



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, October 3, 2006

PRESENT: Alds. Meaux, Purins, Stepaniak, Sullivan, Treis, Becker, Birschel, Didier, Donegan, Ewerdt, Grimm, Hanson, Herzog, Krill, Krol, Maher -16

ALSO PRESENT: Mr. Kesner, Interim City Administrator/City Attorney; Mr. Braier, Finance Director; Mr. Kappel, Dir. of Public Works; Ms. Welch, Community Development Director; Police Chief Weber; Mr. Wehrley, City Engineer; Mr. Wojcehowicz, Water Utility Supt.; Ms. Aldana, Asst. City Attorney/Personnel Admin.; Ms. Ledesma, City Clerk; Ms. Steinke, Recording Clerk

Mayor Estness in the Chair

The Mayor called the meeting to order at 7:32 p.m.

The Mayor and Common Council President Becker presented awards to the 2006 Yards of Distinction recipients. This was the 13th annual presentation. Recipients were presented with gift certificates for the purchase of day lilies, the official city flower. A power point presentation was also made highlighting the winning yards.

Dist. 1	Eric & Pat Jensen 6426 Upper Pkwy.	Bill Jenner & Jeff Daugherty 6615 W. Lloyd St.	Brian & Joanna Mirsberger 2186 N. 74th St.
Dist. 2	John & Bonnie Regnery 9021 Jackson Park Blvd.	Kathy & Denis Lichter 8008 Rogers Ave.	Tracy Spoerl 9407 W. North Ave.
Dist. 3	Bette Lohmann 125 N. 110th St.	Gayle Brown 144 N. 88th St.	Ann Schmidt 171 N. 87th St.
Dist. 4	Matthew Giovaneli 7133 W. Wells St.	Anne & Gary Glisch 1085 N. Perry Ct.	Kathy Loppnow 633 Crescent Ct.
Dist. 5	Virginia Brost 2505 N. 62nd St.	Mike & Kay Reiland 2636 N. 73rd St.	Jeff & Patricia Frey 7421 Hennessey Ave.
Dist. 6	Tom & Diane Roethe 9405 Ridge Blvd.	Ken & Kelly Hemauer 2469 Pasadena Blvd.	Gary & Pat Krolkowski 3326 N. Knoll Ter.
Dist. 7	Theresa Krahn & Gary Griffin 2626 N. 115th St.	Bob & Connie Sigris 11340 Underwood Ct.	Curtis Volkmann 11825 Elmhurst Pkwy.
Dist. 8	Thomas & Candy Panizza 4486 N. 99th St.	Joe Cira 10428 W. Vienna Ave.	Jim & Janet Gauger 3829 N. 101st St.

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. -16

APPOINTMENTS BY THE MAYOR

Civic Celebration Commission

Wendy Venske, 2517 N. 86th Street
Ilija Potkonjak, 8905 Jackson Park Boulevard
(Terms end 12/31/10)

It was moved by Ald. Birschel, seconded by Ald. Maher
to concur with the foregoing appointments. -16

OLD BUSINESS

The following was held after a public hearing on September 20, 2005:

ORDINANCE O-06-17

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
WAUWATOSA BY REZONING 6745 W. WELLS STREET FROM AA MEDICAL CLINIC
DISTRICT TO BUSINESS PLANNED DEVELOPMENT 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:

All of Lots 18 and 19, except the East 37.00 feet thereof, all that part of the vacated alley lying between the West 146.00 feet of Lot 19 and Lots 20,21, and 22 and the North 21.00 feet of Lots 20, 21, and 22, all in Block 1, Hyde Park, a subdivision in the northeast ¼ of Section 27, in Township 7 North, Range 21 East, City of Wauwatosa, County of Milwaukee, State of Wisconsin, is Rezoned from AA Business District to Business Planned Development 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. Krill, seconded by Ald. Krol
to adopt the foregoing ordinance. Roll call vote, Ayes
15, Present 1 (Didier).

APPLICATIONS, COMMUNICATIONS, ETC.

1. Conditional Use application to install a telephone fiber conversion cabinet at 2515 Wauwatosa Avenue

Plan Commission, Committee on Community Development

2. Conditional Use application to expand the Bryant & Stratton College by approximately 13,000 square feet at 10950 W. Potter Road
Plan Commission, Committee on Community Development
3. Conditional Use application to install a temporary helipad at 999 N. 92nd Street
Plan Commission, Committee on Community Development
4. Conditional Use application to sell used audio and visual materials at 2500 N. Mayfair Road
Plan Commission, Committee on Community Development
5. Notices of Claim: Lisa Pacocha, 625 N. 62nd Street; Patsy Sprout, 2171 N. 68th St.; Faze Vision, LLC, 2210 N. 21st St., Milwaukee; Robin and Angel Rice, 10707 W. Courtland Avenue
City Attorney
6. Letter from Margaret Silkey, president of the Hartung Park Community Association, Inc. requesting information regarding report entitled, "A Park and Open Space Plan for the City of Wauwatosa"
Community Development Director
7. Letter from Russ Rasmussen, Watershed Management Bureau, Wis. Dept. of Natural Resources regarding Preliminary Flood Insurance Study and Flood Insurance Rate Map for all jurisdictions in Milwaukee County
Community Development Director, Director of Public Works, City Engineer
8. Letter from Stephen Bablitch, Wisconsin Dept. of Administration, transmitting a copy of the 2006 Wisconsin Great Lakes Chronicle
Place on file
9. Letter from Karl Theile, Time Warner Cable, transmitting FCC rate forms in support of rate adjustments scheduled to go into effect December 1, 2006
City Attorney
10. Notice of Claim: George L. Burke, 556 Pleasant View Street
City Attorney
11. Letter from Bev Greenberg, Time Warner Cable, regarding potential program changes
City Attorney

FROM THE COMMITTEE ON EMPLOYEE RELATIONS

RESOLUTION R-06-211

WHEREAS, the Police Department requests authorization for two part-time Community Service Officers for not more than 16 hours per week; and

WHEREAS, the Police Department requests to increase the number of sergeants from 7 to 8; and

WHEREAS, the Police and Fire Departments request the addition of two full-time emergency dispatchers; and

WHEREAS, the Employee Relations Committee finds these staffing changes to be appropriate and necessary;

NOW, THEREFORE, BE IT RESOLVED THAT:

- (1) the Police Department is authorized to add two part-time temporary Community Service Officers for not more than 16 hours per week;
- (2) the Police Department is authorized to increase the number of sergeants from 7 to 8;
- (3) the Police and Fire Departments are authorized to add two full-time emergency dispatchers

It was moved by Ald. Purins, seconded by Ald. Krill to approve the foregoing resolution. -16

FROM THE COMMITTEE ON EMPLOYEE RELATIONS

RESOLUTION R-06-212

BE IT RESOLVED by the Common Council of the City of Wauwatosa THAT pursuant to Section 2.08.070 of the Municipal Code, James M. Archambo be and is hereby appointed to the position of City Administrator and that the attached Employment Agreement by and between the City of Wauwatosa and said James M. Archambo is hereby approved.

It was moved by Ald. Purins, seconded by Ald. Meaux to approve the foregoing resolution. 15-1 (Donegan)

FROM THE COMMITTEE ON TRAFFIC AND SAFETY

ORDINANCE O-06-18

AN ORDINANCE CREATING WAUWATOSA CODE SECTION 11.36.475 TO REDUCE THE SPEED LIMIT ON NORTH 70TH STREET

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

Part I. Section 11.36.475 of the Code of the City of Wauwatosa is hereby created to read as follows:

11.36.475 Speed limits – Twenty miles per hour.

The speed of any vehicle shall not be in excess of twenty miles per hour on the following highways:

1. North 70th Street between Auburn Avenue and West State Street.

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

It was moved by Ald. Maher, seconded by Ald. Didier to adopt the foregoing ordinance. -16

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-213

WHEREAS, Allen M. Orville and Richard Eisenmann have applied for a Conditional Use in the AA Business District at 255 N. 121st Street for the installation of audio visual/automotive accessories 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 Allen M. Orville and Richard Eisenmann for the installation of audio visual/automotive accessories in the AA Business District at 255 N. 121st Street subject to the following conditions:

- 1) hours of operation from 9:00 a.m. to 9:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday, and
- 2) no retail sales, and
- 3) obtaining any necessary licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-215

WHEREAS, Marie Mesrobian and Terry Zastrow have applied for a Conditional Use in the AA Business District at 8316B W. Blue Mound Road for sales of secondhand precious metals and gems 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 Marie Mesrobian and Terry Zastrow for sales of secondhand precious metals and gems in the AA Business District at 8316B Blue Mound Road subject to the following conditions:

- 1) hours of operation from 10:00 a.m. to 7:00 p.m. Monday through Friday, and 10:00 a.m. to 6:00 p.m. on Saturday, and
- 2) obtaining any necessary licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-216

WHEREAS, Kevin Shafer, Milwaukee Metropolitan Sewerage District (MMSD) has applied for a Conditional Use in the Parks and Open Space District at approximately 7801 Portland Avenue and 6765 Honey Creek Parkway to install remote telemetry units and antennas, 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 to grant a Conditional Use to Kevin Shafer, Milwaukee Metropolitan Sewerage District (MMSD) to install remote telemetry units and antennas in the Parks and Open Space District at approximately 7801 Portland Avenue and 6765 Honey Creek Parkway subject to obtaining any necessary licenses and permits.

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

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-214

WHEREAS, Christina Roldan and Stuart Hoffman have applied for a Conditional Use in the AA Business District at 11702 W. North Avenue for a drop-in child care center 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 Christina Roldan and Stuart Hoffman for a drop-in child care center in the AA Business District at 11702 W. North Avenue subject to the following conditions:

- 1) hours of operation from 8:30 a.m. to 7:00 p.m. Monday through Thursday, 8:30 a.m. to 11:00 p.m. on Friday, and 10:00 a.m. to 11:00 p.m. on Saturday, and
- 2) obtaining a state license because the applicants will be taking care of children for up to four hours, and
- 3) obtaining any necessary licenses and permits.

It was moved by Ald. Treis, seconded by Ald. Herzog to approve the foregoing resolution. -16

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-217

WHEREAS, William Ibach has submitted a preliminary plan for a Business Planned Development at 6745 W. Wells to construct a mixed use development; and

WHEREAS, these preliminary plans have been reviewed and recommended by the City Plan Commission and the Committee on Community Development; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby approves the preliminary plans for a Business Planned Development at 6745 W. Wells submitted by William Ibach based upon the plans submitted to the City and the public hearings conducted on this matter subject to the following conditions:

- 1) storage of recycling and garbage to be adequately screened from view; and
- 2) submission of hard engineering related to parking, lighting, grading, and utilities subject to approval by City Engineer; and
- 3) plans for water supply to site subject to approval by City Water Superintendent; and
- 4) grading along the sides of the property to avoid runoff onto adjacent properties; and
- 5) approval of sewer plans and adequate sewer credits approved by the City Engineer; and
- 6) an encroachment and maintenance agreement for the city right-of-way subject to approval by the City Attorney.

It was moved by Ald. Treis, seconded by Ald. Herzog to approve the foregoing resolution. Roll call vote, Ayes 11, Noes 4 (Becker, Birschel, Grimm, Hanson), Present 1 (Didier)

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-218

WHEREAS, the City of Wauwatosa solicited proposals from nine different auditing firms to perform audit services for the year 2006-2010; and

WHEREAS, of the two responding bidders, Clifton Gunderson LLP provided the lowest cost for the term of the 5-year contract; and

WHEREAS, Clifton Gunderson LLP is well qualified to perform the tasks involved in performing audit services for the City of Wauwatosa; and

WHEREAS, City of Wauwatosa officials acknowledge the long-standing relationship with Virchow Krause & Company, the audit firm which has performed the City audits for 29 of the past 30 years, which firm revised its quoted fee schedule prior to the final recommendation; and

WHEREAS, the final cost for the 2006 audit of \$32,700.00 is \$5,900.00 lower than the Virchow Krause proposal for 2006 audit services;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa hereby accepts the proposal of Clifton Gunderson LLP to provide audit services for the years 2006-2010, with the 2006 cost of \$32,700.00, and additional years' costs as set forth in the proposal received August 14, 2006, and appropriate City officials are hereby authorized to enter into an agreement with Clifton Gunderson LLP for this purpose.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-219

WHEREAS, the Wauwatosa Police Department has realized cost savings in the 2006 wage and fringe benefit accounts which would be sufficient to fund one new sergeant, two new, full-time dispatchers and two part-time community service officer positions; and

WHEREAS, the cost savings are realized by the absence of certain officers due to military service and by elimination of three part-time dispatcher positions; and

WHEREAS, this change in purpose is consistent with position changes recommended in the Executive Budget which is to be considered by the Common Council for the year 2007;

NOW, THEREFORE, BE IT RESOLVED THAT the necessary wage and fringe benefit amounts available due to savings in the police department wage and benefit accounts are hereby authorized to fund the promotion of one patrol officer to a new sergeant position, two full-time dispatcher positions and two part-time community service officer positions for the remainder of the year 2006;

BE IT FURTHER RESOLVED THAT the personnel schedule for the Wauwatosa Police Department is hereby amended to reflect these new position allocations.

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

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-220

WHEREAS, the City of Wauwatosa Water Utility requested proposals for a new Supervisory Control and Data Acquisition (SCADA) system to replace the existing system which was installed in 1989; and

WHEREAS, the 2006 budget of the Wauwatosa Water Utility contains a budgeted item providing sufficient funds for replacement of this system; and

WHEREAS, after requesting proposals, the Wauwatosa Water Utility has recommended the proposal of Kamp/Synergy LLC at a cost of \$195,600.00, the lowest cost proposal received;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials are hereby authorized to enter into an agreement for the upgrade and modernization of the Wauwatosa Water Utility Supervisory Control and Data Acquisition (SCADA) system with Kamp/Synergy LLC at a cost not to exceed \$195,600.00.

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

It was moved by Ald. Maher, seconded by Ald. Grimm to amend the motion to hold the item and bring it forward when the Budget and Finance Committee reviews the Water Utility's 2007 budget. Roll call vote, Ayes 2 (Grimm, Maher), Noes 14. –Motion failed.

Roll call vote on original motion, Ayes 15, Noes 1 (Maher)

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 9/20/06 – 10/3/06 --

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 9/20/06 – 10/3/06: \$2,844,929.01

It was moved by Ald. Meaux, seconded by Ald. Krol that each and every one of the accounts of bills and claims be allowed and ordered paid. Roll call vote, Ayes 16.

There being no further business, the meeting adjourned at 8:45 p.m.

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Carla A. Ledesma, CMC, City Clerk