



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

Regular Meeting, Wednesday, July 5, 2006

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

EXCUSED: Ald. Krill

ALSO PRESENT: Mr. Kesner, Interim City Administrator/City Attorney; Mr. Braier, Finance Director; Mr. Kappel, Dir. of Public Works; Ms. Szudy, Planner II; Police Chief Weber; Mr. Ramcheck, Project Analyst; 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, Mr. Ramcheck, and Chris Beimborn of Wisconsin Be SMART Coalition acknowledged three Wauwatosa residents who were collectively awarded a \$1,000 scholarship from Wisconsin Be SMART Coalition for waste reduction. Samantha Bzdawka, Hayley Nitschke, and Colleen O'Connor distributed energy efficient compact fluorescent light bulbs to residents for use in place of incandescent bulbs.

Mayor Estness and Common Council President Becker recognized the Police Department's honorable mention award in the Public Policy Forum's "Salute to Local Government." The award was a result of the department's cooperation in testing the Phoenix law enforcement software as it was being developed. In addition to saving the department over \$200,000, Wauwatosa's favorable reaction to the software has spurred its use by other communities, thereby increasing the data base and the sharing of files.

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 Parks and Forestry Commissioners
George Hass, 7425 W. Garfield Avenue
(Term ends 4/30/07)

Foregoing appointments ordered held as this was the first reading.

Provided for informational purposes only.

APPLICATIONS, COMMUNICATIONS, ETC.

1. Application for a Land Division of property at 12000 W. Burleigh Street
Plan Commission, Committee on Community Development
2. Special Use application to construct a storage shed with a roof height over 16 feet
Plan Commission
3. Conditional Use application for an office use in the AA Light Manufacturing District at 3015 N. 114th Street
Plan Commission, Committee on Community Development
4. Conditional Use application for approval of the Hart Park master plan including a performance stage and other park amenities at Hart Park, 7300 Chestnut Street
Plan Commission, Committee on Community Development
5. Conditional Use application to install a telephone fiber conversion cabinet to upgrade network services at 6501 W. Lloyd Street
Plan Commission, Committee on Community Development, City Attorney
6. Letter from Kathy Causier, president, Wauwatosa Historical Society, requesting review of a proposal for renovation and future use of the Little Red Store
Director of Community Development
7. Notice of Claim: State Auto Insurance Companies for Dr. John Schuller, 6819 Wellauer Drive; Margo & Robert O'Brien-Hokanson, 8832 Stickney Avenue; Michael Cummings, 5764 N. 77th Street, Milwaukee
City Attorney
8. Letter from Terry Wolfe, Wauwatosa Police & Fire Commission, expressing Commission support of the Fire Chief's request to rebuild, remodel or relocate Fire Station #1
Add to existing file
9. Bank Reconciliation of Depository Accounts as of May 31, 2006
Place on file
10. Letter from Rev. Peter Drenzek, St. Bernard Congregation, requesting removal of the Harwood-Mower site as a potential location for Fire Station #1
Add to existing file

FROM THE COMMITTEE ON BUDGET & FINANCE FOR INTRODUCTION

1. Ordinance authorizing the Budget Committee to hold meetings at the discretion of the Committee
Re-refer to originating committee

FROM THE COMMITTEE ON EMPLOYEE RELATIONS

RESOLUTION R-06-149

WHEREAS, the Public Works Director proposes to create a student clerk intern position to perform the following duties in the Public Works Department:

1. Computer work including data entry and reporting;
 - a. Input data from recycling enforcement tags, develop and generate reports of violations;
 - b. Input data from garbage cart repairs/replacements, develop and run reports of routes;
 - c. Update route data base from information from other City property systems;
2. Recycling enforcement and record keeping;
 - a. Assist in addressing commercial and multi-family (5 units or more) recycling compliance by responding to inquiries and complaints as directed by supervisor(s);
 - b. Record and report on such commercial and multi-family recycling efforts;
3. Recycling survey;
 - a. Help survey residents, organizations, and/or area communities regarding recycling;
 - b. Compile survey data electronically for reporting;
4. Information and education;
 - a. Assist in public recycling education, presentations, and events.
 - b. Portray "Carey the C.A.R.E.S. Bear" with such education as needed; and,

WHEREAS, the Employee Relations Committee recommends that a student clerk intern position be created at a rate of not more than \$12.00 per hour; and

WHEREAS, such position shall be classified as "temporary" such that different students may fill that position from time to time and that such position is intended to be filled on a semester by semester basis;

NOW, THEREFORE, BE IT RESOLVED THAT a temporary student clerk intern position shall be created with pay at a rate of not to exceed \$12.00 per hour.

It was moved by Ald. Purins, seconded by Ald. Birschel
to approve the foregoing resolution. -15

FROM THE COMMITTEE ON EMPLOYEE RELATIONS

RESOLUTION R-06-150

WHEREAS, the Employee Relations Committee invited three recruitment firms to make presentations; and

WHEREAS, the Employee Relations Committee concludes that Public Administration Associates, LLC's proposal best suited the City's needs; and

WHEREAS, the Employee Relations Committee recommends that Public Administration Associates, LLC be retained to conduct the recruitment and selection process for City Administrator for a fee of \$10,000.00 plus reimbursable expenses estimated at \$800.00;

NOW, THEREFORE, BE IT RESOLVED THAT the proper City officials are authorized to retain Public Administration Associates, LLC, to conduct the recruitment and selection of the City Administrator.

It was moved by Ald. Purins, seconded by Ald. Birschel to approve the foregoing resolution. -14-0-1 (Maher)

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-06-151

WHEREAS, Andrew Grassel of Colonel Hart's, 7324 W. State Street, Wauwatosa, WI, has requested a temporary extension of the licensed premises to include the parking lot on July 29, 2006, for his annual fund raising event for the Cystic Fibrosis Foundation and the Wauwatosa East High School Booster Club;

NOW, THEREFORE, BE IT RESOLVED THAT the licensed premises of Colonel Hart's be extended to include the parking lot of the building on July 29, 2006, between the hours of 12:00 and 10:00 PM with live music from 1:00 PM to 9:00 PM, on the condition that refuse resulting from the event will be thoroughly cleaned by the premises owner and any outdoor music will be kept to a minimal volume.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-06-152

WHEREAS, Randall C. McLaughlin, 5315 W. Wisconsin Avenue, Milwaukee, WI, has applied for an operator's license in conjunction with his employment at Applebee's, 6750 W. State Street, Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT Randall C. McLaughlin, 5315 W. Wisconsin Avenue, Milwaukee, is hereby issued an operator's license for the period ending June 30, 2007.

It was moved by Ald. Krol, seconded by Ald. Maher to approve the two foregoing resolutions. -15

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

ORDINANCE O-06-13

AN ORDINANCE CREATING SECTION 15.14.175 OF THE WAUWATOSA MUNICIPAL CODE, PROHIBITING THEFT OR DESTRUCTION OF RESIDENTIAL YARD SIGNS AND CREATING A MINIMUM PENALTY FOR VIOLATIONS

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

Part I. Section 15.14.175 of the Wauwatosa Municipal Code is hereby created to read as follows:

15.14.175 – Destruction of Residential Yard Signs. A. The theft, tampering with, defacing, or destruction of any legally-placed yard sign on a residential property is prohibited, and shall be penalized as provided in Part B below.

B. Any violation of this provision shall be punishable by a forfeiture of not less than \$250.00 nor more than \$2,000.00 per violation, plus costs.

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

It was moved by Ald. Krol, seconded by Ald. Maher to adopt the foregoing ordinance. Roll call vote, Ayes 11, Noes 4 (Maher, Meaux, Purins, Stepaniak)

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-153

WHEREAS, Dr. Susan Palmieri has applied for a Conditional Use in the Trade District at 6513 W. North Avenue to operate a 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 Dr. Susan Palmieri to operate a massage therapy establishment in the Trade District at 6513 W. North Avenue.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-154

WHEREAS, Ken Franzen, Nextel Corporation, has applied for a Conditional Use in the Medical Center and Institutions District at 9050 Watertown Plank Road to co-locate cellular antennas on the Children's Hospital water tank and construct an equipment shelter on the ground 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 Ken Franzen, Nextel Corporation, to co-locate cellular antennas on the Children's Hospital water tank and construct an equipment shelter on the ground in the Medical Center and Institutions District at 9050 Watertown Plank Road.

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

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-155

WHEREAS, Chris Lundy of Target Corporation, has applied for a Conditional Use in the AA Business District at 3900 N. 124th Street for additional grocery space 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 Chris Lundy of Target Corporation, for additional grocery space in the AA Business District at 3900 N. 124th Street.

It was moved by Ald. Treis, seconded by Ald. Meaux to approve the foregoing resolution. - 15

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 6/21/06 – 7/5/06 --

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 6/21/06 – 7/5/06: \$7,405,081.36

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

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-06-156

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to the Wauwatosa Savings Bank, 7500 W. State Street, Wauwatosa, WI, to encroach onto City right-of-way with brick pavers, 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-06-157

BE IT RESOLVED by the Common Council of the City of Wauwautosa that the proper city officials be and they are hereby authorized and directed to enter into a contract with Payne & Dolan, Inc., for the work of asphalt pavement repaving (N. 118th Street from W. Center Street to W. Locust Street; N. 122nd Street from W. Center Street to W. Locust Street; Mayfair frontage road from Walnut Road to 1,200 feet south) and work incidental under Contract 06-7, Asphalt Pavement Repaving, at and for their bid price of \$199,460.20, 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. Herzog, seconded by Ald. Maher to approve the two foregoing resolutions. - 15

There being no further business, the meeting adjourned at 7:55 p.m.

Carla A. Ledesma, CMC, City Clerk

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