



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 - Roger Patton
Dist. 12 - Ald. Aaron Perry, Dist. 13 - Ald. Andy Reiland
Dist. 14 - Ald. Joan Francoeur, Dist. 15 - Ald. Cory Payne*

Tuesday, June 17, 2014

7:30 PM

Council Chambers, City Hall
Use lower level glass door.

1. Roll Call and Pledge of Allegiance

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

Absent: 1 - Reiland

2. Public Comment

3. Approval of Minutes

A. [ID#14-0538](#) Minutes for June 3, 2014

4. Public Hearing

A. [PC14 -0007](#) Clearwater Apartments, Clearwater Lane - Preliminary Site Plan &
Architectural PUD Review

**A motion was made by Ald. Johnson, seconded by Council President E. Payne,
that the Public Hearing for the Site Plan & Architectural PUD Review be OPENED.
The motion carried by the following vote:**

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

Absent: 1 - Reiland

Schmitty Thiel, 2842 Raintree Lane, was called to speak

Dylan Hastings, 2906 Rocky Creek Dr, was called to speak

Debbie Hastings, 2906 Rocky Creek Drive, was called to speak

Fran Brezinski, 2015 LaChandelle Ct, Brookfield, was called to speak

John Schraufnagel was called to speak

Mark Gresh, Town of Delafield, was called to speak

A. [PC14 -0007](#) Clearwater Apartments, Clearwater Lane - Preliminary Site Plan & Architectural PUD Review

A motion was made by Ald. Johnson, seconded by Council President E. Payne, that this Site Plan & Architectural PUD Review Public Hearing be CLOSED. The motion carried by the following vote:

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

Absent: 1 - Reiland

A motion was made by Ald. Perry, seconded by Ald. C. Payne, that this Site Plan & Architectural PUD Review be denied. The motion failed by the following vote:

Aye: 5 - Pieper, Skinner, Perry, C. Payne and Manion

Nay: 9 - Bartels, Cummings, Patton, Francoeur, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Absent: 1 - Reiland

A motion was made by Ald. Patton, seconded by Ald. Francoeur that the Site Plan & Architectural PUD Review be approved

A motion was made by Council President E. Payne, seconded by Ald. Francoeur, to call the question. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Skinner, Patton, Francoeur, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Nay: 3 - Cummings, Perry and C. Payne

Absent: 1 - Reiland

A motion was made by Ald. Patton, seconded by Ald. Francoeur, that this Site Plan & Architectural PUD Review be approved. The motion carried by the following vote:

Aye: 9 - Bartels, Cummings, Patton, Francoeur, E. Payne, Thieme, Johnson, Hernandez and Jankowski

Nay: 5 - Pieper, Skinner, Perry, C. Payne and Manion

Absent: 1 - Reiland

5. New Business

- A.** [ID#14-0519](#) Appointment - Natalie Glumm - Sign Review Board
- A motion was made by Ald. Johnson, seconded by Ald. Patton, that this Appointment be approved. The motion carried by the following vote:**
- Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski
- Absent:** 1 - Reiland
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- B.** [ID#14-0525](#) Review and make a recommendation to the Common Council regarding Enterprise Fund carryovers from 2013.
- A motion was made by Ald. Pieper, seconded by Ald. Patton, that the Enterprise Fund carryovers from 2013 be approved. The motion carried by the following vote:**
- Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski
- Absent:** 1 - Reiland
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- C.** [ID#14-0528](#) Resolution Authorizing the Issuance and Sale of Up to \$28,893,000 Sewer System Revenue Bonds, Series 2014B, and Providing for Other Details and Covenants With Respect Thereto
- Ald. Skinner left after voting on this item.*
- A motion was made by Ald. Pieper, seconded by Council President E. Payne, that this Item be approved. (R 43-14 adopted) The motion carried by the following vote:**
- Aye:** 14 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski
- Absent:** 1 - Reiland
-
- D.** [ID#14-0552](#) Resolution Authorizing the Issuance and Sale of Up to \$4,107,000 General Obligation Sewer System Promissory Notes, Series 2014B, and Providing for Other Details and Covenants With Respect Thereto
- A motion was made by Ald. Pieper, seconded by Ald. Manion, that this Item be approved. (R 42-14 adopted) The motion carried by the following vote:**
- Aye:** 13 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, C. Payne, Manion, E. Payne, Thieme, Johnson, Hernandez and Jankowski
- Absent:** 2 - Skinner and Reiland

- E. [ID#14-0559](#) Review and make a recommendation to the Common Council regarding a Resolution Authorizing the Issuance and Sale of Up to \$28,893,000 Sewer System Revenue Bonds, Series 2014B, and Providing for Other Details and Covenants With Respect Thereto.

Ald. Pieper said this item can be removed, as it is a duplicate of Item C.

- F. [ID#14-0560](#) Review and make a recommendation to the Common Council regarding a Resolution Authorizing the Issuance and Sale of Up to \$4,107,000 General Obligation Sewer System Promissory Notes, Series 2014B, and Providing for Other Details and Covenants With Respect Thereto.

Ald. Pieper said this item can be removed, as it is a duplicate of Item D.

- G. [ID#14-0482](#) Review and make a recommendation that the Common Council approve the intergovernmental Cooperation Agreement - Pistol Range Contract between the City of Waukesha and Waukesha County.

Ald. Skinner was absent for this vote.

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

Absent: 1 - Reiland

- H. [ID#14-0500](#) Matter of Report: Presentation by the City Administrator on the Long Term Financial Needs of the City.

City Administrator Henschel gave a report on Long Term Financial Needs of the City

Consent Agenda

Ordinance & License items #41 & 42 Magellan's Extension of Premises, #51 Montecito Ristorante Class B Beer & Liquor Combo license and #57 Salty Toad Extension of Premises removed from the Consent Agenda by Ald. Johnson.

A motion was made by Ald. Johnson, seconded by Ald. Pieper, that the Consent Agenda be approved as amended. The motion carried by the following vote:

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

Absent: 2 - Skinner and Reiland

1. Other Boards and Commissions

Approval of the Consent Agenda

- A. [ID#14-0554](#) Recommendation to approve the vacant land purchase contract with the Waukesha School District to acquire land for public park purposes in the River Hills Estates subdivision
- B. [ID#14-0555](#) Recommendation to authorize the City Attorney to file suit againsts the The Fifield Group, LLC and Jeffrey T. Fifield with respect to unpaid Saratoga Complex beer concession fees for 2012.
- C. [ID#14-0556](#) Recommendation to approve intergovernmental cooperation contract with Waukesha County to provide design/engineering services associated with the New Berlin Recreation Trail extension project

A. Water Utility Commission Report

B. Transit Commission

- A. [ID#14-0477](#) Approval of Resolution Authorizing the Filing of an Application with the Federal Transit Administration, an Operating Administration of the United States Department of Transportation, for Federal Transportation Assistance Authorized by 49 U.S.C. Chapter 53, Title 23 United States Code and Other Federal Statutes Administered by the Federal Transit Administration: 2014 Program of Projects.
This grant pays for a portion of the 2014 operating expenses for the City and County Transit Systems using federal funds as well as improvements to amenities for passengers.

(R 44-14 adopted)

- B. [ID#14-0481](#) Approval of Cooperative Agreement for Continuing Transportation Planning for the Southeastern Wisconsin Region between the Southeastern Wisconsin Regional Planning Commission and the City of Waukesha (For the Waukesha Transit Commission).

This is an update to the current agreement between the City of Waukesha and SEWRPC for continuing transportation planning. The changes are to bring the agreement in compliance with new federal regulations that requires regional planning to include greater consideration to transit services. Agreement is subject to City Attorney approval.

2. Plan Commission

- A. [PC14 -0060](#) Shoppes at Fox River - Certified Survey Map - .29814 acre outlot north of West Sunset Dr.

- B. [PC14 -0061](#) Shoppes at Fox River - Certified Survey Map - 9.86 acre lot west of Chapman Dr. and north of Spring City Dr.

3. Standing Committees

A. Finance Committee

- A. [ID#14-0382](#) Review and make a recommendation to the Common Council to accept Department of Justice Grant #17 to be provided to Waukesha County as agreed to in a signed Memo of Understanding.
- B. [ID#14-0474](#) Review and make a recommendation to the Common Council on 2013 General Fund budget carryover requests.
- C. [ID#14-0497](#) Review and make a recommendation to the Common Council to borrow an additional \$300,000 in August for repairs to Oakdale Road from Sunset Dr. to Hwy 59. This should also amend the 2014 CIP budget for major streets (org 2004).
Revised amount: \$330,000

B. Ordinance & License Committee

1. Licenses

- A. [ID#14-0527](#) Bartender applications
- B. [ID#14-0529](#) Other Applications for Licenses ending June 30, 2015

2. Ordinances

- A. [ID#14-0123](#) Special Events Ordinance 6.17 the Timetable for Approval or Denial
- B. [ID#14-0443](#) First Reading - 5-20-2014
Second Reading - 6-3-2-2014
Third Reading 6-17-2014
An ordinance to amend certain provisions of the Zoning Ordinances Municipal Code (Chapter 22.05, 22.58, 22.64)(Membrane Structures and Portable Structures)(amended 6/2/14)
- C. [ID#14-0444](#) First Reading 5-20-2014
Second Reading 6-3-2014
Third Reading 6-17-2014
An ordinance to amend certain provisions of the Zoning Ordinances of the Municipal Code (Chapter 22.53 - Traffic Loading, Parking and Access. (amended 6/2/14)

- D. [ID#14-0445](#) First Reading 5-20-2014
Second Reading 6-3-2014
Third Reading 6-17-2014
An ordinance to amend certain provisions of the Zoning Ordinances of the Municipal Code - (Chapter 22.38, M-1 Light Manufacturing District and Chapter 22.39, M-2 General Manufacturing District. (amended 6/2/14)

C. Board of Public Works

- A. [ID#14-0491](#) Review of WDNR Compliance Maintenance Annual Report (CMAR) for the year 2013 and Adoption of Resolution by Common Council
(R 45-14 adoped)
- B. [ID#14-0451](#) Bids Received: Wednesday, May 14, 2014 at 10:00 a.m. by Waukesha Water Utility.
a. N. Moreland Blvd. - Madison St. to Miichigan Ave. Water Main Relay

A motion was made by Mr. Liburdi, seconded by Chairperson O'Donnell, that the Board of Public Works recommends that the Common Council concur with the WWU Commission on their selection of low bid from Reeseman's Excavating and Grading Inc.
- C. [ID#14-0489](#) Approve Bids Received: Friday, May 30, 2014 at 11:00 a.m.
Deer Path Sanitary Sewer and Pump Station Elimination
- D. [ID#14-0490](#) Approve Bids Received: Friday, May 30, 2014 at 11:00 a.m.
Police Dept. Parking Lot Improvements

A motion was made by Vice Chair Kassens, seconded by Mr. Liburdi, that DC Burbach be recommended for approval to the Common Council for their low bid.

End of Consent

Reports

6. Other Boards and Commissions
- A. Transit Commission Report
- B. Water Utility Commission
- C. ITAC Committee Report

- D. Landmarks Commission Report
- E. Redevelopment Authority Report
- F. Parks, Recreation & Forestry Board Report
- G. Library Board Report
- H. Cemetery Commission Report
- I. Waukesha Housing Authority Report
- J. Community Development Block Grant Committee Report
- K. Public Art Committee Report
- L. GuitarTown - Ald. Andy Reiland
- 7. Plan Commission
- 8. Standing Committees
 - A. Finance Committee Report
 - B. Building & Grounds Committee Report
 - A. [ID#14-0165](#) Reconsideration of the installation of a crosswalk on East Ave from South Street to the East Terrace Apartments.
A motion was made by Council President E. Payne, seconded by Ald. Hernandez, that this installation of a crosswalk on East Avenue from South Street of the East Terrace Apartments be denied. The motion carried by the following vote:
 - Aye:** 11 - Pieper, Bartels, Cummings, Perry, Francoeur, C. Payne, Manion, E. Payne, Thieme, Johnson and Hernandez
 - Nay:** 2 - Patton and Jankowski
 - Absent:** 2 - Skinner and Reiland

C. Ordinance & License Committee Report

Discussion in consideration of Magellan's 6/28/14 extension of premises, which was removed from Consent: Ald. Perry had questions concerning Magellan's extension of premises at the committee level that he still has concerns about. He would like clarification from the City Attorney's office on extensions. Ald. Johnson explained that this was approved at committee 3 to 2 with conditions that the patrons be served alcohol in the area of extension, and not be allowed to walk through the area reserved for public right-of-way. Ald. Theime said he would not support it, and Ald. Manion said he voted against this at the committee level and will also not support it. Ald. Patton supports this issue to keep downtown businesses open.

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

Aye: 9 - Bartels, Cummings, Patton, Francoeur, C. Payne, E. Payne, Johnson, Hernandez and Jankowski

Nay: 4 - Pieper, Perry, Manion and Thieme

Absent: 2 - Skinner and Reiland

C. Ordinance & License Committee Report

A motion was made by Ald. Johnson, seconded by Ald. Patton, that the licenses per below be approved. The motion carried by the following vote:

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

Absent: 2 - Skinner and Reiland

- A.** [ID#14-0539](#) List of Licenses that were not unanimously approved, denied or held at June 9th O & L meeting.

Items that were held from the 6/9 O & L Committee meeting and reviewed at the 6/16 O & L meeting approved as follows: Bartender Gina Healy and liquor licenses per list (Aldi #59, Asian Fusion, Fox Run Lanes, La Fuente, Montecito & The Cooler)

D. Human Resources Committee Report

11. City Attorney's Report

12. City Administrator's Report

- A.** [ID#14-0565](#) City Administrator's Report 6-17-14

13. Mayor's Report & Referrals

- A.** [ID#14-0566](#) Mayor's Summary of Meetings and/or Events

14. Referrals

Ald. Cory Payne to the PD to review speed and/or speeding on Motor Avenue.

Ald. Joe Pieper for the Council to consider changin the start time of the Common Council meeting to 6:30 p.m.. This item to be put on New Business for the next Agenda.

Ald. Roger Patton to GuitarTown Committee to construct a mural on the east outside wall of the 400 Club (non-city group per Mayor).

Ald. Cummings discussion and recommendation - request to create a task force with a goal being to research and develop an action plan for the Prairie Home Cemetery which would suggest and recommend alternative solutions to lifting the Cemetery Commission's ban with respect to the City of Waukesha ordinance. (The Task Force will be comprised of the Waukesha Chamber of Commerce President, an officer of a locally owned bank, a retired funeral home owner, a representative of Prairie Home Cemetery and a Chief Financial Officer from a locally owned business. The Mayor makes appointments/Council approvals.)

Referrals were presented and filed with the Clerk.

16. Adjournment

A motion was made by Ald. Cummings, seconded by Ald. Francoeur, that the meeting be adjourned at 10:20 p.m. The motion carried by the following vote:

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

Absent: 2 - Skinner and Reiland

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.