



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

City Council

Tuesday, December 18, 2018

6:30 PM

Council Chambers, City Hall
Use lower level glass door.

1. Roll Call

Ald. Cummings arrived at 6:44 pm during Public Art Committee Report.

Present: 11 - Pieper, Bartels, Cummings, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne and Wilke

Absent: 4 - Skinner, Perry, C. Payne and Wells

2. Announcement of Closed Session pursuant to Wis. Stats. §19.85(g), to discuss and confer with legal counsel concerning strategy related to White Rock I, LLC v. City of Waukesha, 17CV1226, Waukesha Circuit Court and a possible appeal of the judgment dismissing the case and to discuss and confer with counsel an offer of settlement in the City of Waukesha v. Mill Reserve LLC lawsuit.

3. Pledge of Allegiance

4. Public Comment

There were no speakers for Public Comment.

5. Approval of Minutes

[ID#18-1827](#) Minutes from December 4, 2018

Attachments: [ccmn 18.12.04 draft](#)

A motion was made by Ald. Thieme, seconded by Ald. Johnson, to approve the minutes from December 4, 2018. The motion carried by the following vote:

Aye: 10 - Pieper, Bartels, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne and Wilke

Absent: 5 - Skinner, Cummings, Perry, C. Payne and Wells

Consent Agenda

The following item was removed from Consent Agenda: ID#18-1817 removed by Ald. Pieper and handled under Finance Committee Report. The remainder of the Consent Agenda was passed as presented by unanimous consent.

1. Other Boards and Commissions

- B** [ID#18-1768](#) Approval of Proposed Service Adjustments Effective Monday, January 7th, 2019

Attachments: [Agenda Cover Sheet -2019 Service Changes.pdf](#)
[Resolution - Elimination Route 16 January 2019.pdf](#)
[Resolution - Revisions to Route 1 January 2019.pdf](#)
[route 1 description January 7 2019.pdf](#)

Resolution No.'s 73-18 & 74-18

- C** [ID#18-1769](#) Waukesha County Business-Approval of Amendment 1 to Purchase Service Agreement with Wisconsin Coach Lines, Inc. for Operation of Routes 901, 904, 905

Attachments: [Agenda Cover Sheet -Approval of Amendment 1 to Service Agreement Wisconsin Coach Lines Routes 901 904 905.pdf](#)
[Transit-Wisconsin Coach Lines Agmt-Amendment1.pdf](#)

- D** [ID#18-1770](#) Waukesha County Transit Business-Approval of Purchase Service Agreement with Milwaukee Transport Services, Inc. to Operate the Gold Line in 2019

Attachments: [Agenda Cover Sheet -Waukesha County-Gold Line 2019 Agreement.pdf](#)
[Contract-Transit-Gold Line Contract 2019.pdf](#)

2. Plan Commission

- [PC18-0159](#) Dufek Properties, 404 W. Main Street - Certified Survey Map

Attachments: [Application Form and CSM.pdf](#)
[Dufek Cover Sheet.pdf](#)

3. Standing Committees

A. Finance Committee - Ald. Pieper

- [ID#18-1790](#) Review and Act on a request to amend the 2018 CIP for the environmental work needed for the Prairie Home Cemetery Fence Installation.

Sponsors: Cemetery and Public Works

Indexes: Capital Improvement Program; Amend; Cemetery; environmental

Attachments: [Cover sheet -TRC PO Change Order.pdf](#)

[ID#18-1791](#) Review and act on acceptance of the National Criminal History Improvement Program (NCHIP) grant of \$3,200 and amend the 2019 Operating Budget accordingly.

Sponsors: Police Department

Indexes: Amend; Budget; grant; Criminal History

Attachments: [Cover Sheet - Livescan Camera Grant.pdf](#)
[Livescan Grant Request Memo.pdf](#)

[ID#18-1800](#) Review and Act on a request to amend the 2018 Budget to replace a failed boiler at the Municipal Garage.

Sponsors: Public Works

Indexes: boiler; City Garage; Amend; Budget

Attachments: [Cover sheet - Boiler for City Garage.pdf](#)

[ID#18-1817](#) Review and Act on a Resolution Providing For The Sale of Approximately \$12,210,000 Taxable General Obligation Refunding Bonds

Sponsors: Finance

Indexes: bond; Resolution

Attachments: [Refunding Bond Resolution.pdf](#)

This item was removed from Consent Agenda by Ald. Pieper and handled under Finance Committee Report.

[ID#18-1822](#) Review and act on a request to amend the 2018 budget to allow Building Inspection to contract with a demolition contractor to raze 1228 E. North St. for an estimated \$24,000.

Sponsors: Community Development

Indexes: demolition; Amend; Budget

Attachments: [Cover Sheet-1228 E North.pdf](#)

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

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

[ID#18-1819](#) Bartender Applications - December 10, 2018

Attachments: [Bartenders 2018.12.10](#)

[ID#18-1821](#) Other Applications - December 10, 2018

Attachments: [Other Licenses 2018.12.10](#)

D. Human Resources - Ald. Thieme

E. Board of Public Works - Dr. Fred Abadi

[ID#18-1642](#) Review and act on the request of Barbara Donaldson, who is the property owner of 627 E. Newhall Avenue, to release a 10-foot-wide City of Waukesha public alley reservation on her parcel with Tax Key Number WAKC 1338-982.

Sponsors: Public Works

Attachments: [18-1642 BPW Agenda Cover Sheet - Release of Reservation for City Alley.pdf](#)
[Abstract of Title.pdf](#)
[Donaldson letter.pdf](#)
[DRAFT CSM.pdf](#)
[Owner's Policy.pdf](#)
[Plat of Survey.pdf](#)

[ID#18-1777](#) Review and act on the Storm Water Management Practice Maintenance Agreement between Linden Grove Communities and the City of Waukesha.

Sponsors: Public Works

Attachments: [18-1777 BPW Agenda Cover-Linden Grove Communities-425-427 N Univeristy Dr.pdf](#)
[SWMA-Linden Grove Communities.pdf](#)

[ID#18-1785](#) Review and act on the contract extension for bio-solids hauling for the City's Clean Water Plant at \$18.50 per ton with United Liquid Waste.

Sponsors: Public Works

Attachments: [18-1785_1 BPW Agenda Cover-United Liquid Waste-Contract Extension Bio Solids.pdf](#)
[18-1785_1 United Liquid Waste Extension Request.pdf](#)
[18-1785_2 2019 United Liquid Waste Recycling Contract .pdf](#)
[18-1785_3 xBids-Biosolids Hauling and Land.pdf](#)

[ID#18-1786](#) Review and act on the contract for Operational Assistance Services with Strand Associates not to exceed \$20,000 for services related to the recent improvements at the Clean Water Plant.

Sponsors: Public Works

Attachments: [18-1786 BPW Agenda Cover-Strand Contract-Operational Asst Services.pdf](#)
[18-1786 Strand Contract 1226.043.\(Final-120518\).pdf](#)

[ID#18-1787](#) Review and act on Contract Change Order No. 1 with Robinson Brothers Environmental, Inc., for the Demolition and Asbestos Abatement of 200-310 Delafield St. project

Sponsors: Public Works

Attachments: [18-1787 BPW Agenda Cover-Robinson Bros CCO1-200-310 Delafield.pdf](#)
[18-1787 CCO1-Robinson Brothers-Demo 310 Delafield St.pdf](#)

End of Consent Agenda

6. New Business

7. Public Hearing

[ID#18-1748](#) Amendment to the City's Comprehensive Plan changing the planned land use of approximately 4.85 acres located at 808 Torhorst Road, and generally east of Torhorst Road and North of Summit Avenue from Medium Density Residential to Institutional.

Attachments: [Comp Plan Amendment Torhorst Rd and Summit Ave Cover Sheet.pdf](#)

Presentation was provided by City Planner Maria Pandazi. The Public Hearing was opened. There was no one present to speak. The Public Hearing was closed.

8. Action on Public Hearing

[ID#18-1748](#) Amendment to the City's Comprehensive Plan changing the planned land use of approximately 4.85 acres located at 808 Torhorst Road, and generally east of Torhorst Road and North of Summit Avenue from Medium Density Residential to Institutional.

Attachments: [Comp Plan Amendment Torhorst Rd and Summit Ave Cover Sheet.pdf](#)

A motion was made by Ald. Wilke, seconded by Ald. Helgestad, to approve Amendment to the City's Comprehensive Plan changing the planned land use of approximately 4.85 acres located at 808 Torhorst Road, and generally east of Torhorst Road and North of Summit Avenue from Medium Density Residential to Institutional. The motion carried by the following vote:

Aye: 10 - Pieper, Bartels, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne and Wilke

Absent: 5 - Skinner, Cummings, Perry, C. Payne and Wells

Reports

9. Other Boards and Commissions

- A. Transit Commission Report - Dr. Fred Abadi
- B. Water Utility Commission - Ald. Thieme
- 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. Cummings
- I. Waukesha Housing Authority Report - Ald. Rodriguez
- J. Community Development Block Grant Committee Report - Jennifer Andrews
- K. Public Art Committee Report - Ald. C Payne

Ald. Cummings arrived during this Item.

10. Plan Commission - Jennifer Andrews

11. Standing Committees

- A. Finance Committee Report - Ald. Pieper

[ID#18-1817](#) Review and Act on a Resolution Providing For The Sale of Approximately \$12,210,000 Taxable General Obligation Refunding Bonds

Sponsors: Finance

Indexes: bond; Resolution

Attachments: [Refunding Bond Resolution.pdf](#)

Resolution No. 75-18

A motion was made by Ald. Pieper, seconded by Ald. Helgestad, to approve the Resolution Providing For The Sale of Approximately \$12,210,000 Taxable General Obligation Refunding Bonds. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Cummings, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne and Wilke

Absent: 4 - Skinner, Perry, C. Payne and Wells

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

C. Ordinance & License Committee Report - Ald. Johnson

[ID#18-1306](#) Review and possibly act on a proposal to repeal section 3.15: Sign Review Board and section 3.16: Sign and Outdoor Advertising Appeals Board, and to modify Chapter 27: Signs and Outdoor Advertising.

Attachments: [Sign Code Update Cover Sheet](#)

[Ordinance Chapter 27.pdf](#)

This item was on for 2nd reading and discussion only. It was approved at Ordinance & Licensing Committee with a vote of 3 - 2. Item will move forward for 3rd and final reading to the next Common Council meeting.

[ID#18-1698](#) Revisions to Municipal Code of Ordinance 7.04(6), Night Parking and Night Parking Permits

Attachments: [18-1698 B and G Cover Sheet - Night Parking Revised.pdf](#)
[18-1698 O and L Ordinance Amending Section 7.pdf](#)
[18-1698 O and L Addendum to Agreement Complus.pdf](#)
[18-1698 O and L Admin Cover-Complus Parking Agreement.pdf](#)
[18-1698 O and L Red Lined Overnight Parking.pdf](#)
[Letter from Chief Jack](#)

Ordinance No. 16-18

A motion was made by Ald. Johnson, seconded by Ald. Helgestad, to approve Revisions to Municipal Code of Ordinance 7.04(6), Night Parking and Night Parking Permits with one change to increase the rates approx. 25% for each fee charged 3 night from \$4 to \$5, monthly \$15, 3 month \$38 and annual \$142.00. The motion carried by the following vote:

Aye: 9 - Pieper, Bartels, Cummings, Manion, Thieme, Johnson, Helgestad, E. Payne and Wilke
Nay: 2 - Rodriguez and D. Lemke
Absent: 4 - Skinner, Perry, C. Payne and Wells

[ID#18-1818](#) INVITED Bartender Applications- December 10, 2018 - Katherine M. Woznicki

Attachments: [Bartenders 2018.12.10](#)

A motion was made by Ald. Johnson, seconded by Ald. Rodriguez, to approve INVITED Bartender Applications- December 10, 2018 - Katherine M. Woznicki. The motion carried by the following vote:

Aye: 10 - Pieper, Bartels, Cummings, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne and Wilke
Nay: 1 - Manion
Absent: 4 - Skinner, Perry, C. Payne and Wells

D. Human Resources Committee Report - Ald. Thieme

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

- A. [ID#18-1776](#) Bids Received: Friday, November 30, 2018, at 11:00 A.M.
Replacement of Two (2) Street Light Control Cabinets

The Board of Public Works recommends that the low bid from McKenna Electric, LLC, in the amount of \$23,000.00 be awarded.

Sponsors: Public Works

Attachments: [18-1776 Bid Tab Street Light Cabinet Replacement.pdf](#)

A motion was made by Ald. E. Payne, seconded by Ald. Pieper, to approve the bid award for Replacement of Two (2) Street Light Control Cabinets to McKenna Electric, LLC, in the amount of \$23,000.00 be approved. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Cummings, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne and Wilke

Absent: 4 - Skinner, Perry, C. Payne and Wells

13. Director of Public Works Report
14. City Attorney's Report
15. City Administrator's Report

[ID#18-1828](#) Report from the City Administrator

Attachments: [Admin Report 12-14-18](#)

16. Mayor's Report & Referrals
17. Referrals

No referrals.

18. Closed Session

Meeting went into Closed Session at 6:56 pm.

[ID#18-1838](#) Discuss and confer with legal counsel regarding an offer of settlement in the City of Waukesha v. Mill Reserve LLC lawsuit.

Meeting went into Recess.

A motion was made by Ald. Pieper, seconded by Ald. Manion, to go into closed session to discuss and confer with legal counsel concerning strategy related to White Rock I, LLC v. City of Waukesha, 17CV1226, Waukesha Circuit Court and a possible appeal of the judgment dismissing the case.that this Closed Session be approved. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Cummings, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne and Wilke

Absent: 4 - Skinner, Perry, C. Payne and Wells

19. Reconvene in Open Session

Meeting Reconvened into Open Session at 7:16 pm.

[ID#18-1839](#) Possible discussion and/or action concerning strategy related to White Rock I, LLC v. City of Waukesha, 17CV1226, Waukesha Circuit Court and a possible appeal of the judgment dismissing the case and possible discussion and/or action on an offer of settlement in the City of Waukesha v. Mill Reserve LLC lawsuit.

A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve and agree to waive costs in the matter of White Rock I, LLC v. City of Waukesha, 17CV1226, Waukesha Circuit Court in exchange for an agreement from White Rock I, LLC to not appeal the case further. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Cummings, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne and Wilke

Absent: 4 - Skinner, Perry, C. Payne and Wells

20. Adjournment

Meeting adjourned at 7:18 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 or by the Wisconsin Telecommunications Relay System so that arrangements may be made to accommodate the request.