



WAUKESHA COUNTY BOARD MINUTES

13th Meeting, 178th Year of the Waukesha County Board of Supervisors

Tuesday, March 26, 2024 – 7:00 p.m.

Waukesha County Administration Center – Room AC-130

CONVENE MEETING

Call to Order: Chairman Decker called the meeting to order at 7:00 p.m. and led the Board in the Pledge of Allegiance and a moment of silent prayer.

Roll Call: Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson were present. Supervisors Weil, Grant, and Thieme were absent.

Public Comment:

Denise Reese spoke before the Board in opposition of Ordinances 178-O-101 and 178-O-102
Ken Reese spoke before the Board in opposition of Ordinances 178-O-101 and 178-O-102
Cindi Duchow spoke before the Board in opposition of Ordinances 178-O-101 and 178-O-102
Bill Biwer spoke before the Board in opposition of Ordinances 178-O-101 and 178-O-102
Carrie Smith spoke before the Board in opposition of Ordinances 178-O-101 and 178-O-102
Jim Frett spoke before the Board in opposition of Ordinances 178-O-101 and 178-O-102
Joseph Schmit spoke before the Board in opposition of Ordinances 178-O-101 and 178-O-102
Sue Knutson registered as opposed to Ordinances 178-O-101 and 178-O-102
Helen Rehberger registered as opposed to Ordinances 178-O-101 and 178-102

County Clerk Correspondence & Announcements: County Clerk Wartman announced that County Executive Farrow signed all actions from February 27, 2024 Board meeting and that six (6) claims had been filed since the February, 27, 2024 Board meeting.

Approval of the minutes: Supervisor Morris moved to approve the minutes from the February 27, 2024 Board meeting. Supervisor Hammitt seconded the motion. The Board was polled, and the motion carried by unanimous voice vote.

Announcements of Votes Needed: Chairman Decker announced that Ordinances 178-O-107, 178-O-108, 178-O-109 required seventeen (17) votes to pass and that all other actions required a simple majority.

STANDING COMMITTEE PRESENTATIONS OF ORDINANCES, RESOLUTIONS & MOTIONS

Land Use, Parks & Environment Committee

Ordinance 178-O-100: Authorize Participation In Wisconsin Outdoor Motorized Recreational Trails Aid For Waukesha County Snowmobile Trails

Supervisor Foti moved to approve Ordinance 178-O-100: Authorize Participation In Wisconsin Outdoor Motorized Recreational Trails Aid For Waukesha County Snowmobile Trails. Supervisor Howard seconded the motion. The Board was polled and twenty-two (22) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson). The Ordinance passed unanimously.

Ordinance 178-O-101: Approve Town Of Delafield Ordinance No. 2024-01 Which Amends The District Zoning Map Of The Town Of Delafield Zoning Code By Conditionally Rezoning Certain Lands Located In The NE, SE And SW ¼ Of Section 23, T7N, R18E, Town Of Delafield From The A-1 Agricultural District To Planned Development District No. 1

Supervisor Foti moved to approve Ordinance 178-O-101: Approve Town Of Delafield Ordinance No. 2024-01 Which Amends The District Zoning Map Of The Town Of Delafield Zoning Code By Conditionally Rezoning Certain Lands Located In The NE, SE And SW ¼ Of Section 23, T7N, R18E, Town Of Delafield From The A-1 Agricultural District To Planned Development District No. 1. Supervisor Morris seconded the motion. The Board was polled and twelve (12) votes were cast 'aye' (Supervisors Foti, Morris, Heinrich, Howard, Decker, Kolb, Crowley, Meier, Nelson, Enriquez, Gaughan, and Szpara), ten (10) votes were cast 'nay' (Supervisors Batzko, Walz, LaFontain, Koremenos, Wolff, Mommaerts, Schellinger, Hammitt, Bangs, and Johnson). The Ordinance passed 12 -10.

Ordinance 178-O-102: Amend The Town Of Delafield District Zoning Map Of The Waukesha County Shoreland Protection Ordinance By Conditionally Rezoning Certain Lands Located In Part Of The NE ¼ Of Section 23, T7N, R18E, Town Of Delafield, Waukesha County, Wisconsin, From The A-1 Agricultural District To The R-3 Residential District

Supervisor Foti moved to approve Ordinance 178-O-102: Amend The Town Of Delafield District Zoning Map Of The Waukesha County Shoreland Protection Ordinance By Conditionally Rezoning Certain Lands Located In Part Of The NE ¼ Of Section 23, T7N, R18E, Town Of Delafield, Waukesha County, Wisconsin, From The A-1 Agricultural District To The R-3 Residential District. Supervisor Morris seconded the motion. The Board was polled and eleven (11) votes were cast 'aye' (Supervisors Foti, Morris, Heinrich, Howard, Decker, Kolb, Crowley, Meier, Nelson, Gaughan, and Szpara), eleven (11) votes were cast 'nay' (Supervisors Batzko, Walz, LaFontain, Koremenos, Wolff, Mommaerts, Enriquez, Schellinger, Hammitt, Bangs, and Johnson). The vote failed for lack of majority, 11 – 11.

Ordinance 178-O-103: Approve Town Of Mukwonago Ordinance No. 2023-O-064 Which Amends The District Zoning Map Of The Town Of Mukwonago Zoning Code By Rezoning Certain Lands Located In Part Of The NE ¼ And SE ¼ And SW ¼ Of Section 22, T5N, R18E, Town Of Mukwonago, From The SE Suburban Estate District To The P-1 Public District

Supervisor Foti moved to approve Ordinance 178-O-103: Approve Town Of Mukwonago Ordinance No. 2023-O-064 Which Amends The District Zoning Map Of The Town Of Mukwonago Zoning Code By Rezoning Certain Lands Located In Part Of The NE ¼ And SE ¼ And SW ¼ Of Section 22, T5N, R18E, Town Of Mukwonago, From The SE Suburban Estate District To The P-1 Public District. Supervisor Johnson seconded the motion. The Board was polled and twenty-two (22) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson). The Ordinance passed unanimously.

Ordinance 178-O-104: Approve Town Of Merton Ordinances No. 17.03 And No. 17.44 To Allow For The Recreational Keeping Of Chickens On Smaller Properties.

Supervisor Foti moved to approve Ordinance 178-O-104: Approve Town Of Merton Ordinances No. 17.03 And No. 17.44 To Allow For The Recreational Keeping Of Chickens On Smaller Properties. Supervisor Morris seconded the motion. The Board was polled and twenty-one (21) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, and Bangs), one (1) vote was cast 'nay' (Supervisor Johnson). The Ordinance passed 21-1.

Ordinance 178-O-105: Approve Town Of Merton Ordinance No. 17.29 That Repeals And Recreates Section 17.29 Of The Town Of Merton General Code Of Ordinances Relating To Swimming Pools

Supervisor Foti moved to approve Ordinance 178-O-105: Approve Town Of Merton Ordinance No. 17.29 That Repeals And Recreates Section 17.29 Of The Town Of Merton General Code Of Ordinances Relating To Swimming Pools. Supervisor Meier seconded the motion. The Board was polled and twenty-two (22) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson). The Ordinance passed unanimously.

Ordinance 178-O-106: Approve Town Of Mukwonago Ordinance 2023-O-65 That Amends Appendices A, C And D Of The Town Of Mukwonago Zoning Code Relative To Miscellaneous Zoning Matters

Supervisor Foti moved to approve Ordinance 178-O-106: Approve Town Of Mukwonago Ordinance 2023-O-65 That Amends Appendices A, C And D Of The Town Of Mukwonago Zoning Code Relative To Miscellaneous Zoning Matters. Supervisor Johnson seconded the motion. The Board was polled and twenty-two (22) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson). The Ordinance passed unanimously.

Ordinance 178-O-107: Modify The 2024 Community Development Fund Budget To Accept Additional Home Investment Partnership (HOME) Program Income And Carryover Budget Authority From 2023 To 2024

Supervisor Foti moved to approve Ordinance 178-O-107: Modify The 2024 Community Development Fund Budget To Accept Additional Home Investment Partnership (HOME) Program Income And Carryover Budget Authority From 2023 To 2024. Supervisor Howard seconded the motion. The Board was polled and twenty-two (22) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson). The Ordinance passed unanimously.

Executive Committee

Ordinance 178-O-108: Modify The 2024-2028 Capital Plan And 2024 Capital Projects Budget To Appropriate Additional Expenditures For Capital Project #202212, Fox River Park Improvements

Supervisor Hammitt moved to approve Ordinance 178-O-108: Modify The 2024-2028 Capital Plan and 2024 Capital Projects Budget To Appropriate Additional Expenditures For Capital Project #202212, Fox River Park Improvements. Supervisor Gaughan seconded the motion. The Board was polled and twenty-two (22) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson). The Ordinance passed unanimously.

Ordinance 178-O-109: Modify The 2024-2028 Capital Plan And The 2024 Capital Budget To Create Capital Project #202419 Naga-Waukee Beach House Repair

Supervisor Hammitt moved to approve Ordinance 178-O-109: Modify The 2024-2028 Capital Plan And The 2024 Capital Budget To Create Capital Project #202419 Naga-Waukee Beach House Repair. Supervisor Heinrich seconded the motion. The Board was polled and twenty-two (22) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson). The Ordinance passed unanimously.

Appointment 178-A-049: Reappointment of Christine Beck to the Health and Human Services Advisory Board

Appointment 178-A-050: Reappointment of Mary Baer to the Health and Human Services Advisory Board

Appointment 178-A-051: Reappointment of Robert Menefee, Jr. to the Health and Human Services Advisory Board

Appointment 178-A-052: Appointment of Dr. Kimberly McElroy to the Health and Human Services Advisory Board

Supervisor Hammitt moved to approve Appointments 178-A-049, 178-A-050, 178-A-051 and 178-A-151 as presented. Supervisor Nelson seconded the motion. The Board was polled and twenty-two (22) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson). The Appointments were confirmed unanimously.

Human Resources Committee

Ordinance 178-O-097: Establish Salaries For County Clerk, Register Of Deeds, And Treasurer For 2025 – 2028

Supervisor Nelson moved to approve Ordinance 178-O-097: Establish Salaries For County Clerk, Register Of Deeds, And Treasurer For 2025 – 2028. Supervisor Johnson seconded the motion. The Board was polled and twenty-two (22) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson). The Ordinance passed unanimously.

CLOSED SESSION

Supervisor LaFontain moved to convene in to closed session pursuant to Section 19.85(1)(g), Wisconsin Statutes, to confer with staff and Corporation Counsel who is rendering oral or written advice concerning strategy to be adopted with respect to pending litigation in the condemnation lawsuit against Waukesha County brought by Associated Bank, N.A. Supervisor Hammitt seconded the motion. The Board was polled and twenty-two (22) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson). The motion passed unanimously.

OPEN SESSION

Immediately following the closed session, the County Board convened in open session to consider the following ordinance:

Ordinance 178-O-110: Authorization To Enter Into Settlement Agreement In The Condemnation Lawsuit Of Associated Bank, N.A. V. Waukesha County, Case Number 23CV470

Supervisor Hammitt moved to approve Ordinance 178-O-110: Authorization To Enter Into Settlement Agreement In The Condemnation Lawsuit Of Associated Bank, N.A. V. Waukesha County, Case Number 23CV470. Supervisor LaFontain seconded the motion. The Board was polled and twenty-two (22) votes were cast 'aye' (Supervisors Foti, Morris, Batzko, Walz, LaFontain, Koremenos, Heinrich, Howard, Wolff, Decker, Mommaerts, Kolb, Crowley, Meier, Nelson, Enriquez, Schellinger, Gaughan, Szpara, Hammitt, Bangs, and Johnson). The Ordinance passed unanimously.

ADJOURN MEETING

Supervisor Foti moved to adjourn to Tuesday, April 9, 2024 at 7:00 p.m. or at the call of the County Board Chair. Supervisor Wolff seconded the motion. By voice vote the Board unanimously approved the motion to adjourn. The Board adjourned the meeting at 8:00 p.m.

Respectfully submitted,



Meg Wartman
Waukesha County Clerk