



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Agenda - Final-revised

City Council

Tuesday, November 21, 2023

6:00 PM

Council Chambers, City Hall

1. Roll Call
2. Announcement of Closed Session pursuant to Wis. Stats. 19.85(1)(e) to discuss the possible sale of public property.
3. Pledge of Allegiance
4. Public Comment

City Residents and Taxpayers Only - Limited to three minutes/speaker, ending 6:30 p.m.

5. Approval of Minutes

- A. [ID#23-8168](#) Minutes from November 7, 2023

Attachments: [ccmn231107 draft.pdf](#)

Consent Agenda

Items under the Consent Agenda have passed unanimously out of committee. Unless a member of the Common Council specifically requests that an item on the Consent Agenda be removed and considered separately, items on the Consent Agenda are then approved unanimously by general consent. Any item removed from Consent Agenda will be discussed under the appropriate committee, board or commission on the Regular Agenda.

1. Other Boards and Commissions

- A. [ID#23-7934](#) Review and Act on Proposed Bus Advertising Sales Agreement with Houck Transit Advertising

Attachments: [Bus Ad Sales Agreement](#)
[Houck 2024-2029](#)

Legislative History

11/9/23 Transit Commission approved
Meeting

- B. [ID#23-7935](#) Review and Act on Proposed Bus Stop Changes

Attachments: [Bus Stop Changes](#)

Legislative History

11/9/23 Transit Commission approved
 Meeting

2. Plan Commission

- A. [PC23-0466](#) Certified Survey Map – 2720 N. Grandview Blvd. - A request to create a 2 lot CSM where the existing Panda Express store will be on the 0.6321 acre Lot 2, with the multi-tenant building on the remaining 1.7537 acre Lot 1 at the southeast corner of Silvernail Road and Grandview Blvd.

Attachments: [Cover sheet - Certified Survey Map2720 N Grandview](#)
 [CSM Application](#)
 [2720 N Grandview, CSM- Project Reviews](#)
 [5098.00_CSM-Sheets 1-6](#)

- B. [PC23-0465](#) Certified Survey Map – 1733 Manhattan Dr., 1530, 1538, 1560, and 1570 E. Moreland Blvd. – A request from Lithia Real Estate Inc. to approve a 1-lot CSM over 4.485 acres of land in anticipation of the future development of a new Subaru Dealership.

Attachments: [Cover Sheet - Lithia Subaru CSM](#)
 [LS-CSM Draft_9-14-23](#)
 [Project Reviews - CSM23-00013](#)

- C. [PC23-0472](#) Certified Survey Map – 704 N. Grand Avenue. – A request from KEBB CS-WA LLC. to approve a 1-lot CSM over 0.860 acres of land in anticipation of the future development of a new Cobblestone Hotel at the northwest corner of N. Grand Avenue and Wisconsin Avenue.

Attachments: [Cover Sheet -Certified Survey Map 704 N Grand Avenue](#)
 [Application for Development Review-Signed](#)
 [2023-10-03 CSM for review](#)
 [Project Narrative](#)
 [Staff Comments - CSM 704 N Grand](#)

- D. [PC23-0445](#) Certified Survey Map - Fleetfoot Duplex PUD -This request is for a two lot CSM, splitting off the western approximately 0.43-acre portion of the lot at 1016 Guthrie Road and adding it to the Fleetfoot Drive Duplex PUD Development to the north in anticipation of another duplex building.

Attachments: [Cover Letter- Certified Survey Map1016 Guthrie](#)
 [Application for Development Review \(CSM & rezoning\)](#)
 [2404_05-project narrative](#)
 [12036-2404_BASE#9-20230912 PLAN SET](#)
 [12036-2404_CSM-ADD-draft-20231118](#)

Legislative History

10/25/23 Plan Commission approved

3. Standing Committees

A. Finance Committee - Ald. Pieper

- A. [ID#23-8002](#) Review and act on an Intergovernmental Agreement with the DNR for Mutual Aid and Fire Suppression Services

Attachments: [Cover Sheet - Intergovernmental agreement DNR](#)
[DNR MOU for Mutual Aid and Fire Sup Services](#)

Legislative History

11/14/23 Finance Committee approved

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

- A. [ID#23-7921](#) The placement of stop signs on Bennett Drive and speed limit signs on Timber Ridge Drive, both within the Timber Ridge subdivision.

Sponsors: Anderson

Attachments: [23-7921 Timber Ridge subdivision signs](#)
[BG Resolution for the 11-6-2023 Consent](#)

Legislative History

11/6/23 Building and Grounds recommended for Council Consent to the City Council

- B. [ID#23-7922](#) Please create a no parking zone across the street from 243 Collins Street from North Street to the driveway of 633 East North Street. The driveway for 633 East North Street is on Collins Street.

Sponsors: E. Payne

Attachments: [23-7922 Collins Street no parking zone](#)
[BG Resolution for the 11-6-2023 Consent](#)

Legislative History

11/6/23 Building and Grounds recommended for Council Consent to the City Council

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

A motion was made to approve the Bartender Application for Raul Gutierrez. The motion passed 5-0.

The Bartender Application for Lee H. Finn is held to the next meeting for a second invite.

A motion was made to approve the Original "Class B" Beer & Liquor application for Funky Monkey. The motion passed 5-0.

A motion was made to approve the Successor/Change of Agent for Metro Market #315. The motion passed 5-0.

A motion was made to approve the "Class A" Beer & Liquor application for The Charcuterie House. The motion passed 5-0.

A motion was made to approve the Transfer of Premise to Premise for Margaritas. The motion passed 5-0.

1. Licenses

A. [ID#23-8134](#) Invited Bartender Applications

Attachments: [Invited Bartender Applications 11-13](#)

Legislative History

11/13/23	Ordinance & License Committee	recommended for approval to the City Council
11/13/23	Ordinance & License Committee	held
11/13/23	Ordinance & License Committee	denied

B. [ID#23-8135](#) Invited Other Applications

Attachments: [Invited Other Applications 11-13](#)

Legislative History

11/13/23	Ordinance & License Committee	recommended for approval to the City Council
11/13/23	Ordinance & License Committee	recommended for approval to the City Council
11/13/23	Ordinance & License Committee	recommended for approval to the City Council

C. [ID#23-8136](#) Other Applications

Attachments: [Other License Applications 11-13](#)

Legislative History

11/13/23	Ordinance & License Committee	recommended for approval to the City Council
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D. Human Resources - Ald. Rodriguez**E. Board of Public Works - Alex Damien****A. [ID#23-8106](#) Review and Act on the Proposed 2024 Sanitary Sewer Rates****Sponsors:** Public Works**Attachments:** [23-8106 BPW Agenda Cover-2024 Sanitary Sewer Rates.pdf](#)
[23-8106_1_Waukesha_2024_User_Rate_Presentation.pdf](#)
[23-8106_2_2024_Sewer_Rate_Study_Update.pdf](#)
[23-8106_3_2024_Sewer_Service_Charge_and_Fee_Schedule.pdf](#)
[23-8106_4_Sewer_Rates_Resolution_2024.pdf](#)
[23-8106-Return Flow Overall Utility Rates - 2024.pdf](#)**Legislative History**

11/9/23 Board of Public Works recommended for Council Consent to the City Council

B. [ID#23-8107](#) Review and Act on the Proposed 2024 Sewer Connection Charge Schedule**Sponsors:** Public Works**Attachments:** [23-8107 BPW Agenda Cover-2024 Connection Charge Schedule.pdf](#)
[23-8107_1_2024_Connection_Charge_Presentation.pdf](#)
[23-8107_2_Memo_-_Annual_Connection_Charge_Review.pdf](#)
[23-8107_3_2024_Sewer_Connection_Charge_Schedule.pdf](#)
[23-8107_4_Connection_Charge_Resolution_2024.pdf](#)**Legislative History**

11/9/23 Board of Public Works recommended for Council Consent to the City Council

C. [ID#23-8108](#) Review and act on Contract Change Order No. 1 with H&H Civil Construction LLC for the Artificial Turf Installation at Mindiola Park project.**Sponsors:** Public Works**Attachments:** [23-8108 BPW Agenda Cvr-CCO1-H&H Construction-Artificial Turf Install at Mir](#)
[23-8108_CCO1-H&H_Construction-Artificial_Turf_Install.pdf](#)**Legislative History**

11/9/23 Board of Public Works recommended for Council Consent to the City Council

- D. [ID#23-8109](#) Review and act on Contract Change Order No. 1 with The MRD Group Inc. for the Demolition and Asbestos Abatement of 315 N. West Ave. project.

Sponsors: Public Works

Attachments: [23-8109 BPW Agenda Cvr-CO1-MRD-Demo 315 N West Ave.pdf](#)
[23-8109 CCO1 for MRD Group.pdf](#)

Legislative History

11/9/23 Board of Public Works recommended for Council Consent to the City Council

- E. [ID#23-8110](#) Approve Storm Water Management Practice Maintenance Agreement between City of Waukesha and Lithia Motors for property located at 1530-1560 E. Moreland Blvd.

Sponsors: Public Works

Attachments: [23-8110 BPW Agenda Cr-Lithia Motors SW Agreement.pdf](#)
[2023-10-20 Wilde Subaru SW Agreement.pdf](#)

Legislative History

11/9/23 Board of Public Works recommended for approval to the City Council

End of Consent Agenda

6. New Business

Format - Introduction by Professional Staff/Hearing/Comments by Council/Official

- A. [ID#23-7939](#) Recommend approval of resolution authorizing the Issuance of a State Trust Fund Borrowing of \$1,175,000 for the demolition and asbestos abatement of property located at 315 N. West Ave.

Attachments: [Cover Sheet - State Trust Fund Loan for Demolition and Asbestos Abatement a](#)
[BPW Recommendation - Change Order No. 1](#)
[Resolution Language - \\$1.175M State Trust Fund Loan](#)
[BCPL Trust Fund Loan Application Packet - Waukesha](#)

Legislative History

11/14/23 Finance Committee approved

- B. [ID#23-8143](#) License agreement for use of City Hall annex building by Salvation Army for annual Toy Shop event.

Attachments: [Property Use License 2023](#)
[Cover Sheet-Salvation Army Use Agmt 2023](#)

- C. [ID#23-8192](#) Discussion and possible action on DuPont and 3M PFAS class-action lawsuit opt-out.

7. Public Hearing

- A. [PC23-0446](#) Rezoning Petition - 1016 Guthrie Road - A request to rezone the approximately 0.43-acre western portion of the lot at 1016 Guthrie Road from Rs-3 Single Family Zoning to Rd-2 PUD Duplex with Planned Unit Development overlay.

Attachments: [Cover Letter -Rezoning Petition1016 Guthrie](#)
[Petition for Amending The City of Waukesha's Zoning Ordinance \(filled in & sigr](#)
[Application for Development Review \(CSM & rezoning\)](#)
[Re-Zoning Ordinance - Fleetfoot Duplex PUD](#)

Legislative History

10/25/23 Plan Commission approved

- B. [PC23-0447](#) PUD Amendment - Fleetfoot Duplex PUD – A request to rezone the approximately 0.43-acre western portion of the lot at 1016 Guthrie Road from Rs-3 Single Family Zoning to Rd-2 PUD Duplex with Planned Unit Development overlay.

Attachments: [Cover Sheet -PUD Amendment 1016 Guthrie](#)
[Application for Development Review \(CSM & rezoning\)](#)
[2404_05-project_narrative](#)
[12036-2404_BASE#9-20231003_EXHIBIT-PROP_REZONE](#)
[FleetFoot Building #9 09-26-23 Sheet 1 Of 9](#)
[FleetFoot Building #9 09-26-23 Sheet 2 Of 9](#)
[Landscaping Plan](#)
[Draft Community Dev.- PUDAmendment-Fleetfoot Duplex](#)

Legislative History

10/25/23 Plan Commission approved

8. Action on Public Hearing

- A. [PC23-0446](#) Rezoning Petition - 1016 Guthrie Road - A request to rezone the approximately 0.43-acre western portion of the lot at 1016 Guthrie Road from Rs-3 Single Family Zoning to Rd-2 PUD Duplex with Planned Unit Development overlay.

Attachments: [Cover Letter -Rezoning Petition1016 Guthrie](#)
[Petition for Amending The City of Waukesha's Zoning Ordinance \(filled in & sigr](#)
[Application for Development Review \(CSM & rezoning\)](#)
[Re-Zoning Ordinance - Fleetfoot Duplex PUD](#)

Legislative History

10/25/23 Plan Commission approved

- B. [PC23-0447](#) PUD Amendment - Fleetfoot Duplex PUD – A request to rezone the approximately 0.43-acre western portion of the lot at 1016 Guthrie Road from Rs-3 Single Family Zoning to Rd-2 PUD Duplex with Planned Unit Development overlay.

Attachments: [Cover Sheet -PUD Amendment 1016 Guthrie](#)
[Application for Development Review \(CSM & rezoning\)](#)
[2404_05-project_narrative](#)
[12036-2404 BASE#9-20231003 EXHIBIT-PROP REZONE](#)
[FleetFoot Building #9 09-26-23 Sheet 1 Of 9](#)
[FleetFoot Building #9 09-26-23 Sheet 2 Of 9](#)
[Landscaping Plan](#)
[Draft Community Dev.- PUDAmendment-Fleetfoot Duplex](#)

Legislative History

10/25/23 Plan Commission approved

Reports

9. 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

10. Plan Commission - Jennifer Andrews

- A. [ID#23-7510](#) Code Amendments – Chapter 27 Signs and Outdoor Advertising – Staff is recommending changes to sections 27.02 and 27.03 to create a Downtown Perimeter District and define the types and styles of permitted signs within said district.

Attachments: [Cover Sheet - Sign Ordinance 27.02 and 27.03](#)

[27.02 Sign Definitions Redline](#)

[27.03 Permanent Signs Redline](#)

[27.02-Downtown Perimeter District Ordinance](#)

[27.03-Downtown Perimeter District](#)

Legislative History

11/15/23 Plan Commission recommended for Council Agenda

11. Standing Committees

A. Finance Committee Report - Ald. Pieper

- A. [ID#23-7939](#) Recommend approval of resolution authorizing the Issuance of a State Trust Fund Borrowing of \$1,175,000 for the demolition and asbestos abatement of property located at 315 N. West Ave.

Attachments: [Cover Sheet - State Trust Fund Loan for Demolition and Asbestos Abatement a](#)

[BPW Recommendation - Change Order No. 1](#)

[Resolution Language - \\$1.175M State Trust Fund Loan](#)

[BCPL Trust Fund Loan Application Packet - Waukesha](#)

Legislative History

11/14/23 Finance Committee approved

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

C. Ordinance & License Committee Report - Ald. R. Lemke

A motion was made to approve the denial of the Bartender Application for Kurtis J. Koch. The motion passed 5-0.

- A. [ID#23-8134](#) Invited Bartender Applications

Attachments: [Invited Bartender Applications 11-13](#)

Legislative History

11/13/23	Ordinance & License Committee	recommended for approval to the City Council
11/13/23	Ordinance & License Committee	held

11/13/23 Ordinance & License Committee denied

D. Human Resources Committee Report - Ald. Rodriguez

12. Board of Public Works Report - Alex Damien

- A.** [ID#23-8104](#) Bids Received: Friday, November 3, 2023, at 11:00 a.m.
Demolition and Asbestos Abatement of 2525 Meadowbrook Rd.

The Board of Public Works recommends that the low bid from Guelig Waste Removal & Demolition LLC in the amount of \$48,000.00 be awarded.

Sponsors: Public Works

Attachments: [Demolition and Asbestos Abatement of 2525 Meadowbrook Rd-BT.pdf](#)

Legislative History

11/9/23 Board of Public Works recommended for approval to the City Council

- B.** [ID#23-8105](#) Bids Received: Friday, November 3, 2023, at 11:00 a.m.
Fire Station 1 Replacement Generator and Transfer Switches

The Board of Public Works recommends that the low bid from Bevara, Inc., in the amount of \$39,182.00, be awarded.

Sponsors: Public Works

Attachments: [Fire Station 1 Replacement Generator and Transfer Switches BT.pdf](#)

Legislative History

11/9/23 Board of Public Works recommended for approval to the City Council

- C.** [ID#23-8119](#) Bids Received: Friday, November 3, 2023, at 11:00 a.m.
Phosphorus Removal Chemical: Ferric Chloride or Polyaluminum Chloride Alternates

The Board of Public Works recommends that the low bid for ferric chloride at \$2,949.00/dry ton delivered as ferric from Kemira Water Solutions, Inc., for their product PIX-311, and the ferric alternative low bid from Chemtrade Chemicals US LLC at \$5,888.88/dry ton delivered for their product Hyper+Ion 1997 be awarded.

Sponsors: Public Works

Attachments: [CWP Chemical Bids Memo.pdf](#)
[CWP Ferric-Phosphorus 2024 - BT.pdf](#)

Legislative History

11/9/23 Board of Public Works recommended for approval to the City Council

- D. [ID#23-8120](#) Bids Received: Friday, November 3, 2023, at 11:00 a.m.
Polymer

The Board of Public Works recommends that the low bid from SNF Water Science for their product Clarifloc CE-1795 in the amount of \$1.88/lb delivered, be awarded.

Sponsors: Public Works

Attachments: [CWP Chemical Bids Memo.pdf](#)
[CWP Polymer 2024 - BT.pdf](#)

Legislative History

11/9/23 Board of Public Works recommended for approval to the City Council

13. Director of Public Works Report

14. City Attorney's Report

15. City Administrator's Report

16. Mayor's Report & Referrals

- A. [ID#23-8171](#) Proclamation for Small Business Saturday

Attachments: [2023 Proclamation - Small Business Saturday](#)

17. Referrals

18. Presentation to Council

- A. [ID#23-8177](#) Review received offers to purchase and development concepts for 130-318 Delafield Street, possible action on responding to offers, possible motion pursuant to Wis Stat §19.85(1)(e) to go into closed session to discuss terms and conditions of counteroffers or sales contracts as necessary to protect competitive and bargaining positions. A motion may be made pursuant to Wis. Stat. §19.85(2) to reconvene thereafter in open session and take action on matters discussed in closed session.

Attachments: [Bielinski concept](#)
[Mandel concept](#)

19. Closed Session

Motion will be made to go into closed session pursuant to Wis. Stats. 19.85(1)(e) to discuss the possible sale of public property.

- A. [ID#23-8172](#) Discuss the sale of city owned property at 130, 200, 230, 318 Delafield St.

20. Reconvene in Open Session

Upon conclusion of the closed session, a motion will be made to reconvene in open session, pursuant to Wis. Stats. 19.85(2) for possible discussion and/or action on matters discussed in closed session.

- A. [ID#23-8174](#) Possible discussion and/or action on matters discussed in closed session.

21. Adjournment

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. Attend this meeting in person or watch live at <https://waukesha.legistar.com/calendar.aspx> (due to technical circumstances, the live stream may not always be available).