
**AGENDA
FOR
Thursday, February 21, 2008
COMMON COUNCIL**

Time: 7:30 p.m.

Place: City Hall, Council Chambers, 201 Delafield Street, Waukesha, WI 53188

- I. Roll call and Pledge of Allegiance
- II. Public Comment – City Residents and Taxpayers Only – Limited to two minutes/speaker, ending at 8:00 p.m.
- III. Approval of Minutes
- IV. Communication
- V. Public Hearings – Format – Introduction by Professional Staff/Hearing/Comments by Council/Official Action
 - A. Rezoning – St. Andrew Lutheran Church – See IX, A, 1
- VI. New Business
 - A. Recognition of Alderman Joe La Porte
 - B. A motion will be made to go into closed session pursuant to Section 19.85(1)(g) and (e), Wis. Stats., to consult with legal counsel for the city regarding strategy to be adopted by the common council with respect to the acquisition of property by eminent domain for the purpose of constructing a water well respectively, and Section 1985(1)(g) to discuss strategy to be adopted by the common council with respect to the Mill Reserve Development project and a request to amend the developer agreement.
 - C. Upon conclusion a motion will be made to reconvene in open session.
 - D. Possible action on matters discussed in closed session.
 - E. Appointments
- VII. Consent Agenda (**Attached - **denotes consent items**)(Any item that is on this Agenda for a standing committee, board or commission may be placed on the Consent Agenda)
- VIII. Other Boards and Commissions
 - A. Transit Commission Board
 - B. Water Utility Commission

- C. Information Technology Advisory Committee Report
 - D. Business Improvement District Board Report
 - E. Landmarks Commission Report
 - F. Telecommunications Commission Report
 - G. Redevelopment Authority Report
 - H. Park, Recreation, & Forestry Report
 - I. Public Library Report
 - J. Cemetery Commission Report
 - K. Waukesha Housing Authority
 - L. Community Development Block Grant Committee
- IX. Plan Commission Report
- A. Letter to Council – February 13, 2008
 1. **PUBLIC HEARING - REZONING – ST. ANDREW LUTHERAN CHURCH** – At its January 23, 2008 meeting the Plan Commission heard a request from St. Andrew Lutheran Church to consider rezoning the eastern most 24,060 sq. ft. of their parcel at 2641 Pebble Valley Road, from I-1 Institutional Zoning to Rm-2, Multi-Family Residential Zoning. The Plan Commission recommends approval of the rezoning.
 2. ****WAIVER OF STORMWATER IMPACT FEES – BLUEMOUND COMMERCE CENTER** - At its February 13, 2008 meeting the Plan Commission heard a request from David Jorgensen to consider waiving the required stormwater impact fees for the new Bluemound Commerce Center located on the north side of Bluemound Road west of Springdale Road. The Plan Commission recommends approval of the waiver.
 3. ****CERTIFIED SURVEY MAP – PRO HEALTH CARE MEDICAL CENTER – 2130 BIG BEND ROAD** – At its February 13, 2008 meeting the Plan Commission heard a request from Connolly Architects and Pro Health Care to consider approving a two lot Certified Survey Map on approximately 6.0 acres of land located at 2130 Big Bend Road. The Plan Commission recommends approval of the CSM with conditions.
 4. ****CERTIFIED SURVEY MAP – LISKOWITZ** – At its February 13, 2008 meeting the Plan Commission heard a request from Main Street Holdings and Richard and Barb Liskowitz to consider approving a one lot Certified Survey Map on approximately 0.85 acres of land and dedications for public roadway purposes, located at 1016 Guthrie Road. The Plan Commission recommends approval of the CSM with conditions.
 5. ****CERTIFIED SURVEY MAP – BRYCE COMMERCIAL CENTER – 1711 E. RACINE AVE.** – At its February 13, 2008 meeting the Plan Commission heard a request from Pinnacle Building, Inc. to consider approving a Certified Survey Map containing two lots and two outlots on approximately 5 acres of land, located at 1711 Racine Avenue. The Plan Commission recommends approval of the CSM with conditions.

6. ****COMMERCIAL PLANNED UNIT DEVELOPMENT - ARCHITECTURAL REVIEW – LOWES** – At its February 13, 2008 meeting the Plan Commission heard a request from Woolpert Inc. and Lowe’s Home Centers Inc. to consider approving final plans for the architecture of a new Lowe’s store to be built in the Shoppes of Fox River (Opus) at 1200 W. Sunset Drive. The Plan Commission recommends approval of the architectural plans.

X. Standing Committees

A. Finance Committee – meeting canceled

B. Building & Grounds Committee – February 18, 2008

1. Discussion and recommendation re: Request to remove the “Blind Child Area” signs installed for 2014 MacArthur Rd. (Ald. Betker 2-5-08)
2. Discussion and recommendation re: 2 stop signs on River Valley Rd. and Fox River Cir. each corner. (Ald. Lichtie 1-15-08)
3. Discussion and recommendation re: Request to remove the “Deaf Child Area” signs installed on N. University Dr. for 2700 Chatsworth Cir. (Ald. Betker 2-5-08)
4. Discussion and recommendation re: Request to remove the “Deaf Child Area” signs installed for 2310 Lander Ln. (Ald. Betker 2-5-08)
5. Discussion and recommendation re: Replace existing no parking signage on Hawthorn Dr. between W. Glenn Dr. and Moreland Blvd. (Ald. Pieper 2-5-08)
6. Discussion and recommendation re: Request of House of Guinness to close a portion of Municipal Parking Lot 3 on March 16-18, 2008 for a St. Patrick’s event. (Ald. Betker 2-5-08)
See attachment.
7. Discussion and recommendation re: Property adjacent to the southeast corner of Dunbar Ave. and N. West Ave. (Ald. Betker 12-4-07)

C. Ordinance & License Committee – February 18, 2008

1. Licenses

2. Ordinances

- a. ****Third Reading** – an ordinance to rezone certain property and to amend the Zoning Map of the City of Waukesha, Wisconsin (Fire Station No.5)
 - b. ****First Reading** – an ordinance to rezone certain property and to amend the Zoning Map of the City of Waukesha, Wisconsin (Meadow Lane Retail Center)
 - c. ****First Reading** – an ordinance to amend certain provisions of the Public Health and Welfare Code of the Municipal Code of the City of Waukesha, Wisconsin (Chapter 13) (Public Health and Welfare)
3. Discussion and recommendation: re-evaluate discuss, and recommend changing the city law which does not allow Dairyland School buses to use the arm apparatus which says “stop” because we have sidewalks. (Ald. Cummings, 9/18/07)

4. Discussion and recommendation: consider including language to include “Group Homes” to the safety zones. (Ald. Cummings, 11/20/07)
5. Discussion and recommendation: provisions to be included in an ordinance regulating temporary portable dumpsters and PODs including referrals made by alderpersons Payne and Radish on this subject at the February 5th meeting.
6. Discussion and recommendation: Please consider adopting an ordinance for an Escort and Escort Services. (Police Department, 1/24/08)
7. Discussion and recommendation: LaCasa de Esperanza request for variance of permitted hours to sell fermented malt beverages and wine Chapter 9, section 9 (c) (Cr.#39-02) (Park, Recreation & Forestry Department).
8. Discussion and recommendation: Re/Max Trailbreaker Run request to distribute fermented malt beverages and wine Chapter 9, section 9 (c) (Cr.#39-02) (Park, Recreation & Forestry Department).

D. Human Resources Committee

February 7, 2008

1. Discussion and recommendation: Approval of action taken by the Cemetery Commission to establish a Preened Specialist position (commission sales).

February 20, 2008 – regularly scheduled meeting has been canceled

XI. Board of Public Works – February 14, 2008

A. Report to Council

1. ****RESOLUTION:**

BE IT RESOLVED that the Board of Public Works be and it hereby is authorized and directed to prepare plans and specifications and to advertise for bids for the construction of:

- a. N. James St. Sewer and Water Main Relay and Street Reconstruction.
- b. Playground Surface Installation (Moorewood Park).
- c. Badger Dr. Area Sanitary Sewer Forcemain Relay.

2. ****APPROVE AMENDMENT NO. 4 TO ENGINEERING SERVICES CONTRACT FOR SUMMIT AVENUE/DELAFIELD STREET RECONSTRUCTION PROJECT**

The Board of Public Works recommends that the Common Council approve Amendment No. 4 to the Three-Party Design Engineering Services Contract between the City of Waukesha, State of Wisconsin Department of Transportation and Ayres Associates for the Summit Ave./Delafield St. (U.S.H. 18) Street Reconstruction project from E. North St. to 200 feet west of Greenmeadow Dr. The amendment increases the contract by \$1,696.54, of which 25% is paid by the City of Waukesha.

3. ****ACCEPT STORM SEWER EASEMENT AND RELEASE OF EXISTING STORM SEWER EASEMENT FROM IJDM ENTERPRISES, LLC**

The Board of Public Works recommends that the Common Council accept a storm sewer easement and release an existing storm sewer easement located at 431-437 W. Newhall Ave.

4. ****ACCEPT SANITARY SEWER EASEMENT FROM ROBERT F. SMART**
The Board of Public Works recommends that the Common Council accept a sanitary sewer easement from Robert F. Smart to serve the Rehabilitation Hospital of Wisconsin located on Coldwater Creek Dr., west of Meadowbrook Rd.
5. **MATTER OF REPORT – PUBLIC WORKS PROGRAM FOR 2008**
The Board of Public Works reviewed the schedule of bidding for Public Works construction and equipment purchases in 2008. The program is used by the Public Works Department to spread out the bidding throughout the construction season.

XII. City Attorney

1. Denial of Claim of Mada Wegner

XIII. City Administrator's Report

XIV. Mayor's Report & Referrals

XV. Referrals

XVI. Adjournment

February 15, 2008

A majority of the Council members may be in attendance.

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 Paul Day, 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.