



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. 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, October 21, 2014

6:30 PM

Council Chambers, City Hall
Use lower level glass door.

Council Chambers, City Hall

1. Roll Call

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

Absent: 3 - Skinner, C. Payne and Reiland

2. Pledge of Allegiance

3. Announcement of Closed Session pursuant to 19.85(1)(c); to consider the appointment of Community Development Director.

4. Public Art Unveiling - City Hall, Second Floor

A. **ID#14-1077** Public Art Unveiling Invitation

5. Presentation of Certificates of Appreciation for outstanding service during the June 2014 Storm to Department of Public Works and Park, Recreation & Forestry employees

A. **ID#14-1310** Listing of employee names for June 2014 Storm

6. Public Comment

John Holst, 2051 Highland Avenue, spoke regarding the budget and how too many apartments relate to a smaller tax base.

7. Approval of Minutes

A motion was made by Ald. Johnson, seconded by Council President E. Payne, that the Minutes for October 7, 2014 be approved. The motion carried by the following vote:

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

Absent: 3 - Skinner, C. Payne and Reiland

A. ID#14-1340 Minutes for October 7, 2014 meeting.

8. Open Public Hearings

A motion was made by Council President E. Payne, seconded by Ald. Pieper, that the Public Hearing be opened. The motion carried by the following vote:

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

Absent: 3 - Skinner, C. Payne and Reiland

A. ID#14-1289 Motion to open Public Hearing for: Amendment I to the Project Plan for Tax Incremental Finance District No. 16

9. Motion to close public hearing

A motion was made by Ald. Pieper, seconded by Council President E. Payne, that the Public Hearing be closed. The motion carried by the following vote:

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

Absent: 3 - Skinner, C. Payne and Reiland

10. New Business

A. ID#14-0730 Review and consider action to amend Municipal Code sections 4.10 and 23.08 regarding impact fees and dedication of lands for parks and open space.

A motion was made by Ald. Johnson, seconded by Ald. Francoeur, that Municipal Code sections 4.10 and 23.08 be amended regarding impact fees and dedication of lands for parks and open spaces. The motion carried by the following vote:

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

Absent: 3 - Skinner, C. Payne and Reiland

- B. ID#14-1170** "Zoning Code Modification – Amend section 22.70(4)(a) of the Floodplain Zoning ordinance so that it incorporates revised Federal Emergency Management Agency floodplain maps for the City that take effect November 5, 2014; and repeal Chapter 24, "Floodland Zoning," because it was superseded by section 22.70."
First Reading 11-06-14
Second Reading 11-18-14
Third Reading 12-04-14

A motion was made by Ald. Pieper, seconded by Ald. Francoeur, that the Zoning Code be modified – Amending section 22.70(4)(a) of the Floodplain Zoning ordinance so that it incorporates revised Federal Emergency Management Agency floodplain maps for the City that take effect November 5, 2014; and repeal Chapter 24, "Floodland Zoning," because it was superseded by section 22.70 be approved. The motion carried by the following vote:

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

Absent: 3 - Skinner, C. Payne and Reiland

Consent Agenda

A motion was made by Ald. Johnson, seconded by Council President E. Payne, that the Consent Agenda as amended be approved (removal of Finance #14-1261 and Ordinance Item #14-0741 - see individual Committee Report for action.) The motion carried by the following vote:

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

Absent: 3 - Skinner, C. Payne and Reiland

1. Other Boards and Commissions

- A. ID#14-1243** Approval of the Purchase of Three (3) Bus Engine Rebuilds to Cummins NPower, LLC
- B. ID#14-1248** Approval of the Purchase of a Replacement Automated Vehicle Location (AVL) system and three year service agreement to Route Match Software, Inc.

2. Standing Committees

A. Finance Committee - Ald. Pieper

1. **ID#14-1261** Review and act on a request to authorize the Mayor to sign multiple contracts, after review and approval by City Attorney as described in Agenda ID 14-0859 for the 2015 Audit, 2015-2016 Insurance, and a multi-year Banking Services contract, which the Finance Committee and Council had approved for non-bid requests.

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

1. **ID#14-1214** Establish an All-Way stop at the intersection of Hunter Road and Foxcroft Lane.
2. **ID#14-1215** Establish an All-Way stop at the intersection of Hunter Road and Deer Path

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

- A. **ID#14-1232** INVITED Bartenders Applications
- B. **ID#14-1231** Bartenders Applications
- C. **ID#14-1233** INVITED Other Applications for licenses considered by Ordinance & License Committee on October 13, 2014.

2. Ordinances

- A. **ID#14-1276** Review and act on proposed amendments to Municipal Code sec. 29.10(5), regarding credits to sewer bills in unusual water-usage situations. The proposed amendments clarify the existing ordinance and describe the procedure to be used with more precision.
- B. **ID#14-0741** Amended code sections 2.01, 3.06, and 3.08 regarding the appointing authority of Directors and Managers from the Mayor to the City Administrator
First Reading 10-21-14
Second Reading 11-06-14
Third Reading 11-18-14
- C. **ID#14-1284** Amended Chapter 22, Section 22.56(2) of the Municipal Code regarding the adjustment of setbacks in certain circumstances
First Reading 10-21-14
Second Reading 11-06-14
Third Reading 11-18-14

D. Board of Public Works - Dr. Fred Abadi

1. **ID#14-1254** Approval of Engineering Consultant for Design Services for the E. Moreland Blvd. Flood Mitigation Project.
2. **ID#14-1255** Approve granting an Overhead and Underground Electric Distribution Easement to We Energies over lands at the Wastewater Treatment Plant 600 Sentry Dr.

End of Consent

Reports

11. Other Boards and Commissions
 - A. Transit Commission Report - Dr. Fred Abadi
 - B. Water Utility Commission - Ald. Thieme
 - 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
 - K. Public Art Committee Report - Ald. Cummings
12. Plan Commission - Jennifer Andrews
13. Standing Committees
 - A. Finance Committee Report - Ald. Pieper

ID#14-1363 Review and approve authorizing the Mayor to sign multiple contracts as described in Agenda ID14--0859 for the 2015 Audit, 2015-2016 Insurance, and a multi-year banking services contract, which the Finance Committee and Council had approved for non-bid requests.

A motion was made by Ald. Pieper, seconded by Ald. Bartels, that the Mayor be authorized to sign multiple contracts, as described in Agenda ID 14-0859 for the 2015 Audit, 2015-2016 Insurance, and a multi-year banking services contract, which the Finance Committee and Council had approved for non-bid requests subject to review and approval of the City Attorney. The motion carried by the following vote:

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

Absent: 3 - Skinner, C. Payne and Reiland

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

C. Ordinance & License Committee Report - Ald. Johnson

ID#14-1364 #14-1364 Review and act on Amendments to Chapter 2.01, 3.06, and 3.08 of the Municipal Code to change the appointing authority of Directors and Managers from the Mayor to the City Administrator.

A motion was made by Ald. Johnson, seconded by Ald. Bartels, that amendment to Chapter 2.01, 3.06, and 3.08 of the Municipal Code be approved to change the appointing authority of Directors and Managers from the Mayor to the City Administrator (with request to waive 2nd and 3rd readings.) The motion carried by the following vote:

Aye: 9 - Pieper, Bartels, Patton, Perry, Francoeur, Manion, Thieme, Johnson and Hernandez

Nay: 3 - Cummings, E. Payne and Jankowski

Absent: 3 - Skinner, C. Payne and Reiland

D. Human Resources Committee Report - Ald. Francoeur

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

15. Director of Public Works Report

16. City Attorney's Report

17. City Administrator's Report

A. **ID#14-1344** City Administrator's Report 10-21-14

18. Mayor's Report & Referrals

A. ID#14-1307 Mayor's Summary of Meetings and/or Events

19. Referrals

Ald. Perry to PRF to consider the termination of the Memorandum of Understanding between PRF & WDBA. Termination to be in effect starting January 1st, 2015. The intention being to allow churches, charitable organizations, or community groups (including WDBA) an opportunity to express interest in participating in these events in a leadership role. These considerations to take place at hte November 3, 2014 or next scheduled meeting.

Ald. Patton to B & G that the east parking place in front of 112 & 114 W. Broadway be made a handicap parking place.

Ald. Thieme to B & G to post Tosa Trail between Les Paul Pkwy & Paramount Dr. No Parking on both sides of the street. In addition, Post No Parking on Paramount Dr. 100' in each direction on the west side of the street.

20. Closed Session

A. ID#14-1270 A motion will be made pursuant to Wis. Stats. 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (appointment of Community Development Director)

Meeting went into Recess

Meeting Reconvened

A motion was made by Council President E. Payne, seconded by Ald. Patton, that the meeting to into Closed Session pursuant to 19.85(1)(c) Wis. Stats.. The motion carried by the following vote:

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

Absent: 3 - Skinner, C. Payne and Reiland

21. Reconvene into open session pursuant to Wis. Stats. 19.85(2) for possible additional discussion and/or action concerning any of the issues discussed in closed session.

A motion was made by Ald. Pieper, seconded by Council President E. Payne, that the meeting reconvene into open session (per 19.85(2) Wis. Stats.) The motion carried by the following vote:

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

Absent: 3 - Skinner, C. Payne and Reiland

22. Adjournment

A motion was made by Ald. Francoeur, seconded by Ald. Thieme, that the meeting be adjourned. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, Manion, E. Payne, Thieme, Johnson and Hernandez

Nay: 1 - Jankowski

Absent: 3 - Skinner, C. Payne and Reiland

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.