



CITY OF WAUWATOSA
MEMORIAL CIVIC CENTER
7725 WEST NORTH AVENUE
WAUWATOSA, WI 53213
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COMMON COUNCIL
Regular Meeting, Tuesday, November 1, 2005

PRESENT: Alds. Birschel, Casey, Grimm, Herzog, Jenkins, Kopischke, Krill, Maher, Purins, Subotich, Sullivan, Treis, Bruderle-Baran, Becker -14

EXCUSED: Alds. Krol and Stepaniak

ALSO PRESENT: Mr. Wontorek, City Administrator; Mr. Braier, Finance Director; Mr. Kesner; City Attorney; Mr. Kappel, Dir. of Public Works; Ms. Welch, Community Development Director; Police Chief Weber; Police Capt. Reit; 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. -14

PUBLIC HEARING

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

ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING 6533 W. CENTER STREET FROM AA BUSINESS DISTRICT TO DD EIGHT FAMILY RESIDENCE 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:

The west 24.68 feet of Lot 1 and all of Lot 2, Block 1, Ritter Highland View Extension, a subdivision of a part of the southeast ¼ of Section 15, in Township 7 North, Range 21 East, City of Wauwatosa, County of Milwaukee, State of Wisconsin, is Rezoned from AA Business District to DD Eight Family Residence 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.

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 James and Felicia Miller for a change of zoning at 6533 W. Center Street from AA Business District to DD Eight Family District recommends to the Common Council that the request be approved.

Dated this 12th day of September 2005.

Nancy L. Welch, Secretary
City Plan Commission

The following spoke in favor of the proposed ordinance:

David Heindick, 615 Vernon Place, Elm Grove, stated that several area residents initially opposed the project because they thought there would be an increase in density. However, this four-family apartment is simply being converted to a four-unit condominium. This provides people with ownership opportunities and increased property values.

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

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

The public hearing was declared closed. Ordered held to the November 15th Common Council meeting,

PUBLIC HEARING

The second item of business was a public hearing to consider the proposed 2006 City of Wauwatosa budget.

Proof of publication is in the file.

Mr. Wontorek stated that the proposed 2006 city budget appropriation and property tax levy will meet the adopted limits under the expenditure restraint program and provisions of the state-imposed property tax limitation law. The total appropriation for 2006 is \$47.3 million dollars, an increase of \$1.8 million dollars or 3.96% above the 2005 budget. The focus of the budget is providing services (i.e., street and tree maintenance, refuse collection, police and fire services, library services, health clinics and programs, code enforcement services, recycling, other support services, etc.) to the city's residents. Most departmental budgets remain at current levels. Some have modest increases. Among those increases are:

- full-year funding for the school resources officer
- a \$49,000 increase for street maintenance
- an additional \$31,000 for mid-year hiring of another sanitarian
- \$10,000 for sundry contractual services in the health department to respond to emergency situations
- increased hours (from part to full time) for the epidemiologist serving the bio-terrorism consortium
- a \$4,000 increase for additional property maintenance inspector hours
- \$75,000 for a consultant to begin work on updates to the comprehensive plan
- \$850,000 in added debt service in 2006 for the bond to pay off the unfunded past service liability for the pension plan

Mr. Wontorek also noted that the Milwaukee County Federated Library System reduced funding for the inter-library loan program, necessitating an increase of local funding by \$105,000 to maintain services. As in the past, surplus funds are being used to partly offset the operating budget. In 2004 it was \$1.3 million; in 2005 this figure was \$950,000; it will be \$1.3 million in 2006.

Noting that the property taxes provide a significant source of revenue, Mr. Wontorek explained that the bill is the sum of seven taxing entities; the city's portion of the bill is about one-third. A recent law limiting the property tax levy to 2% also allows property tax increases for bonded debt incurred prior to July 1, 2005. The net increase of debt service of \$760,000 is for note payment (principal and interest) on the pension plan debt mentioned previously and adds 2.4% to the tax levy.

The proposed property tax rate is \$8.49 per \$1,000 of assessed valuation, an increase of \$0.39/thousand, or 4.8%. The tax levy of \$33 million dollars is an increase of 4.68% and includes a levy of \$1.4 million dollars to fund the library's special revenue fund. For the property owner of a home with an assessed value of \$180,000, the city's portion of the bill will increase by \$70.

The following members of the public present wished to be heard in favor of the proposed budget:

Matt Mikolajewski, Wauwatosa Economic Development Corporation, 1430 Underwood Avenue, spoke in favor of proposed funding to update the city's comprehensive plan. The comprehensive plan allow the city to take stock of its resources and how best to proceed regarding redevelopment, environmental issues, and transportation issues. This is critical since a substantial portion of the revenue comes from property taxes. Since Wauwatosa is fully developed and land-locked, successful redevelopment is critical to its future well being.

The following members of the public present wished to be heard in opposition to the proposed budget, or had comments or questions:

Robert Braun, Christian Civil Liberties Union, 2634 W. Vliet Street, Milwaukee, urged preservation of the city's tax base, and expressed concern that taxes currently are not being optimally used to preserve neighborhoods. He spoke of the need to maintain a variety of wholesome stores at Mayfair Shopping Center since it is the city's biggest taxpayer. Mr. Braun opined that council members need to make sure they're earning their salaries by keeping Wauwatosa a clean and decent place to live.

Mary Murphy, 2037 Church Street, suggested that Council members should listen to budgetary concerns raised by residents of the city.

Dennis Menzel, 2046 N. 85th Street, questioned increasing taxes so as to subsidize library use by non-city residents.

Bill Berdan, 2049 N. 114th Street, voiced concern that taxes are continually rising and felt that the county executive is the only local official looking for creative solutions. Can ways be found for others to pay for services everyone enjoys? He acknowledged that local officials are trying, and urged them to keep trying to do things better. If the city continues to bear the burden of library services, maybe the library needs to be scaled back. If all of the taxing entities increase their portions by just a small amount, the overall increase in the tax bill is still considerable.

The public hearing was declared closed. Ordered held to the next Common Council meeting, November 15, 2005.

OLD BUSINESS

The following item was held after a public hearing on October 18, 2005:

ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING 6745 W. WELLS STREET FROM AA MEDICAL CLINIC DISTRICT TO BUSINESS PLANNED DEVELOPMENT 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:

All of Lots 18 and 19, except the East 37.00 feet thereof, all that part of the vacated alley lying between the West 146.00 feet of Lot 19 and Lots 20,21, and 22 and the North 21.00 feet of Lots 20, 21, and 22, all in Block 1, Hyde Park, a subdivision in the northeast ¼ of Section 27, in Township 7 North, Range 21 East, City of Wauwatosa, County of Milwaukee, State of Wisconsin, is Rezoned from AA Business District to Business Planned Development 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 hold this item for two weeks so the preliminary plan for this property can be considered at the same time, as is traditional. Roll call vote, Ayes 9, Noes 5 (Birschel, Herzog, Krill, Purins, Subotich)

APPLICATIONS, COMMUNICATIONS, ETC.

1. City of Wauwatosa Bank Reconciliation of Depository Accounts and Statement of Financial Condition as of September 30, 2005
Place on file
2. Conditional Use application to operate a restaurant at 6618 W. North Avenue
Plan Commission, Committee on Community Development
3. Conditional Use application to operate a workout/training facility at 2525 N. Mayfair Road
Plan Commission, Committee on Community Development
4. Request for Hazards Identification of a Community Living Arrangement at 10212 W. Sunset Avenue
Community Development Director
5. Notice of Claims: Robert C. Braun, 2160 S. 86th Street, West Allis
Eva M. Williams, 923 Currie Place
City Attorney
6. Letter from Bob and Cindy Barczak, 7507 Maple Terrace, supporting the proposed development at 6745 W. Wells Street
Add to existing file
7. Letter from Beverly R. Dasek, 2032 N. 114th Street, requesting action to abate and correct a property maintenance issue and an amendment to the city code addressing clean up of dog feces
Community Development Director, Health Officer, Police Chief, City Attorney
8. Amended Claim: Robert Braun, 2160 S. 86th Street, West Allis
City Attorney
9. Letter and petition from 25 Wauwatosa residents requesting stop signs at the intersection of N. 67th Street, Maple Terrace, and Cedar Street
Director of Public Works

FROM THE COMMITTEE ON EMPLOYEE RELATIONS

RESOLUTION

WHEREAS, the staffing needs of the Assessor's office have changed such that the Assessor recommends that the Municipal Clerk II be reclassified to Municipal Clerk I at 20 hours/week effective July 1, 2006, and the Appraiser I position reclassified to Appraiser III, effective November 1, 2005;

NOW, THEREFORE, BE IT RESOLVED THAT the Municipal Clerk II be reclassified to Municipal Clerk I at 20 hours/week effective July 1, 2006, and the Appraiser I position reclassified to Appraiser III, effective November 1, 2005, and that the position distribution be amended accordingly.

It was moved by Ald. Jenkins, seconded by Ald. Casey
to hold this item. -14

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-05-272

WHEREAS, The Noodle Shop Co. – Colorado, Inc., d/b/a Noodles & Company, 12132 W. Capitol Drive, Wauwatosa, WI, has applied for a Class B beer and Class C wine license for its new location;

NOW, THEREFORE, BE IT RESOLVED THAT a Class B beer and Class C wine license be awarded to The Noodle Shop Co. – Colorado, Inc., d/b/a Noodles & Company, 12132 W. Capitol Drive, Wauwatosa, WI, for the period ending June 30, 2006.

It was moved by Ald. Treis, seconded by Ald. Birschel to approve the foregoing resolution. - 14

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-05-273

WHEREAS, Lauri Ashley has applied for a Conditional Use in the AA Business District at 8722 W. North Avenue to operate a massage therapy establishment within an existing salon 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 Lauri Ashley for the operation of a massage therapy establishment within an existing salon in the AA Business District at 8722 W. North Avenue.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-05-274

WHEREAS, William Konstan has applied for an expansion of a Conditional Use in the North Avenue Trade District at 6226 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 6:00 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-05-275

WHEREAS, the Chief Inspector has provided a memorandum to the Common Council describing the expiration of a building permit for an addition to the rear of an existing residence at 1354 N. 65th Street in the City of Wauwatosa; and

WHEREAS, the Chief Inspector has recommended extending the time for completion of this building permit to two years from the date of the original permit, along with an additional payment of a permit fee equal to the original permit fee; and

WHEREAS, the Building Inspector has reported that the property owner requested an extension of time due to an accident he had suffered; and

WHEREAS, neighbors of this homeowner expressed support for the grant of an extension on the building permit;

NOW, THEREFORE, BE IT RESOLVED THAT the time for completion of work under the building permit issued for an addition to the rear of the existing residence at 1354 N. 65th Street is hereby granted to March 19, 2006, upon payment of an additional permit fee equal to the original building permit fee.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-05-276

WHEREAS, the Chief Inspector has reported that a building permit for a rear addition on a residence at 2254 N. 61st Street in the City of Wauwatosa expired long ago and has not seen further activity; and

WHEREAS, the owner of that property proceeded with footing and foundation construction without required inspections and installed plumbing in that foundation without a permit; and

WHEREAS, the City has ordered numerous times that the footing, foundation and plumbing be removed for noncompliance or that the work be completed; and

WHEREAS, the owner has previously been given an extension of time to complete the permitted work by the Board of Public Works; and

WHEREAS, neighbors have appeared before the Committee on Community Development asking that the homeowner be directed to either complete the work or remove the improvements to date;

NOW, THEREFORE, BE IT RESOLVED THAT the owner of the home at 2254 N. 61st Street in the City of Wauwatosa is hereby directed to complete work under the building permit for the addition to the property, which was originally issued in 2002;

BE IT FURTHER RESOLVED THAT if such work on the exterior of the addition is not completed by December 1, 2005, the addition as is currently existing shall be razed pursuant to the terms of Section 15.34.070 of the Wauwatosa Municipal Code;

BE IT FINALLY RESOLVED THAT if such structure is not razed by the owner by that date, appropriate City officials are hereby authorized to raze the structure at City expense and to place the cost of such activity upon the tax rolls as an assessment against the property.

It was moved by Ald. Kopischke, seconded by Ald. Krill to approve the four foregoing resolutions. -14

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

ORDINANCE O-05-32

AN ORDINANCE AMENDING CHAPTER 15.28 OF THE CODE OF THE CITY OF WAUWATOSA PERTAINING TO FENCES

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

Part I. The title of Chapter 15.28 is hereby amended to read as follows:

“FENCES”

Part II. The Table of Contents for sections in Chapter 15.28 is hereby amended to read as follows:

- Sections:
- 15.28.010 General Regulations.
- 15.28.020 Work exempt from permit.
- 15.28.030 Fence permit.
- 15.28.040 Design review board.
- 15.28.050 Application for permit.
- 15.28.060 Appeal request.
- 15.28.070 Violations and penalties.

Part III. Section 15.28.010 of the Code of the City of Wauwatosa is hereby amended to read, in its entirety, as follows:

- 15.28.010 General Regulations.
 - A. Definition: A Fence is a structure that functions as a horizontal boundary or barrier consisting of a structural frame with a fabric of boards, wire, rails or masonry.
 - B. Within all zoning districts, fence posts and supporting framework shall be located on the interior side facing the property being enclosed.
 - C. All fences shall be constructed with materials of a type approved by the Chief Inspector. Barbed wire, razor wire, agricultural wire (except around plants and gardens), electrically

charged fences, snow fence (wood or plastic), old doors, sheet metal, plywood, broken concrete, or similar materials are prohibited in any district. Chain-link style fences are prohibited in front yards. Snow style fences may be used for safety barriers on a temporary basis when approved by the chief inspector.

D. Fences existing prior to the effective date of this section may be maintained and repaired. Any fence enlarged, altered or replaced shall conform to the provisions of this section. Exception: replacement of damaged or deteriorated sections is permitted, provided that not more than fifty percent of the existing fence is replaced.

E. The Wauwatosa Police or Fire Departments may prescribe additional regulations or restrictions on an individual fence within the City of Wauwatosa whenever such regulation or restriction is necessary for purposes of public safety.

Part IV. Section 15.28.020 of the Code of the City of Wauwatosa is hereby amended to read, in its entirety, as follows:

15.28.020 Work exempt from permit.

Permits shall not be required for the following:

A. In Residential districts:

- 1. Fences located in the rear and/or side yard not abutting a street, which are four and one-half feet or less in height.
- 2. Fences located in the buildable area of the rear or side yard, six feet or less in height.
- 3. Fences located adjacent to any alley and set back a minimum of eighteen inches from the lot line.

B. In Nonresidential districts:

- 1. Fences located in the rear and/or side yard not abutting a street, four and one-half feet or less in height.
- 2. Fences located adjacent to any alley and set back a minimum of eighteen inches from the lot line;

C. Other:

- 1. Fences used for safety to enclose or protect public and private athletic fields, ball diamonds, tennis courts and similar uses,
- 2. Fences approved as a part of a special use, conditional use, planned development or required parking plan,
- 3. Fences used for temporary safety purposes approved by the chief inspector.

Part V. Section 15.28.030 of the Code of the City of Wauwatosa is hereby amended to read, in its entirety, as follows:

15.28.030 Fence permit.

Permits shall be required for the following:

A. In Residential districts:

- 1. Fences located in the front yard setback, but in no event shall a permit be issued for any such fence which is more than three feet in height, more than twenty percent of the lot width in length, setback less than eighteen inches from the front lot line, setback less than three feet from a side lot line, or having an open area less than forty percent.
- 2. Fences located in the rear yard or side yard abutting a street,, so long as fences in the rear yard abutting a street shall have landscaping planted along the street side of the fence, but in no event shall a permit be issued for any such fence which is more than four and one-half feet in height or setback less than three feet from lot lines.

3. Fences at lot lines abutting alleys, nonresidential properties, multifamily properties (three-family or more) or any approved parking areas or lots if more than four and one-half feet in height, so long as fences located adjacent to any alley shall be set back a minimum of eighteen inches from the lot line, but in no event shall a permit be issued for any such fence which is more than six feet in height.;

B. In Nonresidential districts:

1. Fences located in the front yard and/or side yard abutting a street, but in no event shall a permit be issued for any such fence which is more than four and one-half feet or setback less than eighteen inches from lot lines,

2. Fences located in side and rear yards not abutting a street exceeding four and one-half feet in height, but in no event shall a permit be issued for any such fence which is more than six feet in height.

Part VI. This ordinance shall become effective on and after its date of publication.

It was moved by Ald. Kopischke, seconded by Ald. Krill to adopt the foregoing ordinance. -14

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-05-277

WHEREAS, the Community Development Block Grant Committee reviewed project proposals submitted to the Committee for the year 2006; and

WHEREAS, the recommendations of the CDBG Committee for 2006 funding approvals are specifically described in a memorandum from City Planning staff dated October 19, 2005, a copy of which is on file in the office of the City Clerk and available for public review; and

NOW, THEREFORE, BE IT RESOLVED THAT the 2006 Community Development Block Grant Project request funding in the amounts recommended by the CDBG Committee as reflected in the memorandum from Planning staff dated October 19, 2005 are hereby approved.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-05-278

WHEREAS, the Wauwatosa Village Business Improvement District noted to the City that errors were found by the BID Assessment Committee in prior years' assessments; and

WHEREAS, the bid has proposed providing refunds to BID members, including the City, to correct past errors; and

WHEREAS, the City of Wauwatosa's payment to the BID is voluntary and is not truly a BID assessment as that term is defined by law;

NOW, THEREFORE, BE IT RESOLVED THAT the proposed refund of previously paid BID assessments to the City of Wauwatosa is hereby waived and the BID is authorized to retain this amount for future needs.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-05-279

WHEREAS, Rotographic has provided printing services for the City newsletter since 2003 pursuant to a competitive bidding process conducted at that time; and

WHEREAS, the current contract for this printing service expires in December, 2005; and

WHEREAS, Rotographic has agreed to a two year extension with no change in cost to the City;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa is hereby authorized to enter into a two year extension for printing of the City newsletter with Rotographic Printing at no change in cost to the City;

BE IT FURTHER RESOLVED THAT the competitive bidding process is hereby waived for this purchase.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-05-280

WHEREAS, the Department of Public Works has been seeking a more cost effective vendor for processing of leaves, branches, brush and other yard waste and wood chips; and

WHEREAS, White Oak Farms, the company which already performs many such services as a subcontractor to Onyx, has proposed an agreement to shred, windrow, water, turn and fully compost leaves as well as processing residential drop-off center yard waste, processing and marketing loose logs and other waste from the drop-off center, and processing curb collected yard waste cost; and

WHEREAS, the White Oak Farms agreement could save the City additional money if it were successful in renegotiating other portions of the existing Waste Management and Onyx contracts for other services which can be provided by White Oak Farms;

NOW, THEREFORE, BE IT RESOLVED THAT the yard waste processing agreement with White Oak Farms is hereby approved;

BE IT FURTHER RESOLVED THAT the appropriate City officials are authorized to enter into renegotiations with Waste Management and Onyx regarding other provisions of their existing contracts in order to provide additional savings to the City.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-05-281

WHEREAS, the Milwaukee Metropolitan Sewerage District has begun work to establish a stormwater basin in the current future Hart Park areas; and

WHEREAS, the City has yet to formally decide on the amount or method of funding for potential improvements to be placed in the Park area following completion of construction of the stormwater basin; and

WHEREAS, Park design professionals would be able to refine the design of the expanded Hart Park and focus efforts to place improvements in the area;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to solicit proposals from park design professionals to refine and update the design of the expanded Hart Park.

It was moved by Ald. Bruderle-Baran, seconded by Ald. Casey to approve the five foregoing resolutions. - 14

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 10/19/05 – 11/01/05 --

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 10/19/05 – 11/01/05: \$1,734,353.61

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 14.

(The final item from the Budget and Finance Committee was considered in closed session at the end of the regular agenda items.)

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-05-283

BE IT RESOLVED by the Common Council of the City of Wauwatosa that the proper city officials be and they are hereby authorized and directed to enter into a contract with Burkhart Construction Corporation of Butler, Wisconsin for the work of Storage Building – Wauwatosa Police Department and work incidental thereto under Contract 05-31 at and for their bid price of \$48,225.00, this being the lowest and best bid.

BE IT FURTHER RESOLVED that the surety deposits, if any, be returned to the unsuccessful bidders.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-05-284

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin, THAT the attached account of the expense of sidewalk repairs under Contract 04-19 Concrete Sidewalk Repairs be submitted to the City Comptroller in accordance with Section 66.0907 of the Wisconsin Statutes.

BE IT FURTHER RESOLVED THAT the City Clerk be and she is hereby directed to send out the proper amended notices to the owners of the property, as listed in the accompanying assessment for sidewalk and/or drive approach repairs under Contract 04-19 Concrete Sidewalk Repair.

REVISED ACCOUNT OF EXPENSE
Contract 04-19

<u>Address</u>	<u>Key #</u>	<u>Original Assessment</u>	<u>Amended Assessment</u>
2262 N. 61 st St.	345-0006	\$326.97	\$240.81
2367 N. 63 rd St.	330-0158	\$229.12	\$114.50
2328 N. 64 th St.	330-0173	\$306.88	\$100.00
6427 W. Garfield Av.	345-0368	\$312.10	\$266.60
6404 W. North Ave.	330-0207	\$1,697.20	\$391.07

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-05-285

WHEREAS, the Purchasing Manager has recommended the purchase of traffic control equipment from Traffic and Parking Control Company (TAPCO), which is the only authorized distributor in this area of Eagle traffic signal controllers; and

WHEREAS, utilization of Eagle traffic signal controllers will assist in the efficiency, service and operation because the traffic signal controllers in the City of Wauwatosa are the same brand; and

WHEREAS, the electrical maintenance department has obtained acceptable pricing for the requested products as described in the October 27, 2005, memorandum of the Purchasing Manager;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa is hereby authorized to purchase traffic control equipment from Traffic and Parking Control Company, as described in the October 27, 2005, memorandum of the Purchasing Manager, in the amount of \$45,121.00;

BE IT FURTHER RESOLVED THAT the competitive bidding process is hereby waived for this purchase.

It was moved by Ald. Herzog, seconded by Ald. Subotich to approve the three foregoing resolutions. -14

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-05-282

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT the claim of Parminder Khurana be and hereby is approved in the amount of \$5,000.00;

BE IT FURTHER RESOLVED that the claim of ATTA Corporation for property damage be and hereby is approved in the amount of \$4,463.62;

BE IT FINALLY RESOLVED that the claim of Fannie Jones, a passenger in the automobile of Parminder Khurana, be and hereby is approved in the amount of \$5,100.00.

It was moved by Ald. Treis, seconded by Ald. Bruderle - Baran to go into closed session per Wisconsin Statutes 19.85(1)(g) for the purpose of conferring with legal counsel who is rendering advice concerning strategy to be adopted with respect to litigation in which it is or is likely to become involved, and may reconvene into open session. Roll call vote, Ayes 14.

Closed session began at 8:12 p.m.

It was moved by Ald. Kopischke, seconded by Ald. Krill to convene into open session. Roll call vote, Ayes 14.

Open session resumed at 8:15 p.m.

It was moved by Ald. Bruderle -Baran, seconded by Ald. Casey to approve the foregoing resolution. -14

There being no further business, the meeting adjourned at 8:16 p.m.

cal

Carla A. Ledesma, CMC, City Clerk