



# City of Waukesha

City Hall,  
201 Delafield Street  
Waukesha, WI 53188

## Meeting Minutes - Final

### City Council

*Mayor Shawn Reilly, Dist. 1 - Ald. Terry Thieme  
Dist. 2 - Ald. Eric Payne, Dist. 3 - Ald. Cassandra Rodriguez  
Dist. 4 - Ald. Joe Pieper, Dist. 5 - Ald. Peter Bartels  
Dist. 6 - Ald. Adam Jankowski, Dist. 7 - Ald. Daniel Manion  
Dist. 8 - Vance Skinner, Dist. 9 - Kathleen Cummings  
Dist. 10 - Ald. Steve Johnson, Dist. 11 - Ald. Erik Helgestad  
Dist. 12 - Ald. Aaron Perry, Dist. 13 - Ald. Dean Lemke  
Dist. 14 - Ald. Bill Boyle, Dist. 15 - Ald. Cory Payne*

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Tuesday, June 6, 2017

6:30 PM

Council Chambers, City Hall  
Use lower level glass door.

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#### 1. Roll Call

**Present:** 14 - Pieper, Bartels, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Absent:** 1 - Boyle

2. Public Announcement of Closed Session pursuant to 19.85(1)(g) to confer with legal counsel concerning the ramifications of revisions to sec. 11.41 to the recently filed lawsuit, Cox v. City of Waukesha and 19.85(1)(e) to discuss negotiations with the City of Oak Creek for the purchase of Great Lakes Water

3. Pledge of Allegiance

4. Public Comment

*Ron Kading, 3921 Oxbow Dr, spoke on City spending indicating rising yearly expenses for fixed income becoming difficult.*

*Bill Huelsman, 235 Broadway, spoke in favor of North and St. Paul two way traffic being reviewed by the task force.*

*Jan Brezina, 1706 Sycamore Dr, spoke in favor of the proposed safety zone changes.*

*Joe Hausch, 444 W. Washington Ave, spoke in favor of 11.41 residence restriction changes.*

5. Public Art Committee Report - Ald. C Payne

[ID#17-0948](#) Waukesha Creative Arts League Presents Art to the City

6. Approval of Minutes

[ID#17-0884](#) Minutes from May 16, 2017

**A motion was made by Ald. E. Payne, seconded by Ald. Jankowski, to approve the Minutes of May 16, 2017. The motion carried by the following vote:**

**Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Absent:** 1 - Boyle

## **Consent Agenda**

*Human Resources Item #17-0867 removed by Ald. Thieme. The remainder of the Consent Agenda passed by unanimous consent.*

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

- C.**     [ID#17-0811](#)     To recommend to approve The Park Foundation of Waukesha, Inc. Beverage Service Contract to sell fermented malt beverages and wine during the Carl Zach Cycling Classic Music Program to be held at Cutler Park June 18, 2107.
- F.**     [ID#17-0814](#)     To recommend approval of event vendor agreements associated with the 2017 City of Waukesha Oktoberfest public event.
- G.**     [ID#17-0815](#)     To recommend approval of proposed license agreement with Mobile Media Technologies, LLC Company for permission-based, mass notification services for special events and general departmental use.
- A**     [ID#17-0760](#)     Approval of Resolution Authorizing the Filing of the 2017 Federal Program of Projects Grant  
*Resolution #28-17*
- B**     [ID#17-0764](#)     Reinstate Bus Stop at Washington Ave. at Summit Ave.

### **2. Plan Commission**

- [ID#17-0734](#)     Fire Code Updates  
*Ord. #4-17*

### **3. Standing Committees**

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

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

- A. [ID#17-0736](#) Please rescind the previously established April 7, 2009, Parking Zone that states: "No Parking, 2 a.m. to 9 a.m. Saturdays, May 9 to October 31, Tow Away Zone" which exists on north and south sides of Parking Lot 1. Said areas will revert to standard 3 hour parking 7 a.m. to 7 p.m.

*Resolution #29-17*

**This item was referred by Public Works on behalf of the police department and Ald. Helgestad. With the relocation of Farmers Market to a new location along St. Paul Avenue, the "tow away" zone signing is no longer needed on Riverfront Street. The request is to rescind the subject tow away zone and allows this area to revert back to regular 3 hour parking. At total of 4 signs would be removed. Staff recommends approval of this item.**

- D. [ID#17-0739](#) Please remove existing No Parking signs associated with old bus stop west side of Tenny Avenue across from 1251 Tenny Ave.

*Resolution #29-17*

- E. [ID#17-0740](#) Establish No Parking Any Time on west side to Tenny Avenue from 250 feet north of and to the corner to E. Sunset Drive.

*Resolution #29-17*

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

#### 1. Licenses

[ID#17-0840](#) INVITED Bartender Applications- May 22, 2017

[ID#17-0841](#) Bartender Applications- May 22, 2017

[ID#17-0842](#) INVITED Other Applications- May 22, 2017

[ID#17-0843](#) Other Applications- May 22, 2017

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

- A. [ID#17-0867](#) Request of City Administrator Kevin Lahner to approve the appointment of Chris Pofahl to the position of Information Technology Director.

*This item was removed from the Consent Agenda by Ald. Thieme and handled under the Human Resources Committee Report below.*

- B. [ID#17-0796](#) Request of Police Chief Russell Jack to review and act on a change to Human Resources Policy B-16 - Staffing Resolution to eliminate the position of Administrative Supervisor at the Police Department and increase the position of Lieutenant of Police to six (6).

**E. Board of Public Works - Dr. Fred Abadi**

- A. [ID#17-0768](#) Review and approve Contract Change Order No. 1 with Absolute Construction Enterprises for Fire Station No. 3 and Police Substation.
- C. [ID#17-0776](#) Review and approve Contract Change Order No. 1 with Vinii Solar Engineering and Electric for the Saratoga Complex Lighting project.
- B. [ID#17-0770](#) Approval of Advanced Disposal's credit to the City of Waukesha for mixed solid waste tonnage error for residential services.
- D. [ID#17-0780](#) Review and approve Contract Change Order No. 1 with Visu-Sewer, Inc., for Concrete Sanitary Sewer Lining and Manhole Rehabilitation -2016.

**End of Consent Agenda**

## 7. New Business

[ID#17-0757](#) Proposed edits to Council Rules

**A motion was made by Ald. Cummings, seconded by Ald. Pieper, to approve ID#17-0757 Proposed edits to Council Rules. The motion carried by the following vote:**

**Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Absent:** 1 - Boyle

[ID#17-0953](#) Proposed new Council Rule regarding placing items on the agenda

**A motion was made by Ald. Cummings, seconded by Ald. Rodriguez, to approve ID#17-0953 new Council Rule regarding placing items on the agenda. The motion carried by the following vote:**

**Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Absent:** 1 - Boyle

[ID#17-0868](#) Disallowance of claim filed by White Rock 1, LLC, for alleged taking of property by the City as a result of the East Moreland Boulevard reconstruction project.

**A motion was made by Ald. Johnson, seconded by Ald. Perry, to approve the Disallowance of Claim filed by White Rock 1, LLC, for alleged taking of property by the City as a result of the East Moreland Boulevard reconstruction project. The motion carried by the following vote:**

**Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Absent:** 1 - Boyle

[ID#17-0897](#) St. Paul Avenue and North Street Corridor Traffic Study

[ID#17-0881](#) Matter of Report- Police Department Reaccreditation Process

[ID#17-0882](#) Board and Commission Appointments

**A motion was made by Ald. E. Payne, seconded by Ald. Pieper, to approve the appointment of John Kramp to the Board of Public Works. The motion carried by the following vote:**

**Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Absent:** 1 - Boyle

## **Reports**

### 8. Other Boards and Commissions

A. Transit Commission Report - Dr. Fred Abadi

B. Water Utility Commission - Ald. Thieme

[ID#17-0914](#) Alderman Thieme Water Utility Commission meeting update

C. Information Technology Board Report - Ald. Skinner

D. Landmarks Commission Report - Ald. Boyle

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. Bartels

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
- D. Human Resources Committee Report - Ald. Thieme

[ID#17-0867](#) Request of City Administrator Kevin Lahner to approve the appointment of Chris Pofahl to the position of Information Technology Director.

*This item was removed from Consent and discussed under report, taken out of order.*

**A motion was made by Ald. Thieme, seconded by Ald. Manion to approve the appointment of Chris Pofahl to the position of Information Technology Director. The motion carried unanimously.**

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

[ID#17-0753](#) Discussion and recommendation to Common Council on revisions to Mun. Code sec. 11.41, regarding Residence Restrictions for Sex Offenders, to comply with a recent holding of the US District Court.

A motion may be made to convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(g) to confer with legal counsel concerning the ramifications of revisions to sec. 11.41 to the recently-filed lawsuit, Cox v. City of Waukesha. Upon conclusion of the closed session, a motion may be made pursuant to Wis. Stats. sec. 19.85(2) to re-convene in open session to act upon matters discussed in closed session.

**A motion was made by Ald. Johnson, seconded by Ald. Perry, to go into closed session pursuant to Wis. Stats. sec. 19.85(1)(g) to confer with legal counsel concerning the ramifications of revisions to sec. 11.41 to the recently-filed lawsuit, Cox v. City of Waukesha. Upon conclusion of the closed session, a motion may be made pursuant to Wis. Stats. sec. 19.85(2) to re-convene in open session to act upon matters discussed in closed session. The motion carried by the following vote:**

**Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Absent:** 1 - Boyle

*The meeting went back into open session at 8:30 p.m.*

**A motion was made by Ald. Johnson, seconded by Ald. Thieme, to approve the revisions to Mun. Code sec. 11.41 (Ordinance #3-17), regarding Residence Restrictions for Sex Offenders, to comply with a recent holding of the US District Court. The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Nay:** 1 - Perry

**Absent:** 1 - Boyle

[ID#17-0844](#) To discuss and amend Ordinance 2.015 to include language, in the event the Council President and the Human Resources Committee Chairperson are one in the same individual; that the previous Council President shall become part of the three person "Annual Review Committee" of the City Administrator.

*The Ordinance form will need to come back to the Council for approval.*

**A motion was made by Ald. Cummings, seconded by Ald. C. Payne, to approve ID#17-0844 to amend Ordinance 2.015 to include language that in the event the Council President and the Human Resources Committee Chairperson are one in the same individual; that the previous Council President shall become part of the three person "Annual Review Committee" of the City Administrator. The motion carried by the following vote:**

**Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Absent:** 1 - Boyle

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

**A.** [ID#17-0774](#) Bids Received: Friday, May 12, 2017, at 11:00 A.M.  
Eastbound E. Moreland Blvd. Bridge Maintenance and Repairs (B-67-205)

The Board of Public Works recommends that the low bid from Fahrner Asphalt Sealers, LLC, in the amount of \$53,735.99 be awarded.

**A motion was made by Ald. E. Payne, seconded by Ald. Pieper, that the Eastbound E. Moreland Blvd. Bridge Maintenance and Repairs (B-67-205) be awarded to Fahrner Asphalt Sealers, LLC on their low bid in the amount of \$53,735.99. The motion carried by the following vote:**

**Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Absent:** 1 - Boyle

**B.** [ID#17-0775](#) Bids Received: Friday, May 12, 2017, 11:00 A.M.  
Historical Lighting Upgrades 2017

The Board of Public Works recommends that the low bid from WIL-Surge Electric, Inc., in the amount of \$57,623.00 be awarded.

**A motion was made by Ald. E. Payne, seconded by Ald. Pieper, that the 2017 Historical Lighting Upgrades be awarded to WIL-Surge Electric, Inc., on their low bid in the amount of \$57,623.00. The motion carried by the following vote:**

**Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Absent:** 1 - Boyle

## 12. Director of Public Works Report

## 13. City Attorney's Report

## 14. City Administrator's Report

[ID#17-0886](#) Report from the City Administrator

## 15. Mayor's Report &amp; Referrals

## 17. Closed Session

[ID#17-0896](#) A motion will be made to go into closed session pursuant to Wis. Stats. 19.85(2)(e) to discuss negotiations with the City of Oak Creek for the purchase of Great Lakes Water.

Upon conclusion of the closed session, a motion will be made to reconvene in open session, pursuant to Wis. Stats. 19.85(2) for possible action on matters discussed in closed session.

*Meeting went into Recess*

*Meeting Reconvened*

**A motion was made by Ald. Thieme, seconded by Ald. Manion, to go into closed session pursuant to Wis. Stats.**

**19.85(2)(e) to discuss negotiations with the City of Oak Creek for the purchase of Great Lakes Water. Upon conclusion of the closed session, a motion will be made to reconvene in open session, pursuant to Wis. Stats. 19.85(2) for possible action on matters discussed in closed session. hat this Closed Session be approved. The motion carried by the following vote:**

**Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

**Absent:** 1 - Boyle

## 16. Referrals

*The meeting reconvened into open session at 9:44 p.m.*

*Ald. Eric Payne to Public Works/Engineering: please create an updated truck route map. The west bypass will change the present out of date truck route that we presently have in the City.*

*Ald. Cummings to BPW: to evaluate and consider road improvements to Wexford Lane off Springbrook North. This will, if approved, provide analyses. The residents have described this lane as a "washboard".*

*Ald. C. Payne to O & L to review the driveway approach ordinance.*

*Ald. Daniel Manion to B & G to consider the creation of a no parking zone from 15 ft. west of the west driveway to the west side of the east driveway at 209 Wilmont Dr.*

18. Adjournment

*Adjourned 9:48 p.m.*

Shawn Reilly, Mayor  
City of Waukesha

Please Note: A majority of Water Utility Commission members may be in attendance.

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.