



**CITY OF WAUWATOSA**  
MEMORIAL CIVIC CENTER  
7725 WEST NORTH AVENUE  
Telephone: (414) 479-8917  
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## **COMMON COUNCIL**

Regular Meeting, Tuesday, September 18, 2007

**PRESENT:** Alds. Becker, Birschel, Didier, Donegan, Ewerdt, Grimm, Hanson, Herzog, Krol, Maher, Minear, Purins, Stepaniak, Treis -14

**EXCUSED:** Alds. Krill, Meaux

**ALSO PRESENT:** J. Archambo, City Admin.; B. Aldana, Asst. City Attorney/Personnel Director; W. Wehrley, City Engineer; R. Braier, Finance Dir.; N. Welch, Community Dev. Director; T. Otzelberger, Mgr., Info. Systems; Police Chief B. Weber; Police Capt. D. Weiss; J. Wojcehowicz, Water Supt.; B. Williams, Deputy City Clerk; E. Steinke, Recording Clerk

Mayor Estness in the Chair.

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

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

## **PUBLIC HEARING**

### **RESOLUTION**

WHEREAS, the City of Wauwatosa has decided to prepare a comprehensive plan under the authority of and procedures established by §66.1001(4), Wisconsin Statutes; and

WHEREAS, §66.1001(4)(a), Wisconsin Statutes, requires that the governing body of the local governmental unit adopt written procedures designed to foster public participation at every stage of comprehensive plan preparation, and that such written procedures shall provide for wide distribution of draft plan materials, an opportunity for the public to submit written comments on the plan materials, and a process for the governing body to respond to such comments; and

WHEREAS, the City of Wauwatosa believes that regular, meaningful public involvement in the comprehensive plan process is important to assure that the resulting plan meets the wishes and expectations of the public; and

WHEREAS, the “Public Participation Plan: City of Wauwatosa Comprehensive Plan” includes written procedures to foster public participation, ensure wide distribution of draft plan materials, provide opportunities for written comments on such materials, and provide mechanisms to respond to such comments.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wauwatosa hereby adopts the written procedures included in the “Public Participation Plan: City of Wauwatosa Comprehensive Plan” as its public participation procedures meeting the requirements of §66.1001(4)(a), Wisconsin Statutes.

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

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

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

The public hearing was declared closed. Ordered held to the next Common Council meeting on October 2, 2007.

**APPOINTMENTS BY THE MAYOR**

Civic Celebration Commission  
Jennifer Berdan, 2049 N. 114th Street  
Mary A. Foley, 2205 N. 102nd Street  
(Terms end 12/31/11)

Moved by Ald.Birschel, seconded by Ald. Krol to approve the foregoing appointments -14

**APPLICATIONS, COMMUNICATIONS, ETC.**

1. Letter from William Shaw, Milwaukee County Land Information Office, requesting the city enact an ordinance or resolution requiring the routing of all subdivision plats and certified survey maps to the County Land Information Office.  
**Director of Community Development, Committee on Community Development**
2. Wauwatosa Water Utility Statement of Receipts and Disbursements for month ended 8/31/07  
**Place on file**
3. City of Wauwatosa Statement of Financial Condition as of 8/31/07  
**Place on file**
4. Letters from Petronella Bernhardt, Frank & Shirley Sennett, and Martha Connolly, 10200 W. Blue Mound Road, requesting San Camillo apartments remain tax exempt  
**City Assessor**
5. E-mail from Margaret Scholtes requesting Harwood Place senior apartments remain tax exempt  
**City Assessor**

**APPLICATIONS, COMMUNICATIONS, ETC.**

6. Letters from Patti Sylvester Spencer, 415 N. Lake Street, Port Washington, Rosemary Dudenhoefer, Joan Dearnorff, Elaine Watson, Merle Langsten, Evelyn Bender, Dorothy Starkweather, Marge Sommerfeld, Aletta Ruesch, Lee & Eleanor Tolg, Kathleen Olsen, Emma Burke, Betty Reilly, Ruth Tornow, Betty Eggebrecht, Eileen Bartz, Marilyn Krueger, LaVerne Ferguson, Caroline Nelson, Mary Conarchy, Isabel Sazama, Jane Fritchie, Ann Campbell, Eunice Murphy, Adele Matthai, Ernest & Marie Baumgart, Gladys Wilke, Rev. & Mrs. Richard Borchers, Hattie Goelzer, Alma Hubbard, John & Marian Wierman, Bernice Potratz, Helen Sapinski, Gordon Rogne, Virginia Wittlin, and Joyce Orr, all of 8220 Harwood Avenue, requesting Harwood Place senior apartments remain tax exempt  
**City Assessor**
7. E-mails from Marie Schaumann, Peter Olsen, Chris O'Donnell, Baiba Rozite, Jason Mueller, Kevin Zent, & Juliana Jaekels objecting to any change in tax exempt status for senior apartments  
**City Assessor**
8. Letter from Allen M. Fisher requesting a change in the ordinance governing fire alarms in residential facilities  
**Fire Department, City Attorney**
9. Letter from Atty. John Finerty, requesting a meeting to discuss the Crowne Plaza Hotel currently under construction in the Milwaukee County Research Park  
**Director of Community Development, Director of Public Works**
10. Letters from Luella Limberg and Frances Markotic, 8220 Harwood Avenue, requesting that Harwood Place apartments remain tax exempt  
**City Assessor**

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

**RESOLUTION R-07-206**

WHEREAS, Lauren A. Pucek, 2501 Pendelton Place, Waukesha, WI, applied for an operator's license in conjunction with her employment at Buffalo Wild Wings, 2635 N. Mayfair Road, Wauwatosa; and

WHEREAS, the Committee on Legislation, Licensing & Communications requested on two occasions that Ms. Pucek appear before the Committee to discuss her record and on both occasions the applicant did not appear;

NOW, THEREFORE BE IT RESOLVED THAT the operator's license application of Lauren A. Pucek is hereby denied;

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

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

**RESOLUTION R-07-207**

WHEREAS, Michael A. Cavalea, 2500 N. 58<sup>th</sup> Street, Milwaukee, WI, has applied for an operator's license in conjunction with his employment at Red Lobster, 2801 N. Mayfair Road;

NOW, THEREFORE, BE IT RESOLVED THAT Michael A. Cavalea, 2500 N. 58<sup>th</sup> Street, Milwaukee, WI, is hereby issued an operator's license for the period ending June 30, 2008.

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

**RESOLUTION R-07-208**

WHEREAS, Michael R. Rossi, 13251 W. Fountain Drive, #3, New Berlin, WI, has applied for an operator's license in conjunction with his employment at The Cheesecake Factory, 2350 N. Mayfair Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Michael R. Rossi 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. Rossi'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.

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

**RESOLUTION R-07-209**

WHEREAS, Isaiah P. Satele, 2005 S. 72<sup>nd</sup> Street, West Allis, WI, has applied for an operator's license in conjunction with his employment at Buffalo Wild Wings, 2635 N. Mayfair Road;

NOW, THEREFORE, BE IT RESOLVED THAT Isaiah Satele, 2005 S. 72<sup>nd</sup> Street, West Allis, WI, is hereby issued an operator's license for the period ending June 30, 2008.

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

**RESOLUTION R-07-210**

WHEREAS, Silver Screen Partners, LLC, d/b/a Rosebud Cinema Drafthouse, 6823 W. North Avenue, Wauwatosa, WI, has applied for a Class B beer/liquor license for its new location;

NOW, THEREFORE, BE IT RESOLVED THAT a Class B beer/liquor license be awarded to Silver Screen Partners, LLC, d/b/a Rosebud Cinema Drafthouse, 6823 W. North Avenue, Wauwatosa, WI, for the period ending June 30, 2008.

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

**RESOLUTION R-07-211**

WHEREAS, the Wauwatosa School District has applied for a fireworks user's permit for the purposes of conducting a fireworks display at Wauwatosa West High School on September 28, 2007; and

WHEREAS, the Committee on Legislation, Licensing and Communications has reviewed their request;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the Clerk be authorized to issue a firework user's permit to the Wauwatosa School District for the purpose of conducting a firework's display on September 28, 2007, at Wauwatosa West High School at a specific location to be designated by the Wauwatosa Fire Chief, subject to all applicable laws and permit conditions, and subject further to all of the following:

- Receipt by the City Clerk of a signed application and appropriate permit fee;
- Receipt by the City Attorney of a Hold Harmless Agreement executed by the Wauwatosa School District in favor of the City of Wauwatosa;
- Receipt by the City Attorney of a Certificate of General Liability Insurance evidencing liability coverage for the fireworks contractor naming the City of Wauwatosa as an additional insured.

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

**RESOLUTION R-07-212**

WHEREAS, Murtis Grant-Acquah, Nana's Imported Arts & Textiles, LLC, Wauwatosa, WI, has requested a temporary extension of the licensed premises to include the rear area of her lot on September 29, 2007, for a wine tasting;

NOW, THEREFORE, BE IT RESOLVED THAT the licensed premises of Nana's Imported Arts & Textiles, LLC, be extended to include the rear lot of the building on September 29, 2007, between the hours of 4:00 PM and 6:30 PM for a wine tasting.

Moved by Ald. Krol, seconded by Ald. Becker to approve the seven foregoing resolutions -14

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION R-07-213**

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT permission be and the same is hereby granted to Robert Dennik, Milwaukee County for a Land Division by Certified Survey Map in the Medical Center and Institutions District at 1140 N. 87<sup>th</sup> Street. A Certified Survey Map to be filed with Milwaukee County Register of Deeds described as follows:

Being a part of the Northeast ¼ of the Northwest ¼ of Section 28 and Parcels 1 and 2 of Certified Survey Map No. 4552, recorded on December 26, 1984, Reel 1712, Images 1 to 4 inclusive, as Document No. 577958, and part of vacated West Gridley Avenue, being a division of lands in the Northwest ¼ of Section 28, 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 the payment of all outstanding special assessments on the aforescribed property which is being subdivided.

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION R-07-214**

WHEREAS, Jacalyn McCoy has applied for a Conditional Use in the Trade District at 2306 N. 66<sup>th</sup> Street for a therapeutic massage therapy establishment 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 THAT the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Jacalyn McCoy for a therapeutic massage therapy establishment in the Trade District at 2306 N. 66<sup>th</sup> Street.

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION R-07-215**

WHEREAS, Brendan Moore and Kent Ehley have applied for a Conditional Use in the Village Trade District at 7610 Harwood Avenue for a restaurant and bar, 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 THAT the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Brendan Moore and Kent Ehley for a restaurant and bar in the Village Trade District at 7610 Harwood Avenue subject to the following conditions:

- 1) hours of operation to be 11:00 A.M. to midnight daily, and
- 2) obtaining any required licenses and permits.

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION R-07-216**

WHEREAS, Mitchell Braverman, agent for AT&T, and Hawthorne Glen Conservation Corporation have applied for a Conditional Use in the Business Planned Development District at 6080 W. State 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 THAT the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Mitchell Braverman, agent for AT&T and Hawthorne Glen Conservation Corporation for a pad mounted fiber conversion cabinet in the Business Planned Development District at 6080 W. State 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-07-217**

WHEREAS, Edward Polito, agent for AT&T, and J C Kwiz, LLC, have applied for a Conditional Use in the DD-Eight Family Residence District at 7222 W. Center 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 THAT the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Edward Polito, agent for AT&T, and J C Kwiz, LLC, for a pad mounted fiber conversion cabinet in the Business Planned Development District at 7222 W. Center 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-07-218**

WHEREAS, Edward Polito, agent for AT&T, and JJ Hoppmann Printing, LLC, have applied for a Conditional Use in the AA-Light Manufacturing District at 3000 N. 117<sup>th</sup> 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 THAT the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Edward Polito, agent for AT&T, and JJ Hoppmann Printing, LLC, for a pad mounted fiber conversion cabinet in the Business Planned Development District at 3000 N. 117<sup>th</sup> 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-07-220**

WHEREAS, the City of Wauwatosa has applied for a Conditional Use in the AA Single Family Residence District at 11000 W. Potter Road for a free standing communications tower up to 80 feet tall, 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 the City of Wauwatosa for a free standing telecommunications tower up to 80 feet tall in the AA Single Family Residence District at 11000 W. Potter Road.

Moved by Ald. Treis, seconded by Ald. Herzog to approve the seven foregoing resolutions -4

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION R-07-219**

WHEREAS, the City of Wauwatosa has applied for a Conditional Use in the BB Two-Family Residence District at 7725 W. North Avenue for a free standing communications tower up to 90 feet tall, 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 the City of Wauwatosa for a free standing telecommunications tower up to 90 feet tall in the BB Two-Family Residence District at 7725 W. North Avenue.

Moved by Ald. Treis, seconded by Ald. Herzog to approve the foregoing resolution. Upon a roll call vote, Ayes: 12, Noes: 2 (Grimm, Krol)

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION R-07-221**

WHEREAS, the City of Wauwatosa has applied for a Conditional Use in the Municipal and Public Works District at 1700 N. 116<sup>th</sup> Street for a free standing communications tower up to 100 feet tall, 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 the City of Wauwatosa for a free standing telecommunications tower up to 100 feet tall in the Municipal and Public Works District at 1700 N. 116<sup>th</sup> Street.

Moved by Ald. Treis, seconded by Ald. Herzog to approve the foregoing resolution. Ayes: 13, Noes: 1 (Krol)

**FROM THE COMMITTEE FROM THE COMMITTEE ON BUDGET & FINANCE**

**RESOLUTION R-07-223**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT from and after the 18th day of September, 2007, the buildings and other property belonging to the City of Wauwatosa, be insured in the Local Government Property Insurance Fund, under Chapter 605, Wis. Stats., and amendments thereto, and the City Clerk for the City of Wauwatosa is hereby directed to carry out the provisions of this Resolution.

**FROM THE COMMITTEE FROM THE COMMITTEE ON BUDGET & FINANCE**

**RESOLUTION R-07-224**

WHEREAS, the Purchasing Manager reviewed requirements for a color copier in the City Clerk's Office; and

WHEREAS, a 60 month contract with Ricoh Business Systems to furnish model MP7500 for a monthly cost of \$362.44; and

WHEREAS, in comparison with the eight other vendors submitting proposals, the contract with Ricoh is in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials are hereby authorized to enter into a contract for a model MP7500 color copier at a monthly cost of \$362.44.

**FROM THE COMMITTEE FROM THE COMMITTEE ON BUDGET & FINANCE**

**RESOLUTION R-07-225**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the claim filed by Brad Stokke for damages be and the same is hereby denied and placed on file for the reason that no liability exists on the part of the City;

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to notify said claimant of this action of the Common Council as provided by law.

Moved by Ald. Stepaniak, seconded by Ald. Maher to approve the three foregoing resolutions - 14



**FROM THE COMMITTEE FROM THE COMMITTEE ON BUDGET & FINANCE**

**RESOLUTION R-07-222**

WHEREAS, the City of Wauwatosa Water Department issued Requests for Proposals for a video surveillance/wireless communication system to protect the water department infrastructure; and

WHEREAS, a working group of interested departments evaluated responses to the proposals; and

WHEREAS, the proposal of Baycom, Inc. of Green Bay, WI, was deemed to be the proposal in the best interest of the City, at a total cost of \$167,764.00; and

WHEREAS, funding for the proposed system would come from a number of sources, including \$101,000.00 from the Water Department, of which 80% is to be provided through Homeland Security grants, \$28,000.00 from the Police Department as a result of delayed projects and unused salary amounts, \$5,200.00 from the Department of Information Systems cost reductions, \$4,150.00 from unused Health Department grant funds, and the balance from the Reserve for Contingencies;

NOW, THEREFORE, BE IT RESOLVED THAT the purchase of a video surveillance/wireless communication system for the Water Department infrastructure protection and other related uses from Baycom, Inc., of Green Bay, WI, pursuant to the proposal received August 22, 2007, in an amount not to exceed \$167,764.00, to be funded from the sources described in the September 4, 2007, Memorandum of the Purchasing Manager to the Budget & Finance Committee, is hereby approved.

Moved by Ald. Stepaniak, seconded by Ald. Maher to approve the foregoing resolution. Upon a roll call vote, Ayes: 12, Noes: 2 (Grimm, Krol)

**FROM THE COMMITTEE ON BUDGET & FINANCE**

**BILLS AND CLAIMS FOR THE PERIOD 9/5/07-9/18/07--**

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 9/5/07-9/18-07: \$2,297,999.37

Moved by Ald. Maher, seconded by Ald. Purins that each and every one of the accounts of bills and claims be allowed and ordered paid. Upon a roll call vote, Ayes: 14

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-07-226**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to the Washington Homes Association, Wauwatosa, WI, to encroach onto City right-of-way with stone entry markers at the southeast and southwest corners of W. Lloyd Street and Martha Washington Drive, the south side of Hillcrest Drive at N. 68<sup>th</sup> Street, and the east side of Upper Parkway South and Milwaukee Avenue, 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;

BE IT FURTHER RESOLVED THAT said indenture shall include the requirement that any decision on tree removal or replacement of any City trees would be made by the City Forester and the entry markers shall be maintained in a condition acceptable to the City at all times.

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-07-227**

WHEREAS, the Board of Public Works has accepted the work of Asphalt Concrete Repaving and work incidental thereto in the City of Wauwatosa under Contract 06-6 and the same is ready for final payment.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa THAT:

Section 1. The work of Asphalt Concrete Repaving under Contract 06-6 is hereby accepted.

Section 2. The proper city officer be and they are hereby authorized and directed to draw and sign a city order in the sum of six thousand three hundred ninety-three dollars and sixty cents (\$6,393.60) in favor of D. C. Burbach, Inc. as the final payment under said contract, upon receipt of waivers of lien and for labor and materials furnished under said contract, and upon receipt of an affidavit stipulating compliance with wage rate requirements.

Moved by Ald. Birschel, seconded by Ald. Ewerdt to approve the two foregoing resolutions -14

There being no further business, the meeting adjourned at 8:37 p.m.

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Bernadette A. Williams, Deputy City Clerk