



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

City Council

Tuesday, July 19, 2022

6:30 PM

Council Chambers, City Hall

1. Roll Call

Present: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Absent: 1 - M. Payne

2. Announcement of Closed Session pursuant to Wis. Stats. 19.85(1)(e) to discuss the possible sale of public property at 130 Delafield Street and 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 people spoke on the Closed Session topics, Moor Mud Baths or sale of 130 Delafield St.:

Mark Barrett, 517 Madison St.

Mary Jane Sanchez, 270 W Broadway.

Charlie Betker, 944 Oakland Ave.

Mary Emery, 202 N. James St.

Catherine Reemsnyder, 504 Everett St.

Mike Schmidt, 1506 Pewaukee Rd.

Ron Kading, 3929 Oxbow Dr.

Lisa Salb, 434 Madison St.

Erik Helgestad, 117 E. Park Ave.

The following people spoke on the rats and chickens problems:

Phil Banda, 205 N West Ave.

Mike Troemel, 428 Central Ave.

John Thomas, 134 Douglass Ave., spoke on The Workspace newsletter.

5. Approval of Minutes

A. [ID#22-4416](#) Minutes from July 5, 2022

Attachments: [ccmn220705 draft.pdf](#)

A motion was made by Ald. Manion, seconded by Ald. D. Lemke, to approve minutes from July 5, 2022. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Absent: 1 - M. Payne

Consent Agenda

Ald. C. Payne removed ID#22-4369, ID#22-4370 from Transit Commission and ID#22-4411 from Finance Committee. Ald. Johnson removed Invited Bartenders ID#22-4413 and ID#22-4414 New Bottle Stop. The remainder of the Consent Agenda passed unanimously.

1. Other Boards and Commissions

[ID#22-4369](#) Review and Act on 2022 Urban Mass Transit Operating Assistance Agreement with the State of Wisconsin Department of Transportation

Attachments: [Operating aid agreement](#)
[2022 85.20 Waukesha](#)

This item was removed from the Consent Agenda by Ald. C. Payne and handled under Report.

[ID#22-4370](#) Review and Act on Mass Transit Paratransit Operating Aid Agreement with Wisconsin Department of Transportation (WisDOT) for 2022

Attachments: [paratransit aid agreement](#)
[2022 85.205 Waukesha](#)

This item was removed from the Consent Agenda by Ald. C. Payne and handled under Report.

2. Plan Commission

3. Standing Committees

A. Finance Committee - Ald. Pieper

[ID#22-4411](#) Review and act on an agreement with Habitat for Humanity to provide \$1,000,000 in funding for their project on the former Aeroshade factory site

Attachments: [Cover Sheet - Habitat ARPA Funding](#)
[Habitat White Rock ARPA Development Agreement](#)

This item was removed from the Consent Agenda by Ald. C. Payne and handled under Report.

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

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

[ID#22-4413](#) Invited Bartenders

Attachments: [Invited Bartenders OL 7-11-22](#)

This item was removed from the Consent Agenda by Ald. Johnson and handled under Report.

[ID#22-4414](#) Other Applications

Attachments: [Other Applications OL 7-11-22](#)

Other Application "New Bottle Stop" is on hold until the August 8th O&L.

C. [ID#22-4495](#) Invited Other Applications

Attachments: [OL 7.19.22](#)

D. Human Resources - Ald. Rodriguez

E. Board of Public Works - Alex Damien

A. [ID#22-4332](#) Review and act on Contract Change Order No. 1 with Wolf Paving Co., Inc., for the 2022 Asphalt Street Resurfacing

Sponsors: Public Works

Attachments: [22-4332_BPW_Agenda_Cvr-Wolf Paving-2022 Resurfacing](#)
[22-4332_CCO1-Wolf Paving-2022 Resurfacing](#)

B. [ID#22-4333](#) Review and act on the Storm Water Management Practice Maintenance Agreement between City of Waukesha and ProHealth Waukesha Memorial, Inc. at 725 American Avenue.

Sponsors: Public Works

Attachments: [22-4333_BPW_Agenda_Cr-ProHealth Waukesha Memorial New Entrance SW Agreement](#)
[2022-6-22 DRAFT City Maintenance Agreement CLEAN](#)

C. [ID#22-4382](#) Review and act on Developer's Agreement between City of Waukesha and ProHealth Waukesha Memorial, Inc. at 725 American Avenue.

Sponsors: Public Works

Attachments: [22-4382_BPW_Agenda_Cvr-ProHealth Waukesha Memorials Hospital New Entrance](#)
[WMH Madison St Entrance DPW Development Agreement](#)

D. [ID#22-4405](#) Review and act on Storm Water Management Practice Maintenance Agreement between City of Waukesha and Habitat for Humanity, Inc. for property located east of Oakland Avenue, west of N. Greenfield Avenue, north of Ellis Street, and south of Lincoln Avenue.

Sponsors: Public Works

Attachments: [22-4405_BPW_Agenda_Cr-Aeroshade_SW_Agreement](#)
[Aeroshade_SWMA_update_7-6-2022](#)

End of Consent Agenda

6. New Business

Claims

A. [ID#22-4499](#) Claim for Damages - Luz Alicea

Attachments: [Claim-Alicea.pdf](#)

A motion was made by Ald. Rodriguez, seconded by Ald. Johnson, to approve the Allowance of Claim for Damages for Luz Alicea in the amount of \$312.88. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Absent: 1 - M. Payne

B. [ID#22-4503](#) Claim for Damages - Jackie Trybula

Attachments: [Claim for property damage - Trybula.pdf](#)

A motion was made by Ald. Moltzan, seconded by Ald. R. Lemke, to approve the Disallowance of Claim for Damages for Jackie Trybula. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Absent: 1 - M. Payne

C. [ID#22-4505](#) Claim for Damages - Charmaine Schober

Attachments: [Claim for property damage - Schober.pdf](#)

A motion was made by Ald. E. Payne, seconded by Ald. Rodriguez, to approve the Allowance of Claim for Damages for Charmaine Schober in the amount of 5,022.38. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Absent: 1 - M. Payne

D. [ID#22-4509](#) Claim for Damages - Lance Trautman

Attachments: [Claim for Property Damage - Trautman.pdf](#)

A motion was made by Ald. C. Payne, seconded by Ald. E. Payne, to approve the

Disallowance of Claim for Damages for Lance Trautman. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Absent: 1 - M. Payne

E. [ID#22-4513](#) Claim for Damages - Florian Belter

Attachments: [Claim for property damage - Belter.pdf](#)

A motion was made by Ald. Moltzan, seconded by Ald. Johnson, to approve the Disallowance of Claim for Damages for Florian Belter. The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Manion, Johnson, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Nay: 1 - Rodriguez

Absent: 1 - M. Payne

Reports

7. Other Boards and Commissions

A. Transit Commission Report - Alex Damien

A. [ID#22-4369](#) Review and Act on 2022 Urban Mass Transit Operating Assistance Agreement with the State of Wisconsin Department of Transportation

Attachments: [Operating aid agreement](#)
[2022 85.20 Waukesha](#)

A motion was made by Ald. Pieper, seconded by Ald. Moltzan, to approve 2022 Urban Mass Transit Operating Assistance Agreement with the State of Wisconsin Department of Transportation. The motion carried by the following vote:

Aye 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben, Chrisien

Absent 1 - M. Payne

B. [ID#22-4370](#) Review and Act on Mass Transit Paratransit Operating Aid Agreement with Wisconsin Department of Transportation (WisDOT) for 2022

Attachments: [paratransit aid agreement](#)
[2022 85.205 Waukesha](#)

A motion was made by Ald. Pieper, seconded by Ald. Moltzan, to approve Mass Transit Paratransit Operating Aid Agreement with Wisconsin Department of Transportation (WisDOT) for 2022. The motion carried by the following vote:

Aye 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne,

Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben, Chrisien

Absent 1 - M. Payne

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

A. [ID#22-4316](#) Review and take action on the proposed new Central City Storefront Activation Revolving Loan Program

Attachments: [Final Central City Storefront Activation Revolving Loan Program](#)

Jennifer Andrews, Director of Community Development, gave a presentation on the Central City Storefront program.

A motion was made by Ald. Rodriguez, seconded by Ald. Bartels, to approve the proposed new Central City Storefront Activation Revolving Loan Program changing ADA to be a high priority. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Johnson, Rodriguez, D. Lemke, Wells, Moltzan, R. Lemke, McElderry, Halvensleben and Chrisien

Nay: 3 - Manion, E. Payne and C. Payne

Absent: 1 - M. Payne

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

8. Plan Commission - Jennifer Andrews

9. Standing Committees

A. Finance Committee Report - Ald. Pieper

A. [ID#22-4385](#) Update on Fundraising efforts and consider approval of a new Downtown Holiday Lights Display

Attachments: [Cover Sheet - Downtown Holiday Lights Display](#)
[Holiday Lights Design Proposal](#)
[Waukesha Billing 2022 Field Service revised 7-1-22](#)
[Waukesha Billing 2022 Lease revised 7-1-22](#)
[Waukesha Billing 2022 Purchase revised 7-1-22](#)

[Original Motion]

A motion was made by Ald. Pieper, seconded by Ald. McElderry, to approve the new Downtown Holiday Lights Display.

[Amended Motion]

A motion was made by Ald. C. Payne, seconded by Ald. E. Payne, to approve the purchased items now (\$27,547.21) and hold on any leased items for the new Downtown Holiday Lights Display. The motion carried by the following vote:

Aye: 8 - Pieper, Bartels, Rodriguez, D. Lemke, E. Payne, C. Payne, Halvensleben and Chrisien

Nay: 6 - Manion, Johnson, Wells, Moltzan, R. Lemke and McElderry

Absent: 1 - M. Payne

(Ald. C. Payne CALLED THE QUESTION = Failed for lack of second.)

- A. [ID#22-4411](#) Review and act on an agreement with Habitat for Humanity to provide \$1,000,000 in funding for their project on the former Aeroshade factory site

Attachments: [Cover Sheet - Habitat ARPA Funding](#)
[Habitat White Rock ARPA Development Agreement](#)

A motion was made by Ald. Pieper, seconded by ALd. Moltzan, to approve an agreement with Habitat for Humanity to provide \$1,000,000 in funding for their project on the former Aeroshade factory site. The motion carried by the following vote:

Aye 11- Pieper, Bartels, Manion, Johnson, Rodriguez, Wells, Moltzan, R. Lemke, McElderry, Halvensleben, Chrisien

Nay 3 - D. Lemke, E. Payne, C. Payne

Absent 1 - M. Payne

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

- A. [ID#22-4354](#) Proposed updates to section 27.02, 27.03, 27.04, and 27.06 of the Sign Ordinance

Attachments: [Cover Sheet - Sign Ordinance Updates](#)

[27.02 Definitions](#)

[27.03 Permanent Signs ver2](#)

[27.04 Temporary Signs](#)

[27.06 Signs on Public Property and Rights of Way](#)

[Memo Accompanying Sign Amendment Drafts](#)

A motion was made by Ald. Johnson, to approve proposed updates to section 27.02, 27.03, 27.04, and 27.06 of the Sign Ordinance. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Absent: 1 - M. Payne

B. [ID#22-4413](#) Invited Bartenders

Attachments: [Invited Bartenders OL 7-11-22](#)

A motion was made by Ald. Johnson, seconded by Ald. R. Lemke, to approve the denial of Invited Bartender Jared Cisz. The motion carried by the following vote:

Aye 12 - Pieper, Bartels, Manion, Johnson, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, McElderry, Halvensleben, Chrisien

Nay 2 - Rodriguez and C. Payne

Absent 1 - M. Payne

A motion was made by Ald. Johnson, seconded by Ald. Moltzan, to approve denial of Invited Bartender Sierra Gorman. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Absent: 1 - M. Payne

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

Aye: 11 - Pieper, Bartels, Johnson, Rodriguez, D. Lemke, E. Payne, Moltzan, R. Lemke, C. Payne, McElderry and Chrisien

Nay: 3 - Manion, Wells and Halvensleben

Absent: 1 - M. Payne

A motion was made by Ald. Johnson, seconded by Ald. Moltzan, to approve denial of Invited Bartender Kayla Riemen. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Absent: 1 - M. Payne

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

Aye: 12 - Pieper, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, C. Payne, McElderry, Halvensleben and Chrisien

Nay: 2 - Bartels and R. Lemke

Absent: 1 - M. Payne

[ID#22-4414](#) Other Applications

Attachments: [Other Applications OL 7-11-22](#)

ID#22-4414 New Bottle Stop held until August 8th O&L Meeting.

D. Human Resources Committee Report - Ald. Rodriguez

10. Board of Public Works Report - Alex Damien

- A. [ID#22-4380](#) Bids Received: Wednesday, July 6, 2022, at 10:00 a.m.
Transit Center Parking Structure Repairs

The Board of Public Works recommends that the low bid from RAM Construction Services of Minnesota, LLC, in the amount of \$265,980.00 be awarded.

Sponsors: Public Works

Attachments: [Bid 2022 Transit Center Parking Structure](#)

A motion was made by Ald. Pieper, seconded by Ald. Moltzan, to approve the low bid from RAM Construction Services of Minnesota, LLC, in the amount of \$265,980.00 be awarded for Transit Center Parking Structure Repairs. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Absent: 1 - M. Payne

11. Director of Public Works Report

12. City Attorney's Report

13. City Administrator's Report

- A. [ID#22-4496](#) City Administrator's Report

Attachments: [Admin Report July 15, 2022](#)

14. Mayor's Report & Referrals

15. Referrals

Ad. C. Payne to Board of Public Works to develop a plan for fixing the rat issue.
Ald. C. Payne to Building and Grounds to put a no parking sign on the cul de sac starting at 516 S. Moreland Blvd.
Ald. Pieper to Building and Grounds to review the conversion of Maitland to a one way from Irving TO Hine / Maitland (corner) from 8.15 to 8.45 AM and again from 3.30 to 4.00 PM. The goal would be to make drop off and pick up at Hawthorne Elementary safer to students, parents, and the neighbors. The School would be responsible for signage and daily implementation.

16. Closed Session

- A. [ID#22-4497](#) Discuss the possible sale of public property at 130 Delafield St.

A motion was made by Ald. Pieper, seconded by Ald. Manion, to approve going into Closed Session pursuant to Wis. Stas. 19.85(1)(e) to discuss the possible sale of public property at 130 Delafield Street and Wis. Stat. 19.85(1)(g) to confer with legal counsel regarding the possible settlement of Moor Baths litigation. The motion carried by the following vote:

Aye: 10 - Pieper, Manion, Johnson, D. Lemke, E. Payne, Wells, Moltzan, C. Payne, McElderry and Chrisien

Nay: 4 - Bartels, Rodriguez, R. Lemke and Halvensleben

Absent: 1 - M. Payne

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

The meeting went into Closed Session.

17. Reconvene in Open Session

The meeting reconvened into Open Session at 10:57 p.m.

- A. [ID#22-4498](#) Possible discussion and/or action on the sale of public property at 130 Delafield Street.

A motion was made by Ald. E. Payne, seconded by Ald. Wells, to approve and accept the Letter of Intent for 130 Delafield Street and instructed staff to proceed. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Absent: 1 - M. Payne

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

A motion was made by Ald. Pieper, seconded by Ald. C. Payne, to direct staff to continue negotiations with Waukesha County and come back with revised agreement. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Johnson, D. Lemke, E. Payne, Wells, R. Lemke, C. Payne, McElderry, Halvensleben and Chrisien

Nay: 3 - Manion, Rodriguez and Moltzan

Absent: 1 - M. Payne

18. Adjournment

The meeting adjourned at 11:02pm

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.