



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

City Council

Tuesday, June 5, 2018

6:30 PM

Council Chambers, City Hall
Use lower level glass door.

1. Roll Call

Ald. Cummings arrived after Roll Call at 6:34 pm and was present for voting on all items.

Present: 11 - Pieper, Bartels, Skinner, Cummings, Perry, Manion, Thieme, Helgestad, Rodriguez, D. Lemke and Wells

Absent: 4 - C. Payne, Johnson, Boyle and E. Payne

2. Pledge of Allegiance

3. Announcement of closed session pursuant to Wis. Stats. Sec. 19.85(1)(g) to confer with the City Attorney regarding litigation strategy of a certiorari appeal of a Board of Review decision.

4. Public Comment

Paola Behecchi, 917 Valley Hill Dr, Pastor at Salem United Methodist Church spoke against appealing the Board of Review's decision.

Charlie Betker, 944 Oakland, spoke in opposition of reducing the size of the Council.

Kermit Bohning, 541 Hwy 59, spoke against appealing the Board of Review's decision regarding Salem United Methodist Church.

Richard Manns, 2909 West View Ct., spoke against appealing the Board of Review's decision regarding Salem United Methodist Church.

5. Public Art Committee Report - Ald. C Payne

[ID#18-0863](#) Waukesha Creative Arts League presents art to the City

Attachments: [2018_Public Art Unveiling_Waukesha Creative Arts League](#)

6. Approval of Minutes

[ID#18-0853](#) Minutes from May 15, 2018

Attachments: [ccmn180515 draft](#)

A motion was made by Ald. Thieme, seconded by Ald. Cummings, to approve the Minutes of May 15, 2018. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Skinner, Cummings, Perry, Manion, Thieme, Helgestad, Rodriguez, D. Lemke and Wells

Absent: 4 - C. Payne, Johnson, Boyle and E. Payne

Consent Agenda

The Consent Agenda passed by unanimous consent with no items removed or added.

1. Other Boards and Commissions

[ID#18-0869](#) Recommend to approve proposed event vendor agreements associated with the 2018 City of Waukesha Oktoberfest public event.

Attachments: [Council Agenda Cover Sheet-Oktoberfest Contracts.pdf](#)
[Kleines Bayern Agreement2018.pdf](#)
[RMG Contract 2018 \(002\).pdf](#)
[Sweet Perfections Agreement 2018.pdf](#)
[Waukesha Citizens Police Academy Association -Oktoberfest 2018.pdf](#)
[Waukesha Sunrise Rotary - Oktoberfest 2018.pdf](#)

[ID#18-0813](#) Reccommend to approve 2018 City of Waukesha Oktoberfest Event Vendor Agreement with Waukesha Kiwanis Early Risers Club and recommendation to the Ordinance and License Committee to approve Class B liquor license and sale of fermented malt beverages and wine.

Attachments: [Council Agenda Cover Sheet-Kiwanis Oktoberfest Contract.pdf](#)
[Waukesha Kiwanis Early Risers Okt 2018.pdf](#)

[ID#18-1043](#) Recommend to approve proposed agreement with Waukesha County Fair for parking services at the 2018 City Fourth of July Fireworks.

Attachments: [Common Council Cover Sheet-Waukesha County Fair Parking.pdf](#)
[WCFA & City of Waukesha 4th of July Fireworks Parking Agreement.2018.A3.pdf](#)

[ID#18-0815](#) Recommend to approve proposed sponsorship agreement with Dick's Sporting Goods.

Attachments: [Council Agenda Cover Sheet-Dick's Sporting Goods Contract-2018.pdf](#)
[Dick's Sporting Goods Agreement - FINAL.pdf](#)

[ID#18-0816](#) Recommend to approve proposed Pre-School Program (Fox Tale) annual contract with the School District of Waukesha.

Attachments: [Common Council Cover Sheet-4K Contract - 2018-19.pdf](#)
[Fox Tale Contract 2018-19 School Year.pdf](#)

[ID#18-0817](#) Recommend to approve proposed street median mowing contract with Kujawa Enterprises Inc. (KEI).

Attachments: [Common Council Cover Sheet - Mowing Contract 2018.pdf](#)
[Street Median Mowing-Contract.pdf](#)

[ID#18-0690](#) Approval of Mass Transit Paratransit Operating Aid Agreement with Wisconsin Department of Transportation (WisDOT) for 2018

Attachments: [Agenda Cover Sheet - Paratransit Aid.pdf](#)
[2018 85.205 City of Waukesha.pdf](#)

[ID#18-0691](#) Approval to Move Bus Stop on Arcadian Ave.

Attachments: [Agenda Cover Sheet -Approval to Move Bus Stop-Arcadian Ave.pdf](#)
[Arcadian-Anitol.jpg](#)

[ID#18-0693](#) Waukesha Metro Transit won Transit Mutual Insurance 2017 Safest System & Most Improved Safety Awards - Division III

Attachments: [TMI Safest System 2017.pdf](#)
[TMI Most Improved 2017.pdf](#)

2. Plan Commission

[PC18-0064](#) La Casa de Esperanza Charter School, 410 Arcadian Avenue - Certified Survey Map

Attachments: [S7280 CSM.pdf](#)
[La Casa CSM.pdf](#)

3. Standing Committees

A. Finance Committee - Ald. Pieper

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

- A. [ID#18-0684](#) Please approve installation of cross walk markings on the north and west legs of the intersection of Rempe Drive and Penhurst Way. Also install crosswalk warning signs on the north leg of intersection.

Sponsors: Cummings

Attachments: [18-0684 Admin Cover - Install Cross Walk -Rempe & Penhurst to 6-5-18 CC Meeting Consent.pdf](#)
[B&G Resolution RTC for the 6-5-18 CC Meeting CONSENT AGENDA.pdf](#)

Resolution #R39-18

- C. [ID#18-0686](#) Adjust the no parking zone in front of the house at 476 NW Barstow. Move the No Parking sign from the power pole to the south side of the Driveway of 476 NW Barstow. (Item was amended at B&G Committee to have ID#17-0502 rescinded instead which is to remove the entire No Parking zone).

Sponsors: E. Payne

Attachments: [18-0686 Admin Cover-Rescind 17-0502 to 6-4-18 CC Meeting.pdf](#)
[B&G Resolution RTC for the 6-5-18 CC Meeting CONSENT AGENDA.pdf](#)

Resolution #R39-18

- D. [ID#18-0687](#) Please approve installation of 25 MPH speed limit signs on Fiddlers Creek from Meadowbrook Road to Madison Street.

Sponsors: Boyle

Attachments: [18-0687 Admin Cover - Install 25 MPH on Fiddlers Creek-6-5-18 CC Meeting Consent Agenda.pdf](#)
[B&G Resolution RTC for the 6-5-18 CC Meeting CONSENT AGENDA.pdf](#)

Resolution #R39-18

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

[ID#18-0775](#) INVITED Bartender Applications - May 21, 2018

Attachments: [Bartenders 2018.05.21](#)

[ID#18-0776](#) Bartender Applications - May 21, 2018

Attachments: [Bartenders 2018.05.21](#)

[ID#18-0777](#) INVITED Other Applications - May 21, 2018

Attachments: [Other Licenses 2018.05.21](#)

[ID#18-0778](#) Other Applications - May 21, 2018

Attachments: [Other Licenses 2018.05.21](#)

[ID#18-0865](#) Bartender Application - Cyndul M. Lanphear

D. Human Resources - Ald. Thieme

[ID#18-0731](#) Request to approve amendments to Human Resources Policies E-8 - Commercial Driver's License, E-10 - Federal Highway Administration Drug and Alcohol Testing Regulations Policy and E-14 - Drug Testing to reflect changes in Federal and State Law relating to Drug and Alcohol Testing particularly as they relate to employees in positions requiring a commercial driver's license (CDL).

Attachments: [E8 - DRAFT - 2-13-18.doc](#)

[E10 - Federal Highway Administration Drug & Alcohol Testing Regulations Policy-DRAFT-2-13-18.doc](#)

[E14 - Drug Testing - DRAFT - 2-13-18.doc](#)

[Cover Sheet - Drug Policies.pdf](#)

[ID#18-0737](#) Request to review and approve staffing levels in Human Resources Policy B-16 - Staffing Resolution per approval of the 2018 City Budget by the Common Council.

Attachments: [Cover Sheet-HR Policy B-16 - City Staffing Resolution.pdf](#)

[B-16 2018.pdf](#)

E. Board of Public Works - Dr. Fred Abadi

[ID#18-0725](#) Review and act on Contract Change Order No. 1 with Ford Construction Company, Inc., for the Waukesha Public Library Exterior Stairs and Concrete Replacement project.

Sponsors: Public Works

Attachments: [18-0725_BPW_Agenda Cover Sheet - Change Order Ford.pdf](#)

[18-0725_Change Order No 1 Ford Construction.pdf](#)

[ID#18-0726](#) Approve Storm Water Management Practice Maintenance Agreement between La Casa De Esperanza, Inc. and the City of Waukesha.

Sponsors: Public Works

Attachments: [18-0726 BPW Agenda Cover Sheet - La Casa.pdf](#)
[Maintenance Agreement - La Casa De Esperanza.pdf](#)

[ID#18-0758](#) Resolution for preparing plans and specifications and to advertise for bids for the construction of: Concrete Street Joint Sealing

Sponsors: Public Works

Attachments: [18-0758 BPW Res Concrete Street Joint Sealing.pdf](#)

Resolution #R40-18.

End of Consent Agenda

7. New Business

[ID#18-0759](#) Waukesha Common Council to discuss and consider moving the number of Council members from 15 to 9. As well as making the Mayor position considered part time. These efficiency moves, if approved, to be applied at the next elective term or at the time frame the City Attorney's office advises is legally appropriate. Action to be taken at a later date.

Sponsors: Perry and Skinner

Attachments: [Agenda item requested by Perry and Skinner](#)

Discussion was held; no action taken.

Reports

8. Other Boards and Commissions

A. Transit Commission Report - Dr. Fred Abadi

B. Water Utility Commission - Ald. Thieme

[ID#18-0875](#) Water Utility Commission Update

Attachments: [05 17 2018 Meeting update to Council](#)

C. Information Technology Board Report - Ald. Manion

D. Landmarks Commission Report - Ald. Rodriguez

- E. Redevelopment Authority Report - Ald. Skinner
- F. Parks, Recreation & Forestry Board Report - Ald. Johnson
- G. Library Board Report - Ald. Helgestad
- H. Cemetery Commission Report - Ald. Boyle
- I. Waukesha Housing Authority Report - Ald. Rodriguez
- J. Community Development Block Grant Committee Report - Jennifer Andrews
- K. Public Art Committee Report - Ald. C Payne
- 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

[ID#18-0681](#) Amendment to Municipal Code section 2.015(7) to require the completion of the City Administrator's annual review by the last day of February each year

Attachments: [Cover Sheet-City Administrator Review.pdf](#)
[Memo-Timing of City Administrator Review.pdf](#)

Ordinance #: 3-18

A motion was made by Ald. Cummings and seconded by Thieme to approve an amendment to Municipal Code section 2.015(7) to require the completion of the City Administrator's annual review by the last day of February each year. The motion carried by the following vote:

Aye: 8 - Pieper, Bartels, Cummings, Thieme, Helgestad, Rodriguez, D. Lemke and Wells

Nay: 3 - Skinner, Perry and Manion

Absent: 4 - C. Payne, Johnson, Boyle and E. Payne

[ID#18-0740](#) Request by Ald. Thieme to amend Section 2.015 (7) of the Municipal Code - City Administrator to modify language in the ordinance to have the Human Resources Committee conduct the annual review of the City Administrator.

Attachments: [Cover Sheet-City Administrator Review- 2.015\(7\).pdf](#)
[Ordinance 2.015\(7\)-Thieme.doc](#)

A motion was made by Ald. Thieme, seconded by Ald. Bartels, to amend section 2.015(7) of the Municipal Code - City Administrator to modify language in the ordinance to have the Human Resources Committee conduct the annual review of the City Administrator. The motion carried by the following vote:

Aye: 8 - Pieper, Bartels, Skinner, Cummings, Thieme, Rodriguez, D. Lemke and Wells

Nay: 3 - Perry, Manion and Helgestad

Absent: 4 - C. Payne, Johnson, Boyle and E. Payne

D. Human Resources Committee Report - Ald. Thieme

11. Board of Public Works Report - Dr. Fred Abadi

[ID#18-0722](#) Bids Received: Friday, May 11, 2018, at 11:00 A.M.
Sanitary Sewer Manhole Repair & Replacement-2018

The Board of Public Works recommends that the bid from Dependable Maintenance Systems in the amount of \$161,875.00 be awarded.

Sponsors: Public Works

Attachments: [18-0722_Sanitary Sewer Manhole Repair and Replacement.pdf](#)

A motion was made by Ald. Pieper, seconded by Ald. Helgestad, to approve the contract award for Sanitary Sewer Manhole Repair & Replacement-2018 to Dependable Maintenance Systems in the amount of \$161,875.00. The motion carried by the following vote:

Aye: 10 - Pieper, Bartels, Skinner, Cummings, Perry, Manion, Thieme, Helgestad, Rodriguez and Wells

Nay: 1 - D. Lemke

Absent: 4 - C. Payne, Johnson, Boyle and E. Payne

[ID#18-0723](#) Bids Received: Friday, May 11, 2018, at 11:00 A.M.
Sunset Drive Pavement Patching and Diamond Grinding

The Board of Public Works recommends that the low bid from State Contractors, Inc., in the amount of \$229,229.29 be awarded.

Sponsors: Public Works

Attachments: [18-0723 Sunset Dr Pavement Patching and Diamond Grinding.pdf](#)

A motion was made by Ald. Pieper, seconded by Ald. Helgestad, to approve the contract award for Sunset Drive Pavement Patching and Diamond Grinding to State Contractors, Inc., on their low bid in the amount of \$229,229.29. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Skinner, Cummings, Perry, Manion, Thieme, Helgestad, Rodriguez, D. Lemke and Wells

Absent: 4 - C. Payne, Johnson, Boyle and E. Payne

[ID#18-0744](#) Bids Received: Friday, May 11, 2018, at 10:00 A.M.
Approve Contract for Moreland Boulevard Water Main Replacement

The Board of Public Works concurs with the Waukesha Water Commission to award the low bid from American Sewer Services in the amount of \$514,000.00.

Sponsors: Public Works and Water Utility

Attachments: [Moreland memo prior to Bid Opening.pdf](#)
[Post Bid Memo.pdf](#)

A motion was made by Ald. Pieper, seconded by Ald. Thieme, to approve the contract awarded for Moreland Boulevard Water Main Replacement to the low bid from American Sewer Services in the amount of \$514,000.00. The motion carried by the following vote:

Aye: 9 - Pieper, Bartels, Cummings, Perry, Manion, Thieme, Helgestad, Rodriguez and Wells

Nay: 2 - Skinner and D. Lemke

Absent: 4 - C. Payne, Johnson, Boyle and E. Payne

12. Director of Public Works Report

13. City Attorney's Report

14. City Administrator's Report

[ID#18-0854](#) Report from the City Administrator

Attachments: [Admin Report 6-1-18](#)

15. Mayor's Report & Referrals

[ID#18-0867](#) Announcement of Public Policy Forum Salute to Local Government Award for Intergovernmental Cooperation

Attachments: [5-30-18- Salute to Local Government Award](#)

[ID#18-0868](#) Announcement of Dan Duchniak as Waukesha County Business Alliance 2018 Waukesha County Advocate of the Year

Attachments: [2018-Advocate-of-the-Year-award-winner](#)

16. Referrals

17. Closed Session

[ID#18-0874](#) Consider authorization of a certiorari appeal to the circuit court of the decision of the Board of Review to lower the property-tax assessment of Salem United Methodist Church from \$642,200 to \$108,700.

The meeting went into closed session at 8:50 p.m.

A motion was made by Ald. Manion, seconded by Ald. Perry, to go into closed session pursuant to Wis. Stats. Sec. 19.85(1)(g). The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Skinner, Cummings, Perry, Manion, Thieme, Helgestad, Rodriguez, D. Lemke and Wells

Absent: 4 - C. Payne, Johnson, Boyle and E. Payne

Meeting reconvened at 9:39 p.m.

A motion was made by Ald. Pieper and seconded by Perry to approve authorization of a certiorari appeal to the circuit court of the decision of the Board of Review to lower the property-tax assessment of Salem United Methodist Church from \$642,200 to \$108,700. The motion carried by the following vote:

Aye: 10 - Pieper, Bartels, Skinner, Perry, Manion, Thieme, Helgestad, Rodriguez, D. Lemke and Wells

Nay: 1 - Cummings

Absent: 4 - C. Payne, Johnson, Boyle and E. Payne

19. Adjournment

Adjourned at 9:44 pm

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 Fred Abadi, 48 hours prior to the meeting at 524-3600, FAX 524-3898, or by the Wisconsin Telecommunications Relay System so that arrangements may be made to accommodate the request.