



# City of Waukesha

City Hall,  
201 Delafield Street  
Waukesha, WI 53188

## Meeting Minutes - Final

### City Council

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Tuesday, November 16, 2021

6:30 PM

Council Chambers, City Hall

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#### 1. Roll Call

*Ald. Moltzan joined the meeting after the vote on the Consent Agenda.*

**Present:** 12 - Pieper, Manion, Johnson, Rodriguez, D. Lemke, Wells, Moltzan, Miller, R. Lemke, C. Payne, Browne and McElderry

**Absent:** 2 - Bartels and E. Payne

2. Announcement of Closed Session pursuant to Wis. Stat. 19.85(1)(g) to confer with counsel regarding possible settlement of the lawsuit captioned Shapiro v City of Waukesha

3. Pledge of Allegiance

4. Public Comment

*There were no speakers for Public Comment.*

5. Approval of Minutes

A. [ID#21-3122](#) Minutes from November 2, 2021.

**Attachments:** [ccmn211102 draft](#)

**A motion was made by Ald. Miller, seconded by Ald. D. Lemke, to approve Minutes from November 2, 2021. The motion carried by the following vote:**

**Aye:** 11 - Pieper, Manion, Johnson, Rodriguez, D. Lemke, Wells, Miller, R. Lemke, C. Payne, Browne and McElderry

**Absent:** 3 - Bartels, E. Payne and Moltzan

### **Consent Agenda**

*The Consent Agenda passed as presented by unanimous consent with no items removed. Ald. Moltzan joined the meeting after Consent Agenda.*

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

#### **2. Plan Commission**

A. [PC21-0110](#) Certified Survey Map, Waukesha Civic Theater, 270 W. Main Street – Proposed CSM one lot CSM to combine the current properties at 264 and 270 W. Main Street for theater expansion.

**Attachments:** [Waukesha Civic Theater CSM Cover Sheet](#)  
[2110591 CSM 2021-09-22](#)  
[20640000 - Waukesha Civic Theatre](#)  
[application form](#)  
[cover letter](#)  
[CSM21-00010 Project Reviews \(PC21-0110\) 10-22-21](#)

- B. [PC21-0118](#) Certified Survey Map, Moreland Plaza, 811 -831 W. Moreland Blvd. – Proposed two lot CSM to split the off the anchor tenant space of the shopping center for future development.

**Attachments:** [Moreland Plaza CSM Cover Sheet](#)  
[2021-09-20 134653 CSM Moreland Plaza](#)  
[Cover Letter Moreland Plaza CSM and PUD Change 9.27.2021 City of Waukesha Submitted](#)  
[Petition for Rezoning \(002\) city fo Waukesha Moreland Plaza 9.27.2021](#)  
[PC21-0118 Dept Review Comments](#)

- C. [PC21-0131](#) Certified Survey Map, Riverfront Site, Bank and Brehm Streets – Proposed three lot and one outlot CSM for lands located along Bank St. and Brehm St.

**Attachments:** [General Capital Riverfront CSM](#)  
[PC21-0131 CSM Riverfront Project Reviews](#)

- D. [PC21-0026](#) 438 Springdale Road, Certified Survey Map – A one lot CSM to combine to two parcels into one 4.015 acres lot along the east side of Springdale Rd.

**Attachments:** [438 Springdale Road CSM Cover Sheet](#)  
[Certified Survey Map](#)  
[438 Springdale Road Dept. Comments](#)  
[Rempe CSM](#)

### **3. Standing Committees**

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

- A. [ID#21-3117](#) Recommendation to approve contract with Axon for Body Worn Cameras, Fleet Three Squad Cameras, and Evidence.com storage.

**Sponsors:** Police Department

**Attachments:** [Cover Sheet- Axon Contract](#)  
[Axon Contract - COW](#)

- B.**     [ID#21-3118](#)     Recommendation to approve contract with All City Management Services for crossing Guard Services.
- Sponsors: Police Department
- Attachments: [Cover Sheet-All City Management Services Contract](#)  
                          [All City Management Services Contract COW](#)
- C.**     [ID#21-3119](#)     Recommendation to approve contract with Motorola Solutions for dispatch consoles in the Dispatch Center 1901 Delafield Street..
- Sponsors: Police Department
- Attachments: [Cover Sheet-Motorola Solutions Contract](#)  
                          [Motorola Solutions Contract for 1901 Delafield Street](#)
- D.**     [ID#21-3131](#)     Recommendation to approve contract with Motorola Solutions for dispatch consoles in the Warm Back-up Dispatch Center 201 Delafield Street.
- Sponsors: Police Department
- Attachments: [Cover Sheet Motorola Solutions Contract](#)  
                          [Motorola Solutions Contract for 201 Delafield Street](#)

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

- A.**     [ID#21-3039](#)     Install a "No Trucks Over 3 Ton" on Jefferson Avenue from E. Moreland Blvd. to Gale Street.
- Sponsors: Rodriguez
- Attachments: [21-3039 No Trucking on Jefferson](#)  
                          [B and G Resolution RTC for the 11-16-21 CC Meeting CONSENT AGENDA](#)  
                          *Resolution 2021-35*
- B.**     [ID#21-3040](#)     Remove the US Foods sign on Moreland Blvd. at White Rock Avenue and replace that sign with one indicating Burris Logistics.
- Sponsors: Rodriguez
- Attachments: [21-3040 Burris Logistics Sign](#)  
                          [B and G Resolution RTC for the 11-16-21 CC Meeting CONSENT AGENDA](#)  
                          *Resolution 2021-35*
- C.**     [ID#21-3041](#)     Install a 3 ton weight restriction on River Valley Road from C.T.H. H River Road to 600 feet south of State Trunk Hwy 59 Les Paul Pkwy.
- Sponsors: McElderry

**Attachments:** [21-3041 No Trucking on River Valley Rd](#)  
[B and G Resolution RTC for the 11-16-21 CC Meeting CONSENT AGENDA](#)  
*Resolution 2021-35*

D. [ID#21-3042](#) Install a stop sign on Willard Lane at Lancaster Drive.

**Sponsors:** Bartels

**Attachments:** [21-3042 Stop Sign at Lancaster & Willard](#)  
[B and G Resolution RTC for the 11-16-21 CC Meeting CONSENT AGENDA](#)  
*Resolution 2021-35*

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

1. Licenses

A. [ID#21-3109](#) Bartenders

**Attachments:** [OL Bartender Applications 11-8-21](#)

B. [ID#21-3110](#) Other Applications

**Attachments:** [OL Other Applications 11-8-21](#)

**D. Human Resources - Ald. Manion**

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

A. [ID#21-3072](#) Review and act on the request from the Waukesha Civic Theater, 270 W. Main St., for a 3-foot encroachment into the Public Right of Way.

**Sponsors:** Public Works

**Attachments:** [21-3072-Waukesha Civic Theater ROW](#)  
[20640000 - Waukesha Civic Theatre Sidewalk Overhang](#)  
[Right of Way Encroachment Agreement Rev 1](#)

**End of Consent Agenda**

6. New Business

A. [ID#21-3136](#) Determination of process for replacing Alder for District 9

**Attachments:** [Memo-Council Vacancy](#)  
[New District 9 Map](#)

**[Original Motion]**

A motion was made by Ald. Pieper, seconded by Ald. McElderry, to approve appointment of a successor to fulfill the remainder of the term with selection by the 2nd meeting in December (December 21, 2021) for Alder District 9.

**[Amendment]**

A motion was made by Ald. Wells, seconded by Ald. Manion, to approve the interview process to occur at the Council Meeting on December 7th. The tie vote was broken by the Mayor's vote of Aye. Amendment passes.

**Aye:** 6 - Manion, D. Lemke, Wells, Moltzan, R. Lemke and Browne

**Nay:** 6 - Pieper, Johnson, Rodriguez, Miller, C. Payne and McElderry

**Absent:** 2 - Bartels and E. Payne

**[Voting on the Amended Motion]**

A motion was made by Ald. Pieper, seconded by Ald. McElderry, to approve the appointment of a successor to fulfill the remainder of the term for Alder District 9 and approve the interview process to occur at by the 1st meeting in December (December 7, 2021). The motion carried by the following vote:

**Aye:** 10 - Pieper, Manion, Johnson, D. Lemke, Wells, Moltzan, Miller, R. Lemke, Browne and McElderry

**Nay:** 2 - Rodriguez and C. Payne

**Absent:** 2 - Bartels and E. Payne

## 7. Public Hearing

- A.**     [PC21-0139](#)     PUD Amendment, Habitat for Humanity of Waukesha County, White Rock Avenue – Amendment to a Planned Unit Development along White Rock Avenue to allow for the development of three (3) two-family residential buildings (6 total units).

**Attachments:** [Habitat for Humanity PUD Amendment Cover Sheet](#)

[D.c\\_Village site plan color](#)

[Habitat Prairieville Village Civil](#)

[Habitat Prairieville Village Landscape Plan](#)

[Habitat Prairieville Village Narrative](#)

[Habitat PUD Application](#)

[Prairieville Village Colored House Drawings](#)

[PC21-0139- PUD Habitat Project Reviews](#)

*Jeff Fortin, Senior Planner for Community Development, presented PC21-0139, PC21-0140 and PC21-0138. The Public Hearing was Opened. No one appeared to speak. The Public Hearing was Closed.*

- B.**     [PC21-0140](#)     Rezoning- B-1 PUD Neighborhood Business Planned Unit Development, Moreland Plaza, 811 -831 W. Moreland Blvd. – Propose rezone to a Planned Unit Development, which would allow a zero lot line between 831

and 827 Moreland Blvd.

**Attachments:** [Moreland Plaza Rezoning to PUD Cover Sheet](#)  
[2021-09-20 134653 CSM Moreland Plaza](#)  
[APPL PC Development Review Application Dec. 2019](#)  
[Version Moreland Plaza CSM and PUD Overlay 9.27.2021](#)  
[Cover Letter Moreland Plaza CSM and PUD Change 9.27.2021 City of Waukesha Submitted](#)  
[Petition for Rezoning \(002\) city fo Waukesha Moreland Plaza 9.27.2021](#)  
[Submittal Check 9.27.2021 Moreland Plaza](#)  
[PC21-0140 Dept. Review Comments](#)  
[PUD draft - Moreland Plaza](#)

*The Public Hearing was Opened. No one appeared to speak. The Public Hearing was Closed.*

- C. [PC21-0138](#) PUD Amendment, Riverfront Site – Proposed amendment to allow the recent proposed development of three apartment buildings with mixed use commercial space, and dedication of parkland along the Riverwalk near Bank and Brehm Streets

**Attachments:** [General Capital Architecural Plans \(10-21-21\)](#)  
[General Capital Riverfront Development Civil Plans](#)  
[Riverfront Development Project Narrative](#)  
[PC21-0138 PUD Riverfront Project Reviews](#)

*The Public Hearing was Opened. No one appeared to speak. The Public Hearing was Closed.*

## 8. Action on Public Hearing

- A. [PC21-0139](#) PUD Amendment, Habitat for Humanity of Waukesha County, White Rock Avenue – Amendment to a Planned Unit Development along White Rock Avenue to allow for the development of three (3) two-family residential buildings (6 total units).

**Attachments:** [Habitat for Humanity PUD Amendment Cover Sheet](#)  
[D.c Village site plan color](#)  
[Habitat Prairieville Village Civil](#)  
[Habitat Prairieville Village Landscape Plan](#)  
[Habitat Prairieville Village Narrative](#)  
[Habitat PUD Application](#)  
[Prairieville Village Colored House Drawings](#)  
[PC21-0139- PUD Habitat Project Reviews](#)

**A motion was made by Ald. Rodriguez, seconded by Ald. Miller, to approve PUD Amendment, Habitat for Humanity of Waukesha County, White Rock Avenue -**

**Amendment to a Planned Unit Development along White Rock Avenue to allow for the development of three (3) two-family residential buildings (6 total units). The motion carried by the following vote:**

**Aye:** 12 - Pieper, Manion, Johnson, Rodriguez, D. Lemke, Wells, Moltzan, Miller, R. Lemke, C. Payne, Browne and McElderry

**Absent:** 2 - Bartels and E. Payne

- B.**     [PC21-0140](#)     Rezoning- B-1 PUD Neighborhood Business Planned Unit Development, Moreland Plaza, 811 -831 W. Moreland Blvd. – Propose rezone to a Planned Unit Development, which would allow a zero lot line between 831 and 827 Moreland Blvd.

**Attachments:**   [Moreland Plaza Rezoning to PUD Cover Sheet](#)  
[2021-09-20 134653 CSM Moreland Plaza](#)  
[APPL PC Development Review Application Dec. 2019](#)  
[Version Moreland Plaza CSM and PUD Overlay 9.27.2021](#)  
[Cover Letter Moreland Plaza CSM and PUD Change 9.27.2021 City of Waukesha Submitted](#)  
[Petition for Rezoning \(002\) city fo Waukesha Moreland Plaza 9.27.2021](#)  
[Submittal Check 9.27.2021 Moreland Plaza](#)  
[PC21-0140 Dept. Review Comments](#)  
[PUD draft - Moreland Plaza](#)

**A motion was made by Ald. Pieper, seconded by Ald. Miller, to approve Rezoning- B-1 PUD Neighborhood Business Planned Unit Development, Moreland Plaza, 811 -831 W. Moreland Blvd. - Propose rezone to a Planned Unit Development, which would allow a zero lot line between 831 and 827 Moreland Blvd. The motion carried by the following vote:**

**Aye:** 11 - Pieper, Manion, Johnson, Rodriguez, D. Lemke, Wells, Moltzan, Miller, R. Lemke, Browne and McElderry

**Nay:** 1 - C. Payne

**Absent:** 2 - Bartels and E. Payne

- C.**     [PC21-0138](#)     PUD Amendment, Riverfront Site – Proposed amendment to allow the recent proposed development of three apartment buildings with mixed use commercial space, and dedication of parkland along the Riverwalk near Bank and Brehm Streets

**Attachments:**   [General Capital Architecural Plans \(10-21-21\)](#)  
[General Capital Riverfront Development Civil Plans](#)  
[Riverfront Development Project Narrative](#)  
[PC21-0138 PUD Riverfront Project Reviews](#)

**A motion was made by Ald. R. Lemke, seconded by Ald. Wells, to approve PUD Amendment, Riverfront Site - Proposed amendment to allow the recent proposed development of three apartment buildings with mixed use commercial space, and dedication of parkland along the Riverwalk near Bank and Brehm Streets.**

**The motion carried by the following vote:**

**Aye:** 12 - Pieper, Manion, Johnson, Rodriguez, D. Lemke, Wells, Moltzan, Miller, R. Lemke, C. Payne, Browne and McElderry

**Absent:** 2 - Bartels and E. Payne

**Reports**

## 9. 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. Moltzan

E. Redevelopment Authority Report - Ald. R. Lemke

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

G. Library Board Report - Ald. Miller

H. Cemetery Commission Report - Ald. McElderry

I. Waukesha Housing Authority Report - Ald. Pieper

J. Community Development Block Grant Committee Report - Jennifer Andrews

K. Public Art Committee Report - Ald. Moltzan

## 10. Plan Commission - Jennifer Andrews

## 11. Standing Committees

A. Finance Committee Report - Ald. Pieper

- A. [ID#21-3100](#) Review and act on a term sheet outlining the potential TIF assistance for the development of a mixed use development with 192 apartment units and ground level commercial space on vacant lands in the vicinity of St. Paul Avenue and Brehm Street and Barstow Street and Bank Street.

**Sponsors:** Community Development

**Indexes:** TIF



**Attachments:** [General Capital Term Sheet Cover Sheet](#)  
[General Capital Joseph Property Development Term Sheet DRAFT](#)

**A motion was made by Ald. Pieper, seconded by Ald. Moltzan, to approve term sheet outlining the potential TIF assistance for the development of a mixed use development with 192 apartment units and ground level commercial space on vacant lands in the vicinity of St. Paul Avenue and Brehm Street and Barstow Street and Bank Street. The motion carried by the following vote:**

**Aye:** 11 - Pieper, Manion, Johnson, Rodriguez, D. Lemke, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne

**Nay:** 1 - McElderry

**Absent:** 2 - Bartels and E. Payne

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

C. Ordinance & License Committee Report - Ald. Johnson

A. [ID#21-3087](#) Repeal Municipal Code Section 13.04

**Attachments:** [Cover Sheet - Repeal 13.04.pdf](#)  
[Ordinance-Repeal 13.04.pdf](#)

D. Human Resources Committee Report - Ald. Manion

12. Board of Public Works Report - Alex Damien

A. [ID#21-3065](#) 2022 CIP Projects (Department of Public Works Program)

**Attachments:** [2022 CIP Public Works Program](#)

*Resolution 2021-36*

**A motion was made by Ald. Pieper, seconded by Ald. McElderry, to approve the 2022 CIP Projects (Department of Public Works Program). The motion carried by the following vote:**

**Aye:** 11 - Pieper, Manion, Johnson, Rodriguez, D. Lemke, Wells, Moltzan, Miller, R. Lemke, Browne and McElderry

**Nay:** 1 - C. Payne

**Absent:** 2 - Bartels and E. Payne

13. Director of Public Works Report

14. City Attorney's Report

15. City Administrator's Report

A. [ID#21-3137](#) City Administrator's Report

**Attachments:** [Admin Report 11-12-21](#)

16. Mayor's Report & Referrals

A. [ID#21-3138](#) Board and Committee Appointments

**Attachments:** [Council Letter 11.16.2021](#)

**A motion was made by Ald. Miller and seconded by Ald. Rodriguez to approve Board and Committee re-appointments: Administrative Review Board, Richard Hanson, Administrative Review Board, Charles Betker, and Cemetery Commission, Pat Grulke. The motion carried by the following vote:**

**Aye:** 12 - Pieper, Manion, Johnson, Rodriguez, D. Lemke, Wells, Moltzan, Miller, R. Lemke, C. Payne, Browne and McElderry

**Absent:** 2 - Bartels and E. Payne

17. Referrals

*There were no referrals made.*

18. Closed Session

A. [ID#21-3151](#) Motion to convene in closed session will be made pursuant to Wis Stat 19.85(1)(g) to confer with counsel regarding possible settlement of the lawsuit captioned Shapiro v City of Waukesha

*The meeting went into Closed Session at 7:33 pm after the Motion.*

**A motion was made by Ald. Rodriguez, seconded by Ald. Manion, Approve motion to convene in closed session will be made pursuant to Wis Stat 19.85(1)(g) to confer with counsel regarding possible settlement of the lawsuit captioned Shapiro v City of Waukesha. The motion carried by the following vote:**

**Aye:** 12 - Pieper, Manion, Johnson, Rodriguez, D. Lemke, Wells, Moltzan, Miller, R. Lemke, C. Payne, Browne and McElderry

**Absent:** 2 - Bartels and E. Payne

19. Reconvene in Open Session

A. [ID#21-3162](#) Possible discussion and/or action on conferring with legal counsel regarding possible settlement of the lawsuit captioned Shapiro v City of Waukesha

*The meeting reconvened at 8:02pm into Open Session. No action taken.*

20. Adjournment

*The meeting Adjourned at 8:02pm.*

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.