



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

City Council

Thursday, November 8, 2018

6:30 PM

Council Chambers, City Hall
Use lower level glass door.

1. Roll Call

Ald. Perry arrived at 6:49 pm during Item: ID#18-1647.

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 and Wis. Stats. 19.85 (1)(g) to confer with legal counsel on litigation strategy concerning a settlement offer in the City of Waukesha v. Mill Reserve LLC lawsuit.

The Mayor announced there would be no closed session, discussion or action on the possible purchase of public property, Item: ID#18-1661.

3. Pledge of Allegiance

4. Public Comment

There were no speakers during Public Comment.

5. Approval of Minutes

A motion was made by Ald. Terry Thieme, seconded by Ald. Steve Johnson, to approve the minutes from October 16, 2018. The motion carried by the following vote:

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

Absent: 2 - Bartels and Perry

[ID#18-1614](#) Minutes from October 16, 2018

Attachments: [ccmn 181016 draft](#)

Consent Agenda

The following item was removed from Consent Agenda: ID#18-1565 by Ald. Pieper and handled under Board of Public Works Report. The remainder of the Consent Agenda was passed as presented by unanimous consent.

1. Other Boards and Commissions**2. Plan Commission****3. Standing Committees****A. Finance Committee - Ald. Pieper****B. Building & Grounds Committee - Ald. E. Payne**

[ID#18-1498](#) Please approve installation of a stop sign on southbound Mountain Avenue at Motor Avenue. Install an advisory sign below stating "Traffic From Left Does Not Stop"

Sponsors: Public Works

Attachments: [B&G Resolution RTC for the Nov. 8, 2018 CC Meeting CONSENT AGENDA.pdf](#)
[18-1498 Admin Cover-Stop Sign Mountain and Motor.pdf](#)

Resolution # 65-18.

[ID#18-1499](#) Please approve installation of an advisory sign stating "Traffic From Right Does Not Stop" and mount below the existing stop sign on eastbound Motor Avenue at Mountain Avenue

Sponsors: Public Works

Attachments: [B&G Resolution RTC for the Nov. 8, 2018 CC Meeting CONSENT AGENDA.pdf](#)
[18-1499 Admin Cover-Traffic Does Not Stop Mountain and Motor.pdf](#)

Resolution # 65-18.

[ID#18-1500](#) Please rescind the following parking zones on the west side of Walton Avenue at various locations from W. College Ave to W. Newhall Ave :
A - No Parking, 7:30am to 4:00pm, Except Saturdays, Sundays and Holiday
B - No Parking, Bus Loading Zone
C - No Parking, 8:30am to 3:00pm

Sponsors: Public Works

Attachments: [B&G Resolution RTC for the Nov. 8, 2018 CC Meeting CONSENT AGENDA.pdf](#)
[18-1500 Admin Cover-Resind Parking Zones Walton W College and W Newhall.pdf](#)

Resolution # 65-18.

[ID#18-1501](#) Please approve installation of No Parking Stopping or Waiting on the east and west sides of Walton Avenue from 35 feet north of south property line of 129 Walton Ave to the south property line of 117 Walton Avenue

Sponsors: Public Works

Attachments: [B&G Resolution RTC for the Nov. 8, 2018 CC Meeting CONSENT AGENDA.pdf](#)
[18-1501 Admin Cover-No Parking Stopping Waiting on Walton.pdf](#)

Resolution # 65-18.

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

[ID#18-1595](#) INVITED Bartender Applications - October 22, 2018

Attachments: [Bartenders 2018.10.22](#)

[ID#18-1596](#) Bartender Applications - October 22, 2018

Attachments: [Bartenders 2018.10.22](#)

D. Human Resources - Ald. Thieme

E. Board of Public Works - Dr. Fred Abadi

[ID#18-1552](#) Review and act on Contract Change Order No. 1 with Visu-Sewer, Inc., for Concrete Sewer Lining and Manhole Rehabilitation - 2018.

Attachments: [18-1552_BPW_Agenda Cover Sheet - CO #1 - Sanitary Sewer Lining and Manhole Rehabilitation -2018.pdf](#)
[18-1552_CCO1 Visu-Sewer-Concrete Sewer Lining and Manhole Rehab 2018.pdf](#)

[ID#18-1553](#) Review and act on Contract Change Order No. 1 with Dependable Maintenance Systems for Sanitary Sewer Manhole Repair & Replacement - 2018.

Attachments: [18-1553_BPW_Agenda Cover Sheet - CO #1 - Sanitary Sewer Manhole Repair and Replacement -2018.pdf](#)
[18-1553_CCO1 - Dependable Maintenance-Sanitary Sewer Manhole Repair and Replacement -2018.pdf](#)

[ID#18-1554](#) Review and act on Contract Change Order No. 1 with Super Excavators, Inc., for the Area 5 Flood Mitigation (Lawndale Ave., Millwood Ln., American Ave.) project.

Sponsors: Public Works

Attachments: [18-1554 BPW Agenda Cover-CCO 1-Super Excavators-Area 5.pdf](#)
[18-1554_CCO 1-Super Excavators-Area 5.pdf](#)

[ID#18-1565](#) 2019 CIP Projects (Department of Public Works Program).

Sponsors: Public Works

Attachments: [2019 CIP Public Works Program.pdf](#)

This item was removed from Consent Agenda by Ald. Pieper and handled under Board of Public Works Report.

[ID#18-1569](#) Review and act on the hiring of a consulting firm for engineering services for a Return Flow Pump Station and Advanced Phosphorus Treatment with Facilities Enhancement at the Clean Water Plant.

Sponsors: Public Works

Attachments: [18-1569_1_BPW Agenda Cover-CWP Consultant Return Flow Pump Station 10 18 2018.pdf](#)
[18-1569_3_WAUKPSPT_Proposal_Jacobs_R1.pdf](#)
[18-1569_4_WAUKPSPT_Cost_Proposal_Jacobs \(002\).pdf](#)
[18-1569_5_Waukesha Phosphorus Pump Station revised cost letter final 101718 v4.pdf](#)
[18-1569_2_RFP pump station and phosphorus - 08 30 2018 Final.pdf](#)
[18-1569_City of Waukesha-Jacobs Contract-Final.pdf](#)

End of Consent Agenda

6. Public Hearing

[ID#18-1724](#) Faith Baptist Church, Torhorst Road - Rezoning

Attachments: [Faith Baptist Church Rezoning Cover Sheet.docx](#)
[REZONING EXHIBIT.pdf](#)
[2018-09-06 Faith Baptist Church Narrative.PDF](#)
[2018-09-10 Application for Church Land Exchange.pdf](#)
[2018-09-10 Project Write Up - Land Exchange.pdf](#)
[2018-09-10 Signed Petition for Zoning Amending.pdf](#)
[Detailed Plan-Faith Baptist Church 2018-09-10.pdf](#)
[Site Plan-Faith Baptist Church 2018-09-10.pdf](#)

Maria Pandazi, City Planner, provided an overview of the project.

The Public Hearing was opened. No one was present to speak. The Public Hearing was closed.

[ID#18-1647](#) Public Hearing on the 2019 Operating Budget

Kevin Lahner, City Administrator, provided an overview of the Operating Budget. The Public Hearing was opened. No one was present to speak. The Public Hearing was closed.

Ald. Perry arrived @ 6:49 pm. during this item.

7. Action on Public Hearing

[ID#18-1724](#) Faith Baptist Church, Torhorst Road - Rezoning

Attachments: [Faith Baptist Church Rezoning Cover Sheet.docx](#)
[REZONING EXHIBIT.pdf](#)
[2018-09-06 Faith Baptist Church Narrative.PDF](#)
[2018-09-10 Application for Church Land Exchange.pdf](#)
[2018-09-10 Project Write Up - Land Exchange.pdf](#)
[2018-09-10 Signed Petition for Zoning Amending.pdf](#)
[Detailed Plan-Faith Baptist Church 2018-09-10.pdf](#)
[Site Plan-Faith Baptist Church 2018-09-10.pdf](#)

A motion was made by Ald. Wilke, seconded by Ald. Johnson, to approve Faith Baptist Church, Torhorst Road - Rezoning from T-1 to I-1. 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

8. New Business

[ID#18-1586](#) Review and act on a recommendation by the Finance Committee to the City Council to adopt the 2019 Operating Budget.

Sponsors: Finance and City Administrator

Indexes: operating budget; Budget

Attachments: [2019 EXECUTIVE OPERATING BUDGET BOOK - FINAL.pdf](#)
[2019 Operating Discussion - Finance Recommended Changes](#)

A motion was made by Ald. Pieper, seconded by Ald. Helgestad, to approve the 2019 Operating Budget as recommended by the Finance Committee for all revenues and expenses in the funds presented. The budget includes a balanced General Fund budget with total expenditures of \$68,943,054. 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

[ID#18-1668](#) Review and Act on 2019 Tax Levy Ordinance

Attachments: [APPROPRIATION ORDINANCE - 2019](#)

Ordinance #: 13-18.

A motion was made by Ald. Pieper, seconded by Ald. Helgestad, to adopt the 2019 Tax Levy Ordinance in the amount of \$62,792,750 on all taxable property within the City of Waukesha as returned by the Assessor in the year 2018 for the purposes set forth in the budget. The motion carried by the following vote:

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

Nay: 2 - Cummings and C. Payne

Absent: 1 - Bartels

[ID#18-1617](#) Disallowance of claim for personal-injury damages of Barbara Friedel

Sponsors: Attorney's Office

Attachments: [Cover Sheet-Friedel Claim.pdf](#)

A motion was made by Ald. Johnson, seconded by Ald. Thieme, to approve disallowance of claim for personal-injury damages of Barbara Friedel. 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#18-1657](#) Disallowance of claim for personal-injury damages by Chase Graff.

Sponsors: Attorney's Office

Attachments: [Cover Sheet-Chase Graff Claim.pdf](#)

A motion was made by Ald. Thieme, seconded by Ald. Johnson, to approve disallowance of claim for personal-injury damages by Chase Graff. 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#18-1658](#) Disallowance of claim for property damages by Wisconsin Title Closing & Credit Services

Sponsors: Attorney's Office

Attachments: [Cover Sheet-Wisconsin Title Claim.pdf](#)

A motion was made by Ald. Thieme, seconded by Ald. Johnson, to approve disallowance of claim for property damages by Wisconsin Title Closing & Credit Services. 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#18-1579](#) Authorize Mayor to Sign Release and Assignment of All Damage Claims in consideration for payment of \$8,933.94 from Combined Transport Logistics Group, Inc. to satisfy invoice #56180026 for damages to City property by tractor trailer on May 18, 2018.

Attachments: [Council Cover Sheet - Release for Damages.docx](#)

[Combined Transport Release; Invoice; Cost Sheet.pdf](#)

A motion was made by Ald. Thieme, seconded by Ald. E. Payne, to approve authorization of Mayor to Sign Release and Assignment of All Damage Claims in consideration for payment of \$8,933.94 from Combined Transport Logistics Group, Inc. to satisfy invoice #56180026 for damages to City property by tractor trailer on May 18, 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

Reports

9. Other Boards and Commissions

- A. Transit Commission Report - Dr. Fred Abadi
- B. Water Utility Commission - Ald. Thieme
- C. Information Technology Board Report - Ald. Manion

- A. [ID#18-1629](#) Discussion and Recommendation to approve the contract Kronos Dimmensions (Cloud), contingent upon the City Attorney's final review of the contract.

Attachments: [Council Agenda Cover Sheet-Kronos Dimensions.pdf](#)

A motion was made by Ald. Manion, seconded by Ald. Helgestad, to approve the contract Kronos Dimmensions (Cloud option), contingent upon the City Attorney's final review of the contract. 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. Landmarks Commission Report - Ald. Rodriguez
- E. Redevelopment Authority Report - Ald. Skinner

Ald. Skinner asked for direction to bring back to the Redevelopment Authority for the property at 200-310 Delafield Street.

- 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
- 10. Plan Commission - Jennifer Andrews

- [ID#18-1593](#) Declare 1210 Sentry Drive to be surplus City property and recommend the sale of the property to the Common Council.

Attachments: [1210 sentry dr memo](#)

Matter of Report from Maria Pandazi, City Planner.

[PC18-0137](#) Faith Baptist Church, Torhorst Road - Certified Survey Map

Attachments: [Faith Baptist Church CSM Cover Sheet.docx](#)
[Site Plan-Faith Baptist Church_2018-09-10.pdf](#)
[REZONING EXHIBIT.pdf](#)
[Detailed Plan-Faith Baptist Church_2018-09-10.pdf](#)
[CSM 9-10-2018.pdf](#)
[2018-09-10 Signed Petition for Zoning Amending.pdf](#)
[2018-09-10 Project Write Up - Land Exchange.pdf](#)
[2018-09-10 Application for Church Land Exchange.pdf](#)
[2018-09-06 Faith Baptist Church Narrative.PDF](#)

A motion was made by Ald. Helgestad, seconded by Ald. Lemke, to approve Faith Baptist Church, Torhorst Road - Certified Survey Map. The motion carried by the following vote.

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

Absent: 2 - Bartels and Perry

11. Standing Committees

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

[ID#18-1599](#) Approve Updates to the Waukesha Municipal Code Chapter 32, Storm Water Management and Erosion Control Ordinance.

Sponsors: Public Works

Attachments: [18-1283_BPW_Agenda Cover Sheet - Updates to City Storm Water Ordinance.pdf](#)
[18-1283_Chapter 32 Revamp final \(003\).pdf](#)

Ald. Perry was absent during voting of this item.

Ordinance #: 14-18.

A motion was made by Ald. Johnson, seconded by Ald. Manion, to approve Updates to the Waukesha Municipal Code Chapter 32, Storm Water Management and Erosion Control Ordinance. The motion carried by the following vote:

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

Absent: 2 - Bartels and Perry

D. Human Resources Committee Report - Ald. Thieme

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

[ID#18-1415](#) Review and act on Consulting Contract with BWBR for the Phase II Architectural, Interior Design and Engineering Services Contract for Proposed City Hall.

Sponsors: Public Works

Attachments: [18-1415_BPW_Agenda_Cover_Sheet_-_Design_Phase_CH_BWBR.pdf](#)
[2018006.01_Waukesha_City_Hall_DD-CA_Agreement-2018-10-04.pdf](#)

A motion was made by Ald. E. Payne, seconded by Ald. Thieme, to approve Consulting Contract with BWBR for the Phase II Architectural, Interior Design and Engineering Services Contract for Proposed City Hall. The motion carried by the following vote:

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

Nay: 2 - Cummings and C. Payne

Absent: 1 - Bartels

[ID#18-1565](#) 2019 CIP Projects (Department of Public Works Program).

Sponsors: Public Works

Attachments: [2019_CIP_Public_Works_Program.pdf](#)

Resolution #: 72-18

A motion was made by Ald. Pieper, seconded by Ald. Thieme, to approve to Confirm the Resolution for the 2019 CIP Projects (Department of Public Works Program). The motion carried by the following vote.

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

Nay: 1 - Cummings

Absent: 1 - Bartels

Abstain: 1 - D. Lemke

13. Director of Public Works Report

14. City Attorney's Report

15. City Administrator's Report

[ID#18-1613](#) Report from the City Administrator

Attachments: [Admin Report 11-2-18](#)

16. Mayor's Report & Referrals

[ID#18-1616](#) Board and Commission Appointments

Attachments: [Letter for Council, November 8, 2018](#)

A motion was made by Ald. Johnson, seconded by Ald. Thieme, to approve the appointment of Jeff Fowle to the Housing Authority. 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

17. Referrals

Ald. E. Payne to Building & Grounds to please look into safety upgrades or modifications to the crosswalk on Moreland Boulevard at Airport Road in front of Mental Health.

18. Closed Session

[ID#18-1624](#) Discuss the negotiation of a possible purchase of public property.

No action was taken on this item.

[ID#18-1660](#) Confer with legal counsel on litigation strategy concerning a settlement offer in the City of Waukesha v. Mill Reserve LLC lawsuit.

A motion was made by Ald. Pieper, seconded by Ald. Manion, to go into Closed Session pursuant to Wis. Stats. 19.85(1)(g) to confer with legal counsel on litigation strategy concerning a settlement offer in the City of Waukesha v. Mill Reserve LLC lawsuit. 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

19. Reconvene in Open Session

[ID#18-1661](#) Possible discussion and/or action on litigation strategy concerning a settlement offer in the City of Waukesha v. Mill Reserve LLC lawsuit.

The meeting reconvened into Open Session where the following Motion was made:

A motion was made by Ald. Pieper, seconded by Ald. Helgestad, to direct Attorney to proceed as discussed in closed session. 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#18-1662](#) Possible discussion and/or action on the purchase of public property

No action taken.

20. Adjournment

Adjourned at 8:42 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.