



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Draft

City Council

Tuesday, June 6, 2023

6:30 PM

Council Chambers, City Hall

1. Roll Call

Present: 14 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson and Alicia Halvensleben

2. Announcement of Closed Session pursuant to Wis. Stats. 19.85(1)(e) to discuss the possible sale of public property.

3. Pledge of Allegiance

4. Public Comment

John Thomas, 134 Douglass Ave, spoke on the bicycle lane on East Ave.

Lisa Salb, 434 Madison St, spoke on water usage and credit meters.

5. Presentation to the Common Council

A. [ID#23-6980](#) Proclamation for Waukesha South E-Sports Team

Attachments: [Waukesha South High School E-Sports Team - 2023 Proclamation](#)

6. Approval of Minutes

A. [ID#23-6988](#) Minutes from May 16, 2023

Attachments: [ccmn230516 draft.pdf](#)

A motion was made by Ald. E. Payne, seconded by Ald. Manion, to approve the Minutes from May 16, 2023. The motion carried by the following vote:

Aye: 14 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson and Alicia Halvensleben

7. Appointment for District #9 Council Seat

- A. [ID#23-6996](#) Applicants for the open District #9 Council seat introduce themselves and are interviewed by the current Council members

Attachments: [Darryl Enriquez](#)
[Paul Wuteska](#)

- B. [ID#23-6997](#) Act on appointment to fill the vacancy for District #9 and administration of Oath of Office

A motion was made by Ald. Rodriguez, seconded by Ald. Moltzan, to approve Paul Wuteska to fill the vacancy for District #9 and administration of Oath of Office. The motion carried by the following vote:

Aye: 10 - Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Frank McElderry, Mike Anderson and Alicia Halvensleben

Nay: 4 - Joe Pieper, Eric E. Payne, Cory C. Payne and Mike Chrisien

Consent Agenda

Ald. R. Lemke removed Plaza Garibaldi under Invited Other Licenses ID#23-6881. The remainder of the Consent Agenda passed by unanimous consent.

1. Other Boards and Commissions

- A. [ID#23-6831](#) Review and Act on a proposal to transfer funds from the Affordable Housing Development Fund to the Affordable Housing Rehab Program.

Attachments: [Affordable Housing Funds Transfer](#)

- B. [ID#23-6817](#) Review and act on Proposed Bus Stop Elimination

Attachments: [Bus Stop Elimination](#)

- C. [ID#23-6838](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Colonel's Kettle Corn, LLC to sell non-competing food/beverage items at 2023 Oktoberfest community event.

Attachments: [Cover Sheet Oktoberfest 2023](#)
[Colonel's Kettle Corn, LLC Oktoberfest Agreement 23](#)

- D. [ID#23-6839](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Great Lakes Dryhooch, Inc. to sell non-competing food/beverage items at 2023 Oktoberfest community event.

Attachments: [Cover Sheet Oktoberfest 2023](#)
[Great Lakes Dryhooch, Inc. Oktoberfest Agreement 23](#)

- E. [ID#23-6840](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Mama Ducky's Desserts, LLC to sell non-competing food/beverage items at 2023 Oktoberfest community event.

Attachments: [Cover Sheet Oktoberfest 2023](#)
[Mama Ducky's Desserts, LLC Oktoberfest Agreement 23](#)

- F. [ID#23-6841](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Kleins Bayern Gourmet Roasted Nuts to sell non-competing food/beverage items at 2023 Oktoberfest community event.

Attachments: [Cover Sheet Oktoberfest 2023](#)
[Kleines Bayern Gourmet Roasted Nuts Oktoberfest Agreement 23](#)

- G. [ID#23-6842](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Public Safety Cadets Post 178 to sell non-competing food/beverage items at 2023 Oktoberfest community event.

Attachments: [Cover Sheet Oktoberfest 2023](#)
[Public Safety Cadets Post 178 Oktoberfest Agreement 23](#)

- H. [ID#23-6843](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Sunrise Rotary Club Charitable Fund, Inc. to sell non-competing food/beverage items at 2023 Oktoberfest community event.

Attachments: [Cover Sheet Oktoberfest 2023](#)
[Sunrise Rotary Club Charitable Fund, Inc. Oktoberfest Agreement 23](#)

- I. [ID#23-6845](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Waukesha Citizens Police Academy Association, Inc. to sell non-competing food/beverage items at 2023 Oktoberfest community event.

Attachments: [Cover Sheet Oktoberfest 2023](#)
[Waukesha Citizens Police Academy Association, Inc. Oktoberfest Agreement 23](#)

- J. [ID#23-6846](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Younger's Woodery to sell non-competing food/beverage/performer at 2023 Oktoberfest community event.

Attachments: [Cover Sheet Oktoberfest 2023](#)
[Younger's Woodery Oktoberfest Agreement 23](#)

2. Plan Commission

- A. [PC23-0395](#) Certified Survey Map - 1900 E North Street – Proposed 4 Lot CSM encompassing 22.130 acres.

Attachments: [1900 E North Street, CSM- Cover Letter](#)
[1900 E North Street CSM- Project Reviews](#)
[2023-03-16 CSM for review](#)
[Application for Development Review-Signed](#)
[Cover Sheet - 1900 E North Street CSM](#)
[CSM Checklist-Attachment E](#)
[Project Narrative](#)

3. Standing Committees

A. Finance Committee - Ald. Pieper

- A. [ID#23-6878](#) Review and approve a contract with WEDC to accept the award of a Community Development Investment grant
- Attachments:** [Cover Sheet - WEDC Contract](#)
[Final Contract for Execution](#)
- B. [ID#23-6901](#) Review and approve the creation of a special revenue fund for the Public Safety Memorial
- Attachments:** [Cover Sheet - Special Revenue Account and Accept Donation](#)
[Special Revenue Account Letter to Ald. Pieper - Signed](#)
- C. [ID#23-6903](#) Review and act on a request from FD & PD to approve a contract with Waukesha Monument
- Attachments:** [Cover Sheet - Purchase approval Waukesha Monument](#)
[PD.FD Bricks](#)
- D. [ID#23-6905](#) Review and act on a contract with Cobblestone Hotels to receive WEDC CDI grant funds
- Attachments:** [Cover Sheet - Cobblestone](#)
[Cobblestone Grant Conduit w Appendix](#)
- E. [ID#23-6916](#) Review and Act on a recommendation to carryover \$199,388 from 2022 to 2023 in the General Fund.
- Attachments:** [Cover Sheet - 2022 General Fund Carryover Request](#)
[Fund 100 Carryovers - 2022 to 2023](#)

B. Building & Grounds Committee - Ald. E. Payne**C. Ordinance & License Committee - Ald. R. Lemke**

1. Licenses

- A. [ID#23-6880](#) Invited Bartenders

Attachments: [Invited Bartenders - 522 OL](#)

- B. [ID#23-6881](#) Invited Other Applications

Attachments: [Invited Other Applications - 522 OL](#)

Ald. R. Lemke removed Plaza Garibaldi, they are going back to O&L on 6/12.

- C. [ID#23-6882](#) Other Applications

Attachments: [Other Applications - 522 OL](#)

D. Human Resources - Ald. Rodriguez**E. Board of Public Works - Alex Damien**

- A. [ID#23-6811](#) Review and act on the Two-Party State Municipal Agreement between the City of Waukesha and the Wisconsin Department of Transportation for the E. Moreland Blvd Bridge project, WisDOT Project ID: 2718-00-73.

Sponsors: Public Works

Attachments: [23-6811_BPW_Agenda_Cvr-E Moreland Blvd Bridge Rehab SMA.pdf](#)
[2718-00-08 78 03 73 EMorelandBlvd CofWaukesha.pdf](#)

- B. [ID#23-6812](#) Review and act on Contract Change Order No. 1 with American Fire Training Systems, Inc. for the Multi-Level Live Fire Training Structure project.

Sponsors: Public Works

Attachments: [23-6812_BPW_Agenda_Cvr-CO1-American fire Training Systems Inc.pdf](#)
[23-6812-CO1 for American Fire Training Systems Inc.pdf](#)

- C. [ID#23-6813](#) Review and act on Contract Change Order No. 1 with Ford Construction Company, Inc. for the Fire Department Training Facility Restroom Addition -900 Sentry Drive project.

Sponsors: Public Works

Attachments: [BPW 23-6813 Agenda Cvr-CCO1-Ford Construction Fire Dept Training Facility Restroom.pdf](#)
[23-6813-Change order No 1 for Ford Construction Company.pdf](#)

- D. [ID#23-6820](#) Review and act on the two-party State Municipal Agreement between the City of Waukesha and the Wisconsin Department of Transportation for the Centracs Traffic Management System project, WisDOT Project ID: 2718-08-71.

Sponsors: Public Works

Attachments: [23-6820_BPW Agenda Cvr-Centracs Software SMA.pdf](#)
[2718-08-01_71 Centracs CWauk.pdf](#)

- E. [ID#23-6822](#) Review and act on the two-party State Municipal Agreement between the City of Waukesha and the Wisconsin Department of Transportation for the Fiber and Radio Interconnect project, WisDOT Project ID: 2718-08-72

Sponsors: Public Works

Attachments: [23-6822_BPW Agenda Cvr-Fiber and Radio Interconnect SMA.pdf](#)
[2718-08-02_72 FiberRadio CWauk.pdf](#)

- F. [ID#23-6823](#) Review and act on the two-party State Municipal Agreement between the City of Waukesha and the Wisconsin Department of Transportation for the Traffic Signal Controller Upgrades project, WisDOT Project ID: 2718-08-73.

Sponsors: Public Works

Attachments: [23-6823_BPW Agenda Cvr-Traffic Signal Controllers SMA.pdf](#)
[2718-08-03_73 ControlUp CWauk.pdf](#)

End of Consent Agenda

8. New Business

- A. [ID#23-6912](#) Disallowance of claim challenging chicken ordinance - Cheryl Boettcher

Attachments: [Claim for Unconstitutional Ordinance - Cheryl Boettcher](#)

A motion was made by Ald. Moltzan, seconded by Ald. R. Lemke, to approve the Disallowance of claim challenging chicken ordinance for Cheryl Boettcher. The motion carried by the following vote:

Aye: 15 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

Reports

9. Other Boards and Commissions

- A. Transit Commission Report - Alex Damien
- B. Water Utility Commission - Ald. Bartels
- C. Information Technology Board Report - Ald. Manion
- D. Landmarks Commission Report - Ald. Rodriguez
- E. Redevelopment Authority Report - Ald. R. Lemke
- F. Parks, Recreation & Forestry Board Report - Ald. Wells
- G. Library Board Report - Ald. Halvensleben
- H. Cemetery Commission Report - Ald. C. Payne
- I. Waukesha Housing Authority Report - Ald. Pieper
- J. Community Development Block Grant Committee Report - Jennifer Andrews
- K. Public Art Committee Report - Ald. Moltzan

10. Plan Commission - Jennifer Andrews

- A. [ID#23-6860](#) An Ordinance Amending Section 16.01(6)(b) of the Waukesha municipal Code Regarding Adoption of State Building Codes.

Attachments: [Cover Sheet - Building Code Amendent 16.01 b.](#)
[Adding SPS 327 to State Codes Adopted in 16.01](#)
[Adding SPS 327 to State Codes Adopted in 16.01 not redlined](#)

This was the Second Reading.

11. Standing Committees

- A. Finance Committee Report - Ald. Pieper
- B. Building & Grounds Committee Report - Ald. E. Payne

C. Ordinance & License Committee Report - Ald. R. Lemke

- A. [ID#23-6668](#) Amend 3.08 to create offices of president and vice-president on the Cemetery Commission

Attachments: [Memo-3.08 Officers](#)
[3.08\(1\)\(c\) - Cemetery Commission Officers - O&L Mod](#)

This was the Second Reading.

D. Human Resources Committee Report - Ald. Rodriguez

12. Board of Public Works Report - Alex Damien

- A. [ID#23-6802](#) Review and act on the recommended Sidewalk Ordinance change (6.115) regarding the cost of construction and replacement of sidewalks.

Attachments: [23-6802 BPW Agenda Cvr-Sidewalk Ordinance Revision.pdf](#)
[Memo and Ordinance-6.115](#)

This was the Second Reading.

- B. [ID#23-6624](#) Bids Received: Friday, April 28, 2023, at 11:00 a.m.
Silurian Springhouse Foundation Alteration-700 N. Hartwell Ave.

The Board of Public Works recommends that the low bid from Ford Construction Co., Inc., for the base bid less the alternate in the amount of \$57,670.00 be awarded.

Sponsors: Public Works

Attachments: [2023 Silurian Springhouse Foundation Alteration-BPW BT.pdf](#)

A motion was made by Ald. E. Payne, seconded by Ald. Pieper, to approve the low bid from Ford Construction Co., Inc., for the base bid less the alternate in the amount of \$57,670.00 for Silurian Springhouse Foundation Alteration-700 N. Hartwell Ave. The motion carried by the following vote:

Aye: 15 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

- C. [ID#23-6806](#) Bids Received: Friday, May 12, 2023, at 11:00 a.m.
Heyer Park Lighting

The Board of Public Works recommends that the only bid from WIL-Surge Electric, Inc., in the amount of \$78,509.85, be awarded.

Sponsors: Public Works

Attachments: [Heyer Park Lighting BT.pdf](#)

A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve the only bid from WIL-Surge Electric, Inc., in the amount of \$78,509.85. The motion carried by the following vote:

Aye: 15 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

- D. [ID#23-6807](#) Bids Received: Friday, May 12, 2023, at 11:00 a.m.
Wisconsin Ave. Bridge Repair and Sealing - Rebid

The Board of Public Works recommends that the only bid from State Contractors, Inc., for the Base Bid and Alternate No. 1 be awarded.

Sponsors: Public Works

Attachments: [Moreland and Wisconsin Bridge Maintenance BT.pdf](#)

A motion was made by Ald. E. Payne, seconded by Ald. Pieper, to approve the only bid from State Contractors, Inc., for the Base Bid and Alternate No. 1 be awarded for Wisconsin Ave. Bridge Repair and Sealing - Rebid. The motion carried by the following vote:

Aye: 15 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

- E. [ID#23-6808](#) Bids Received: Friday, May 12, 2023, at 11:00 a.m.
Waukesha Springs and Oaks Park Open Air Shelter Installation

The Board of Public Works recommends that the low bid from Ford Construction Co., Inc., in the amount of \$80,720.00 be awarded.

Sponsors: Public Works

Attachments: [Waukesha Springs and Oaks Park Open Air Shelters-BT.pdf](#)

A motion was made by Ald. E. Payne, seconded by Ald. Pieper, to approve the low bid from Ford Construction Co., Inc., in the amount of \$80,720.00 be awarded for Waukesha Springs and Oaks Park Open Air Shelter Installation. The motion carried by the following vote:

Aye: 15 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

- F.** [ID#23-6809](#) Bids Received: Friday, May 12, 2023, at 10:00 a.m.
N. Greenfield Avenue, Center Road, and Hillcrest Reservoir Loop
Improvement Project

The Board of Public Works concurs with the Waukesha Water Commission to award the low bid from Mid City Corp. for the bid amount of \$535,455.00 and Water Utility material costs totaling \$109,280.42.

Sponsors: Public Works

Attachments: [WWU Post Bid Memo-N Greenfield Ave.pdf](#)
[WWU Bid Summary - Greenfield-Center-Hillcrest - Top Five.pdf](#)

A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve the low bid from Mid City Corp. for the bid amount of \$535,455.00 and Water Utility material costs totaling \$109,280.42 for N. Greenfield Avenue, Center Road, and Hillcrest Reservoir Loop Improvement Project. The motion carried by the following vote:

Aye: 15 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

- 13. Director of Public Works Report
- 14. City Attorney's Report
- 15. Interim City Administrator's Report

- A.** [ID#23-6981](#) Report from the Interim City Administrator

Attachments: [Admin Report June 2 2023](#)

- 16. Mayor's Report & Referrals

- A.** [ID#23-6982](#) Board and Commission Appointments

Attachments: [Council Letter 06.06.2023](#)

A motion was made by Ald. Pieper, seconded by Ald. Halvensleben, to approve the Board and Commission Appointments for Dr. Kevin Guilfooy and Sandra Ammerman to the Public Library Board. The motion carried by the following vote:

Aye: 15 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

B. [ID#23-7003](#) Demise - Robert Lombardi

Attachments: [Demise- Robert Lombardi](#)

17. Referrals

Ald. E. Payne to Park, Rec & Forestry Board: Please adjust the play time at the pickle ball courts at Banting Park to read "8am - 8pm 7 days a week" and install noise reducing mats on the fence.

Ald. D. Lemke to Building & Grounds: A "right turn only" sign installed at the parking lot on the north side of Lowell Elementary school. The sign would be facing south for the vehicles exiting the parking lot from Lowell Elementary onto Michigan Ave.

Ald. Rodriguez to Building & Grounds: Discussion and action on creating a four way stop with flashing lights at the corner of Arcadian Ave and Oakland Ave.

18. Closed Session

A. [ID#23-6984](#) Discuss the possible sale of public property.

Meeting went into Recess

Meeting Reconvened

A motion was made by Ald. Manion, seconded by Ald. R. Lemke, to approve the Closed Session pursuant to Wis. Stats. 19.85(1)(e) to discuss the possible sale of public property. The motion carried by the following vote:

Aye: 15 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

19. Reconvene in Open Session

A. [ID#23-6985](#) Possible discussion and/or action on the sale of public property.

A motion was made by Ald. Rodriguez, seconded by Ald. Manion, to approve the sale of public property at 1032 Baxter St. and allow the City Attorney discretion to add easements. The motion carried by the following vote:

Aye: 15 - Joe Pieper, Peter Bartels, Daniel Manion, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Jack Wells, Elizabeth Moltzan, Rick R. Lemke, Cory C. Payne, Frank McElderry, Mike Chrisien, Mike Anderson, Alicia Halvensleben and Paul Wuteska

20. Adjournment

The meeting adjourned at 7:34pm.

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 the Public Works department, 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.