



CITY OF WAUWATOSA
MEMORIAL CIVIC CENTER
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COMMON COUNCIL
Regular Meeting, Tuesday, August 2, 2005

PRESENT: Alds. Purins, Stepaniak, Subotich, Sullivan, Treis, Bruderle-Baran, Becker, Birschel, Casey, Grimm, Herzog, Jenkins, Kopischke, Krill, Krol, Maher -16

ALSO PRESENT: Mr. Braier, Finance Director; Mr. Kesner, City Attorney; Mr. Kappel, Dir. of Public Works; Ms. Welch, Community Development Director; Police Capt. Reit; Fire Chief Redman; Mr. Wojcehowicz, Water Utility Supt.; Ms. Nielsen, Nursing Supr; Ms. Ledesma, City Clerk; Ms. Williams, Deputy City Clerk

Mayor Estness in the Chair

The Mayor called the meeting to order at 7:30 p.m.

It was moved by Ald. Grimm, seconded by Ald. Kopischke that the reading of the minutes of the last regular meeting be dispensed with and they be approved as printed. -16

PUBLIC HEARING

The first item of business was a public hearing to consider the following proposed ordinance:

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 24.30 BY ADDING CONDITIONAL USES IN THE BUSINESS PLANNED DEVELOPMENT DISTRICT

The Common Council of the City of Wauwatosa do ordain as follows:

Part 1. That Section 24.30.015 is amended to include the following as a conditional use:

Any light industrial or manufacturing use, building or structure which, in the opinion of the Planning Commission and Common Council, is of similar character to those enumerated in this section and is not more objectionable due to noise, odor, dust, smoke, vibration, danger to life and property or other similar causes which are injurious to the health or safety of the neighborhood. Provided, however, that such uses shall be conducted in such a manner that no dust or noxious fumes or odors will be emitted beyond the property line of the lot on which the use is located and no material or equipment shall be kept, stored or displayed outside the confines of an enclosed building or operation conducted unless it is to be screened by ornamental fences, walls, or evergreen planting such that it cannot be seen from a public street.

Part II. This Ordinance shall take effect and be in force from and after its passage and publication.

Proof of publication is in the file.

TO THE COMMON COUNCIL, CITY OF WAUWATOSA, WI,

The City Plan Commission, to whom was referred the request by the Community Development Director to revise the Business Planned Development zoning code, recommends approval with certain wording modifications.

Dated this 13th day of June 2005.

Nancy L. Welch, Secretary
City Plan Commission

No one of the public present wished to be heard in favor of the proposed ordinance.

Russ Drover, 9116 Jackson Park Boulevard, spoke in qualified opposition to the proposed ordinance. His main concern was that the proposed expanded list of uses may be at odds with existing uses of adjacent properties. The trend seems to be towards more flexibility in uses; he cautioned that consideration must be given to the impact these expanded uses may have on nearby properties

No one of the public present had any comments or questions.

Mr. Kesner addressed Mr. Drover's comments, noting that the light industrial or manufacturing uses contemplated for inclusion in the ordinance reflect changing trends in business. They differ from uses in years past in that they can be carried out in office buildings without passers-by even being aware of their presence since they do not emit noise, dust or odors. He added that many protections for neighbors will be built into the process, however.

Ms. Welch stated that the purpose of the ordinance change is to acknowledge that high tech businesses can incorporate assembly or light manufacturing work without imposing hardships on neighbors. The Business Planned Development district is a very strict form of zoning where specific information about a business operation must be submitted prior approval.

The public hearing was declared closed. Ordered held to the next Common Council meeting, September 6, 2005.

PUBLIC HEARING

The second item of business was a public hearing to consider the following proposed resolution:

RESOLUTION

WHEREAS, Alderman Tom Treis has petitioned the City of Wauwatosa requesting that the City vacate the entirety of the north-south portion of the alley right-of-way north of W. Chambers Street between N. 122nd Street and N. 124th Street within the City limits of Wauwatosa; and

WHEREAS, the owners of the properties abutting this public way have been notified;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa hereby abandons and vacates that public way identified as the north-south portion of the alley right-of-way north of W. Chambers Street between N. 122nd Street and N. 124th Street in the City of Wauwatosa in accordance with Sec. 66.1003 of the Wisconsin Statutes;

Proof of publication is in the file.

TO THE COMMON COUNCIL, CITY OF WAUWATOSA, WI,

The City Plan Commission, to whom was referred the request by Ald. Treis for an alley vacation in the AAA Residence District and AA Business District between N. 122nd and N. 124th Streets north of W. Chambers Street, recommends approval of the vacation subject to verification of ownership transfer or easement agreements by all affected property owners.

Dated this 13th day of June 2005.

Nancy L. Welch, Secretary
City Plan Commission

No one of the public present wished to be heard in favor of the proposed ordinance.

No one of the public present wished to be heard in opposition to the proposed ordinance.

No one of the public present wished to be heard either for or against the proposed ordinance or had any comments or questions.

The public hearing was declared closed. Ordered held to the next Common Council meeting, September 6, 2005.

OLD BUSINESS

The following item was held after the public hearing on July 19, 2005:

RESOLUTION R-05-203

WHEREAS, John Rose has petitioned the City of Wauwatosa requesting that the City vacate the entirety of that undeveloped alley right-of-way south of W. Meinecke Avenue between N. 64th Street and N. 65th Street within the City limits of Wauwatosa; and

WHEREAS, the owners of the properties abutting this public way have been notified;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa hereby abandons and vacates that public way identified as alley right-of-way south of W. Meinecke Avenue between N. 64th Street and N. 65th Street in the City of Wauwatosa in accordance with Sec. 66.1003 of the Wisconsin Statutes.

It was moved by Ald. Kopischke, seconded by Ald. Birschel to approve the foregoing resolution. Roll call vote, Ayes 16.

OLD BUSINESS

The following item was held after the public hearing on July 19, 2005:

ORDINANCE O-05-27

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING A PORTION OF 1215 N. 62ND STREET FROM AA LIGHT MANUFACTURING DISTRICT TO AA BUSINESS DISTRICT

The Common Council of the City of Wauwatosa do ordain as follows:

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect the following change:

A tract of land being a part of the Parcel 1 of the Certified Survey Map No. 1731 And part of Lot 9, Block 2 of Assessor’s Plat No. 11, being a part of the Southwest 1/4 of the Southeast 1/4 of Section 22 and the Northwest 1/4 of the Northeast 1/4 of Section 27 in Township 7 North, Range 21 East, City of Wauwatosa, County of Milwaukee, State of Wisconsin, is Rezoned from AA Light Manufacturing District to AA Business District.

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

Part III. This Ordinance shall take effect on and after its date of publication.

It was moved by Ald. Kopischke, seconded by Ald. Maher to adopt the foregoing ordinance. Roll call vote, Ayes 15, Noes 1 (Grimm)

APPOINTMENTS BY THE MAYOR

Committee for Citizens with Disabilities
Mary Callen, 7439 Harwood Avenue (13)
Paul Sokolowski, 7439 Harwood Avenue (13)
(Terms end 1/1/08)

Foregoing appointments ordered held as this was the first reading.

APPLICATIONS, COMMUNICATIONS, ETC.

1. Conditional Use application for a carryout pizza restaurant at 12132 W. Capitol Drive
Plan Commission, Committee on Community Development
2. Conditional Use application for a retail site over 50,000 sq. ft. at N. 68th and W. State Streets
Plan Commission, Committee on Community Development
3. Notice of Lawsuit: Attorney Margaret M. Derus for Milwaukee Regional Medical Center
City Attorney

APPLICATIONS, COMMUNICATIONS, ETC.

4. Letter from Martina Mahnke, 11523 W. Mount Vernon Ave., regarding her operator license application
Add to existing file
5. City of Wauwatosa Investment Summary as of July 31, 2005
Place on file
6. E-mail from Christine Zainer, 737 Robertson Street, opposing the proposed conditional use for construction of a parking structure at 8701 Watertown Plank Road
Add to existing file

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-05-204

WHEREAS, in 1997 the Wisconsin Legislature limited the number of Class B liquor licenses which could be issued by cities, including the City of Wauwatosa, and created an additional class of Class B liquor licenses referred to as "Reserve Class B Liquor Licenses;" and

WHEREAS, the Legislature required in that legislation that municipalities charge Reserve Class B liquor license applicants a fee of \$10,000.00 for such licenses; and

WHEREAS, at the time of implementing that \$10,000.00 fee for Reserve Class B liquor licenses, the City of Wauwatosa instituted a grant program to provide economic development grants to recipients of Reserve Class B liquor licenses in an amount equal to the additional costs of being issued a Reserve Class B liquor license above those costs which would otherwise be incurred to secure an application for a "regular" Class B liquor license; and

WHEREAS, the City of Wauwatosa has issued all of its "regular" Class B liquor licenses and any additional licenses must now be issued as Reserve Class B Liquor Licenses; and

WHEREAS, the City Clerk has requested direction on how to implement the process for collecting from Reserve Class B liquor license applicants the additional \$10,000.00 fee and related timing regarding award and disbursement of economic development grants to such applicants, as more fully described in the City Clerk's memorandum of July 21, 2005;

NOW, THEREFORE, BE IT RESOLVED THAT the \$500.00 license application fee for Class B liquor licenses is to be submitted by an applicant at the time of application for a Reserve Class B liquor license in the same manner as for "regular" Class B liquor licenses, and upon Council approval of the license but prior to its issuance, the applicant shall submit the \$10,000.00 fee required by Wisconsin Statute Section 125.51(3) and the City of Wauwatosa's consolidated fee schedule;

BE IT FURTHER RESOLVED THAT request for economic development grants may be submitted at the time of application for the Reserve Class B liquor license or upon payment of the \$10,000.00 fee by the applicant, and shall be awarded as soon as practical following approval by the Common Council.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-05-205

WHEREAS, John W. Schaal, agent for West End Wine LLC, d/b/a Vino 100, 1442-B Underwood Avenue, Wauwatosa, WI, has applied for a Class B beer and liquor license for its new location;

NOW, THEREFORE, BE IT RESOLVED THAT a Class B beer and liquor license be awarded to John W. Schaal, agent for West End Wine LLC, d/b/a Vino 100, 1442-B Underwood Avenue, Wauwatosa, WI, for the period ending June 30, 2006.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-05-206

WHEREAS, Nicholas J. Gruber, 16950 Mayer Lane, Brookfield, WI, has applied for an operator's license in conjunction with his employment at the Cheesecake Factory, 2500 N. Mayfair Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Nicholas J. Gruber is hereby issued an operator's license for the period ending June 30, 2006.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-05-207

WHEREAS, Thomas G. Hartman, 3338 S. Taylor Avenue, Milwaukee, WI, has applied for an operator's license in conjunction with his employment at the Cheesecake Factory, 2500 N. Mayfair Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Thomas G. Hartman is hereby issued an operator's license for the period ending June 30, 2006.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-05-209

WHEREAS, Kimberly A. Wauters, 2913 N. Farwell Avenue, Milwaukee, WI, has applied for an operator's license in conjunction with her employment at the Cheesecake Factory, 2500 N. Mayfair Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Kimberly A. Wauters is hereby issued an operator's license for the period ending June 30, 2006.

It was moved by Ald. Treis, seconded by Ald. Grimm
to approve the five foregoing resolutions. -16

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-05-208

WHEREAS, Martina M. Mahnke, 11523 W. Mount Vernon Avenue, Wauwatosa, WI, has applied for an operator's license in conjunction with her employment at the Cheesecake Factory, 2500 N. Mayfair Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Martina M. Mahnke is hereby issued an operator's license for the period ending June 30, 2006.

BE IT FURTHER RESOLVED THAT the Wauwatosa Police Department is directed to review Ms. Mahnke's record six months after issuance of this initial license and report back to the Committee on Legislation, Licensing and Communications if any new significant issues or concerns are revealed at that time.

It was moved by Ald. Treis, seconded by Ald. Maher to deny the foregoing application. Roll call vote, Ayes 2 (Treis, Kopischke), Noes 14. –Motion failed.

It was moved by Ald. Maher, seconded by Ald. Stepaniak to approve the foregoing resolution. Ayes 15, Noes 1 (Treis)

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-05-210

WHEREAS, William Konstan has applied for a Conditional Use in the North Avenue Trade District at 6230 W. North Avenue for a coffee shop and restaurant with outdoor seating and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission and the Committee on Community Development and determined to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to William Konstan for a coffee shop and restaurant with outdoor seating in the North Avenue Trade District at 6230 W. North Avenue subject to the following conditions:

- 1) hours of operation from 6:30 a.m. to 11:00 p.m. daily,
- 2) approval of outdoor seating by the Board of Public Works, and
- 3) obtaining all necessary licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-05-211

WHEREAS, Eric Neumann, MSI General Corp. and David Israel have applied for a Conditional Use in the AA Business District at 6700 State Street for a restaurant and additional retail space and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission and the Committee on Community Development and determined to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Eric Neumann, MSI General Corp. and David Israel for a restaurant and additional retail space in the AA Business District at 6700 W. State Street subject to the following conditions:

- 1) hours of operation from 11:00 a.m. to midnight daily,
- 2) seasonal outdoor sales by Sentry would be discontinued, and
- 3) submission of a parking lot plan and storm water plan, and
- 4) obtaining all necessary licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-05-212

WHEREAS, Russ Legg, Aurora Health Care, has applied for a Conditional Use in the AA Institutions District at 1220 Dewey Avenue to construct an addition to the Kradwell School and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission and the Committee on Community Development and determined to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Russ Leg, Aurora Health Care, to construct an addition to the Kradwell School in the AA Institutions District at 1220 Dewey Avenue subject to the following conditions:

- 1) submission of a parking lot plan, and
- 2) submission of sanitary sewer plans.

It was moved by Ald. Kopischke, seconded by Ald. Stepaniak to approve the three foregoing resolutions. -16

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-05-213

WHEREAS, T. Michael Bolger, Medical College of Wisconsin, has applied for a Conditional Use in the AA Medical Center and Institutions District at 8701 Watertown Plank Road to construct a parking structure and surface parking lot and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission and the Committee on Community Development and determined to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to T. Michael Bolger, Medical College of Wisconsin, to construct a parking structure and surface parking lot in the AA Medical Center and Institutions District at 8701 Watertown Plank Road subject to the following conditions:

- 1) obtaining necessary licenses and permits, and
- 2) providing landscaping and maintaining the current zoning boundary, and
- 3) construction only during hours permitted by the city, and
- 4) no construction traffic in the neighborhood adjacent to the structure, and
- 5) finalizing plans for the cul-de-sac, and
- 6) creation of a neighborhood committee to meet throughout the year.

It was moved by Ald. Kopischke, seconded by Ald. Stepaniak to approve the foregoing resolution. Roll call vote, Ayes 11, Noes 4 (Birschel, Grimm, Jenkins, Krill), Present 1 (Bruderle - Baran).

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-05-191

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT permission be and the same is hereby granted to Jason Williams, Continental 164 Fund, LLC., to combine the parcels located at northeast corner of the intersection of N. 124th and W. Burleigh Streets in the City of Wauwatosa. These parcels are more particularly described as follows:

A division of Lot 1 of that Certified Survey Map approved on June 7, 2005, by the Wauwatosa Common Council, (CSM number to be substituted upon recording) being part of the Southwest ¼ and the Southeast ¼ of Section 7, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin.

All in accordance with the application attached hereto and made a part of this resolution, and in compliance with Section 24.56.010 of the Code of the city of Wauwatosa and subject to:

- 1) the payment of all outstanding special assessments on the aforescribed property which is being subdivided, and

- 2) final easement language and engineering corrections subject to approval by the City Attorney, the Community Development Director and the City Engineer, and
- 3) final recording of the documents creating the Certified Survey Map approved on June 7, 2005, by the Wauwatosa Common Council, (CSM number to be substituted upon recording)

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-05-198

WHEREAS, development of the Burleigh Square Project at the corner of 124th Street and West Burleigh Street in the City of Wauwatosa requires division of the general development site into 4 separate lots pursuant to a certified survey map; and

WHEREAS, division of the property into separate lots would require exceptions to certain City of Wauwatosa engineering requirements, as individual lots within the property will depend upon other lots throughout the property for water drainage and utility access; and

WHEREAS, the separation of Lots 1 and 2, which lots have a shared parking lot area, would result in a deviation from the City's parking lot setback requirements on the west side of Lot #1 and the east side of Lot #2; and

WHEREAS, the developer of the property, Continental 164 Fund, LLC, will have executed a comprehensive Easement, Covenant, Conditions and Restrictions Agreement with Lowe's Home Centers, Inc., the occupant of parcel #1, which will specifically describe the rights of all individual parcels to utilize the other parcels for stormwater drainage and necessary utility access;

NOW, THEREFORE, BE IT RESOLVED THAT the Easements, Covenants, Conditions and Restrictions Agreement between Lowe's Home Centers, Inc. and Continental 164 Fund LLC appropriately protects the rights of each individual parcel upon the certified survey map subdividing the development at the corner of 124th and Burleigh Streets in the City of Wauwatosa;

BE IT FURTHER RESOLVED THAT the deviation of the parcels individual stormwater plan from the City requirement that each parcel drain stormwater directly to the public water course is hereby approved based upon the Easements, Covenants, Conditions and Restrictions Agreement to be recorded with the Milwaukee County Register of Deeds against and in favor of each subdivided parcel in the development;

BE IT FURTHER RESOLVED THAT a variance from the City's parking lot setback requirements between Lots 1 and 2 on the certified survey map is hereby approved.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-05-192

WHEREAS, Michael J. Fox, Continental Properties, has applied for a Conditional Use in the AA Business District at the northeast corner of 124th Street and West Burleigh Street for a large retail site with over 50,000 square feet of development and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission and the Committee on Community Development and determined to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Michael J. Fox, Continental Properties for a large retail site with over 50,000 square feet of development in the AA Business District at the northeast corner of 124th Street and West Burleigh Street subject to the following conditions:

- 1) plans are to be consistent with those previously reviewed and approved by the Design Review Board, and
- 2) a Walgreen's Drug Store with a drive-thru pharmacy, having hours of operation from 7:00 a.m. to 10:00 p.m. daily, and
- 3) a Lowe's Home Improvement Store, with hours of operation from 6:00 a.m. to 10:00 p.m. daily, and
- 4) obtaining any required licenses and permits, and
- 5) final approval from the City Engineer (and the City Engineer for the City of Brookfield, where appropriate) regarding the site plan, as well as all engineering plans and necessary easements related to the development, which plans and easements are more particularly described in the Developer's Agreement.
- 6) Stormwater plans must include the following:
 - a) peak flow leaving the Continental site during a 2-year storm event is limited to 11.06 CFS maximum, and
 - b) peak flow leaving the Continental site during a 100-year storm event is limited to 28.68 CFS maximum, and
 - c) additional detention will be provided off-site of the Continental Development, at a shared detention facility serving both the Continental site and the remaining Briggs and Stratton property, such that the net effect for a 2-year rain event is equivalent to that which would result from a release rate of 11.06 CFS maximum from the Continental site with no increase in the 2-year storm event flows from the remainder of the Briggs and Stratton property. The shared detention facility on the Briggs and Stratton property shall be redesigned to provide a decrease in overall flow off the combined Continental and Briggs and Stratton sites for 100-year storm events, which decrease shall be in an amount equal to the amount of decrease that would otherwise be recognized if the 100-year storm event flow from the Continental site had been decreased to 11.16 CFS with no increase in 100-year storm event flows from the remainder of the Briggs and Stratton property, and
 - d) Continental and Briggs and Stratton agree that they shall maintain the detention provided in the above unless other detention has been approved by the City, which agreement shall be recorded with the Milwaukee County Register of Deeds against both properties, and
 - e) These provisions shall not limit future development on the remainder of the Briggs and Stratton property provided that appropriate approvals from the City of Wauwatosa are obtained.
- 7) building permit shall not be issued until all engineering details regarding the site plan and storm water improvements have been submitted to and approved by the City Engineer, and
- 8) temporary occupancy permit shall not be issued until all applicable stormwater improvements have been completed, and

- 9) final occupancy permit shall not be issued until applicant has fully complied with all conditions, and certified as-built drawings demonstrating compliance with applicable stormwater provisions have been provided to and approved by the City Engineer, and

BE IT FURTHER RESOLVED, that the proposed Developer's Agreement between the City of Wauwatosa and Continental Fund 164, LLC, outlining stipulations and conditions related to the approved development plan, a copy of which is attached to this resolution and incorporated herein, is hereby approved for execution by appropriate City officials.

It was moved by Ald. Kopischke, seconded by Ald. Krol to approve the three foregoing resolutions. Roll call vote, Ayes 15, Present 1 (Krill).

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-05-214

WHEREAS, the City of Wauwatosa Health Department is the fiscal agent for the Milwaukee/Waukesha County Consortium for Public Health Emergency Preparedness; and

WHEREAS, the consortium has carried over more than \$140,000.00 from 2004 for purchases and expenses, to be expended by the end of the year 2005; and

WHEREAS, the consortium has determined that it should purchase new computers from Milwaukee PC and Dell to update and standardize the technology used by the 15 departments involved in the consortium; and

WHEREAS, the consortium has selected Northwoods Software to host a dynamic website for provision of community education and information; and

WHEREAS, the consortium has chosen New Horizons to conduct certain workforce development programming for consortium personnel following positive evaluations from consortium personnel for past training conducted by this vendor;

NOW, THEREFORE, BE IT RESOLVED THAT the purchase of 25 desktop and 5 notebook computers from Milwaukee PC and Dell in an amount not to exceed \$41,250.00 for the consortium members is hereby approved;

BE IT FURTHER RESOLVED THAT the expenditure of \$10,000.00 for development of a dynamic website by Northwoods Software for consortium purposes is hereby approved;

BE IT FINALLY RESOLVED THAT the expenditure of \$23,780.00 for computer training for public health personnel and workforce development by New Horizons is also approved.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-05-216

WHEREAS, the Wauwatosa Water Utility utilized the services of American Sewer Services in 2003 and 2004 for construction-related activities beyond already contracted work; and

WHEREAS, certain miscommunications between staff, lack of documentation of change orders, and delays in the contractor's billing process have resulted in a delay in receiving past invoices for this work; and

WHEREAS, American Sewer Services has now invoiced the City for \$65,574.72 to be paid by the Water Utility for work done in 2003 and 2004 as described in the July 20, 2005 memorandum of the Water Superintendent;

NOW, THEREFORE, BE IT RESOLVED THAT payment to American Sewer Services in the amount of \$65,574.72 from the Water Utility Surplus Fund Account for work invoiced from 2003 and 2004, as more particularly described in the memorandum of the Water Superintendent, is hereby approved.

It was moved by Ald. Bruderle-Baran, seconded by Ald. Herzog to approve the two foregoing resolutions. -16

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-05-215

WHEREAS, the 2005 budget for the Wauwatosa Fire Department includes \$25,000.00 to hire a consultant to do a fire station site study for the replacement of Fire Station #1 in the City of Wauwatosa; and

WHEREAS, the Wauwatosa Purchasing Department received 6 responses to its request for proposals for the fire station site study; and

WHEREAS, the proposal of Zimmerman Design Group included a much more favorable billing schedule than other responding firms; and

WHEREAS, the Fire Department has recommended the award of a Professional Services Contract to Zimmerman Design Group of Wauwatosa to conduct a fire station site study and conceptual design, as this proposal is the most advantageous to the City;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials are hereby authorized to enter into a Professional Services Contract with Zimmerman Design Group to conduct a fire station site study and conceptual design for fire station #1 for a fee not to exceed \$25,000.00 including reimbursable expenses.

It was moved by Ald. Bruderle-Baran, seconded by Ald. Herzog to approve the foregoing resolution. Ayes 15, Noes 1 (Grimm).

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 7/20/05 – 8/02/05 --

The Committee on Budget and Finance hereby reports to the Common Council that it has examined the accounts of bills and claims and hereby certifies the same as correct and recommends that each of said accounts be allowed and paid.

Total bills and claims for 7/20/05 – 8/02/05: \$1,135,887.03

It was moved by Ald. Casey, seconded by Ald. Bruderle - Baran that each and every one of the accounts of bills and claims be allowed and ordered paid. Roll call vote, Ayes 16.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-05-217

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to Carolyn Hudson and Mark Simpson, 2611 N. 116th Street, Wauwatosa, WI, to encroach onto City right-of-way with a lawn sprinkler system and landscaping, subject to the applicants executing unto the City of Wauwatosa an indenture setting forth the terms, provisions and conditions relating to the granting of the aforesaid permission by said City to said applicants.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-05-218

WHEREAS, the City of Wauwatosa Purchasing Department solicited bids for the 2005 Citywide Pavement Marking Project; and

WHEREAS, 14 companies were solicited for bids but only 1, Crowley Construction Corporation, responded with a bid, in the amount of \$23,649.65, which is similar to that company's bid 2 years ago and lower than its bid from the year 2004;

NOW, THEREFORE, BE IT RESOLVED THAT the Purchasing Manager is hereby authorized to issue a purchase order to Crowley Construction Corporation for the 2005 Citywide Pavement Marking Project in an amount not to exceed \$23,649.65, consistent with the bid submitted by that company on July 28, 2005.

It was moved by Ald. Herzog, seconded by Ald. Subotich to approve the two foregoing resolutions. -16

There being no further business, the meeting adjourned at 8:35 p.m.