | | | | | | | | | |
| 1000 | OAKTON AVE | 92 | | 30 | | 15 | | 4 | | 124 | |
| PROJECT TOTAL | | 92 | | 30 | | 15 | | 4 | | 124 | |



To: Jeff Knutson, President
Trustees of the Village Board

From: Matt Heiser
Village Administrator

Date: May 28, 2025

Re: June 3, 2025 Village Board Meeting Agenda Item 8(a)
Review, discussion and possible action to approve a request from the Pewaukee Public Library to replace its water softener.

BACKGROUND

Staff at the Pewaukee Public Library recently discovered that the water softener no longer functioned. The Library Board considered three proposals to replace it and selected the low bid from Culligan.

ACTION REQUESTED

The action requested is to approve the proposed capital expenditure for the Library.

ANALYSIS

The Village is responsible for 80% of the costs of capital expenditures per the recently approved Library Lease. This was not a budgeted expenditure so it would come from fund balance.

The Municipal Building has a water softener; the new DPW building does not.

Attachment:

1. Request Memo from the Director of the Pewaukee Public Library Nan Champe.



MEMO

To: Jeff Knutson, Village President and Matt Heiser, Village Administrator, Village of Pewaukee
From: Nan Champe, Library Director, Pewaukee Public Library *Nan Champe*
Date: 5/22/2025
Subject: Emergency Capital Request – Library Water Softener Replacement

This memo serves as a formal request on behalf of the Library Board for emergency capital funding to replace the water softener and softener's 3-valve bypass at the Pewaukee Public Library. The existing system is no longer functioning and may lead to issues with the Library's plumbing infrastructure and equipment if not addressed. Timely replacement is recommended to avoid complications.

In accordance with the **Joint Library Agreement Between the Village of Pewaukee and the City of Pewaukee** and the **Library Building Lease Agreement**, the Board has reached a consensus that the emergency replacement of the water softener and the 3-valve bypass qualifies as a Capital Project. As outlined in *Exhibit "A" – Capital Projects*, this replacement falls under "plumbing replacement".

The current water softener and bypass system, installed in 2006, is original to the building. It has exceeded its expected service life and recently experienced a complete and unexpected failure. This has already caused visible hard water damage and may affect the performance of the plumbing and heating systems over time. Maintenance inspections have confirmed that the system is no longer repairable.

At the May 21, 2025 meeting, the Board reviewed three (3) replacement proposals and voted to approve the proposal submitted by Culligan. The approved bid totals \$7,070, which includes equipment, installation, permits, and required plumbing modifications. A copy of the approved proposal is included.

We respectfully request that the Village approve an emergency capital allocation of \$5,656 to cover its 80% share of the project cost, as outlined in the **Joint Library Agreement**. We also request that the Village Board review and consider the emergency capital funding at its next regular meeting to ensure timely completion of the project and to prevent further damage to the Library's infrastructure.

Please contact me if you have any questions or require additional information. We appreciate your prompt attention to this matter and your continued support of the Pewaukee Public Library.



Quotation

Date: April 24, 2025

Quote No.: 042425-DC-01

Quoted To: Pewaukee Public Library
Attn: Nan Champe
210 Main St
Pewaukee, WI 53072
262-746-0920
director@pewaukeelibrary.org

Prepared By: Don Clemons
Culligan Water Conditioning
1801 Pewaukee Rd.
Waukesha, WI 53188
Phone No.: 262-893-1627

Equipment/Services: Replacement of current (full-line) water softener service (with salt delivery)

QTY: (1) Culligan CTM-150-DF Softener with Brine System (900 lbs.)
\$132.37 per month plus tax (Rental Option) Includes all parts & service (minus salt) _____ Initials

QTY: (1) Culligan CTM-150-DF Softener with Brine System (900 lbs.)
\$4725.00 (Purchase Option) Manufacturer's Warranty Applies (minus salt) _____ Initials

QTY: (1) Culligan Scheduled Salt Delivery Service (24 month Price Guarantee)
\$8.95 per bag (plus tax) _____ Initials

\$1495.00 Estimated Installation plus tax (Including labor, parts and materials.) If 3-Valve bypass needs to be replaced, add \$750.00

\$100.00 Plumbing Permit (City of Pewaukee – Commercial Permit)

Terms and Conditions: All prices in US Dollars. Net 30 Days. Rental 36 month term, monthly thereafter.

Quote Valid For: 30 Days

Delivery: 10-15 business days from Culligan with acceptance of a signed purchase order and credit approval.

Installation is estimated and will be performed by Culligan or an authorized Culligan representative. Actual installation costs (time and materials) will be billed at current market prices at the time of installation. Culligan will provide equipment delivery and will set equipment in place. Culligan will attach inlet, outlet and drain to supplied connections. Any needed repairs to customer bypass will be billed time and materials. Suitable electrical service must also be available for connection to equipment. Installation service to be scheduled by contacting Culligan at least 7 days in advance and during normal business hours (8 AM to 4 PM).

Miscellaneous: This quotation does not constitute an offer to provide and/or perform the product/work at this price but is instead a quotation for such services as outlined above and would be subject to Culligan's Standard Terms and Conditions. If for any reason the information provided to Culligan is found to be inaccurate, incomplete or otherwise changed, Culligan reserves the right to provide an amended quotation.

Authorized: _____ Date: _____

Print: _____ Title: _____

Return To: don.clemons@culliganwater.com FAX:



To: Jeff Knutson, Village President
Village Board

From: Jenna Peter
Village Clerk

Date: May 12, 2025

Re: Agenda Item 8b, Renewal Alcohol Beverage License Approvals

BACKGROUND

I recently attended a Liquor Licensing webinar hosted by the Department of Revenue. In the webinar I learned that license applications accepted **before** April 15th need to be approved **by** June 15th. Listed below are the two applications that were received before April 15th for Renewal of Alcohol Beverage License. Village Board approval is required for all new/renewal liquor license applications.

ACTION REQUESTED

To approve the Alcohol Beverage License by Class/Classes as listed below – along with the premise descriptions as listed (*in italics*) and the agents as listed:

Applicants for Class A Combination License (Class “A” Beer & “Class A” Liquor)

- Costco Wholesale Corporation – DBA: Costco Wholesale #1101** **443 Pewaukee Road**
Agent: Nathan Von Koblenz
WAREHOUSE RETAIL FLOOR & STORAGE (ONE-STORY 152,524 SQ FT BUILDING). PRODUCT IS RECEIVED IN THROUGH RECEIVING DOCK. PRODUCT IS STOCKED ON THE FLOOR WITHIN THE PERIMETERS OF THE RETAIL BUILDING. RECORDS ARE KEPT ELECTRONICALLY IN THE RECEIVING AREA AND OFFICE.

Applicants for Class B Combination License (Class “B” Beer & “Class B” Liquor)

- Asiana of Wisconsin Inc. – DBA: Asiana** **1198 George Towne Drive**
Agent: Yurong Chen
ALCOHOL IS SOLD AND STORED IN THE BAR AREA, DINING ROOM & BASEMENT. RECORDS ARE KEPT IN THE BASEMENT.

ANALYSIS

The above applications have been submitted for the license term of July 1, 2025 – June 30, 2026. The Police Chief, Village Treasurer, Building Inspection, and Fire Department have given their approvals.



To: Jeff Knutson, President
Trustees of the Village Board

From: Matt Heiser
Village Administrator

Date: May 28, 2025

Re: June 3, 2025 Village Board Meeting Agenda Item 8(c)
Review, discussion and possible action on the trapping of muskrats around Bill Brown Island.

BACKGROUND

This agenda item is a request by the Village President. He has received complaints of muskrats damaging the shoreline of Bill Bown Island.

ACTION REQUESTED

The action requested is to direct staff to explore the possibility of trapping muskrats or contracting for that service.

ANALYSIS

Staff may find it best to employ a licensed professional for this as it likely requires close coordination with the Wisconsin Department of Natural Resources.

Attachment – None.



To: Jeff Knutson, President
Trustees of the Village Board

From: Matt Heiser
Village Administrator

Date: May 28, 2025

Re: June 3, 2025 Village Board Meeting Agenda Item 8(d)
Review, discussion and possible action directing staff to revise current burning ordinances to limit the days for burn permits.

BACKGROUND

This agenda item is a request by the Village President. He has received complaints from a resident about excessive burning.

ACTION REQUESTED

The action requested is to direct staff to propose a revised Village ordinance limiting the days for burn permits.

ANALYSIS

Chapter 34 of the Municipal Code (Fire Prevention and Protection) Article II (Burning) prohibits burning in the Village unless one has a burn permit. At present a burn permit allows burning all days of the week.

Attachment

1. Chapter 34 Article II – Burning
2. Burn Permit Application.

Secs. 34.003—34.099. Reserved.

ARTICLE II. BURNING

Sec. 34.100. Permit required.

- (a) No burning shall be permitted in the Village of Pewaukee unless the owner of the property upon which the burning is to take place first obtains a permit, indicating the approval of the fire chief. This permit shall be issued at the village hall only during regular business hours.
- (b) Only owners of real estate may obtain burning permits. A signed copy of the permit shall be filed with the clerk-treasurer.
- (c) Notwithstanding any other provision in this section, if the burning of any material, either with or without a permit, or with or without intent, results in failure to comply in full with the conditions of a burning permit, or if negligence in supervising and/or controlling the fire results in the dispatch and/or deployment of firefighting equipment or personnel to control or extinguish the fire or to protect life, buildings or adjacent property, the property owner shall be required to pay all costs and expenses incurred by the village for the fire or emergency call in addition to other potential fines and forfeitures. These costs and expenses shall be calculated by the clerk-treasurer after consultation with the fire chief, and the cost of the fire or emergency call shall be assessed against the property as set forth in this section and pursuant to Wis. Stats. § 66.60(16).
- (d) No permit issued under this section shall create a property right in the person receiving the permit, and the permit shall be limited to and shall be used in strict compliance with the terms and conditions specified in the permit and shall automatically expire on the date specified on the permit.

(Code 1967, § 9.18; Ord. No. 394, §§ 1—4, 3-16-1993; Ord. No. 421, §§ 1(A), (B), (D), 2(F), 7-5-1995)

Sec. 34.101. Restrictions on burning.

- (a) No person or any agent of any person may burn garbage (including but not limited to kitchen and garden waste) fresh-cut grass, green grass, green leaves, green brush or any other noncombustible material in the Village of Pewaukee.
- (b) No person or corporation or any agent of any person or corporation may burn any material within any public street, shoulder of any roadway, gutter, stormwater ditch, catch basin or on other public property in the village except as set forth in this section.
- (c) No person living in a multifamily structure (three or more living units) may burn any material, and corporate owners of such structures in the village may not burn any material on such premises except as set forth in this section.
- (d) No person living in a single- or two-family home may burn home-generated combustible material in the village without a permit for such burning issued by the fire chief as set forth in section 34.100.
- (e) No developer or contractor may burn any material in the village.

(Ord. No. 421, § 2(A)—(E), 7-5-1995)

Sec. 34.102. Commercial/industrial burning prohibited.

No burning permit shall be issued to commercial or industrial businesses, nor shall commercial or industrial businesses be allowed to burn any material in an incinerator or rubbish container.

(Ord. No. 421, § 3, 7-5-1995)

Cross reference(s)—Businesses, ch. 18.

Sec. 34.103. Prohibited on public property.

No person shall kindle, start or maintain a fire upon public property within the Village of Pewaukee except in designated picnic areas in the public parks where cooking fires may be maintained in permanent or portable enclosed grills. An adult person shall be in constant attendance of such picnic fire.

(Ord. No. 421, § 4, 7-5-1995)

Cross reference(s)—Streets, sidewalks and other public places, ch. 78.

Sec. 34.104. Rules for burning.

- (a) All burning pursuant to permit shall be kindled or started no earlier than 7:00 a.m. and shall be completely extinguished by 10:00 p.m. unless otherwise specified on the permit. All burning shall be conducted with the adult person named on the permit in constant attendance. Refuse shall be burned in its natural state (grass, leaves, twigs, brush, branches and untreated wood). The following items and/or materials shall not be burned: petroleum products, tires, plastics, insulation, garbage and treated building materials and any other item or material which may smolder or give off noxious odors.
- (b) Burning of permitted materials shall be accomplished in a metal, screened receptacle no larger than 55 gallons, which receptacle has been approved by the fire chief or fire inspector.
- (c) Burning of piled materials (brush and leaves) shall be confined to an area no larger than six feet by six feet by four feet and located at least 50 feet from buildings and trees. Flames from such fire may not exceed eight feet in height.
- (d) Bonfires/campfires shall be allowed only under constant supervision in a contained burning pit. The actual fire area shall be in an enclosed fire ring of metal or masonry no larger than five feet in diameter. Flames from the fire shall be maintained at no more than six to eight feet in height. All fires must be completely extinguished by 10:00 p.m.

(Ord. No. 421, § 5, 7-5-1995)

RESIDENTIAL BURNING PERMIT
PEWAUKEE FIRE DEPARTMENT
W239 N2242 Pewaukee Road – Waukesha, WI 53188
Emergency – 911 (262) 522-2500

Date _____ Tax Key _____
Name _____ Home/Cell Phone _____
Home Address _____ Alternate/Business Phone _____
Burning Address _____ Pewaukee Permit Expires _____
Issued By _____

PERMIT REQUIRED (1)

- (A) No burning shall be permitted unless the owner of the property upon which burning is proposed first obtains a permit, approved by the Fire chief and under proper safeguards prescribed for and issued only at the City/Village Hall during regular business hours.
- (B) Notwithstanding any other provision in this Ordinance, if the burning of any material, either with or without a permit, intentional or not, results in failure to comply in full with the conditions of a burning permit, or if negligence in supervising and controlling the fire results in the dispatch and/or deployment of firefighting equipment or personnel to control or extinguish the fire or to protect life, buildings or adjacent property, in addition to other potential fines and forfeitures, the property owner shall be required to pay all costs and expenses incurred by the City/Village for said fire or emergency call. Said costs and expenses shall be calculated by the City/Village Clerk after consultation with the Fire Chief and will assess the cost of said fire or emergency call against the property as set forth in this section and pursuant to Wisconsin Statutes, section 66.60 (16).

RESTRICTIONS ON BURNING (2)

- (A) No person or corporation or their agent may burn garbage (including, but not limited to kitchen and garden waste) fresh cut grass, green grass, green leaves, green brush or any other noncombustible material in the City/Village.
- (B) No person or corporation or their agent may burn any material within the public street, shoulders, gutters, storm-water ditches, catch basins, or on other public property in the City/Village except as set forth herein.
- (C) No person living in a multi-family (3 or more) structure may burn any materials, and corporate owners of such structures in the City/Village may not burn any materials on such premises except as set forth herein.
- (D) No person living in a single or two-family home may burn home generated combustible material in the city/Village without a permit for such burning issued by the Fire chief as set forth herein.
- (E) No developer or contractor may burn any materials in the City/Village.

COMMERCIAL/INDUSTRIAL BURNING PROHIBITED (3)

No burning permit shall be issued to commercial or industrial businesses nor shall commercial or industrial businesses be allowed to burn in an incinerator or rubbish container.

PROHIBITED ON PUBLIC PROPERTY (4)

No person shall kindle, start or maintain a fire upon public property within the City/Village of Pewaukee except in designated picnic areas in the public parks where cooking fires may be maintained in permanent or portable enclosed grills. An adult person shall be in constant attendance of such "picnic" fire.

RULES FOR BURNING (5)

- (A) All burning pursuant to a permit shall be kindled or started no earlier than 7:00 a.m. and should be completely extinguished by 10:00 p.m., unless otherwise specified on the permit. All burning shall be conducted with the adult person named on the permit in constant attendance. The burning of refuse should be in its natural state (grass, leaves, twigs, brush, branches, and untreated wood). Items that are prohibited to be burned are petroleum products, tires, plastics, insulation, garbage and treated building materials and any other item which may smolder or give off noxious odors.
- (B) Burning of permitted materials should be accomplished in a metal, screened receptacle no larger than 55 gallons and approved by the Fire Chief or Fire Inspector.
- (C) Burning of piled materials (brush and leaves) shall be confined to an area at least 50 feet from buildings and trees no larger than 6' x 6' x 4' and flames from such burning may not exceed 8 feet.
- (D) No permit issued under this Ordinance shall create a property right in the person receiving said permit, and said permit shall be limited to and shall be used in strict compliance with the terms and conditions specified therein, and shall automatically expire on the date specified on the permit.
- (E) Bonfire/Campfires shall be allowed only under constant supervision in a contained burning pit. The actual fire area shall be in an enclosed fire ring of metal or masonry no larger than 5 feet in diameter. Flames from the fire shall be maintained at no higher than 6 to 8 feet. All fires must be completely extinguished by 10:00 p.m.
- (F) Only owners of real estate may sign permits. A signed copy of the permit will be filed with the City/Village Clerk.

PROPERTY OWNER'S SIGNATURE

5/3/2018



To: Jeff Knutson, President
Trustees of the Village Board

From: Matt Heiser
Village Administrator

Date: May 28, 2025

Re: June 3, 2025 Village Board Meeting Agenda Item 8(e)
Review, discussion, and possible action on status and possible settlement of Waukesha County Case 2024-CV-1242, Cecilia Senior Homes, LLC v. Village of Pewaukee. If required, the Village Board of the Village of Pewaukee will enter into closed session pursuant to Wis. Statute Section 19.85(1)(g) for conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, specifically regarding the aforementioned case. After conclusion of any closed session, the Village Board will reconvene in open session pursuant to Wis. Statute Section 19.85(2) for possible additional review, discussion, and action concerning this agenda item and to address the remaining meeting agenda.

BACKGROUND

Cecelia Senior Homes, LLC appealed the 2023 Fire/EMS Protection fee via the process defined in the ordinance in spring of 2024. The Board held its hearing on August, 20, 2024, and ruled that the property 1061 Cecelia Drive was properly classified as a “Care Home” and the fees assessed were fair and reasonable by the terms of the ordinance at that time. Cecelia Senior Homes, LLC filed case 2024-CV-1242 against the Village alleging the Fire/EMS Protection Fee is an unlawful tax. A claim was opened with the Village liability insurance and Defense Counsel was assigned. Representing the Village on this case is Steve McGaver and Kevin Landgraf of Crivello, Nichols and Hall.

Village Representation is in communication with representation from Cecelia Senior Homes, LLC and may have a proposed settlement.

ANALYSIS

None.

Attachment – None.