



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

Tuesday, November 18, 2014

6:30 PM

Council Chambers, City Hall
Use lower level glass door.

Council Chambers, City Hall

1. Roll Call

Present: 12 - Pieper, Bartels, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Thieme and Johnson
Absent: 3 - Skinner, Hernandez and Jankowski

2. Pledge of Allegiance

Ald. Skinner arrived during the Pledge of Allegiance.

Present: 13 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Thieme and Johnson
Absent: 2 - Hernandez and Jankowski

3. Public Comment

*Bill Huelsman, 235 W. Broadway, spoke in favor of the storm water management study
Catherine Huelsman, 151 W. College Ave, spoke on the Farmer's Market being in favor of opening it up to different organizations
Victoria Hekkers, 431 W. Main, spoke regarding the Farmers Market and considering other organizations
Jeff Barta, 323 W. Main, spoke regarding the Farmer's Market and against past leadership by the WDBA
Mary Jane Sanches, 417 W. Main, spoke regarding St. Joseph's interest in working and taking over running the Farmer's Market*

4. Approval of Minutes

A. ID#14-1485 Minutes for November 6, 2014

A motion was made by Ald. Johnson, seconded by Ald. Thieme, that the Minutes for November 6, 2014 be approved. The motion carried by the following vote:

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

Absent: 2 - Hernandez and Jankowski

B. ID#14-1516 Minutes for November 11, 2014

A motion was made by Council President E. Payne, seconded by Ald. Thieme, that the Minutes for November 11, 2014 be approved. The motion carried by the following vote:

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

Absent: 2 - Hernandez and Jankowski

5. New Business

A. ID#14-1291 Revisit discussion of starting time for council meetings. (August 5, 2014 time was changed from 7:30p.m. to 6:30p.m.)

A motion was made by Ald. Johnson, seconded by Ald. Perry that the Council meeting time continue at 6:30 p.m.

A motion was made by Ald. Cummings, seconded by Ald. C. Payne, to amend the original motion to change the time to 7:00 p.m. The motion failed by the following vote:

Aye: 4 - Cummings, C. Payne, Reiland and Manion

Nay: 8 - Pieper, Bartels, Skinner, Perry, Francoeur, E. Payne, Thieme and Johnson

Absent: 2 - Hernandez and Jankowski

Abstain: 1 - Patton

A motion was made by Ald. Cummings, seconded by Ald. C. Payne, that this matter be Postponed until the next Council meeting, December 2nd. The motion failed by the following vote:

Aye: 4 - Cummings, C. Payne, Reiland and E. Payne

Nay: 9 - Pieper, Bartels, Skinner, Patton, Perry, Francoeur, Manion, Thieme and Johnson

Absent: 2 - Hernandez and Jankowski

Voting on the original motion made by Ald. Johnson, seconded by Ald. Perry, that the Council meeting continue at 6:30 p.m. carried by the following vote:

Aye: 10 - Pieper, Bartels, Skinner, Patton, Perry, Francoeur, Manion, E. Payne, Thieme and Johnson

Nay: 3 - Cummings, C. Payne and Reiland

Absent: 2 - Hernandez and Jankowski

- B. ID#14-1407** Presentation of Final Report of the City Wide Storm Water Management Study by the Department of Public Works and consideration of adoption of Final Report by the Common Council

Dr. Fred Abadi presented the Stormwater Management Plan and

Paul Day, City Engineer, reviewed Recommended Projects

A motion was made by Ald. Bartels, seconded by Ald. Reiland, that the Final Report of the City Wide Storm Water Management Study be adopted. The motion carried by the following vote:

Aye: 12 - Pieper, Bartels, Skinner, Cummings, Patton, Perry, Francoeur, Reiland, Manion, E. Payne, Thieme and Johnson

Nay: 1 - C. Payne

Absent: 2 - Hernandez and Jankowski

- C. ID#14-1449** Approval of WDBA running the 2015 Farmer's Market

A motion was made by Ald. Skinner, seconded by Ald. Patton, that the WDBA be approved to run the 2015 Farmer's Market. The tie vote was as follows:

Aye: 6 - Pieper, Skinner, Patton, Francoeur, Reiland and Johnson

Nay: 6 - Bartels, Perry, C. Payne, Manion, E. Payne and Thieme

Absent: 2 - Hernandez and Jankowski

Abstain: 1 - Cummings

A motion was made by Ald. Francoeur, seconded by Ald. Skinner to suspend the rules and allow the Mayor to make a short comment prefacing his vote to break the tie vote. The motion carried by a unanimous vote.

The Mayor cast a vote of aye and the motion passed.

- D. ID#14-1380** Review and act on a request to recommend that Council accept the Holiday Light and Decoration donations, and authorize transfer of funds from the fundraising website Indiegogo and personal checks made payable directly to the City.

A motion was made by Ald. Pieper, seconded by Ald. Patton, to approve accepting the Holiday Light and Decoration donations, and authorize transfer of funds from the fundraising website Indiegogo and personal checks made payable directly to the City. The motion carried by the following vote:

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

Absent: 2 - Hernandez and Jankowski

- E. ID#14-1381** Review and act on a request to recommend that Council approve the TID 22 developer agreement, which includes an incentive payment in the amount of \$2,000,000 and a \$600,000 paygo incentive with interest schedule.

A motion was made by Ald. Johnson, seconded by Ald. Pieper, to approve the TID 22 developer agreement, which includes an incentive payment in the amount of \$2,000,000 and a \$600,000 paygo incentive with interest schedule. The motion carried by the following vote:

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

Absent: 2 - Hernandez and Jankowski

- F. ID#14-1382** Review and act on a recommendation that the Council approve the Radio System Capital Promissory Notes as presented.

A motion was made by Ald. Pieper, seconded by Ald. Patton, that the Radio System Capital Promissory Notes as presented be approved (R#61-14). The motion carried by the following vote:

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

Absent: 2 - Hernandez and Jankowski

- G. ID#14-1494** Review and act on a request to recommend the Common Council approve a City-issued Note and Mortgage, in the estimated amount of \$6,485, to Habitat for Humanity in Waukesha County to underwrite the cost of lead hazard control work at 612 Scott Avenue and conditioned upon the assumption of the mortgage at a later date by the qualified purchaser of the property. The note and mortgage will be forgivable after three years.

A motion was made by Ald. Pieper, seconded by Council President E. Payne, to approve a City-issued Note and Mortgage, in the estimated amount of \$6,485, to Habitat for Humanity in Waukesha County to underwrite the cost of lead hazard control work at 612 Scott Avenue and conditioned upon the assumption of the mortgage at a later date by the qualified purchaser of the property. The note and mortgage will be forgivable after three years. The motion carried by the following vote:

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

Absent: 2 - Hernandez and Jankowski

- H. ID#14-1532** Approval to transfer Cemetery funds to Associated Bank

Ald. Pieper abstained from the vote as he is employed by Associated Bank.

A motion was made by Ald. Bartels, seconded by Council President E. Payne, to approve the transfer Cemetery funds to Associated Bank. The motion carried by the following vote:

Aye: 12 - Bartels, Skinner, Cummings, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, E. Payne, Thieme and Johnson

Absent: 2 - Hernandez and Jankowski

Abstain: 1 - Pieper

I. ID#14-1365 Resolution - Resolution for Amendment I to the Project Plan for Tax Incremental Finance District No. 16

A motion was made by Ald. Pieper, seconded by Ald. Skinner that the Resolution (R#60-14)- Resolution for Amendment I to the Project Plan for Tax Incremental Finance District No. 16 be approved. The motion carried by the following vote:

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

Absent: 2 - Hernandez and Jankowski

Consent Agenda

A motion was made by Ald. Andy Reiland, seconded by Ald. Terry Thieme, that the Consent Agenda be approved. The motion carried by the following vote:

Aye: 11 - Pieper, Bartels, Skinner, Patton, Perry, Francoeur, C. Payne, Reiland, Manion, Thieme and Johnson

Nay: 2 - Cummings and E. Payne

Absent: 2 - Hernandez and Jankowski

1. Other Boards and Commissions

2. Plan Commission - Jennifer Andrews

A. PC14 -0127 The Shoppes at Fox River - Certified Survey Map

B. PC14 -0055 Timber View Estates Final Plat: 37 single family lots.

3. Standing Committees

A. Ordinance & License Committee - Ald. Johnson

1. Licenses

A. ID#14-1440 Bartenders Applications

B. ID#14-1443 Other Applications for licenses considered by Ordinance & License Committee on October 13, 2014.

2. Ordinances

- A. ID#14-1284** Amended Chapter 22, Section 22.56(2) of the Municipal Code regarding the adjustment of setbacks in certain circumstances
First Reading 10-21-14
Second Reading 11-06-14
Third Reading 11-18-14
Ord. #19-14
- B. ID#14-1317** Review and act on proposed amendment to Chapter 4.11 of the Municipal Code to change the appointing authority of the duties of the Comptroller from the City Administrator to the Common Council Finance Committee.
- C. ID#14-1318** Review and act on proposed amendment to Chapter 5.04 of the Municipal Code to change the appointing authority of Directors and Managers from the Mayor to the City Administrator.

End of Consent

Reports

6. Other Boards and Commissions

- A. Transit Commission Report - Dr. Fred Abadi
- B. Water Utility Commission - Ald. Thieme
- C. Information Technology Board Report - Ald. Jankowski/Ald. Manion
- D. Landmarks Commission Report - Ald. Francoeur
- E. Redevelopment Authority Report - Jennifer Andrews
- F. Parks, Recreation & Forestry Board Report - Ald. Johnson
- G. Library Board Report - Ald. Reiland
- H. Cemetery Commission Report - Ald. Jankowski
- I. Waukesha Housing Authority Report - Ald. Hernandez
- J. Community Development Block Grant Committee Report - Jennifer Andrews

K. Public Art Committee Report - Ald. Cummings

7. Plan Commission - Jennifer Andrews

8. Standing Committees

A. Finance Committee Report - Ald. Pieper

1. **ID#14-1278** Review and act on a request from the Human Resources Manager to recommend the Common Council waive the bidding requirement to continue to obtain Health Insurance Consulting Services through Willis of Wisconsin, Inc.

A motion was made by Ald. Pieper, seconded by Ald. Reiland, to approve the waiving of the bidding requirement to continue to obtain Health Insurance Consulting Services through Willis of Wisconsin, Inc . The motion carried by the following vote:

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

Absent: 2 - Hernandez and Jankowski

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

C. Ordinance & License Committee Report - Ald. Johnson

D. Human Resources Committee Report - Ald. Francoeur

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

- A. **ID#14-1395** Approve Bids Received: Friday, October 31, 2014 at 11:00 a.m.
a) Reconstruction of Alleys
The Board of Public Works recommends awarding to Milwaukee General on their low bid of \$220,365.70

A motion was made by Council President E. Payne, seconded by Ald. Pieper, to approve Bids Received: Friday, October 31, 2014 at 11:00 a.m.

**a) Reconstruction of Alleys
to Milwaukee General on their low bid of \$220,365.70. The motion carried by the following vote:**

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

Absent: 2 - Hernandez and Jankowski

B. ID#14-1398 Approve Bids Received: Friday, October 31, 2014 at 11:00 a.m.

a) South East Avenue Flood Mitigation

The Board of Public Works Recommends that all Bids be Rejected

A motion was made by Council President E. Payne, seconded by Ald. C. Payne, to approve the rejection of Bids Received: Friday, October 31, 2014 at 11:00 a.m.

a) South East Avenue Flood Mitigation. The motion carried by the following vote:

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

Absent: 2 - Hernandez and Jankowski

10. Director of Public Works Report

11. City Attorney's Report

12. City Administrator's Report

A. ID#14-1492 City Administrator's Report 11 18 14

13. Mayor's Report & Referrals

A. ID#14-1491 Mayor's Summary of Meetings and/or Events

A. ID#14-1513 Proclamation for Small Business Saturday

The Mayor read the Proclamation - November 29th, 2014 as Small Business Saturday.

14. Referrals

Ald. Patton to O & L that an ordinance be adopted to require \$10 minimum wage in Waukesha. A

Id. Francoeur to Mayor's office to please consider appointing a workgroup to include but not be limited to a representative of the Common Council, the City Attorney's Office, and the Clerk/Treasurer. The group's purpose would be to review the current special events ordinances and discuss possible complimentary processes for the City's role in awarding the permits needed for the administration of these events such as the Farmer's Market.

Ald. Skinner to ITB to please provide an update on the implementation of the legislative management system (Granicus). The report should include ROI factors (if any) as forecasted in prior budget and former ITAC meetings as well as remaining training and other activities.

15. Adjournment

A motion was made by Ald. Terry Thieme, seconded by Ald. Aaron Perry, that the meeting be adjourned. The motion carried by the following vote:

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

Absent: 2 - Hernandez and Jankowski

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.