



# City of Waukesha

City Hall,  
201 Delafield Street  
Waukesha, WI 53188

## Meeting Minutes - Final

### City Council

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Tuesday, July 21, 2020

**6:30 PM** Members in-person at 1900 Aviation Dr. and on Zoom.  
View <https://waukesha.legistar.com/Calendar.aspx> or Call  
888-788-0099 Webinar ID 938 3652 5250 Password 145472  
Public Comment is virtual only register  
<https://waukesha-wi.gov/1907/Public-Comment>

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#### 1. Roll Call

**Present:** 14 - Pieper, Bartels, Cummings, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne  
**Absent:** 1 - Perry

#### 2. Pledge of Allegiance

#### 3. Public Comment

#### 4. Approval of Minutes

[ID#20-0940](#) Minutes from July 7, 2020

**A motion was made by Ald. Johnson, seconded by Ald. D. Lemke, to approve the Minutes from July 7, 2020. The motion carried by the following vote:**

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

**Absent:** 1 - Perry

### Consent Agenda

*Ald. Browne removed the City Hall digitization project , Item # 20-0841. The remaining items passed by unanimous consent. This item was discussed under the IT Board Report.*

### 1. Other Boards and Commissions

[ID#20-0741](#) Approve proposed Public Facility User Contract with Carroll University associated with Frame Park Baseball Field.

[ID#20-0841](#) City Hall Digitization Project

*This item was removed from Consent and discussed under Report.*

[ID#20-0788](#) Approval of Amendment of the Bus Shelter Agreement with Clear Channel Outdoor

[ID#20-0878](#) Approval of Proposed Service Change to Route 7

[ID#20-0911](#) Approve an Intergovernmental Cooperation Agreement with the City of Muskego to the Common Council, subject to review by the City Attorney

[ID#20-0915](#) Approval of a Water Infrastructure Financing and Innovation Act (WIFIA) loan in the amount of \$137,100,000 to the City of Waukesha Common Council.

## **2. Plan Commission**

### **3. Standing Committees**

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

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

[ID#20-0792](#) Please rescind existing 4 Hour Parking zone on the north side of Dunbar Avenue from Maple Avenue to N. West Avenue.

[ID#20-0793](#) Please approve 2 Hour Parking, 8am to 8pm on Dunbar Avenue from 55 feet west of centerline of Maple Avenue to 215 feet east of centerline of N. West Avenue.

**This item and the previous item 20-0792 are related. This item is to approve a new 2 Hour parking zone in the location indicated.**

[ID#20-0794](#) Please approve an All-Way Stop in the center of Municipal Lot 4 at a location adjacent to the new garbage corral. Also install any associated pavement markings to delineate the stop condition.

**This item and the next two items 20-0795 / 96 are related. The Department of Public Works, with endorsement by Ald. Miller, are requesting approval to some changes in Municipal Parking Lot 4. This request is to approve an All Way stop to resolve traffic flow issues in a very tight intersection near the new garbage corral site. This traffic control will stop vehicles first before continuing through the tight turns.**

[ID#20-0795](#) Please remove 1 parking stall just north of the new garbage corral in Municipal Lot 4.

**This item and two other items 20-0794 / 96 are related. The Department of Public Works, with endorsement by Ald. Miller, are requesting approval to some changes to parking stalls in Municipal Parking Lot 4 to better address issues with snow removal and to prohibit unwanted parking next to the new garbage corral.**

[ID#20-0798](#) Please consider no parking on northbound Downing Drive in the 600 block from the top of the hill to north of 617 Downing Drive. (Revised to be on the east side of Downing Drive from 100 feet to 380 feet north of centerline of Belmont Drive).

This item was brought forward by Ald. Johnson to provide No Parking on east side of Downing Drive at the beginning of the steep hill to a point mid-block. Staff has reviewed this request and recommend the official point of reference for the parking zone be on the east side of Downing Drive from 100 feet north to 380 feet north of Belmont Drive.

[ID#20-0799](#) Please remove no parking signs from Frederick Street between E. Broadway and Porter Avenue.

This item was brought forward by Ald. Moltzan. In 2019, the Committee approved installing the subject No Parking signs. Since then, the residents in the area have decided that open parking should be brought back. To that end, staff recommend rescinding Item ID#19-0591 "Approve No Parking Any Time on the west side of Frederick Street from Porter Avenue to E. Broadway."

[ID#20-0803](#) Please put up no parking signs on Commerce Street as follows: on the west side from Pearl Street 25 feet to the north and on the east side from south edge of Wildeck driveway approx. 40 feet to the Wildeck flag pole. (Revised to be on the west side of Commerce Street from the corner and to 100 feet north of centerline of Ellis Street and on the east side of Commerce Street from 120 feet to 200 feet north of the centerline of Ellis Street.)

This item was brought forward by Ald. Moltzan to install No Parking zones on Commerce Street. Staff has reviewed this request with Ald. Moltzan and recommend the official point of reference for the parking zones be the following: on the west side of Commerce Street from the corner and to 120 feet north of the centerline of Ellis Street and on the east side of Commerce Street from 120 feet to 200 feet north of the center line of Ellis Street.

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

#### 1. Licenses

[ID#20-0893](#) INVITED Bartenders - July 13, 2020

[ID#20-0894](#) Bartenders - July 13, 2020

[ID#20-0895](#) INVITED Other Applications - July 13, 2020

[ID#20-0896](#) Other Applications - July 13, 2020

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

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

[ID#20-0744](#) Review and act on Contract Change Order No. 2 with Donohue & Associates, Inc. for Greenmeadow Sanitary Infrastructure Improvements.

[ID#20-0849](#) Sanitary Sewer Pump Station - Frame Park Restroom

**End of Consent Agenda**

## 5. New Business

## 6. Public Hearing

[PC20-0071](#) Zoning Code Updates – Updates to the Conditional Use sections of the zoning code, and several other minor updates to other sections of the code.

*Doug Koehler, Community Development provided a short overview.*

*The Public Hearing was opened. Public Comment by: Lisa Salb 434 Madison Street regarding MM-1 Zoning Code Changes. The Public Hearing was Closed.*

## 7. Action on Public Hearing

[PC20-0071](#) Zoning Code Updates – Updates to the Conditional Use sections of the zoning code, and several other minor updates to other sections of the code.

*This meeting is the second reading of the ordinance. Ald. E. Payne suggested the M-M1 Change to include the language that any building height over 40' when abutting a residential district would become a conditional use and would have to apply for it to be considered a conditional use. Ald. Pieper also agreed it was a good point and should be looked at by staff. Ald. Cummings also in support of the change.*

*The majority of the Council supports the change with the exception of Ald. Rick Lemke. Community Development to work on the change for the next reading.*

**Reports**

## 8. Other Boards and Commissions

A. Transit Commission Report - Dr. Fred Abadi

B. Water Utility Commission - Ald. Bartels

C. Information Technology Board Report - Ald. Manion

[ID#20-0841](#) City Hall Digitization Project

**A motion was made by Ald. Manion, seconded by Ald. Cummings, to approve the City Hall Digitization Project contract - back to IT Board for further consideration. The motion failed by the following vote:**

**Aye:** 5 - Pieper, Cummings, Manion, Rodriguez and D. Lemke

**Nay:** 10 - Bartels, Perry, Johnson, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne

**A motion was made by Ald. Browne, seconded by Ald. Johnson to approve the digitization contract subject to the records being retained until disposition being approved by the Information Technology Board. (Motion Amended Below)**

**[Amended Motion] Ald. Brown moved, seconded by Ald. Johnson to approve the City Hall Digitization Project contract. The motion passed by the following vote:**

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

**Nay:** 2 - Cummings and Rodriguez

**Absent:** 1 - Perry

- D. Landmarks Commission Report - Ald. Miller
- E. Redevelopment Authority Report - Ald. Perry
- F. Parks, Recreation & Forestry Board Report - Ald. Johnson
- G. Library Board Report - Ald. Miller
- H. Cemetery Commission Report - Ald. Cummings
- I. Waukesha Housing Authority Report - Ald. Miller
- 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

[ID#20-0644](#) Create Mun. Code sec. 9.115, to regulate licensed premises, amendment of licensed premises, and temporary extensions of licensed premises. \*Brought back to committee to coordinate revisions with sec. 8.116, Sidewalk Cafe

*Resolution # 2020-11 Adopted*

**A motion was made by Ald. Johnson, seconded by Ald. Rodriguez, to approve the creation of Mun. Code sec. 9.115, to regulate licensed premises, amendment of licensed premises, and temporary extensions of licensed premises. The motion carried by the following vote:**

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

**Absent:** 1 - Perry

[ID#20-0883](#) Repeal Ordinance Section 1.06 decentralizing absentee ballot processing by the Municipal Board of Absentee Ballot Canvassers (Central Count) . The process will be returned to the individual poll locations using absentee ballot processors assigned to the polls.

*Third Reading Waived, Resolution #2020-13 Adopted*

**A motion was made by Ald. Johnson, seconded by Ald. Miller, to approve the Repeal of Ordinance Section 1.06 decentralizing absentee ballot processing by the Municipal Board of Absentee Ballot Canvassers (Central Count) with waiving of third reading. The process will be returned to the individual poll locations using absentee ballot processors assigned to the polls. The motion carried by the following vote:**

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

**Absent:** 1 - Perry

[ID#20-0906](#) Consider revisions to Municipal Code sec. 8.116, the sidewalk cafe ordinance

*Third Reading Waived. Resolution # 2020-12 Adopted.*

**A motion was made by Ald. Johnson, seconded by Ald. Miller, to approve revisions to Municipal Code sec. 8.116, the sidewalk cafe ordinance, waiving the third reading. The motion carried by the following vote:**

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

**Absent:** 1 - Perry

D. Human Resources Committee Report - Ald. Wells

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

[ID#20-0777](#) Bids Received: Friday, June 19, 2020, at 10:00 a.m.  
Water Utility Madison Street Reconstruction project.

The Board of Public Works concurs with the Waukesha Water Commission to award the low bid from D.F. Tomasini in the amount of \$1,455,999.00.

**A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve the contract award for Water Utility Madison Street Reconstruction project to D.F. Tomasini subject to City attorney review in the amount of \$1,455,999.00. The motion carried by the following vote:**

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

**Absent:** 1 - Perry

12. Director of Public Works Report
13. City Attorney's Report
14. City Administrator's Report

[ID#20-0941](#) Report from the City Administrator

15. Mayor's Report & Referrals
16. Referrals

*Ald. Rodriguez to the Human Resources Committee to start the City Administrator review process.*

*Ald. Miller expressed thank you to Chris Pofahl for the meeting setup tonight and special thanks to Brian Running on and the many others with the Sidewalk ordinance*

*Ald. Cummings question to the City Administrator that Assessor has retired, what is the process for posting and recruitment.*

17. Adjournment

*Adjourned at 8:09 p.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 or by the Wisconsin Telecommunications Relay System so that arrangements may be made to accommodate the request.