



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes City Council

*Mayor Shawn Reilly, Dist. 1 - Ald. Terry Thieme
Dist. 2 - Ald. Eric Payne, Dist. 3 - Ald. Chris Hernandez
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. Roger Patton
Dist. 12 - Ald. Aaron Perry, Dist. 13 - Ald. Andy Reiland
Dist. 14 - Ald. Joan Francoeur, Dist. 15 - Ald. Cory Payne*

Tuesday, July 21, 2015

6:00 PM

Council Chambers, City Hall
Use lower level glass door.

1. Roll Call

Ald. Cummings, E. Payne and Hernandez were not present for roll call, but arrived shortly after the meeting started as noted.

Present: 13 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, Reiland, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Absent: 2 - Skinner and C. Payne

2. Pledge of Allegiance

4. Approval of Minutes

A. [ID#15-2985](#) Minutes for July 7, 2015

Sponsors: Clerk/Treasurer

Attachments: [ccmn150707draft](#)

A motion was made by Ald. Johnson, seconded by Ald. Manion, to approve the minutes of July 7, 2015. The motion carried by the following vote:

Aye: 10 - Pieper, Bartels, Patton, Perry, Francoeur, Reiland, Manion, Thieme, Johnson and Jankowski

Absent: 5 - Skinner, Cummings, C. Payne, E. Payne and Hernandez

3. Public Comment

Mayor's Report & Referrals

This item moved to the beginning of the meeting from the Mayor's Report.

A. [ID#15-2961](#) Demise - George Gunn

Sponsors: Mayor

Attachments: [George Gun Demise](#)

Consent Agenda

Ald. Pieper removed item #15-3035 under Finance Committee and Ald. Johnson removed #15-2925, Jon Woo, Taxi Driver Application from the Ordinance & License Committee. With those removals, the remaining Consent Agenda passed by unanimous consent.

1. Standing Committees**A. Finance Committee - Ald. Pieper**

Item #15-3035 (Review and Act on a request to Amend the 2015 CIP as presented) removed from Consent and handled under Finance Committee Report (Page 4)

1. [ID#15-2511](#) Review and act on a request to amend the 2015 capital budget for University of Wisconsin fiber optic build in the amount of \$50,000 in Fund 400. In addition, approve a contract between the City of Waukesha and the University of Wisconsin system for fiber optic communications, and authorize the Mayor to sign the contract.

Attachments: [15-2511 Amend 2015 Capital Budget for fiber](#)

2. [ID#15-2942](#) Review and act on a request to approve the Civic Plus contract, amend the 2015 capital budget as presented, and authorize the Mayor to sign the contract.

Attachments: [15-2942 CivicPlus Website Hosting 2015](#)

3. [ID#15-2943](#) Review and act on a request to approve the Permitting System contract with CRW Systems in an amount not to exceed \$325,000, pending contract approval of City Attorney, and authorize the Mayor to sign the contract.

Attachments: [15-2943 Permitting and Inspection System 2015](#)

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

1. [ID#15-2738](#) Modify the parking restrictions for Municipal Lot #6 to allow for overnight parking with no changes to daytime parking or permit parking.
Sponsors: E. Payne
Attachments: [Item 15-2738 Admin Review Parking Changes on Lot 6 to Council Consent](#)
[B&G Resolution RTC for the 07-21-2015 CC Meeting CONSENT](#)
[AGENDA](#)
Approved (Resolution 51-15 adopted)

2. [ID#15-2937](#) Approve installation of No Parking, Stopping or Waiting Between Signs on the west side of Sentry Drive 30 feet south to 30 feet north of the exit driveway to the Recycling Drop Off Center.
Sponsors: Public Works
Attachments: [Item 15-2937 Admin Review No Parking at Drop Off Center to Council Consent](#)
[B&G Resolution RTC for the 07-21-2015 CC Meeting CONSENT](#)
[AGENDA](#)
Approved (Resolution 51-15 adopted)

3. [ID#15-2938](#) Install a 4-way stop at the intersection of N. Washington Avenue and Michigan Avenue.
Sponsors: E. Payne and C. Payne
Attachments: [Item 15-2938 Admin Review All Way Stop at Michigan and Washington to Council Consent](#)
[B&G Resolution RTC for the 07-21-2015 CC Meeting CONSENT](#)
[AGENDA](#)
Approved (Resolution 51-15 adopted)

4. [ID#15-2946](#) Approve installation of 1 Hour Parking, 7AM to 4PM, September 1 to June 15, Except Saturdays, Sundays and Holidays on the west side of Hyde Park Avenue from Michigan Avenue to Chicago Avenue.
Sponsors: E. Payne
Attachments: [Item 15-2946 Admin Review 2 Hour Parking on Hyde Park Ave to Council Consent](#)
[B&G Resolution RTC for the 07-21-2015 CC Meeting CONSENT](#)
[AGENDA](#)
Approved (Resolution 51-15 adopted)

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

- A. [ID#15-2923](#) INVITED Bartenders
Sponsors: Clerk/Treasurer
Attachments: [Bartenders 07 14 15](#)
- B. [ID#15-2924](#) Bartender Applications
Sponsors: Clerk/Treasurer
Attachments: [Bartenders 07 14 15](#)
- C. [ID#15-2925](#) INVITED Other Applications for licenses considered by Ordinance & License Committee on July 14, 2015
Sponsors: Clerk/Treasurer
Attachments: [Other Licenses 7 14 2015](#)
- D. [ID#15-2926](#) Other Applications for licences considered by Ordinance & License Committee on July 14, 2015.
Sponsors: Clerk/Treasurer
Attachments: [Other Licenses 7 14 2015](#)

D. Human Resources - Ald. Francoeur

1. [ID#15-2977](#) Deletion of Restriction for Use of Vacation During Initial Six Months of Employment.
Attachments: [C2 Vacation Leave - DRAFT - 7-2-15](#)
[Cover Letter C-2 Amendment](#)

E. Board of Public Works - Dr. Fred Abadi

1. [ID#15-2955](#) Approve Contract Change Order No. 2 with Ray Stadler Construction Co., Inc. for the Les Paul Performance Center Remodel
Sponsors: Public Works
Attachments: [change order No 2 for Ray Stadler Les Paul Remodel](#)
2. [ID#15-2990](#) Approve Engineering Consultant for Madison St. Structure Replacement Design Services
Sponsors: Public Works
Attachments: [2015-7-9 Consultant Selection Memo](#)

End of Consent Agenda

5. New Business

- A. [ID#15-3003](#) Review and act on Meijer PUD Amendment

Sponsors: Community Development

Attachments: [Meijer PUD Amendment 7 21 15](#)

A motion was made by Ald. Pieper, seconded by Ald. Francoeur, to approve the Meijer PUD Amendment. The motion carried by the following vote

Aye: 10 - Pieper, Bartels, Patton, Perry, Francoeur, Reiland, Manion, Thieme, Johnson and Jankowski

Absent: 5 - Skinner, Cummings, C. Payne, E. Payne and Hernandez

6. Public Hearing

Hearing no objection, the Public Hearing was opened.

- A. [PC15 -0175](#) Stillwater Villas, Rivers Crossing Subdivision - Rezoning

Attachments: [12-8-2014narrative of project](#)

[Stillwater Villas](#)

[Zoning Exhibit](#)

[Still Water Villas Rivers Crossing Subdivision Rezoning](#)

[Stillwater Villas Rezoning \(DK\)](#)

[Petition to Rezone](#)

[Agenda Map Stillwater Villas rezoning](#)

[Stillwater Villas Rezoning \(DK\)](#)

[council july 21](#)

No speakers appeared on the Public Hearing.

7. Action on Public Hearing

Hearing no objection, the Public Hearing was closed.

A. [PC15-0175](#) Stillwater Villas, Rivers Crossing Subdivision - Rezoning

Attachments: [12-8-2014narrative of project](#)

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[Petition to Rezone](#)

[Agenda Map Stillwater Villas rezoning](#)

[Stillwater Villas Rezoning \(DK\)](#)

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A motion was made by Ald. Perry, seconded by Ald. Bartels, that the Stillwater Villas, Rivers Crossing Subdivision - Rezoning Pettition be approved. The motion carried by the following vote:

Aye: 10 - Pieper, Bartels, Patton, Perry, Francoeur, Reiland, Manion, Thieme, Johnson and Jankowski

Absent: 5 - Skinner, Cummings, C. Payne, E. Payne and Hernandez

Reports

8. Other Boards and Commissions

A. Transit Commission Report - Dr. Fred Abadi

B. Water Utility Commission - Ald. Thieme

Ald. E. Payne arrived at 6:25 p.m.

C. Information Technology Board Report - Ald. Jankowski/Ald. Manion

D. Landmarks Commission Report - Ald. Francoeur

E. Redevelopment Authority Report - Jennifer Andrews

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

G. Library Board Report - Ald. Reiland

H. Cemetery Commission Report - Ald. Jankowski

I. Waukesha Housing Authority Report - Ald. Hernandez

J. Community Development Block Grant Committee Report - Jennifer Andrews

Ald. Cummings arrived at 6:31 p.m.

K. Public Art Committee Report - Ald. C Payne

8. Plan Commission - Jennifer Andrews

Ald. Hernandez arrived at 6:32 p.m.

A. [PC15 -0159](#) Fox Lake Village Addition No. 2 - Final Plat Review

Attachments: [FLV No 2 Final Plat Page 2](#)
[PC15-0159_03252015](#)
[Page 1](#)
[DOC032315-03232015131219](#)
[pc150325 - Eng. Dept. Comments](#)
[pc150325 - Water Utility Comments](#)
[Fox Lake Village Addition No. 2 - PC \(3\)](#)
[C0](#)
[DOC032315-03232015131219](#)
[Extension of Deadline](#)
[FLV No 2 Final Plat Page 2](#)
[FLV No 2 Final Plat Page 2](#)
[p2-FLV No.2 Final Plat-5-6-15](#)
[p3-FLV No.2 Final Plat-5-6-15](#)
[Page 1](#)
[Fox lake addition no 2](#)
[pc150624 - Eng. Dept. Comments](#)
[Fox Lake Village Addition No. 2 \(DK\)](#)
[pc150708 - Water Utility Comments](#)
[pc150708 - Eng. Dept. Comments](#)
[council july 21](#)

A motion was made by Ald. Francoeur, seconded by Ald. Perry, to approve the recommendation of the Plan Commission and staff of Fox Lake Village Addition No. 2 - Final Plat Review. The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, Reiland, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Absent: 2 - Skinner and C. Payne

B. [PC15-0176](#) Stillwater Villas, Rivers Crossing Subdivision - PUD Amendment and Preliminary Site Plan & Architectural Review

Attachments: [Stillwater Villas](#)

[12-8-2014narrative of project](#)

[2014-12 garland page 1](#)

[Carnation 1504 \(Stillwater Villas Packet\)](#)

[CIVIL PLANS-Stillwater Villas](#)

[Page 3 - garland wphotos](#)

[Rivers Crossing overall neighborhood plan 1998](#)

[Stillwater Villas](#)

[Stillwater02](#)

[Zoning Exhibit](#)

[Still Water Villas Rivers Crossing Subdivision PUD Amendment](#)

[Stillwater Villas PUD & SPAR \(DK\)](#)

[pc150422 - Water Utility Comments](#)

[Carnation 1424 -Stillwater Villas\(Approval Packet\) REVISION](#)

[CIVIL PLANS_STILLWATER VILLAS_2015-05-12 REVISION](#)

[Still water Villas PUD Admendment](#)

[pc150624 - Water Utility Comments](#)

[pc150624 - Eng. Dept. Comments](#)

[Stillwater Villas PUD & SPAR \(DK\)](#)

[council july 21](#)

A motion was made by Ald. Perry, seconded by Ald. Bartels to approve Approve Stillwater Villas, Rivers Crossing Subdivision - PUD Amendment and Preliminary Site Plan & Architectural Review with Plan Commission recommendations and staff comments. This motion was withdrawn by the mover and the seconder and not voted upon.

A motion was made by Ald. E. Payne, seconded by Ald. Cummings, that Stillwater Villas, Rivers Crossing Subdivision - PUD Amendment and Preliminary Site Plan & Architectural Review be sent back to the Planning Commission. The motion carried by the following vote:

Aye: 12 - Pieper, Bartels, Cummings, Perry, Francoeur, Reiland, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Nay: 1 - Patton

Absent: 2 - Skinner and C. Payne

9. Standing Committees

A. Finance Committee Report - Ald. Pieper

4. [ID#15-3035](#) Review and Act on a request to Amend the 2015 CIP as presented.

Sponsors: Public Works

Attachments: [Cover Sheet - 2015 Budget Amendment](#)

A motion was made by Ald. Pieper, seconded by Council President Reiland, to approve a request to amend the 2015 CIP to accommodate a storm sewer project on E. Moreland Blvd. in the amount of \$192,000. The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, Reiland, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Absent: 2 - Skinner and C. Payne

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

C. Ordinance & License Committee Report - Ald. Johnson

1. [ID#15-3038](#) Bartender/Operator License application #26, Anthony W. Seppi
Approved 3-1 (Nay-Manion)

Attachments: [Bartenders 07.14.15](#)

A motion was made by Ald. Johnson, seconded by Council President Reiland, to approve Bartender/Operator License application #26, Anthony W. Seppi . The motion carried by the following vote:

Aye: 12 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, Reiland, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Nay: 1 - Manion

Absent: 2 - Skinner and C. Payne

Applicant failed to appear three times to Commiteee meeting.

A motion was made by Ald. Johnson, seconded by Ald. Perry, to approve the denial of Jon Woo, Taxi Driver license application. The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, Reiland, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Absent: 2 - Skinner and C. Payne

D. Human Resources Committee Report - Ald. Francoeur

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

- A. [ID#15-2957](#) Bids Received Wednesday July 8 2015 at 11:00 am.
a. E. Moreland Blvd. Flood Mitigation & Utility Improvements Manhattan Dr. to Wolf Rd. The BPW's recommends awarding contract to PTS Contractors on their low bid of \$2,131,248. Recommendation is subject to approval of additional funding.

Sponsors: Public Works

Attachments: [FINAL E Moreland Flood Mitigation Improvements](#)

A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve the BPW's recommendation to award the contract to PTS Contractors on their low bid of \$2,131,248 for E. Moreland Blvd. Flood Mitigation & Utility Improvements (Manhattan Dr. to Wolf Rd.). The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, Reiland, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Absent: 2 - Skinner and C. Payne

11. Director of Public Works Report

- A. [ID#15-3040](#) Approve Correction to Contract with DF Tomasini for Rosemary Street Utility and Street Improvements, dated April 21, 2015.

Sponsors: Public Works

Attachments: [Tomasini Amended Contract for Rosemary Street Utility and Street Improvements.pdf](#)

A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve. the Correction to the Contract with DF Tomasini for Rosemary Street Utility and Street Improvements, dated April 21, 2015. The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, Reiland, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Absent: 2 - Skinner and C. Payne

12. City Attorney's Report

13. City Administrator's Report

- A. [ID#15-2986](#) City Administrator's Report for July 21, 2015

Sponsors: City Administrator

Attachments: [Admin Report 7.17.2015](#)

14. Mayor's Report & Referrals

B. [ID#15-2987](#) Mayor's Schedule & Events

Sponsors: Mayor

Attachments: [SR150717](#)

15. Referrals

Ald. Patton to BPW regarding Dunbar Ave. repair.

Ald. Patton to B & G to install a crosswalk on East Ave. from South St. to east side of East Ave., including bump outs when South St. is rebuilt.

Ald. Jankowski to O&L to consider adding to Ordinance 7.04, "Residents must make all reasonable attempts to park in private driveways and parkways before parking on city streets for overnight parking".

Ald. E Payne, Ald. C. Payne & Ald. Pieper to O&L to create an ordinance that would limit - restrict - or deny the use of porta potties in a residential area, within the City of Waukesha.

16. Closed Session

- A.** [ID#15-3039](#) A motion will be made pursuant to Wis. Stats. 19.85(1)(g) to go into closed session to confer with the City Attorney regarding a settlement proposal received in the lawsuit captioned Russell Jack et al. v. City of Waukesha, Waukesha County Circuit Court case number 14 CV 268. Upon Conclusion of the Closed session, a motion will be made to reconvene in open session, and action may be taken upon matters discussed in closed session.

Sponsors: Attorney's Office

A motion was made by Council President Reiland, seconded by Ald. Pieper, pursuant to Wis. Stats. 19.85(1)(g), to go into closed session to confer with the City Attorney regarding a settlement proposal received in the lawsuit captioned Russell Jack et al. v. City of Waukesha, Waukesha County Circuit Court case number 14 CV 268. (Upon Conclusion of the Closed session, a motion will be made to reconvene in open session, and action may be taken upon matters discussed in closed session.) The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, Reiland, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Absent: 2 - Skinner and C. Payne

A motion was made by Ald. Pieper, seconded by Ald. Francoeur, pursuant to Wis. Stats. 19.85(1)(g), to reconvene in open session. The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, Reiland, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Absent: 2 - Skinner and C. Payne

A motion was made by Council President Reiland, seconded by Ald. Johnson, that the settlement in the lawsuit captioned Russell Jack et al. v. City of Waukesha (Case #14CV268), as discussed in closed session, be approved. The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, Reiland, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Absent: 2 - Skinner and C. Payne

17. Adjournment

Hearing no objection, meeting adjourned at 7:15 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 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.