



# City of Waukesha

City Hall,  
201 Delafield Street  
Waukesha, WI 53188

## Meeting Minutes - Draft

### Ordinance & License Committee

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Monday, December 13, 2021

6:00 PM

City Hall, Council Chambers

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#### 1. Call to Order

*Alderman Johnson called the meeting to order at 6:01PM. Alderman D. Lemke joined the meeting at 6:26PM.*

**Present** 3 - Miller, Johnson, and Rodriguez

**Absent** 1 - D. Lemke

#### 2. Public Comment

*None*

#### 3. Approval of Minutes

##### A. [ID#21-3188](#) O&L Minutes 11/8/21

**Attachments:** [O&L Minutes 11-8-21](#)

*The O&L Minutes for 11-8-21 were approved by consent.*

#### 4. Licenses

##### A. [ID#21-3267](#) Bartenders

**Attachments:** [Bartenders OL 12-13-21](#)

**A motion was made by Johnson, seconded by Miller to approve the Bartender Applications. The motion carried by the following vote:**

**Aye:** 3 - Miller, Johnson and Rodriguez

**Absent:** 1 - D. Lemke

##### B. [ID#21-3268](#) Other Applications

**Attachments:** [Other Applications OL 12-13-21](#)

**A motion was made by Johnson, seconded by Miller, to approve the Other License Applications. The motion carried by the following vote:**

**Aye:** 3 - Miller, Johnson and Rodriguez

**Absent:** 1 - D. Lemke

5. Review & Act On

- A. [ID#21-2861](#) Amend Municipal Code sections 6.12 and 21.10 pertaining to sidewalk snow and ice removal to require removal from fire hydrants and bus pads; authorize the Department of Public Works to maintain a schedule of costs assessed for removal; limit ice accumulation; and clarify existing language and procedures

**Attachments:** [OL 12 13 21 Cover Sheet](#)

[6.12 and 21.10 Altering Snow Removal Requirements and Adding Snow Removal around Fire Hydrants final rev6](#)

*Fire Chief Steve Howard provided the committee with a summary of the proposed amendments to Municipal Code sections 6.12 and 21.10 pertaining to snow and ice removal from sidewalks, fire hydrants and bus pads; authorize the Department of Public Works to maintain schedule of costs assessed for removal; limit ice accumulation; and clarify existing language and procedures.*

*Aldersperson Rodriguez asked how many residential properties would be impacted by the requirement to clear the bus pads. Transit Manager, Brian Engelking, stated the city has over 500 bus pads, several hundred would be residential. Rodriguez asked if this was a requirement prior, Engelking stated bus pads qualify as part of the sidewalk. Engelking stated for the City to remain ADA compliant the clearing of residential bus pads would need to be enforced. Rodriguez stated she does not feel it is the property owner's responsibility to clear the bus pads, it is the City's responsibility, as they are the ones who put the bus pads in. Rodriguez asked if property owners would be notified of the requirements for bus pads in residential areas needing to be cleared. Engelking stated property owners who have not been compliant in the past have been notified. Engelking stated the Department of Public Works adds bus pad clearing in residential areas to their City Newsletter every winter. Alderman Johnson does not see an issue with property owners taking responsibility for the clearing bus pads.*

*Alderman Miller asked if other municipalities enforce this. Engelking stated City of Milwaukee recently began to formally enforce bus pad clearing by property owners. Engelking stated for the City of Waukesha to take over the clearing of bus pads, a contractor would have to complete the task and it would be costly. Miller asked Chief Howard about the fire hydrants, Chief Howard stated the City of West Allis currently enforces it. Miller stated he does not feel it is the property owner's responsibility to clear the bus pads, but if other municipalities are enforcing it, he would support it.*

*Johnson asked about 6.12(1) - "within 12 hours after the snow has ceased to fall and shall keep the sidewalk free of snow or standing water so as to prevent an accumulation of ice. For purposes of this section, "standing water" means any non-flowing water on a sidewalk occurring between September 1 of the current year and June 1 of the following year." He asked if this is regarding standing water on the sidewalks. Attorney Miles Eastman stated there is currently no mechanism to address a situation to where there is water all over the sidewalk. Johnson stated this is not the property owner's responsibility, but a sidewalk issue. Dustin Nolan, Department of Public Works, stated the intent of the ordinance is to have property owners apply due diligence to their sidewalk, regardless of where they live, for pedestrian safety.*

*Engelking asked Rodriguez to clarify her definition of property owner. Rodriguez stated single-family and two-family homes, not large apartment buildings. Rodriguez stated she does not feel it is the single-family or two-family home property owners in residential areas that should be responsible for clearing of bus pads, it is the City's responsibility.*

A motion was made by Rodriguez, seconded by Miller, to approve the Ordinance draft with the following changes: removal of proposed section 6.12(5), bus pads, and removal of proposed language added to section 6.12(1) requiring persons to keep sidewalks fronting or adjoining their property free of standing water, with directive to City Staff to continue to enforce how they have in the past; request staff to provide at an unspecified time in the future an assessment of the City's cost for the City to clear residential bus pads for single-family and two-family homes. The motion carried by the following vote:

Aye: 4 - Miller, Johnson, D. Lemke and Rodriguez

## 6. Communications

*Alderman Rodriguez asked for status of Chapter 9, Alderman Johnson stated the City Clerk requested to have Chapter 9 come back to the committee after the holidays.*

## 7. Adjournment

*Alderman Johnson adjourned the meeting at 7:23PM.*

Ald. Steve Johnson, Chairman

"A majority of the Council members may be in attendance"

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.