



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Draft

City Council

Thursday, February 18, 2021

6:30 PM

Common Council: Council Chambers

Public: Virtual
https://waukesha-wi.zoom.us/webinar/register/WN_1-FcajF0Q0Gntjl_bS8FOA

Webinar ID: 939 0197 8475

Webinar Passcode: 824593

Phone: 877-853-5247

Public Comment is virtual only, register by 4 pm

1. Roll Call

Ald. Rick Lemke was present at Roll Call, appearing via Zoom. Ald. Wells joined the meeting also via Zoom at 7:04 p.m.

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

Absent: 1 - C. Payne

2. Pledge of Allegiance

3. Public Comment

There were no Public Comments.

4. Approval of Minutes

A. [ID#21-1749](#) Minutes from February 4, 2021

Attachments: [ccmn 210204 draft.pdf](#)

A motion was made by Ald. Johnson, seconded by Ald. Miller to approve the Minutes from February 4, 2021. The motion passed by the following vote:

Aye: 13 - Pieper, Bartels, Cummings, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Moltzan, Miller, R. Lemke, Browne and McElderry

Absent: 2 - Wells and C. Payne

Consent Agenda

The Consent Agenda passed as presented unanimously with no items removed or added.

1. Other Boards and Commissions

A. [ID#21-1702](#) Review and Approve final revisions to PCI DSS Cybersecurity Policy

Standards v1.21

Attachments: [PCI DSS Cybersecurity Policy Standards1.21.Secure](#)

2. Plan Commission

3. Standing Committees

A. Finance Committee - Ald. Pieper

- A. [ID#21-1744](#) Review and act on adjustment of assessment and refund of excessive taxes, 905 River Park Drive.

Sponsors: Attorney's Office

Indexes: excessive assessment

Attachments: [Cover Sheet-Carr Assessment Matter.pdf](#)
[Settlement Agreement.pdf](#)

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

- A. [ID#21-1681](#) Allow the House of Guinness to occupy several parking stalls in Municipal Lot 3 (Clinton St Lot) for March 17, 2021, St. Patrick's Day.

Sponsors: Building and Grounds

Attachments: [21-1681 Guinness for St Patricks Party](#)
[B and G Resolution RTC for the 02-18-21 CC Meeting CONSENT AGENDA](#)
[R2021-1](#)

- B. [ID#21-1685](#) Modify posted speed limit on S. Prairie Avenue to be 25 MPH from Luke Avenue to W. College Avenue.

Sponsors: Building and Grounds

Attachments: [21-1685 Modify Speed Limit on S Prairie to 25 Luke To W College](#)
[B and G Resolution RTC for the 02-18-21 CC Meeting CONSENT AGENDA](#)
[R2021-1](#)

- C. [ID#21-1686](#) Modify the posted speed limit on W. College Avenue / Sentry Drive to be 25 MPH from Phillip Drive to S. Prairie Avenue.

Sponsors: Building and Grounds

Attachments: [21-1686 Modify Sppeed Limit on W College and Sentry To Be 25](#)
[B and G Resolution RTC for the 02-18-21 CC Meeting CONSENT AGENDA](#)

R2021-1

- D. [ID#21-1687](#) Install No Parking Any Time on the east and west sides of S. Prairie Avenue from the center of W. College Avenue to 50 feet south of the center of Phillip Drive.

Sponsors: Building and Grounds

Attachments: [21-1687 No Paarking Any Time On E and W side of S Prairie](#)
[B and G Resolution RTC for the 02-18-21 CC Meeting CONSENT](#)
[AGENDA](#)

R2021-1

- E. [ID#21-1689](#) Install No Parking Any Time on west side of N. Prairie Avenue from the center of W. College Avenue to W. St. Paul Avenue. (corrected)

Sponsors: Building and Grounds

Attachments: [21-1689 Parking Any Time on W Side of N Prairie](#)
[B and G Resolution RTC for the 02-18-21 CC Meeting CONSENT](#)
[AGENDA](#)

R2021-1

- F. [ID#21-1691](#) Install No Parking Any Time on north side of W. College Avenue from 150 feet west to 400 feet east of center of N. Prairie Avenue.

Sponsors: Building and Grounds

Attachments: [21-1691 No Parking Any Time on N Side of W College](#)
[B and G Resolution RTC for the 02-18-21 CC Meeting CONSENT](#)
[AGENDA](#)

R2021-1

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

- A. [ID#21-1723](#) Other Licenses - February 8, 2021

Attachments: [02-08-2021](#)

D. Human Resources - Ald. Manion

E. Board of Public Works - Dr. Fred Abadi

End of Consent Agenda

5. New Business

- A. [ID#21-1742](#) Consideration and possible action on a Resolution Creating Tax Incremental District Number 30, approving its Project Plan and Establishing its Boundaries

Attachments: [TID 30 Cover Sheet Council](#)
[TID 30 Project Plan 1.20.21](#)
[TID 30 Common Council Resolution](#)

Sr. Planner Jeff Fortin gave an overview of the project. Frank Roman and Dawn Gunderson Schiel from Ehlers provided the financial elements of the project.

A motion was made by Ald. Miller, seconded by Ald. R. Lemke, approving the Resolution #2021-2 creating Tax Incremental District Number 30 (TID 30), approving its Project Plan and Establishing its Boundaries. The motion carried by the following vote:

Aye: 12 - Pieper, Bartels, Cummings, Johnson, Rodriguez, D. Lemke, E. Payne, Moltzan, Miller, R. Lemke, Browne and McElderry

Nay: 1 - Manion

Absent: 2 - Wells and C. Payne

- B. [ID#21-1751](#) Presentation providing an update on housing needs in the City of Waukesha.

Sponsors: Community Development

Community Development Director Jennifer Andrews presented the update on housing needs.

Ald. Wells joined the meeting at 7:04 p.m. during this item.

- C. [ID#21-1816](#) Confirmation of Lee Kelley as Cemetery Director for Prairie Home Cemetery

Attachments: [Agenda Cover Sheet Cemetery Director 2.18.2021](#)

A motion was made by Ald. Wells, seconded by Ald. Miller to confirm Lee Kelley as Cemetery Director for Prairie Home Cemetery. The motion passed with the following vote:

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

Absent: 1 - C. Payne

- D. [ID#21-1774](#) Discuss and allow the "public to attend" Waukesha City Council Meetings beginning at the 1st Meeting in March of 2021. Maximum occupancy will be based on appropriate social distancing in the Gallery/Council Chambers as recommended during this health (COVID-19) pandemic.

Sponsors: Cummings and E. Payne

Attachments: [CC Referral 2.18.2021](#)

A motion was made by Ald. Pieper, seconded by Ald. Cummings that the Common Council adopt a guideline that will allow for public attendance at the Council meetings with the seating arrangements as presented this evening, that there be a police officer of the Department's choosing at the meeting, that if there is an individual attending the meeting that after one warning does not put a mask on that they be asked to leave by the police officer, attendance will be on a first come first serve basis with overflow in lobby atrium. That it further be at Mayor's discretion if person removed be invited back to Common Council meetings.

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

Absent: 1 - C. Payne

E. [ID#21-1781](#) Discuss Common Council seating chart

Sponsors: Mayor

Council discussed seating and is in agreement with the current seating chart.

F. [ID#21-1782](#) Discuss Common Council face mask policy

Sponsors: Mayor

This item addressed with the motion above #21-1774.

6. Public Hearing

A. [PC20-0133](#) Carroll University, Health & Wellness Center, 304 N. East Avenue, Rezoning - Request to rezone the property at 304 N. East Avenue from B-1 Neighborhood Business to I-1 Institutional zoning.

Attachments: [Application Plan Commission Carroll Univ Health-Wellness Strang](#)

[S8092 Stamped \(1\)](#)

[Carroll Rezoning Cover Sheet](#)

[Carroll University, Health & Wellness Rezoning Dept. Comments](#)

The public hearing was opened. No one was present to speak. The public hearing was closed.

Sr. Planner Jeff Fortin provided an overview presentation.

7. Action on Public Hearing

A. [PC20-0133](#) Carroll University, Health & Wellness Center, 304 N. East Avenue, Rezoning - Request to rezone the property at 304 N. East Avenue from B-1 Neighborhood Business to I-1 Institutional zoning.

Attachments: [Application Plan Commission Carroll Univ Health-Wellness Strang S8092 Stamped \(1\)](#)
[Carroll Rezoning Cover Sheet](#)
[Carroll University, Health & Wellness Rezoning Dept. Comments](#)

A motion was made by Ald. Miller, seconded by Ald. Bartels, approving the Carroll University, Health & Wellness Center, 304 N. East Avenue, Rezoning - 304 N. East Avenue from B-1 Neighborhood Business to I-1 Institutional zoning. The motion carried by the following vote:

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

Absent: 1 - C. Payne

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
- D. Landmarks Commission Report - Ald. Miller
- E. Redevelopment Authority Report - Ald. R. Lemke

- A. [ID#21-1743](#) Review and act on a proposed Tax Incremental Finance (TIF) Affordable Housing Extension policy.

Attachments: [Using TIF to Benefit Affordable Housing Waukesha Affordable Housing TIF Extension Policy](#)
[Waukesha-TIF-Housing 2.11.21](#)
[TIF Affordable Housing Policy Cover Sheet](#)

note

Jeff Fortin provided a brief presentation.

A motion was made by Ald. Pieper, seconded by Ald. Wells, approving the proposed Tax Incremental Finance (TIF) Affordable Housing Extension policy. The motion carried by the following vote:

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

Nay: 1 - Cummings

Absent: 1 - C. Payne

- 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

- A. [ID#21-1718](#) Review and approve a TIF Development Agreement with Waukesha Parkway, LLC for the financial assistance for the development at southeast corner of STH 59/Les Paul Parkway and Saylesville Road known as Village at Fox River (TID 28).

Sponsors: Community Development

Indexes: developer agreement; Village at Fox River

Attachments: [Cover Sheet - Village at Fox River Dev Agreement](#)
[Waukesha Parkway LLC DA Draft](#)

A motion was made by Ald. Pieper, seconded by Ald. Miller, to approve a TIF Development Agreement with Waukesha Parkway, LLC for the financial assistance for the development at southeast corner of STH 59/Les Paul Parkway and Saylesville Road known as Village at Fox River (TID 28). The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Manion, Johnson, D. Lemke, E. Payne, Wells, Miller, R. Lemke, Browne and McElderry

Nay: 3 - Cummings, Rodriguez and Moltzan

Absent: 1 - C. Payne

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

- A. [ID#21-1688](#) Install No Parking Any Time on east side of N. Prairie Avenue from center of W. College Avenue to 240 feet north and from 100 feet south of Marshall Street to W. St. Paul Avenue.

Sponsors: Building and Grounds

Attachments: [21-1688 No Parking Any Time on E Side of N Prairie](#)

[B and G Resolution RTC for the 02-18-21 CC Meeting REPORT](#)
[AGENDA](#)

R2021-3

A motion was made by Ald. E. Payne, seconded by Ald. Cummings, to approve No Parking Any Time on east side of N. Prairie Avenue from center of W. College Avenue to 240 feet north and from 100 feet south of Marshall Street to W. St. Paul Avenue. The motion carried by the following vote:

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

Absent: 1 - C. Payne

- B.** [ID#21-1690](#) Install No Parking Any Time on south side of W. College Avenue from 350 feet west to 400 feet east of center of N. Prairie Avenue.

Sponsors: Building and Grounds

Attachments: [21-1690 No Parking Any Time on S Side of W College](#)

[B and G Resolution RTC for the 02-18-21 CC Meeting REPORT](#)
[AGENDA](#)

R2021-3

A motion was made by Ald. E. Payne, seconded by Ald. Cummings, to approve No Parking Any Time on south side of W. College Avenue from 350 feet west to 400 feet east of center of N. Prairie Avenue. The motion carried by the following vote:

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

Absent: 1 - C. Payne

C. Ordinance & License Committee Report - Ald. Johnson

- A.** [ID#21-1693](#) Amend Municipal Code sec. 3.08 to allow access to trust fund principal when necessary for certain purposes.

Attachments: [O&L Memo-3.08 Trust Funds.pdf](#)

[Memo-3.08 Withdrawal Procedure.pdf](#)

[Ordinance 3.08 2020 Rev 3.pdf](#)

[Ordinance 3.08 2020 Rev 3-Clean.pdf](#)

Ord. #2021 - 2

A motion was made by Ald. Johnson, seconded by Ald. Moltzan, to approve the Amendment to Municipal Code sec. 3.08 to allow access to trust fund principal when necessary for certain purposes. The motion carried by the following vote:

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

Nay: 1 - Cummings

Absent: 1 - C. Payne

D. Human Resources Committee Report - Ald. Manion

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

12. Director of Public Works Report

13. City Attorney's Report

14. City Administrator's Report

A. [ID#21-1780](#) Report from the City Administrator

Attachments: [Admin Report 2-12-21](#)

15. Mayor's Report & Referrals

16. Referrals

There were no referrals.

17. Closed Session

There was no Closed Session.

18. Adjournment

The meeting adjourned at 8:43 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 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.