



# City of Waukesha

City Hall,  
201 Delafield Street  
Waukesha, WI 53188

## Meeting Minutes - Final City Council

*Mayor Shawn Reilly, Dist. 1 - Ald. Terry Thieme  
Dist. 2 - Ald. Eric Payne, Dist. 3 - Ald. Chris Hernandez  
Dist. 4 - Ald. Joe Pieper, Dist. 5 - Ald. Peter Bartels  
Dist. 6 - Ald. Adam Jankowski, Dist. 7 - Ald. Daniel Manion  
Dist. 8 - Vance Skinner, Dist. 9 - Kathleen Cummings  
Dist. 10 - Ald. Steve Johnson, Dist. 11 - Ald. Roger Patton  
Dist. 12 - Ald. Aaron Perry, Dist. 13 - Ald. Andy Reiland  
Dist. 14 - Ald. Joan Francoeur, Dist. 15 - Ald. Cory Payne*

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Tuesday, September 16, 2014

6:30 PM

Council Chambers, City Hall  
Use lower level glass door.

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### Council Chambers

#### 1. Roll Call

**Present:** 12 - Pieper, Bartels, Skinner, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 2 - Cummings and Jankowski

**Presiding:** 1 - E. Payne

#### 2. Pledge of Allegiance

#### 3. Public Comment

*Steve Edlund, 426 Prospect Avenue, spoke in favor of preparations for Les Paul's 100th Birthday.*

#### 4. Approval of Minutes

*Ald. Cummings arrived at 6:35 p.m. and was present for the approval of minutes*

**A motion was made by Ald. Johnson, seconded by Ald. C. Payne, that the minutes of September 2, 2014 be approved. The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 1 - Jankowski

#### A. ID#14-1104 Approval of Minutes for September 2, 2014

#### 5. Public Hearings

**A. PC14-0099** Public Hearing - Turnberry Reserve Condominiums, Northview Road and Hwy. TT (Meadowbrook) - Site Plan and Revised PUD Agreement

Action to be taken by the Common Council following the Public Hearing.

**A motion was made by Ald. Francoeur, seconded by Ald. Pieper, to Open the Public Hearing. The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 1 - Jankowski

*John Thomas, 134 Douglas, and Jim Truszynski, 2307 Silverfox Court, spoke at the public hearing.*

**A motion was made by Ald. Pieper, seconded by Ald. Johnson, that the Public Hearing be Closed. The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 1 - Jankowski

**A motion was made by Ald. Francoeur, seconded by Ald. Bartels, supporting and endorsing the unanimous recommendation of the Plan Commission to the Site Plan and altering the Developers Agreement, specifically on three points: 1) To waive the cul-de-sac sidewalk requirement as suggested by the architect on the Plan Commission; 2) To support the sidewalks to be built on the west side of Kayla Drive from Northview Road to Patrick Lane--with no requirement until the development is built out, until it is able to be used, and 3) To support the request to temporarily close Kayla Drive with a temporary gate or chain across the private drive, however, it should be removed once the development is approximately 50% complete.**

**A friendly amendment made by Ald. Cummings, and accepted by the maker and the seconder, adding to the third point: 50% defined as "when construction begins on the 13th structure". The Amended motion carried by the following vote:**

**Aye:** 12 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Nay:** 1 - Skinner

**Absent:** 1 - Jankowski

6. New Business

**A. ID#14-0730** Approval of Updated Impact Fee Ordinance

*No action taken.*

**B. ID#14-1077** Public Art Unveiling - City Hall, Second Floor

*No action taken. This item will be moved to the October 7th Council Meeting.*

**C. ID#14-1106** Discuss and adopt a resolution certifying to Waukesha County that the City's library tax levy will exceed the minimum amount required for the City to be exempted from the County's library tax.

**A motion was made by Ald. Pieper, seconded by Ald. Reiland, that Resolution #53-14 approved. The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 1 - Jankowski

**Consent Agenda**

**A motion was made by Ald. Johnson, seconded by Ald. Perry, that the Consent Agenda be approved with the amendments removing Ordinance & Licence Item B #14-0829, Finance Items 2 & 3 (#14-0859 & #14-1004), and Plan Commission Item A, #14-0889. (These items to be addressed under individual Committee Reports below.) The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 1 - Jankowski

**1. Other Boards and Commissions****A. ID#14-0976** Approval of Resolution Supporting the Wisconsin Department of Transportation Request to Transfer Federal Congestion Mitigation and Air Quality (CMAQ) Funds from the Federal Highway Administration to the Federal Transit Administration on behalf of the City of Waukesha. The Wisconsin Department of Transportation (WisDOT) has awarded the City of Waukesha CMAQ funds that will cover 80% of the cost of four replacement buses. This resolution formally recognizes the City's support of WisDOT making the funds available for the purchase of the replacement buses (R#54-14)

**Transit staff recommends approval of the resolution.**

**Recommended Motion**

**Motion to recommend to Council the approval of the resolution supporting the Wisconsin Department of Transportation request to transfer Federal Congestion Mitigation and Air Quality Funds from the Federal Highway Administration to the Federal Transit Administration on behalf of the City of Waukesha.**

- B. ID#14-0977** Approval of Option Year 1 of Snow Removal Services at the Transit Center Bid to Jake's Landscape Services, Inc.  
In 2013, a bid for 1 year with two 1 year options was conducted for snow removal service at the Transit Center. Jake's Landscaping Services, Inc. was the low bid of \$20,090.00 for each year. Transit staff is recommending approval of the Year 1 option at a cost of \$20,090.00 effective November 21, 2014 - November 20, 2015.

## **2. Plan Commission - Jennifer Andrews**

- A. ID#14-0889** Zoning Code Modification – Amend Section 22.56(2), 'Setback Averaging,' so it no longer mandates that residential homes must be set back further from the street than the Zoning Code normally requires if they are located next to other homes that are set back further from the street than required.
- B. PC14 -0106** Futura II (Griffin Ford), 1940 E. Main Street - Certified Survey Map

## **3. Standing Committees**

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

- 1. ID#14-0861** Review and act on a request to recommend that the Common Council approve a budget amendment to facilitate a 21st Century Community Learning Center grant award of \$50,000 for the 2014-2015 Hawthorne Elementary School.
- 2. ID#14-0859** Review and act on a request to approve 2015 Professional Services - Non bid request  
  
(Include 2014 Audit, Insurance & Banking Services)
- 3. ID#14-1004** Review and act on a request to recommend that the Common Council approve a payment to the Town of Waukesha in the amount of \$62,256.36 for the payment of five (5) years of taxes for property annexed into the City as required by 66.0214(14) Wis. Stats.

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

#### 1. Licenses

- A. ID#14-1009** Bartender Applications
- B. ID#14-1090** Invited Bartender - Paula Weeks

- C. **ID#14-1008** INVITED Applications for licenses ending June 30, 2015, considered by Ordinance & License Committee on September 8, 2015.
- D. **ID#14-1010** Applications for licenses ending June 30, 2015, considered by Ordinance and License Committee on September 8, 2015.
- E. **ID#14-1091** Catholic Memorial High School Mother's Club

## 2. Ordinances

- A. **ID#14-0741** Review and act on proposed amendment to Chapter 2.01, 3.06, and 3.08 of the Municipal Code to change the appointing authority of Directors and Managers from the Mayor to the City Administrator  
First Reading 10-7-14  
Second Reading 10-21-14  
Third Reading 11-06-14
- B. **ID#14-0829** Review and act on job description for City Administrator

## **C. Board of Public Works - Dr. Fred Abadi**

- 1. **ID#14-0996** Amendment of Municipal Code Section 29.10(5), Credit Meters (Wastewater Treatment Plant)

### **End of Consent**

## **Reports**

### 7. Other Boards and Commissions

- A. Transit Commission Report - Dr. Fred Abadi
- B. Water Utility Commission - Ald. Thieme
- C. Information Technology Board Report - Ald. Jankowski/Ald. Manion
- D. Landmarks Commission Report - Ald. Francoeur
- E. Redevelopment Authority Report - Jennifer Andrews
- F. Parks, Recreation & Forestry Board Report - Ald. Johnson
- G. Library Board Report - Ald. Reiland
- H. Cemetery Commission Report - Ald. Jankowski

- I. Waukesha Housing Authority Report - Ald. Hernandez
- J. Community Development Block Grant Committee Report - Jennifer Andrews
- K. Public Art Committee Report - Ald. Cummings
- 8. Plan Commission - Jennifer Andrews

*No action taken on #14-0889, which was removed from Consent and will be set for public hearing.*

9. Standing Committees

A. Finance Committee Report - Ald. Pieper

**A motion to recommend and approve the non-bid request for the 2015 Professional Services for Audit, Insurance & Banking Services was made by Ald. Pieper, seconded by Ald. Reiland, that this be approved. The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 1 - Jankowski

A. Finance Committee Report - Ald. Pieper

**A motion was made by Ald. Pieper, seconded by Ald. Reiland, that the Common Council approve a payment of the Town of Waukesha in the amount of \$62,356.25 for the payment of five years of taxes for property annexed into the City as required by 66.0214(14) Wis. Stats. The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 1 - Jankowski

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

C. Ordinance & License Committee Report - Ald. Johnson

**A motion was made by Ald. Johnson, seconded by Ald. Skinner, that #14-0829 the job description for the City Administrator be approved with the addition under description of responsibilities at . . . overseen by the Mayor and Council President, adding "and the chair of the HR Committee" to that section. The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 1 - Jankowski

D. Human Resources Committee Report - Ald. Francoeur

## 10. Board of Public Works Report - Dr. Fred Abadi

- A. ID#14-1107** Approve Contract and give Mayor authorization to execute the contract with Amano McGann the Vendor for Parking Access and Revenue Control System for the South Street and Transit Center Parking Ramps

**A motion was made by Ald. Pieper, seconded by Ald. Bartels, that the Common Council approve the contract and give the Mayor authorization to execute the contract with Amano McGann the Vendor for Parking Access and Revenue Control System for the South Street and Transit Center Parking Ramps. The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 1 - Jankowski

## 11. Director of Public Works Report

## 12. City Attorney's Report

## 13. City Administrator's Report

**ID#14-1102** City Administrator's Report 9-16-14

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

- A. ID#14-0999** Mayor's Summary of Meetings and/or Events

## 15. Referrals

*Ald. Cummings to O & L Committee to discuss and recommend a new ordinance to address a gap as it relates to "Dumpsters in Residential Area" that the City of Waukesha establish a time limit of 6 months with the possibility of a 4 month extension.*

*Ald. Cummings to B & G Committee to discuss and recommend an establishment of (2) four-way stop signs on the East side and West side of Deer Path in the Deer Path subdivision (on Hunter Rd at each end).*

*Ald. Skinner to B & G to please place a "No Parking" sign on the west side of the 100 block of N. Charles (120 N. Charles.)*

## 16. Closed Session

**A motion was made by Ald. Pieper, seconded by Ald. Manion, pursuant to Wis. Stats. §19.85(1)(g) to go into closed session to confer with the City Attorney regarding a settlement proposal received in the lawsuit captioned, City of Waukesha v. The Fifield Group, LLC, Waukesha County Circuit Court Case No. 14 CV 1415. The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 1 - Jankowski

**16. Closed Session**

*No action taken on matter from closed session.*

**A motion was made in closed session by Ald. Pieper, seconded by Ald. Cummings, that this the meeting be adjourned. The motion carried by the following vote:**

**Aye:** 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme, Johnson and Hernandez

**Absent:** 1 - Jankowski

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, FAX 524-3898, or by the Wisconsin Telecommunications Relay System so that arrangements may be made to accommodate the request.