



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

City Council

Tuesday, May 7, 2019

6:30 PM

Council Chambers, City Hall
Use lower level glass door.

1. Roll Call

Aldermanic District #1 vacant at the beginning of the meeting. Ald. C. Payne arrived at 6:40 pm.

Present: 13 - Pieper, Bartels, Cummings, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke and C. Payne

Absent: 1 - Perry

2. Pledge of Allegiance

3. Public Comment

Jill Sinclair, 1516 Atlantic Drive, spoke in support of Don Browne for Alderman District #1.

Terry Thieme, 1712 Stardust Drive, spoke in support of Darin Bertsch as Alderman for District #1.

Mary Emery, 202 North James Street, President of the Waukesha Preservation Alliance, spoke about the upcoming Preservation Days is the 3rd weekend in May. She also thanked the following departments for being partners in this event: Landmark Commission, Waukesha Fire Department and Prairie Homes Cemetery.

John Zur, 1924 Fieldcrest Lane, spoke in support of Don Browne becoming Alderman for District #1.

4. Presentation of the 2019 Landmark Commission Awards

The Landmarks Commission awarded the George Gunn Award for Excellence in Historic Preservation to Carroll University/Restoration of Rankin Hall, and the John Schoenknecht Spirit of Preservation Award to Marilyn and Milton Hagerstrand. Both awards were presented by Charlie Griffith, Community Development.

5. Appointment for District #1 Council Seat

[ID#19-0646](#) Applicants for the open District #1 Council seat introduce themselves and are interviewed by the current Council members.

Attachments: [Don Paul Browne - Letter of Interest - 1st District Alderman](#)

[DON P BROWNE - Resume as of 04 01 19](#)

[Darin Bertsch- Letter](#)

[Darin Bertsch--Resume](#)

[ID#19-0647](#) Act on appointment to fill the vacancy for District #1 and administration of Oath of Office

A motion was made by Ald. Rodriguez, seconded by Ald. Cummings, to approve to appoint Don Browne to represent Aldermanic District #1. This motion was withdrawn, and no vote was taken.

Motion was made to vote for the Candidates for District #1 Alderman. Common Council members voted on signed paper ballots. Don Paul Browne won the majority vote (10 to 3) with the 10 votes cast for Don Browne by: Ald. Cummings, Ald. E. Payne, Ald. R. Lemke, Ald. D. Lemke, Ald. Rodriguez, Ald. Moltzan, Ald. Miller, Ald. C. Payne, Ald. Pieper, and Ald. Johnson. The 3 remaining votes cast for Darin Bertsch were made by Ald. Manion, Ald. Wells, and Ald. Bartels. Don Paul Browne was sworn for a term to end the Spring of 2020.

Ald. Perry was absent.

A motion was made by Ald. Cummings, seconded by Ald. Rodriguez, to vote by paper ballot for District 1 Alderman for Don Browne and Darin Bertsch --with Alderman signing their name to make it a public ballot.

No action was taken.

Second Roll Call to indicate Don Paul Browne in attendance for him to have voting rights on the remaining Agenda items.

Present: 14 - Pieper, Bartels, Cummings, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne

Absent: 1 - Perry

6. Approval of Minutes

[ID#19-0634](#) Minutes from April 16, 2019

Attachments: [ccmn 19.04.16 draft](#)

A motion was made by Ald. Johnson, seconded by Ald. Cummings, to approve the Minutes from April 16, 2019. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Cummings, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne

Absent: 1 - Perry

Consent Agenda

The following item was removed from Consent Agenda: ID#19-0240 by Ald. E. Payne and handled under Parks, Recreation & Forestry Board Report. The remainder of the Consent Agenda passed as presented by unanimous consent.

1. Other Boards and Commissions

[ID#19-0240](#) Approve opportunity to donate the current (obsolete) Frame Park playground equipment scheduled to be replaced as part of the approved 2019 CIP to the “Kids around the World” program and make an exception to the capital assets disposal policy.

Attachments: [Cover Sheet-Kids Around the World Playground Donation 4-4-19.pdf](#)
[Kids Around the World Donation Agreement.pdf](#)
[Kids Around the World-Donation Group Listing \(WI-IL-MN\).pdf](#)
[Kids Around the World-Ins Certificate.pdf](#)
[FRAME PLAYGROUND 1994 \(2-5 YR\) Equipment Diagram.pdf](#)
[FRAME PLAYGROUND 1994 \(5-12 YR\) Equipment Diagram.pdf](#)
[FRAME PLAYGROUND 1994 Equipment Inventory.pdf](#)
[Kids Around the World Bill of Sale-Playground Equipment with List.pdf](#)

This item has been removed from Consent Agenda by Ald. E. Payne and handled under Parks, Recreation & Forestry Board Report.

[ID#19-0548](#) Approve proposed Park Use Agreement regarding the Badgerland Water Ski Club to utilize Frame Park and access the Fox River for scheduled practices and shows during the 2019 Spring/Summer Season.

Attachments: [Badgerland Council Agenda Cover Sheet-2019.pdf](#)
[Badgerland Special Public Event Application 2019.pdf](#)
[Badgerland Water Ski Show Team Practice and Show Dates 2019 Season .pdf](#)
[Badgerland Park Use Contract.2019.pdf](#)

[ID#19-0551](#) Approve proposed agreement with TruGreen Lawn Care to provide fertilization and weed control services on various City/park properties.

Attachments: [2019 Cover letter for Fertilizer Weed control award.pdf](#)
[2019 City Fertilizer and Weed Control Contract](#)

[ID#19-0552](#) Approve proposed 2019 farming lease agreement associated with Cardinal Ridge Park site.

Attachments: [Crop Land Lease 2019-Cover Sheet.pdf](#)
[Crop Land Lease-Exhibit A.pdf](#)
[Crop Land Lease-Parkland 2019.pdf](#)

[ID#19-0558](#) Authorize a Reimbursement Resolution allowing the city to declare its official intent to reimburse expenditures of up to \$3,244,865 for water system improvements on Main Street from Lombardi Way to Manhattan Drive

Sponsors: Waukesha Water Commission

Attachments: [Reimbursement Resolution Memo](#)
[Reimbursement Resolution - Main Street from Lombardi to Manhattan](#)

[ID#19-0583](#) Review and act on request to amend the CIP budget for purchase of security cameras at the city garage, not to exceed 19,635.

Attachments: [Cover Sheet-City Garage Cameras](#)

[ID#19-0601](#) Review and Act on the approval of the purchase of Check It for an annual cost 3,075, and authorize the Mayor to sign this contract and all future purchase orders of goods or services under our agreement with Target Solutions.

Attachments: [04.18.2019 clean Revised Waukesha Fire Dept_TSL Check IT](#)
[Council Agenda Cover Sheet-TargetSolutions](#)

2. Plan Commission

3. Standing Committees

A. Finance Committee - Ald. Pieper

[ID#19-0584](#) Review and act on a request for approval to accept a \$10,000 grant from State Farm to support our fire prevention activities in the community.

Sponsors: Fire Department

Indexes: grant; fire prevention

Attachments: [Cover Sheet -State Farm Grant.pdf](#)
[State Farm Grant 2019.pdf](#)

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

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

[ID#19-0585](#) Bartender Applications - April 22, 2019

Attachments: [Bartenders 2019.04.22.pdf](#)

[ID#19-0586](#) INVITED Other Applications - April 22, 2019

Attachments: [Other Licenses 4.22.19\(rev\).pdf](#)

[ID#19-0587](#) Other Applications - April 22, 2019

Attachments: [Other Licenses 4.22.19\(rev\).pdf](#)

D. Human Resources - Ald. Wells

E. Board of Public Works - Dr. Fred Abadi

[ID#19-0523](#) Review and act on the contract for the Hillcrest Park Open Air Shelter Concept Design and Construction Documents.

Sponsors: Public Works

Attachments: [19-0523_BPW Agenda Cvr-Hillcrest Park Shelter.pdf](#)
[4119_Consultant Contract-GCA-Hillcrest Park Open Air Shelter.pdf](#)

[ID#19-0524](#) Review and act on the selection of the vendor for the City Hall Furniture project at no cost to the City, subject to City Attorney contract approval.

Sponsors: Public Works

Attachments: [19-0524_BPW Agenda Cvr-City Hall Furniture.pdf](#)

[ID#19-0525](#) Review and act on the Contract Amendment No. 2 with BWBR for furniture selection, layout and coordination with City selected vendor.

Sponsors: Public Works

Attachments: [19-0525_BPW Agenda Cvr-BWBR Contract Amend 2.pdf](#)

[ID#19-0526](#) Review and act on the Contract for the Architectural Analysis and Redesign of the Existing Evidence Storage Room for the Waukesha Police Station located at 1901 Delafield St.

Sponsors: Public Works

Attachments: [19-0526_BPW Agenda Cvr-PD Evidence Storage Room.pdf](#)
[Consultant Contract-Engberg Anderson-Arch Analysis and Redesign_Exist Evidence Storage PD 1901 Delafield.pdf](#)

[ID#19-0546](#) Approve Sidewalk Easement and Right of Way dedication between SJW Enterprise and the City of Waukesha at 1620 Arcadian Avenue (northeast corner intersection of Arcadian Avenue and Tesch Court).

Sponsors: Public Works

Attachments: [19-0546 BPW Agenda Cover-SJW Enterprise LLC.pdf](#)
[19-0546_1620 Arcadian BGS 1-1998 PLAT recorded.pdf](#)
[19-0546_Aerial map.pdf](#)
[SJW EASEMENT.pdf](#)

End of Consent Agenda

7. New Business

[ID#19-0602](#) Review and act on a request to use contingency funds to fund City portion of Transit shortfall.

Sponsors: Transit and Finance

Indexes: Contingency; Transit

Attachments: [Cover Sheet -Use of Contingency Funds -Transit.pdf](#)

A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve request to use contingency funds to fund City portion of Transit shortfall. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Cummings, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne

Absent: 1 - Perry

Reports

8. Other Boards and Commissions

A. Transit Commission Report - Dr. Fred Abadi

B. Water Utility Commission - Ald. Bartels

[ID#19-0635](#) Update from the Waukesha Water Commission

Attachments: [04 18 2019 Meeting update to Council](#)

C. Information Technology Board Report - Ald. Manion

D. Landmarks Commission Report - Ald. Rodriguez

E. Redevelopment Authority Report - Ald. Perry

F. Parks, Recreation & Forestry Board Report - Ald. Johnson

[ID#19-0240](#) Approve opportunity to donate the current (obsolete) Frame Park playground equipment scheduled to be replaced as part of the approved 2019 CIP to the "Kids around the World" program and make an exception to the capital assets disposal policy.

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This item was removed from Consent Agenda by Ald. E. Payne.

A motion was made by Ald. Johnson, seconded by Ald. Wells, to approve opportunity to donate the current (obsolete) Frame Park playground equipment scheduled to be replaced as part of the approved 2019 CIP to the "Kids around the World" program and make an exception to the capital assets disposal policy. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Cummings, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne

Absent: 1 - Perry

G. Library Board Report - Ald. Miller

H. Cemetery Commission Report - Ald. Cummings

I. Waukesha Housing Authority Report

J. Community Development Block Grant Committee Report - Jennifer Andrews

K. Public Art Committee Report - Ald. Moltzan

9. Plan Commission - Jennifer Andrews

[ID#19-0489](#) Amendment to Section 21.03(2)(d) of the Municipal Code.

Attachments: [Ordinance.pdf](#)
[City Attorney's Memo.pdf](#)

A motion was made by Ald. Rodriguez, seconded by Ald. D. Lemke, to waive the 3rd reading to amendment to Section 21.03(2)(d) of the Municipal Code. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Cummings, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne

Absent: 1 - Perry

Ordinance #: 6-19

A motion was made by Ald. Rodriguez, seconded by Ald. Bartels, to approve Amendment to Section 21.03(2)(d) of the Municipal Code. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Cummings, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne

Absent: 1 - Perry

10. Standing Committees

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

[ID#19-0378](#) Review and act on an Ordinance Creating Section 6.123 of the Waukesha Municipal Code, Regarding the Depositing of Snow onto Certain Public and Private Properties.

Sponsors: Public Works

Attachments: [19-0378 BPW Cover Sheet-Proposed Ord 6 123.pdf](#)
[19-0378 Ordinance 6.123-Plowing Snow onto Streets.pdf](#)

A motion was made by Ald. Johnson, seconded by Ald. Manion, to approve Ordinance Creating Section 6.123 of the Waukesha Municipal Code, Regarding the Depositing of Snow onto Certain Public and Private Properties.

No action taken.

A motion was made by Ald. R. Lemke, seconded by Ald. Cummings, to postpone until the next Council meeting. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Cummings, Rodriguez, D. Lemke, E. Payne, Moltzan, Miller, R. Lemke, C. Payne and Browne

Nay: 3 - Manion, Johnson and Wells

Absent: 1 - Perry

D. Human Resources Committee Report - Ald. Wells

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

[ID#19-0521](#) Bids Received: Friday, April 12, 2019, at 11:00 A.M.
W. Sunset Drive Bridge (B-67-199) Maintenance and Repairs

The Board of Public Works recommends that the bid from Fahrner Asphalt Sealers, LLC, in the amount of \$46,076.15, for the Base Bid and Alternate Additions, be awarded.

Sponsors: Public Works

Attachments: [19-0521 Bid Tab W Sunset Bridge.pdf](#)

A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve the bid award for W. Sunset Drive Bridge (B-67-199) Maintenance and Repairs, to Fahrner Asphalt Sealers, LLC, in the amount of \$46,076.15, for the Base Bid and Alternate Additions. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Cummings, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne

Absent: 1 - Perry

[ID#19-0522](#) Lowell Park Pickleball Courts

Sponsors: Public Works

Attachments: [Resolution Lowell Park Pickleball Courts.pdf](#)

A motion was made by Ald. Pieper, seconded by Ald. Johnson, to approve preparation of bids for Lowell Park Pickleball Courts. The motion carried by the following vote:

Aye: 14 - Pieper, Bartels, Cummings, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne

Absent: 1 - Perry

12. Director of Public Works Report

13. City Attorney's Report

14. City Administrator's Report

[ID#19-0633](#) Report from the City Administrator

Attachments: [Admin Report 5-3-19](#)

15. Mayor's Report & Referrals

[ID#19-0628](#) Proclamation for National Drinking Water Week

Attachments: [National Drinking Water Week - Mayoral Proclamation](#)

[ID#19-0629](#) Proclamation for Kids to Parks Day

Attachments: [Kids to Parks Day 2019](#)

[ID#19-0630](#) Proclamation for Poppy Days

Attachments: [American Legion- Poppy Days 2019](#)

[ID#19-0648](#) Council Seating Chart

Attachments: [Council Member Seating Chart 2019-2020 FINAL](#)

16. Referrals

*Ald. Rodriguez reminded everyone about Preservation Days May 7 and 18 & 19.
Ald. Cummings announced a social gathering at the Clarke Hotel after the meeting.*

17. Adjournment

The meeting adjourned at 8:23 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.