



**Public Works and Safety Committee Meeting Agenda  
Village Board Room  
235 Hickory Street, Pewaukee, WI 53072**

August 2, 2021 – 5:30 p.m.

1. Call to Order
2. Approval of Minutes of June 1, 2021 meeting
3. Citizen Comments
4. Old Business
  - a. Rescinding of Previous Action on Credit for Utility Bill Reduction, 1355 Capitol Dr.
  - b. Discussion and Action Regarding Proposed Ordinance 2021-09 – Amending Chapter 86, Article III, Division 3, Section 86.114 of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation, on the South Side of Oakton Avenue From and East of the Pewaukee River– Referred from the Village Board
5. New Business
  - a. Discussion and Action on Proposals for Replacement of White Oaks Lift Station Motor Control Panel.
  - b. Discussion and Action Regarding Cost Share Agreement with Wisconsin Department of Transportation for Sidewalk along west side of STH 164 between Walmart and Costco
  - c. Discussion and Action Regarding Section 78.109 of Municipal Code Regarding Sidewalk Maintenance – Referred from the Village Board
6. Adjournment

Note: It is possible that members and/or possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; action will not be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in the notice. 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: July 30, 2021



VILLAGE OF PEWAUKEE  
PUBLIC WORKS AND SAFETY COMMITTEE MEETING MINUTES  
JUNE 1, 2021

1. Call to Order

Zoom meeting was called to order by Chairman Kevin Yonke at approximately 5:31 p.m.

Members present: Patrick Wunsch, Wayne Vaughn, Laurin Miller, Mark Grabowski, Kevin Yonke and Ed Hill

Members not present: Art Compton

Also present: Director of Public Works – Dan Naze; Deputy Clerk-Treasurer – Jackie Schuh

2. Approval of Minutes of April 7, 2021 meeting

Wayne Vaughn motioned, seconded by Ed Hill to approve the minutes of the April 7, 2021 Public Works and Safety Committee meeting as presented. Motion carried by roll call vote 5-1-0 with Mark Grabowski abstaining.

3. Citizen Comments

Ralph Torrez @ 546 Kettle Woods Ct – Mr. Torrez stated he has emailed Chairperson Kevin Yonke two times and left a voicemail for him one time and has not been contacted. He stated the crosswalk at W. Wisconsin Ave. and Evergreen Dr. has not been painted in years. He requested it be added to a list to do for DPW.

4. Old Business

a. Discussion and Action on Request for Utility Bill Reduction, 1355 Capitol Dr.

Director Dan Naze showed those in attendance at the meeting how a meter head, ERT and transmitter work and how the disc inside of the unit spins freely. Per Naze, the only way that disc can spin is if water is going through it. Naze also displayed a letter from Steve Dauster, a representative at Midwest Meter who stated that he has never come across a situation where a meter's count will increase without water running through it. The letter explained that the meters actually become less efficient as they age, and the count is to the benefit of the resident. Discussion followed regarding possible causes of leak and how meters function. Ed Hill motioned, seconded by Laurin Miller to approve the request for a utility bill reduction in the form of a credit to utility account 002-1460-00 in the name of Taco Bell c/o Albor Restaurant Group LLC in the amount of \$4,539.54, one-half of the excess amount being disputed. Motion carried by roll call vote 5-1-0 with Pat Wunsch abstaining.

5. New Business

a. Discussion and Direction on 2022-2023 Design Engineering Services RFP Projects from Strategic Plan Capital Projects and Equipment List Plan

Director Dan Naze prepared a Request for Proposals for design and construction engineering services for 2022 and 2023 projects he will be inviting requests for. The current agreement was carried into this year and provides approvals on a project-by-project basis with SEH. Naze would like to commit to the services for the next two years instead of one, although the current capitol borrowing is for the period of 2020-2022 only.

Discussion followed and the members responded favorably, although Member Vaughn cautioned Naze to be aware of projects arising with the new DPW building construction.

b. Discussion and Action Regarding creating no parking zone at 200 Oakton Ave.

Trustee Ed Hill reviewed traffic concerns when cars are parked on the street around this curve. Hill cited citizen concerns for occupants getting in and out of their vehicles and also cars crossing the center line in order to maneuver around the parked cars. Discussion followed regarding marking the area as no parking with loading/unloading only.

Mark Grabowski motioned, seconded by Pat Wunsch to recommend to the Village Board the creation of a 'No Parking – Loading Zone Only' area on the south side of Oakton Ave beginning at the Pewaukee River to the east side of the waterworks building. Motion carried by roll call vote 6-0.

c. Discussion and Action Regarding road surface at Oakton/Park & Main

Trustee Ed Hill reviewed citizen concerns regarding the condition of streets at Oakton/Park Ave and Main St, which included the roads' condition, cracks and a raised manhole cover. Discussion followed regarding the pros and cons of patching, long-term plans for repair, an aged sanitary sewer that lies beneath the street, staff and budget constraints and adding the patching to current projects.

Ed Hill motioned, seconded by Wayne Vaughn to recommend that Director Dan Naze speak to Wolf paving regarding possibilities for repair to the Oakton/Park/Main intersection and bring it back to the Public Works and Safety Committee for approval. Motion carried by roll call vote 6-0.

d. Discussion and Action Regarding mowing at HWY 16 overpass at Capitol

Trustee Ed Hill reviewed citizen concerns regarding overgrown grass and weeds on both sides of Capitol Dr. from Dynex/Simmons to the other side of the Hwy 16 overpass. Discussion followed regarding possible constraints on staff to complete this work and alternative ways to maintain. Director Naze will work with staff to maintain this area, possibly with a flail mower.

e. Discussion and Action Regarding installation of solar powered "Flashing Wrong Way" signs at Lake St and Lookout.

Trustee Ed Hill reviewed citizen concerns regarding traffic not heeding the one-way designation for Lake Street near Pewaukee Lake Elementary. Discussion followed regarding flashing, solar-powered "Do Not Enter" signs to replace signs currently there. Per Hill, he would approach the Pewaukee School District to work on funding. The committee requested a more definitive cost estimate before moving forward.

Mark Grabowski motioned, seconded by Pat Wunsch to have Director Naze specify/purchase the correct type of sign for posting and allow Ed Hill to speak on behalf of the Public Works and Safety Committee to source funding for the purchase of the signs.

Motion carried by roll call vote 6-0.

6. Adjournment

Wayne Vaughn motioned, seconded by Mark Grabowski to adjourn the June 1, 2021 Public Works and Safety Committee meeting at approximately 6:39 p.m. Motion carried by roll call vote 6-0.



**PUBLIC WORKS DEPARTMENT  
1000 Hickory Street  
Pewaukee, WI 53072**

## Memo

To: Public Works and Safety Committee Members  
From: Dan Naze, P.E., Director of Public Works/Village Engineer  
Date: July 26, 2021  
Re: Old Business a.: 1355 Capitol Drive, Rescinding of Previous Action on Credit for Utility Bill Reduction

This item was discussed at the December, March, and April and June meetings. New information has come to staff indicating that a credit for instances like this is a violation of State Statutes. See email chain below.

From: Mark G. Blum <[mglum@hrblawfirm.com](mailto:mglum@hrblawfirm.com)>  
Sent: Wednesday, July 14, 2021 10:40 AM  
To: [csmith@villageofpewaukee.com](mailto:csmith@villageofpewaukee.com)  
Subject: RE: Taco Bell (Guidance)

**Ok then you need to suspend the refund and you must put this back on the committee agenda to rescind this action.**

From: [csmith@villageofpewaukee.com](mailto:csmith@villageofpewaukee.com) <[csmith@villageofpewaukee.com](mailto:csmith@villageofpewaukee.com)>  
Sent: Wednesday, July 14, 2021 10:21 AM  
To: Mark G. Blum <[mglum@hrblawfirm.com](mailto:mglum@hrblawfirm.com)>  
Cc: [khaack@villageofpewaukee.com](mailto:khaack@villageofpewaukee.com); [sgosse@villageofpewaukee.com](mailto:sgosse@villageofpewaukee.com)  
Subject: FW: Taco Bell (Guidance)

Mark,

**I just wanted to keep you in the loop regarding a credit given to Taco Bell that needs to be reversed and the reason behind it is below.**

**Thank you,**

Casandra Smith, WCMC

Village Clerk

Village of Pewaukee

235 Hickory Street

Pewaukee, WI 53072

Phone: 262.691.5660 ext. 225

[www.villageofpewaukee.com](http://www.villageofpewaukee.com) - Check out our NEW WEBSITE!

From: [khaack@villageofpewaukee.com](mailto:khaack@villageofpewaukee.com) <[khaack@villageofpewaukee.com](mailto:khaack@villageofpewaukee.com)>

Sent: Wednesday, July 14, 2021 10:03 AM

To: [sgosse@villageofpewaukee.com](mailto:sgosse@villageofpewaukee.com)

Cc: [csmith@villageofpewaukee.com](mailto:csmith@villageofpewaukee.com)

Subject: FW: Taco Bell (Guidance)

Scott,

I guess this answers the question from my previous email.

Thank you,

Kayla Haack

*Village Treasurer*

Village of Pewaukee

235 Hickory Street

Pewaukee, WI 53072

Phone: 262.691.5660 ext. 224

[www.villageofpewaukee.com](http://www.villageofpewaukee.com)

From: Chiono, Kayleigh - PSC <[Kayleigh2.Chiono@wisconsin.gov](mailto:Kayleigh2.Chiono@wisconsin.gov)>

Sent: Wednesday, July 14, 2021 10:02 AM

To: [khaack@villageofpewaukee.com](mailto:khaack@villageofpewaukee.com)

Subject: RE: Taco Bell (Guidance)

Kayla,

This is correct – the utility cannot credit the customer \$4,359.54. The utility is required to bill for all water registered by the meter. Failing to do so is a violation of Wis. Stat. s. 19.22. If the utility chooses to disregard state law, then any utility funds used to provide this discount will most likely not be recoverable in the utility's next rate case as the utility is not allowed to do this.

The water utility is a separate financial entity from the Village. If the Village wants to take money out of its own bank accounts to issue payment to the utility for Taco Bell's bill, then I recommend consulting your municipal attorney. As the PSC does not regulate municipal law or finances, I have no idea if this is advisable

or legal. However, you should keep in mind that the Village could be risking future discrimination complaints or legal action if it doesn't treat other commercial customers the same way in the same or similar circumstances. Meaning that if the Village wants to pay Taco Bell's bill, it should anticipate having to do this for any other businesses who complain of high usage. Again, you should consult your municipal attorney if you have any questions about this.

The bottom line is that the utility can't discount or credit the customer's bill and it cannot use utility funds to pay the customer's bill.

Kind regards,



Kayleigh Chiono (*she/her*)

*Consumer Affairs Analyst*

Division of Digital Access, Consumer and Environmental Affairs

Public Service Commission of Wisconsin

[Kayleigh.Chiono@wisconsin.gov](mailto:Kayleigh.Chiono@wisconsin.gov) | 608-220-6096 (cell) |  
608.266.5739 (office)

From: [khaack@villageofpewaukee.com](mailto:khaack@villageofpewaukee.com) <[khaack@villageofpewaukee.com](mailto:khaack@villageofpewaukee.com)>

Sent: Wednesday, July 14, 2021 9:21 AM

To: Chiono, Kayleigh - PSC <[Kayleigh2.Chiono@wisconsin.gov](mailto:Kayleigh2.Chiono@wisconsin.gov)>

Subject: RE: Taco Bell (Guidance)

Kayleigh,

From what I understand, they split the costs of the amount....see below.

PWS Minutes Apr. 7, 2021:

- a. Discussion and Action on Request for Utility Bill Reduction, Jack Goldberg representing Taco Bell, 1355 Capitol Dr.  
**Director of Public Works Dan Naze stated that the customer provided a letter indicating they would like to be removed from this agenda, and requested a letter from the meter vendor certifying the meter, register, and transmitter functioned as a unit. Naze indicated that the customer was informed several times that the meter body was scrapped many months ago. A letter for the remaining components was provided the previous week. Member Compton indicated he would like this item resolved at this meeting and would propose a solution. Discussion followed.**  
Motion by Compton, seconded by Vaughn to split a difference of \$9,079.08 to an average, and credit \$4,359.54 to the customer. Motioned carried 4-1 by roll call vote, with Miller voting nay.

PWS Minutes June 1, 2021:

- a. Discussion and Action on Request for Utility Bill Reduction, 1355 Capitol Dr.

Director Dan Naze showed those in attendance at the meeting how a meter head, ERT and transmitter work and how the disc inside of the unit spins freely. Per Naze, the only way that disc can spin is if water is going through it. Naze also displayed a letter from Steve Dauster, a representative at Midwest Meter who stated that he has never come across a situation where a meter's count will increase without water running through it. The letter explained that the meters actually

become less efficient as they age, and the count is to the benefit of the resident. Discussion followed regarding possible causes of leak and how meters function.

Ed Hill motioned, seconded by Laurin Miller to approve the request for a utility bill reduction in the form of a credit to utility account 002-1460-00 in the name of Taco Bell c/o Albor Restaurant Group LLC in the amount of \$4,539.54, one-half of the excess amount being disputed.

Motion carried by roll call vote 5-1-0 with Pat Wunsch abstaining.

**Are you tell me that we need to still charge them for the \$4,539.54 that the Village agreed to pay for?**

Thank you,

**Kayla Haack**

*Village Treasurer*

Village of Pewaukee

235 Hickory Street

Pewaukee, WI 53072

Phone: 262.691.5660 ext. 224

[www.villageofpewaukee.com](http://www.villageofpewaukee.com)

From: Chiono, Kayleigh - PSC <[Kayleigh2.Chiono@wisconsin.gov](mailto:Kayleigh2.Chiono@wisconsin.gov)>

Sent: Wednesday, July 14, 2021 8:53 AM

To: [khaack@villageofpewaukee.com](mailto:khaack@villageofpewaukee.com)

Subject: RE: Taco Bell (Guidance)

Hi Kayla,

While it is generally best practice to test the meter, not all utilities do so when they investigate a customer complaint about high usage for various reasons.

If the utility retired and disposed of the meter before the customer disputed the bill, then it did nothing wrong and obviously the meter can't be tested. Additionally, the new meter would have been tested before installation.

Generally, if the customer contacts the PSC about its complaint, we would ask for a copy of past meter tests or request one if necessary. In this specific instance I don't think you need to change the committee's decision to hold the customer liable for the water. You should, however, charge them for the total amount they used and not provide a discount.

Kind regards,



Kayleigh Chiono (*she/her*)

*Consumer Affairs Analyst*

Division of Digital Access, Consumer and Environmental Affairs

Public Service Commission of Wisconsin

[Kayleigh.Chiono@wisconsin.gov](mailto:Kayleigh.Chiono@wisconsin.gov) | 608-220-6096 (cell) |  
608.266.5739 (office)

Recommendation:

Rescind previous action providing a water utility credit.





**PUBLIC WORKS DEPARTMENT  
1000 Hickory Street  
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# Memo

To: Public Works and Safety Committee Members  
From: Dan Naze, P.E., Director of Public Works/Village Engineer  
Date: July 26, 2021  
Re: Old Business b.: Discussion and Action Regarding Proposed Ordinance 2021-09 – Amending Chapter 86, Article III, Division 3, Section 86.114 of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation, on the South Side of Oakton Avenue From and East of the Pewaukee River– Referred from the Village Board

**c. Possible Action on Ordinance No. 2021-09, Ordinance to Amend Chapter 86, Article III, Division 3, Section 86.114 of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation on the South Side of Oakton Avenue At and East of the Pewaukee River**

Trustee Hill stated that this item went before the Public Works and Safety Committee in June and due to the blind corner the Committee felt it is dangerous. Due to the concerns made during citizen comments suggested taking this back to the Public Works and Safety Committee for review.

**Trustee Rohe motioned, seconded by Trustee Gergen to Refer Ordinance No. 2021-09 to Amend Chapter 86, Article III, Division 3, Section 86.114 of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation on the South Side of Oakton Avenue At and East of the Pewaukee River back to the Public Works and Safety Committee for Reconsideration.**

**Motion carried on roll call vote 7-0.**

Recommendation:

None



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# Memo

To: Public Works and Safety Committee Members  
From: Dan Naze, P.E., Director of Public Works/Village Engineer  
Date: July 26, 2021  
Re: New Business a.: Discussion and Action on Proposals for Replacement of White Oaks Lift Station Motor Control Panel.

On April 13, 2021, there was a power outage in parts of the Village creating problems with both our SCADA system and function of pumps at the White Oaks lift station. High level occurred in the lift station wet well but the SCADA outage meant no alarms were sent. The problem was determined visually by astute utility operators checking our facilities. Fortunately no back ups occurred, but eventually pumps could only be run in “hand” mode. Pumps at White Oaks are not self priming and will not perform after sucking in air. An electrician was called and was unsuccessful in sourcing the control component problem, as staff was mobilizing portable pumps and hoses for long term pumping. Our SCADA consultant troubleshooting the system asked to look at the panel and determined the failed component much like the rest of the controls was obsolete and replacements no longer available. After a search at their firms old parts storage area, through a stroke of luck, they were able to find one similar replacement.

I pursued proposals to replace to panel, including bringing it above grade to mitigate confined space entry concerns, and have received two. Lead times to build and install are between 3 and 6 months, depending on component availability. The proposals are both around \$40,000.

This work is unplanned and unbudgeted, and while not an “emergency”, it is critical infrastructure and another failure will mean a semi-permanent bypass pumping from the lift station, to West Avenue, or across private property to the south that will require 24 hour staffing. I dislike taking a gamble and waiting until 2022 to even start the work.

## Recommendation:

Positive direction to further evaluate proposals for replacement of the White Oaks Lift Station control panel, and retain the firm with the preferred proposal to begin the build and replace the current panel immediately.



**PUBLIC WORKS DEPARTMENT  
1000 Hickory Street  
Pewaukee, WI 53072**

# Memo

To: Public Works and Safety Committee Members  
From: Dan Naze, P.E., Director of Public Works/Village Engineer  
Date: July 26, 2021  
Re: New Business b.: Discussion and Action Regarding Cost Share Agreement with Wisconsin Department of Transportation for Sidewalk along west side of STH 164 between Walmart and Costco

The Wisconsin Department of Transportation is planning for pavement rehabilitation and other possible improvements to State Highway 164 between Swan Road and County Highway Q during 2026. Their planning and design have already begun.

They have requested a decision from the Village, on interest in participating in installation of approximately 1,500 feet of sidewalk on the west side of the road, from the Meadow Creek Market entrance/Swan Road, to the Costco entrance. It is anticipated that participation would be a 80%/20% DOT/Village split, with all perpetual maintenance after initial construction Village responsibility.

I am not aware of an estimated budget. 1,500 of sidewalk with grading and base at a current value of say \$10/square foot would be about \$75,000.

## Recommendation:

If a Committee decision is in the affirmative, a recommendation to the Village Board to enter into a cost share agreement for sidewalks adjacent to Highway 164 between Swan Road and the Costco entrance for 2026 construction.



PROJECT ID: 2370-00-05/75  
STH 164 | SWAN ROAD to CTH Q (COUNTY LINE ROAD)  
WAUKESHA & WASHINGTON COUNTIES



# LOCAL OFFICIALS MEETING

Wednesday, June 2, 2021  
10:00 a.m. – 12:00 p.m.

## MEETING OBJECTIVE:

Local Officials Meetings (LOMs) are an opportunity to give legislators and local officials a preview of what projects their constituents will be seeing in the future and, therefore, be prepared to answer questions and address concerns from those constituents. LOMs are also a key time for the WisDOT design team to gather unique feedback that only locals can provide as they are directly working in and/or living in the project area.

## DISCUSSION ITEMS:

1. Welcome and Introductions
2. Purpose
3. Project Overview, Background, and Scope of Work
4. Project Schedule
5. Concurrent Local Projects
6. Special Events, Potential Restrictions
7. Open Discussion and Questions

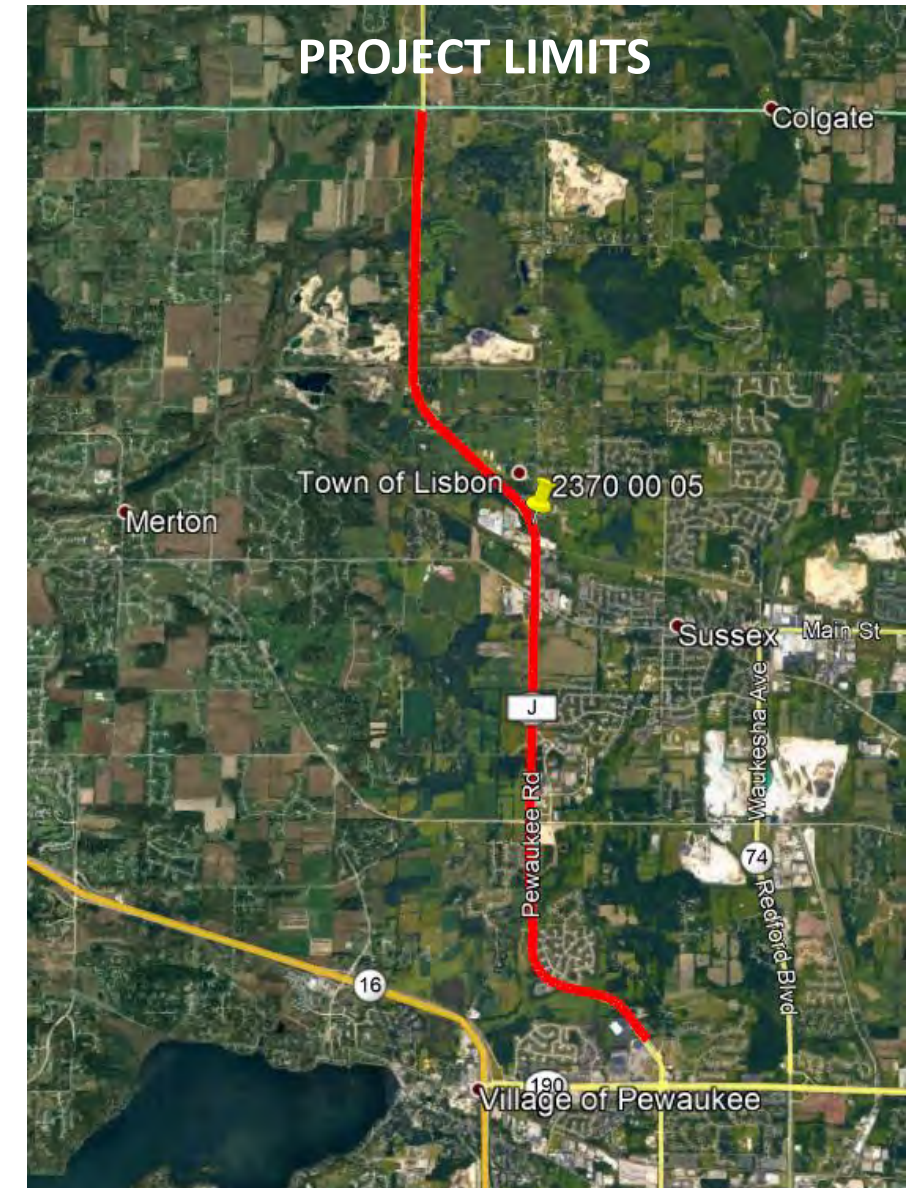


## CONTACT INFORMATION:

**Ryan Bernard, P.E.**  
Final Scoping Project Manager  
(262) 548-6471  
Ryan.Bernard@dot.wi.gov

**Patrick Smith, P.E.**  
Final Scoping Project Engineer  
(262) 548-8645  
Patrick.Smith@dot.wi.gov

**Mark Wilfert, P.E.**  
Project Development Project Manager  
(262) 548-5936  
Mark.Wilfert@dot.wi.gov



## PROJECT SCHEDULE:





**PUBLIC WORKS DEPARTMENT  
1000 Hickory Street  
Pewaukee, WI 53072**

# Memo

To: Public Works and Safety Committee Members  
From: Dan Naze, P.E., Director of Public Works/Village Engineer  
Date: July 21, 2021  
Re: New Business c.: Discussion and Action Regarding Section 78.109 of Municipal Code Regarding Sidewalk Maintenance – Referred from the Village Board

## **c. Discussion and Possible Direction Regarding Section 78.109 of Municipal Code Regarding Sidewalk Maintenance**

Trustee Gergen stated that a citizen contacted her regarding a sidewalk complaint abutting her property. Currently, the ordinance indicates that the abutting property owner is the responsible party for sidewalk maintenance and upkeep. Gergen suggested that maybe a grant could be created to pay for some of the cost to repair sidewalks by residents. Trustee Rohde stated he is concerned because the Village specifies acceptable placement of the trees in the right-of-way and making the resident pay for sidewalk problems related to Village trees is not right. Director Naze stated that the budget allows for \$6,000 per year which is used up in about 20 squares of concrete or one ADA compliant crossing. Prior to 2019 sidewalks were replaced as able. Trustee Gergen stated that she would like the Public Works and Safety Committee to review this ordinance and include discussion on a grant program when a tree in the right-of-way is causing the sidewalk problem. Trustee Roberts stated that the whole ordinance should be rewritten as there is some old language.

**Trustee Gergen motioned, seconded by Trustee Rohde to Refer Section 78.109 of Municipal Code Regarding Sidewalk Maintenance to the Public Works and Safety Committee for Discussion.  
Motion carried on roll call vote 7-0.**

Recommendation:

None