



**CITY OF WAUWATOSA**  
MEMORIAL CIVIC CENTER  
7725 WEST NORTH AVENUE  
Telephone: (414) 479-8917  
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It is anticipated that each item listed on the agenda may be discussed, referred or acted upon unless it is noted in the specific agenda item that no action is contemplated.

**COMMITTEE ON BUDGET & FINANCE  
SPECIAL MEETING - TUESDAY, MAY 3, 2005  
6:45-7:15 P.M. - COMMITTEE ROOM #2**

1. Memo from the Fire Chief requesting approval to purchase a technical rescue vehicle
2. \*The matter of whether the Wauwatosa Public Library will withdraw from the Milwaukee County Federated Library System (MCFLS) at the end of the year 2005

\*Committee may convene into closed session per Wis. Stat. 19.85(1)(e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require a closed session, and may reconvene into open session.

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**COMMITTEE ON LEGISLATION, LICENSING & COMMUNICATIONS  
SPECIAL MEETING - TUESDAY MAY 3, 2005  
7:15-7:30 P.M. - COMMITTEE ROOM #2**

1. Review of proposed letters to county and state officials regarding funding for MCFLS

**COMMON COUNCIL  
FINAL AGENDA  
Tuesday, May 3, 2005 - 7:30 P.M.**

1. Roll Call
2. Presentation of awards for the Wauwatosa Historic Preservation Commission and Wauwatosa Historical Society Elementary School Art Contest
3. Approval of Minutes of previous meeting

**OLD BUSINESS**

1. Resolution vacating a portion of the 8400 block of Gridley Avenue  
**Plan Commission recommended approval 6-0**  
**Committee on Community Development recommended approval 8-0**
2. Ordinance rezoning 8410-20 Gridley Avenue from AA Single Family Residence District to Medical Center & Institutions District  
**Plan Commission recommended approval 6-0**

**Committee on Community Development recommended approval 8-0**

**APPOINTMENTS BY THE MAYOR**

**APPLICATIONS, COMMUNICATIONS, ETC.**

1. City of Wauwatosa Statement of Financial Condition as of March 31, 2005  
**Place on file**
2. Conditional Use application to operate a dog day care and boarding facility at 6442 W. River Parkway  
**Plan Commission, Committee on Community Development**
3. Conditional Use application to operate a Chinese take-out restaurant at 2332 N. 124th Street  
**Plan Commission, Committee on Community Development**
4. Land Division application to divide property at 3300 N. 124th Street  
**Plan Commission, Committee on Community Development**
5. Letter from T. Michael Bolger, president and CEO, Medical College of Wisconsin, affirming that the Medical College does not plan to construct a new parking structure on college-owned properties on Gridley Avenue  
**Add to existing file**
6. Letter from T. Michael Bolger, president and CEO, Medical College of Wisconsin, affirming that the college has no plan to move into the residential neighborhood adjacent to their eastern property line  
**Add to existing file**
7. Letter from Joan Deardorff opposing the city's proposed withdrawal from MCFLS  
**Add to existing file**

**FROM THE COMMITTEE ON TRAFFIC & SAFETY FOR INTRODUCTION**

1. Ordinance amending Chapter 11.28 of the City Code by restricting right turns at the southeast corner of N. 115th Street and Watertown Plank Road  
**Re-refer to originating committee**

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT FOR INTRODUCTION**

1. Ordinance rezoning along W. North Avenue from N. 60th St. to N. 74th Street from AA Business District and Business Planned Development to North Avenue Trade District  
**Re-refer to originating committee**

**FROM THE COMMITTEES ON EMPLOYEE RELATIONS AND BUDGET & FINANCE FOR INTRODUCTION**

1. Ordinance amending Section 2.59.040 of the City Code by deleting the position of Fire Marshal and adding an additional Deputy Chief in the Fire Department  
**Re-refer to originating committees**

**REPORTS FROM STANDING COMMITTEES**

**FROM THE COMMITTEE ON LEGISLATION, LICENSING & COMMUNICATIONS**

1. Resolution approving letters to county and state officials regarding funding for MCFLS  
**Committee met prior to Council meeting**

**FROM THE COMMITTEE ON TRAFFIC & SAFETY**

1. Report placing on file the request for turn restrictions at N. 62nd Street and W. Clarke St.  
**Committee recommended approval 4-0**
2. Ordinance amending Section 11.32.080 of the City Code by removing parking restrictions in front of 2544 Wauwatosa Avenue  
**Committee recommended approval 4-0**

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

1. Resolution approving a conditional use at 869 N. Mayfair Road for a restaurant with outdoor dining  
**Committee recommended approval 7-0**
2. Resolution approving a land division to create a parcel at approximately 8600 Watertown Plank Road  
**Committee recommended approval 8-0**
3. Resolution setting a public hearing date of June 7, 2005 to consider a change of zoning along W. North Avenue from N. 60th to N. 74th Streets from AA Business District and Business Planned Development to North Avenue Trade District  
**Committee recommended approval 8-0**
4. Ordinance amending Section 15.20.010 of the City Code pertaining to foundation removal  
**Committee recommended approval 8-0**

**FROM THE COMMITTEE ON BUDGET & FINANCE**

1. Resolution awarding of sole source purchase of replacement garbage carts to Refuse and Recycling Needs of Wisconsin in the amount of \$19,716.48; waiving the competitive bidding process, and authorizing a fund transfer of \$3,500 from the solid waste other expenses account for this purpose  
**Committee recommended approval 7-0**
2. Resolution removing the improvement of a portion of the northbound alley between 122nd and 124th Streets 107 feet south of Burleigh Street to Chambers Street from the 2005 Capital Improvement Plan  
**Committee recommended approval 6-1**
3. \*Resolution approving a transfer of \$10,000 from the Reserve for Contingencies to the City Attorney Sundry Contractual Services Account for pre-litigation expenses (2/3 vote required)  
**Committee recommended approval 7-0**
4. \*Resolution denying the claim by Covenant Healthcare Systems Inc. for refund of 2004 real and personal property taxes based on alleged exemption for 201 N. Mayfair Rd., 251 N. Mayfair Rd., N. 110th St., and 201 N. Mayfair Rd.  
**Committee recommended approval 7-0**
5. \*Resolution denying the claim by Covenant Healthcare Systems, Inc. for refund of 2004 real property taxes based on alleged excessive assessment for 201 N. Mayfair Rd.  
**Committee recommended approval 7-0**
6. \*Resolution denying the claim by Covenant Healthcare Systems, Inc. for refund of 2004 personal property taxes based on alleged exemption for 4500 N. 119th Street a/k/a 4500 Harley Davidson Ave.  
**Committee recommended approval 7-0**

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7. \*Resolution denying the claim by Wisconsin Heart Hospital LLC (Covenant Healthcare System Inc.) for refund of 2004 real property taxes based on alleged excessive assessment for 10000 W. Blue Mound Rd.  
**Committee recommended approval 7-0**
8. \*Resolution denying the claim by Milwaukee Regional Medical Center, Inc. (Daycare) for refund of 2004 real property taxes based on alleged exemption for 8624 Watertown Plank Rd.  
**Committee recommended approval 7-0**

**FROM THE COMMITTEE ON BUDGET & FINANCE**

9. \*Resolution denying the claim by Milwaukee Regional Medical Center Inc. (Daycare) for refund of 2002, 2003 and 2004 personal property taxes based on alleged exemption for 8624 Watertown Plank Road  
**Committee recommended approval 7-0**
10. \*\*Resolution regarding the matter of whether the Wauwatosa Public Library will withdraw from the Milwaukee County Federated Library System at the end of year 2005  
**Committee met prior to Council meeting**
11. Resolution awarding the bid for a technical fire rescue vehicle excluding radio equipment to Elite Power Products in the amount of \$179,374 (low of 5 bids; amount budgeted \$180,000 funded through FEMA Grant -city's share \$17,938)  
**Committee met prior to Council meeting**
12. Bills and Claims

\*Council may convene into closed session per Wis. Stat. 19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, and may reconvene into open session.

\*\*Council may convene into closed session per Wis. Stat. 19.85(1)(e): Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require a closed session, and may reconvene into open session.

**FROM THE BOARD OF PUBLIC WORKS**

1. Resolution approving the purchase of two cab and chassis from Badger Truck Center, Inc.; two all-purpose bodies with underbody plow and main plow from Casper Truck Equipment, Inc. for a cost of \$199,525; one pickup truck from Ewald Automotive Group in the amount of \$17,666 for a total purchase of \$217,190 (total amount budgeted \$233,000); and declaring surplus fleet numbers R-02, T-55, P-123, and P-124  
**Board recommended approval 5-0**
2. Resolution awarding the bid for Contract 05-6, Asphalt Pavement Repaving, to Payne & Dolan, Inc. in the amount of \$656,878.10 (low of 3 bids; amount budgeted \$700,000)  
**Board recommended approval 5-0**
3. Resolution awarding the bid for Contract 05-18, Aggregate Sealcoating, to Fahrner Asphalt Sealers, Inc. in an amount not to exceed \$161,000 (low of 2 bids; amount budgeted \$161,000)  
**Board recommended approval 5-0**

Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires the meeting or materials at the meeting to be in an accessible location or format, must contact the City Clerk at voice telephone 479-8917 or TTY 471-8484 (City Hall, 7725 W. North Avenue, Wauwatosa, Wisconsin 53213) for accommodations. Requests for accommodations for meetings should be made at least three (3) business

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days prior to the meeting. Every effort will be made to arrange accommodations for all meetings; so please give the City Clerk as much advance notice as possible.