



CITY OF WAUWATOSA
MEMORIAL CIVIC CENTER
7725 WEST NORTH AVENUE
WAUWATOSA, WI 53213
Telephone: (414) 479-8917
Fax: (414) 479-8989

COMMON COUNCIL

Regular Meeting, Tuesday, April 4, 2006

PRESENT: Aids. Meaux, Purins, Subotich, Sullivan, Treis, Bruderle-Baran, Becker, Birschel, Grimm, Herzog, Jenkins, Kopischke, Krol, Krill, Maher -15

EXCUSED: Ald. Stepaniak

ALSO PRESENT: Mr. Wontorek, City Administrator; Mr. Braier, Finance Director; Mr. Kesner, City Attorney; Mr. Kappel, Dir. of Public Works; Ms. Welch, Community Development Director; Police Capt. Reit; Fire Chief Redman; Ms. Murphy, Library Director; Ms. Nielsen, Nursing Supr.; 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 presented plaques to outgoing Council members Bruderle-Baran, Jenkins, and Subotich in appreciation for their years of service to the City.

It was moved by Ald. Grimm, seconded by Ald. Kopischke 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 order of business was a public hearing to consider the following proposed ordinance:

ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING THE PROPERTY LOCATED AT 3040 N. 117TH STREET FROM AA LIGHT MANUFACTURING DISTRICT TO AA BUSINESS DISTRICT

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

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect the following change:

A parcel described as follows: COMM IN CEN LIT OF N 117TH ST 78.11 FT S 2D58M53S W OF N 4 OF SE ¼ SEC TH S 78D11M10S E 50.36 FT TO PL OF BEG OF PARCEL TO BE DESC TH S 78D11M10S E 52.72 FT

TH S 53D12M15S E 82.54 FT TH S 2D25M E 338.42 FT TH N 87D1M7S
W 134.,96 FT TH N 2D58M53S E 409.91 FT TO BEG in the NW ¼ of
Section 18, Town 7 North, Range 21 East, in the City of Wauwatosa, County
of Milwaukee, State of Wisconsin is Rezoned from AA Light Manufacturing
District to AA Business District.

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

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

Proof of publication is in the file.

TO THE COMMON COUNCIL, CITY OF WAUWATOSA, WI,

The City Plan Commission, to whom was referred the request by Brett West for a change of zoning at 3040 N. 117th Street from AA Light manufacturing District to AA Business District, recommends that the request be approved.

Dated this 13th day of February 2006

Nancy L. Welch, Secretary
City Plan Commission

Brett West, 1836 N. 49th Street was present in favor of the proposed ordinance on behalf of the developer, future owners and tenants of the property. The property currently houses used cars and will be converted to a medical office use.

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

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

The public hearing was declared closed. Ordered held to the next Common Council meeting, April 18, 2006.

OLD BUSINESS

The following was held after the public hearing on March 21, 2006:

ORDINANCE O-06-07

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING THE PROPERTY LOCATED AT 9125 W. NORTH AVENUE FROM BUSINESS PLANNED DEVELOPMENT AND AA SINGLE FAMILY RESIDENCE DISTRICT TO AA BUSINESS DISTRICT

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

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect the following change:

CSM Number _____, Ridge Lawn Subdivision No. 2 in the Northwest ¼ of Section 21, Town 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin is rezoned from Business Planned Development and AA Single Family District to AA Business District.

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

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

It was moved by Ald. Maher, seconded by Ald. Purins to adopt the foregoing ordinance. –

It was moved by Ald. Meaux, seconded by Ald. Krol to amend the motion to set the boundary line at 130 feet for the depth of the residential lots; the buffer between the residential and commercial properties shall be one and one-half feet; further there shall be a 5-foot setback off of North Avenue. --

Alan Silverstein, 8837 Jackson Park Boulevard, was present on behalf of the owner/developer and was allowed to speak under suspension of the rules. He verified that the Mr. Boesen will accept this amendment and make the project work within these parameters.

City Attorney Kesner clarified that the proposed conditions relative to the buffer and the setback should be attached to the approval granting the conditional use. The rezoning can be approved contingent upon the conditional use being approved with those provisions.

Roll call vote to adopt the amendment setting a depth of 130 feet for the residential properties, and adding a provision that the rezoning is contingent upon conditional use approval which creates a 1 ½ -foot buffer between residential and commercial properties, and a 5-foot setback off of North Avenue, Ayes 15.

The mayor inquired whether anyone of the public present wished to withdraw his/her opposition to the project before the Council. (A three-quarter affirmative vote of the council is required to approve the rezoning because a petition in opposition had been submitted by property owners representing 20% or more of the area of land immediately adjacent and extending 100' from the proposal). No one of the public present wished to withdraw his/her opposition.

The mayor inquired whether anyone present had written correspondence from anyone who signed the super majority petition who wished to withdraw his/her name from objection to the project. No one present came forward.

Roll call vote on original motion as amended, Ayes 15.

APPOINTMENTS BY THE MAYOR

Design Review Board A

Jeff Dodd, 1045 N. Perry Court
(Term ends 12/31/08)

Civil Service Commission

James Warzon, 1930 N. 73rd Street (reappointment)
(Term ends 9/30/07)

Dennis McBride, 7003 Cedar Street (reappointment)
(Term ends 9/30/08)

Foregoing appointments ordered held as this was the first reading.

Police and Fire Commission

Terry P. Wolfe, 7839 W. North Avenue (reappointment)
(Term ends 4/30/11)

Design Review Board B

Michael Murray, 2626 N. 94th Street (reappointment)
Michael Goetz, 8400 Stickney Avenue
(Terms end 12/31/07)

Wauwatosa Senior Commission

Sue Braden, 1934 N. 69th Street
(Term ends 4/30/09)

Interim City Administrator

Alan Kesner, City Attorney
Increase in bi-weekly salary to \$4,100

It was moved by Ald. Bruderle-Baran, seconded by Ald. Herzog to concur with the foregoing appointments. -15

APPLICATIONS, COMMUNICATIONS, ETC.

Deleted: ¶

1. Land Division/Combination application for property located at 829 & 837 N. 63rd Street
Plan Commission, Community Development Committee
2. City of Wauwatosa Statement of Financial Condition Bank Reconciliation of Depository Accounts as of February 28, 2006; and Investment Summary as of March 31, 2006
Place on file
3. Notice of Claim: Bruce L. Yeo, 5916 W. Michigan Street
City Attorney
4. Letter from Jill Tews objecting to the implementation of the smoking ban
Health Officer

5. Letter from Rob Messinger, Hector's-A Mexican Restaurant, 7118 W. State Street, opposing implementation of the smoking ban
Health Officer
6. E-mail from Kent Bordon supporting implementation of the smoking ban
Health Officer
7. E-mail from Mary Christine supporting implementation of the smoking ban
Health Officer
8. E-mail from Molly Collins supporting implementation of the smoking ban
Health Officer
9. Request by William Poull, The Club Tap, 8828 W. North Avenue, for a liquor license extension to include the rear parking lot on June 3-4, 2006 for an annual corn roast
Committee on Legislation, Licensing & Communications
10. Letter from Victoria Ostry, Wauwatosa Republican Club, requesting adoption of an ordinance making theft or destruction of a political yard sign an offense with a mandatory fine of at least \$1,000
City Attorney
11. Letter from Vicki Spiering, 9117 Jackson Park Boulevard, submitting a petition signed by property owners objecting to the rezoning of 9125 W. North Avenue
Add to existing file
12. Letter from Debra Salkin, 571 N. 67th Street, requesting additional police support during construction on State Street
Police Chief

FROM THE COMMITTEE ON BUDGET & FINANCE FOR INTRODUCTION

1. Ordinance amending Section 3.52.010 of the City Code pertaining to the disposition of abandoned property
Re-refer to originating committee
2. Ordinance amending Section 3.20 of the City Code pertaining to purchasing procedures
Re-refer to originating committee

FROM THE COMMITTEE ON EMPLOYEE RELATIONS

At the request of staff, a resolution amending the position distribution by adding a part-time Municipal Clerk I in the health department effective July 1, 2006 was held.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-06-78

WHEREAS, Tracy Grabski, 2403 Springdale Road, Waukesha, WI, has applied for an operator's license in conjunction with her employment at Buffalo Wild Wings, 2635 N. Mayfair Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Tracy Grabski, 2403 Springdale Road, Waukesha, WI, is hereby issued an operator's license for the period ending June 30, 2006.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-06-79

WHEREAS, Culinary Capital, Inc., d/b/a J'Ami, 6913 W. North Avenue, Wauwatosa, WI, has applied for a Class B beer and Class C wine license;

NOW, THEREFORE, BE IT RESOLVED THAT a Class B beer license and a Class C wine license be awarded to Culinary Capital, Inc., d/b/a J'Ami, 6913 W. North Avenue, Wauwatosa, WI, for the period ending June 30, 2006.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-06-80

WHEREAS, Cranky Al's, LLC, d/b/a Cranky Al's, 6901-03 W. North Avenue, Wauwatosa, WI, has applied for a Class B beer and Class C wine license;

NOW, THEREFORE, BE IT RESOLVED THAT a Class B beer license and Class C wine license be awarded to Cranky Al's, LLC, d/b/a Cranky Al's, 6901-03 W. North Avenue, Wauwatosa, WI, for the period beginning July 1, 2006 and ending June 30, 2007.

It was moved by Ald. Treis, seconded by Ald. Subotich to approve the three foregoing resolutions. -15

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-81

WHEREAS, Geri Johnson, Christ King Congregation, has applied for a Conditional Use in the AA Single Family Residence District at 2604-46 Swan Boulevard for an elevator additions and interior remodeling 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 Geri Johnson, Christ King Congregation, for an elevator additions and interior remodeling in the AA Single Family Residence District at 2604-46 Swan Boulevard subject to obtaining all necessary licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-82

WHEREAS, Dean Weyer and Joseph Fuchs have applied for a Conditional Use in the Village Trade District at 7474 Harwood Avenue to expand an existing child care program 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 Dean Weyer and Joseph Fuchs to expand an existing child care program in the Village Trade District at 7474 Harwood Avenue subject to obtaining all necessary licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-83

WHEREAS, the State Street Limited Partnership has applied for a Conditional Use in the AA Business District at 6950 W. State Street for a grocery store expansion 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 State Street Limited Partnership for a grocery store expansion in the AA Business District at 6950 W. State Street subject to the following conditions:

- 1) hours of operation from 6:00 a.m. to midnight daily,
- 2) adequate screening and fencing along parking lot, and
- 3) maintenance of dumpsters so that adjacent neighbors are not adversely impacted by odors or litter, and
- 4) trucks shall not be parked adjacent to residential property on north side of side, particularly refrigerated trucks or those left running, and
- 5) a plan for improved pedestrian access to the store, and
- 6) obtaining all necessary licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

ORDINANCE O-06-08

AN ORDINANCE CREATING SECTION 8.02.005 AND AMENDING SECTION 8.02.010 OF THE CODE OF THE CITY OF WAUWATOSA REGARDING THE REGULATION OF FOOD AND BEVERAGE HANDLING

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

Part I. The title of Chapter 8.02 of the Wauwatosa Municipal Code is hereby amended to read "Wisconsin Statutes and Administrative Codes pertaining to health adopted by reference."

Part II. Section 8.02.005 of the Wauwatosa Municipal Code is hereby created to read as follows:

The following enumerated sections of the Wisconsin State Statutes pertaining to Health are hereby made a part of the Code as though fully set forth herein. Any future amendments, revisions or modifications of the Statutes incorporated herein are intended to be made a part of this chapter.

1. Wisconsin Statutes Chapter 97 – Food Regulation.

Part III. Section 8.02.010 of the Wauwatosa Municipal Code is hereby amended by adding the following Administrative Code sections by reference:

- ATCP 74 Retail Food Establishment: Local Government Regulations
- ATCP 75 Retail Food Establishments

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

It was moved by Ald. Kopischke, seconded by Ald. Krill to approve the three foregoing resolutions and to adopt the foregoing ordinance. -15

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT permission be and the same is hereby granted to Ed Boesen to divide the parcel located at 9125 W. North Avenue, Wauwatosa into three parcels. The original parcel is more particularly described as follows:

That part of East 58.55 feet of Lot 26 and west 53.65 feet of Lot 25, Block 2, Ridge Lawn Subdivision No. 2, lying North of Jackson Park Boulevard, except North 40.00 thereof for street in the Northwest ¼ of the Southeast ¼ and the Northeast ¼ of Section 21, in 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.

It was moved by Ald. Kopischke, seconded by Ald. Krol to approve the foregoing resolution with the amendment to provide that the depth of the two residential lots will be 130 feet. It is specifically noted this action should not be construed to be a precedent-setting action. Roll call vote, Ayes 15.

The amended resolution is as follows:

RESOLUTION R-06-84

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT permission be and the same is hereby granted to Ed Boesen to divide the parcel located at 9125 W. North Avenue, Wauwatosa into three parcels, creating one commercial property fronting on North Avenue and two residential properties fronting on Jackson Park with a depth of 130 feet. The original parcel is more particularly described as follows:

That part of East 58.55 feet of Lot 26 and west 53.65 feet of Lot 25, Block 2, Ridge Lawn Subdivision No. 2, lying North of Jackson Park Boulevard, except North 40.00 thereof for street in the Northwest ¼ of the Southeast ¼ and the Northeast ¼ of Section 21, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin.

All in accordance with the survey 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

WHEREAS, Ed Boesen has applied for a Conditional Use in the AA Business District at 9125 W. North Avenue to construct a multi-use building with seven residential units above the first floor and;

WHEREAS, this property has been in continuous use as a floral business and greenhouse since 1912 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 Ed Boesen to construct a multi-use

building with seven residential units above the first floor in the AA Business District at 9125 W. North Avenue subject to the following conditions:

- 1) units will be sold as condominiums,
- 2) adequate screening and fencing along parking lot, and
- 3) an approved lighting plan minimizing spillover onto adjacent property, and
- 4) obtaining all necessary licenses and permits.

It was moved by Ald. Kopischke, seconded by Ald. Meaux to approve the foregoing resolution, incorporating the change in setback and change in buffer requirements contingent upon approval by the Board of Zoning Appeals and the Board of Public Works, respectively. --

Mr. Kesner clarified that the Board of Zoning Appeals is charged with approving the setback change; the Board of Public Works is responsible for approving the buffer change.

It was moved by Ald. Meaux, seconded by Ald. Krol to amend the motion to provide for the removal of the greenhouses within 90 days of the date of approval of the Board of Public Works. --

With approval by the Council to suspend the rules, Alan Silverstein, the owner's representative was allowed to speak. He confirmed that the 90-day provision is acceptable, but asked that consideration be given to allowing the floral business to operate temporarily from a trailer on the property.

Mr. Kesner stated that this issue would come before the Board of Public Works.

Gene Guskowski, 1035 Laurel Court, architect for the owner, stated that the greenhouses are a collection of three buildings: The building with the conservatory roof, a collection of green houses running parallel to Swan Boulevard, and the large building at the south end of the property. The south building will be razed and as much as possible of the structures connecting it to the conservatory building. The North Avenue building, however, needs to remain in operation until the trailer is approved for temporary placement.

With the consent of the Second, Ald. Meaux restated his motion that the conditional use approval is contingent upon removal of the south green house within 90 days of the date of approval for demolition by the Board of Public Works, and restoration of the site to the extent possible given its construction status. -15

Vote on the motion as amended, -15

The amended resolution is as follows:

RESOLUTION R-06-85

WHEREAS, Ed Boesen has applied for a Conditional Use in the AA Business District at 9125 W. North Avenue to construct a multi-use building with seven residential units above the first floor and;

WHEREAS, this property has been in continuous use as a floral business and greenhouse since 1912 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 Ed Boesen to construct a multi-use building with seven residential units above the first floor in the AA Business District at 9125 W. North Avenue subject to the following conditions:

- 1) units will be sold as condominiums,
- 2) adequate screening and fencing along parking lot, especially along residential properties, and
- 3) an approved lighting plan minimizing spillover onto adjacent property, and
- 4) approval of a variance of 5 feet to the front setback, and
- 5) approval of an exception to the parking code along the rear of the property allowing reduced setback from residential property, and
- 6) a plan for development of the site including a time schedule for demolition of old structures and new construction, and
- 7) obtaining all necessary licenses and permits.

FROM THE COMMITTEE ON BUDGET AND FINANCE

The Committee on Budget and Finance, to whom was referred the Village Business Improvement District (BID) revised 2006 budget, recommends to the Common Council that the document be placed on file.

Dated this 4th day of March 2006.

Committee on Budget and Finance

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-86

WHEREAS, the 2002 Help America Vote Act (HAVA) requires that each voting location provide voting equipment which may be used without assistance by voters having disabilities; and

WHEREAS, the AVC Edge HAVA compliant voting machine distributed by Command Central and manufactured by Sequoia Voting Systems has been approved by both the Federal government and the State of Wisconsin for this use; and

WHEREAS, the maximum price per machine will be approximately \$5,200.00 per unit, which price may be reduced should additional jurisdictions in Milwaukee County purchase these same machines; and

WHEREAS, the City of Wauwatosa is eligible for reimbursement for this purchase from HAVA funds up to a maximum of \$6,000.00 per voting location, which is adequate to fund the entire cost of 14 AVC Edge HAVA compliant voting machines;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa is hereby authorized to purchase 14 AVC Edge HAVA compliant voting machines from Command Central of Waite Park, Minnesota, one for each voting location in the City of Wauwatosa, at a cost not to exceed \$5,200.00 per unit, which expenditure shall be entirely reimbursable from HAVA funds.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-87

WHEREAS, the City of Wauwatosa had previously budgeted \$350,000.00 for the purchase of a replacement pumper fire truck during the year 2006; and

WHEREAS, the lowest bid price for the appropriate apparatus, after trade-in, was \$421,415.00 from Pierce Manufacturing; and

WHEREAS, the 2006 capital budget contained a budget of approximately \$100,000.00 for the purchase of HAVA compliant voting equipment which will not be spent during 2006 because much of the cost will be reimbursable;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials are hereby authorized to purchase a new 1250 G.P.M. pumper apparatus pursuant to the bid received March 15, 2006 from Pierce Manufacturing of Appleton, WI, at a total price of \$421,415.00;

BE IT FURTHER RESOLVED THAT \$72,415.00 of funds previously allocated for the purchase of the voting equipment during the year 2006 are hereby reallocated toward previously budgeted funds to provide the total price for the cost of this purchase.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-88

WHEREAS, the 2006 capital budget has provided funding for the purchase of a replacement ambulance/rescue squad for the Wauwatosa Fire Department; and

WHEREAS, after soliciting bids, the bid of 5-Alarm Fire & Safety Equipment of Fort Atkinson, WI, at a price not to exceed \$182,265.00 with trade-in is deemed to be the bid which is in the best interest of the City; and

WHEREAS, budgeted funds are sufficient to provide for this purchase;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials are hereby authorized to purchase a replacement ambulance/rescue squad from 5-Alarm Fire & Safety Equipment of Fort Atkinson, WI, pursuant to the bid submitted on March 8, 2006, at a price not to exceed \$182,265.00 with trade-in.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-90

WHEREAS, assessments for alley paving conducted during the 2005 construction season included the alley behind the building at 7303 W. Center Street, the final assessment for which was \$6,093.89; and

WHEREAS, this final assessment was almost 25% higher than the original estimate provided to the property owner; and

WHEREAS, the property owner at 7303 W. Center Street has requested a reduction in his assessment for this alley repaving project, or in the alternative, has requested additional time to pay the assessment;

NOW, THEREFORE, BE IT RESOLVED THAT the request by the property owner at 7303 W. Center Street for a reduction in his assessment for alley repaving during the year 2005 is hereby denied;

BE IT FURTHER RESOLVED THAT the authorized repayment period for the 2005 alley construction assessment regarding the property at 7303 W. Center Street is hereby extended to a 10-year repayment period.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-91

WHEREAS, workers from WE Energies were digging in the City right-of-way in the area of 68th and State Street in the City of Wauwatosa and uncovered a previously undiscovered abandoned fuel tank contained entirely within City of Wauwatosa property on land which was purchased by the City in 1941; and

WHEREAS, progress through the various construction projects in and around the location of 68th and State Streets require immediate removal and cleanup of the site; and

WHEREAS, Geo Trans, Inc. is currently under contract by the City of Wauwatosa for similar clean-up services in a different location;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials are hereby authorized to direct Geo Trans, Inc. to remove the recently discovered underground storage tank in the vicinity of 68th and State Streets and provide the necessary clean-up to comply with relevant environmental laws at a cost not to exceed \$30,000.00;

BE IT FURTHER RESOLVED THAT the competitive bidding process for this project is hereby waived.

It was moved by Ald. Bruderle-Baran, seconded by Ald. Maher to approve the five foregoing resolutions and one foregoing report. -15

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-89

WHEREAS, in November, 2005, the Wauwatosa Common Council reviewed the need for supplemental air conditioning in the Police Department computer room and a design and engineering study concluded that such air conditioning was necessary; and

WHEREAS, no funds were budgeted during the 2006 budget year to provide for the new air conditioning unit; and

WHEREAS, after soliciting proposals, the bid of Sure-Fire, Inc. to provide supplemental air conditioning in the Police Department computer room is currently the lowest price and is the bid which is in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED THAT the bid of Sure-Fire, Inc. of Horicon, WI, for a supplemental air conditioning unit in the Police Department computer room at a cost not to exceed \$22,550.00 is hereby accepted and City officials are authorized to enter into an agreement pursuant to the bid received March 14, 2006;

BE IT FURTHER RESOLVED THAT the \$22,550.00 is hereby appropriated from the Reserve for Contingencies to the appropriate accounts to provide funds necessary to complete this project.

It was moved by Ald. Maher, seconded by Ald. Herzog to approve the foregoing resolution. 14-1 (Bruderle-Baran)

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 3/22/06 – 4/04/06,

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 3/22/06 – 4/04/06: \$1,052,239.53

It was moved by Ald. Purins, seconded by Ald. Meaux 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 8:40 p.m.