



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

City Council

Tuesday, March 15, 2022

6:30 PM

Council Chambers, City Hall

1. Roll Call

Present: 13 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Miller, C. Payne, Browne, McElderry and M. Payne

Absent: 2 - Moltzan and R. Lemke

2. Pledge of Allegiance

3. Public Comment

No speakers present for Public Comment.

4. Approval of Minutes

A. [ID#22-3714](#) Minutes from March 1, 2022

Attachments: [ccmn220301 draft](#)

A motion was made by Ald. E. Payne, seconded by Ald. Pieper, to approve Minutes from March 1, 2022. The motion carried by the following vote:

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

Absent: 2 - Moltzan and R. Lemke

Consent Agenda

The Mayor removed Item ID#22-3697 at the request of Ald. M. Payne. The remainder of the Consent Agenda passed unanimously.

1. Other Boards and Commissions

A. [ID#22-3650](#) Review and act on an amendment to the Everstream Contract

Attachments: [22-3650 Coversheet](#)

[Everstream Amendment](#)

[Northview and Grandview Amendment Permit](#)

B. [ID#22-3619](#) Review and Act on Proposed Title VI Plan for 2022-2024 and Supporting Resolution

Attachments: [Title VI 2022-2024](#)
[Resolution - Title VI 2022-2024](#)
[Title VI Program 2022 Final](#)

Resolution #2022-9

- C. [ID#22-3697](#) Review and act on proposed 2022 Springs Park usage contract with the Waukesha YMCA.

Attachments: [2022 Council Cover Sheet - Springs Contract](#)
[2022 YMCA-Springs Park Contract](#)

This item was removed from Consent Agenda and handled under Park, Rec & Forestry report.

- D. [ID#22-3699](#) Review and act on proposed agreement with TruGreen Lawn Care to provide fertilization and weed control services on various City/park properties.

Attachments: [2022 Council Cover Sheet - Fertilizer & Weed Control Contract](#)
[2022 Fertilizer Weed Control Bid](#)

- E. [ID#22-3701](#) Review and act on proposed sponsorship agreement amendment and addendum with Meijer Great Lakes Limited Partnership.

Attachments: [2022 Cover Sheet - Tribute Tuesday Meijer Agreement](#)
[Meijer - City of Waukesha Amendment to MSA Master 2.24.22](#)
[Meijer -City of Waukesha Sponsorship Addendum 2.25.22](#)
[Meijer-City of Waukesha Master Agreement 03182019- FULLY EXECUTED](#)

- F. [ID#22-3702](#) Review and act on proposed Recreation Services contract with The National Basketball Academy.

Attachments: [Cover Sheet - Recreation Service Contracts National](#)
[2022 The National Basketball Academy Contract](#)

- G. [ID#22-3703](#) Review and act on proposed Recreation Services contract with Challenger Sports.

Attachments: [Cover Sheet - Recreation Service Contracts Challenger](#)
[2022 Challenger Sports Contract](#)

- H. [ID#22-3704](#) Review and act on proposed Recreation Services contract with Youth Cricket Wisconsin.

Attachments: [Cover Sheet - Recreation Service Contracts Cricket](#)
[2022 Youth Cricket Wisconsin Contract](#)

- I. [ID#22-3705](#) Review and act on proposed Recreation Services contract with Hooper Hands Basketball Academy.
Attachments: [Cover Sheet - Recreation Service Contracts Hooper 2022 Hoopers Hands Contract](#)
- J. [ID#22-3706](#) Review and act on proposed Recreation Services contract with Spring Sportz, LLC.
Attachments: [Cover Sheet - Recreation Service Contracts Spring Sportz 2022 Spring Sportz, LLC Contract](#)
- K. [ID#22-3707](#) Review and act on proposed Recreation Services contract with Treetop Explorer, LLC.
Attachments: [Cover Sheet - Recreation Service Contracts Treetop 2022 Treetop Explorer, LLC Contract](#)

2. Plan Commission

3. Standing Committees

A. Finance Committee - Ald. Pieper

- A. [ID#22-3436](#) Review and Act on a recommendation to use unassigned General Fund-Fund Balance in the amount of \$325,500 to reimburse the Water Utility for the purchase of land intended to be used as a city park.
Attachments: [Rempe Purchase Cover Sheet](#)

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

- A. [ID#21-2566](#) Install Stop Sign for the southbound traffic on NW Barstow Street at the intersection with Buena Vista Avenue.
Sponsors: E. Payne
Attachments: [21-2566 DPW Study and Recommend Alternative for Improved Traffic at NW Barstow and Buena Vista BG Resolution for the 3-15-2022 Consent](#)

Resolution #2022-10

7/19/2021. This item was brought forward from Ald. Eric Payne to have staff review the intersection of N.W. Barstow Street and Buena Vista Avenue for traffic safety issues. Staff is presenting this item to the Committee to inform them of the impending study. Any changes to traffic control will be subject to approval, at a later date, by this Committee.

11/1/2021. Engineering staff have finished their study of the intersection and

speed issues and will present findings to the Committee. Any items that will need Committee approval will be brought forward at a subsequent meeting.

- B. [ID#22-3657](#) Rescind existing Parking Zones on E. and W. St. Paul Avenue from Mountain Avenue to Albert Street and E. and W. North Street from W. St. Paul Avenue to Pewaukee Road to accommodate the 2-way conversion project.

Sponsors: E. Payne

Attachments: [22-3657 Rescind Existing Parking on E-W St Paul from Mountain to Albert](#)
[BG Resolution for the 3-15-2022 Consent](#)

Resolution #2022-10

- C. [ID#22-3658](#) Install Parking Zones on E. and W. St. Paul Avenue from Mountain Avenue to Albert Street and E. and W. North Street from W. St. Paul Avenue to Pewaukee Road to accommodate the 2-way conversion project.

Sponsors: E. Payne

Attachments: [22-3658 Please Approve New Parking Zones on W St Paul from Mountain to Albert](#)
[22-3658 Attachment B and G Exhibit-20220222](#)
[BG Resolution for the 3-15-2022 Consent](#)

Resolution #2022-10

- D. [ID#22-3659](#) Rescind the Yield Sign at the intersection of E. North Street and Pewaukee Road.

Sponsors: E. Payne

Attachments: [22-3659 Please Rescind Yield Sign at North and Pewaukee](#)
[BG Resolution for the 3-15-2022 Consent](#)

Resolution #2022-10

- E. [ID#22-3660](#) Install Stop Sign at the intersection of E. North Street and Pewaukee Road.

Sponsors: E. Payne

Attachments: [22-3660 Please Approve Stop Sign at North and Pewaukee](#)
[22-3660 Attachment B and G Exhibit STP-BG](#)
[BG Resolution for the 3-15-2022 Consent](#)

Resolution #2022-10

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

- A. [ID#22-3774](#) Invited Bartenders
Attachments: [Invited Bartenders 3-14-22](#)
- B. [ID#22-3775](#) Invited Other Applications
Attachments: [Invited Other Applications 3-14-22](#)
- C. [ID#22-3776](#) Other Applications
Attachments: [Other Applications 3-14-22](#)

D. Human Resources - Ald. Manion

E. Board of Public Works - Alex Damien

- A. [ID#22-3694](#) Review and act on the Agreement to host the 2022 Residential E-Waste and Appliance Drop Off Events with Legacy Recycling, LLC.
Attachments: [22-3694_BPW Cover Sheet - BPW 2022 E-Waste Events Agreement](#)
[2022 Contract - Ewaste Collection Events](#)

End of Consent Agenda

5. New Business

- A. [ID#22-3727](#) Woodman's Claim alleging excessive assessment. The City is currently in litigation over several years of tax assessments against this property. The assessment has not changed and Woodman's filed this claim on two separate parcels requesting a refund of the excessive taxes paid. Presumably this claim will be added to the pending litigation for resolution at trial in the circuit court. The city attorney recommends that the common council deny the claim for each property and direct the city clerk to serve the required notice to the tax payer.

Sponsors: Attorney's Office

Attachments: [Claim-Woodman's.pdf](#)

A motion was made by Ald. E. Payne, seconded by Ald. M. Payne, to approve disallowance of Woodman's Claim alleging excessive assessment. The motion carried by the following vote:

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

Absent: 2 - Moltzan and R. Lemke

- B. [ID#22-3728](#) Salem United Methodist Church Claim for recovery of unlawful taxes and/or tax-exempt status. The taxpayer disputes the acreage considered by the

city assessor to be taxable and disputes the assessment amount. The city assessor and city attorney met with the taxpayer to discuss with no resolution reached. The Notice of Claim is filed as a prerequisite to filing a lawsuit. The city attorney recommends the common council deny the claim for each property and direct the city clerk to serve the required notice to the taxpayer.

Sponsors: Attorney's Office

Attachments: [Claim-Salem United Methodist Church.pdf](#)

A motion was made by Ald. E. Payne, seconded by Ald. M. Payne, to approve Disallowance of Salem United Methodist Church Claim for recovery of unlawful taxes and/or tax-exempt status. The motion carried by the following vote:

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

Absent: 2 - Moltzan and R. Lemke

- C. [ID#22-3729](#) Ethnos 360 claim for tax exempt status. The city assessor determined, based on information provided by the taxpayer, that properties owned by Ethnos 360, Inc. at 609 Arcadian Avenue and 1105 Phoenix Drive did not meet the statutory requirements for exemption. The taxpayer disagrees and filed a Notice of Claim as a prerequisite to filing a lawsuit. The city attorney recommends that the common council deny the claim for each property and direct the city clerk to serve the required notice to the taxpayer.

Sponsors: Attorney's Office

Attachments: [Claim-Ethnos.pdf](#)

A motion was made by Ald. E. Payne, seconded by Ald. M. Payne, to approve disallowance of Ethnos 360 claim for tax exempt status. The motion carried by the following vote:

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

Absent: 2 - Moltzan and R. Lemke

- D. [ID#22-3794](#) Approve the selection of Sherri Meyer as Prairie Home Cemetery Director.

Attachments: [Cemetery Director Cover Sheet 3.10.2022](#)

[Sherri Meyer Resume](#)

A motion was made by Ald. Rodriguez, seconded by Ald. McElderry, to approve the selection of Sherri Meyer as Prairie Home Cemetery Director. The motion carried by the following vote:

Aye: Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Miller, C. Payne, Browne, McElderry and M. Payne

Absent: Moltzan and R. Lemke

Present: 13 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Miller, C. Payne, Browne, McElderry and M. Payne
Absent: 2 - Moltzan and R. Lemke

Reports

7. 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

[ID#22-3697](#) Review and act on proposed 2022 Springs Park usage contract with the Waukesha YMCA.

Attachments: [2022 Council Cover Sheet - Springs Contract](#)
[2022 YMCA-Springs Park Contract](#)

Ald. M. Payne abstained and stepped out.

A motion was made by Ald. Johnson, seconded by Ald. Wells, to approve the 2022 Springs Park usage contract with the Waukesha YMCA. The motion carried by the following vote:

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

Absent: Moltzan and R. Lemke

Abstain: M. Payne

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

10. Board of Public Works Report - Alex Damien

- A. [ID#22-3691](#) Bids Received: Friday, February 25, 2022, at 11:00 a.m.
E. and W. North Street and E. St. Paul Avenue Utility and Street Improvements

The Board of Public Works recommends that the low bid from LaLonde Contractors, Inc., in the amount of \$4,886,008.51, be awarded.

Sponsors: Public Works

Attachments: [Bid-North St Paul Two Way Conversion- Concrete](#)

A motion was made by Ald. Pieper, seconded by Ald. Johnson, to approve E. and W. North Street and E. St. Paul Avenue Utility and Street Improvements bid award to LaLonde Contractors, Inc., on their low bid in the amount of \$4,886,008.51. The motion carried by the following vote:

Aye: 9 - Pieper, Bartels, Johnson, Rodriguez, D. Lemke, Wells, Miller, McElderry and M. Payne

Nay: 4 - Manion, E. Payne, C. Payne and Browne

Absent: 2 - Moltzan and R. Lemke

- B. [ID#22-3692](#) Bids Received: Friday, February 25, 2022, at 11:00 a.m.
Heyer and Grandview Parks Tennis Courts and Priedeman Park Basketball Court Surface Repair and Color Coating

The Board of Public Works recommends that the low bid from Poblocki Paving Corporation in the amount of \$64,114.00, be awarded.

Attachments: [Bid Heyer and Grandview Parks Tennis Courts and Priedeman Park Basketball Court](#)

A motion was made by Ald. E. Payne, seconded by Ald. Browne, to approve bid award for Heyer and Grandview Parks Tennis Courts and Priedeman Park Basketball Court Surface Repair and Color Coating to Poblocki Paving Corporation on their low bid in the amount of \$64,114.00. The motion carried by the following vote:

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

Absent: 2 - Moltzan and R. Lemke

- C. [ID#22-3693](#) Bids Received: Friday, February 25, 2022, at 11:00 a.m.
Concrete Pavement Patching and Concrete Sawing - City Wide

The Board of Public Works recommends that the low bid from J&A Pohl, Inc., in the amount of \$331,100.00, be awarded.

Sponsors: Public Works

Attachments: [Bid - 2022 Concrete Street Patching](#)

Ald. M. Payne abstained and stepped out.

A motion was made by Ald. E. Payne, seconded by Ald. Pieper, to approve Concrete Pavement Patching and Concrete Sawing - City Wide. The Board of Public Works recommends that the low bid from J&A Pohl, Inc., in the amount of \$331,100.00, be awarded. The motion carried by the following vote:

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

Absent: 2 - Moltzan and R. Lemke

Abstain: 1 - M. Payne

- D. [ID#22-3710](#) Review and act on the Contract for the E. and W. North Street and E. St. Paul Avenue Street Utility and Street Improvements Construction Management Services.

Sponsors: Public Works

Attachments: [22-3710 BPW Agenda Cvr-North and St Paul Consultant for Construction Management Services](#)

A motion was made by Ald. Pieper, seconded by Ald. Johnson, to approve the Contract for the E. and W. North Street and E. St. Paul Avenue Street Utility and Street Improvements Construction Management Services. The motion carried by the following vote:

Aye: 10 - Pieper, Bartels, Johnson, Rodriguez, D. Lemke, Wells, Miller, Browne, McElderry and M. Payne

Nay: 3 - Manion, E. Payne and C. Payne

Absent: 2 - Moltzan and R. Lemke

11. Director of Public Works Report

12. City Attorney's Report

13. City Administrator's Report

- A. [ID#22-3777](#) Report from the City Administrator

Attachments: [Admin Report 3-10-22](#)
[City of Waukesha 2022 Moodys Presentation](#)

14. Mayor's Report & Referrals

A. [ID#22-3778](#) Demise- Margaret Farrow

Attachments: [Demise- Margaret Farrow](#)

B. [ID#22-3779](#) Board and Committee Appointments

Attachments: [Letter for Council 3.15.2022](#)
[Sarah Smith Resume](#)
[3.03 Board of Review](#)

A motion was made by Ald. E. Payne, seconded by Ald. D. Lemke, to approve Sara Smith to Board of Review and Park Rec & Forestry Board. The motion carried by the following vote:

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

Absent: 2 - Moltzan and R. Lemke

15. Referrals

There were no referrals made.

16. Adjournment

The meeting adjourned at 7:09 pm.

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.