



Regular Village Board Meeting Agenda

July 5, 2022 – 7:00 pm

Village Hall, 235 Hickory Street, Pewaukee, WI 53072

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call.
2. Public Hearings/Presentations.
 - a. Public hearing on Ordinance No. 2022-07, Ordinance to Amend Chapter 40, Article VI, Division 18.5, Section 40.367.7, Setbacks and Yards, of the Municipal Code of the Village of Pewaukee Regarding Residential Infill-Redevelopment Overlay District
3. Approval of Minutes of Previous Meeting.
 - Minutes of the Regular Village Board Meeting – June 21, 2022
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. 2022-07, Ordinance to Amend Chapter 40, Article VI, Division 18.5, Section 40.367.7, Setbacks and Yards, of the Municipal Code of the Village of Pewaukee Regarding Residential Infill-Redevelopment Overlay District
 - b. Possible Action on Ordinance No. 2022-08, Ordinance to Repeal and Recreate Chapter 86, Article III, Division 3, Section 86.114(e) of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation
6. Resolutions. – None.
7. Old Business.
 - a. Discussion and Possible Action Regarding Parking in the Downtown Area Along the Lakefront
8. New Business.
 - a. Discussion and Possible Action on Appointment of Village Board Member to Proposed Pewaukee Lake Management Plan Committee
 - b. Discussion and Direction Regarding Possible Ordinance Prohibiting Sale of Cats, Dogs and Rabbits
 - c. Discussion and Possible Action Regarding 323 Park Avenue
 - d. Discussion and Possible Action on Committee Appointments
 1. Plan Commission – 3 Members (full 3 year terms);
 2. Zoning Board of Appeals – 1 Member (full 3 year terms); 1 Alternate (term to expire 4/30/24)
 3. Historic Preservation Commission – 1 Plan Commission Member; 1 Member (term to expire 4/30/24); and 1 Member Architect (full 3 year term to expire 4/30/25)



Regular Village Board Meeting Agenda

- e. License Approvals and Vendor Permits
 1. Food Vendor Permits
 2. Temporary Alcohol License
 3. Mobile Home License
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.*
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 Riverside Preserve Developers Agreement; and pursuant to Wis. Statute Section 19.85(1)(g) for the purpose of 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 Terry Foster regarding a disallowance of the claim.
11. Reconvene Into Open Session.
 - a. Possible Action on Terry Foster Claim
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 July 1, 2022



6/21/2022 Village Board Meeting

Meeting Minutes

VILLAGE BOARD REGULAR MEETING MINUTES

June 21, 2022 – 7:00 pm

DRAFT-DRAFT-DRAFT-DRAFT-DRAFT-DRAFT

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

President Knutson called the meeting to order at approximately 7:00 p.m.

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; Administrator, Scott Gosse; Deputy Chief, Mark Garry II; and Village Clerk, Casandra Smith

2. Public Hearings/Presentations

a. 2021 Audit Presentation

Baker Tilly Representative, John Rader gave an overview of the 2021 audit and reviewed the reporting and insights packet. Mr. Rader stated that no new GASB rules were enacted for 2021 but some bigger changes will be implemented in 2022. Mr. Rader reviewed the Village's General Fund and explained the four categories; non-spendable, restricted, assigned, and unassigned. Due to the shift in categories the Village recorded a loss of \$11,927. A minimum of 35% of the ensuing year's budgeted general fund expenditures is what the auditors like to see and is the targeted minimum per the Village's Financial Policy for unassigned fund balance. The Village is just over 40% in 2021. The General Obligation Debt is currently at 44% of the state limit. Mr. Rader stated that it is not unusual for the Village to have higher debt every couple of years because we don't borrow every year. The Village's Debt is under the 20% minimum. Mr. Rader stated that the Village is in line with past years and other communities. Mr. Rader reviewed the Utility Funds stating that the revenue for the Water Fund is very flat because expenses are going up but this should improve in 2022 due to the approval by the PSC to increase rates. In the Sewer Fund expenses exceeded the revenues so this would indicate that a rate review may be needed. In the Stormwater Utility fund revenues and expenses have a very slim margin with a small debt amount. In the Transportation Utility, there was a gain of \$80,000 and \$1.3 million in debt. The auditors will be keeping an eye on the new Transportation Fund. Laimon Family Lakeside Fund had another consistent year. The assets have increased about 4% and the liabilities are down due to a decrease in the bonds. Laimon Family Lakeside Fund continues to be self-sustaining. Mr. Rader reviewed the adjustments on page 24 indicating that the adjustments made are not unusual adjustments.

3. Approval of Minutes of Previous Meeting

• Minutes of the Regular Village Board Meeting – June 7, 2022

Trustee Hill motioned, seconded by Trustee Rohde to approve the June 7, 2022 minutes of the Regular Village Board Meeting as presented.

Motion carried 7-0.

4. Citizen Comments

Charla Beutler @ 346 Forest Grove Drive - Ms. Beutler expressed her concern regarding the increased traffic on Forest Grove Dr. She has contacted the Police Department and stated that this road is not a highway. She expressed her dissatisfaction regarding the curb crack in front of

her property and believes that the crack is caused by the electric cap which should not be her responsibility to repair. She also questioned the stability of the Village and if more fees are going to be passed on to the residents.

Elaine Kroening @ 112 Main St - Ms. Kroening stated that she has had some good comments regarding the new pier slips. The Chocolate Factory has tables available to utilize during the fireworks show to help raise money for the event and she asked the Village Board to help spread the word. Volunteers have been out watering the flowers donated by Schulte's and she asked that the residents thank the businesses and volunteer for their time and donations.

5. Ordinances – None.

6. Resolutions – None.

7. Old Business

a. Discussion Regarding Strategic Plan Implementation Progress

Trustee Krasovich stated that she made calls to new vendors regarding the Village Board Room streaming project and she hopes to have estimates to present in the near future.

b. Discussion and Possible Action Regarding Parking in the Downtown Area Along the Lakefront

President Knutson asked Jim Siepmann for more information regarding fencing downtown in front of the businesses. The barricades cost \$1,250 each with a total cost of \$48-50,000. Most businesses seem to be in favor of no parking but not of closing down the traffic. President Knutson stated that maybe there are other options. Discussion followed regarding different ideas that could be utilized to address the safety issues that are more cost-effective. The Village Board's consensus was to start with speed bumps and keep researching effective ways to direct traffic to utilize crosswalks.

Trustee Grabowski motioned, seconded by Trustee Belt to approve the purchase of speed bumps not to exceed \$2,000 for the downtown with the oversight and involvement of Trustee Hill and Grabowski.

Motion carried 7-0.

8. New Business

a. Discussion and Possible Action on Positively Pewaukee 2023 Special Event Permit Applications

Administrator Gosse presented eight events where all but one has been held in the Village previously. Gosse received positive feedback from the Fire and Police Departments and he foresees no significant issues. Deputy Chief Garry stated that the Police Department and Positively Pewaukee work well together and his department will ensure adequate staffing is available. Trustee Rohde stated that these events were recommended by the Pewaukee Park and Recreation Committee. The events will be centered more around Village Park.

Trustee Hill motioned, seconded by Trustee Grabowski to approve the Positively Pewaukee 2023 Special Event Permits as presented.

Motion carried 7-0.

b. Discussion and Direction Regarding Creating a Finance Committee

Trustee Belt introduced the need for creating a finance committee. This committee would present financial statements in a more usable format and will have a more extensive review and report back to the Village Board updates throughout the year. Discussion followed regarding the new software and its capabilities. The consensus of the Village Board was to direct Trustee Belt to report back to the details and duties of the Finance Committee would be.

c. Discussion Regarding Meeting Etiquette

President Knutson went over proper etiquette for committees and boards.

d. Discussion and Possible Action on Committee Appointments

1. Plan Commission – 3 Members (full 3 year terms);

No action was taken.

2. Zoning Board of Appeals – 2 Members (full 3 year terms); 1 Alternate (term to expire 4/30/24)

Trustee Grabowski motioned, seconded by Trustee Krasovich to re-appoint Theresa Opie to the Zoning Board of Appeals Committee for the term ending April 30, 2025.

Motion carried 7-0.

3. Historic Preservation Commission – 1 Plan Commission Member; 1 Member (term to expire 4/30//24); and 1 Member Architect (full 3 year term to expire 4/30/25)

No action was taken.

4. Sex Offender Residency Appeal Board – 1 Member

Trustee Hill motioned, seconded by Trustee Rohde to appoint Trustee Belt as the Trustee Representative of the Sex Offender Residency Appeal Board.

Motion carried 7-0.

e. License Approvals and Vendor Permits

1. Annual Alcohol Licenses

Trustee Hill moved, seconded by Trustee Krasovich to approve the renewal of Class “A” Beer and “Class A” (Cider Only) Liquor Licenses in the Village of Pewaukee for the license period of July 1, 2022, through June 30, 2023, as presented, to the following applicants and their listed agents:

-603 Capitol LLC DBA Pewaukee BP, Agent: Maninder Kaur

-Kwik Trip Inc. DBA Kwik Trip 865, Agent: Mark Panka

-McMahon Management DBA Pewaukee Corner Pump, Agent: Joseph M. McMahon

-Kwik Trip, Inc. DBA Stop-N-Go #1526, Agent: Jordyn Plymesser

Motion carried 7-0.

Trustee Rohde moved, seconded by Trustee Grabowski to approve the renewal of Class “A”/”Class A” Combination Liquor Licenses in the Village of Pewaukee for the license period of July 1, 2022, through June 30, 2023, as presented, to the following applicants and their listed agents:

-Brews Wines and Spirits LLC DBA Brews Wines & Spirits, Agent: Scott J. Rauguth

-Aldi, Inc (Wisconsin) DBA Aldi, Agent: Erika Bruening

-Beachside Boat & Bait, LLC, Agent: Marietta T. Herdeman

-Costco Wholesale Corporation DBA Costco Wholesale #1101, Agent: Kim O'Brien

-Mega Marts LLC DBA Pick ‘n Save #6374, Agent: Brad Brandl

-Spargo Salon, LLC, Agent: Jeremy Chapman

-Walgreens Co. DBA Walgreens #05309, Agent: Melissa Maynard

-Wal-Mart Stores East LP DBA Walmart #3322, Agent: Brendan Barrett

Motion carried 7-0.

Trustee Krasovich moved, seconded by Trustee Rohde to approve the renewal of Class “B” Beer Licenses in the Village of Pewaukee for the license period of July 1, 2022, through June 30, 2023, as presented, to the following applicants and their listed agents:

-Cool Draft LLC DBA The HandleBar, Agent: Scott Hoggatt

-PPF Corporation DBA Tsuta Ramen, Agent: Ping P. Feng

Motion carried 7-0.

Trustee Hill moved, seconded by Trustee Grabowski to approve the renewal of Regular Class “B”/”Class B” Combination Liquor Licenses in the Village of Pewaukee for the license period of July 1, 2022, through June 30, 2023, as presented, to the following applicants and their listed agents:

-Karma44 LLC DBA 4 Keeps, Agent: Jennifer Keepman

- Wisconsin Apple, LLC DBA Applebee's, Agent: Ryan Sell
- Artisan 179, Agent: Carrie L. Boehm (contingent upon payment of overdue amount)
- Asiana of Wisconsin Inc. DBA Asiana of Wisconsin, Agent: Quai Lin
- Vasili LLC DBA Billy Ho's Pub & Eatery, Agent: Bill L. Markopoulos
- Blazin Wings Inc. DBA Buffalo Wild Wings, Agent: Robert Bartholomew
- Carlee's Bar & Grill LLC DBA Carlee's Bar & Grill, Agent: Jacob Bernotas
- Casa Tequila Restaurant LLC DBA Casa Tequila Restaurant, Agent: Maria Campuzano
- MCV Beers LLC DBA Craft Beer Cellar Pewaukee, Agent: Mark Van Dehy
- Four Star Family Sports Pub DBA Four Star Family Restaurant, Agent: Armando Macedo
- Good Eats, LLC, Agent: James Forester
- Kranky's Investment Corp DBA Kranky's Pub, Agent: Malcolm A. Dicks
- Rudolph LLC DBA Nettie's Irish Pub, Agent: Caven Boggess
- Pizza and Sub Shop Inc. DBA Park Avenue Pizza Company, Agent: Jason Koboski
- W&L LLC DBA Seester's Mexican Cantina, Agent: Wendy Weytens
- Thesphina Inc DBA Butler Inn of Pewaukee, Agent: Peggy S. Markopoulos
- 145 Pewaukee Wine, LLC DBA Twisted Vine Wine Shop & Bar, Agent: Brendan Moore

Motion carried 7-0.

Trustee Roberts moved, seconded by Trustee Grabowski to approve the renewal of "Class B" Beer and "Class C" Wine Liquor Licenses in the Village of Pewaukee for the license period of July 1, 2022, through June 30, 2023, as presented, to the following applicant and their listed agent:

- MOD Super Fast Pizza (Wisconsin), LLC DBA MOD Pizza, Agent: Ben Henneberry
- Waukesha County Technical College, Agent: Tricia Smith
- Aladdin Food Management Services, LLC, Agent: Tod Hemphill
- Beach House Bistro, Agent: Liazar Konda

Motion carried 7-0.

f. Monthly Approval of Checks and Invoices for all funds – May 2022

Trustee Roberts motioned, seconded by Trustee Rohde to approve the May 2022 checks and invoices as presented.
Motion carried 7-0.

Trustee Hill motioned, seconded by Trustee Grabowski to recognize the Library Fund May 2022 checks and invoices as presented.
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 Riverside Preserve Developers Agreement.*

No information was given to report and therefore the Village Board did not move to enter into closed session.

11. Reconvene Into Open Session - None.

12. Adjournment

Trustee Rohde motioned, seconded by Trustee Krasovich to adjourn the June 21, 2022, Regular Village Board meeting at approximately 8:50 p.m.
Motion carried 7-0.

Respectfully submitted,

Cassandra Smith



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: June 21, 2022

Re: Agenda Item 5a, Possible Action on Ordinance No. 2022-07, Ordinance to Amend Chapter 40, Article VI, Division 18.5, Section 40.367.7, Setbacks and Yards, of the Municipal Code of the Village of Pewaukee Regarding Residential Infill-Redevelopment Overlay District

BACKGROUND

This matter comes to the Village Board from the Plan Commission after several discussions earlier this year regarding a request to consider reduced rear yard setbacks in the Residential Infill-Redevelopment Overlay District related specifically to decks under certain circumstances.

ACTION REQUESTED

The action requested of the Village Board by the Plan Commission is to adopt Ordinance No. 2022-07, Ordinance to Amend Chapter 40, Article VI, Division 18.5, Section 40.367.7, Setbacks and Yards, of the Municipal Code of the Village of Pewaukee Regarding Residential Infill-Redevelopment Overlay District.

ANALYSIS

Current code, as reviewed in Planner Censky's attached staff report, for a rear yard offset is 20 feet (meaning all buildings shall be not less than 20 feet from the rear lot line in the Residential Infill-Redevelopment Overlay District. The Plan Commission received a request from Cornerstone Development to consider a reduced rear yard offset specifically for decks as some lot configurations were difficult and/or impossible to accommodate a deck off of the rear of a house. After discussion over multiple meetings, the Plan Commission has recommended to the Village Board a proposed ordinance that would allow for reduced rear yard offset of up to 10 feet for lots within the development as long as at least 75% of its rear yard faces another lot or outlot within the same new development.

Attachments

STAFF REPORT

To: Village of Pewaukee Plan Commission

By: Mary Censky

Date Prepared: June 9, 2022

General Information:

Agenda Item: **6.C.**

Applicant:

Cornerstone Development (d/b/a The Glen at Pewaukee Lake LLC) in c/o Joe Orendorf and John Wahlen, and Alan Peters of True Vine Development

Property Owner:

The Glen at Pewaukee Lake LLC

Requested Action:

Review, discussion and possible recommendation to the Village Board to modify Section 40.367.7 of the Village Code pertaining to rear yard offset requirements in the Residential Infill-Redevelopment (RIR) Overlay District

Current Zoning:

R-5 Single-Family Residential District with RIR Overlay District

Current Master Plan Classification:

Single-Family Residential

Requested Master Plan Classification:

Single Family Residential

Surrounding Zoning/Land Use:

North: R-5 Single Family Residential
South: R-5 Single Family Residential
East: R-5 Single Family Residential
West: R-5 Single Family Residential

Lot Size:

14.08 acres

Location:

Near 449 W. Wisconsin Avenue.

Background/Discussion:

Discussion and feedback were given by the Planning Commission at the April and May 2022 meetings as to possibly adjusting the language of the Residential Infill-Redevelopment Overlay District to allow the Planning Commission the flexibility and authority to approve reductions in the rear yard offset requirement for select and particularly constrained lots. Bearing the comments, feedback, and apparent consensus of members in mind, Staff offers the following for

the Commissions review, consideration, and possible recommendation to the Village Board:

DIVISION 18.5. - RESIDENTIAL INFILL-REDEVELOPMENT OVERLAY DISTRICT

Sec. 40.367.7. - Setbacks and yards.

Setbacks and yards in the residential infill-redevelopment overlay district shall be as follows:

Setback: All principal structures shall be setback not less than 25 feet from any public right-of-way.

Sidyard: The principal residence structure, including any attached garage elements, and detached garages, shall be offset from the side lot lines by not less than ten feet on one side and not less than zero feet on the other side. Principal residence structures including any attached garage elements and permitted detached garages may adjoin (share a common wall) along one side in accordance with this sidyard offset schedule provided such buildings are properly designed and approved by the building inspector as to all applicable building and/or fire safety code standards.

Any detached principal residence structure and any detached garage structure that does not share a common wall with an adjoining principal building shall maintain not less than five-foot side yard offsets.

Rearyard: All buildings shall be offset from the rear lot line by not less than 20 feet.

The Planning Commission may, at the time of plat review/approval, and upon specific request of the Developer, approve rear yard offset relief up to 10 feet for the attached, unenclosed, pervious deck portion of a principal residence provided the Developer shall first demonstrate that the lot abuts along at least 75% of its rear yard to another lot or outlot that is located within the same new development. The Planning Commission shall first find that permitting an attached, unenclosed, pervious deck feature as close as 10 feet to a rear lot line on a particular lot will not result in adverse conditions affecting the abutting lots, the neighborhood or the Village as a whole with respect to for instance, but not necessarily limited to surface water drainage. Further, if the request for the rearyard offset relief is denied, the Planning Commission shall state, in writing, their reasons for denial.

The definition of a “deck” in the Villages Zoning Code is: “a structure characterized by a flat horizontal surface or platform suspended above the grade of the land it covers and which may be supported by posts, beams, cantilevers or by other means. Decks more than six inches above ground at any point shall meet the minimum building setback and offset requirements”.

Recommendation:

The Planner raises no specific concerns or objections to the proposed Code change as described above.

ORDINANCE NO. 2022-07

Ordinance to Amend Chapter 40, Article VI, Division 18.5, Section 40.367.7, Setbacks and Yards, of the Municipal Code of the Village of Pewaukee Regarding Residential Infill-Redevelopment Overlay District

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

SECTION I

Chapter 40, Article VI, Division 18.5, Section 40.367.7, Setbacks and Yards, of the Municipal Code of the Village of Pewaukee is hereby amended to read as follows:

DIVISION 18.5 – RESIDENTIAL INFILL-REDEVELOPMENT OVERLAY DISTRICT**Sec. 40.367.7. - Setbacks and yards.**

Setbacks and yards in the Residential Infill-Redevelopment overlay district shall be as follows:

Setback: All principal structures shall be setback not less than 25 feet from any public right-of-way.

Sideyard: The principal residence structure, including any attached garage elements, and detached garages, shall be offset from the side lot lines by not less than 10 feet on one side and not less than zero feet on the other side. Principal residence structures including any attached garage elements and permitted detached garages may adjoin (share a common wall) along one side in accordance with this sideyard offset schedule provided such buildings are properly designed and approved by the Building Inspector as to all applicable building and/or fire safety code standards.

Any detached principal residence structure and any detached garage structure that does not share a common wall with an adjoining principal building shall maintain not less than 5-foot side yard offsets.

Rearyard: All buildings shall be offset from the rear lot line by not less than 20 feet.

The Planning Commission may, at the time of plat review/approval, and upon specific request of the Developer, approve rear yard offset relief up to 10 feet for the attached, unenclosed, pervious deck portion of a principal residence provided the Developer shall first demonstrate that the lot abuts along at least 75% of its rear yard to another lot or outlot that is located within the same new development. The Planning Commission shall first find that permitting an attached, unenclosed, pervious deck feature as close as 10 feet to a rear lot line on a particular lot will not result in adverse conditions affecting the abutting lots, the neighborhood or the Village as a whole with respect to for instance, but not necessarily limited to surface water drainage. Further, if the request for the rearyard offset relief is denied, the Planning Commission shall state, in writing, their reasons for denial.

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 _____ day of _____, 2022 by the Village Board of the Village of Pewaukee.

APPROVED:

Jeff Knutson, Village of Pewaukee President

Countersigned:

Cassie Smith, Village of Pewaukee Clerk



May 18, 2022

Scott Gosse | Village Administrator
Village of Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Subject: Request to Reduce Rear Setback
The Glen at Pewaukee Lake – Select Lots

Dear Mr. Gosse:

Thank you for the recent opportunity to gather feedback from the Plan Commission. We listened to the comments and have adjusted our request accordingly. Now we request approval from Plan Commission and Village Board to reduce the rear setback for several select lots as outlined below.

Working through our home and lot offerings at The Glen at Pewaukee Lake we are discovering some challenges related to decks vs. patios as they are not allowed past the current rear setback if the deck is elevated. We request a modification to the rear yard setback for decks on Lots 6-10, 38-41. On this select set of lots the total depths are rather shallow and thus the issue. The space behind these lots abut another lot we control or an outlot. At minimum we'd like to extend an additional 10-feet into the rear setback with a deck.

Enclosed is an example to highlight the challenge; on Lot 10 we laid out the Hawthorne which is an 1,888 square foot home with courtyard entry two car garage. The home fits within the setback requirements; however, we are unable to add a deck to rear of this home based on current setback requirements. As we talk with potential buyers, they are asking for these outdoor spaces.

Please place us on the agenda for the June 9th Plan Commission meeting for review and action.

Respectfully,

Joe Orendorf
Cornerstone Development
(262) 932-4188

Exhibit B - Lot 10 with Hawthorne



Hawthorne Floor Plan



Currently, no space for a deck off the rear of the

Exhibit C - Lot 10 Requested Setback



Requesting space for a deck off the rear of the



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: June 21, 2022

Re: Agenda Item 5b, Possible Action on Ordinance No. 2022-08, Ordinance to Repeal and Recreate Chapter 86, Article III, Division 3, Section 86.114(e) of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation

BACKGROUND

This matter comes to the Village Board from the Public Works & Safety Committee after discussions at its December 2021 and June 2022 meetings. The Village Board adopted an ordinance to restrict parking on the north side of Oakton Avenue at an August 2021 meeting which was discussed by the Public Works & Safety Committee at the aforementioned meeting dates.

ACTION REQUESTED

The action requested of the Village Board by the Public Works & Safety Committee is to adopt Ordinance No. 2022-08, Ordinance to Repeal and Recreate Chapter 86, Article III, Division 3, Section 86.114(e) of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation which would change the "No Parking" designation from the north side of Oakton Avenue to the south side as noted in the proposed ordinance.

Attachments

ORDINANCE NO. 2022-08**Ordinance to Repeal and Recreate Chapter 86, Article III, Division 3, Section 86.114(e) of the Village of Pewaukee Code of Ordinances Regarding No Parking Designation**

SECTION I

WHEREAS there is a desire to restrict parking on Oakton Avenue east of the Pewaukee River due to traffic concerns regarding visibility travelling eastbound and westbound at the bend of the road east of the Pewaukee River.

SECTION II

NOW, THEREFORE, the Village Board does hereby ordain to repeal and recreate Section 86.114(e) of the Municipal Code of the Village of Pewaukee to read as follows:

Sec. 86.114. Specific Areas.

(e) Oakton Avenue. No person shall park any vehicle or permit any vehicle to be or to remain parked in the village on the ~~north-south~~ side of Oakton Avenue between the ~~west-east~~ bank of the Pewaukee River to the ~~intersection with Elm Street~~first driveway approximately 73 feet to the east.

SECTION III

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

SECTION IV

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

SECTION V

This ordinance shall take effect upon passage and publication or posting as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending ordinance therein.

Passed and adopted this _____ day of _____ 2022 by the Village Board of the Village of Pewaukee.

APPROVED:

Jeffrey Knutson, Village President

Countersigned:

Cassie Smith, Village Clerk



Legend

- Municipal Boundary_2K
- Parcel_Dimension_2K
- Note_Text_2K
- Lots_2K
- Lot
- Unit
- General Common Element
- Outlot
- SimultaneousConveyance
- Assessor Plat
- CSM
- Condominium
- Subdivision
- Cartoline_2K
- EA-Easement_Line
- PL-DA
- PL-Extended_Tie_line
- PL-Meander_Line
- PL-Note
- PL-Tie
- PL-Tie_Line
- <all other values>
- Railroad_2K

0 17.68 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: New No Parking Area - Oakton

Printed: 6/8/2022



4/A

Bring it back to PWS and we will review and make a recommendation to Board

Thank you,
Ed Hill
Village of Pewaukee Trustee
ehill@villageofpewaukee.com

From: Daniel Naze <dnaze@villageofpewaukee.com>
Sent: Monday, November 8, 2021 2:54 PM
To: Scott Gosse <sgosse@villageofpewaukee.com>
Cc: Ed Hill <ehill@villageofpewaukee.com>
Subject: RE: Parking on Oakton

I'm not sure what happens with this now. The Village Board approved the no parking zone, so back there?

Daniel Naze, P.E.
Village of Pewaukee
Director of Public Works/Village Engineer
1000 Hickory Street
Pewaukee, WI 53072
262-691-5694, 7:00 am – 3:00 pm

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From: Grabowski, James <james.grabowski@wecenergygroup.com>
Sent: Tuesday, November 2, 2021 4:27 PM
To: Ed Hill <ehill@villageofpewaukee.com>
Cc: Daniel Naze <dnaze@villageofpewaukee.com>
Subject: RE: Parking on Oakton

I agree with Dan regarding sign placement and large stretches of more yellow curbing. All this was taken into consideration when I originally proposed removing the parking solely in front of the tattoo parlor. I'm not sure why that was turned into the whole south side of Oakton from the river to Noah's pizza? I'm also not fully convinced that removing the parking in front of Vapewaukee will solve the problem since the issue is people heading west, cutting the corner narrow, even if there are no cars parked there now. With cars parked on the south side of Oakton in the corner, those cars go wide, closer to the center line, and run into issue with the westbound also being close to the line off of natural habit. There is already a 1 hour parking sign that can be changed out and a much smaller length of curbing to paint.



Thank you,

Jim Grabowski

Sr. Account Manager – Key Accounts

office: 414-221-3570

cell: 708-717-0257

james.grabowski@wecenergygroup.com

From: Ed Hill <ehill@villageofpewaukee.com>

Sent: Tuesday, November 2, 2021 4:16 PM

To: Grabowski, James <james.grabowski@wecenergygroup.com>

Cc: Daniel Naze <dnaze@villageofpewaukee.com>

Subject: Fw: Parking on Oakton

*** Exercise caution: This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or in unexpected emails. ***

Jim

See Dan's reply

Any suggestion about the pole issue? Issues/concerns are valid.

You can contact Dan directly

Thank you,

Ed Hill

Village of Pewaukee Trustee

ehill@villageofpewaukee.com

From: Daniel Naze <dnaze@villageofpewaukee.com>
Sent: Tuesday, November 2, 2021 10:23 AM
To: Ed Hill <ehill@villageofpewaukee.com>
Subject: RE: Parking on Oakton

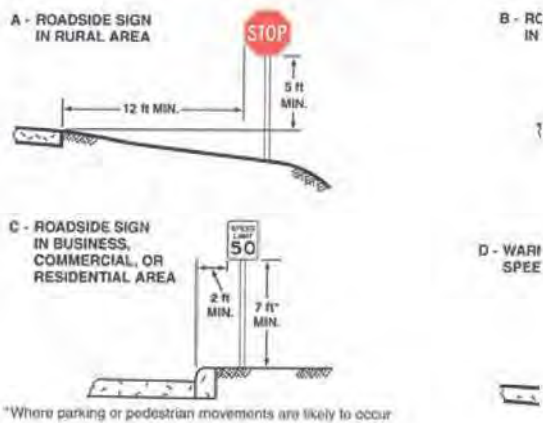
Not forgotten, not done. It's on the list.

BUT, I will tell you it's terrible place to install signs. No terrace, all concrete, 5' wide walks. There are no useful existing poles. I may have to have holes cored, and to make the installation muted compliant the poles will be over a third of the way into the sidewalk and be a hazardous obstruction. So that's the deal. I went there this morning and put white X's at roughly the pole locations for you, take a look please. (I painted joints but wouldn't core like that, FYI)

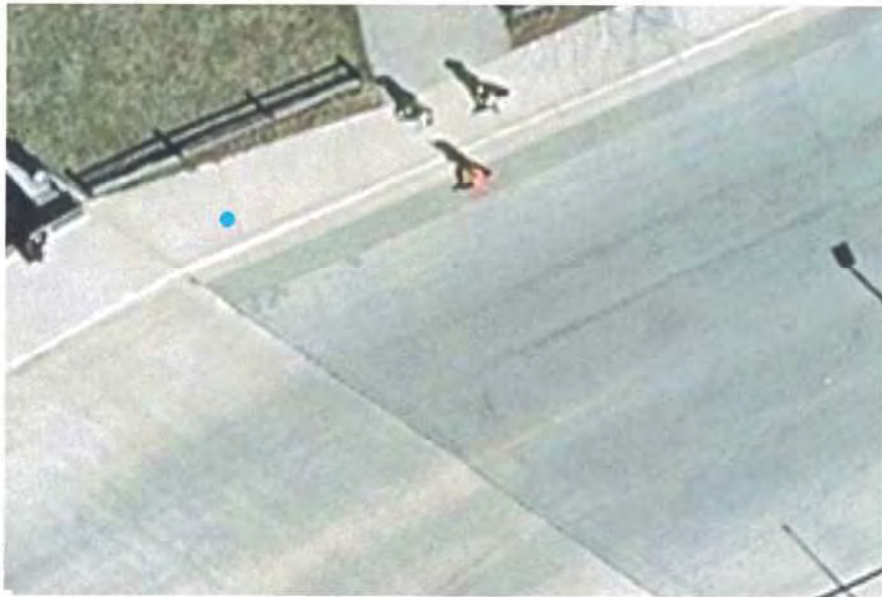
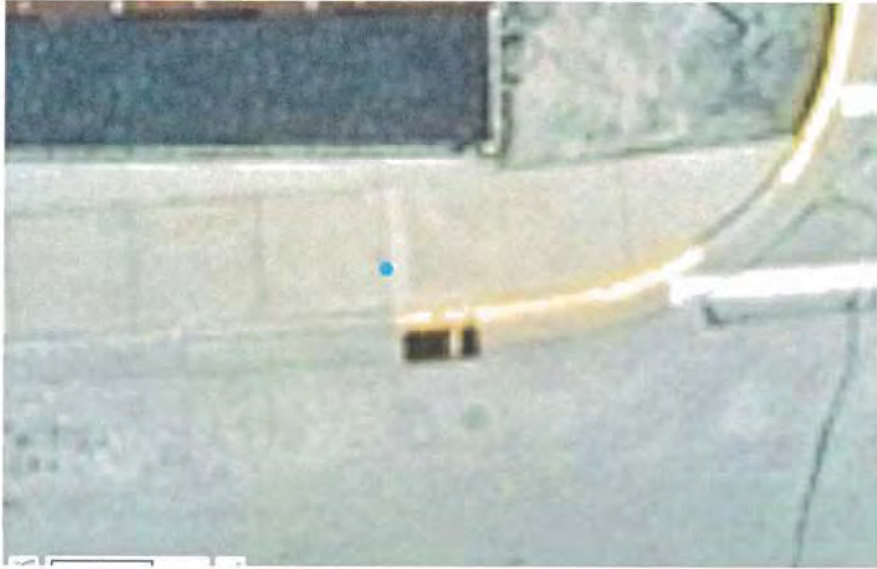
And it's a yellow curb area of the Village, so we'll have another new stretch of curb to paint next year.

2009 Edition Part 2 Figure 2A-2. E:

Figure 2A-2. Examples of Heights and Lateral



So here is what the pole locations looks like:



Daniel Naze, P.E.
Village of Pewaukee
Director of Public Works/Village Engineer
1000 Hickory Street
Pewaukee, WI 53072
262-691-5694, 7:00 am – 3:00 pm

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From: Ed Hill <ehill@villageofpewaukee.com>
Sent: Monday, November 1, 2021 3:21 PM
To: Daniel Naze <dnaze@villageofpewaukee.com>
Subject: Fw: Parking on Oakton

Dan
Please advise status of "No Parking" on north side from Elm to bridge

Thank you,
Ed Hill
Village of Pewaukee Trustee
ehill@villageofpewaukee.com

From: Grabowski, James <james.grabowski@wecenergygroup.com>
Sent: Monday, November 1, 2021 8:20 AM
To: kyonke@villageofpewaukee.com <kyonke@villageofpewaukee.com>
Cc: Ed Hill <ehill@villageofpewaukee.com>
Subject: Parking on Oakton

Hi Kevin,

I was following up with a topic I brought to the board earlier this year. I had asked about increasing the safety at the bend on Oakton by prohibiting parking in front of the tattoo parlor. After that, the Public Works Board decided to extend it three businesses further and propose to the Village Board, which was met with opposition and kicked back to the Public Works Board. Then it was supposedly agreed upon eliminating parking on the opposite side of the street, which I don't think is as beneficial for safety, but regardless it would be a plus. Since then, it seems to have fallen through the proverbial municipal cracks and disappeared. Is there any update on this parking change? We are coming into winter where snowplowing makes that corner even more narrow and it would be nice to finally implement some change.

Thank you,

Jim Grabowski
708-717-0257



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: April 29, 2022
Re: Old Business a.: 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

This item is returned from the December meeting. See attached photos.

Recommendation:

Parking restriction sign poles will impact sidewalk passage. Possible choices may be we either must make the entire south length no parking, or make no changes. The former will impact the businesses. The current, end of one-hour parking, location sign is non-compliant. A complete reconstruction with geometry changes would possibly provide an improved situation for both parking and pedestrians, with the complication being the bridge deck width is fixed.









To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: June 28, 2022

Re: Agenda Item 7a, Discussion and Possible Action Regarding Parking in the Downtown Area
Along the Lakefront

BACKGROUND

Staff reviewed a couple options for Village Board consideration for barricades to block off parking spaces in the downtown area. One is a concrete jersey barrier and the other is a steel barricade.

ACTION REQUESTED

The action requested of the Village Board is to review the attached information and provide direction on how the Village Board may desire to proceed.

ANALYSIS

Attached for your reference please find illustrations of both barricade types. Both would be effective in blocking off the parking spaces. Estimated pricing is provided below along with the associated size of the barricade.

Concrete jersey barrier (not including shipping):

4' \$391 estimate
8' \$985 estimate
10' \$1,229 estimate
12' \$1,476 estimate

Pro: durability

Con: cost, labor and equipment to place and remove

Heavy Duty Interlocking Steel barricades (not including shipping):

8.5' \$105

Pro: cost; ease of placement; interlocking

Con: less durable

Attachments

Search

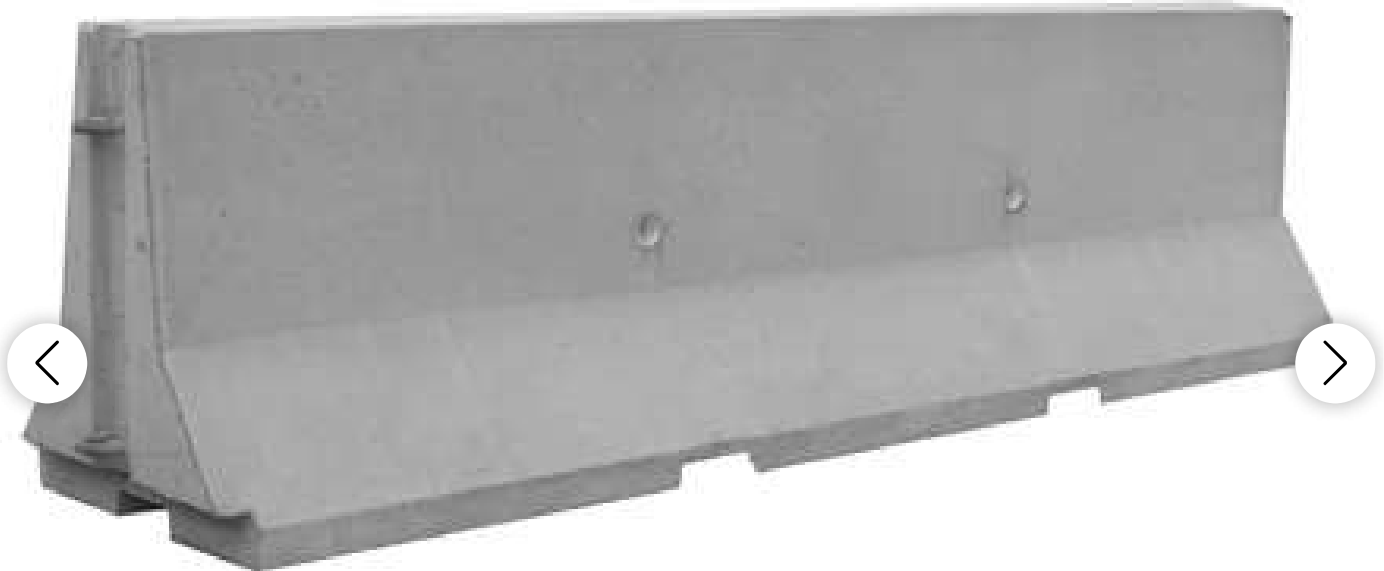
Home / Concrete Street Barriers / Plain Concrete Jersey Barrier

Plain Concrete Jersey Barrier

Estimated processing time of ~6 weeks prior to shipping

SKU **CCW-40-007-00468**

☆☆☆☆☆



Made to Order

- Available in 4FT, 8FT, 10FT, 12FT
- Water-repellent sealer treatment
- Highly durable
- Low maintenance barrier

PRICE MATCH GUARANTEE

Length

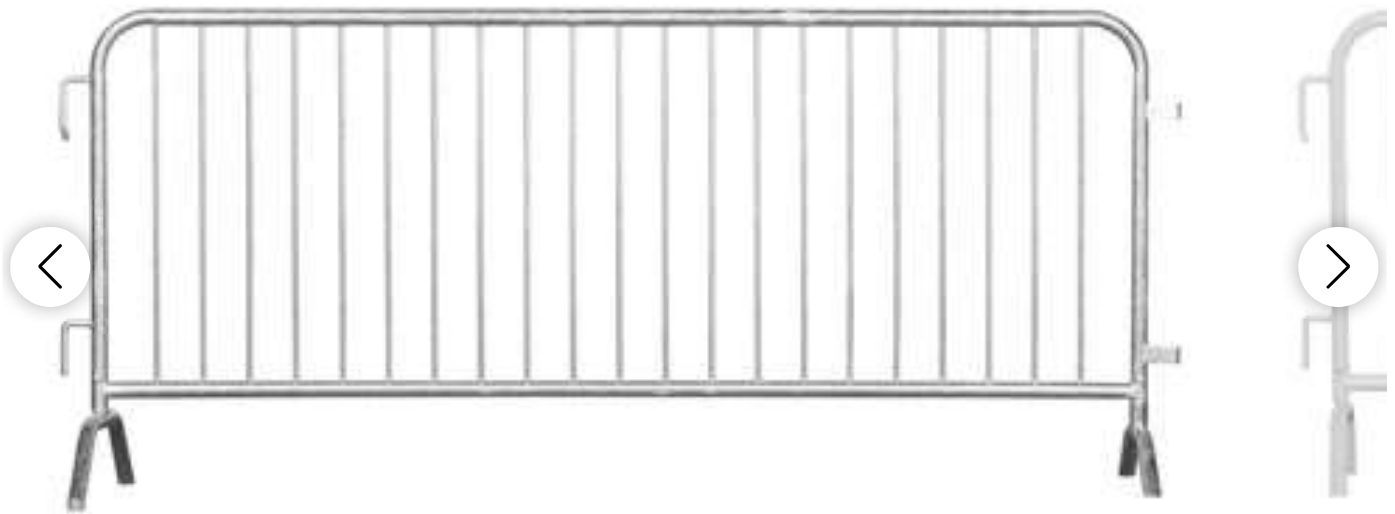
12 FEET

Home / Steel Barricades / Heavy Duty Interlocking Steel Barricade, 8.5 Ft. - Angry Bull Barricades

Heavy Duty Interlocking Steel Barricade, 8.5 Ft. - Angry Bull Barricades

SKU **CCW-14-019-00008**

★★★★★ 47 reviews



In Stock

- 8.5 Ft. Interlocking Barricade
- Hot-Dipped Galvanized Steel
- Choose Removable Flat or Bridge Feet
- Heavy Duty for Durability
- MINIMUM OF 10 REQUIRED (Fee applies to orders of less than 10)

PRICE MATCH GUARANTEE



Legend

- Municipal Boundary_2K
- Parcel_Dimension_2K
- Note_Text_2K
- Lots_2K
- Lot
- Unit
- General Common Element
- Outlot
- SimultaneousConveyance
- Assessor Plat
- CSM
- Condominium
- Subdivision
- Cartoline_2K
- EA-Easement_Line
- PL-DA
- PL-Extended_Tie_line
- PL-Meander_Line
- PL-Note
- PL-Tie
- PL-Tie_Line
- <all other values>
- Railroad_2K

0 178.82 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: 6/1/2022





To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: June 27, 2022

Re: Agenda Item 8a, Discussion and Possible Action on Appointment of Village Board Member to Proposed Pewaukee Lake Management Plan Committee

BACKGROUND

This matter is on the agenda at the request of Tom Koepp, Manager, Lake Pewaukee Sanitary District (LPSD). LPSD worked with the Southeastern Wisconsin Regional Planning Commission (SEWRPC) to update the Pewaukee Lake Management Plan which was completed in 2020.

Mr. Koepp states the following in an email received earlier this month on this matter:

It would be good to have a representative from each municipality The Village, City and Town (Lake Management Plan Advisory Committee) review the most recent lake management plan (see enclosed link) as the Lake Pewaukee Sanitary District would like to get this “formally adopted”. Perhaps there could be a formal meeting that this could occur at this Summer, Fall or even Winter. The Southeastern Regional Planning Commission would be in attendance and even help present it.

www.sewrpc.org/SEWRPCFiles/Publications/CAPR/capr-58-3rd-ed-lake-management-plan-pewaukee-lake.pdf

ACTION REQUESTED

The action requested of the Village Board is to consider Village President Knutson’s appointment to the proposed Lake Management Plan Advisory Committee for the purpose of reviewing the 2020 Lake Management Plan for Pewaukee Lake prepared by SEWRPC.

ANALYSIS

Village President Knutson is anticipated to have a recommendation for Village Board consideration for a Trustee as the Village’s representative for a formal review and possible recommendation to the three governing bodies on Pewaukee Lake for formal adoption of the Lake Management Plan for Pewaukee Lake.

C: Tom Koepp, LPSD



To: Jeff Knutson, President
Village Board

From: Scott A. Gosse
Village Administrator

Date: June 29, 2022

Re: Agenda Item 8b, Discussion and Direction Regarding Possible Ordinance Prohibiting Sale of
Cats, Dogs and Rabbits

BACKGROUND

This matter was on the agenda at the request of Trustee Jim Grabowski. Staff will look to Trustee Grabowski to facilitate the discussion on this matter.

ACTION REQUESTED

The action requested of the Village Board is to review the information to be shared/discussed by Trustee Grabowski and provide direction.

City of Waukesha, Wisconsin

Ordinance No. 2022 – _____

**An Ordinance Creating Section 33.06 of the Waukesha Municipal Code,
Regarding the Prohibition of the Sale of Cats, Dogs, and Rabbits**

Whereas most puppies and kittens sold in pet stores come from large-scale, commercial breeding facilities where the health and welfare of the animals is disregarded in order to maximize profits, referred to as “puppy mills” and “kitten mills,” respectively. According to the Humane Society of the United States, an estimated 10,000 puppy mills produce more than 2 million puppies per year in the United States; and

Whereas the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal veterinary care; lack of adequate food, water and shelter; lack of socialization, exercise and enrichment; lack of sanitation; and

Whereas pet store puppies are often sick and have behavioral problems due to the substandard conditions they were likely born into often including that they were taken from their mothers at a very young age; they were transported in trucks filled with other young puppies and they were placed in a pet store cage with or near other puppies who are often sick; and

Whereas pet stores often mislead consumers as to where the puppies and kittens in the stores came from and make false health and behavior guarantees. Many consumers end up paying hundreds or thousands of dollars in veterinary bills and suffer the heartbreak of having their new pet suffer, and in some cases pass away; and

Whereas according to the U.S. Centers for Disease Control and Prevention, pet store puppies pose a health risk to consumers, as over one hundred Americans have contracted an antibiotic-resistant *Campylobacter* infection from contact with pet store puppies; and

Whereas current federal and state regulations do not adequately address the animal welfare and consumer protection problems that the sale of puppy and kitten mill dogs and cats in pet stores pose. Federal oversight of the commercial breeding industry is severely lacking; and

Whereas prohibiting retail stores from selling dogs and cats is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills and decrease the burden that pet store puppies and kittens that end up in animal shelters place on local agencies and taxpayers; and

Whereas the majority of pet stores, both large chains and small and family-owned shops, are already in compliance with the proposed ordinance as they already do not sell dogs and cats but

rather profit from selling products, offering services, and in some cases, collaborating with local animal shelters and rescues to host adoption events; and

Whereas this ordinance will not affect the ability to obtain a cat, dog, or rabbit from an animal rescue, shelter, or breeder who sells directly to the public; and

Whereas the Common Council finds it is in the best interest of the City of Waukesha to prohibit activities that promote the unethical, inhumane, and cruel treatment of animals; to protect citizens who may purchase cats, dogs, or rabbits that may be the product of unethical breeders; to promote community awareness of animal welfare; and to foster a more humane environment in the City of Waukesha;

Now, therefore, the Common Council of the City of Waukesha ordain as follows:

Section 1. Section 33.06 of the Waukesha Municipal Code is hereby created to read as follows:

33.06 Sale of Cats, Dogs, and Rabbits Prohibited.

- (1) **Intent.** The purpose of this section is to protect the health and well-being of animals, and to discourage large-scale commercial breeding and the unethical treatment of animals that occurs in large-scale commercial breeding facilities.
- (2) **Definitions.** For purposes of this section, capitalized terms have the following meanings.
 - (a) **Animal Care Facility** means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or Animal Rescue Organizations.
 - (b) **Animal Rescue Organization** means any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.
 - (c) **Cat** means a member of the species of domestic cat, *Felis catus*.
 - (d) **Dog** means a member of the species of domestic dog, *Canis familiaris*.
 - (e) **Rabbit** means a member of the species of domestic rabbit, *Oryctolagus cuniculus domesticus*.
 - (f) **Retailer** means any individual or entity holding a seller's permit issued by the Wisconsin Department of Revenue. It does not include any Animal Care Facility or Animal Rescue Organization.
 - (g) **Sale or Sell** means to convey possession or ownership for consideration, or to offer to the general public to do so. Consideration includes, but is not limited to,

money and any other legal tender, including virtual currency; bartered goods; credit exchanges; and exchanges of any other animals or tangible personal property; but does not include fees for vaccinations, microchipping, neutering, or spaying, provided those fees are at cost and do not include any profit.

- (3) **Prohibition of the Sale of Cats, Dogs, and Rabbits.** No Retailer having a retail place of business in the City of Waukesha shall Sell Cats, Dogs, or Rabbits in the City of Waukesha. This section does not prohibit Retailers from displaying and offering Cats, Dogs, or Rabbits provided by Animal Care Facilities or Animal Rescue Organizations for adoption for no consideration.
- (4) **Penalty.** Any individual or entity that violates this section shall be subject to the civil penalty prescribed in Municipal Code §25.05. Each animal offered for sale in violation of this section shall constitute a separate violation.
- (5) **Severability.** If any subsection, paragraph, sentence, clause, or phrase of this section is declared unenforceable for any reason whatsoever, such declaration shall not affect the remaining portions of this section, which shall continue in full force and effect, and to this end the provisions of this section are severable.

Section 2. All ordinances, or portions of ordinances, inconsistent with this ordinance are hereby repealed.

Section 3. This Ordinance shall be effective the day after its publication.

Passed the _____ day of _____, 2022.

Shawn N. Reilly, Mayor

Attest: Gina L. Kozlik, City Clerk



To: Jeff Knutson, Village President
Village Board

From: Cassie Smith
Village Clerk

Date: July 1, 2022

Re: Agenda Item 8c, Discussion and Possible Action Regarding 323 Park Avenue

BACKGROUND

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

ACTION REQUESTED

The action requested of the Village Board is to review the information to be shared/discussed and provide direction.



To: Jeff Knutson, Village President
Village Board

From: Cassie Smith
Village Clerk

Date: July 1, 2022

Re: Agenda Item 8e1, Food Vendor License(s)

BACKGROUND

Listed below are the applications received for upcoming events in the Village.

ACTION REQUESTED

To approve the Food Vendor Permit application(s) as presented:

Taste of Lake Country – July 29 & 30, 2022

1. Beach House Bistro
2. Albanese's Roadhouse
3. Casa Tequila Restaurant
4. Golden Mast
5. Revere's Well Street Tavern
6. Le Macaron Brookfield & Wauwatosa
7. Park Avenue Pizza Company
8. Sobelman's Waukesha

ANALYSIS

The Food Vendor applications are being recommended for approval as presented. All forms have been completed and payment has been received.

Staff recommends approval of license as recommended above.



To: Jeff Knutson, Village President
Village Board

From: Cassie Smith
Village Clerk

Date: July 1, 2022

Re: Agenda Item 8e(2), Approval of Temporary Class "B" Beer 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" Beer Retailer's License application made by the Pewaukee Muskies Amateur Baseball Team. This baseball team is seeking approval for their baseball games to be held at Kiwanis Village Park on the following dates in 2022:

July 17, 24, 31

ANALYSIS

The baseball team had applied and received a temporary Class "B" Retailer's License issued per game in 2021. The applicant meets the requirements for 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: July 1, 2022

Re: Agenda Item 8e (3), Issue Mobile Home/Trailer Park License

BACKGROUND

The Village Board is the ruling body responsible for approving Mobile Home/Trailer Park License applications. To comply with the current ordinance there is a requirement to bring the request to the Village Board for approval.

ACTION REQUESTED

To approve a Mobile Home/Trailer Park License for Pewaukee Lake Estates located at 630 W. Wisconsin Ave for the July 1, 2022 – June 30, 2023 license period.

ANALYSIS

The Mobile Home/Trailer Park License is being presented for approval contingent on the approval of the City of Pewaukee's Building Services Department.