



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. Cassandra Rodriguez
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. Erik Helgestad
Dist. 12 - Ald. Aaron Perry, Dist. 13 - Ald. Dean Lemke
Dist. 14 - Ald. Bill Boyle, Dist. 15 - Ald. Cory Payne*

Tuesday, June 6, 2017

6:30 PM

Council Chambers, City Hall
Use lower level glass door.

1. Roll Call

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

Absent: 1 - Boyle

2. Public Announcement of Closed Session pursuant to 19.85(1)(g) to confer with legal counsel concerning the ramifications of revisions to sec. 11.41 to the recently filed lawsuit, Cox v. City of Waukesha and 19.85(1)(e) to discuss negotiations with the City of Oak Creek for the purchase of Great Lakes Water

3. Pledge of Allegiance

4. Public Comment

Ron Kading, 3921 Oxbow Dr, spoke on City spending indicating rising yearly expenses for fixed income becoming difficult.

Bill Huelsman, 235 Broadway, spoke in favor of North and St. Paul two way traffic being reviewed by the task force.

Jan Brezina, 1706 Sycamore Dr, spoke in favor of the proposed safety zone changes.

Joe Hausch, 444 W. Washington Ave, spoke in favor of 11.41 residence restriction changes.

5. Public Art Committee Report - Ald. C Payne

[ID#17-0948](#) Waukesha Creative Arts League Presents Art to the City

Sponsors: Public Art Committee

Attachments: [2017_Public Art Unveiling_Waukesha Creative Arts League](#)

6. Approval of Minutes

[ID#17-0884](#) Minutes from May 16, 2017

Attachments: [ccmn170516 draft](#)

A motion was made by Ald. E. Payne, seconded by Ald. Jankowski, to approve the Minutes of May 16, 2017. The motion carried by the following vote:

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

Absent: 1 - Boyle

Consent Agenda

Human Resources Item #17-0867 removed by Ald. Thieme. The remainder of the Consent Agenda passed by unanimous consent.

1. Other Boards and Commissions

- C. [ID#17-0811](#) To recommend to approve The Park Foundation of Waukesha, Inc. Beverage Service Contract to sell fermented malt beverages and wine during the Carl Zach Cycling Classic Music Program to be held at Cutler Park June 18, 2107.

Attachments: [Park Foundation-Proposed Beverage Service Contract-Carl Zach Event 2017](#)
[Council Agenda Cover Sheet-Carl Zach Classic Music program beverage sales](#)

- F. [ID#17-0814](#) To recommend approval of event vendor agreements associated with the 2017 City of Waukesha Oktoberfest public event.

Attachments: [Event Vendor Agreement-Kleines Bayern 2017](#)
[Event Vendor Agreement-Sweet Perfections 2017](#)
[Event Vendor Agreement-Waukesha Citizens Police Academy 2017](#)
[Event Vendor Agreement-Waukesha Early Risers 2017](#)
[Event Vendor Agreement-Waukesha Sunrise Rotary 2017](#)
[Event Vendor Agreement-Wicked Urban Grill 2017](#)
[Cover Sheet-2017 Oktoberfest Event Vendor Agreements](#)

- G. [ID#17-0815](#) To recommend approval of proposed license agreement with Mobile Media Technologies, LLC Company for permission-based, mass notification services for special events and general departmental use.

Attachments: [Proposed TextCaster License Agreement 2017](#)
[Cover Sheet-TextCaster Proposal-Agreement](#)

- A [ID#17-0760](#) Approval of Resolution Authorizing the Filing of the 2017 Federal Program of Projects Grant

Attachments: [Agenda Cover Sheet -Approval of Resolution to Authorize Filing of Program of Projects \(5307\) Grant Resolution - 5307 Grant 2017](#)

Resolution #28-17

B [ID#17-0764](#) Reinstate Bus Stop at Washington Ave. at Summit Ave.

Attachments: [Agenda Cover Sheet -Reinstate Bus Stop Washington at Summit](#)

2. Plan Commission

[ID#17-0734](#) Fire Code Updates

Attachments: [Covermem Act 270 Revisions Act 270 Revisions to Chapters 17 and 21 FINAL](#)

Ord. #2-17

3. Standing Committees

A. Finance Committee - Ald. Pieper

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

A. [ID#17-0736](#) Please rescind the previously established April 7, 2009, Parking Zone that states: "No Parking, 2 a.m. to 9 a.m. Saturdays, May 9 to October 31, Tow Away Zone" which exists on north and south sides of Parking Lot 1. Said areas will revert to standard 3 hour parking 7 a.m. to 7 p.m.

Sponsors: Helgestad

Attachments: [B&G Resolution RTC for the 06-06-2017 CC Meeting Item 17-0736 Admin Review Lot 1 Sign Revision to CC meeting](#)

Resolution #29-17

D. [ID#17-0739](#) Please remove existing No Parking signs associated with old bus stop west side of Tenny Avenue across from 1251 Tenny Ave.

Sponsors: Public Works and Transit

Attachments: [B&G Resolution RTC for the 06-06-2017 CC Meeting Item 17-0739 Admin Review No Parking1251 Tenny to CC meeting](#)

Resolution #29-17

E. [ID#17-0740](#) Establish No Parking Any Time on west side to Tenny Avenue from 250 feet north of and to the corner to E. Sunset Drive.

Sponsors: Public Works and Transit

Attachments: [B&G Resolution RTC for the 06-06-2017 CC Meeting](#)
[Item 17-0740 Admin Review No Parking Tenny and Sunset to CC meeting](#)
Resolution #29-17

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

[ID#17-0840](#) INVITED Bartender Applications- May 22, 2017

Attachments: [Bartenders 2017.05.22](#)

[ID#17-0841](#) Bartender Applications- May 22, 2017

Attachments: [Bartenders 2017.05.22](#)

[ID#17-0842](#) INVITED Other Applications- May 22, 2017

Attachments: [Other Licenses 2017.05.22](#)

[ID#17-0843](#) Other Applications- May 22, 2017

Attachments: [Other Licenses 2017.05.22](#)

D. Human Resources - Ald. Thieme

A. [ID#17-0867](#) Request of City Administrator Kevin Lahner to approve the appointment of Chris Pofahl to the position of Information Technology Director.

Attachments: [Council Agenda Cover Sheet - IT Director Offer 5.9.2017](#)

This item was removed from the Consent Agenda by Ald. Thieme and handled under the Human Resources Committee Report below.

failed

B. [ID#17-0796](#) Request of Police Chief Russell Jack to review and act on a change to Human Resources Policy B-16 - Staffing Resolution to eliminate the position of Administrative Supervisor at the Police Department and increase the position of Lieutenant of Police to six (6).

Attachments: [Dept Org Chart - Draft HR Committee 05-17-17](#)

[Lieutenant Job Description 04-28-17 Draft #2](#)

[Agenda Cover Sheet - Special Services Lieutenant 05-17-17 - Revised](#)

E. Board of Public Works - Dr. Fred Abadi

A. [ID#17-0768](#) Review and approve Contract Change Order No. 1 with Absolute

Construction Enterprises for Fire Station No. 3 and Police Substation.

Attachments: [Item 17-0768 Agenda Cover Sheet - Contract Change Order 01 Absolute FS No 3 change order No 1 for Absolute Construction Enterprises](#)

- C. [ID#17-0776](#) Review and approve Contract Change Order No. 1 with Vinii Solar Engineering and Electric for the Saratoga Complex Lighting project.

Sponsors: Public Works

Attachments: [Admin Cvr - Item 17-0776 - Change Order 1_Vinii Solar and Engineering rev Change Order No 1_Vinii Solar - Saratoga Complex Lighting](#)

- B. [ID#17-0770](#) Approval of Advanced Disposal's credit to the City of Waukesha for mixed solid waste tonnage error for residential services.

Attachments: [Admin Cvr - Advanced Disposal Credit ID17-0770 5-18-17 FINALrevWauk City Memo-MSW Mixing](#)

- D. [ID#17-0780](#) Review and approve Contract Change Order No. 1 with Visu-Sewer, Inc., for Concrete Sanitary Sewer Lining and Manhole Rehabilitation -2016.

Sponsors: Public Works

Attachments: [Agenda Cvr - Contract Change Order 01_Visu-Sewer - 2016 Concret.. Change Order No 1_Visu-Sewer - 2016 Concrete Sewer Lining](#)

End of Consent Agenda

7. New Business

[ID#17-0757](#) Proposed edits to Council Rules

Sponsors: Cummings

Attachments: [Council Rules 4-18-17- Ald. Cummings Updates](#)

A motion was made by Ald. Cummings, seconded by Ald. Pieper, to approve ID#17-0757 Proposed edits to Council Rules. The motion carried by the following vote:

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

Absent: 1 - Boyle

[ID#17-0953](#) Proposed new Council Rule regarding placing items on the agenda

Attachments: [Memo from Brian Running Cummings](#)
[Rodriguez](#)

A motion was made by Ald. Cummings, seconded by Ald. Rodriguez, to approve ID#17-0953 new Council Rule regarding placing items on the agenda. The motion carried by the following vote:

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

Absent: 1 - Boyle

[ID#17-0868](#) Disallowance of claim filed by White Rock 1, LLC, for alleged taking of property by the City as a result of the East Moreland Boulevard reconstruction project.

Attachments: [Cover Sheet-White Rock 1 Disallowance](#)
[White Rock I Notice of Claim](#)

A motion was made by Ald. Johnson, seconded by Ald. Perry, to approve the Disallowance of Claim filed by White Rock 1, LLC, for alleged taking of property by the City as a result of the East Moreland Boulevard reconstruction project. The motion carried by the following vote:

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

Absent: 1 - Boyle

[ID#17-0897](#) St. Paul Avenue and North Street Corridor Traffic Study

Attachments: [Agenda Cover Sheet - St Paul North Street Traffic Study](#)
[North Street-St Paul Ave Two-Way Study Executive Summary 2017.05.15](#)

[ID#17-0881](#) Matter of Report- Police Department Reaccreditation Process

Attachments: [PUBLIC NOTICE](#)
[PUBLIC INFORMATION PLAN](#)

[ID#17-0882](#) Board and Commission Appointments

Attachments: [Letter for Council, June 6, 2017](#)
[ResumeJohnKramp2017](#)

A motion was made by Ald. E. Payne, seconded by Ald. Pieper, to approve the appointment of John Kramp to the Board of Public Works. The motion carried by the following vote:

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

Absent: 1 - Boyle

Reports

8. Other Boards and Commissions

A. Transit Commission Report - Dr. Fred Abadi

B. Water Utility Commission - Ald. Thieme

[ID#17-0914](#) Alderman Thieme Water Utility Commission meeting update

Attachments: [05 18 2017 Meeting update to Council.pdf](#)

C. Information Technology Board Report - Ald. Skinner

D. Landmarks Commission Report - Ald. Boyle

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. Bartels

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

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

D. Human Resources Committee Report - Ald. Thieme

[ID#17-0867](#) Request of City Administrator Kevin Lahner to approve the appointment of Chris Pofahl to the position of Information Technology Director.

Attachments: [Council Agenda Cover Sheet - IT Director Offer 5.9.2017](#)

This item was removed from Consent and discussed under report, taken out of order.

A motion was made by Ald. Thieme, seconded by Ald. Manion to approve the appointment of Chris Pofahl to the position of Information Technology

Director. The motion carried unanimously.

C. Ordinance & License Committee Report - Ald. Johnson

[ID#17-0753](#) Discussion and recommendation to Common Council on revisions to Mun. Code sec. 11.41, regarding Residence Restrictions for Sex Offenders, to comply with a recent holding of the US District Court.

A motion may be made to convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(g) to confer with legal counsel concerning the ramifications of revisions to sec. 11.41 to the recently-filed lawsuit, Cox v. City of Waukesha. Upon conclusion of the closed session, a motion may be made pursuant to Wis. Stats. sec. 19.85(2) to re-convene in open session to act upon matters discussed in closed session.

Attachments: [Cover Sheet-OL-Sex Offender Amendment](#)
[11.41 Sex Offender OL Draft](#)

A motion was made by Ald. Johnson, seconded by Ald. Perry, to go into closed session pursuant to Wis. Stats. sec. 19.85(1)(g) to confer with legal counsel concerning the ramifications of revisions to sec. 11.41 to the recently-filed lawsuit, Cox v. City of Waukesha. Upon conclusion of the closed session, a motion may be made pursuant to Wis. Stats. sec. 19.85(2) to re-convene in open session to act upon matters discussed in closed session. The motion carried by the following vote:

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

Absent: 1 - Boyle

The meeting went back into open session at 8:30 p.m.

A motion was made by Ald. Johnson, seconded by Ald. Thieme, to approve the revisions to Mun. Code sec. 11.41 (Ordinance #3-17), regarding Residence Restrictions for Sex Offenders, to comply with a recent holding of the US District Court. The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Skinner, Cummings, C. Payne, Manion, Thieme, Johnson, Jankowski, Helgestad, Rodriguez, Lemke and E. Payne

Nay: 1 - Perry

Absent: 1 - Boyle

[ID#17-0844](#) To discuss and amend Ordinance 2.015 to include language, in the event the Council President and the Human Resources Committee Chairperson are one in the same individual; that the previous Council President shall become part of the three person "Annual Review Committee" of the City Administrator.

Sponsors: Cummings

Attachments: [Cummings Referral](#)

The Ordinance form will need to come back to the Council for approval.

A motion was made by Ald. Cummings, seconded by Ald. C. Payne, to approve ID#17-0844 to amend Ordinance 2.015 to include language that in the event the Council President and the Human Resources Committee Chairperson are one in the same individual; that the previous Council President shall become part of the three person "Annual Review Committee" of the City Administrator. The motion carried by the following vote:

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

Absent: 1 - Boyle

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

- A.** [ID#17-0774](#) Bids Received: Friday, May 12, 2017, at 11:00 A.M.
Eastbound E. Moreland Blvd. Bridge Maintenance and Repairs (B-67-205)

The Board of Public Works recommends that the low bid from Fahrner Asphalt Sealers, LLC, in the amount of \$53,735.99 be awarded.

Sponsors: Public Works

Attachments: [EB Moreland Blvd Bridge Maintenance](#)

A motion was made by Ald. E. Payne, seconded by Ald. Pieper, that the Eastbound E. Moreland Blvd. Bridge Maintenance and Repairs (B-67-205) be awarded to Fahrner Asphalt Sealers, LLC on their low bid in the amount of \$53,735.99. The motion carried by the following vote:

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

Absent: 1 - Boyle

- B.** [ID#17-0775](#) Bids Received: Friday, May 12, 2017, 11:00 A.M.
Historical Lighting Upgrades 2017

The Board of Public Works recommends that the low bid from WIL-Surge Electric, Inc., in the amount of \$57,623.00 be awarded.

Sponsors: Public Works

Attachments: [Historical Lighting Upgrades](#)

A motion was made by Ald. E. Payne, seconded by Ald. Pieper, that the 2017 Historical Lighting Upgrades be awarded to WIL-Surge Electric, Inc., on their low bid in the amount of \$57,623.00. The motion carried by the following vote:

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

Absent: 1 - Boyle

12. Director of Public Works Report

13. City Attorney's Report

14. City Administrator's Report

[ID#17-0886](#) Report from the City Administrator

Attachments: [Admin Report 6.2.17](#)
[Center for Growth- Quarter 1 Scorecard](#)

15. Mayor's Report & Referrals

17. Closed Session

[ID#17-0896](#) A motion will be made to go into closed session pursuant to Wis. Stats. 19.85(2)(e) to discuss negotiations with the City of Oak Creek for the purchase of Great Lakes Water.

Upon conclusion of the closed session, a motion will be made to reconvene in open session, pursuant to Wis. Stats. 19.85(2) for possible action on matters discussed in closed session.

Meeting went into Recess

Meeting Reconvened

A motion was made by Ald. Thieme, seconded by Ald. Manion, to go into closed session pursuant to Wis. Stats. 19.85(2)(e) to discuss negotiations with the City of Oak Creek for the purchase of Great Lakes Water. Upon conclusion of the closed session, a motion will be made to reconvene in open session, pursuant to Wis. Stats. 19.85(2) for possible action on matters discussed in closed session. hat this Closed Session be approved. The motion carried by the following vote:

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

Absent: 1 - Boyle

16. Referrals

The meeting reconvened into open session at 9:44 p.m.

Ald. Eric Payne to Public Works/Engineering: please create an updated truck route map. The west bypass will change the present out of date truck route that we presently have in the City.

Ald. Cummings to BPW: to evaluate and consider road improvements to Wexford Lane off Springbrook North. This will, if approved, provide analyses. The residents have described this lane as a "washboard".

Ald. C. Payne to O & L to review the driveway approach ordinance.

Ald. Daniel Manion to B & G to consider the creation of a no parking zone from 15 ft.

west of the west driveway to the west side of the east driveway at 209 Wilmont Dr.

18. Adjournment

Adjourned 9:48 p.m.

Shawn Reilly, Mayor
City of Waukesha

Please Note: A majority of Water Utility Commission members may be in attendance.

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.