



CITY OF WAUWATOSA
MEMORIAL CIVIC CENTER
7725 WEST NORTH AVENUE
WAUWATOSA, WI 53213
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COMMON COUNCIL
Regular Meeting, Tuesday, June 5, 2007

PRESENT: Alds. Meaux, Minear, Purins, Stepaniak, Becker, Birschel, Didier, Donegan, Ewerdt, Grimm, Hanson, Herzog, Krill, Krol, Maher -15

EXCUSED: Ald. Treis

ALSO PRESENT: Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Mr. Braier, Finance Director; Mr. Kappel, Public Works Director; Ms. Welch, Community Development Director; Police Chief Weber; Fire Chief Redman; Asst. Fire Chief Hevey; Mr. Wojcehowicz, Water Utility Supt.; 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.

Mayor Estness, Common Council President Becker and APWA-Wisconsin Chapter President David Botts presented Public Works Director Bill Kappel with the American Public Works Association-Wisconsin Chapter John W. Curtis Service Award. Former Wauwatosa alderman John Curtis was also present for the award.

Mayor Estness and Common Council President presented Lynn Broaddus, Executive Director, Friends of Milwaukee Rivers, with a proclamation of appreciation.

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. -15

APPOINTMENTS BY THE MAYOR

Board of Review

Jennifer Wakefield, 1848 N. 84th Street
(Term ends 6/30/12)

Historic Preservation Commission

Barbara Holtz, 2650 N. 89th Street
(Term ends 11/30/10)

Citizens' Advisory Capital Improvements Committee

John Albert, 1922 N. 122nd Street (reappointment)
Charles Graupner, 2537 Pasadena Boulevard (reappointment)

Michael Moylan, 613 N. 70th Street (reappointment)
(Terms end 6/30/10)

Foregoing appointments ordered held as this was the first reading.

APPLICATIONS, COMMUNICATIONS, ETC.

1. City of Wauwatosa Statement of Financial Condition as of April 30, 2007
Place on file
2. Notices of Claim: Basil Loeb & Nicole Dondlinger, 2418 N. 65th Street
William Jaworski, 2476 N. 60th Street, Milwaukee
Varick Camron Choice, 5301 N. 29th Street, Milwaukee
City Attorney
3. Letter from Scot Fridrick, Wauwatosa Professional Firefighter's Association Local 1923, notifying the City that the 2005-07 bargaining agreement is to be reopened prior to September 15, 2007 for the purpose of negotiating a successor agreement
Director of Human Resources
4. Conditional Use application to install a telephone fiber conversion cabinet at 414 N. 116th Street
Plan Commission, Committee on Community Development
5. Conditional Use application to install a telephone fiber conversion cabinet at 11707 W. North Avenue
Plan Commission, Committee on Community Development
6. Letter from Dr. W. Craig Leach, Pediatric Consultants of Wisconsin, 10909 W. Blue Mound Road, requesting a solution to the parking problems for employees and patients of the practice and enclosing a petition containing 300 signatures complaining about the use of the parking lot on the south side of Blue Mound Road between 108th and 109th Streets by customers and employees of Mo's Irish Pub
Police Chief, Director of Public Works
7. Conditional Use application to attach antenna and related equipment to an existing transmission tower at approximately N. 119th Street and W. Hampton Avenue
Plan Commission, Committee on Community Development
8. Letter from Kathy Causier, President of the Wauwatosa Historical Society, informing the city that the Society has raised \$77,000 to date for restoration of the Little Red Store
Add to existing file
9. Conditional Use application for a laundry and dry cleaning service at 9122-30 W. North Avenue
Plan Commission, Committee on Community Development
10. Conditional Use application to construct an addition to an existing flower shop at 7001 W. North Avenue
Plan Commission, Committee on Community Development
11. Conditional Use application to attach antenna and related equipment to an existing water tower at 8624 Watertown Plank Road
Plan Commission, Committee on Community Development
12. Conditional Use application for a physical fitness studio at 10045 W. Lisbon Avenue
Plan Commission, Committee on Community Development
13. Conditional Use application to operate a video game club at an existing candy store at 6909 W. North Avenue
Plan Commission, Committee on Community Development

14. Special Use application to construct a garage with a height in excess of 16 feet at 6631-33 W. Wells Street
Plan Commission
15. Letter from Mark F. Irgens, Irgens Development Partners, LLC, regarding a proposed purchase and sale of the GE Healthcare Facility in the Milwaukee County Research Park
Director of Community Development

FROM THE COMMITTEE ON TRAFFIC & SAFETY FOR INTRODUCTION

1. Ordinance amending Section 11.32.080 of the City Code by restricting parking on the west side of N. 74th Street, Hillcrest Drive to Kenwood Avenue to three hours except Saturdays, Sundays, and holidays
Re-refer to originating committee

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-07-121

WHEREAS, Kari J. Wojciechowski, 2243 N. 70th Street, Wauwatosa, WI, applied for an operator's license in conjunction with her work at The Cheesecake Factory, 2350 N. Mayfair Road, Wauwatosa; and

WHEREAS, a background investigation revealed a previous conviction which was not listed on Ms. Wojciechowski's application; and

WHEREAS, Kari J. Wojciechowski was requested twice to appear before the Committee on Legislation, Licensing & Communications in conjunction with that application; and

WHEREAS, Ms. Wojciechowski failed to appear on May 8, 2007 and May 29, 2007, said failure and conduct which is inconsistent with the activity of responsibly selling alcoholic beverages in the City of Wauwatosa pursuant to the regulations of alcoholic beverage sales by the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the operator's license application of Kari J. Wojciechowski is hereby denied;

BE IT FURTHER RESOLVED THAT the Clerk shall notify Ms. Wojciechowski in writing of this decision and the reasons for the denial.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-07-122

WHEREAS, Thomas A. Volkomer, 7613 S. 83rd Street, Franklin, WI, has applied for an operator's license in conjunction with his employment at JoJo's Martini Lounge, Hwy. 100 and Blue Mound Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Thomas A. Volkomer is hereby issued an operator's license for the period ending June 30, 2008, contingent upon a review of his record in six months;

BE IT FURTHER RESOLVED THAT the Wauwatosa Police Department is directed to review Mr. Volkomer'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. Krol, seconded by Ald. Birschel to approve the two foregoing resolutions. -15

FROM THE COMMITTEE ON TRAFFIC AND SAFETY

ORDINANCE O-07-11

AN ORDINANCE AMENDING WAUWATOSA CODE SECTION 11.32.080 TO ADD PARKING RESTRICTIONS ON A PORTION OF PASADENA BOULEVARD AND TO REMOVE PARKING RESTRICTIONS ON THE NORTH SIDE OF NORTH AVENUE NEAR PASADENA BOULEVARD

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

Part I. The "North Avenue – north side" portion of the "Schedule of Streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by amending that portion which provides:

"(a) from 30 feet east of N. 82nd Street to 30 feet west of N. 86th Street"

to read as follows:

"from 30 feet east of N. 86th Street to N. 86th Street"

Part II. The "North Avenue – north side" portion of the "Schedule of Streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by amending that portion which reads as follows:

"(e) from Pasadena Boulevard to N. 88th Street"

to read as follows:

"(e) from the west side of the driveway immediately west of Pasadena Boulevard to N. 88th Street"

Part III. The "Pasadena Boulevard – both sides" portion of the "Schedule of Street, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by amending that portion which reads as follows:

"(e) from the alley north of W. North Avenue to W. Meinecke Avenue"

to read as follows:

“(e) from the alley north of W. North Avenue to W. Wright Street”

Part IV. This ordinance shall take effect on and after its date of publication.

It was moved by Ald. Grimm, seconded by Ald. Purins
to adopt the foregoing ordinance. -15

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

ORDINANCE O-07-12

**AN ORDINANCE AMENDING WAUWATOSA MUNICIPAL CODE SECTION 15.29
PERTAINING TO PUBLIC SAFETY RADIO COMMUNICATIONS**

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

Part I. Section 15.29 of the Code of the City of Wauwatosa is hereby amended to read as follows:

Chapter 15.29 Public Safety Radio Coverage in Buildings and Structures.

15.29.010. GENERAL.

Except as otherwise provided, no person or organization shall maintain, own, erect or construct any building or structure which is used for commercial, multi-family, or institutional use or any part thereof or cause the same to be done which fails to support adequate radio coverage to public safety service workers, including but not limited to firefighters and police officers. For purposes of this section, adequate radio coverage shall include all of the following:

- A. a minimum signal strength of -101 dBm available in 95% of the area of each floor of the building when transmitted from the Public Safety Radio Communications System; and
- B. a minimum signal strength of -101 dBm received at the Public Safety Radio Communications System when transmitted from 95% of the area of each floor of the building, via portable radio with public safety microphone.
- C.
 - 1. Channel Performance Criterion (CPC): CPC is the minimum performance level in a faded channel, per TSB-88, clause 4.2. TSB-88 is a “Telecommunications Systems Bulletin” published by the TIA, Telecommunications Industry Association. The performance level is rated using “Delivered Audio Quality”. Industry standard DAQ definitions are shown in Table 1.
 - 2. DAQ level of 3 is the minimum performance level which shall be attainable by public safety radio systems in 95% of the area of each floor of a building subject to this chapter.

Table 1 – Delivered Audio Quality Definitions

DAQ Delivered Audio Quality	Subjective Performance Description
1	Unusable, speech present but unreadable.
2	Understandable with considerable effort. Frequent repetition due to noise / distortion.
3	Speech understandable with slight effort. Occasional repetition required due to noise / distortion.
3.5	Speech understandable with repetition only rarely required. Some noise / distortion.
4	Speech easily understood. Occasional noise / distortion.
4.5	Speech easily understood. Infrequent noise / distortion.
5	Speech easily understood.

D. The frequency range which must be supported shall be 851.000 to 869.000 MHz from the Trunked System Communications base stations, and 806 to 824 MHz to the Public Safety Radio Communications base stations.

E. The Wauwatosa Fire and Police Departments may alter necessary frequencies or signal strengths due to changes in technical specification for public safety radio requirements. In such event, any frequency changes shall be reported to the Common Council and approved as amendments to this ordinance as soon as is practicable.

15.29.020. TESTING PROCEDURES.

A. Initial Tests. Public safety employees or their designees will perform initial tests. A Certificate of Occupancy shall not be issued to any new structure if the building fails to comply with this section.

B. Annual Tests. The Wauwatosa Fire Department Fire Prevention or Wauwatosa Police Department personnel in conjunction with inspection procedures will conduct annual tests.

15.29.030. AMPLIFICATION SYSTEMS ALLOWED.

Buildings and structures which cannot independently support the required level of radio coverage shall be equipped with any of the following in order to achieve the required adequate radio coverage: a radiating cable system or an internal multiple antenna system with or without FCC type-accepted signal booster amplifiers as needed. If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operating on an independent battery and/or generator system for a period of at least twelve (12) hours without external power input. Any battery system employed shall automatically recharge in the presence of an external power input.

The installation of equipment as indicated above can not be detrimental to the operation of the Public Safety Radio System.

In the event that a signal booster is employed it shall be fully encased within a dust and water resistant case.

15.29.040. FIELD TESTING.

Fire Department and Law Enforcement Personnel, after providing reasonable notice to the owner or his representative, shall have the right to enter onto the property to conduct field testing to be certain the required level of radio coverage is present.

15.29.050. EXEMPTIONS.

A. This chapter shall not apply to single-family and two-family dwellings not put to commercial or institutional use. For purposes of this chapter, basements, parking structures and stairwells are included in the definition of “all parts of a building” but elevators may be excluded.

B. Hardship. The owner of any building in existence prior to the Effective Date of this ordinance, if confronted with a financial hardship which makes it impractical or impossible to bring the facility into compliance, may apply to the Common Council for an exemption to this ordinance. Such application shall be in writing and shall be accompanied by whatever documentary evidence is necessary to prove the hardship. Any financial information regarding operation of the facility which is submitted in support of such hardship exemption shall be maintained as confidential upon submission to the City, to the fullest extent allowed by law.

15.29.060. ENFORCEMENT.

A. Violation of this ordinance shall be subject to the general penalty provisions of this code.

B. In addition to the forfeitures described above, the City Attorney shall be authorized to seek injunctive relief as appropriate to bring buildings into compliance with this provision.

15.29.070. EFFECTIVE DATE.

A. As to new construction, this ordinance shall be effective on and after its date of publication.

B. As to buildings in existence on or before the date of publication of this ordinance, or structures for which building permits have been issued at such time, the recorded owner of such buildings, if found to be deficient through testing conducted pursuant to sec. 15.29.020, above, will be notified of the deficiency in writing by the Wauwatosa Fire Department, which notice shall be personally served or delivered via certified mail. The owner of such building will be provided no longer than three years from the notification date to install an approved system which meets the requirements of this ordinance.

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

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-07-123

WHEREAS, Krista Allenstein has applied for a Conditional Use in the Village Trade District at 7603 W. State Street for hosting children’s birthday parties, 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 Krista Allenstein for hosting children’s birthday parties in the Village Trade District at 7603 W. State Street subject to the following conditions:

- 1) hours of operation from 10:00 a.m. to 8:00 p.m. daily;
- 2) applicant must inform patrons of appropriate municipal parking locations, and
- 3) obtaining all necessary licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-07-124

WHEREAS, Rebekah Blaskowski and Edward and Melissa Kwaterski, Rimfire Properties, LLC have applied for a Conditional Use in the Trade District at 2306 N. 66th Street for a child care center 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 Rebekah Blaskowski and Edward and Melissa Kwaterski, Rimfire Properties, LLC for a child care center in the Trade District at 2306 N. 66th Street subject to the following conditions:

- 1) hours of operation from 7:00 a.m. to 7:00 p.m. daily for the outdoor dining, and
- 2) fencing of the play area, and
- 3) obtaining any required licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-07-125

WHEREAS, Michael Feker has applied for a Conditional Use in the Trade District at 6913 W. North Avenue for a restaurant with outdoor dining 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 Feker for a restaurant with outdoor dining in the Trade District at 6913 W. North Avenue subject to the following conditions:

- 1) hours of operation from 5:00 p.m. to 11:00 p.m. daily for the outdoor dining, and
- 2) staff approval of the patio design, and
- 3) obtaining any required licenses and permits, and
- 4) a review of the outdoor seating after six months.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-07-126

WHEREAS, Boro Budzum has applied for a Conditional Use in the AA Business District at 11320 W. Blue Mound Road for a Mexican restaurant with outdoor dining 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 Boro Budzum for a Mexican restaurant with outdoor dining in the AA Business District at 11320 W. Blue Mound Road subject to the following conditions:

- 1) hours of operation from 8:00 a.m. to 9:00 p.m. daily for the outdoor dining, and
- 2) installation of paving and fencing, and
- 3) up to 14 tables in the outdoor dining area, and
- 4) staff approval of the patio design, and
- 5) obtaining any required licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-07-127

WHEREAS, Mitchell Braverman, agent for AT&T, has applied for a Conditional Use in the BB Two Family Residence District at 1717 N. 73rd Street for a pad-mounted fiber conversion cabinet, 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 Mitchell Braverman, agent for AT&T, for a pad-mounted fiber conversion cabinet in the BB Two Family Residence District at 1717 N. 73rd Street subject to the following conditions:

- 1) contingent upon AT&T obtaining all permits, licenses, franchises and permissions required under federal, state or local law prior to AT&T's commencement of the use of the facilities to provide any video programming or other programming services, as those terms are defined in 41 U.S.C. Section 522, as amended, to subscribers in the City, and
- 2) AT&T agrees it will not use the facilities described in this Conditional Use Permit as part of a network for the provision to subscribers in the City of video programming or other programming service, as those terms are defined in 47 U.S.C. Section 522, as amended, unless AT&T provides the City Clerk 30 days' prior written notice, with a copy to the City Attorney.
- 3) except for the grant of this Conditional Use Permit by the City of Wauwatosa, this action by the city shall not constitute nor be construed as a grant of any other permit, license, franchise or permission otherwise required under federal, state or local law, and
- 4) screening to the highest degree possible with a mix of fencing and shrubbery; and
- 5) addressing safety of fiber conversion cabinets, and
- 6) resolution of the noise and transformer concerns, and
- 7) changing labels posted on cabinets from orange to a less obtrusive white, and
- 8) obtaining all other necessary licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-07-128

WHEREAS, Constantine George of Sts. Constantine and Helen Greek Orthodox Church at 2160 Wauwatosa Avenue has applied for a street festival permit for the church's annual festival on June 8-10, 2007; and

WHEREAS, the Committee on Community Development recommends issuance of a permit subject to certain conditions;

1. The permit shall be valid only for conduct of Greekfest.
2. The festival shall be conducted on June 8 through 10, 2007. Hours of operation shall be June 8th 4:00 p.m. to 10:00 p.m.; June 9th Noon to 10:00 p.m.; and June 10th Noon to 10:00 p.m.
3. The permittee shall pay all costs incurred by the City for this event.
4. Noise associated with music and exhibits shall not be excessive as that term is defined by Section 7.48.040 of the Wauwatosa Municipal Code. The City in its sole discretion shall determine whether noise associated with the festival is excessive and upon request of the City the permittee shall immediately reduce the volume of said noise.
5. The permittee shall be responsible for removing all refuse associated with the event. Failure of the permittee to do so will result in additional charges by the City.
6. No carnival rides will be used.
7. Live music is permitted on Saturday, June 9th and Sunday, June 10th from 3:30 p.m. to 9:30 p.m.

8. The Police Department will develop a plan to eliminate parking on one side of the streets in the immediate area, as appropriate.
9. The church shall be responsible to provide and install signs directing patrons to the City Hall parking lot and to M & I Wauwatosa State Bank; the church parishioners shall be encouraged to park in the City Hall parking lot; a mechanism will be established to make announcements at the festival if a driveway is reported to be blocked.
10. Security will be provided during the event.
11. The church grounds and immediate neighborhood shall be patrolled daily to remove litter.
12. Neighbors will be invited to meet with church officials to review plans and discuss solutions to other potential concerns before the event.
13. The dumpster on the church grounds shall be removed by 5 p.m. on Monday, June 11, 2007. Permittee shall provide a copy of its contract for removal of the garbage dumpster to the Director of Public Works. The semi-trailers shall be removed from the grass by 5 p.m. on June 11, 2007.
14. Beer sales shall end one-half hour before the closing of the festival each evening.
15. Temporary “NO PARKING AT ANY TIME” restrictions will be posted and will be in effect only during the hours of the festival on the north side of Rogers Avenue, between Wauwatosa Avenue and Underwood Avenue, and the west side of North 74th Street, between Kenwood and Garfield Avenues.
16. Officers assigned to this area and adjacent streets are to check the area frequently for traffic congestion and parking violations. No parking permission has been given in any of the “No Parking at Any Time” zones.
17. Barricades will be placed across Garfield Avenue and Wauwatosa Avenue, and at the north driveway to the church parking lot. A barricade and sign will also be placed on Garfield Avenue at North 74th Street indicating that the street is open to local traffic only.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa THAT the City Clerk is authorized to issue a street festival permit to Sts. Constantine and Helen Greek Orthodox Church for the purpose of conducting the church’s proposed festival subject to the conditions listed herein.

It was moved by Ald. Herzog, seconded by Ald. Donegan to adopt the foregoing ordinance and to approve the six foregoing resolutions. 15

FROM THE COMMITTEE ON BUDGET AND FINANCE

The Committee on Budget and Finance, to whom was referred the matter of the independent auditor's report and financial statements for the year ended December 31, 2006, recommends to the Common Council that the matter be accepted and placed on file.

Dated this 29th day of May, 2007.

Committee on Budget and Finance

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-07-129

WHEREAS, the Wauwatosa Water Utility has previously received approval to accept Critical Infrastructure Protection funding from the State of Wisconsin to perform security upgrades; and

WHEREAS, the initial goal of establishing baseline water quality parameters with continuous monitoring requires installation of 3 HACH Water Distribution Monitoring Panels and 1 HACH Colorimeter portable water sampling instrument at a total cost of \$43,833.70; and

WHEREAS, the purchase of these items is not subject to competitive bidding because the HACH products are the only ones certified for this purpose pursuant to the Homeland Security Act; and

WHEREAS, the Critical Infrastructure Protection grant will reimburse the City for 80% of the cost of the security upgrades;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa Water Utility is hereby authorized to purchase 3 HACH Water Distribution Monitoring Panels and 1 HACH Colorimeter portable water sampling instrument at a total cost not to exceed \$43,833.70;

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

BE IT FINALLY RESOLVED THAT the Wauwatosa Water Utility is hereby authorized to accept Critical Infrastructure Protection funding from the State of Wisconsin to reimburse 80% of the cost of this security upgrade as Phase I of the grant funded expenditures.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-07-130

WHEREAS, the Wauwatosa Water Utility has experienced unexpected need to replace 2 defective valves at water pumping stations, for which the lowest bid price was \$20,053.00; and

WHEREAS, the appropriate pumping equipment maintenance account for 2007 had budgeted only \$11,000.00 for such purpose; and

WHEREAS, Level II fund transfers of \$9,100.0 have been approved by reducing funds available in the equipment and tools, materials and lawn repairs accounts, in order to provide sufficient funding for the purchase of the replacement butterfly valves;

NOW, THEREFORE, BE IT RESOLVED THAT a change of purpose in the main maintenance account is hereby approved in order to authorize the purchase replacements for 2 defective DeZURIK butterfly valves at a total cost not to exceed \$20,053.00.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-07-131

WHEREAS, the Director of Public Works explained to the Committee that the newly installed scale at the Public Works yard requires an upgraded scale reader, printer, and software package in order to fully implement accounting and security measures previously instituted by the Public Works Director and the Finance Director; and

WHEREAS, the purchase of the scale software and ticket printer is a sole source purchase due to the proprietary nature of the existing scale; and

WHEREAS, existing unpaid repair invoices total \$2,112.00 exceed the amount available in the Scale Repair Account;

NOW, THEREFORE, BE IT RESOLVED THAT the transfer of \$25,592.45 from the Sundry Contractual Services Account is hereby authorized, with \$1,262.45 being transferred to the Scale Repair Fund and the balance, \$24,230.00 being transferred to the appropriate account to provide for the sole source purchase of the FB3000 Scale and Printer Software package as described in the May 2, 2007 memorandum of the Director of Public Works.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-07-132

WHEREAS, the Parks and Forestry Superintendent has requested the purchase of a replacement tractor for Hart Park because the repair of the existing lawn tractor/mower necessitates a complete overhaul which would cost more than the value of the tractor itself; and

WHEREAS, the Parks Department has located a demonstrator model Toro Workman 2110 utility vehicle with less than 100 hours of operation time carrying a 2 year warranty at a cost of \$6,999.00; and

WHEREAS, the Fleet Maintenance Equipment Reserve Account contains sufficient available funds to make this purchase;

NOW, THEREFORE, BE IT RESOLVED THAT a change of purpose within the Fleet Maintenance Equipment Reserve Account is hereby authorized for the purchase of a replacement tractor at Hart Park from Reinders in Elm Grove at a cost of \$6,999.00, as more particularly described in the May 9, 2007, memorandum of the Parks & Forestry Superintendent to the Budget & Finance Committee.

It was moved by Ald. Stepaniak, seconded by Ald. Maher to approve the foregoing report and the four foregoing resolutions. -15

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 5/16/07 – 6/05/07:

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 5/16/07 – 6/05/07: \$2,745,995.80

It was moved by Ald. Meaux, seconded by Ald. Krill
that each and every one of the accounts of bills and claims
be allowed and ordered paid. Roll call vote, Ayes 15

There being no further business, the meeting adjourned at 7:45 p.m.

/cal

Carla A. Ledesma, CMC, City Clerk