



CITY OF WAUWATOSA  
MEMORIAL CIVIC CENTER  
7725 WEST NORTH AVENUE  
WAUWATOSA, WI 53213  
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**COMMON COUNCIL**  
**Regular Meeting, Tuesday, December 4, 2007**

PRESENT: Alds. Hanson, Herzog, Krill, Krol, Maher, Meaux (7:38 p.m.), Minear, Purins, Stepaniak, Treis, Becker, Birschel, Didier, Donegan, Ewerdt, Grimm

ALSO PRESENT: Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Mr. Braier, Finance Director; Mr. Kappel, Public Works Director; Mr. Wehrley, City Engineer; Police Chief Weber; Fire Chief Redman; Ms. Ledesma, City Clerk; Ms. Van Hoven, Deputy City Clerk

Mayor Estness in the Chair

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

The City was presented with a Silver Award by Cities and Villages Mutual Insurance Company in recognition of its loss control/risk management program co-chaired by Asst. Fire Chief Mike Anton and firefighter Troy Boesl.

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

**PUBLIC HEARING**

The first item of business was a public hearing to consider a proposal to reduce the size of the Common Council.

The Mayor declared the public hearing open and asked whether any member of the public present wished to be heard on the matter.

Eugene Nickel, 555 Robertson Street, pointed out that the Milwaukee County Board of Supervisors has been reduced from 25 to 19 members. Wauwatosa should do something similar, especially since there are now 16 representatives for city with a population under 50,000. He opined that 8 members would be sufficient. Moreover, council members should be ineligible to collect pension benefits. The elected school board members do not receive salary or benefits for their service.

(Ald. Meaux present 7:38 p.m.) -16

Chris Slinker, 1936 N. 84th Street, suggested that this is a sensible time to make a reduction. Surrounding communities have done this. Most voters are unaware that they have two council members. Cities larger than Wauwatosa have streamlined government. This issue will resonate with voters as it will show voters the council is making an effort.

Peter Hart, 11916 W. Meinecke Avenue, noted that while the population of the city has decreased over the past 20-30 years, the complexity of issues before the council has not necessarily decreased. Fewer alderpersons means fewer voices to be heard. The city needs to hear from many voices to solve the problems confronting it.

Brian Olen, 1553 N. 117th Street, opined that after watching meetings, it is clear that having a 16-member council is inefficient and non-productive. This issue should be sent to referendum so tax payers can make a decision. Reducing the number from 16 to 10 seems reasonable; the city of Greenfield has just 5 council members. Sixteen voices sometimes prolong issues longer than necessary. He noted that in his district, one council member voted for the 2008 budget, while the other voted against it. He had no representation, therefore, for this vote.

Colleen Nelson, 12234 W. Cathedral Avenue, noted that the private sector sometimes needs to downsize. It doesn't often happen in government. She opined that fewer council members will still get the job done; she has never met either of her current aldermen, but did meet former alderman Bachman.

The public hearing was declared closed and the issue will be referred back to the Community Development Committee (December 11, 2007).

#### **APPLICATIONS, COMMUNICATIONS, ETC.**

1. Notice of Claim; Matt Cellitti, 546 N. 67<sup>th</sup> Street  
**City Attorney**
2. Conditional Use application for a wellness center with massage therapy at 11430 W. Blue Mound Road  
**Plan Commission, Committee on Community Development**
3. Conditional Use application for a backup generator at 108 N. Glenview Avenue  
**Plan Commission, Committee on Community Development**
4. Southeastern Wisconsin Regional Planning Commission 2006 Annual Report  
**Place on file**
5. Letter from May Investments, LLC, 10501 W. Research Drive, Suite G400 requesting payment of additional costs for development of an office building at the same address  
**Community Development Director, City Engineer**
6. Email from Jean Radtke, Tosa Taxpayers Alliance, 6750 Maple Terrace in support of reducing the size of the Common Council and retaining a bonding cap for the Capital Improvements Program  
**Add to existing files**
7. City of Wauwatosa Bank Reconciliation of Depository Accounts as of October 31, 2007  
**Place on file**
8. Email from Craig Siwy, 7102 W. Wisconsin Avenue, in support of retaining the current bonding cap for the Capital Improvements Program  
**Add to existing file**
9. Email from Craig Siwy, 7102 W. Wisconsin Avenue, in support of reducing the size of the Common Council  
**Add to existing file**
10. Letter from Timothy M. Casey, 8102 Jackson Park Blvd. in opposition to reducing the size of the Common Council  
**Add to existing file**

**FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS**

**RESOLUTION R-07-279**

WHEREAS, Adam C. Podkomorski, 9050 S. York Court, Oak Creek, WI, applied for an operator's license in conjunction with his employment at P. F. Changs, 2500 N. Mayfair Road, Wauwatosa; and

NOW, THEREFORE, BE IT RESOLVED THAT Adam C. Podkomorski 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. Podkomorski'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 foregoing resolution. 15-1 (Becker).

(The vote coming from committee was 5-1 [Becker] and not 6-0 as previously reported.)

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-07-280**

WHEREAS, the Wauwatosa Police Department has scheduled a second and final phase of carpet replacement plan during the year 2008; and

WHEREAS, the Police Department has identified unspent funds in 2007 in its Personnel Wage Account and Uniform Allowance Accounts totaling \$6,450.00 which would be available to fund this second phase of carpet replacement in the year 2007;

NOW, THEREFORE, BE IT RESOLVED THAT transfers of \$4,450.00 from the Police Department's Personnel Wage Account and \$2,000.00 from the Police Department's Uniform Allowance Account, for a total of \$6,450.00, to the appropriate account for completion of Phase II of the Police Department's carpet replacement plan in 2007, are hereby approved.

It was moved by Ald. Stepaniak, seconded by Ald. Maher to approve the foregoing resolution. -16

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**ORDINANCE 0-07-25**

AN ORDINANCE REPEALING WAUWATOSA CODE SECTION 20.13 OF THE CHARTER ORDINANCES OF THE CITY OF WAUWATOSA RELATING TO LIMITATIONS ON BONDS AND NOTES ISSUED WITHOUT REFERENDUM APPROVAL

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

Part I. Wauwatosa Code Section 20.13 of the Charter ordinances of the City of Wauwatosa is hereby repealed.

Part II. Subject to the provisions of Section 66.0101 of the Wisconsin Statutes, this ordinance shall become effective 60 days after its date of publication.

It was moved by Ald. Stepaniak, seconded by Ald. Maher to adopt the foregoing ordinance. Roll call vote, Ayes 11, Noes 5 (Herzog, Meaux, Birschel, Didier, Ewerdt)

Ald. Grimm stated he would ask for reconsideration at the next meeting.

Ald. Grimm withdrew his request for reconsideration in two weeks.

It was moved by Ald. Grimm, seconded by Ald. Didier to reconsider at this meeting the vote previously taken on the charter ordinance. –

Ald. Grimm withdrew his motion.

It was moved by Ald. Didier to reconsider the issue at this meeting; the motion was ruled out of order because Ald. Didier had not voted on the prevailing side.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

BILLS AND CLAIMS FOR THE PERIOD 11/21/07 – 12/04/07 --

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 11/21/07 – 12/04/07: \$1,604,117.15

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 16

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-07-281**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to Cheryl Wahlberg, 8520 Kenyon Avenue, Wauwatosa, WI, to encroach

onto City right-of-way with a stone wall, subject to the applicants executing unto the City of Wauwatosa an indenture setting forth the terms, provisions and conditions relating to the granting of the aforesaid permission by said City to said applicants.

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-07-282**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to Rod Schmidt, 7754 Harwood Avenue, Wauwatosa, WI, to encroach onto City right-of-way with a projecting sign, subject to the applicant(s) 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 applicant(s) and to be removed after a specific period of time should the premises be vacated.

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-07-283**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to the Milwaukee Metropolitan Sewerage District, Milwaukee, WI, to encroach onto City right-of-way with four groundwater monitoring wells in the area bounded by River Parkway and the Menomonee River east of N. 68<sup>th</sup> Street and one well north of the Menomonee River west of N. 68<sup>th</sup> Street, subject to the applicant(s) 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 applicant(s).

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

There being no further business, the meeting adjourned at 9:03 p.m.

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Carla A. Ledesma, CMC, City Clerk