



# City of Waukesha

City Hall,  
201 Delafield Street  
Waukesha, WI 53188

## Meeting Minutes - Draft

### 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, September 5, 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, Boyle, Rodriguez and E. Payne

**Absent:** 1 - Lemke

2. Announcement of Closed Session pursuant Wis. Stats. 19.85 (1)(e) to deliberate the possible purchase of real estate by the City and Wis. Stats. 19.85 (1)(g) to confer with the City Attorney regarding continuation of litigation against Mill Reserve, LLC.

3. Pledge of Allegiance

4. Public Comment

*Susie Taylor, 337 Main Street, spoke in support of the hiring of Derek Jack.  
Derek Jack, 925 River Hill Dr., asked for support of exemption from policy.  
Charlie Betker, 944 Oakland, asked alderman to look at their districts for unsightly yards. He also asked for reconsideration of the 4" snow rule.*

5. Approval of Minutes

[ID#17-1304](#) Minutes from August 15, 2017

**Attachments:** [ccmn170815 draft](#)

**A motion was made by Ald. Johnson, seconded by Ald. Thieme, that the Minutes of August 15, 2017 be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Lemke

### **Consent Agenda**

*The Consent Agenda passed by unanimous consent with no changes.*

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

[ID#17-1210](#) Approval of Amendment 3 to Transit Administration Services Agreement with Waukesha County

**Attachments:** [Agenda Cover Sheet -County Transit Administration Services Amendment](#)  
[1504 Transit Admin Services Amendment 3](#)

## **2. Plan Commission**

[PC17-0075](#) The Salvation Army, 445 Madison - Certified Survey Map

**Attachments:** [CSM](#)  
[Salvation Army Cover Sheet](#)

## **3. Standing Committees**

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

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

A. [ID#17-1199](#) Install Autistic Child Sign on Valley Hill Drive.

**Sponsors:** Perry

**Attachments:** [B&G Resolution RTC for the 09-05-2017 CC Meeting CONSENT AGENDA.pdf](#)  
[Item 17-1199 Admin Review-Autistic Child Sign Valley Hill Dr to CC meeting 9-5-17.pdf](#)

B. [ID#17-1200](#) Modify the No Parking Zone on south side of Arcadian Avenue to be from the corner of N. Hartwell Avenue to 135 feet west; amended to be 160 feet west of N. Hartwell Ave.

**Sponsors:** Public Works and Transit

**Attachments:** [B&G Resolution RTC for the 09-05-2017 CC Meeting CONSENT AGENDA.pdf](#)  
[Item 17-1200 Admin Review-No Parking Zone ss Arcadian amend 160 W to CC meeting 9-5-17.pdf](#)

C. [ID#17-1201](#) Modify the existing No Parking Zone on the east side of N. Grandview Blvd. to be from the corner of Northview Road to 280 feet south of center line of Sunkist Avenue.

**Sponsors:** Public Works

**Attachments:** [B&G Resolution RTC for the 09-05-2017 CC Meeting CONSENT AGENDA.pdf](#)  
[Item 17-1201 Admin Review-Modify No Parking Zone es N Grandview to CC meeting 9-5-17.pdf](#)

- D. [ID#17-1202](#) Install No Parking Any Time signs on the north side of Northview Road from the corner of N. Grandview Blvd. to 320 feet west.

**Sponsors:** Public Works

**Attachments:** [B&G Resolution RTC for the 09-05-2017 CC Meeting CONSENT AGENDA.pdf](#)  
[Item 17-1202 Admin Review-Install No Parking Any Time ns Northview to CC meeting 9-5-17.pdf](#)

- E. [ID#17-1203](#) Install No Parking Any Time signs on the south side of Northview Road from the corner of N. Grandview Blvd. to 360 feet west.

**Sponsors:** Public Works

**Attachments:** [B&G Resolution RTC for the 09-05-2017 CC Meeting CONSENT AGENDA.pdf](#)  
[Item 17-1203 Admin Review-Install No Parking Any Time ss Northview to CC meeting 9-5-17.pdf](#)

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

#### 1. Licenses

[ID#17-1294](#) INVITED Bartender Applications- August 28, 2017

**Attachments:** [Bartenders 2017.08.28](#)

[ID#17-1295](#) Bartender Applications- August 28, 2017

**Attachments:** [Bartenders 2017.08.28](#)

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

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

#### **End of Consent Agenda**

#### 6. New Business

[ID#17-1280](#) Consider approval of settlement of excessive-property-tax-assessment lawsuit against City by Menard, Inc.

**Sponsors:** Attorney's Office and Assessor's Office

**Attachments:** [Cover Sheet.pdf](#)  
[Settlement Agreement 2017-08-18.pdf](#)

**A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve the settlement of excessive-property-tax-assessment lawsuit against the City by Menard, Inc. The motion carried by the following vote:**

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

**Absent:** 1 - Lemke

[ID#17-1328](#) Consider disallowance of claim for personal injury damages submitted by Marianne Hutchins.

**Sponsors:** Attorney's Office

**Attachments:** [Notice of Claim-Redacted](#)

**A motion was made by Ald. Thieme, seconded by Ald. Johnson, to approve the disallowance of claim for personal injury damages submitted by Marianne Hutchins. The motion carried by the following vote:**

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

**Absent:** 1 - Lemke

[ID#17-1319](#) Discussion and possible action on City Hall

**Attachments:** [City Hall Update 9.5.2017 \(002\)](#)  
[City Hall Options for Sept 5 Council Meeting](#)

**[Original Motion] A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to focus efforts around City Hall discussions on the existing site, whether that be renovation or building new that has yet to be determined. Voting on Original Motion:**

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

**Nay:** 1 - C. Payne

**Absent:** 1 - Lemke

**[Amendment to Original Motion] A motion was made by Ald. C. Payne, seconded by Ald. Jankowski, to consider adding into consideration renovation and expansion of the police department building. The amendment to the motion failed by the following vote:**

**Aye:** 3 - Cummings, C. Payne and Jankowski

**Nay:** 11 - Pieper, Bartels, Skinner, Perry, Manion, Thieme, Johnson, Helgestad, Boyle, Rodriguez and E. Payne

**Absent:** 1 - Lemke

**[During Discussion] A motion was made by Ald. Boyle, seconded by Ald. Johnson, to CALL THE QUESTION. The motion carried by the following vote:**

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

**Nay:** 1 - E. Payne

**Absent:** 1 - Lemke

## **Reports**

### 7. Other Boards and Commissions

A. Transit Commission Report - Dr. Fred Abadi

B. Water Utility Commission - Ald. Thieme

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

### 8. Plan Commission - Jennifer Andrews

### 9. Standing Committees

A. Finance Committee Report - Ald. Pieper

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

C. Ordinance & License Committee Report - Ald. Johnson

[ID#17-1293](#) Consider amendment of Mun Code sec 7.04(4) to allow the parking of vehicles on driveway aprons that are large enough to contain the entire vehicle, and make recommendation to Common Council.

**Attachments:** [Cover Sheet.pdf](#)  
[Memo with Attachments.pdf](#)  
[Ordinance v2.pdf](#)  
[Ordinance-O&L Redline.pdf](#)

**A motion was made by Ald. C. Payne, seconded by Ald. E. Payne, to approve amendment of Mun Code sec 7.04(4) to allow the parking of vehicles on driveway aprons that are large enough to contain the entire vehicle. The motion carried by the following vote:**

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

**Absent:** 1 - Lemke

#### D. Human Resources Committee Report - Ald. Thieme

- A. [ID#17-1224](#) Referral by Ald. Perry to consider an additional exemption to the B-10 policy of the employment of relatives, specifically in the case of the Police Department and recent patrol hirings.

**Attachments:** [HR Policy B-10](#)  
[City Attorney Memo on HR Policy B-10](#)  
[Additional Docs on B-10 Request](#)

**A motion was made by Ald. Thieme, seconded by Ald. Johnson, to approve denial of policy exemption to the B-10 policy regarding the employment of relatives, specifically in the case of the Police Department and recent patrol hirings. The motion carried by the following vote:**

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

**Nay:** 1 - Perry

**Absent:** 1 - Lemke

**[During Discussion] A motion was made by Ald. Cummings, seconded by Ald. Manion, to CALL THE QUESTION. The motion required a super majority and did not pass by the following vote:**

**Aye:** 9 - Pieper, Cummings, C. Payne, Manion, Johnson, Helgestad, Boyle, Rodriguez and E. Payne

**Nay:** 5 - Bartels, Skinner, Perry, Thieme and Jankowski

**Absent:** 1 - Lemke

10. Board of Public Works Report - Dr. Fred Abadi
11. Director of Public Works Report
12. City Attorney's Report

## 13. City Administrator's Report

[ID#17-1305](#) Report from the City Administrator

Attachments: [Admin Report 9.1.17](#)

[Kevin Lahner Dark Store Bill Testimony 8.30.2017](#)

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

## 15. Referrals

*Ald. Helgestad to Building & Grounds to install no trucking signs at Hamilton Ave at the intersections of Hamilton and Prairie and Hamilton and Franklin.*

*Ald. Perry to Building & Grounds to please consider restrictions of no parking 9am - 3pm Sept - May: exception Sat, Sun Holidays on Rivers Crossing Dr. between Raintree Ln & River Rd.*

*Ald. Skinner to City Administrator/Public Works to please review and re-assess the impact of train crossing delays on City operations, emergency routes and traffic flow through the City. A report back to the Common Council is appreciated.*

*Ald. Cory Payne to Public Works to power was Metro station and City Hall.*

## 16. Closed Session

[ID#17-1229](#) A motion will be made pursuant to Wis. Stats 19.85(1)(e) to go into closed session to deliberate the negotiation of a possible purchase of public property.

*Meeting went into Recess*

**[ID #17-1229 & ID #16-1161] A motion was made by Ald. Pieper, seconded by Ald. Thieme, pursuant to Wis. Stats 19.85(1)(e) to go into closed session to deliberate the negotiation of a possible purchase of public property and also to confer with the City of Attorney regarding a possible settlement of a lawsuit by the City against Mill Reserve, LLC. The motion carried by the following vote:**

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

**Absent:** 1 - Lemke

[ID#16-1161](#) A motion will be made pursuant to Wis. Stats. sec 19.85(1)(g) to convene in closed session to confer with the City Attorney regarding a possible settlement of a lawsuit by the City against Mill Reserve, LLC.

Sponsors: Attorney's Office

*Meeting Reconvened in open session at 9:36 p.m.*

17. Upon conclusion of the closed session, a motion may be made to reconvene in open session, and action may be taken upon matters discussed in closed session.

**[After reconvening into Open Session] A motion was made by Ald. Joe Pieper,**

**seconded by Ald. Eric E. Payne, to reopen the lawsuit against Mill Reserve LLC and direct staff to pursue judgment. The motion carried by the following vote:**

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

**Absent:** 1 - Lemke

## 18. Adjournment

*The meeting was adjourned at 9:37p.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.