



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Draft 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*

Tuesday, December 16, 2014

6:30 PM

Council Chambers, City Hall
Use lower level glass door.

1. Roll Call

Present: 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Thieme, Johnson and Hernandez

Absent: 1 - Jankowski

2. Pledge of Allegiance

3. Public Comment

Charlie Betker, 944 Oakland Avenue, spoke against the approval of the increased EMS fee schedule. Victoria Hekkers, 431 W. Main, read a letter from Steve VanderBlomen regarding the final BID audit statement.

4. Approval of Minutes

A motion was made by Ald. Terry Thieme, seconded by Ald. Andy Reiland, that the Minutes of December 2, 2014 be approved. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Thieme, Johnson and Hernandez

Absent: 1 - Jankowski

A. ID#14-1650 Minutes for December 2, 2014

Consent Agenda

A motion was made by Ald. Joe Pieper, seconded by Council President Eric E. Payne, that the Consent Agenda be approved as amended. (Finance Item #14-1490 BID Audit and O & L Item #14-1318 Amendment to Chapt. 5.04 of the Municipal Code. These items taken under Reports). The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Thieme, Johnson and Hernandez

Absent: 1 - Jankowski

1. Other Boards and Commissions

- A. ID#14-1502** Approval of Agreement with MillerCoors, LLC to Operate Miller Lite Free Rides on New Year's Eve 2014
- Transit staff recommends approval of the agreement.
- Suggested Motion**
Motion to recommend to Council to approve the agreement with Miller Coors LLC to operate Miller Lite Free Rides on New Year's Eve 2014 for \$4,271.61, subject to City Attorney approval.
- B. ID#14-1519** Approval of Agreement with Waukesha County to Provide Transit Administrative Services for Five (5) Years Effective January 1, 2015
- C. ID#14-1529** Waukesha County Transit Business-Approval of agreement with Milwaukee Transport Services, Inc. to operate the Gold Line for 2015 effective January 1, 2015.
- D. ID#14-1593** Approval of Elimination of Bus Stop on Arcadian Ave. at Hartwell Ave. (north side)
- E. ID#14-1599** Approval of Intergovernmental Agreement with the Town of Brookfield to Provide Bus Service to the Brookfield Highland Apartments in 2015
- F. ID#14-1704** Approve Waukesha Water Utility 2015 Operating and Capital Improvement Plan

2. Plan Commission - Jennifer Andrews

- A. PC14 -0131** Fox Lake Village Addition No. 1 - Final Plat Review
- B. ID#14-1564** Day Care, 2240 Golf Road - Certified Survey Map

3. Standing Committees

A. Finance Committee - Ald. Pieper

- ID#14-1490** Review and Act on a recommendation to accept the 2013 Business Improvement District Audit. As part of that acceptance, authorize the Finance department to distribute all remaining BID funds in the manner described on page 8 of the Audit.

This item was removed from Consent and handled under Finance Committee Report.

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

1. **ID#14-1265** That the two parking spaces on the south side of South Street, in front of 233 and 237, be changed to thirty minute parking for a new store which supports veterans causes.

Engineering staff has reviewed this request. The parking zones in this area of South Street are somewhat complicated and modifying the zone to have 30 minute parking right in front of 233 / 237 South Street will not work. Staff also feels that modifying the time restriction from 2 hours to 30 minutes may negatively affect other nearby businesses.

Staff has made contact with various businesses on South Street, namely Chef Jack's and the Blue Ribbon pub. The owner of the pub would like less restrictive parking and for the stalls by from Gaspar to Barstow put back to 2 hour parking.

At this time, staff would advocate for converting all the stalls on south side of South Street from Barstow to Gaspar back to 2 hour parking. In order to aid the Home of the Brave store, we would be in favor of installing 30 minute parking signing for the first stall just west of Gaspar Street.

2. **ID#14-1576** Establish "No Parking Here to Corner" on east side of Fleetfoot Drive from the corner to 100 foot south of the Racine Avenue intersection.

Engineering staff has reviewed this No Parking request and we recommend approval.

Recommended Motion: Move to approve the installation of No Parking Here to Corner on the east side of Fleetfoot Drive from the corner of Racine Avenue to 100 feet south.

3. **ID#14-1577** Install a stop sign on eastbound Broadway at Gaspar Street to establish an All-Way stop at this intersection.

Engineering staff has brought an item forward for the committee to review and approve. At the intersection of W. Broadway and Gaspar Street, there exists stop signs in both directions of Gaspar Street and for the parking lot driveway but no stop sign exists for eastbound W. Broadway. Engineering has noticed that an existing painted stop bar exists for eastbound W. Broadway. We have observed confusion between drivers and pedestrians at this leg of the intersection. In order to reduce the confusion and potential conflicts with pedestrians, staff is recommending that a stop sign be installed on the eastbound leg of the W. Broadway & Gaspar Street intersection. The resulting traffic control will be an All-Way stop condition for all 4 directions and will provide safer pedestrian crossing at all legs.

Recommended Motion: Move to approve the installation of a stop sign on the eastbound direction of W. Broadway at the Gaspar Street intersection to create an All-Way stop condition.

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

- A. **ID#14-1613** Bartenders Applications
- B. **ID#14-1614** INVITED Other Applications for licenses considered by Ordinance & License Committee on November 24, 2014.
- C. **ID#14-1615** Other Applications for licenses considered by Ordinance & License Committee on November 24, 2014.

2. Ordinances

- A. **ID#14-1317** Amend Chapter 4.11 of the Municipal Code to change the appointing authority of the duties of the Comptroller from the City Administrator to the Common Council Finance Committee.
First Reading 12-16-14
Second Reading 1-6-15
Third Reading 1-20-15
- B. **ID#14-1318** Amend Chapter 5.04 of the Municipal Code to change the appointing authority of Directors and Managers from the Mayor to the City Administrator.
First Reading 12-16-14
Second Reading 1-6-15
Third Reading 1-20-15

This item removed from Consent and taken under Ordinance & License Committee Report.

D. Board of Public Works - Dr. Fred Abadi

- 1. **ID#14-1606** Request from the Property Owner at S22 W22922 Broadway for consideration to reduce the cost of the Sanitary Sewer Connection Fee as required under Ch. 13 of the Municipal Code.
- 2. **ID#14-1607** Approve Contract Change Order No. 1 with DF Tomasini Contractors for Scott Ave. Area Sanitary Sewer and Water Main Relay.
- 3. **ID#14-1610** Approve Storm Water Management Practice Maintenance Agreement and Grant of Easement with Ramco-Gershenson Properties, L.P. at the Shoppes at the Fox River.

End of Consent

Reports

5. 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
6. Plan Commission - Jennifer Andrews

A. ID#14-1366 Fire Station #3 - Surplus Land

A motion was made by Ald. Francoeur, seconded by Ald. Bartels, approving Fire Station #3 - Declared Surplus Land. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Thieme, Johnson and Hernandez

Absent: 1 - Jankowski

B. ID#14-1501 Fox Lake Circle Condominiums, Fox Lake Circle - Preliminary Site Plan & Architectural Review

A motion was made by Ald. Bartels, seconded by Ald. Perry, that the Fox Lake Circle Condominiums, Fox Lake Circle - Preliminary Site Plan & Architectural Review be approved with staff comments. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Thieme, Johnson and Hernandez

Absent: 1 - Jankowski

C. PC14 -0141 Redevelopment of the K-Mart Site, 120 E. Sunset Drive - Final Site Plan & Architectural Review

A motion was made by Ald. Francoeur, seconded by Ald. Reiland, that the redevelopment of the K-Mart Site, 120 E. Sunset Drive - Final Site Plan & Architectural Review with Staff Recommendations & Architectural Review be approved. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Thieme, Johnson and Hernandez

Absent: 1 - Jankowski

7. Standing Committees

A. Finance Committee Report - Ald. Pieper

- 1. ID#14-1490** Review and Act on a recommendation to accept the 2013 Business Improvement District Audit. As part of that acceptance, authorize the Finance department to distribute all remaining BID funds in the manner described on page 8 of the Audit.

A motion was made by Ald. Pieper, seconded by Ald. Reiland to accept the 2013 Business Improvement District Audit. As part of that acceptance, authorize the Finance department to distribute all remaining BID funds in the manner described on page 8 of the Audit.

- 1. ID#14-1625** Review and Act on a request from the Fire Department to recommend to Council to increase the EMS fee schedule effective 1/1/15.

A motion was made by Ald. Pieper, seconded by Ald. Bartels, to approve the request from the Fire Department to increase the EMS fee schedule effective 1/1/15. The motion carried by the following vote:

Aye: 9 - Pieper, Bartels, Cummings, Patton, Francoeur, Manion, Thieme, Johnson and Hernandez

Nay: 5 - Skinner, Perry, C. Payne, Reiland and E. Payne

Absent: 1 - Jankowski

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

C. Ordinance & License Committee Report - Ald. Johnson

1. **ID#14-1623** Consider and act on proposed revisions to Municipal Code sec. 11.09, regarding the purchase and possession by minors of tobacco products, and sec. 11.095, regarding the sale of tobacco products to minors, to add nicotine-containing products, such as e-cigarettes, to the list of prohibited items.
First Reading 1-6-15
Second and Third Readings waived by Ald. Johnson on December 8, 2014.

A motion was made by Ald. Johnson, seconded by Ald. Manion to suspend the rules and waive the second and third readings. The motion carried unanimously.

A motion was made by Ald. Johnson, seconded by Ald. Manion, to approve the proposed revisions to Municipal Code sec. 11.09, regarding the purchase and possession by minors of tobacco products, and sec. 11.095, regarding the sale of tobacco products to minors, to add nicotine-containing products, such as e-cigarettes, to the list of prohibited items. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Thieme, Johnson and Hernandez

Absent: 1 - Jankowski

- ID#14-1318** Amend Chapter 5.04 of the Municipal Code to change the appointing authority of Directors and Managers from the Mayor to the City Administrator.
First Reading 12-16-14
Second Reading 1-6-15
Third Reading 1-20-15

A motion was made by Ald. Johnson, seconded by Ald. Manion to amend Chapter 5.04 of the Municipal Code to change the appointing authority of Directors and Managers from the Mayor to the City Administrator. The motion carried by the following vote:

D. Human Resources Committee Report - Ald. Francoeur

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

- A. **ID#14-1594** Approve Bids Received: Wednesday November 26, 2014 at 11:00 a.m.
a) South East Avenue Flood Mitigation - REBID

A motion was made by Council President E. Payne, seconded by Ald. Pieper, that the Bids Received: Wednesday November 26, 2014 at 11:00 a.m.

a) South East Avenue Flood Mitigation - REBID be approved. The motion carried by the following vote:

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

Absent: 2 - Cummings and Jankowski

9. Director of Public Works Report

10. City Attorney's Report

11. City Administrator's Report

ID#14-1665 City Administrator's Report 12-16-14

12. Mayor's Report & Referrals

ID#14-1666 Mayor's Summary of Meetings and/or Events

13. Referrals

Ald. Patton made a referral to Redevelopment and Ordinance & License that Chapter 22.53(8)(a) be amended in sections 1, 2, 3 & 4 to read 1.5 spaces where 2 now appear.

14. Adjournment

A motion was made by Ald. Joe Pieper, seconded by Ald. Terry Thieme, that the meeting be adjourned. The motion carried by the following vote:

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

Absent: 2 - Cummings and 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.