



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*

Tuesday, August 5, 2014

7:30 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, Johnson, Hernandez and Jankowski

Absent: 1 - Thieme

2. Pledge of Allegiance

3. Announcement of Closed Session to be held at the end of the council meeting

4. Public Comment

*Bill Beglinger, 216 S. Moreland Blvd
John Holst, 2051 Highland Ave
Lisa Salb, 1018 River Place Blvd. #15
Bob Salb, 1018 River Place Blvd. #12
Mary Emery, 202 N. James*

5. Approval of Minutes

A. [ID#14-0748](#) Minutes for July 15, 2014 meeting

A motion was made by Ald. Johnson, seconded by Council President E. Payne, that the Minutes be approved. The motion carried by the following vote:

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

Absent: 1 - Thieme

6. New Business

- A. [ID#14-0634](#) Discuss starting time of council meetings.

A motion was made by Ald. Pieper, seconded by Ald. Patton, that the start time of the Common Council meetings be changed from 7:30pm to 6:30 pm. The motion was then amended by Ald. Cummings to change the start time to 7:00pm. The motion was seconded by Ald. Manion but failed in 3-11 vote, with Ald. Cummings, Jankowski, and Manion voting Aye. After discussion, the original motion to change the start time to 6:30 was then voted on. The motion carried by the following vote:

Aye: 12 - Pieper, Bartels, Skinner, Patton, Perry, Francoeur, C. Payne, Reiland, E. Payne, Johnson, Hernandez and Jankowski

Nay: 2 - Cummings and Manion

Absent: 1 - Thieme

- B. [ID#14-0661](#) Creation of Task Force Regarding Prairie Home Cemetery

This item was withdrawn.

- C. [ID#14-0720](#) Approve the Appointment of David Smart to the Redevelopment Authority

A motion was made by Ald. Johnson, seconded by Ald. C. Payne, that this Appointment be approved. The motion carried by the following vote:

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

Absent: 1 - Thieme

- D. [ID#14-0740](#) Review and act on a request to recommend to the Common Council to enter into a contract in an amount of \$18,500 from Contingency to have GovHR conduct a City Administrator search and authorize the Mayor to sign said contract.

A motion was made by Ald. Reiland, seconded by Ald. Jankowski, that this Business Item be approved. The motion carried by the following vote:

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

Absent: 1 - Thieme

- [ID#14-0794](#) Approval of Settlement Agreement, Ahmed and Ahmad v. City of Waukesha, Waukesha Circuit Court Case No. 14CV1144, providing refund of \$3041.66 in real property taxes.

A motion was made by Ald. Johnson, seconded by Ald. Skinner, that this Business Item be approved. The motion carried by the following vote:

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

Absent: 1 - Thieme

Consent Agenda

Ald. Jankowski removed item 1. A

Als. Pieper removed Finance Committee item #1

A motion was made by Ald. Steve Johnson, seconded by Council President Eric E. Payne, that the Consent Agenda be approved. The motion carried by the following vote:

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

Absent: 1 - Thieme

1. Other Boards and Commissions

Approval of the Consent Agenda

- B.** [ID#14-0687](#) Approval of Resolution Modifying Routes 1 and 5 Effective September 2, 2014.
The proposed modification to Route 1 would be to operate on E. Main St. to Manhattan Blvd to E. Moreland Blvd. early weekday mornings in the outbound direction (From the Transit Center to Brookfield). This change will make the outbound trip a few minutes shorter which should help relieve occasional timing issues on the route. The areas that would not be served in the early mornings have very low ridership.

The proposed Route 5 (Route 5/6) modification would be to eliminate the loop on Sentry Dr., Progress Ave. and Prairie Ave. on Sundays. Neither the Food Pantry of Waukesha County nor the St. Vincent de Paul Store are open on Sundays.

Transit Staff recommends approval of the resolution. (R 50-14 adopted)

- C.** [ID#14-0688](#) Approval of Additional Bus Stops at E. Main St. at Perkins Ave. (southside), Manhattan Ave. at the north entrance to the Woodman's Food Market and Manhattan Ave. at the Pick 'n Save middle entrance. These stops would be added to the new section of routing of the Route 1 weekday outbound (mornings). Pick 'n Save has requested a bus stop on Manhattan Dr. by their store.

Transit staff recommends approval of the additional bus stops.

2. Plan Commission - Jennifer Andrews

- A.** [PC14 -0087](#) Rolling Oaks II, Addition No. 1 - Approve Extraterritorial Plat Review

3. Standing Committees

A. Finance Committee - Ald. Pieper

2. [ID#14-0752](#) Review and act on a request to recommend that the Common Council approve the Oberlin Filter TIF agreement.
3. [ID#14-0753](#) Review and act on a request to recommend that the Common Council consider an Initial Resolution Regarding Industrial Development Revenue Bond Financing for Production Service Company, Inc. project. Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution.

(R 51-14 adopted)

B. Ordinance & License Committee - Ald. Johnson

1. Licenses

- a. [ID#14-0757](#) Bartender Applications
- b. [ID#14-0778](#) Remaining applications for licenses ending June 30, 2015

2. Ordinances

- a. [ID#14-0737](#) First Reading 8-5-14
Second Reading - 8-19-14
Third Reading - 9-2-14
An ordinance to rezone certain property and to amend the Zoning Map of the City of Waukesha, Wisconsin (Request to Waive 2nd and 3rd Readings by Ald. Johnson on 7/31/14).

C. Board of Public Works - Dr. Fred Abadi

1. [ID#14-0311](#) Approval of Sidewalk Easement Agreement, Lot 3, CSM #11158 from Fox Lake Land, LLC to City of Waukesha.
2. [ID#14-0700](#) Approve Contract Amendment No. 5 with Strand Associates, Inc. for the Wastewater Facilities Upgrade Project.
3. [ID#14-0721](#) Disposition of the city sidewalk beneath public sidewalks at 831 N. Grand Ave. associated with future downtown street reconstruction projects.
 - a. Retain existing vault with a design plan approved by the Engineering Staff. Design and Construction Completed and paid for by the owner prior to October 2016.

4. [ID#14-0722](#) Disposition of the city sidewalk beneath public sidewalks at 741 N. Grand Ave. associated with future downtown street reconstruction projects.
 - a. Retain existing vault with a design plan approved by the Engineering Staff. Design and Construction Completed and paid for by the owner prior to October 2016. This properties vault also extends along South Street, but building is addressed on N. Grand Ave.

5. [ID#14-0723](#) Disposition of the city sidewalk beneath public sidewalks at 310-314 South St. associated with future downtown street reconstruction projects.
 - a. Abandonment of existing vault on South St. Excavation of existing sidewalk, construction of building wall, backfill and surface restoration (completed and paid for by owner, by October 2016)

6. [ID#14-0724](#) Disposition of the city sidewalk beneath public sidewalks at 880 N. Grand Ave. associated with future downtown street reconstruction projects.
 - a. Abandonment of existing vault on N. Grand Ave. Excavation of existing sidewalk, construction of building wall, backfill and surface restoration (completed and paid for by owner, by October 2016)

7. [ID#14-0725](#) Disposition of the city sidewalk beneath public sidewalks at 802 N. Grand Ave. associated with future downtown street reconstruction projects.
 - a. Retain existing vault with a design plan approved by the Engineering Staff. Design and Construction Completed and paid for by the owner prior to October 2016.

8. [ID#14-0726](#) Disposition of the city sidewalk beneath public sidewalks at 722 N. Grand Ave associated with future downtown street reconstruction projects.
 - a. Rescind the order by the Board of Public Works given at the July 17, 2014 meeting to remove the existing vault in the City Right-of-way. It has been field verified that the vault does not extend into the City Right-of-Way.

9. [ID#14-0727](#) Disposition of the city sidewalk beneath public sidewalks at 244 W. Main St. associated with future downtown street reconstruction projects.
 - a. Rescind the order by the Board of Public Works given at the July 17, 2014 meeting to remove the existing vault in the City Right-of-way. It has been field verified that the vault does not extend into the City Right-of-Way.

10. [ID#14-0728](#) Disposition of the city sidewalk beneath public sidewalks at 329-331 W. Main St.. associated with future downtown street reconstruction projects.
- a. Abandonment of existing vault on Main St. Excavation of existing sidewalk, construction of building wall, backfill and surface restoration (completed and paid for by owner, by October 2015)
11. [ID#14-0729](#) Disposition of the city sidewalk beneath public sidewalks at 231 South St. associated with future downtown street reconstruction projects.
- a. Abandonment of existing vault on South St. Excavation of existing sidewalk, construction of building wall, backfill and surface restoration (completed and paid for by owner, by October 2016)
12. [ID#14-0731](#) Approval of Service Agreement with Vendor for Supplying Uniforms at the 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. ITAC Committee Report - Ald. Jankowski/Ald. Manion

A. [ID#14-0611](#) Review of action taken by the Common Council to change the Information Technology Advisory Committee to a board

A motion was made by Ald. Jankowski, seconded by Ald. Cummings, that this Business Item be approved. The motion carried by the following vote:

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

Absent: 1 - Thieme

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

A. [PC14 -0089](#) Expanded Shoppes of Fox River, Chapman & Spring City Drive - Approve Final Site Plan & Architectural PUD

A motion was made by Ald. Francoeur, seconded by Ald. Perry, that this Site Plan & 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, Johnson, Hernandez and Jankowski

Absent: 1 - Thieme

9. Standing Committees

A. Finance Committee Report - Ald. Pieper

1. [ID#14-0735](#) Review and act on a request to recommend to the Common Council that the City use Schwab as the custodial option to our DANA investment accounts.

A motion was made by Ald. Pieper, seconded by Ald. Reiland, that this Business Item be approved. The motion carried by the following vote:

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

Absent: 1 - Thieme

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

C. Ordinance & License Committee Report - Ald. Johnson

a. [ID#14-0774](#) Applications held for meeting of August 11, 2014: Jacob A. Fought, Lori C. Monroe (Bartenders); Donnie Boy's Tap, Zilli's Grandview Inn (Extension of Premise)

This Business Item was held

D. Human Resources Committee Report - Ald. Francoeur

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

- A. [ID#14-0712](#) Approve Bids Received: Friday, July 11, 2014 at 11:00 a.m.
- a) Oakdale Dr. Concrete Pavement Replacement
- A motion was made by Ald. Pieper, seconded by Council President E. Payne, that this Bid be approved. The motion carried by the following vote:**
- Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Johnson, Hernandez and Jankowski
- Absent:** 1 - Thieme
- B. [ID#14-0713](#) Approve Bids Received: Friday, July 11, 2014 at 11:00 a.m.
- a). 2014 Pavement Crackfilling
- A motion was made by Council President E. Payne, seconded by Ald. Pieper, that this Bid be approved. The motion carried by the following vote:**
- Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Johnson, Hernandez and Jankowski
- Absent:** 1 - Thieme
- C. [ID#14-0738](#) Approve Bids Received: Friday, July 11, 2014 at 11:00 a.m.
- a) W. Sunset Drive Bridge Repair
- A motion was made by Council President E. Payne, seconded by Council President E. Payne, this Bid be approved. The motion carried by the following vote:**
- Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Johnson, Hernandez and Jankowski
- Absent:** 1 - Thieme

11. Director of Public Works Report

12. City Attorney's Report

13. City Administrator's Report

- A. [ID#14-0747](#) City Administrator's Report 8-5-14
- B. [ID#14-0796](#) Review and act on Salary range for City Administrator position

14. Mayor's Report & Referrals

- A. [ID#14-0770](#) Mayor's Summary of Meetings and/or Events

B. [ID#14-0799](#) For Information Purposes

15. Referrals

16. Closed Session

A. [ID#14-0803](#) A motion will be made 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, Waukesha Masonic Lodge No. 37 v. City of Waukesha, Waukesha County Circuit Court Case No. 14 CV 1407. Upon conclusion of the closed session, a motion will be made to reconvene in open session, and action may be taken upon matters discussed in closed session.

A motion was made by Council President E. Payne, seconded by Ald. Pieper, that the Council move to Closed Session. The motion carried by the following vote:

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

Absent: 1 - Thieme

Motion to reconvene in open session was made by Ald. Joe Pieper, seconded by Ald. E. Payne.

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

Absent: 1 - Thieme

A Motion was made by Ald. Pieper, seconded by Ald. Perry that the Common Council direct the City Attorney to proceed with the action as discussed in closed session.

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

Absent: 1 - Thieme

16. Adjournment

A motion was made by Ald. Johnson, seconded by Ald. Cummings, that the meeting be adjourned. The motion carried by the following vote:

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

Absent: 2 - Francoeur and Thieme

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.