



Regular Village Board Meeting Agenda

February 7, 2023 – 6:00 pm
Village Hall, 235 Hickory Street, Pewaukee, WI 53072

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call.
2. Public Hearings/Presentations. – None.
3. Approval of Minutes of Previous Meeting.
 - a. Minutes of the Regular Village Board Meeting – January 17, 2023
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. Speakers are asked to use the podium and state their name and address.*
5. Ordinances.
 - a. Possible Action on Ordinance No. 2023-01, Ordinance to Amend the Official Zoning Map of the Village of Pewaukee to Change the Zoning of PWV 0883-993-200 from B-1 Community Business District to B-1 Community Business District with Housing for the Elderly Overlay Zoning
6. Resolutions. – None.
7. Old Business. – None.
8. New Business.
 - a. Discussion and Possible Action on Special Event Permit Application for Kiwanis Beach Party
 - b. Discussion and Possible Action on Shore Conveyor Purchase
 - c. Discussion and Possible Action on Proposed Aquatic Plant Policy Revisions
 - d. Discussion and direction regarding increasing the parking fine for the violation of the 1-hour parking and/or a penalty adder for vehicles parked with a trailer while in violation of the 1-hour parking
 - e. Discussion and direction of the Board to explore potential costs/revenue from creating a metered parking zone in the downtown B-2 district street parking
 - f. Alcohol Licenses
 - a. Temporary Class “B” Retailers License for Kiwanis Beach Party
 - b. Agent Change for Liquor License Holder - Costco
 - g. Discussion Regarding Interaction and Behavior of Village Board Members and General Public During Meetings
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. Speakers are asked to use the podium and state their name and address.*



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 regarding Laimon Family Lakeside Park lease agreements; and Riverside Preserve Developers Agreement.
11. Reconvene Into Open Session.
 - a. Possible Action on Laimon Family Lakeside Park Commercial and Residential Lease Agreements
12. 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 February 3, 2023

**VILLAGE OF PEWAUKEE
VILLAGE BOARD MINUTES
January 17, 2023**

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

President Knutson called the meeting to order at approximately 6:00 p.m. The Pledge of Allegiance was recited, followed by a moment of silence.

Roll Call was taken with the following Village Board members present: Trustee Ed Hill, Trustee Bob Rohde, Trustee Kelli Belt, Trustee Chris Krasovich, Trustee Jim Grabowski; Trustee Craig Roberts; and President Jeff Knutson.

Also Present: Village Attorney, Mark Blum; Village Planner, Mary Censky; Village Administrator, Scott Gosse; Village Clerk, Cassie Smith.

2. Public Hearings/Presentations

- a. Public Hearing on Ordinance No. 2023-01, Ordinance to Amend the Official Zoning Map of the Village of Pewaukee to Change the Zoning of PWV 0883-993-200 from B-1 Community Business District to B-1 Community Business District with Housing for the Elderly Overlay Zoning**

Presbyterian Homes representative Pamela Belz a Senior housing manager, stated she is the point of contact for questions on Ordinance 2023-01 regarding the rezoning of the Kirkland Crossings property (phase 2) of independent assisted living.

3. Approval of Minutes of Previous Meeting

- a. Minutes of the Regular Village Board Meeting – December 20, 2022**

Trustee Grabowski asked that item Change 8c read “Trustee Grabowski was in favor of taking a proactive approach and keeping this topic current in the small chances a safety concern does need to be addressed.”

Trustee Hill moved, seconded by Trustee Grabowski to approve the December 20, 2022 minutes of the Regular Village Board meeting with the change as noted in 8c.

Motion carried 7-0.

- b. Minutes of the Regular Village Board Meeting – January 10, 2023**

Trustee Roberts moved, seconded by Trustee Krasovich to approve the January 10, 2023 minutes of the Regular Village Board meeting as presented.

Motion carried 7-0.

4. Citizen Comments

None

5. Ordinances

- a. Possible Action on Ordinance No. 2023-01, Ordinance to Amend the Official Zoning Map of the Village of Pewaukee to Change the Zoning of PWV 0883-993-200 from B-1 Community Business District to B-1 Community Business District with Housing for the Elderly Overlay Zoning**

Planner Censky explained that the property is owned by Kirkland Crossing. The zoning petition affects the vacant 2.49-acre parcel. Their petition to rezone the property to the B-1 community business district with housing for the elderly overlay is not tied to specific plans; the rezoning adds the use to the property as a conditionally permitted use. The property conforms to the B-1 Community Business District with Housing for

the Elderly Overlay. The Plan Commission favored the recommendation to the Village Board. Discussion followed regarding the current use being consistent with the proposed change and the effect it may have on the Fire/EMS contract. Attorney Blum stated that if the Village Board would like to look at the impact on Village services it should be evaluated during the zoning discussion. The Village Board discussed the existing PILOT at the Kirkland Property. Presbyterian Homes, Representative Pamela Belz, stated they working on plans for the expansion to prepare a submission.

Trustee Hill moved, seconded by Trustee Krasovich to Defer Ordinance 2023-01 to Amend the Official Zoning Map of the Village of Pewaukee to Change the Zoning of PWV 0883-993-200 from B-1 Community Business District to B-1 Community Business District with Housing for the Elderly Overlay Zoning to the next meeting, February 7, 2023.

Motion carried on roll call vote 6-1; President Knutson voted nay.

6. Resolutions

a. Possible Action on Resolution No. 2023-01, A Resolution Revising EMS/Rescue Call Charges Related to Chapter 34 of the Village of Pewaukee Municipal Code

Clerk Smith explained that the previous Resolution, 2022-21, listed the charges in reverse. This updated resolution will align the charges with the service provided.

Trustee Grabowski moved, seconded by Trustee Roberts to update Resolution No. 2023-01, Revising EMS/Rescue Call Charges Related to Chapter 34 of the Village of Pewaukee Municipal Code with the Prices as Presented.

Motion carried 7-0.

b. Possible Action on Resolution No. 2023-02, A Resolution Authorizing Submittal of a Wisconsin DNR Recreational Boating Facilities Weed Harvester Grant Application

Administrator Gosse explained that Director Naze has presented the option to submit a Grant to the DNR in hopes to receive a 50% of the cost to update the Weed Harvester. The resolution provides that if approved the Village is committing to provide 50% of the funding with the DNR picking up the other 50%. The estimated costs are roughly \$75,000 but Director Naze is searching out updated quotes.

Trustee Hill moved, seconded by Trustee Grabowski to approve Resolution No. 2023-02 Authorizing Submittal of a Wisconsin DNR Recreational Boating Facilities Weed Harvester Grant Application as Presented.

Motion carried 7-0.

7. Old Business

a. Discussion Regarding Strategic Plan Implementation Progress

None.

8. New Business

a. Discussion and Possible Action on Waukesha County Drug Task Force Memorandum of Understanding

Administrator Gosse stated that the Village has participated in the Waukesha County Drug Task Force in the past and the agreement attached is the updated agreement from the lead agency, Waukesha County. The Village's portion is 1% of recovery and the Village is committed to one officer one day a week to assist with the Drug Task Force. Trustee Roberts questioned the amount of time one of our officers which is about 20% which has implications on the cost. Administrator Gosse stated that if an event were to arise in the Village resources would be received from the Drug Task Force.

Trustee Rohde moved, seconded by Trustee Krasovich to Approve the Waukesha County Drug Task Force Memorandum of Understanding as Presented.

Motion carried 7-0.

b. Discussion and Possible Action on 2023 - 2024 R. A. Smith Professional Engineering Services Agreement for Consulting Engineering Services

Administrator Gosse explained that the Village has been working with RA smith since the mid-2000's. The agreements have been in 2-year increments. The proposed agreement is for 2023-2024. Discussion followed regarding the charges that are passed through and the institution of knowledge with the firm.

Trustee Hill moved, seconded by Trustee Roberts to Approve the 2023-2024 R. A. Smith Professional Engineering Services Agreement for Consulting Engineering Services as Presented.

Motion carried 7-0.

c. Monthly Approval of Checks and Invoices for all funds – December 2022

Trustee Krasovich moved, seconded by Trustee Grabowski to approve the December 2022 checks and invoices for all funds, except the library, as presented.

Motion carried 7-0.

Trustee Krasovich moved, seconded by Trustee Roberts to acknowledge the December 2022 check and invoices regarding the Library.

Motion carried 7-0.

9. Citizen Comments

None.

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 regarding Fire and EMS Agreement with the City of Pewaukee; and pursuant to Wis. Statute Section 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically regarding Village Administrator.*

Trustee Krasovich moved, seconded by Trustee Grabowski to move into Closed Session at approximately 6:40 p.m. Motion carried on Roll Call vote, 7-0.

11. Reconvene into Open Session

Trustee Hill moved, seconded by Trustee Rohde to reconvene into Open Session at approximately 7:13 p.m.

Motion carried on Roll Call vote, 7-0.

a. Discussion and Possible Action on Village Administrator Employment Agreement

Trustee Krasovich moved, seconded by Trustee Grabowski to Approve the Village Administrator Employment Agreement.

Motion carried 7-0.

12. New Business Cont.

a. Discussion and Direction Regarding Funding Options for Fire/EMS Contract Expenses

Trustee Rohde presented the options the Village has to fund the increase in Fire/EMS expenses.

Rohde explained that one option is a referendum; this would be a temporary solution and the referendum may fail. The referendum is the highest cost to the taxpayers because it doesn't take into account the tax-exempt properties. If the referendum fails the Village would need to create a Fire/EMS fee, use fund balance (reserves), take out Debt, or try for a referendum in 2024. A Fire/EMS fee would charge all properties in the Village, even

tax-exempt properties. There are multiple surrounding municipalities in the same boat that are looking into the Fire/EMS fee. The fee would be more of a long-term solution. Trustee Grabowski stated that information needs to be distributed to all residents. Trustee Belt agreed and stated that the information should include the reasons why the fee is a better option and why the Village didn't go to referendum. Trustee Roberts explained that a referendum in April 2023 would set the Village up for failure due to the short time to get out information to the residents and the Village may need to go to referendum for general fund expenses in 2024 for the budget year 2025. In theory, there will be a decrease in the levy due to implementing a Fire/EMS fee. Administrator Gosse stated that some municipalities are creating a fee schedule in part based on building square footage for commercial, institutional and industrial properties. Discussion followed with the consensus being to start working on a Fire/EMS fee schedule to start in 2024 with the information set to residents by September 2023.

b. Discussion and Possible Action on Scheduling Special Village Board Meeting

None.

13. Adjournment

Trustee Grabowski moved, seconded by Trustee Hill to adjourn the January 17, 2023, Regular Village Board meeting at approximately 7:56 p.m.

Motion carried 7-0.

Respectfully Submitted,

Casandra Smith
Village Clerk



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: January 31, 2023

Re: Agenda Item 5a, Possible Action on Ordinance No. 2023-01, Ordinance to Amend the Official Zoning Map of the Village of Pewaukee to Change the Zoning of PWV 0883-993-200 from B-1 Community Business District to B-1 Community Business District with Housing for the Elderly Overlay Zoning

BACKGROUND

The Village Board took action to defer this matter to the February 7th Village Board meeting. Concern was expressed by some Trustees as it may relate to the economic impact of the proposed use for elderly housing on the Village as it relates to future fire/EMS services and the related contract with the City of Pewaukee.

ACTION REQUESTED

The action requested of the Village Board is to consider approval of Ordinance No. 2023-01, Ordinance to Amend the Official Zoning Map of the Village of Pewaukee to Change the Zoning of PWV 0883-993-200 from B-1 Community Business District to B-1 Community Business District with Housing for the Elderly Overlay Zoning.

ANALYSIS

Attached for your review and information please find a copy of correspondence from Kirkland Crossings, Inc./Senior Housing Partners regarding concerns expressed by the Village Board regarding EMS services and related costs.

Attachments

ORDINANCE NO. 2023-01

ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF PEWAUKEE TO CHANGE THE ZONING OF PWV 0883-993-200 FROM B-1 COMMUNITY BUSINESS DISTRICT TO B-1 COMMUNITY BUSINESS DISTRICT WITH HOUSING FOR THE ELDERLY OVERLAY ZONING

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

SECTION I

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

WHEREAS, the property PWV 0883-993-200 is currently zoned B-1 Community Business District; and

WHEREAS, the Village has received a request for an Amendment to the Official Zoning Map to amend the designation of PWV 0883-993-200 from B-1 Community Business District to B-1 Community Business District with Housing for the Elderly Overlay zoning; and

WHEREAS, the Village Planning Commission did, at their meeting of December 8, 2022, review and consider the petitioner’s request for Official Zoning Map amendment and did recommend of such change to the Village Board; and

WHEREAS, the matter was the subject of a public hearing held before the Village Board on January 17, 2023.

SECTION II

The Village Board of the Village of Pewaukee, having reviewed the petition for Official Zoning Map amendment and having considered the recommendation of the Plan Commission as well as the comments of the public made at the public hearing which occurred on January 17, 2023 and further having found that the aforementioned Official Zoning Map amendment satisfies the conditions of Article II, Division 2 of Chapter 40 of the Municipal Code of the Village of Pewaukee. Now therefore, the Official Zoning Map of the Village of Pewaukee is hereby amended as follows:

1. Parcel PWV 0883-993-200 is hereby changed to B-1 Community Business District with Housing for the Elderly Overlay zoning.

SECTION III

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

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

SECTION V

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

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

PASSED AND ADOPTED by the Village Board this _____ day of _____, 2023.

APPROVED:

Jeff Knutson, Village of Pewaukee President

Countersigned:

Cassie Smith, Village of Pewaukee Clerk

Kirkland Crossing, Inc. /Presbyterian Homes Rezoning Request Supplemental Information

Applicant: Kirkland Crossings, Inc./Senior Housing Partners
Owner: Kirkland Crossings, Inc.
Project Name: Kirkland Crossings Phase 2
Project Address: 700 Quinlan Dr.
Pewaukee, WI 53072
Date: January 30, 2023

Senior Housing Partners on behalf of Kirkland Crossings, Inc. recognizes the Village's concern over the use of EMS services and their related costs to the Village. There was a question at the January 17th Village Board Meeting regarding the use by Kirkland Crossings of those services and the Village's plan to approach the overall cost of services to residents of the Village.

We understand that an approach was decided upon, and direction provided to the staff to study an approach for a fee to be allocated throughout the Village.

However, we were asked to provide information on EMS calls to our Kirkland Crossing Campus and extrapolate the effect a Phase 2 on the parcel at the corner of Ryan and Quinlan may affect calls.

The Village provided us with the number of calls responded to by Fire/EMS teams in 2022. It showed that the Village had a total of 918 calls of which 656 were EMS calls and 262 were Fire calls.

Kirkland Crossings had 91 calls noted for 2022 which represents 10% of the total calls in the Village. Of these, 84 were EMS and 7 were listed as "other".

PHS tracks EMS calls that result in an ER visit as a basic measure. In 2022, there were 43 recorded calls resulting in ER visits among our residents receiving care services (assisted living and memory care). This means there were 48 calls to that did not result in an ER visit and/or were from the independent living population. If we reasonable assume that 20% of those calls were to AL/MC and 80% were for independent that would be 38 calls.

There are 82 independent living units at Kirkland Crossing currently (60 apartments and 22 townhomes) which if we assume 38 calls were from independent units, this means that 46% of households called once during the year. A contributing factor is that Kirkland Crossing has been open for more than 10 years so the existing population and therefore average age of the residents has continued to increase.

If we extrapolate this to Phase 2, we could experience calls equal to those shown above or 38 calls over the year or approximately 3 visits per month.

We hope this information will help clarify the use of EMS services by the current and future Kirkland Crossings campus.

Thank you.

STAFF REPORT

To: Village of Pewaukee Plan Commission

By: Mary Censky
Date Prepared: December 8, 2022

General Information:

Agenda Item: 6.a.

Property Owner/Applicant:

Kirkland Crossings, Inc in c/o Anne O'Connor of Senior Housing Partners

Requested Action:

Recommendation to Village Board to rezone from existing B-1 Community Business District to B-1 with Housing for the Elderly Overlay (HEO) District.

Existing Zoning:

B-1 Community Business District

Surrounding Zoning/Land Use:

North: B-1 Community Business District
South: B-1 Community Business District
East: B-1 Community Business District
West: IPS Institutional & Public Service District

Master Plan Classification:

Community Commercial

Lot Size:

Approximately 2.49 acres

Location:

Northwest corner of Ryan Street at Quinlan Drive

Discussion:

The applicant requests favorable recommendation to the Village Board to add the Housing for the Elderly Overlay (HEO) Zoning District to the existing, underlying B-1 Community Business District classification of the site.

This ~2.49 acre site appears to meet, for the most part, the "Purpose" description set forth in the HEO District (see Ordinance copy attached). It is located directly adjacent to the existing Kirkland Crossings development at 700 Quinlan Drive, which provides housing for the elderly in various forms including independent, assisted, and full nursing care levels of occupancy. An existing concrete sidewalk runs along the entire east side (Ryan Street side) of this parcel and extends continuously north to the private entry drive to the shopping center/service area located at 601-621 Ryan Street. There is also a striped crosswalk at the Ryan St./Quinlan Drive intersection that would allow pedestrians to cross west on to Quinlan Drive where continuous sidewalk access is then available all the way (~3/4 miles) into the

downtown/Village center area. It is noteworthy that this Ryan Street/Quinlan Drive intersection is not signalized.

This type of rezoning is not tied to a specific use, building or site plan, rather those things are required to be submitted, reviewed and possibly approved by the Planning Commission only after the zoning is put in place. In addition to the uses permitted in the underlying B-1 Community Business District, the HEO District adds the uses:

- **Housing for the elderly as Independent Living Units, Assisted Living Facilities and/or Nursing Homes; and**
- **A mixing of multiple principal uses from among the uses listed in this overlay district as either permitted or conditional uses,**

as conditional uses that can be considered for approval on the site.

Recommendation:

The Planner raises no specific concerns or objections to a favorable recommendation to the Village Board in this matter.



Petition for Rezoning Form

Return Completed Form along with 11 copies of all materials to be reviewed and the \$100 Application Fee as well as a digital copy of any attachments submitted.

Kirkland Crossings Inc. _____ hereby petitions the Village of Pewaukee for a change in zoning of the following property:

Address/Parcel No. of Property Involved: PWV 0883.993.200 CSM No 5748
(Please include an exact legal description of the property with your submittal. In the case of a request that involves only a portion of parcel(s), be sure to include a legal description that denotes exactly which portion of the affected parcel(s) is to be considered for rezoning).

Present Use/Zoning of Property: B-1

Proposed Use/Zoning of Property: B-1 with Housing for the Elderly Overlay

Current Owner of Property (Print Name): Kirkland Crossings Inc.

Applicant – Name (Please Print): Anne O'Connor of Senior Housing Partners

Address: 2823 Hamline Avenue North

Phone: 763-274-9360

Fax: n/a

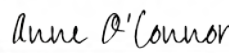
Email: aoconnor@seniorpartners.com

Signature of Property Owner as listed on this Application:



Petition will not be processed without the Owner's Signature regardless of who is listed as the Applicant. This signature authorizes the Village of Pewaukee to process the Rezoning Petition for my property and further authorizes the Village or its representatives to conduct reasonable and routine inspections of my property for the purposes of evaluating this Petition.

Signature of Applicant (if different than Owner):

DocuSigned by:


*** Application must be submitted at least 3 weeks prior to the meeting date**



PROFESSIONAL SERVICES REIMBURSEMENT NOTICE

Pursuant to the Village of Pewaukee Code of Ordinances, the Village Board has determined that whenever the services of the Village Attorney, Village Engineer, Village Planner or any other of the Village’s professional staff results in a charge to the Village for that professional’s time and services and such service is not a service supplied to the Village as a whole, the Village Clerk shall charge that service for the fees incurred by the Village. Also, be advised that pursuant to the Village of Pewaukee Code of Ordinances, certain other fees, costs, and charges are the responsibility of the property owner or responsible party.

I, the undersigned, have been advised that, pursuant to the Village of Pewaukee Code of Ordinances, if the Village Attorney, Village Engineer, Village Planner or any other Village professional provides services to the Village because of my activities, whether at my request or at the request of the Village, I shall be responsible for the fees incurred by the Village. In addition, I have been advised that pursuant to the Village of Pewaukee Code of Ordinances, certain other fees, costs, and charges are my responsibility.

The Village will place fees from unpaid invoices on the real estate tax bill of the property that corresponds to the incurred services.

RESPONSIBLE PARTY & MAILING ADDRESS

Senior Housing Partners, Anne O'Connor

Name of Company and/or Individual			
2823 Hamline Avenue N	Roseville, MN	55113	
Street	City	State	Zip
Phone: 763-274-9360	Fax:	E-Mail: aoconnor@seniorpartners.com	

Anne O'Connor 11/15/2022
Signature of Applicant & Date

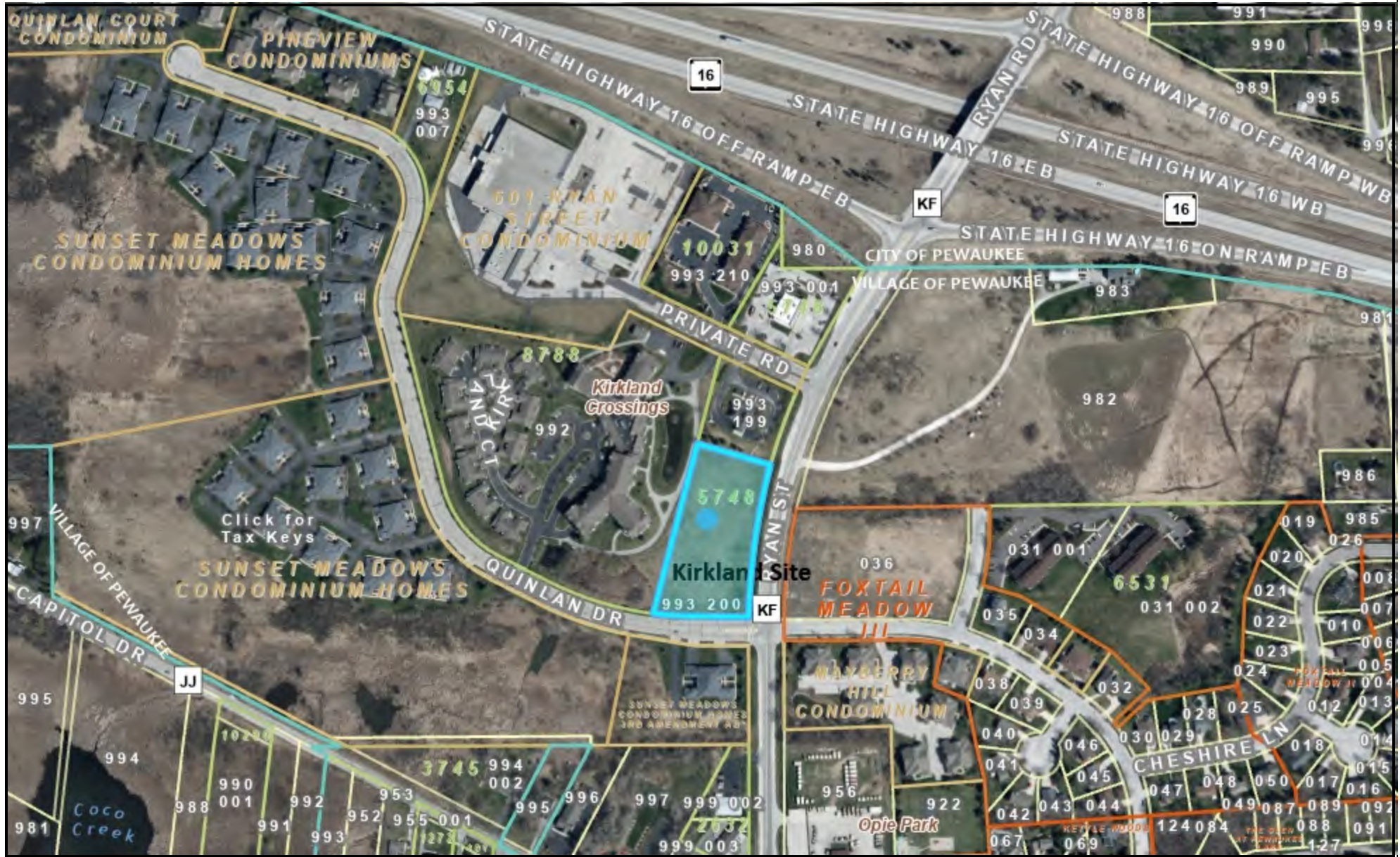
[Signature] 11/15/22
Signature of Property Owner & Date

Village Official Accepting Form & Date

SEND ALL PROFESSIONAL SERVICES INVOICES TO:
(Check One)

Property Owner

Applicant



0 382.42 Feet

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.

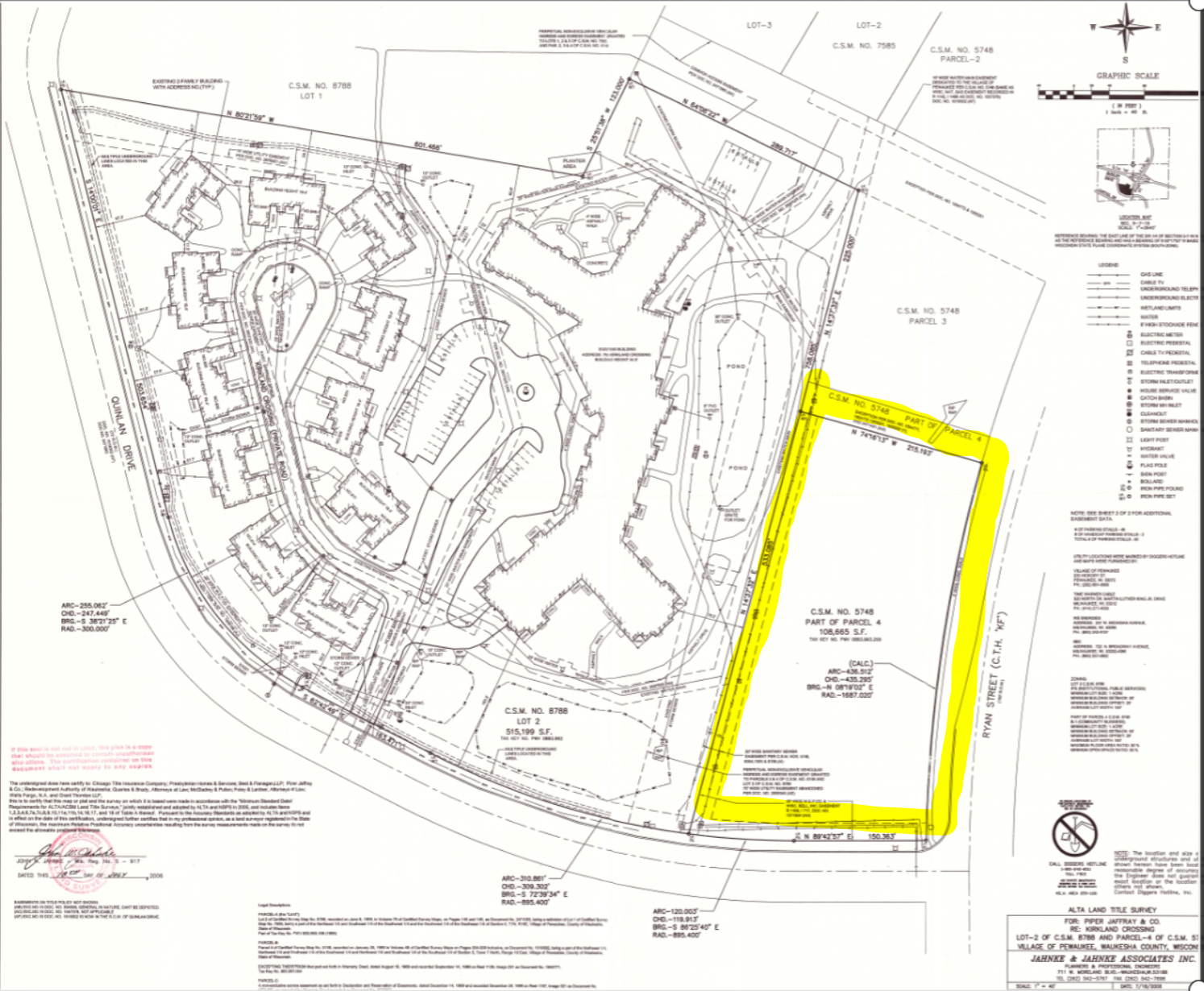
Notes:

Printed: 12/1/2022



Parcel 4 of Certified Survey Map No. 5748, recorded on January 20, 1989 in Volume 46 of Certified Survey Maps on Pages 334-339 inclusive, as Document No. 1519302, being a part of the Northeast 1/4, Northwest 1/4 and Southeast 1/4 of the Southwest 1/4 and Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 5, Town 7 North, Range 19 East, Village of Pewaukee, County of Waukesha, State of Wisconsin.

Excepting Therefrom that part set forth in Warranty Deed, dated August 16, 1989 and recorded September 14, 1989 on Reel 1139, Image 231 as Document No. 1554771.





To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: January 31, 2023

Re: Agenda Item 8a, Discussion and Possible Action on 2023 Kiwanis Beach Party Special Event Permit Application

BACKGROUND

The Pewaukee Kiwanis have submitted a Special Event Permit application for the Kiwanis Beach Party for June 23 and 24, 2023. The Pewaukee Kiwanis Club meets the requirement of local civic/nonprofit groups under the Special Event Permit Ordinance and the event meets the definition of a private special event as it serves as a fundraiser for the Pewaukee Kiwanis.

ACTION REQUESTED

The action requested of the Village Board is to approve the Special Event Permit for Kiwanis Beach Party for June 23 and 24, 2023 with the following conditions:

1. Provision of a Certificate of Insurance (1 million dollars minimum coverage) and provision of a copy of the “additional insured” endorsement with each naming the Village of Pewaukee as an additional insured from the Kiwanis. This is required due to the sale of alcohol at the event and due to the road closure as part of the event. The proof of insurance is required by June 2, 2023.
2. Tent stakes may be set into the road and/or sidewalk upon approval of Village staff.
3. Event clean up shall be completed by and W. Wisconsin Avenue shall be open by 9AM on Sunday, June 25, 2023.
4. On-site inspections shall be conducted by the Fire Department and all tent certificates shall be on site at time of inspection and maintained on site during the course of event.
5. Contacting the Building Services Department for any electrical inspections that may be related to the temporary electrical connections.
6. Contacting downtown businesses along W. Wisconsin Avenue from Oakton Avenue to Capitol Drive at least 30 days in advance of the event to advise of the road closure dates and times.
7. Any costs associated with an ambulance placed on standby at the event are paid for by the event sponsor (due to anticipated event attendance greater than 1,000).
8. Reimbursement of Police Department expenses related to event security are paid for by the event sponsor and shall be paid within 30 days of receipt of invoice.

ANALYSIS

Attached please find a copy of their application. A copy of the application was distributed to Department Heads for review and comments on the application. The proposed event times are 5PM – Midnight on Friday, June 23rd

and 10AM to Midnight on Saturday, June 24th and the event does include the closure of W. Wisconsin Avenue from Friday morning through Sunday morning.

The Police and Fire Departments have reviewed the application. The Police Department will be scheduling the appropriate level of staffing for public safety needs during the event period. The Fire Department will have EMS personnel on standby.

The Park and Recreation Department has reviewed and approved a park use permit for its department (use of Lakefront Park). The Village has been requested to provide barricades and additional trash barrels as has been done in the past.

The application indicates that the event includes live music from 7PM – 11:00 PM. on Friday and from 2PM – 5 PM and then 7PM – 11:00 P.M. on Saturday. The Kiwanis indicate they will be providing shuttle service from the WCTC parking lot on Friday and Saturday evenings from 6PM until midnight each night.

Attachment



235 Hickory Street
 Pewaukee, WI 53072
 262-691-5660
 262-691-5664

www.villageofpewaukeewi.us

SPECIAL EVENT PERMIT APPLICATION

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

Applications are due 90 days PRIOR to the event.

ORGANIZATION INFORMATION

Name of Organization Pewaukee Kiwanis Club			
Street Address PO Box 131	City Pewaukee	State wi	Zip 53072
Phone Number 414-243-3974	Are you a 501(c)3 Organization?		<input checked="" type="radio"/> Yes <input type="radio"/> No
Event Contact Person (First & Last Name) Kent Seflow			
Address 215 Park Avenue	City Pewaukee	State wi	Zip 53072
Email kdseflow@gmail.com	Phone Number 414-243-3974	Day of Event Phone Number 414-243-3974	

EVENT INFORMATION

Name of Event Pewaukee Kiwanis Beach Party	Date(s) of Event 6/23/2023-6/24/2023
Event Start Time 5:00 AM	Event End Time 12:00 am
Location of the Event* Wisconsin Avenue/Pewaukee Lakefront	
<p><i>You MUST attach a detailed map/sketch of your event indicating the specific location, layout of your event, the direction of the route, including all turns and the number of traffic lanes to be used.</i></p> <p><i>*If you are using a Village Park, you must reserve the park through the Park/Recreation Department prior to getting your special event permit approved by the Village Board. Call 262-691-7275.</i></p>	
Generally describe your event and its purpose Fundraiser for the Pewaukee Kiwanis Club. Proceeds benefit local charities and organizations. Weekend is shared with the Lake Country Clean Water Festival.	
Estimated Number of Participants 7,000	Spectators
	Vendors 4-8

OTHER INFORMATION

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

This is a private special event. The Pewaukee Kiwanis is a non-profit organization raising money for local charities and organizations

Are you a Local Civic/Nonprofit Group as defined by Village Code? (Copy of code in manual)	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Is there an outdoor bar that will serve alcohol? <i>If yes, alcohol and bartender licenses are necessary under separate application.</i>	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Is there an outdoor bar that will serve soda? <i>If yes, soda license is required under separate application.</i>	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does the event include the sale of food on public property? <i>If yes, a Food Vendor Permit is required under separate application.</i>	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does the event include the sale of merchandise? <i>If yes, a Transient Merchant license is required under separate application.</i>	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Does the event involve fireworks? <i>If yes, please provide a detailed fireworks plan with application.</i>	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Does the event involve amplified music?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If yes, will the amplified music be a :	<input checked="" type="radio"/> Band	<input type="radio"/> DJ <input type="radio"/> Other
Hours of amplified music: 6/23 - 7:00 pm to 11:00 pm, 6/24 2:00 pm - 5:00 pm and 7:00 pm to 11:00 pm		
Please list the number of security staff you will be providing for the event:	Pewaukee Village Police Department	
Will you need barricades provided by the Village for your event, if so, how many?	Village	
Will you be erecting any tents, canopies or other temporary structure(s)? <i>If yes, the Fire Department and Building Inspection Department will need to inspect these structures prior to the start of your event.</i>	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Will you be requiring electricity?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Will you be providing portable restrooms and wash stations?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
<i>If yes, how many will you provide and where will they be located?</i>	10 regular, 2 handicap and 2 sinks. Duncan's Parking Lot behind Artisan	
Will you provide parking for participants?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
<i>If yes, where will parking be available?</i>	WCTC parking lot. We will run a shuttle from 6:00 pm to 12:00 am Friday and Saturday.	
Will you provide a dumpster/clean-up services?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Will you need extra 55 gallon garbage cans? <i>If yes, please include the number of cans you would like in your refuse collection plan below.</i>	<input checked="" type="radio"/> Yes	<input type="radio"/> No
<i>If yes, please describe your clean-up and refuse collection plan.</i>	5-10 additional cans -will request recyclable containers - will provide cleanup volunteers for the entire event.	

OTHER INFORMATION CONTINUED

What other assistance do you foresee needing from the Village (personnel, materials, and/or equipment)?
Will request additional picnic tables from Park and Rec (5-6). Police and fire will be contacted. We will need signs on Oakton. Will need barricades to block off downtown beginning at 7:00 am 6/22/23 to 12:00 pm Sunday to allow time for set up, tear down and clean up.

Have you reviewed and do you have a copy of the Village of Pewaukee Special Events Manual including the Special Events Ordinance? Yes No

INSURANCE REQUIREMENTS

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

Are you able to provide these insurance documents, if required? Yes No


DEPOSIT REQUIREMENTS

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

TERMINATION OF AN EVENT

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

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



Signature of Applicant

11/7/22

Date

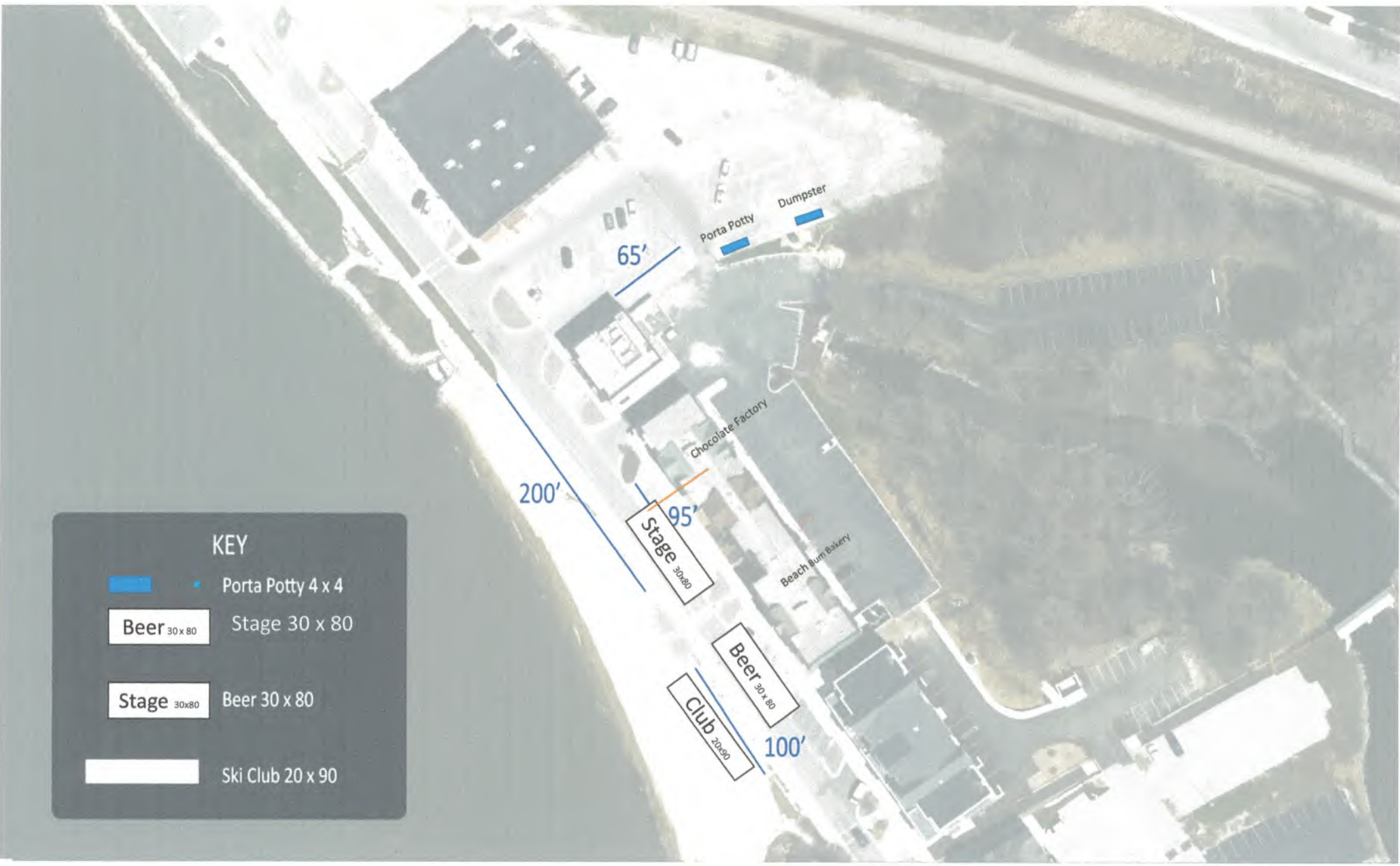
For staff use only

Application forwarded to:

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

KEY

- Porta Potty 4 x 4
- Beer
30x80 Stage 30 x 80
- Stage
30x80 Beer 30 x 80
- Ski Club 20 x 90





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

Memo

To: Village Board
Cc: Scott Gosse, Village Administrator
From: Dan Naze, P.E., Director of Public Works/Village Engineer
Date: January 30, 2023
Re: Agenda Item 8b, 2023 DPW Equipment Purchase, Aquatic plant Conveyor

The 2023 budget included funds for replacement of the 2004 Aquarius SC 23 aquatic plant conveyor. This machine accepts plants off loaded from the harvesting and collection boats and lifts them into a dump truck for removal from the launch location.

The budget explanation for this equipment is attached. Staff has submitted a Recreational Boating Facility grant through the Department of Natural Resources which, if accepted will reimburse after full payment for up to 50% of the cost.

The quotation was single sourced through Aquarius Systems, North Prairie, who was the vendor for both the existing conveyor and our collection boats. They are local and provide good support for the equipment they build and supply. The updated style conveyor includes a self-powered gasoline engine driven system, with hydraulic backup, and a wireless remote. This allows for startup and unloading without operators having to moor, and connect the boat supplied hydraulics to the conveyor hydraulics.

The conditions of purchase are a 50% deposit with the signed purchase contract. The DNR advises to not make the 50% deposit until the grant is accepted or denied. Build and completion is currently estimated at 12-14 months.

Recommendation: Approve purchase of an Aquarius Systems SC-23 shore conveyor with gasoline power pack and wireless remote, for \$54,150. The existing unit will be placed for auction, but likely has little residual value due to a very limited market for such equipment.

VILLAGE OF PEWAUKEE ANNUAL BUDGET REQUEST

NEW/REPLACEMENT EQUIPMENT

The Village of Pewaukee Annual Budget Request – New/Replacement Equipment form is to be used for the explanation and justification of capital items. There are two basic categories of capital purchases the Village uses: one, items that are replaced yearly, but carry a considerable cost; and two, items that are replaced periodically, and also carry a considerable cost.

The first of the two categories contains items similar to computers, printers, office equipment, small tools, etc. These items are similar in justification to that of operational costs for the Village. Generally, justification should include the reasons why that piece of equipment is necessary to be replaced yearly, or due to a large number of units, why a rotating replacement is necessary.

The second of the two categories is more general. The items that would be placed in this category include office furniture, vehicles, specialty pieces of equipment, etc. Generally these items will carry a cost greater than \$5,000.

In reviewing the budget, it may be the decision of the Village Administrator to place that item in the Five Year Capital Improvement budget.

It is important as each Department completes their annual budget requests that each of the New/Replacement Equipment items are justified as to the specific needs of the replacement or addition of an item be fully included in the request. This information is necessary for the justification of the item to the Village Board.

Department: DPW	Year of purchase: 2004
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Item Requested: Aquatic plant conveyor	Requested Amount: \$75,000
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Quantity and Description of Item: Replacement aquatic plant conveyor for lifting off loaded plants from collections boats to dump trucks.
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Explanation and Justification: This current conveyor is beyond its useful life. Break downs and repairs are common during the season. End of season annual repairs involve parts, labor, and improvised rebuilding to keep the machine running reasonably reliably. Due to the nature of the design and intent of these types of conveyors, the market likely is small in the way of trade-in or auction value, and may only be several thousand dollars.
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Village Administrator's Notes: <input type="checkbox"/> Included in Operating Budget <input type="checkbox"/> Not Included <input checked="" type="checkbox"/> Included in Capital Budget
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To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: January 31, 2023

Re: Agenda Item 8c, Discussion and Possible Action on Proposed Aquatic Plant Policy Revisions

BACKGROUND

Attached for your review and consideration please find a copy of a few proposed revisions to the Aquatic Plant Collection Policy. Trustees Krasovich and Belt, along with two lake residents and staff reviewed the policy adopted in early 2022 this past November as a year-end review and offer three suggested edits to the policy.

ACTION REQUESTED

The action requested of the Village Board is to consider approval of proposed Aquatic Plant Policy revisions.

ANALYSIS

The first two proposed edits are technical in nature as they reference the DNR mechanical harvesting permit term as well as referencing the guidance from the Lake Management Plan for Pewaukee Lake, prepared by SEWRPC, for channel cutting. The third proposed edit is to provide clarification on the timeframe for the last pile pickup for the Village section of Pewaukee Lake as being the week after the last Sunday of September noting that the Village's harvesting equipment will be removed from the lake after this last collection.

Attachment



Village of Pewaukee Aquatic Plant Collection Policy

Purpose:

A periodic permit application is written and submitted by the Director of Public Works and granted to the Village of Pewaukee under Section 23.24, Wisconsin Statutes and Administrative Code NR 109 from the Wisconsin Department of Natural Resources, to conduct mechanical harvesting of aquatic plants over approximately 60 acres of Pewaukee Lake, in Section 8, Township 7 North, Range 19 East, in the Village of Pewaukee. This permit is historically issued for a five-year term, ~~The current permit expired on December 31, 2021, which will be extended for additional time, or a~~ A new permit application will be submitted by April 2022, with the current permit expiring December 31, 2026

In general, the permit indicates the Village will be authorized to harvest in approximately 60 acres within the Village of Pewaukee. Specific dimensions and location of channels, and depth of cut follow the Pewaukee Lake Aquatic Plant Management Plan Update, dated May 2017, with guidance from the Lake Management Plan for Pewaukee Lake, (Southeast regional Planning Commission), June, 2020. Specific plants are targeted and the depth of harvesting is calendar based and varies due to anticipated fish spawning periods. No requirements within the DNR harvesting permit govern collection of lake weeds off public lakefront areas, the beach, or for riparian property owners.

This policy intends to describe rules and guidelines, setting anticipated expectations for riparian property owners, elected officials, and provide for Village staff to conduct safe, efficient, and productive management and collection of aquatic weeds within the Village limits. These expectations are subject to the availability of staff and the other limitations set forth in this policy.

Standards for Aquatic Plant Management:

- Collection of aquatic plants from private landowners requires that all plants shall be placed in piles on a barge accessible shore location with a 26-foot minimum space between piers, water craft, and boat-lifts, or on the end of a pier. This placement facilitates pick up, avoids damage to private property (piers and watercraft), the hull of the barge on shoreline and shallow water obstructions, and allows employees to safely transfer the plant material to the barge. The determination of whether specific areas of shoreline are accessible shall be at the discretion of public works staff or designee.
- Traversing rocky, steep, and wet shoreline areas, and wading in shallow areas while carrying pitchforks and wearing waders creates a significant liability exposure for the Village and the possibility of injury to harvesting staff. Village employees will not risk their safety and risk personal injury to retrieve weeds on rip rap and steep or rocky slopes. Harvesters will not generally proceed closer to the shoreline than the end of piers except as indicated above for shallow depth pile retrieval. Where a barge accessible property shoreline consists of rip rap or rocks between its entire limits, a pile may be placed for collection on the rocks in a location mutually acceptable to collection staff and the property owner.

- Subject to staff availability, fully operational equipment, and weather permitting, weed pile collection will be performed three to five days a week per the priorities indicated below. Equal consideration will be given to both the north and south sides of the lake. Plants must be free of trash, such as cans, tree limbs, leaves, etc. Where collection off a pier can be safely made from the side of a pier or where a shallow water pile collection is made, a 26-foot minimum space between piers, water craft, and boat-lifts, is required to safely maneuver the barge to the pick-up point. If in the opinion of the harvester operator (and after notifying the riparian owner), these conditions are not met, the Village will not collect plant material at that property.
- Priorities for weed harvesting and collection in order are: the lakefront beach and adjacent lakefront shorelines; the Laimon Park boat launch area; mechanically harvesting areas parallel to shorelines and navigation channels per the permit, and collection of floating weed masses, (which can be wind deposited on shorelines); then removing piled collected weeds from piers and shorelines meeting the criteria indicated above. No cutting below the surface will occur on Fridays due to weed fragmenting. Emphasis will be given to pile collection weekly Monday and Friday.
- Collection and harvesting will generally begin upon the arrival of seasonal employees, when available, approximately Memorial Day. Regular collection will cease with the departure of seasonal employees, generally immediately before the Labor Day weekend. Provided continuing seasonal staff are available or the availability of full-time employee crew, limited harvesting will occur after Labor Day during September of each year. ~~Harvesting equipment will be removed from the lake annually between September 15 and October 1.~~ A final pile collection will be conducted after the last Sunday in September. All piles must be placed for collection by 7 am the following day, and weather permitting will be collected by the following Friday. Harvesting watercraft, shore stations, and other equipment will be removed from the lake for seasonal servicing immediately after this final collection.

This policy is subject to amendment from time to time by the Village Board coinciding with an aquatic harvesting permit. Public works staff will endeavor to harvest and collect plants in accordance with this policy and in accordance with the state permit; however, its ability to do so will be subject to the availability of staff and the need to address other pressing public works issues, including insuring safe and compliant water supply and sanitary sewer operations. The Village cannot guaranty that lake weeds will be harvested and collected as anticipated by this policy.



To: Jeff Knutson, Village President
Village Board

From: Cassie Smith
Village Clerk

Date: February 3, 2023

Re: Agenda Item 8f(a), Approval of Temporary Class "B" Retailer's License

BACKGROUND

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

ACTION REQUESTED

To approve the Temporary Class "B" Retailer's License application made by the Pewaukee Kiwanis for their annual Pewaukee Kiwanis Beach Party event on June 23-24, 2023 at the Pewaukee Lakefront Park on Wisconsin Avenue.

ANALYSIS

This event has been successful in past years. The applicants meet the requirements to hold a Temporary Class "B" retailer's license in the Village of Pewaukee.

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



To: Jeff Knutson, Village President
Village Board

From: Cassie Smith
Village Clerk

Date: February 3, 2023

Re: Agenda Item 8f(b), Agent Change for Liquor License Holder Approval

BACKGROUND

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

ACTION REQUESTED

To approve **Steven Tefend** as the new agent for Costco located at 443 Pewaukee Rd, Pewaukee, WI.

ANALYSIS

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

Staff recommends approval of the license as presented.



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: February 3, 2023

Re: Agenda Item 8g, Discussion Regarding Interaction and Behavior of Village Board
Members and General Public During Meetings

BACKGROUND

This matter is on the agenda at the request of Village President Knutson. Staff will look to the Village President to facilitate this matter.

ACTION REQUESTED

The action requested of the Village Board is to review the information to be shared by Village President Knutson at the meeting.