



# City of Waukesha

City Hall,  
201 Delafield Street  
Waukesha, WI 53188

## Meeting Minutes - Draft

Attend in person or watch  
live at

<https://waukesha.legistar.com/calendar.aspx>

## City Council

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Tuesday, September 5, 2023

6:00 PM

Council Chambers, City Hall

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### 1. Roll Call

**Present:** 14 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

**Absent:** 1 - Dean D. Lemke

### 2. Pledge of Allegiance

3. Announcement of closed session to Wis. Stats. 19.85(1)(c), to consider the final candidate for the position of City Administrator and his compensation. A proposed employment agreement shall be presented to the Common Council for its consideration and approval at a later meeting.

### 4. Public Comment

*Tariq Akmut, 2032 Empire Drive, spoke on water switch over and parking structures.*

### 5. Approval of Minutes

#### A. [ID#23-7487](#) Minutes from August 15, 2023

**Attachments:** [ccmn230815 draft.pdf](#)

**A motion was made by Ald. R. Lemke, seconded by Ald. E. Payne, to approve the Minutes from August 15, 2023. The motion carried by the following vote:**

**Aye:** 14 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

**Absent:** 1 - Dean D. Lemke

### Consent Agenda

*The Consent Agenda passed by unanimous consent with no items removed.*

### 1. Other Boards and Commissions

- A. [ID#23-7461](#) Review and act on (recommendation to Common Council) termination of easement agreement regarding pedestrian walkway on Bryant property (parcel number 32361) adjacent to Cardinal Ridge Park.
- Attachments:** [Common Council Cover Sheet - Bryant Property Walkway Easement Termination 2023](#)  
[Byrant Easement Walkway - Recorded](#)  
[Termination of Bryant Walkway Easement](#)
- B. [ID#23-7462](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Bo's Schnitzelbunker, LLC to sell non-competing food/beverage items at 2023 Oktoberfest community event.
- Attachments:** [Common Council Cover Sheet - Oktoberfest 8.2023](#)  
[Bo's Schnitzelbunker Oktoberfest Agreement-2023](#)
- C. [ID#23-7463](#) Review and act on (recommendation to Common Council) proposed vendor agreement with The Elliott Organization to participate as a glass blowing performer and sell custom glassware at 2023 Oktoberfest community event.
- Attachments:** [Common Council Cover Sheet - Oktoberfest 8.2023](#)  
[The Elliott Group.Glass Blowers Oktoberfest Agreement 2023](#)
- D. [ID#23-7464](#) Review and act on (recommendation to Common Council) proposed contract with The Decade to provide July 3, 2024 Independence Day Event Neighborhood Beer Garden music entertainment.
- Attachments:** [Common Council Cover Sheet -The Decade 7.3.24](#)  
[Performance Agreement for July 4th Fireworks - The Decade 7.3.24](#)
- E. [ID#23-7465](#) Review and act on (recommendation to Common Council) proposed contract with Waukesha County to provide the Stepping On program.
- Attachments:** [Common Council Cover Sheet - Waukesha County Stepping On Program Contract 23](#)  
[Waukesha County Recreation Services Contract - Stepping On 2023](#)

- F. [ID#23-7467](#) Review and act on (recommendation to Common Council) approval of a contract amendment with BerryDunn to provide strategic planning services for the Parks, Recreation & Forestry Department.

**Attachments:** [Common Council Cover Sheet - BerryDunn Strategic Planning Amendment](#)  
[BerryDunn Waukesha WI StrategicPlan Dept of Parks Rec and Forestry Revised Proposal .pdf](#)  
[BerryDunn Contract WI City of Waukesha Strategic Planning and Goal Setting Facilitation - Amendment 1](#)

## **2. Plan Commission**

### **3. Standing Committees**

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

- A. [ID#23-7457](#) Review and act on an amendment to the Development Agreement with JPD GC Waukesha, LLC and JPD GC Waukesha 2, LLC.

**Attachments:** [Cover Sheet - JPD](#)  
[Amendment to TIF Development Agreement v3](#)

- B. [ID#23-7500](#) Review and act on an agreement for crossing guard services

**Attachments:** [Cover Sheet - 2023-2024 Crossing Guard Contract](#)  
[Waukesha WI 2023-2024 Services Contract](#)  
[Waukesha WI 2023-2024 Worksheet](#)

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

#### **C. Ordinance & License Committee - Ald. R. Lemke**

##### 1. Licenses

- A. [ID#23-7491](#) Invited Bartenders

**Attachments:** [Invited Bartender Applications - 0828](#)

- B. [ID#23-7492](#) Invited Other Applications

**Attachments:** [Invited Other Applications - 828](#)

- C. [ID#23-7493](#) Other Applications

**Attachments:** [Other License Applications - 828 \(1\)](#)

**D. Human Resources - Ald. Rodriguez****E. Board of Public Works - Alex Damien**

- A. [ID#23-7445](#) Review and act on Contract Change Order No. 1 with Ford Construction Company, Inc., for the Parks Recreation and Forestry Cold Storage Building, 1900 Aviation Drive project.
- Sponsors:** Public Works
- Attachments:** [23-7445\\_BPW\\_Agenda\\_Cvr\\_Ford\\_Constrution-CCO1\\_Park\\_Rec\\_Storage\\_Building.pdf](#)  
[23-7445\\_CCO1-Ford\\_Construction-Park\\_Recreation\\_Storage\\_Building.pdf](#)
- B. [ID#23-7446](#) Review and act on Contract Change Order No. 1 with Garland/DBS, Inc., for the 2023 Waukesha Public Library Roof Replacement Project.
- Sponsors:** Public Works
- Attachments:** [23-7446\\_BPW\\_Agenda\\_Cvr\\_Omnia-Garland-CCO1\\_2023\\_Wauk\\_Library\\_Roof.pdf](#)  
[23-7446\\_CCO1-Garland-DBS-2023\\_Wauk\\_Library\\_Roof\\_Replacement.pdf](#)
- C. [ID#23-7447](#) Review and act on Contract Change Order No. 1 with Wolf Paving Co, Inc., for the Lowell Tennis Court Reconstruction and Lighting Upgrades-Base Bid and Alternates No. 1 and No. 2 project.
- Sponsors:** Public Works
- Attachments:** [23-7447\\_BPW\\_Agenda\\_Cvr-CCO1-Wolf\\_Paving-Lowell\\_Park\\_Tennis\\_Courts.pdf](#)  
[23-7447\\_CCO1-Wolf\\_Paving\\_Lowell.pdf](#)
- D. [ID#23-7448](#) Review and act on Contract Change Order No. 2 with Ford Construction Company, Inc. for the Fire Department Training Facility Restroom Addition -900 Sentry Drive project
- Sponsors:** Public Works
- Attachments:** [23-7448\\_BPW\\_Agenda\\_Cvr-CCO2-Ford\\_Construction\\_Fire\\_Dept\\_Training\\_Facility\\_Restroom.pdf](#)  
[23-7448\\_-CCO2-Ford\\_Construction-FD\\_Training\\_Facility\\_Restroom.pdf](#)

- E. [ID#23-7449](#) Review and act on the contract amendment for On-Call Engineering and Operation Support Services with Jacobs Engineering Group, Inc. on a time and material basis for services related to the recent improvements at the Clean Water Plant.

**Sponsors:** Public Works

**Attachments:** [23-7449 BPW Agenda Cover Sheet - Jacobs Contract Amend, On-Call & Operation Support Services.pdf](#)

- F. [ID#23-7450](#) Approve access easement between 707 Executive Place Holdings LLC and the City of Waukesha at 707 Executive Place LLC

**Sponsors:** Public Works

**Attachments:** [23-7450 BPW Agenda Cvr - Access Easement through SkyHigh Property.pdf](#)  
[Access easement Agreement - 707 Executive Place Waukesha partially executed.pdf](#)

### **End of Consent Agenda**

## 6. New Business

### **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. Rodriguez
- E. Redevelopment Authority Report - Ald. R. Lemke
- F. Parks, Recreation & Forestry Board Report - Ald. Wells
- G. Library Board Report - Ald. Halvensleben
- H. Cemetery Commission Report - Ald. C. Payne
- 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

- A. [PC23-0425](#) Zoning Code Amendment - Section 22.70 Floodplain Zoning - Repeal Section 22.70 and create Chapter 24 Floodplain Ordinance in the Municipal Code to incorporate updates by FEMA to the Flood Insurance Rate Maps and Flood Insurance Study for Waukesha and provide the City the opportunity to participate on Act 175 and the Floodplain CRS Program.

**Attachments:** [Cover Sheet - Zoning Code Amendment - Floodplain Ordinance](#)  
[Floodplain-CRS 011223](#)  
[6\\_08\\_2023 DraftFPOrd\\_CityofWaukesha](#)  
[ACT 175 guidance Final](#)  
[Draft Chapter 24 Floodplain Ordinance](#)  
[Final Draft Chapter 24 Floodplain Ordinance](#)

**A motion was made by Ald. Moltzan, seconded by Ald. E. Payne, to approve the Zoning Code Amendment - Section 22.70 Floodplain Zoning - Repeal Section 22.70 and create Chapter 24 Floodplain Ordinance in the Municipal Code to incorporate updates by FEMA to the Flood Insurance Rate Maps and Flood Insurance Study for Waukesha and provide the City the opportunity to participate on Act 175 and the Floodplain CRS Program. The motion carried by the following vote:**

**Aye:** 14 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

**Absent:** 1 - Dean D. Lemke

- B. [ID#23-7488](#) Building Code Amendment – Section 16.09 Certificate of Occupancy – proposed changes to clarify when a Certificate of Occupancy is required.

**Attachments:** [16.09 Certificates of Occupancy Final](#)

*This is the second reading.*

## 9. Standing Committees

- A. Finance Committee Report - Ald. Pieper
- B. Building & Grounds Committee Report - Ald. E. Payne
- C. Ordinance & License Committee Report - Ald. R. Lemke
- D. Human Resources Committee Report - Ald. Rodriguez

## 10. Board of Public Works Report - Alex Damien

- A. [ID#23-7444](#) Bids Received: Friday, August 11, 2023, at 11:00 a.m.  
Demolition and Asbestos Abatement of 315 N. West Ave.

The Board of Public Works recommends that the low bid from The MRD Group in the amount of \$873,000.00 be awarded.

**Sponsors:** Public Works

**Attachments:** [Demolition and Asbestos Abatement 315 N West Ave BT.pdf](#)

**A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve the low bid from The MRD Group in the amount of \$873,000.00 for Demolition and Asbestos Abatement of 315 N. West Ave. The motion carried by the following vote:**

**Aye:** 13 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson and Paul Wuteska

**Absent:** 1 - Dean D. Lemke

**Abstain:** 1 - Alicia Halvensleben

## 11. Director of Public Works Report

## 12. City Attorney's Report

## 13. City Administrator's Report

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

- A. [ID#23-7517](#) Proclamation for National Rail Safety Week

**Attachments:** [Rail Safety Week 2023 Proclamation](#)

## 15. Referrals

*Ald. Wells to Building & Grounds, to consider the removal of the aging traffic signal at the corner of Grandview Blvd. and Kensington Dr. with a replacement of an all way stop sign.*

## 16. Closed Session

**A motion was made by Ald. Daniel Manion, seconded by Ald. Cassandra Rodriguez, to approve a motion to go into closed session pursuant to Wis. Stats. 19.85(1)(c), to consider the final candidate for the position of City Administrator and their compensation. A proposed employment agreement shall be presented to the Common Council for its consideration and approval at a later meeting. The motion carried by the following vote:**

**Aye:** 14 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

**Absent:** 1 - Dean D. Lemke

Meeting went into Recess at 6:18 pm.

- A. [ID#23-7521](#) Consider and approve the final candidate for the position of City Administrator and his compensation.

**Attachments:** [City Administrator Finalist - Anthony Tony Brown August 2023](#)

17. Reconvene in Open Session

*The meeting reconvened at 7:25 pm.*

- A. [ID#23-7525](#) Possible discussion and/or action on matters discussed in closed session.

18. Adjournment

*The meeting adjourned at 7:25pm.*

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.