



CITY OF WAUWATOSA
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COMMON COUNCIL
Regular Meeting, Tuesday, January 19, 2010

PRESENT: Alds. Ewerdt, Hanson, Herzog, Jay (7:33 p.m.), McBride, Meaux, Nikceвич, Stepaniak, Walsh, Wilke, Berdan, Birschel, Dennik -13

EXCUSED: Alds. Donegan, Krol, Organ

ALSO PRESENT: Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Ms. Plass, Acct. Manager; Mr. Kappel, Public Works Director; Ms. Welch, Community Development Director; Police Chief Weber; Mr. Wehrley, City Engineer; Ms. Ledesma, City Clerk; Ms. Van Hoven, Deputy City Clerk

Mayor Didier in the Chair

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

It was moved by Ald. McBride, seconded by Ald. Hanson that the reading of the minutes of the last regular meeting be dispensed with and they be approved as printed. -12

(Ald. Jay present 7:33 p.m.) -13

PUBLIC HEARING

The first item of a business was a public hearing concerning the proposed 2010 street improvements:

<u>Street & Location</u>	<u>Ald. Dist.</u>	<u>Exist & (Prop.) Width</u>	<u>Pavement Construction Type</u>	<u>Assessed Sidewalk Work</u>
N. 120 th St. – W. Locust St. to W. Chambers St.	6	30'	C	No
N. 124 th St. – W. Walnut Rd. to north of W. Garfield Ave.	7	24' (30')	C	No +
W. Burleigh St. – N. Mayfair Rd. to east city limit	6	32'-22'-32'	C	Yes
W. Concordia Ave. – N. 96 th St. to W. Argonne Dr.	6	30'	C	No *
Glenway St. – Glenway Ct. to W. Ruby Ave.	8	30'	C	No
Glenway Ct. – N. 110 th St. to Glenway St.	8	30'	C	No

+ Joint project with Village of Elm Grove

* Joint project with City of Milwaukee

Proof of publication and affidavit of mailing are in the file. No petitions have been filed.

N. 120th Street – W. Locust Street to W. Chambers Street

No one of the public appeared to speak on this proposal.

N. 124th Street – W. Walnut Road to north of W. Garfield Avenue

No one of the public present wished to speak in favor of the proposal.

Mr. Kappel stated that this is a joint project with the Village of Elm Grove. Staff has not yet viewed Elm Grove's portion of the plans and does not know whether Elm Grove intends to expand the roadway. The widening of the roadway and creation of a shoulder is recommended in order to protect the road's edges from breaking down. Currently, with no shoulder and a rather abrupt elevation difference at the road's edge, the surface is deteriorating at the edge. Mr. Kappel stated that the need for this project is unrelated to Elm Grove's recent water project. Proposed elevations for the project have not yet been determined because preliminary design work will not begin unless the Common Council approves this project.

The following members of the public presented spoke in opposition to the proposal:

Eric Halkola, 12323 Woodside Court, asked about the need to expand the width from 24 to 30 feet. He expressed concern that a wider street will encourage higher speeds and may cause the loss of mature barrier trees and privacy bushes. Why widen the roadway (and create a shoulder) to encourage more bike and foot traffic if the improvement does not extend the length of the street? More foot traffic may encourage more litter that property owners will have to clean up. Will expansion also occur on the Elm Grove side of the street? Trucks already use this road frequently, despite a posted ban on trucking; a wider road will encourage more truck use.

Sue Halkola, 12323 Woodside Court, expressed concern that moving the roadway 12 feet closer to their property will cause a decrease in property value. Their property has already suffered devaluation in the current economy.

Alan Dotzler, 12320 Woodside Court, stated he is not opposed to progress, and support the paving of the street when the condition warrants it. Only a few children travel along the street, however, so the question of widening the street for pedestrian purposes should be examined. He also expressed concern about truck traffic, despite the posted prohibition. Buses in the evening are usually empty, but those vehicles are still doing damage to the road, especially the edge.

In response to a query, Mr. Kappel stated that the average life of an asphalt surface is about 36 year; this roadway surface is 27 years old.

W. Burleigh Street – N. Mayfair Road to east city limits

No one of the public appeared to speak in favor of, or in opposition to, this proposal.

Pat Stanley, 9929 W. Burleigh Street, asked whether the issue of speeding can be addressed. Eastbound traffic on Burleigh Street frequently reaches high rates of speed. Improving the roadway surface may exacerbate the problem.

W. Concordia Avenue – N. 96th Street to W. Argonne Drive

No one of the public appeared to speak on this proposal.

Glenway Street – Glenway Court to W. Ruby Avenue

No one of the public appeared to speak in favor of or in opposition to this proposal.

Dennis Claas, 4454 Glenway Street, inquired whether the work needed to be done because of a recent sewer project. He opined that the work was unnecessary.

Mr. Kappel confirmed that after the sewer project was finished some years ago, the trench that it created was simply repaired. The resurfacing is needed because of that work. Additionally, Glenway Street was not seal-coated along with other area streets because it was already part of the five-year improvement plan.

Glenway Court – N. 110th Street to Glenway Street

No one of the public appeared to speak on this proposal.

The public hearing was declared closed. Matter ordered held in file for two weeks (February 2, 2010).

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-10-03

WHEREAS, Dennis R. Day Jr., 2356 N. 60th Street, Milwaukee, WI, has applied for an operator's license in conjunction with his employment at Mo's Irish Pub, 10842 W. Blue Mound Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Dennis R. Day Jr., 2356 N. 60th Street, Milwaukee, WI, is hereby issued an operator's license for the period ending June 30, 2010.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-10-04

WHEREAS, Melissa Lee Kuehn, N103 W16579 Country Court, Germantown, WI, has applied for an operator's license in conjunction with her employment at JoJo's Martini Lounge, 418 N. Mayfair Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Melissa Lee Kuehn, N103 W16579 Country Court, Germantown, WI, is hereby issued an operator's license for the period ending June 30, 2010.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-10-05

WHEREAS, William Poull of The Club Tap, 8828 W. North Avenue, has requested a temporary extension of the Class "B" Beer/ "Class B" Liquor License to include the rear parking lot of his business on February 14, 2010 for the annual Chili Contest;

NOW, THEREFORE, BE IT RESOLVED THAT the Class “B” Beer/ “Class B” Liquor License be extended to include the rear parking lot of his business on February 14, 2010 between the hours of 12:00 p.m. to 6:00 p.m.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-10-06

WHEREAS, William Poull of The Club Tap, 8828 W. North Avenue, has requested a temporary extension of the Class “B” Beer/ “Class B” Liquor License to include the rear parking lot of his business on June 5, 2010 and June 6, 2010 for the annual Corn Roast;

NOW, THEREFORE, BE IT RESOLVED THAT the Class “B” Beer/ “Class B” Liquor License be extended to include the rear parking lot of his business on June 5, 2010 and June 6, 2010 between the hours of 11:00 a.m. to 8:00 p.m. both days, with music from 1:00 p.m. to 6:00 p.m. both days.

It was moved by Ald. Birschel, seconded by Ald. Hanson to approve the four foregoing resolutions. -13

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-10-07

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT a public hearing be held before the Common Council in the Council Chambers at 7:30 p.m. Local Time, on Tuesday, February 2, 2010 in the City Hall of the City of Wauwatosa, Wisconsin at which time all persons interested, or their agents or attorneys, will be heard concerning the proposed designation of Wauwatosa Avenue as a local historic district.

BE IF FURTHER RESOLVED THAT the City Clerk be and is hereby directed to publish the proper notices of said hearing as required by law.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-10-08

WHEREAS, a public hearing was held by the City of Wauwatosa Planning Commission on January 11, 2010, to consider amendment of the project plan for tax incremental district #3 in the City of Wauwatosa for purposes of further redevelopment within the State Street Commercial Corridor; and,

WHEREAS, the required notices of the hearing were published in accordance with the statutory requirements of Wisconsin Statutes Section 66.1105(4)(e); and,

WHEREAS, a copy of such notice had previously been sent by first class mail to the Chief Executive Officers of all local government entities have power to levy taxes on the property within the proposed tax incremental finance district; and

WHEREAS, the proposed amendment will expand the boundaries of the tax incremental district to include three adjacent properties located at 1234 N. 65th Street, 1245 N. 62nd Street, and 6005 W. Martin Drive; and

WHEREAS, the specific amended boundaries are described on the attached map for tax incremental district #3; and

WHEREAS, upon creation of tax incremental district #3, the City Attorney provided a legal opinion that the proposal meets the eligibility requirements of Wisconsin Statutes 66.1105 for tax incremental financing; and

WHEREAS, the City of Wauwatosa Planning Commission has adopted the amended project plan for tax incremental district #3 with the amended boundaries and has recommended its approval by the Wauwatosa Common Council; and

WHEREAS, the original project plan for tax incremental district #3 includes a map showing existing uses and conditions of real property in the district and a map showing proposed improvements and uses in the district at the time the original project plan was adopted, as well as a statement listing the kind, numbers, and locations of all proposed public works improvements within the district; and

WHEREAS, the creation of the tax incremental district is designed to promote the continued orderly redevelopment of the State Street Commercial Corridor in order to promote the systematic economic growth, increase the tax base, and have a significant impact on the local economy;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin makes the following findings:

- 1) Upon creation of Wauwatosa tax incremental district #3, not less than 50% of the area of the State Street Corridor was a blighted area as defined in the tax incremental financing law in Section 66.1105(2)(a) of the Wisconsin Statutes;
- 2) Additional improvement of the proposed project area will significantly enhance the value of substantially all of the real property in the proposed district; and
- 3) The proposed project costs are related directly to eliminating blight and directly serve to rehabilitate the area consistent with the original purpose for the creation of the tax incremental district; and
- 4) The equalized value of the taxable property in the proposed district plus the equalized value of the taxable property in all existing TIF districts in the City of Wauwatosa does not exceed 12% of the total equalized value of the taxable property within the City;

BE IT FURTHER RESOLVED THAT the amendment to the project plan for the City of Wauwatosa tax incremental district #3, a copy of which is attached hereto and incorporated herein, is hereby approved;

BE IT FINALLY RESOLVED THAT expenditures proposed in the amended project plan be reimbursed from the budget of tax incremental district #3, and that special assessments shall not be levied against the real property within the district for said purposes.

It was moved by Ald. Herzog, seconded by Ald. Dennik to approve the two foregoing resolutions. -13

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-10-09

WHEREAS, the Milwaukee Metropolitan Sewerage District has notified the City of increases in sewer user charge rates in the 2010 operation and maintenance budget; and

WHEREAS, current rates charged to users in the City of Wauwatosa are not sufficient to pay that portion of the expenses related to sewer user rates charged by the Milwaukee Metropolitan Sewerage District in addition to the expenses required to maintain the local sewers within the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the recommendation of the Finance Director for an increase in 2010 sanitary sewer rates, as reflected in his memorandum of January 5, 2010, a copy of which is attached hereto, is hereby approved.

It was moved by Ald. Ewerdt, seconded by Ald. Walsh to approve the foregoing resolution. -13

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 1/6/10 – 1/19/10 --

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 1/6/10 – 1/19/10: \$2,935,932.57

It was moved by Ald. Meaux, seconded by Ald. McBride that each and every account of bills and claims be allowed and ordered paid. Roll call vote, Ayes 13

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-10-10

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 Visu-Sewer, Inc., for the

work of reconstruction of fully deteriorated sewers using a structural C.I.P.P. relining process, and work incidental thereto under Contract 10-01 at and for their bid price of \$40,988.50, this being the lowest and best bid.

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

It was moved by Ald. Birschel, seconded by Ald. Walsh
to approve the foregoing resolution. -13

There being no further business, the meeting adjourned at 8:03 p.m.

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Carla A. Ledesma, CMC, City Clerk