

ENROLLED ORDINANCE 177-58

APPROVE SETTLEMENT AGREEMENT BETWEEN THE CITY OF WAUKESHA AND WAUKESHA COUNTY REGARDING THE FORMER HEALTH AND HUMAN SERVICES BUILDING

WHEREAS, in 2001, despite the County's objection, the City's Landmarks Commission designated as a historic landmark under the City's historic preservation ordinance certain County-owned property that during the City's Springs Era had been operated as the Moor Mud Baths/Grandview Resort. The former resort is comprised of the old resort building which the county then operated as its Health and Human Services building ("Former HHS Building") and the golf course (including the clubhouse and springhouse) that is today run by the County as Moor Downs Golf Course ("Moor Downs"), located at 500 Riverview Avenue; and

WHEREAS, in 2010, the County Board unanimously approved the construction of a new Health and Human Services Building; and

WHEREAS, in 2013, the Department of Health and Human Services moved into the new building leaving the Former HHS Building empty; and

WHEREAS, following unsuccessful attempts in 2014 and 2015 to sell or lease the property, the County Board approved a capital project to demolish the Former HHS Building; and

WHEREAS, in 2017, the City Landmarks Commission denied the County's request to remove the landmark designation; and

WHEREAS, in 2019, the City Landmarks Commission denied the County's request for a certificate of appropriateness to enable the County to demolish the Former HHS Building and that decision was appealed by the County to the Waukesha Common Council; and

WHEREAS, in 2020, the County executed an agreement with the State of Wisconsin Historic Preservation Officer to allow the County to demolish the Former HHS Building in compliance with State historic preservation requirements; and

WHEREAS, in 2020, the Waukesha Common Council affirmed the City Landmarks Commission's decision to deny the County's request for a certificate of appropriateness to demolish the Former HHS Building and the County subsequently appealed that decision to the Waukesha County Circuit Court and that case is now pending on appeal in the Wisconsin Court of Appeals; and

WHEREAS, the County and the City have attempted to reach a compromise of their dispute with respect to the Former HHS Building and the City of Waukesha Common Council has approved a Settlement Agreement that will resolve the parties' differences; and

WHEREAS, it is in the County's best interests to compromise its disagreement with the City with respect to the Former HHS Building and to foster a better working relationship in the future.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Settlement Agreement negotiated with and approved by the Waukesha Common Council and previously shared with the Board is hereby approved.

BE IT FURTHER ORDAINED that Corporation Counsel and Administration are authorized to take all actions necessary to execute and effectuate the intent of the Settlement Agreement.

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The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 9/30/22, Margaret Wartman
Margaret Wartman, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X

Vetoed: _____

Date: 9/30/2022, Paul Farrow
Paul Farrow, County Executive

VOTING RESULTS

AYE 20 NAY 3 ABSTAIN 0 ABSENT 2

Ordinance 177-O-063

Ordinance 177-O-063: Approve Settlement Agreement...

 Passed By Majority Vote

D1 - Foti	AYE
D2 - Weil	AYE
D3 - Morris	AYE
D4 - Batzko	AYE
D5 - Grant	AYE
D6 - Walz	NAY
D7 - LaFontain	AYE
D8 - Michalski	AYE
D9 - Heinrich	AYE
D10 - Thieme	AYE
D11 - Howard	AYE
D12 - Wolff	AYE
D13 - Decker	AYE

D14 - Mommaerts	ABSENT
D15 - Kolb	AYE
D16 - Crowlev	AYE
D17 - Meier	AYE
D18 - Nelson	NAY
D19 - Enriquez	AYE
D20 - Schellinger	NAY
D21 - Gaughan	AYE
D22 - Vacant	ABSENT
D23 - Hammitt	AYE
D24 - Bangs	AYE
D25 - Johnson	AYE

September 27 2022 with Closed Session - September 27 2022 09:49:14 PM

