



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

City Council

Tuesday, October 16, 2018

6:30 PM

Council Chambers, City Hall
Use lower level glass door.

1. Roll Call

Present: 14 - Pieper, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne, Wells and Wilke

Absent: 1 - Bartels

2. Announcement of Closed Session pursuant to Wis. Stats 19.85(1)(e) to discuss the negotiation of a possible purchase of public property, discuss the possible sale of public property and to discuss collecting bargaining with employee unions.

3. Pledge of Allegiance

4. Public Comment

D. Andrew Fetters, 808 Pleasant Street, spoke in regards to an overflow shelter for people experiencing homelessness.

John R. Thomas, 134 Douglass Avenue, spoke about 3 items: 1. Suggested a newsletter to homeowners/landlords regarding leaf pick-up, garbage pick-up and snow removal; 2. The bike lanes on South Grand Avenue are still not marked; and 3. The street lights on South Grand from 5 Points to Estberg Avenue come on before the sun sets.

Rick Lemke, 1924 Tallgrass Circle, spoke against going into Closed Session for Item ID#18-1558, to consider the Sale of Fire Station # 3.

Larilyn Carpenter, 2226 Woodfield Circle, spoke in favor of the sale of Fire Station # 3 to deal with the homeless issues.

5. Public Art Committee Report - Ald. C Payne

[ID#18-1545](#) Donna Lexa Art Centers presents art to the City

Attachments: [The Donna Lexa Unveiling](#)

6. Approval of Minutes

[ID#18-1543](#) Minutes from October 2, 2018

Attachments: [ccmn 18.10.02 draft](#)

A motion was made by Ald. Thieme, seconded by Ald. Johnson, to approve the Minutes from October 2, 2018. The motion carried by the following vote:

Aye: 14 - Pieper, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne, Wells and Wilke

Absent: 1 - Bartels

Consent Agenda

The following item was removed from Consent Agenda: ID#18-1496 by Ald. Pieper, and handled under Finance Report. The remainder of the Consent Agenda was passed as presented by unanimous consent.

1. Other Boards and Commissions

[ID#18-1426](#) Approve proposal to enter into a contract with Wallace Tree and Landscape to perform street tree removal services.

Attachments: [Cover Sheet -Wallace Tree Care Removal Contract 2018.pdf](#)
[2018 Tree Removal Contract.pdf](#)
[Tree Removal Bidders List.pdf](#)

[ID#18-1433](#) Approve Intergovernmental Cooperation Agreement with the City of Franklin to the Common Council

Attachments: [IGA with City of Franklin.pdf](#)

[ID#18-1443](#) Approval of Janitorial Service Bid from Coverall North America, Inc. for Cleaning the Transit Center

Attachments: [_Agenda Cover Sheet -Janitorial bid Transit Center.pdf](#)
[Bid Tab Janitorial 2018.pdf](#)

[ID#18-1444](#) Approval of Bus Stop Changes

Attachments: [_Agenda Cover Sheet -bus stop changes.pdf](#)
[Washington-St Paul bus stop oct 2018.pdf](#)
[Summit-Sylan bus stop Oct 2018.pdf](#)

[ID#18-1445](#) Approval of Amendment to the 2018 WisDOT Mass Transit Operating Assistance Agreement

Attachments: [_Agenda Cover Sheet -Amendment WisDOT Mass Transit Operating Assistance Agreement.pdf](#)
[Waukesha 2018 85.20 Amend 1.pdf](#)

[ID#18-1461](#) Approval to Decommission Remaining Bluebird Paratransit Buses

Attachments: [Agenda Cover Sheet -Decommission of 2007 Paratransit Buses.pdf](#)

2. Plan Commission

3. Standing Committees

A. Finance Committee - Ald. Pieper

[ID#18-1496](#) Review and Act on a request to amend the 2018 Parking CIP for the installation of lights for \$38,000.

Attachments: [Cover Sheet - 2018 Parking CIP.pdf](#)

This item was removed from Consent Agenda by Ald. Pieper, and handled under Finance Report.

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

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

[ID#18-1493](#) Bartender Applications - October 8, 2018

Attachments: [Bartenders 2018.10.08](#)

[ID#18-1495](#) Other Applications - October 8, 2018

Attachments: [Other Licenses 2018.10.08-revised](#)

D. Human Resources - Ald. Thieme

E. Board of Public Works - Dr. Fred Abadi

[ID#18-1476](#) Review and act on Contract Change Order No. 4 with Absolute Construction Enterprises for Fire Station No. 3 and Police Substation project.

Sponsors: Public Works

Attachments: [18-1476_BPW_Agenda_Cover-CCO 4 Absolute Construction-FS3.pdf](#)
[change order No 4 for Absolute Construction Enterprises.pdf](#)

[ID#18-1478](#) Review and act on the Storm Water Management Practice Maintenance Agreement between Waukesha Commerce Center, LLC, at 300, 304, 400, 402, 404, 406 Travis Lane and 2111 S. West Avenue and the City of Waukesha.

Sponsors: Public Works

Attachments: [18-1478 BPW Agenda Cover Sheet - Waukesha Commerce Center LLC.pdf](#)
[18-1478 SW Maintenance Agreement \(Waukesha Industrial and Commerce Center\).pdf](#)

[ID#18-1482](#) Review and act on Contract Change Order No. 2 with Advance Construction, Inc., for the Motor Avenue and Fairview Avenue Utility and Street Reconstruction-Concrete project.

Sponsors: Public Works

Attachments: [18-1482 BPW Agenda Cvr - CO 2-Advance Construction-Motor Ave and Fairview Ave Utility.pdf](#)
[18-1482 CCO 2-Advance Construction-Motor Ave and Fairview Ave.pdf](#)

End of Consent Agenda

7. New Business

[ID#18-1475](#) Review and act on the Bond Resolution authorizing the issuance of \$20,205,408 sewer system revenue bonds and the Financial Assistance Agreement (FAA) for the Clean Water Fund Loan to finance the improvements for the Greenmeadow Interceptor Sewer Project

Sponsors: Public Works

Attachments: [18-1475 BPW Agenda Cover Sheet CWFL FAA.pdf](#)
[18-1475 Resolution-Bond Issuance Sewer System Revenue Bonds - 2018 CWF.pdf](#)
[18-1475 Waukesha 4062-06 CWF '18 FAA.pdf](#)

A motion was made by Ald. Pieper, seconded by Ald. Helgestad, to approve the Bond Resolution authorizing the issuance of \$20,205,408 sewer system revenue bonds and the Financial Assistance Agreement (FAA) for the Clean Water Fund Loan to finance the improvements for the Greenmeadow Interceptor Sewer Project. The motion carried by the following vote:

Aye: 14 - Pieper, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne, Wells and Wilke

Absent: 1 - Bartels

[ID#18-1544](#) Consider and take action on a proposal to amend Common Council Rules to require three "readings" of ordinances.

Sponsors: Rodriguez and Perry

Attachments: [Cover Sheet-Amend Council Rules-Readings of Ordinances.pdf](#)
[Memo-Three Readings.pdf](#)

A motion was made by Ald. Rodriguez, seconded by Ald. Johnson, to amend Common Council Rules to require three "readings" of ordinances. The motion carried by the following vote:

Aye: 13 - Pieper, Skinner, Cummings, Perry, C. Payne, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne, Wells and Wilke

Nay: 1 - Manion

Absent: 1 - Bartels

[ID#18-1557](#) Consider waiver of conflict of interest for VonBriesen & Roper law firm to represent potential buyer of City property.

Sponsors: Attorney's Office

Attachments: [Cover Sheet-Waiver of Conflict-VB&R.pdf](#)

A motion was made by Ald. Perry, seconded by Ald. Lemke, to approve waiver of conflict of interest for VonBriesen & Roper law firm to represent potential buyer of City property and to authorize the City Attorney to send a letter that the conflict of interest is waived. The motion carried by the following vote:

Aye: 13 - Pieper, Skinner, Perry, C. Payne, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne, Wells and Wilke

Nay: 1 - Cummings

Absent: 1 - Bartels

Reports

8. Other Boards and Commissions

A. Transit Commission Report - Dr. Fred Abadi

B. Water Utility Commission - Ald. Thieme

C. Information Technology Board Report - Ald. Manion

D. Landmarks Commission Report - Ald. Rodriguez

E. Redevelopment Authority Report - Ald. Skinner

- F. Parks, Recreation & Forestry Board Report - Ald. Johnson
- G. Library Board Report - Ald. Helgestad
- H. Cemetery Commission Report - Ald. Boyle
- I. Waukesha Housing Authority Report - Ald. Rodriguez
- J. Community Development Block Grant Committee Report - Jennifer Andrews
- K. Public Art Committee Report - Ald. C Payne
- 9. Plan Commission - Jennifer Andrews
- 10. Standing Committees
 - A. Finance Committee Report - Ald. Pieper

[ID#18-1496](#) Review and Act on a request to amend the 2018 Parking CIP for the installation of lights for \$38,000.

Attachments: [Cover Sheet - 2018 Parking CIP.pdf](#)

This item was removed from Consent Agenda by Ald. Pieper.

A motion was made by Ald. Pieper, seconded by Ald. Helgestad, to approve the Amendment of the 2018 Parking CIP for the installation of lights for \$38,000. The motion carried by the following vote:

Aye: 14 - Pieper, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne, Wells and Wilke

Absent: 1 - Bartels

- A. Finance Committee Report - Ald. Pieper
- A. Finance Committee Report - Ald. Pieper
- B. Building & Grounds Committee Report - Ald. E. Payne
- C. Ordinance & License Committee Report - Ald. Johnson

[ID#18-1513](#) Discussion and recommendation regarding amendment to sec. 1.03 Polling Places

Attachments: [Council Agenda Cover Sheet Ord. 1.03.pdf](#)
[1.03 Polling Places redline.pdf](#)
[1.03 Polling Places 10-18.docx](#)

Ordinance #: 11-18

A motion was made by Ald. Johnson, seconded by Ald. Manion, to approve amendment to sec. 1.03 Polling Places. The motion carried by the following vote:

Aye: 14 - Pieper, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne, Wells and Wilke

Absent: 1 - Bartels

[ID#18-1529](#) Review and act on proposed amendment to Waukesha Municipal Ordinance 25.08(2)(b)

Attachments: [Council Agenda Cover Sheet - CSO](#)
[Ordinance 25.08-CSO Citation Authority-Clean](#)
[Ordinance 25.08-CSO Citation Authority-Redline](#)

Ordinance #: 12-18

A motion was made by Ald. Johnson, seconded by Ald. Manion, to approve amendment to Waukesha Municipal Ordinance 25.08(2)(b). The motion carried by the following vote:

Aye: 14 - Pieper, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne, Wells and Wilke

Absent: 1 - Bartels

D. Human Resources Committee Report - Ald. Thieme

11. Board of Public Works Report - Dr. Fred Abadi
12. Director of Public Works Report
13. City Attorney's Report
14. City Administrator's Report

[ID#18-1547](#) Report from the City Administrator

Attachments: [Admin Report 10-12-18](#)

15. Mayor's Report & Referrals

[ID#18-1546](#) Proclamation for Community Planning Month

Attachments: [Community Planning Month- October](#)

16. Referrals

Ald. Perry to Building & Grounds to assess the speed limit between Hwy 59 and Sunset Drive to be a consistent 35 mph zone and working with the Town of Waukesha.

Ald. Skinner and Ald. Helgestad announced that they have filed Notification of Noncandidacy for this upcoming Spring.

17. Closed Session

[ID#18-1542](#) Deliberate the negotiation of a possible purchase of public property.

A motion was made by Ald. Pieper, seconded by Ald. Manion, to go into Closed Session pursuant to Wis. Stats 19.85(1)(e) to discuss the possible sale of public property (ID#18-1542) and to discuss collecting bargaining with employee unions (ID# 18-1559 & ID# 18-1560). The motion carried by the following vote:

GO INTO CLOSED SESSION; Deliberate the negotiation of a possible purchase of public property.

Aye: 14 - Pieper, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne, Wells and Wilke

Absent: 1 - Bartels

[ID#18-1558](#) Consider the sale of old Fire Station #3 to the Housing Action Coalition

Meeting went into Recess

Meeting Reconvened

A motion was made by Ald. Pieper, seconded by Ald. Manion, to go into Closed Session pursuant to Wis. Stats 19.85(1)(e) to consider the sale of old Fire Station # 3 to the Housing Action Coalition (ID#18-1558). The motion carried by the following vote:

GO INTO CLOSED SESSION to consider the sale of old Fire Station #3 to the Housing Action Coalition

Aye: 12 - Pieper, Skinner, Perry, C. Payne, Manion, Thieme, Johnson, Helgestad, Rodriguez, E. Payne, Wells and Wilke

Nay: 2 - Cummings and D. Lemke

Absent: 1 - Bartels

[ID#18-1559](#) Discuss a labor agreement for the bargaining unit represented by the Waukesha Professional Police Association (WPPA)

This Item was included in the Motion for ID#18-1542 to go into Closed Session.

[ID#18-1560](#) Discuss a labor agreement for the bargaining unit represented by the International Association of Firefighters

This Item was included in the Motion for ID#18-1542 to go into Closed Session.

18. Reconvene in Open Session

The Meeting reconvened at 9:35 pm.

[ID#18-1563](#) Possible discussion and/or action on the labor agreement for the bargaining unit represented by the Waukesha Professional Police Association (WPPA).

A motion was made by Ald. Johnson, seconded by Ald. C. Payne, for ID#18-1563 Possible discussion and/or action on the labor agreement for the bargaining unit represented by the Waukesha Professional Police Association (WPPA) and #18-1564 (below) action on the labor agreement for the bargaining unit represented by the International Association of Firefighters. The motion carried by the following vote:

Aye: 14 - Pieper, Skinner, Cummings, Perry, C. Payne, Manion, Thieme, Johnson, Helgestad, Rodriguez, D. Lemke, E. Payne, Wells and Wilke

Absent: 1 - Bartels

[ID#18-1564](#) Possible discussion and/or action on the labor agreement for the bargaining unit represented by the International Association of Firefighters.

[ID#18-1561](#) Possible discussion and/or action on the purchase of public property.

No discussion or action.

[ID#18-1562](#) Possible discussion and/or action on the sale of old Fire Station #3 to the Housing Action Coalition.

[Original Motion] A motion was made to approve the sale of old Fire Station #3 to the Housing Action Coalition with the inclusion of creating a no-build easement.

A motion was made by Ald. Perry, and seconded by Ald. E. Payne to CALL THE QUESTION. The motion failed by the following vote:

Aye: 6 - Skinner, Perry, C. Payne, Johnson, Helgestad and E. Payne

Nay: 8 - Pieper, Cummings, Manion, Thieme, Rodriguez, D. Lemke, Wells and Wilke

Absent: 1 - Bartels

[Amended Motion] A motion was made to approve the sale of old Fire Station #3 to the Housing Action Coalition for the purchase price of \$200,000 with the inclusion of a no build easement pending determination by the City Attorney that the property can be sold pursuant the sale can be made and by approval of Planning Commission.

[Motion to Postpone to next meeting] A motion was made by Ald. Cummings, and seconded by Ald. E. Payne to postpone the sale of old Fire Station # 3 to the Housing Action Coalition with the inclusion of a no build easement. The motion failed by the following vote:

Aye: 5 - Cummings, C. Payne, Manion, D. Lemke and E. Payne

Nay: 9 - Pieper, Skinner, Perry, Thieme, Johnson, Helgestad, Rodriguez, Wells and Wilke

Absent: 1 - Bartels

[Amended Motion] A motion was made by Ald. Rodriguez, seconded by Ald. Skinner, to approve the sale of old Fire Station #3 to the Housing Action Coalition for the purchase price of \$200,000 with the inclusion of a potential no-build easement along the West and South property lines and the sale to be approved by Plan Commission pending determination by the City Attorney that the property can be sold using this process. The motion carried by the following vote:

Aye: 9 - Pieper, Skinner, Perry, Thieme, Johnson, Helgestad, Rodriguez, Wells and Wilke

Nay: 5 - Cummings, C. Payne, Manion, D. Lemke and E. Payne

Absent: 1 - Bartels

19. Adjournment

Adjourned at 10:06 p.m.

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 or by the Wisconsin Telecommunications Relay System so that arrangements may be made to accommodate the request.