



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

City Council

Tuesday, December 7, 2021

6:30 PM

Council Chambers, City Hall

1. Roll Call

Ald. C. Payne arrived at 6:33 pm.

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

Absent: 1 - Miller

2. Announcement of Closed Session pursuant to Wis. Stats 19.85(1)(e) to discuss collecting bargaining with employee unions

3. Pledge of Allegiance

4. Moment of Silence

5. Year End Reflection

6. Public Comment

Mike Walsh, 2412 Kestrel Ln, spoke on residency concerns for Aldermen.

7. Approval of Minutes

A. [ID#21-3189](#) Minutes from November 16, 2021

Attachments: [ccmn211116 draft](#)

A motion was made by Ald. E. Payne, seconded by Ald. Dean Lemke to approve the minutes of November 16, 2021. The motion carried by the following vote:

Aye: 13 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, Browne and McElderry

Absent: 1 - Miller

8. Appointment for District #9 Council Seat

A. [ID#21-3211](#) Applicants for the open District #9 Council seat introduce themselves and are interviewed by the current Council members

Attachments: [Jonathan Barnard](#)
[Kris Allen Bzdawka](#)
[Michael Payne](#)

Jonathan Barnard, Kris Allen Bzdawka, and Michael Payne all spoke on their resumes and why they want to be Alderperson for District 9. The Council had the opportunity to ask them questions.

B. [ID#21-3212](#) Act on appointment to fill the vacancy for District #9 and administration of Oath of Office

Michael Payne was selected to fill the remainder of the term for Ald. District 9 as follows: 7 votes (Majority) in favor of Michael Payne: Aids. Rick Lemke, Don Browne, Peter Bartels, Frank McElderry, Joe Pieper, Steve Johnson and Jack Wells. Ald. Rodriguez voted "none" Votes for Kris Bzdawska = 3 Aids. Corey Payne, Eric Payne and Elizabeth Moltzan Votes for Jonathan Barnard = 2 Aids. Dean Lemke and Daniel Manion

Roll Call

Present: 14 - Pieper, Bartels, Manion, Johnson, Rodriguez, D. Lemke, E. Payne, Wells, Moltzan, R. Lemke, C. Payne, Browne, McElderry and M. Payne
Absent: 1 - Miller

Consent Agenda

The Consent Agenda passed as presented by unanimous consent with no items removed.

1. Other Boards and Commissions

A. [ID#21-3184](#) 2022 EagleView City-Wide Aerial Photography Contract

Attachments: [Agenda Cover Sheet - EagleView 2022](#)
[WI City of Waukesha Pictometry Agreement 08-03-21](#)

B. [ID#21-3207](#) ESRI License Renewal

Attachments: [Agenda Cover Sheet - ESRI SGEA 2022](#)
[Q-453021 City of Waukesha \(002\)](#)

A. [PC21-0153](#) Declaration of Surplus Land located at the southeast corner of Grandview Blvd. and I 94 - the City owns a 1.304 acre parcel which is predominately wetland at this location.

Attachments: [Declaration of Surplus Land-Grandview Blvd and I94 - Cover Sheet](#)
[Parcel 82 Waukesha Cty Airport Appraisal Report BOA ID-SOP-66](#)
[parcel 82 Waukesha County Airport](#)
[Exhibit A - Map Waukesha Cty Airport](#)

- B. [PC21-0106](#) Certified Survey Map, The Glen at Standing Stone – Proposed CSM to dedicate a public street west of Tenny Ave., as part of the Glen at Standing Stone Development.

Attachments: [Glen at Standing Stone CSM Cover Sheet](#)
[PC21-0106 CSM Staff Reviews](#)
[2021-09-20 Attachment A](#)
[2021-09-20 Attachment E](#)
[Standing Stone Condo Area CSM-090921](#)

- C. [PC21-0144](#) Certified Survey Map, Nev's Ink Inc, 2500/2510 W. Sunset Dr-

Attachments: [Nevs Ink 2500-2510 W Sunset Drive CSM Cover Sheet](#)
[CSM21-00014 Project Reviews 11-12-21](#)
[2021-10-22 2328.00 NEVS INK LANDSCAPE](#)
[2328.00 LANDSCAPE CHECKLIST 10.22.21](#)
[Application For Development Review With Checklist](#)
[Nev's Inc. \(Exterior Lighting Plan\)](#)
[Nev's Ink Building Plans](#)
[Nev's Ink color elevations](#)
[Nev's Ink Cover Letter](#)
[Nev's Ink CSM](#)
[2021-10-22 2328 NEVS INK CIVIL PLANS](#)

- D. [PC21-0142](#) Final Site Plan & Architectural Review, Kwik Trip, River Valley Road – Proposed new Kwik Trip Store development at the corner of River Valley Road and Les Paul Pkwy, including a request to have the total width driveway openings for the site exceed 90 feet.

Attachments: [Kwik Trip #1219- Cover Letter](#)
[Project Reviews \(2\)](#)
[1219 Waukesha Canopy Elevation](#)
[1219 Waukesha Exterior Elevation](#)
[2021-10-19 Waukesha Sign Plan REV1](#)
[2021-10-20 Development Application-Kwik Trip-Village at Fox River-PC](#)
[20211020 raSmith Response Letter](#)
[Artificial Wetland Exemption Review Letter - EXE-SE-2020-68-02435](#)
[E1 Waukesha WI Les Paul \(1\)](#)
[KT 1219 Civil and Landscape Plans](#)
[Kwik Trip 1219 City Maintenance Agreement](#)
[Kwik Trip 1219 USLE Calc and Exhibit](#)
[LP1.0 Conceptual Landscape Plan \(1\)](#)
[SP1.0 Site Plan \(1\)](#)
[SP1.1 Site Key Note Plan \(1\)](#)
[SP1.2 Overall Site Plan \(1\)](#)
[SP1.3 Site Circulation Plan - Grocery Route \(1\)](#)
[SP1.4 Site Circulation Plan - Fuel Route \(1\)](#)
[SP2.0 Grading Plan \(1\)](#)
[SP2.1 DETAILED SIDEWALK GRADING PLAN](#)
[SP2.2 DETAILED SIDEWALK GRADING PLAN](#)
[SP3.0 Storm Sewer Plan \(1\)](#)
[SP4.0 Utility Plan \(1\)](#)
[SP5.0 Site Plan Details \(1\)](#)
[SP5.1 Site Plan Details \(1\)](#)
[SP6.0 LES PAUL PKWY CURB DETAILS](#)
[STH 59 CTH X Wtd Delin Rpt 8-12-15 reduced](#)
[SWP1.0 Erosion Control Plan \(1\)](#)
[SWP2.0 Erosion Control Details \(1\)](#)
[SWP3.0 Erosion Control Details \(1\)](#)
[SWP4.0 Erosion Control Details \(1\)](#)
[T1.0 Cover Sheet \(1\)](#)
[Transmittal - 00003](#)
[Waukesha Development Preliminary Site Plan - Wetland Exemption](#)

- E. [PC21-0119](#) Certified Survey Map, Habitat for Humanity of Waukesha County, White Rock Avenue – Proposed one lot CSM for lands located on the east side of White Rock Ave.

Attachments: [Habitat for Humanity CSM Cover Sheet](#)
[CSM21-00012 Project Reviews 11-12-21](#)
[1.a_PUD Application CL](#)
[1.B_CSM checklist - 9-21-2021](#)
[1.C_1432.00 CSM 9-21-21](#)
[2.a_1432-WI PRAIRIEVILLE VILLAGE CIVIL 09-24-21pdf](#)
[2.b_Prairieville Village checklists PEG 9-24-2021](#)
[3.a_PUD Application Sept 2021 - Habitat](#)
[D.a_Village Color Elevation 1](#)
[D.b_Village Color Elevation 2](#)
[D.c_Village site plan color](#)
[Waukesha landscape checklist -Prairieville Village](#)
[1432.00 LANDSCAPE 9.30.21](#)
[1.a_PUD Application CL \(1\)](#)

3. Standing Committees

A. Finance Committee - Ald. Pieper

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

C. Ordinance & License Committee - Ald. Johnson

D. Human Resources - Ald. Manion

- A. [ID#21-3165](#) Request to review and approve amendments to HR Policy C2 Vacation Leave
Attachments: [#21-3165 C2 Vacation Leave Cover Letter and Policy](#)
- B. [ID#21-3166](#) Request to review and approve fire department amendments to HR Policy C3 Leaves of Absences
Attachments: [#21-3166 C3 Leaves of Absences Cover Letter and Policy](#)
- C. [ID#21-3167](#) Request to review and approve amendments to HR Policy C7 Employment Benefits
Attachments: [#21-3167 C7 Employment Benefits Cover Letter and Policy](#)
- D. [ID#21-3168](#) Request to review and approve amendments to HR Policy C8 Moving Expense Reimbursement Policy
Attachments: [#21-3168 C8 Moving Expense Reimbursement Cover Letter and Policy](#)
- E. [ID#21-3169](#) Request to review and approve amendments to HR Policy C9 Military

Leave Policy

Attachments: [#21-3169 C9 Military Leave Cover Letter and Policy](#)

- F. [ID#21-3170](#) Request to review and approve amendments to HR Policy C1 Holidays

Attachments: [#21-3170 C1 Holidays Cover Letter and Policy](#)

E. Board of Public Works - Alex Damien

- A. [ID#21-3143](#) Review and act on Contract Change Order No. 2 with J.P. Cullen & Sons, Inc., for the Waukesha Police Department Addition and Renovation project.

Sponsors: Public Works

Attachments: [21-3143_BPW_Agenda_Cvr-CO2-Cullen-PD Addition and Renovation](#)
[21-3143_Change order No 2 for JP Cullen Police Project](#)

- B. [ID#21-3144](#) Review and act on Contract Change Order No. 2 with Absolute Construction Enterprises, Inc., for the Waukesha Public Library Renovation and Addition project.

Sponsors: Public Works

Attachments: [21-3144_BPW_Agenda_Cvr-CO2 Absolute-WPL](#)
[21-3144_co No 2 for Absolute Construction WPL](#)

- C. [ID#21-3146](#) Review and act on Contract Change Order No. 1 with Perfect Turf, LLC, for the Installation of Poured-In-Place Resilient Surfacing for Dopp, Priedeman and Howell Oaks Subdivision Park Playgrounds project.

Sponsors: Public Works

Attachments: [21-3146_BPW_Agenda_Cvr-CCO1- 2021 Resilient Surface for Dopp Priedeman and Howell Oaks](#)
[21-3146_C107-CCO1-Perfect Turf-Resilient Surface Dopp Priedeman Howell Oaks Playgrounds](#)

- D. [ID#21-3147](#) Review and act on Developer's Agreement between City of Waukesha and Mandel Properties, LLC for property located along W. St. Paul Avenue and east of the intersection of W. St. Paul Avenue and Fuller Street.

Sponsors: Public Works

Attachments: [21-3147_BPW_Agenda_Cover-BridgeWalk Apartments-Mandel Properties, LLC Developer's Agreement Waukesha Bridgewalk Mandel Apartments Development Agreement-V4](#)

- E. [ID#21-3148](#) Approve Sanitary Sewer Easement between Carol O. Smart Survivor's Trust and the Robert F. and Carol O. Smart Family Trust and the City of Waukesha (East of Red Maple Way).

Sponsors: Public Works

Attachments: [21-3148_BPW_Agenda_Cover_Sheet_-_Carol_O._Smart_Survivor's_Trust_and_the_Robert_F._and_Carol_O._Smart_Family_Trust_Sanitary_Sewer_Easement-Smart_Trust](#)

- F. [ID#21-3149](#) Approve Sidewalk Easement between Joseph Grasc Development, LLC, and the City of Waukesha located approximately 475 feet west of the intersection of N. University Avenue and Silvernail Road at parcel with tax key number WAKC 0977996001.

Sponsors: Public Works

Attachments: [21-3149_BPW_Agenda_Cvr-Sidewalk_Easement_JOSEPH_GRASCH_DEVELOPMENT_LLC_Easement-Sidewalk_20.0026_SW_EASEMENT_EXHIBIT_\(003\)](#)

End of Consent Agenda

9. New Business

- A. [ID#21-3228](#) Update on United for Waukesha Community Fund

Amy Linder, President & CEO of United Way of Greater Mliwaukee and Waukesha County, presented an update on the United for Waukesha Community Fund.

- B. [ID#21-3237](#) National Opiod Settlement

Attachments: [Agenda Cover Sheet .docx](#)

A motion was made by Ald. Browne, seconded by Ald. Moltzan, to approve authorizing the City Attorney's office to file the claims discussed regarding the National Opiod Settlement case. The motion carried unanimously.

- C. [ID#21-3198](#) Review and take action on an offer to purchase City owned property

Attachments: [Council Agenda Cover Sheet- Offer to purchase city owned land](#)
[82 Purchase Agreement with Draft CSM](#)
[draft csm for land near airport](#)
[Appraisal city land near airport](#)

A motion was made by Ald. Wells, seconded by Ald. Bartels, to approve the offer to purchase City owned property. The motion carried unanimously.

Reports

10. 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. Moltzan
- E. Redevelopment Authority Report - Ald. R. Lemke
- F. Parks, Recreation & Forestry Board Report - Ald. Johnson
- G. Library Board Report - Ald. Miller
- H. Cemetery Commission Report - Ald. McElderry
- I. Waukesha Housing Authority Report - Ald. Pieper
- J. Community Development Block Grant Committee Report - Jennifer Andrews
- K. Public Art Committee Report - Ald. Moltzan
- 11. Plan Commission - Jennifer Andrews
- 12. Standing Committees
 - A. Finance Committee Report - Ald. Pieper
 - B. Building & Grounds Committee Report - Ald. E. Payne
 - C. Ordinance & License Committee Report - Ald. Johnson

- A. [ID#21-3087](#) Repeal Municipal Code Section 13.04

Attachments: [Cover Sheet - Repeal 13.04.pdf](#)
[Ordinance-Repeal 13.04.pdf](#)

The motion was made by Ald. Johnson, seconded by Ald. McElderry, to approve the repealing of Municipal Code 13.04. The motion carried unanimously.

- D. Human Resources Committee Report - Ald. Manion

- 13. Board of Public Works Report - Alex Damien

- A. [ID#21-3141](#) Bids Received: Friday, November 12, 2021, at 11:00 a.m.
Phosphorus Removal Chemical: Ferric Chloride or Polyaluminum Chloride Alternative

The Board of Public Works recommends that the low bid from Kemira Co.

in the amount of \$1,997.00/dry ton for their ferric chloride product PIX-311 and alternate polyaluminum chloride if needed be awarded.

Sponsors: Public Works

Attachments: [Bid Memo CWP Ferric Polymer](#)
[Bid Tab Ferric 8058312](#)

A motion was made by Ald. E. Payne seconded by Ald. Pieper to approve the BID award for Phosphorus Removal Chemical: Ferric Chloride or Polyaluminum Chloride Alternative1 to Kemira Co., on their low Bid in the amount of \$1,997.00/dry ton. The motion carried unanimously.

- B.** [ID#21-3142](#) Bids Received: Friday, November 12, 2021, at 11:00 a.m.
Polymer

The Board of Public Works recommends that the low bid from SNF Polydyne for their product Clarifloc CE-1795 in the amount of \$1.97/lb delivered be awarded.

Sponsors: Public Works

Attachments: [Bid Memo CWP Ferric Polymer](#)
[Bid Tab Polymer-8058309](#)

A motion was made by Ald. E. Payne seconded by Ald. Pieper to approve the BID award for Polymer to SNF Polydyne for their product Clarifloc CE-1795 in the low Bid Amount of \$1.97/lb delivered be awarded. The motion carried unanimously.

- 14. Director of Public Works Report
- 15. City Attorney's Report
- 16. City Administrator's Report
- 17. Mayor's Report & Referrals

- A.** [ID#21-3230](#) Information on Memorial

18. Referrals

There were no referrals made.

19. Closed Session

The Meeting went into Closed Session at 7:59 pm.

A motion was made by Ald. Joe Pieper, seconded by Ald. Don Paul Browne, to go into Closed Session pursuant to Wis. Stats 19.85(1)(e) to discuss collective bargaining with employee unions. The motion carried unanimously.

- A. [ID#21-3259](#) Discuss a labor agreement for the bargaining unit represented by the Waukesha Professional Police Association (WPPA)

20. Reconvene in Open Session

The Meeting reconvened into Open Session at 8:28 pm.

- A. [ID#21-3260](#) Possible discussion and/or action on the labor agreement for the bargaining unit represented by the Waukesha Professional Police Association (WPPA)
- A motion was made by Ald. Browne, seconded by Ald. Johnson, to approve the 2022-2024 labor agreement for the bargaining unit represented by the Waukesha Professional Police Association (WPPA). The motion carried unanimously.**

21. Adjournment

The Meeting Adjourned at 8:30 pm.

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.