



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Draft

City Council

Tuesday, February 1, 2022

6:30 PM

Council Chambers, City Hall

1. Roll Call

Present: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne, Browne and McElderry

Absent: 1 - M. Payne

2. Pledge of Allegiance

3. Public Comment

*Charlie Betker, 944 Oakland Ave, spoke in favor of gas stations selling hard liquor.
Lisa Salb, 434 Madison St, spoke on Item ID#22-3500, the excess property at 130 Delafield St.*

4. Approval of Minutes

A. [ID#22-3517](#) Minutes from January 18, 2022

Attachments: [ccmn220118 draft](#)

A motion was made by Ald. Moltzan, seconded by Ald. Miller, to approve Minutes from January 18, 2022. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne, Browne and McElderry

Absent: 1 - M. Payne

Consent Agenda

The Mayor said Park Rec Item ID#22-3436 is removed, to come back at the next meeting. The remainder of the Consent Agenda passed unanimously.

1. Other Boards and Commissions

A. [ID#21-3299](#) 2022 Waukesha Fire Department APX Software

Attachments: [21-3299 APX ITB Cover Sheet](#)

[APX-Waukesha Wisconsin Master Agreement V1](#)

B. [ID#22-3418](#) Waukesha County Business-Review and Act on Amendment 5 to Purchase Service Agreement with Wisconsin Coach Lines, Inc. for Operation of Routes 901, 904, 905

Attachments: [Agenda Cover Sheet -Amendment 5 of Purchase of Service Agreement Wisconsin Coach Lines Transit-Wisconsin Coach Lines Agmt-Amendment5](#)

- C. [ID#22-3419](#) Review and Act on New Agreement with Google for Google Transit

Attachments: [Agenda Cover Sheet -New Google Transit Agreement](#)
[Google Transit -New Agreement 2022](#)

- D. [ID#22-3468](#) Review and act on proposed 2022 sponsorship agreement with DICK's Sporting Goods.

Attachments: [Cover Sheet-2022 Sponsorship Agreement - DICK's Sporting Goods](#)
[2022 Sponsor Agreement - DICK's Sporting Goods](#)

- E. [ID#22-3469](#) Review and act on proposed contract with The Happy Mower LLC to provide 2022 Street/Highway Median Island Mowing and Trimming Services.

Attachments: [2022 Street-Highway Median Island Mowing-Trimming Services - Happy Mower LLC](#)

2. Plan Commission

- A. [PC22-0191](#) CSM21-00017 Certified Survey Map, Tofte's Table Expansion, 331 Riverfront Street/344 W. Broadway – Proposed 1-Lot Certified Survey Map on approximately 0.2138 acres land in the downtown.

Attachments: [CSM - Tofte's Table Expansion Cover Sheet](#)
[App for CSM -Tofte's Table 331 Riverfront St - 344 W. Broadway](#)
[Project Reviews for CSM21-00017 - Tofte's Table Expansion](#)

- B. [PC22-0192](#) Certified Survey Map, The Village at Fox River, SW corner of STH 59 and River Valley Road – Proposed 2-Lot Certified Survey Map on approximately 23.663 acres land at the Village at Fox River development.

Attachments: [Cover Sheet - CSM - Saylesville and Les Paul 2 lot division](#)
[Draft Certified Survey Map -Sheet 1-8](#)
[Project Reviews for CSM21-00015 Lot Line Adjustment for River Valley Rd. property](#)

- C. [ID#22-3423](#) Declaration of Surplus Land - Former City Hall Annex ,130 Delafield Street - the City owned 1.54 acre parcel at 130 Delafield Street includes the former City Hall Annex/Police Station and is being considered for redevelopment

Attachments: [Cover Sheet - Declaration of Surplus Land](#)

- D. [ID#22-3480](#) WE Energies Easement across City property - Fire Station 1 and Parking Lot 13 - As part of a project to bury electric lines along St. Paul Avenue in the downtown area, WE Energies is requesting a 10 foot wide easement for the purpose of burying electric lines along the NW and NE lot lines of Parking Lot 13, and a 6 foot wide easement along the NE lot line of Fire Station 1, 130 W. St. Paul Avenue.

Attachments: [Cover Sheet - WE Energies easement across City property](#)
[Fire Station 1 Easement draft with site plan](#)
[Parking Lot 13 detailed site plan](#)
[Parking Lot 13 easement document draft](#)
[Parking Lot 13 site plan with easement](#)

3. Standing Committees

A. Finance Committee - Ald. Pieper

- A. [ID#22-3435](#) Review and Act on a recommendation to execute an audit contract with Baker Tilly, LLP for audit years 2022 through 2024.

Attachments: [Cover Sheet - Baker Tilly Audit Contract](#)
[Baker Tilly Engagement Letter](#)

- B. [ID#22-3436](#) Review and Act on a recommendation to approve a resolution authorizing an advance in the amount of \$325,500 from the Clean Water Fund to the Return Flow Fund with no interest and a 5- year payback period.

Attachments: [Cover Sheet - Clean Water Fund to Return Flow Fund](#)
[Interfund Loan Resolution](#)

Resolution #2022-1

- C. [ID#22-3492](#) Review and Act on a recommendation to approve a participation agreement with the State of Wisconsin Department of Military Affairs to partner on NextGen9-1-1 services.

Sponsors: Police Department

Attachments: [Cover Sheet- Department of Military Affairs Participation Agreement](#)
[Department of Military Affairs NextGen 9-1-1 Participation Final Agreement](#)

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

C. Ordinance & License Committee - Ald. Johnson

D. Human Resources - Ald. Manion

E. Board of Public Works - Alex Damien

- A. [ID#22-3432](#) Review and act on the Contract for Design and Construction Services for Frame Park Lighting and Electrical Upgrades.
- Sponsors:** Public Works
- Attachments:** [22-3432_BPW_Agenda_Cover_Sheet-2022_Frame_Park_Lighting_and_Electrical_Upgrades](#)
[Consultant_Contract_Powrtek-Frame_Park_Lighting_and_Electric](#)
- B. [ID#22-3434](#) Recommend executing the Financial Assistance Agreement (FAA) Documents for the Clean Water Fund Loan to finance the improvements for the Clean Water Plant West Side Lift Station Consolidation.
- Sponsors:** Public Works
- Attachments:** [22-3434_BPW_Agenda_Cover_draft_01_20_2022-CWF_West_Side_Consolidation_FAA](#)
[22-3434_Waukesha_4062-08_FAA](#)
- C. [ID#22-3444](#) Review and act on Contract Change Order No. 1 with Payne and Dolan, Inc. for the 2021 Asphalt Resurfacing project.
- Sponsors:** Public Works
- Attachments:** [22-3444_BPW_Agenda_Cover_Sheet_CO_#1_2021_Aspphalt_Resurfacing](#)
[22-3444_CCO1_Payne_and_Dolan-Resurfacing](#)
- D. [ID#22-3445](#) Approve Storm Water Management Practice Maintenance Agreement between City of Waukesha and Airgas LLC for property located at 501 Sentry Drive.
- Sponsors:** Public Works
- Attachments:** [22-3445_BPW_Agenda_Cvr-Airgas_LLC_SW_Agreement](#)
[22-3445_Airgas_Storm_Water_Maintenance_Agreement](#)

End of Consent Agenda

5. New Business

- A. [ID#22-3500](#) Authorize the staff to work with Colliers to determine a sale price, marketing strategy and sign a sales contract to list city owned property at 130 Delafield St.
- Attachments:** [Council_Agenda_Cover_Sheet_130_Delafield](#)

A motion was made by Ald. Moltzan, seconded by Ald. Wells, to approve and authorize staff to work with Colliers to determine a sale price, marketing

strategy, and sign a sales contract to list city owned property at 130 Delafield St.
The motion carried by the following vote:

Aye: 12 - Pieper, Bartels, Manion, Johnson, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, Browne and McElderry

Nay: 2 - Rodriguez and C. Payne

Absent: 1 - M. Payne

- B.** [ID#22-3501](#) Review and act on a Grant Agreement with Waukesha Civic Theatre, Inc. for their expansion project at 264 and 270 W. Main Street.

Attachments: [Waukesha Civic Theater CDI Cover Sheet](#)
[Waukesha Civic Theater CDI Grant Development Agreement](#)
[Signed resolution WEDC Civic Theater](#)

A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve Grant Agreement with Waukesha Civic Theatre, Inc. for their expansion project at 264 and 270 W. Main Street. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne, Browne and McElderry

Absent: 1 - M. Payne

- C.** [ID#22-3502](#) Disallowance of Claim - Bobalou Enterprises, LLC

Attachments: [Cover Sheet and Claim.pdf](#)

A motion was made by Ald. Johnson, seconded by Ald. McElderry, to approve Disallowance of Claim - Bobalou Enterprises, LLC. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne, Browne and McElderry

Absent: 1 - M. Payne

6. Public Hearing

- A.** [ID#22-3514](#) Review and act on the proposed assessment for the Spring 2022 Public Street Tree Planting Program, said cost to be \$250.00 per tree.

Attachments: [Council Cover Sheet_Tree Assessment](#)
[2022 Spring Public Tree Planting Packet_Council](#)

Mike Talaska, Forestry Supervisor, introduced the Spring 2022 Tree Planting Program.

The Public Hearing was opened. No one was present to speak. The Public Hearing was closed.

7. Action on Public Hearing

- A.** [ID#22-3514](#) Review and act on the proposed assessment for the Spring 2022 Public

Street Tree Planting Program, said cost to be \$250.00 per tree.

Attachments: [Council Cover Sheet Tree Assessment](#)
[2022 Spring Public Tree Planting Packet Council](#)

A motion was made by Ald. Johnson, seconded by Ald. Browne, to approve the proposed assessment for the Spring 2022 Public Street Tree Planting Program, said cost to be \$250.00 per tree. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne, Browne and McElderry

Absent: 1 - M. Payne

Reports

8. 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 & 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

9. Plan Commission - Jennifer Andrews

10. Standing Committees

A. Finance Committee Report - Ald. Pieper

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

C. Ordinance & License Committee Report - Ald. Johnson

A. [ID#21-3123](#) Revisions and updates to chapter 9, the alcohol code.

Attachments: [O&L Memo with Redline.pdf](#)
[O&L Memo 1-10-22.pdf](#)

[Original Motion]

A motion was made by Ald. Rodriguez, seconded by Ald. Johnson, to approve revisions and updates to Chapter 9, the Alcohol Code.

[Motion to amend the original motion]

A motion was made by Ald. Pieper, seconded by Ald. E. Payne, not to include the revision to 9.11(16) allowing the sale of hard liquor by gas stations. The motion carried by the following vote:

Aye: 8 - Pieper, Bartels, D. Lemke, E. Payne, Moltzan, C. Payne, Browne and McElderry

Nay: 6 - Manion, Johnson, Rodriguez, Wells, Miller and R. Lemke

Absent: 1 - M. Payne

Ordinance #2022-2

[Voting on original Motion with amendment]

A motion was made by Ald. Rodriguez, seconded by Ald. Johnson, to approve revisions to Chapter 9, the Alcohol Code with gas stations not being able to sell liquor. The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, Browne and McElderry

Nay: 1 - C. Payne

Absent: 1 - M. Payne

D. Human Resources Committee Report - Ald. Manion

11. Board of Public Works Report - Alex Damien

A. [ID#22-3433](#) Recommend adoption of the RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$8,050,958 SEWER SYSTEM REVENUE BONDS, SERIES 2022A, AND PROVIDING FOR OTHER DETAILS AND COVENANTS WITH RESPECT THERETO for the Clean Water Fund Loan to finance the improvements for the Clean Water Plant West Side Lift Station Consolidation.

Sponsors: Public Works

Attachments: [22-3433_BPW_Agenda_Cover_Sheet_draft_01_20_2022_CWFL_Resolution_West_Side_Consolidation](#)
[22-3433_Waukesha,_C_of_-_22A_CWF_-_Resolution](#)

Resolution #2022-2

A motion was made by Ald. E. Payne, seconded by Ald. Pieper, to approve the

adoption of the resolution authorizing the issuance and sale of up to \$8,050,958 sewer system revenue bonds, series 2022A, and providing for the Clean Water Fund Loan to finance the improvements for the Clean Water Plant West Side Lift Station Consolidation. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne, Browne and McElderry

Absent: 1 - M. Payne

12. Director of Public Works Report

13. City Attorney's Report

14. City Administrator's Report

A. [ID#22-3518](#) Report from the City Administrator

Attachments: [Admin Report 1-28-22](#)

15. Mayor's Report & Referrals

A. [ID#22-3532](#) Proclamation for Arbor Day

Attachments: [Arbor Day Proclamation 2022](#)

16. Referrals

There were no referrals made.

17. Adjournment

The meeting adjourned at 7:24pm.

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.