

174<sup>th</sup> BOARD YEAR  
 LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No	Rec/Ref	Referred to:	Title
174-A-028	11/5/19 11/7/19	Executive	APPT: Dick Nawrocki to the Bridges Library Board
174-O-074	11/6/19 11/7/19	Judiciary Finance	ORD: Authorize The Waukesha County Sheriff's Department To Contract With The City Of Pewaukee To Provide Police Services
174-O-075	11/6/19 11/7/19	Judiciary Finance	ORD: Authorize The Waukesha County Sheriff's Department To Contract With The Town Of Waukesha To Provide Police Services
174-O-076	11/25/19 11/27/19	Land Use	ORD: Amend The District Zoning Map Of The Town Of Waukesha Zoning Ordinance By Conditionally Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 31, T6N, R19E, Town Of Waukesha, Waukesha County, Wisconsin, From The A-1 Agriculture District To The RE Residence Estate District (RZ50)
174-O-077	11/25/19 11/27/19	Land Use	ORD: Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Waukesha (RZ49)
174-O-078	11/26/19 11/27/19	Public Works Finance	ORD: Modify The 2019 Transportation Fund Budget For Additional Personnel Costs Expenditure Authority
174-O-079	11/25/19 11/27/19	HHS Finance	ORD: Modify The Department Of Health And Human Services 2019 Budget To Appropriate Expenditures For Aging And Disability Resource Center And Increase General Government Revenue
174-O-080	11/26/19 11/27/19	HR Finance	ORD: Approve 2020 Salary And Benefit Modifications For Non-Represented Employees And Allow Access For Retirees To The Waukesha Employee Health And Wellness Center As Part Of A Pilot Program
174-O-081	11/26/19 11/27/19	HR Finance	ORD: Approve 2020 Salaries For Seasonal And Temporary Classifications

1 AMEND THE DISTRICT ZONING MAP OF THE TOWN OF WAUKESHA ZONING  
2 ORDINANCE BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART  
3 OF THE SE ¼ OF SECTION 31, T6N, R19E, TOWN OF WAUKESHA, WAUKESHA  
4 COUNTY, WISCONSIN, FROM THE A-1 AGRICULTURE DISTRICT TO THE  
5 RE RESIDENCE ESTATE DISTRICT (RZ50)  
6  
7

8 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of  
9 this Ordinance was approved by the Waukesha Town Board on September 12, 2019; and  
10

11 WHEREAS, the matter was referred to and considered by the Waukesha County Park and  
12 Planning Commission, which recommended approval and reported that recommendation to the  
13 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,  
14 as required by Section 60.62, Wis. Stats.  
15

16 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS  
17 that the District Zoning Map for the Town of Waukesha Zoning Ordinance, adopted by the Town  
18 of Waukesha on February 2, 2019, is hereby amended to conditionally rezone from the A-1  
19 Agriculture District to the RE Residence Estate District, certain lands located in part of the SE ¼  
20 of Section 31, T6N, R19E, Town of Waukesha, Waukesha County, Wisconsin, and more  
21 specifically described in the "Staff Report and Recommendation" and map on file in the office of  
22 the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by  
23 reference RZ50, is hereby approved subject to the conditions of the Town of Waukesha  
24 Ordinance 2019-11.  
25

26 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of  
27 this Ordinance with the Town Clerk of Waukesha.  
28

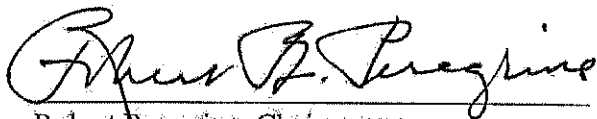
29 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,  
30 approval and publication.

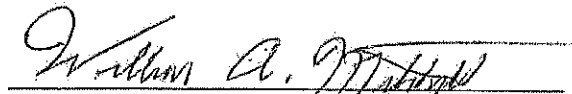
COMMISSION ACTION

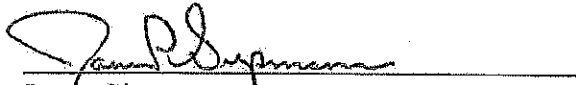
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Waukesha Zoning Ordinance hereby recommends approval of (RZ50 Campbell) in accordance with the attached "Staff Report and Recommendation".

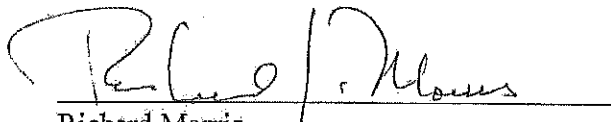
PARK AND PLANNING COMMISSION


November 21, 2019

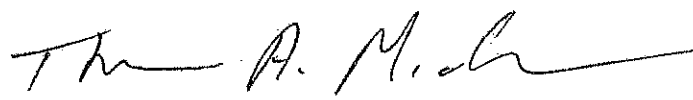
  
Robert Peregrine, Chairperson

  
William Mitchell, Vice Chairperson

  
James Siepmann

  
Richard Morris

  
William Maslowski

  
Thomas Michalski

**WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE**  
**STAFF REPORT AND RECOMMENDATION**  
**ZONING MAP AMENDMENT**

**DATE:** November 21, 2019

**FILE NO.:** RZ50

**TAX KEY NO.:** WAKT 1420.997.001

**PETITIONER/OWNER:** Campbell 2006 Joint Revocable Trust  
c/o Sandy Campbell  
W273 S6201 River Road  
Waukesha, WI 53189

**LOCATION:**

Part of the SE ¼ of Section 31, T6N, R19E, Town of Waukesha. More specifically, the property is located at the River Road address cited above. The property contains approximately 61 acres total, with approximately 4.2 acres to be rezoned by the Town of Waukesha.

**PRESENT ZONING CLASSIFICATION:**

- A-1 Agriculture District (Town).
  
- A-1 Agricultural & HG High Groundwater Districts, with C-1 Conservancy & EC Environmental Corridor Overlay Districts. (County – remains unchanged).

**PRESENT LAND USE:**

Agricultural.

**PROPOSED ZONING:**

RE Residence Estate District (Town).

**PROPOSED LAND USE:**

Residential.

**PUBLIC HEARING DATE:**

September 12, 2019.

**PUBLIC REACTION:**

A Town resident stated that he was in favor of keeping farmland. He felt that if farmland is to be sold, it should be sold to another farmer.

**TOWN PLAN COMMISSION:**

On September 12, 2019, the Town Plan Commission, unanimously recommended approval of the rezoning request with two conditions that are referred to in the “Staff Recommendation” section of this report.

**TOWN BOARD ACTION**

On September 12, 2019, the Town Board unanimously approved the rezoning request as recommended by the Town Plan Commission.

**COMPLIANCE WITH THE WAUKESHA COUNTY DEVELOPMENT PLAN AND THE TOWN OF WAUKESHA LAND USE PLAN:**

The Town and County Land Use Plans designate the area of the property to be rezoned in the Agricultural and Rural Density/Other Agricultural Land categories, respectively. Both plans provide for a density of one dwelling unit per 5 to 34.9 acres of land area. The proposal complies with the density provided in the Town and County Land Use Plans. Portions of the property are also categorized as Environmental Corridor and Other Lands to be Protected. However, these areas are not included in the area to be rezoned.

A portion of the property located adjacent to the Fox River and within the wetland, floodplain, and Primary Environmental Corridor is identified on the Waukesha County Park and Open Space Plan as proposed County ownership. The designated area is part of the Fox River Greenway. There is also a recreational trail proposed on the east side of the river as part of the Greenway. At this time, the County is not in a position to acquire the acreage and there are no plans to construct a trail in the near future. However, the area will remain on the Park and Open Space for potential future interest.

**OTHER CONSIDERATIONS:**

The property contains a total of approximately 61 acres, including land on the east and west sides of the Fox River. The property is located on the west side of CTH I, approximately 1.2 miles south of the City of Waukesha. The Vernon Marsh is located directly east of the property. The petitioner is proposing to sell the acreage located on the east side of the river, which is approximately 10 acres, for single family residential purposes. See Exhibit A for a map of the proposed lot. The petitioner would retain the acreage on the west side of the river, which includes the farmstead.

The acreage on the east side of the river has split jurisdiction. The area within 300 ft. of the river or within the floodplain is located within the County's shoreland zoning jurisdiction. This area is zoned A-1 Agricultural, which requires a minimum lot size of three acres, and HG High Groundwater. There are also C-1 Conservancy and EC Environmental Corridor Overlays. The proposed land division complies with the County's zoning provisions. The remaining 4.2 acres along CTH I is located within the Town's zoning jurisdiction. The Town-zoned lands are designated in the A-1 Agricultural District, which requires a minimum lot size of 20 acres, whereas a 10-acre lot is proposed. The petitioner is proposing to rezone the Town-zoned lands to the RE Residential Estate District, which requires a minimum lot size of three (3) acres. The proposed lot contains suitable soils for a septic system and there is sufficient buildable area that complies with Town and County zoning provisions.

**STAFF RECOMMENDATION**

It is the opinion of the Planning and Zoning Division staff that the request be **approved** subject to the conditions of the Town of Waukesha Ordinance 2019-11.

The approval of the request will allow for a land division to occur on a property that is already divided by the Fox River. The petitioner will be able to sell the land on the east side of the river for single-family residential use. The proposed rural residential use is consistent with development along CTH I in the Town of Waukesha. The CSM will contain restrictions that preserve the acreage that is proposed to ultimately be part of the Fox River Greenway. More detailed trail planning will be needed to determine where a future trail easement would be most desirable.

Respectfully submitted,

*Amy Barrows*

Amy Barrows  
Senior Planner

Attachments: Exhibit A: Proposed Certified Survey Map  
Town Ordinance No. 2019-11  
Map

N:\PRKANDLU\Planning And Zoning\Rezoning\Staff Reports\RZ50 Campbell Wkt.Docx



ORDINANCE NO. 2019-11  
TOWN OF WAUKESHA

AN ORDINANCE TO CONDITIONALLY REZONE AND AMEND THE TOWN  
OF WAUKESHA ZONING DISTRICT MAP  
OF THE TOWN OF WAUKESHA ZONING ORDINANCE  
BY PLACING CERTAIN LANDS IN THE TOWN OF WAUKESHA FROM THE  
A-1 AGRICULTURE TO THE  
RE RESIDENCE ESTATE DISTRICT

RECEIVED  
10/18/2019  
DEPT OF  
PARKS & LAND  
USE

WHEREAS, a petition has been filed by Sandy Campbell, petitioning pursuant to Section 42-48(b) for rezoning property W27356201 River Road, Tax Key 1420997001 depicted in attached Exhibits A, attached hereto and incorporated herein by reference (the "Subject Property"); and

WHEREAS, upon receipt of the petition the Town Clerk scheduled a public hearing to be held jointly by the Town Plan Commission and the Town Board September 12, 2019, pursuant to Section 42-48(d); and

WHEREAS, the Town Clerk for the Town of Waukesha has properly transmitted notice to the Town Plan Commission, Town Board, and to the Waukesha County Park and Planning Commission, pursuant to Section 42-48(d)(2) of the Town of Waukesha Zoning Code; and

WHEREAS, the Plan Commission considered the testimony taken at the public hearing, along with other pertinent technical information and made a recommendation to the town pursuant to Section 42-48(d)(3) of the Town of Waukesha Zoning Code; and

WHEREAS, the Town Board for the Town of Waukesha at the September 12, 2019 meeting after carefully reviewing the recommendation of the Plan Commission for the Town of Waukesha and having given the matter due consideration having determined that all procedural requirements and notice requirements have been satisfied, and having based its determination on the effect of the adoption of the ordinance on the health, safety, morals, comfort, prosperity and general welfare of the Town of Waukesha of the community and the preservation and enhancement of property values in the community, and having given due consideration to the municipal problems involved hereby determine that the rezoning will serve the public health, safety morals, comfort, prosperity and general welfare of the Town of Waukesha, and that such amendments are intended to provide for adequate light, air, convenience of access, and safety from fire and other dangers; to promote the safety and efficiency of the public streets and highways; to aid in conserving and stabilizing the economic values of the community; to promote the orderly development of land; to preserve and promote the general attractiveness and character of the community environment; to guide the proper distribution and location of population and of the various land uses; and otherwise provide for the healthy and prosperous growth of the community, and that such rezoning will enhance property values in the Town and will not be hazardous, harmful, noxious, offensive or a nuisance and will not unduly limit or restrict the use of



property in the Town or for any other reason cause a substantial adverse effect on the property values and general desirability of the Town.

**NOW THEREFORE**, the Town Board for the Town of Waukesha, Waukesha County does hereby ordain as follows:

**SECTION 1:** The Subject Property identified as W273S6201 River Rd, Tax ID AKT1420997001 depicted by map on Exhibit A and by legal description (east of the Fox River) Located in part of the NE ¼ and NW ¼ of Section 31, T6N R19E, both exhibits attached hereto and incorporated herein by reference, are hereby conditionally amended to change the zoning of such property from A-1 Agriculture to the RE Residence Estate District, if the conditions stated in Section 2 of this ordinance are met.

**SECTION 2:** The above rezoning and zoning map amendment is conditioned upon the following conditions, which must be complied with or this ordinance is null and void:

1. The Rezone approval shall not be in full force and effect until approved by the Waukesha County Board of Supervisors, and the Petitioner obtains approval of the Certified Survey Map by the Town of Waukesha Board, Waukesha County Department of Parks and Land Use, and City of Waukesha, and records the same with the Waukesha County Register of Deeds.
2. The Petitioner and/or Property Owner shall, on demand, reimburse the Town of Waukesha for all costs and expenses of any type incurred by the Town in connection with the review and approval of this application, including, but not limited to, the cost of professional services incurred by the Town for the review and preparation of required documents, attendance at meetings or other related professional services as well as to enforce the conditions in this approval due to a violation of these conditions. Additionally, any unpaid bills owed to the Town of Waukesha by the Subject Property Owner and/or Agent, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees or forfeitures owed to the Town of Waukesha must be paid on demand and prior to issuance of any permits and shall be placed upon the tax roll for the Subject Property if not paid within thirty (30) days of the billing by the Town of Waukesha, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town of Waukesha, including possible cause for termination of the conditional approval.

**SECTION 3.** The subject property owner is hereby put on notice that the Town of Waukesha may rezone the lands or portions thereof subject to this conditional rezoning ordinance to A-1 Agriculture District if the conditions of this ordinance are not fully complied with.

**SECTION 4. SEVERABILITY.**

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

**SECTION 7. EFFECTIVE DATE.**

This ordinance shall be in full force and effect from and after its passage and publication and subject to the conditions stated in Section 2, and this ordinance is null and void and original district zoning shall be in effect with no further notice if said conditions are not complied with on the terms and conditions stated herein.

Passed and approved this 12th day of September, 2019.

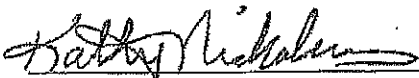
TOWN OF WAUKESHA, WI



By: Brian Fischer, Town Chairman

10/17/19

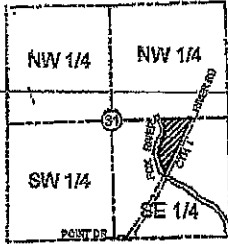
ATTEST:



Kathy Nickolaus, Town Clerk-Treasurer

CERTIFIED SURVEY MAP NO. \_\_\_\_\_ Sheet 1 of 6

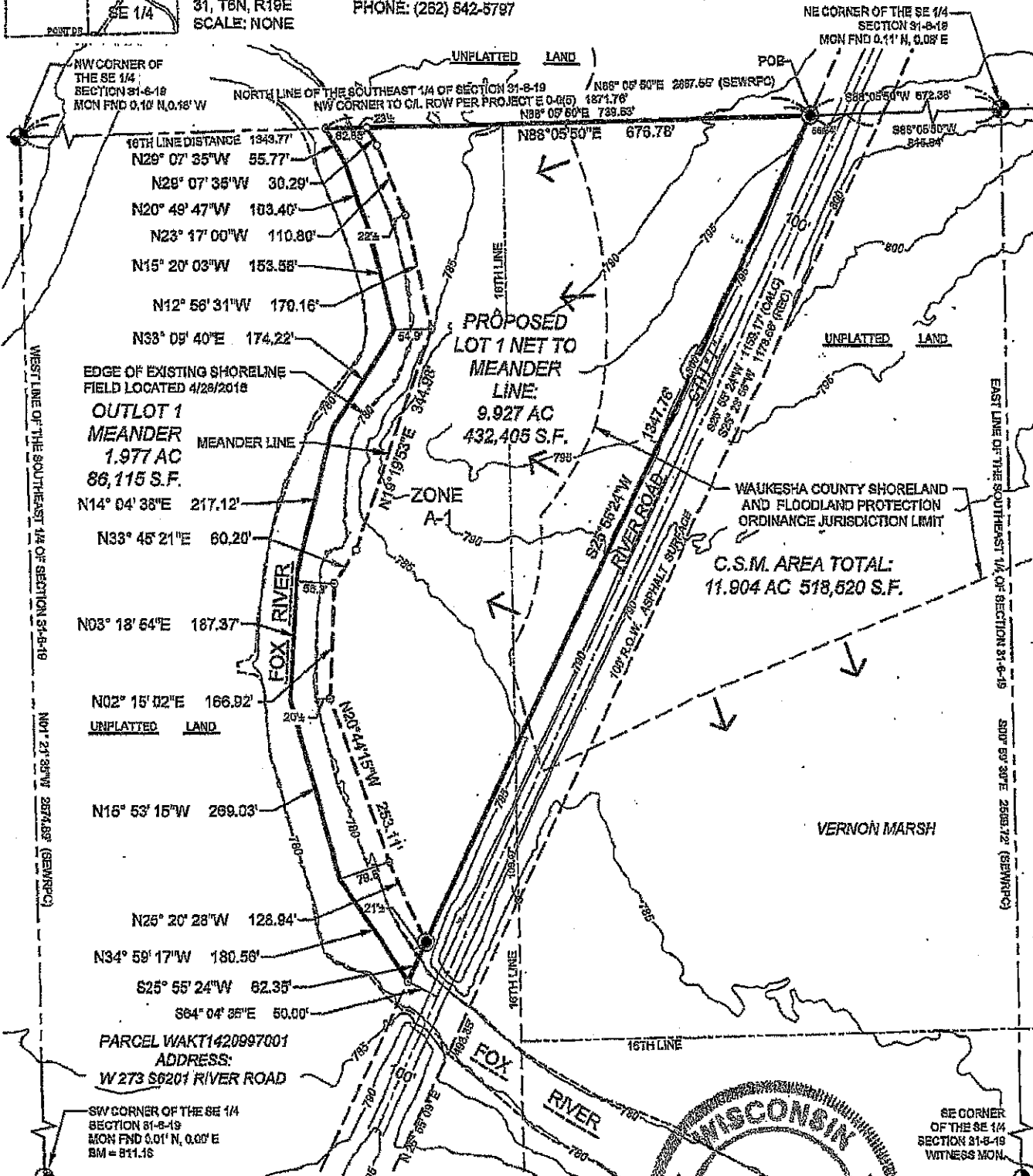
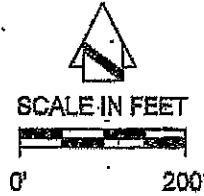
All that part of the Northeast Quarter (NE 1/4) and Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section 31, Town 6 North, Range 19 East.  
TOWN OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN



VICINITY MAP  
NW 1/4 OF SEC.  
31, T6N, R19E  
SCALE: NONE

**SURVEYOR:**  
JOHN R. STIGLER, PLS  
JAHNKE & JAHNKE ASSOC., LLC  
711 WEST MORELAND BLVD.  
WAUKESHA, WI, 53188-2479  
PHONE: (262) 542-5797

**OWNER/SUBDIVIDER:**  
SANDY D. CAMPBELL  
PATRICA M. CAMPBELL  
WZ73 S6201 RIVER RD  
WAUKESHA, WI 53189



**OUTLOT 1  
MEANDER**  
1.977 AC  
86,115 S.F.

**PROPOSED  
LOT 1 NET TO  
MEANDER  
LINE:**  
9.927 AC  
432,405 S.F.

**C.S.M. AREA TOTAL:**  
11.904 AC 518,520 S.F.

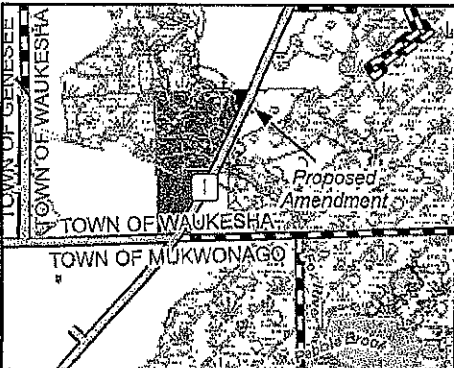
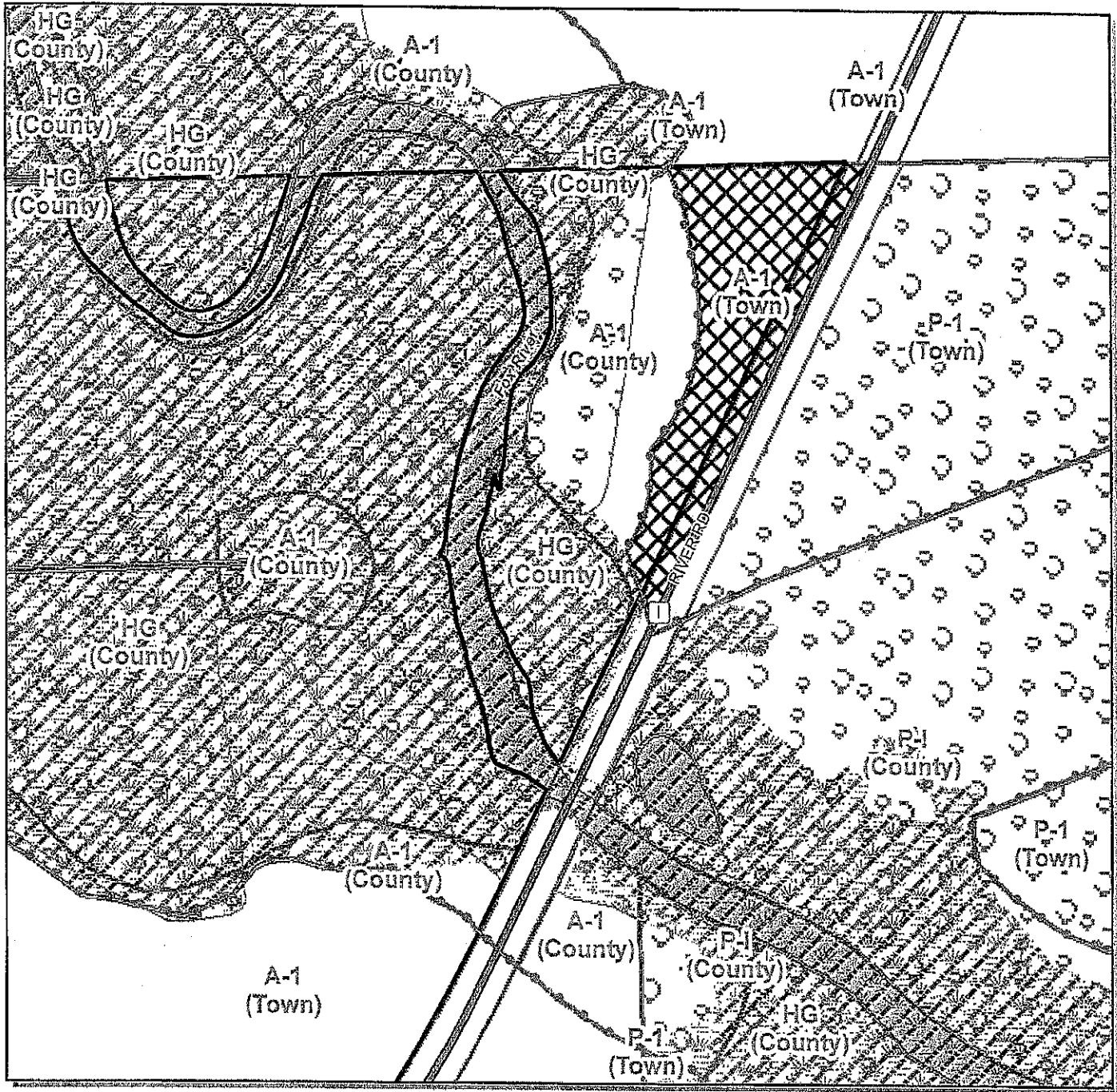
PARCEL WAKT1420997001  
ADDRESS:  
W 273 S6201 RIVER ROAD

SW CORNER OF THE SE 1/4  
SECTION 31-8-19  
MON FND 0.01' N, 0.00' E  
BM = 811.16

SE CORNER  
OF THE SE 1/4  
SECTION 31-8-19  
WITNESS MON.

# ZONING AMENDMENT

PART OF SOUTHEAST 1/4, SECTION 31,  
TOWN OF WAUKESHA



	CONDITIONAL TOWN ZONING AMENDMENT CHANGE FROM A-1 AGRICULTURAL DISTRICT TO RE RESIDENTIAL ESTATE DISTRICT (4.2 AC)
	ENVIRONMENTAL CORRIDOR (EC) OVERLAY TO REMAIN
	CONSERVANCY (C-1) OVERLAY TO REMAIN
	FLOODPLAIN OVERLAY TO REMAIN

FILE.....RZ50

DATE OF PLAN COMMISSION.....11/21/19

AREA OF CHANGE.....4.2 ACRES

TAX KEY NUMBER.....WAKT 1420.997.001

1 inch = 300 feet

0 150 300 Feet

Prepared by the Waukesha County Department of Parks and Land Use

1 AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION  
2 ORDINANCE DISTRICT ZONING MAP OF THE TOWN OF WAUKESHA (RZ49)  
3  
4

5 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of  
6 this Ordinance was considered by the Waukesha Town Board on November 14, 2019; and  
7

8 WHEREAS, the Waukesha Town Board recommended denial of the proposed Ordinance at their  
9 meeting on November 14, 2019; and  
10

11 WHEREAS, the matter was referred to and considered by the Waukesha County Park and  
12 Planning Commission, which recommended approval and reported that recommendation to the  
13 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,  
14 as required by Section 59.692, Wis. Stats.  
15

16 WHEREAS, to satisfy Condition #4, as set forth below, when final approval is received from  
17 FEMA in the near future, an ordinance will be brought to the Waukesha County Board of  
18 Supervisors to amend the text of the Waukesha County Shoreland and Floodland Protection  
19 Ordinance, Table 6(b)1.B.i., to incorporate a reference to the Letter of Map Revision for the  
20 floodplain boundary change.  
21

22 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS  
23 that the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map  
24 for the Town of Waukesha, adopted by the Waukesha County Board of Supervisors on June 23,  
25 1970, is hereby amended to conditionally amend the floodplain boundary of the C-1  
26 Conservancy Overlay District of part of the property, certain lands located in the SE ¼ of Section  
27 14, T6N, R19E, Town of Waukesha and more specifically described in the "Staff Report and  
28 Recommendation" and map on file in the office of the Waukesha County Department of Parks  
29 and Land Use and made a part of this Ordinance by reference RZ49, subject to the following  
30 conditions:  
31

- 32 1. The petitioner must obtain a Conditional Letter of Map Revision (CLOMR) from FEMA  
33 and all conditions of the DNR shall be met prior to starting any construction activities  
34 related to the Pebble Brook road crossing.  
35
- 36 2. The petitioner must submit written documentation that WDOT has approved the  
37 construction activities and floodplain impacts in the highway road right-of-way.  
38
- 39 3. Prior to this rezone being effective, the petitioner must obtain a Letter of Map Revision  
40 (LOMR) from FEMA that states the as-built project complies with the CLOMR and there  
41 are no additional floodplain impacts.  
42
- 43 4. Upon final approval by FEMA, Table 6(b)1.B.i. of the Waukesha County Shoreland and  
44 Floodland Protection Ordinance shall be amended to insert a text reference to the Letter  
45 of Map Revision.  
46

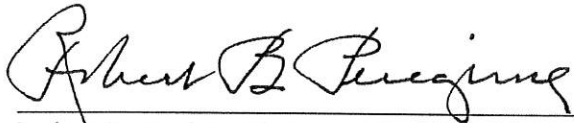
47 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of  
48 this Ordinance with the town clerk for the Town of Waukesha.

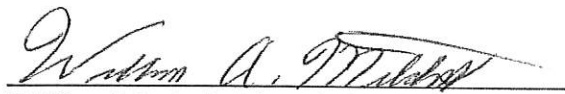
COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the text and map of the Waukesha County Shoreland and Floodland Protection Ordinance hereby recommends approval of **(RZ49 Robert F. and Carol O. Smart Family Trust/Carol O. Smart Survivor Trust)** in accordance with the attached "Staff Report and Recommendation".


PARK AND PLANNING COMMISSION

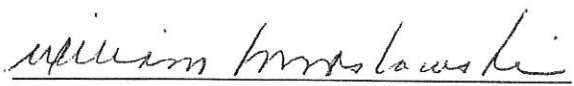
November 21, 2019


  
Robert Peregrine, Chairperson

  
William Mitchell, Vice Chairperson

  
James Siepmann

  
Richard Morris

  
William Maslowski

  
Thomas Michalski

**WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE**  
**STAFF REPORT AND RECOMMENDATION**  
**TEXT AND MAP AMENDMENT**

**DATE:** November 21, 2019

**FILE NO.:** RZ49

**PETITIONER:** Robert F. & Carol O. Smart Family Trust  
Carol O. Smart Survivor Trust  
W237 S4190 Big Bend Road  
Waukesha, WI 53189

**NATURE OF REQUEST:**

Amend the map and text of the Waukesha County Shoreland and Floodland Protection Ordinance in order to modify the regulated floodplain of the C-1 Conservancy Overlay Zoning District as a result of updated floodplain modeling and in order to accommodate an extension to Tenny Avenue located in the City of Waukesha. There is one parcel (WAKT1352.998.003) and WisDOT right-of-way that would experience an increased floodplain elevation as a result of the project.

**PUBLIC HEARING DATE:**

November 14, 2019.

**PUBLIC REACTION:**

There was discussion regarding the Tenny Avenue extension. Concern was raised related to traffic safety on Les Paul Parkway (USH 59/STH 164). A town citizen felt that the road connection was proposed so that the city and county could increase their tax base.

There was concern related to stormwater runoff from the development proposed in the city and whether that would impact town lands. There was also concern related to wetland and environmental impacts.

Some of the town plan commissioners and supervisors also expressed similar concerns and felt that the application was difficult to understand.

Another town citizen suggested that the proposal should be approved and that the town should not deny the project because of other town-city underlying issues.

*Staff Response*

The city's requirement for the petitioner to extend the road is a local decision. The proposal to modify the floodplain boundaries is the subject of this request. The city is requiring the road extension for safety purposes in order to provide a connection between two major road systems. The connection to USH 59/STH 164 and intersection details will require final approval by WDOT.

The city and/or state are required to manage stormwater depending on the extent of the project. The development project and road construction will need to comply with city and state requirements. The petitioner has not indicated that the project will result in wetland impacts in the town. The DNR and ACOE will need to permit any wetland impacts. The DNR notifies the county if any impacts extend into the town and their permits are subject to all local permits being obtained.

**COMPLIANCE WITH THE COUNTY DEVELOPMENT PLAN (CDP) AND TOWN OF WAUKESHA COMPREHENSIVE PLAN:**

The plans recommend protection of lands from adverse flooding impacts and also call for a broad transportation network. If approved, as recommended, the project would be compatible with these recommendations in that there would be no uplands negatively affected by anticipated flood levels. In addition, proper modeling of proposed changes and approvals by FEMA would ensure that minor boundary changes are accurately reflected on regulatory floodplain maps.

**TOWN PLAN COMMISSION:**

At their November 14, 2019 meeting, the Town of Waukesha Plan Commission unanimously recommended approval of the proposed amendments to the Town Board.

**TOWN BOARD ACTION:**

At their November 14, 2019 meeting, the Town of Waukesha Board recommended against the proposed amendments with a 3-2 vote. The Town Board did not provide reasons for voting against the Plan Commission's recommendation.

**STAFF ANALYSIS**

The petitioner is proposing a residential development project in the City of Waukesha. As part of that project, the city is requiring that Tenny Avenue be extended so there is a connection from Sunset Drive to Les Paul Parkway (USH 59/STH 164). The road extension would provide an important safety route for emergency services and would provide increased circulation and access to the commercialized portion of Sunset Dr. The road will need to cross Pebble Brook. The crossing will have an impact on the floodplain, which extends into the Town of Waukesha.

The petitioner has demonstrated through floodplain modeling that any increase in floodplain heights is limited to the property owned by the petitioner and the highway right-of-way. The petitioner is working with the state for approvals. The highest increase in floodplain elevation is 0.53 ft. The floodplain impacts are located in areas otherwise designated as wetland. Therefore, the C-1 Conservancy Overlay District boundary does not change. The project requires a text and map amendment because FEMA requires that floodplain maps be designated as official maps in the Waukesha County Shoreland and Floodland Protection Ordinance.

In order to determine project impacts to the floodplain, the petitioner needed to correct the existing FEMA floodplain model. The existing model was developed in 1979 and does not account for a culvert and other obstructions constructed as part of past highway improvements. Several other conversions and corrections needed to be made. After the model was updated, the petitioner added additional cross-sections to make the analysis of the project as accurate as possible. As a result of these corrections, there are additional changes to the floodplain upstream of the petitioner's property. However, these changes result in a decrease in floodplain elevation. The mapping indicates a larger boundary in some areas because of more accurate topographic data. However, the updated modeling provides a less restrictive condition for upstream property owners as a result of the lower regulated floodplain elevation.

Because the updated floodplain modeling, not the project, results in modifications to the zoning jurisdictional boundaries and a reduction in the floodplain elevation upstream, the town and county will need to establish underlying zoning districts upon completion of the project and after the petitioner obtains a Letter of Map Revision from FEMA. It is important to have an as-built representation of the floodplain boundaries so that zoning and jurisdictional area can be adequately established.



The Wisconsin Department of Natural Resources (DNR) has conditionally approved the proposed floodplain modeling. FEMA is still reviewing additional information that has been submitted by the petitioner.

**STAFF RECOMMENDATION:**

It is the opinion of the Planning and Zoning Division staff that this request be approved, subject to the following conditions:

1. The petitioner must obtain a Conditional Letter of Map Revision (CLOMR) from FEMA and all conditions of the DNR shall be met prior to starting any construction activities related to the Pebble Brook road crossing.
2. The petitioner must submit written documentation that WDOT has approved the construction activities and floodplain impacts in the highway road right-of-way.
3. Prior to this rezone being effective, the petitioner must obtain a Letter of Map Revision (LOMR) from FEMA that states the as-built project complies with the CLOMR and there are no additional floodplain impacts.
4. Upon final approval by FEMA, Table 6(b)1.B.i. of the Waukesha County Shoreland and Floodland Protection Ordinance shall be amended to insert a text reference to the Letter of Map Revision.

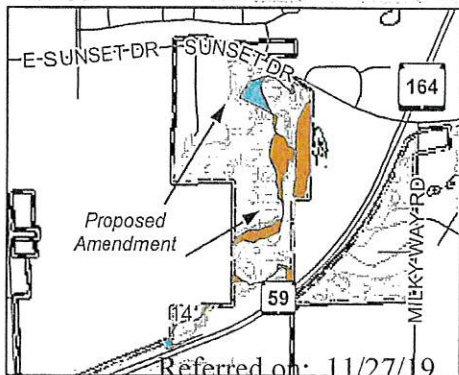
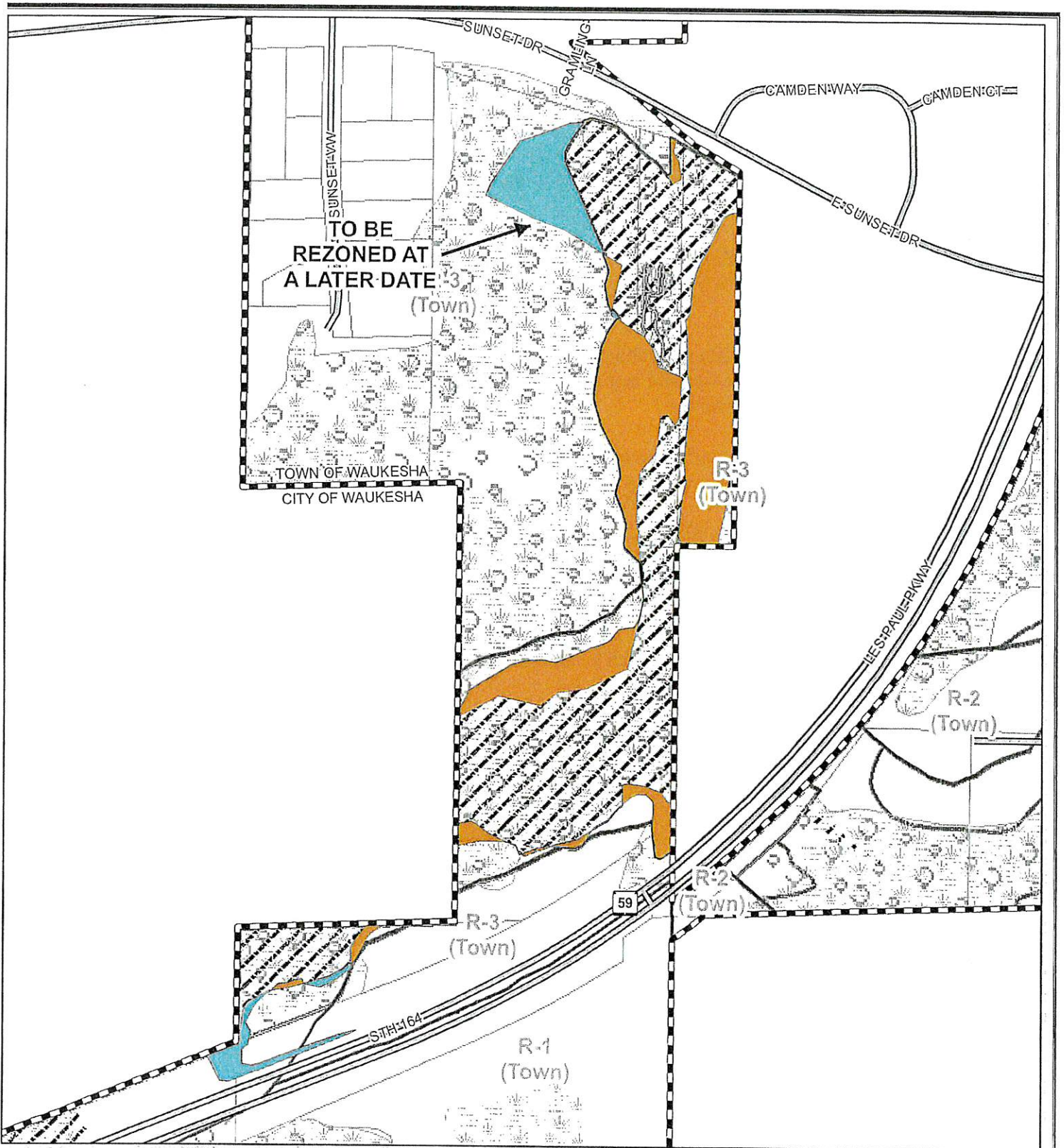
The proposed rezone amendment to modify the floodplain boundaries allows for a road extension in the city that provides a public benefit to town and city residents. The city is requiring the road extension to allow for emergency vehicles to quickly travel between Sunset Drive and Les Paul Parkway. The updated modeling also provides a more accurate depiction of floodplain conditions. Increases in the floodplain elevation are limited to the petitioner's property and the state's highway right-of-way. The area of the petitioner's property that is impacted by the project is already regulated as wetland and prohibited from development. The property does not have any access to the highway and is restricted from development. Therefore, there is no anticipated loss of property value relative to the petitioner's property, which is the only privately owned property that would experience a higher floodplain elevation. The proposed floodplain impacts do not have a negative impact on other adjacent private property, resources, or the public interest. The proposal complies with the purpose and intent of the Waukesha County Shoreland and Floodland Protection Ordinance.

Respectfully submitted,

*Amy Barrows*






Amy Barrows  
Senior Planner

Attachment: Zoning Map Exhibit



### Proposed Pebble Brook Floodplain

RZ49

-  Proposed Floodplain Boundary (1.94 acres)
-  Floodplain Boundary to be Removed (7.28 acres)
-  Environmental Corridor Overlay District to Remain
-  Wetland Overlay District to Remain
-  Existing 100-yr. Floodplain



1 inch = 400 feet



Referred on: 11/27/19

File Number: 174-O-077

Prepared by the Waukesha County Department of Parks and Land Use

Referred to: 1/17/20



FISCAL NOTE

MODIFY THE 2019 TRANSPORTATION FUND BUDGET FOR ADDITIONAL  
PERSONNEL COSTS EXPENDITURE AUTHORITY

This ordinance appropriates an additional \$100,000 of personnel cost expenditure authority in the Transportation Fund budget to cover additional expenses incurred as a result of severe winter weather experienced during the first half of the year and in October/November. This additional expenditure authority will be funded with above-budget revenues received from the Wisconsin Department of Transportation for work that the Highway Operations Division performed on state highways.

This additional expenditure authority is funded with state revenues and does not result in a direct tax levy impact.

*Linda Witkowski*

Linda Witkowski

Budget Manager

11/25/2019

BPD

JE#2019-00012576

1           MODIFY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES 2019 BUDGET  
2           TO APPROPRIATE EXPENDITURES FOR AGING AND DISABILITY RESOURCE  
3           CENTER AND INCREASE GENERAL GOVERNMENT REVENUE  
4  
5

6   WHEREAS, the Waukesha County Department of Health and Human Services, Aging and  
7   Disability Resource Center (ADRC), serves as a point of entry for the public to gain information  
8   and assistance related to the resources available to seniors and those with disabilities; and  
9

10   WHEREAS, the Waukesha County Department of Health and Human Services budgeted  
11   approximately \$3.4 million in General Government Revenue in the 2019 budget for the ADRC  
12   Contract Fund; and  
13

14   WHEREAS, Waukesha County Department of Health and Human Services received approval  
15   from the State of Wisconsin Department of Health Services to carryover \$13,000 in funding from  
16   2018 to 2019 to provide additional promotional activities and outreach to increase knowledge of the  
17   ADRC services available; and  
18

19   WHEREAS, Waukesha County Department of Health and Human Services is eligible to claim  
20   \$56,500 in Federal match funding that was not included in the 2019 Budget; and  
21

22   WHEREAS, the Waukesha County Department of Health and Human Services receives full state  
23   revenue reimbursement for the cost of services provided through the ADRC Contract Fund, up to  
24   the approved contract limit, and is projected to exceed the 2019 budget of \$3,396,457 due to the  
25   approved carryover of the state funding; and  
26

27   WHEREAS, the Waukesha County Department of Health and Human Services receives federal  
28   match revenue reimbursement for the cost of services provided through the ADRC Contract  
29   Fund, up to the approved budgeted amount (approximately 40%), and is projected to exceed the  
30   2019 budget of \$3,396,457 due to the eligibility to claim additional federal match funding.  
31

32   THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS  
33   that the 2019 Department of Health and Human Services ADRC Contract Fund Budget be  
34   modified by appropriating expenditures of \$69,500 for Operating Expenses for promotional and  
35   outreach activities and increasing General Government Revenues by \$69,500 for state carryover  
36   and federal match revenue.

FISCAL NOTE

MODIFY THE DEPARTMENT OF HEALTH AND HUMAN SERVICE 2019 BUDGET TO  
APPROPRIATE EXPENDITURES FOR AGING AND DISABILITY RESOURCE CENTER  
AND INCREASE GENERAL GOVERNMENT REVENUE

This ordinance modifies the 2019 Waukesha County Department of Health and Human Services (HHS) – Aging and Disability Resource Center Contract Fund budget by appropriating \$69,500 of additional operating expenses for a Dementia Care consultant, printing, and promotions.

The additional budget appropriations will be funded by \$56,500 of additional federal match funding and \$13,000 of additional state ADRC grant funds that were approved by the state to be carried over from 2018 to 2019.

This ordinance results in no additional tax levy impact.

*Linda Witkowski*

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Linda Witkowski  
Budget Manager  
12/1/2019

CD - BAJ# 2019-00012575

1 APPROVE 2020 SALARY AND BENEFIT MODIFICATIONS FOR NON-REPRESENTED  
2 EMPLOYEES AND ALLOW ACCESS FOR RETIREES TO THE WAUKESHA EMPLOYEE  
3 HEALTH AND WELLNESS CENTER AS PART OF A PILOT PROGRAM  
4  
5

6 WHEREAS, it is necessary to maintain competitive salary and benefits systems and structures to  
7 attract and retain a qualified work force; and  
8

9 WHEREAS, the County recognizes the importance of maintaining and adjusting the salary  
10 ranges consistent with the overall market; and  
11

12 WHEREAS, the cost of health insurance continues to increase and is a major budget driver  
13 which, therefore, requires the County to evaluate and recommend changes to the plan design; and  
14

15 WHEREAS, modifying the compensation policy for Psychiatrists for weekends and holidays will  
16 enable the County to comply with statutory obligations, to retain and maintain staffing levels at  
17 the mental health center, and to provide services at a lower cost; and  
18

19 WHEREAS, the retiree group health insurance (pre-Medicare) plan has been experiencing  
20 significant losses and retirees will see premium increases of 27% for 2020; and  
21

22 WHEREAS, to maintain the long-term viability of the retiree group health insurance (pre-  
23 Medicare) plan and lessen the impact of the 2020 premium increase, the County is proposing a  
24 one year pilot, fully funded through retiree premiums, providing access for retirees on the retiree  
25 group health insurance (pre-Medicare) plan to the Waukesha Employee Health and Wellness  
26 Center; and  
27

28 WHEREAS, the County has provided for the fiscal impact of this ordinance in the County  
29 budget for 2020.  
30

31 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS  
32 effective January 4, 2020, a salary range adjustment of two percent (2%) will be applied to the  
33 non-represented 2019 salary ranges.  
34

35 BE IT FURTHER ORDAINED effective January 1, 2020, the previously established salary  
36 policy which authorizes additional compensation of \$650 per day to the Clinical Director, Chief  
37 Psychiatrist, and other regular full time or regular part time Psychiatrists who are assigned and  
38 work on weekends and holidays in order for the County to meet our regulatory obligations to  
39 conduct inpatient assessments, be increased to \$750 per day when assigned and performing these  
40 duties.  
41

42 BE IT FURTHER ORDAINED effective January 1, 2020, the following modifications are made  
43 to the health insurance plans:  
44

45 A. Co-Insurance Changes The co-insurance decreases from 80/20 to 70/30 for not using a  
46 Tier One provider when available. If Tier One provider is used, co-insurance remains at 80/20.  
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B. Choice Plus Health Insurance Plan

Deductibles

In-Network	Single Plan:	Increase from \$500 to \$600
	Family Plan:	Increase from \$1,500 to \$1,800
Out-of-Network	Single Plan:	Increase from \$1,000 to \$1,200
	Family Plan:	Increase from \$3,000 to \$3,600

Co-Insurance

In-Network	Single Plan:	Increase from \$1,500 to \$1,800
	Family Plan:	Increase from \$3,500 to \$4,200
Out-of-Network	Single Plan:	Increase from 3,000 to \$3,600
	Family Plan:	Increase from \$7,000 to \$8,400

Total Out of Pocket Maximum

In-Network	Single Plan:	Increase from \$2,000 to \$2,400
	Family Plan:	Increase from \$5,000 to \$6,000
Out-of-Network	Single Plan:	Increase from \$4,000 to \$4,800
	Family Plan:	Increase from \$10,000 to \$12,000

C. HSA High Deductible Insurance Plan The County contribution will decrease from \$500 to \$300 if neither the employee nor the spouse complete the health risk assessment program.

BE IT FURTHER ORDAINED effective January 1, 2020, retirees enrolled in the retiree group health insurance (pre-Medicare) plan will have access to the Waukesha Employee Health & Wellness Center through a one-year pilot program. The office visit fees and prescription co-pays will be the same as the High Deductible Health Plan office visit fees.



FISCAL NOTE

APPROVE 2020 SALARY AND BENEFIT MODIFICATIONS FOR NON-REPRESENTED EMPLOYEES AND ALLOW ACCESS FOR RETIREES TO THE WAUKESHA EMPLOYEE HEALTH AND WELLNESS CENTER AS PART OF A PILOT PROGRAM

Sections of the ordinance with fiscal implications include the following:

**Across-the-Board Increase**

This ordinance authorizes a 2.0% across-the-board wage increase for all non-represented 2019 salary ranges effective January 4, 2020. This would include all employees except elected officials and those represented by a collective bargaining agreement.

The fiscal impact of these changes is illustrated below:

	2019 Wages & Benefits Base	2020 ATB Changes	2020 Wages & Benefits Base	%
Salaries	\$77,063,869	\$1,541,278	\$78,605,147	2.00%
Retirement	\$5,134,249	\$102,685	\$5,236,934	2.00%
Social Security	\$5,837,792	\$119,014	\$5,956,806	2.00%
<b>Total</b>	<b>\$88,035,910</b>	<b>\$1,762,977</b>	<b>\$89,798,887</b>	<b>2.00%</b>

**Additional compensation for working on weekends and holidays**

This ordinance authorizes an increase of \$100, from \$650 to \$750 additional compensation per day for the Clinical Director, the Chief Psychiatrist, and other regular full time or regular part time Psychiatrists who are assigned and work on weekends and holidays. The fiscal impact of this is under \$2,000 annually.

**Health Plan Changes**

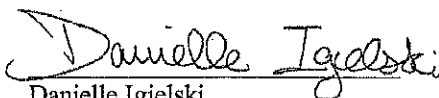
This ordinance authorizes changes in the co-insurance percentage cost share for when tier one providers are available and not selected (from 80%/20% to 70%/30%). In addition, this ordinance increases the deductible and out of pocket maximum levels for the Choice Plus Health Insurance Plan. Based on an analysis by the County's actuary, these changes result in approximately \$120,000 in cost savings.

Lastly, this ordinance authorizes a reduction in the County contribution to employee health savings accounts when neither the employee nor the spouse complete the health risk assessment program by \$200, from \$500 to \$300. The projected fiscal impact of these health plan changes is a reduction of approximately \$20,000.

**Allowing Retirees enrolled in the retiree group health insurance**

This ordinance authorizes retirees enrolled in the retiree group health insurance (pre-Medicare) plan access to the Waukesha Employee Health & Wellness Center. Retirees will pay the same co-pays as employees in the high deductible health plan. The projected fiscal impact is neutral to the County due to 2020 increases in the retiree health plan premiums.

The annual net impact of all the provisions of the ordinance is estimated at nearly \$1,625,000. About \$553,000 of this amount is funded in the 2020 Adopted Budget with non-levy sources (fees, grants, contracts, intergovernmental revenue), with the remaining approximately \$1,072,000 funded with budgeted levy.



Danielle Igielski  
Accounting Services Manager  
11/22/2019

1 APPROVE 2020 SALARIES FOR SEASONAL  
2 AND TEMPORARY CLASSIFICATIONS  
3  
4

5 WHEREAS, seasonal and temporary employees are vital components of the County workforce  
6 which enables the County to deliver quality and cost efficient programs and services; and  
7

8 WHEREAS, market conditions have created a competitive environment when recruiting for  
9 seasonal and temporary employees; and  
10

11 WHEREAS, certain semi-skilled employees are more difficult to recruit; and  
12

13 WHEREAS, broadening the semi-skilled employee salary range would allow more flexibility  
14 and allow the County to be more competitive when hiring in certain fields; and  
15

16 WHEREAS, the ability to recruit and retain qualified employees year after year is critical in  
17 delivering our programs and services; and  
18

19 WHEREAS, the County has provided for the fiscal impact of this ordinance in the County  
20 budget for 2020.  
21

22 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS  
23 that, effective January 4, 2020, a salary range adjustment of two percent (2%) will be applied to  
24 the seasonal and temporary 2019 salary ranges.  
25

26 BE IT FURTHER ORDAINED that, effective January 4, 2020, the salary range for the  
27 classification of Semi-Skilled Employee be broadened as follows:  
28

29 Semi-Skilled Employee – Current 2019 Rates

30 \$9.01 \$9.85 \$10.71 \$11.55 \$12.40  
31

32 Semi-Skilled Employee – Proposed 2020 Rates

33 \$10.00 \$10.90 \$11.80 \$12.70 \$13.60 \$14.50 \$15.40 \$16.30 \$17.20 \$18.10 \$19.00 \$20.00

FISCAL NOTE

APPROVE 2020 SALARIES FOR SEASONAL AND TEMPORARY CLASSIFICATIONS

**Across-the-Board Increase**

This ordinance authorizes a 2.0% across-the-board wage increase for all seasonal and temporary 2019 salary ranges effective January 4, 2020.

The fiscal impact of these changes is illustrated below:

	2019 Wages & Benefits Base	2020 ATB Changes	2020 Wages & Benefits Base	%
Salaries	\$3,496,422	\$69,928	\$3,566,350	2.00%
Retirement	\$101,998	\$2,040	\$104,038	2.00%
Social Security	\$267,476	\$5,350	\$272,826	2.00%
<b>Total</b>	<b>\$3,865,896</b>	<b>\$77,318</b>	<b>\$3,943,214</b>	<b>2.00%</b>

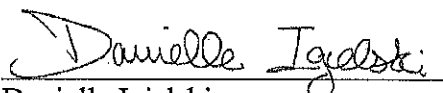
**Expansion of Semi-Skilled Employee Salary Ranges**

This ordinance increases the bottom of the semi-skilled employee range from \$9.01 to \$10.00 and expands the top of the range from \$12.40 to \$20.00. The semi-skilled classification is currently used for a wide variety of job duties. Examples of semi-skilled temporary positions include the Sheriff's department transporting and making arrangements for sheriff vehicle servicing and the Courts use for document scanning, quality control, CCAP case management, and time management.

This ordinance creates a broader twelve step salary range in place of the current five step range allowing departments to be more competitive when hiring for these positions and allows the department of Public Works to use the classification to hire temporary laborers to assist Patrol Workers.

The incumbents will be placed into the salary step that is closest to their current pay rate, but not less than their current rate.

The 2020 budget includes sufficient expenditure authority to cover these cost impacts, and no additional tax levy impact is expected.



Danielle Igielski  
Accounting Services Manager  
11/24/2019