



# City of Waukesha

City Hall,  
201 Delafield Street  
Waukesha, WI 53188

## Meeting Minutes - Final

### City Council

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Tuesday, August 16, 2022

6:30 PM

Council Chambers, City Hall

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#### 1. Roll Call

**Present:** 14 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

**Absent:** 1 - Frank McElderry

#### 2. Announcement of Closed Session pursuant to Wis. Stats 19.85(1)(g) to confer with legal counsel regarding possible settlement of Moor Baths litigation

#### 3. Pledge of Allegiance

#### 4. Public Comment

*The following individuals spoke against the possible settlement of Moor Baths litigation:*

*Lisa Salb, 434 Madison St.*

*Beth Hoefer-Jezo, 717 S. East Ave.*

*Mary Emery, 202 N. James St.*

*Jennifer Wall, 402 N. West Ave.*

*Steve Edlund, 426 Prospect Ave.*

*Aaron Spencer, 630 W. College Ave.*

*Ron Kading, 3921 Oxbow Dr. (via email)*

*James Young, 3008 Kisdon Hill Dr, spoke on extra park lights and sound at Oliver Park.*

*Joette Barta, Nice Ash Cigar Bar, (via email) commented on the approval of Invited Bartender Haley Slusar.*

#### 5. Approval of Minutes

##### A. [ID#22-4700](#) Minutes from August 2, 2022

**Attachments:** [ccmn220802.pdf](#)

**A motion was made by Ald. Moltzan, seconded by Ald. Johnson, to approve Minutes from August 2, 2022. The motion carried by the following vote:**

**Aye:** 14 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

**Absent:** 1 - Frank McElderry

### **Consent Agenda**

*Ald. Johnson removed Heather Korbelt and Haley Slusar under ID#22-4636, to be handled under O&L report. The remainder of the Consent Agenda passed unanimously.*

## **1. Other Boards and Commissions**

### **2. Plan Commission**

### **3. Standing Committees**

#### **A. Finance Committee - Ald. Pieper**

- A. [ID#22-4623](#) Review and act on an agreement for crossing guard services

**Sponsors:** Police Department

**Attachments:** [Cover Sheet - Crossing Guard Contract](#)  
[Waukesha WI 2022-2023 Services Contract](#)

#### **B. Building & Grounds Committee - Ald. E. Payne**

- A. [ID#22-3663](#) Please have the Department of Public Works study of N. Grandview Blvd. from Northview Road to Grandview Park. Study should include a review of adequacy of existing speed limit signs.

**Sponsors:** Pieper

**Attachments:** [22-3663 Approve study of Grandview from Northview to Grandview Park](#)

- B. [ID#22-4558](#) Make Maitland Drive in front of Hawthorne School from Irving Place to the corner of N. Hine Avenue, a one-way during pick up and drop off times during the school year.

**Sponsors:** Pieper

**Attachments:** [22-4558 Hawthorne School One-Way](#)

- C. [ID#22-4559](#) Please install "Caution Child with Disabilities Area" signs on Greenmeadow Drive from Sherryl Lane to Garven Court.

**Sponsors:** Pieper

**Attachments:** [22-4559 Greenmeadow Caution Child with Disabilities Area signs](#)

- D. [ID#22-4560](#) Please investigate the street lighting levels at East Avenue at the mid-block crossing at the Carroll University Campus and investigate the need for a street light at East Avenue and McCall Street.

**Sponsors:** Halvensleben

**Attachments:** [22-4560 Investigate Street Lighting along East Ave](#)

- E. [ID#22-4561](#) Please investigate the intersection control at Niagara Street/Paul Lane/Rose Court.  
**Sponsors:** Chrisien  
**Attachments:** [22-4561 Investigate Intersection Control at Niagara Paul Rose](#)
- F. [ID#22-4562](#) Please install one stop sign at the corner of Lander Lane and Crestwood Drive facing east on Lander Lane.  
**Sponsors:** D. Lemke  
**Attachments:** [22-4562 Install Stop Sign at Crestwood & Lander](#)
- G. [ID#22-4563](#) Please install a stop sign on the corner of Rawlins Drive and Lander Lane in District 13.  
**Sponsors:** D. Lemke  
**Attachments:** [22-4563 Install Stop Sign at Rawlins & Lander](#)

### **C. Ordinance & License Committee - Ald. Johnson**

#### 1. Licenses

- A. [ID#22-4636](#) Invited Bartenders  
**Attachments:** [Invited Bartenders OL 8-8-22](#)
- B. [ID#22-4637](#) Invited Other Applications  
**Attachments:** [OL Invited Other Applications 8-8-22](#)
- C. [ID#22-4638](#) Other Applications  
**Attachments:** [OL Other Applications 8-8-22](#)

### **D. Human Resources - Ald. Rodriguez**

### **E. Board of Public Works - Alex Damien**

- A. [ID#22-4611](#) Review and act on allowing parking at the Downtown Transit Center parking structure at no charge to the public during the shuttle hours for the Waukesha Unlocked Event sponsored by the City.  
**Sponsors:** Public Works  
**Attachments:** [22-4611 BPW Agenda Cvr-Transit Center Open for Wauk Unlocked Event.docx](#)  
[22-4611 Memo- Transit Center Parking](#)

- B. [ID#22-4612](#) Review and act on Contract Change Order No. 8 with J.P. Cullen & Sons, Inc., for the Waukesha Police Department Addition and Renovation project.

**Sponsors:** Public Works

**Attachments:** [22-4612 BPW Agenda Cvr-CO8-Cullen-PD Addition and Renovation](#)  
[22-4612 CO8 for JP Cullen Police Project](#)

- C. [ID#22-4614](#) Review and act on the two-party State Municipal Agreement between the City of Waukesha and the Wisconsin Department of Transportation regarding the Local Roads Improvement Project (LRIP) Supplemental Program grant for the reconstruction of Delafield Street between Prospect Avenue and Magnolia Drive.

**Attachments:** [22-4614 BPW Agenda Cvr-Delafield Street SMA](#)  
[SMA 18199](#)

### End of Consent Agenda

## 6. Public Hearing

- A. [PC22-0272](#) Rezoning Petition – 1800 W St. Paul Avenue - Request to amend the zoning district for 0.99 acres of Land at 1800 W St. Paul Avenue from M-1 General Manufacturing District to the MM-1 Mixed Use Manufacturing District.

**Attachments:** [Cover Sheet - Milwaukee Cycles Rezoning](#)  
[Cover Letter from applicant - Rezoning](#)  
[Petition for Rezoning](#)  
[Project Reviews RZ22-00005 1800 W. St. Paul Ave. Rezoning](#)  
[Re-Zoning Ordinance - 1800 W. St. Paul Ave.](#)

*Jennifer Andrews, Director of Community Development, gave a brief presentation on the proposed Rezoning.*

*The Public Hearing was Opened.*

*No Public Comments.*

*The Public Hearing was Closed.*

## 7. Action on Public Hearing

- A. [PC22-0272](#) Rezoning Petition – 1800 W St. Paul Avenue - Request to amend the zoning district for 0.99 acres of Land at 1800 W St. Paul Avenue from M-1 General Manufacturing District to the MM-1 Mixed Use Manufacturing District.

**Attachments:** [Cover Sheet - Milwaukee Cycles Rezoning](#)  
[Cover Letter from applicant - Rezoning](#)  
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[Project Reviews RZ22-00005 1800 W. St. Paul Ave. Rezoning](#)  
[Re-Zoning Ordinance - 1800 W. St. Paul Ave.](#)

*Ordinance #2022-13*

**A motion was made by Ald. Wells, seconded by Ald. Manion, to approve the Rezoning Petition - 1800 W St. Paul Avenue - Request to amend the zoning district for 0.99 acres of Land at 1800 W St. Paul Avenue from M-1 General Manufacturing District to the MM-1 Mixed Use Manufacturing District. The motion carried by the following vote:**

**Aye:** 14 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

**Absent:** 1 - Frank McElderry

## **Reports**

### 8. Other Boards and Commissions

A. Transit Commission Report - Alex Damien

B. Water Utility Commission - Ald. Bartels

C. Information Technology Board Report - Ald. Manion

D. Landmarks Commission Report - Ald. Rodriguez

E. Redevelopment Authority Report - Ald. R. Lemke

F. Parks, Recreation & Forestry Board Report - Ald. Johnson

G. Library Board Report - Ald. Halvensleben

H. Cemetery Commission Report - Ald. C. Payne

I. Waukesha Housing Authority Report - Ald. Pieper

J. Community Development Block Grant Committee Report - Jennifer Andrews

K. Public Art Committee Report - Ald. Moltzan

9. Plan Commission - Jennifer Andrews

10. Standing Committees

- A. Finance Committee Report - Ald. Pieper
- B. Building & Grounds Committee Report - Ald. E. Payne
- C. Ordinance & License Committee Report - Ald. Johnson

A. [ID#22-4636](#) Invited Bartenders

**Attachments:** [Invited Bartenders OL 8-8-22](#)

A motion was made by Ald. Johnson, seconded by Ald. Moltzan, to approve the denial of Invited Bartender Heather Koerbel. (Did not appear for her third invite) The motion carried by the following vote:

**Aye:** Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, M. Payne, Halvensleben, Chrisien

**Absent:** McElderry

A motion was made by Ald. Johnson, seconded by Ald. Moltzan, to approve Invited Bartender - Haley Slusar. The motion carried by the following vote:

**Aye:** Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, M. Payne, Halvensleben, Chrisien

**Absent:** McElderry

D. Human Resources Committee Report - Ald. Rodriguez

11. Board of Public Works Report - Alex Damien

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A. [ID#22-4482](#) Review and act on the Amendment of Municipal Code Chapter 29, Sewer Use and Wastewater Treatment.

**Sponsors:** Public Works

**Attachments:** [22-4482\\_BPW\\_Cvr-29\\_Amendment](#)  
[22-4482\\_Memo to Board of Public Works](#)  
[Chapter 29 Sewer Use and Wastewater Treatment - 2022 Draft Markup](#)

*This is the third reading.*

*Ordinance #2022-12*

A motion was made by Ald. Pieper, seconded by Ald. M. Payne, to approve the Amendment of Municipal Code Chapter 29, Sewer Use and Wastewater Treatment. The motion carried by the following vote:

**Aye:** 14 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

**Absent:** 1 - Frank McElderry

- B.** [ID#22-4609](#) Bids Received: Friday, July 29, 2022, at 11:00 a.m.  
Roberta and Dopp Park Ball Diamond Fencing

The Board of Public Works recommends that the low bid from Century Fence Company in the amount of \$137,065.00 be awarded.

**Sponsors:** Public Works

**Attachments:** [Bid-2022 Roberta and Dopp Park Ball Diamond Fencing](#)

**A motion was made by Ald. E. Payne, seconded by Ald. Pieper, to approve the low bid from Century Fence Company in the amount of \$137,065.00 for Roberta and Dopp Park Ball Diamond Fencing. The motion carried by the following vote:**

**Aye:** 14 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

**Absent:** 1 - Frank McElderry

12. Director of Public Works Report

12. City Attorney's Report

13. City Administrator's Report

- A.** [ID#22-4694](#) Report from the City Administrator

**Attachments:** [Admin Report August 12 2022](#)

14. Mayor's Report & Referrals

- A.** [ID#22-4696](#) Board and Committee Appointments

**Attachments:** [Council Letter 8.16.2022](#)

[Mike Duffek Bio](#)

**A motion was made by Ald. R. Lemke, seconded by Ald. Manion, to approve Board and Committee Appointments for Mike Duffek to Redevelopment Authority, Joseph Piatt to Water Utility Commission, and Paul Ybarra to Water Utility Commission. The motion carried by the following vote:**

**Aye:** 14 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

**Absent:** 1 - Frank McElderry

## 15. Referrals

*Ald. Moltzan to Park & Rec: Parks & Rec. Sharp Literacy intends to create a series of sculptures through their art education programs. The past two sculptures were added to Frame Park. I believe that Frame park is already utilized at a sufficient attendance and that the sculpture series offers a unique City asset and would benefit a different park in the city. This could be incorporated with a walking path and/or benches. This may attract others to donate or fundraise for additional sculptures. It is also possible to rent a sculpture series to create a destination for residents and visitors to see various sculpture forms. I was considering woodfield park on the undeveloped side of the park where there is already a parking lot and the river beautification, though I am open to suggestion for other parks. Ideally we would identify this location prior to next year when Sharp Literacy would present a different sculpture. So far Sharp has wanted light at the sculpture site, but I do not believe this is a requirement, though they would probably want to know that in advance of commencing their project next year.*

## 16. Closed Session

- A. [ID#22-4532](#) Confer with legal counsel regarding possible settlement of Moor Baths litigation

**A motion was made by Ald. Johnson, seconded by Ald. M. Payne, to approve going into Closed Session to confer with legal counsel regarding possible settlement of Moor Baths litigation 19. The motion carried by the following vote:**

**Aye:** 10 - Joe Pieper, Daniel Manion, Steve Johnson, Dean D. Lemke, Eric E. Payne, Jack Wells, Rick R. Lemke, Cory C. Payne, Mike M. Payne and Mike Chrisien

**Nay:** 4 - Peter Bartels, Cassandra Rodriguez, Elizabeth Moltzan and Alicia Halvensleben

**Absent:** 1 - Frank McElderry

## 17. Reconvene in Open Session

*The Meeting went into Closed Session at 7:23 p.m.*

*The Meeting reconvened into Open Session at 9:32 p.m.*

- A. [ID#22-4533](#) Possible discussion and/or action regarding settlement of Moor Baths litigation.

**A motion was made by Ald. Pieper, seconded by Ald. R. Lemke, to approve Settlement Agreement as amended. The motion carried by the following vote:**

**Aye:** 8 - Joe Pieper, Peter Bartels, Steve Johnson, Dean D. Lemke, Eric E. Payne, Jack Wells, Rick R. Lemke and Mike M. Payne

**Nay:** 6 - Daniel Manion, Cassandra Rodriguez, Elizabeth Moltzan, Cory C. Payne, Alicia Halvensleben and Mike Chrisien

**Absent:** 1 - Frank McElderry

## 18. Adjournment

*The meeting adjourned at 9:47 p.m.*



Shawn Reilly, Mayor  
City of Waukesha

NOTICE: Any person who has a qualifying disability under the Americans with Disabilities Act that requires that the meeting be accessible or that materials at the meeting be in an accessible format, please contact the Public Works department, 48 hours prior to the meeting at 524-3600 or by the Wisconsin Telecommunications Relay System so that arrangements may be made to accommodate the request.