



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

City Council

Tuesday, July 2, 2019

6:30 PM

Council Chambers, City Hall
Use lower level glass door.

1. Roll Call

Ald. C. Payne arrived at 6:40 pm and Ald. Johnson arrived at 6:51 pm; both during Item No.: ID#19-0917.

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

Absent: 1 - Pieper

2. Pledge of Allegiance

3. Public Comment

Al Sterner, 237 Madison Street, #60, spoke regarding the ratio of condos vs. apartments in downtown Waukesha.

4. Approval of Minutes

[ID#19-0913](#) Minutes from June 18, 2019

Attachments: [ccmn 19.06.18 draft](#)

A motion was made by Ald. Moltzan, seconded by Ald. Miller, to approve the Minutes from June 18, 2019. The motion carried by the following vote:

Aye: 12 - Bartels, Cummings, Perry, Manion, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke and Browne

Absent: 3 - Pieper, Johnson and C. Payne

Consent Agenda

The following items were removed from Consent Agenda: PC19-0053 by Ald. Moltzan and PC19-0044 by Ald. Wells. Both were handled under Plan Commission Report. The remainder of the Consent Agenda was passed as presented by unanimous consent.

1. Other Boards and Commissions

[ID#19-0874](#) Approve proposed Event Vendor Agreement and related Class B Liquor License with the Kiwanis Club of Waukesha Early Risers to serve as a vendor at the 2019 Waukesha Oktoberfest.

Attachments: [Kiwanis Oktoberfest Agreement.pdf](#)

[ID#19-0818](#) Approval of the 2019-2021 Title VI Plan

Attachments: [Agenda Cover Sheet -Title VI.pdf](#)

[Resolution - Title VI 2019.pdf](#)

[Title VI Program 2019.pdf](#)

2. Plan Commission

[PC19-0044](#) The Reserve at Waukesha, Certified Survey Map - Review a four (4) lot certified survey map for the properties at 313 Bank Street, 210 Bank Street, a portion of 151 E. St. Paul Avenue, and the property at the southwest corner of NW Barstow Street and E. St. Paul Avenue.

Attachments: [CSM 190510.pdf](#)

[Reserve at Waukesha PROPERTY EXHIBIT COLOR.pdf](#)

[The Reserve CSM Cover Sheet.pdf](#)

This item has been removed from the Consent Agenda by Ald. Wells and handled under the Plan Commission Report.

[PC19-0053](#) Pebble Brook Hollow, Oakdale Road - Extra territorial Plat

Attachments: [144685 Prelim Plat signed 4-26-19.pdf](#)

[Pebble Brook Hollow Cover Sheet.pdf](#)

This item has been removed from the Consent Agenda by Ald. Moltzan and handled under the Plan Commission Report.

3. Standing Committees

A. Finance Committee - Ald. Pieper

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

[ID#19-0809](#) Please approve installation of a stop sign on the northbound and southbound approaches of Wilbur Avenue with E. Laflin Avenue.

Sponsors: Moltzan

Attachments: [19-0809 Admin Cover Stop Sign on Wilbur and Laflin for CC Meeting Consent](#)
[B and G Resolution RTC for the July 2 2019 CC Meeting CONSENT AGENDA.doc.pdf](#)

[ID#19-0811](#) Please approve installation of a stop sign on Dana Lane at River Place Blvd.

Sponsors: Perry

Attachments: [19-0811 Admin Cover Stop Sign on Dana and River Place Blvd for CC Meeting Consent](#)
[B and G Resolution RTC for the July 2 2019 CC Meeting CONSENT AGENDA.doc.pdf](#)

[ID#19-0813](#) Please approve installation of a sign on westbound W. Moreland Blvd. at Delafield Street that reads "Right Lane Must Turn Right Except for Transit Buses".

Sponsors: Public Works and Transit

Attachments: [19-0813 Admin Cover Sign on Moreland and Delafield for CC Meeting Consent](#)
[B and G Resolution RTC for the July 2 2019 CC Meeting CONSENT AGENDA.doc.pdf](#)

C. Ordinance & License Committee - Ald. Johnson

1. Licenses

[ID#19-0889](#) INVITED Bartender Applications - June 24, 2019

Attachments: [Bartenders 2019.06.24](#)

[ID#19-0890](#) Bartender Applications - June 24, 2019

Attachments: [Bartenders 2019.06.24](#)

[ID#19-0891](#) INVITED Other Applications - June 24, 2019

Attachments: [Other Licenses 2019.06.24](#)

[ID#19-0892](#) Other Applications - June 24, 2019

Attachments: [Other Licenses 2019.06.24](#)

D. Human Resources - Ald. Wells

[ID#19-0882](#) Request of IT Director Chris Pofahl to create the position of Senior Enterprise Resource Planning and Database Administrator and modification and retitling of the Senior Business Analyst position.

Attachments: [Sr. ERP Admin Coversheet.docx](#)
[Sr. ERP and Database Administrator 6-30-19 DRAFT.docx](#)

E. Board of Public Works - Dr. Fred Abadi

[ID#19-0856](#) Review and concur with Waukesha Water Utility's Contract Change Order with Zignego Company, Inc., for the Main Street Utility and Street Reconstruction N. Barstow Street to Lombardi Way Project

Sponsors: Water Utility and Public Works

Attachments: [19-0856_BPW_Agenda_Cover_Sheet_-_WWU-Zignego_Change_Order_1](#)

End of Consent Agenda**5. New Business**

[ID#19-0921](#) Approve the Relocation Order Resolution and Resolution of Public Necessity for the Water Pumping Station suction piping near the vicinity of West Oklahoma Avenue and South 76th Street for easements necessary for the water supply pipeline portion of the Great water Alliance program pending City Attorney review.

Sponsors: Water Utility

Attachments: [Draft Resolution Package_062819](#)

A motion was made by Ald. Bartels, seconded by Ald. E. Payne, to approve the Relocation Order Resolution and Resolution of Public Necessity for the Water Pumping Station suction piping near the vicinity of West Oklahoma Avenue and South 76th Street for easements necessary for the water supply pipeline portion of the Great water Alliance program pending City Attorney review. The motion carried by the following vote:

Aye: 12 - Bartels, Cummings, Perry, Manion, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, Miller, R. Lemke and Browne

Absent: 3 - Pieper, Johnson and C. Payne

[ID#19-0917](#) TID 101 Presentation

Sponsors: Community Development

Jennifer Andrews introduced John Cameron and Frank Roman from Ehlers who provided a general presentation regarding TIF and TID.

[ID#19-0932](#) Approve settlement of Woodman's v. City of Waukesha excessive-assessment lawsuit.

Attachments: [Cover Sheet-Woodmans Settlement 2017-18.pdf](#)
[Settlement Agreement - Waukesha 13MAY2019 - W signed.pdf](#)

A motion was made by Ald. Johnson, seconded by Ald. Bartels, to approve settlement agreement of Woodman's v. City of Waukesha excessive-assessment lawsuit. The motion carried by the following vote:

Aye: 9 - Bartels, Manion, Johnson, E. Payne, Wells, Moltzan, Miller, C. Payne and Browne

Nay: 5 - Cummings, Perry, Rodriguez, D. Lemke and R. Lemke

Absent: 1 - Pieper

6. Public Hearing

[PC19-0043](#) The Reserve at Waukesha, Rezoning with PUD - Review a request to rezone the properties at 313 Bank Street, 210 Bank Street, a portion of 151 E. St. Paul Avenue, and the property at the southwest corner of NW Barstow Street and E. St. Paul Avenue from B-2, Central Business District to B-2 (PUD), Central Business District Planned Unit Development. This PUD will allow for the construction of a mixed-use development that will include residential, commercial, and park uses.

Attachments: [Attachment A - Application for Development Review.pdf](#)
[Reserve at Waukesha - Building and Site Data Sheet.pdf](#)
[Reserve At Waukesha - Building Elevations.pdf](#)
[Reserve at Waukesha - Cover Letter.pdf](#)
[Reserve at Waukesha PROPERTY EXHIBIT COLOR.pdf](#)
[Reserve at Waukesha - Site Plan Review Complete Civil Set.pdf](#)
[Reserve at Waukesha - Storm Water Report - COMPLETE.pdf](#)
[Reserve at Waukesha Rezoning Petition.pdf](#)
[The Reserve Rezoning w PUD Cover Sheet.pdf](#)
[Re-Zoning Ordinance - The Reserve at Waukesha](#)

City Planner, Maria Pandazi provided information and overview of the item. The Public Hearing was opened. No one was present to speak. The Public Hearing was closed.

[PC19-0052](#) Riverwalk Apartments, 800-810 Riverwalk Drive - Planned Unit Development Amendment

Attachments: [Riverwalk Apartments PUD Agreement.pdf](#)
[Riverwalk Apts Cover Sheet.pdf](#)

City Planner, Maria Pandazi provided information and overview of the item. The Public Hearing was opened. No one was present to speak. The Public Hearing was closed.

7. Action on Public Hearing

[PC19-0043](#) The Reserve at Waukesha, Rezoning with PUD - Review a request to rezone the properties at 313 Bank Street, 210 Bank Street, a portion of 151 E. St. Paul Avenue, and the property at the southwest corner of NW Barstow Street and E. St. Paul Avenue from B-2, Central Business District to B-2 (PUD), Central Business District Planned Unit Development. This PUD will allow for the construction of a mixed-use development that will include residential, commercial, and park uses.

Attachments: [Attachment A - Application for Development Review.pdf](#)
[Reserve at Waukesha - Building and Site Data Sheet.pdf](#)
[Reserve At Waukesha - Building Elevations.pdf](#)
[Reserve at Waukesha - Cover Letter.pdf](#)
[Reserve at Waukesha PROPERTY EXHIBIT COLOR.pdf](#)
[Reserve at Waukesha - Site Plan Review Complete Civil Set.pdf](#)
[Reserve at Waukesha - Storm Water Report - COMPLETE.pdf](#)
[Reserve at Waukesha Rezoning Petition.pdf](#)
[The Reserve Rezoning w PUD Cover Sheet.pdf](#)
[Re-Zoning Ordinance - The Reserve at Waukesha](#)

Mike Campbell, Campbell Capital Group spoke in regards to the development.

Ordinance #: 32-19

A motion was made by Ald. C. Payne, seconded by Ald. Perry, to approve the Reserve at Waukesha, Rezoning with PUD - rezone the properties at 313 Bank Street, 210 Bank Street, a portion of 151 E. St. Paul Avenue, and the property at the southwest corner of NW Barstow Street and E. St. Paul Avenue from B-2, Central Business District to B-2 (PUD), Central Business District Planned Unit Development. This PUD will allow for the construction of a mixed-use development that will include residential, commercial, and park uses.that this Rezoning Pettition be approved. The motion carried by the following vote:

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

Absent: 1 - Pieper

[PC19-0052](#) Riverwalk Apartments, 800-810 Riverwalk Drive - Planned Unit Development Amendment

Attachments: [Riverwalk Apartments PUD Agreement.pdf](#)
[Riverwalk Apts Cover Sheet.pdf](#)

*Language for reference: RIVERWALK APARTMENTS PUD AMENDMENT
Section 10 - Riverwalk Apartments Planned Unit Development
"That title to the entire premises shall remain in single ownership except hereinafter provided. It is agreed that the Developer shall not be permitted to separately sell off or divide the development to separate owners unless first receiving permission from the Common Council.*

[Original Motion] A motion was made Ald. Wells, seconded by Ald. Bartels, to approve the Riverwalk Apartments, 800-810 Riverwalk Drive - Planned Unit Development Amendment.

[Amendment to the Original Motion] A motion was made by Ald. Cummings, seconded by Ald. Moltzan, to approve the original motion with the addition of the second line highlighted wording be added back in: "owners unless first receiving permission from the Common Council." and that remain in the language. The motion carried by the following vote:

Aye: 8 - Cummings, Rodriguez, D. Lemke, E. Payne, Moltzan, Miller, C. Payne and Browne

Nay: 6 - Bartels, Perry, Manion, Johnson, Wells and R. Lemke

Absent: 1 - Pieper

[Voting on Amended Motion] A motion was made by Ald. Cummings, seconded by Ald. Moltzan, to approve Riverwalk Apartments, 800-810 Riverwalk Drive - Planned Unit Development Amendment to language deleting the first sentence "That title to the entire premises shall remain in single ownership except hereinafter provided." and keep the language "owners unless first receiving permission from the Council Council. **THE MAYOR VOTED NAY TO BREAK THE TIE VOTE.** The motion failed.

Aye: 7 - Cummings, Rodriguez, E. Payne, Moltzan, Miller, C. Payne and Browne

Nay: 7 - Bartels, Perry, Manion, Johnson, D. Lemke, Wells and R. Lemke

Absent: 1 - Pieper

A motion was made by Ald. Rodriguez, seconded by Ald. Cummings to deny the proposal to change the PUD Amendment. (not allowing a change to the language in the PUD.)

This motion was withdrawn by Ald. Rodriguez and Ald. Cummings.

A motion was made by Ald. Browne to table this item; no second received. City Attorney, Brian Running, advised that there was no motion made that could be tabled.

[Voting on Original Motion] - Riverwalk Apartments, 800-810 Riverwalk Drive - Planned Unit Development Amendment] A motion was made by Ald. R. Lemke, seconded by Ald. Johnson, to approve Riverwalk Apartments, 800-810 Riverwalk Drive - Planned Unit Development Amendment - "as written" striking both yellow highlighted lines. The motion failed by the following vote:

A motion was made by Ald. Miller, seconded by Ald. Browne, to table Riverwalk Apartments, 800-810 Riverwalk Drive - Planned Unit Development Amendment. The motion failed by the following vote:

Aye: 6 - Perry, D. Lemke, Wells, Moltzan, Miller and Browne

Nay: 8 - Bartels, Cummings, Manion, Johnson, Rodriguez, E. Payne, R. Lemke and C. Payne

Absent: 1 - Pieper

[Voting on the Original Motion] A motion was made by Ald. R. Lemke, seconded by Ald. Johnson, to approve Riverwalk Apartments, 800-810 Riverwalk Drive - Planned Unit Development Amendment - "as written" striking both yellow highlighted lines as proposed. The motion failed by the following vote:

Aye: 5 - Bartels, Manion, Johnson, Wells and R. Lemke

Nay: 9 - Cummings, Perry, Rodriguez, D. Lemke, E. Payne, Moltzan, Miller, C. Payne and Browne

Absent: 1 - Pieper

Reports

8. Other Boards and Commissions

A. Transit Commission Report - Dr. Fred Abadi

B. Water Utility Commission - Ald. Bartels

[ID#19-0919](#) Water Commission Update

Attachments: [06 20 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

[PC19-0071](#) To recommend approval of proposed contract with Sprecher Brewing Co. to provide beverage and food supplies associated with 2019 Neighborhood Beer Gardens and Waukesha Oktoberfest.

Attachments: [Sprecher Agreement 7.01.19_Final.pdf](#)

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

[PC19-0045](#) The Reserve at Waukesha, Preliminary Site Plan & Architectural Review with PUD - Plans for a multi-story mixed use building that will include 186 residential units, indoor parking and ground level commercial space for the properties located at 313 Bank Street, 210 Bank Street, a portion of 151 E. St. Paul Avenue, and the property at the southwest corner of NW Barstow Street and E. St. Paul Avenue.

Attachments: [Attachment A - Application for Development Review.pdf](#)
[Reserve at Waukesha - Building and Site Data Sheet.pdf](#)
[Reserve At Waukesha - Building Elevations.pdf](#)
[Reserve at Waukesha - Cover Letter.pdf](#)
[Reserve at Waukesha PROPERTY EXHIBIT COLOR.pdf](#)
[Reserve at Waukesha - Site Plan Review Complete Civil Set.pdf](#)
[Reserve at Waukesha -Storm Water Report - COMPLETE.pdf](#)
[The Reserve Pre SPAR Cover Sheet.pdf](#)

A motion was made by Ald. Wells, seconded by Ald. Miller, to approve The Reserve at Waukesha, Preliminary Site Plan Architectural Review with PUD - Plans for a multi-story mixed use building that will include 186 residential units, indoor parking and ground level commercial space for the properties located at 313 Bank Street, 210 Bank Street, a portion of 151 E. St. Paul Avenue, and the property at the southwest corner of NW Barstow Street and E. St. Paul Avenue. The motion carried by the following vote:

Aye: 12 - Bartels, Perry, Manion, Johnson, Rodriguez, E. Payne, Wells, Moltzan, Miller, R. Lemke, C. Payne and Browne

Nay: 2 - Cummings and D. Lemke

Absent: 1 - Pieper

[PC19-0044](#) The Reserve at Waukesha, Certified Survey Map - Review a four (4) lot certified survey map for the properties at 313 Bank Street, 210 Bank Street, a portion of 151 E. St. Paul Avenue, and the property at the southwest corner of NW Barstow Street and E. St. Paul Avenue.

Attachments: [CSM 190510.pdf](#)
[Reserve at Waukesha PROPERTY EXHIBIT COLOR.pdf](#)
[The Reserve CSM Cover Sheet.pdf](#)

This item was removed from the Consent Agenda by Ald. Wells.

A motion was made by Ald. Wells, seconded by Ald. C. Payne, to review & approve the Reserve at Waukesha, Certified Survey Map - Review a four (4) lot certified survey map for the properties at 313 Bank Street, 210 Bank Street, a portion of 151 E. St. Paul Avenue, and the property at the southwest corner of NW Barstow Street and E. St. Paul Avenue. The motion carried by the following vote:

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

Absent: 1 - Pieper

[PC19-0053](#) Pebble Brook Hollow, Oakdale Road - Extra territorial Plat

Attachments: [144685 Prelim Plat signed 4-26-19.pdf](#)
[Pebble Brook Hollow Cover Sheet.pdf](#)

This item was removed from the Consent Agenda by Ald. Moltzan. She excused herself from discussion on this item and abstained from voting.

A motion was made by Ald. R. Lemke, seconded by Ald. Johnson, to approve Pebble Brook Hollow, Oakdale Road - Extra territorial Plat. The motion carried by the following vote:

Aye: 13 - Bartels, Cummings, Perry, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Miller, R. Lemke, C. Payne and Browne

Absent: 1 - Pieper

Abstain: 1 - Moltzan

10. Standing Committees

[ID#19-0920](#) Approve the Relocation Order Resolution and Resolution of Public Necessity for the Water Pumping Station suction piping near the vicinity of West Oklahoma Avenue and South 76th Street for easements necessary for the water supply pipeline portion of the Great water Alliance program pending City Attorney review.

Attachments: [Resolution Package_062819](#)

This item was taken care of under ID#19-0921 under New Business.

- A. Finance Committee Report - Ald. Pieper
 - B. Building & Grounds Committee Report - Ald. E. Payne
 - C. Ordinance & License Committee Report - Ald. Johnson
 - D. Human Resources Committee Report - Ald. Wells
11. Board of Public Works Report - Dr. Fred Abadi

[ID#19-0848](#) Bids Received: Friday, June 14, 2019, at 11:00 A.M.
2019 Spot Sealing

The Board of Public Works recommends that the low bid from Crack Filling Service Corp. in the amount of \$33,750.00 for the 2019 Spot Sealing project be awarded.

Sponsors: Public Works

Attachments: [Bid Tab 2019 Spot Sealing.pdf](#)

A motion was made by Ald. E. Payne, seconded by Ald. Bartels, to approve the low bid award for 2019 Spot Sealing to Crack Filling Service Corp., in the amount of \$33,750.00. The motion carried by the following vote:

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

Absent: 1 - Pieper

[ID#19-0850](#) Bids Received: Friday, June 14, 2019, at 11:00 A.M.
2019 Pavement Crackfilling

The Board of Public Works recommends that low bid from Denler, Inc., in the amount of \$136,500.00 for the 2019 Pavement Crackfilling project be awarded.

Sponsors: Public Works

Attachments: [Bid Tab 2019 Crackfilling](#)

A motion was made by Ald. E. Payne, seconded by Ald. Bartels, to approve the low bid for 2019 Pavement Crackfilling to Denler, Inc., in the amount of \$136,500.00. The motion carried by the following vote:

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

Absent: 1 - Pieper

12. Director of Public Works Report

13. City Attorney's Report

14. City Administrator's Report

[ID#19-0914](#) Report from the City Administrator

Attachments: [Admin Report 6-28-19](#)

15. Mayor's Report & Referrals

[ID#19-0940](#) Storm Damage Summary Report

Attachments: [Storm Damage Summary Report](#)

[ID#19-0915](#) Board and Commission Appointments

Attachments: [Letter for Council - July 2, 2019](#)

[Cropper Letter and Resume](#)

A motion was made by Ald. E. Payne, seconded by Ald. Moltzan, to approve the appointments of Page Remmers, Laura Merchle and Amy Cropper to the Public Art Committee. The motion carried by the following vote:

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

Absent: 1 - Pieper

16. Referrals

Ald. Rodriguez referral to Common Council's next meeting for Temporary Occupancy Permits.

Ald. Moltzan referral to Building & Grounds due to citizen concerns for traffic safety, please consider prohibiting parking on the west side of Frederick Street to Broadway to Porter. This area is a curve in the city street leading to poor traffic visibility and insufficient space for two parking lanes and two travel lanes.

Ald. Moltzan referral to Building & Grounds on Frederick Street to please remove the 2 hour parking signs that currently exist between Ellis Street and Lincoln. These signs are worn, outdated and no longer needed.

17. Adjournment

Meeting adjourned at 8:47 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.