



CITY OF WAUWATOSA
MEMORIAL CIVIC CENTER
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COMMON COUNCIL
Regular Meeting, Tuesday, January 2, 2007

PRESENT: Alds. Birschel, Didier, Donegan, Grimm, Hanson, Herzog, Krol, Maher, Meaux, Purins, Stepaniak, Sullivan, Treis, Becker -14

EXCUSED: Alds. Ewerdt and Krill

ALSO PRESENT: Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Mr. Braier, Finance Director; Mr. Kappel, Public Works Director; Police Capt. Weiss; Ms. Ledesma, City Clerk; Ms. Williams, Deputy City Clerk

Mayor Estness in the Chair

The Mayor called the meeting to order at 8:21 p.m.

It was moved by Ald. Grimm, seconded by Ald. Didier that the reading of the minutes of the last regular meeting be dispensed with and they be approved as printed. -14

APPLICATIONS, COMMUNICATIONS, ETC.

1. Conditional Use application to construct additional retail space to the existing building at 12217 W. Watertown Plank Road
Plan Commission, Community Development Committee
2. Conditional Use application to construct a worship and fellowship hall addition at 4373 N. 92nd Street
Plan Commission, Community Development Committee
3. Notice of Claim: Thomas F. Vaughan, 1533 N. 123rd Street
City Attorney
4. Letter from John F. Bartol, 4651 N. 110th Street, requesting the city prohibit use of cell phones while driving
Police Chief, City Attorney
5. Affidavit of Lien on Public Funds from Attorney Michael C. Brown for Dawes Rigging & Crane Rental, Inc.
City Attorney
6. Conditional Use application to modify hours and conditions of the outdoor patio of The Club Tap, 8828 W. North Avenue
Plan Commission, Community Development Committee
7. Request for preliminary plan approval for a Business Planned Development at 11221 and 11333 W. Burleigh Street to construct a multi-use development with an office building, retail space and hotel
Plan Commission, Community Development Committee

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-07-01

WHEREAS, the Wauwatosa Common Council and the Committee on Budget & Finance previously approved application by the Wauwatosa Police Department for Public Service Commission grants to reimburse technology and equipment expenditures for a Cellular 911 upgrade, for which the Public Service Commission has granted a minimum of \$117,084.00, and possibly as much as \$154,000.00; and

WHEREAS, the Wauwatosa Police Department has additionally received notice of an award of \$26,400.00 from the Wisconsin Department of Transportation for development of software interfaces to integrate electronic citation and crash reports into the Phoenix RMS software, which project is otherwise known as the TraCS system;

NOW, THEREFORE, BE IT RESOLVED THAT the Wauwatosa Police Department is hereby authorized to accept the above-described grant awards from the Public Service Commission of Wisconsin and the Wisconsin Department of Transportation and expend said funds for the purposes previously described.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-07-02

BE IT RESOLVED THAT the transfer of \$11,442.39 from the Reserve for Contingencies to the 2006 Crossing Guard budget is hereby approved.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-07-03

WHEREAS, the November 25, 2006, fire at the Wauwatosa Public Works Yard Recycling/Transfer Station destroyed the Blue Bag Intermediate Processing Center and has disrupted the operation of the existing blue bag recycling program until such time as the facility can be reconstructed or the operation moved to another location; and

WHEREAS, the hiatus in the program provides an opportunity to reassess the different options for recycling programs in order to best meet the needs of the City of Wauwatosa and the recycling directives of the State of Wisconsin; and

WHEREAS, RRT Design and Construction, with offices in Brookfield, WI, has previously begun the process of studying the most cost effective means for Waukesha County to meet State mandates for recycling, and has proposed adding the City of Wauwatosa to that study for a fee of \$9,500.00;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to enter into an agreement with RRT Design and Construction of Brookfield, WI, to study options for the City of Wauwatosa's recycling program prior to reconstruction of the City's recycling facility;

BE IT FURTHER RESOLVED THAT a transfer from the Solid Waste Sundry Contractual Services account in the amount of \$9,500.00 to the appropriate account for this purpose is hereby approved.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-07-04

WHEREAS, the Milwaukee County Circuit Court entered an order binding the City of Wauwatosa as part of the joint settlement between 29 member communities of MMSD and the State of Wisconsin to inspect sanitary sewer manholes once every five years and identify any defects contributing to leakage, and to follow up by providing cost effective corrections of such defects within 18 months of discovery; and

WHEREAS, the City Engineer has presented to the Committee on Budget & Finance a plan to address such inspection and discovery requirements over a 5-year period, including the proposed 2007 repairs, for which bids have already been received, which expenditures require funds from the 2007 Capital Improvements budget which has not yet been approved by the Committee on Budget & Finance;

NOW, THEREFORE, BE IT RESOLVED THAT the interim plan for Court ordered sanitary sewer manhole repairs, and that portion of the 2007 Capital Improvements budget which provides funds for compliance with the Court-mandated sanitary sewer repairs in the amount of \$750,000.00, is hereby approved.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-07-05

WHEREAS, the City of Milwaukee has filed a lawsuit in the United States District Court for the Eastern District of Wisconsin against AT&T Wisconsin, seeking compliance with the cable franchise requirements of State, Federal and local law, as well as enforcement of provisions of relevant permits for use of right-of-way for cable television services; and

WHEREAS, the Regional Telecommunications Commission has proposed to intervene in that declaratory judgment action on behalf of its member communities, rather than requiring each individual community to intervene in the action; and

WHEREAS, a participation agreement for communities desiring to be a part of the RTC intervention group has been presented to the Committee on Budget & Finance, by which the Boardman Law Firm of Madison, WI, will represent the RTC and its member communities during this intervention process;

NOW, THEREFORE, BE IT RESOLVED THAT the Wauwatosa City Attorney is hereby authorized to execute the RTC Participation Agreement for intervention in the City of Milwaukee v. AT&T Declaratory Judgment Action in the United States District Court for the Eastern District of Wisconsin and to participate fully in said intervention action as described in the Agreement.

It was moved by Ald. Sullivan, seconded by Ald. Meaux to approve the five foregoing resolutions. -14

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 12/20/06 – 1/02/07 --

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 12/20/06 – 1/02/07: \$1,875,386.31

It was moved by Ald. Meaux, seconded by Ald. Maher that each and every one of the accounts of bills and claims be allowed and ordered paid. Roll call vote, Ayes 14

The Mayor recognized retiring Police Capt. Jeffrey Reit for his years of service to the city, and congratulated Capt. Dale Weiss upon his promotion from lieutenant.

There being no further business, the meeting adjourned at 8:28 p.m.

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Carla A. Ledesma, CMC, City Clerk