

Summary Notes

Meeting of the Pewaukee Merger Advisory Committee

Wednesday, January 27, 2010

6:00 p.m., Pewaukee City Hall

**Roll Call**

In attendance at the sixteenth meeting of the Pewaukee Merger Advisory Committee were, representing the Village of Pewaukee, President Jeff Knutson, Trustee Paul Evert, citizen member Mark Muehl, citizen member Tom Houck, and Administrator Scott Gosse. Representing the City of Pewaukee were Mayor Scott Klein, Alderperson Roger Hathaway, citizen member Dave Swan, and citizen member Dan Sanford. Philip Evenson and City Administrator Tammy LaBorde were excused. Citizen member Sanford chaired the meeting. Also in attendance at the meeting were William J. Mielke and Christine Cramer from Ruekert & Mielke, Inc., representing the consultant team assisting the Committee, as well as John Gardner of Zeppos & Associates.

**Summary Notes of Prior Meeting**

Mr. Sanford referred to the summary notes of the Advisory Committee's meeting of January 21, 2010. On a motion by Mr. Houck, seconded by Mr. Evert, and carried unanimously, the summary notes of the meeting of January 21, 2010, were approved.

**Discussion and Possible Action Regarding Consolidation Plan and Ordinance**

Ms. Cramer reviewed the changes incorporated into the potential consolidation timeline, the change to the remove the option for the interim council to establish the Street Utility District after consolidation and the inclusion of the sunset clause in the Street Utility District.

Regarding the proposed timeline, according to Section 8.5, Wis. Stats., a special election cannot be held after September 1<sup>st</sup> and before the November general election. Therefore, the special election is proposed for August 31<sup>st</sup>. The balance of the proposed timeline was reviewed with the Committee and reference was made to the proposed June 15<sup>th</sup> referendum date.

Discussion took place regarding aspects of the consolidation ordinance. Questions were asked regarding Section 9 of the ordinance (debt service segregation fund), what happens if the Village did not adopt the Street Utility District (SUD) and what happens after the sunset clause of the utility (Section 10 of the Ordinance), and regarding the question about the municipal court and the finalization of the assessment rolls for both the City and Village in relation to when the merger would occur. Ms. Cramer stated that the

debt service segregation fund would be established to hold the funds from the Village's utility reserves to be applied toward the debt service payments of the new community over the projected 10 year period. With regard to the question of the Village not adopting the SUD, if the Village did not adopt the SUD, under the current merger referendum would not move forward as Section 10(A) of the ordinance is predicated on the Village adopting the SUD. As for the additional services provided for the SUD, the new community would decide whether or not to continue the services funded during the life of the SUD after it expires. It would be up the Council at that time whether to extend the SUD, provide the services to the Village area at a higher level within the general fund, offer the services to the entire community through the general fund, or to not offer the services at all. With regard to the question about the municipal court and separate assessment rolls, it was determined that clarification should be sought from the Department of Revenue on the assessment roll question and to continue to seek out alternatives or a written opinion to address the seemingly conflicting information provided by the Court system to the legal consultant for the Committee and the City Judge.

In response to a question about the impact of no SUD, Ms. Cramer stated that the tax rate for the City would be \$.08 less than it is now. In response to a question about voting on the SUD ordinance and consolidation ordinance, Ms. Cramer stated that a  $\frac{3}{4}$  vote is required for the SUD and a 2/3 vote is required for the consolidation ordinance, per Wisconsin Statutes. In response to a question from Mr. Muehl, Ms. Cramer stated that the new Common Council would oversee the SUD.

The Chair recognized the City Judge who stated that he again disagrees with Section 7 of the proposed consolidation ordinance. The Village Judge stated that there appears to be no clear cut answer on this based on calls to Madison and municipal organizations. More research may be necessary regarding legislative or constitutional matters.

#### **Discussion and Possible Action on Request to be Sent to the Common Council and Village Board**

Mayor Klein stated that the next step would be to forward the matter on to the Common Council and Village Board to determine their reaction to the conclusion that there are savings in a merged scenario.

Mr. Houck moved and Mr. Swan seconded to recommend to the Common Council and Village Board for review and comment the following: 1) potential timeline, 2) draft consolidation ordinance, and 3) draft SUD ordinance. Further, the Committee stated, as part of the motion, that it believes that it has carried out its charge and is asking the Village Board and Common Council to evaluate the financial savings determined by the Merger Advisory Committee. The motion carried unanimously.

The Committee stated that further discussion will be needed on the following issues: 1) Judge/Court matter, 2) Assessment matter of two communities merging into one, and 3) Bond rating for the new community.

In response to a question from the Chair, Mr. Mielke and Mr. Gardner recommended that the next step in terms of communication would be to get a newsletter into the hands of residents as not all have access to email or the internet. If the Village Board and Common Council were to approve funds for the printing and mailing of a newsletter, a newsletter could be prepared and mailed within 1 ½ weeks. Mr. Gardner stated that this newsletter would be baseline information on what has happened and the process for moving forward – all fact based information.

The Committee would receive a draft of the newsletter and meet to finalize it should the funding be approved.

#### **Set Next Meeting Date**

The next meeting date was set for Thursday, February 4<sup>th</sup> at City Hall at 6PM for the purpose of reviewing the draft of the newsletter and preliminary comments on the draft consolidation plan and ordinance and Street Utility District that may be available from the Common Council and Village Board meetings scheduled for February 1<sup>st</sup> and 2<sup>nd</sup> (respectively).

#### **Public Comments**

Comments were provided regarding the preparation of the proposed newsletter and concerns regarding the credibility of the Committee and the process completed to date.

#### **Adjournment**

On a motion by Mr. Houck and seconded by Mr. Evert, the meeting was adjourned at 8:18 p.m.

Submitted by Scott A. Gosse